



Legislation Details (With Text)

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Minutes for the City Council meeting on April 4, 2006  
CITY COUNCIL MINUTES - April 4, 2006

The Jonesboro City Council met Tuesday, April 4, 2006, at 6:30 p.m. Members present were: Mayor Doug Formon, City Clerk, Donna K. Jackson, City Attorney Crego and ten council members. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley. Councilmen Perrin and McCall were absent.

Councilman Moore moved, seconded by Councilman Street to approve the minutes for the March 21, 2006, City Council meeting as delivered. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley.

The following ordinance was on the third and final reading:

**ORDINANCE TO REZONE PROPERTY FROM R-2, RESIDENTIAL TO C-1, COMMERCIAL, LOCATED EAST OF BAKER STREET AND NORTH OF WASHINGTON AVE. (LARRY O. WILLIAMS/JONESBORO REAL ESTATE HOLDINGS COMPANY/ST. BERNARD’S HOSPITAL, BOBBY GIBSON)**

Councilman Moore moved, seconded by Councilman Dover for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley. The ordinance was assigned number 3627.

Councilman Moore offered the following ordinance for first reading:

**ORDINANCE TO REZONE PROPERTY FROM C-3, R-1, and R-3 TO C-6 LUO LOCATED SOUTH OF HIGHLAND PARK CIRCLE, WEST OF PAUSCH DRIVE, NORTH OF HIGHLAND DRIVE, AND EAST OF DARA DRIVE. (ROBERT REES)**

Councilman Moore moved, seconded by Councilman Street to suspend with the second reading. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore,

Williams, Street, Johnson, Dover, Furr and Ashley.

Councilman Moore offered the following ordinance for first reading:

ORDINANCE ADOPTING THE STORMWATER MANAGEMENT DRAINAGE ORDINANCE.

Discussion followed regarding the manual that is to be adopted with the ordinance and the cost for publication should the ordinance be read as is. The decision was made to adopt the ordinance and manual as a technical code. City Attorney Crego explained in order to adopt the ordinance and manual by reference, three copies of each must be provided to the City Clerk's Office and a notice of intent published in the paper stating that the technical code would be adopted at a particular city council meeting. Councilman Moore moved, seconded by Councilman Farmer to withdraw the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley.

Councilwoman Williams offered the following ordinance for first reading:

ORDINANCE TO APPROPRIATE FUNDS FOR THE CITY OF JONESBORO 2006 JONESBORO ECONOMICAL TRANSIT SYSTEM SUBSIDY.

Councilman Farmer moved, seconded by Councilman Dover to suspend with the second reading of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley. Councilman Farmer questioned why the funds were not appropriated in the 2006 budget. Mr. Larry Flowers, Finance Director stated since they were not sure when the funds would be needed, he deferred the appropriation to be done at a later date. He explained the City of Jonesboro had committed to \$130,000.00 for three years, and the first installment had been budgeted in 2005, and this would be the second installment for 2006 which had been left out of the budget. Councilman Moore moved, seconded by Councilman Dover for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley. Councilman Farmer moved, seconded by Councilwoman Williams for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley. The ordinance was assigned ordinance number 3628.

Councilman Street moved, seconded by Councilwoman Furr for the adoption of a resolution to appoint Jimmy Cooper, of Ward 3, and Kathy Cole, of Ward 4 to the JETS Community Transportation Advisory Board. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley. The resolution was assigned number 2006:38.

Discussion was held regarding a resolution for the A.S.U. Overpass Project (Agenda Item 7). It was requested that the resolution be amended to include the status of the funding, and the improvements that would be made with that funding, including the Marshall Estates project being the number one add alternate. Mr. Claude Martin, City Engineer was asked to research and consider how many intersections will be impacted by moving traffic to the overpass and the ripple effect it will have on Jonesboro. Mayor Formon also expressed concern over being able to get transit buses in and out of the transit station with the increased traffic flow and the additional cost of widening the intersection if need be. The decision was made to withdraw the resolution till further information could be provided and the resolution amended. Councilman Farmer moved, seconded by Councilman Street to withdraw the resolution committing funds toward completion of the Arkansas State University Overpass Project. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley.

Under new business, Mayor Formon reported several city departments had assisted in the Marmaduke Tornado relief efforts, and as a result there could be several hours of overtime accumulated. He explained he was unsure if FEMA funds would be made available to recoup Jonesboro's cost, but stated Jonesboro should assist in the effort with or without the funding. He explained department heads were documenting the cost should FEMA funds be made available.

Mayor Formon read a letter from Attorney C. M. Mooney, Sr. representing the Jerry McCormick rezoning request. A reconsideration request had been made by Attorney Mooney and was tabled at the March 21<sup>st</sup> meeting until more information was available regarding drainage. Attorney Mooney's letter dated April 4, 2006, requested the matter be placed back on the agenda for the April 18, 2006, agenda. No action was taken by the Jonesboro City Council to un-table the reconsideration.

Mayor Formon introduced Mr. Toney Thomas, as the newly hired Mayor's Project Administrator which is a position created to oversee all the grants with the exception of Community Development Block Grants, handled by Ms. Gayle Vickers.

Mayor Formon recognized Mr. Ken Stacks, Architect over the Safeway Project which is now the Justice Complex. Mayor Formon apologized stating he was confused and had requested Mr. Stacks to address the Jonesboro City Council for tonight rather than at the last City Council meeting, due to the absence of Councilman Farmer and Councilwoman Furr. Mr. Stacks stated he had provided City Council members a packet of information regarding the renovation of the Safeway building and would answer any questions they may have. He began addressing the built up roof of the Safeway Building, saying the first set of plans bid in October or November of 1993 did require the existing built up roof to be removed, but the bids came in higher than Jonesboro was willing to fund, also the contractors were concerned with doing renovations with the roof gone making the interior susceptible to all kinds of weather, and therefore, the project was not awarded at that time but rather rebid. Mr. Stacks explained, during the rebidding process he had submitted a list of 42 items, one of which was to omit the requirement to remove the built up roof. Mr. Stacks stated he had cleared that it with the structural engineer and the modification was made to the plans. He explained one reason they were able to eliminate the requirement of removing the built up roof, was because they had also decided not to include a sprinkler system which would have added additional weight to the roof. Mr. Stacks read a portion of a letter dated January 9, 1996, from the structural engineer that stated the modifications strengthen the bottom cords of the trusses thus helping to prevent any other splits in the bottom cords, and this strengthening will allow for the built up roof to be left in place. Councilman Farmer questioned who signed off on the Justice Complex allowing for the built up roof to be left on. Mr. Stacks stated it was Mr. Ray Wooten, Sr. Engineer for the company. Councilman Farmer responded saying there was no letter from Mr. Wooten in the packet provided by Mr. Stacks. Mr. Stacks explained it was a telephone conversation he had with Mr. Wooten. Councilman Moore stated he was somewhat disturbed that there was a \$5,200.00 deduct on a relatively large job with no written correspondence of their recommendations. Councilman Moore stated it leads to the problems they are having today. Mr. Stacks disagreed saying there were notes on the plans that specifically prohibited storage and additional platforms being built in the mezzanine, but stated both had been done. He contended that storage was most likely the culprit rather than the old roof. He explained there was a loss of communication from the time the project was completed because there was to be an annual inspection of the timbers. Councilman Farmer explained when he first took office in 2003 he began asking Mayor Brodell for a letter that stated the Justice Complex was safe, however no letter could be found in the city files. The letter provided by Mr. Stacks to City Council members was dated January 1996 from Mr. Bill Gavin not Mr. Wooten. Mr. Farmer further explained in 2003/2004 the City Council had requested Mr. Gavin do an inspection of the Justice Complex to which Mr. Gavin gave verbal approval but would not provide a written report. Councilman Farmer stated previously he had not seen a written report on the safety of the building, and explained he was referring to the 2003/2004

report, not the letter dated 1996 by Mr. Gavin. Mr. Stacks stated he received an email from Mr. Gavin which provided a summary of the work Mr. Gavin had done in September of 2003 which stated he had found storage in the attic, and recommended repair of a beam that had splits in it. Councilman Farmer questioned who at that time the recommendation was made to. Mr. Stacks stated the email did not state who the recommendation was made to. Councilman Farmer questioned Mr. Stacks as to who he personally made the recommendation for an annual inspection to. Mr. Stacks responded saying Mayor Brodell and Mr. Roger DeRoeck. Councilwoman Furr questioned when it was determined by the architect and structural engineer that there wasn't to be any storage or additional weight did they take into consideration the weight of the heating and air conditioning units. Mr. Stacks responded yes they had taken that into consideration. Councilwoman Furr questioned if they had taken into consideration there may be units added or was it set to a specific number of units. Mr. Stacks responded saying the units were located on sheet S2 of the drawings with a platform layout showing each of the units and a note that specifically states there was to be no additional storage or platforms. Councilwoman Furr expressed concern that Mr. Gavin in 2003 found problems with the Justice Complex, but would not even return phone calls to city council members. Councilwoman Furr questioned who Mr. Gavin had contacted about the problems he had found with the Justice Complex. Mr. Stacks stated he was not involved with the 2003 inspection, but did not believe Mr. Gavin would have come on his own. Councilman Hargis questioned Mr. Stacks about the loud noises that had been reported as to what could have caused it. Mr. Stacks gave a recap of what he had read in the Jonesboro Sun, but stated he did not know if the loud noise came from the attic. Councilman Hargis questioned if it could have come from the turnbuckles, to which Mr. Stacks explained the turnbuckles had not moved. Councilman Hargis questioned the truss beam having a knot in it. Mr. Stacks explained it was the failure of the bottom cord of an old wooden truss which had a knot in it that was over stressed. Councilman Farmer thanked Mr. Stacks for coming and answering the City Council's questions, and asked him to explain the seismic code modifications. Mr. Stacks explained the seismic standards for 1993 are different from the seismic standards of 2006, but that the seismic standards were met for the 1993 standards. Councilman Moore stated since the turnbuckles have not moved and their addition eliminated the need for the bottom cord to be a structural member, why is a beam being built to support the bottom cord at this time? Mr. Stacks recommended Councilman Moore ask that question of the current engineer and architect, but speculated they were shortening the span of the bow string truss, for the purpose of transferring loads. He further stated there were some wood truss members that could possibly deteriorate. He explained that some of the steel rods and turnbuckles were in tension and some in compression and if the support pattern is changed it could change those members. It was explained the recommendation made to Mayor Brodell and staff, for annual inspections were vital for the monitoring of the turnbuckles and steel rods to make sure the tension and compression patterns remained consistent. He also stated the annual inspections could be done by city staff, that it did not have to be a structural engineer.

Councilman Street moved, seconded by Councilman Farmer to suspend the rules allowing for two additional resolutions to be placed on the City Council agenda. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley.

Councilman Street moved, seconded by Councilman Moore for the adoption of a resolution allowing the Craighead County Solid Waste Disposal Association to apply for a permit modification to continue operation of a Class I Landfill. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley. The resolution was assigned resolution number 2006:39.

Councilman Street moved, seconded by Councilman Moore for the adoption of a resolution accepting the following bids for the Street Department:

2006: 15 - Asphalt - Split Bid between A-State Paving and Atlas Asphalt. Atlas Asphalt being awarded A.C.H.M. (Type III) Overlay; Cold Mix; and all Roto-Milling. Both vendors being awarded A.C.H.M. (Type II or III) FOB Plant and FOB Job Site.

2006:16 - Motor Oil and hydraulic Fluid for the Street / Sanitation / and Police Departments - Low Bidder being Mid-South Sales

2006:17 - Sand & Pit Gravel - Low Bidder being Razor Rock

2006:18 - Crushed Stone - Split Bid between Vulcan and Martin Marietta

2006:19 - Glass Beads - Low Bidder being Swarco

2006:23 - Concrete Blocks - Low Bidder being Hedger Brothers

2006:24 - Concrete/Metal Pipe/Flood Gates/Bridge Panels - Split Bid Between Contech, Hanson Pipe and Scurlock Industries

2006:25 - Guardrails - Low Bidder being Southern Guard Rail

2006:26 - Street Paint - Low Bidder being Allstates Coating

2006:27 - Ready Mix Concrete - Low Bidder being Hedger Brothers

2006:28 - Hot Tape - Low Bidder being Flint Trading

A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and Ashley. The resolution was assigned resolution number 2006:40.

Councilman Johnson reported the downtown cross walks were a big improvement and that the money was well spent.

Councilwoman Furr thanked several groups, citizens and city employees for their help with Project Jonesboro, formerly known as Project 365. Ms. Furr reported there is a population of senior citizens and handicap individuals who are in need of assistance in moving large items from their homes to the landfill. She explained for the time being she would ask local churches for their help, but requested the Sanitation Committee look at coming up with some recommendations on how to help these individuals.

Councilman Hargis inquired about the position created for the purpose of maintaining traffic lights and traffic flow. Mayor Formon explained Mr. Tom Lloyd Jr. declined to accept the contract for liability reasons. Mr. Teddy Hooton stated some roads can be regulated while some of the older signals cannot.

Councilman Farmer questioned when the proposal for the new convention center would be presented to the City Council. Mayor Formon stated they hope to propose it by the April 18<sup>th</sup> City Council meeting. Councilman Hargis questioned if it would be linked to something else. Mayor Formon stated yes, they are discussing adding a Fire Station 7 to the vote. Councilman Hargis and Councilman Street both voiced their opinion stating the Fire Station should be a separate issue from the Convention Center.

At the request of Mayor Formon, Councilman Street reported that a decision regarding 732 & 734 Valley View Drive would be made at the next Public Works Committee meeting. He explained they were trying to set a policy that would be fair because precedence would be set with this policy. He stated the policy would be presented to the Public Works Committee and presented to the full council in the form of a resolution.

Under Public Comment, Mr. Kenny Thomas of 5612 Summer Place questioned who was responsible for placing the speed bumps in the downtown area, and why were they installed. He stated it was a waste of money, if it was not for safety reasons. It was explained it was part of the revitalization efforts and was not fully

thought through.

Mr. Charles McCauley, announcing himself as a child of God, proposed that the new health facility located on East Washington Avenue be named after Martin Luther King, Jr. Mayor Formon explained the building belongs to Craighead County and he would have to address the Quorum Court about his proposal.

With no further business, Councilman Johnson moved, seconded by Councilman Perrin to adjourn the meeting. A voice vote was taken resulting in all members voting aye. Those members were: Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, McCall, and Ashley.