



Legislation Text

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Minutes from the City Council meeting on June 4, 2001
CITY COUNCILMINUTES - JUNE 4, 2001

The Jonesboro City Council met Monday, June 4, 2001, at 6:30 p.m. A full quorum was in attendance. Present were: Mayor Hubert Brodell, City Attorney Phillip Crego, City Clerk, Donna K. Jackson, and twelve council members. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy.

Councilman Perrin moved, seconded by Councilman Moore to approve the minutes of May 21, 2001, as provided. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy.

Mayor Brodell moved to agenda item seven (7), New business by the Mayor and requested a resolution authorizing an agreement to issue \$34,000,000 worth of bonds for the purpose of securing and developing an un-named industry (Distribution Center) within or near the City of Jonesboro. Councilman Young moved, seconded by Councilman Tate for the adoption of the resolution. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. The resolution was assigned resolution number 2001:23.

Mayor Brodell moved back to Item 4-A on the agenda.

Councilman Perrin offered the following ordinance for first reading:

ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF POLICE RADIOS FOR THE POLICE DEPARTMENT.

Councilman Crockett moved, seconded by Councilman Roddy to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Perrin moved, seconded by Councilman Crockett to further suspend the rules and place on third and final reading. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Young moved, seconded by Councilman Crockett for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Moore moved, seconded by Councilman Copeland for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. The ordinance was assigned ordinance number 3297.

The following ordinance was on the third and final reading:

ORDINANCE ADOPTING BY REFERENCE A CERTAIN TECHNICAL CODE ENTITLED, "CITY OF JONESBORO ARKANSAS ZONING ORDINANCE" TO REPLACE EXISTING TITLE 14 (ZONING) OF THE JONESBORO MUNICIPAL CODE.

Councilman Kelton moved, seconded by Councilman Perrin for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Copeland moved, seconded by Councilman Moore for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. The ordinance was assigned number 3298. Councilman Kelton, Chairman of the Planning and Inspection Committee acknowledged numerous individuals who contributed to this work. Councilman Rega moved, seconded by Councilman Kelton that in appreciation to these individuals, their names be entered into the public record. They are as follows:

City Planners

Mr. Jim Shaw

Mr. Jeff Hawkins

Land Use Codes Development Focus Group

Mr. George Krennerich, Chair

Mr. Charles "Spud" Clark

Mr. Bob Wood

Mr. Alec Farmer

Ms. Betty Steinsiek Shaw

Mr. Carroll Caldwell

Mr. Ronnie Stallings

Mr. Brian Wadley, City Liaison

MAPC Members From 1995-2001

Mr. Jon Coleman, Past Chair (Deceased)

Dr. Ken Beadles, Present Chair

Mr. Hardy Little

Mr. Jim Damron

Mr. Lloyd McCracken

Ms. Debbie Findley

Mr. Jim Pitts

Ms. Betty Steinsiek Shaw

Mr. Barry Phillips

Mr. Gene Gardner (Deceased)

Mr. Bill Gott

Mr. George Krennerich

Mr. Ed Gill

Mr. Ron Bennett

Mr. George Johnson

2001 Planning & Inspection Committee

Alderman Ron L. Kelton, Chair

Alderman Garry Tate

Alderman Chris Moore
Alderman Fred Rorex

City Council Members From 1995-2001

(Present) Mayor Hubert Brodell, Ron Kelton, Garry Tate, Tim McCall, Dave Young, Davy Crockett, Fred Rorex, Brian Rega, Cecil Province, Paul Copeland, Chris Moore, Harold Perrin, Bill Roddy, City Attorney Phillip Crego, and City Clerk Donna Jackson.

(1997) Scott Kelly, Johnny Pratt, Chuck Fletcher, Fred Bowers

(1996) Herb Davis

(1995) Gene Vance, Donnie Wise, Grover Evans, Gary Harpole, and Jim Hannah (Deceased), Mrs. Evans Hannah.

Councilman Tate moved, seconded by Councilman Roddy for the adoption of a resolution authorizing the application for a permit to continue operating a Class IV Landfill at a properly approved and permitted location. Councilman Perrin questioned if this was referring to the existing landfill or the new landfill. Mayor Brodell responded by saying it is for a place that the city can get approved. Councilman Rega inquired if this was not the current landfill. Mayor Brodell stated it was not the current landfill, but for any place the City of Jonesboro could get approved. Councilman Perrin asked, "So this is for the new location". Mayor Brodell stated it was not. Both Councilman Perrin and Councilman Rega stated the resolution was confusing because it read, "for a permit to continue operating a Class IV Landfill . . ." Councilman Perrin questioned if the City Council needed to have the land purchased prior to applying for the permit. Mayor Brodell stated we have eighty acres (more or less) purchased. Mayor Brodell recognized Mr. Malcomb Culpepper, Attorney representing Mrs. Betty Sloan, of Sloan Farms, and other adjoining landowners. Attorney Culpepper stated he was confused by what was listed on the agenda. He stated he could not determine if we were discussing the continuation of the existing Class IV Landfill facility, or the proposed new facility. Mayor Brodell confirmed it was the site, that he and Mr. Culpepper had been discussing, located approximately ½ mile northwest of the existing Class IV Landfill. Mr. Culpepper asked to whom would the application be filed, on behalf of the City of Jonesboro. Mayor Brodell responded it would be submitted to the ADEQ and the Craighead County Solid Waste Authority. Attorney Culpepper then questioned if the Solid Waste Authority had issued a "Certificate of Need" for this proposed Class IV Landfill site. Mayor Brodell responded, saying the resolution was the first step in receiving a "Certificate of Need". City Engineer, Claude Martin, stated the Solid Waste Authority had already issued the "Certificate of Need". Mayor Brodell stated the Craighead County Solid Waste Authority had informed him that the "Certificate of Need" had not been issued. Attorney Culpepper informed Council that the "Certificate of Need" is a prerequisite to the application process, as is ownership of the property where the site will be located. Mr. Culpepper continued saying the City of Jonesboro does not own the entire eighty acres that is subject to the proposed new Class IV Landfill, because 1.67 acres, located in the center of the eighty acres is owned by his client, Betty Sloan. Mayor Brodell clarified that they had been negotiating for two years to purchase the land. Attorney Culpepper put the City Council on notice if they proceed with the adoption of the resolution it would be without due process of law, and it would be in conflict with what ADEQ Regulation 22 (including subparts) provides. Councilman Moore questioned if it included the "Certificate of Need". Attorney Culpepper stated the "Certificate of Need" and ownership of property was a prerequisite. He explained another prerequisite to the application process was a study as to the suitability of the site, and alternate locations, and whether or not the new site is within twelve miles of an existing Class IV landfill. In closing, Mr. Culpepper requested any action be tabled until the ADEQ requirements have been met. Councilman Moore questioned if the City of Jonesboro was going to condemn the 1.67 acres owned by Betty Sloan. City Attorney, Phillip Crego responded saying, the acquisition of the land has not been completed, and the last proposal presented by the City of Jonesboro has not been accepted, so he was instructed to proceed with condemnation. Mr. Crego

confirmed that a “Certificate of Need” and title to the property are required to proceed with the application for a Class IV Landfill. Mr. Crego explained he had not been involved with the application process and that his only involvement has been in helping to secure the 1.67 acres owned by Sloan Farms, which is located in the middle of the proposed Class IV Landfill. Councilman Perrin moved, seconded by Councilman Moore to table the resolution until June 18, 2001. Councilman McCall questioned if this matter should not go before the Sanitation Committee for consideration. Mayor Brodell responded by saying it went before the Sanitation Committee three or four years ago, and that is how long he has been working on it. Councilman McCall responded by reminding Council that this resolution was new business, and should be considered by the Sanitation Committee. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy.

Councilman Perrin moved, seconded by Councilman Moore for the adoption of a resolution requesting City Water and Light to provide security lighting at the Julian James Park, located at 1212 South Church, better known as the Earl Bell Center. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. The resolution was assigned number 2001:22.

Under new Business, Mr. Bill Ebbert addressed Council regarding salary increases, and copying charges for “Freedom of Information” requests. Mr. Ebbert reported that salary increases for council members has been significant compared to other city employees. Mr. Ebbert provided Council with a list of salary increases over the last five years, and stated the increases have been significant, but because Jonesboro is a successful, growing town it was a good thing that the leadership was being compensated so well. Mr. Ebbert expressed confusion as to who is responsible for making decisions regarding city expenditures. Mr. Ebbert stated Mayor Brodell claims he does not ask for salary increases, but rather the increases are a recommendation of the Finance Committee. Mr. Ebbert contended, in either case the Council is determining Jonesboro’s salary increases, and since no one has returned any of the money from those increases one could assume everyone must feel they are fair. He clarified that he did not feel any one was being over paid either, but in his opinion consideration needed to be given to other city employees. Mr. Ebbert stated Councilman Kelton had said the Council was trying to increase salaries for all employees at the same time, but questioned why that had not been done in the last five years. Mr. Ebbert contended that if salaries can be raised for leadership can they could be raised for the employees. He argued that credit is given to employees for the good work being done in Jonesboro, but the employees cannot live on credit alone, they need to be compensated at a level that is comparable to a city the size of Jonesboro. Ebbert offered to take questions, if the Council had any. Mr. Ebbert then turned his focus on the price the City of Jonesboro charges for copies pertaining to Freedom of Information requests. Mr. Ebbert stated according to State Law the copies must be reasonably priced, and there must be a justification given, if the cost is challenged. Mr. Ebbert stated he has challenged the cost of copies, but has received no justification. He stated all over town the charge for making copies is six to seven cents a copy. Again Mr. Ebbert asked if there were any questions. In closing Mr. Ebbert commended the work of the council for getting the salaries up for the leadership, and stated it was his hope they could do the same for the city employees. Alderman Moore questioned the how the cost of copies was determined. City Clerk, Donna Jackson stated it was set by resolution approximately twenty years ago. Councilman Kelton questioned how much the county charges for copies. Several responses were given. Some said 35 cents while others thought it was 50 cents.

At Councilman Rega’s request Mayor Brodell recognized Mr. Adam Smith, of Edward Jones Investments. Mr. Smith stated that Mr. Ebbert’s research was incomplete, because State turn back monies could be as much as 5% less than forecasted, and because of the slowdown in the economy the 1% sales tax money could be less, and the only solution in a situation like this is to either increase revenue or decrease expenses. Mr. Smith asked

to see Mr. Ebbert's plan for doing one or the other or both, because there is an increase in energy costs, gas is costing more, and it costs more to heat and cool city buildings. Mr. Smith stated he understood the plight of the police officers, fire department and all city employees, but there must be positive suggestions on how the city can meet the budget with all the salary increases. In closing, Mr. Smith stated he would like to hear positive suggestions from Mr. Ebbert in how to address the budget deficit, which would come about if salaries were increased.

Councilman Tate offered the following ordinance for first reading:

ORDINANCE TO REPEAL ORDINANCE NUMBER 3292, AND RESOLUTION NO. 2001:19 AS THEY RELATE TO THE GSP GRID SURVEY MONUMENTS.

Councilman Tate 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: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Tate moved, seconded by Councilman Perrin to further suspend the rules and place on third and final reading. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Tate moved, seconded by Councilman Crockett for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Tate moved, seconded by Councilman Moore for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. The ordinance was assigned number 3299.

Councilman Roddy moved, seconded by Councilman Perrin to accept the bid of B.B. Vance and Sons, Inc. for work being done at Allen Park for \$683,557.00. A roll call vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy.

With no further business, the meeting was adjourned.