



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, May 17, 2011

6:30 PM

Huntington Building

PUBLIC SAFETY COMMITTEE MEETING AT 5:30 P.M.

1. CALL TO ORDER AT 6:30 P.M.

Councilman Chris Moore presided over the meeting in the absence of Mayor Perrin.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

Present 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Absent 1 - Tim McCall

4. SPECIAL PRESENTATIONS

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilman John Street, seconded by Councilman Charles Coleman, to Approve the Consent Agenda. A motion was made that these files be approved by consent voice vote.

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Tim McCall

MIN-11:038 Minutes for the City Council meeting on May 3, 2011.

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

MIN-11:041 Minutes for the special called City Council meeting on May 6, 2011.

Attachments: [Minutes](#)

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

RES-11:051 RESOLUTION REPLACING THE POSITION OF CITY CLERK WITH THE POSITION OF CHIEF FINANCIAL OFFICER AND APPOINTING THE CHAIR OF THE FINANCE COMMITTEE TO THE DEPOSITORY BOARD

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

Enactment No: R-EN-048-2011

RES-11:052 A RESOLUTION TO CONFIRM AN APPOINTMENT TO THE COMPREHENSIVE PLANNING ADVISORY BOARD AS RECOMMENDED BY THE MAYOR.

Sponsors: Mayor's Office

Attachments: [Joshua Brown](#)

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

Enactment No: R-EN-049-2011

RES-11:053 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH ATLAS ASPHALT, INC. FOR THE 2011 ASPHALT COLD MILLING AND OVERLAYS SELECTED CITY STREETS - JOB NO. 2011:18

Sponsors: Engineering

Attachments: [Specifications.pdf](#)
[Bid Tab.pdf](#)
[Checklist.pdf](#)

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

Enactment No: R-EN-050-2011

RES-11:056 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS REQUESTING FREE UTILITIES AT 2650-B LACY DRIVE AND 418 FOREST PARK DRIVE FOR THE CITY OF JONESBORO.

Sponsors: Building Maintenance

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

Enactment No: R-EN-051-2011

RES-11:057 A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR MAGIC TOUCH - 8 PLEX (HPC), A COMMERCIAL SITE PLAN

Sponsors: Engineering

Attachments: [Maintenance Agreement.pdf](#)

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

Enactment No: R-EN-052-2011

6. NEW BUSINESS**ORDINANCES ON FIRST READING**

ORD-11:042 AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-4 LUO LOCATED AT 3406 SOUTH CULBERHOUSE STREET AS REQUESTED BY THE FOOD BANK OF NEA

Attachments: [Plat](#)
[MAPC Report](#)

Councilman Dover offered the ordinance for first reading by title only.

Councilman Street stated he has been contacted by concerned citizens, but noted the rezoning was approved by the MAPC with stipulations regarding the future use of the land. Ms. Christie Jordan, Executive Director of the Food Bank of NEA, noted those stipulations are in the proposed ordinance. She explained the property has been used commercially even before they moved into the building. She further explained the reason for the request for rezoning is to match the zoning of the property with what it is actually being used for.

Councilman Frierson questioned what may reside on the property in the future if the property remained non-conforming as opposed to being rezoned. City Planner Otis Spriggs answered if the ordinance passes, new uses will be evaluated by the Planning Commission. He added if the property stays non-conforming without the rezoning and the use changed, then the use would have to be consistent with the current use and questions would be answered by the Board of Zoning Adjustments. City Attorney Phillip Crego agreed with Mr. Spriggs in that if the property remains non-conforming, then future uses will have to be similar to the current use. He noted there are also restrictions on non-conforming uses, such as regulations on expansions.

Discussion was held concerning the uses excluded by the MAPC. Mr. Spriggs stated the permitted uses in the ordinance are consistent with C-4 Neighborhood Commercial and exclude adverse uses. He added the Council has the option to modify the recommendation of the MAPC.

Ms. Jordan noted the Board of Directors has not made a decision as to what they will do with the property in the future. Mr. Spriggs stated the property next door was also rezoned C-4 recently.

Councilman Moore asked for Mr. Spriggs to send the Council members a list of approved uses for the property.

A motion was made by Councilman John Street, seconded by Councilman Chris Gibson, that this matter be Held at one reading . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Tim McCall

RESOLUTIONS TO BE INTRODUCED

RES-11:048 A RESOLUTION TO condemn property at: 109 E Woodrow

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST.docx](#)
[Inspections001.jpg](#)
[100_3335.JPG](#)
[100_3342.JPG](#)
[100_3331.JPG](#)
[100_3319.JPG](#)

A motion was made by Councilman Chris Gibson, seconded by Councilman John Street, that this matter be Passed . The motion carried by the following vote.

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Tim McCall

Enactment No: R-EN-053-2011

RES-11:049 A RESOLUTION TO condemn property at: 611 W Monroe

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST.docx](#)
[Inspection Report001.jpg](#)
[100_2883.JPG](#)
[100_3562.JPG](#)
[100_3433.JPG](#)
[100_3435.JPG](#)
[100_3431.JPG](#)
[Citizen supporting documentation](#)

A motion was made by Councilman Chris Gibson, seconded by Councilman Mitch Johnson, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Tim McCall

Enactment No: R-EN-054-2011

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

ORD-11:038 AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO I-1 LUO LOCATED AT 300 NORTH KATHLEEN AS REQUESTED BY DEREK BALTZ

Attachments: [Plat](#)
[MAPC Report](#)

Councilman Street questioned whether there has been any opposition to this rezoning. Mr. Spriggs answered no.

Councilman Street motioned, seconded by Councilman Fears, to suspend the rules and waive second and third readings. All voted aye.

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Tim McCall

Enactment No: O-EN-034-2011

8. MAYOR'S REPORTS

Councilman Moore reported on the following items as requested by Mayor Perrin:

He presented the Council members with ward boundaries for each of the Council members. He noted it is for informational use and there are a few wards that will have population changes.

He asked for an update concerning the condemnation of the apartments at 1609, 1613 and 1617 West Nettleton Avenue that are currently in litigation with Bank of America. Code Enforcement Officer Ronnie Shaver recommended moving forward with razing of the properties. He explained Maintenance Director Keith Sanders has had to re-board the property because people keep entering the building. He also stated there has been reports of trash. He noted the property was condemned on January 18th, but they were given a 60-day extension in order to move forward with purchase of the property. He added that he has notified the litigation attorney that he would be recommending to the Council to move forward with razing of the structure. Mr. Shaver stated he has not heard from Bank of America regarding his recommendation and has not heard from Habitat for Humanity at all since being granted the extension. Police Chief Michael Yates supported Mr. Shaver's recommendation for razing the structure. Mr. Shaver noted there is no action needed by the Council; rather, he wanted to inform the Council of what his recommendation is and what will be happening with the property. Councilman Frierson motioned, seconded by Councilman Vance, to support Code Enforcement to complete the condemnation of these properties. All voted aye.

Vision 2030 will hold a workshop on May 19th at the Mall at Turtle Creek. More information can be given by Mr. Spriggs.

COM-11:036 Financial reports for April, 2011

Attachments: [2011 April City Sales Tax Revenue - Cash Basis](#)
[2011 April Combined Sales Tax Revenue - Cash Basis](#)
[2011 April County Sales Tax Revenue - Cash Basis](#)
[2011 April Hotel tax \(cash \) & Comparison Report](#)
[2011 April Public Safety Sales Tax Revenue - Cash Basis](#)
[2011April Franchise Fees Spreadsheet-Cash](#)
[2011April Hotel tax \(cash \) Report](#)
[2011April State Turnback](#)
[Collateralization Report April 2011](#)
[Expenditure Report-4-30-11](#)
[Required Reserves-4-30-11](#)
[Revenue Report-4-30-11](#)
[Stmt of Rev Exp and Changes in FB-4-30-11](#)

This item was Read.

9. CITY COUNCIL REPORTS

Councilman Dover motioned, seconded by Councilman Frierson, to suspend the rules and add RES-11:081 and RES-11:082 to the agenda. All voted aye.

RES-11:081 A RESOLUTION APPROVING THE SUBMISSION OF AN APPLICATION FOR COMMUNITY ORIENTED POLICING SERVICES "SECURE OUR SCHOOLS" PROGRAM FOR THE CITY OF JONESBORO

Sponsors: Grants

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

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Tim McCall

Enactment No: R-EN-055-2011

RES-11:082 A RESOLUTION APPROVING THE SUBMISSION OF AN APPLICATION FOR 2011 SAFE ROUTES TO SCHOOL PROGRAM (SRTS) FOR THE CITY OF JONESBORO

Sponsors: Grants

A motion was made by Councilman Mikel Fears, seconded by Councilman Darrel Dover, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Absent: 1 - Tim McCall

Enactment No: R-EN-056-2011

10. PUBLIC COMMENTS

11. ADJOURNMENT

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

Aye: 11 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

Absent: 1 - Tim McCall

_____ **Date:** _____
Harold Perrin, Mayor

Attest:

_____ **Date:** _____
Donna Jackson, City Clerk