



## Legislation Text

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**File #:** MIN-07:001, **Version:** 1

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Minutes for the City Council meeting on January 2, 2007  
CITY COUNCIL MINUTES - January 2, 2007

The Jonesboro City Council met Tuesday, January 2, 2007, at 6:30 p.m. Members present were: Mayor Doug Formon, City Clerk Donna Jackson, City Attorney Phillip Crego and eleven council members. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall.

Councilman Perrin moved seconded by Councilman Moore to approve the minutes of December 19, 2006, as delivered. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall.

The following ordinance was on the third and final reading:

ORDINANCE TO REZONE PROPERTY FROM RESIDENTIAL (R-2) TO COMMERCIAL (C-5)  
NEIGHBORHOOD OFFICE DISTRICT FOR .20 ACRES LOCATED AT 219 E. CHERRY AVE. (Philip &  
Joanne Steed)

Councilman Perrin moved, seconded by Councilman Moore for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. The ordinance was assigned number 01-2007.

The following ordinance was on the third and final reading:

ORDINANCE TO REZONE PROPERTY FROM RESIDENTIAL (R-1) TO COMMERCIAL (C-5)  
NEIGHBORHOOD OFFICE DISTRICT LOCATED AT 2309 -2411 SUNNYMEADOW DRIVE (A&B  
Investments/Kevin Alpe)

Councilman Moore moved, seconded by Councilman Street for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. The ordinance was assigned number 02-2007.

The following ordinance was on the second reading:

ORDINANCE AMENDING THE CITY OF JONESBORO EMPLOYEE HANDBOOK FOR THE  
ADOPTION OF AN ABUSE OF POWER AND SELECTIVE ENFORCEMENT POLICY FOR JONESBORO  
CITY EMPLOYEES

Councilman Perrin moved, seconded by Councilman Dover to table the ordinance for review of the language in the ordinance by the Personnel Committee, Human Resource Director, and City Attorney. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall.

The following ordinance was on the second reading:

#### ORDINANCE ADOPTING THE CREATION OF THE STORMWATER MANAGEMENT BOARD

Councilman Moore moved, seconded by Councilman Street to waive the third and final reading. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. Councilman Moore moved, seconded by Councilman Street 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, Perrin, Street, Johnson, Dover, Furr and McCall. The ordinance was assigned number 03-2007.

Councilman Moore moved, seconded by Councilman McCall for the adoption of a resolution accepting the bid of Clarke Environmental Mosquito Management, Inc., Bid # 2006:67. The following amendments were made to the resolution prior to it being read. The name was changed from Clarke Mosquito Control to Clarke Environmental Mosquito Management, Inc. and the price was amended to include the 2007 through 2009 price breakout as follows: \$310,680.00 for 2007, \$326,214.00 for 2008 and \$342,524.76 for 2009. The Public Safety Committee had recommended the low bid meeting bid specifications to the full council. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. The resolution was assigned number 2007:01.

Councilman Moore moved, seconded by Councilman McCall for the adoption of a resolution to enter into a contract with Harry Hardwick for the acquisition of properties and rights of way for the City of Jonesboro. It was explained that the contract amount was increased by \$2,400.00 from last year. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. The resolution was assigned number 2007:02.

Councilman Moore moved, seconded by Councilman Perrin for the adoption of a resolution to reappoint Dr. Ken Beadles to the Board of Directors of the Jonesboro Urban Renewal and Housing Authority. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. The resolution was assigned number 2007:03.

Councilman Perrin moved, seconded by Councilman Moore to table a resolution adopting and accepting the findings of the Jonesboro Southwest Transportation Study. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall.

Councilman Moore moved, seconded by Councilman Street for the adoption of a resolution declaring a vacancy on the Jonesboro City Council and establishing a procedure for filling the council vacancy. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. The resolution was assigned number 2007:04.

Councilman Moore moved seconded by Councilman Street for the adoption of a resolution to accept Bid No. 2006:64 for Led lights for traffic lights from Pinkley Sales. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. The resolution was assigned number 2007:05.

Councilman Moore moved, seconded by Councilman Street for the adoption of a resolution notifying the public

that three copies of the proposed Alcoholic Beverage Code were on file in the Office of City Clerk for public review and the matter would be placed on the January 16, 2007, agenda to adopt the ordinance by reference in accordance to A.C.A. 14-55-207. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. The resolution was assigned number 2007:06.

Councilman Street moved, seconded by Councilman Province to suspend the rules and place an ordinance on the agenda as recommended by the Public Works Committee. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall.

Councilman Street offered the following ordinance for first reading:

**ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF DIRT WORK FOR THE ALBERTO FACTORY FOR STREET DEPARTMENT**

Councilman Moore moved, seconded by Councilman Street to suspend with the second and third readings. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. Councilman Moore moved, seconded by Councilman Hargis for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. Councilman Moore moved, seconded by Councilman Johnson for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. The ordinance was assigned number 04-2007.

Councilman Dover moved, seconded by Councilman Moore to suspend the rules to place an ordinance on the agenda as recommended by the Finance Committee. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall.

Councilman Dover offered the following ordinance for first reading:

**AN ORDINANCE ADOPTING A 2007 ANNUAL BUDGET FOR THE CITY OF JONESBORO.**

Councilman Dover moved, seconded by Councilman Moore to suspend with the second and third readings. It was explained the following stipulations were included in the budget: First freeze department heads and elected officials for 90 days at the 2006 salaries. It was noted employees under department heads would receive a 4% pay increase. Second, Ms. Hackney and Councilman Perrin will review the job descriptions for department heads in 90 days. Third, Ms. Hackney, Councilman Perrin and Mr. Condrey will review the salary ranges for department heads and elected officials in 90 days. It was noted Ms. Hackney and Councilman Perrin would make recommendations and present them to the committee. Fourth, Mayor Formon and Chairman Dover will develop an organizational chart to present to the Finance Committee within the next 30 days which will outline any changes in the organizational structure. Fifth, a sum of money will be appropriated for outside agencies without specific organizations as line items. It was added each organization will formally apply for funds they wish to obtain from the City, which will allow the committee time to make sure the City is legal and to set up a process to give equal opportunity to various organizations throughout the City. Sixth, the Mayor's car allowance will be funded for 90 days in the 2007 budget. After 90 days, a City car will be furnished to the

Mayor. Seventh, there will be a change in policy in which any new position is paid more than the base salary on the salary schedule it must be submitted to the Finance Committee with rational for approval. Chairman Dover explained right now the Mayor has the right to go four grades above what the base is, but that will change so if the situation occurs it will be submitted to the Finance Committee with appropriate rational explaining why that decision should be made. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. Councilman Dover moved, seconded by Councilman Perrin for the adoption of the ordinance including stipulations. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. Councilman Street moved, seconded by Councilwoman Furr for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall. The ordinance was assigned number 05-2007.

Councilman McCall called for nominations of the Nominating and Rules Committee in accordance with the City Council Rules and Procedures. Councilman Dover moved, seconded by Councilman Johnson to nominate the individuals who served on Nominating and Rules in 2006 to continue in 2007. A voice vote was taken resulting in all members voting aye. Those members were: Frierson, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr and McCall.

Councilman McCall called for nominations of the President Pro Temp in accordance with the City Council Rules and Procedures. Councilman Moore moved, seconded by Councilman Dover to nominate Councilman Perrin as President Pro Temp who is responsible for convening over council meetings in the absence of the mayor. A voice vote was taken resulting in all members voting aye with the exception of Councilman Perrin who abstained from voting. Those members were: Frierson, Province, Hargis, Moore, Williams, Street, Johnson, Dover, Furr and McCall.

Councilman McCall requested council members send him their council committee assignment preferences so they may be presented at the next City Council meeting. He stated most everyone had indicated they would like to keep their current committee assignments because of ongoing city projects.

Councilman Moore welcomed Councilman Frierson as the newest member of the Jonesboro City Council stating he looked forward to working with him.

Councilman Hargis requested the location and phone numbers of individuals listed on the Mayor's Organizational Chart for purposes of better access. Mayor Formon explained it was just a preliminary skeleton of the organizational chart, and has not been finalized.

Councilman Frierson requested council members speak into their microphones, explaining audio is better on the council platform, than in the audience. He encouraged council members to get close to the microphone and speak up if they want to be heard.

Under Public Comment, Mr. Elisha Steverson, a new home builder at 1104 Thomas Green Road, addressed the Jonesboro City Council by questioning why ABS pipe is prohibited, since in his opinion, it is superior to PVC pipe. Mr. Steverson explained it is allowed by the State of Arkansas but not the City of Jonesboro. Councilman Moore questioned why he preferred ABS pipe over PVC pipe. Mr. Steverson responded saying he was trying to build a better home and ABS was a better product. Councilman Moore explained the State regulations are minimum standards, and the City of Jonesboro chose PVC pipe over ABS pipe because they consider it a better product than ABS. It was explained that the burden of proof would be on Mr. Steverson to provide

documentation to the Public Works Committee that ABS pipe is a superior product to PVC pipe in order for them to make a recommendation to change the current city regulations.

Dr. Charles Coleman address the City Council stating in an earlier meeting it was agreed that sidewalks would be built from Johnson Ave. (Fisher Street) to Word Street on the west side, but now he is being told it can't be done until they do the entire street. Dr. Coleman explained because he had been assured this would happen he reported it to the community only for it to be a false statement. Mayor Formon stated it was going to be done, but there was an issue with a slope near Fisher Street Church at the intersection of Johnson. Mr. Paul House explained there were problems if the project is taken the entire length of Fisher Street referring to the Safe Schools projects. He stated the original agreement with Dr. Coleman was to provide the sidewalk from a handicapped person's home (Mr. Jones) to Johnson Street, but somehow has become the entire length of Fisher Street. Mr. House stated work would begin on the original area (From Johnson to Word on the west side) as soon as possible with the other work following. Councilman Province stated the original agreement was from Johnson to Word Street on the west side. Councilman Moore further stated in the beginning the actual agreement was to be both sides, but Dr. Coleman agreed to just do the west side with the other work to be done at a later date. Dr. Coleman explained it has been over ninth days ago that this was promised. Councilman Moore stated he had questioned in the Public Works meeting why they did not take the annual contract and move forward with the project. Mayor Formon questioned Mr. Hooton why it had not been done, and Mr. Hooton responded it was handled through the Engineering's Department. Mr. Hooton explained he would have to mark the area and call for locations which would take 48 hours but he would begin tomorrow.

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