



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes - Final City Council

Tuesday, October 20, 2009

6:30 PM

Huntington Building

Public Safety - 5:15 p.m. - Huntington Building

Special Called Public Works Committee Meeting - 6:00 p.m. - Huntington Building

Special Called Finance Committee Meeting 6:15 p.m. - Huntington Building

1. CALL TO ORDER BY MAYOR PERRIN AT 6:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

Present 12 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

4. SPECIAL PRESENTATIONS

[COM-09:132](#) Proclamation read by Senator Pro-Tem Elect Paul Bookout.

Sponsors: Mayor's Office

Senator Bookout read the State Senate Citation proclamation recognizing the sesquicentennial of the City of Jonesboro and presented it to Mayor Perrin and City Council. He thanked the Mayor and City Council for their work.

This item was Read.

5. CONSENT AGENDA

Approval of the Consent Agenda

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

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

MIN-09:101

Attachments: [100609](#)

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

RES-09:141

A RESOLUTION TO ACCEPT THE RECOMMENDATIONS OF THE FINANCE AND ADMINISTRATION COMMITTEE OF THE CITY COUNCIL REGARDING PROVIDERS OF SERVICES FOR THE NON-UNIFORM PENSION PLAN FOR THE EMPLOYEES OF THE CITY OF JONESBORO

Sponsors: Finance

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

RES-09:146

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND THE CITY CLERK TO ACCEPT THIS EASEMENT AND RIGHT OF WAY FOR THE PURPOSE OF MAKING DRAINAGE IMPROVEMENTS WITHIN THE CITY OF JONESBORO.

Sponsors: Engineering

Attachments: [Jonesboro Baptist Church.pdf](#)

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

RES-09:153

A RESOLUTION FOR THE CITY OF JONESBORO TO ENTER INTO A CONTRACT WITH WASTE REDUCTION TECHNOLOGIES, LLC (WRT) FOR PURCHASE OF A WASTE INCINERATOR

Sponsors: Mayor's Office

Attachments: [Contract for Waste Incinerator](#)

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

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-09:063

AN ORDINANCE AMENDING THE STORMWATER MANAGEMENT REGULATIONS PROHIBITING ILLICIT DISCHARGE AND CONNECTIONS

Sponsors: Engineering

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

Councilman Moore motioned, seconded by Councilman Street, to suspend the rules and waive second and third readings. All voted aye.

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

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

ORD-09:071

AN ORDINANCE TO AMEND ORDINANCE NO. O-EN-033-2009, TO APPROPRIATE ADDITIONAL FUNDING FOR A MOWING CONTRACT WITH HURLEY HIGHWAYS, LLC FOR MOWING ALONG U.S. HIGHWAY 63,AND DECLARING AN EMERGENCY

Sponsors: Mayor's Office

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

Councilman Street motioned, seconded by Councilman Moore, to suspend the rules and waive second and third readings. All voted aye.

Councilman Street motioned, seconded by Councilman Johnson, to adopt the emergency clause. All voted aye.

A motion was made by Councilman Chris Moore, seconded by Councilman Mitch Johnson, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

ORD-09:072

AN ORDINANCE TO AMEND THE 2009 BUDGET TO APPROPRIATE FUNDS FOR THE 2009 COPS HIRING RECOVERY PROGRAM GRANT IN THE FEDERAL FUNDS FUND AND DECLARING AN EMERGENCY

Sponsors: Mayor's Office

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

Councilman Moore motioned, seconded by Councilman Street, to suspend the rules and waive second and third readings. All voted aye.

Councilwoman Williams motioned, seconded by Councilman Dover, to adopt the emergency clause. All voted aye.

A motion was made by Councilman Mitch Johnson, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

ORD-09:073

AN ORDINANCE TO AMEND THE 2009 BUDGET TO APPROPRIATE FUNDS FOR THE 2009 INTERNET CRIMES AGAINST CHILDREN GRANT IN THE FEDERAL FUNDS FUND AN DECLARING AN EMERGENCY

Sponsors: Mayor's Office

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

Councilman Street motioned, seconded by Councilwoman Williams, to suspend the rules and waive second and third readings. All voted aye.

Councilwoman Williams motioned, seconded by Councilman Gibson, to adopt the

emergency clause. All voted aye.

A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

ORD-09:075

AN ORDINANCE TO AMEND THE 2009 ANNUAL BUDGET AND THE CITY PAY PLAN FOR THE CITY OF JONESBORO FOR THE POSITION OF PAYROLL AND ACCOUNTING SPECIALISTS/BUDGET COORDINATOR AND DECLARING AN EMERGENCY

Sponsors: Finance and Human Resources

Attachments: [FIN10 Payroll and Accounting specialist budget coordinator](#)
[FIN10 Payroll and Accounting specialist budget coordinator - PDF](#)

Councilwoman Williams offered the ordinance for first reading by title only.

Councilman Gibson abstained from voting because he has a family member that would be affected by the ordinance.

Councilman Street explained this ordinance was approved by the Finance Committee. He further explained it is not hiring a new person; rather, it is compensating employees who have already been doing the job for about a year.

Councilman Street motioned, seconded by Councilman Moore, to suspend the rules and waive second and third readings. All voted aye, with the exception of Councilman Gibson who abstained from voting.

Councilwoman Williams motioned, seconded by Councilman Moore, to adopt the emergency clause. All voted aye, with the exception of Councilman Gibson who abstained from voting.

A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Rennell Woods and Mikel Fears

Abstain: 1 - Chris Gibson

ORD-09:077

AN ORDINANCE TO AMEND THE 2009 BUDGET TO APPROPRIATE FUNDS IN THE AMOUNT OF \$2245.00 FOR EXPENDITURES RELATED TO THE 2008 INTERNET CRIMES AGAINST CHILDREN GRANT PROGRAM IN THE FEDERAL FUNDS FUND AND DECLARING AN EMERGENCY

Sponsors: Mayor's Office

Attachments: [Budget Adjustment 09-28-09 Grants Fund](#)

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

Councilman Street explained this ordinance is just a clean-up from 2008 due to some expenses not being incurred until 2009.

Councilman Street motioned, seconded by Councilwoman Williams, to suspend the rules and waive second and third readings. All voted aye.

Councilwoman Williams motioned, seconded by Councilman Gibson, to adopt the emergency clause. All voted aye.

A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

ORD-09:078

AN ORDINANCE TO AMEND THE 2009 BUDGET TO APPROPRIATE FUNDS FOR THE ICE STORM RECOVERY GRANT PROGRAM FROM THE ARKANSAS FORESTRY COMMISSION AND DECLARING AN EMERGENCY

Sponsors: Mayor's Office and Parks & Recreation

Attachments: [Agreement](#)

Councilwoman Williams offered the ordinance for first reading by title only.

Councilman Dover motioned, seconded by Councilwoman Williams, to suspend the rules and waive second and third readings. All voted aye.

Councilman Johnson motioned, seconded by Councilwoman Williams, to adopt the emergency clause. All voted aye.

A motion was made by Councilwoman Ann Williams, seconded by Councilman Darrel Dover, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

ORD-09:081

AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES.

Attachments: [Plat](#)
[Staff Summary RZ09-19 Cude Properties Rezoning Council \(2\)](#)

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

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this matter be Placed on second reading . The motion PASSED by an unanimous vote

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

ORD-09:082

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES

Attachments: [Staff Summary RZ09-18 Vaden-CWL Rezoning Council \(3\)](#)
[Vaden Survey 2 \(2\)](#)
[Brad Vaden - Plat](#)

Councilman Dover offered the ordinance for first reading by title only.

Councilmen Frierson, Street and McCall abstained from voting and discussion on this ordinance.

City Planner Otis Spriggs explained the property was previously for a car wash on Southwest Drive, but this ordinance is a formality in order to clean up the lot. He further explained the Metropolitan Area Planning Commission unanimously approved the rezoning with no opposition. He added Planning Department staff also supports the rezoning.

A motion was made by Councilman Chris Moore, seconded by Councilman Darrel Dover, that this matter be Waive Second Reading . The motion PASSED by an unanimous vote

Aye: 9 - Darrel Dover;Ann Williams;Jim Hargis;Chris Moore;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

Abstain: 3 - Charles Frierson;John Street and Tim McCall

RESOLUTIONS TO BE INTRODUCED

RES-09:131

A RESOLUTION TO CONDEMN PROPERTY AT 811 E. WASHINGTON, GEORGE MCCULLOUGH, OWNER.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST.doc](#)
[Condemnation Checklist - PDF](#)
[inspection report001.jpg](#)
[100_1205.JPG](#)
[100_1208.JPG](#)
[000_0008.JPG](#)
[000_0005.JPG](#)
[000_0002.JPG](#)

No one in the audience spoke regarding this condemnation.

Mayor Perrin noted the tax lien on the property is \$3,559. Code Enforcement Officer Ronnie Shaver stated they have taken down six properties with liens and two of the owners are making payments to the City Collector. He explained there are four who are not paying.

A motion was made by Councilman John Street, seconded by Councilman Jim Hargis, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

ORD-09:076

AN ORDINANCE TO AMEND ORDINANCE NO. 954, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

Attachments:[Plat](#)[K_CADProjectsKathleen\(Coleman\)REZONING_NORTH_KATHLEEN Model Opposition](#)[Staff_Summary_Caldwell-Coleman_RZ09_16_Council\(2\)](#)[Jennifer Easley Opposition](#)

Mr. Carol Caldwell explained this rezoning is for single-family home development on ten acres with a maximum three to four houses per acre. He further explained the homes would sell for \$125,000 to \$150,000. He noted Troy Coleman is the owner and the property is currently a rice farm. He stated the owners have agreed to give right-of-way in order for Kathleen Street to be improved. Councilman Johnson questioned whether there is a developer ready to proceed with the development if it's approved. Mr. Caldwell stated the development would occur in phases over the course of 5 to 10 years. He reiterated the development would be for single-family homes, not multi-family.

Ms. Jennifer Easley, a resident of Pacific Road, expressed opposition to the rezoning and stated she is representing at least six family members of her family that owns 120 acres on Pacific Road. She explained the current rezoning is for 11 acres, but Mr. Caldwell intends on asking the City Council to rezone another 60 to 70 acres in the future. She noted the property has no sewer or water ties and that her neighborhood uses septic tanks as opposed to city sewer. She added Mr. Caldwell will need the other acreage to be rezoned in order for a developer to lay sewer lines to the area. Ms. Easley discussed Kathleen Street and noted there are no ditches, yet the railroad is close to the road. She added the speed limit on Kathleen Street was recently increased from 30 mph to 45 mph, which causes the traffic to flow faster. She explained most of the traffic that uses Kathleen does not live in the area; rather, they are using it as a thoroughfare. She stated they are not against homes being built in the area, but issues need to be resolved before development happens. She expressed concern because the current infrastructure does not support the current traffic and the development would add more traffic. She referred to the information she provided the Council and stated not only is there a traffic problem, but there is a drainage problem as well. She further discussed the information she provided to the Council. She asked the Council to consider the residents in that area and not just the developers when they are voting. Ms. Easley stated this rezoning is very personal to her because if the City proceeds with the Master Street Plan and widens Commerce Drive, the City will have to take some of her family's property in order to widen the road.

Mr. Larry McElroy, 1005 Commerce Drive, stated they are not against development in Jonesboro, but they do have a problem with the storm water in the area. He said no one has a plan as to how the problem will be fixed. He then discussed the flooding problems in the area and expressed concern about their problems not being addressed either by the City Council or the developer. He explained until their concerns are addressed then he will be against any development. He further explained right now he wouldn't recommend any development in that area until work is done on storm water control and the streets are improved.

Ms. Nell Warr, a resident on Pacific Drive, also expressed opposition to the rezoning.

She stated the area does not have the infrastructure to accommodate development. She asked for the development to be done in a way that the current residents can be dignified about it.

Councilman Hargis asked for the issues raised by the citizens be addressed by the City Planning Department. Mayor Perrin stated he would meet with Street Superintendent Floyd Lemm concerning the area and report back to the City Council. Councilman Johnson referred to one of Ms. Easley's pictures showing the proposed property to be rezoned with a For Sale sign and grown weeds. He asked why there isn't at least a buffer mowed on the property. He stated Code Enforcement may need to take a look at the property. Mr. Shaver explained they will address issues brought up during the meeting and will get to it tomorrow.

This Ordinance was Held at second reading.

8. MAYOR'S REPORTS

COM-09:140 BANK ACCOUNT RECONCILIATIONS FOR THE MONTH OF SEPTEMBER, 2009

Sponsors: Finance

Attachments: [Sep-09 Bank Reconciliation Summary](#)
[Sep-09 General Fund Account](#)
[Sep-09 Capital Improvements](#)
[Sep-09 Street Fund Account](#)
[Sep-09 Federal Funds \(Grants\)](#)
[Sep-09 Perpetual Care](#)
[Sep-09 Cafeteria Plan 2008](#)
[Sep-09 Cafeteria Plan 2009](#)
[Sep-09 Credit Card](#)
[Sep-09 CDBG](#)
[Sep-09 E-911](#)
[Sep-09 Employee Benefit](#)
[Sep-09 Federal Forfeiture](#)
[Sep-09 Insurance Account](#)
[Sep-09 JETS](#)
[Sep-09 MPO](#)
[Sep-09 New Credit Card](#)
[Sep-09 Old Payroll](#)
[Sep-09 Operating Account](#)
[Sep-09 Payroll SB](#)
[Sep-09 State Forfeiture](#)
[Sep-09 Advertising & Promotion](#)

Mayor Perrin noted some of the accounts are out of balance and will be out of balance until the City gets a sign-off from Legislative Audit. He stated it will probably be next week before they are able to meet with Legislative Audit. He added the Council will be getting reports on a monthly basis, but asked the Finance Department to condense the reports so there's not so many of them. He also stated there will be an executive summary to state why accounts are out of balance.

This item was Read.

COM-09:141

Presentation concerning the Street Department as given by Street Superintendent Floyd Lemm to the City Council at the meeting on October 20, 2009.

Attachments: [Presentation](#)

Discussion was held concerning signalization. Councilman Hargis questioned whether the light on Church Street is sychronized with the light on Main Street. Mr. Lemm explained there's nothing wrong with the light; rather, it's just the way the timers work. He further explained if the timers are changed it could cause the traffic to back up during peak hours. He added they are still working on signalization in problem areas so traffic will flow smoother.

This item was Read.

Mayor Perrin stated they are still working on the budget for 2010. He added he and City Engineer Craig Light will be meeting with ADEQ on Thursday to try to get the Title 5 permit for the incinerator. He explained they are still waiting to close on the property from CWL on Dan Avenue for the Parks Department.

Mayor Perrin noted the Legislative Audit is still ongoing. He added they are re-bidding the data lines for E-911. He explained E-911 Director Jeff Presley worked with the State Board of Emergency Services to get \$94,000 to purchase new radios and update equipment.

Mayor Perrin stated the stoplight at Culberhouse and Parker should be up in mid-November. He also stated they have sent two more letters to the Highway Department to look at signalization. He explained the areas to be looked at are Fox Meadow & Highway 1 and Kellers Chapel & Highway 49.

9. CITY COUNCIL REPORTS

Councilwoman Williams asked for the Planning Department to give them a report concerning the rezoning on Kathleen Street. She expressed concern about the cost to the City of rezoning the property in regards to public services.

Councilman Vance discussed the public works facility. He explained they received bids on the JETS building. He further explained they are hoping to bring a contract to the Council at one of the next two upcoming Council meetings. He stated they are still fine-tuning the plans in order to make sure they get everything they need and still meet the federal grant. He added they are looking at suspending the dirt work contract until spring due to the weather.

COM-09:133

Discussion on the suggested actions reviewed by the Sanitation Committee

This item was not discussed.

10. PUBLIC COMMENTS

City employee Larry Jackson, 614 Forrest Road, thanked the Public Works Committee for voting to not privatize the residential sanitation services.

Mr. Rick Forbus, 3316 Sun Avenue, commended the Council for hiring Cameron

Construction for the road work in his neighborhood. He explained the road is a big improvement. He added the City needs to look at Turtle Creek behind the mall because vegetation is growing, which is causing the water to flow slower. He noted he would like the City to get the houses in that area out of the floodplain due to the cost to the property owners. Mayor Perrin stated the City should receive something from FEMA in November regarding the floodplain. He added there will be a 30-day public hearing for the maps.

11. ADJOURNMENT

A motion was made by Councilman Mitch Johnson, seconded by Councilman Mikel Fears, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

_____ **Date:** _____
Harold Perrin, Mayor

_____ **Date:** _____
Donna Jackson, City Clerk