



# City of Jonesboro

## Meeting Minutes

### City Council

900 West Monroe  
Jonesboro, AR 72401

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Tuesday, June 5, 2007

6:30 PM

Council Chambers

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#### **PUBLIC WORKS COMMITTEE - 4:30 P.M.**

#### **APPEAL HEARING - 6:15 P.M.**

Attorney Brent Crews discussed the history of the rezoning request. Councilman Moore questioned why the rezoning was turned down by the MAPC. Mr. Crews stated there was discussion concerning traffic, but they did not voice any more concern during the recent rezoning than they did the first time the rezoning was brought before them and passed. Mr. Leslie Ward noted 27 acres has already been rezoned in the area, in addition to the rezoning that is currently being proposed. He added there is another 40-something acres that might be rezoned in the future. He presented a petition with 122 signatures from people who oppose the rezoning and stated the full acreage of apartments is not in the best interest of the community. He noted they do not have City sewer service in the area. He asked the City to look at development for the current residents. Mr. Louis Stadler also spoke in opposition to the rezoning. He discussed traffic concerns that might affect the area after the rezoning. Mayor Formon questioned what they wanted to see happen with the land. Mr. Stadler stated with RS-7 that would allow 7 homes on an acre and he could not imagine putting 14 homes on two acres of land. He added most people wouldn't mind single family homes being built that would fit with the rest of the land, such as a single family home per acre. City Planner Otis Spriggs stated at the last meeting there was a lot of concern from the public that was addressed at the last MAPC, which added to the information for the MAPC to consider when they voted. He added the applicant has testified to the MAPC concerning an approach to getting sewer service to the area. Councilman Hargis questioned the density of RS-7 zoning. Mr. Spriggs stated RS-7 is the most dense with a purpose of 7 homes per acre, but there are other zonings that allow for fewer homes per acre. He also stated there are no other RS-7 areas because it is a new zoning. Councilman Hargis questioned whether there are any issues with flooding. Mr. Spriggs stated most of the area to the south is in the flood way, as well as some of the area in the east.

#### **1. Call to order by the Mayor at 6:30 P.M.**

#### **2. Pledge of Allegiance and Invocation**

*Councilman Province gave the invocation.*

#### **3. Roll Call by the City Clerk**

#### **4. Special Presentations**

#### **5. Consent Agenda**

*Approval of the Consent Agenda*

A motion was made by Councilperson Chris Moore, seconded by Councilperson John Street, to Approve the Consent Agenda. A motion was made that these files be approved by consent voice vote

**RES-07:35** RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF JONESBORO ARKANSAS ACCEPTING THE MOST QUALIFIED BIDS FOR THE CLASS 4 LANDFILL CLOSURE AND LANDFILL GAS REMEDIATION SYSTEM.

**Sponsors:** Sanitation

**Attachments:** [Signed Bid Form \(2\)](#)  
[Class 4 Agreement - Revision 1](#)  
[LFG Agreement - Revision 1](#)  
Signed Bid Form cameron

A motion was made by that this Resolution be Passed . The motion passed BY VOICE VOTE

Enactment No: R-EN-022-2007

**RES-07:49** A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF JONESBORO TO AMEND THE COOPERATION AGREEMENT BETWEEN THE CITY OF JONESBORO, ARKANSAS AND JONESBORO URBAN RENEWAL AND HOUSING AUTHORITY

**Sponsors:** Jonesboro Urban Renewal and Housing Authority and Mayor's Office

**Attachments:** [JURHA property addition](#)

A motion was made by that this Resolution be Passed . The motion passed BY VOICE VOTE

Enactment No: R-EN-023-2007

**RES-07:154** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 708 OWENS AVE., JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

**Sponsors:** Mayor's Office and Public Works

**Attachments:** [708 Owens \(COMPLETE\)](#)

A motion was made by that this Resolution be Passed . The motion passed BY VOICE VOTE

Enactment No: R-EN-024-2007

**RES-07:156** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 704 OWENS, JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

**Sponsors:** Mayor's Office and Public Works

**Attachments:** [704 Owens \(COMPLETE\)](#)

**A motion was made by that this Resolution be Passed . The motion passed BY VOICE VOTE**

**Enactment No:** R-EN-025-2007

**RES-07:157** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 702 OWENS AVE., JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

**Sponsors:** Mayor's Office and Public Works

**Attachments:** [702 Owens \(COMPLETE\)](#)

**A motion was made by that this Resolution be Passed . The motion passed BY VOICE VOTE**

**Enactment No:** R-EN-026-2007

**RES-07:177** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 2311 S. CULBERHOUSE, JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

**Sponsors:** Mayor's Office and Public Works

**Attachments:** [2311 S. Culberhouse \(complete\)](#)

**A motion was made by that this Resolution be Passed . The motion passed BY VOICE VOTE**

**Enactment No:** R-EN-027-2007

**RES-07:178** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY (PERMANENT EASEMENT) LOCATED AT 401 W. COLLEGE, JONESBORO, ARKANSAS FOR THE PURPOSE OF ESTABLISHING A DETENTION POND.

**Sponsors:** Mayor's Office and Public Works

**Attachments:** [401 W. College \(complete\)](#)

**A motion was made by that this Resolution be Passed . The motion passed BY VOICE VOTE**

**Enactment No:** R-EN-028-2007

## **6. New Business**

**RES-07:47** A RESOLUTION TO CONTRACT WITH BRACKETT-KRENNERICH AND ASSOCIATES, P.A. FOR DESIGN OF A NEW BATH HOUSE AT CRAIGHEAD FOREST PARK CAMPGROUND

**Sponsors:** Parks & Recreation

**Attachments:** [Brackett and Krennerich Standard Agreement for Architecture Service 5-9-2007](#)  
[Brackett and Krennerich Design and Contract Administration Contract 5-9-2007](#)  
[Bath House Cost Estimate](#)

*Mayor Formon stated everyone wants a new facility, but he expressed concern over the price of the project noting the project cost \$257 per square foot. Parks Director Jason Wilkie explained Mr. Brackett indicated the cost is because a lot of plumbing work will need to be done. He noted a pre-manufactured building will cost \$219,000 not including installation, a pad or septic system. He added they hope the actual costs will come in lower than the projected costs. Further discussion was held concerning the project.*

**A motion was made by Councilperson Chris Moore, seconded by Councilperson Ann Williams, that this matter be Passed. The motion CARRIED by the following vote:**

**Enactment No:** R-EN-029-2007

**RES-07:105** A RESOLUTION TO APPROVE JONESBORO ECONOMICAL TRANSPORTATION SYSTEM'S STANDARD ADVERTISING AGREEMENTS

**Sponsors:** JETS

**Attachments:** [agreement.bus.wraps.2.doc](#)  
[agreement.panels&shelters.doc](#)

**A motion was made by Councilperson Chris Moore, seconded by Councilperson Ann Williams, that this matter be Passed. The motion CARRIED by the following vote:**

**Enactment No:** R-EN-030-2007

#### *Ordinances on First Reading*

**ORD-07:73** AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO CODE OF ORDINANCES, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS LOCATED ON KATHLEEN STREET BETWEEN MORTON DRIVE AND PACIFIC ROAD AS REQUESTED BY TROY COLEMAN/JAY HARMON

**Attachments:** [Harmon Plat](#)  
[MAPC - Harmon](#)  
[MAPCReport](#)

*Attorney Brent Crews noted only 5.5 units will fit on an acre due to the requirements specified. He noted there will be far less than 500 units on the land. He added his clients are willing to give the City sufficient frontage down Kathleen to add a third lane of traffic or whatever it takes to make the road safe from Pacific all the way down to the property lane. He stated they would like to help the City to widen Kathleen Street. Mr. Crews stated, regarding utilities, that if the property is developed then sanitary sewer will be taken all the way down to Pacific. He further explained if the land is developed then it will only improve the infrastructure of the area. Councilwoman Furr questioned whether a traffic study has been discussed concerning the effect the added traffic would have on the area. Mr. Crews stated they have discussed a traffic study, but have not completed it due to the cost. Councilwoman Furr stated they also need to know what will happen with drainage in the area before 200 homes are built in the area. She furthered state she would like the developer to come to the Council showing how many homes will be built and how the drainage will be handled. Mr. Crews explained before ground would be moved they would take a plan to the MAPC and there will have to be a drainage plan and studies done. Mr. Leslie Ward stated there is 27 acres that have been rezoned on the south end*

of the property, with another area of land next to it that he has heard will be asked to be rezoned. He stated the citizens are not opposed to progress, but they would like the Council to look at other options. Mayor Formon questioned what kind of rezoning would the citizens be alright with. Mr. Ward stated they would like to see one home on an acre or two to three acre lots. He said they would like to see conventional housing in the area. Discussion was held concerning the rezoning. Councilman Dover questioned how much money the City would have to pay to make the improvements to Kathleen Street. City Engineer Kelly Panneck stated the developer should address issues on behalf of the City and then the City should review the plans and it should include more than just right-of-way. He added there will be some developments that happen and infrastructure will be behind, but he does not want to see the City get into the development issue. City Attorney Phillip Crego noted some of the issues are not the subject of a rezoning question, which is what the Council is looking at. Discussion was held regarding the RS-7 zoning minimum requirements. Mr. Crews stated they're not saying they won't build 7 houses per acre; rather he's saying they can't build 7 houses per acre. Councilman Johnson stated RS-7 may not be the proper zoning for the area. He stated he has a problem rezoning something and then it going on the market. Councilman Dover questioned why RS-7 zoning was chosen, instead of other RS zonings. Mr. Crews stated RS-7 was his client's zoning request. Mayor Formon asked City Planner Otis Spriggs for several examples that would fit the new codes including photographs. Mr. Spriggs noted the land use committee is looking for a planned unit development for that particular section.

**Councilperson Harold Perrin offered the ordinance for first reading by Title Only.**

**ORD-07:17** AN ORDINANCE AMENDING THE 2007 ANNUAL BUDGET ORDINANCE FOR THE CITY OF JONESBORO PLANNING DEPARTMENT BY UPGRADING ONE FULL-TIME POSITION.

**Sponsors:** Planning

*Councilperson Perrin offered the ordinance for first reading by Title Only.*

**A motion was made by Councilperson Chris Moore, seconded by Councilperson John Street, that this matter be Waive Second and Third Readings. The motion CARRIED unanimously.**

**Enactment No:** O-EN-008-2007

**Sponsors:** Planning

*Councilperson Mitch Johnson moved, seconded by Councilperson Chris Moore for the adoption of the Emergency Clause. A roll call vote was taken resulting in all members voting aye.*

**A motion was made by Councilperson Chris Moore, seconded by Councilperson John Street, that this matter be Passed. The motion CARRIED unanimously.**

**Enactment No:** O-EN-008-2007

**Sponsors:** Planning

**A motion was made by Councilperson Mitch Johnson, seconded by Councilperson Chris Moore, that this matter be Adoption of the Emergency Clause. The motion CARRIED by the following vote:**

**Enactment No:** O-EN-008-2007

**ORD-07:53** AN ORDINANCE AMENDING ORDINANCE NO. 3600 FOR THE PURPOSE OF DELETING THREE POLICE OFFICER POSITIONS AND ADDING THREE POLICE

## SERGEANT POSITIONS IN THE 2007 BUDGET

**Sponsors:** Police Department

*Councilperson Chris Moore offered the ordinance for first reading.*

**A motion was made by Councilperson Harold Perrin, seconded by Councilperson Chris Moore, that this matter be Waive Second and Third Readings. The motion CARRIED unanimously.**

**Enactment No:** O-EN-009-2007

**Sponsors:** Police Department

**A motion was made by Councilperson Harold Perrin, seconded by Councilperson Chris Moore, that this matter be Passed. The motion CARRIED unanimously.**

**Enactment No:** O-EN-009-2007

**Sponsors:** Police Department

**A motion was made by Councilperson Judy Furr, seconded by Councilperson Harold Perrin, that this matter be Adoption of the Emergency Clause. The motion CARRIED unanimously.**

**Enactment No:** O-EN-009-2007

**ORD-07:68**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF AVL UNITS FOR THE POLICE DEPARTMENT

**Sponsors:** Police Department

**Attachments:** [Jonesboro\\_avl bid 07.pdf](#)

**A motion was made by Councilperson Chris Moore, seconded by Councilperson Mitch Johnson, that this matter be Waive Second and Third Readings. The motion CARRIED unanimously.**

**Enactment No:** O-EN-010-2007

**Sponsors:** Police Department

**Attachments:** [Jonesboro\\_avl bid 07.pdf](#)

**A motion was made by Councilperson Chris Moore, seconded by Councilperson Harold Perrin, that this matter be Passed. The motion CARRIED unanimously.**

**Enactment No:** O-EN-010-2007

**Sponsors:** Police Department

**Attachments:** [Jonesboro\\_avl bid 07.pdf](#)

**A motion was made by Councilperson Harold Perrin, seconded by Councilperson Chris Moore, that this matter be Adoption of the Emergency Clause. The motion CARRIED unanimously.**

**Enactment No:** O-EN-010-2007

**ORD-07:70**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF A 2006 VOLVO EC330 EXCAVATOR.

**Sponsors:** Streets

**Attachments:** [ScanDoc](#)  
[ScanDoc-1](#)  
[ScanDoc-2](#)

*Councilman Dover motioned for the item to be taken off the agenda so it can be further reviewed.*

**A motion was made by Councilperson Darrel Dover, seconded by Councilperson Chris Moore, that this matter be Tabled. The motion CARRIED unanimously.**

## **7. Unfinished Business**

### *Ordinances on Third Reading*

**ORD-07:61** AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES LOCATED EAST OF CARAWAY ROAD BETWEEN JOHNSON AND DAVIS AS REQUESTED BY BETTY SHAW

**Attachments:** [PlatA](#)  
[PlatB](#)  
[MAPC](#)

**A motion was made by Councilperson Chris Moore, seconded by Councilperson Ann Williams, that this matter be Passed. The motion CARRIED unanimously.**

**Enactment No:** O-EN-011-2007

## **8. Mayor's Reports**

*Mr. Adam Seiter passed out packets to the Council members concerning the fire station and animal control projects. Mayor Formon questioned whether Mr. Seiter would be giving monthly or bi-monthly reports that can be added to the packets. Mr. Seiter stated he can give monthly reports for now. He explained every month they would like to give the Council a schedule update and a brief recap of the progress on the projects. Councilman Perrin suggested putting web cams near the sites for the projects so they can watch the progress from their computers. Mr. Seiter said they can do that. He then stated they started the dirt work for Fire Station #3 this week. Councilman Hargis questioned the dirt work for the animal shelter. Mr. Seiter stated they are still in the permit process for the shelter.*

*Dr. Charles Coleman stated Project 365 Cleanup will be on June 23rd starting at 8:00 a.m. He discussed the areas that would be covered and noted they're going to start Project 365 three times a year.*

*Mayor Formon explained there were some comments made in the public that it was a waste of taxpayer money to stay out all night during the recent standoff. He stated no amount of money could be wasted in trying to bring the standoff to a peaceful ending.*

*Attorney Andy Adams discussed the landfill. He stated the landfill closing bids have been approved. He further stated the cost savings in closing the landfill will be around \$800,000. He noted the plan that is in place and has been approved for the landfill closing will ensure the public and environment is protected. He recommended withdrawing the outstanding appeal. Mayor Formon commended Mr. Adams for the work he's done to help with the closing.*

**9. City Council Reports**

*Councilman Province welcomed Councilwoman Furr back after her recent surgery.*

*Councilman Hargis addressed the employees in the Finance Department that are out due to illnesses. Mayor Formon questioned when Purchasing Agent Steve Kent would be back to work. Finance Director Don Ray explained Mr. Kent feels confident when he goes back to the doctor he will be released to work at least 2-3 hours a day. Mr. Ray stated he will have Mr. Kent working with Ms. Rebekah Roddy.*

*Councilman Moore motioned, seconded by Councilman Street, to end the appeal with ADEQ. All voted aye.*

*Councilwoman Williams stated she was at Joe Mack Campbell Park recently and was impressed with the look of the park. Mr. Wilkie stated the person who takes care of the park is committed to excellence and they're proud to have him. Mayor Formon discussed the area by the bypass to improve the appearance of it. He stated mowing the entire right-of-way would cost too much, so they are looking into mowing the median and the area outside of the median. Councilman Moore questioned the status of the greenway. Mr. Wilkie stated the first phase includes Turtle Creek Mall. He added the second phase would intersect the bypass, which would be 10 to 15 years from now. Councilman Moore recommended mowing a six-foot path in the areas they're looking at mowing so there would be a walking path. Discussion was then held regarding the work the Parks Department has done in the downtown area. Mr. Wilkie stated they will continue to maintain the downtown area.*

*Councilman McCall questioned the status of paving the lot downtown. Mayor Formon stated they have surveyed the triangular piece, but the piece owned by the sign company is bigger than what was originally thought.*

*Councilwoman Furr thanked everyone for their thoughts and calls while she was sick. She then questioned whether a new Council liaison for the Airport Commission has been appointed. Councilwoman Williams stated no one has been appointed. Councilwoman Furr questioned if something is going on with trying to keep Council members off the Airport Commission. Councilman Frierson stated it was not that simple but based on another attorney he requested an opinion from the City Attorney based on two Airport Commission and one other commission because each in state law says the Mayor shall appoint the members. He then questioned what City Attorney Phillip Crego's opinion was on the matter. Mr. Crego explained the Council adopted a standard putting two Council members on boards and commissions to receive better input and to serve as liaisons. He stated his opinion is the City is okay with their ordinance, but they won't know for sure until a lawsuit is filed and a court determines who is correct. He added they could request the Attorney General's opinion for a determination. Councilman Frierson stated if a replacement is not made, then the members continue to serve on the board. Councilwoman explained she informed the Airport Commission in December that she is no longer the liaison, so she has stopped receiving the financial reports and minutes. She questioned whether Mayor Formon is now receiving that information. Mayor Formon indicated he is not receiving that information. He then suggested the boards and commissions can send City Clerk Donna Jackson their minutes and reports to be placed in Legistar so the public can view the information.*

*Councilman Street stated Engineering is working hard to acquire properties for drainage projects. He also noted the Lawson Road project is underway.*

**10. Public Comment****11. Adjournment.**

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

\_\_\_\_\_  
Doug Formon, Mayor

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

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

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