

**CITY OF JACKSONVILLE  
RESCHEDULED CITY COUNCIL MEETING  
JANUARY 8, 2026  
6:00 P.M. - 7:21 P.M.**

**RESCHEDULED CITY COUNCIL MEETING - CITY HALL - #1 MUNICIPAL DRIVE**

The City Council of the City of Jacksonville, Arkansas met for a regular session on January 8, 2026 at their regular meeting place. Council Member Ray delivered the invocation and Mayor Elmore led a standing audience in the "Pledge of Allegiance."

**ROLL CALL:** City Council Members: Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms answered ROLL CALL. Mayor Elmore also answered ROLL CALL declaring a quorum. PRESENT TEN (10) ABSENT ZERO (0).

Others present for the meeting were: Police Chief Brett Hibbs, Fire Chief Alan Laughy, Parks & Rec Director Kevin House, Director of Economic Development Robert Birch, Assistant City Clerk Emilia Vazquez, IT Director Brian Harvey, Deputy Director of Network Operations Shawn Sutterfield, Communications Director Emily Sundermeier, Morgan Allen, and Jim Moore.

**PRESENTATION OF MINUTES:** Mayor Elmore presented the minutes of the regular City Council meeting of December 4, 2025 for approval and/or correction at the next regularly scheduled City Council meeting.

**APPROVAL AND/OR CORRECTION OF MINUTES:** Council Member Ray moved, seconded by Council Member LaBron that the minutes of the regular City Council meeting of November 20, 2025 be APPROVED. MOTION CARRIED.

**CONSENT AGENDA:** Council Member Ray moved, seconded by Council Member Twitty to approve the consent agenda as presented. MOTION CARRIED.

**ENGINEERING DEPARTMENT REGULAR MONTHLY REPORT/DECEMBER**

<u>PERMITS/LICENSE ISSUED</u>		<u>INSPECTIONS PERFORMED</u>	
Building Permits	24	Building	23
Business License	4	Electrical	86
Jobs Added	4	Plumbing	42
		HVACR	18

**FIRE DEPARTMENT REGULAR MONTHLY REPORT/NOVEMBER**

Estimated fire loss for the month:	\$ 2,000.00
Savings total for the month:	\$ 210,000.00

**POLICE DEPARTMENT REGULAR MONTHLY REPORT/NOVEMBER**

<u>Topic</u>	<u>2025 2024</u>		<u>2025 2024</u>	
Total Complaint Calls	3251	2941		
Homicide Reported	0	1	Theft Reported	38 57
Homicide Cleared	1	1	Theft Cleared	12 35
Rape/Sex Assault Reported	0	7	Vehicle Theft Reported	8 13
Rape/Sex Assault Cleared	4	2	Vehicle Theft Cleared	2 6
Robbery Reported	2	1	Felony Cases Reported	87 114
Robbery Cleared	0	0	Felony Cases Closed	78 101
Felony Assaults Reported	13	9	Misd Cases Reported	205 232
Felony Assaults Cleared	11	5	Misd Cases Closed	126 149

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Burglary Reported	3	9
Burglary Cleared	5	3

**CODE ENFORCEMENT REGULAR MONTHLY REPORT/NOVEMBER**

Assigned Calls	62	Demolition by City	0
Self-Initiated Calls	33	Demolition by Owner	0
Follow Up Inspections	189	Parking Violations	2
Complied after Notice	88	Garbage Cans Tagged	0
Three Day Notice	2	Basketball Goals	0
Seven Day Letter	100	Structures Inspected	0
Citation Letters Mailed	25	Apartment Complexes Inspected	8
Citations Issued	1	Red Tags Issued	4
Vehicles Tagged	5	Search Warrants	0
Vehicles Towed	0	Grass Mowed	0
Unsafe Structures Tagged	0	Signs Removed	17
Structures Condemned	0	Shopping Carts	0
Structures Rehabbed	0		

**FINANCE DEPARTMENT INTERIM FINANCIAL REPORT/NOVEMBER**

	<u>Total Revenues</u>	<u>Total Expenditures</u>
General Fund	\$ 19,960,398	\$ 25,214,988
Street Fund	\$ 4,098,586	\$ 2,085,359
Sanitation Services Fund	\$ 1,680,232	\$ 2,106,566
AG&F Shooting Sports Complex	\$ 337,649	\$ 397,039
EMS Fund	\$ 2,245,013	\$ 2,588,332

- WATER DEPARTMENT:**
- WASTEWATER DEPARTMENT:**
- FIRE DEPARTMENT:**
- POLICE DEPARTMENT:**
- STREET DEPARTMENT:**
- SANITATION DEPARTMENT:**
- PARKS & RECREATION:**

**PLANNING COMMISSION: ORDINANCE 1806 (#01-2026)**

**AN ORDINANCE RECLASSIFYING PROPERTY IN THE CITY OF JACKSONVILLE, ARKANSAS (1305, 1307, 1309, AND 1311 LEE MAC DRIVE); AMENDING ORDINANCE NOS. 213 AND 238 AND THE LAND USE MAP OF THE CITY OF JACKSONVILLE, ARKANSAS; AND, FOR OTHER PURPOSES.**

Council Member Ray moved, seconded by Council Member Twitty to place Ordinance 1806 on **FIRST READING. ROLL CALL:** Council Member Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms voted AYE. **MOTION CARRIED. Whereupon City Attorney Friedman read the heading of Ordinance 1806** and noted the Director of Engineering & Public Works Adam Whitlow requested an emergency clause be added, if approved by Council.

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Director Whitlow stated R1-A and R-4 are single-family residential zones, but R-4 is for zero lotline developments. He explained the applicant's foreman mismeasured the structures too close to the property lines. He told how they explored mechanisms to cure it; by either a slew of variances, or a rezone. He noted they were required to increase firewalls or install residential sprinkler systems, which they chose the latter. He confirmed the fire marshal and building inspector approved the installation, so the contingency was met. He detailed how R-4 allows for a narrower lot and the structure to be closer to the property line. He pointed out that City inspectors are not licensed surveyors and the building permits say the position of the structure is solely on the builder. He verified that the function of the buildings were fine, but the mismeasurement was caught by a surveyor when they prepared to sell. When Council Member Twitty inquired, he replied that the only person to correctly delineate property boundaries is a licensed surveyor. He mentioned they could require each builder to provide a slab certification by a licensed surveyor before being allowed to move to the next phase.

Council Member Dietz showed his support for having new construction, noting if this error happened again from this builder, they would not approve.

Director Whitlow explained the reason why we require a 5' side yard setback is because that is fire code. He explained in this case, they encroached, but had to cure it before the City would even consider the rezone.

Council Member Ray moved, seconded by Council Member LaBron to **APPROVE** Ordinance 1806 on **FIRST READING** and **SUSPEND THE RULES** and place Ordinance 1806 on **SECOND READING**. **ROLL CALL:** Council Member Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms voted AYE. **MOTION CARRIED.**

Council Member Ray moved, seconded by Council Member LaBron to **APPROVE** Ordinance 1806 on **SECOND READING** and **SUSPEND THE RULES** and place Ordinance 1806 on **THIRD AND FINAL READING**. **ROLL CALL:** Council Member Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms voted AYE. **MOTION CARRIED.**

Council Member Ray moved, seconded by Council Member McCleary to **APPROVE AND ADOPT** Ordinance 1806 in its entirety. **ROLL CALL:** Council Member Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms voted AYE. **MOTION CARRIED.**

Council Member Ray moved, seconded by Council Member LaBron that the **EMERGENCY CLAUSE** be attached, approved, and adopted. **ROLL CALL:** Council Member Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms voted AYE. **MOTION CARRIED.**

**ORDINANCE 1806 (#01-2026) APPROVED AND ADOPTED THIS 8<sup>TH</sup> DAY OF JANUARY, 2026.**

Council Member McCoy inquired who is responsible for following up on items approved or denied by Planning Commission.

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Mayor Elmore replied that the Engineering Department does.

Council Member McCoy thanked the Planning Commission for assisting in the removal of a fence located at 417 West Main Street.

**COMMITTEE(S):**

**GENERAL: a. Dana Nixon-Nixon Property drainage ditches and bridges**

Citizen Dana Nixon recalled being before Council seven months ago to discuss the problems with drainage ditches on her property. She stated she was assured it would be taken care of, but the only thing done since was one mowing in September, which meant she could not get down the ditches the entire summer. She added that they put some rock west of the low water bridge, but the bridge has not been stabilized; it is changing the ditch channel and eroding to the north, eventually going to cut out the one access they have to the north 60 acres. She related that the easements have been in effect since 1981 and this is the first time she has ever had such a problem getting things maintained. She mentioned safety concerns and that Director Whitlow cited weather for the delay, but it has not rained in months. She offered to buy the gravel to stabilize it with the help of Tommy Bond, then the City can redo the low water bridge and build one in the back next year.

Director Whitlow confirmed Public Works has no issues performing maintenance on the waterway and getting the low water bridge stabilized, but they have a different view of what the City can do and when they can do it.

Mrs. Nixon told how it was suggested she have an access from Oak Street, but that would require her to go down Graham Road to Oak Street and clearing another path. She brought up that the easement agreement says she would always have vehicular access to all the property, so that is not a solution. She confirmed the City has an implied easement of necessity by verbal agreement given to the City for 50 years. She affirmed it will not be in writing; she is not going to give the City a subservient easement over the pipeline easement.

City Attorney Friedman noted the City was unable to find anything in writing and they would prefer to have that.

Mrs. Nixon stated she will give an easement of necessity on one side of the pipeline, but is not going to give metes and bounds descriptions or grant a permanent easement.

Director Whitlow clarified that it comes to resources; this is a major waterway and City crews do not have the knowledge, expertise, or equipment...

Mrs. Nixon interjected that they have taken care of it for 50 years.

Director Whitlow confirmed the bridge has not been touched in 40 years.

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When Mayor Elmore inquired about documentation, Mrs. Nixon replied that Director Whitlow has it.

Mayor Elmore brought up a 25' and a 50' easement, but it does not specify what will be carried out with that.

Mrs. Nixon stated there are written agreements signed by the City saying they will maintain three bridges, but there is only one left.

Director Whitlow summarized the wording of the old documents he received regarding the ditch, but noted he requested Mrs. Nixon's expectations and did not get a clear answer. He confirmed the City's goal is to have the drainageway passable with flowing water and manageable, so they typically do 2-3 mows per year. He related that the level of the creek has eroded, causing it to be lower and washed out underneath the low water bridge. He would like to see a culvert under to maintain the water flow and also stabilize it. He brought up options that he and Tommy Bond came up with, but both require a concrete truck over an area where there is no easement.

Mrs. Nixon reiterated the verbal right of necessity, but clarified she is not asking for that right now; she is asking for the authority from the City to buy gravel and get reimbursed to fix the ruts that were supposed to be filled in. She recalled in 1981, the way Jacksonville did business was a formal easement, then had side agreements to maintain and give the property owner vehicular access.

Mayor Elmore affirmed handshake deals and the verbal agreements days are over. He recalled becoming mayor three years ago and part of what he has been doing is cleaning up previous messes that occurred throughout the years.

City Attorney Friedman clarified that the letter from the City Engineer in the 1980s was confirmation the bridge construction was complete and the City would continue to maintain the ditches, but there has not been a document she has seen that states the City would maintain the bridge.

A brief discussion ensued regarding the timing of communications and responses.

Mrs. Nixon brought up that a load of gravel the City had delivered was insufficient.

When Council Member Ruple mentioned Mrs. Nixon's reimbursement plan, Director Whitlow cited cost sharing and City Purchasing Procedures. He has been willing to work with her and has been in communication with Mr. Bond discussing ideas. He agreed to provide more gravel, noting he can never make his crew see the property how she does, but they will take the same care as they do any other ditch. He related how it was a smaller truck of gravel because they are careful going across the gas right-of-way, since the City does not have an easement across it. He pointed out that he had sent Mrs. Nixon an aerial photo of where they were delivering the gravel.

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Mrs. Nixon stated the ruts she wants filled in were made by City equipment and are on the pipeline.

Mayor Elmore summarized that the City needs signed documentation to go forward and Director Whitlow agreed to provide gravel.

Director Whitlow affirmed he needs clear expectations, noting this is far beyond what he would typically do for a property owner.

Mrs. Nixon stressed that she does not want to have to spend her money to maintain City ruts and ditches; if she has to use her people to spread the gravel, she needs to be reimbursed their hourly rate. She mentioned next year they can deal with the low water bridge that still exists and rebuild the one in the back that is completely gone, which she was promised in September would be done.

Director Whitlow explained the crossings were put in for the City to get to the other side to mow and maintain the ditch; he has not seen anything saying they were intended for the property owner to have access. When Mrs. Nixon mentioned a fire truck being able to cross the bridge, he responded that they would never have access since their average weight is 75,000 lbs.

Mrs. Nixon stated she needs gravel within the next week because it is going to start raining, reiterating the last loads were not enough.

Director Whitlow confirmed they will not take excessive risks by driving heavy loaded dump trucks across soft ground on a gas right-of-way.

Mrs. Nixon clarified they can come in the driveway off of Graham Road; she will give a temporary passage so they can dump it just on the pipeline so they do not have to cross it.

Director Whitlow agreed to bring more gravel to the property, weather permitting.

When Mrs. Nixon mentioned buying the supplies and being reimbursed, Mayor Elmore declined, saying the City will take care of it, weather permitting.

**b. ORDINANCE 1807 (#02-2026)**

**AN ORDINANCE AMENDING THE 2025 FISCAL BUDGET; MAKING MODIFIED APPROPRIATIONS AND AUTHORIZING EXPENDITURES FOR OPERATION OF STREET AND SANITATION DEPARTMENTS OF THE CITY OF JACKSONVILLE; AND, FOR OTHER PURPOSES.**

Council Member Ray moved, seconded by Council Member Twitty to place Ordinance 1807 on **FIRST READING. ROLL CALL:** Council Member Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms voted AYE. **MOTION CARRIED. Whereupon City Attorney Friedman read the heading of Ordinance 1807.**

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Mayor Elmore noted the West Main Street realignment was planned to begin in 2025, but did not, so that is the discrepancy.

Director Whitlow added that it should now begin early this year.

Mayor Elmore confirmed this does not affect the 2026 budget; it is just a correction for unspent money in 2025.

Council Member Ray moved, seconded by Council Member Twitty to **APPROVE** Ordinance 1807 on **FIRST READING** and **SUSPEND THE RULES** and place Ordinance 1807 on **SECOND READING**. **ROLL CALL:** Council Member Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms voted AYE. **MOTION CARRIED.**

Council Member Ray moved, seconded by Council Member LaBron to **APPROVE** Ordinance 1807 on **SECOND READING** and **SUSPEND THE RULES** and place Ordinance 1807 on **THIRD AND FINAL READING**. **ROLL CALL:** Council Member Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms voted AYE. **MOTION CARRIED.**

Council Member Ray moved, seconded by Council Member Twitty to **APPROVE AND ADOPT** Ordinance 1807 in its entirety. **ROLL CALL:** Council Member Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms voted AYE. **MOTION CARRIED.**

**ORDINANCE 1807 (#02-2026) APPROVED AND ADOPTED THIS 8<sup>TH</sup> DAY OF JANUARY, 2026.**

Council Member McCoy inquired about the 2024 audit presentation.

Finance Director Laura Collie responded that it will be next month; the delay was due to the required single audit for FEMA money the City received after the tornado. She explained that the funds were not reported correctly in 2023, so it has required a lot of effort to go back to recreate. She affirmed it is not anything the City did wrong, but it has to be done before they can finish the 2024 audit.

**c. Annual Review regarding Organizing the Governing Body per A.C.A. 14-43-501**  
Council Member McCoy stated this is to satisfy the requirement that a governing body must assemble at the first meeting of the year to organize. She brought up a procedural enhancement she would like Council to consider is allowing Council to designate certain meetings, or portions of, as working sessions when an agenda item requires a deeper dive, such as budget development. She also recommended a resolution stating Council is invited to all department budget meetings.

Mayor Elmore clarified that a working meeting can be called at any point in time if press is notified.

City Attorney Friedman related that working meetings can be placed on the agenda and the resolution will be a standalone document.

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It was the consensus of City Council to readopt the current City Council Procedures found in JMC § 2.04.010-2.04.025, add the ability to have working meetings, and for a resolution to be drafted requiring Council be invited to all departmental budget meetings. Council Member Ray opposed.

**d. DISCUSSION regarding Annual Planning Commission and City Council joint meeting**

Council Member McCoy told how she connects with planning commissioners to discuss items coming up, but recalls being told there used to be a joint Annual Planning Meeting. She mentioned reinstating this meeting to include our City Engineer to strengthen alignment and transparency.

Council Member Dietz pointed out that every council member gets agendas and it is their responsibility to go check those properties out; to know what you are doing and what is coming up.

Council Member McCoy concurred, adding that sitting down to have open dialogues to see where we are going as a city is also a good practice.

**e. RESOLUTION 854 (01-2026)**

**A RESOLUTION IN SUPPORT OF REVIVING THE STATE-RUN FEDERAL SURPLUS PROPERTY PROGRAM ADMINISTERED BY THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.**

Council Member Ray moved, seconded by Council Member McCoy to read Resolution 854 (#01-2026). ROLL CALL: Council Member Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms voted AYE. MOTION CARRIED. Whereupon City Attorney Friedman read the heading of Resolution 854 (#01-2026).

Council Member Ray moved, seconded by Council Member McCleary to adopt Resolution 854 (#01-2026) in its entirety.

Mayor Elmore explained this program is being supported by the Arkansas Municipal League who have asked all municipalities to support reviving it.

ROLL CALL: Council Member Dietz, Ruple, McCleary, McCoy, Ray, LaBron, Moss, Twitty, Kinman, and Mimms voted AYE. MOTION CARRIED.

**APPOINTMENTS: PLANNING COMMISSION**

Council Member Ray moved, seconded by Council Member Kinman to approve the appointments of Jeff Twitty, Billy Hall, and Keith Allen Walker for terms to expire 01/01/2029.

Council Member McCoy suggested voting on the appointments separately.

MOTION CARRIED at this time with Council Member Dietz and McCoy voting NAY.

**BOARD OF ADJUSTMENT**

Council Member Kinman moved, seconded by Council Member Twitty to approve the appointment of Jim Moore to the unexpired term of Billy Hall set to expire 01/01/2028. MOTION CARRIED with Council Member Ruple voting NAY.

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**Council Member Ray moved to approve the appointment of Ken Arnold to the unexpired term of Jeff Twitty set to expire 01/01/2028.**

Council Member Ruple noted Ken Arnold is a resident in the Stonewall Subdivision and has communicated to him in September 2025 that he would selling and moving out of the City in 6-9 months.

When Council Member Dietz brought up appointees' attendance to council meetings when being considered, Council Member Twitty affirmed it is preferred, but not required.

City Clerk Davitt confirmed she spoke to Mr. Arnold about attending.

**MOTION DIED due to a lack of a second.**

Council Member Twitty requested City Clerk Davitt reach out to Mr. Arnold for clarification on his moving plans.

Council Member Ruple suggested reposting the boards and commissions' interest form on social media to assist in getting new faces and voices.

When Council Member Twitty inquired, City Clerk Davitt explained the Planning Commission and Board of Adjustment are "sister" boards who share members who are moved back and forth from time to time. She affirmed that does not prohibit new people from serving, but does allow us to keep a level of experience; which needs to be protected because of the decisions they make regarding the development of the City.

Council Member Dietz stressed that everyone in the City needs to have a voice. He noted right now, one board has three people on it who live in the same subdivision and a close knit group. He stated there has to be citizens in other areas interested in serving.

Council Member Twitty explained they have to come forward; if they want to do the job, why are we going out looking for them.

Council Member McCoy asked if the new appointees came forward, or did we look for them.

Mayor Elmore confirmed he asked one person.

A brief discussion ensued regarding Commissioner Jim Moore where it was determined that his term expired on Planning Commission, therefore, he is taking a break and serving only on the Board of Adjustment now.

Mayor Elmore noted Mr. Arnold can be reconsidered for appointment.

**UNFINISHED BUSINESS:**

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**NEW BUSINESS: Sanitation Schedule for Holidays**

Council Member McCoy told how many citizens do not know of the Sanitation schedule for holidays since they do not use or follow us on social media. She provided a picture of signs Sherwood uses, suggesting we reimplement them.

Council Member Dietz mentioned a Sanitation truck being parked for overflow.

Mayor Elmore recommended citizens sign up for CodeRED notifications to stay informed.

Director Whitlow pointed out that the yearly schedule is posted, but he would like to mail it out with additional information. He told how they post on social media and the City's LED signs, and also put it on water bills. He related that CodeRED has been down due to the company being hacked. He recalled having banner signs put up previously, but stopped when the LED signs came, noting it was also very labor-intensive. He then brought up how he would like to have a Sanitation User's Agreement where citizens come to Public Works and the City can share important information and rules. He confirmed there are costs associated with putting paper notices in the water bill, but can add a short statement on the paper bill at no cost.

**ANNOUNCEMENTS: Jim Peacock Passing**

Council Member Dietz and Mayor Elmore announced citizen Jim Peacock passed away Sunday; the visitation will be tomorrow night 5 p.m.-7 p.m. at First Baptist Church and the funeral will be Saturday at 10 a.m.

**ADJOURNMENT: Without objection, Mayor Elmore adjourned the meeting at approximately 7:21 p.m. MOTION CARRIED.**

Respectfully,

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Susan L. Davitt  
City Clerk-Treasurer

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MAYOR JEFF ELMORE