



Meeting Minutes
City Council

Tuesday, July 15, 2008

6:30 PM

Council Chambers

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 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

4. Special Presentations

COM-08:082 Tornado Siren Bid Presentations

Sponsors: Mayor's Office

Attachments: [Bid2008-18BidsSirens](#)
[Bid 2008-18 Tabulation Sirens](#)
[Jonesboro Presentation 7-9-08](#)
[Public Safety Systems, Inc. presentation](#)
[Federal Signal Corp presentation](#)

Mayor Formon explained the bid specs were for the current signal's decibels. He further explained Federal Signal bid the 130 decibels, but Public Safety bid only 128 decibels. Mr. Jim Tucker from Federal Signal Corporation discussed their proposal for the City. Mayor Formon questioned whether the City would be losing about 1,600 feet of coverage by going with 128 decibels instead of 130. Mr. Tucker stated that is approximately right. He added mapping will show you what coverage each siren will have. He stated the 128's will probably do better than most of the old sirens that are out there at this point. Councilman Perrin questioned the last time the City bought anything from Federal. Mr. Tucker answered he is not sure, but he thinks it's been four or five years. He noted all the old 2001 sirens can be upgraded to today's modern technology. Councilman Perrin clarified all of the old sirens can be upgraded as another alternative. Mr. Tucker answered yes.

Councilman McCall questioned the problem with MoArk. Mayor Formon stated he was not there for the bid opening so he doesn't know. Councilman Moore noted a previous Public Works meeting in which the price from Public Safety was almost \$1 million. He questioned what was different since their current bid is lower. Operations Director Misty Micenhamer explained the bid was for updating the system instead of buying new ones. Discussion was held regarding previous bids for the siren system. Councilman Moore questioned whether the City should spend \$800,000 to replace the sirens or if they are trying to cut corners to bring the amount down. Councilman

Johnson expressed concern over upgrading the system because upgrading has been done before and the goal is to be safe. Ms. Micehamer stated the original information from Federal to replace the sirens was \$752,704. Councilman Moore questioned spending the extra \$250,000 to get all new signals and new equipment that might last longer as opposed to just replacing the sirens.

Mr. Nicki Arnold from Public Safety Systems, Inc. discussed their proposal for the City siren system. He stated they did a demonstration between 130 and 128 decibel sirens and those who were present could tell which one was louder, regardless of what the numbers say. He added the T-128 will outperform the 2001 siren that's rated to be 130. He noted they are located in Paragould, which is only twenty minutes away. Mr. Arnold stated they are proposing to re-license a new frequency to improve range to the sirens. Councilman Dover questioned whether they can upgrade the 2001 sirens. Mr. Arnold answered yes. Councilman Frierson noted if the Council recommends replacing sirens, then the project would have to be bid again.

Councilman Moore motioned, seconded by Councilman Street, to re-bid the siren systems in order to replace all of the sirens and open the bids to anyone who wants to bid. All voted aye. He also suggested marketing the old sirens to try and re-coup some of the money spent on new sirens.

This item was Read.

5. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilwoman Ann Williams, seconded by Councilman Chris Moore, to Approve the Consent Agenda with the exception of RES-08:087 AND RES-08:101 A motion was made that these files be approved by consent voice vote

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

MIN-08:150

Minutes for the City Council meeting on July 1, 2008.

Attachments: [Minutes](#)

This item was passed on the consent agenda.

RES-08:071

A RESOLUTION TO THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 3106 CASEY SPRINGS ROAD, JONESBORO, ARKANSAS FOR THE PURPOSE OF COMPLETING THE LANDFILL

Sponsors: Mayor's Office and Public Works

Attachments: [Offer and Acceptance](#)
[Mayor's Letter](#)
[Appraisal](#)

This item was passed on the consent agenda.

Enactment No: R-EN-092-2008

[RES-08:087](#)

A RESOLUTION TO AMEND EMPLOYEE HANDBOOK BY ADDING A FOURTH WEEK OF VACATION AFTER 15 YEARS OF EMPLOYMENT WITH THE CITY

Sponsors: Human Resources

Attachments: [Vacation Revision](#)

Councilman McCall asked for clarification regarding the resolution, noting several people in the community have questioned him about it. Human Resources Director Gloria Roark explained employees with 15 years of service would be able to have four weeks of vacation. Councilman McCall questioned the cost. Ms. Roark stated she surveyed all the departments. She further explained the departments thought it would be a cost neutral situation and not require any extra overtime to cover the extra week of vacation for eligible employees. She added the Police Department was the only one who thought they may have to do some work to cover the extra week. Mayor Formon questioned how many employees would benefit from the fourth week of vacation. Ms. Roark stated there would be 93 employees. Councilman Street noted other cities the size of Jonesboro give the fourth week after 15 years.

A motion was made by Councilman Charles Frierson, seconded by Councilman Harold Perrin, that this matter be Passed. The motion PASSED by a unanimous vote.

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: R-EN-096-2008

[RES-08:088](#)

A RESOLUTION TO AMEND THE CITY OF JONESBORO EMPLOYEE HANDBOOK

Sponsors: Human Resources

Attachments: [Attachment A](#)
[Attachment B](#)
[Attachment C](#)

This item was passed on the consent agenda.

Enactment No: R-EN-093-2008

[RES-08:096](#)

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

Sponsors: Mayor's Office

This item was passed on the consent agenda.

Enactment No: R-EN-094-2008

[RES-08:101](#)

A RESOLUTION TO ADJUST THE SALARY OF THE HUMAN RESOURCES DIRECTOR AS RECOMMENDED BY THE FINANCE COMMITTEE

Sponsors: Mayor's Office

Attachments: [Modified Pay Plan B](#)

Councilwoman Williams noted the resolution was passed by the Finance Committee, but since then the Council has expressed concern regarding salary increases. She

stated due to the number of pay increase requests they need to determine whether to approve the raises individually or to wait until the budget process. Mayor Formon explained when Ms. Roark was hired he and Councilman Perrin promised to re-evaluate her salary after one year of service because she had the required amount of experience, but not the required degree. Ms. Roark stated she is the only city employee that was "red circled" in that she was hired below the starting position salary. She added she was hired with the understanding that the pay would be re-evaluated. Councilwoman Furr questioned whether the raise should have been addressed during the budget process for the 2008 budget. Mayor Formon stated he missed it during the budget process and Ms. Roark had to bring it to his attention. Councilman Hargis noted the City is in a deficit budget and being asked to address salary adjustments, while they do not have financial accounting. He expressed concern over adjusting the budget in any situation. Councilman Frierson stated this is not a new topic and they are stuck with it whether they like it or not because of the promise that was made. Ms. Roark noted she was hired on at \$11,000 less than Ms. Suzanne Hackney, the previous Human Resources Director. Councilman Moore stated any increases should be addressed during the budget and not during the middle of the year. Councilwoman McCall explained the Finance Committee had already approved the raise and it was in process before the last Council meeting when salary increases were discussed. She added she thinks it is unfair to Ms. Roark and to any if their raise was already in the process to be done. Councilman Street asked Councilman Perrin whether the agreement was made to re-evaluate Ms. Roark's salary. Councilman Perrin answered yes. He explained Ms. Roark had many years of experience with the State of Arkansas and this was their recommendation. Councilwoman Furr questioned how many other commitments were made in the past that will come before the Council. She added the issue is nothing personal against Ms. Roark; rather, the issue should've been addressed in the 2008 budget. Mayor Formon stated the salary is in the pay plan. He added they are just now bringing her back up to where she should be. Councilwoman McCall stated if there are any promises then it should be shut down at the committee and not at Council. Councilwoman Furr reiterated her concern about how many other promises are lingering and will be brought before Council.

A motion was made by Councilman Darrel Dover, seconded by Councilman Harold Perrin, that this matter be Passed. The motion PASSED by the following vote:

Aye: 8 - Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Chris Moore; Harold Perrin; John Street and Mitch Johnson

Nay: 4 - Judy Furr; Cecil Province; Jim Hargis and Tim McCall

Enactment No: R-EN-097-2008

RES-08:113

A RESOLUTION REAPPOINTING MEMBERS TO THE CITY WATER AND LIGHT BOARD

This item was passed on the consent agenda.

Enactment No: R-EN-095-2008

6. New Business

Ordinances on First Reading

ORD-08:032

AN ORDINANCE TO AMEND ORDINANCE NUMBER 06:104 AND THE JONESBORO CODE OF ORDINANCES AND REMOVING CITY COUNCIL MEMBERSHIP ON CERTAIN CITY BOARDS AND COMMISSIONS, AND FOR

OTHER PURPOSES; AND

Sponsors: Mayor's Office and City Attorney'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 reading. 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.

Councilman Perrin motioned, seconded by Councilman Moore, to adopt the emergency clause. All voted aye.

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: O-EN-036-2008

ORD-08:034

AN ORDINANCE TO ADOPT THE JONESBORO FIRE DEPARTMENT PROPOSED PAY REALIGNMENT PLAN

Sponsors: Fire Department

Attachments: [Jonesboro Fire Department Pay Realignment current to new grade](#)

Councilman McCall offered the ordinance for first reading.

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

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

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: O-EN-037-2008

ORD-08:059

AN ORDINANCE AMENDING THE 2007 BUDGET ORDINANCE FOR THE CITY OF JONESBORO, ARKANSAS

Sponsors: Finance and Mayor's Office

Attachments: [Schedule A 2007 Cleanup](#)

Councilwoman Williams offered the ordinance for first reading.

Councilman Dover asked Finance Director Jim Barksdale to clarify the ordinance. He stated he would like everyone to understand exactly what will be done. Mayor Formon noted the cleanup ordinance has been voted down once before and questioned whether there are any special procedures as to what needs to be done to bring it back up. City Clerk Donna Jackson stated the ordinance is new. Mr. Barksdale explained the ordinance will correct a lot of the appropriations for items, mostly Capital items, that were approved by the Council but were omitted from the budget as far as appropriations. Councilman McCall questioned whether all of the

items were approved by the Council. Mr. Barksdale answered no, the appropriations have not been voted on and approved; however, many of the items were approved in 2006 but the appropriations lapsed at the end of 2006 and did not carry over to 2007. He added it was asked by Legislative Audit to pass the cleanup ordinance before they finish the 2007 audit. Mayor Formon stated all the big items went through the committee process and were approved, but the money wasn't actually placed in the budget through the year. He noted it was stated throughout the year the money could be taken care of in the cleanup ordinance. Mr. Barksdale explained the cleanup ordinance is supposed to cleanup things that the City cannot control, such as fuel. He further explained the cleanup ordinance was intended to cleanup things such as the mosquito control because that was just an omission. Councilman McCall questioned how much is not Capital Improvements. Mr. Barksdale stated almost 2/3 of the \$3 million is for Capital Improvements. Councilwoman Furr noted at a Finance meeting she was told the number might change by the end of the year. She questioned the need to pass the ordinance if the number might change. Mr. Barksdale explained they may have to make accounting adjustments, but he was told by Legislative Audit to pass the ordinance because it's a violation of state law to spend without appropriations. He added they already have a similar list made for 2008 for review by the Finance Committee on Thursday. Councilwoman Furr reiterated her question, asking whether it would make more sense to pass the ordinance after the needed adjustments have been determined by Legislative Audit. Mr. Barksdale explained there may be accounting adjustments, but it won't materially change the total amount spent. Councilman Perrin clarified Legislative Audit has mandated the City to pass the ordinance now. Mr. Barksdale answered yes. Councilman Moore questioned whether there was complete accountability for each of the items. Councilman Perrin answered yes, at one point in time.

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

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

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

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: O-EN-038-2008

7. Unfinished Business

Ordinances on Second Reading

ORD-08:045

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF JONESBORO, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF JONESBORO, ARKANSAS, AND ASSIGNING SAME TO WARDS AS REQUESTED BY PAULETTE QUINN

Attachments: [Plat](#)
[MAPC Report](#)
[Submission Letter](#)
[Petition For Annexation](#)
[Exhibit A](#)
[Exhibit B](#)
[Resolution](#)
[Pre-Annexation Questionnaire](#)
[Kevin Carpenter Statement](#)
[Letter To Planning](#)

Councilman Street motioned, seconded by Councilman Frierson, to amend the ordinance to include the RS-5 zoning and for it to be held at one reading tonight with the second and third reading to be at the meeting on August 19. All voted aye. City Attorney Phillip Crego asked for clarification, noting in Section 2 of the proposed amended ordinance there is a blank where the ward number should be. Attorney Bobby Gibson explained in the amended ordinance that has been presented to the Council, Ward 4 and the zoning of RS-5 is specified as approved by the MAPC.

Councilman Street offered the ordinance as amended for first reading.

Councilman Street motioned, seconded by Councilman Frierson, to table the ordinance until August 19. All voted aye.

This Ordinance was Held at one reading.

8. Items Held in Council

Ordinances on First Reading

ORD-08:044 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS TO RS-5 PROPERTY LOCATED BEHIND 6106 SOUTHWEST DRIVE AS REQUESTED BY PAULETTE QUINN

Attachments: [Plat](#)
[Application for Zoning Ordinance Map Amendment](#)
[MAPC Report](#)

A motion was made by Councilman John Street, seconded by Councilman Chris Moore, that this Ordinance be Tabled. The motion CARRIED by a Voice Vote.

Aye: 12 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

9. Mayor's Reports

Mayor Formon introduced Mr. Steve Ewart, who is now working full-time for JETS.

10. City Council Reports

Councilman Frierson motioned, seconded by Councilman Street, to suspend the rules and place two resolutions on the agenda. All voted aye. Councilman Frierson explained the resolutions concerning JETS are required to be passed by the end of the month in order to be in compliance.

RES-08:106 RESOLUTION TO APPROVE THE FTA CIRCULAR 4220.1E AS AMENDED

Sponsors: JETS

Attachments: [circular 4220.1E](#)

A motion was made by Councilman Charles Frierson, seconded by Councilman Harold Perrin, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: R-EN-098-2008

RES-08:107

RESOLUTION TO APPROVE THE FTA CIRCULAR 5010.C

Sponsors: JETS

Attachments: [5010.C word document](#)

A motion was made by Councilman Charles Frierson, seconded by Councilman Jim Hargis, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: R-EN-099-2008

Councilman Frierson motioned, seconded by Councilman Hargis, to suspend the rules and place a resolution on the agenda. All voted aye, with the exception of Councilman Johnson and Councilwoman Furr who voted nay.

RES-08:115

A RESOLUTION TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST ARKANSAS TENNIS ASSOCIATION

Sponsors: Parks & Recreation

Attachments: [NEATA Tennis Pro Contract 2008](#)

Mr. Jeff Owens explained the person will be used to work at several locations with the primary goal to bring more people to the Allen Park tennis complex. He further explained they will teach lessons and have tournaments. He added the money will be generated through fees paid. Mayor Formon questioned how many months during the year the tennis pro would be used. Mr. Owens explained in the past as long as the temperature is over 35 degrees, then they would be used.

Councilwoman Furr noted at the last Council meeting a moratorium was passed regarding no new positions being made. Councilman Frierson stated the position has been used before. Mr. Owens stated the tennis pro would be a contract employee. Councilman Johnson noted a new position is still being created. Councilman McCall questioned whether the position is being used. Mr. Owens answered they have not had anyone in this position for a year and a half. Councilman Dover questioned whether the City will be cutting a check to the individual. Mr. Owens answered yes. Councilman Johnson noted it does not state the \$4,000 would be paid through fees for the tennis pro. Discussion was held concerning the moratorium. Mayor Formon questioned whether workman's comp and other benefits would have to be paid for

the individual. Mr. Owens answered no. He explained the Parks Department is not creating a new position with any liability to the City.

A motion was made by Councilman Darrel Dover, seconded by Councilman Charles Frierson, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 7 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Jim Hargis;Harold Perrin and Tim McCall

Nay: 5 - Judy Furr;Cecil Province;Chris Moore;John Street and Mitch Johnson

Councilman Moore motioned, seconded by Councilman Street, to suspend the rules and place a resolution on the agenda. All voted aye.

RES-08:112

A RESOLUTION APPROVING THE PURCHASE OF FIRE STATION #2 AND FIRE STATION #6 AS PRICED IN BID #2008:16 AND #2008:17.

Sponsors: Public Safety Council Committee

Attachments: [station 2-6 bids](#)
[fire station contract](#)

Councilman Moore stated the resolution was passed by the Public Safety Committee. He explained the bids were taken on June 18 and the prices are only good for thirty days.

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this Resolution be Passed. The motion CARRIED by a Voice Vote.

Aye: 12 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Enactment No: R-EN-101-2008

Councilman Street announced a Stormwater Management Board meeting tomorrow at 8:30 a.m. in the Huntington Building. He noted they are having their first appeal hearing and questioned whether anyone had contacted Mr. Crego about being there. Mr. Crego stated yes, he will be there. Councilman Street then announced a public meeting by the Public Works Department discussing the permit process. He stated it will be Saturday, July 26, at 8:30 a.m.

COM-08:084

Financial report for the first six months of 2008 as presented to the City Council at the meeting on July 15, 2008.

Attachments: [Budget Summary](#)
[Sales Tax](#)
[State Turnback](#)

Mr. Barksdale provided the Council with a budget report for the first six months of 2008. He explained it will be on Legistar. Mayor Formon noted several people are having problems bringing up PDF file attachments from Legistar. He asked anyone who is having problems to contact IT Director Bill Jenkins to get the problem taken care of.

This item was Read.

11. Public Comment

Dr. Charles Coleman discussed a problem on Word Street. He explained they have had an increase of families with young children and the traffic is getting out of control. He asked for the street to be studied by making it a one-way street or any other

option. He added he has also noticed traffic signs being ran, either because people can't see the signs or they do it blatantly. Dr. Coleman asked for someone to study the problem. Mayor Formon asked Police Chief Michael Yates to speak with Street Superintendent Tony Davis to see if there's anything that can be done.

Mr. Marvin Jumper of the American Legion discussed the ending of commercial sanitation. He asked for the City to start picking up their garbage again like residential customers. Mayor Formon questioned whether they have dumpsters or roll offs. Mr. Jumper stated they have roll offs. Mayor Formon explained they are still considered commercial. Councilman Moore noted WCA will dump the roll offs for the Legion.

Mr. Larry Jackson commended the Council for their work with the tornado sirens. He also discussed the 4th of July festivities at Craighead Forest. He noted they received a lot of compliments and had one of the best fireworks shows they've had out there. Mr. Jackson also thanked the Council for adding the fourth week of vacation for employees.

Councilman Perrin thanked everyone for their work for 4th in the Forest. Councilman McCall noted the reason it was free this year because A&P would not provide money for events were an attendance fee is charged.

Mayor Formon discussed the leftover money from the cafeteria plan from previous years. He explained the Employee Representative Committee decided to use the leftover money for a one year membership for all employees to Air Evac. He questioned whether it needed to be bid out. Mr. Crego answered yes because normal procedures have to be met due to it still being City money.

12. Adjournment.

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

Aye: 12 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

_____ **Date:** _____
Doug Formon, Mayor

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