

**CITY OF JACKSONVILLE
REGULAR CITY COUNCIL MEETING
JUNE 2, 2022
6:00 P.M. - 7:29 P.M.**

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

The City Council of the City of Jacksonville, Arkansas met in a regular session on June 2, 2022 at the regular meeting place of the City Council. Council Member Bolden delivered the invocation and Mayor Johnson led a standing audience in the "Pledge of Allegiance" to the flag.

ROLL CALL: City Council Members: Bolden, Blevins, Sansing, Ray, Mashburn, Traylor, Twitty, and Smith answered ROLL CALL. Mayor Johnson also answered ROLL CALL declaring a quorum. PRESENT EIGHT (8) ABSENT (2). Council Members Dietz and Rains were absent.

Others present for the meeting were: City Attorney Stephanie Friedman, Fire Chief Alan Laughy, Police Chief Brett Hibbs, Public Works Director Jim Oakley, Parks and Recreation Director Kevin House, City Engineer Adam Whitlow, Lieutenant Ryan Wright, IT Director Emily Osment, Animal Control Manager Jamie Parker, Jim Moore, Dan Brown, Former Mayor Gary Fletcher, Tommy Bond, and Johnny Simpson.

PRESENTATION OF MINUTES: Mayor Johnson presented the minutes of the regularly scheduled City Council meeting of May 19, 2022 for approval and/or correction at the next regularly scheduled City Council meeting.

APPROVAL AND/OR CORRECTION OF MINUTES:

Council Member Bolden moved, seconded by Council Member Traylor that the minutes of the regularly scheduled City Council meeting of May 5, 2022 be APPROVED. MOTION CARRIED.

CONSENT AGENDA:

WATER DEPARTMENT:

WASTEWATER DEPARTMENTS:

FIRE DEPARTMENT:

STREET DEPARTMENT:

POLICE DEPARTMENT:

SANITATION DEPARTMENT:

PARKS & RECREATION:

PLANNING COMMISSION: FINAL PLAT Notting Hill Subdivision

Public Works Director Jim Oakley introduced Adam Whitlow as the new City Engineer. He stated that the Public Works office would like to recommend that Council pass this final plat and that all water, sewer, easements, and rights-of-way have been good. He explained that everyone is satisfied and the streets are built in standard condition. He added that sidewalks will be forthcoming because they would like to hold off on trucks breaking them up, but the builder has agreed to get them in.

Mayor Johnson noted that this land was part of the land swap that they did and there is another subdivision about to start out there as well. He related that this is the first phase and they could be looking at several phases in the future.

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Council Member Ray moved, seconded by Council Member Mashburn to approve the final plat of Notting Hill Subdivision. MOTION CARRIED.

COMMITTEE(S):

GENERAL: a. PUBLIC HEARING Proposed amendment to JMC §6.04.045 (Dangerous & Vicious Animals & Bans)

Mayor Johnson stated that we have an emotional issue that people care about, explaining that he would like to give everyone the chance to speak but confirmed that we do not need to repeat the same information from speaker to speaker. He informed the audience that there will be a two-minute time-limit for each speaker. He assured that he wants it to be fair for everyone regardless of either side and in order to comment, it should only be citizens of Jacksonville that have their voices heard.

Mayor Johnson opened the public hearing at approximately 6:05 p.m.

Council Member Blevins related that he brought this issue forward because there are multiple reasons for this to pass, since it is another item that keeps people out of the City. He mentioned the overcrowding at the Shelter with mostly Pit bulls and further informed the City Council that there is National legislation being considered to repeal breed specific legislation.

Tim Hamby of 104 Harold Street stated that due to personal reasons, he is opposed to lifting the ban. He stated that his oldest son, who is now 30, when he was 11 was attacked by a neighbor's Pit bull who knew him. He stated that the dog went through extended lengths to get to the kids that were outside playing; it went through an individual pen in the back yard and then through the perimeter fence. He stated that his son was attacked in the middle of the street, pinned down by the dog that "chewed" on him. He related that his son got away and the dog attacked his son again and took him to the ground. He stated that it took another neighbor to get the dog off of his son and his son had to be taken to the Emergency Room. He related that there have been over 3300 attacks on humans by Pit bulls, noting that the next breed closest is a Rottweiler at over 500, which is a big difference.

Theresa Rainey of 605 Alta Lane supported lifting the ban. She stated that she is aware of so many Pit bulls that are passive, saying they deserve a chance to live as long as everybody follows the law and does what they are supposed to do. She advocated keeping one's animals under control no matter what kind. She stated that she feels any animal can be raised to be aggressive or mean, reiterating they deserve a chance to live.

Jill Jewett of 3000 Northeastern supported lifting the ban, saying that she has seen the ban impact economic growth. She stated that she has had four family members move from out west to come here and start businesses in Jacksonville, but then bought houses elsewhere because of the Pit bull ban. She added that she has friends who will not look at living in Jacksonville because of the ban.

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She stated that it is a very uneducated thing because the information going around does not support the National data from the ER's and insurance companies.

Debbie Farner of Danbury Cove in Stonewall offered that while she moved here from New York, her son will not move here, so she has to drive to New York to see her grandson, because of the Pit bull law. She related that her son's Pit bull sleeps with his 4-month-old baby and there are no issues. She stated that it is a myth that Pit-Bull type dogs are more dangerous than other dogs, citing a 10-year study of dog bite related fatalities that identified multiple factors associated with dog bite fatalities. She continued that it specifically included that the breed was not one of the factors, adding that the study also concluded that media reports on bite related incidents are prone to significant breed identification error rates of over 40%. Over 60% of the dogs in shelters are misidentified as Pit bulls, they cannot tell you it is a Pit bull without a DNA test unless they know both parents of the dog. She then added that it has to be more than 50% Pit bull to be considered Pit bull even though Pit bull is not a breed, it is a group of dogs that people are afraid of. She affirmed that it is a myth that the Pit bull has a locking jaw and that no dog of any breed has a locking jaw. She stated that there is a peer review study that analyzed 140 serious dog bite related incidents and they concluded that there is no difference in medical treatment from a Pit bull type dog or other dogs. She said that people say that Pit bulls are more aggressive but they are not more aggressive, it is all in how you take care of your dog and how you raise it.

Kathy Wadekamper of 532 Ricky Raccoon read that on May 25th she sent an email to all Council Members, Mayor, and Police Chief asking to have the breed specific Pit bull ban repealed. She stated that there are many negative websites about Pit bulls and pointed out that she sent her research about several professional organizations with experts in Veterinarian Medicine, Animal Behavior, and Dog Genetics. She stated that all of these organizations do not support the breed specific legislation of the Pit bull ban. The current City ordinance has a dangerous animal policy already, adding that it is not necessary or fair to ban a certain dog based solely on its breed when they have not been vicious or have not done anything wrong. The idea that there are some owners not following the rules and by lifting the ban there will be more owners not following the rules is extremely unfair to the good Pit bull owners who want to follow the rules and be responsible so that those rules will allow them to have their beloved pets in the City of Jacksonville.

Kaitlyn Edwards of North Hospital related that she is one of the trainers at Fully Loaded K9 Academy who has done lots of work with the Jacksonville Animal Shelter. She stated that in the last two years they have raised over \$4,000.00 for the dogs in the Shelter and for medical care. She shared that she has worked with the dogs in the Shelter, they have come into our facility and been adopted out through the help that we do. She said that none of the dogs that have come into our facility have left the same dog, once you take them out of the Shelter environment, their true personality shines through.

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Negative traits because of things in their past can be changed when they are put through the training and shown compassion and kindness. She stated that Full Loaded is prepared to give any Pit bull a full six-week class of basic obedience at no charge to the City or to the parents. We truly care about these dogs.

Former Mayor Gary Fletcher stated that he is good friends with Council Member Blevins and was told that he was going to bring this up. He added that Council Member Blevins know his position regarding this because he was part of the Committee and Council that passed the ban several years ago. He explained that he was on Council for 30 years and was Mayor for 10 years, so we have been dealing with the issue of Pit bulls, on and off, for 40 years. He stated that 15 years ago they formed a committee that included a local veterinarian, Dr. Misak, trying to find a "middle of the road" approach of how to deal with this issue. He remembers when Mr. Hamby and his 12-year-old son, at the time, attended Council where the boy's legs looked like road maps from how they were torn up. He recalled that was the night the ban was passed and shared that the reason he came here tonight was to let people know why we got to where we are at. He explained how this issue was brought to committee because there was an elderly man attacked in Foxwood while walking with his wife. He said that no one knows whether someone is a good or bad pet owner just by looking at them, so his motivation at the time was for the health, safety, and welfare of the citizens of Jacksonville. He shared that he kept a file in his Office when he was Mayor about the dangers of Pit bulls, then told about a gentleman in Pine Bluff that was taking his car to be repaired and was killed by two Pit bulls. He noted that if you forget why we got to where we are at, we are going to repeat these same situations and have more victims, especially if we lift the ban and make it easier to have them.

Jacksonville Animal Control Officer Bonnie Paul stated that she has been raised around Pit bulls her whole life and she has a 20-year-old son that has bred Pit bulls since he was 16. She explained that all of the dogs are trained and it comes down to how it is raised and socialized. She urged that kids have to be taught to respect the animal. She affirmed that it is not breed specific, any dog can be dangerous, and reiterated that it is all about training. She explained that owners can instill negative behaviors in their dogs. She pointed out that she has given each Councilmember a packet and requested they take the time to read it since it contains actual facts. She detailed that the last pages contain bite pressures (PSI) of different breeds and Pit bulls, adding that they do not have a locking jaw. She assured that this would help the Shelter because people do not want to come to claim their Pit bulls since they would have to pay a fine. She related that this causes the City to have to spend more money while they are surviving on donations to feed and care for these abandoned dogs.

Christine Henderson of 1008 Grayland Drive stated that she has lived in Jacksonville since 1974 and is the President and Cofounder of Jacksonville Friends of the Animals. She explained that she has been volunteering at the Animal Shelter since 2012 and takes photographs of all of the dogs,

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regardless of breed. She pointed out that she goes into the Pit bull's cages, puts a leash on them, and has never ever felt intimidated or threatened by them at the Animal Shelter.

Debbie Farner re-approached the Council, questioning if former Mayor Fletcher mentioned three bite incidences in Jacksonville, citing that there are 28,500 people in Jacksonville with three incidents.

Mayor Johnson stated that there have been more than just three bite incidents, citing that this year alone we have had eight Pit bull bites.

Debbie Farner questioned how many other bites have there been.

Council Member Traylor replied, seven. All other breeds combined.

Debbie Farner then questioned how does the City know that those eight were Pit bulls.

Council Member Traylor replied that the Animal Control reported them as Pit bulls.

Debbie Farner stated that over 60% of the time, they are misidentified even by shelter personnel and vets.

Council Member Sansing related that the Animal Shelter has provided the number of bites over the last two years. One year, 33% of the bites were from Pit bulls, and the second year, 40% were Pit bulls. He stated that these bites are all from a breed that is not supposed to be in the City.

Council Member Bolden thanked everyone for coming to the hearing and providing their stance on the Pit bulls. He stated that he was bother by the statement that people do not want to live in Jacksonville because we have a Pit bull ban; adding that people do not want to live in Jacksonville because it is dry and before was because we did not have our own school district. He stated that it is not just the Pit bull situation, there are a lot of dynamics, and we cannot just take one thing and say this is the reason. He stated that his job is to make sure, with a clear mind in effect, we have to look at the total concept. If we change anything, that means everyone on the City Council is accountable for any attacks in the future.

Council Member Blevins agreed with the factors mentioned by Council Member Bolden for why people do not want to live in Jacksonville. He stated that Jacksonville has actively tried to change those other things because we felt that they needed to be changed, questioning how this would be any different.

Chief Hibbs stated that he has lived in Jacksonville all of his life and has been at the Police Department for 27 years. He related that he has done tons of research on the Pit bulls and have discussed with people and watched

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videos, as well as having seen a lot of dog attacks. He stated that his perspective is one of public safety, adding that if you weight through the pro and con data it is hard to get to any justifiable conclusion. He stated that when this started last year he dove into the research, adding that he can see both directions. He acknowledged that there is tons of research that if you just count the bites, Pit bulls are six times more likely to bite than any other dog, namely the Rottweiler that is in second place. He stated that 52% of the bites are involving household members and 52% of the bites are fatalities. He stated that Pit bulls do maul, they do not lock the jaw, they have a 300-psi bite; it is not the highest, it is not the lowest. He added that it is the sharpness of the teeth and the temperament and the bite. He continued saying that as a public safety perspective, with all the research performed, if a dog sees someone walking down the street and it can jump the fence it is going to attack, that is what dogs do. All dogs attack but the Pit bull attacks at a much higher rate than any other dog. He stated that he has discussed this with Chief Laughy who also agrees that this is a public safety perspective. He stated that he is an animal lover and has owned a Pit bull and never had a problem, but from the research, Pit bulls bite more than any other dog.

Kathy Wadekamper stated that she has looked at the research that people sent her to look at, the vicious things and she looked at them, saying that she hopes the City Council looked at the email she sent them with the links to the various professional organizations.

Chief Laughy offered that he feels everyone is governed by their own perspectives; everything we look at is based on our own life experiences. He stated that if you have never stuck your fingers into the carotid to keep her alive, you have a different perspective than I do. He related that he has been on 13 or 14 dog bites and in his experience 12 were Pits and 1 was a Doberman. He continued saying that it not that you may allow 2 Pit bulls per household that scares him, it means that with his property that could mean that 6 would encircle his fence line if each adjacent neighbor chooses to have 2. He related that he has an in-home licensed day care and at any given time he has 8 children in his back yard under the age of 5. He stated that what we do today is not going to change a Pit bull's behavior, they don't understand chipping, licensing or any kind of handler training. He stated that regarding the argument that it is the owner's fault if the dog bites, that means the owner is 5 times less capable of being trained; which is the argument that he is hearing. If they are biting 5 times as much and we are blaming the owners, what are we saying about the owners, are they not capable of learning how to be trained for these dogs. He stated that this makes no sense to him, adding that maybe it is the people we do not trust, not the dogs. He stated that from a public safety perspective, he does not support lifting the ban.

Animal Control Supervisor Jamie Parker stated that she has had dogs her whole life, but has never had a Pit. She added that working at the Animal Shelter she was close to a lot of the Pits they were holding. She stated that she

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has not seen any aggression from any of them, noting that they have sent several of them to Fully Loaded and they have been trained. She stated that every dog that they take has been adopted, adding that it is sad that they have to be adopted outside the City limits. She continued saying that a lot of people like the Pit bulls, saying that you can be bit just like with a Chihuahua. She stated that she has numbers that show a Chihuahua bit just as much as any other dog. She stated that she understands the perception, that there are numbers on the Internet for anything you want to find. She said that dogs are man's/women's best friends, and a lot of it does depend on how you raise them. She stated that it is the same as how you raise a kid. She said that kids snap just as much as dogs. She then added that she does not have kids of her own but has observed it through her nieces and nephews. She stated that everybody and every animal deserves a chance, there is no reason why she should have to say it's a Pit its sweet but the Shepherd is mean, but I am going to have to put the Pit down because it is a Pit. She stated that is not how she should have to decide how she has to put down an animal in her Shelter if one has to be put down. She stated that there is not a vicious dog in her Shelter. She stated that she welcomes anyone of the Councilmembers to come down and visit any Pit she has in the Shelter. She stated that they deserve to have a good loving home just like any other animal in this City.

Public Works Director and former Animal Control Director Jim Oakley stated from memory of when the ban was put into place, there had been a height of dog bite case of approximately 70 and at least half of those were Pit bulls. He stated that there was a rash of Pit bull fights, saying it was a safer city once they were ban. He stated that he agrees with Chief Laughy, he does not want his grandchildren around 12 Pit bulls surrounding their back yard.

Discussion ensued regarding the breakdown of the various breeds that encompass the title of Pit bull type dogs.

Danielle DeAngelis 800 Burgundy Court stated that the Pit bull term is an umbrella for six different breeds. She questioned if the statistics are saying that is the umbrella of those six breeds because that is not a fair statistic, if you are going to compare six breeds and say that is 1% versus one breed of the other percentage.

Chief Hibbs clarified that the breeds are all the bloodline considered, the Pit bull is a short name that is referred to all of the same dog and bloodline.

Jamie Parker stated that she was not here when the ban was passed but it is six specific breeds of Pits of anything mixed with Pit bulls. She stated that from the Shelter standpoint anything that resembles a Pit falls under that ban.

Danielle DeAngelis stated that the statistics are going to be higher because there is six times the chance for one of those bites to counted as a Pit bull bite than any other because they are grouped and the other are separate. She stated that the Pit bull breeds should be split up as any other.

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Further discussion ensued as to umbrellaing the other breeds if the Pits are going to be Umbrellaed.

Council Member Blevins recounted the ownership of a service Pit bull by his father, saying any dog given love will give love. He then stated that the Pits in the Animal Shelter were not picked up because they attacked anybody, they were picked up just because they are a Pit bull. He stated that he understands there have been bad things in the past, but we cannot keep living in the past. We cannot let the past dictate our moving forward. There has to be change and progress.

Council Member Sansing stated that his charge on the City Council is to protect the citizens of Jacksonville. He stated that we have a number of Pit bulls that are being picked up because it is illegal to have them. The owners of the Pit bulls are not following the law. He stated that there are a number of requirements in the Ordinance to amend the law, so many that he could say for every good person that is following the Ordinance - there will probably be a half dozen not. He stated that he would not support lifting the ban, adding that he sees it as his duty, noting that most of the victims have been children. He recalled that 52% of the bites are within the household that the pets are within. He stated that while he likes Pits and his dad had one, he will do what he can to make sure that the children in this City continue to be protected from somebody that is not treating their animal right and someone who is not obeying the law.

Kathy Wadekamper asked why everyone is being punished because there are some people who do not want to follow the law.

Christine Henderson stated that she is a registered nurse and her practice is based on evidence and it is the City Council's duty to look at the evidence that the American Veterinary Medical Association, NIH, CDC. The CDC has brought us out of a pandemic, and the reason we are not drinking bleach. The CDC does not approve of BSL. Read the evidence.

Mary John Kimbra of Green Acres Road stated that Maumelle and Cabot have repealed theirs recently. So, we are not going to say that Maumelle or Cabot do not care about children. She stated that dog fighting is illegal and they do not care if Pit bulls are legal or not, they are still going to fight dogs; so that is not an argument. She then questioned why would you put your child in the back yard unsupervised? She stated that you do not do that, it does not matter what kind of dog, watch your children, supervise your children. If your neighbor has a Pit bull and you're that scare - build a bigger fence and watch your child.

Hannah Gordon of Harold Street related that she is a vet tech in North Little Rock, cited stories of working on Pit bulls while fixing bones that were outside the skin without pain meds and the Pit bulls remained calm. She stated that they have other pets who cannot be touched without them screaming. She stated that not once has she ever been scared of a Pit.

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Kendal Snyder of Forrest Oaks Subdivision stated that his career has been as a firefighter and paramedic. He related that he has been on many dog bite calls and have seen various breeds of dog bite kids. He noted that he also sent an email to all of the Councilmembers with some statistics and studies. He pointed out that there is a big difference between family dogs and resident dogs; many of the bites he has witnessed involved resident dogs. He explained that resident dogs are dogs that live at a house in the back yard tied to a tree and they do not interact with the family, adding those truly are the dogs that bite people regardless of the breed. He stated that in a town like Jacksonville where Pit bulls are ban, often those type of dogs are Pit bulls because they are not allowed to be out on the street. They put them in a pen and then the kid that lives in the homes goes out to play with the dog and they get bit. That is what truly happens and there is a lot of data to support that. He stated that he is for removing the ban.

Creed Knight of 307 Franklin Street reiterated that Fully Loaded is offering to train the Pits, which Animal Control has already said that they have released Pits to them, which have been trained and have been adopted and have had no issues. He stated that this is a solution to this issue and they are offering this at no charge.

Mayor Johnson asked that the City Council read the information that has been provided through handouts and emails. He noted that one of the requirements to have a Pit bull is to have \$300,000 in liability insurance, which will cost approximately less than \$100.00 annually to have this added to a homeowner's policy. He then explained that renters would have to purchase a renter's policy which would be maybe less than \$200.00 annually. He then commented that some insurance companies will not write insurance for owners who have Rottweilers, Pit bulls and other breeds. He thanked everyone for attending.

A member of the audience noted that most of the insurance companies that will not cover a dog that is on the aggressive list will if the dog has taken a training class.

Mayor Johnson closed the public hearing at approximately 7:00 p.m.

b. PUBLIC HEARING Proposed amendment to Ordinance 1601 to prohibit parking in the street

Mayor Johnson opened the public hearing at approximately 7:01 p.m.

Council Member Bolden stated they will be discussing the law about parking on the streets and listen to individuals who are interested, to see what it is Council can do to help.

Mayor Johnson added that several years ago the City Council made it against city ordinance to park on the street, but in 2019, we amended the ordinance to allow certain parking on the street under specific circumstances.

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Council Member Smith explained that a lot of that decision was based around bringing the green space back to Jacksonville. She affirmed that not every neighborhood is Foxwood or Stonewall and not every home has a two-car driveway. She recalled that they were trying to get the vehicles out of the front yards when they voted on this, but she is open to the public hearing.

Roy Hart related that he has lived in Jacksonville with his family since 1991 and when he left the service he looked for a safe, well-kept neighborhood, and that was Foxwood Subdivision in Jacksonville. He explained that in recent past, things have gone downhill to the point where there was farm equipment parked in the front yard down the street and a mechanic business going on around the corner where three or four trucks are up on blocks. He added that on Foxwood Drive, there was a trailer left for a week or more outside the streetlight coverage. He believed it was a hazard so he stopped a police officer to look at it since he felt it was an accident waiting to happen. He believes that we have to keep our neighborhoods up and noted that Jacksonville is on the rise with our new schools, so it would be foolish to allow neighborhoods to decline. He hopes Code Enforcement will redouble what they do and mentioned that we have renters now who do not ever cut their grass or take their trash cans in after they have been picked up. He reiterated that it is important to keep our neighborhoods up because it helps every citizen.

Dan Brown of 719 Foxwood Drive stated that he has been fortunate enough to work for large corporations, being Anheuser-Busch and Philip Morris. He explained that he left Philip Morris a few years ago as Vice President of Operations. He noted that he has owned nine homes and this is the first home that did not have a homeowner's association. He added that he and his wife looked at a lot of houses and settled in Jacksonville because he has a farm in Newport, Arkansas and several rental properties that he goes to once a week and the location was convenient. He pointed out that since he moved into this house, he has changed everything because it was a beautiful house, but it was not properly maintained. He explained how he and his wife agreed that they would spend whatever it took and how he personally dug out overgrown plants and poison ivy from the fence in the back. He stressed that this is a beautiful neighborhood that was once even nicer, but has been allowed to deteriorate. He stated that this rule of parking in the street does not benefit this neighborhood whatsoever and in all of the places that he has ever been, he cannot believe that the City would allow parking on the street. He added that it is unsafe and there was a pontoon boat parked on the street for the last four days, until today, where only one car could pass at a time. He mentioned that he invested in this neighborhood because he thought it was beautiful and reiterated that this decision does not benefit the homeowners whatsoever. He related that it benefits 20%, being renters and people who do not want to cut their grass, but does not benefit the other 80% of homeowners who take care of their property. He recalled that he was taught that a house is the largest investment anyone makes in their life. He believes that over 90% of people feel that same way and you cannot compare a one-car driveway or garage to a two-car driveway that is 700' with a five-car garage. He said you

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cannot make a one rule that cover those two situations, they have to be separate. He requested that this rule be amended for different neighborhoods and that one rule should not apply for an entire City, because the City is totally different.

City Attorney Friedman shared that her only fear is if the City has different laws or codes for different parts of the City, it could be seen as being discriminatory. She explained that if people with larger houses and two-car driveways have one set of rules, and people with no driveways or single-car driveways have a different set of rules, it is hard for it to not seem discriminatory.

Mr. Brown replied that the Government and the City look at them differently, since a person with a \$500,000.00 house pays a different dollar amount than a person with a \$50,000.00 house. He agreed that he was talking about taxes.

City Attorney Friedman responded that they still get the same protection and same laws with the City, for example, the same fire service and trash pickup.

Lieutenant Ryan Wright detailed that the current Code states that as long as it is not blocking any City service, an individual may park in the street. He pointed out that if you look at neighborhoods other than Foxwood, for instance Sunnyside, many of those houses do not have driveways, so they have to park in the street or in their yard. He pointed out that if they park in their yard it is a Code violation, so parking in the street is the only way they keep from having Code Enforcement hassle them about parking in the yard.

Mayor Johnson commented that everyone has a driveway, but it might not be a very long one.

Lieutenant Wright replied that there are some places in Sunnyside that do not have paved driveways, where they are either parking in their yard or on the street. He explained that if the ordinance is changed, people will stop parking in the street, and will start parking in their yards. He affirmed that he cannot force a person to get rid of their car, even if they have five or six, but if they cannot park in the street or park there temporarily, they would have to tag everyone's car and tell them to move it. He noted that if they park in the yard, they will be violating Code. He understands that if it is a traffic hazard, they get called out and if it violates a City service or causes a safety issue, Code will contact that owner or they will tow that car. He affirmed that for Code to enforce that, it will cause more problems, work, and headaches than it would to just leave the ordinance as it is. He reiterated that it would cause more frustration for the citizens because we would force them to park in their yards since they would not have a place to park otherwise. He assured that they cannot say that this only applies to Foxwood and not Sunnyside, because it has to be the same across the board and they cannot designate ordinances for specific neighborhoods. He explained that he has two Code Enforcement Officers and just hired a third one. He related that a lot of times these Code violations that people talk about do

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not get reported to them. He assured that if it gets reported to them they put it in their queue and they investigate it. He noted that you cannot park a pontoon boat on the road and if he had the address he would go there and tag it. He mentioned that if it is a traffic hazard he would contact the owner and tell them to move it or it will be towed.

Mayor Johnson added that it is against Code to run a business in your home and we have had that happen before. He then asked if camper trailers can be parked in the driveway.

Lieutenant Wright responded that he would have to verify but believes a camper trailer can be parked in the driveway as long as it does not extend, or it has to be parked on the side of the residence but cannot extend past the front of the residence. When Mr. Brown requested clarification, he replied that it will not cost the City any money to enforce it, but what it is going to cost is citizens' frustration because they will go from one Code violation to another. He explained that currently by parking on the street because they do not have enough space to park otherwise, if they have to start parking in the yard, it will create an entirely new source of violations.

Mayor Johnson pointed out that there are several neighborhoods in Jacksonville that have an HOA or POA and Foxwood has tried many times to get one, so that they would be able to set rules separate from Citywide rules. He explained that the POA police their own neighborhoods to where trash cans are put up and residents do things they are supposed to. He does not think a Foxwood POA would be a bad thing. He shared that he lived there for a long time and they tried a few times to get a POA, but never got it accomplished.

Lieutenant Wright assured that as he gets Code further staffed, he will have more coverage for that area but currently they are doing their best to keep up as much as they can. He reiterated that if it is called in or reported on the Code portal they will come out to investigate if there is a Code violation. He emphasized that currently they are just fighting to keep up with the reports they are getting and confirmed if they knew about the trailer in the road it would have been tagged or towed.

Mayor Johnson requested that citizens report issues so Code can investigate, since they cannot be everywhere, all the time. He shared that he drives around the City multiple times a week and contacts Lieutenant Wright about issues he sees. He explained that he has seen across the street from Mr. Brown's house, noting the City had a streetlight installed at the end of that street since it was so dark.

Council Member Blevins stated even though we are coming out of a pandemic there has been issues with people losing their homes and jobs, so a lot more people have had to consolidate family into houses. He explained there are more people living in houses than before because families are having to group together, which increases the number of vehicles per home. He agreed there are no driveways in Sunnyside and people park in the street.

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Former Mayor Gary Fletcher stated that the City passed the "no parking on the street" ordinance when they went to automated garbage pickup because they did not have the man power to grab each garbage can for collection. He explained that it was not a popular decision but overnight Jacksonville looked 100% better. He noted that the problem with Sunnyside is that it was built in the 1940's when most people did not even own a car and so it gets back to planning. He wishes there was something to do and suggested that Council could encourage legislators to pass legislation to help places like Foxwood who cannot get 100% participation in a Homeowners Association, but if they at least had 90%, it would give them some hope because that Subdivision has always been great, but it could be better if they had unity. He mentioned that Stonewall is 50 years old and it still maintains its crispness because the residents are involved in their community. He continued noting that when Foxwood started in the late 1960's or early 1970's, homeowners associations were not a big thing then. He related that in hindsight, we should be able to go back and fix those problems to improve our neighborhoods because great neighborhoods make a great city.

Council Member Bolden assured that the reason that he wanted it brought before the Council is so we could discuss it, to see if there is anything we can do. He stressed that neighbors need to work together and if an individual comes to you politely about an issue, do not curse him out, be cordial to each other. He explained that in his neighborhood, if something is not right, they talk to that person. He affirmed that he tries to be polite to everyone and knows of one instance in Foxwood where an individual went to talk to the neighbor about an issue but the neighbor lashed out at him.

Council Member Ray mentioned that Mr. Hart brought up a mechanic shop being operated down his street; saying he has never lived in a subdivision, but his friends and relatives do, and they had to sign the Bill of Assurance saying that they would not have broken down cars in their yards.

Lieutenant Wright related that he is aware of which house they are speaking about and unless he can prove that he is actually running a business and receiving money for fixing those cars, he cannot charge him with operating without a business license. He pointed out that the residence has been cited on several occasions and had time in court.

Police Chief Brett Hibbs confirmed that they cite them and then they do it again. He added that they have addressed the issue multiple times, but he does it again, over and over.

Council Member Twitty stated that she has probably had at least 25 calls regarding this particular house; she agreed that Code has been over there multiple times and as soon as they get it cleaned up and turn their head to go to another job, this guy is back at it again.

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Chief Hibbs added that he does not believe that the HOA or a Bill of Assurance has anything to do with a renter and most of these people are renters. He explained that this person does not own the house, there are no signs, and he takes money but they cannot prove he is operating a business without doing an undercover operation because he will not admit it.

Mr. Brown mentioned the house that is behind the church on Northeastern Avenue and told how his acquaintances, Earl and Dorothy Rogers, just moved to Sherwood. He explained that their house sold in a week and when it came time to close on it, the bank came in and announced that even though they sold the house for \$227,000.00, they will have to reduce the price by \$37,000.00 because their neighborhood does not support the original selling price. He noted that the property they have been referring to has been there since he has been here and it cost Mr. Rogers \$37,000.00. He believes that it is the most abusive violation of Code that he has seen in his life and it has been going on for the six years he has been here; it has not changed for the better, but has gotten worse.

Mr. Hart brought up that it is a good point about the people without driveways, but thinks it is a very slippery slope if we define our neighborhoods by the lowest standard in the whole City. He surmised that we want to attract military retirees and businesses to make our City grow and he can understand how tough this would be to enforce but would hope the enforcement of new parking restrictions would be the very low level, such as a sticker on the windshield. He shared that he read the ordinance and there are a lot of exceptions to it and reiterated that he would hope the enforcement would be a low level because he is not trying to run anyone out of town or cause anyone to have a big fine. He assured that they are trying to keep their neighborhoods as good as they can because that sells homes and brings people to Jacksonville.

Council Member Blevins replied that the term used of "low standard" is unfair because the people who live in the low to moderate income areas cannot afford that and they are doing the best with what they have. He urged that to consider them the lowest standard is a very unfair thing to say.

Mr. Hart asked if they are going to pass laws for people with no driveways; is that the standard.

Mayor Johnson closed the public hearing at approximately 7:27 p.m.

APPOINTMENTS:

UNFINISHED BUSINESS:

ANNOUNCEMENTS: Goodsell Truck Accessories

Council Member Bolden congratulated Goodsell Truck Accessories for being recognized for being number one in the State.

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Men's Health Month

Council Member Bolden reminded all men that this month of June is Men's Health Month and to get their checkups to stay healthy.

Police Department Community Outreach meetings

June 7th for Ward 2 at First Baptist Church, June 8th for Ward 5 at Jacksonville Community Center and June 9th for Ward 3 at the Senior Citizen Center.

ADJOURNMENT: Without objection, Mayor Johnson adjourned the meeting at approximately 7:29 p.m. MOTION CARRIED.

Respectfully,

Susan L. Davitt
City Clerk-Treasurer

MAYOR BOB JOHNSON