



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, September 18, 2018

5:30 PM

Municipal Center

PUBLIC SAFETY COMMITTEE MEETING AT 5:00 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 - Ann Williams; Charles Frierson; Chris Moore; John Street; Gene Vance; Charles Coleman; Bobby Long; Joe Hafner; David McClain and LJ Bryant

Absent 2 - Mitch Johnson and Chris Gibson

4. SPECIAL PRESENTATIONS

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilperson Chris Moore, seconded by Councilperson Gene Vance, to Approve the Consent Agenda. The motioned PASSED

Aye: 10 - Ann Williams; Charles Frierson; Chris Moore; John Street; Gene Vance; Charles Coleman; Bobby Long; Joe Hafner; David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

[MIN-18:091](#)

MINUTES FOR THE CITY COUNCIL MEETING ON SEPTEMBER 4, 2018

Attachments: [CC Minutes](#)

This item was APPROVED on the consent agenda.

[RES-18:128](#)

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY LOCATED AT 505 BOWLING LANE (TRACT 2), JONESBORO, ARKANSAS FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING A CITY STREET

Attachments: [Offer and Acceptance-Tract 2](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-123-2018

[RES-18:129](#)

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY LOCATED AT 3718 HILL DRIVE (TRACTS 6 & 7), JONESBORO, ARKANSAS FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING A CITY STREET

Attachments: [Offer and Acceptance - Tracts 6 and 7](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-124-2018

[RES-18:130](#)

A RESOLUTION TO THE CITY OF JONESBORO TO CONDEMN CERTAIN REAL PROPERTY LOCATED IN THE CITY OF JONESBORO AT 3713 HILL DRIVE (TRACT 8), JONESBORO, ARKANSAS FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A CITY STREET

Attachments: [Appraisal - Tract 8](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-125-2018

[RES-18:133](#)

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY LOCATED AT 403 BOWLING LANE (TRACT 1), JONESBORO, ARKANSAS FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING A CITY STREET

Attachments: [Offer and Acceptance - Tract 1](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-126-2018

[RES-18:135](#)

A RESOLUTION TO THE CITY OF JONESBORO TO CONDEMN CERTAIN REAL PROPERTY LOCATED IN THE CITY OF JONESBORO AT 3714 HILL DRIVE (TRACT 5), JONESBORO, ARKANSAS FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A CITY STREET

Attachments: [Appraisal - Tract 5](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-127-2018

[RES-18:136](#)

A RESOLUTION TO THE CITY OF JONESBORO TO CONDEMN CERTAIN REAL PROPERTY LOCATED IN THE CITY OF JONESBORO AT PT LOT 20 LOYD 2ND SUB (TRACT 9), JONESBORO, ARKANSAS FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A CITY STREET

Attachments: [Appraisal - Tract 9](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-128-2018

[RES-18:138](#)

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT RIGHT-OF-WAY LOCATED ON THE WEST SIDE OF BOWLING LANE (TRACT 4), JONESBORO, ARKANSAS FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A CITY STREET

Attachments: [Dedication Deed - Tract 4](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-129-2018

[RES-18:141](#)

A RESOLUTION TO THE CITY OF JONESBORO TO CONDEMN CERTAIN REAL PROPERTY LOCATED IN THE CITY OF JONESBORO AT PT LOTS 21 & 22 LOYD 2ND SUB (TRACTS 10 & 11), JONESBORO, ARKANSAS FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A CITY STREET

Attachments: [Appraisal - Tracts 10 & 11](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-130-2018

[RES-18:142](#)

RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF HOMELAND SECURITY AND ACCEPT THE FY2017 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT (SAFER)

Attachments: [Award Package - SAFER Grant](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-131-2018

[RES-18:145](#)

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH ASPHALT PRODUCERS, LLC FOR THE CROWLEY'S RIDGE PARKWAY: CRAIGHEAD FOREST PARK TRAIL - PHASE III (ARDOT NO. 100919) (2018:31)

Attachments: [Letter of Concurrence - ArDOT](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-132-2018

6. NEW BUSINESS

RESOLUTIONS RECOMMENDED TO COUNCIL

[RES-18:114](#) Condemnation of property at: 3702 Griffin

Attachments: [Invoice & Title Search.PDF](#)
[Released Mtg.pdf](#)
[Tax Info.pdf](#)
[Vesting Deed.pdf](#)
[Inspection Report.doc](#)
[county data.pdf](#)
[pic7.JPG](#)
[pic6.JPG](#)
[pic5.JPG](#)
[pic4.JPG](#)
[pic3.JPG](#)
[pic2.JPG](#)
[pic1.JPG](#)

A motion was made by Councilperson Chris Moore, seconded by Councilperson John Street, that this matter be Passed . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

Enactment No: R-EN-133-2018

[RES-18:115](#) Condemnation of property at: 220 Center

Attachments: [Pic1.JPG](#)
[pic2.JPG](#)
[pic3.JPG](#)
[title search.PDF](#)
[inspection report.doc](#)

Senior Code Enforcement Officer Michael Tyner said I would ask that we go ahead and pull this one. Mr. Watkins has been working with the Inspections Department and myself. He has brought the property back up to code and has just about completed the renovations to have it livable again. Mayor Harold Perrin said what are you asking us to do. Mr. Tyner said to pull this from the condemnation list as it has been brought back up to code, as we asked.

A motion was made by Councilperson Chris Moore, seconded by Councilperson Bobby Long, that this matter be Postponed Indefinitely . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

[RES-18:116](#)

Condemnation of Property at: 5410 Harrisburg Rd.

Attachments: [pic1.JPG](#)
 [pic2.JPG](#)
 [pic3.JPG](#)
 [pic4.JPG](#)
 [pic5.jpg](#)
 [county data.docx](#)
 [title search.PDF](#)

Senior Code Enforcement Officer Michael Tyner said the owner of this property has demolished this property. So, it's done and gone.

A motion was made by Councilperson John Street, seconded by Councilperson Bobby Long, that this matter be Postponed Indefinitely . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

[RES-18:144](#)

A RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE EXECUTION OF THE FY2018 CDBG ACTION PLAN

Attachments: [Funding Approval 8.2018](#)

Ms. Patti Lack, 4108 Forrest Hill Road, said I think City Attorney Carol Duncan explained this a lot. I saw this and I saw the amount of money, and I was just wondering what the money was going to be used for. Does the city account for this? How is the money disbursed among all those areas? Mayor Harold Perrin said I can explain that. This is an agreement saying the City of Jonesboro is an entitlement city through Housing and Urban Development, HUD. So, for this coming year, they have given us \$622,000. The city has an advisory board that goes through and looks at the four areas where the city can use the money. The board decides what they want to do with the money and they bring that decision back to the City Council. The council then approves what they call the business plan. This is just strictly approving the agreement that we accept the \$622,000. Ms. Duncan said they approve each one individually. Ms. Lack said okay. Thank you.

A motion was made by Councilperson John Street, seconded by Councilperson Chris Moore, that this matter be Passed . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

Enactment No: R-EN-134-2018

ORDINANCES ON FIRST READING

[ORD-18:008](#)

AN ORDINANCE TO TERMINATE AND DISSOLVE THE DOWNTOWN JONESBORO IMPROVEMENT DISTRICT NO. 1

Attachments: [ORD-77 2446](#)

Councilmember John Street made a motion to suspend the rules and offer ORD-18:008 by title only, seconded by Councilmember L.J. Bryant. All voted aye.

Councilmember John Street asked Mayor Harold Perrin if there was a rush on this. Mayor Perrin said there is no rush on this. I do want to make a comment. The Downtown Jonesboro Improvement District was created October 16, 1978. The purpose was to create parking in downtown Jonesboro. The bonds have been paid off and there is no fee. The only funds in that is about \$130,000 that would be transferred to the Jonesboro Parking Authority, which we have dissolved. So, the money will go to the city's general fund. The money has been marked for improving LED lighting in all downtown parking lots. There have been so many changes with the Downtown Jonesboro Improvement District and we think it would be much easier to start all over. If you're going to create an improvement district, the first thing you need is a plan. What are you going to do with the money? Once you have the decision or the plan, then you start doing the legal work to put this together and doing the project, whatever it may be. I met with the Downtown Jonesboro Association and told them that if they wanted to do a new improvement district and come up with a plan, that we'd be happy as a city to work with them on that.

Councilmember Street said I know that's a big priority and has been for a while and the Downtown Jonesboro Association has been wanting brighter lights downtown and City, Water and Light is going to work with that, as well. Mayor Perrin said yes, they are.

A motion was made by Councilperson John Street, seconded by Councilperson Chris Moore, that this matter be Waived Second Reading . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

[ORD-18:062](#)

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1, SINGLE FAMILY RESIDENTIAL TO C-3, GENERAL COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 5408 SOUTHWEST DRIVE AS REQUESTED BY JASON BRANCH ON BEHALF OF MARTIN AND VANESSA BRYANT;

Attachments: [Staff Summary -- 5408 Southwest Drive.pdf](#)
[Application.pdf](#)
[Rezoning Ordinance.pdf](#)
[Rezoning Plat.pdf](#)
[Aerial View of Location.pdf](#)
[USPS Receipts.pdf](#)

Councilmember Street said I think there is a typographical error on the staff summary. It reads that it's going from R-1 to I-2, and I don't think that's what they intended. Mayor Harold Perrin said are you talking about the staff report. Councilmember Street said yes. It says MAPC finds to rezone property from R-1 single-family residential district to

I-2 general industrial district. Technically, that's not the motion I don't think they made there. It must have been a misprint. That is on page 8 of the staff report. Mayor Perrin said we will note the change, but I think the ordinance itself is correct. Councilmember Street said right.

Councilmember John Street made a motion to suspend the rules and offer ORD-18:062 by title only, seconded by Councilmember Bobby Long. All voted aye.

Councilmember Street said I don't think there has been any objection to this and I talked to Bryan Russell, Superintendent of Valley View Schools, and he said they have no concerns about that at all. It's actually pre-existing non-conforming use or has been for years.

A motion was made by Councilperson John Street, seconded by Councilperson Chris Moore, that this matter be Waived Second Reading . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

[ORD-18:052](#)

AN ORDINANCE REPEALING ORDINANCE 11:083 AND ADOPTING BY REFERENCE CHAPTER 66 SECTION 5 ENTITLED SPECIAL EVENT PERMIT, FOR THE REGULATION OF SPECIAL EVENTS AND STREET CLOSINGS IN THE CITY OF JONESBORO, ARKANSAS

Attachments: [Special Event Permit Ordinance.pdf](#)
[Special Event Permit.pdf](#)

Mayor Harold Perrin said this is just to clean up where they got it reversed. The city collector will be the only one collecting money. The permits will go through the police department, be approved by the police department, and then sent out. All this does is just reverse some of that. Do you all just want to hold this at a second reading? Okay.

Placed on third reading

[ORD-18:055](#)

AN ORDINANCE TO AMEND THE USE OF THE "PARKING METER BOND FUND" AS ESTABLISHED IN ORDINANCE 59:1736 AND TO ABOLISH THE "JONESBORO PARKING AUTHORITY" ESTABLISHED IN THIS SAME ORDINANCE

Attachments: [Parking Authority Minutes 8 15 2018](#)

Mayor Harold Perrin said the bonds mentioned earlier have been paid for and all of that is clear. Councilmember John Street said I move we go ahead and hold that for a third reading. Mayor Perrin said that will be fine. No problem.

Placed on third reading

[ORD-18:058](#)

AN ORDINANCE ABANDONING THE RIGHT-OF-WAY OF HAL STREET AS REQUESTED BY BOB REES

Attachments: [Petition.pdf](#)
[Ordinance.pdf](#)
[070318 - Hal ROW Abandonment - McAlister.pdf](#)
[ATT.pdf](#)
[CenterPoint Utility.pdf](#)
[CWL.pdf](#)
[Ritter-HPC Abandonment Letter.pdf](#)
[SuddenLink.pdf](#)

Mayor Harold Perrin asked what is the desire of the council. Do you want to hold it at a second reading? Is there anyone in the audience who wants to speak?

Mr. Joshua Heard with McAllister Engineering said I am the engineer of record for Mr. Bob Rees. I'm here to answer any questions.

Councilmember Charles Frierson made a motion to waive third reading, seconded by Councilmember Dr. Charles Coleman. All voted aye.

A motion was made by Councilperson Bobby Long, seconded by Councilperson David McClain, that this matter be Passed . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

Enactment No: O-EN-055-2018

ORDINANCES ON THIRD READING

[ORD-18:051](#)

AN ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES, SECTION 117-326, FOR THE PURPOSE OF PROVIDING MINIMUM STANDARDS FOR THE PROVISION OF LANDSCAPE, SCREENING AND TREE PRESERVATION WITHIN THE CITY OF JONESBORO, ARKANSAS, WITH THE INTENT TO PROMOTE LANDSCAPING, BUFFERING, SCREENING AND TREE PRESERVATION FOR THE GENERAL HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

Attachments: [Landscape Ordinance 5th addn.pdf](#)
[Proposed landscaping ordinance email](#)
[Brown Email 09162018.pdf](#)

Mayor Harold Perrin said I would like to make a comment. I have had some calls on this ordinance and I know some of our councilmembers have had calls on it, as well. I would like to ask the council to table this for 90 days so we can get more input and discussion with some of the people we have received comments from to get more data and more information. I think we can get that accomplished in 90 days.

Councilmember David McClain said might I make a comment or ask a question. Mayor Perrin said sure. Councilmember McClain said, first, I think 90 days is too long. At 90 days, you're almost into a new year. Secondly, we've had conversations, e-mails and calls from people outlining that this will kill development, this will hurt the city, but, in fact, what this will do is make our city better. As leaders of this city, we have to decide

if we want the city to be the best or if we want to continue to be known as cheap. I, for one, do not aspire to do anything that is average or cheap. That's not my goal at all. I didn't sign up for that. I did not ask for that. We have to do what's best not just for now, but we have to do what's best for 20, 30 or 40 years from now. I really feel that this ordinance does this and I think this is a great starting point. I feel like this is an opportunity. If there are amendments that need to be made then maybe we make those, but for me, I move that we adopt this.

Mayor Perrin said I have a motion on the floor for adoption. Councilmember Ann Williams seconded the motion. Mayor Perrin said can we get a roll call on this, please? Councilmember Joe Hafner said I think we have to have a discussion. There are people here who want to speak.

Ms. Beverly Parker, 205 Windover, said first, thank you to Councilmember David McClain and thanks to our staff for providing this ordinance. I am here to speak in favor of this ordinance. I think that for too long we have not worried enough about the appearance of our city. For instance, driving down Red Wolf Blvd. you will see a ditch and strip of grass and some buildings, and that's about it. If you're coming from Highway 45 South, you see an expanse of eroded hillside where once beautiful trees stood. I understand what the Mayor is saying about evaluating this ordinance. However, what I didn't hear you say within those comments was involvement of the citizenry. We've heard from landscape architects and others, but I think this is very important to the citizenry, and if it does not go forward, there needs to be input from the community on this. Thank you again, and I hope you will vote in favor of this ordinance. Mayor Perrin said, Ms. Parker, I also think there's a committee through the Jonesboro Chamber of Commerce, if I'm not mistaken. Ms. Parker said I'm very interested in having this go forward. I think we have to be intentional about the way our city looks. Our major asset to speak about is our identity. We don't have mountains. We don't have streams, but we have Crowley's Ridge. On Crowley's Ridge, is a beautiful hilltop of hardwoods, and that needs to be preserved. I understand the considerations from builders and others, but I think that the pendulum has swung too far in their favor. I think this ordinance addresses some of the things that really need to happen in terms of how our city appears to not only outsiders, but to the people within our community. How many among you grew up climbing a tree? I know I did. So, I think we need to preserve our trees, the identity of Crowley's Ridge and the town that we reside in. Thank you. Mayor Perrin said thank you, Ms. Parker.

Mr. Josh Brown, Haag Brown Commercial Real Estate and Development, 2241 Hill Park Cove, said if you've been to our office, you would know it's kind of based on quality of life. We have walking trails and 20 acres of trees. I have been working all week kind of talking to our clients who have bought land, built buildings and rent those buildings. Some of those tenants who rent those buildings and run restaurants in our city are here. We are developing in nine states, right now. Mr. Chris Gardner is our development attorney. He has spent several hours with us reading this ordinance. We have two stances. Once stance is that we are a fan of city council, of Councilmember David McClain and Planning Director Derrel Smith, particularly. We are on a quality of life bandwagon. We are leading it. We're building buildings that I think look good. What I was asked to do was just give a count or make a redline version and let's try to get something adopted tonight. We've spent a lot of time, a lot of money, and had a lot of meetings. All we've done is meet with clients, and we haven't met any that are for this ordinance. There are some many things to add to this that attorneys are going to have to help with. There's so much vagueness in what you can do, what you can't do, and who has discretion. We e-mailed this ordinance to 10 people who own properties here, have millions of dollars invested in those properties, and who will be building

properties and understand that there's a formula here. It's not a call Panera Bread if they're not in Jonesboro and they want to come here. That's not the way this works. It's a much longer process than that and those margins are tight. They typically have their own landscaping plans. They typically will conform to plans. We didn't have time to pick all of our projects, but we picked specific examples of added expenses on the proposed ordinance that people would be familiar with. So, where Slim Chickens is now and the whole area of Red Wolf and Highland, we've spent two years trying to redevelop that, clean it up, buy buildings, tear them down and build new buildings. I think the landscaping package that was done on the new Slim Chickens building on Highland looks good. We've got a lot of compliments on it. It has about 6 or 7 of what we would classify as plants that would meet these standards. If this ordinance was adopted, there would be 41. So, that landscaping budget goes through the roof. It does not go from like \$15,000 to \$18,000. It goes from like \$15,000 to like \$35,000 on a small project like that. That is just a piece of it.

Mr. Brown said another piece of it is the green space requirement. Most of the time with these ordinances you've addressed a problem. You look at it and say there's a problem there so we're going to go out and propose a solution. It feels like we have people that want to do quality of life stuff and they've just thrown this out there and said, hey, we can look more like these cities in Northwest Arkansas if we just copy and paste what they have. That's not accurate. You can't have this much green space on the projects that have been done in these districts in Jonesboro. You can, but, if you pay \$1 million for a lot and you have to buy an extra 15%, that \$1 million is now \$1,150,000. Your landscaping budget goes up because of the first thing I talked about, and then I don't know what the benefit is out of that. You are having to sprinkle that so you have ongoing costs. I don't know what the excess water is that you're watering that landscaping with, but it has to be significant if you're looking at a decade down the road. Then, you have the added cost of what our clients would not understand unless they really pilfered through this thing and went through it with it as an adopted ordinance. If you have a raw piece of land that you are going to develop as a commercial strip center or something and you're having to remove trees from that, you are hiring a landscape architect. That is no different than you hiring your civil engineer. It's not like you can just call somebody and it might be a couple of hundred dollars. This is a really big deal.

Mr. Brown said we've done it four times in the last several years, but only in Fayetteville. We've not had to do this anywhere else. When you get this landscape architect involved to stamp a set of plans and submit them to a city, then that brings up something else that you all have not discussed inside of this ordinance. The city is going to have to add to its budget. If you're counting trees, you have to have somebody to count them. You have to have some type of database. Fayetteville has an entire tree department of people where you get one answer from one tree guy, you move forward with your plans based on that, go through the city and then another tree guy says that it's too precious of a tree, so we're not going to take a fee for that one. We're just not going to let them cut it down. Then you back up, go back to square one, and start redoing a site plan. It's been a bad experience for us, and we spent a lot of time meeting with Mr. Smith today going through this ordinance. We had a general contractor who travels with us at that meeting, and there are some things that we can't figure out that are open to interpretation. I told Mr. Smith that if we were guaranteed to have him and you, Mayor Perrin, as our current mayor and this city council as our current city council for the next 20 years, I'd probably not even make a noise because everybody that we have worked with here is fair. It's not fair when you go to Fayetteville. They're not fair. The people who follow you might not read these things the same way you read them. A problem I had with this is that I called a long list of these people and

none of them had been approached for input, and these aren't one-off people. These people own a lion's share of commercial real estate in the city. Their investment is in the city, in the banks and in the businesses here. None of them were called for input on this ordinance. That is mind blowing to me that an ordinance that affects them was proposed without any input from them.

Councilmember McClain asked Mr. Brown if he could address a couple of things real quick. Mr. Brown said if you'll make notes and let me finish, then we'll talk through those. Councilmember McClain said okay. Mr. Brown said the added expense of the parking islands was our third expense and a little more complicated than I understand. The Orscheln Farm & Home store was an example of a building that would have required almost 3/4ths of an acre of more land to accommodate the parking and somewhere approaching \$150,000 to comply with the curbs and the landscaping to separate the parking spaces. A comment was made that if we had an option to not have the Orscheln instead of having one that looked like that then we would just rather not have it. I get that. That's not my opinion, but there needs to be a district where you can build without conforming to a landscaping requirement that is excessive and makes the deal not doable in our city.

Mr. Brown said we went through several things with Mr. Smith. One of the immediate things is if we could have these 90 days to get some input, or even if it's shorter than that because we've accomplished a lot in 7 days. One of the things that we pointed out and kind of discovered inside of our meeting is that currently on Highway 1 South you have a huge amount of buildings that all look just alike that businesses have flocked to. They are full. There are no vacant buildings out there. There's probably 25 businesses that have went out there because they can't afford the rent that building a building inside of the city would justify. I think there needs to be areas in the city that do the opposite of this ordinance. This ordinance is making it significantly more expensive to build anything commercial from the ground up. The areas that we would classify as blighted or that we want new construction in, I think our goal needs to be the opposite of that. There needs to be incentives to build in those areas. You don't need to have the same requirements behind the auto dealerships where the HVAC companies are at that you have on Red Wolf or on Highland. That doesn't seem to make sense to me. There needs to be layered zones of difference ordinances applied in different places.

Mr. Brown said this is the last and most important point that I would like to make in regards to the trees and the removal of trees. If it is a certain size tree and it is more than seven trees, you have to hire a landscape architect to submit a plan to the city and the city decides whether you can remove trees from the land you own. That is the way our attorney has interpreted the ordinance, the way our builder has interpreted it, and the way we interpreted it. I don't think the citizens of Jonesboro understand that this ordinance, if accepted, does that. If a lot of the landowners in Jonesboro, which I have talked to, thought or knew that this ordinance, if passed, would make them have to go out, spend money and take time to get your permission to do things on land they own, I think you'd have a building full of people here tonight. That's the reason I would ask the city council to allow a period of time to where this is made more known. I do this for a living across the South. It's all we do and it took me a lot of meetings and hiring attorneys to understand it. So, of the normal landowners that we represent, we didn't talk to any who fully understood it until we walked through it with them. That's the scariest part because we have been stuck in Fayetteville at the discretion of a tree guy who simply would not make a decision on what we had to do with a tree. Do we pay a fine and tear down the tree? That's what we wanted to do because it was right in the middle of the lot. Do we tear the tree down and then go plant 10 trees in place of that

one tree or do we have to build the building around it? In three out of the four cases, we built a building around that tree. That's probably not the case with this crew, but, if you fast-forward 10 years and we have people in different positions, it could be. It's not fair in Fayetteville. They've been to court. Their incomes are not the same. Their population is not the same. I think you're going to have a lot of upset landowners if you pass an ordinance requiring people to pay an architect to submit an application to someone at the city that you've had to hire at a time when you don't have just an abundance of money. It seems like a tax that there's nothing we're getting for it other than a commercial district that may have better landscaping. The amount of money spent with the local landscapers goes up two or three times. I don't understand what benefit we get besides that.

Councilmember McClain said I'd like to address a couple of things you pointed out. I'd like to ask you a question, too. You say you developed three out of the four buildings or projects where you had to work around some trees. Why would you go ahead and move forward with that and not just do it in a different location where it's not as restrictive?

Mr. Brown said the way my company works is Starbucks says we want a new store in this area of Fayetteville. We go to that city. We put a lot under contract. We do a site plan. We get a builder to give us a price on building that building. We go back to Starbucks and say your rents are going to be this based on this cost. They say yes or no. In this event, they said yes. So, we move forward and we spent a lot of money with engineers. We hire a landscape architect. We submit a plan with an ordinance that is written very similar to this. It's very vague. Our general contractors were on site and the first person we have on site said yes, this is no big deal. He associated a price tag with it even though we about fainted. It was like \$11,000. We were going to write a check to the city. I suppose, the city was going to use that \$11,000 to go plant more trees or whatever they do with that money, but they were going to let us tear it down and build our building. We moved forward based on the information from the tree person. We get four weeks down the road, we're asking about our building permit, and a different tree person is there. This tree person at the city says this is a certain type of tree and you can't cut it down. We have a full set of civil plans and we've ordered a set of building plans. If you've ever built a building, a set of building plans for a \$1 million strip center is \$35,000 to \$40,000. We were invested over \$50,000 in this project and we couldn't build a building. We got some value out of our building plans, but we had to completely back up and punt. Now, inside of our lobby, there is a Starbucks and a dental clinic that wraps around a tree that is now dead. This was four years ago.

Councilmember McClain asked why move forward? Mr. Brown said we were \$50,000 invested. Councilmember McClain asked because of your investment. Mr. Brown said yes sir. It's nonrefundable and you don't get it back. Councilmember McClain said you said this ordinance only affects developers. I disagree, because anything we do or anything developers do affects the community. Mr. Brown said financially affects it. Councilmember McClain said but that affects the community. Right? Mr. Brown said yes. Councilmember McClain said it would affect the community. I'm not an engineer and Engineering Director Craig Light can correct me if I'm wrong, but this could help as far as flooding issues. We have a lot of flooding issues, but we also have a ton of areas that don't have any green space. Mr. Brown said this ordinance has nothing to do with existing buildings. Councilmember McClain said I know it doesn't, but the problem has been going on for so long. As Ms. Parker said, we've let it go on and on and now, we have an accumulative problem. Mr. Brown said there was not a stormwater detention ordinance that there is today. Councilmember McClain said I get that, but at

the same time, I feel this could definitely help. I'm not a water engineer or any kind of engineer. Mr. Brown said if you buy a lot today in the City of Jonesboro, you have to pay an engineer to do a stormwater detention plan. It added a significant cost to all development in our cities. That's being done today.

Councilmember McClain asked how many areas are you developing in today that have this type of requirement? Mr. Brown said Fayetteville, Arkansas, is the only place that we've had that has anything remotely close to this ordinance. Councilmember McClain said any kind of landscaping ordinance. Mr. Brown said certainly. We have landscaping ordinances that are layered differently. They have different zones, but there is nothing like this. We've seen the danger in this, so we got our attorney involved because of the vagueness of it. It leaves decisions in the hands of the city, and we don't want that. When you are coming to a city with a new business, what you don't want to do is come in, you're invested, you have the deal put together and then you're at the liberty of whoever is making the decision at the city to either give you a variance or your deal is dead. That's the position we faced in Fayetteville. That's not a good position to be in as a city.

Councilmember McClain said I get that and I don't think that is the goal, but at the same time the goal is to be our best. Is it to look similar? There are places I've been to that I love the look. I love the green. I love the trees, and I love that you can't go in and just clear-cut. That's why I said it's not going to affect landowners. Here's an example, if I wanted to get rid of mosquitoes, I could burn tires in my yard. Right? Mr. Brown said it's against the rules. Councilmember McClain said it is, but it's just affecting me and my property. Mr. Brown said I know, but you can't do that. Councilmember McClain said I don't think you should clear-cut either. We have three properties in town right now that have been clear-cut. Right? Mr. Brown said there are three that have been talked about over and over, and this ordinance would have done nothing to stop any of them. Councilmember McClain said it would have. Mr. Brown said this doesn't even deal with residential property. Councilmember McClain said it doesn't. This ordinance deals with commercial. The three properties I am talking about are commercial. Mr. Brown said that were zoned residential when the clear cutting took place. Councilmember McClain said but, at the same time, it would fix it. It would solve it. We have to do something and this is a good start. Mr. Brown said I think you need to have an attorney read it and give you that recommendation. City Attorney Carol Duncan said I'm pretty sure we had an attorney read it. Mr. Brown said sorry about that.

Councilmember Gene Vance asked Ms. Duncan if the tree preservation portion of this ordinance would take care of clear-cutting even on residential. Ms. Duncan said I would have to look back at the residential. I read it like six weeks ago or more than that when it went to committee. I can look at the residential part if you want to point me to where you think it doesn't take care of anything in residential. I would be happy to look at it. Councilmember Vance said the development part that Mr. Brown has been talking about most of the time does exempt all residential. However, the 117-??? at the back addresses the tree preservation. It's the last two or three pages of the ordinance. Ms. Duncan said I know there was even a consideration of separating them out completely at one time. So, I know it's in there. Councilmember Vance said they're all involved in this request. Ms. Duncan said I'll look while we're talking.

Councilmember L.J. Bryant said there's quite a few questions here and I'm all for landscaping, but I have more questions now. Mayor Perrin talked about 90 days and Mr. Brown said maybe less days. I'm not sure what the magic number is, but what would Councilmember McClain think about 30 days for us to study this and come back and answer our questions. Councilmember Vance said I personally think after

...serving on several committees, through the years that we should not go less than 60 days because what you're being asked to do is involve developers, attorneys, landowners and other interested citizens and to get those kind of people together. We've worked for a year on some ordinances and I think that limiting it to 30 days is too short. As far as whether this is passed this year or next year, that really doesn't matter. I personally think we need to give it 90 days, but I could live with 60 myself. It's going to put a real burden on Mr. Smith to get everybody together and get any kind of consensus in 60 days. As a matter of fact, I'll make a motion that we postpone temporarily for 60 days. Councilmember Bobby Long said I think we have a motion and a second.

Councilmember Chris Moore said just as a point of order, a motion to postpone temporarily will supersede a general motion to adopt and it will have to be voted on first. So, if somebody makes a motion to postpone temporarily for say 60 days and it's seconded, that motion will have to be voted on first. Mayor Perrin said we have a motion and a second to postpone temporarily for 60 days. Are there any questions? Councilmember Moore said it's non-debatable. Councilmember McClain said as a matter of inquiry, could you explain again why this motion outweighs the first original motion. Councilmember Moore said in an order of precedence, subsidiary motions, such as postpone temporarily, have a higher priority than a general motion. A motion to adopt is a general motion and it is non-debatable. Councilmember Dr. Coleman made the motion to postpone temporarily with a second. All debate has to stop and that has to be voted on. The only motion that will supersede that would be a question of privilege, recess, or to adjourn. So, there's no other motion that can be made at this point until we vote on this one.

Mayor Perrin said I will make a statement and it will be for clarity for Councilmember McClain. Again, I will instruct and meet with Mr. Smith and Chief Operations Officer Bill Reznicek tomorrow and we will start making our list and getting our information out very quickly so we can start having meetings on this. We will try to set up meetings to make sure everybody has a voice on this ordinance. Clarity is what I have heard more tonight than anything.

Councilmember McClain said I want to make one more comment if I can. This has been through committee and this is our third reading. If that's the case, what's the point of having readings? We should just pass everything on one reading or fail it. I feel like we've allowed ourselves to be pushed around enough and we have to draw a line in the sand of what we're going to be. Councilmember Vance said I want to say that I totally agree with Councilmember McClain that this has not only been heard at MAPC, but it's also been heard at the Public Works Committee and it's been heard twice at the council. Our reporter for the council had a full article on this that almost went word for word for what the ordinance actually says. Again, it was in the paper Sunday. I really believe that it's been in the paper two weeks and, four weeks ago, it was on the agenda. However, there's a lot of people who say they haven't seen it. There's no reason for somebody who's interested in a subject like this that doesn't have a computer and can go to the city website and see what the ordinances are that are going to be voted on, read and what they say. They can even print them off from the website. So, I'm in agreement with you on that Councilmember McClain, but, again, I do think there are some things that need to be clarified and I think Mr. Smith can do that.

Councilmember Moore said the motion Councilmember Dr. Coleman made to postpone temporarily is without prejudice. If they don't come to some type of agreement and there's not something else presented in 60 days, this will return to the council floor on

third reading. Councilmember McClain said yes, and that's fine. Councilmember Moore said I'm just making sure we're clear on that. In 60 days, it's coming back on the floor and it will either have to be amended or otherwise, in its form as it is now, you will have it back on the council floor just as it is.

A motion was made by Councilperson Charles Coleman, seconded by Councilperson Gene Vance, that this matter be Postponed Temporarily . The motion PASSED with the following vote.

Aye: 9 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner and LJ Bryant

Nay: 1 - David McClain

Absent: 2 - Mitch Johnson and Chris Gibson

[ORD-18:054](#)

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1, SINGLE-FAMILY MEDIUM DENSITY DISTRICT TO I-2, GENERAL INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT 5205 INGLES ROAD AS REQUESTED BY CITY, WATER, & LIGHT

Attachments: [Application.pdf](#)
[Rezoning Plat.pdf](#)
[Staff Summary.pdf](#)
[CWL - COJ City Council Rezoning Ordinance.pdf](#)
[Plat_18224.pdf](#)

Councilmember John Street and Councilmember Charles Frierson asked to be recused from any discussion or voting on this matter because of their positions on the board of directors for City, Water and Light.

A motion was made by Councilperson Chris Moore, seconded by Councilperson Charles Coleman, that this matter be Passed . The motion PASSED with the following vote.

Aye: 8 - Ann Williams;Chris Moore;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

Recused: 2 - Charles Frierson and John Street

Enactment No: O-EN-056-2018

[ORD-18:056](#)

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 I-2, DOWNTOWN FRINGE COMMERCIAL DISTRICT TO C-3, DOWNTOWN CORE DISTRICT FOR PROPERTY LOCATED AT 103 GEE STREET AS REQUESTED BY JASON JACKSON

Attachments: [Application.pdf](#)
[Questions with Answers.pdf](#)
[Staff Summary.pdf](#)
[AN ORDINANCE TO AMEND CHAPTER 117.pdf](#)
[Rezoning Plat.pdf](#)

A motion was made by Councilperson John Street, seconded by Councilperson

LJ Bryant, that this matter be Passed . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

Enactment No: O-EN-057-2018

[ORD-18:057](#)

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2, RESIDENTIAL TO PD-RM, PLANNED DEVELOPMENT FOR PROPERTY LOCATED AT 726 SOUTHWEST DRIVE AS REQUESTED BY GEORGE HAMMAN OF CIVILOGIC ON BEHALF OF K AND A INVESTMENTS, LLC;

Attachments: [RZ ORD PD-RM.pdf](#)
[rezoning plat.pdf](#)
[Application.pdf](#)
[Staff Summary - City Council.pdf](#)
[Duplex Plans.pdf](#)
[Email from Title Service.pdf](#)
[Preliminary Layout for Location.pdf](#)
[Support for Rezoning.pdf](#)
[USPS Receipts.pdf](#)
[PLack CrimeStats 726 Southwest Drive.pdf](#)

Ms. Patti Lack, 4108 Forest Hill Road, said I don't get mad, disappointed, or angry, but yesterday I was. I got a call from someone concerning this rezoning. If you all remember, on August 21st, you voted for a third time and approved ORD-18:042, which was the ordinance to amend ORD-17:034 to provide for the placement of signs to provide notice to the public of requested property of change. On August 28th, RZ-18:020 came up at the MAPC meeting. This ordinance is to take an R-2 residential to a PD-RM located at 726 Southwest Drive. I watched the MAPC meeting and there was a question about fire and the sprinkler system. There was also a citizen who came up and said when she was walking on the property that she saw raw sewage in the ditch. That's a big concern there. Mr. Kevin Alpe, owner of the property, stood up and said that he knew of the problem and that he had owned that property since August 2017. He stated that he was going to fix the problem, which is a good thing. During the meeting, Mr. Lonnie Roberts said they received two e-mails concerning this property and it was two e-mails in favor of apartments. The letters were from the Mr. Steve May, owner of the Team Clean Car Wash, and a title company. Mr. May wrote a letter stating that his staff and business partners would encourage the MAPC to support and rezone the property. However, the second paragraph of Mr. May's letter stated that the apartments to the west were a haven for bad behavior, including domestic violence, drug-related arrests and habitual loitering on their business premises stemming from the apartment complexes nearby. I hope that quality renters will begin to move back into that investment.

Ms. Lack said I have no problem with that property being improved, but it's still the same people living there. They haven't moved out. I went to the Jonesboro Police Department and requested a printout of the crime in those apartments for 2017 and 2018. There are 3 ½ pages of crime from 2017, and 6 pages up to September 2018. It is a lot for one piece of property. At last week's city council meeting and MAPC, the

developer said there are eight buildings on this property. Two of them have been condemned and one of them burned. So, there are seven existing buildings and he wants to build four more units. That's 42 units now, and, if he builds the four additional units, there will be 60 units. I thought what is going to happen to those condemned properties. During all this time I've been standing in front of you all, I never realized what PD-RM was, but I soon realized that it gives that person the ability to keep on building on that property. I realize this has to be rezoned again because it's not rezoned correctly. What happens to those other condemned properties if it changes over to PD-RM? I'm assuming the benefit of changing to PD-RM is that they don't have to keep coming back to the city council and asking for rezoning. I am upset that you all passed the sign ordinance on August 21st. They came before MAPC on August 28th. If you go to that property, where are the signs for the rezoning? The signs are not located on Southwest Drive and Hayward. The signs are located in the compound of the apartment complex. No one has seen those pretty blue signs. So, what was the ordinance for that you all passed? Someone failed to put that sign on Southwest Drive. I have received calls from a lot of people saying they would have fought this, but they knew nothing about it. All of a sudden, we're at this second reading, we waive the second reading, and so here we are on the third reading. These people don't have time to fight this. It's in their backyard and they're going to have more. If you base it on the crime in that one area, it's kind of upsetting because rules weren't followed by the city. That's discouraging because the city can't put a simple little sign on Southwest Drive to notify the people in the area that there are going to be more apartments. So, I'm asking you all to consider holding this ordinance back or moving it back to a first reading.

Councilmember Joe Hafner said I would like to ask a question of City Attorney Carol Duncan. Did the sign ordinance have an emergency clause on it? Because otherwise it's 30 days after it passes before the ordinance takes effect. Ms. Duncan said I don't recall it having an emergency clause. Councilmember Hafner said just because something is passed tonight doesn't mean that it's law tomorrow. Ms. Duncan said it takes 30 days.

Ms. Lack said Councilmember Hafner I realize that, but it's just the common courtesy. I don't know whether it had the 30 days or not, but that was right in there and once again, no one saw those signs. I remember when I asked for specifics that we need to have it, I was told that we'll take care of it and we'll handle it the correct way. Councilmember Hafner said what I am saying is there's a procedure and just because something is passed tonight does not mean it's law tomorrow. There's a waiting period. That's the way it is set up. That's why there's the emergency clause. So, I understand your point and I understand notification and everything. I'm just saying it wasn't really in effect seven days later. Ms. Lack said we need to check on that. Ms. Duncan said I don't remember one and Planning Director Derrel Smith doesn't remember one either. They usually don't put them on because those are really for health and safety. Ms. Lack said I understand that, but this was such a simple thing to do. I guess what I'm asking you all is to hold this reading and let those people at least have a chance because this is going to affect them. We have to be fair to the people, too. Those apartments need to be redone because they look bad. There are four rezoning signs. There's one on the ground and the other three are in the unit.

Ms. Donna Balon, 712 Valley Drive, said my property is within a few blocks of this location and I did not find out anything about this until last night when I got a text from someone asking me about my thoughts on this. I said what are you talking about. I am familiar with the property. During the summer, I work at a church that is right adjacent to it and I see kind of some stuff that goes on over there. I can tell you that

the crime report information is not a surprise to me. I drove back through there today to look for the sign and there is a rezoning sign back there. You have to drive all the way back there and then you have to make a U-turn in the parking lot to come out. So, unless you're going back there intentionally there's no way you're going to know that there's anything going on with the request for rezoning. There's a car parked on the lawn and not really the kind of apartments and rental units that Jonesboro is looking for. We have talked about how we are looking to grow the city and attract quality jobs versus minimum wage type of jobs. It just doesn't seem like what they're planning for this property and some of the things that are already going on with the crime rate is what we're looking to have more of in Jonesboro. I just wanted to voice my concerns about not knowing about the rezoning. I know that people in my neighborhood are probably totally unaware of it as I was, as well. So, I would like more time for people to know about it and I would not like to have the extra units or the rezoning approved based on the information that has already been presented tonight. Thank you.

Mr. George Hamman of Civilogic said we prepared the application and survey for K&A Investments. I want to address a couple of the technical points. This property doesn't have any frontage on Southwest Drive, and when you post your rezoning signs, they have to be on your property. The address, 726 Southwest Drive, was assigned back in the 1970s with the original development. Also, the two condemned buildings are gone. Beyond that, as far as notification, we did comply with the new ordinance that just passed, probably less than a year ago, that everyone within 200 feet of the property has to be notified by certified mail. Everyone within that 200-foot perimeter of the boundary was notified properly. I think the owner has a few comments, as well.

Mr. Kevin Alpe, 2801 Neely Road, owner of K&A Investments, said just to speak to the signs, the one on the ground is not for my property. That was for the rezoning of the commercial property next door. We put three signs up. As Mr. Hamman said, we don't have any frontage on Southwest Drive. That old address is from when there were two condemned buildings years ago that have since been torn down. When I bought the property in August 2017, it was rough. I don't know why I did it. I shouldn't have done it, but I'm a businessman in town and I have always liked the location. It's a great location and it's a shame that it's turned in to what it did. I bought it and there was crime and there were bad tenants. Over the six to eight months of me redoing about 30 of those 42 units, interior and exterior, I have spent a significant amount of money. I live here in Jonesboro. Councilmember L.J. Bryant met me out there and I have shown him what I have done and the significant investment. With this next phase, I would continue to improve it. There are only 10 original tenants now in the complex of 42. I've put new people that have been in there for the last three to six months. So, that crime report would be a lot of the bad apples I had to kick out. I own 80 various apartments throughout town. I don't deal with crime. I keep my properties up nice. I plan to continue to improve this property with this rezoning. I don't know if Mr. Hamman addressed it, but this rezoning is from 1972. So, it was grandfathered in. Mr. Hamman may have to help me with the technical aspect, but from what I understand we found out that with R-2 you can have up to a four-plex per lot. Is that correct? Mr. Hamman said that is correct. Mr. Alpe said because of the way it is rezoned, if a tornado hit my investment out there, I could only rebuild three four-plexes. So, I couldn't even rebuild my investment with this zoning, but, with the amount of acreage I have, we could actually build up to 60 units. Mr. Hamman said I think that with the addition it's 14 to 65 units. Mr. Alpe said so, we're not looking to build any more than the current zoning. We're not looking to build 18. It's only 14, because that's what we can do as far as land available. That would be all the apartments we would ever build on it because that's all that's zoned currently for R-2. They would be landscaped. I'm improving what has been out there. Basically, I can just ask the city council to consider that I'm a

local investor, not an out-of-state investor. We have seen a lot of those. I go by that property every day. I have a maintenance man who lives on the property. We care for this property daily and that's why Mr. May wrote that letter unsolicited. I was actually surprised that he did it. Mr. May has seen what it used to be and he has seen what we have done over the last six months to a year.

Councilmember Hafner said Mr. Alpe, I have a quick question for you. Do you do background checks on any of your apartment complexes? Mr. Alpe said yes, we do. I have a property manager who background checks everybody. We look for credit reports, felonies, sex offenders, etc. Anyone like that, we rule out. Like I said, I've owned properties since 2003 and that's not the kind of people I deal with. I admit that property was bad, but that's not what I'm doing with it obviously. I'm trying to improve it. Councilmember Hafner said thank you.

Councilmember Bryant said I have a question for Mr. Alpe. I just want to clarify and I've been out there obviously. You probably have space to build two four-plexes under the current zoning anyway without doing another thing. So, really you're only adding about 10 units, is that fair? Mr. Hamman said under the current zoning, we actually have some violations. Some six-unit buildings were allowed back in the 1970s. So, part of what we're doing here is kind of cleaning up some erroneous zoning from the 1970s. With R-2, you're only supposed to have one building per lot and this 4.7 acres is three lots. So, there are a couple of violations we're trying to correct with this, as well.

Ms. Lack said I appreciate you taking your time and your money to redo those because they need it, but the point is that there was an ordinance on August 21st regarding sign postage. I realize the sign is supposed to be on the property, but once again, the Gladiola Manor Apartments were not on a busy street. It's not fair to those people who didn't know anything about this rezoning. It wasn't done correctly by the city. It's not on him. It's by the city. The sign should have been on Southwest Drive to let people know about the rezoning. Councilmember Gene Vance said that ordinance, ORD-18:042, in Legistar does not have an emergency clause. Mayor Harold Perrin said so it wouldn't even take effect actually until September 28th.

Councilmember Bobby Long asked what other place could the sign have been put? Where could it have been put that wasn't on the property? The ordinance reads that it is supposed to be on the property. Mayor Perrin said it's on the property that he owns. Councilmember Long said so there wasn't a place other than where it was placed that it could have been placed because had it been placed anywhere else, it would have been placed on someone else's property. Mayor Perrin said that is correct.

Planning Director Derrel Smith said as of right now, the ordinance is that it is placed on the property. In 10 days, we will start requiring that if there's not a public location that it go on a major intersection or an intersection close to the property with an arrow pointing to the property saying there is a rezoning. Until September 28, we're still bound by the old ordinance. Mayor Perrin said right. The owner comes to City Hall to pick up the signs. They make a deposit on that and they put the signs up. Our planning department is going to be taking a picture of that and logging it so we will know exactly where the sign is located.

A motion was made by Councilperson John Street, seconded by Councilperson LJ Bryant, that this matter be Passed . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

Enactment No: O-EN-058-2018

[ORD-18:059](#)

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RESIDENTIAL, R-1 TO COMMERCIAL, C-3 FOR PROPERTY LOCATED AT 3423 HUDSON AS REQUESTED BY ROBIN CALDWELL

Attachments: [Application.pdf](#)
 [Answers to Questions - Revised.pdf](#)
 [Staff Summary.pdf](#)
 [Survey Plat for Rezoning.pdf](#)
 [Aerial View.pdf](#)
 [CWL Map.pdf](#)
 [Zoning Aerial Map.pdf](#)
 [Letterhead - Hudson Drive 2018.pdf](#)
 [Caldwell Rezoning Ordinance.pdf](#)
 [Hudson Rezoning Plat-1 4151.pdf](#)

A motion was made by Councilperson John Street, seconded by Councilperson Joe Hafner, that this matter be Passed . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

Enactment No: O-EN-059-2018

ITEMS THAT HAVE BEEN HELD IN COUNCIL

[ORD-18:033](#)

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2018 CAPITAL IMPROVEMENT FUND BUDGET AND FEDERAL FUNDS BUDGET FOR THE MEMORANDUM OF UNDERSTANDING AND SUBGRANT AGREEMENT WITH ARKANSAS STATE GAME AND FISH COMMISSION FOR THE JONESBORO SHOOTING SPORTS COMPLEX.

Mayor Harold Perrin said this ordinance is in regards to the shooting range. I would like to ask the council to postpone temporarily for 60 days because we have another meeting with the Arkansas Game and Fish Commission about mid-October. So, the 60 days would take care of that to talk to them. We are going to be talking to them seeing if we can apply for some additional grants through AGFC.

A motion was made by Councilperson John Street, seconded by Councilperson LJ Bryant, that this matter be Postponed Temporarily . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

8. MAYOR'S REPORTS

Mayor Harold Perrin said the city submitted for some awards and last week we won two awards in the State of Arkansas through the Arkansas Digital Government Transformation Agency. The one we won through the Governor's office was the Digital Pioneer Award. This was for the Opticom program that we have on our fire trucks. They were very impressed with that and the ability to be able to lock down the signals as the fire department goes to a fire or emergency call. The second award was the Citizen Service Award. We received this because of the way we did our GIS/ESRI mapping system. They were very impressed with that.

The BBQ Fest will be here before we meet again. It is planned for Friday, September 28th, and Saturday, September 29th.

We are taking donations for the dog park that will be located at the Earl Bell Community Center. In fact, it's going extremely well and we have well over half of the money raised already.

Councilmember Mitch Johnson could not be here, but in front of you are tickets to the Northeast Arkansas District Fair. The fair board is giving all of you tickets to the fair. You can go any night this week through Saturday.

We received a grant from FEMA for \$545,128. This money will be used to purchase homes that have had repetitive flooding in Jonesboro. I believe it has been a while since we received one of these grants.

This past weekend was very busy. We held the Harvest Cup soccer tournament. Riceland is the major sponsor of the tournament. There were 58 teams present from various states at Joe Mack Campbell Park. In addition to that, we had a volleyball tournament at Allen Park Community Center that was hosted by the Christian Home Educators. Also, Parks and Recreation Director Danny Kapales, along with the Downtown Jonesboro Association, have installed a big television downtown for viewing of the out-of-town Arkansas State University games, which I think went extremely well. I believe this was held at the parking lot where we host Alive after Five.

The bike and walking trail plan should be completed by September 28th. It will go to the Parks and Recreation Advisory Board, along with the administration, on October 10th to be studied. Then it will come to the City Council on October 24th. Everybody has been asking the council when this will be completed. There has been some changes on it, but it will be completed on September 28th. I can't wait to see that plan.

One other thing, I got this today and it was on Facebook, but I wanted to share this "Thank You" to the mystery city employee from the sanitation department from Annette Heard. Customer service is always on the top of the front burner of all of our employees. That's all we do for you is provide customer service. We don't build a product. We don't manufacture anything. We strictly provide you with a service. So, cheers to the sanitation department, and that's why we are here. I just wanted to share that with you.

[COM-18:063](#)

Financial statements for the Jonesboro Airport Commission for August, 2018

Attachments: [JAC Jonesboro Airport Financials 08_18.pdf](#)

Filed

9. CITY COUNCIL REPORTS

Councilmember John Street said I don't want to take up much time but last week we were invited by Dr. Kim Wilbanks to tour their Academies at Jonesboro High School, and several of us made that, along with other elected officials, and I have to tell you that I was absolutely blown away. I don't think people understand what they're doing over there. I went through the NEA Career and Technical Center and Councilmember Joe Hafner went through there with me. They have built, by a drawing, the camera holder that is going to be installed on the international space station. We held it in our hands. I had no idea they had a contract with NASA to do anything, and these are high school kids. There was a kid who was finishing the HVAC program and he told us that at the end of this year he will graduate. He's 17 years old and he has to wait a month until he's 18, but he already has a job starting at \$20 per hour. It's the same with some kids who were CNAs and will be able to sit for the test after they finish this year and get their CNA certification. There were others who had API certifications in mechanics and auto body who will also start very good jobs once they graduate. Mr. Eddie Crain took us on the tour and he did a fantastic job. That man has a contagious exuberance about him that motivates those kids, but, in every single area we went to, everybody was very interested and working hard. Industry in Jonesboro participated. They provide robotic equipment with current and modern technology for the students. So, the students are able to come right out of that program and go to work in our local industries. They have STEM, HHS, business, law and engineering. It is incredible the stuff those kids go through. I really had no idea.

Councilmember L.J. Bryant said I would just like to say that elected official day was great. They are all such team players. The principals and the school board were there. It was great to see everybody on the same page. Mayor Perrin, Sheriff Marty Boyd and I were at the Constitution Day panel, so we got to talk to kids about government and public service. I feel sorry for teachers because I think you're always trying to preach to that one kid in the room. I think there was one kid in the room that took something away from what we did, but they were good kids from around northeast Arkansas and we were able to talk to them about public service and it was a lot of fun.

Councilmember Bobby Long said I just want to echo a little bit about what Councilmember Street said. My boys graduated from Jonesboro High School in May 2018. I remember when those academies were first being proposed. I went up there and sat through a lot of those meetings and it was the best thing that ever happened. You, as well as I do, can remember that one special teacher who did something in your life that changed the course of your life. My boys have both experienced that at Jonesboro High School. I have been out there multiple times speaking on interviewing skills and resumé's. They are so proactive out there about making sure those kids are prepared. I have been out there and talked to the vocational technical students. I was even there when they had an active shooter drill. Let me tell you something, if a kid acted up, they were all over that because they take that very, very seriously. I have lived in a couple of different states and I can tell you right now that Jonesboro has something special at Jonesboro High School and public schools. There are a lot of public schools in other states to where you have to put your kids in private school because you don't want them in a war zone. It is not like that here. We would be happy to put our kids in any of the public schools around here. So, we need to consider ourselves lucky in that aspect, as well.

Councilmember David McClain said I just want to make sure that I am involved in the

committee or discussion group for the landscaping ordinance. Councilmember Long said I would like to be included in that, as well.

Councilmember Ann Williams asked if there was any update on the RFQs for the impact fees consultant. Mayor Perrin said yes. They have gone out and been advertised. I think Friday is the deadline. So, anybody that responds on that should be in here by Friday. When we get them in, I can send you all an e-mail out and let you know how many people responded. Councilmember Williams said thank you.

Councilmember Chris Moore said the only thing I have to offer is that the Downtown Jonesboro Improvement District we dissolved was formed to build the overpass in 1977. It actually funded the business owners. It was pretty impressive that they were able to leverage their own property and build the first overpass on Main Street.

10. PUBLIC COMMENTS

Mr. Andy Davis, 1700 Dupwe Drive, said my street is located between the I-555 bypass and Nettleton Avenue. It's a throughway. People go from the bypass to Nettleton and vice versa. I have four intersections in my neighborhood. There is a four-way stop at the intersection of Rosemond and Dupwe. One of the issues I have with that particular street is that it's a 20 mph zone and I have people constantly speeding down that street anywhere from 30 mph to, I want to say up to 55 or 60 mph. I have seen people go flying through there. One reason I mention this is because back in February, and I realize some of these things can't be prevented, I had a drunk driver hit my house driving down Dupwe. He had no insurance, hit my house and did over \$8,000 damage to my house. The Friday before last, I had a driver who I think was texting and who was definitely speeding, plow over my mailbox and destroy my mailbox. I would like to ask the city to look at possibly doing something about Dupwe. Mayor Perrin, you know that you and I have spoken about this many times before and every time we've spoken, I've seen police officers out there and I do appreciate that. They pull people over for speeding, but I'm worried about that street. I can't even walk down that street because I'm not sure if I would get hit or not. The sidewalks are disjointed. So, there's no really easy way to walk down there. I do not have small children, but I do have a 2-year-old grandson who likes to run, and he runs as quickly away from you as he possibly can. I don't know what the solution would be, but I wouldn't mind seeing more stop signs on that road because even though it may not stop people from speeding and it may not keep people from hitting my house or my mailbox, but it will help slow traffic down in that neighborhood. I would like for you all to consider that and I wanted it to be part of public record. Thank you all for your time. Mayor Perrin said thank you very much.

11. ADJOURNMENT

A motion was made by Councilperson LJ Bryant, seconded by Councilperson Gene Vance, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 10 - Ann Williams;Charles Frierson;Chris Moore;John Street;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

Absent: 2 - Mitch Johnson and Chris Gibson

_____ Date: _____

Harold Perrin, Mayor

_____ Date: _____

Donna Jackson, City Clerk