



# City of Jonesboro

## Meeting Minutes

### City Council

900 West Monroe  
Jonesboro, AR 72401

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Thursday, August 23, 2007

3:45 PM

Council Chambers

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#### Special Called Meeting

**1. Call to order by the Mayor at 3:45 P.M.**

**2. Roll Call by the City Clerk**

*Ms. Carol Duncan, Assistant City Attorney, was in attendance for the City Attorney's Office.*

**Present** 11 - Judy Furr; Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; John Street; Mitch Johnson and Tim McCall

**Absent** 1 - Harold Perrin

**3. New Business**

*Resolutions To Be Introduced*

**RES-07:2386** A RESOLUTION TO INDUCE REDEVELOPMENT OF THE PROPERTY COMMONLY KNOWN AS THE "INDIAN MALL" AND DECLARING AN EMERGENCY UPON THE CALL OF A SPECIAL CITY COUNCIL MEETING

*Mayor Formon distributed a revised version of the resolution and discussed the changes that were made. He noted the resolution was prepared by the attorney for MBC Holdings. City Engineer Kelly Panneck discussed Section 2 of the revised resolution. He explained they had concerns with the original Section 2 because it was general and vague. He further explained MBC had issues with the Stormwater Drainage Manual only allows for 6 inches of detention storage in the parking lot. He stated in the event of a 100-year storm, which is more stringent than the ordinance requires, then the parking lot will have 1-1/2 feet of water in it. He added Engineering did not have a problem with that as long as they don't change any elevations throughout the parking lot from what they are now. Councilman Moore stated he spoke with MBC Holdings and they indicated due to the limited amount of space in the area they do not have room to build a retention pond. He explained what they intend to do is use the parking lot in case of a 100-year storm. Mr. Panneck also stated MBC plans to increase the green space to about three acres, which he's been told will reduce the runoff by approximately 10%. He added if there are no significant changes to the topography, there will not be a significant negative impact. He stated if they do impact the area it appears it will be a positive change to the area. Mayor Formon noted the development will add 500 to 600 new jobs and will cost about \$70 million. He added they are comfortable with the revised resolution. Ms. Carol Duncan discussed the concerns of the City Attorney's Office. She expressed concerns that the resolution will circumvent the procedures set up by the MAPC, which she's not sure the City Council can do. She stated they were also concerned with the terminology that said the City "shall" issue a building permit and certificate of occupancy to MBC "or its successor or assigns" which suggests it may not be MBC that develops the property; rather, they could sell the property to someone else to develop the property. She added*

those two things are stated based upon the plans following the redevelopment plan, but it was her understanding there wasn't a redevelopment plan that has been submitted to any committee or person to review. Councilman Frierson noted in Section 3 it states the permit will be issued so long as the plans are in compliance with the City laws as in existence on August 1, 2007. Ms. Duncan also stated the City needs to realize the City and the taxpayers will incur the expense to fix the offsite drainage. She noted pretty much all the drainage problems come from offsite. Councilman Street explained that area has already been identified as a hot spot from detention work and plans for improvement were put on hold because they were unsure what the future of Indian Mall was. Mr. Panneck stated if MBC keeps in accordance with the preliminary plans then there should be a slight reduction in the water that leaves their site. He added he believes it's the responsibility of the City to address some of the problems because at the time the mall was built the problems did not exist. Councilman Street stated he expects to put that area back in the immediate need to be address since redevelopment is being planned. Mr. Panneck noted Mayor Formon has asked him to look into regionalized detention ponds in that area. He stated he thinks they can address some of the problems in that area. Councilman Dover questioned whether this resolution obligates the City to any money spent or whether the City will have to do this for every development. Councilman Moore stated new developments would have a different set of rules to go by. Mr. Panneck noted the resolution does not obligate the City to anything monetarily. Mr. Thomas stated they expressed the same concern about the resolution stating "successors or assigns" and that MBC is agreeable to limiting that wording to only entities owned by MBC Holdings and its network. Ms. Duncan stated she questioned several people that morning as to whether anyone has seen any plans but everyone said no, they hadn't seen any plans. Mr. Panneck explained there was a sketch plan submitted yesterday and he was not among the people she asked if they had seen any plans. Mayor Formon stated he thought Ms. Duncan was referring to a final set of plans, which MBC has not shown them. He added MBC also took the sketched plans with them when they left the meeting. Councilman Street stated he wanted to make sure MBC understood that they cannot guarantee the Stormwater Board will okay the plans.

**A motion was made by Councilperson Charles Frierson, seconded by Councilperson Chris Moore, that this Resolution be Passed. The motion CARRIED by a Voice Vote.**

**Aye:** 11 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;John Street;Mitch Johnson and Tim McCall

**Absent:** 1 - Harold Perrin

Enactment No: R-EN-101-2007

#### **4. Adjournment.**

**A motion was made by Councilperson Chris Moore, seconded by Councilperson Charles Frierson, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.**

**Aye:** 11 - Judy Furr;Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;John Street;Mitch Johnson and Tim McCall

**Absent:** 1 - Harold Perrin

\_\_\_\_\_ Date: \_\_\_\_\_  
**Doug Formon, Mayor**

\_\_\_\_\_ Date: \_\_\_\_\_  
**Donna Jackson, City Clerk**