

CITY OF JACKSONVILLE
REGULAR CITY COUNCIL MEETING
MAY 2, 2019
7:00 P.M. - 7:27 P.M.

REGULAR CITY COUNCIL MEETING - CITY HALL - #1 MUNICIPAL DRIVE

The City Council of the City of Jacksonville, Arkansas met in regular session on May 2, 2019 at the regular meeting place of the City Council. Councilman Bolden delivered the invocation and Mayor Johnson led a standing audience in the "Pledge of Allegiance" to the flag.

ROLL CALL: City Councilman: Elliott, Bolden, Sansing, Mashburn, Traylor, Twitty, and Collins answered ROLL CALL. Mayor Johnson also answered ROLL CALL declaring a quorum. PRESENT SEVEN (7) ABSENT (3). Councilmen Sipes, Ray, and Smith were absent.

Others present for the meeting were: City Attorney Stephanie Friedman, Public Works Director Jim Oakley, IT Director Scott Roethlisberger, CDBG Director Theresa Watson, Director of Downtown Planning and Development Bob Price, Police Chief John Franklin, Parks & Recreation Director Kevin House, Human Resource Director Charlette Nelson, Finance Director Cheryl Erkel, Beverly Elliott, Planning Commission Chairman Jim Moore and Commissioner Patrick Thomas, Delores Johnson, Johnny Simpson, Kim Lett, Lida Feller, interested citizens, and members of the press.

PRESENTATION OF MINUTES:

Mayor Johnson presented the minutes of the regular City Council meeting of April 18, 2019 for approval and/or correction at the next regularly scheduled City Council meeting.

APPROVAL AND/OR CORRECTION OF MINUTES:

Councilman Bolden moved, seconded by Councilman Twitty that the minutes of the regularly scheduled City Council meeting of 21 March 2019 be APPROVED. MOTION CARRIED.

CONSENT AGENDA:

WATER DEPARTMENT:

WASTEWATER DEPARTMENTS:

FIRE DEPARTMENT:

POLICE DEPARTMENT:

STREET DEPARTMENT:

SANITATION DEPARTMENT:

PARKS & RECREATION:

PLANNING COMMISSION:

GENERAL: a. THIRD and FINAL READING

ORDINANCE 1598 (#05-2019)

AN ORDINANCE SETTING THE DATE, TIME, AND PLACE FOR THE REGULAR CITY COUNCIL MEETINGS FOR THE CITY OF JACKSONVILLE, ARKANSAS; AMENDING ORDINANCE NUMBERS 132, 321, 532, 689, AND 944, SPECIFICALLY CODIFIED AS JACKSONVILLE MUNICIPAL CODE SECTION § 2.04.040; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.

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Councilman Sansing moved, seconded by Councilman Bolden to place Ordinance 1598 (#05-2019) **on THIRD and FINAL READING. ROLL CALL:** Councilman Elliott, Bolden, Sansing, Mashburn, Traylor, Twitty, and Collins voted AYE. (0) NAY. **MOTION CARRIED.** Whereupon City Attorney Friedman read the heading of Ordinance 1598.

Councilman Bolden moved, seconded by Councilman Sansing to **APPROVE AND ADOPT** Ordinance 1598 in its entirety. **ROLL CALL:** Councilman Elliott, Bolden, Sansing, Mashburn, Traylor, Twitty, and Collins voted AYE. NAY (0). **MOTION CARRIED.**

Councilman Traylor moved, seconded by Councilman Bolden that the **EMERGENCY CLAUSE** be attached and approved. **ROLL CALL:** Councilman Elliott, Bolden, Sansing, Mashburn, Traylor, Twitty, and Collins voted AYE. NAY (0). **MOTION CARRIED.**

ORDINANCE 1598 (#05-2019) APPROVED AND ADOPTED THIS 2nd DAY OF MAY, 2019.

b. ORDINANCE 1602 (#09-2019)

AN ORDINANCE AMENDING JACKSONVILLE MUNICIPAL CODE §§ 18.54.010 (PURPOSE), 18.54.020 (PERMITTED USES), 18.54.075 (LIMITATIONS) AND 3.01.020 (PERMIT FEE - SCHEDULE); DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.

Councilman Bolden moved, seconded by Councilman Mashburn to place Ordinance 1602 on **FIRST READING. ROLL CALL:** Councilman Elliott, Bolden, Sansing, Mashburn, Traylor, Twitty, and Collins voted AYE. NAY (0). **MOTION CARRIED.** Whereupon City Attorney Friedman read the heading of Ordinance 1602.

Mayor Johnson related that a micro-brewery is proposing to locate on T.P. White Drive by Wild Hog Liquor Store. This ordinance will accommodate that type of business within the zoning. He then answered that they will have to demolish two houses to construct their facility with projection costs of between 1.2 and 1.5 million dollars, adding that it will be between 6 to 8 months in construction. He stated that they are proposing to have an outside garden for customers.

Councilman Bolden moved, seconded by Councilman Sansing to approve Ordinance 1602 on **FIRST READING** and **SUSPEND THE RULES** to place Ordinance 1602 on **SECOND READING. ROLL CALL:** Councilman Elliott, Bolden, Sansing, Mashburn, Traylor, Twitty, and Collins voted AYE. **MOTION CARRIED.**

Councilman Bolden moved, seconded by Councilman Twitty to further **SUSPEND THE RULES** and place Ordinance 1602 on **THIRD AND FINAL READING. ROLL CALL:** Councilman Elliott, Bolden, Sansing, Mashburn, Traylor, Twitty, and Collins voted AYE. **MOTION CARRIED.**

Councilman Traylor moved, seconded by Councilman Collins to **APPROVE AND ADOPT** Ordinance 1602. **ROLL CALL:** Councilman Elliott, Bolden, Sansing, Mashburn, Traylor, Twitty, and Collins voted AYE. **MOTION CARRIED.**

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Councilman Sansing moved, seconded by Councilman Bolden that the **EMERGENCY CLAUSE** be attached and approved. **ROLL CALL:** Councilman Elliott, Bolden, Sansing, Mashburn, Traylor, Twitty, and Collins voted AYE. **MOTION CARRIED.**

ORDINANCE 1602 (#09-2019) APPROVED AND ADOPTED THIS 2ND DAY OF MAY, 2019.

DEVIATION IN AGENDA:

d. Nomination of City Council Pro Tempore

Councilman Collins related that Mayor Johnson has chosen Councilman Elliott as Vice Mayor, adding that according to Arkansas Code President Pro Tempore is to be selected by the City Council.

Councilman Collins moved, seconded by Councilman Traylor nominated Councilman Kenny Elliott as the City Council's choice as President Pro Tempore.

Mayor Johnson suggested that Councilman Bolden be nominated as the secondary Pro Tempore or Vice Pro Tempore.

Councilman Collins moved to amend his motion to include Councilman Bolden as secondary Pro Tempore. Councilman Traylor seconded. MOTION CARRIED.

RESUME AGENDA:

c. DISCUSSION City Council Procedure

Mayor Johnson introduced the item of business, noting that he has heard several comments regarding whether the City Council should hold one or two City Council meetings monthly. He added that last year the City Council held two meetings a month five times.

Councilman Collins stated that to remove ambiguity from City Code 2.04.010, he is proposing that instead of "conducted pursuant to the rules and regulations set forth in Robert's Rules of Order and Parliamentary Procedure", it state that it be the "procedural rules for Municipal Officials" published by the Arkansas Municipal League in May of 2014. He clarified that it is not specified in 2.04.010 regarding Robert's Rules of Order used by the City.

Councilman Elliott moved, seconded by Councilman Bolden to accept the procedural rules for Municipal Officials as aforementioned as the formal rules and procedures for City Council regarding Robert's Rules of Order.

Discussion ensued and Councilman Collins noted that in January of every year this will need to be reviewed.

At this time MOTION CARRIED.

Councilman Collins noted the Code provides that City Council members may present orally any action and said action may be reduced to writing by the City Clerk and presented for action at the next regularly scheduled meeting.

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He stated that it seems that sometimes the City Council jumps to getting things into Ordinance or Resolution format a little quicker than what we should. He stated that he is just offering this as a reminder to the City Council.

He clarified that he is referring to any member bringing up an item for discussion or action, which does not require advanced notice. He stated that in order to do this he would recommend the following changes to the setup of the agenda. He noted that Robert's Rules of Order suggest that we have committee reports, unfinished business and new business as items that would complete the agenda that we currently have. He further clarified that standing committees should be listed on the agenda. He stated that he would propose that committee reports be listed as number 14 on the agenda and placed after appointments, he suggested that unfinished business and new business be added to the agenda.

Councilman Collins moved, seconded by Councilman Sansing to adopt the recommended changes to the regularly scheduled City Council agenda as aforementioned. MOTION CARRIED.

Councilman Collins related that he would like to address the opportunity for citizen commentary at the end of the City Council meetings. He suggested that a procedure be put into place that once a citizen is recognized they are allowed three minutes to initially present their commentary and upon an approved motion by the City Council, the discussion may continue in increments of 5 minutes as designated, which would include questions from City Council to the citizen.

Councilman Bolden questioned if there would be a sign in sheet for citizens wishing to address the City Council at the end of the meeting.

Discussion ensued and it was suggested that a committee be assigned to formulate how citizens would procedurally address the City Council. Councilmen Collins, Bolden, Traylor and Sansing offered to serve on a City Council Rules and Regulations Committee.

Councilman Collins asked if the City Council would clarify the procedure for having items placed on the agenda.

Mayor Johnson stated that it happens by contacting City Clerk Davitt and then talking with City Attorney Friedman regarding Ordinances. He then clarified that items that do not require an Ordinance would go through himself or City Clerk Davitt. It was generally agreed that Friday at 5:00 p.m. would be the deadline to be placed on the agenda. City Attorney Friedman clarified that the current deadline is Monday at 5:00 p.m. which is set by ordinance.

Councilman Bolden supported Friday at 5:00 p.m. as the new established deadline, noting that it would require an ordinance to change the existing deadline.

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Councilman Collins suggested that the Committee return with a recommendation for the City Council agenda deadline.

APPOINTMENTS: HISTORICAL DISTRICT COMMISSION

Request to appoint Robin Wakefield for a term to expire 12/31/2019

Councilman Traylor moved, seconded by Councilman Mashburn to approve the appointment of Robin Wakefield to the Historical District Commission for a term to expire 12/31/2019. MOTION CARRIED.

JACKSONVILLE PUBLIC FACILITIES BOARD

Request to appoint Mike Wilson for a term to expire 10/24/2019, Phillip Keaton for a term to expire 10/24/2019, Mike Dietz for a term to expire 10/24/2019, Paul Payne for a term to expire 10/24/2022, and Tommy Bond for a term to expire 10/24/2023.

Mayor Johnson explained that the Jacksonville Public Facilities Board has members who have expired or are no longer on the Board, adding that the Board has some funds that they are wanting to invest for returns. He stated that in order to do this, they have to have a full Board to conduct meetings. He noted that the Board was originally founded in the late 70's early 80's to help citizens purchase homes when interest rates were so high. He then noted that the Board also helped with the construction of City Hall.

Councilman Elliott moved, seconded by Councilman Bolden to approve the appointments of Mike Wilson to the Jacksonville Public Facilities Board for a term to expire 10/24/2019, Phillip Keaton for a term to expire 10/24/2019, Mike Dietz for a term to expire 10/24/2019, Paul Payne for a term to expire 10/24/2022, and Tommy Bond for a term to expire 10/24/2023. MOTION CARRIED.

ANNOUNCEMENTS: Mayor Johnson announced that Fun at Five Points Downtown Street Festival will be held Saturday, May 4th 9:00 a.m. to 10:00 p.m.

He then announced that the City has officially accepted the property at 120 North First from the Historical District to be part of the City but overseen by the Historical Commission.

Councilman Bolden and the City Council joined in thanking Miss Haley Elliott for attending the City Council meeting, noting that she is attending as a part of a class she is currently attending.

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ADJOURNMENT: Without objection, Mayor Johnson adjourned the meeting at approximately 7:27 p.m. MOTION CARRIED.

Respectfully,

Susan L. Davitt
City Clerk-Treasurer

MAYOR BOB JOHNSON