



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Council Agenda City Council

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Tuesday, July 7, 2015

5:30 PM

Municipal Center

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

*Council Chambers, Municipal Center*

### **NOMINATING & RULES COMMITTEE MEETING AT 5:15 P.M.**

*Council Chambers, Municipal Center*

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

### **2. PLEDGE OF ALLEGIANCE AND INVOCATION**

### **3. ROLL CALL BY CITY CLERK DONNA JACKSON**

### **4. SPECIAL PRESENTATIONS**

**[COM-15:041](#)** City Attorney Carol Duncan update on open court cases

**Sponsors:** City Attorney's Office and Mayor's Office

### **5. CONSENT AGENDA**

*All items listed below will be voted on in one motion unless a council member requests a separate action on one or more items.*

**[MIN-15:061](#)** Minutes for the public hearing regarding the 2012 International Property Maintenance Code held on June 11, 2015

**Attachments:** [Minutes](#)

**[MIN-15:063](#)** Minutes for the City Council meeting on June 16, 2015

**Attachments:** [Minutes](#)

**[RES-15:095](#)** A RESOLUTION TO CONTRACT WITH EAB BROADCASTORS INC FOR RENTAL OF CRAIGHEAD FORREST PARK

**Sponsors:** Parks & Recreation

**Attachments:** [EAB 4th of July Contract.pdf](#)

**Legislative History**

6/30/15 Finance & Administration Recommended to Council  
Council Committee

**RES-15:097** A RESOLUTION APPROVING THE IMPLEMENTATION OF THE FY 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC SERVICE PROGRAM CONTRACT BETWEEN THE CITY OF JONESBORO, ARKANSAS STATE UNIVERSITY AND NORTH JONESBORO NEIGHBORHOOD INITIATIVE

**Sponsors:** Grants

**Attachments:** [Agreement for Summer Camp.pdf](#)

**Legislative History**

6/30/15 Finance & Administration Recommended to Council  
Council Committee

**RES-15:098** A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO AN AGREEMENT WITH ALLTEL CENTRAL ARKANSAS CELLULAR LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS

**Sponsors:** Parks & Recreation

**Attachments:** [Verizon - Little League World Series - Temporary CROW Site Agreement final j](#)

**Legislative History**

6/30/15 Finance & Administration Recommended to Council  
Council Committee

## **6. NEW BUSINESS**

### *ORDINANCES ON FIRST READING*

**ORD-15:032** AN ORDINANCE AUTHORIZING CUSTOM DESIGN SOLUTIONS TO DO BUSINESS WITH THE CITY OF JONESBORO

**Sponsors:** Grants

**Legislative History**

6/30/15 Finance & Administration Recommended to Council  
Council Committee

**ORD-15:034** AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2015 BUDGET TO ADD TWO NEW SRO POSITIONS TO NETTLETON SCHOOL DISTRICT

**Sponsors:** Mayor's Office

**EMERGENCY CLAUSE**

**Legislative History**

6/30/15 Finance & Administration Recommended to Council  
Council Committee

## **7. UNFINISHED BUSINESS**

## **8. MAYOR'S REPORTS**

**9. CITY COUNCIL REPORTS**

**10. PUBLIC COMMENTS**

*Public Comments are limited to 5 minutes per person for a total of 15 minutes.*

**11. ADJOURNMENT**



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** COM-15:041    **Version:** 1    **Name:** July, 2015, legal report  
**Type:** Other Communications    **Status:** To Be Introduced  
**File created:** 6/25/2015    **In control:** City Council  
**On agenda:**    **Final action:**  
**Title:** City Attorney Carol Duncan update on open court cases  
**Sponsors:** City Attorney's Office, Mayor's Office  
**Indexes:** Legal reports  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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City Attorney Carol Duncan update on open court cases



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** MIN-15:061    **Version:** 1    **Name:**  
**Type:** Minutes    **Status:** To Be Introduced  
**File created:** 6/16/2015    **In control:** City Council  
**On agenda:**    **Final action:**  
**Title:** Minutes for the public hearing regarding the 2012 International Property Maintenance Code held on June 11, 2015  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the public hearing regarding the 2012 International Property Maintenance Code held on June 11, 2015



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Thursday, June 11, 2015

6:00 PM

Municipal Center

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### Public Hearing

#### 1. CALL TO ORDER BY MAYOR PERRIN AT 6:00 P.M.

#### 2. NEW BUSINESS

*Mayor Perrin thanked Mr. John Hardin for making copies of the code and providing the copies to people in attendance. He also apologized for any misstatements he may have made concerning the code in reference to multi-family. What he meant to say was the ordinance that is being proposed at this time deals with multi-family. But, there is a proposed amendment that would make the code applicable to everything. He then thanked Mr. Dan Passmore and the committee he served on in the past for his hard work with the property maintenance code.*

*Mayor Perrin noted his administration values the realtors, homebuilders and construction companies and they are a big part of the economy base of Jonesboro. He stated they will do whatever they can to assist those markets in whatever way they can.*

*Mayor Perrin then informed the City Council that he will have to leave the hearing early in order to attend his grandson's GED graduation. He then turned the meeting over to the President Pro Tempore Chris Moore.*

#### COM-15:039

Presentation given by Director of Communications Fritz Gisler regarding the 2012 International Property Maintenance Code

**Sponsors:** Mayor's Office

**Attachments:** [Presentation](#)

*Mr. Gisler stated Councilman Vance will be presenting an amendment to the proposed ordinance at the City Council meeting on Tuesday, June 16th, that will remove the restriction of multi-family. Councilman Vance clarified his proposed amendment will make the ordinance applicable to everyone, not just multi-family.*

*He noted the planned implementation date is November 1st. He added at any time the City Council can change the timeline.*

*He explained the property maintenance code will be complaint driven and prioritized by the immediate impact on health/safety, severity, the impact on the community and the length of time the complaint has been open. He then discussed how the complaints will be handled and addressed questions that have been asked about the code.*

*He further explained the reason the city is looking at implementing the property maintenance code is because the code compliance officers can't do anything other*

than condemn a piece of property. They would like to have other tools so condemnation isn't the only solution. The property maintenance code will help the residents of the city and help promote the health, safety and welfare of the community.

**This item was Filed.**

Discussion concerning the property maintenance code

Councilman Moore stated he has been asked numerous questions concerning the code. He explained the code will apply to all structures within the city, there will not be a fee levied to fund the cost of enforcing the code, the inside of the structure is just as important as the outside which is why the code applies to exterior as well as interior and there are no intentions for code enforcement to enter a citizens' home without permission by the property owner except.

Lt. Todd Nelson from the Quality of Life Department explained right of entry gives the city the right to be on a piece of property, but they have to have a reason to be there. If the property owner denies access, the city has to leave unless a judge gives them permission to be there. After a question by a citizen, Lt. Nelson explained if they are in the house legally and observe something that is a danger to the health, safety and welfare of the residents then other codes may apply. He noted the property maintenance code will be enforced by a code enforcement officer, not a certified police officer.

Lt. Nelson also stated, in response to another question, that the property maintenance code does not give them the authority to make property owners update their homes completely; rather, the code allows them to make sure the home is safe but does not have to necessarily be up to date with current building codes.

Councilman Moore explained he has also been asked about the specific procedures for enforcing violations of the code. If a code violation is found, the property home owner will be notified in writing, given the exact reason for the violation and be given a reasonable amount of time to make repairs and improvements to bring the structure up to compliance. They will also be given the procedure for appeals, if the citizen wishes to appeal the violation.

Councilman Dover asked how the city came to the conclusion to use the 2012 International Property Maintenance Code even though there was a change in chief building officials last year after recommendations concerning property maintenance were made by the Moratorium Committee. Councilman Moore stated he thinks the Mayor made the recommendation not to reinvent the wheel, to go with a document that was already part of the current code. Councilman Vance added the code was a recommendation of the Moratorium Committee to the Mayor. The Moratorium Committee recommended the administration come up with a plan to solve the issue of maintenance and the committee recommended the International Property Maintenance Code. He added that's why the original ordinance referred to only three units and above because the committee recommended the code for multi-family housing. But, after questions were raised from the people in the community and some Council members then it was decided to expand the ordinance to cover all structures. Councilman Burton clarified the Moratorium Committee minutes said the 2012 International Property Maintenance Code would be a base and used as a starting point to build a property maintenance code off of. Councilman Moore stated the code as made by the previous chief building official was comprised of only sections of the 2012 International Property Maintenance Code, whereas now the Council is considering adopting the full code.

*Councilman Dover asked if the previously proposed code was portions of this proposed code, then why would there be legal challenges. City Attorney Carol Duncan stated she thinks the previously proposed code with just sections of the property maintenance code would stand up in court. She noted she wasn't involved in the committee, but stated possible problems could come up if they took portions of this code, then put in portions of another code.*

*Councilman Street clarified that if an older home does not meet current standards, the property owners won't be forced to bring the home up to current codes. Councilman Moore stated that is correct. He explained the code doesn't reference what type of material has to be used; rather, they just have to work. But, the appeals committee would have the right to determine what needs to be done. Councilman Vance agreed, adding if something is changed, then it has to be brought up to code. But, if something is just being replaced it doesn't have to be up to code.*

*Chris Hyman, 701 Airport Road, asked if a tenant makes a false claim and allows code enforcement on to the property, then code enforcement sees violations, if the property owner would have to fix the problems. City Attorney Duncan stated if code enforcement enters the property legally, under the permission of the tenant, and code violations are in plain sight then the property owner can be written up for the violations. She noted they can't go searching for violations; rather, the violations have to be in plain sight and seen as they are investigating the claim. Mr. Hyman noted in Section 604.2 of the property maintenance code it says "dwelling unites shall be served by a three-wire". He asked if code enforcement gains access to the home because of a false claim and see that the wiring isn't three-wire, then could the property owner be written up for a code violation and made to be brought up to compliance. City Attorney Duncan answered it would have to be a safety concern. Councilman Moore clarified the particular section Mr. Hyman referred to indicates the utility service has to provide service through three-wire, but it doesn't mean the house has to have three-wire in it.*

*Jeb Spencer, 615 W. Matthews, asked how many code enforcement officers there are now that answer complaints. Lt. Nelson answered five officers with approximately 600 complaints answered in May. Mr. Spencer stated he doesn't think the city has the time or the desire to go into people's houses. He added ideally, by the time the city has the opportunity to knock on someone's door that the landlord has had several phone calls. He noted he doesn't see the city going into the home unless there's a real problem.*

*Harold Carter, 902 Tony Drive, expressed concern about property owners being under the property code version of OSHA. He stated he doesn't think homeowners are going to like the being under this code because you never know where it's going to end up. He noted the Supreme Court has ruled that city officials can get a warrant to go into someone's home. He also stated tenants will have a list of excuses they can use that may be false just to get code enforcement in the house to possibly find other violations. Mr. Carter then asked if code enforcement officers are going to have the proper training and background to say whether or not something is a safety violation. He explained he doesn't think the city will want to spend the money to hire experts.*

*Robert Rees, 1718 Chickasaw, stated earlier this week his property manager in Little Rock contacted him because Little Rock code enforcement had questions about the property. Little Rock uses the property maintenance code. Mr. Rees discussed problems he had with code enforcement in Little Rock due to the property maintenance code. He noted the previous committee that looked at the 2012 International Property Maintenance Code had decided that the code was too*



*restrictive and started putting together portions of the code that would be applicable to Jonesboro. Lt. Nelson, who also served on the committee agreed that the committee started on the premise that it was too restrictive. Mr. Rees stated while he was on the committee he voted against the code because there are already too many regulations. He then expressed concern about the city having the personnel to enforce the code. He explained if the violation is due to an unsafe roof, then it will be up to the resident to hire an engineer to say the roof isn't unsafe. The city won't bear the financial burden; rather, it will cost the citizen.*

*Mary Ransone, 1224 W. Matthews, stated the city has no restrictions now and some neighborhoods are horrible and unsafe. Kids are walking by vacate, dilapidated and unsafe homes. She referred to a home that was recently condemned by the city due to it burning down in a fire a few years ago. She noted the property owner of that house was still claiming the Homestead Tax Credit. She stated the city needs to do something. She added she respects the people who maintain their homes, but it's the people who don't maintain their homes that are the problem.*

*Bob Warner, 1003 W. Washington, discussed his home. He stated the code matters for the whole city. He stated he would sleep in any house that he owns and is part of the Landlord Association. He questioned why good landlords would oppose this code and want bad landlords to compete with them. He added the code will help the city stand up to slum lords and banks that won't put money into fixing up foreclosed homes. He explained they should adopt the standard template because it will work. He further explained he recognizes the fear of the city coming into your home, but this has to do with safety.*

*Sherry Horton, 1410 S. Madison, explained she is concerned about it being an infringement on property owner's rights. She stated she pays her mortgage every month and doesn't want someone to tell her how she should keep up her home. She questioned whether the city has the right to force her to paint her home if code enforcement sees paint chipping on her home. Councilman Moore answered yes. She expressed concern about homeowners who can't afford to fix the issues that are deemed violations of the property maintenance code.*

*Mr. Spencer addressed the Council again. He explained he has rental property and is on the West End Association Board. He stated property rights are fundamental to our country, but if you have a right to property you have a right to the value of your property. He further explained no one is immune to what is going on and he thinks that's why so many people are supporting this issue.*

*Teresa Beck, 16 Plantation Oaks, stated she doesn't understand people who don't take care of their property. She discussed a home near hers that has issues that need to be fixed. She further stated it's a travesty that people would allow that to happen to their homes and that she would be happy to report them after this code is approved because it's dangerous for kids to live in.*

*Darrel Cook stated he is an investor and property owner with nothing to hide. He explained he is totally against the code. There have been valid points brought up by both sides. He expressed concern about the code doing more damage than good. He stated he has a tenant living in a home he recently fixed up, but he will not be raising his rent. But, he has another tenant that hid cats in their home that is now costing him \$6,000 to get the smell out. The property maintenance code will not help with those issues. Mr. Cook stated not everyone in Jonesboro can afford to make their house pretty, but landlords who are forced to make improvements will eventually have to pass the cost down to the tenants by raising their rent. He questioned where people will go when they can't afford higher rent caused by the property maintenance code.*

*He stated is in support of parts of the code. He noted part of the code says if the house is under notice then it can't be refinanced. He questioned what will happen to the residents who need to refinance their homes in order to pay for the improvements needed.*

*Judy Casteel, 1902 Independence Cove, discussed the property maintenance code. She noted she is the president of the Scenic Hills Neighborhood Association. She explained there is a house not far from her own home that is falling down, which is why she is in support of this code. She noted the house isn't ready for condemnation, but it's getting close. They have tried to find ways to get the home fixed, but the city doesn't have any codes to help. She stated homes being kept in good condition will help the city economically. The property maintenance code is used in 46 states, so the code is highly regarded and is a common sense approach.*

*Renee Aspinwall, 628 W. Matthews, stated she thinks homes that are in bad condition are safety hazards and promote crime. She discussed a past experience with homes near her house that weren't kept up. The landlords didn't care about the problems the neighborhood had with the residents of those homes, but someone built nice apartments on that property since. She stated it's easy for people to say they're against it when they don't have to live around it.*

*Jim Wells, a Jonesboro resident, explained his understanding was that the property maintenance code has been adjudicated and that was part of the reason the code was chosen for adoption by Jonesboro. He asked why it's better this code as opposed to one that is put together by the citizens of the city. City Attorney Duncan stated that this code has been adjudicated and has been found to be constitutional by the court system, so the city doesn't have to re-invent the wheel if there's an issue taken to court. Anyone can challenge anything, but the question will be if the city will win the case. She explained judges will look at other cities and will use that information to make their decision. She further explained if a code hasn't been adjudicated then it could take longer to decide whether it's valid due to more levels of appeal. She added the community doesn't decide what is constitutional; rather, a judge will decide that.*

*Mary Ellen Warner, 1003 W. Washington Avenue, provided the Council with a resolution of support from the West End Neighborhood Association.*

*Ray Hackworth, 1606 Whitehaven Court, referred to comments made earlier about change to the code not having to be brought back before the Council for adoption. He stated he thought changes to codes had to be approved by Council. Councilman Moore answered no, the code will be automatically updated and will not have to be taken to Council every time. Mr. Hackworth asked how the citizens will know when the changes take place. Councilman Moore stated when a new edition of the code is published it will be automatically adopted for the city.*

*Dan Pasmore, Highway 351, stated he was on the exterior code committee and the Moratorium Committee. He is also the president of the Northeast Arkansas Landlord's Association and Fairview Neighborhood Association. He explained they went through this code and looked at the exterior part only. They took things out that they thought were overbearing and watered it down in order to help city officials and the citizens. They were comfortable with their results and thought they had come up with something everybody they could live with. They did not look at the interior portion of the code. He noted they did not put code into it; rather, they just took portions out of it. Mr. Pasmore further explained he thinks this code is overbearing. The exterior code their committee proposed would handle 99% of the problems that everyone has around town. He stated he thinks the city needs to put this off for a month so*

everyone can read the material. He added he is not opposed to some sort of an exterior code, as long as it's not too overbearing. Mr. Pasmore stated he has spoken with the Little Rock Landlord's Association and found they adopted parts of the book, but not the whole thing. He noted there shouldn't be any legal issues since the portions the committee recommended were taken out of the book. City Attorney Duncan asked if Mr. Pasmore would send her the results of the exterior maintenance code committee because she has not been given that information.

Councilman Dover clarified that the consensus of the committee was to take portions of the 2012 International Property Maintenance Code and make it unique to Jonesboro. He questioned what happened with that document because he doesn't think the Council was ever provided with it. Mr. Pasmore stated his understanding that it was ready to go to the Public Safety Committee, except some of the fines and enforcement issues had to be worked out before it was going to be presented to the committee. Councilman Dover asked how it went from being portions of the property maintenance code to being the whole document. Lt. Nelson explained the committee didn't think they should consider the whole book because the property maintenance code had been denied in the past. So, they focused on the exterior portion of the book. They took out portions that the city already has ordinances for, as well as a few other minor things. They focused on the definitions and Chapter 3. He worked with former City Building Official Terry Adams on the administration portion of the code, but was not finished when Mr. Adams left employment with the city. After current Chief Building Official Tim Renshaw was appointed, it was decided to go with the whole book. Councilman Moore stated the property maintenance code is part of the current Building Code. As the Building Code is updated, the property maintenance code will also be updated.

Discussion was then held as to why it's called an international code even though it's just applicable to the United States.

Councilman Frierson added it was his understanding that the exterior property code committee was going to meet again to finalize the document and that never happened. Councilman Dover suggested having the committee finish with their document, then compare it to what is being proposed now. Councilman Vance stated the 2012 International Property Maintenance Code was recommended by the Moratorium Committee. Councilman Dover reiterated that he thinks the exterior maintenance code should finish their work before moving forward with a recommended code. He explained just because a city employee left doesn't mean the committee should've been disbanded. Councilman Moore referred to the recommendations from the Moratorium Committee that stated they recommend adopting a property maintenance code with the specifics being handled by the appropriate Council committee or department with portions being excerpted from the International Property Maintenance Code. Mr. Pasmore noted that was just a recommendation and doesn't have to be followed through with.

LeeLee Van-Winkle Gisler, 207 S. Church A, stated her husband is a city official and she does not want her views to reflect badly on him. She is a tenant and has recourse to take her landlord to court if needed. She stated CDBG money is available to help poor people with repairs to their homes, as well as other avenues that may be looked at. She explained when there's no process or a way for citizens to get the things they need from their government then there's a problem. She asked the Council to read the code and think about all the comments made tonight because there should be something other than nothing and condemnation.

Calvin Harrell, a Jonesboro resident, asked which building code is in effect at this time. Councilman Moore stated the official version of the Building Code is 2012. Mr.

Harrell asked when the 2015 code will start being enforced. Councilman Moore answered when the code committee finishes the code and it is adopted. Councilman Vance clarified the city won't get anything until the state has finished working with it. He noted the current building code is the Arkansas version of the International Building Code. The state fire marshal will have to look at the building code and make amendments to it.

Mr. Harrell then asked if Arkansas has a warranty of habitability. City Attorney Duncan answered there is a warranty of habitability to a degree, but it's not very effective in Arkansas. Mr. Harrell stated there isn't a warranty of habitability. But, this code is a warranty of habitability and creates a burden on landlords and has potential to harass property owners and landlords. The Attorney General's opinion concerning warranty of habitability and property maintenance codes is that if a code is self-imposed then it will be in effect, but there is no obligation to impose a code.

Mr. Harris expressed concern about right of entry. He stated right of entry can be abused. He added it is an issue, but he doesn't think most people understand that. Taking away constitutional property rights is not a tool he is willing to provide the city as a way to enforce the code. He added not everyone can afford to make repair to their homes and they shouldn't wait for the city to find a way to help them.

Roger Watkins, 2701 Glenwood, stated he wants a better, cleaner Jonesboro, but he doesn't like the right of entry in the code. He explained he believes the current Council members when they say the code will be complaint driven. But, there may be a future Council that will allow city officials to knock on the door and come in without a complaint. He also stated the code doesn't say that it is complaint driver; rather, it says when the city has reasonable cause they can enter a structure.

John Hardin, 1010 Country Manor Circle, stated he is a proud citizen of Jonesboro. He is also the president-elect of the Landlord's Association. He explained over 99% of the problems could be solved with an exterior maintenance code. He noted people who have spoken at the meeting haven't complained about the interior of people's homes. Instead, they are complaining about the exterior of the homes. He agrees that there are dangerous properties in the city and there are landlord's who are bad as well. He doesn't want unsafe properties around him either. He recommended the city start with just the exterior portions of the International Property Maintenance Code and not adopt it by reference. He also recommended there should be a landlord and building inspector on the appeals board for the property maintenance code to provide expertise. He commended the Council for making the code applicable to more than just multi-family.

Marie Willis asked if a piece of property is in violation then a sticker is placed on the property. But, if a home is under foreclosure and the sticker is taken off and the property is to be sold or leased, how the realtors will know if there are violations that will be transferred to a new property owner. City Attorney Duncan answered that would be the responsibility of the existing homeowner to inform the realtor and/or new homeowner. If the property owner doesn't inform the new owner, then there could be legal recourse. Ms. Willis stated she understands the process, but doesn't think that will happen. Even now sellers aren't always straightforward about problems with the property. She then clarified that the new owners will be responsible for the repairs. City Attorney Duncan answered yes, the original owners are responsible for informing the new owners, who will then take on the responsibility of making the repairs. She added she doesn't think that the code totally releases the original owner from their responsibilities to the city. Ms. Willis then asked if there is a website where people can check to see if a piece of property has violations against it. City Attorney Duncan answered no, nothing has been set up yet since the code hasn't been adopted yet. But, she added that would be a good idea.

**3. ADJOURNMENT**

*With no further business, the public hearing was adjourned.*



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** MIN-15:063    **Version:** 1    **Name:**  
**Type:** Minutes    **Status:** To Be Introduced  
**File created:** 6/17/2015    **In control:** City Council  
**On agenda:**    **Final action:**  
**Title:** Minutes for the City Council meeting on June 16, 2015  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the City Council meeting on June 16, 2015



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, June 16, 2015

5:30 PM

Municipal Center

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### PUBLIC SAFETY COMMITTEE MEETING AT 5:00 P.M.

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

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

#### 3. ROLL CALL BY CITY CLERK DONNA JACKSON

**Present** 11 - Darrel Dover; Ann Williams; Charles Frierson; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman and Todd Burton

**Absent** 1 - Chris Moore

#### 4. SPECIAL PRESENTATIONS

[COM-15:035](#) Update from Executive Director Kristi Pulliam of the Foundation of Arts

**Sponsors:** Mayor's Office

**Ms. Pulliam was not in attendance. The presentation will be held at a future date.**

#### 5. CONSENT AGENDA

##### *Approval of the Consent Agenda*

**A motion was made by Councilman Chris Gibson, seconded by Councilman John Street, to Approve the Consent Agenda. The motioned PASSED**

**Aye:** 11 - Darrel Dover; Ann Williams; Charles Frierson; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman and Todd Burton

**Absent:** 1 - Chris Moore

[MIN-15:059](#) Minutes for the City Council meeting on June 2, 2015

**Attachments:** [Minutes](#)

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

[RES-15:085](#) A RESOLUTION REQUESTING FREE UTILITY SERVICES FROM CITY WATER AND LIGHT FOR A TRAFFIC SIGNAL AND FLASHING BEACON LIGHT

**Sponsors:** Engineering

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

Enactment No: R-EN-078-2015

[RES-15:086](#) A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM JONATHAN DODSON FOR THE PURPOSE OF MAKING DRAINAGE IMPROVEMENTS

**Sponsors:** Engineering

**Attachments:** [Permanent Drainage Easement](#)

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

Enactment No: R-EN-079-2015

[RES-15:088](#) A RESOLUTION REQUESTING FREE UTILITY SERVICES FROM CITY WATER AND LIGHT FOR THE PROPERTY LOCATED AT 713 SOUTH CARAWAY ROAD FOR THE CITY OF JONESBORO

**Sponsors:** JETS

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

Enactment No: R-EN-080-2015

[RES-15:090](#) RESOLUTION AUTHORIZING THE CITY OF JONESBORO GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO SUBMIT AN APPLICATION FOR THE 2015 DEPARTMENT OF JUSTICE LOCAL SOLICITATION JAG (JUSTICE ASSISTANCE GRANT) GRANT

**Sponsors:** Grants

**Attachments:** [MOU Letter with County.docx](#)

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

Enactment No: R-EN-081-2015

[RES-15:092](#) A RESOLUTION TO CONTRACT WITH JONESBORO RADIO GROUP FOR RENTAL OF SOUTHSIDE SOFTBALL COMPLEX

**Sponsors:** Parks & Recreation

**Attachments:** [jonesboro radio group 4th july contract.pdf](#)

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

Enactment No: R-EN-082-2015

[RES-15:093](#) RESOLUTION AUTHORIZING CITY OF JONESBORO MAYOR TO RELEASE THE



LIEN ON PROPERTY AS DESCRIBED: LOT 2, OF BEACONS AND BRIDGES FIRST ADDITION TO THE CITY OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, REPLAT OF LOTS 6, 7 AND 8 OF WATKINS SUBDIVISION OF A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 14 NORTH, RANGE 4 EAST, AS SHOWN BY PLAT RECORDED IN PLAT CABINET "C" PAGE 193 IN THE RECORDS OF JONESBORO, ARKANSAS, SUBJECT TO EASEMENTS AND RIGHTS OF WAY RECORD.

**Sponsors:** Grants

**Attachments:** [Commit A.pdf](#)  
[JBcopier@lenderstitle.com](mailto:JBcopier@lenderstitle.com) [20150602\\_104727.pdf](#)

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

Enactment No: R-EN-083-2015

## **6. NEW BUSINESS**

### *RESOLUTIONS TO BE INTRODUCED*

#### **RES-15:056**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 409 N Fisher t. Owner Paul D Gambill (Deceased) Hier Joshua Gambill.

**Sponsors:** Code Enforcement

**Attachments:** [County Data 409](#)  
[Inspection report \(2\)](#)  
[100\\_5096](#)  
[100\\_5097](#)  
[100\\_5098](#)  
[100\\_5099](#)  
[100\\_5100](#)  
[409 Fisher Case File](#)

*No one spoke concerning the condemnation.*

**A motion was made by Councilman Chris Gibson, seconded by Councilman John Street, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 11 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 1 - Chris Moore

Enactment No: R-EN-084-2015

#### **RES-15:057**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 700 Cate, owner Samuel A. Rosse III.

**Sponsors:** Code Enforcement

**Attachments:**     [County Data Rosse](#)  
                              [Home Ice inspection report](#)  
                              [Home Ice case file](#)  
                              [025](#)  
                              [021](#)  
                              [030](#)  
                              [022](#)  
                              [023](#)

*Dan Hancock, a Little Rock attorney representing Mr. Rossee, explained he has spoken with the City Attorney's Office and the Code Enforcement Department concerning this condemnation. Based on the situation with Mr. Rossee, he accepted service on him with respect to the condemnation proceeding. Mr. Rossee is currently in the Bureau of Prisons in Atlanta, so he needs extra time confer with him as to how to proceed with the condemnation. Mr. Hancock reported that there have been significant improvements made since the first violation, but issues with the structural integrity need more time.*

*Code Enforcement Officer Michael Tyner stated he has spoken with Mr. Hancock. The external issues with the property have been addressed. Their main concern is the structural integrity. Mr. Hancock has received an engineer's report from Dr. Parsons as to the structure of the building.*

*Councilman Woods asked for clarification as to what they mean by problems with the structural integrity. Mr. Tyner explained they had Dr. Parsons, a structural engineer, look at the structural components of the building. Dr. Parsons noted some deficiencies that caused some concerns. The walls are bowed out and have been deemed insufficient. There's issues with the flooring and the items that are holding the building up.*

*Councilman Dover asked what Mr. Hancock's client's use for the building. Mr. Hancock explained ultimately it will be repaired and returned to its previous use. Or, it will be otherwise disposed of. One of the issues is there are some items stored in the building that would need to be removed and some items that remain from it being an ice plant. The remnants have monetary value.*

*Councilman Johnson asked if the property is secure from a security standpoint. Mr. Tyner answered Ms. Segal has chained the doors and has put up a temporary fence. Since Ms. Segal put up the fence they have not been able to access the property. To the best of his knowledge, it's secure.*

*Councilman Street asked what the opinion is as to allowing more time. Mr. Tyner stated after speaking with the City Attorney's Office he doesn't see a problem with allowing an allotted amount of time so Mr. Hancock can speak with Mr. Rossee and determine his wants for the building.*

*Councilman Vance then questioned how long Mr. Rossee would have to purchase a building permit if the condemnation continued. Mr. Tyner explained under their guidelines Mr. Rossee would have 30 days to buy a permit and get started. After that, the decision to extend the permit would be left to the building inspector.*

*Councilman Gibson asked how long of an extension Mr. Hancock would like. Mr. Hancock answered he would like four weeks.*

**A motion was made by Councilman Gene Vance, seconded by Councilman**

**Charles Frierson, that this matter be Postponed Temporarily until the second Council meeting in July. The motion PASSED with the following vote.**

**Aye:** 11 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 1 - Chris Moore

**RES-15:058**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property located at 517 & 517 1/2 W. Matthews, Owner: Antunette Bynum Gordon, Minnie Walls (deceased); heirs: Adrienne Bynum, Briana Mitchell, Brian Mitchell, and Brittany Mitchell.

**Sponsors:** Code Enforcement

**Attachments:** [517 W. Matthews inspection report](#)

[County Data Gordon](#)

[517 W. Matthews case file](#)

[024](#)

[025](#)

[026](#)

[027](#)

[028](#)

[029](#)

[030](#)

[031](#)

[032](#)

[033](#)

*No one spoke concerning the condemnation.*

**A motion was made by Councilman John Street, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 11 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 1 - Chris Moore

Enactment No: R-EN-085-2015

**RES-15:059**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 1918 N. Culberhouse #5 & #19, Owner: Derek and Erika Foyt.

**Sponsors:** Code Enforcement

- Attachments:** [Foyt inspection report](#)  
[County Data Foyt](#)  
[1918 N. Culberhouse #5](#)  
[1918 N. Culberhouse #19](#)  
[002](#)  
[003](#)  
[004](#)  
[006](#)  
[007](#)  
[009](#)

*No one spoke concerning the condemnation.*

**A motion was made by Councilman Chris Gibson, seconded by Councilman Gene Vance, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 11 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 1 - Chris Moore

Enactment No: R-EN-086-2015

**RES-15:075**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 410 Ridgecrest Owner: Cleo Black (Deceased) Hiers Cindy (Black) Jones & Rick Black

**Sponsors:** Code Enforcement

- Attachments:** [County Data 410 Ridgecrest Cir](#)  
[Inspection Report 410](#)  
[Case File](#)  
[100 4486](#)  
[100 4487](#)  
[100 4488](#)  
[100 4489](#)  
[100 4490](#)  
[100 4491](#)

*No one spoke concerning the condemnation.*

**A motion was made by Councilman John Street, seconded by Councilman Chris Gibson, that this matter be Passed . The motion PASSED with the following vote:**

**Aye:** 11 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 1 - Chris Moore

Enactment No: R-EN-087-2015

**RES-15:084**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 4004 E Highland Dr, Owner: Kevin K. Kissee

**Sponsors:** Code Enforcement

**Attachments:** [County Data 4004](#)  
[Inspection Report](#)  
[Case File](#)  
[100 4980](#)  
[100 4981](#)  
[100 4982](#)  
[100 4983](#)  
[100 4984](#)  
[100 4985](#)  
[100 4986](#)  
[100 4987](#)  
[100 4988](#)  
[100 4989](#)

*No one spoke concerning the condemnation.*

**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:** 11 - Darrel Dover; Ann Williams; Charles Frierson; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman and Todd Burton

**Absent:** 1 - Chris Moore

Enactment No: R-EN-088-2015

## **7. UNFINISHED BUSINESS**

### *ORDINANCES ON SECOND READING*

#### **ORD-15:028**

AN ORDINANCE ADOPTING BY REFERENCE THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE TO THE JONESBORO CODE OF ORDINANCES WITH RESPECT TO MULTI-FAMILY HOUSING IN THE CITY OF JONESBORO

**Sponsors:** Inspections

**Attachments:** [Email of Support](#)  
[Opposition Letters](#)

*Mayor Perrin explained they have received a significant amount of feedback concerning the ordinance. They feel the ordinance is lacking in areas such as enforcement and the administration of the code that should be included before adoption. Based on discussions with the City Attorney's Office, as well as with other discussions held at the public hearing last week, he asked the Council to table the ordinance until October 6th. They will make the necessary changes and come back with a good ordinance that address the issue that have been identified as needing to be worked on.*

*Councilman Street asked if this would go back to the Public Safety Committee. Mayor*

*Perrin explained he plans on adding more people to the working committee and having them review the code. Public hearings will also be held before it goes back to the Council. He will also be sure to include the Council in the progress of the ordinance.*

*Councilman Dover questioned when the additional members of the committee will be appointed. Mayor Perrin stated he should have those ready before the next Council meeting. He further explained he wants the ordinance to be very clear so everyone knows what is being adopted.*

**A motion was made by Councilman Gene Vance, seconded by Councilman Charles Frierson, that this matter be Postponed Temporarily until October 6. The motion PASSED with the following vote.**

**Aye:** 11 - Darrel Dover; Ann Williams; Charles Frierson; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman and Todd Burton

**Absent:** 1 - Chris Moore

#### ORDINANCES ON THIRD READING

##### ORD-15:029

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 2814 WOOD STREET AS REQUESTED BY JET PROPERTIES

**Attachments:** [Withdrawal Letter](#)  
[Plat](#)  
[MAPC Report](#)  
[Letter from Cathedral Baptist Church](#)

*Mayor Perrin stated he received a letter from the applicant requesting that the ordinance be withdrawn.*

*Councilman McCall asked if the ordinance was brought if it would have to go through the process again. Mayor Perrin answered yes. Councilman Burton asked if there's a timeframe in which the process can be started over. Councilman Street stated six months.*

**A motion was made by Councilman Chris Gibson, seconded by Councilman John Street, that this matter be Postponed Indefinitely . The motion PASSED with the following vote.**

**Aye:** 11 - Darrel Dover; Ann Williams; Charles Frierson; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman and Todd Burton

**Absent:** 1 - Chris Moore

## 8. MAYOR'S REPORTS

*The street state aid program bids came in last week at \$199,000. Jonesboro was approved for \$250,000 from the State of Arkansas Street State Aid Committee. This will give the city the money for an overlay across all five lanes of Caraway Road down to Phillips Drive. With the extra money, the city will do an overlay on Fairpark Blvd to Race Street and then from Race Street to Bernard. The overlay on Bernard will start tomorrow.*

*He visited with Police Chief Rick Elliott to start a litter control campaign. As he rides around the city at night, it appears to him the city has a litter problem that needs to be taken care of. The city's quality of life is very high and they would like to keep it that way.*

*Next week is the Municipal League's summer conference. There are a lot of great workshops lined up.*

*They have started working on improving Union Street. They will be putting in several things around City Youth and down Union Street. They are continuing to enhance the downtown area.*

*Work is continuing at the new parking lot at Joe Mack Campbell Park. The county is loaning the city trucks to help with the work. Work should be done before the Cal Ripken World Series in August.*

*Sage Meadows Road is being worked on by the county. The county will do the road work while the city pays for the materials. This will provide residents with a second way out of Sage Meadows.*

*The Race Street widening project will start next week. He will be speaking with the Highway Department tomorrow to see if funds can be transferred in order to finish the project this year.*

*City Engineer Craig Light and Traffic Engineer Mark Nichols have met with Bridgefarmer concerning the overpass on Highway 18. They received the contract and the company is ahead on the design work and obtaining right of ways. They have also already been working with the railroad companies.*

**COM-15:037**

Airport Commission financial statement for May, 2015

**Sponsors:** Municipal Airport Commission

**Attachments:** [Financial Statement](#)

**This item was Filed.**

**9. CITY COUNCIL REPORTS**

*Councilman Street asked what the timeline is for the Parker Road extension from Strawfloor to Washington. Mayor Perrin stated he will be discussing that also with the Highway Department tomorrow. It's his understanding the plans are at the Highway Department and have asked for permission to start obtaining right of ways.*

*Councilman Street motioned, seconded by Councilman Dover, to suspend the rules and place RES-15:094 on the agenda. All voted aye.*

**RES-15:094**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO ALLOW THE MAYOR TO NEGOTIATE FOR PROPERTIES INVOLVED IN THE ROUNDABOUT PROJECT ON AIRPORT AND AGGIE ROADS IN JONESBORO

**Sponsors:** Mayor's Office

**A motion was made by Councilman John Street, seconded by Councilman**

**Mitch Johnson, that this matter be Passed . The motion PASSED with the following vote:**

**Aye:** 11 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 1 - Chris Moore

Enactment No: R-EN-089-2015

*Councilman Woods questioned a condemnation that was on the agenda earlier in the meeting. He asked if all of the children of the property owner were contacted. The property owner was killed several years ago. Lt. Todd Nelson stated all of the people who they were required to contact have been contacted.*

*Councilman Woods commended Parks Director Wixson Huffstetter for being listed as one of the 12 most influential people in the state in a magazine recently.*

*Councilman Woods thanked the Mayor for holding the public hearing last week and thanked the citizens who sent emails concerning the property maintenance code.*

*Councilman Gibson asked if all the submissions concerning change to the rules and procedures have been received and sent out to the Council members. City Clerk Donna Jackson answered yes. Councilman Gibson asked that all of the Council members review the submissions and he will set up a follow-up meeting at the next Council meeting.*

## **10. PUBLIC COMMENTS**

*Roger Watkins, a resident of Jonesboro, thanked the Council and the Mayor for working diligently to have a better, cleaner Jonesboro. He provided the Council with pamphlets concerning rental property.*

*Gary Buck, 2005 Edgewood, stated there is a problem with discipline in schools. He questioned whether the city could do something to encourage parents to take responsibility for their children, such as newspaper articles or billboards.*

*Tommy Baker, 1404 Crepe Myrtle, asked who is responsible for the ditch in that area. There are limbs hanging over his fence from that ditch. He would like the ditch to be cleaned out and the limbs cut. Mayor Perrin stated they will send someone out in the morning to look at the area to determine who is responsible for the ditch. If it's the city's responsibility, the ditch will be cleaned out and the limbs cut. Councilman McCall explained in years past that ditch has been cleaned out by prisoners performing community service, but it's been a while since that's happened. Mayor Perrin stated they are still using prisoners to clean out the ditches and have already cleaned out several this year.*

*Dan Pasmore, Highway 351, asked about the floodplain in the Fairview Subdivision. Mayor Perrin explained the city has not gotten the necessary paperwork from FEMA. The city can't do anything until they get permission from FEMA to move forward.*

## **11. ADJOURNMENT**



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

**Aye:** 11 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

**Absent:** 1 - Chris Moore

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Harold Perrin, Mayor**

**Attest:**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Donna Jackson, City Clerk**



## Legislation Details (With Text)

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<b>File #:</b>	RES-15:095	<b>Version:</b>	1	<b>Name:</b>	Contract with EAB Broadcastors for 4th in the Forrest
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	6/16/2015	<b>In control:</b>		<b>In control:</b>	Finance & Administration Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	A RESOLUTION TO CONTRACT WITH EAB BROADCASTORS INC FOR RENTAL OF CRAIGHEAD FORREST PARK				
<b>Sponsors:</b>	Parks & Recreation				
<b>Indexes:</b>	Contract				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">EAB 4th of July Contract.pdf</a>				

Date	Ver.	Action By	Action	Result
6/30/2015	1	Finance & Administration Council Committee		

A RESOLUTION TO CONTRACT WITH EAB BROADCASTORS INC FOR RENTAL OF CRAIGHEAD FORREST PARK

WHEREAS, the City of Jonesboro owns and maintains Craighead Forrest Park located at 4910 South Culberhouse;

WHEREAS, EAB Broadcastors Inc is seeking rental for Fourth in the Forrest fireworks at Craighead Forrest Park; and

WHEREAS, EAB Broadcastors Inc is renting the complex for the sum of \$1,500.00;

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS

SECTION 1: That the City of Jonesboro, Arkansas shall contract with EAB Broadcastors Inc for the rental of Southside Softball Complex. A copy of said contract is attached as Exhibit A.

SECTION 2: The Mayor, Harold Perrin and City Clerk, Donna Jackson are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate the agreement.

## RENTAL AGREEMENT

**THIS AGREEMENT** made this 16th day of June, 2015 is between CITY OF JONESBORO, hereinafter called Lessor and EAB Broadcastors, Inc. hereinafter called Lessee.

Lessor leases to Lessee, property in Jonesboro, Arkansas commonly known as the Craighead Forrest Park under the following conditions:

1. **TERM:** The term of this lease shall be for three (3) days, beginning on July 3, 2015, and ending at midnight on July 5, 2015.
2. **RENT:** Rent is payable in advance, no later than June 27, 2015 and shall be made in a single payment of one thousand and five hundred dollars (\$1,500.00). Said payment shall be delivered to the Lessor at 300 South Church Street, Jonesboro, Arkansas 72401.
3. **USE:** Lessee agrees to use said premises for the purpose of a July 4<sup>th</sup> Event, and for no other purpose.
4. **SUBLET:** Lessee may not sublet the property or assign this lease without written consent of lessor.
5. **USE:** The property shall be used for a July 4<sup>th</sup> Event. Lessee shall be responsible for the following:
  - a. Supplying and removing portable toilets to be placed on the premises for the use of the public during the activities on the property.
  - b. Cleaning up the property following the event, to include trash pick up and repair of any damages caused by the public or the Lessee to the property during their use. Property must be left in the same condition as it was in prior to the event hosted by the Lessee.
  - c. Lessee is responsible for providing for the smooth flow of traffic into and out of the event. In addition, Lessee will provide traffic control to ensure that no persons are parking in areas on the property which are restricted and not designated for parking of vehicles.

d. Lessee will barricade restricted access areas to prevent the public from entering.

e. Lessee will coordinate with fire and police and follow all safety requirements determined by them.

f. Lessee will ensure that all food and/or drink vendors have all required licenses and permits.

g. Lessee will ensure that all vendors providing entertainment services to the public have all required license, permits and liability insurance policies.

**6. RISK OF LOSS:** Lessee shall be solely responsible for losses including but not limited to any losses caused by fire on the premises during the rental period. In addition, Lessee shall be responsible for any damages caused by the public to the premises during the rental period. Lessee shall be required to maintain insurance to cover any losses caused by fire, damage, or otherwise to existing structures or to the premises as a whole.

**7. INDEMNIFICATION:** Lessee releases lessor from liability for and agrees to indemnify lessor against all losses incurred by lessor as a result of:

(a) Lessee's failure to fulfill any condition of this agreement;

(b) Any damage or injury happening in or about the house or premises to lessee's invitees or licensees or such person's property; and

(c) Lessee's failure to comply with any requirements imposed by any governmental authority.

**8. FAILURE OF LESSOR TO ACT:** Failure of lessor to insist upon strict compliance with the terms of this agreement shall not constitute a waiver of lessor's right to act on any violation.

**9. REMEDIES CUMULATIVE:** All remedies under this agreement or by law or equity shall be cumulative. If a suit for any breach of this agreement establishes a breach by lessee, lessee shall pay to lessor all expenses incurred in connection therewith.

**10. NOTICES:** Any notices required by this agreement shall be in writing and shall be deemed to be given if delivered personally or mailed by registered or certified mail.

**11. COMPLIANCE WITH LAWS:** Lessee agrees not to violate any

law, ordinance, rule or regulation of any governmental authority having jurisdiction of the leased premises. There shall be no alcoholic beverages allowed on the premises.

**12. SEVERABILITY:** Each paragraph of this lease agreement is severable from all other paragraphs. In the event any court of competent jurisdiction determines that any paragraph or subparagraph is invalid or unenforceable for any reason, all remaining paragraphs and subparagraphs will remain in full force and effect.

**13. ENTIRE AGREEMENT:** This agreement and any attached addendum constitute the entire agreement between the parties and no oral statements shall be binding.

**14. INTERPRETATION:** This lease agreement shall be interpreted according to and enforced under the laws of the State of Arkansas.

IN WITNESS WHEREOF, the parties have executed this agreement on the day and year set forth below.

CITY OF JONESBORO

\_\_\_\_\_  
LESSOR, HAROLD PERRIN, MAYOR

  
\_\_\_\_\_  
LESSEE, EAB Broadcastors,

Inc.

ATTEST:

\_\_\_\_\_  
DONNA JACKSON,  
CITY CLERK





## Legislation Details (With Text)

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**File #:** RES-15:097    **Version:** 1    **Name:** Contract with ASU for FY 2015 grant funding  
**Type:** Resolution    **Status:** Recommended to Council  
**File created:** 6/29/2015    **In control:** Finance & Administration Council Committee  
**On agenda:**    **Final action:**

**Title:** A RESOLUTION APPROVING THE IMPLEMENTATION OF THE FY 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC SERVICE PROGRAM CONTRACT BETWEEN THE CITY OF JONESBORO, ARKANSAS STATE UNIVERSITY AND NORTH JONESBORO NEIGHBORHOOD INITIATIVE

**Sponsors:** Grants

**Indexes:** Contract, Grant

**Code sections:**

**Attachments:** [Agreement for Summer Camp.pdf](#)

Date	Ver.	Action By	Action	Result
6/30/2015	1	Finance & Administration Council Committee		

A RESOLUTION APPROVING THE IMPLEMENTATION OF THE FY 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC SERVICE PROGRAM CONTRACT BETWEEN THE CITY OF JONESBORO, ARKANSAS STATE UNIVERSITY AND NORTH JONESBORO NEIGHBORHOOD INITIATIVE

WHEREAS, the City desires the following sub-recipient to carry out a stated portion of the programs described in its FY 2015 Annual Action Plan; A-STATE (MATH, SCIENCE, AND TECHNOLOGY SUMMER CAMP FOR LOW INCOME CHILDREN) - \$15,000; and

WHEREAS, the City desires the sub-recipient to carry out and complete the project described in the Scope of Services; and

WHEREAS, the sub-recipient must represent that they have the capacity to do so and are willing to carry out those portions of the Community Development Block Grant program described in its application and in the Scope of Services purposes in this AGREEMENT;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1: The Mayor, Harold Perrin and City Clerk Donna Jackson are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate said agreement.



**Agreement between City of Jonesboro, Arkansas, Arkansas State University (A-State), and North Jonesboro Neighborhood Initiative (NJNI)**

This agreement is made and entered into by and between the City of Jonesboro, Arkansas, the North Jonesboro Neighborhood Initiative (hereinafter referred to as “NJNI”) and **Arkansas State University Summer Camp**, (hereinafter referred to as A-State).

WHEREAS, NJNI has applied for and received funds from the City of Jonesboro via CDBG; and

WHEREAS, NJNI wishes to engage A-State to assist them in utilizing such funds;

NOW THEREFORE, It is agreed by the parties in exchange of the mutual covenants and agreements set forth herein:

I. SCOPE OF SERVICE

A-State will be responsible for administering a summer camp in the City for its low income residents. The project involves the administration of services, programs and community outreach to low income persons and/or families. These funds will be used to assist low income U.S./Visa holding citizens residing within the City limits of Jonesboro.

Complete documentation determining income eligibility, according to HUD income guidelines, as well as performance measurements and required financial reports must be provided.

A. General Administration

A-State will provide adequate personnel inclusive of volunteer participation as stated in the formal application to maintain the Scope of Services.

C. Levels of Accomplishment

In addition to the normal administrative services required as part of this agreement, A-State agrees to provide the following levels of performance standards, outcome measurements, and program services as submitted in the approved application:

<u>Activity</u>	<u>Total Persons/Year</u>
Technology Summer Camp/PreK-2 <sup>nd</sup> Grade	50 @ \$300 ea.





NJNI will assist in outreach to target population and the city will reimburse A-State for program expenditures upon receipt of adequate documentation of services provided.

II. TIME OF PERFORMANCE

Services of A-State shall be within the Program year starting July 7, 2015 and running for 6 consecutive weeks, ending August 14, 2015. No program income is expected with this project. Written pre-approval must be obtained prior to any implementation of any/all program income.

III. BUDGET

<u>Line Item</u>	<u>Amount</u>
Administration/Program Delivery (50 students @ \$300 ea.)	\$15,000

The City may require a more detailed budget breakdown than the one contained herein, and A-State shall provide such supplementary budget information in a timely fashion in the form and content specified by the City. Any amendments to this budget must be approved in writing by the City.

IV. PAYMENT

It is expressly agreed and understood that the total amount to be paid by the City under this agreement shall not exceed \$15,000. The funds shall be used for eligible expenses against the line item budgets specified in Paragraph III above and in accordance with performance.

\_\_\_\_\_  
Mayor Harold Perrin signature

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
A-State Authorized Representative

6/26/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
NJNI Authorized Representative

\_\_\_\_\_  
Date



## Legislation Details (With Text)

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<b>File #:</b>	RES-15:098	<b>Version:</b>	1	<b>Name:</b>	Contract with Verizon for services at Joe Mack Campbell Park
<b>Type:</b>	Resolution	<b>Status:</b>			Recommended to Council
<b>File created:</b>	6/30/2015	<b>In control:</b>			Finance & Administration Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO AN AGREEMENT WITH ALLTEL CENTRAL ARKANSAS CELLULAR LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS				
<b>Sponsors:</b>	Parks & Recreation				
<b>Indexes:</b>	Contract				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Verizon - Little League World Series - Temporary CROW Site Agreement final jc 62315.pdf</a>				

Date	Ver.	Action By	Action	Result
6/30/2015	1	Finance & Administration Council Committee		

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO AN AGREEMENT WITH ALLTEL CENTRAL ARKANSAS CELLULAR LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS

WHEREAS, the City of Jonesboro desires to enter into an agreement for Verizon Wireless to provide free wifi for the world series at Joe Mack Campbell Park;

WHEREAS, Version Wireless has agreed to provide the Services for free from a period beginning August 1 through August 20 detailed in the attached agreement;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: That the City of Jonesboro shall enter into an agreement with Alltel Central Arkansas Cellular Limited Partnership d/b/a Verizon Wireless to perform services for providing free wifi at Joe Mack Campbell Park.

Section 2: The Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.

## AGREEMENT

This Agreement made this 7 day of July, 2015, between **CITY OF JONESBORO**, with an address at 3009 Dan Avenue, Jonesboro, Arkansas 72401, hereinafter referred to as "Licensor" and **ALLTEL CENTRAL ARKANSAS CELLULAR LIMITED PARTNERSHIP d/b/a Verizon Wireless**, with an address at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 (telephone number 866-862-4404), hereinafter referred to as "Licensee".

1. Licensor does hereby grant unto Licensee a license to use a 50' by 50' parcel located near 508 CWL Drive, Jonesboro, Arkansas, which parcel is hereinafter referred to as the "Property", which is more described further on Exhibit A attached hereto and made a part hereof, together with the right to place upon the Property a communications facility ("Facility"). The Licensor also grants unto the Licensee the non-exclusive right-of-way for ingress and egress, seven (7) days a week, twenty-four (24) hours a day, on foot or motor vehicle, including trucks. Said right-of-way and Property are generally described on Exhibit A attached hereto and made a part hereof. Further, the Licensee shall have the right to install and maintain conduits, pipes, cables and wires to its Facility within the Property as necessary to supply utility service and power to the Facility or as otherwise needed to service the Facility as reasonably determined by Licensee.

2. The term of this Agreement shall be for the period from August 1, 2015 to August 20, 2015.

3. In consideration for the rights granted herein, Licensor's Property will receive the benefits of enhanced wireless communications arising from operation of the Facility.

4. Licensee reserves the right to terminate this Agreement on thirty (30) days written notice and upon such termination, Licensee will remove all of its equipment and improvements and restore the Property to its original condition.

5. Licensor and Licensee shall indemnify and hold the other harmless against any claim of liability or loss from personal injury or property damage resulting from or arising out of the negligence or willful misconduct of the indemnifying party, its employees, contractors or agents, except to the extent such claims or damages may be due to or caused by the negligence or willful misconduct of the other party, or its employees, contractors or agents. Licensee shall maintain at its own expense during the term of this Agreement, commercial general liability insurance with a combined single limit of \$1,000,000.00 for bodily injury and property damage. The Licensee shall provide a certificate of insurance to the Licensor as proof of said coverage. Except with respect to the indemnification set forth in this paragraph, neither party shall be liable to the other, or any of their respective agents, representatives, employees for any lost revenue, lost profits, loss of technology, rights or services, incidental, punitive, indirect, special or consequential damages, loss of data, or interruption or loss of use of service, even if advised of the possibility of such damages, whether under theory of contract, tort (including negligence), strict liability or otherwise.

6. Licensor covenants that Licensee, upon performing the covenants set forth herein, shall peacefully and quietly have, hold and enjoy the Property. Further, Licensor

covenants that Licensor is seized of good and sufficient title and interest to the Property and has full authority to enter into this Agreement.

7. This Agreement may be sold, assigned or transferred by Licensee to Licensee's principal, affiliates, subsidiaries of its principal or to any entity which acquires all or substantially all of Licensee's assets the market defined by the Federal Communications Commission in which the Property is located by reason of a merger, acquisition or other business reorganization, without the consent of the Licensor. As to any other parties, any sale, assignment or transfer must be with the written consent of the Licensor, which consent will not be unreasonably withheld.

8. All notices hereunder must be in writing and shall be sent certified mail, return receipt requested, to:

Licensor: CITY OF JONESBORO  
3009 Dan Avenue  
Jonesboro, Arkansas 72401

Licensee: ALLTEL CENTRAL ARKANSAS CELLULAR LIMITED  
PARTNERSHIP  
d/b/a Verizon Wireless  
180 Washington Valley Road  
Bedminster, New Jersey 07921  
Attention: Network Real Estate

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their respective seals the day and year first above written.

LICENSOR:

**CITY OF JONESBORO**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

LICENSEE:

**ALLTEL CENTRAL ARKANSAS  
CELLULAR LIMITED PARTNERSHIP**

**d/b/a Verizon Wireless**

By: Alltel Communications, LLC

Its: General Partner

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Name: Aparna Khurjekar  
Title: Area Vice President Network  
Date: \_\_\_\_\_



PART OF THE NE1/4, NW1/4, SECTION 15, T-4-N, R-3-E, CRAIGHEAD COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF THE NW1/4, NW1/4 OF SAID SECTION 15; THENCE EAST 2581.46 FEET; THENCE SOUTH 951.47 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 50.00 FEET; THENCE WEST 50.00 FEET; THENCE NORTH 50.00 FEET; THENCE EAST 50.00 FEET TO THE POINT OF BEGINNING CONTAINING 2500 SQUARE FEET, 0.06 ACRES, MORE OR LESS.

30' WIDE LESSEE'S RIGHT-OF-WAY & UTILITY EASEMENT #1

PART OF THE NE1/4, NW1/4, SECTION 15, T-4-N, R-3-E, CRAIGHEAD COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF THE NW1/4, NW1/4 OF SAID SECTION 15; THENCE EAST 2581.46 FEET; THENCE SOUTH 951.47 FEET; THENCE CONTINUING SOUTH 50.00 FEET; THENCE WEST 50.00 FEET; THENCE NORTH 9.36 FEET TO THE TRUE POINT OF BEGINNING; THENCE N78°28'35"W 98.56 FEET; THENCE N38°56'41"W 146.50 FEET TO THE CENTERLINE OF CWL DRIVE; THENCE ALONG SAID CENTERLINE N52°21'14"E 30.01 FEET; THENCE LEAVING SAID CENTERLINE S38°56'41"E 135.04 FEET; THENCE S78°28'35"E 81.66 FEET; THENCE SOUTH 30.62 FEET TO THE POINT OF BEGINNING.

10' WIDE LESSEE'S RIGHT-OF-WAY & UTILITY EASEMENT #2

PART OF THE NE1/4, NW1/4, SECTION 15, T-4-N, R-3-E, CRAIGHEAD COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF THE NW1/4, NW1/4 OF SAID SECTION 15; THENCE EAST 2581.46 FEET; THENCE SOUTH 951.47 FEET; THENCE CONTINUING SOUTH 7.51 FEET TO THE TRUE POINT OF BEGINNING; THENCE EAST 30.07 FEET; THENCE SOUTH 10.00 FEET; THENCE WEST 30.07 FEET; THENCE NORTH 10.00 FEET TO THE POINT OF BEGINNING.





## Legislation Details (With Text)

<b>File #:</b>	ORD-15:032	<b>Version:</b>	1	<b>Name:</b>	Authorizing a city employee's spouse to do business with the city
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	First Reading
<b>File created:</b>	6/19/2015	<b>In control:</b>		<b>In control:</b>	Finance & Administration Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	AN ORDINANCE AUTHORIZING CUSTOM DESIGN SOLUTIONS TO DO BUSINESS WITH THE CITY OF JONESBORO				
<b>Sponsors:</b>	Grants				
<b>Indexes:</b>	Other				
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
6/30/2015	1	Finance & Administration Council Committee		

AN ORDINANCE AUTHORIZING CUSTOM DESIGN SOLUTIONS TO DO BUSINESS WITH THE CITY OF JONESBORO

WHEREAS, Arkansas Code Annotated 14-42-107 et seq provides that interest in office or contracts is prohibited by any alderman, council member, official or municipal employee, and

WHEREAS, Mike Mcgaha is owner or owns an interest in Custom Design Solutions, a contracting company that does residential new construction and rehabilitation, located in Jonesboro, Arkansas, and

WHEREAS, The City of Jonesboro Grants and Community Development Department has a limited number of contractors to bid on CDBG funded homeowner rehabilitation projects; and

WHEREAS, special permission will need to be given by the City Council for Custom Design Solutions, owned by a city employee's spouse, Mike Mcgaha, to provide these services for the City of Jonesboro.

NOW, THEREFORE, BE IT ENACTED by the City Council for the City of Jonesboro , Arkansas, that:

Section 1: The City Council for the City of Jonesboro gives special permission for Custom Design Solutions, owned by Mike Mcgaha, a city employee's spouse to do CDBG funded homeowner rehabilitation projects.



## Legislation Details (With Text)

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<b>File #:</b>	ORD-15:034	<b>Version:</b>	1	<b>Name:</b>	Amend budget to add two SRO officers
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	First Reading
<b>File created:</b>	6/30/2015	<b>In control:</b>		<b>In control:</b>	Finance & Administration Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2015 BUDGET TO ADD TWO NEW SRO POSITIONS TO NETTLETON SCHOOL DISTRICT				
<b>Sponsors:</b>	Mayor's Office				
<b>Indexes:</b>	Budget amendment, Position - creation/amendment				
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
6/30/2015	1	Finance & Administration Council Committee		

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2015 BUDGET TO ADD TWO NEW SRO POSITIONS TO NETTLETON SCHOOL DISTRICT  
WHEREAS, the City of Jonesboro passed the 2015 Budget in Ordinance 14:074, which will need to be amended in order to effectuate said increase in the budget for school resource officers for the Nettleton School District, the budgeted amount will need to be increased a total of \$42,748.06.

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Jonesboro that:

1. The 2015 Budget is hereby amended to provide for an increase in the budget for School Resource Officers of \$42,748.06 to add two new resource officers to the Nettleton School District. The money for said increase will come from monies in the general fund. The salaries stated above will be reimbursed to the general fund from the Nettleton School District.
2. This ordinance being necessary for the safety and welfare of the teachers and students at the Nettleton School District in Jonesboro, Arkansas an emergency is declared to exist and this ordinance shall take effect from and after its passage and approval.