



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, April 21, 2009

6:30 PM

Huntington Building

PUBLIC SAFETY COMMITTEE MEETING AT 5:15 P.M.

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

2. Pledge of Allegiance and Invocation

3. Roll Call by the City Clerk

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-09:047 A proclamation to be read by Mayor Perrin proclaiming April as Autism month

Sponsors: Mayor's Office

Mayor Perrin presented Ms. Jill Ziegler with the proclamation.

This item was Read.

COM-09:046 A proclamation to be read by Mayor Perrin to Representatives Butch Wilkins, Joan Cash, Ray Kidd, and Senator Bookout to thank them for their legislative service and support of Jonesboro.

Sponsors: Mayor's Office

Mayor Perrin read proclamations for State Representatives Butch Wilkins, Joan Cash and Ray Kidd. He added Senator Bookout was not able to attend the meeting, so his proclamation will be read at a later date.

This item was Read.

Recognition of Girl Scouts

Mayor Perrin recognized Rachel Belk, Sara Belk, Mary-Kaitlin Price and Peyton Summers for their work with the Girl Scouts. They are with Troop 3269 and each earned 63 badges for their work.

5. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilman Chris Moore, seconded by Councilman Mikel Fears, 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-09:036 Minutes for the City Council meeting on April 7, 2009.

Attachments: [Minutes](#)

A motion was made that this Minutes be Passed . The motion passed BY VOICE VOTE

RES-09:033 A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO, CRAIGHEAD COUNTY TO UTILIZE FEDERAL-AID MONIES FOR THE INSTALLATION OF A TRAFFIC SIGNAL AT HIGHWAY 91 (DAN AVENUE) AND GEE STREET

Sponsors: Public Works and Mayor's Office

Attachments: [Background Info](#)
[GEE AND DAN ORIGINAL RESOLUTION](#)
[GEE AND DAN ORIGINAL RESOLUTION - PDF](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-032-2009

RES-09:046 A RESOLUTION TO PROVIDE FOR A REIMBURSEMENT POLICY AND RATE OF PUBLICATION FOR THE CITY OF JONESBORO, ARKANSAS

This item was PASSED on the consent agenda.

Enactment No: R-EN-033-2009

RES-09:052 A RESOLUTION TO CONTRACT WITH ORLAN'S LAWN SERVICE FOR MOWING OF VACANT LOTS

Sponsors: Building Maintenance

Attachments: [Orlan's Lawn Service contract](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-034-2009

RES-09:068 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH ASPHALT PRODUCERS, LLC TO PROVIDE ASPHALT COLD MILLING AND OVERLAYS FOR SELECTED STREET PROJECTS

Sponsors: Engineering

Attachments: [Specifications](#)
 [Bib Tab](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-035-2009

RES-09:069

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO AN AGREEMENT WITH W. WILLIAM GRAHAM, JR., INC. FOR PROFESSIONAL SERVICES RELATED TO INDUSTRIAL RAIL SPUR MAINTENANCE CONTRACT

Sponsors: Engineering

Attachments: [Signed Agreement](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-036-2009

6. Unfinished Business

Councilman Moore motioned, seconded by Councilwoman Williams, to move ORD-09:020 to the front of the agenda. All voted aye.

Ordinances on Second Reading

ORD-09:020

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RESIDENTIAL R-2 TO RESIDENTIAL RM-16 LIMITED USE FOR PROPERTY LOCATED AT 921 WARNER AS REQUESTED BY MAX DACUS JR.

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

Ms. Melissa Baldwin, 927 West Matthews, spoke in opposition to the rezoning. She stated she is speaking for many of the residents in the neighborhood and asked for the property to remain R-2. She explained they would've liked to have had the opportunity to discuss their concerns with Mr. Dacus in a neighborhood meeting, but was not given that chance. She then discussed the current high concentration of apartments in the area and referred to previous MAPC minutes concerning the rezoning.

Councilman Fears asked if the current zoning would allow for the building of triplexes, but the owner wants to build four-plexes. City Planner Otis Spriggs stated the property is currently zoned R-2, which allows for 3.74 units. He noted property to the east is a four-plex. He explained the owner is asking for RM-16 zoning with a four unit limitation. He further explained the property will also be limited to a single driveway access and the setback requirements have been increased.

Ms. Donna Lackey, 1003 West Matthews, questioned whether the requirements concerning the single access driveway and how far the apartments will be next to the house in the area. Mr. Spriggs answered the cross access agreement must be met before development can occur. He added the setback requirement has been increased to 15 feet.

Mr. John Mixon, 1230 Flint Street, asked the Council to contact someone in land use

advisory to discuss when it's appropriate and where to have high-density apartments.

Mr. Max Dacus, Jr., 3094 Highway 91 West, explained he developed the property next door over 20 years ago. He further explained he does not lack much property before being able to have four-plexes on the property. He added he will build triplexes if he's not allowed to build four-plexes.

Ms. Laura Pugh, 907 Walnut Street, also spoke in opposition to the rezoning. She expressed concern about the apartments in the area and the decrease in value in the surrounding homes.

Councilman Johnson asked for the rezoning to be held at second reading because before tonight the Council was not aware of any opposition from the neighbors. He also added he hopes in the meantime the property owner will visit with the neighbors to discuss their concerns.

Councilman Johnson motioned, seconded by Councilman Moore, to hold this ordinance at second reading.

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. New Business

Ordinances on First Reading

ORD-09:021 AN ORDINANCE TO AMEND THE 2009 ANNUAL BUDGET AND THE CITY PAY PLAN FOR THE CITY OF JONESBORO TO ADD TWO ADDITIONAL POSITIONS OF CITY ACCOUNTANT AND ASSISTANT CITY ACCOUNTANT TO THE FINANCE DEPARTMENT

Sponsors: Finance

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

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

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

A motion was made by Councilwoman Ann Williams, seconded by Councilman Mikel Fears, 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

Enactment No: O-EN-019-2009

ORD-09:023 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-2 MULTI-FAMILY LOW DENSITY DISTRICT TO C-1 DOWNTOWN CORE COMMERCIAL DISTRICT PROPERTY LOCATED AT 712 EAST WASHINGTON AVENUE AS REQUESTED BY ST. BERNARD'S REGIONAL MEDICAL CENTER

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

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

Councilman Vance abstained from discussion and voting due to financial interest in the projec because he is under contract to remodel the building. Councilman Gibson abstained from discussion and voting because he is employed by St. Bernard's Hospital. Councilman Frierson also abstained from discussion and voting due to serving on the St. Bernard's Healthcare Board. Discussion was held regarding whether or not Council members had to give a reason in order to abstain from voting. City Attorney Crego read from the 2.20.02 (C) of the Code of Ordinances which states a Council member can abstain from voting if briefly stating the reason for the abstention.

Councilman Dover questioned whether there was any opposition to the rezoning. Mr. Spriggs answered no.

Councilman Moore asked that the ordinance be held at one reading tonight, with the other two readings taking place at the next meeting. He expressed concern over having all three readings in one meeting, noting that has not been the practice of the Council in the past. Councilman Johnson questioned whether the rezoning is time sensitive. Mr. Kevin Hodges from St. Bernard's answered yes, because this is the last step before they can obtain their building permit. He explained they are planning to expand their senior programs at the Senior Center. Councilman Johnson agreed with Councilman Moore and noted with the previous rezoning tonight, they were told at the last meeting there was no opposition yet numerous residents came to the meeting tonight in order to speak against the rezoning. Councilman Moore suggested having the second and third readings at the next meeting and adding an emergency clause to the ordinance to allow the rezoning to go into effect immediately.

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

Aye: 9 - Darrel Dover;Ann Williams;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Rennell Woods and Mikel Fears

Abstain: 3 - Charles Frierson;Gene Vance and Chris Gibson

Resolutions To Be Introduced

RES-09:031 A RESOLUTION TO Condemn property at 1700 Henry Street

Sponsors: Code Enforcement

Attachments: [1700 Henry Building Inspection Report](#)
[CONDEMNATION CHECKLIST](#)
[100_0885](#)
[100_0890](#)
[100_0891](#)
[100_0894](#)

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

Enactment No: R-EN-037-2009

RES-09:035 A RESOLUTION TO Condemn property at 2011 S Kathleen

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST.doc](#)
[2011 Kathlyn St Building Inspection 102208.doc](#)
[100_3167.JPG](#)
[100_3168.JPG](#)
[100_3169.JPG](#)
[100_3166.JPG](#)
[100_3172.JPG](#)
[100_3170.JPG](#)

Code Enforcement Officer Ronnie Shaver explained the house that was on the property has been torn down and the lot has been cleaned.

A motion was made by Councilman Jim Hargis, seconded by Councilman Chris Moore, that this matter be Withdrawn. 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

RES-09:036 A RESOLUTION TO condemn property at 2009 S Kathleen

Attachments: [CONDEMNATION CHECKLIST.doc](#)
[2009 Kathlyn St Building Inspection 102208.doc](#)
[100_0443.JPG](#)
[100_0444.JPG](#)
[100_0445.JPG](#)
[100_0446.JPG](#)
[100_0447.JPG](#)
[100_0448.JPG](#)

Mr. David Cowan, property owner, explained he is trying to fix up the home so he can live there. He noted he got a permit on March 9 in order to make the repairs. Mr. Shaver stated Mr. Cowan received a permit on March 9, after the 40-day deadline. He added Mr. Cowan has not done a significant amount of work on the home since receiving the permit and it does not have electricity. He noted Mr. Cowan still has the opportunity to fix up the home even if the resolution is passed, but Mr. Cowan will have to purchase another permit within 30 days.

Councilman Moore made the motion to waive the permit fee for Mr. Cowan. Chief Building Inspector Terry Adams stated he is willing to work with individuals concerning the permits, but Mr. Cowan has not put forth the effort to fix up the home in the time that he has had his first permit. He explained he is not in favor of waiving the fee for Mr. Cowan. Councilman Moore withdrew his motion.

Later in the meeting, Mr. Shaver stated he spoke with Mr. Cowan concerning the property. He explained Mr. Cowan is now satisfied with being able to fix up the home and purchasing another permit.

A motion was made by Councilman Chris Moore, seconded by Councilman Tim McCall, 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

Enactment No: R-EN-038-2009

RES-09:037 A RESOLUTION TO condemn property at 1809 Arch St

Attachments: [CONDEMNATION CHECKLIST.doc](#)
[100_0875.JPG](#)
[100_0877.JPG](#)
[100_0879.JPG](#)
[100_0880.JPG](#)
[100_0881.JPG](#)
[1809 Arch St Building Inspection 103008.doc](#)

A motion was made by Councilman John Street, seconded by Councilman Chris Moore, 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

Enactment No: R-EN-039-2009

RES-09:066 RESOLUTION TO SET A PUBLIC HEARING FOR THE ABANDONMENT OF ALL OF STUCK STREET (FISHER STREET) RIGHT OF WAY LOCATED NORTH OF LOGAN AVENUE AS REQUESTED BY FIRST BAPTIST CHURCH

Attachments: [Plat](#)
[Planning Letter](#)
[Ordinance](#)
[Petition](#)
[Utility Letters](#)

A motion was made by Councilman Mitch Johnson, 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

Enactment No: R-EN-040-2009

8. Mayor's Reports

Mayor Perrin stated the overlay contracts are back and the City will be doing approximately 3 miles of overlay and striping. He added the bids for the sidewalks will be back on April 29 and will incorporate 6 major divisions around schools in the City.

He explained on April 29 the Corps of Engineers from the Memphis office will be in the City and will take a tour of the ditches.

Mayor Perrin then discussed privilege licenses and stated there were \$30,000 worth of permits that were over 120 past due. He also noted there are some hotel/motel tax collections that are past due, with one being 18 months past due. He explained City Attorney Crego is looking at the ordinances in order to see what the City can do regarding enforcement. He further stated they will be publishing the names of those past due in the newspaper next month. Councilman McCall questioned what will be done internally in order to prevent past due collections from happening in the future. Finance Director Jim Barksdale explained the City Collector has been spending a lot of time with the businesses and hotels in order to get things straightened out. Mayor Perrin stated a better job needs to be done to enforce the ordinance. Councilman Moore questioned what the penalty is for violating the city ordinance concerning the privilege license. City Attorney Crego answered they are looking to pursue the violations in district court because they are operating illegally if they have not paid their privilege license.

Mayor Perrin explained they are putting together a list to do some road striping so the lines on the road will be more visible. He added they may have to ask for additional funding in order to do the striping.

Mayor Perrin stated he spoke with Mr. Phillip Steed at the airport. Mr. Steed indicated Transit Security Administration (TSA) is looking to pass legislation that is stringent on private air craft and the airport will be discussing the legislation at their meeting tonight. He explained other cities, such as Hot Springs, have passed legislation asking officials not to vote for the TSA's legislation.

Mr. Barksdale explained ATA will be present next week in order to complete reconciliation work. He further explained they completed individual account reconciliations for 2008 and will be finishing up work on the consolidated accounts in order to start on 2009 reconciliations. Mayor Perrin added for the first three months the revenues for the City did not come in as it has in the past. He explained the sales tax decreased by \$658,000 in March from the previous month. He further explained they may have to make some adjustments in June in order to come up with reductions due to the decrease in sales tax. He added the budget process will start in August.

COM-09:048

Presentation as given by 911 Coordinator Jeff Presley at the Council meeting on April 21, 2009.

Attachments: [Jonesboro City Council](#)
 [Jonesboro City Council - PDF](#)
 [Handout](#)

Councilman Hargis questioned where the 911 center is located. Mr. Presley stated they are located on the north side of the Police Department. Discussion was held concerning moving the 911 center to the airport facility. Mayor Perrin explained they are looking into the feasibility of moving the center to the airport facility. He further explained the airport facility is not up to seismic code, which could be costly to upgrade. Police Chief Michael Yates agreed with the Mayor and added he doesn't think the airport facility is a good location for 911. Councilman McCall then questioned the use of 311. Mr. Presley stated they are looking into 311 and thinks it would help with the non-emergency calls they receive.

This item was Read.

9. City Council Reports

Councilman Street asked the Mayor to consider the intersection at Harrisburg Road and Windover in their striping project because it is dangerous.

Councilman Johnson stated he appreciated the opportunity to serve the City employees at the recent City employee appreciation lunch. He then asked for an update concerning the Street and Sanitation facility. Councilman Vance explained they are closing on the property next Tuesday and updated the survey today. He added they anticipate starting construction in the fall.

Councilman McCall explained at the May 5 meeting he will share information about the 150-year celebration and a schedule of events. He also stated he welcomes the stoplights at Washington and Bridge.

Councilman Fears asked the Council members to remember City Clerk Donna Jackson, who is scheduled to have knee surgery in the morning.

Councilman Gibson motioned, seconded by Councilman Moore, to add a resolution to the agenda. All voted aye.

RES-09:047

A RESOLUTION TO MAKE APPOINTMENTS TO BOARDS AND COMMISSIONS AS RECOMMENDED BY THE MAYOR

Sponsors: Parks & Recreation

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, that this Resolution be Passed. 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

Enactment No: R-EN-041-2009

Councilman Gibson motioned, seconded by Councilman Moore, to add a resolution to the agenda. All voted aye.

RES-09:071

RESOLUTION TO MAKE APPOINTMENTS TO BOARDS AND COMMISSIONS AS RECOMMENDED BY THE MAYOR

Sponsors: Mayor's Office

A motion was made by Councilman Chris Moore, seconded by Councilwoman Ann Williams, that this Resolution be Passed. 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

Enactment No: R-EN-042-2009

10. Public Comment

Mr. Harold Carter, 902 Tony Drive, stated he doesn't think it's a good policy to have all three readings of a rezoning in one meeting. He explained he doesn't think there's any merit in rushing matters through Council and could make people suspicious.

Mayor Perrin explained he received an email from Ms. Amanda McDaniel that stated Main Street Arkansas will be in Jonesboro on April 28 and April 29. He invited all of the Council members to attend the events that are scheduled.

11. Adjournment.

A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, 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