



Legislation Details (With Text)

File #: MIN-03:185 **Version:** 1 **Name:**
Type: Minutes **Status:** Passed
File created: 12/15/2003 **In control:** City Council
On agenda: **Final action:** 1/5/2004
Title: Minutes for the City Council meeting on December 15, 2003

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/5/2004	1	City Council	Passed	Pass

Minutes for the City Council meeting on December 15, 2003
CITY COUNCIL MINUTES - DECEMBER 15, 2003

The Jonesboro City Council met Monday, December 15, 2003, at 6:30 p.m. A full quorum was in attendance. Present were: Mayor Brodell, City Clerk, Donna K. Jackson, City Attorney Phillip Crego and twelve council members. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall, and Roddy.

Councilman Perrin moved, seconded by Councilman Moore to approve the minutes of December 1, 2003, as delivered. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall, and Roddy.

City Attorney, Phillip Crego provided an update by Attorney Ralph Ohm regarding pending lawsuits as well as a proposed settlement regarding Mackey Vs City of Jonesboro. Mr. Crego explained it was a lawsuit that had been previously filed against the City of Jonesboro involving the abandonment of Ransome Lane in which Dr. Mackey had not been notified of the abandonment. Mayor Brodell and City Attorney Crego recommended the proposed settlement and requested a motion by the City Council to proceed. Attorney Crego stated a similar case had been filed in civil court and recommended the settlement stating the City of Jonesboro had little chance of winning the case. The settlement involved the purchase of property (owned by Mr. Bud Marshall) in order to restore the previously abandoned right of way in the amount of \$35,000.00, an engineering fee of \$2,500.00 and the cost for relocating utilities in the abandoned right of way. Councilman Moore moved, seconded by Councilman Perrin to proceed with the settlement as stated. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall, and Roddy.

Councilman Moore offered the following ordinance for the first reading:

ORDINANCE TO REZONE PROPERTY FROM COMMERCIAL C-5 AND RESIDENTIAL R-2 TO COMMERCIAL C-3, LOCATED ON THE NORTH SIDE OF E. MATTHEWS AND WEST OF ROLAND STREET. (Jonesboro Real Estate Holdings)

Councilman Perrin moved, seconded by Councilman Moore to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall, and Roddy. No further action was taken regarding this ordinance.

Councilman Young offered the following ordinance for the first reading:

ORDINANCE TO REZONE PROPERTY FROM COMMERCIAL C-3 TO RESIDENTIAL R-3, LOCATED ON THE WEST SIDE OF STADIUM BOULEVARD, SOUTH OF PLANTERS DRIVE. (Ronald Jefford, HJH, LLC)

Councilman Moore moved, seconded by Councilman Perrin to suspend the rules and place on second reading but later withdrew the motion at the request of Attorney Bob Gibson. No further action was taken regarding this ordinance.

Councilman Perrin offered the following ordinance for the first reading:

ORDINANCE ADOPTING A 2004 ANNUAL BUDGET FOR THE CITY OF JONESBORO

Councilman Perrin moved, seconded by Councilman Farmer to suspend the rules and place on the second and third reading. A voice vote was taken resulting in all members voting aye with the exception of Councilman Young who voted nay. Those members voting aye were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Dover, Furr, McCall, and Roddy. Councilman Moore moved, seconded by Councilman Farmer for the adoption of the ordinance. Councilman Young expressed concern over accounting procedures regarding the allocation of the 1¢ sales tax. He stated originally ½ of the tax was to be dedicated for streets and drainage, and argued it was a breach of the public trust not to allocate the money for streets and drainage. Secondly, Councilman Young stated in 1992 at the request of Councilman Jim Hannah, \$50,000 a year was budgeted for improvements to Craighead Forrest Park. Mr. Young stated this also was a breach of public trust because the \$500,000 did not appear in the 2004 budget. Lastly, Councilman Young expressed concern over cuts in drainage. He stated to date \$291,000 has been spent on a study and so far all that has been learned is 2 gallons of water won't fit in a 1 gallon bucket. Councilman Farmer responded to Councilman Young's comments. Councilman Farmer explained concerns surfaced over previous budget practices in which money was being taken from Capital Improvements and appeared to be being spent on operations. He explained the language in the ordinance (Ordinance No. 3221) adopted by Councilman Young and other council members on May 15, 2000, stated the tax would be used for "Capital Improvements of a public nature", but said nothing about streets and drainage. Councilman Farmer explained the Arkansas Code Annotated gives a specific definition of "Capital Improvements of a public nature". Furthermore Councilman Farmer stated the resolution (Resolution No. 2000:21) adopted May 15, 2000, did not say only streets and drainage, but rather capital improvements including but not limited to construction and extensions of street projects. He explained neither the ordinance nor the resolution provided for operational expenditures such as salaries. Councilman Farmer maintained the 2004 budget is closer to what was voted on by the citizens of Jonesboro than what was done in previous budgets. Secondly, Councilman Farmer responded to Councilman Young's comments regarding Craighead Forrest. Mr. Farmer explained starting in 1994; \$50,000 was put in the budget for improvements to Craighead Forrest Park, with the exception of last year. He stated the Finance Committee, Chaired by Councilman Young did not budget for the \$50,000. Furthermore he stated based on research done by the Finance Department over the last ten years, improvements to Craighead Forrest had not been deducted from the \$500,000. The improvements included a bath house, camping facility, ADA improvements, and maintenance facility. He further explained that the work done by the Street Department had not been measured against the \$500,000.

Councilman Farmer pointed out that at Councilman Young's request they had budgeted \$190,000 for specified projects at Craighead Forrest Park. He explained to place funds in the budget with no plan to spend the funds over inflates the budget. Councilman Farmer stated previous budgets contained large sums of money with no specifics and no intent of spending it, causing an inaccurate budget and an inaccurate picture of where the City of Jonesboro is financially. He explained it was the goal of the Finance Committee to determine what the needs were with a limited amount of revenue and budget accordingly. Lastly, Councilman Farmer responded to Councilman Young's comments regarding the drainage study. He stated what has gotten us in trouble in the past is not properly planning on the front end, and referred to the \$650,000 taken from the street and drainage fund for paving the ditches. Councilman Farmer stated considering that we have 5½ million dollars coming in, spending a little at the front end to assure things are done properly is good planning, especially considering that citizens' homes flooded due to the city inappropriately paving of the ditches. Councilman Young stated he did not see where the City of Jonesboro was in trouble stating there are reserves today due to the actions of past council members. Councilman Farmer responded saying this past budget had a 2.7 million dollar deficit, but with this proposed budget there is no deficit. Councilman Young stated but now the budget will have to be amended for every little project. Councilman Farmer stated they have a difference of opinion on what constitutes a little project. Councilman Young referred to the beginning of the year and the adoption of the City Council Rules and Procedures. He stated the procedures were bureaucratic in nature and hamstrung the Mayor. Councilman Dover asked what rules have hampered the Mayor from running the City of Jonesboro. No response was provided. Councilman Dover questioned if Councilman Young in his banking profession has one large line item of miscellaneous. He explained in the previous budget there were a lot of miscellaneous line items that no one knew what the money was being allocated for. Councilman Young stated he had provided a fifteen year plan, and was not sure what Councilman Dover was talking about. Councilman Farmer stated they were talking about the issues eluted to earlier by Councilman Young (streets, drainage, and Craighead Forrest Park). He explained they were trying to get a grasp on where the money is, and how it is being spent in order to be good stewards of the citizen's money. Councilman Dover stated all we heard last year was how the new council was going to break the city's budget, even though now there is a budget surplus. Councilman Young responded saying nothing has really been done except move the numbers around. Councilman Dover stated the previous budget projected a 2.7 million dollar deficit, knowing full well they were not going to spend 2 million dollars. Councilman Young stated it boils down to a difference of philosophy in how one budgets. Councilman Hargis responded saying, but what Councilman Young expressed was a difference of attitude and nothing else. Mayor Brodell called for a roll-call vote, resulting in an eleven to one vote in favor of the motion. Those members voting aye were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Dover, Furr, McCall, and Roddy. Councilman Young voted nay. Councilman Moore moved, seconded by Councilman Perrin for the adoption of the emergency clause. A roll-call vote was taken resulting in an eleven to one vote in favor of the motion. Those members voting aye were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Dover, Furr, McCall, and Roddy. Councilman Young voted nay. The ordinance was assigned number 3450.

Councilman Perrin moved, seconded by Councilman Dover for the adoption of a resolution changing the commercial dumpster and roll-off quarterly rates effective January 1, 2004. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall, and Roddy. The resolution was assigned resolution number 2003:87.

Agenda Item 7 - Review of bid numbers 2003:50 and 2003:51 regarding concrete labor and Allen Park were pulled in order to provide review by the Infrastructure Committee.

Under new business, Mr. Jim McKinnon, Grants Coordinator introduced Mr. Amin MuHammad Ulkarm the new MPO director who came from Corpus Christy, Texas.

Councilman Dover questioned what progress has been made on the deeds for city owned property, to which

Mayor Brodell responded they were working hard on obtaining right of ways for Highway 141 so they may be deeded to the State Highway Department.

Councilman Young moved, seconded by Councilman Moore for the adoption of a resolution setting a public hearing for January 5, 2004, at 6:10 p.m. for the purpose of abandoning Houghton Street as requested by Jonesboro Real Estate Holdings. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall, and Roddy. The resolution was assigned resolution number 2003:88.

Councilman Farmer reminded everyone of the regularly scheduled Finance and Administration Committee meeting for Thursday, December 18th at 5:00 p.m. He also announced the Chamber of Commerce would be making its annual trip to Washington, D.C. on February 21st through the 25th and encouraged city council members to attend.

Councilman Moore moved, seconded by Councilman Street for the adoption of a resolution amending the Jonesboro Police Department's Policy Manual to add Section 112 Biased Based Policing and Section 113 Use of Mobile Video and Audio Recording Equipment in Vehicles. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall, and Roddy. The resolution was assigned resolution number 2003:89.

With no further business Councilman Perrin moved, seconded by Councilman Dover for adjournment of the meeting. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall, and Roddy.