



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, April 5, 2016

5:30 PM

Municipal Center

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

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PUBLIC HEARING AT 5:20 P.M.

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Regarding the abandonment of a portion of a drainage easement located west of Browns Lane, south of Hill Park Drive as requested by the Jack Hill Family Trust

Terry Bare, representing the applicant, explained they have redesigned the overflow easement to go north with a retaining wall and flume to accommodate any overflow of water. They are asking that the easement through the lots be abandoned. They sent the pertinent information to all of the utility companies. They asked for all three readings of the ordinance be held tonight so the project can move forward.

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

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2. PLEDGE OF ALLEGIANCE AND INVOCATION

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3. ROLL CALL BY CITY CLERK DONNA JACKSON

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In the absence of Mayor Perrin, President Pro Tempore Chris Moore presided over the meeting.

Present 9 - Ann Williams; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman and Todd Burton

Absent 2 - Darrel Dover and Charles Frierson

4. SPECIAL PRESENTATIONS

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COM-16:017

Junior Auxiliary Week Proclamation presented by Mayor Perrin

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Sponsors: Mayor's Office

It was announced that the week of April 4-8, 2016, would be "Junior Auxiliary Week."

This item was Read.

COM-16:018

End of 2015 year adjustment presentation by Chief Financial Officer Suzanne Allen

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Sponsors: Finance

Attachments: [Fiscal Year End December 2015](#)

Ms. Allen noted Jonesboro had a good 2015 and ended with not only a balanced budget, but also a surplus. She thanked the department heads who are very cautious about not overspending during the year.

This item was Filed.

COM-16:020

Presentation by Mayor Perrin to the Nettleton High School Bowling Team 5A-4A State Champions.

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Sponsors: Mayor's Office

This item was Read.

5. CONSENT AGENDA

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Councilman Street asked that RES-16:031 be pulled from the consent agenda because he will need to abstain from voting on that item. He also asked that RES-16:032 be pulled because it was postponed by the Nominating & Rules Committee.

Approval of the Consent Agenda

A motion was made by Councilman Gene Vance, seconded by Councilman Rennell Woods, to Approve the Consent Agenda with the exception of RES-16:031 and RES-16:032. The motioned PASSED.

Aye: 9 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Absent: 2 - Darrel Dover and Charles Frierson

MIN-16:032

Minutes for the City Council meeting on March 15, 2016

[play video](#)

Attachments: [Minutes](#)

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

RES-16:034

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO A CONTRACT TO PURCHASE PROPERTY LOCATED AT 3007 DAN AVENUE FROM LINDA TATE

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Sponsors: Parks & Recreation and Mayor's Office

Attachments: [3007 Dan Ave](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-031-2016

RES-16:038

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO REQUEST RECYCLING GRANT FUNDS FROM THE CRAIGHEAD COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT

[play video](#)

Sponsors: Mayor's Office

Attachments: [2016 City Request for Recycling Grant Funds Presentation to Finance Committee Mar. 29](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-032-2016

6. NEW BUSINESS

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RES-16:031

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS REQUESTING CITY WATER & LIGHT (CWL) PURCHASE A FIRE TRUCK FOR THE CITY OF JONESBORO

[play video](#)

Sponsors: Fire Department

Councilman Street abstained from voting and discussion because he is on the board of directors for City Water & Light.

A motion was made by Councilman Chris Gibson, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote:

Aye: 9 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Absent: 2 - Darrel Dover and Charles Frierson

Enactment No: R-EN-033-2016

RES-16:032

RESOLUTION TO MAKE APPOINTMENTS/REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS AS RECOMMENDED BY MAYOR PERRIN

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Sponsors: Mayor's Office

Councilman Street clarified that the resolution he was thinking of is RES-16:033, not RES-16:029.

A motion was made by Councilman Chris Gibson, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote:

Aye: 9 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Absent: 2 - Darrel Dover and Charles Frierson

Enactment No: R-EN-034-2016

ORDINANCES ON FIRST READING

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ORD-16:021

AN ORDINANCE ABANDONING AND VACATING A PORTION OF A DRAINAGE EASEMENT LOCATED WEST OF BROWNS LANE, SOUTH OF HILL PARK DRIVE AS REQUESTED BY THE JACK HILL FAMILY TRUST

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Attachments: [Engineering & Planning Dept. Letter](#)
[Petition](#)
[Plat](#)
[Utility Letters](#)

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

Councilman Vance abstained from discussion and voting on this item because he is the project manager for this project.

Councilman Street motioned, seconded by Councilwoman Williams, to suspend the rules and waive the second and third reading. All voted aye with the exception of Councilman Vance who abstained from voting on this item.

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

Aye: 8 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Absent: 2 - Darrel Dover and Charles Frierson

Abstain: 1 - Gene Vance

Enactment No: O-EN-017-2016

7. UNFINISHED BUSINESS

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ORDINANCES ON SECOND READING

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ORD-16:019

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2 TO C-1 LUO FOR PROPERTY LOCATED AT 309 AND 311 E. OAK, 1005 COBB AND 316 E. CHERRY AS REQUESTED BY MIDTOWN DEVELOPMENT

[play video](#)

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

Councilman Street asked if there was any opposition to the rezoning. City Planner Otis Spriggs answered no.

Councilman Street motioned, seconded by Councilman Johnson, to suspend the rules and place the ordinance on third reading. All voted aye.

A motion was made by Councilman Mitch Johnson, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote.

Aye: 9 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Absent: 2 - Darrel Dover and Charles Frierson

Enactment No: O-EN-018-2016

8. MAYOR'S REPORTS

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Councilman Moore discussed the following items:

Building permits for May totaled \$20,480,555 with commercial permits being 76% and residential permits being 24%.

In regards to condemnations, four structures were torn down by the owner and one was brought up to code.

Legislative auditors are here and will be sending the Council members their report.

Property Maintenance Code meetings were announced. They are April 21, 2016, at 6:00 p.m. at Allen Park and April 25, 2016, at 6:00 p.m. at Parker Park.

He thanked all of the city crews who worked during the recent flooding. He also noted that Lawson Road was opened back up earlier today and that Red Wolf Boulevard improvements are also completed.

9. CITY COUNCIL REPORTS

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Councilman Street also thanked the city employees for their work during the flooding. He added recent events reflect the importance of battery backups at signal lights, so when the electricity goes out the backups can allow the lights to function.

Councilman Gibson motioned, seconded by Councilwoman Williams, to suspend the rules and add RES-16:043 to the agenda. All voted aye.

RES-16:043

RESOLUTION APPROVING THE TITLE VI PROGRAM SUBMITTED FOR THE JET SYSTEM

Sponsors: JETS

Attachments: [JETS 2016 Title VI Program Draft prelim Final Draft 3-30-16](#)

A motion was made by Councilman Chris Gibson, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote:

Aye: 9 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Absent: 2 - Darrel Dover and Charles Frierson

Enactment No: R-EN-035-2016

10. PUBLIC COMMENTS

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Steve Barkley, 1209 W. Washington, explained he has had an ongoing discussion with the city regarding the partial closing of an alley on Floyd Street. The closing has allowed construction to begin on a duplex next to his property. The petition that allowed the duplex was obtained illegally from the signatures to the notary stamp. The alley was supposed to be closed just short of his property, keeping him off the petition. But, after studying the measurements he found the closing crossed his property line. The city had the Police Department investigate the petition as a forgery offense. The person who circulated the petition admitted to falsifying the document and is on several Jonesboro boards and committees. Mr. Barkley noted the investigation concluded with a finding of no criminal intent. He stated this is wrong and said the alley should be put back to the way it was before it was illegally modified.

City Attorney Carol Duncan stated it is her understanding that the initial investigation is done. The signature on the petition is the executor of the estate of the person who originally owned the property. The owner was deceased at the time, so the son signed the petition as the only heir to the property. The son signed his father's name as opposed to his name on behalf of his father as executor of his estate. After Sgt. McDaniel in the Police Department interviewed the son, he concluded there was no criminal intent. There was a question about the notary in that the notary did not witness the signature. The punishment for that would be for the person to lose their notary, but that person is no longer a notary at this time.

Mr. Barkley explained it is his understanding the person circulating the petition took the signature off the fender of the property owner's truck and had a notary employed by him notarize the petition. He thinks the person knew he was doing something wrong. Someone had already contacted him, prior to the abandonment, about purchasing that piece of property because it was too small to do anything with. But,

by closing the partial alley it became bigger.

Councilman Moore reiterated City Attorney Duncan's comments and added he doesn't think there's anything else the city can do to help Mr. Barkley. Mr. Barkley asked about the abandonment being on his property, yet he wasn't part of the petition process. He stated the alley closing is definitely on his property. City Attorney Duncan explained that is the first she has heard of that. Mr. Barkley stated he just received the measurements yesterday. City Attorney Duncan informed Mr. Barkley that he could work with the Planning Department regarding the measurements and see if he could petition the City Council regarding the abandonment. Everything she saw before reflected he wasn't an abutting property owner. She recommended he meet with City Planner Otis Spriggs concerning the measurements.

Chief Financial Officer Suzanne Allen explained the auditors are currently performing the 2015 audit, but the 2014 report was received by the Council members in January. She asked that the minutes show the Council members had the opportunity to ask questions or discuss anything concerning the 2014 audit. There were no significant findings. No questions were asked concerning the audit results.

11. ADJOURNMENT

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A motion was made by Councilman Mitch Johnson, seconded by Councilman Gene Vance, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 9 - Ann Williams;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Absent: 2 - Darrel Dover and Charles Frierson

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk