



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, February 21, 2012

6:30 PM

Huntington Building

PUBLIC SAFETY COMMITTEE MEETING AT 5:30 P.M.

NOMINATING & RULES COMMITTEE MEETING AT 6:15 P.M.

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; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

4. SPECIAL PRESENTATIONS

[COM-12:011](#)

Presentation by City Planner Otis Spriggs regarding the Land Use Plan

Sponsors: Mayor's Office

Attachments: [Supporting Information](#)

Mayor Perrin explained he asked City Planner Otis Spriggs to review the Land Use Plan and go through the records for the past two years as to what rezonings have taken place. Mr. Spriggs then compared the rezonings to the Land Use Plan to see if there are any variances.

Mr. Spriggs gave the Council an overview of what has happened regarding rezonings since the Land Use Plan was adopted. He presented the Council with a handout detailing each rezoning. He noted the Land Use Plan was adopted in 2010 and is available on the website for public use.

Mr. Spriggs stated out of 47 rezonings only about 20 were inconsistent with the Land Use Plan. Those inconsistencies are listed in the supporting information. He explained they hope to keep the Land Use Plan on a five-year cycle.

Councilman McCall clarified that when the Council approves a rezoning that is inconsistent with the Land Use Plan, the Land Use Plan is not updated. Mr. Spriggs agreed, adding the Land Use Plan has not been amended since 2010. He noted approving a rezoning does not automatically change the Land Use Plan.

Mayor Perrin explained he would like to look at the rezonings every year and try to update the Master Street Plan and the Master Land Use Plan every three to five years.

This item was Read.

COM-12:007

Presentation by "Building Communities," Brian Cole

Sponsors: Grants

Attachments: [Presentation](#)

Mayor Perrin explained Mr. Cole is the CEO of Building Communities, which is a firm out of Oregon that the City has retained with HUD money to put together the information from the Vision 2030 plan.

Mr. Cole discussed his company and noted they hope to have a draft plan made before city officials go on an upcoming Washington, D.C. trip with the Chamber of Commerce. They work to identify up to 25 community and economic strategies and find the key success factors Jonesboro needs to complete those strategies. He stated he has been working for the past three hours and has identified 15 of the 25 factors that Jonesboro can work towards. They also discussed affordable housing, transit, walking path systems and other initiatives that will round out the strategy. They are going to have a public meeting tomorrow night to present information regarding the strategies to the public.

Councilman Gibson asked for the presentation to be sent to the Council for their review.

Mayor Perrin noted the public meeting will be held at 6:30 p.m. tomorrow night at the Huntington Building. He stated they have numerous meetings set up in Washington, D.C. and they will be presenting those people with copies of the draft plan in order to ask for funding.

This item was Read.

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, 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; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

MIN-12:011

Minutes for the City Council meeting on February 7, 2012.

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-11:235

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR

STORMWATER MANAGEMENT FACILITIES FOR ABIGAIL CROSSING, A RESIDENTIAL SUBDIVISION

Sponsors: Engineering

Attachments: [Maintenance Agreement](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-027-2012

RES-12:003

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO A FIRST AMENDMENT TO INDUSTRIAL TRACK AGREEMENT

Sponsors: Engineering

Attachments: [First Amendment to Industrial Track Agreement.pdf](#)
[Exhibit A.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-028-2012

RES-12:004

A RESOLUTION TO CONTRACT WITH SPORTS CENTER TRAINING ACADEMY FOR SPONSORSHIP OF A OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

Attachments: [Sports Center Training Academy](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-029-2012

RES-12:005

A RESOLUTION TO CONTRACT WITH TOY CASTLE OF JONESBORO FOR SPONSORSHIP OF A OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

Attachments: [Toy Castle](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-030-2012

RES-12:010

A RESOLUTION TO CONTRACT WITH ZAXBY'S INC. FOR SPONSORSHIP OF A OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

Attachments: [Zaxby's Inc](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-031-2012

RES-12:011

A RESOLUTION TO CONTRACT WITH FAMILIES INC. FOR SPONSORSHIP OF A

OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

Attachments: [Families Inc](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-032-2012

RES-12:012

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR LOT #1 COPE'S ADDITION, A RESIDENTIAL DEVELOPMENT

Sponsors: Engineering

Attachments: [Maintenance Agreement.pdf](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-033-2012

RES-12:023

A RESOLUTION TO CONTRACT WITH ALL SCAPES FOR SPONSORSHIP OF TWO SCOREBOARD SIGN'S AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

Attachments: [All Scapes](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-034-2012

RES-12:024

A RESOLUTION TO CONTRACT WITH SOUTHERN BANK FOR SPONSORSHIP OF A OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

Attachments: [Southern Bank](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-035-2012

RES-12:026

A RESOLUTION TO CONTRACT WITH HOLIDAY INN FOR SPONSORSHIP OF A CONCESSION STAND SIGN AT JOE MACK CAMPBELL PARK

Sponsors: Parks & Recreation

Attachments: [Holiday Inn Joe Mac](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-036-2012

RES-12:027

A RESOLUTION TO CONTRACT WITH SIMMONS FIRST BANK FOR SPONSORSHIP OF A OUTFIELD SIGN AT SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

Attachments: [Simmons First Bank](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-037-2012

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-12:004

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF A USED CATERPILLAR 320DL 9H HYDRAULIC EXCAVATOR FOR THE STREET DEPARTMENT; AND TO DECLARE AN EMERGENCY TO EXPEDITE THE PURCHASE OF THE EQUIPMENT IN ORDER TO PERFORM DITCH WORK

Sponsors: Streets

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.

After passage of the ordinance, Councilman Gibson motioned, seconded by Councilwoman Williams, 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 a unanimous vote

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

Enactment No: O-EN-005-2012

ORD-12:006

AN ORDINANCE ACCEPTING THE ANNEXATION OF THE OAK SUBDIVISION AND CERTAIN OTHER TERRITORY TO THE CITY OF JONESBORO, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF JONESBORO, ARKANSAS, AMENDING THE ZONING ORDINANCE OF JONESBORO, ARKANSAS, AND ASSIGNING SAME TO WARDS

- Attachments:**
- [Plat A](#)
 - [Plat B](#)
 - [MAPC Report](#)
 - [Amended Order Approving Annexation](#)
 - [Order Approving Annexation](#)
 - [Petition for Annexation](#)
 - [Petition to amend order approving annexation](#)
 - [Memo from Mayor Perrin](#)

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

Councilman Moore asked if there were any objections. Mayor Perrin stated at first they had some calls, but have not heard any objections recently.

Councilman McCall noted in the past they have considered holding the number of annexations in certain areas, such as the north and east, and asked for the Mayor's Office to look into that in the northern part of town. He also recommended the utility companies be a part of the annexation process. Mayor Perrin stated he has been working with CWL and Craighead Electric in this process. He added there will be more revenue for the City than expense with this annexation.

Councilman Vance abstained from discussion and voting on this matter.

A motion was made by Councilman Chris Moore, seconded by Councilman Charles Coleman, to Waive the Second Reading . The motion PASSED by a unanimous vote

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

Abstain: 1 - Gene Vance

ORD-12:007

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO RM-8 L.U.O. FOR PROPERTY LOCATED AT TURFWAY DRIVE/SADDLECREST DRIVE AS REQUESTED BY B&T LAND CO.

Attachments: [Plat](#)
[MAPC Report](#)
[Duplex Drawings](#)
[Opposition Material](#)

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

Mr. Randy Johnson, 1907 Eldorado Cove, presented the Council with information in opposition to the rezoning. He spoke on behalf of several residents of the Bridlewood Subdivision. He noted the Land Use Plan recommended single family zoning for the property and this is multi-family. He stated the signs that notified the public of the rezoning were put on the back of the property where no one goes. He expressed concern about potential future buyers not being interested in their property due to the multi-family. He also expressed concern about the single road access with more traffic flow, as well an increase in crime. He asked the Council to deny the proposal.

Ms. Anna Dorton, 3887 Bridlewood Drive, also spoke in opposition to the rezoning. She is a new homeowner and there are numerous children that play in the streets. She read from the rezoning application concerning notification of the neighboring residents and noted she, nor other residents that live in the area, were notified of the rezoning and have not heard of any neighborhood discussion. She added there has been no statement by the applicant as to why he did not discuss the rezoning with the neighborhood. She explained she feels like she's been caught off guard by the rezoning.

Mr. Spriggs stated after the MAPC meeting there were several calls to their office concerning posting of the signs regarding the rezoning. The applicant received five signs that should have been placed on the property ten days prior to the rezoning being heard by the MAPC. He also noted he called the neighbors to let them know when the rezoning would be going to Council due to a delay between the MAPC and City Council meetings.

Councilman Fears questioned the application concerning neighborhood notification and why the applicant didn't notify the residents. Mr. Spriggs stated they recommend applicants talk with the neighbors so they aren't surprised; sometimes applicants talk with them, sometimes they don't. He stated they assumed the applicant was communicating with the neighbors in the subdivision.

Councilman Coleman asked if anyone was present to represent the applicant. Mr. Spriggs explained Mr. Carlos Wood engineered the project, so he may be able to answer questions.

Councilman McCall clarified the rezoning request does not follow the Land Use Plan. Mr. Spriggs agreed and added there may be some justification for the rezoning. He stated the MAPC recommended the rezoning 5-0, but he believes that was partially due to no opposition being present due to lack of knowledge.

Councilman Dover asked if a potential sale of the land is dependent upon the rezoning. Mr. Spriggs stated he doesn't know the answer to that question.

Councilman Moore then questioned if the Planning Department recommended the rezoning. Mr. Spriggs explained they recommended it based on findings being taken care of, but they had concern with continuity and possible parking issues.

Mr. Wood, engineer for the developer, stated the present owner plans to build the duplexes with a partner. Councilman Johnson asked if the present owner owns the lots that are not currently in the rezoning. Mr. Woods answered they own some of the lots. Councilman McCall asked how far the property is from the railroad. Mr. Woods stated on the north end they are 150 feet from the railroad and 500 feet on the south end. Councilman Dover questioned whether the developer built the neighboring homes. Mr. Woods stated they were involved in selling the lots or homes after they were built. Councilman Coleman then asked if the developer spoke with the neighbors concerning the rezoning. Mr. Woods explained he doesn't know whether they made any attempt to contact the neighbors.

Councilman Moore asked for the ordinance to be held at one reading.

Councilman Fears expressed concern over the applicant not speaking with the neighbors regarding the rezoning. Councilman Coleman agreed. Councilman Frierson stated that could be fixed by amending the City ordinances to require applicants to speak with the neighboring residents.

Held at one reading

7. UNFINISHED BUSINESS

8. MAYOR'S REPORTS

COM-12:012 2012 State of the City Address

Sponsors: Mayor's Office

Attachments: [State of the City Address 2012](#)

This item was Read.

9. CITY COUNCIL REPORTS

Councilman Street motioned, seconded by Councilman Dover, to suspend the rules to place RES-12:028 on the agenda. All voted aye.

RES-12:028

A RESOLUTION TO AMEND THE CITY OF JONESBORO EMPLOYEE HANDBOOK CATASTROPHIC LEAVE BANK TO INCLUDE LEAVE FOR ILLNESS OF A PARENT, SPOUSE OR DEPENDENT CHILD AS DEFINED BY THE IRS PUBLICATION 501

Sponsors: Mayor's Office, Finance and Human Resources

Attachments: [IRS Pub 501](#)

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

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

Enactment No: R-EN-038-2012

Councilman Johnson motioned, seconded by Councilman Moore, to suspend the rules and place ORD-12:003 on the agenda. All voted aye.

ORD-12:003

AN ORDINANCE TO AMEND SECTION 66-83 OF THE JONESBORO MUNICIPAL CODE ENTITLED "WRECKERS"

Sponsors: E911 and Police Department

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

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

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

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

Enactment No: O-EN-006-2012

10. PUBLIC COMMENTS

Mr. James Hinds, 508 Ridgecrest, discussed a recent issue in which a Jonesboro mother made her son walk to school due to his being suspended from the bus and the child was picked up by the Police Department and taken to school. He noted criminal charges have been filed against the mother. He stated he walked to school because there was a law saying he had to. He expressed concern because the mother is being attacked. He explained he has a problem with whoever brought criminal charges against the mother. He added if it was the Jonesboro Police

Department, then they don't need to be "big brother". He further stated it is better to not have a police department than to have one that is a terror for people who are trying to do what is right. He explained the charges need to be dropped because there will be expenses to this family. If the City can, then they need to help her or establish a public fund.

Police Chief Michael Yates responded to Mr. Hinds comments. He explained they received a call from a local bank about a child walking in the area and the guard expressed concern for the child. He noted the current conditions were wind chill of 25 to 27 degrees. He also noted Highland and Stadium is one of the most frequently traveled areas in the City of Jonesboro. The officer made contact with the child who was underdressed for the weather conditions. The child explained that he had been kicked off the bus and his mother was making him walk to school. The officer chose to drive the child to school, which was 4.6 miles away through city streets such as Highland, Stadium, Nettleton, etc., during rush hour traffic in the morning. Chief Yates explained the officer investigated the situation and found the mother was on vacation from work and was still at home while the child was walking to school. The officer cited the mother in order to document the incident. The State of Arkansas requires police officers to make contact with the Department of Children Services or contact the child abuse hotline when there is an allegation of child abuse or child abuse is seen. The officer did that to ensure the mother would have to go to court and explain the situation. Chief Yates stated it is not their intention to raise other people's children and he thinks the officer's actions were reasonable. If the officer erred, then he did it for the child.

Councilman Dover added as a mandatory reporter it is not their job to judge; rather they are to just report.

Mr. Hinds noted he is only questioning the charges, not the mandatory reporting.

11. ADJOURNMENT

A motion was made by Councilman Mitch Johnson, seconded by Councilman Chris Gibson, that this meeting be Adjourned . The motion PASSED by a unanimous vote

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

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

Attest:

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