



# City of Jonesboro

900 West Monroe  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, June 3, 2008

6:30 PM

Council Chambers

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### PUBLIC WORKS COMMITTEE MEETING AT 5:15 P.M.

#### Call to order by the Mayor at 6:30 P.M.

#### Pledge of Allegiance and Invocation

#### Roll Call by the City Clerk

**Present** 11 - Judy Furr; Darrel Dover; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

**Absent** 1 - Faye McCall

#### Special Presentations

#### Consent Agenda

##### *Approval of the Consent Agenda*

**A motion was made by Councilman Chris Moore, seconded by Councilman Harold Perrin, to Approve the Consent Agenda. A motion was made that these files be approved by consent voice vote**

**Aye:** 11 - Judy Furr; Darrel Dover; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

**Absent:** 1 - Faye McCall

**MIN-08:123** Minutes for the City Council meeting on May 20, 2008.

**Attachments:** [Minutes](#)

**This item was approved on the consent agenda.**

**RES-08:035** A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LEASE AGREEMENT FOR PROPERTY LOCATED AT 107 FLINT STREET

**Sponsors:** Mayor's Office and Public Works

**Attachments:** [Exhibit A -- Best lease](#)

**This item was approved on the consent agenda.**

Enactment No: R-EN-081-2008

**New Business***Ordinances on First Reading*

**ORD-08:031** AN ORDINANCE TO AMEND THE 2008 ANNUAL BUDGET AND THE PAY PLAN FOR THE CITY OF JONESBORO TO CHANGE THE POSITION OF GIS SPECIALISTS TO A GIS COORDINATOR

**Sponsors:** Human Resources

**Attachments:** [GIS Coordinator](#)

*Councilman McCall offered the ordinance for first reading by title only.*

**This Ordinance was Held at one reading.**

**ORD-08:036** AN ORDINANCE TO AMEND CHAPTER 11.28, FIRE PREVENTION CODE OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, FOR THE PRACTICAL SAFEGUARDING OF PERSONS, BUILDINGS AND THEIR CONTENTS FROM THE DANGERS AND HAZARDS ARISING FROM FIRE AND LIFE SAFETY EMERGENCIES.

**Sponsors:** Fire Department

*Councilman Moore offered the ordinance for first reading by title only.*

*Councilman Moore motioned, seconded by Councilman Perrin, to suspend the rules and waive second and third readings. The motion passed with a unanimous vote.*

**A motion was made by Councilman Chris Moore, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by a unanimous vote.**

**Aye:** 11 - Judy Furr;Darrel Dover;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

**Absent:** 1 - Faye McCall

Enactment No: O-EN-027-2008

**ORD-08:041** AN ORDINANCE TO AMEND THE 2008 ANNUAL BUDGET TO PURCHASE A PLOTTER/SCANNER/COPIER FOR THE ENGINEERING DEPARTMENT, TO ACCEPT THE LOW BID BY ARKANSAS BLUEPRINT CO., AND TO APPROPRIATE FUNDS

**Sponsors:** Engineering

**Attachments:** [Bid Tab](#)  
[Bids](#)

*Councilman Street offered the ordinance for first reading by title only.*

*Councilman Moore motioned, seconded by Councilman Street, to suspend the rules and waive the second and third readings. The motion passed with a unanimous vote.*

**A motion was made by Councilman John Street, seconded by Councilman Chris Moore, that this matter be Passed . The motion PASSED by a unanimous vote.**

**Aye:** 11 - Judy Furr;Darrel Dover;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

**Absent:** 1 - Faye McCall

Enactment No: O-EN-028-2008

### **Unfinished Business**

#### *Ordinances on Second Reading*

**ORD-08:043** AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES FROM R-1 SINGLE FAMILY MEDIUM DENSITY DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT LOCATED ON WEST PARKER ROAD BETWEEN WOOD STREET AND PAULA DRIVE AS REQUESTED BY BURROW HALSEY HOLDINGS

**Attachments:** [Plat](#)  
[MAPC Report](#)

*Councilman Moore motioned, seconded by Councilman Hargis, to suspend the rules and place the ordinance on third reading by title only. The motion passed with a unanimous vote.*

**A motion was made by Councilman Chris Moore, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by a unanimous vote**

**Aye:** 11 - Judy Furr;Darrel Dover;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

**Absent:** 1 - Faye McCall

Enactment No: O-EN-029-2008

### **Mayor's Reports**

*Mayor Formon requested a Nominating and Rules Committee meeting be set to address some appointments and to discuss an ordinance.*

### **City Council Reports**

*Councilman Moore asked for a report concerning the tornado sirens. Operations Director Misty Micenhamer stated the bids should be back June 12 and they will try to put the tabulations together by the next Finance Committee. She further explained they have had a lot of interest and have fielded several calls regarding the specs and ways to save money. Councilman Moore noted the letter from Federal stated they would be willing to put together a presentation. Ms. Micenhamer stated all of the groups are willing to do a presentation if needed, as well as have demonstrations of their products.*

*Councilwoman Williams stated the next regular Finance Committee meeting needed to be rescheduled to a different date due to the Municipal League Conference. City Clerk Donna Jackson noted Attorney Jay Scurlock, representing Mr. Bob Andrews, requested a hearing on the 11th. Councilwoman Williams suggested having the regular meeting on 26th. Mayor Formon questioned whether APERMA Attorney Ralph Ohm would be able to attend on the 11th. Ms. Jackson explained she already*

sent out an e-mail concerning having the hearing on the 11th and included Mr. Ohm. She added Mr. Ohm did not indicate any conflict. Councilwoman Williams clarified a special called Finance Committee meeting would be held on June 11 for the purpose of holding the personnel hearing. She stated the Finance Committee would meet for their regular meeting on June 26th at 3:00 p.m. Councilman Street questioned what time the meeting would be on the 11th. Ms. Jackson suggested making the meeting on the 11th tentative until everyone has been contacted to assure their attendance.

Councilman McCall questioned the status of hiring an interim director for JETS. Mayor Formon explained they will be talking with some people over the next few weeks. He further explained they will be hiring just an interim director until the end of the year.

Councilwoman Furr commended the work of JETS Director Joel Gardner and stated he will be missed. She thanked Mr. Gardner for his work. Mr. Gardner also thanked the Council and stated he appreciates each person on the Council.

### **Public Comment**

Ms. Shirley Jones discussed her home on Lexie and the drainage problem in her area. She noted City Engineer Craig Light, as well as Mr. Joe Little, has been to her home. She stated every time it rains they have a flooding problem, but the City has indicated they can't do anything. She explained the builder has indicated to her she cannot put dirt in because it will flood others homes and then she would be responsible. Councilman McCall questioned who the builder is. Ms. Jones answered Mitch Caldwell. She also stated Mr. Light indicated to her the City will not accept the improvements because they are not up to code. Mr. Light explained he's not sure of Code problems, but it hasn't been accepted as a subdivision. Councilman McCall questioned whether there were any ordinances regarding homes being raised to a certain level. Mayor Formon explained the City has it now and noted the City has held the permit for Mr. Caldwell's future improvements. Mr. Light stated they are holding permits for Mr. Caldwell's Colony Park subdivision because Mr. Caldwell is in violation of FEMA guidelines for development in that area. He added this particular area in question is Caldwell Acres. He further explained he has spoken with the City Attorney concerning holding permits for that area, but as long as the improvements are being done as approved by the City then construction could not be stopped. Councilman Dover questioned whether there is anything the City can do. Mr. Light stated he has given Mr. Caldwell the opportunity to make improvements to his design that should alleviate Ms. Jones' problem, but he has been unwilling to help. He added Ms. Jones' attorney is in the process of suing Mr. Caldwell. Mr. Light noted Ms. Jones has converted a patio into a sun room, which is what is getting the water into it. He added the water is not getting into her house everytime it rains. Ms. Jones explained up to the second level of siding from the bottom stays green due to the flooding. City Attorney Phillip Crego recommended continuing with her private attorney. He added the City cannot do any work until the subdivision is accepted and as long as Mr. Caldwell is building within the approved site plans nothing else can be required of Mr. Caldwell. He noted the City has taken steps for this type of situation to be prevented in the future.

Ms. Geneva Burch stated she is new to Jonesboro and is disappointed with what she has found in the housing industry. She explained the City should not allow Mr. Caldwell to design something that is supposed to work, but it's not. She further explained she also lives in the area and questioned what they will lose if it's not accepted by the City. Mr. Crego explained if the subdivision is not approved, then the City will not do maintenance to the infrastructure, such as the streets and drainage. He clarified she will not lose fire or police protection or any other city services. He encouraged her to contact Legal Aide of Arkansas, which provides low cost

*representation, if she cannot afford an attorney. Councilman McCall explained the changes the Council has made to make developers accountable for their improvements.*

**Adjournment.**

**A motion was made by Councilman Harold Perrin, seconded by Councilwoman Ann Williams, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.**

**Aye:** 11 - Judy Furr;Darrel Dover;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

**Absent:** 1 - Faye McCall

\_\_\_\_\_ **Date:** \_\_\_\_\_  
**Doug Formon, Mayor**

\_\_\_\_\_ **Date:** \_\_\_\_\_  
**Donna Jackson, City Clerk**