

900 West Monroe Jonesboro, AR 72401

Meeting Agenda Public Works Council Committee

Monday, October 1, 2012 5:30 PM Huntington Building

1. Call To Order

2. Approval of minutes

MIN-12:070 Minutes for the Public Works Committee meeting on September 4, 2012

Attachments: Minutes

MIN-12:075 Minutes for the Special Called Public Works Committee meeting on September 12,

2012

Attachments: Minutes

3. New Business

Resolutions To Be Introduced

RES-12:172 A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER

MANAGEMENT FACILITIES FOR COOTS MINOR PLAT, BEING A PART OF THE

SOUTHEAST OF SECTION 35, TOWNSHIP 14 NORTH, RANGE 3 EAST,

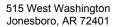
JONESBORO, ARKANSAS, A RESIDENTAL DEVELOPMENT

Sponsors: Engineering

<u>Attachments:</u> <u>Maintenance Agreement.pdf</u>

12-13 Coots Minor Plat.PDF

- 4. Pending Items
- 5. Other Business
- 6. Public Comments
- 7. Adjournment





Legislation Details (With Text)

File #: MIN-12:070 Version: 1 Name:

Type: Minutes Status: To Be Introduced

File created: 9/5/2012 In control: Public Works Council Committee

On agenda: Final action:

Title: Minutes for the Public Works Committee meeting on September 4, 2012

Sponsors:

Indexes:

Code sections:

Attachments: Minutes

Date Ver. Action By Action Result

title

Minutes for the Public Works Committee meeting on September 4, 2012



900 West Monroe Jonesboro, AR 72401

Meeting Minutes - Draft Public Works Council Committee

Tuesday, September 4, 2012

5:30 PM

Huntington Building

Call To Order

Mayor Perrin was also in attendance.

Present 6 - Gene Vance; Chris Moore; John Street; Mitch Johnson; Darrel Dover and Charles Coleman

Approval of minutes

MIN-12:061 Minutes for the Public Works Committee meeting on August 7, 2012

> **Minutes** Attachments:

A motion was made by Councilman Charles Coleman, seconded by Councilman Gene Vance, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 5 - Gene Vance; Chris Moore; Mitch Johnson; Darrel Dover and Charles

Minutes for the special called Public Works meeting on August 21, 2012 MIN-12:066

> **Minutes** Attachments:

A motion was made by Councilman Charles Coleman, seconded by Councilman Gene Vance, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 5 - Gene Vance; Chris Moore; Mitch Johnson; Darrel Dover and Charles Coleman

New Business

Ordinances To Be Introduced

AN ORDINANCE TO AMEND ORD-06:112 TO CORRECT LEGAL DESCRIPTION ORD-12:048

> Sponsors: Engineering

Revised Survey.pdf Attachments:

City Engineer Craig Light explained that CWL had some property rezoned in the Industrial Park back in 2006. He added the language of the ordinance had 180 acres in the description, but the legal description only included 168 acres so this ordinance

will correct the description and have all the property rezoned industrial.

A motion was made by Councilman Mitch Johnson, seconded by Councilman Darrel Dover, that this matter be Recommended to Council . The motion PASSED by a unanimous vote

Aye: 5 - Gene Vance; Chris Moore; Mitch Johnson; Darrel Dover and Charles Coleman

Resolutions To Be Introduced

RES-12:142

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT RIGHT-OF-WAY FROM GEORGE WILLIAMSON FOR MAINTENANCE OF AN EXISTING PUBLIC STREET AND DRAINAGE CHANNEL, AND TO CONSTRUCT A MULTI-USE TRAIL

Sponsors: Engineering

Attachments: Dedication Deed.pdf

Chairman Street noted this property is for the Turtle Creek Greenway by the Turtle Creek Mall. Mayor Perrin explained Mr. George Williamson wanted an appraisal done for tax purposes in exchange for the right-of-way.

A motion was made by Councilman Darrel Dover, seconded by Councilman Gene Vance, that this matter be Recommended to Council . The motion PASSED by a unanimous vote

Aye: 5 - Gene Vance; Chris Moore; Mitch Johnson; Darrel Dover and Charles
Coleman

RES-12:153

A RESOLUTION TO REQUEST FREE UTILITIES FOR THE MERCANTILE BANK CENTER

Sponsors: Mayor's Office

Mayor Perrin explained the Mercantile Bank Center currently has tenants in the building so in order for the tenants not to receive free utilities the City subtracted the square footage of the tenants part of the building from the total square footage of the building. He added the City will be pay 12.5% of the utility bill for the tenants portion of the building until the tenants move out. He added once the tenants move out then the City will need to pass another resolution that will allow for the whole building to receive free utilities.

Councilman Gene Vance asked if this needs to be placed on tonight's Council agenda. Mayor Perrin answered yes because the City will be receiving a bill soon.

A motion was made by Councilman Gene Vance, seconded by Councilman Charles Coleman, that this matter be Recommended to Council . The motion PASSED by a unanimous vote

Aye: 5 - Gene Vance; Chris Moore; Mitch Johnson; Darrel Dover and Charles Coleman

4. Pending Items

5. Other Business

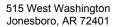
6. Public Comments

7. Adjournment

A motion was made by Councilman Mitch Johnson, seconded by Councilman Darrel Dover, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.

Aye: 5 - Gene Vance; Chris Moore; Mitch Johnson; Darrel Dover and Charles Coleman

City of Jonesboro Page 3





Legislation Details (With Text)

File #: MIN-12:075 Version: 1 Name:

Type: Minutes Status: To Be Introduced

File created: 9/14/2012 In control: Public Works Council Committee

On agenda: Final action:

Title: Minutes for the Special Called Public Works Committee meeting on September 12, 2012

Sponsors:

Indexes:

Code sections:

Attachments: Minutes

Date Ver. Action By Action Result

title

Minutes for the Special Called Public Works Committee meeting on September 12, 2012



900 West Monroe Jonesboro, AR 72401

Meeting Minutes - Draft Public Works Council Committee

Wednesday, September 12, 2012

4:30 PM

Huntington Building

Special Called Meeting

1. Call To Order

Mayor Perrin was unable to attend.

Present 4 - Gene Vance; John Street; Darrel Dover and Charles Coleman

Absent 2 - Chris Moore and Mitch Johnson

2. New Business

Resolutions To Be Introduced

RES-12:154

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR PLAT OF CONSOLIDATION SOUTHERN BANK, A COMMERCIAL DEVELOPMENT

Sponsors: Engineering

Attachments: Maintenance Agreement.pdf

Chairman Street stated this is a standard agreement.

A motion was made by Councilman Darrel Dover, seconded by Councilman Gene Vance, that this matter be Recommended to Council . The motion PASSED by a unanimous vote

Aye: 3 - Gene Vance; Darrel Dover and Charles Coleman

Absent: 2 - Chris Moore and Mitch Johnson

RES-12:157

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR BARRINGTON PARK, PHASE 6, A RESIDENTAL SUBDIVISION

Sponsors: Engineering

<u>Attachments:</u> <u>Maintenance Agreement.pdf</u>

A motion was made by Councilman Charles Coleman, seconded by Councilman Gene Vance, that this matter be Recommended to Council . The motion PASSED by a unanimous vote

Aye: 3 - Gene Vance; Darrel Dover and Charles Coleman

Absent: 2 - Chris Moore and Mitch Johnson

RES-12:159

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH LAKESIDE CONTRACTORS, LLC FOR THE KITCHEN COURT DRAINAGE IMPROVEMENTS PROJECT

Sponsors: Engineering

Attachments: Bid Tab.pdf

Contract Documents.pdf

City Engineer Craig Light explained the City only received one bid on this project and the bid was for \$99,129.

Councilman Gene Vance asked what the City had estimated the cost of the project to be. Mr. Light answered \$120,000.

A motion was made by Councilman Gene Vance, seconded by Councilman Charles Coleman, that this matter be Recommended to Council . The motion PASSED by a unanimous vote

Ave: 3 - Gene Vance; Darrel Dover and Charles Coleman

Absent: 2 - Chris Moore and Mitch Johnson

RES-12:161

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH GILLIS, INC. FOR THE TURTLE CREEK GREENWAY PHASE I SECTION VI PROJECT

Sponsors: Grants, Parks & Recreation and Engineering

Attachments: Bid Tab.pdf

Contract Documents.pdf

Assistant Parks Director Wixson Huffstetler stated the City received only one bid for this project and the bid was for \$81,278.50.

A motion was made by Councilman Gene Vance, seconded by Councilman Charles Coleman, that this matter be Recommended to Council . The motion PASSED by a unanimous vote

Aye: 3 - Gene Vance; Darrel Dover and Charles Coleman

Absent: 2 - Chris Moore and Mitch Johnson

RES-12:162

A RESOLUTION TO THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 4216 STADIUM BOULEVARD

Sponsors: Mayor's Office

<u>Attachments:</u> Offer and Acceptance.pdf

A motion was made by Councilman Darrel Dover, seconded by Councilman Gene Vance, that this matter be Recommended to Council . The motion PASSED by a unanimous vote

Aye: 3 - Gene Vance; Darrel Dover and Charles Coleman

Absent: 2 - Chris Moore and Mitch Johnson

RES-12:164 A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR

STORMWATER MANAGEMENT FACILITIES FOR REPLAT OF VALLEY VIEW

SCHOOLS, 1ST ADD., A COMMERCIAL DEVELOPMENT

Sponsors: Engineering

Attachments: Maintenance Agreement.pdf

A motion was made by Councilman Gene Vance, seconded by Councilman Charles Coleman, that this matter be Recommended to Council . The motion PASSED by a unanimous vote

Aye: 3 - Gene Vance; Darrel Dover and Charles Coleman

Absent: 2 - Chris Moore and Mitch Johnson

Discussion concerning the recent heavy rain the City received

Councilman Darrel Dover inquired how the City faired during the recent heavy rain the City received. Mr. Light answered a few fences were blown over and some buildings downtown had some flooding, but the City faired very well.

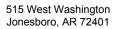
Councilman Dover then asked how the residential areas did. Mr. Light answered they did well.

3. Adjournment

A motion was made by Councilman Darrel Dover, seconded by Councilman Gene Vance, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.

Aye: 3 - Gene Vance; Darrel Dover and Charles Coleman

Absent: 2 - Chris Moore and Mitch Johnson





Legislation Details (With Text)

File #: RES-12:172 Version: 1 Name: Maintenance agreement for Coot Minor Plat

Type: Resolution Status: To Be Introduced

File created: 9/26/2012 In control: Public Works Council Committee

On agenda: Final action:

Title: A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER

MANAGEMENT FACILITIES FOR COOTS MINOR PLAT, BEING A PART OF THE SOUTHEAST OF

SECTION 35, TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, ARKANSAS, A

RESIDENTAL DEVELOPMENT

Sponsors: Engineering

Indexes: Contract

Code sections:

Attachments: <u>Maintenance Agreement.pdf</u>

12-13 Coots Minor Plat.PDF

Date Ver. Action By Action Result

Title

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR COOTS MINOR PLAT, BEING A PART OF THE SOUTHEAST OF SECTION 35, TOWNSHIP 14 NORTH, RANGE 3 EAST, JONESBORO, ARKANSAS, A RESIDENTAL DEVELOPMENT

Body

WHEREAS, the Section 112-157 of the Jonesboro Municipal Code requires that a Maintenance Agreement be executed between the Developer and the City prior to recording the final plat;

WHEREAS, Sontina Enterprises, Inc. has submitted a Maintenance Agreement for Stormwater Management Facilities for Coots Minor Plat, being a Part of the Southeast of Section 35, Township 14 North, Range 3 East, Jonesboro, Arkansas development;

WHEREAS, the City Engineer and City Attorney have reviewed the attached Maintenance Agreement and find it to be in compliance with the Stormwater Management Regulations.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: That the City of Jonesboro accepts a Maintenance Agreement for Stormwater Management Facilities with Sontina Enterprises, Inc. and authorizes the filing of a record plat for Coots Minor Plat, being a Part of the Southeast of Section 35, Township 14 North, Range 3 East, Jonesboro, Arkansas development.

Section 2: The Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.

MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES COOTS MINOR PLAT – JONESBORO, ARKANSAS - PAGE 1 OF 3

Property Identification

Project Name: Coots Minor Plat – Jonesboro, Arkansas

Project Address: Keller's Chapel Road (1 residential lot - address not yet assigned)

Owner(s): Sontina Enterprises, Inc.

Owner Address: PO Box 576

City: Bono State: AR Zip Code: 72416

In accordanc	e with Section 112-15	of the J	Jonesboro Municipal Code, this agreement is made and entered into
this	day of	, 20	_, by and between the City of Jonesboro, an Arkansas municipal
corporation,	hereinafter called the	"City" as	nd Warren and Tina Coots, hereinafter called the "Owner".

WITNESSTH, that:

WHEREAS, The Owner is proceeding to build on and develop the property in accordance with the Stormwater Management Plan (the "Plan") approved by the City and the recorded plat (the "Plat") for the <u>Coots Minor Plat</u>, <u>being a Part of the Southeast of Section 35, Township 14 North, Range 3 East, Jonesboro, Arkansas</u>, as recorded in the records of Craighead County, Arkansas.

WHEREAS, the City and the Owner, its successors and assigns, including any homeowner association, agree that the health, safety, and welfare of the residents of the City of Jonesboro, Arkansas require that on-site stormwater runoff management facilities be constructed and maintained on the property.

WHEREAS, the City requires that on-site stormwater runoff management facilities as shown on the plan be constructed and adequately maintained by the Owner, its successors and assigns, including any homeowner association.

WHEREAS, adequate maintenance is defined herein as the general upkeep of the facilities, specifically the mowing and trimming of grasses or other vegetative cover and the removal of litter and other minor debris that could impact the functionality of the facility or that would otherwise be considered unsightly or a nuisance.

WHEREAS, the City of Jonesboro shall be responsible, after construction and final acceptance of the development, for the operation and long-term maintenance of all drainage structures and improved watercourses which are part of the City of Jonesboro Stormwater Management System and which are not constructed and maintained by or under the jurisdiction of any State or Federal agency.

WHEREAS, Long-term maintenance is defined herein as the removal of sediment deposits, re-grading or shaping of embankments, drainage channels, and detention areas, and the repair or replacement of piping networks, and other underground drainage structures.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties agree as follows:

1. The on-site stormwater runoff management facilities shall be constructed by the Owner, its successors and assigns, in accordance with the plans and specifications identified in the Plan.

MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES COOTS MINOR PLAT – JONESBORO, ARKANSAS - PAGE 2 OF 3

- 2. The Owner, its successors and assigns, including any homeowner association, shall adequately maintain the on-site stormwater runoff management facilities.
- 3. The Owner, its successors and assigns, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property to inspect and perform long-term maintenance of the on-site stormwater runoff management facilities whenever the City deems necessary.
- 4. In the event the Owner, its successors and assigns, fails to adequately maintain the stormwater runoff management facilities, the City may enter upon the Property upon thirty (30) days written notification or earlier, if deemed an emergency, and take whatever steps necessary to correct the deficiencies and charge the costs of such corrective action to the Owner, its successors and assigns. The Owner, its successors and assigns, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City including all labor, equipment, supplies, materials, and the like. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Owner outside of the easement for the on-site stormwater runoff management facilities. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said facilities, and in no event shall this agreement be construed to impose any such obligation on the City.
- This agreement shall be recorded among the land records of Craighead County, Arkansas and shall constitute a covenant running with the land, and shall be binding on the Owner, its administrators, executers, assigns, heirs and any other successors in interests, including any homeowner association.
- 6. This Agreement is binding upon and inures to the benefit of the City, and the Owner, the Owner's successors and assigns, any property owners' association or homeowners' association created which pertains to all or any part of the property and any individual lot owner who has purchased all or any part of the property referred to in this Agreement. The terms of this Agreement are enforceable on all of the above parties.
- 7. In the event any party to this Maintenance Agreement must employ a lawyer to enforce the terms and obligations set out in this Agreement and litigation ensues, the prevailing party, as determined under Arkansas Law, shall be entitled to recover not only court costs as defined under Arkansas Law but all costs of litigation, including a reasonable attorney's fee.
- 8. This Agreement is the complete agreement and understanding between the parties who have executed this Agreement. There are no other agreements, either oral or written. All prior or contemporaneous statements, representations, or guarantees are declared void. This Agreement may be amended only by a written document signed by all parties.

Owner: Mr. Warren Coots

Printed Name

Signature Date

9-19-12

9-19-12

Owner: Ms. Tina Coots

Printed Name

MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES COOTS MINOR PLAT – JONESBORO, ARKANSAS - PAGE 3 OF 3

STATE OF ARKANSAS COUNTY OF CRAIGHEAD

On this day before me, the undersigned officer, personally appeared Warren Coots and Tina Coots, to me well known to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they had executed the same for the purposes therein stated and set forth.

WITNESS my hand and seal this 19th day of 2	Sept 2012.
Notary Public (Printed Name) Notary Public (Signature)	TINA HIPP CRAIGHEAD COUNTY MOTARY PUBLIC - ARKANSAS My Commission Expires August 19, 2018
My Commission Expires: 8 19 2013	
Accepted by:	
Mayor	Date
City Clerk	Date

