



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, October 19, 2021

5:30 PM

Municipal Center, 300 S. Church

PUBLIC SAFETY COMMITTEE MEETING AT 5:00 P.M.

1. CALL TO ORDER BY MAYOR HAROLD COPENHAVER AT 5:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK APRIL LEGGETT

Present 12 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner; David McClain; LJ Bryant and Brian Emison

4. SPECIAL PRESENTATIONS

[COM-21:047](#)

SPECIAL PRESENTATION HONORING THE VALLEY VIEW BOY'S GOLF TEAM FOR WINNING THE 2021 4A STATE CHAMPIONSHIP

Sponsors: Mayor's Office

Mayor Harold Copenhaver honored the Valley View boy's golf team with a proclamation for winning the 2021 4A State Championship.

Read

5. CONSENT AGENDA

Approval of the Consent Agenda

Councilmember LJ Bryant abstained from voting on the Consent Agenda because although he does not own the property at 905 Creath, he is in a contract to buy it. This refers to RES-21:205.

A motion was made by Councilperson Chris Moore, seconded by Councilperson Chris Gibson, to Approve the Consent Agenda. The motioned PASSED

Aye: 11 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner; David McClain and Brian Emison

Abstain: 1 - LJ Bryant

[MIN-21:088](#)

MINUTES FOR THE CITY COUNCIL MEETING ON OCTOBER 4, 2021

Attachments: [CC Minutes 10042021](#)

This item was passed on the Consent Agenda.

[RES-21:200](#)

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO CONVEY A PERMANENT EASEMENT TO THE ARKANSAS STATE HIGHWAY COMMISSION, AN AGENCY OF THE STATE OF ARKANSAS FOR HIGHWAY PURPOSES

Sponsors: Engineering

Attachments: [100657 Tract 85 Supplement to Appraisal](#)
[100657 PCE DOC](#)
[100657 Tract 85 Appraisal](#)

This item was passed on the Consent Agenda.

[RES-21:201](#)

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY AT 715 CREATH AVENUE FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING ROADWAY IMPROVEMENTS

Sponsors: Engineering

Attachments: [Offer and Acceptance - 715 Creath Avenue](#)

This item was passed on the Consent Agenda.

[RES-21:202](#)

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY AT 914 CREATH AVENUE FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING ROADWAY IMPROVEMENTS

Sponsors: Engineering

Attachments: [Offer and Acceptance - 914 Creath Avenue](#)

This item was passed on the Consent Agenda.

[RES-21:203](#)

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY AT 815 CREATH AVENUE FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING ROADWAY IMPROVEMENTS

Sponsors: Engineering

Attachments: [Offer and Acceptance - 815 Creath Avenue](#)

This item was passed on the Consent Agenda.

[RES-21:205](#)

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY AT 905 CREATH AVENUE FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING ROADWAY IMPROVEMENTS

Sponsors: Engineering

Attachments: [Offer and Acceptance - 905 Creath Avenue](#)

Councilmember LJ Bryant abstained from voting on the Consent Agenda because although he does not own the property at 905 Creath, he is in a contract to buy it. This refers to RES-21:205.

This item was passed on the Consent Agenda.

[RES-21:207](#)

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY AT 819 CREATH AVENUE FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING ROADWAY IMPROVEMENTS

Sponsors: Engineering

Attachments: [Offer and Acceptance - 819 Creath Avenue](#)

This item was passed on the Consent Agenda.

[RES-21:211](#)

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY AT 1118 CREATH AVENUE FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING ROADWAY IMPROVEMENTS

Sponsors: Engineering

Attachments: [Offer and Acceptance - 1118 Creath Avenue](#)

This item was passed on the Consent Agenda.

[RES-21:212](#)

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY AT 1101 CREATH AVENUE FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING ROADWAY IMPROVEMENTS

Sponsors: Engineering

Attachments: [Offer and Acceptance - 1101 Creath Avenue](#)

This item was passed on the Consent Agenda.

[RES-21:213](#)

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO CONTRACT WITH SUPREME LENDING FOR SPONSORSHIP OF ONE OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation and Finance

Attachments: [Southside Contract](#)

This item was passed on the Consent Agenda.

[RES-21:214](#)

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO AN AGREEMENT WITH SCS ENGINEERS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR SOLID WASTE MANAGEMENT ASSESSMENT

AND PLANNING

Sponsors: Sanitation

Attachments: [City of Jonesboro MSA and Work Order for Sanitation Department 9-22-2021 MSA Attach A-Work Order-City of Jonesboro](#)

This item was passed on the Consent Agenda.

[RES-21:215](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO LEVY A ONE-HALF (.5) MILL TAX ON ALL REAL AND PERSONAL PROPERTY FOR THE LOCAL FIREFIGHTERS PENSION PLANS

Sponsors: Finance

Attachments: [State Mandated Uniformed Retirement Expense Analysis \(002\)](#)

This item was passed on the Consent Agenda.

[RES-21:216](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO LEVY A ONE-HALF (.5) MILL TAX ON ALL REAL AND PERSONAL PROPERTY FOR THE JONESBORO POLICE PENSION PLANS

Sponsors: Finance

Attachments: [State Mandated Uniformed Retirement Expense Analysis \(002\)](#)

This item was passed on the Consent Agenda.

[RES-21:217](#)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO LEVY A 2 MILL TAX ON ALL REAL AND PERSONAL PROPERTY FOR THE PUBLIC LIBRARY TAX

Sponsors: Finance

This item was passed on the Consent Agenda.

[RES-21:218](#)

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ALLOCATE AMERICAN RESCUE PLAN FUNDS TO PURCHASE A FILTER & HEATING SYSTEM FOR THE JONESBORO CITY POOL

Sponsors: Parks & Recreation and Finance

Attachments: [Bid 2021-28 Pool Heating System Tabulation \(002\)](#)

This item was passed on the Consent Agenda.

[RES-21:219](#)

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ALLOCATE AMERICAN RESCUE PLAN FUNDS TO PURCHASE AUDIO/VIDEO RECORDING AND PRODUCTION EQUIPMENT FOR THE INFORMATION SYSTEMS DEPARTMENT

Sponsors: Information Systems and Finance

Attachments: [GSS29988.7 - Council Chambers AV](#)

This item was passed on the Consent Agenda.

6. NEW BUSINESS

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

[ORD-21:039](#)

AN ORDINANCE TO APPROVE AN ASSESSMENT FOR THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT FOR COMMERCIAL PROPERTY OWNERS IN THE DISTRICT AS APPROVED AND REQUESTED BY COMMISSIONERS AND A MAJORITY IN VALUE OF THE MEMBERS OF THE DISTRICT

Sponsors: Mayor's Office

Attachments: [Cost of Improvement 7.19.21](#)
[JHafner emails about Downtown Business Improvement District](#)
[Downtown Jonesboro Bus Imp Dis 8-25t](#)
[ORD-21-039 emails](#)

Councilmember LJ Bryant explained that there should be an amendment that has been circulated to all of the councilmembers. The amendment is pretty simple. In the original draft of the ordinance the amount was wrong and this amendment is actually favorable to the folks that are inside the down town district. The original draft was \$200,000 plus to be collected annually and it's actually \$30,000 to \$35,000. One addition that is not written here that we wanted to make for absolute clarity, is that the non-profits are not included in the assessment, or for the assessment bid. The City Attorney will be working on the language to add to this that will make it abundantly clear that those non-profits will not be included in this assessment.

Gary Harpole, 512 West Jefferson Avenue, Jonesboro, explained that he wanted to give more clarity regarding the assessment of the downtown improvement district. I know that it has been a little bit confusing and I apologize for that, but, we wanted to make sure that we got it right. The original ordinance that was read approximately 4-weeks ago, the language on the amount of the millage being assessed as well as it being assessed against the assessed value and not the appraised value was correct. There was a mathematical error in the ordinance when they denoted the amount of money that it would raise, in-errantly it was calculated against the appraised values. It was 2-mil, it was against the assessed value, but it will not generate \$200,000, it will generate approximately \$30,000 to \$35,000.00. That is why we asked that the motion be tabled 4-weeks ago. We wanted an opportunity to come back together and make sure that we had a plan that would be acceptable to the stake holders within the district if we move forward at that level. So, since the council meeting 4-weeks ago, we've had no less than three meetings, we had one specifically with the largest stakeholder of real property in the district, being St. Bernard's Medical Center and made sure that everyone was cleared, I would also like to add to the language on the non-profit that's being added in, when that's done tomorrow if we could get a copy of that, I want to make sure that that circulates among the non-profits, to make sure it meets the legal threshold that they need it to meet. Because, that is the intension and we want to make sure that we do it right. We also had two open public meetings and both were held in this chamber. One at 12:00 noon, and one at 5:30 P.M. on a

week-day so that regardless of what shift you worked you would have an opportunity if you were a stakeholder, you were invited and told of the meeting. We opened that up and had some really good open discussion about how we could take that money and leverage it to the good of the stakeholders and the downtown improvement districts. Improvement Districts have a rich history of success in this market and others. Everything from City Water and Light, to special improvement districts, to water districts, to whatever they exist. When the stakeholders can come together and assess for the common good of the people within that district and use that money to instigate other things.

Again, we had several people come to both of those meetings and had the opportunity to talk about what we can do with that, how we might be able to leverage those dollars wither against matching private donations or maybe as matching for other grants and different things that we could do. Focusing on things like security and lighting, attracting more business to downtown and retail incubation, trying to create and foster some programs that could get more retail into the downtown area. So, again the meetings were very productive and we appreciate you guys giving us a little bit of pause to go back and take care of our housecleaning and we feel like that we have done that and we are excited to now move this forward with the clean language. Councilmember Bobby Long asked if the \$200,000 that was in the initial ordinance did it include property tax collection from St. Bernard's property? Mr. Harpole said, no, it never did. The intent was never to leverage non-profits, as a matter of fact even if we did not put the language in, it is my understanding that non-profits could not be assessed anyway, I believe they are protected by virtue of their status. But, as a matter of good faith we wanted to make sure that we clarified that. It has nothing to do with taking out St. Bernard's or the churches, it is a simple mathematical error.

Howard Weinstock, 208 Wilkins Avenue, Jonesboro. I am asking you all to vote against this tax increase. Taxes roll down through the property tax into the sales tax and ultimately brings more money to the city rather than those of us who shop in the city. My wife and I came down a couple of weeks ago to one of the newer locations and for \$25.00 we had a mixed drink and an entrée that we shared. A couple of days after that we went out in Caraway and for \$25.00 each of us had entrée's and drinks. This tax combined with the one you are going to discuss is going to increase the city tax coffers by over a 100%. This will be a 2-mil and the other one is going to go from the 3 to 6 cents, a 100% increase in the tax that is going to you to be levied against us. So, in this case the property owners have the authority within their own organization to collect fees against the people who aren't doing what they are supposed to be doing already. By you taxing them you are essentially taxing us. As is said the combination of the two I think is kind of insidious, unless I am missing something and if somebody wants to correct me I'll be happy to listen. But, to increase the tax over 100% January 1, 2022, for a city that is already sitting to wash over \$27,000,000.00 in excess reserves, it's just kind of stunning. On behalf of the people in Jonesboro who like to keep money in their wallets I ask that you reject this tax.

Councilmember Chris Gibson stated that he needed to understand where Mr. Weinstock was getting the 3% increase on any bill that you are going to be receiving. Mr. Weinstock commented that right now the hotel tax is 3%, Mr. Gibson asked Mr. Weinstock if he stayed a lot in hotels here in Jonesboro. Mr. Weinstock stated yes. It doesn't matter what I do, it's what the city coffers are absorbing. It's going from 3-cents on hotel tax to 6-cents, Mr. Gibson said, that is incorrect. Mr. Weinstock said what's incorrect about it. Again, Mr. Gibson said that is not right, 3% to 6% is incorrect, you need to sharpen your pencil. Mr. Weinstock stated, 3-cents for the hotel tax, 2-cents for the hamburger tax, and 1-cent for the additional hotel tax, to me that

adds up to 6-cents, over 100% with this millage increase.

And I am not speaking about what comes out of my pocket, I am telling you what concerns me about what is going into the city coffers with these many of millions of dollars sitting in there already. So, maybe you would take the time to explain that to me. I think it's \$28,000,000 as of August, Septembers report has not been posted yet. I can pull out whatever you want to talk about for the numbers. Did I answer your question? Mr. Gibson commented, in a roundabout way, but I still think your pencil needs to be sharpened a little bit, because I don't think anywhere in this that there is going to be a 100% increase on any ticket that you get in this city. Be it a food bill, a hotel bill, or whatever. Mr. Weinstock commented back. I am not talking about the addition to the coffers. If there is a current 3% hotel tax, and you want to implement a brand new 2% hamburger tax, and increase the hotel tax 1%, 4-plus-2 equals 6. Councilmember Chris Moore commented that he thought one of the misconceptions is when you say 100%, it's a 100% increase on the tax, but not a 100% increase in city revenue as this money does not go into the general fund. So, we don't receive it. Mayor Copenhaver stated that is correct. Mr. Moore continued to explain that the city will receive nothing. To the second point you had on your property tax that you miss spoke on, the city does not get anything from your personal property tax, the city's 1-cent sales tax, when that was passed 15-years ago we waived the city's share of personal property tax, your mosquito control and your sanitation. So, we collect nothing on your property. Mr. Weinstock commented that he's not talking about his property, Mr. Moore commented that I am speaking to you. You spoke and said that the increase on property tax, we currently collect nothing on that. Mr. Weinstock commented currently on the Commercial District, Mr. Moore said, I am not talking about commercial, I am talking about your residential taxes. Mr. Weinstock commented that he was not talking about residential. Mr. Moore said, Mr. Weinstock if the businesses want to take and increase their millage and you don't want to pay the price to eat there, eat somewhere else. As a citizen who lives in a house, I think you inflate the two issues and it makes people in the public think that their property tax is going up, and then when you say that there is a 100% increase in revenue into the city coffers it makes it sound like we are doubling the tax currently collected in the city which the only issue is a sales tax. So, I think you have to be careful when you speak about that because, that money does not come to the city, and the city does not currently collect personal property tax. Mr. Weinstock stated that any increase on property tax flows down to the renters. Mr. Moore commented that he was not going to argue with Mr. Weinstock, and that there is no increase in property tax, because we don't currently collect property tax.

Councilmember Joe Hafner asked Mr. Weinstock to please explain how the property tax rolls down into the sales tax. Mr. Weinstock explained that if a property owner increases the rent on the building, the business owners, Mr. Hafner explained that sales tax is not collected on rent, Mr. Weinstock again said but it rolls down. Again Mr. Hafner asked how. The business is going to be paying more for rent so eventually it will be passed down to the consumer. Councilmember LJ Bryant commented to Mr. Moore's point, among the \$35,000 that's being collected in the bid, the lions share is being paid by two to three people. A hand full of people have decided to assess themselves. Much like the A&P the money collected is going to the commission, it's not going to the city coffers. If \$35,000 doubles the revenue for the city then we've got problems.

Mr. Moore stated that after this comment I'll drop it. My whole point Mr. Weinstock is if you live in a house and your millage goes up you have no choice but to pay it. Taxes are enforced, you either pay your personal property tax or you don't. The millage is on a commercial establishment, so if you don't want to pay it you don't have to eat there. It's

not enforced at the point of gun like it is at your house, it is two separate issues. Mr. Weinstock agreed. Mr. Moore said the other point that I want to make sure that is clear to everybody here is that this money is not coming to the city coffers, and that's your words, I've read your e-mails for the past two-weeks, it's not coming to the city coffers, we get no proceeds from it. Mr. Weinstock stated that he appreciated that his emails were being read by Mr. Moore.

Held at second reading

[ORD-21:044](#)

AN ORDINANCE TO CONTRACT FOR PAYROLL AND HR SOFTWARE, WAIVE COMPETITIVE BIDDING AND APPROPRIATE FUNDS

Sponsors: Human Resources

Attachments: [Vendor Selection SyncHR](#)
[Master Subscription Agreement SYNC HR](#)
[SyncHR by PrimePay Proposal for City of Jonesboro](#)
[Email from Frank McNamara at PrimePay 09222021](#)

Councilmember John Street motioned, seconded by Councilmember Chris Moore, to suspend the rules and waive the third reading. All voted aye.

Chief of Police Rick Elliott explained that he would like for the third reading to be waived because, the police department is in the process of moving the patrol division to 11-hour shifts starting January 1st. We do not want to build this new shift schedule in the old software system and then turn around and have to build it into the new software system. Councilmember Bobby Long agreed with waiving the third reading. The city has over 600 employees and you have two human resource employees that is having to operate with multiple systems. Being in human resources myself for over 20-years I can see the value in this software especially in scheduling and time keeping.

A motion was made by Councilperson Charles Frierson, seconded by Councilperson Mitch Johnson, that this matter be Passed . The motion PASSED with the following vote.

Aye: 12 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain;LJ Bryant and Brian Emison

[ORD-21:045](#)

A ORDINANCE TO VACATE AND ABANDON A DRAINAGE EASEMENT LOCATED ON THE SOUTH SIDE OF E. HIGHLAND DRIVE AND ON THE EAST SIDE OF GREAT DANE LANE AS REQUESTED BY THE JONESBORO ECONOMIC DEVELOPMENT COUNCIL

Attachments: [Petition](#)
[Resolution](#)
[Ordinance](#)
[Plat](#)
[Abandonment Letters](#)

Held at second reading

[ORD-21:046](#)

AN ORDINANCE LEVYING A TAX UPON THE GROSS RECEIPTS OF PREPARED FOODS BY ESTABLISHMENTS IN THE CITY OF JONESBORO; PRESCRIBING THE PROCEDURE FOR THE COLLECTION AND ENFORCEMENT OF THE TAX;

PRESCRIBING THE PURPOSES FOR WHICH REVENUES DERIVED FROM COLLECTION OF THE TAX MAY BE USED; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO

Attachments: [Jonesboro Advertising & Promotion Commission Presentation handout](#)
[Jonesboro A&P Commission Clarification of Misinformation](#)
[Jerry Morgan Jonesboro A&P Commission Feasibility Study Minutes August 30 2021](#)
[ORD-21-046 emails Must have a residential address which is within the city |](#)
[Joe Hafner Handout 11022021](#)

Mayor Harold Copenhaver has asked Jerry Morgan, Chairman of the A&P Commission to come and give some FAQ insight regarding this ordinance. We have had numerous questions regarding this particular subject and I have been and want to continue to be transparent about this. Jerry Morgan 1108 Dove Road, Jonesboro. Mr. Morgan recognized Mr. Weinstock's years of service in the armed forces, my dad and brother served as well. I also know your mother Barbara Weinstock who has served this town for years as a Justice of the Peace and we greatly appreciate that, I think we have all worked with her at some point over the years. Just for some clarification on the tax, there is two different issues that we are considering. The first is the hotel tax, we currently receive 3% and are requesting that to go to 4%. That ordinance has not actually been to finance at this time nor has it gone through the city council. We are hoping to bring that to the next finance meeting, we are working on the wording to make sure that it is correct. We have discussed that, we have promoted that, but it will not actually be voted on until the next finance meeting. It is going from 3% to 4% not 6%, there is no doubling of that. The other one that we are discussing tonight is on the second reading and it is the 2% prepared food tax. Again, as we have discussed, we did the presentation to the finance committee, we had A&P meetings where it was presented and discussed several times as well. We are requesting that ordinance be approved and those funds go to the funding, operations and maintenance of a sports complex. It will take us a couple of months to get the tax set up for collections, and two more months to actually start collecting the tax to see what our revenue stream is at that point. In parallel with that we are also going to do a feasibility study to make sure we get that facility right and to make sure we look at all angles. There has been a lot of discussion on that, a lot of questions on why are we doing that, why are we not doing that before we get the facility build.

The reason for that is we want to make sure we get it right. We could have easily come here and said we need 25 or 30 million dollars for 12 basketball courts that will convert to 24 volleyball courts, and an aquatic center. That is the concept that we all think, several of us, Danny Kapales with the parks and recreation department, the A&P Commission, that's the thought process we have, What we are going to do is get a group in here to do a full feasibility study to make sure that is the facility that we need for the citizens. We will have citizen input, they will go around and talk to different groups, also do a geographic comparison to make sure that is the best fit for Jonesboro, for bringing in the revenue and the tournaments, also compare it to the existing facilities in town now. We will have time to do that while the collection process is going on to make sure we have the facility right. There is other towns right now close by that are building these types of facilities. Conway just announced a 14-million dollar facility, West Memphis just rolled out a plan for a 30-million dollar facility, and Cabot is announcing a 20-million dollar facility. This will not be on restaurants, it will only be on prepared foods. That's been something that a lot of people have had questions on, also it will not be levied on the restaurants, and it will be levied on the

tax that the restaurant serves to the consumers. It will be an additional tax to the patrons of those restaurants, the restaurants will collect that in addition to the existing sales tax that they have and they will not be required to buy any additional equipment for that. I think that answers a lot of the questions that has been circulating out in the public. City Attorney Carol Duncan cleared up the statement that Mr. Morgan said about the tax not being levied on restaurants, Mr. Morgan meant to say that it will not be on groceries. Mr. Morgan thanked Ms. Duncan for the correction and again said that it will be on restaurants, not on the general groceries or grocery stores.

Mayor Copenhaver asked Mr. Morgan to explain to the general public about the current fees that the A&P collect now and how they are passed into the A&P account. There are state statutes regarding those funds, they have to go into the A&P account, those funds are not allowed to go into the city's general fund. The city is just a pass through for checks and balances, the funds are designated by A&P. Right now Jonesboro collects about \$600,000 and other cities are collecting about 4-million or more dollars, we are collecting about a 10th or 20% of that. Most of those already have the revenue from a restaurant tax in place. That is how Conway is funding there facility, they are not discussing how to fund it, they are discussing if they need a 20-meter or 50-meter pool. We are just trying to build a facility that our city can be proud of, that our youth can be proud of and also bring economic growth to Jonesboro.

David McAvoy, 1524 Charles Drive, Jonesboro. I just want to say as someone that lives here as a tax payer and a frequent patron of Sonic. I am for this tax, we need to be investing in our city if it's going to keep growing and thriving, nothing or almost nothing in this life comes free and I think with government we like to pretend that sometimes it can. Yes, we have a sales tax surplus right now, which may not be the case next year or the year after. This is something that is going to need a dedicated revenue stream. We are already living off of revenue streams that are built for a city smaller than what Jonesboro has become. We need more recreation, we need more factors driving our growth and we need more revenue putting back into our city, this is a good deal for that and I support it.

Rennell Woods, 3916 Brandywine, Jonesboro. Dr. King said something that stuck with me and I want to share that here. If you've never found something so dear and so precious to you that you would die for then you are not fit to live. This is an opportunity to bring a facility that will help the youth and their families in our community. This is something I am definitely for, not just for the economic impact, but also just bringing opportunities for our young people to be able to interact with people from all over the country. It is also my hope that it will help with upgrading some of the current facilities that we already have in place. I personally know the importance of having community centers in neighborhoods and it is important to give those centers back to the youth that they were intended for. To quote Mr. Gene Vance, a previous Jonesboro Councilmember, "an ounce of prevention is worth a world of cure". We need to do this.

Hayden Moore, 2578 Terra Lane, Jonesboro. I am a member of the Jonesboro JETS swim team and a junior in high school. A question that got brought up at the last meeting was, why we don't just have our practices at the St. Bernard's Health and Wellness pool. That pool is very small, it's four lanes and does not come close to accommodating our team. The alternative to that is the Jonesboro City pool, which is completely dictated by the weather, whether we can swim or not. So, that limits us to summer only practices, we are still doing practices right now in the 40 and 50 degree weather. It would be much more feasible for Jonesboro to build an indoor aquatic center facility, preferably 50-meters, with removable bulk head. With this type of pool you could split the pool in half, you could have fun going on over here and practices

happening on the other side. The younger girls on our team hold the state record for their 11 and 12 relay in the 400, we have the talent we just need the facility. My parents have spent thousands of dollars just transporting us to other cities all around the country just to participate in swim meets.

Laurie Pollock, 4305 Mt. Carmel Road, and I am for this. I am a senior at Valley View and participate in multi sports. I know what it's like going to multi facilities for different practices, it's a hassle getting from one place to the next. We also have to travel to swim meets and it is costly to do so. A facility like this would also allow for more youth to get involved in sporting activities or just exercise activities for better health.

Louis Lancaster, 2916 Dacus Lane, Jonesboro. My question is, what is an establishment, you have it listed as all restaurants, café's, deli's, cafeteria's, is school cafeteria's going to be part of this? City Attorney Carol Duncan said no, and the tax is only specific to what's on the list. Mr. Lancaster what do you call a school cafeteria, Ms. Duncan replied, a school cafeteria. Mr. Lancaster then how about concession stands at a school event, again the reply was no. Mr. Lancaster asked what about hospitals, nursing homes, day old bread stores, snacks from retail stores, again the reply was no, with the exception of maybe doughnut establishments. Mr. Lancaster commented that he thought a pandora's box was about to be opened. Councilmember Joe Hafner commented that Mr. Morgan said that grocery store items would not be included in this tax. Miss. Duncan also commented that grocery store items don't count, they are not heated items. Mr. Hafner asked, are you asking us to add these items to the list under the prepared food definition, or are you just trying to confuse everyone?

Mr. Lancaster stated that he was not trying to cause confusion, I'm trying to get un-confused. This damn thing here doesn't read right. Mayor Copenhagen advised Mr. Lancaster that he had 18-seconds left on the timer and to please watch his language. Mayor Copenhagen commented that he would like to remind everyone in council chambers to be respectful of those that are in the chambers and the councilmembers, we have young adults in this room and I would appreciate good language.

Iris Stevens, 2714 Turtle Creek, Jonesboro. I don't know that I have a problem with building a complex like this. My number one problem is some of the details of it. Number one, I really don't like that we don't get to vote for it, and the majority of the people I have talked to say that is their number one thing also. When you take money out of people's pockets they want you to ask their permission, and yes I know that A&P can do this, I am aware of that, but it doesn't necessarily make it right. Number two, the feasibility study will not be done until after we pass and start collecting the tax, that's also a real problem with me. Because, there are so many questions that most people would want to know before they forked over money, like who's going to get to come or what kinds of membership dues are going to be in place. Most of the facilities that I have looked at, the membership dues are pretty hefty. Not just anybody can go in unless they have a membership or are part of a school, so those are a couple of concerns. Next thing is, yes I know about the separate pots of money, the pot of money over here that you can take from for things, and the pot of money over here you can't. My point is we are sitting on a lot of money and there is some people that I have talked to that don't know why they are being asked to fork over extra money in a new tax when the city appears to be pretty well off. I know that we just received the \$1,000,000.00 from the cares act and that that is going primarily to the fire department and I think that is great. Other concerns are how is the sports complex going to be used, where is it going to be located, will Jonesboro citizens be able to use it for regular play, like shooting hoops or going for a swim? But, we won't have those answers until after the feasibility study, but we are going to be paying the tax first, I

just have a problem with that. Who's going to benefit? While they say we are going to make X amount of money on this. I know to begin with who's going to make money, realtors' are going to make money, contractors, construction crew, and sub-contractors are going to make money, and providing there is no big problem like there was with the district fair grounds, everybody on that side is going to come out pretty happy. Have you even considered what you are doing to the restaurants? Right now inflation is higher than it has been in 20-years, and I have all of the documentation but I don't have time to cover it. You are going to add a tax on top of people going out to eat, we are looking at people having some very serious situations here in the future. A billionaire grocer just said he expects grocery prices to go up 10% in the next two-months and that is on-top of the 5.6% inflation rate that we've got going on now. How many of those people that are paying those kind of grocery prices are going to be able to go to restaurants, and then you sock them with another 2% tax on top of that. That is what inflation does, it creates problems for everybody. I just want you to think about something, at what point with all of this does the straw break the camel's back.

Howard Weinstock, 208 Wilkins, Jonesboro. I agree with Ms. Stevens 100%. It's not the building of the sports complex/aquatic center, it's the way you are building it. Jonesboro has the Jonesboro Unlimited, and there seems to be no consideration for some new way of taking care of whatever the amenities are that you want to take care of. My recommendation, since Councilmember Moore has acknowledged that he's read the e-mails then you are familiar with what I've been sending about Jonesboro's Unlimited. At least broach the issue with them, and see whatever incentives or tax breaks they have out there in the industrial park or throughout the city. There is plenty of other areas that could help, maybe you guys could go to the state and ask for consideration to build something like this in a different way besides tapping the tax payers. If you've watched Jonesboro momentum 2.0 and I have sent those to you all so that you can watch them. Jonesboro is number two behind Gainesville, Georgia in infrastructure, cost of doing business, and economic momentum. The very thing that Jonesboro Unlimited has accomplished for industry, you are using the reverse to charge us more to live here and it's not right. That is where Jonesboro thrived, where Jonesboro needed some work was talent attraction, Jonesboro Unlimited is working on that, they are going to hire somebody for that, quality of life, it's not bad, it's not the best, and where Jonesboro needs a lot of help is in entrepreneurship and prosperity. The people that are proponents for this have their cake already and they want to eat it too. For decades most residents in Jonesboro got by with one public swimming pool, and could not keep a YMCA afloat. While private swimming pools increased from one to three, today those who can afford to swim and compete anywhere want the working residents to pay higher taxes so they don't have to travel as often.

Held at second reading

ORDINANCES ON THIRD READING

[ORD-21:041](#)

AN ORDINANCE FOR A PRIVATE CLUB PERMIT FOR GOOD HOPE HOSPITALITY TO BE LOCATED AT 2324 RED WOLF BLVD, JONESBORO, ARKANSAS

Attachments: [Pier 88 Redacted USE](#)

A motion was made by Councilperson Mitch Johnson, seconded by Councilperson David McClain, that this matter be Passed . The motion PASSED with the following vote.

Aye: 12 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner; David McClain; LJ Bryant and Brian Emison

[ORD-21:042](#)

AN ORDINANCE ADOPTED PURSUANT TO ACT 1112 OF 2017, AND APPLICABLE ABC REGULATIONS APPROVING THE PRIVATE CLUB APPLICATION OF ROJO'S ON HUNTINGTON, INC. AT 601 W. HUNTINGTON, AVE., JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

Attachments: [Grillzil REDACTED USE](#)

A motion was made by Councilperson John Street, seconded by Councilperson Mitch Johnson, that this matter be Passed . The motion PASSED with the following vote.

Aye: 12 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner; David McClain; LJ Bryant and Brian Emison

8. MAYOR'S REPORTS

The new software that has been implemented in the engineering and planning departments has us on track for new construction projects, I believe that we had over 40-participants from the community get involved and this is key. It allows permitting at a faster level, everybody is going to be more informed and we are real excited about it. I will say that Derrel Smith, the planning director has done a lot of work in this study and putting in together. We are still testing and training on it but we are hoping to go live with the software November 1st. So, this again will affect all developers of all sizes even those that want to do small residential plans. They can submit those online which is going to hurry-up the process.

Last-week animal control had help from Bissell adoption. Twenty-two dogs and 1 cat was adopted and Bissell refunded the city the \$100.00 fee for spay and vaccination costs, the usual cost for that is \$125.00, so we would like to thank the Bissell Foundation for helping with that. We would also like to thank the humane society because they shared a pallet of dog food provided by Bissell that was worth about \$3,500.00. Animal Control celebrated its 15th year of low cost clinics and this Saturday we had over 100 pet owners show up.

The JPD DARE Program recently hosted two fund raisers. Last week-end we had 165 people that participated in the DARE to tread the trails at Craighead Forest Park. In September the DARE Program hosted the Dingers for DARE softball tournament, it raised \$5,000.00. The Jonesboro DARE program covers all 5th graders in the Jonesboro area schools, each child is provided a shirt and class material at no cost to them or the school. Funding for this programs comes mostly from the events like these two recent ones.

A&P funds also helps supports this as well as some other donors. The JPD DARE program is the oldest in the state and it has been ongoing for 32-years. We might never end drug abuse, but the DARE program success in Jonesboro has been an inspiration for many. We start to educate our youth on the dangers and we've seen lives change because of this program. Several of our officers were first inspired to consider policing due to their interaction with the DARE program. I also went down to Little Rock last week and participated in an announcement of \$215,000,000.00 from the Attorney General in an opioid return of funding to the State of Arkansas.

This Thursday we do have an ASU football game, the JET buses will be running from downtown every 20-minutes from 4:30 p.m. until 6:30 p.m. You can ride for \$2.50, students ride for \$1.80 as well as senior citizens and veterans will pay \$1.20.

Mayors Youth Council has started their plan of action. They assisted with a vaccination clinic with the Hispanic Center and NYIT. The Mayors Youth Council also picked up litter on South Caraway Road, the students collected 45-bags and two old tires and I would like to thank the Youth Council for this. I would also like to thank the parks department, street and sanitation departments as well as code enforcement they participated and helped in the safety of this. I want to commend everybody that participates in cleaning up the city. We are not receiving the phone calls that we were six-months ago about the trash that was scattered through the city, it's really showing in the efforts of the citizens of this community and I want to say "thank you" to all. The youth council will also be helping out in hash-tag pink out tomorrow in honor of breast cancer awareness month, they are asking all citizens to wear pink on Wednesday to show support of those affected by this horrible disease.

Today I welcomed the Arkansas Rural Development Council at the Redwolf Convention Center. It is the first time in their 30-year history that they have been in Jonesboro and that is because they could come to Jonesboro because we have a new Hotel Convention Center that allows people to be here. Last evening I welcomed their commission and we visited for over three hours, these are people from rural communities in the state of Arkansas and what they are hearing is the excitement that is going on in Northeast Arkansas in Jonesboro. A lot of people have not been in this community and 15 to 20 years and they were blown away about what it's doing, and I was excited to tell them you wait another 5 or 10 years and you are going to see an even better place to live.

Jonesboro has another championship team, this is something you didn't play as kids if you grew up in Arkansas. It is the Wolfpack Cricket Club, and they won the regional championship with their victory win over Little Rock. We also had 16-college softball teams at our Southside Softball complex this past weekend.

9. CITY COUNCIL REPORTS

Councilmember Chris Moore commented that he believes there is another group of young athletes to mention, the JHS boys and girl's tennis teams won their state championship. Mayor Copenhaver commented, yes and they will be introduced at the next council meeting.

Councilmember John Street commented that in the back of this months' City and Town magazine shows the growth of cities throughout Arkansas and we are in the top three for growth over the last ten-years. While our census shows to be around 80,000 to maybe 85,000 and some people did not report, we've always got more people in town anyway. We are growing, we are the 5th largest city in the State, and while we do things to attract people to come to our town, more people are deciding to move and live here and the more we get the more benefits we will have for our citizens and our kids. We are not lagging or draining down, we are steadily growing.

10. PUBLIC COMMENTS

Patti Lack, 4108 Forest Hill Road, Jonesboro. I just want to say, like Mr. Street did, the city just keeps growing and the good news on how Jonesboro has just so much opportunities to be better. We've got the shooting sports complex and the Veterans Village, and with the American Rescue funds we can use those to our advantage and

use them effectively and efficiently to make us better and safer. One thing I would like for you all to start addressing is the homeless problem in our community especially since the weather is getting colder. I heard on the news a couple of weeks ago that they were going to start putting up tents for hour homeless. We are a little bit better than that, we have all of these things going on that is creating positivity in our community, and we've got to start taking care of our homeless population. I don't know where we are with the homeless shelter, if we have found a place, or we are going to build a place or what we are going to do. Thank you for what you guys do.

Mary Ranson, 1224 West Matthews, Jonesboro. I'm here asking for an update from the code enforcement department on some properties that we have asked them to look at many, many times. The first property is 219 Walnut Street, it is a salvage yard being ran out of a R2 zoned single family resident. There are inoperable vehicles all over the yard. The initial complaint was made March 8, 2021, seven months ago. It's in our neighborhood, we have to drive by it, we have to see it, and nothing is being done. The next one is 200 Chestnut, there are inoperable vehicles there and trash all over the yard and the windows are boarded up, initial complaint on this property was also March 8th. 1001 Huntington, that property was boarded up on June 26, 2021 that has been over 90-days ago, where does the city stand on that property? I think the worst one is 308 Vine Street. The windows are also boarded up, there is graffiti on it and the roof is caving in. This house is been like this for over five-years that I know of. Again these are in my neighborhood and I've walked past them. I just want to know why it takes months and months to get something done. I have tracked down the owners, it was very easy, didn't take very long at all to do that.

Mayor Copenhaver said just to follow up a little bit about this subject. We have sat down and we are addressing these issues, I think the council will see moving forward we are going to have some condemnations, we are also going to be re-addressing how Code Enforcement is actively doing things, their tier of command so to speak, we will get a report to you on each and every one of these concerns. Ms. Ranson stated that she would also like to complement Derrel Smith for his help on this, because code enforcement has dumped some of this on to him saying it's not there problem. I don't think inoperable vehicles are Mr. Smith's problem. An illegal business being ran out of a residential home, I don't know who that falls to but, I believe that we can get rid of the vehicles that is why we have ordinances.

Councilmember Chris Moore said that there may be some information on these, I think all four of these on her list were ones that I brought up about eight weeks ago. Tony Thomas, Chief of Operations explained that the first two have had movement in removing materials from the site. The ultimate goal for Code Enforcement is not to have to go in and take any adverse actions as long as the property owner is moving in the direction where progress is being made with the cleanup. I do understand that the progress may not be significant for those that live around it. All four mentioned here are in the enforcement process, it's just that there are rules and regulations that we have to follow according to state code that determines what and when we can do that. As the Mayor indicated, there are a number of properties, from a condemnation standpoint that have been identified, code enforcement, inspection, and planning departments are coming together and working on these. There were two that came before the public safety meeting tonight and I think you will see additional ones coming before this body here before the end of the year. Mr. Moore said, I think the 5th one I had on my list is the house next to the ice house, so let's make sure we include that one on the list. Mr. Thomas said that they would include that property, and we will for your purposes make sure we get contact information for the parties here tonight. We have a comprehensive list of all properties that are in the office of code

enforcement right now and what we will do is get that list out to you, that way you can see what's on the radar and you can see the progress that has been made with each one of those properties. Then we can specifically address what is transpiring with the properties that have been identified by the parties tonight. Councilmember LJ Bryan commented that we know that we have to operate within the boundaries of the state law, but if we need to change some ordinances to be tougher let us know how we can help. Mayor Copenhaver said, absolutely, and we are addressing those with the departments. So, we've come together with the planning department, code enforcement, the inspections department as well as the engineering department on how we can be more collaborative regarding these concerns. We have got to use our personnel in a way that is better for the individuals that are suited for different jobs, we don't need the head of our department mailing out stuff, and he needs to be out on the ground. We have got some adjustments to make and that is what we are doing.

Councilmember Long commented that they mentioned the top two, and that there has been movement on these properties but, what can we do to stop them from operating a business in a residential neighborhood? Mr. Thomas said, and that does speak to what our laws allows us to do and what has happened over the years is code enforcement has been a part of planning, they have been part of the police department and when those moves transpired then our local law has not shifted to give them the power and authority that they need. So, as the Mayor indicated we are comprehensively looking at what parameters we have in the law and what parameters do we need in the law in order to be more effective at mitigating properties that are not up to standard in our community? I think you will see that as we begin to move forward with that, as I said there is a process and we've looked at that process not only in the city of Jonesboro, we've looked at that process in Bentonville, Little Rock, and in Conway, and there is processes that we must follow based upon what state law allows, and there may be some opportunities to appeal to legislators in order to get a little bit more teeth into that process as well. Mr. Moore commented that there may be a process where we may need to review the putative damages, or the charges.

Mr. Thomas said, not only putative damages, but when we send out a notice like what Mr. Tyner spoke about in the Public Safety meeting, we just sent out a notice related to a demolition only after we sent the notice out did the property owner destroyed the property, we have recouped none of the cost, none of the man hours that related to us having to force someone to do that. All we do is go and put a lien on the property once we demolish it. There is a significant amount of cost and time that is spent by staff just to get to that point of sending that information out. So, yes we did a comprehensive look at not only what we are charging, but what we are in acting our departments to enforce here in the city of Jonesboro. As you all know we have been looking at each department on a case by case basis and doing an assessment on each of those departments. We have been sitting down with those department directors to see what works and what does not work. Once we get that comprehensive review of each one of those and we get the l's dotted and the t's crossed then we will be coming back to you so that we can get something on the books that works for our community and allows us to effectuate the change that we all want to see in our community. Mr. Long said it would seem to be that we need to stop the low hanging fruit which would be to stop them from operating a business. Mr. Thomas said that is a planning thing, based upon our local laws planning has jurisdiction of that, that is something that is being looked at and I get what you are saying. As Ms. Ranson indicated when she called she was told that the planning department takes care of that. That is what we are trying to get away from, and consolidate some of these areas, so that we have a person that can enforce a city code, not code enforcement who can enforce city code, not planning who can enforce city code, but an enforcer who has the

authority and the ability to go in and enforce laws across the board without all of this segregation of duties that we currently run up against. Mayor Copenhaver said, that is correct and the photos that we are seeing here, those have been there for years, this just didn't happen. Mr. Moore commented yes, the one on Vine is five-year old, talk about low hanging fruit, the roof caved in five-years ago. Mr. Bryant said yes, and just to speak to Mayor Copenhaver's point, Rome wasn't fixed in a day, I know that you guys can't fix everything in a day. Speaking for myself as much as we can do within the boundaries of the state law, hopefully we can be known as the city that does not welcome slum-landlords.

Mary Ellen Warner, 1003 West Washington, Jonesboro. I would like to make an additional comment about 219 Walnut street, this homeowner has a pending summons that has not been delivered to his home and we are concerned about that, and I guess that is following lawful procedure to ask him to come to court. I guess what we are saying is we need help, there is a core group of us in the neighborhood that have been struggling with this for some time. My husband and I have lived in this neighborhood for 30-years and we've made a commitment to live there. This is the oldest part of town, and you all have heard this before but, we love the trees, we love the old houses and we all have to come together and work toward this common goal or else we are going to lose it. Most of us drive down the street the same way to get home, but if you take the neighborhood that are doing all kinds of things that we really don't know. In our opinion if you have a fence that is over twelve feet tall and it's a homemade fence with plastic, and you have all of these gates and no trespassing signs there is something going on there, the only light that is on in the house is the kitchen and there is over a dozen cars, inoperable cars sitting there, that is what is on 200 Chestnut. It's not that we are necessarily afraid, we are embarrassed and ashamed, there is a lot of history and potential in this part of town and we don't want to lose that.

11. ADJOURNMENT

A motion was made by Councilperson Chris Gibson, seconded by Councilperson Joe Hafner, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 12 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain;LJ Bryant and Brian Emison

_____ **Date:** _____
Harold Copenhaver, Mayor

Attest:
_____ **Date:** _____
April Leggett, City Clerk