

City Council of Jacksonville, Arkansas

A G E N D A

Regular City Council Meeting

October 20, 2016 7:00 p.m.

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ADJOURNMENT

CITY OF JACKSONVILLE  
REGULAR CITY COUNCIL MEETING  
OCTOBER 6, 2016  
7:00 P.M. - 7:19 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 October 6, 2016 at the regular meeting place of the City Council. Alderman Bolden delivered the invocation and Mayor Fletcher led a standing audience in the "Pledge of Allegiance" to the flag.

ROLL CALL: Aldermen: Elliott, Bolden, McCleary, Sansing, Traylor, Twitty, Smith, and Howard answered ROLL CALL. Mayor Fletcher also answered ROLL CALL declaring a quorum. Alderman McCleary arrived at approximately 7:01 p.m. PRESENT NINE (9), ABSENT (1). Alderman Smith was absent.

Others present for the meeting were: City Attorney Robert Bamburg, Human Resource Director Jill Ross, Fire Chief Alan Laughy, Police Chief Kenny Boyd, IT Director Scott Rothlisberger, Public Works Director Jim Oakley, 911 Director Tabby Hughes, Code Enforcement Officer Charlie Jenkins, Alderman Elect Les Collins, Johnny Simpson, interested citizens, and members of the press.

PRESENTATION OF MINUTES:

Mayor Fletcher presented the minutes of the regular City Council meeting of September 15, 2016 for approval and/or correction at the next regularly scheduled City Council meeting.

APPROVAL AND/OR CORRECTION OF MINUTES:

Alderman Howard moved, seconded by Alderman Ray that the minutes of the regular City Council meeting of 1 September 2016 be APPROVED. MOTION CARRIED.

CONSENT AGENDA:

WASTEWATER DEPARTMENTS:

WATER DEPARTMENT:

FIRE DEPARTMENT:

POLICE DEPARTMENT:

STREET DEPARTMENT:

SANITATION DEPARTMENT:

PARKS & RECREATION:

PLANNING COMMISSION:

GENERAL: a. ORDINANCE 1558 (#18-2016)

AN ORDINANCE AUTHORIZING A LEASE/PURCHASE AGREEMENT FOR UPGRADES TO THE EQUIPMENT AND SOFTWARE FOR THE 911 COMMUNICATION SYSTEM THROUGH A SUPERINTENDANT SHORT TERM PROMISSORY NOTE WITH SECURITY PLEDGE; PROVIDING FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE NOTE; DECLARING AN EMERGENCY; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

911 Director Tabby Hughes informed the City Council that this is the 911 upgrade that is performed with AT&T every five years. She noted two differences regarding the upgrade being presented, explaining that a recorder was added to this upgrade. She then further explained that the

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present recorder is over seven years old and has needed replacing for the last few years. She pointed out that a quote for the recorder came in at \$43,459.15, while AT&T quoted \$37,812.00 in the contract, a savings of \$5,647.15. She stated that the City has opted to finance the upgrade over five years. She added that the current yearly maintenance contract for the recorder is \$9,917.00 but with the new AT&T contract the recorder maintenance will be included in the 5-year financing plan. She emphasized that they would no longer have the extra \$9,917.00 in annual recorder maintenance costs. She noted that on the quote from AT&T, the monthly maintenance costs of \$3,850.00 is not a new maintenance cost, explaining that they already pay monthly maintenance costs but it is reimbursed every year by the Arkansas ETS Board. She then answered that the reimbursement is for the entire maintenance amount and will continue. She then related that it is possible to receive more than the current \$3,950.00 monthly amount, explaining that the amount is based on the number of wireless 911 calls that come into the Center. She stated that currently the wireless calls have been around 85% of the total number of calls. She then explained that this year they made a change to the 911 lines, saying that up until February of this year they only had two wireless 911 lines and four land lines, noting that this has now been changed to having four wireless 911 lines and two land lines. She related that now they will get credit for more 911 calls, saying that hopefully that will double the amount of reimbursement. She explained that the reimbursement is yearly and she provides the paperwork in April for the reimbursement. She then noted that Finance Director Cheryl Erkel has stated that the yearly installment would be calculated into the 2017 budget and then the four remaining years.

In response to a question from Alderman Traylor, Director Hughes related that the contract is always done as a lease on an every five year basis. She explained that they will get all new 911 equipment, computers, hardware, phones, and the new recorder. She then added that it would also include the maintenance for five years on the 911 equipment and the recorder. She stated that once the contract is signed they will go ahead and install the new recorder, citing that the current recorder is barely hanging on. She then noted that they have agreed not to charge for the extra months of maintenance. She explained that the current recorder is over seven years old and they have not been able to get a maintenance contract on it for the last two years. The hourly rate for maintenance is \$250.00, noting that the hard drive had to be replaced once this year and once last year. She stated that the recorder will record all the 911 phones, admin lines, the Police Department's admin phones, and all the radio traffic for the Police and Fire Departments.

In response to a question from Alderman McCleary, Director Hughes explained that the City receives a monthly payment for the 911 calls from the ETS Board so the monthly maintenance costs are taken out of that money upfront and then the remainder is given to the City. She then added that they still get a reimbursement at the end of the year for the \$3,850.00 monthly amount in April when they complete the certification.

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In response to a comment from Alderman Traylor, Director Hughes explained that the reason for waiving competitive bidding is because AT&T is the company they have been with, explaining that the only other company is CenturyLink and they are not able to monitor the 911 trunks 24 hours daily as AT&T can. She then noted that if they call AT&T with an issue they will have someone on site within an hour.

City Attorney Bamburg noted that AT&T currently has approximately 90% of the 911 systems in the State, adding that they do not have any competition.

Alderman Traylor noted that the quote is \$572,996.00; and the Ordinance quotes \$626,743.20 which is not 0.01823% interest.

City Attorney Bamburg clarified that part of the difference is the small amount of interest that AT&T is assessing, and the other part is the maintenance contract that the City will not have to pay because we are receiving reimbursement, but because of the way that waiving competitive bidding laws provide, we have to cover the maximum that will be spent under this line item. He went on to say that from what Finance Director Erkel and Director Hughes explained to him; we will not spend up to that amount but we have to account for it through this process so that if we end up paying and then reimbursed the total maximum does not exceed that amount.

Alderman Traylor confirmed that the monthly amount of \$10,445.72 would still be paid monthly for 60 months.

Director Hughes related that the City would get reimbursed from the ETS Board.

Alderman Traylor stated that it comes out to be around 3.5% interest.

City Attorney Bamburg confirmed that 0.01823% is what was in the contract.

Alderman Elliott moved, seconded by Alderman Bolden that Ordinance 1558 be placed on **FIRST READING**. **ROLL CALL:** Alderman Elliott, Bolden, McCleary, Sansing, Ray, Mashburn, Traylor, Twitty, and Howard voted AYE. NAY (0). **MOTION CARRIED**. Whereupon City Attorney Bamburg read the heading of Ordinance 1558.

Alderman Bolden moved, seconded by Alderman Twitty to **APPROVE** Ordinance 1558 on **FIRST READING** and suspend the rules and place Ordinance 1558 on **SECOND READING**. **ROLL CALL:** Alderman Elliott, Bolden, McCleary, Sansing, Ray, Mashburn, Traylor, Twitty, and Howard voted AYE. NAY (0). **MOTION CARRIED**. Whereupon City Attorney Bamburg read the heading of Ordinance 1558.

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Alderman Ray moved, seconded by Alderman Bolden to further suspend the rules and place Ordinance 1558 on **THIRD AND FINAL READING**.

City Attorney Bamburg confirmed for Alderman Traylor that the wording of "useful life of more than One (1) year" is the correct verbiage even though it is a five-year lease.

**ROLL CALL:** Alderman Elliott, Bolden, McCleary, Sansing, Ray, Mashburn, Traylor, Twitty, and Howard voted AYE. NAY (0). **MOTION CARRIED.** Whereupon City Attorney Bamburg read the heading of Ordinance 1558.

Alderman Ray moved, seconded by Alderman McCleary that Ordinance 1558 be **APPROVED AND ADOPTED**. **ROLL CALL:** Alderman Elliott, Bolden, McCleary, Sansing, Ray, Mashburn, Traylor, Twitty, and Howard voted AYE. NAY (0). **MOTION CARRIED.**

Alderman Ray moved, seconded by Alderman Bolden that the **EMERGENCY CLAUSE** be approved and adopted. **ROLL CALL:** Alderman Elliott, Bolden, McCleary, Sansing, Ray, Mashburn, Traylor, Twitty, and Howard voted AYE. NAY (0). **MOTION CARRIED.**

**ORDINANCE 1558 (#19-2016) APPROVED AND ADOPTED THIS 6<sup>th</sup> DAY OF OCTOBER, 2016.**

**b. ORDINANCE 1559 (#19-2016)**

**AN ORDINANCE FOR THE PURPOSE OF LEVYING ONE (1) MILL, ONE (1) MILL, AND ONE (1) MILL AGAINST ALL PERSONAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF JACKSONVILLE, ARKANSAS; FOR THE PURPOSE OF LEVYING ONE (1) MILL, ONE (1) MILL, AND ONE (1) MILL AGAINST ALL REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF JACKSONVILLE, ARKANSAS; FOR THE PURPOSE OF EFFECTING CERTIFICATION TO THE COUNTY CLERK OF PULASKI COUNTY OF THE TAX LEVIED; AND, FOR OTHER PURPOSES.**

Alderman Bolden moved, seconded by Alderman Ray that Ordinance 1559 be placed on **FIRST READING**. **ROLL CALL:** Alderman Elliott, Bolden, McCleary, Sansing, Ray, Mashburn, Traylor, Twitty, and Howard voted AYE. NAY (0). **MOTION CARRIED.** Whereupon City Attorney Bamburg read the heading of Ordinance 1559.

Alderman Ray moved, seconded by Alderman Elliott to **APPROVE** Ordinance 1559 on **FIRST READING** and suspend the rules and place Ordinance 1559 on **SECOND READING**. **ROLL CALL:** Alderman Elliott, Bolden, McCleary, Sansing, Ray, Mashburn, Traylor, Twitty, and Howard voted AYE. NAY (0). **MOTION CARRIED.** Whereupon City Attorney Bamburg read the heading of Ordinance 1559.

Alderman Ray moved, seconded by Alderman Sansing to further suspend the rules and place Ordinance 1559 on **THIRD AND FINAL READING**. **ROLL CALL:** Alderman Elliott, Bolden, McCleary, Sansing, Ray, Mashburn, Traylor,

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Twitty, and Howard voted AYE. NAY (0). **MOTION CARRIED.** Whereupon City Attorney Bamburg read the heading of Ordinance 1559.

Alderman Bolden moved, seconded by Alderman Ray that Ordinance 1559 be **APPROVED AND ADOPTED. ROLL CALL:** Alderman Elliott, Bolden, McCleary, Sansing, Ray, Mashburn, Traylor, Twitty, and Howard voted AYE. NAY (0). **MOTION CARRIED.**

**ORDINANCE 1559 (#20-2016) APPROVED AND ADOPTED THIS 6<sup>th</sup> DAY OF OCTOBER, 2016.**

**APPOINTMENTS:**

**ANNOUNCEMENTS:**

Registration for Municipal League Winter's Conference January 11<sup>th</sup> through the 13<sup>th</sup> has begun.

Jacksonville Senior Wellness & Activity Center Annual "Beans and Cornbread" Fundraiser will be held October 19<sup>th</sup> from 11:00 a.m. to 1:00 p.m.

Jacksonville Police Department will be participating in the National Coffee with a Cop tomorrow morning 6:30 a.m. to 7:30 a.m. the Public Safety Building's FEMA room.

**ADJOURNMENT:** Without objection, Mayor Fletcher adjourned the meeting at approximately 7:19 p.m. **MOTION CARRIED.**

Respectfully,

\_\_\_\_\_  
Susan L. Davitt  
City Clerk-Treasurer

\_\_\_\_\_  
MAYOR GARY FLETCHER



# JACKSONVILLE POLICE DEPARTMENT

COURAGE • INTEGRITY • PROFESSIONALISM

*Kenny M. Boyd*  
Chief of Police

*1400 Marshall Rd.*  
*Jacksonville, AR 72076*  
*(501) 982-3191*

**October 5, 2016**

**To: Mayor Gary Fletcher & Jacksonville City Council**

**From: Chief Kenny M. Boyd**

**Re: JPD September 2016 Monthly Report**

The following report of activities for the Jacksonville Police Department submitted for the month of September 2016:

<u>Topic</u>	<u>2016</u>	<u>2015</u>
Total Complaint Calls	4,443	4,361
Homicide Reported	1	0
Homicide Cleared	1	0
Rape/Sex Assault Reported	5	6
Rape/Sex Assault Cleared	4	3
Robbery Reported	3	4
Robbery Cleared	1	3
Felony Assaults Reported	15	15
Felony Assaults Cleared	9	8
Burglary Reported	20	13
Burglary Cleared	6	9
Theft Reported	71	83
Theft Cleared	22	54
Vehicle Theft Reported	11	5
Vehicle Theft Cleared	3	0

**000006**

<b>Felony Cases Reported</b>	<b>151</b>	<b>116</b>
<b>Felony Cases Closed</b>	<b>155</b>	<b>135</b>
<b>Misd Cases Reported</b>	<b>431</b>	<b>471</b>
<b>Misd Cases Closed</b>	<b>425</b>	<b>468</b>

Respectfully,



**Chief Kenny M. Boyd**  
**Chief of Police**

**KMB/sb**

**000007**



# JACKSONVILLE POLICE DEPARTMENT

**COURAGE \* INTEGRITY \* PROFESSIONALISM**

*Police Chief  
Kenny M. Boyd*

*1400 Marshall Road  
Jacksonville, Arkansas 72076  
501-982-0688*

To: **Chief Boyd**  
From: **Code Enforcement**  
Please find below the Monthly Recap Report for the Code Enforcement Dept  
for the Month of **Sep-16**

Assigned Calls	192
Self Initiated Calls	732
Follow Ups	415
Meetings/Court Hearings Attended	9
Warnings Issued	103
Tickets Issued	1
Notices / Letters Written	138
Vehicles Tagged	6
Vehicles Towed	0
Lots Posted	35
Signs Removed	74
Trash Cans Tagged	3
Basketball Goals	2
Structures Inspected	2
Rentals Inspected	0
Properties Red Tagged	0
Search Warrants Served	0
Structures Rehabbed	0
Structures Condemned	0
Houses Demo by City	0
Houses Demo by Owner	0
Parking Violations	49
Grass Letters	46
Grass Mowed	47



# JACKSONVILLE

## FIRE & RESCUE SERVICES

PRIDE of the City!

900 N. Redmond Rd.  
Jacksonville, AR. 72076  
(501) 982-5048  
Fax 982-0579

Alan Laughy, Chief

7 October 2016

Honorable Gary Fletcher  
Members of the Council  
City of Jacksonville

Gentlemen & Ladies:

I respectfully submit a report of Emergency Response Activity for the month of **September 2016**.

**National Emergency Medical Service Information System (NEMSIS)**

Ambulance Responses classified as:

**Transported Runs            214**  
**Non-Transported Runs    109**

**National Fire Incident Reporting System (NFIRS)**

Estimated fire loss for the month: \$24,000.00

Savings total for the month: \$101,000.00

**Rescue (312)**

Rescue, EMS Call, other (26)  
Medical Assist (32)  
EMS Incident (254)

**Service Call (27)**

Service Call, other (2)  
Person in Distress (6)  
Public Service Assistance (16)  
Unauthorized Burning (3)

**False Alarm (16)**

False Alarm & False Call, other (6)  
Bomb Scare (1)  
System or Detector Malfunction (5)  
Unintentional System/Detector (4)

**Fire (12)**

Structure Fire (3)  
Mobile Vehicle Fire (5)  
Natural Vegetation Fire (2)  
Outside Rubbish Fire (2)

**Hazardous Condition, No Fire (12)**

Combustible/Flammable Spills/Leaks (4)  
Chemical Release, Reaction, Toxic Cond (1)  
Electrical Wiring/Equip Problem (5)  
Accident, Potential Accident (2)

**Good Intent Call (6)**

Good Intent Call, other (1)  
Dispatched and Canceled En Route (3)  
Steam, Gas Mistaken for Smoke (2)

Respectfully,

Alan Laughy, Chief  
Jacksonville Fire & Rescue Services

**Jacksonville Animal Shelter  
September 2016 Bite Cases**

DATE	DOG/ CAT	BREED	OWNER/ NAME	OWNER/ ADDRESS	FAMILY/ OTHER	MEDICAL CARE	RABIES VAC.	CITY TAG	DECLARED VICIOUS/ DANGEROUS	ACTION TAKEN/ COMMENTS
09/15/16	DOG	Husky	Mona McIntosh	812 Sorrels	<b>neighbor :</b> John Dillard	YES	YES	YES	NO	Mr Dillard was playing basketbal with his son. The husky was running down the street, his owner was right behind him, trying to catch him. The husky bit Mr Dillard on both Arms. The husky was in quarantine for 10 days.
09/21/16	DOG	Husky Mix	Ross Cox	13 Phyllis Cr	<b>mailman :</b> Shane Porter	NO	NO	NO	NO	The mail man was delivering mail at 13 Phyllis Cr. The husky came from under the car and attacked him from behind. He left a puncture on the calf. The owner had moved the dog out of city limits, and he was cited for not cooperating with the rabies control act of AR
09/24/16	DOG	G Pyrenese	Amie Sanders	508 Oneida	<b>visitor :</b> Hannah Witt	YES	YES	NO	NO	Ms. Witt was visiting and wanted to pet the dog. When she reached down the dog bit her on the left arm. The dog is in quarantine for 10 days

000010

# CITY OF JACKSONVILLE ANIMAL SHELTER MONTHLY REPORT

REPORTING PERIOD: September-16

	DOG	CAT	TOTAL	
ON HAND (BEGIN REPORTING PERIOD)	39	61	100	
RECEIVED	69	76	145	
ADOPTED	49	53	102	
RETURNED TO OWNER	14	0	14	
EUTHANIZED	0	2	2	
DIED/ESCAPED/STOLEN	2	1	3	
D.O.A.			66	
ON HAND (END REPORTING PERIOD)	43	81	124	
CITY LICENSE ISSUED			21	
INSPECTIONS			0	
RESCUES			0	
CRUELTY INVESTIGATIONS			0	
BITE CASES:				
ANIMAL-HUMAN			3	
ANIMAL-ANIMAL			0	
WARNING LETTERS:				
RUNNING AT LARGE			14	
NUMBER OF ANIMALS			0	
RABIES VACCINATION/CITY LICENSE			14	
CRUELTY			6	
UNSANITARY CONDITIONS			1	
NUISANCE			5	
FAILURE TO STERILIZE			0	
CITATIONS:				
RUNNING AT LARGE			0	
NUMBER OF ANIMALS			0	
RABIES VACCINATION/CITY LICENSE			1	
CRUELTY			2	
UNSANITARY CONDITIONS			0	
WARNING			0	
PIT BULL			2	
WARRANTS			0	
REVENUES: ADOPTION FEE WAIVED/DONATED STERILIZATIONS - 93			\$ 5,115.00	
ADOPTION FEES/FINES			\$ 690.00	
CONTRIBUTIONS			\$ -	
<b>TOTAL</b>			<b>\$ 690.00</b>	
OVERTIME HOURS PERFORMED:			3.75	
VEHICLES:				
UNITS:	# 162	# 163	#170	#172
BEGINNING MILEAGE	90,473	141,655	41,773	98,113
ENDING MILEAGE	90,647	141,968	43,336	98,685
MILES DRIVEN	174	313	1563	572

**000011**

# CITY OF JACKSONVILLE



To: Mayor Fletcher, Jacksonville City Council  
From: Engineering Department

Please find below the consent agenda for the Engineering Department

## ENGINEERING REPORT FOR SEPTEMBER 2016

### PERMITS/LICENSE ISSUED

Building Permits	15
Business License	3

### INSPECTIONS PERFORMED

Building Inspections	23
Electrical	29
Plumbing	31
HVACR	18

**RESOLUTION NO. 744 (#10-2016)**

**A RESOLUTION AUTHORIZING AND APPROVING AMENDMENT NO. 3 TO THE AGREEMENT BETWEEN THE CITY OF JACKSONVILLE, ARKANSAS AND THE MID-ARKANSAS WATER ALLIANCE.**

---

WHEREAS, the City of Jacksonville, Arkansas (the "City") operates both water distribution and sewer collection systems which serve the City and its inhabitants;

WHEREAS, on September 10, 2009, an Agreement (the "Allocation Agreement") was entered into by and among Mid-Arkansas Water Alliance, a nonprofit corporation organized and existing under the laws of the State of Arkansas ("MAWA"), the City of Cabot, by and through the Cabot Water and Wastewater Commission, Conway Corporation, Conway County Regional Water Distribution District, Community Water System, the City of Lonoke, Arkansas, Grand Prairie Bayou Two Public Facilities Board of Lonoke County, Arkansas, the City of Ward, Arkansas, North Pulaski Waterworks Association, the City of Jacksonville, Arkansas, and Central Arkansas Water (collectively, the "Members");

WHEREAS, the Allocation Agreement assigns the Members' individual shares of the Two and 476/1000 Percent (2.476 %) joint-use storage space in Greers Ferry Lake (the "Storage Allocation") pursuant to a Water Storage Agreement (the "Water Storage Agreement") between MAWA and the United States of America;

WHEREAS, the execution, delivery and performance of the Allocation Agreement by City has been duly and effectively authorized by City;

WHEREAS, it has been determined that it is in the best interest of City to enter into a Third Amendment to the Allocation Agreement ("Amendment No. 3 to the Allocation Agreement") with the Members of MAWA, authorizing the change in the legal status of North Pulaski Waterworks Public Facilities Board, a public facilities board created pursuant to ACA § 14-137-101 *et seq.*, to the Mid-Arkansas Utilities Public Water Authority of the State of Arkansas, a public water authority created pursuant to ACA § 4-35-201 *et seq.*, and the assignment of the North Pulaski Waterworks Public Facilities Board's Zero and 80724/100000 Percent (0.80724 %) Membership Share to the Mid-Arkansas Utilities Public Water Authority of the State of Arkansas.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, ARKANSAS, THAT:**

**SECTION ONE:** Amendment No. 3 to the Allocation Agreement, in substantially the form presented at the meeting at which this Resolution is addressed, is hereby approved, and Mayor Gary Fletcher is hereby authorized to execute Amendment No. 3 to the Allocation Agreement on behalf of the City.

**SECTION TWO:** Gary Fletcher, Mayor of the City of Jacksonville, Arkansas, is authorized to execute such writings and take such action as may be appropriate to carry out the terms of this Resolution. Such actions heretofore taken by Mayor Gary Fletcher and consistent with the purposes of this Resolution, including execution of Amendment No. 3 to the Allocation Agreement, are hereby ratified.

**APPROVED AND ADOPTED THIS \_\_\_\_\_ DAY OF OCTOBER, 2016.**

**CITY OF JACKSONVILLE, ARKANSAS**

\_\_\_\_\_  
**GARY FLETCHER, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**SUSAN DAVITT, CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**ROBERT E. BAMBURG, CITY ATTORNEY**

**CERTIFICATE**

The Undersigned, City Clerk of the City of Jacksonville, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of a Resolution, adopted at a Regular session of the City Council of the City of Jacksonville, Arkansas, held on the 20th day of October, 2016, and that the Resolution is of record in the offices of the City.

GIVEN under my hand and seal on this \_\_\_\_ day of October, 2016.

\_\_\_\_\_  
City Clerk