



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Council Agenda City Council

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Thursday, March 6, 2014

5:30 PM

Municipal Center

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### **PUBLIC WORKS COMMITTEE MEETING AT 5:00 P.M.**

*City Council Chambers, Municipal Center*

### **PUBLIC HEARING AT 5:15 P.M.**

*Regarding the abandonment of an alleyway on Eldridge Street as requested by Grace Baptist Church*

### **PUBLIC HEARING AT 5:20 P.M.**

*Regarding the abandonment of a right-of-way in Rees Commerce Drive First Addition as requested by Robert Rees*

### **PUBLIC HEARING AT 5:25 P.M.**

*Regarding the abandonment of a 10' alley in Gambill's Addition as requested by Don Latourette*

### **1. CALL TO ORDER BY MAYOR PERRIN AT 5:30 P.M.**

### **2. PLEDGE OF ALLEGIANCE AND INVOCATION**

### **3. ROLL CALL BY CITY CLERK DONNA JACKSON**

### **4. SPECIAL PRESENTATIONS**

**COM-14:021** Presentation by Parks Director Wixson Huffstetler

**Sponsors:** Mayor's Office and Parks & Recreation

### **5. CONSENT AGENDA**

*All items listed below will be voted on in one motion unless a council member requests a separate action on one or more items.*

**MIN-14:019** Minutes for the City Council meeting on February 18, 2014

**Attachments:** [Minutes](#)

**MIN-14:020** Minutes for the special called City Council meeting on February 27, 2014

**Attachments:** [Minutes](#)

**RES-14:008** A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO A CONTRACT WITH CIVICPLUS FOR DESIGN, DEVELOPMENT, AND HOSTING OF A NEW CITY OF JONESBORO WEBSITE

**Sponsors:** Information Systems

**Attachments:** [TIPS Contract.pdf](#)

**Legislative History**

2/26/14 Finance & Administration Recommended to Council  
Council Committee

**RES-14:013** A RESOLUTION TO AMEND THE CITY SALARY & ADMINISTRATION PLAN FOR THE CITY OF JONESBORO TO ADD A CDBG SUPERVISOR IN THE CDBG DEPARTMENT

**Sponsors:** Grants and Human Resources

**Attachments:** [CDBG Supervisor](#)

**Legislative History**

2/26/14 Finance & Administration Recommended to Council  
Council Committee

## **6. NEW BUSINESS**

### *ORDINANCES ON FIRST READING*

**ORD-14:006** AN ORDINANCE ABANDONING AND VACATING A DEVELOPED STREET RIGHT-OF-WAY LOCATED IN:

REES COMMERCE DRIVE 1ST ADDITION, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, AR. PLAT RECORDED IN PLAT BOOK C AT PAGE 220 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.

**Attachments:** [Petition](#)

[Plat](#)

[Utility Letters](#)

[Planning Letter](#)

[Engineering Letter](#)

**ORD-14:007** AN ORDINANCE ABANDONING AND VACATING AN UNDEVELOPED ALLEY LOCATED IN:

LOTS 117-122 OF COLLEGE PLACE ADDITION, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, AR PLAT RECORDED IN DEED RECORD BOOK 48 AT PAGE 106 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.

**Attachments:** [Petition](#)  
[Plat](#)  
[Utility Letters](#)  
[Engineering Letter](#)  
[Planning Letter](#)

**ORD-14:008** AN ORDINANCE TO VACATE AND ABANDON THAT PART OF AN UNDEVELOPED 10' ALLEY LYING NORTH OF LOT 7 AND A PART OF LOT 6 OF GAMBILL'S ADDITION (RECORDED IN BOOK 23, PAGE 610), JONESBORO, CRAIGHEAD COUNTY, ARKANSAS.

**Attachments:** [Petition, Plat and Ordinances](#)  
[Engineering Letter](#)  
[Planning Letter](#)  
[Utility Letters](#)

#### RESOLUTIONS TO BE INTRODUCED

**RES-14:011** RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF AN UNDEVELOPED RIGHT-OF-WAY IN R.L. HAYES 2ND ADDITION SUBDIVISION AS REQUESTED BY SALLIE AND SAMMY BROWN

**Attachments:** [Plat](#)  
[Utility Letters](#)  
[Planning Dept. Letter](#)  
[Engineering Dept. Letter](#)  
[Petition](#)

## **7. UNFINISHED BUSINESS**

#### ORDINANCES ON SECOND READING

**ORD-14:003** AN ORDINANCE TO AMEND CHAPTER 117, SECTION 117-32, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, TO CLARIFY THE APPEAL PROCESS FOR ADMINISTRATIVE SITE PLAN REVIEWS BY THE METROPOLITAN AREA PLANNING COMMISSION, AND DECLARING AN EMERGENCY TO UPDATE THE EXISTING ORDINANCES FOR THE PURPOSE OF PROMOTING AND ACCOMMODATING SOUND GROWTH WITHIN THE DEVELOPMENT COMMUNITY

**Sponsors:** Planning

**Attachments:** [MEMO Site Plan Appeal Text Amendment PublicWorks](#)

#### **EMERGENCY CLAUSE**

#### **Legislative History**

2/6/14	Public Works Council Committee	Recommended to Council
2/18/14	City Council	Held at one reading

**8. MAYOR'S REPORTS**

**9. CITY COUNCIL REPORTS**

**10. PUBLIC COMMENTS**

*Public Comments are limited to 5 minutes per person for a total of 15 minutes.*

**11. ADJOURNMENT**



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** COM-14:021    **Version:** 1    **Name:** Presentation by Wixson Huffstetler  
**Type:** Other Communications    **Status:** To Be Introduced  
**File created:** 2/20/2014    **In control:** City Council  
**On agenda:**    **Final action:**  
**Title:** Presentation by Parks Director Wixson Huffstetler  
**Sponsors:** Mayor's Office, Parks & Recreation  
**Indexes:** Presentations  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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Presentation by Parks Director Wixson Huffstetler



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** MIN-14:019    **Version:** 1    **Name:**  
**Type:** Minutes    **Status:** To Be Introduced  
**File created:** 2/27/2014    **In control:** City Council  
**On agenda:**    **Final action:**  
**Title:** Minutes for the City Council meeting on February 18, 2014  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the City Council meeting on February 18, 2014



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, February 18, 2014

5:30 PM

Municipal Center

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### PUBLIC SAFETY COMMITTEE MEETING AT 5:00 P.M.

### NOMINATING & RULES COMMITTEE MEETING AT 5:05 P.M.

#### 1. CALL TO ORDER BY MAYOR PERRIN AT 5:30 P.M.

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

#### 3. ROLL CALL BY CITY CLERK DONNA JACKSON

**Present** 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

**Present** 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

**Absent** 1 - John Street

**Absent** 1 - John Street

#### 4. SPECIAL PRESENTATIONS

**COM-14:011** Proclamation presented by Mayor Harold Perrin to the Annie Camp East Lab

**Sponsors:** Mayor's Office

*Councilman McCall presented the Annie Camp East Lab with a proclamation for their work with the Downtown Jonesboro Barbecue Fest in 2013. He noted about 40 students work all day during the Barbecue Fest. They were able to raise money through the sale of Pepsi products in order to donate the money to a local charity. He presented Ms. Vicki Pillow from the Northeast Arkansas Food Bank with a little over \$1,000 in donations from the Pepsi product sale. Mayor Perrin thanked the Annie Camp East Lab for their work.*

**This item was Read.**

**COM-14:017** City of Distinction Award presented by Paul Phillips to the Mayor and City Council members

**Sponsors:** Mayor's Office

*Mr. Phillips, Senior Managing Director at Crews & Associates who are the presenting sponsor of the City of Distinction Award, presented Mayor Perrin with the award. He explained the award is a competition that is designed to award outstanding initiatives and achievements by cities throughout the state. The winners are determined by an independent panel of judges and are announced at the Municipal League's Winter Conference. Jonesboro was recognized this year for efforts with Quality of Life.*

**This item was Read.**

## **5. CONSENT AGENDA**

### **Approval of the Consent Agenda**

**A motion was made by Councilman Chris Moore, seconded by Councilman Chris Gibson, to Approve the Consent Agenda. The motioned PASSED**

**Aye:** 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

**Absent:** 1 - John Street

**MIN-14:012** Minutes for the City Council meeting on February 6, 2014

**Attachments:** [Minutes](#)

**This item was PASSED on the consent agenda.**

**RES-14:010** RESOLUTION NAMING JUDGES, CLERKS AND ALTERNATE WORKERS TO SERVE IN THE CITY WATER AND LIGHT ELECTION ON FEBRUARY 20, 2014

**This item was PASSED on the consent agenda.**

Enactment No: R-EN-018-2014

## **6. NEW BUSINESS**

### ***ORDINANCES ON FIRST READING***

**ORD-14:003** AN ORDINANCE TO AMEND CHAPTER 117, SECTION 117-32, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, TO CLARIFY THE APPEAL PROCESS FOR ADMINISTRATIVE SITE PLAN REVIEWS BY THE METROPOLITAN AREA PLANNING COMMISSION, AND DECLARING AN EMERGENCY TO UPDATE THE EXISTING ORDINANCES FOR THE PURPOSE OF PROMOTING AND ACCOMMODATING SOUND GROWTH WITHIN THE DEVELOPMENT COMMUNITY

**Sponsors:** Planning

**Attachments:** [MEMO Site Plan Appeal Text Amendment PublicWorks](#)

*Councilman Moore offered the ordinance for first reading by title only.*

**This ordinance was Held at one reading.**



*RESOLUTIONS TO BE INTRODUCED*

**RES-13:202** RESOLUTION TO SET A PUBLIC HEARING TO ABANDON THE 10' ALLEY LYING NORTH OF LOT 7 AND PART OF LOT 6 OF GAMBILL'S ADDITION AS REQUESTED BY DON LATOURETTE

**Attachments:** [Exhibit-A Compilation Map](#)  
[Resolution, Ordinance, Petition](#)  
[Engineering letter](#)  
[Planning Letter](#)

**A motion was made by Councilman Chris Gibson, seconded by Councilman Chris Moore, that this matter be Passed . The motion PASSED with the following vote:**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

**Absent:** 1 - John Street

Enactment No: R-EN-016-2014

**RES-14:009** RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF AN ALLEYWAY ON ELDRIDGE STREET AS REQUESTED BY GRACE BAPTIST CHURCH

**Attachments:** [Plat](#)  
[Utility Letters](#)  
[Planning Letter](#)  
[Engineering Letter](#)  
[Petition](#)

**A motion was made by Councilman Mitch Johnson, seconded by Councilman Darrel Dover, that this matter be Passed . The motion PASSED with the following vote:**

**Aye:** 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Charles Coleman

**Absent:** 1 - John Street

Enactment No: R-EN-017-2014

**7. UNFINISHED BUSINESS**

**8. MAYOR'S REPORTS**

**COM-14:018** State of the City Address presented by Mayor Perrin

**Sponsors:** Mayor's Office

**Attachments:** [2014 State of the City](#)

**This item was Read.**

## **9. CITY COUNCIL REPORTS**

*Councilman Woods congratulated the City on the Quality of Life award. He also stated he is anxious to see the presentation by Parks Director Wixson Huffstetler at the next Council meeting to see what he is planning for the parks.*

*Councilman McCall explained there has been a lot of discussion recently concerning the current vacancy on the City Council. The Nominating & Rules Committee decided earlier tonight to reconsider a decision that was made at the last meeting. They voted to ask the City Attorney's Office to prepare a resolution for the next Council meeting to proceed with a special election to fill the vacancy. They will also have a resolution at the next meeting to change the City's rules and procedures concerning future vacancies. Councilman McCall stated they hope to have the special election on the day of the primary election in May in order to save the City money. Assistant City Attorney Carol Duncan noted she thinks they will be able to put everything together before then in order to get everything together for the primary election. Councilman McCall thanked Assistant City Attorney Duncan for her work to help with this.*

*Councilman Frierson motioned, seconded by Councilman Coleman, to authorize proceeding with the special election. All voted aye.*

*Councilman Moore asked that the Highway Department be asked to install a guardrail on Parker Road just west of JT White where the edge of the road falls into the culvert. Mayor Perrin stated he will write a letter to the Highway Department tomorrow concerning the issue.*

### **COM-14:023**

Resolution from the Sage Meadows Property Owner's Association as presented by Councilman Gibson at the meeting on February 18, 2014

**Attachments:**      [Resolution](#)

*Councilman Gibson presented the Council with a resolution that he was asked to give to the Council from the Sage Meadows Property Owners Board. He read the resolution. He added the case has been handed off to APERMA, but he thinks the Sage Meadows property owners have a right to due process. He asked the Mayor to contact APERMA to see what can be done to make something happen. Councilman Frierson stated he doesn't think it's the City's obligation to move the case forward; rather, it should be the plaintiff's obligation to move things forward. He added he doesn't think the City has done anything improper by waiting for something to happen. He questioned whether or not it's the plaintiff's responsibility to request a hearing. Assistant City Attorney Duncan agreed, but added that she is not aware of another situation where a temporary injunction was issued without a court date being set for the hearing of a final injunction. She stated that is an unusual situation. Councilman Frierson further explained that it is the plaintiff's responsibility to request that hearing, not the City's. Assistant City Attorney Duncan stated she would agree, but she doesn't know what incentive the plaintiff would have to agree to a hearing because the injunction benefits them. Councilman Johnson asked for a further legal opinion concerning the issue. Assistant City Attorney Duncan noted their office is not handling the case and she does live at Sage Meadows; however, their office's opinion is to defend the process no matter what the final outcome is. But, ultimately the choice is up to the APERMA attorney's. Mayor Perrin stated he will contact APERMA and get back with the Council at the next meeting.*

**This item was Read.**

Councilman Moore asked for an update on the Envisions night club. Police Chief Michael Yates explained in November, 2013, an individual died as a result of a gunshot wound in the parking lot of Envisions. He stated that Envisions owner Reggie Prunty indicated in a letter to the editor in the Jonesboro Sun that Envisions had passed all of its reviews by the Alcoholic Beverage Control Department since 1993 without any major violations or penalties. Chief Yates stated in Mr. Prunty has been fined for serving alcohol to minors and has had other incidents happen in the club, including fighting, patrons drinking in the parking lot, as well as other incidents. He added all of the incidents were documented and sent to the ABC Board, but only three times have they been found guilty. He stated the City will have to decide how to deal with the issues. He added Envisions is six times more likely to ask for police assistance than any other establishment in the City and is open longer hours than what Mr. Prunty has indicated. Chief Yates explained in 2009 a police officer worked at Envisions doing security work during his off hours with his written approval, but after one night decided he didn't want to go back. He added in 2010, Mr. Prunty received a protection order to keep the police off his premises. He stated Mr. Prunty can't have it both ways. Chief Yates further explained his job is to collect the facts and make sure his officers enforce the law regardless of who it is. He noted the time has come and is long overdue to decide what is going to be done with Envisions. He has talked with the ABC Board, but it was indicated to him that they were under the impression Envisions was closed and Mr. Prunty was going to surrender his license. He has not been able to get a response from the ABC Board since then. He said he's comfortable with waiting for the ABC Board to take action, if needed. He warned that someone else will lose their life at this location if things continue as they are.

Councilman Moore expressed concern that the City was quick to take action with the Eagles and Brickhouse over relatively minor injuries at those respective locations. He noted the City has been waiting since November concerning the shooting at Envisions. He stated the City is independent of the ABC Board and questioned why the City hasn't moved forward with some sort of action. Chief Yates noted the ABC Board rules and regulations state the establishments are responsible for what happens in their parking lot. Councilman Moore recommended coming up with a procedure to provide some continuity as to how the City will handle incidents of a serious nature at private clubs. Mayor Perrin stated he will write a letter tomorrow to Mr. Langley, Director of the ABC Board, to see why Chief Yates' request has not been responded to.

## **10. PUBLIC COMMENTS**

Mr. Harold Carter, 902 Tony Drive, stated he has asked for a list of all City meetings that are open to the public. He noted at one time something was entered, but the list he got off the website is partial and is dated. He explained he would like an updated list. He isn't sure if the committees on the list are still meeting. He asked for a complete, current list of all bodies and their meeting times. He further explained that he has become aware of MAPC meetings that happen before their regular meetings. He questioned whether they were open to the public and how, if they are open to the public, people are supposed to find out about them in order to attend. He reiterated his request that the City publish a complete list of all the meetings, including times, locations and dates of the meetings. Mayor Perrin thanked Mr. Carter for his request. He explained those committees on the list need to be updated from year to year. He will get Mr. Carter an updated list tomorrow. He also noted that the pre-MAPC meeting Mr. Carter mentioned is between staff members, but the MAPC members are invited to attend. Mayor Perrin stated the City will have a new website hopefully in

*June or July that will have all of the information Mr. Carter is asking for.*

**11. ADJOURNMENT**

**A motion was made by Councilman Chris Moore, seconded by Councilwoman Ann Williams, that this meeting be Adjourned . The motion PASSED with the following vote.**

**Aye:** 10 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Charles Coleman

**Absent:** 1 - John Street



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** MIN-14:020    **Version:** 1    **Name:**  
**Type:** Minutes    **Status:** To Be Introduced  
**File created:** 2/27/2014    **In control:** City Council  
**On agenda:**    **Final action:**  
**Title:** Minutes for the special called City Council meeting on February 27, 2014  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the special called City Council meeting on February 27, 2014



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Thursday, February 27, 2014

4:00 PM

Municipal Center

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### Special Called Meeting

#### 1. CALL TO ORDER BY MAYOR PERRIN AT 4:00 P.M.

#### 2. ROLL CALL BY CITY CLERK DONNA JACKSON

**Present** 8 - Darrel Dover; Ann Williams; Charles Frierson; Mitch Johnson; Tim McCall; Chris Gibson; Rennell Woods and Charles Coleman  
**Absent** 3 - Chris Moore; John Street and Gene Vance

#### 3. NEW BUSINESS

##### RESOLUTIONS TO BE INTRODUCED

##### RES-14:015

A RESOLUTION CALLING FOR A SPECIAL ELECTION TO FILL THE VACANCY FOR ALDERMAN WARD 6 POSITION 2

*Councilman Dover questioned what the cost of the special election would be. Assistant City Attorney Carol Duncan explained it was indicated to her that because the City is going to put their special election with the primary election ballot the cost would be nominal, if any. If needed, an ordinance can be passed to cover the expense of the special election.*

**A motion was made by Councilman Chris Gibson, seconded by Councilman Darrel Dover, that this matter be Passed . The motion PASSED with the following vote:**

**Aye:** 8 - Darrel Dover; Ann Williams; Charles Frierson; Mitch Johnson; Tim McCall; Chris Gibson; Rennell Woods and Charles Coleman  
**Absent:** 3 - Chris Moore; John Street and Gene Vance

Enactment No: R-EN-020-2014

#### 4. PUBLIC COMMENTS

#### 5. ADJOURNMENT

**A motion was made by Councilman Chris Gibson, seconded by Councilman Darrel Dover, that this matter be Adjourned . The motion PASSED with the following vote.**

**Aye:** 8 - Darrel Dover; Ann Williams; Charles Frierson; Mitch Johnson; Tim McCall; Chris Gibson; Rennell Woods and Charles Coleman

**Nay:** 3 - Chris Moore; John Street and Gene Vance

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Harold Perrin, Mayor**

**Attest:**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Donna Jackson, City Clerk**



## Legislation Details (With Text)

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<b>File #:</b>	RES-14:008	<b>Version:</b>	1	<b>Name:</b>	Contract with CivicPlus for city website services
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	2/6/2014	<b>In control:</b>		<b>In control:</b>	Finance & Administration Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO A CONTRACT WITH CIVICPLUS FOR DESIGN, DEVELOPMENT, AND HOSTING OF A NEW CITY OF JONESBORO WEBSITE				
<b>Sponsors:</b>	Information Systems				
<b>Indexes:</b>	Contract				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">TIPS Contract.pdf</a>				

Date	Ver.	Action By	Action	Result
2/26/2014	1	Finance & Administration Council Committee		

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO A CONTRACT WITH CIVICPLUS FOR DESIGN, DEVELOPMENT, AND HOSTING OF A NEW CITY OF JONESBORO WEBSITE

WHEREAS, the City of Jonesboro has desires to enter into a contract (attached) with CivicPlus for the design, development, and hosting of a new City of Jonesboro website;

WHEREAS, the contract terms comply with the TAPS cooperative purchasing program offered by the Dawson Education Cooperative approved by RES-13:014;

WHEREAS, the funding for this contract shall come from the Information Systems Software budget.

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

Section 1: That the City of Jonesboro shall enter into a contract with CivicPlus for the design, development, and hosting of a new City of Jonesboro website.

Section 2: The funding for this contract shall come from the Information Systems Software budget.

Section 3: 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.





### TIPS Contract

<b>Organization</b>	City of Jonesboro	URL	www.jonesboro.org		
Street Address	300 S Church Street				
Address 2	P.O. Box 1845				
City	Jonesboro	State	AR	Postal Code	72403
CivicPlus provides telephone support for all trained clients from 7am –7pm Central Time, Monday-Friday (excluding holidays). Emergency Support is provided on a 24/7/365 basis for representatives named by the Client. Client is responsible for ensuring CivicPlus has current updates.					
<b>Emergency Contact &amp; Mobile Phone</b>	Erick Woodruff, 870-336-7249				
<b>Emergency Contact &amp; Mobile Phone</b>	Erick Woodruff, 870-243-5353				
<b>Emergency Contact &amp; Mobile Phone</b>	Lorenzo Balderas, 870-336-4611				
<b>Billing Contact</b>	Erick Woodruff	E-Mail	ewoodruff@jonesboro.org		
Phone	870-336-7249	Ext.	na	Fax	na
Billing Address	P.O. Box 1845				
Address 2					
City	Jonesboro	ST	AR	Postal Code	72403
Tax ID #	71-6013749	Sales Tax Exempt #	na		
Billing Terms	Annual	Account Rep	Robert Disberger		
Info Required on Invoice (PO or Job #)					
<b>Contract Contact</b>	Erick Woodruff	Email	ewoodruff@jonesboro.org		
Phone	870-336-7249	Ext.	na	Fax	na
<b>Project Contact</b>	Lorenzo Balderas	Email	lbalderas@jonesboro.org		
Phone	870-336-4611	Ext.	na	Fax	na

### Terms & Conditions

**Client Deliverable**

1. Icon Enterprises, Inc., d/b/a CivicPlus (“CivicPlus”) will create a unique website for the City of Jonesboro (“Client”) that includes all functionality as defined in Exhibit A – CivicPlus Project Deliverables, attached hereto.
2. After 48 consecutive months under these terms and associated pricing, Client becomes fully eligible for a CP Basic Redesign at no additional cost. See Exhibit B for complete details.

**Additional Services**

3. Client may contract with CivicPlus for additional Consulting, Website Design, Setup, Programming, and Training services (Project Development Services) that exceed those defined in Exhibit A. CivicPlus will invoice Client for the additional services immediately prior to project Go-Live.
4. Client may contract with CivicPlus for additional Annual Services that exceed those defined in Exhibit A. CivicPlus will invoice Client for Annual services immediately prior to project Go-Live.



5. Services that involve billable time beyond the contracted amount will be documented and invoiced. Written approval by the Client is necessary before billable time is incurred.
6. Modules that incur additional usage fees may be purchased and activated at any time.
7. Acceptance of this Agreement signifies Client's approval of any billable time specifically related to training services as detailed in Exhibit A, wherein a stated number of attendees is specified. Coverage for additional attendees not covered under this agreement is billed at a per diem rate specified in Exhibit A.

### **Billing & Payment Terms**

8. One-third of the total First Year Fee will be billed upon completion of Phase 1: Consulting; one-third of the total First Year Fee will be billed upon completion of Phase 3: Website Reveal Presentation. The remainder of the total First Year Fee and any additional Project Development services will be invoiced after Phase 4: Customized Website Training has been completed.
9. The Client shall sign a project completion and acceptance form prior to project go-live. The date may be extended if material system or operational failures are encountered. Immediately after completing training the final bill for the project development services will be billable and payable, and the first year's Annual Services fees will be billable and payable. All Parties agree that the website will not go-live until the project is accepted in writing by the Client.
10. First Year Fee and Project Development invoices are due by the first of the following month, but no sooner than 30 days from invoice date.
11. Invoicing for 2<sup>nd</sup> year and beyond Annual Services begins one (1) year from contract signing.
12. Annual Services invoices, beyond the first year, may be prorated in order to correlate with the Client's budget year.
13. Fees for CivicPlus Annual Services are invoiced prior to the year of service. They are due by the first of the following month, but no sooner than 30 days from invoice date.
14. Project development will be discontinued if payment is not made within 30 days after the invoice due date.
15. After project go-live, if the Client's account exceeds 60 days past due, Support will be discontinued until the Client's account is made current. If the Client's account exceeds 90 days past due, Annual Services will be discontinued until the Client's account is made current. Client will be given 30 days notice prior to discontinuation of services for non-payment.
16. The Client will be invoiced electronically through email. Upon request CivicPlus will mail invoices and the Client will be charged a \$5.00 convenience fee.
17. Unless otherwise limited by law, a finance charge of 2.9 percent (%) per month or \$5.00, whichever is greater, will be added to past due accounts. Payments received will be applied first to finance charges, then to the oldest outstanding invoice(s).
18. Provided the Client's account is current, at any time the Client may request an electronic copy of the website graphic designs, the page content, all module content, all importable/exportable data, and all archived information ("Customer Content"). Client agrees to pay \$250 per completed request. Provided the Client's account is current, upon termination of services Client may request a complimentary electronic copy of website Customer Content and CivicPlus Government Content Management System ("GCMS®") software.

### **Agreement Renewal**

19. This contract shall remain in effect for a period of one year (12 months) from signing. In the event that neither party gives 60 days' notice prior to the end of the initial or any subsequent term, this Agreement will automatically renew for an additional contract term. After 48 consecutive months under the terms of this contract and associated pricing, Client will be fully eligible for a CP Basic Redesign at no additional cost.
20. Either party may terminate the agreement at the end of the contract term by providing the other party with 60 days written notice prior to the contract renewal date.
21. In the event of early termination of this Agreement by the Client, Client forfeits eligibility for the CP Basic Redesign and all funds applied to such eligibility and full payment of the remainder of the contract is due within 15 days of termination.
22. Each year this Agreement is in effect, a technology investment and benefit fee of 5 percent (%) of the total Annual Services costs will be applied.

### **Support**

23. CivicPlus will provide unlimited telephone support Monday-Friday, 7:00 am – 7:00 pm (Central Time) excluding holidays, for all trained Client staff. Emergency Support is provided on a 24/7/365 basis for emergency contacts named by the Client. Client is responsible for providing CivicPlus with contact updates.



24. Support includes providing technical support of the GCMS® software, application support (pages and modules), and technical maintenance of Client's website. Following initial setup, additional page design, graphic design, user training, site modification, and custom programming may be contracted separately for an additional fee.
25. During the period of this agreement and subsequent annual renewals, CivicPlus warrants that it will, without additional charge to the Client, take action to correct any problems or defects discovered in the GCMS® software and reported to CivicPlus by the Client, such warranty to include ongoing maintenance upgrades and technical error correction.
26. CivicPlus provides online website statistics software at no extra charge. If Client desires to use other website statistic software, CivicPlus will provide the necessary log file access.

### **Marketing**

27. Client will make a reasonable attempt to work with the CivicPlus Marketing Department to gather information and meet deadlines associated with website award contest entries throughout the term of this Agreement.
28. Client permits CivicPlus to include an example of the Client's home page and a link to the Client's website on the CivicPlus corporate website.
29. Client will make a reasonable attempt to work with the CivicPlus Marketing Department to create a news item to be released in conjunction with their project Go-Live date. Client will provide CivicPlus with contact information for local and regional media outlets. CivicPlus may use the press release in any marketing materials as desired throughout the term of this Agreement.
30. Client will make a reasonable attempt to work with the CivicPlus Marketing Department to create a case study related to their website.
31. Client allows CivicPlus to display a "Government Websites by CivicPlus" insignia, and web link at the bottom of their web pages. Client understands that the pricing and any related discount structure provided under this agreement assumes such perpetual permission.

### **Intellectual Property, Ownership & Content Responsibility**

32. Upon full and complete payment of submitted invoices for the Project Development and launch of the website, Client will own the Customer Content, as well as the GCMS® software.
33. Upon completion of the development of the site, Client will assume full responsibility for website content maintenance and content administration. Client, not CivicPlus, shall have sole responsibility for the accuracy, quality, integrity, legality, reliability, appropriateness, and intellectual property ownership or right to use of all Customer Content.
34. Client shall not (i) license, sublicense, sell, resell, transfer, assign, distribute or otherwise commercially exploit or make available to any third party the GCMS® software in any way; (ii) modify or make derivative works based upon the GCMS® software; (iii) create Internet "links" to the GCMS® software or "frame" or "mirror" any GCMS® administrative access on any other server or wireless or Internet-based device; or (iv) reverse engineer or access the GCMS® software in order to (a) build a competitive product or service, (b) build a product using similar ideas, features, functions or graphics of the GCMS® software, or (c) copy any ideas, features, functions or graphics of the GCMS® software.
35. The CivicPlus name, the CivicPlus logo, and the product and module names associated with the GCMS® software are trademarks of CivicPlus, and no right or license is granted to use them.

### **Indemnification**

36. Client shall defend, indemnify and hold harmless CivicPlus, its partners, employees, and agents from and against any and all lawsuits, claims, demands, penalties, losses, fines, liabilities, damages, and expenses including attorney's fees of any kind, without limitation, in connection with the operations of and installation of software contemplated by this Agreement, or otherwise arising out of or in any way connected with the CivicPlus provision of service and performance under this Agreement. This section shall not apply to the extent that any loss or damage is caused by the negligence or willful misconduct on the part of CivicPlus. If Client and CivicPlus are both negligent, damages shall be apportioned in accordance with the percentage of negligence of each party. This paragraph is not intended to benefit entities not a party to this contract.

### **Liabilities**

37. CivicPlus will not be liable for any act, omission of act, negligence or defect in the quality of service of any underlying carrier or other service provider whose facilities or services are used in furnishing any portion of the service received by the Client. CivicPlus will not be liable for any failure of performance that is caused by or the result of any act or omission by Client or any



entity other than CivicPlus that furnishes services, facilities or equipment used in connection with CivicPlus services or facilities.

38. Except as expressly provided in this Agreement, CivicPlus makes no expressed or implied representations or warranties, including any warranties regarding merchantability or fitness for a particular cause.

**Taxes**

39. This agreement will be taxed based on the Client's state tax laws. If the Client is tax-exempt, the Client must provide CivicPlus proof of their tax-exempt status, within fifteen (15) days of contract signing, and this agreement will not be taxed. If the Client's state taxation laws change, CivicPlus has the right to collect payment from the Client for past due taxes.

**Venue**

40. This Agreement shall be construed under and in accordance with the laws of the State of Arkansas and venue for any litigation concerning this Agreement shall be in Craighead County, Jonesboro, AR.

--Remainder of this page left intentionally blank--



**Acceptance**

We, the undersigned, agreeing to the conditions specified in this document, understand and authorize the provision of services outlined in this Agreement.

**City of Jonesboro**

\_\_\_\_\_  
Harold Perrin, Mayor

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
Donna Jackson, City Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
CivicPlus

\_\_\_\_\_  
Date

**Sign and E-mail or Fax this Copy**

Attn: Contract Manager

E-mail: SalesCoordinators@CivicPlus.com

Fax: 785-587-8951

**And – Mail Two (2) Signed Originals**

CivicPlus Contract Manager

317 Houston St., Suite E

Manhattan, KS 66502

We will e-mail or fax a counter-signed copy of the contract back to you so we can begin your project. Upon receipt of two signed originals, we will counter-sign and return one copy for your files.

--Remainder of this page left intentionally blank--



## Exhibit A - CivicPlus Project Deliverables

All Quotes are in US Dollars and Valid for 30 Days from January 6, 2014.

Labor Category	GSA Hourly Rate with IFF	Hours	Total Cost
Website Consultant	\$149.01	32.00	\$4,768.32
Project Manager	\$135.86	85.00	\$11,548.10
Network Consultant	\$135.86	0.00	-
Wireless Network Technician	\$135.86	0.00	-
Programmer	\$131.48	45.50	\$5,982.34
Graphic Designer	\$109.57	31.50	\$3,451.46
Writer	\$109.57	0.00	-
Server and Network Technician	\$109.57	14.50	\$1,588.77
Trainer	\$109.57	80.25	\$8,792.99
PC Technician	\$89.41	0.00	-
Content Developer	\$80.64	71.75	\$5,785.92
<b>Total First Year Fee</b> (includes first year annual services)			<b>\$41,917.90</b>

### Project Development Includes the Following:

Modules	Functionality
<ul style="list-style-type: none"> <li>• Agenda Center</li> <li>• Alerts Center &amp; Emergency Alert Notification</li> <li>• Archive Center</li> <li>• Bid Postings</li> <li>• Blog</li> <li>• Business/Resource Directory</li> <li>• Calendar</li> <li>• Carbon Calculator</li> <li>• Citizen Request Tracker™ (5 users)</li> <li>• Community Voice™</li> <li>• Community Connection</li> <li>• Document Center</li> <li>• ePayment Center</li> <li>• Facilities &amp; Reservations</li> <li>• Frequently Asked Questions</li> <li>• Forms Center</li> <li>• Healthy City</li> <li>• Intranet</li> <li>• Job Postings</li> <li>• Media Center with Live Streaming Video</li> <li>• My Dashboard</li> <li>• News Flash</li> <li>• Notify Me® Email &amp; 500 SMS Text Subscription</li> <li>• Online Job Application with 1 Generic Application</li> <li>• Opinion Poll</li> <li>• Photo Gallery</li> <li>• Postcard</li> <li>• Quick Links</li> <li>• Real Estate Locator</li> <li>• Spotlight</li> <li>• Staff Directory</li> </ul>	<ul style="list-style-type: none"> <li>• Action Items Queue</li> <li>• Audit Trail / History Log</li> <li>• Automated PDF Converter</li> <li>• Automatic Content Archiving</li> <li>• Content Library</li> <li>• Dynamic Breadcrumbs</li> <li>• Dynamic Sitemap</li> <li>• Expiring Items Library</li> <li>• Generic Mobile App (iOS &amp; Android)</li> <li>• Graphic Link Administration</li> <li>• Links Redirect and Broken Links Finder</li> <li>• Menu Management</li> <li>• Mouse-over Menu Structure</li> <li>• MuniMobile™</li> <li>• Online Editor for Editing and Page Creation (WYSIWYG)</li> <li>• Online Web Statistics (Only With CivicPlus Hosting)</li> <li>• Printer Friendly/Email Page</li> <li>• Rotating Content</li> <li>• RSS</li> <li>• Search Engine Registration</li> <li>• Site Layout Options</li> <li>• Site Search &amp; Entry Log</li> <li>• Slideshow</li> <li>• Social Media Integration (Facebook &amp; Twitter)</li> <li>• User &amp; Group Administration Rights</li> <li>• Web Page Upload Utility</li> <li>• Website Administrative Log</li> </ul>



## Project Development

<b>Kick-Off Meeting</b> <u>Deliverable:</u> Project Timeline, training jump start and worksheets	<b>Included</b>
<b>Phase 1: Consulting</b> <u>Deliverable:</u> Needs assessment, best practices and worksheets	<b>Included</b>
<b>Phase 2: Website Preview Presentation</b> <u>Deliverable:</u> Website layout and mood board will be presented for your approval	<b>Included</b>
<b>Phase 3: Website Reveal Presentation</b> <u>Deliverable:</u> Completed website design and navigation structure will be presented. You will be able to propose changes at this time.	<b>Included</b>
<b>Phase 4: 4 Days of Customized On-Site Implementation Training</b> for up to 12 employees <i>Quote includes travel expenses (\$80 per person per day for the 13th attendee and beyond)</i> <u>Deliverable:</u> Train System Administrator(s) on GCMS® Administration, permissions, setting up groups and users, module administration. Basic User training on pages, module entries, applying modules to pages. Applied use and usability consulting to result in effective communication through your website.	<b>Included</b>
<b>Phase 5: Go Live</b> <u>Deliverable:</u> Content migrated from the current primary site to new site based on best practice recommendations. Custom website. Registration of site with all major search engines. <i>Note: Content from sites other than the primary site can be migrated to the new primary site for an additional fee.</i>	<b>Included</b>
<b>Additional Functionality</b>	
Google Translation Tool	<b>Included</b>
<b>Options Included in One-Time Fee</b>	
<b>Phase 1: Content Consultation</b> Two days on-site, up to six departments per day. <i>Quote includes travel expenses.</i> A consultation package concentrating on evaluating current website content and making recommendations for improved content development, presentation and maintenance. <u>Deliverable:</u> A comprehensive report on evaluation of current content (placement, length, style and effectiveness), recommendations for improvement or creation of new content, a follow-up report reviewing the results of implemented suggestions.	<b>Included</b>
<b>Total Project Development Fee</b>	<b>\$41,917.90</b>
<b>First Year's Annual Services</b> Server storage not to exceed 25 GB; Media Center storage not to exceed 10 GB	<b>Included</b>
<b>Total Fees Year 1</b>	
<b>\$41,917.90</b>	



<b>Second Year Annual Services – 12 months from contract signing</b>		<b>\$6,270</b>
Server Storage not to exceed 25 GB Media Center Storage not to exceed 10 GB Subject to annual 5% increase year 3 and beyond		
<b>Annual Services Include the Following:</b>		
<b>Support</b>	<b>Maintenance of CivicPlus Application &amp; Modules</b>	<b>Hosting</b>
7 a.m. – 7 p.m. (CST) Monday - Friday (excluding holidays) 24/7 Emergency Support Dedicated Support Personnel 2-hour Response during Normal Hours Usability Improvements Integration New & Upgraded Services Proactive Support for Updates & Fixes Online Training Manuals Monthly Newsletters Phone Consulting CivicPlus Connection	Install Service Patches for OS Upgrades Fixes Improvements Integration Testing Development Usage License	Shared Web/SQL Server DNS Consulting & Maintenance Monitor Bandwidth-Router Traffic Redundant ISP Redundant Cooling Diesel Powered Generator Daily Tape Backup Intrusion Detection & Prevention Antivirus Protection Upgrade Hardware

### Company Details

Icon Enterprises, Inc., d/b/a CivicPlus  
 Federal Tax ID 48-1202104  
 GSA Contract # GS-35F-0124U  
 Toll Free 888-228-2233

Mailing Address for Purchase Orders and Payments  
 Icon Enterprises, Inc., d/b/a CivicPlus  
 Attn: Accounting  
 317 Houston St., Suite E  
 Manhattan, KS 66502





## Exhibit B – Redesign Details

### CivicPlus Project Development Services & Scope of Services for CP Basic Redesign

- New design
- Redevelop banner
- Redevelop navigation method (may choose top drop-down or other options)
- Design setup - wireframe
- Redevelop graphic elements of website (Newsflash, FAQs, Calendar, etc.)
- Project Management
- Testing
- Review
- Content Migration – Includes retouching of all existing published pages to ensure proper formatting, menu structure, and application of new site styles. Note: Content will **not** be rewritten, reformatted or pages broken up (shortened or re-sectioned)
- Site styles and page layouts will be touched so all pages match the new design and migrate cleanly
- Spelling and broken links will be checked and reported if unable to correct



## Legislation Details (With Text)

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<b>File #:</b>	RES-14:013	<b>Version:</b>	1	<b>Name:</b>	Addition of a CDBG Supervisor to salary plan
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	2/14/2014	<b>In control:</b>		<b>In control:</b>	Finance & Administration Council Committee
<b>On agenda:</b>		<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	A RESOLUTION TO AMEND THE CITY SALARY & ADMINISTRATION PLAN FOR THE CITY OF JONESBORO TO ADD A CDBG SUPERVISOR IN THE CDBG DEPARTMENT				
<b>Sponsors:</b>	Grants, Human Resources				
<b>Indexes:</b>	Policy - creation/amendment				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">CDBG Supervisor</a>				

Date	Ver.	Action By	Action	Result
2/26/2014	1	Finance & Administration Council Committee		

A RESOLUTION TO AMEND THE CITY SALARY & ADMINISTRATION PLAN FOR THE CITY OF JONESBORO TO ADD A CDBG SUPERVISOR IN THE CDBG DEPARTMENT  
WHEREAS, Resolution Number 09:201 adopted the City Salary & Administration Plan; and

WHEREAS, it is recommended by the Finance Committee, to ensure sufficient staffing in the CDBG Department, that the position of CDBG Supervisor be added at a grade 118 with a salary range of \$40,708 - 61,060;

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

SECTION 1: The City Salary & Administration Plan is amended by the addition of a CDBG Supervisor in the CDBG Department.

**City of Jonesboro  
CDBG Supervisor  
Job Description**

**Exempt:** Yes  
**Department:** CDBG  
**Reports To:** Grants Administrator  
**Location:** Municipal Complex, 300 S Church  
**Date Prepared:** February 14, 2014  
**Date Revised:**

**GENERAL DESCRIPTION OF POSITION**

This position oversees, manages, and directs all CDBG- funded programs, including financial responsibility and project implementation of all projects.

**ESSENTIAL DUTIES AND RESPONSIBILITIES**

1. Directs and supervises the implementation of all CDBG funded activities. This duty is performed daily.
2. Oversees the CDBG funded Home Rehab program, including supervising the Rehab Coordinator on CDBG funded Rehab projects. This duty is performed daily.
3. Coordinates with the North Jonesboro Neighborhood Initiative (NJNI) Community Services Coordinator for successful implementation and accurate reporting of the North Jonesboro Neighborhood Initiative. This duty is performed daily.
4. Coordinates with appropriate departments on CDBG funded projects to ensure proper implementation and to ensure that all federal policies and procedures are followed according to the HUD guidelines. This duty is performed daily.
5. Coordinates with the Grants Project Coordinator (Financial) to ensure accurate financial reporting and management. This duty is performed daily.
6. Serves as the Liaison for the City of Jonesboro to the Department of Housing and Urban Development in Little Rock for CDBG funded projects. This duty is performed daily.
7. Serves as the Liaison for the City of Jonesboro to the Public for all CDBG funded programs, including but not limited to the Home Rehab Program, the Homeownership Assistance Program, and the Demolition Program. This duty is performed daily.
8. Completes and submits to HUD all monthly and quarterly performance reporting for all CDBG funded programs and projects. This duty is performed monthly.
9. Ensures that all mandatory reports and documents, as required by HUD, are on display in the Grants Department of the City of Jonesboro, including but not limited to the Fair Housing Plan, and the CAPER (Consolidated Annual Performance Evaluation Report). This duty is performed annually.
10. Assists the Grants Administrator with budgetary planning and management of

funds for all CDBG funded programs and projects, and the writing of the CDBG Action Plan. This duty is performed annually.

11. Perform any other related duties as required or assigned.

### **QUALIFICATIONS**

To perform this job successfully, an individual must be able to perform each essential duty mentioned satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required.

### **EDUCATION AND EXPERIENCE**

Broad knowledge of such fields as accounting, marketing, business administration, finance, etc. Equivalent to a four year college degree, plus 4 years related experience and/or training, and 1 to 6 months related management experience, or equivalent combination of education and experience.

### **COMMUNICATION SKILLS**

Ability to write speeches and articles for publication that conform to prescribed style and format; Ability to effectively present information to top management, public groups, and/or boards of directors.

### **MATHEMATICAL SKILLS**

Ability to work with mathematical concepts such as probability and statistical inference, and fundamentals of plane, algebra, solid geometry and trigonometry.

### **CRITICAL THINKING SKILLS**

Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.

### **REQUIRED CERTIFICATES, LICENSES, REGISTRATIONS**

Not indicated.

### **PREFERRED CERTIFICATES, LICENSES, REGISTRATIONS**

Not indicated.

### **SOFTWARE SKILLS REQUIRED**

Advanced: Spreadsheet, Word Processing/Typing

Intermediate: 10-Key, Accounting, Alphanumeric Data Entry, Presentation/PowerPoint

Basic: Contact Management, Database, Human Resources Systems, Payroll Systems

### **INITIATIVE AND INGENUITY**

#### **SUPERVISION RECEIVED**

Under general direction, working from policies and general directives. Rarely refers specific cases to supervisor unless clarification or interpretation of the organization's policy is required.

#### **PLANNING**

Considerable responsibility with regard to general assignments in planning time, method, manner, and/or sequence of performance of own work, in addition, the work operations of a group of employees, all performing basically the same type of work.

### **DECISION MAKING**

Performs work operations which permit frequent opportunity for decision-making of minor importance and also frequent opportunity for decision-making of major importance, either of which would affect the work operations of small organizational component and the organization's clientele.

### **MENTAL DEMAND**

Close mental demand. Operations requiring close and continuous attention for control of operations. Operations requiring intermittent direct thinking to determine or select the most applicable way of handling situations regarding the organization's administration and operations; also to determine or select material and equipment where highly variable sequences are involved.

### **ANALYTICAL ABILITY / PROBLEM SOLVING**

Directed. Supervisory and/or professional skills using structured practices or policies and directed as to execution and review. Interpolation of learned things in moderately varied situations where reasoning and decision-making are essential.

### **RESPONSIBILITY FOR WORK OF OTHERS**

The level of direct supervisory responsibility for the assignment of job duties, training, leadership, guidance, needs of employees, hiring, terminating and/or direction of the effort of others. Scoring will depend upon the number and classification of people normally supervised or directed, and the scope of complexity of the operations involved in the supervisory responsibility. (Job classification which involves no supervision will not be assigned a point value for this factor.)

Supervises a small group (1-3) of employees in the same or lower classification. Assigns and checks work; assists and instructs as required, but performs same work as those supervised, or closely related work, most of the time. Content of the work supervised is of a non-technical nature and does not vary in complexity to any great degree.

Supervises the following departments: CDBG

Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities may include but not limited to interviewing, hiring and training employees; planning, assigning and directing work; appraising performance, rewarding and disciplining employees; addressing complaints and resolving problems.

### **RESPONSIBILITY FOR FUNDS, PROPERTY and EQUIPMENT**

Occasionally responsible for organization's property where carelessness, error, or misappropriation would result in moderate damage or moderate monetary loss to the organization. The total value for the above would range from \$150,000 to \$1,000,000.

### **ACCURACY**

Probable errors would not likely be detected until they reached another department, office or patron, and would then require considerable time and effort to correct the situation. Frequently, possibility of error that would affect the organization's prestige and relationship with the public to a limited extent, but where succeeding operations or supervision would normally preclude the possibility of a serious situation arising as a result of the error or decision.

### **ACCOUNTABILITY**

**FREEDOM TO ACT**

Directed. Freedom to complete duties as defined by wide-ranging policies and precedents with mid to upper-level managerial oversight.

**ANNUAL MONETARY IMPACT**

The amount of annual dollars generated based on the job's essential duties / responsibilities. Examples would include direct dollar generation, departmental budget, proper handling of organization funds, expense control, savings from new techniques or reduction in manpower.

Small. Job creates a monetary impact for the organization from \$100,000 to \$1mm.

**IMPACT ON END RESULTS**

Modest impact. Job has some impact on the organizations end results, but still from an indirect level. Provides assistance and support services that facilitates decision making by others.

**PUBLIC CONTACT**

Extensive contacts with various diversified sectors of the public environment; wherein, the contacts are of major importance and failure to exercise proper judgment can lead to substantial losses to the organization.

**EMPLOYEE CONTACT**

Contacts with other departments or offices and also frequently with individuals in middle level positions; consulting on problems which necessitate judgment and tact in presentation to obtain cooperation or approval of action to be taken. Also, important contacts with associates as required in advanced supervisory jobs, plus frequent contact with senior level internal officials.

**USE OF MACHINES, EQUIPMENT AND/OR COMPUTERS**

Occasional use of highly complex machines and equipment; specialized or advanced software programs.

**WORKING CONDITIONS**

Periodically exposed to such elements as noise, intermittent standing, walking, occasionally pushing, carrying, or lifting; but none are present to the extent of being disagreeable.

**ENVIRONMENTAL CONDITIONS**

The following work environment characteristics described here are representative of those an employee encounters while performing essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the functions of this job, the employee is occasionally exposed to outdoor weather conditions. The noise level in the work environment is usually moderate.

**PHYSICAL ACTIVITIES**

The following physical activities described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions and expectations.

Moderate diversity, moderately physical. Work activities which allow for a moderate amount of diversity in the performance of tasks which requires somewhat diversified physical demands of the employee.

While performing the functions of this job, the employee is continuously required to talk or hear; and regularly required to stand, walk, sit, use hands to finger, handle, or feel; frequently required to reach with hands and arms, climb or balance, stoop, kneel, crouch, or crawl, taste or smell. The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision; distance vision; and color vision.

**ADDITIONAL INFORMATION**

Not indicated.



Legislation Details (With Text)

**File #:** ORD-14:006    **Version:** 1    **Name:** Abandonment in Rees Commerce Drive First Addition  
**Type:** Ordinance    **Status:** First Reading  
**File created:** 2/18/2014    **In control:** City Council  
**On agenda:**    **Final action:**

**Title:** AN ORDINANCE ABANDONING AND VACATING A DEVELOPED STREET RIGHT-OF-WAY LOCATED IN:  
  
REES COMMERCE DRIVE 1ST ADDITION, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, AR. PLAT RECORDED IN PLAT BOOK C AT PAGE 220 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.

**Sponsors:**

**Indexes:** Abandonment

**Code sections:**

- Attachments:** [Petition](#)  
[Plat](#)  
[Utility Letters](#)  
[Planning Letter](#)  
[Engineering Letter](#)

Date	Ver.	Action By	Action	Result
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AN ORDINANCE ABANDONING AND VACATING A DEVELOPED STREET RIGHT-OF-WAY LOCATED IN:

REES COMMERCE DRIVE 1<sup>ST</sup> ADDITION, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, AR. PLAT RECORDED IN PLAT BOOK C AT PAGE 220 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.

WHEREAS, the City Council at its regular meeting on , pursuant to Ark. Stats. Section 14-301-302 through 14-301-304 heard the requests of Robert Rees to abandon public street rights-of-way; and

WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and

WHEREAS, the respective utilities have consented to said abandonment, subject to the conditions in Section 4; and

WHEREAS, the abandonment of said street right-of-way will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;



SECTION 1. The City of Jonesboro, Arkansas hereby vacates and abandons all of its rights together with the right of the public generally, in and to the right-of-way of Rees Road, as shown on the recorded plat of Rees Commerce Drive 1<sup>st</sup> Addition, being part of the Southwest quarter of the Northwest quarter of section 24, township 14 North, range 4 East, Jonesboro, AR, Plat recorded in Book C, Page 220 in the office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR.

SECTION 2. A copy of the Ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Craighead County at Jonesboro, Arkansas, and recorded in the Deed Records of Craighead County, Arkansas.

SECTION 3. The closing, vacating, and abandonment by the City of its rights and the rights of the public generally in the above described right-of-way are in the public interest and will promote the public peace and welfare.

SECTION 4. Any and all easements, utilities and improvements maintained by City Water and Light currently located in the area to be vacated and/or abandoned by this ordinance (the "Existing R.O.W.") shall remain intact and unaffected by the passage of this Ordinance until such time the owner has complied with the following:

4.1 Dedication of a twenty (20) foot sewer easement, ten (10) feet either side of the sanitary sewer main as constructed running east and west along the north portion of the street to be abandoned (the "New Easement") and a twenty (20) foot water and electric easement, ten (10) feet either side of the utilities, as constructed, running east and west along the south portion of the street to be abandoned (the "New Easement").

4.2 The New Easements may be conveyed by approved final and recorded plat and plans or by separate express, written easement. As required by Sections 113-49 and 113-50 of the Jonesboro Municipal Code, the Owner shall present any preliminary plat and final plat to CWL for its consideration and approval. In addition, as required by Sections 113-49 and 113-50 of the Jonesboro Municipal Code, any preliminary plat and final plat shall provide information on any existing and proposed utility locations.

**PETITION**

To: Honorable Harold Perrin, Mayor, and Members of the City Council of the City of Jonesboro, Arkansas.

PETITION TO VACATE A DEVELOPED STREET RIGHT-OF-WAY,

We, the undersigned, being the owner(s) of the property adjoining the following described property:

**REES COMMERCE DRIVE 1<sup>ST</sup> ADDITION, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, AR. PLAT RECORDED IN PLAT BOOK C AT PAGE 220 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.**

Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the right-of-way described above closed and abandoned.

Dated this 29 day of JAN, 2014

PROPERTY OWNER NAME AND ADDRESS

Robert Rees  
PO Box 2516  
Jonesboro, AR 72403

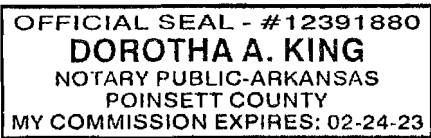
*Robert Rees*

1 - 29 - 14

Signature

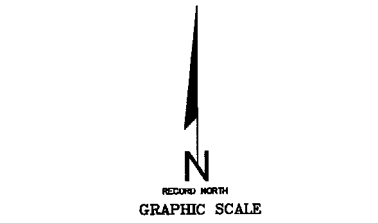
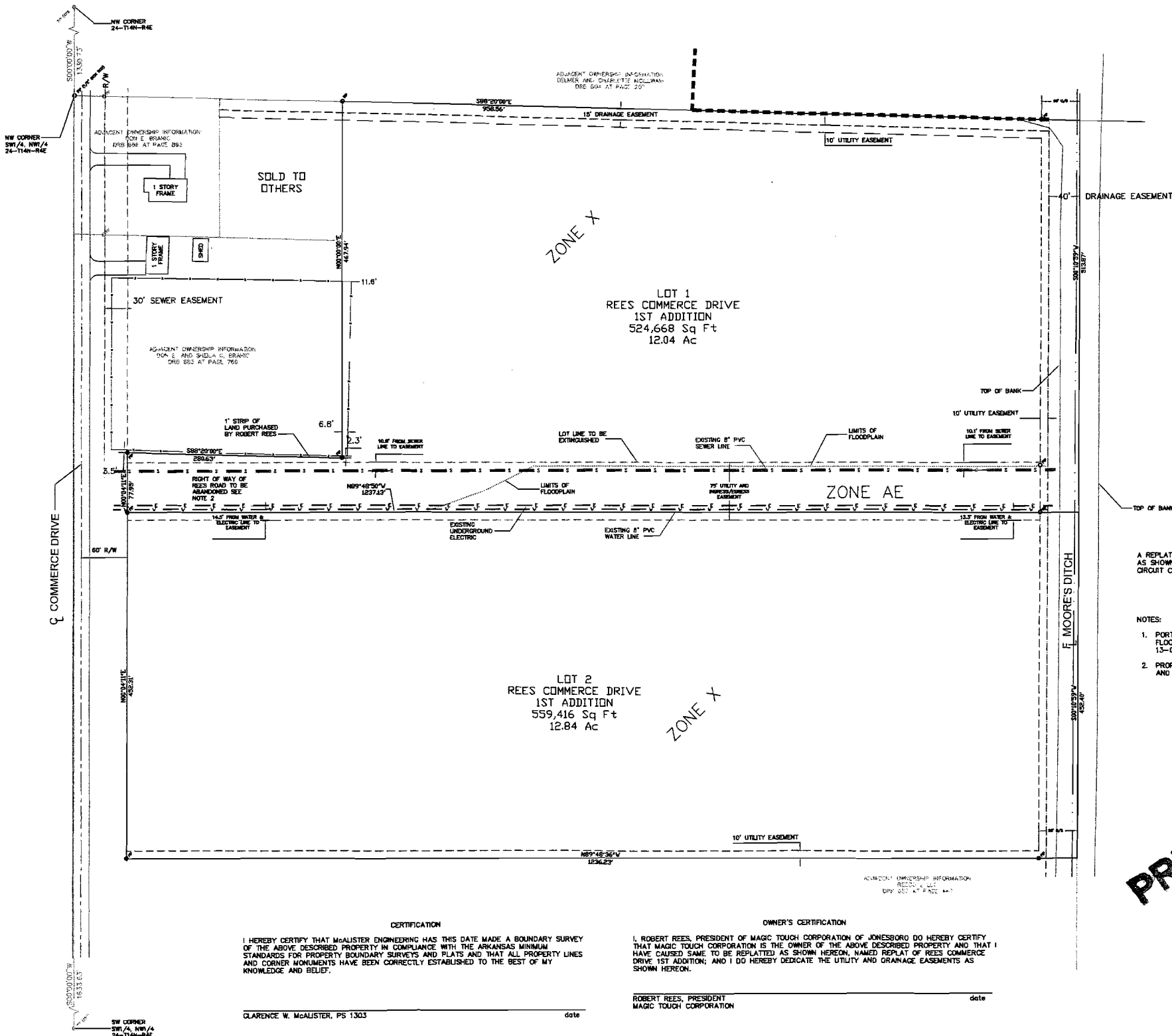
Date

Subscribed and sworn to before me this 29 day of Jan., 2014.



Dorothea A. King  
Notary

Expiration Date: 2/24/23



BASE OF BEARING - NORTH LINE BASED ON  
DEED DESCRIBED TRACTS AT THE CORNER  
HORIZONTAL DATUM: ARKANSAS STATE PLANE NORTH ZONE

LEGEND

○ FOUND IRON PIN  
1" DIA PER DEED (AS SHOWN)

○ SET IRON PIN  
1 1/2" DEEP 5/16" 1200 CAP

— FENCE LINE

- REFERENCE DOCUMENTS
- > PLAT OF SURVEY OF A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD CO., ARKANSAS FOR LARRY CASEY BY HERBERT C. HIME, DATED 4-03-2009. FOUND IN PUBLIC RECORDS.
  - > PLAT OF SURVEY BY H.S. JOHNSON, DATED 9-29-1990, FOUND IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS IN BOOK C AT PAGE 92.
  - > WARRANTY DEED TO GRANTEE DON, E. BRAHIC, FOUND IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS IN BOOK 869 AT PAGE 893.
  - > ADMINISTRATOR'S DEED TO GRANTEES ROBERT AND DARRAH C. REES, FOUND IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS IN BOOK 241 AT PAGE 326.
  - > WARRANTY DEED TO GRANTEES DON E. AND SHEILA G. BRAHIC, FOUND IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS IN BOOK 683 AT PAGE 769.

DESCRIPTION

A REPLAT OF LOTS 1 AND 2 OF REES COMMERCE DRIVE 1ST ADDITION AS SHOWN IN PLAT BOOK C AT PAGE 220 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.

- NOTES:
1. PORTIONS OF THIS PROPERTY HAVE BEEN REMOVED FROM THE FLOOD PLAN PER LOMC 13-06-1558A-050048 AND LOMC 13-06-1621A-050048
  2. PROPOSING TO ABANDON PUBLIC RIGHT OF WAY OF REES ROAD AND TURN INTO A PRIVATE DRIVE.

**PRELIMINARY**

REPLAT  
REES COMMERCE DRIVE 1ST ADDITION  
JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

DRAWN BY: JMH SCALE: 1" = 60' DATE: 12/04/11 JOB NO. 114332	CHECKED BY: CWM PROJECT: 1143232RRee CAD FILE 1143232ReesFarmSDP.dwg DWG REF. 04E-14N-24 SURVEY NO. 800-14N-04E-0-24-304-16-1303	DATE	REVISION
MCALESTER ENGINEERING CIVIL ENGINEERING AND LAND SURVEYING 1015 DT RD JONESBORO, AR 72404 (501)442-1442		CLARENCE W. "MAC" MCALESTER, P.E., PS	



CERTIFICATION

I HEREBY CERTIFY THAT MCALESTER ENGINEERING HAS THIS DATE MADE A BOUNDARY SURVEY OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH THE ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS AND THAT ALL PROPERTY LINES AND CORNER MONUMENTS HAVE BEEN CORRECTLY ESTABLISHED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CLARENCE W. MCALESTER, PS 1303  
date

OWNER'S CERTIFICATION

I, ROBERT REES, PRESIDENT OF MAGIC TOUCH CORPORATION OF JONESBORO DO HEREBY CERTIFY THAT MAGIC TOUCH CORPORATION IS THE OWNER OF THE ABOVE DESCRIBED PROPERTY AND THAT I HAVE CAUSED SAME TO BE REPLATTED AS SHOWN HEREON, NAMED REPLAT OF REES COMMERCE DRIVE 1ST ADDITION; AND I DO HEREBY DEDICATE THE UTILITY AND DRAINAGE EASEMENTS AS SHOWN HEREON.

ROBERT REES, PRESIDENT  
MAGIC TOUCH CORPORATION  
date



*Owned by the Citizens of Jonesboro*

January 13, 2014

City of Jonesboro  
P.O. Box 1845  
Jonesboro, AR 72403  
Attn: Donna Jackson, City Clerk

Re: Right of Way Abandonment  
Rees Road, Rees Commercial Drive 1<sup>st</sup> Addition  
Plat Book C, Page 220  
Jonesboro, Craighead County, Arkansas

Dear Donna:

City Water and Light Plant of the City of Jonesboro (CWL) has been requested to relinquish our interest in the right-of-way on the following described property (Existing R.O.W.):

Rees Road – Rees Commerce Drive 1<sup>st</sup> Addition as recorded in Plat Book C, Page 220 in the Office of the Circuit Clerk for Jonesboro, Craighead County, Arkansas.

CWL has easements, utilities and improvements located in the Existing R.O.W. However, CWL has no objection to the abandonment of the Existing R.O.W. subject to and conditioned upon the following language being included in the vacating ordinance:

Any and all easements, utilities and improvements maintained by City Water and Light currently located in the area to be vacated and/or abandoned by this ordinance (the "Existing R.O.W.") shall remain intact and unaffected by the passage of this Ordinance until such time the owner has complied with the following:

1. Dedication of a twenty (20) foot sewer easement, ten (10) feet either side of the sanitary sewer main as constructed running east and west along the north portion of the street to be abandoned (the "New Easement") and a twenty (20) foot water and electric

Ronald L. Bowen, MANAGER

**CITY WATER & LIGHT** • 400 East Monroe • P.O. Box 1289 • Jonesboro, Arkansas 72403-1289 • 870/935-5581

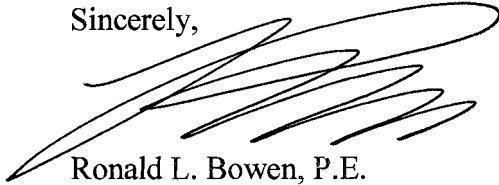
easement, ten (10) feet either side of the utilities, as constructed, running east and west along the south portion of the street to be abandoned (the "New Easement").

2. The New Easements may be conveyed by approved final and recorded plat and plans or by separate express, written easement. As required by Sections 113-49 and 113-50 of the Jonesboro Municipal Code, the Owner shall present any preliminary plat and final plat to CWL for its consideration and approval. In addition, as required by Sections 113-49 and 113-50 of the Jonesboro Municipal Code, any preliminary plat and final plat shall provide information on any existing and proposed utility locations.

Please confirm that the vacating ordinance contains provisions that preserve the Existing R.O.W. until the New Easements are properly granted.

Please feel free to contact me with any questions.

Sincerely,



Ronald L. Bowen, P.E.  
Manager, City Water & Light

RLB  
Enclosure

Cc: Otis Spriggs  
McAlister Engineering

Rec'd 11-25-13  
LRF



November 12, 2013

CenterPoint Energy  
401 W. Capitol Avenue, Suite 600  
Little Rock, AR 72201

RE: Request to Abandon Right-of-Way

To whom it may concern:

This property was platted as Rees Commerce Drive 1<sup>st</sup> Addition recorded in plat book C, page 220 in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the street right of way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,

Clarence W. "Mac" McAlister, PE, PS

I, DAVID BURETT (print name), concur in the closure of the street right of way as shown on the Replat of Rees Commerce Drive 1<sup>st</sup> Addition as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

David Burrett 12-2-2013 ENG MANAGER  
Signature (position)



To: McAlister Engineering  
From: Suddenlink Communications, Inc.  
Date: December 4, 2013  
Re: Request to Abandon Right-of-Way

Suddenlink Communications, Inc. has no objection to the closure of the street right of way as shown on the Replat of Rees Commerce Drive 1<sup>st</sup> Addition, located in Jonesboro, Craighead County, Arkansas, provided that the existing utility easements are retained and maintained.

Respectfully,

*Joey Roach*

Construction Planner  
Suddenlink Communications, Inc.

12/16/13

## UTILITY RELEASE FORM

Telecommunications Easement Abandonment Request

I have been notified of the petition to vacate the following described as follows:

60 Foot Road Right of Way: Rees Commerce Drive First Addition recorder in plat book C, page 220 in the office of the Circuit Clerk for Craighead Count, AR, Jonesboro, AR

This area will be replaced with a 65 Foot Utility and Ingress/Egress Easement.

### UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above.

No objections to the vacation(s) described above, provided the following described easements are retained.

Objects to the vacation(s) described above, reason described below:

*Cindy Cole*

*Mgr ATT Engineering*

Signature of Utility Company Representative

*Cindy Cole*  
*Mgr ATT Eng.*  
*12-16-13*



**McALISTER ENGINEERING**  
CIVIL ENGINEERING AND LAND SURVEYING

November 12, 2013

AT&T Services Inc.  
723 S. Church St  
Jonesboro, AR 72401

RE: Request to Abandon Right-of-Way

To whom it may concern:

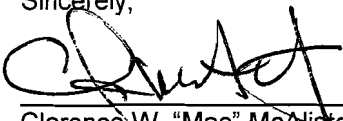
This property was platted as Rees Commerce Drive 1<sup>st</sup> Addition recorded in plat book C, page 220 in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

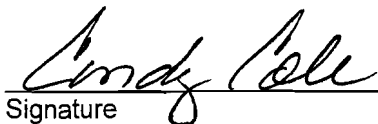
A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the street right of way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, Cindy Cole (print name), concur in the closure of the street right of way as shown on the Replat of Rees Commerce Drive 1<sup>st</sup> Addition as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

  
Signature

Mgr Eng Design  
(position) ATT

**McALISTER ENGINEERING**  
CIVIL ENGINEERING AND LAND SURVEYING

November 12, 2013

Planning Department  
c/o City of Jonesboro  
300 S. Church  
Jonesboro, AR 72401

RE: Request to Abandon Right-of-Way

Dear Mr. Spriggs:

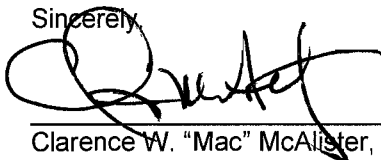
This property was platted as Rees Commerce Drive 1<sup>st</sup> Addition recorded in plat book C, page 220 in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from the Planning Department agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the street right of way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

OTIS SPRIGGS

I, OTIS SPRIGGS (print name), concur in the closure of the street right of way as shown on the Replat of Rees Commerce Drive 1<sup>st</sup> Addition as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

  
Signature

Dir. of Planning  
(position)

**McALISTER ENGINEERING**  
CIVIL ENGINEERING AND LAND SURVEYING

November 12, 2013

Engineering Department  
c/o City of Jonesboro  
300 S. Church St  
Jonesboro, AR 72401

RE: Request to Abandon Right-of-Way

Dear Mr. Light:

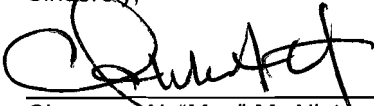
This property was platted as Rees Commerce Drive 1<sup>st</sup> Addition recorded in plat book C, page 220 in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from the Engineering Department agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the street right of way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, CRAIG LIGHT (print name), concur in the closure of the street right of way as shown on the Replat of Rees Commerce Drive 1<sup>st</sup> Addition as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

Craig Light 11/22/13 CITY ENGINEER  
Signature (position)



## Legislation Details (With Text)

**File #:** ORD-14:007    **Version:** 1    **Name:** Abandonment of an alley on Eldridge Street  
**Type:** Ordinance    **Status:** First Reading  
**File created:** 2/19/2014    **In control:** City Council  
**On agenda:**    **Final action:**

**Title:** AN ORDINANCE ABANDONING AND VACATING AN UNDEVELOPED ALLEY LOCATED IN:  
  
LOTS 117-122 OF COLLEGE PLACE ADDITION, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, AR PLAT RECORDED IN DEED RECORD BOOK 48 AT PAGE 106 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.

**Sponsors:**

**Indexes:** Abandonment

**Code sections:**

**Attachments:** [Petition](#)  
[Plat](#)  
[Utility Letters](#)  
[Engineering Letter](#)  
[Planning Letter](#)

Date	Ver.	Action By	Action	Result
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AN ORDINANCE ABANDONING AND VACATING AN UNDEVELOPED ALLEY LOCATED IN:

LOTS 117-122 OF COLLEGE PLACE ADDITION, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, AR PLAT RECORDED IN DEED RECORD BOOK 48 AT PAGE 106 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.

WHEREAS, the City Council at its regular meeting on , pursuant to Ark. Stats. Section 14-301-302 through 14-301-304 heard the requests of Grace Baptist Church to abandon an unnamed, platted alley; and

WHEREAS, the City Council held a public hearing and heard all persons desiring to be heard in connection with this matter; and

WHEREAS, the respective utilities have consented to said abandonment; and

WHEREAS, the abandonment of said alley right of way will not adversely affect the City of Jonesboro, and would be in the best interest of all parties concerned.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that;

SECTION 1. The City of Jonesboro, Arkansas hereby vacates and abandons all of its rights together with the right of the public generally, in and to the platted, unnamed alley, as shown on the recorded plat of College Place Addition, being part of the Southwest quarter of the Northeast quarter of section 17, township 14 North,

range 4 East, Jonesboro, AR, Plat recorded in Deed Record Book 48, Page 106 in the office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR.

SECTION 2. A copy of the Ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Craighead County at Jonesboro, Arkansas, and recorded in the Deed Records of Craighead County, Arkansas.

SECTION 3. The closing, vacating, and abandonment by the City of its rights and the rights of the public generally in the above described right-of-way are in the public interest and will promote the public peace and welfare.

**PETITION**

To: Honorable Harold Perrin, Mayor, and Members of the City Council of the City of Jonesboro, Arkansas

**PETITION TO VACATE A 15' x 95' ALLEYWAY**

We, the undersigned being the owner(s) of property adjoining the following described property: All of Lots 117, 118, 120, 121, and 122 of College Place addition to the City of Jonesboro Recorded in Deed Book 48, at Page 120, in the Office of the Circuit Clerk For Craighead County in Jonesboro, Arkansas.

Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the alleyway described in attached replat to be abandoned and vacated.

Dated this 6<sup>th</sup> day of February, 2014.

PROPERTY OWNER, NAME AND ADDRESS

Grace Missionary Baptist Church  
3930 Aggie Road  
Jonesboro, AR 72401

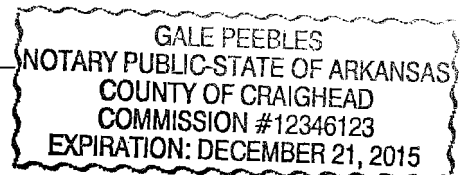
Adrian Parker 2-6-14  
Signature Date

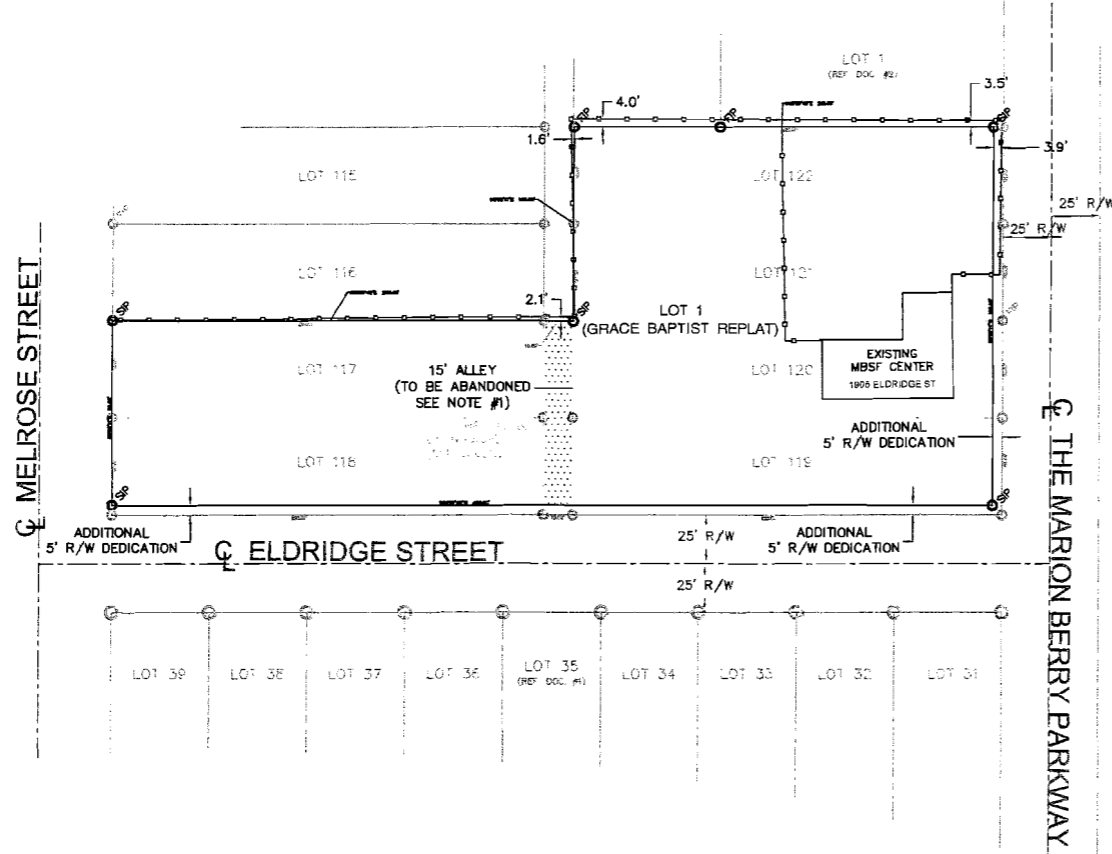
David H. Foulkes 2-6-14  
Signature Date

Subscribed and sworn to before me this 6<sup>th</sup> day of February, 2014

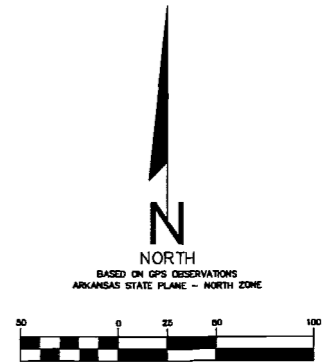
Gale Peebles  
Notary

Expiration Date: 12-21-2015





**DESCRIPTION**  
 ALL OF LOTS 117, 118, 119, 120, 121, & 122 OF COLLEGE PLACE ADDITION TO THE CITY OF JONESBORO RECORDED IN DEED BOOK 48, AT PAGE 120, IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS.



**CERTIFICATION**  
 I HEREBY CERTIFY THAT McALISTER ENGINEERING HAS THIS DATE MADE A BOUNDARY SURVEY OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH THE ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS AND THAT ALL PROPERTY LINES AND CORNER MONUMENTS HAVE BEEN CORRECTLY ESTABLISHED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

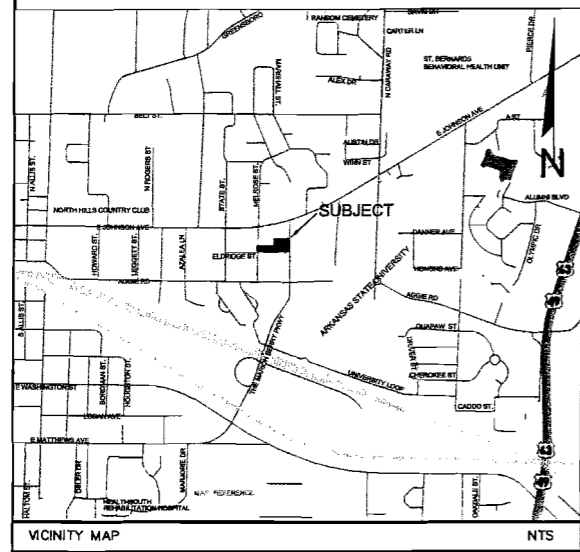
CLARENCE W. McALISTER, PS 13D3 \_\_\_\_\_ DATE \_\_\_\_\_

**OWNER'S CERTIFICATION**  
 WE, ADRIAN PARKER AND DAVID FOWLKES, HEREBY CERTIFY THAT GRACE BAPTIST CHURCH IS THE OWNER OF THE DESCRIBED PROPERTY HEREON AND THAT WE HAVE CAUSED SAME TO BE PLATTED AS SHOWN HEREON; AND WE HEREBY DEDICATE ADDITIONAL RIGHT OF WAY FOR ELDRIDGE STREET AND THE MARION BERRY PARKWAY AS SHOWN FOR THE PERPETUAL USE OF THE PUBLIC.

ADRIAN PARKER, PASTOR \_\_\_\_\_ DATE \_\_\_\_\_

DAVID FOWLKES, HEAD DEACON \_\_\_\_\_ DATE \_\_\_\_\_

- LEGEND**
- FOUND IRON PIN (1" DIA PIPE)
  - SET IRON PIN (1/2" REBAR W/ PS1303 CAP)
  - COMPUTED POINT / POINT NOT SET
  - FENCE LINE
  - LOT LINE TO BE EXTINGUISHED



- NOTES:**
- RIGHT-OF-WAY TO BE ABANDONED - A PART OF AN ALLEY (15'X95' AS SHOWN) IN COLLEGE PLACE ADDITION
  - CLIENT - GRACE BAPTIST CHURCH

- REFERENCE DOCUMENTS:**
- PLAT OF COLLEGE PLACE ADDITION TO THE CITY OF JONESBORO RECORDED IN DEED RECORD BOOK 48, PAGE 120, IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY, AR, IN JONESBORO, AR.
  - REPLAT OF PART OF LOTS 123, 124, 125, 126 & 127 OF COLLEGE PLACE ADDITION TO JONESBORO, ARKANSAS RECORDED IN PLAT CABINET "A", PAGE 129, IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY, AR, IN JONESBORO, AR.

**REDUCED COPY**

**GRACE BAPTIST REPLAT OF LOTS 117 - 122  
 COLLEGE PLACE ADDITION  
 JONESBORO, ARKANSAS  
 GRACE BAPTIST CHURCH**

<b>McALISTER ENGINEERING</b> CIVIL ENGINEERING AND LAND SURVEYING 1013 CR 820 JONESBORO, AR 72404 OFFICE: 870-931-1420 FAX: 870-275-7140	DRAWN BY: DM	CHECKED BY: CM
	SCALE: 1" = 50'	DATE: 06JAN14
	CAD FILE: 1357243-GraceBaptist.dwg	
	DWG REF. 04E-14N-17	
CLARENCE W. "MAC" McALISTER, PE, PLS	JOB NO. 1357243	SHEET 1 / 1
	500-14N-04E-0-17-130-16-1303	



*Owned by the Citizens of Jonesboro*

January 15, 2014

City of Jonesboro  
P.O. Box 1845  
Jonesboro, AR 72403  
Attn: Donna Jackson

Re: Alley Abandonment  
College Place Addition

Dear Donna:

City Water and Light has no objection with the closing of a 15' alley lying east of Lots 117 and 118 and west of Lots 120 and 119 of the Plat of College Place Addition, Jonesboro, Craighead County, Arkansas, being more particularly described as follows: A 15' x 95' alley between Lots 117, 118, 119 & 120 as platted on College Place Addition in Deed Book 48, Page 120 in the Office of the Circuit Clerk for Jonesboro, Craighead County, Arkansas.

Please call if you have questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ronald L. Bowen', is written over a large, stylized, scribbled-out area.

Ronald L. Bowen, P.E.  
Manager, City Water and Light

Enclosure

CC: McAlister Engineering  
Otis Spriggs, City of Jonesboro

Ronald L. Bowen, MANAGER

**CITY WATER & LIGHT** • 400 East Monroe • P.O. Box 1289 • Jonesboro, Arkansas 72403-1289 • 870/935-5581





January 6, 2014

Suddenlink Communications Inc.  
1320 S. Caraway Rd.  
Jonesboro, AR 72401

RE: Request to Abandon Right-of-Way

To whom it may concern:

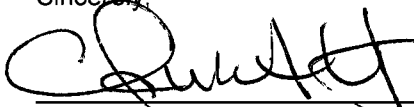
This property was platted as College Place Addition recorded in deed record book 48, page 120 in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

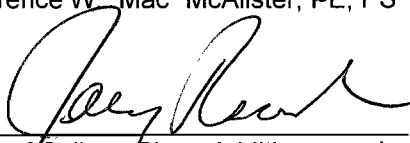
The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the street right of way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

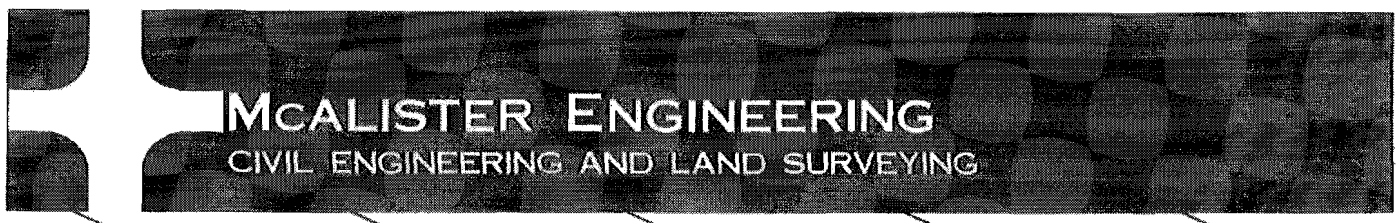
Sincerely,

  
Clarence W. "Mac" McAlister, PE, PS

I,  (print name), concur in the closure of the platted alley as shown on the Correction Plat of College Place Addition as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

 1-23-14  
Signature (position)

Rec'd 1/13/14  
EPT



January 6, 2014

CenterPoint Energy  
401 W. Capitol Avenue, Suite 600  
Little Rock, AR 72201

RE: Request to Abandon Right-of-Way

To whom it may concern:

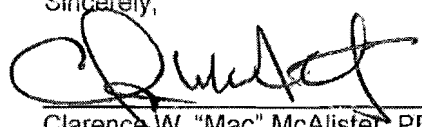
This property was platted as College Place Addition recorded in deed record book 48, page 120 in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.


State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the street right of way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,

  
Clarence W. "Mac" McAlister, PE, PS

I, DAVID BURNETT (print name), *do not object* concur in the closure of the platted alley as shown on the Correction Plat of College Place Addition as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

  
Signature *ENERGY MANAGER 1-16-2014*  
(position)

**McALISTER ENGINEERING**  
CIVIL ENGINEERING AND LAND SURVEYING

January 6, 2014

AT&T Services Inc.  
723 S. Church St  
Jonesboro, AR 72401

RE: Request to Abandon Right-of-Way

To whom it may concern:

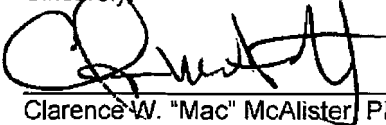
This property was platted as College Place Addition recorded in deed record book 48, page 120 in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

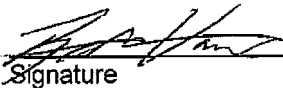
A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the street right of way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister PE, PS

I, Rodney Vanhazer (print name), concur in the closure of the platted alley as shown on the Correction Plat of College Place Addition as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.



Signature

Mgr Engineering  
(position)

# UTILITY RELEASE FORM

## TELECOMMUNICATIONS EASEMENT ABANDONMENT REQUEST

I have been notified of the petition to vacate the following described as follows:

College Place Addition recorded in deed record book 48, page 120 in the office of the Circuit Clerk for Craighead County, AR.

### UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above.

No objections to the vacation(s) described above, provided the following described easements are retained.

Objections to the vacation(s) described above, reason described below:

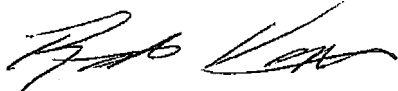
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---

Rodney Vanhoozer

MGR AT&T ENGINEERING

Signature of Utility Company Representative



1-13-2014

**McALISTER ENGINEERING**  
CIVIL ENGINEERING AND LAND SURVEYING

January 6, 2014

Engineering Department  
c/o City of Jonesboro  
300 S. Church St  
Jonesboro, AR 72401

RE: Request to Abandon Right-of-Way

To whom it may concern:

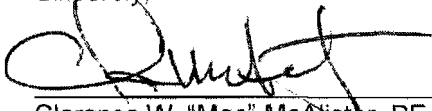
This property was platted as College Place Addition recorded in deed record book 48, page 120 in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the street right of way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, CRAIG LIGHT (print name), concur in the closure of the platted alley as shown on the Correction Plat of College Place Addition as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

Signature



CITY ENGINEER

(position)

**McALISTER ENGINEERING**  
CIVIL ENGINEERING AND LAND SURVEYING

January 6, 2014

Planning Department  
c/o City of Jonesboro  
300 S. Church  
Jonesboro, AR 72401

RE: Request to Abandon Right-of-Way

To whom it may concern:

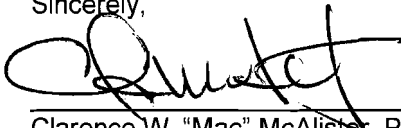
This property was platted as College Place Addition recorded in deed record book 48, page 120 in the Office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

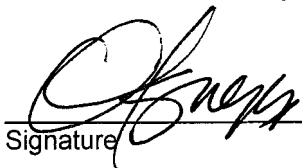
A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the street right of way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, Oris Springs (print name), concur in the closure of the platted alley as shown on the Correction Plat of College Place Addition as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

  
Signature

Dir. of Planning  
(position)



## Legislation Details (With Text)

<b>File #:</b>	ORD-14:008	<b>Version:</b>	1	<b>Name:</b>	Abandonment on Johnson Avenue & Labaume Street
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	First Reading
<b>File created:</b>	2/19/2014	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	AN ORDINANCE TO VACATE AND ABANDON THAT PART OF AN UNDEVELOPED 10' ALLEY LYING NORTH OF LOT 7 AND A PART OF LOT 6 OF GAMBILL'S ADDITION (RECORDED IN BOOK 23, PAGE 610), JONESBORO, CRAIGHEAD COUNTY, ARKANSAS.				
<b>Sponsors:</b>					
<b>Indexes:</b>	Abandonment				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Petition, Plat and Ordinances</a> <a href="#">Engineering Letter</a> <a href="#">Planning Letter</a> <a href="#">Utility Letters</a>				

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO VACATE AND ABANDON THAT PART OF AN UNDEVELOPED 10' ALLEY LYING NORTH OF LOT 7 AND A PART OF LOT 6 OF GAMBILL'S ADDITION (RECORDED IN BOOK 23, PAGE 610), JONESBORO, CRAIGHEAD COUNTY, ARKANSAS.

BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that:

SECTION ONE: The City of Jonesboro, Arkansas, hereby releases, vacates and abandons all of its rights, together with the rights of the public generally, in and to the portion of this right of way designated as follows:

### LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 1 OF MEYERS ADDITION TO THE CITY OF JONESBORO, ARKANSAS; THENCE NORTH 89°39'03" EAST, 56.00 FEET; THENCE SOUTH 01°00'22" WEST, 10.00 FEET; THENCE SOUTH 89°39'03" WEST, 56.00 FEET; THENCE NORTH 01°00'22" EAST 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 560 SQUARE FEET, MORE OR LESS, BEING SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

SECTION TWO: A copy of the ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Craighead County, Arkansas and shall be filed in the Deed Records of such office.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO VACATE AND ABANDON THAT PART OF AN UNDEVELOPED 10' ALLEY LYING NORTH OF LOT 7 AND A PART OF LOT 6 OF GAMBILL'S ADDITION (RECORDED IN BOOK 23, PAGE 610), JONESBORO, CRAIGHEAD COUNTY, ARKANSAS.**

BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that:

**SECTION ONE:** The City of Jonesboro, Arkansas, hereby releases, vacates and abandons all of its rights, together with the rights of the public generally, in and to the portion of this right of way designated as follows:

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 1 OF MEYERS ADDITION TO THE CITY OF JONESBORO, ARKANSAS; THENCE NORTH 89°39'03" EAST, 56.00 FEET; THENCE SOUTH 01°00'22" WEST, 10.00 FEET; THENCE SOUTH 89°39'03" WEST, 56.00 FEET; THENCE NORTH 01°00'22" EAST 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 560 SQUARE FEET, MORE OR LESS, BEING SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

**SECTION TWO:** A copy of the ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Craighead County, Arkansas and shall be filed in the Deed Records of such office.

PASSED AND ADOPTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
HAROLD PERRIN, MAYOR

ATTEST:

\_\_\_\_\_  
DONNA K. JACKSON, CMC, CITY CLERK





TO: Honorable Harold Perrin, Mayor, and Members of the City Council of the City of Jonesboro, Arkansas

**PETITION TO ABANDON THAT PART OF AN UNDEVELOPED 10' ALLEY LYING NORTH OF LOT 7 AND A PART OF LOT 6 OF GAMBILL'S ADDITION (RECORDED IN BOOK 23, PAGE 610), JONESBORO, CRAIGHEAD COUNTY, ARKANSAS.**

We / I the undersigned, being the owner/s of all property adjoining to the following described Right of way located in the City of Jonesboro, Arkansas, described as follows:

**LEGAL DESCRIPTION:**

BEGINNING AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 1 OF MEYERS ADDITION TO THE CITY OF JONESBORO, ARKANSAS; THENCE NORTH 89°39'03" EAST, 56.00 FEET; THENCE SOUTH 01°00'22" WEST, 10.00 FEET; THENCE SOUTH 89°39'03" WEST, 56.00 FEET; THENCE NORTH 01°00'22" EAST 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 560 SQUARE FEET, MORE OR LESS, BEING SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have all of the above described Right of way legally abandoned.

DATED this 12<sup>th</sup> day of NOVEMBER 2013.

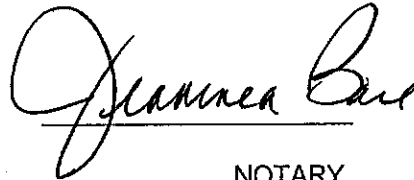
PROPERTY OWNER

ADDRESS

Don Latourette P.O. Box 1915, Jonesboro, AR 72403

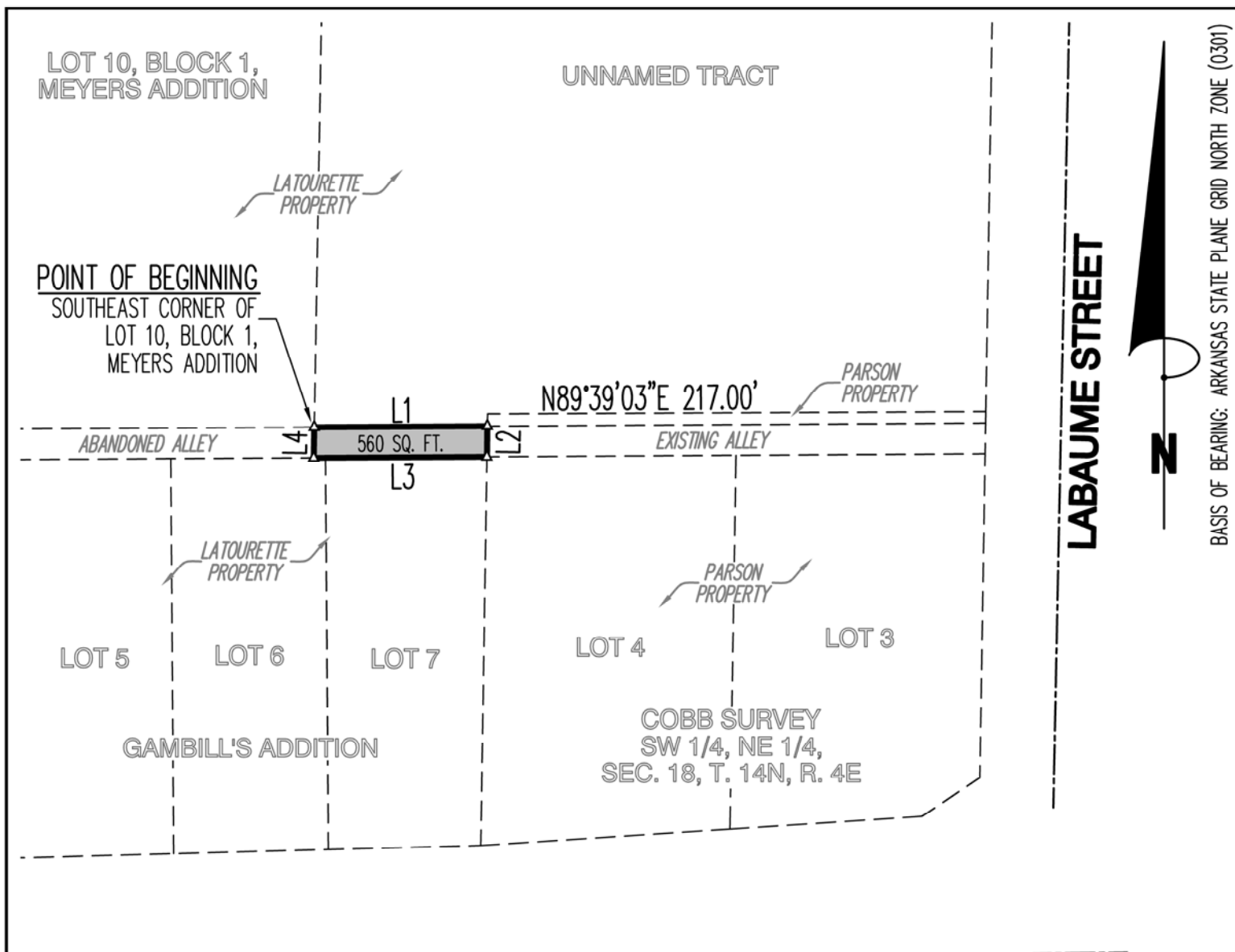


Subscribed and sworn to before me this 12 day of NOV, 2013



NOTARY

Expiration date: 11/2/14



BASIS OF BEARING: ARKANSAS STATE PLANE GRID NORTH ZONE (0301)

**U.S. HIGHWAY NO. 63 BUSINESS  
JOHNSON AVENUE**

**ALLEY ABANDONMENT:**

THE 10' ALLEY LYING NORTH OF LOT 7 AND A PART OF LOT 6 OF GAMBILL'S ADDITION, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 1 OF MEYERS ADDITION, JONESBORO, ARKANSAS; THENCE NORTH 89°39'03" EAST, 56.00 FEET; THENCE SOUTH 01°00'22" WEST, 10.00 FEET; THENCE SOUTH 89°39'03" WEST, 56.00 FEET; THENCE NORTH 01°00'22" EAST TO THE POINT OF BEGINNING, CONTAINING 560 SQUARE FEET, MORE OR LESS, BEING SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

**LEGEND:**

△ COMPUTED POINT (NOT MONUMENTED)

**LINE TABLE:**

LINE #	DIRECTION	LENGTH
L1	N89°39'03"E	56.00'
L2	S01°00'22"W	10.00'
L2	S89°39'03"W	56.00'
L4	N01°00'22"E	10.00'



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**EXHIBIT "A"  
COMPILATION MAP**

THE 10' ALLEY LYING NORTH OF LOT 7 AND A PART OF LOT 6 OF GAMBILL'S ADDITION, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

**HAYWOOD, KENWARD, BARE & ASSOCIATES, INC.**  
CIVIL ENGINEERING — SURVEYING — PLANNING

1801 LATOURETTE DRIVE  
JONESBORO, ARKANSAS 72404  
TEL 870-932-2019 FAX 870-932-1076

CLIENT  
**DON LATOURETTE**

REVISIONS		
DATE	BY	DESCRIPTION
SURVEY INDEX CODE		
PROJECT NO. L021-0004-28		
DRAWN BY JJN	CHECKED BY JDB	
SHEET 1 OF 1	SCALE 1"=50'	
DATE 11/04/13	DRAWING NO. U-61	



November 13, 2013

Mr. Don Latourette  
Latourette Rentals  
P.O. Box 1915  
Jonesboro, AR 72403

RE: Alley Abandonment

Dear Mr. Latourette,

The City of Jonesboro Engineering Department concurs with the abandonment of the portion of the alley as described on "Exhibit A" Compilation Map Project No. L021-0004-28 dated November 11, 2013, as provided by Haywood, Kenward, Bare & Associates, Inc.

If you have any questions or comments please, feel free to contact me at the above reference number.

Sincerely,

A handwritten signature in black ink, appearing to read "CL", is written over a faint, larger signature.

Craig Light, PE CFM  
City Engineer



PLANNING & ZONING DEPARTMENT



300 S. Church  
Jonesboro, AR 72403  
(870) 932-0406 Voice  
(870) 336-3036 Fax  
www.jonesboro.org

November 12, 2013

**Don Latourette, Latourette Rentals**  
P.O. Box 1915  
Jonesboro, AR 72403

Re: Abandonment of a 10ft. Alleyway Lying North of Lot  
7 and Part of Lot 6 of Gambill's Addition

**Dear Mr. Latourette,**

The City of Jonesboro Planning Department has received your request for abandoning a 10 ft. Alleyway lying North of Lot 7, and Part of Lot 6 of Gambill's Addition, as described on the petition, ordinance and drawings provided by Haywood, Kenward, Bare & Associates, Inc. on your behalf.

The Planning Department has no objection to this abandonment request and has determined that it will not cause any incompliance with the Zoning or Subdivision Regulations, contingent upon you satisfying all recommendations of the Jonesboro Planning and Engineering Departments regarding the final platting, and future redevelopment permits required for future uses on the subject property.

Our office has also been made aware that you have solicited the proper consent of all abutting property owners that own property having frontage on the listed street segments and the affected utility agencies.

If you require any additional information, please advise us at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Otis T. Spriggs". The signature is written in a cursive, flowing style.

Otis T. Spriggs AICP  
Planning Director, City Jonesboro, AR

**Haywood, Kenward, Bare**  
**AND ASSOCIATES, INC.**  
Civil Engineering - Surveying - Planning

January 16, 2014

Centerpoint Energy  
Jonesboro Construction Supervisor  
3013 Ole Feedhouse Road  
Jonesboro, AR72404

RE: Alley Abandonment

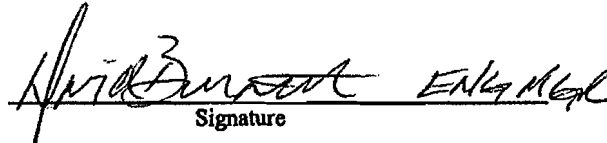
Don Latourette is requesting the abandonment of a portion of an alley lying north of a part of Lot 6 and all of Lot 7 of Gambill's Addition to Jonesboro Arkansas.

The general location of proposed abandonment is approximately 130 feet north of Johnson Avenue and approximately 161 feet west of Labaume Street.

If you have any questions or need additional information please contact me at 870.932.2019.

I do not object to abandonment request.

I do object to the abandonment request.

  
Signature

Respectfully,

Terry Bare



*Owned by the Citizens of Jonesboro*

January 15, 2014

City of Jonesboro  
P.O. Box 1845  
Jonesboro, AR 72403  
Attn: Donna Jackson

Re: Alley Abandonment  
Gambill's Addition

Dear Donna:

City Water and Light has no objection with the closing of a 10' alley lying north of Lot 7 and a part of Lot 6 of Gambill's Addition, Jonesboro, Craighead County, Arkansas, being more particularly described as follows: Beginning at the Southeast Corner of Lot 10, Block 1 of Meyers Addition, Jonesboro, Arkansas; thence North 89°39'03" East, 56.00 feet; thence South 01°00'22" West, 10.00 feet; thence South 89°39'03" West, 56.00 feet; thence North 01°00'22" East to the point of beginning, containing 560 square feet, more or less, being subject to all Rights-of-Way and easements of record.

Please call if you have questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ronald L. Bowen', is written over a large, stylized, scribbled-out signature area.

Ronald L. Bowen, P.E.  
Manager, City Water and Light

Enclosure

CC: Hayward, Kenward, Bare & Associates, Inc.  
Otis Spriggs, City of Jonesboro

# AT&T

## UTILITY RELEASE FORM

### TELECOMMUNICATIONS EASEMENT ABANDONMENT REQUEST

I have been notified of the petition to vacate the following described as follows:

#### **ALLEY ABANDONMENT:**

THE 10' ALLEY LYING NORTH OF LOT 7 AND A PART OF LOT 6 OF GAMBILL'S ADDITION, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 1 OF MEYERS ADDITION, JONESBORO, ARKANSAS; THENCE NORTH 89°39'03" EAST, 56.00 FEET; THENCE SOUTH 01°00'22" WEST, 10.00 FEET; THENCE SOUTH 89°39'03" WEST, 56.00 FEET; THENCE NORTH 01°00'22" EAST TO THE POINT OF BEGINNING, CONTAINING 560 SQUARE FEET, MORE OR LESS, BEING SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

#### **UTILITY COMPANY COMMENTS:**

No objections to the vacation(s) described above.

No objections to the vacation(s) described above, provided the following described easements are retained.

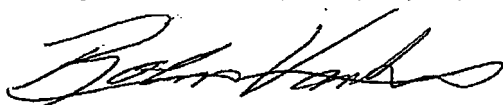
Objections to the vacation(s) described above, reason described below:

---

Rodney Vanhoozer

MGR AT&T ENGINEERING

Signature of Utility Company Representative



2-04-14





To: Haywood, Kenward, Bare

From: Suddenlink Communications, Inc.

Date: December 4, 2013

Re: Request for an Alley Abandonment

Suddenlink Communications, Inc. has no objection to the requested abandonment of an undeveloped 10' alley lying North of Lot 7 and a part of Lot 6 of Gambill's Addition, located in Jonesboro, Craighead County, Arkansas, provided that the existing utility easements are retained and maintained.

Respectfully,

*Joey Roach*

Construction Planner  
Suddenlink Communications, Inc.



## Legislation Details (With Text)

<b>File #:</b>	RES-14:011	<b>Version:</b>	1	<b>Name:</b>	Set a public hearing for the abandonment of undeveloped right of way in RL Hayes 2nd Addition
<b>Type:</b>	Resolution	<b>Status:</b>			Recommended Under New Business
<b>File created:</b>	2/13/2014	<b>In control:</b>			City Council
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF AN UNDEVELOPED RIGHT-OF-WAY IN R.L. HAYES 2ND ADDITION SUBDIVISION AS REQUESTED BY SALLIE AND SAMMY BROWN				
<b>Sponsors:</b>					
<b>Indexes:</b>	Abandonment, Public hearing				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Plat</a> <a href="#">Utility Letters</a> <a href="#">Planning Dept. Letter</a> <a href="#">Engineering Dept. Letter</a> <a href="#">Petition</a>				

Date	Ver.	Action By	Action	Result
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RESOLUTION TO SET A PUBLIC HEARING REGARDING THE ABANDONMENT OF AN UNDEVELOPED RIGHT-OF-WAY IN R.L. HAYES 2ND ADDITION SUBDIVISION AS REQUESTED BY SALLIE AND SAMMY BROWN

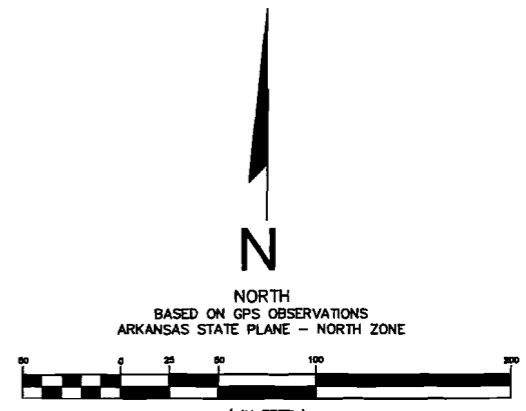
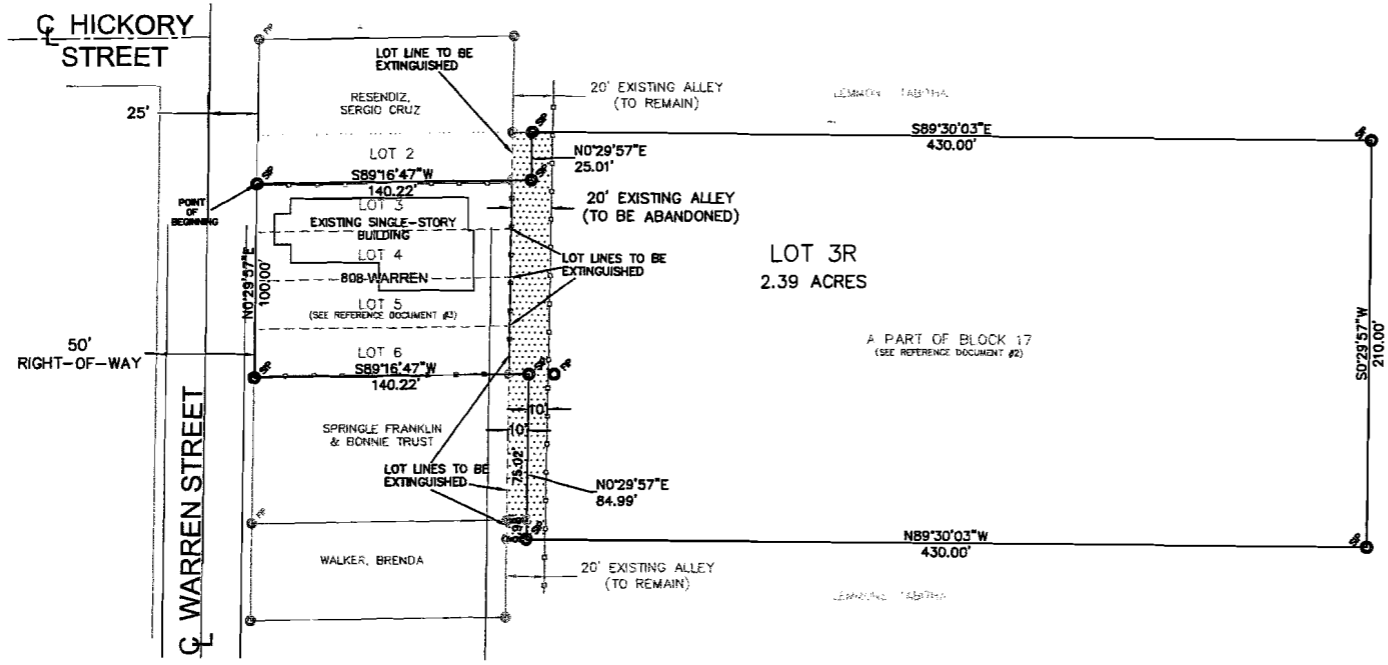
WHEREAS, Sallie Brown, has filed a petition with the City Clerk of the City of Jonesboro, Arkansas, requesting that the City abandon and vacate an undeveloped right-of-way in:

A PART OF AN ALLEY IN R.L. HAYES 2ND ADDITION SUBDIVISION, BEING PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, AR, PLAT RECORDED IN BOOK 48, PAGE 63 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY, AR, IN JONESBORO, AR.

WHEREAS, the petition has been presented to the City of Jonesboro, Arkansas; and

WHEREAS, Arkansas law requires notice of such public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Jonesboro, Arkansas, that the City Clerk is directed to publish a notice advising the public of such request to vacate and abandon the above mentioned right-of-way and that this matter will be heard before the City Council on \_\_\_\_\_, at \_\_\_\_\_ o'clock, p.m. at the Municipal Building, Jonesboro, Arkansas.



- LEGEND**
- FOUND IRON PIN
  - SET IRON REBAR W/PS1303 CAP
  - COMPUTED POINT
  - FENCE

**REFERENCE DOCUMENTS:**

1. R. L. HAYES 2ND ADDITION, SUBDIVISION PLAT RECORDED IN PLAT BOOK 48, PAGE 83, IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY, AR, IN JONESBORO, AR.
2. WARRANTY DEED, RECORDED IN BOOK JB2013R, PAGE 005867 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY, AR, IN JONESBORO, AR.
3. WARRANTY DEED, RECORDED IN BOOK 610, PAGE 282 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY, AR, IN JONESBORO, AR.

**CERTIFICATION**

I HEREBY CERTIFY THAT McALISTER ENGINEERING HAS THIS DATE MADE A BOUNDARY SURVEY OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH THE ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS AND THAT ALL PROPERTY LINES AND CORNER MONUMENTS HAVE BEEN CORRECTLY ESTABLISHED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CLARENCE W. McALISTER, PROFESSIONAL SURVEYOR NO. 1303      NOV 18, 2013

**DESCRIPTION**

A REPLAT IN R. L. HAYES 2ND ADDITION SUBDIVISION RECORDED IN PLAT BOOK 48 AT PAGE 83 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY IN JONESBORO, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF LOT 3, BLOCK 10 OF AFOREMENTIONED R. L. HAYES 2ND ADDITION SUBDIVISION, THE POINT OF BEGINNING;

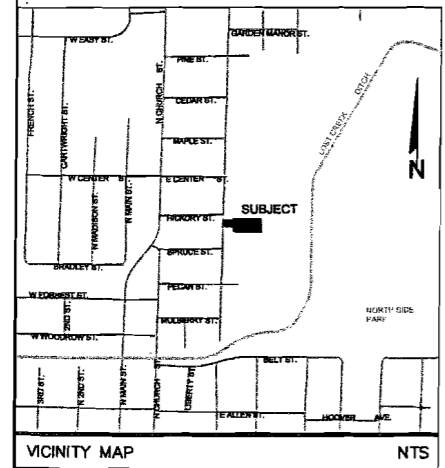
THENCE S89°16'47"W 140.22 FEET ALONG THE NORTH LINE OF LOT 3 TO A POINT ON THE CENTERLINE OF AN EXISTING ALLEY RIGHT-OF-WAY, THENCE N00°29'57"E 25.01 FEET ALONG SAID CENTERLINE TO A POINT, THENCE S89°30'03"E 430.00 FEET TO A POINT, THENCE S00°29'57"W 210.00 FEET TO A POINT, THENCE N89°30'03"W 430.00 FEET TO A POINT ON THE CENTERLINE OF AN EXISTING ALLEY RIGHT-OF-WAY, THENCE N00°29'57"E 84.99 FEET ALONG SAID CENTERLINE TO A POINT, THENCE S89°16'47"W 140.22 FEET ALONG THE SOUTH LINE OF LOT 6 TO THE SOUTHWEST CORNER THEREOF, THENCE N00°29'57"E 100.00 FEET ALONG THE EASTERLY RIGHT-OF-WAY OF WARREN STREET TO THE POINT OF BEGINNING, CONTAINING SOME 2.39 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD.

**OWNER'S CERTIFICATION**

WE HEREBY CERTIFY THAT FAITH SOUL OUTREACH MINISTRIES INC. IS THE OWNER OF THE DESCRIBED PROPERTY HEREON AND THAT WE HAVE CAUSED SAME TO BE PLATTED AS SHOWN HEREON.

SAMMY BROWN, PRESIDENT      SALLIE BROWN, VICE-PRESIDENT

**NOTES:**  
 RIGHT-OF-WAY TO BE ABANDONED - A PART OF AN ALLEY IN R.L. HAYS 2ND ADDITION.  
 CLIENT - SALLIE BROWN, SAMMY BROWN - FAITH SOUL OUTREACH MINISTRIES INC.



**REDUCED COPY**

**REPLAT**

**R. L. HAYES 2ND ADDITION**  
 JONESBORO, ARKANSAS  
 FAITH SOUL OUTREACH MINISTRIES INC.

<b>McALISTER ENGINEERING</b> CIVIL ENGINEERING AND LAND SURVEYING <small>1013 CR 800, JONESBORO, AR 72444          870-931-1425</small>	DRAWN BY: DM    CHECKED BY: CWM
	SCALE: 1" = 50'
	DATE: 22OCT13    DWG REF. 07-14N-4E
	FILE: 1355930Brown.dwg
	JOB NO. 1355930    SHEET 1 / 1
CLARENCE W. "MAC" McALISTER, PE, PS      500-14N-04E-0-07-230-16-1303	



To: McAlister Engineering  
From: Suddenlink Communications, Inc.  
Date: December 4, 2013  
Re: Request to Abandon Right-of-Way

Suddenlink Communications, Inc. has no objection to the closure of the right of way as shown on the Replat of R. L. Hayes 2<sup>nd</sup> Addition (in Lots 3, 4, 5, 6, of Block 10 and a part of Block 17 of Hayes 2<sup>nd</sup> Addition), located in Jonesboro, Craighead County, Arkansas, provided that the existing utility easements are retained and maintained.

Respectfully,

*Joey Roach*

Construction Planner  
Suddenlink Communications, Inc.

Rec'd 11-25-13  
ZAF



November 12, 2013

CenterPoint Energy  
401 W. Capitol Avenue, Suite 600  
Little Rock, AR 72201

RE: Request to Abandon Right-of-Way

Dear CenterPoint Representative:

This property was platted as Hayes 2<sup>nd</sup> Addition recorded in book 48, page 63 in the office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the right-of-way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,

Clarence W. "Mac" McAlister, PE, PS

I, DAVID BURNETT (print name), concur in the closure of the right-of-way as shown on Replat of R. L. Hayes 2<sup>nd</sup> Addition (in Lots 3, 4, 5, 6, of Block 10 and a part of Block 17 of Hayes 2<sup>nd</sup> Addition) as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

David Burnett 12-2-2013  
(Signature)

ENG. MANAGER  
(Position)

Utility Company Representative

**McALISTER ENGINEERING**  
CIVIL ENGINEERING AND LAND SURVEYING

November 12, 2013

AT&T Services Inc.  
723 S. Church St  
Jonesboro, AR 72401

RE: Request to Abandon Right-of-Way

Dear AT&T Representative:

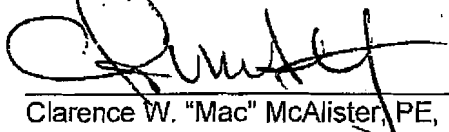
This property was platted as Hayes 2<sup>nd</sup> Addition recorded in book 48, page 63 in the office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from all utility service providers agreeing with the closure before passing the required ordinance.


A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the right-of-way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, Michael Austin (print name), concur in the closure of the right-of-way as shown on Replat of R. L. Hayes 2<sup>nd</sup> Addition (in Lots 3, 4, 5, 6, of Block 10 and a part of Block 17 of Hayes 2<sup>nd</sup> Addition) as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

  
(Signature)  
Utility Company Representative

AT&T Mgr DSP Design Engineer  
(Position)



*Owned by the Citizens of Jonesboro*

December 23, 2013

City of Jonesboro  
P.O. Box 1845  
Jonesboro, AR 72403  
Attn: Otis Spriggs

Re: Alley Right-of-Way Abandonment  
Warren Street  
R.L. Hayes 2<sup>nd</sup> Addition Subdivision  
Jonesboro, Craighead County, Arkansas

Dear Otis:

City Water and Light has no objection with the abandonment of the alley right-of-way as described on the attached plat. No City Water and Light utilities exist in the said right-of-way, and City Water and Light does not plan to utilize the property for future utilities.

Please call if you have questions or concerns.

Respectfully,

A handwritten signature in black ink, appearing to read 'Ronald L. Bowen', is written over a large, loopy flourish.

Ronald L. Bowen, P.E.  
Manager, City Water & Light

Enclosure

Cc: McAlister Engineering

Ronald L. Bowen, MANAGER

**CITY WATER & LIGHT** • 400 East Monroe • P.O. Box 1289 • Jonesboro, Arkansas 72403-1289 • 870/935-5581

Exhibit "A"

Legal Description

A replat in R. L. Hayes 2<sup>nd</sup> Addition Subdivision recorded in Plat Book 48 at Page 63 in the Office of the Circuit Clerk for Craighead County in Jonesboro, Arkansas, being more particularly described as follows: From the Northeast Corner of Lot 3, Block 10 of aforementioned R. L. Hayes 2<sup>nd</sup> Addition Subdivision, the point of beginning: Thence S89°15'47"W 140.22 along the north line of Lot 3 to a point on the centerline of an existing alley right-of-way, thence N00°29'57"E 25.01 feet along said centerline to a point, thence S89°30'03"E 430.00 feet to a point, thence S00°29'57"W 210.00 feet to a point, thence N89°30'03" W 430.00 feet to a point on the centerline of an existing alley right-of-way, thence N00°29'57" E 84.99 feet along said centerline to a point, thence S89°16'47" W 140.22 feet along the south line of Lot 6 to the Southwest Corner thereof, thence N00°29'57" E 100.00 feet along the easterly right-of-way of Warren Street to the point of beginning, containing 2.39 acres, more or less, being subject to all easements, restrictions, reservations, and rights-of-way record.



**McALISTER ENGINEERING**  
CIVIL ENGINEERING AND LAND SURVEYING

November 12, 2013

Planning Department  
c/o City of Jonesboro  
300 S. Church  
Jonesboro, AR 72401

RE: Request to Abandon Right-of-Way

Dear Mr. Spriggs:


This property was platted as Hayes 2<sup>nd</sup> Addition recorded in book 48, page 63 in the office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from the city planning department agreeing with the closure before passing the required ordinance.

A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the right-of-way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, Otis Spriggs (print name), concur in the closure of the right-of-way as shown on Replat of R. L. Hayes 2<sup>nd</sup> Addition (in Lots 3, 4, 5, 6, of Block 10 and a part of Block 17 of Hayes 2<sup>nd</sup> Addition) as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.



(Signature)

Otis Spriggs AICP – City Planner

**McALISTER ENGINEERING**  
CIVIL ENGINEERING AND LAND SURVEYING

November 12, 2013

Engineering Department  
c/o City of Jonesboro  
300 S. Church St  
Jonesboro, AR 72401

RE: Request to Abandon Right-of-Way

Dear Mr. Light:

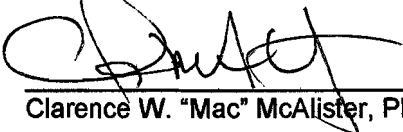
This property was platted as Hayes 2<sup>nd</sup> Addition recorded in book 48, page 63 in the office of the Circuit Clerk for Craighead County, AR, in Jonesboro, AR. A copy of this plat is enclosed for your records.

The replat of the subject property will be presented to the Metropolitan Area Planning Commission and City Council for their review. A petition, resolution, and ordinance will be presented to the City Council for their decision. A print of that plat is enclosed.

State law stipulates that the proper procedure for abandonment of an easement requires the passage of an ordinance by majority vote of the elected City Council. Simply recording the replat does not satisfy the legal requirements for closure of the easements. City officials need written evidence from the city engineering department agreeing with the closure before passing the required ordinance.

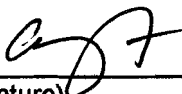
A space has been provided below for your signature acknowledging your concurrence with this proposed action to close the right-of-way shown on the original plat of this subdivision. Please sign and return one copy of this letter.

Sincerely,



Clarence W. "Mac" McAlister, PE, PS

I, CRAIG LIGHT (print name), concur in the closure of the right-of-way as shown on Replat of R. L. Hayes 2<sup>nd</sup> Addition (in Lots 3, 4, 5, 6, of Block 10 and a part of Block 17 of Hayes 2<sup>nd</sup> Addition) as submitted to the City of Jonesboro for filing in the office of the Circuit Clerk for the Western District of Craighead County in Jonesboro, Arkansas.

 11/22/13  
\_\_\_\_\_  
(Signature)  
Craig Light PE – City Engineer

PETITION

To: Honorable Harold Perrin, Mayor, and Members of the City Council of the City of Jonesboro, Arkansas.

PETITION TO VACATE AN UNDEVELOPED ALLEY RIGHT-OF-WAY,

We, the undersigned, being the owner(s) of the property adjoining the following described property:

A PART OF AN ALLEY IN R.L. HAYES 2ND ADDITION SUBDIVISION, BEING PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, AR, PLAT RECORDED IN PLAT BOOK 48, PAGE 63 IN THE OFFICE OF THE CIRCUIT CLERK FOR CRAIGHEAD COUNTY, AR, IN JONESBORO, AR.

Herewith file and present this petition to the City Council of the City of Jonesboro, Arkansas to have the right-of-way described above closed and abandoned.

Dated this \_\_\_ day of \_\_\_\_, 2014

PROPERTY OWNER NAME AND ADDRESS

Sallie & Sammy Brown  
808 Warren Street  
Jonesboro, AR 72401

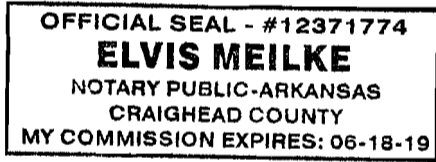
Sammy Brown 2, 13 2014  
Signature Date

Sallie Brown 2/13/2014  
Signature Date

Subscribed and sworn to before me this 13<sup>th</sup> day of February, 2014.

Lewis Shields  
Notary

Expiration Date: 06-18-19





## Legislation Details (With Text)

---

<b>File #:</b>	ORD-14:003	<b>Version:</b>	1	<b>Name:</b>	Ordinance concerning site plan reviews/appeals process
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Second Reading
<b>File created:</b>	1/29/2014	<b>In control:</b>		<b>In control:</b>	Public Works Council Committee
<b>On agenda:</b>	2/4/2014	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	AN ORDINANCE TO AMEND CHAPTER 117, SECTION 117-32, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, TO CLARIFY THE APPEAL PROCESS FOR ADMINISTRATIVE SITE PLAN REVIEWS BY THE METROPOLITAN AREA PLANNING COMMISSION, AND DECLARING AN EMERGENCY TO UPDATE THE EXISTING ORDINANCES FOR THE PURPOSE OF PROMOTING AND ACCOMMODATING SOUND GROWTH WITHIN THE DEVELOPMENT COMMUNITY				
<b>Sponsors:</b>	Planning				
<b>Indexes:</b>	Policy - creation/amendment				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">MEMO Site Plan Appeal Text Amendment PublicWorks</a>				

Date	Ver.	Action By	Action	Result
2/18/2014	1	City Council		
2/6/2014	1	Public Works Council Committee		

AN ORDINANCE TO AMEND CHAPTER 117, SECTION 117-32, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, TO CLARIFY THE APPEAL PROCESS FOR ADMINISTRATIVE SITE PLAN REVIEWS BY THE METROPOLITAN AREA PLANNING COMMISSION, AND DECLARING AN EMERGENCY TO UPDATE THE EXISTING ORDINANCES FOR THE PURPOSE OF PROMOTING AND ACCOMMODATING SOUND GROWTH WITHIN THE DEVELOPMENT COMMUNITY

WHEREAS, the Arkansas State Code grants local governments the authority to adopt a Zoning Ordinance under Section 14-56-416, which consists of both a map and text, and

WHEREAS, such ordinance may regulate the location, height, bulk, number of stories, and size of buildings; open space; lot coverage; density and distribution of population; and the uses of land, buildings, and structures, and

WHEREAS, such ordinance may provide for districts of compatible uses, for large scale unified development, for elimination of uses not in conformance with provisions of the ordinance, and for such other matters as are necessary to the health, safety, and general welfare of the municipality, and

WHEREAS, Arkansas State Code Section 14-56-425 establishes procedures for appeals to circuit court on administrative decisions of such zoning issues, and

WHEREAS, the Metropolitan Area Planning Commission considered the subject text amendment and forwards its recommendation to the City of Jonesboro Public Works Council Committee for further consideration during its regular session on December 10, 2013, who also considered such recommendation on February 4, 2014 and recommends approval to the full City Council.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF JONESBORO THAT:

SECTION 1: CHAPTER 117, SECTION 117-32, SECTION (D) SHALL BE AMENDED TO READ AS FOLLOWS:

(d) Site plans shall be required for all multifamily development proposals of five units or more, as well as for all new commercial and industrial development and substantial redevelopment. Such plans shall be reviewed and approved at the staff level, subject to appeal by the applicant to the Metropolitan Area Planning Commission; provided that, large-scale commercial development of over 75,000 square feet of gross floor area, and multifamily developments of more than 48 units shall be approved by the Metropolitan Area Planning Commission.

If the Metropolitan Area Planning Commission denies a Site Plan application, the reasons for such action shall be given to the applicant within 15 days from the date of the decision. The applicant may appeal such commission action (denial), to the city council within 30 days of the commission's action. The appeal shall be in writing to the city clerk, and shall specifically state why the Metropolitan Area Planning Commission's findings and decision was arbitrary, capricious, or otherwise inappropriate.

Appeals of final administrative approvals by the Metropolitan Area Planning Commission shall be taken before the County Circuit Court.

SECTION 2: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: It is further found that due to the immediate need to provide clarity to the existing ordinances, an emergency is declared to exist and this ordinance being necessary for the preservation of the public peace, health and safety, shall take effect from and after its passage and approval.

# MEMO

## **RZ: 13-22: Text Amendment: Site Plan Appeal Process Clarified**

**TO: Council Public Works Committee**  
**From: MAPC/Planning Department, Otis T. Spriggs,**  
**Date: January 2, 2014**  
**Re.: Text Amendment Proposal**

The existing Code language is below extracted from the Jonesboro Code of Ordinances. Currently there is an unclear area in the language regarding site plan reviews. **The code does not specify who may file appeals of Site Plan decisions.** This is specifically what needs to be modified and clarified in the Code Language. This proposed amendment seeks to clarify the sections below.

\*\*\*\*\*

### **\*\*\*EXISTING CODE LANGUAGE:**

#### **Sec. 117-32. Zoning and building permits.**

(a) It shall be unlawful to commence the construction, reconstruction, moving, demolition or structural alteration of any building until a zoning permit and a building permit has been issued. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of these regulations and other applicable building laws, ordinances, or regulations. A zoning permit shall also be required for the use or reuse of property, buildings, or structures where building permits are not required. Compliance with paved parking and other site standards shall be achieved as a condition a change of use for commercial, industrial and multifamily purposes. In addition, a zoning permit evidencing compliance with the provisions of this chapter shall be a prerequisite to the issuance of a city privilege or occupation license.

(b) All applications for building permits shall be accompanied by a plan in duplicate drawn to scale, showing the size of the building to be erected and its location on the zoning lot, the location of any existing buildings or structures, location and dimensions of all driveways and parking or loading areas, drainage and such other information as may be necessary to provide for the administration of this chapter.

(c) Site plans, sealed by a professional engineer licensed in the state shall be required in accordance with the city stormwater management/drainage ordinance for all development or redevelopment proposals. Multifamily development plans of five or more units and all commercial developments shall be sealed by an architect licensed in the state.

(d) Site plans shall be required for all multifamily development proposals of five units or more, as well as for all new commercial and industrial development and substantial redevelopment. Such plans shall be reviewed and approved at the staff level, subject to appeal by the applicant to the Metropolitan Area Planning Commission; provided that, large-scale

commercial development of over 75,000 square feet of gross floor area, and multifamily developments of more than 48 units shall be approved by the Metropolitan Area Planning Commission. **Site plan decisions by the MAPC shall be subject to appeal to the city council. Complete requirements for site plans are included in the appendices hereto.**

(e) The design professional, engineer, architect, or landscape architect, preparing and sealing site plans as prescribed under this section shall periodically inspect the construction of all site improvements shown on and required by the site plan approved by the city planner and/or the Metropolitan Area Planning Commission and shall verify that, to the best of the design professional's knowledge, all improvements have been constructed and completed in accordance with said plan. A letter verifying this fact shall be submitted to the city planner prior to issuance of a certificate of occupancy. (Zoning Ord., § 14.44.02; Ord. No. 3429; Ord. No. 07-3165, 12-18-2007)

**Sec. 2-89. Appeals to council.**

Appeals to the city council of decisions of commissions and boards shall be in writing signed by the party appealing, dated and filed with the clerk within 30 days following the decision of the board and/or commission. The appeal shall set forth the objection to the decision rendered by said commission and/or board.

Decisions shall be considered final if no appeal is perfected within the 30-day period. (Ord. No. 09:001, § 1(2.20.06), 1-20-2009)

**\*\*\*Below is the language to be presented to the MAPC on December 10<sup>th</sup> for consideration to recommend to Council to have the text amended.**

Jonesboro Code of Ordinance Chapter 117: **Sec. 117-32. Zoning and building permits.**

**Section (d) shall be amended to read:**

(d) Site plans shall be required for all multifamily development proposals of five units or more, as well as for all new commercial and industrial development and substantial redevelopment. Such plans shall be reviewed and approved at the staff level, subject to appeal by the applicant to the Metropolitan Area Planning Commission; provided that, large-scale commercial development of over 75,000 square feet of gross floor area, and multifamily developments of more than 48 units shall be approved by the Metropolitan Area Planning Commission. ~~Site plan decisions by the MAPC shall be subject to appeal to the city council. Complete requirements for site plans are included in the appendices hereto.~~

**(ADD)**

If the Metropolitan Area Planning Commission denies a **Site Plan** application, the reasons for such action shall be given to the applicant within 15 days from the date of the decision. The applicant may appeal such commission action (denial), to the city council within 30 days of the commission's action. The appeal shall be in writing to the city clerk, and shall specifically state why the Metropolitan Area Planning Commission's findings and decision was arbitrary, capricious, or otherwise inappropriate.

Appeals of final administrative or quasi-judicial approvals by the Metropolitan Area Planning Commission shall be taken before the County Circuit Court.

**Below is the language extracted from the State Code:**

\*\*\*\*\*

**Supplemental Information: State of Arkansas**

Arkansas Code of 1987 Annotated Official Edition  
Title 14 Local Government  
Subtitle 3. Municipal Government  
Chapter 56 Municipal Building And Zoning Regulations -- Planning  
Subchapter 4 -- Municipal Planning  
A.C.A. § 14-56-425 (2013)

**14-56-425. Appeals to circuit court.**

(a) (1) Appeals from the final administrative or quasi-judicial decision by the municipal body administering this subchapter shall be taken to the circuit court of the appropriate county using the same procedure as for administrative appeals of the District Court Rules of the Supreme Court.

(2) The final administrative or quasi-judicial decision shall be tried de novo with the right to a trial by jury.

(b) (1) Appeals from the passage of legislative rezoning decisions by the municipal governing body administering this subchapter shall be taken to the circuit court of the county in which the rezoning was authorized using the same procedure as for administrative appeals of the District Court Rules of the Supreme Court.

(2) The legislative rezoning decision shall be reviewed by the court, and the decision shall be upheld unless it is arbitrary or capricious or lacking a rational basis.

**HISTORY:** Acts 1957, No. 186, § 7; 1965, No. 134, § 2; A.S.A. 1947, § 19-2830.1; Acts 2013, No. 749, § 1.