



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, September 3, 2019

5:30 PM

Municipal Center

PUBLIC WORKS 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 - Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner; David McClain and LJ Bryant

Absent 1 - Ann Williams

4. SPECIAL PRESENTATIONS

[COM-19:055](#) PRESENTATION BY MAYOR HAROLD PERRIN TO MICHAEL EDWARDS FOR HIS 40 YEARS OF SERVICE TO THE CITY OF JONESBORO

Read

[COM-19:056](#) PROCLAMATION PRESENTATION BY MAYOR HAROLD PERRIN TO JERRY JETT OF THE ARKANSAS PROSTATE FOUNDATION PROCLAIMING THE MONTH OF SEPTEMBER AS PROSTATE CANCER AWARENESS MONTH

Read

5. CONSENT AGENDA

[MIN-19:084](#) MINUTES FOR THE CITY COUNCIL MEETING ON AUGUST 20, 2019

Attachments: [Council Minutes 08202019.pdf](#)

This item was passed on the consent agenda.

Aye: 11 - Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner; David McClain and LJ Bryant

Absent: 1 - Ann Williams

6. NEW BUSINESS

ORDINANCES ON FIRST READING

[ORD-19:049](#) AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FOR PROPERTY LOCATED AT 516 W. JEFFERSON BY GARY HARPOLE

- Attachments:** [Application.pdf](#)
 [Plat.pdf](#)
 [Jefferson Replat of Bicentennial Subdivision.pdf](#)
 [RP 19-41 JEFFERSON REPLAT - BICENTENNIAL LOTS 2 -3 BLK 12.pdf](#)
 [Staff Summary.pdf](#)
 [Adjoining Property Owners Notification.pdf](#)
 [Focus Letter.pdf](#)
 [Focus Letter 2.pdf](#)
 [USPS Green Receipts.pdf](#)
 [Mail Receipt.pdf](#)

Councilmember Chris Gibson motioned, seconded by Councilmember John Street, to suspend the rules and offer ORD-19:049 by title only. All voted aye.

Held at one reading

[ORD-19:050](#) AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FOR PROPERTY LOCATED AT 1702 AGGIE ROAD BY GARY HARPOLE

- Attachments:** [Application.pdf](#)
 [Staff Summary - City Council.pdf](#)
 [Plats.pdf](#)
 [Adjoining Property List and Letter.pdf](#)
 [Conceptual Rendering.pdf](#)
 [Layout of Property.pdf](#)
 [Rezoning Plats.pdf](#)
 [Receipt for mailing.pdf](#)
 [School Email.PNG](#)

Councilmember John Street motioned, seconded by Councilmember Chris Gibson, to suspend the rules and offer ORD-19:050 by title only. All voted aye.

Held at one reading

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

[ORD-19:042](#) AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE

PROVIDING FOR CHANGES IN ZONING BOUNDARIES FOR PROPERTY LOCATED AT 5403 E. NETTLETON - FRED STREET BY CARLOS WOOD ON BEHALF OF JERRY STEPHENS

Attachments: [Application.pdf](#)
 [Staff Summary - Council.pdf](#)
 [Rezoning Plat.pdf](#)
 [Fred St Rezoning Plat.pdf](#)
 [Lynn Turner Block D Replat.pdf](#)
 [Aerial View of Location.pdf](#)
 [Letter from Nettleton Schools.pdf](#)

A motion was made by Councilperson John Street, seconded by Councilperson Mitch Johnson, that this matter be Passed . The motion PASSED with the following vote.

Aye: 11 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Ann Williams

Enactment No: O-EN-052-2019

[ORD-19:043](#)

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE ANNUAL RENEWAL OF THE SPRINGBOOK FINANCIAL SOFTWARE FOR THE CITY OF JONESBORO

Attachments: [Jonesboro, AR ROF 20SEP19 - 19SEP20 vSB.pdf](#)

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

Aye: 11 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Ann Williams

Enactment No: O-EN-053-2019

[ORD-19:045](#)

AN ORDINANCE ADOPTED PURSUANT TO ACT 1112 OF 2017 AND APPLICABLE ABC REGULATIONS APPROVING THE PRIVATE CLUB APPLICATION FOR MALCO HOLLYWOOD CINEMA AT 2407 E. PARKER ROAD, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS.

Attachments: [Malco Private Club Application Redacted.pdf](#)

James Hinds, 508 Ridgecrest, said, folks, movie theaters are family entertainment venues. They are places where children go and often go without adult supervision. We do not need to introduce alcohol in this thing. There is also the matter of setting a precedent. Where are you going to stop if you start down this road? The best thing is, it is like the restaurants, because you approve one restaurant and the next thing you know it is the same thing that we approved over here so you now you figure we have got to approve it over there. Please, let's for our children, let's not go down this road. We need to say family entertainment venues is where we draw the line.

Mayor Harold Perrin called for a roll call vote. The following councilmembers voted AYE: McClain, Hafner, Johnson, Street, Coleman, Vance. The following councilmembers voted NAY: Long, Bryant, Gibson, Moore, Frierson. Councilmember Williams was absent.

Councilmember Hafner said, that is not a quorum. City Clerk Donna Jackson said, no, it isn't. You have to have seven to pass so it failed. City Attorney Carol Duncan said, the Mayor can choose to vote, but he is not required to. Ms. Jackson said, yes the Mayor can vote. Mayor Perrin asked, it is not a tie, is that what you are saying? Ms. Duncan said, it is not a tie. Ms. Jackson said, you can vote to pass the measure. Ms. Duncan said, or you can remain silent. Councilmember Frierson asked, what is the ruling please? Ms. Duncan said, what I said is that the Mayor can vote to pass. He can vote to pass any motion or he can remain silent. It is his choice. He doesn't have to vote. Councilmember Frierson said, I don't care about that. What is the ruling? What is the vote? Ms. Duncan said, it is 6 to 5. Councilmember Frierson asked, for? Ms. Duncan said, yes. Councilmember Frierson said, I didn't even hear that. Ok. Mayor Harold Perrin said, the vote is 6-5. Six for and five no and the ruling is that I can vote or not vote. So, I will choose to vote and put aye.

Mayor Harold Perrin voted aye on ORD-19:045 to pass the measure.

A motion was made by Councilperson Charles Frierson, seconded by Councilperson Gene Vance, that this matter be Passed . The motion PASSED with the following vote.

Aye: 6 - John Street; Mitch Johnson; Gene Vance; Charles Coleman; Joe Hafner and David McClain

Nay: 5 - Charles Frierson; Chris Moore; Chris Gibson; Bobby Long and LJ Bryant

Absent: 1 - Ann Williams

Enactment No: O-EN-054-2019

8. MAYOR'S REPORTS

Mayor Harold Perrin reported on the following items:

I have just a few items to cover this evening. One is our building permits for last month again is up from the month before. We had \$18 million in building permits. We had \$11.8 million in commercial and \$6.2 million in residential.

Tomorrow, I will be meeting in Little Rock at the Highway Commission meeting and hopefully finding out how many projects we will have to go out for bids in November. I know probably that the Caraway and Highland intersection will probably go out for bids, but I am not for sure. I think we might have another one. I don't know how far the highway department has got on that project. After that, I will be meeting with Mike Preston at Arkansas Economic Development Commission (AEDC). If you all will remember, we got a grant for \$2.3 million for the rail addition in the Industrial Park, particularly for the Commerce arterial that we are going to build. However, we need about \$1.2 million. The reason for that is Risever will be opening soon. Last week, we dedicated a new industry which is Delta Peanut that will go into operation. Also, we have Trinity Rail that is needing to hire more employees, but they need more space. City Engineer Craig Light and I met with all of the existing industries, probably about two or three weeks ago, and looked at the contracts on stacking that. So, we definitely

need more space in our Industrial Park. After visiting with Senator Boozman last week at the dedication, I will have a conference call with him and his staff next week. But, also, while I am in Little Rock, I am going to go ahead and ask AEDC to assist on any match that maybe the Congressman can come up with to go ahead and get the \$1.2 million to get additional rail spur within our Industrial Park. We need it desperately, particularly with Delta Peanut and Riseever opening up which both will be using the rail. Trinity also uses it because that is their business. I will be working on that tomorrow.

We have a kickoff meeting with administration this Thursday with Arkansas Development Finance Authority (ADFA). Federal Housing Program Manager Lori Brockway will be here to start giving us a punch list on the Veteran's Village. So, the Engineering people and all that will be involved and will be at that meeting this Thursday. We will go ahead and get that kicked off so we can start purchasing the homes that we have under contract to get the demo and get that project started.

Last Saturday, as you all know, Arkansas State University had its first home football game. This morning at our department head meeting, JET Director Michael Black mentioned that we had 422 riders on our JET buses going to that ballgame and that broke a record. It is very easy to get on the bus at Cate Street and let it take you right to the stadium. They start running those routes at the beginning of the third quarter in case you want to come back early. Mr. Black said, it is \$2.50 round trip for an adult, \$1.80 for A-State students with a valid ID, and \$1.20 for senior citizens age 65 or older, disabled individuals and veteran's with a veteran's pass. Mayor Perrin said, there is no parking on the road now. You can see what happened when that sign went up. We have went up almost three times the ridership over what it was before. I just wanted to give you a head's up on that.

We have the DARE Tournament this weekend, this coming Saturday. This will be at Joe Mack Campbell Park and Southside Park. Also, our City Stars soccer starts this week. We have 1,500 kids signed up for soccer. That is unbelievable. It just keeps growing every year. So, that is great.

We took a picture today that will be on Facebook of Keller's Chapel. I think we have about half or more of that overlaid already. We had to patch those that were torn up before we did the full overlay. I think that should be completed this week, if not tomorrow I would say that would be done.

I will be bringing to the Finance Committee a proposal. If you all know, in the last few weeks, we have had several emails go out to the citizens stating that we have one or two trucks down in Sanitation. We have been pricing those and looking at leases versus purchase. Some of those trucks are very old. I know with hydraulics and things of that nature, we are going to have to look at that so I will be bringing a proposal to the Finance Committee when it meets to look at two automatic trucks and one knuckleboom truck. Sanitation Director Donny Gibson had put it in their budget last year, but the budget was going to be pretty tight so we did pull some of those trucks out of there thinking that they would last another year. But, when you have to wait and get behind on your routes, particularly on a holiday like today, to run two routes in one day is very difficult even when you have all of the people there and all of the trucks running. So, I will be bringing that. I will probably bring a lease to you all. We are looking at that now. I have asked Councilmember Joe Hafner to look at that too because that is his business. He has been a big help with us working on this. And, so, we will be bringing this to the Finance Committee next week. I just wanted to give you a note on that.

Councilmember Chris Moore asked, Mayor, as a point of clarification, were you saying that we needed more land acquisition or rail acquisition at the Industrial Park or both? Mayor Perrin said, the rail. We have the space. Councilmember Moore said, ok, more rail capacity. Mayor Perrin said, yes. Councilmember Moore asked, not land capacity? Mayor Perrin said, no. In fact, about a year ago, we hired Rob Graham who is the engineer on that and he did a master layout of all of our rail. We knew we had to have that to go to the federal level to get that money. We were very blessed to get that \$2.3 million from Secretary Chao from the Federal Highway Administration. But, now, with the addition, it has come quicker than we had thought which is good news of Delta Peanut opening up and of course, we had Risever. We knew about Risever. We just didn't know when they would be completed. Councilmember Moore asked, do we have a cost estimate on what it would cost to expand the rail? Mayor Perrin said, I think the total that we would need is somewhere around \$12 million if I am not mistaken or \$12.2 million. We have got \$2.3 million through grants. If we can get the \$1.2 million, that will get us through Phase 3. We will have about five or six phases. We are going to continue to stay on it. In fact, I gave the Senator the whole complete package and said, hey look, we are only asking for the \$2.3 million for Phase 1 to get this thing started because of Trinity and some other ones. Demand for railroad, they have had a great year, actually the last two or three years. A lot of products come in here and then they leave by rail. We do have the land. It is just putting the track down. Councilmember Moore said, ok, that is the only question I have.

[COM-19:057](#)

July 2019 Financials

Attachments: [07-2019 Revenue Report.pdf](#)
[07-2019 Sales tax.pdf](#)
[07-2019 State Turnback Report.pdf](#)
[2019 July Expense vs Budget.pdf](#)
[2019 July Rev, Exp and Changes in FB.pdf](#)
[July 2019 Collateralization.pdf](#)
[Observations Regarding July 2019 Financial Statements.pdf](#)
[Required Reserves July 2019.pdf](#)

Filed

9. CITY COUNCIL REPORTS

Councilmember John Street said, I attended the Jonesboro Police Department Police Academy Graduation on Friday. Jonesboro got nine new officers. Our group also trained some of the Deputy Sheriff's from several counties including Craighead County. We have got a very impressive group of young officers. I think our staff did an outstanding job running the academy locally. This is their third one. I am very proud of them. Chief, hat's off to you and the staff. John Porbeck did a great job as the training officer. I think we are doing well. We need more, but we have nine new ones on the street. Mayor Perrin said, that is wonderful, that is great. I really enjoyed the guest speaker. He speaks nationally. He is a great inspiration to our new patrol.

Councilmember Joe Hafner said, I have a couple of things I want to cover real quick. I will try to keep it short. I know, sometimes, I get rambling too much. We had our first round of presentations last Thursday for the Oversight Integrity Council. We were in here for about seven hours and listened to seventeen presentations. I was very encouraged by the presentations not only about some of the projects that were mentioned, but also because it wasn't just organizations in town that were presenting

what they would like to see Jonesboro invest in, but it was also concerned citizens. So, I was happy that they had a forum to come in and present. We will be setting another meeting time soon that will probably include more presentations and discussions over what we have seen thus far. The second thing that I wanted to briefly discuss and I guess maybe it's because I am Finance Chairman, I have been asked about this quite a bit and I know that it has been a concern of a lot of people, the question I seem to hear pretty consistently on this proposed sales tax is how are we going to make sure the money is used for what, for how the ordinance is written. I wrote an editorial that was in the paper a couple of Sunday's ago. I just kind of wanted to recap some of the ways. Number one, as I have mentioned, the budget and the financials will be reformatted so that this restricted fund that any of this sales tax went into would be separated out as well as the expenses. So, it would be easy to tell what the ends and outs are and that is all public information. Obviously, the Oversight Integrity Council meetings, the City Council Committee meetings, and the City Council meetings are all public which are forums, that if this tax passed, all projects would be discussed in. The last thing I wanted to mention and this is kind of a two-fold kind of approach, is, you know, I think this has been mentioned before in meetings that great care was taken in how the ordinance was written and the wording of the ordinance. When I had the closing meeting with Legislative Audit, for those of you who don't know, the City of Jonesboro, every year, goes through a Legislative Audit. The Audit team from the state comes in and they go through all of our stuff and they write up what we did wrong, make recommendations, etc. So, from a Legislative Audit standpoint, what they would do is they would take this ordinance and they would read through it and then they would look at the stuff, the expenses that were paid for by any sales tax from this fund and if the funds weren't spent in accordance with the ordinance, we would be written up. We would be open to any repercussions and punishments laid out in state laws. The other point considering the wording and this was reinforced this past week in an email that the councilmembers received from the Arkansas Municipal League regarding another potential proposed ordinance. Here is what the AML attorney wrote and it would also apply to this ordinance: "this does not mean that the City can use the funds it collects from this sales tax for things other than what is contemplated in the ordinance. If passed, the sales tax collected will be used for capital improvements for the City's Police and Fire departments, among the other things listed in the ordinance. To use these funds for anything other than the what is set forth in the ordinance constitutes an illegal exaction and subjects the City to a taxpayer lawsuit. I mention that to note that if the concern is that portions of this tax will not be used as presented, the law already provides protection to taxpayers." I just want to stress that great care was taken in the way that the ordinance was written so hopefully that eases some fears that says the money could be used elsewhere. So, the final thing I would like to say is as you all know, early voting started today and continues through September 10, 2019. So, please participate in the process and cast your vote. Thank you.

Councilmember Bobby Long said, I just want to echo Joe's last sentiment about get out and vote. It is what we have to do.

Councilmember Dr. Charles Coleman said, the Fisher Street Community in Action has started where we have kids in the community on the north side. The program starts from 3 p.m. to 6:30 p.m. every Tuesday. What we are doing is helping kids try to learn how to read better and maybe do some math after a while. In a month or so, we will also be teaching CAD programs to try to help them do what they are doing in school. So, it kicked back off today at 3:00 p.m. Mayor Perrin said, I like your new addition to your building. It looks real good. Councilmember Coleman said, it needed it. We were running out of space. We would start off with four kids and ended up with eight and

then we ended up with twelve.

Councilmember Gene Vance said, I would like to take a minute and read a statement to kind of clarify something that is out there on social media. It was brought to my attention by a friend last Wednesday night that the interview video that is on the city website of myself was on social media. I did not know about this until it was brought to my attention and I want to say that I didn't authorize nor endorse this being put on the site, nor the site that it is on. One comment that I was talking about in the video was in the not too distant past, there were leaders in this city that stepped up to the plate to bring better economic development in the City of Jonesboro. I stand by that statement in my interview. What I take exception to is the next statement was "where is the leadership now." I contend that we have a new group of leaders stepping up to bring a different level, a different area of Jonesboro up to the next level. I will say that again. I contend that we have a new group of leaders stepping up to bring a different area of Jonesboro up to the next level. I truly believe and want to say publically that I think Team Jonesboro is going to fulfill that leadership role. I whole heartedly support Team Jonesboro and hope that their vision is fulfilled. Thank you.

Councilmember Charles Frierson said, I don't have anything written, but when I left about at 5:00 p.m., they hadn't picked up the recyclables. Is that going to happen tomorrow or something? Mayor Perrin said, yes. Director of Communications Bill Campbell said, if you are talking about recycling, the Monday recycling is moved to next Monday. That is what we do because of the holiday. So, we have to push the recycling back a week. If your trash is not picked up today, it will be tomorrow.

+10. PUBLIC COMMENTS

Patti Lack, 4108 Forest Hill Road, said, I kind of want to make a point and I kind of want to make a little fun of it, but I also want to ask for a change. Last Thursday when the OIC Committee was talking and you were giving the presentations, I clicked on Facebook and I saw Joe that you had said that when people come up here to the mic it is very intimidating. I have to tell you that it is. I think that is one reason why not as many people come up here and look at all of you. On the next side is that you pulled out paddles. I kind of got upset because I thought that I get to look at this clock right here and you said that it was intimidating to a certain group, but it is intimidating to me too because I am watching the clock and I am watching all of your reactions that you have. And so, when the paddles came out, I thought well, that is kind of not fair why one group is treated one way and then the people here come to the City Council and try to make their point about something. So, what I did for fun because I feel like you know sometimes when we make rules, we need to follow the rules and they need to hold for everybody. And, I was kind of disappointed in that. So, I don't know if we are going to go towards paddles. So, what I did over the weekend is that I got you guys some paddles. We can do green, yellow, red, and then we can stop on black. It was disappointing because it is intimidating to come up here and look at you and look at all of your faces right now. So, I guess what I am saying and asking all of you is maybe what a new rule that we can have instead of a time clock up there and watching the time and how much I have left to talk to you and I have two minutes and fifty-four seconds left is that we do away with the time clock and you just say to us that we have three speakers. You have five minutes. Keep it short. Keep it simple. Keep it to the point. And, I think we all can do that. But, I kind of feel that it was, you know, it hurt because one group was treated separately from what we are treated here. So, I made these paddles for you. I don't know if you, Donna, want them or Joe, if you want them.

Councilmember Joe Hafner asked, can I clarify what happened last week? Ms. Lack

said, you can. Councilmember Hafner said, I, as Chairman of the OIC, and this is probably my fault, I didn't know that Donna was going to be here running the meeting. So, we weren't sure if somebody would know how to operate the timer. So, Mike Downing and I talked and we said we will have someone sitting up front running the clock and then, he's like we can just have some two minute warning signs. So, that was my call as OIC. Now, what I have learned is that Donna or somebody from the City Clerk's office will be at the meetings when we have them. The OIC is separate from the City Council so we don't have the same set of rules. Ok. I mean, we adopted our own rules. But, in order to not to appear that we are playing favoritism for one over the other, I will go back to the timer and be consistent. There was nothing meant to be favoritism for one group over the other. It was just me not knowing that Donna was going to be here or somebody from her office to operate the clock. Ms. Lack said, I just assumed that since it was a public meeting that Donna would have been here on that. I guess I was thinking of that reason. But, I hope maybe we can do away with just the clock part of it and just say that you have got three minutes, you have got five minutes and three people can speak and we can abide by those rules. So, I would appreciate if you would consider that. Councilmember Hafner said, like I said, I didn't mean anything to hurt anybody's feelings or anything over the paddles. Ms. Lack said, I was just kind of surprised about it. I saw those paddles and so that is why I made you guys some paddles just in case. Ok.

City Clerk Donna Jackson said, there needs to be some clarification here because I have had the same conversation with Dr. Coleman on his meetings. The difference is, and Carol jump in here, you are the legal person, but it has been my understanding and I believe you have relayed this to Mr. Downing that whenever there are two councilmembers, that constitutes a meeting. Ms. Duncan said, yes. Ms. Jackson said, whenever it is two councilmembers, that means the clerk will take the minutes. So, that might be something that you can go by. With Dr. Coleman, there is only one councilmember in that. Councilmember Hafner said, that is what Donna explained to me last week so now I know.

Scott McDaniel, 2912 Clearwood Cove, said, I just want to say we had a really good turnout today for the first day of early voting. I think that speaks well to the excitement of this community. Everybody is fired up about a new day in Jonesboro. I wanted to encourage everybody, regardless of how they feel, to go out and vote. Thank you very much. Mayor Perrin said, thank you Scott.

11. ADJOURNMENT

A motion was made by Councilperson Mitch Johnson, seconded by Councilperson LJ Bryant, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 11 - Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 1 - Ann Williams

_____ Date: _____

Harold Perrin, Mayor

Attest:

_____ Date: _____

Donna Jackson, City Clerk