



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Council Agenda City Council

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Tuesday, November 19, 2013

5:30 PM

Municipal Center

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

*City Council Chambers, Municipal Center*

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

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

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

#### 4. SPECIAL PRESENTATIONS

**COM-13:089** Jonesboro Masonic Lodge 129 check presentation to Mayor Perrin for the Miracle League project

**Sponsors:** Mayor's Office

**COM-13:091** Proclamation by Mayor Perrin to Pat Qualls and the "Overcomers Choir"

**Sponsors:** Mayor's Office

#### 5. CONSENT AGENDA

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

**MIN-13:102** Minutes for the City Council meeting on November 5, 2013

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

**RES-13:181** A RESOLUTION REQUESTING FREE UTILITY SERVICE FROM CITY WATER AND LIGHT FOR PUBLIC PARKING LOT SIGNS

**Sponsors:** Engineering

**Legislative History**

11/5/13	Public Works Council Committee	Recommended to Council
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**RES-13:189** A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL-AID MONIES FOR THE FOLLOWING PROJECT:  
EXTENSION OF PARKER ROAD TO THE WASHINGTON AVENUE/HIGHWAY 63 INTERCHANGE

**Sponsors:** Engineering

**Attachments:** [Agreement of Understanding.pdf](#)

**Legislative History**

11/5/13	Public Works Council Committee	Recommended to Council
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**RES-13:192** A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO AN AGREEMENT WITH FISHER & ARNOLD, INC. TO PERFORM PROFESSIONAL ENGINEERING SERVICES

**Sponsors:** Engineering

**Attachments:** [Agreement.pdf](#)

**Legislative History**

11/5/13	Public Works Council Committee	Recommended to Council
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## **6. NEW BUSINESS**

**COM-13:088** Request by the Sage Meadows Property Owners Association to set an appeal hearing regarding the approval of the site plan requested by The Reserve at Sage Meadows, LLC for apartment units located at the end of Prairie Dunes Lane in Sage Meadows.

**Attachments:** [Appeal letter](#)

[MAPC minutes August 13, 2013](#)

[MAPC Minutes October, 2013](#)

### *RESOLUTIONS TO BE INTRODUCED*

**RES-13:112** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS FOR THE SUGGESTED RENAMING OF STADIUM BOULEVARD TO RED WOLF BOULEVARD AS REQUESTED BY ARKANSAS STATE UNIVERSITY.

**Sponsors:** Mayor's Office

**Attachments:** [ASU letter October 2, 2013](#)

[Stadium Blvd Street Name Change Letter](#)

[Hwy Dept Response Letter Stadium Blvd](#)

[Stadium Blvd Retailers](#)

[Postal Service Response Letter](#)

[ASU letter asking for postponement of resolution](#)

**Legislative History**

8/6/13	Public Works Council Committee	Tabled
10/3/13	Public Works Council Committee	Recommended to Council
11/5/13	Public Works Council Committee	Recommended to Council

## **7. UNFINISHED BUSINESS**

**8. MAYOR'S REPORTS**

**9. CITY COUNCIL REPORTS**

**10. PUBLIC COMMENTS**

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

**11. ADJOURNMENT**



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** COM-13:089    **Version:** 1    **Name:** Check presentation by Masonic Lodge  
**Type:** Other Communications    **Status:** To Be Introduced  
**File created:** 11/6/2013    **In control:** City Council  
**On agenda:**    **Final action:**  
**Title:** Jonesboro Masonic Lodge 129 check presentation to Mayor Perrin for the Miracle League project  
**Sponsors:** Mayor's Office  
**Indexes:** Presentations  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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Jonesboro Masonic Lodge 129 check presentation to Mayor Perrin for the Miracle League project



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** COM-13:091    **Version:** 1    **Name:** Proclamation by Mayor Perrin to Pat Qualls and the Overcomers Choir  
**Type:** Other Communications    **Status:** To Be Introduced  
**File created:** 11/6/2013    **In control:** City Council  
**On agenda:**    **Final action:**  
**Title:** Proclamation by Mayor Perrin to Pat Qualls and the "Overcomers Choir"  
**Sponsors:** Mayor's Office  
**Indexes:** Mayor's Commendations  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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Proclamation by Mayor Perrin to Pat Qualls and the "Overcomers Choir"



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

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**File #:** MIN-13:102    **Version:** 1    **Name:**  
**Type:** Minutes    **Status:** To Be Introduced  
**File created:** 11/14/2013    **In control:** City Council  
**On agenda:**    **Final action:**  
**Title:** Minutes for the City Council meeting on November 5, 2013  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Minutes](#)

Date	Ver.	Action By	Action	Result
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Minutes for the City Council meeting on November 5, 2013



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, November 5, 2013

5:30 PM

Municipal Center

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### PUBLIC WORKS 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** 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

#### 4. SPECIAL PRESENTATIONS

**COM-13:083** Presentation from Jared Woodard and Hailey Knight from the Downtown Jonesboro Association to Mayor Harold Perrin for the Downtown Main Street USA Program

**Sponsors:** Mayor's Office

*Ms. Knight, Executive Director of the Downtown Jonesboro Association, explained they have acquired Main Street status in October. She thanked the volunteers and everyone else who helped obtain Main Street status. She also thanked the Advertising & Promotion Commission for their support. She explained this will bring technical services to downtown, such as interior design and facade improvements, as well as grant opportunities.*

**This item was Read.**

**COM-13:086** Check presentation from the Junior Auxiliary to Mayor Perrin for the Miracle League field

**Sponsors:** Mayor's Office

*Ms. Lori Poston, President of the Junior Auxiliary of Jonesboro, presented Mayor Perrin a check for \$25,000 for the Miracle League to fund the construction of two dugouts. Mayor Perrin accepted the check and thanked them for their donation.*

**This item was Read.**

**COM-13:087** Proclamation by Mayor Perrin to Olivia Loiacano for state golf championship

**Sponsors:** Mayor's Office

*Mayor Perrin presented Ms. Loiacano with a proclamation for her championship win.*

This item was Read.

**5. CONSENT AGENDA**

*Approval of the Consent Agenda*

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

**Aye:** 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

**MIN-13:093** Minutes for the City Council meeting on October 15, 2013

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

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

**RES-13:169** RESOLUTION TO AUTHORIZE THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE DEPARTMENT OF HUMAN SERVICES TO RECEIVE GRANT FUNDS FOR THE MIRACLE LEAGUE PROJECT

**Sponsors:** Grants

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

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

Enactment No: R-EN-171-2013

**RES-13:174** A RESOLUTION TO MAKE APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS AS RECOMMENDED BY MAYOR PERRIN

**Sponsors:** Mayor's Office

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

Enactment No: R-EN-172-2013

**RES-13:175** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO RE-STRUCTURE AND APPOINT MEMBERS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CITIZEN ADVISORY COMMITTEE FACILITATED BY THE GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT

**Sponsors:** Community Development and Mayor's Office

**Attachments:** [RES 06 287](#)  
[RES 06 288](#)

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

Enactment No: R-EN-173-2013

**RES-13:176** RESOLUTION TO AUTHORIZE THE CITY OF JONESBORO TO ENTER INTO



AGREEMENT WITH THE ECONOMIC DEVELOPMENT AUTHORITY TO RECEIVE GRANT FUNDS FOR THE CITY OF JONESBORO SEWER EXTENSION PROJECT

**Sponsors:** Grants

**Attachments:** [EDA Award Letter and Agreement](#)  
[EDA Special Conditions](#)  
[Grant Commitment Letter Revised 10 4 2013 SIGNED AEDC](#)

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

Enactment No: R-EN-174-2013

**RES-13:177** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO ESTABLISH AND APPOINT A HOMELESS PREVENTION TASK FORCE FACILITATED BY THE GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT

**Sponsors:** Community Development and Grants

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

Enactment No: R-EN-175-2013

**RES-13:182** RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE DEPARTMENT OF JUSTICE AND ACCEPT THE 2013 COPS HIRING GRANT

**Sponsors:** Grants

**Attachments:** [COPS Hiring 2013 Grant Agreement](#)

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

Enactment No: R-EN-176-2013

**RES-13:183** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO LEVY A 2 MILL TAX ON ALL REAL AND PERSONAL PROPERTY FOR THE PUBLIC LIBRARY TAX

**Sponsors:** Finance

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

Enactment No: R-EN-177-2013

**RES-13:184** A RESOLUTION TO LEVY A ONE-HALF (.5) MILL TAX ON ALL REAL AND PERSONAL PROPERTY FOR THE JONESBORO POLICE PENSION PLANS

**Sponsors:** Finance

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

Enactment No: R-EN-178-2013

**RES-13:188** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO LEVY A ONE-HALF (.5) MILL TAX ON ALL REAL AND PERSONAL PROPERTY FOR THE LOCAL FIREMENS PENSION PLANS

**Sponsors:** Finance

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

Enactment No: R-EN-179-2013

**6. NEW BUSINESS**

**RES-13:185** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY'S SALARY & ADMINISTRATION POLICY TO ALLOW MERIT INCREASES FOR EXCEPTIONAL JOB PERFORMANCE AND/OR INCREASED JOB TRAINING OR CERTIFICATIONS

**Sponsors:** Finance

**A motion was made by Councilman Chris Moore, seconded by Councilman Mikel Fears, that this matter be Postponed Temporarily . The motion PASSED with the following vote:**

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

*ORDINANCES ON FIRST READING*

**ORD-13:058** AN ORDINANCE TO AMEND ORDINANCE 08:005 AND SECTION 117-258, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, TO REGULATE THE USE AND LOCATION OF COMMERCIAL ITINERANT STREET FOOD VENDING UNITS, AND DECLARING AN EMERGENCY TO PROVIDE CLARITY IN THE EXISTING ORDINANCES FOR THE PURPOSE OF PROMOTING A HEALTHY ECONOMY AND TO ALLOW OPPORTUNITIES FOR SMALL BUSINESS START-UPS

**Sponsors:** Planning

**Attachments:** [VendingCartMapLocations](#)  
[Existing Mobile Vending Ordinance\\_ ORD 08 005](#)

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

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

*After passage of the ordinance, Councilman Moore motioned, seconded by Councilman Dover to adopt the emergency clause. All voted aye.*

**A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote:**

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-058-2013

**ORD-13:060** AN ORDINANCE TO AUTHORIZE AN EMPLOYEE FAMILY MEMBER TO DO BUSINESS WITH THE CITY OF JONESBORO, ARKANSAS AND DECLARING AN

EMERGENCY

**Sponsors:** Mayor's Office

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

*Councilman Dover asked if this is for painting services. Mayor Perrin answered yes. Councilman Dover stated bids were taken and this individual was the most economical bidder. Mayor Perrin answered yes.*

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

*After passage of the ordinance, Councilman Gibson motioned, seconded by Councilwoman Williams, to adopt the emergency clause. All voted aye.*

**A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote:**

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-059-2013

**ORD-13:061**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE CITY OF JONESBORO TO PURCHASE (1) 2013 SUBURBAN FROM CENTRAL CHEVROLET CADILLAC FOR THE MAYOR'S OFFICE

**Sponsors:** Finance

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

*Councilman Street noted the vehicle will not cost the City \$40,000 as reported in the newspaper. He added it will only cost about \$16,000. Mayor Perrin stated that is correct.*

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

**A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote:**

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-060-2013

**7. UNFINISHED BUSINESS**

*ORDINANCES ON THIRD READING*

**ORD-13:057**

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT GREENWAY LANE AS REQUESTED BY DENNIS GAMBILL

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

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

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-061-2013

## **8. MAYOR'S REPORTS**

*Mayor Perrin reported on the following items:*

*The last ward meeting was held last night. He provided the Council with notes detailing what was stated in every ward meeting. They will be using this as a list of things that need to be done in the City in 2014. Overall, the meetings went well. He discussed some of the concerns that were brought up, mainly code enforcement.*

*They received the bids for renovation of the old Army Reserve building , which will house the Police Department. The bids came in at \$1.505 million. The architects are working with CNI, the lowest bidder meeting specifications, to get their performance bonds. They should have the contract next week in order to present it to the Public Works Committee and City Council.*

*They will be advertising bids for the new Fire Station #5 on Neely Road on November 10. They will be opening bids on December 3.*

*He commended the Police Department and E-911 Department for their quick response to the recent tornado in Caraway. The City sent dump trucks and other equipment to Caraway to help with cleanup. He thanked Street Department Director Steve Tippett and all the employees who helped with the efforts. The City may be able to get reimbursed for some of the work through FEMA and through the State Department of Emergency Services.*

*All offices are now in the Municipal Center. They will hold an open house on November 17 from 2-5 p.m.*

*November is open enrollment month for city employees to make changes to their benefits. If anyone would like to make changes, they can contact the Human Resources Department.*

*Veteran's Day is Monday. Monday's trash pickup will be on Tuesday.*

*Starting in December, all of the committee meetings will be shown on Channel 24 in addition to the Council meetings.*

**9. CITY COUNCIL REPORTS**

*Councilman Street motioned, seconded by Councilman Johnson, to suspend the rules and add RES-13:186, RES-13:187, RES-13:190 and RES-13:193 to the agenda. All voted aye.*

**RES-13:186** A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR BRIDGER PLACE PHASE II, A RESIDENTIAL SUBDIVISION

**Sponsors:** Engineering

**Attachments:** [Maintenance Agreement.pdf](#)  
[Plat.pdf](#)

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

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: R-EN-180-2013

**RES-13:187** A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR BARRINGTON PARK PHASE VII, A RESIDENTIAL SUBDIVISION

**Sponsors:** Engineering

**Attachments:** [Maintenance Agreement.pdf](#)  
[Plat.pdf](#)

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

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: R-EN-181-2013

**RES-13:190** A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR MERRELL ESTATES PHASE III, A RESIDENTIAL SUBDIVISION

**Sponsors:** Engineering

**Attachments:** [Maintenance Agreement.pdf](#)  
[Plat.pdf](#)

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

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: R-EN-182-2013

**RES-13:193**

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR SOUTHBEND PHASE IV, RESIDENTIAL SUBDIVISION

**Sponsors:** Engineering

**Attachments:** [Maintenance Agreement.pdf](#)  
[Plat.pdf](#)

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

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: R-EN-183-2013

*Councilwoman Williams spoke with the Lion's Club this morning. She explained they questioned whether the City could have something similar to the Clean Sweep in the spring for a limited time. She noted this has been brought up at ward meetings as well. Mayor Perrin stated he will speak with the Street and Sanitation Departments to see what would be involved in putting that together.*

*Councilman Moore questioned what the expected rate increase is for the employee's medical insurance. Mayor Perrin stated they expect a 15% rate increase with Blue Cross Blue Shield. Councilman Moore asked what the justification was for the rate increase. Mayor Perrin explained even if the City didn't have any claims, there would still be a 5% increase due to Obamacare. The City had a 118% payout last year.*

**10. PUBLIC COMMENTS****11. ADJOURNMENT**

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

**Aye:** 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

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

Harold Perrin, Mayor

**Attest:**

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

Donna Jackson, City Clerk



## Legislation Details (With Text)

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**File #:** RES-13:181    **Version:** 1    **Name:** Utility service for public parking lot signs  
**Type:** Resolution    **Status:** Recommended to Council  
**File created:** 10/18/2013    **In control:** Public Works Council Committee  
**On agenda:**    **Final action:**  
**Title:** A RESOLUTION REQUESTING FREE UTILITY SERVICE FROM CITY WATER AND LIGHT FOR PUBLIC PARKING LOT SIGNS  
**Sponsors:** Engineering  
**Indexes:** Utility service from CWL  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
11/5/2013	1	Public Works Council Committee		

A RESOLUTION REQUESTING FREE UTILITY SERVICE FROM CITY WATER AND LIGHT FOR PUBLIC PARKING LOT SIGNS

WHEREAS, the City of Jonesboro is requesting that City Water and Light provide free utilities at the following Public Parking Lot Sign locations:

325 Union Street  
300 Union Street  
325 Main Street  
219 East Monroe

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

Section 1: That City Water and Light be requested by this resolution to provide free utilities to the locations listed above.

Section 2: To permit such services to be provided without charge, the City of Jonesboro hereby affirms to City Water and Light that the ultimate use of CWL utilities so provided is now and shall remain a use or purpose which the City is engaged in as part of its governmental or proprietary functions under authority to it by state law.





## Legislation Details (With Text)

<b>File #:</b>	RES-13:189	<b>Version:</b>	1	<b>Name:</b>	Use federal money for Parker Road extension project
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	10/30/2013	<b>In control:</b>		<b>In control:</b>	Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL-AID MONIES FOR THE FOLLOWING PROJECT: EXTENSION OF PARKER ROAD TO THE WASHINGTON AVENUE/HIGHWAY 63 INTERCHANGE				
<b>Sponsors:</b>	Engineering				
<b>Indexes:</b>	Grant				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Agreement of Understanding.pdf</a>				

Date	Ver.	Action By	Action	Result
11/5/2013	1	Public Works Council Committee		

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL-AID MONIES FOR THE FOLLOWING PROJECT: EXTENSION OF PARKER ROAD TO THE WASHINGTON AVENUE/HIGHWAY 63 INTERCHANGE

WHEREAS, Federal earmarked funding was dedicated to Highway 63 Construction and Improvements in Jonesboro (Demo I-D AR002) and to Highway 63 Interchange Improvements in Arkansas (Demo I-D AR144); and

WHEREAS, the Federal Highway Administration has approved the use of these funds for a project to extend Parker Road in order to improve operating conditions on Highway 63 and the nearby interchanges.

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

Section I: The City will participate in accordance with its designated responsibilities in this project.

Section II: The Mayor, or his designated representative, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this City project.

Section III: The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.

**AGREEMENT OF UNDERSTANDING  
 BETWEEN  
 THE CITY OF JONESBORO  
 AND  
 THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT**

In Cooperation with the  
 U.S. Department of Transportation, Federal Highway Administration

RELATIVE TO

**Extension of Parker Road to the Washington Avenue/Highway 63 Interchange** (hereinafter called the "Project") as a Federal-aid project.

WHEREAS, Federal earmarked funding was dedicated to Highway 63 Construction and Improvements in Jonesboro (Demo I-D AR002) and to Highway 63 Interchange Improvements in Arkansas (Demo I-D AR144); and

WHEREAS, **the City of Jonesboro** (hereinafter called "Sponsor") has expressed its desire to use these funds for an eligible Project; and

WHEREAS, the Federal Highway Administration has approved the use of these funds for the Project; and

WHEREAS, the Sponsor will transmit to the Arkansas State Highway and Transportation Department (hereinafter called the "Department") a signed and sealed Resolution from the City Council authorizing the Mayor to execute agreements and contracts with the Department for the Project; and

WHEREAS, funding participation will be as follows, subject to the amount of Federal-aid funds and obligation limitation approved and available for the Project:

<u>Funding Source</u>	<u>Maximum Federal %</u>	<u>Minimum Sponsor %</u>
Hwy. 63 Construction and Improvements in Jonesboro	100	0
Hwy. 63 Interchange Improvements in Arkansas	100	0

WHEREAS, the Sponsor knows of no legal impediments to the completion of the Project; and

WHEREAS, the Sponsor understands that the Department will adhere to the General Requirements for Recipients and Sub-Recipients Concerning Disadvantaged Business Enterprises (DBEs) (Attachment A) and that, as part of these requirements, the Department may set goals for DBE participation in the Project, ranging from 0% to 100%, that are practical and related to the potential availability of DBEs in desired areas of expertise.

IT IS HEREBY AGREED that the Sponsor and the Department, in cooperation with the Federal Highway Administration (FHWA), will participate in a cooperative program for implementation and will accept the responsibilities and assigned duties as described hereinafter.

THE SPONSOR WILL:

1. Coordinate with the Department's Consultant Contracts Administrator to hire a Department on-call consultant engineering firm(s) to provide engineering services, which include environmental documentation, surveys, design, appraisal and acquisition of right-of-way, relocation services (when required), and adjustment of all man-made improvements, including utilities for the Project. **NOTE: FHWA authorization and Department approval must be given prior to issuing a work order to the consultant for federal funds to be allowed in this phase.**
2. Understand that **expenditures for preliminary or construction engineering performed by the Sponsor's forces are not eligible for reimbursement with federal funds.**
3. Prepare the necessary environmental documentation as required by FHWA and conduct any required public involvement meetings and public hearings.
4. Ensure that the plans and specifications are developed using the Department's standard drawings and Standard Specifications for Highway Construction (latest edition). A registered professional engineer must sign the plans and specifications for the Project. (See Attachment B for items to be included in the bid proposal.)
5. Ensure that the plans and specifications comply with the Americans with Disabilities Act (ADA), the American Association of State Highway and Transportation Officials (AASHTO) design standards, and all other applicable state and federal regulations, including airport clearance when necessary, for the type of work involved.
6. Make periodic payments to the consultant for preliminary engineering for the Project and request reimbursement from the Department.
7. If Federal funds are completely expended, be responsible for 100% of any cost remaining for preliminary engineering, construction, construction engineering, appraisal and acquisition of right-of-way, relocation services (when required), and adjustment of all man-made improvements, including utilities.
8. Before acquiring property or relocating utilities, contact the Department's Right of Way Division to obtain the procedures for acquiring right-of-way and adjusting utilities in compliance with federal regulations. **NOTE: Failure to notify the Department prior to initiating these phases of work may result in all project expenditures being declared non-participating in federal funds.**
9. Acquire property in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (commonly referred to as the "Uniform Act").

10. Ensure the preparation of utility adjustment and right-of-way plans are in accordance with Arkansas State Highway Commission Policy.
11. Provide a copy of the registered deed or other approved documentation and an appropriate certification stating clear and unencumbered title to any right-of-way to be used for the Project (See Attachment C). **NOTE: Any property that is to become Department right-of-way must be acquired in the Department's name.**
12. Submit plans at 30%, 60%, and 90% completion stages for Department review.
13. Submit a certification letter (Attachment D), including all items noted, to the Department when requesting that the Department advertise the project for construction bids.
14. Prior to awarding the contract for construction, submit to the Department the Sponsor's share of funds for construction and construction engineering (if greater than the Federal funds available.) The Sponsor's final cost will be determined by actual Department charges.
15. Be responsible for 100% of all preliminary engineering, right-of-way, and other costs incurred should the Sponsor not enter into the construction phase of the Project.
16. Maintain accounting records to adequately support reimbursement with Federal-aid funds.
17. Indemnify and hold harmless the Arkansas State Highway Commission, the Department, its officers and employees from any and all claims, lawsuits, judgments, damages, costs, expenses, and losses, including those arising from claims before the Arkansas Claims Commission or lawsuits brought in any other legal forum, sustained on account of the operations or actions of the Sponsor, including any act of omission, neglect or misconduct of said Sponsor. Further, the Sponsor shall take no action to compromise the immunity from civil suits afforded the State of Arkansas, the State Highway Commission, Arkansas Code 19-10-305, or the 11th Amendment of the United States Constitution. This obligation of indemnification shall survive the termination or expiration of this Agreement.
18. Assure that its policies and practices with regard to its employees, any part of whose compensation is reimbursed from federal funds, will be without regard to race, color, religion, sex, national origin, age, or disability in compliance with the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, The Americans with Disabilities Act of 1990, as amended, and Title 49 of the Code of Federal Regulations Part 21 (49 CFR 21), Nondiscrimination in Federally-Assisted Programs of the Department of Transportation.
19. Grant the right of access to the Sponsor's records pertinent to the Project and the right to audit by the Department and Federal Highway Administration officials.
20. Be responsible for 100% of any and all expenditures which may be declared non-participating in federal funds, including any such award by the State Claims Commission.
21. Sign and transmit to the Department the Certification for Grants, Loans, and Cooperative Agreements (Attachment E), which is necessary for Project participation.

22. Repay to the Department the federal share of the cost of any portion of the Project if, for any reason, federal participation is removed due to actions or inactions of the Sponsor, its agents, its employees, or its assigns or the Sponsor's consultants or contractors or their agents. Such actions or inactions shall include, but are not limited to, federal non-participation arising from problems with design plans, specifications, construction, change orders, construction inspection, or contractor payment procedures. The Sponsor understands and agrees that the Department may cause necessary funds to be withheld from the Sponsor's Motor Fuel Tax allotment should the Sponsor fail to pay to the Department any required funds, fail to complete the Project as specified, or fail to adequately maintain or operate the Project.
23. Be responsible for all costs not provided by the Federal Highway Administration.
24. Repay to the Department the federal share of the cost of this project if for any reason the Federal Highway Administration removes federal participation.
25. Submit to the Department a Single Audit in accordance with the Office of Management and Budget (OMB) Circular A-133 each fiscal year that the Sponsor expends more than \$500,000 of Federal-aid from any federal source including, but not limited to, the U.S. Department of Transportation. The fiscal year used for the reporting is based on the Sponsor's fiscal year. The \$500,000 threshold is subject to change after OMB periodic reviews.
26. Complete and transmit to the Department both pages of the Federal Funding Accountability and Transparency Act (FFATA) Reporting Requirements (Attachment F).

THE DEPARTMENT WILL:

1. Maintain an administration file for the project and be responsible for administering Federal-aid funds.
2. Review environmental documentation as prepared by the Sponsor.
3. Review plans and specifications submitted by the Sponsor.
4. Notify the Sponsor when right-of-way and/or utility plans are approved and the Sponsor may proceed with right-of-way acquisition and/or utility adjustments.
5. Ensure substantial compliance with federal contracting requirements through review of the bidding proposal for inclusion of required federal forms, review of the administration of the DBE program provisions, and general compliance with 23 CFR 635.
6. Be responsible for preparing bid proposals, advertising the Project, receiving bids and assembling contract documents.
7. Be responsible for construction supervision.
8. Be reimbursed for costs involved in performing all the services listed above.

IT IS FURTHER AGREED that should the Sponsor fail to fulfill its responsibilities and assigned duties as related in this Agreement, such failure may disqualify the Sponsor from receiving future Federal-aid highway funds.

IT IS FURTHER AGREED, that should the Sponsor fail to pay to the Department any required funds due for project implementation or fail to complete the Project as specified in this Agreement, the Department may cause such funds as may be required to be withheld from the Sponsor's Motor Fuel Tax allotment.

IN WITNESS WHEREOF, the parties thereto have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ARKANSAS STATE HIGHWAY AND  
TRANSPORTATION DEPARTMENT

CITY OF JONESBORO

\_\_\_\_\_  
Scott E. Bennett  
Director of Highways and Transportation

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

\_\_\_\_\_  
Phillip Crego  
City Attorney

ARKANSAS STATE HIGHWAY  
AND TRANSPORTATION DEPARTMENT

NOTICE OF NONDISCRIMINATION

The Arkansas State Highway and Transportation Department (Department) complies with all civil rights provisions of federal statutes and related authorities that prohibited discrimination in programs and activities receiving federal financial assistance. Therefore, the Department does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in the admission, access to and treatment in Department's programs and activities, as well as the Department's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to EEO/DBE Section Head (ADA/504/Title VI Coordinator), P O Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: [EEO/DBE\\_Section\\_Head@ahtd.ar.gov](mailto:EEO/DBE_Section_Head@ahtd.ar.gov)

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

GENERAL REQUIREMENTS  
FOR  
RECIPIENTS AND SUB-RECIPIENTS  
CONCERNING DISADVANTAGED BUSINESS ENTERPRISES

It is the policy of the U. S. Department of Transportation that disadvantaged business enterprises (DBEs) as defined in 49 CFR Part 26 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Agreement. Consequently, the DBE requirements of 49 CFR Part 26 apply to this Agreement.

The recipient or its contractor agrees to ensure that DBEs as defined in 49 CFR Part 26 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this Agreement. In this regard all recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that DBEs have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of DOT-assisted contracts.

If as a condition of assistance the recipient has submitted and the Department has approved a disadvantaged business enterprise affirmative action program, which the recipient agrees to carry out, this program is incorporated into this financial assistance agreement by reference. This program shall be treated as a legal obligation and failure to carry out its terms shall be treated as a violation of this financial assistance agreement. Upon notification to the recipient of its failure to carry out the approved program, the Department shall impose such sanctions as noted in 49 CFR Part 26, Subpart F, which sanctions may include termination of the Agreement or other measures that may affect the ability of the recipient to obtain future DOT financial assistance.

The recipient shall advise each sub-recipient, contractor or subcontractor that failure to carry out the requirements set forth in 49 CFR Part 26, Subsections 26.101 and 26.107 shall substitute a breach of contract and after the notification of the Department, may result in termination of the agreement or contract by the recipient or such remedy as the recipient deems appropriate.

(NOTE: Where appropriate, the term "recipient" may be modified to mean "sub-recipient", and the term "contractor" modified to include "subcontractor".)

## **REQUIRED CONTENTS OF BIDDING PROPOSALS FEDERAL-AID PROJECTS**

1) **FHWA-1273**

Each set of contract documents shall include FHWA-1273, "Required Contract Provisions, Federal-aid Construction Contracts," and such supplements that may modify the FHWA-1273. Copies of FHWA-1273 and supplements will be provided by the Department.

2) **Anti-Collusion and Debarment Certification**

The certification shall either be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the State to administer oaths or in the form of an unsworn declaration executed under penalty of perjury of the law of the United States. The required form for the Anti-Collusion and Debarment Certification will be provided by the Department. The certification includes:

- Anti-collusion - A statement executed by, or on behalf of the person, firm, association, or corporation submitting the bid certifying that such person, firm, association, or corporation has not, either directly or in-directly, entered into any agreement, participated in any collusion, or otherwise taken any action, in restraint of free competitive bidding in connection with the submitted bid.
- Debarment - A statement regarding debarment, suspension, ineligibility and voluntary exclusion as required by Title 49 of the Code of Federal Regulations, Part 29 (49 CFR 29).

**Failure to submit the executed Certification as part of the bidding documents will make the bid nonresponsive and not eligible for award consideration.**

3) **Lobbying Certification**

This certification is required by 49 CFR 20. The form for this certification will be provided by the Department.

4) **Davis-Bacon Pre-determined Minimum Wage Rates**

Davis-Bacon requirements apply to all projects greater than \$2,000 that are physically located within the existing right-of-way of a functionally classified road. The Davis-Bacon wage rates will be provided by the Department.



**SPONSOR LETTERHEAD**  
**RIGHT-OF-WAY CERTIFICATION LETTER**

Mr. Frank Vozel  
Deputy Director and Chief Engineer  
Arkansas State Highway and Transportation Department  
P. O. Box 2261  
Little Rock, AR 72203

Re: Job Number  
Job Name  
County

Dear Mr. Vozel:

Title to the right of way necessary for the construction of this project has been acquired, *or will be acquired*, in accordance with applicable Federal Highway Administration procedures.

↓ indicate total number in each category here

	Tract(s)
	Option(s)
	Negotiation Pending* - <i>include tract number(s), and statement: It is anticipated that these tracts will be acquired by (date).</i>
	Condemnation(s) – (Order of Possession date)
	Condemnation(s) Pending* – <i>include tract number(s) and anticipated filing date</i>

\* If applicable

There are no displacees on this project.

**-Or-**

*Relocation Assistance has been provided and all displacees have been moved from this project in accordance with applicable Federal Highway Administration procedures.*

There are no structures located within the right of way area.

**-Or-**

*All structures have been removed from this project, except for those to be included as demolition items in the highway contract.*

No right of way in excess of that needed for construction or future maintenance of this project was acquired.

No conflicting utilities are known to exist in the right of way area.

**-Or-**

*Necessary utility relocation has been, or will be, completed as shown in the attached Utility Status Report.*

Certified by: \_\_\_\_\_  
(Sponsor's CEO)  
(Title)

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

CERTIFICATION LETTER  
REQUESTING AUTHORITY TO ADVERTISE

DATE

Mr. Frank Vozel  
Deputy Director and Chief Engineer  
Arkansas State Highway and Transportation Department  
P. O. Box 2261  
Little Rock, AR 72203

Re: Job #  
Job Name  
County

Dear Mr. Vozel:

The following documents are submitted concerning the referenced project:

1. One set of final plans and specifications.
2. A copy of the engineer's estimate of cost.
3. Copies of any technical specifications or special provisions.

I certify that the plans, specifications and estimate were prepared by or under the direct supervision of a Professional Engineer licensed to practice in the State of Arkansas and that the plans and specifications were developed using with the Arkansas State Highway and Transportation Department's "Standard Specifications for Highway Construction (latest edition)" and standard drawings, and comply with the Americans with Disabilities Act (ADA), the American Association of State Highway and Transportation Officials (AASHTO) design standards, and all other applicable state and federal regulations, including Airport Clearance when necessary, for the type of work involved. Additionally, I certify that all necessary right of way has been acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and arrangement for adjustment of existing conflicting utilities has been accomplished.

I understand that if any project items are declared non-participating in federal funds due to failure to comply with any State or federal requirements, the City will promptly repay such funds to the Arkansas State Highway and Transportation Department (AHTD). Further, I hereby authorize the Director of the Arkansas State Department of Finance and Administration to transfer such funds from the City's State Turnback Funds to the AHTD's RRA Fund upon notification by the Director of Highways and Transportation that such funds are due AHTD and have not been paid by the City.

Please proceed with advertisement of the project for bids.

Sincerely,

NAME  
OFFICE

Enclosures

**CERTIFICATION FOR GRANTS, LOANS, AND COOPERATIVE AGREEMENTS**

The undersigned certifies to the best of his knowledge and belief that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including sub grants, and contracts and subcontracts under grants, sub grants, loans and cooperative agreements) which exceed \$100,000, and that all such sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CITY OF  
JONESBORO

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Harold Perrin  
Mayor

## **Federal Funding Accountability and Transparency Act (FFATA)**

### **Reporting Requirements**

*(For more information go to <https://www.fsrs.gov/>)*

FFATA was signed on September 26, 2006. The intent is to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is [www.USASpending.gov](http://www.USASpending.gov).

A Prime Grant Recipient (hereinafter called AHTD (the Arkansas State Highway and Transportation Department)) awarded a new Federal grant greater than or equal to \$25,000 as of October 1, 2010 is subject to FFATA sub-award reporting requirements as outlined in the Office of Management and Budget guidance issued August 27, 2010. **AHTD is required to file a FFATA sub-award report for any sub-grant awarded to a sub-awardee greater than or equal to \$25,000.** As a sub-awardee, \_\_\_\_\_ shall provide the following information to AHTD in order to fulfill FFATA reporting requirements:

- ✓ A unique identifier (Dun & Bradstreet DUNS Number) of the sub-awardee receiving the award and the parent entity of the recipient, should the sub-awardee be owned by another entity;
- ✓ The names and total compensation of the five most highly compensated officers of the sub-awardee if the sub-awardee in the preceding Federal fiscal year received 80 percent or more of its annual gross revenues in Federal awards; and \$25,000,000 or more in annual gross revenues from Federal awards; and the public does not have access to information about the compensation of the senior executives of the sub-awardee through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. See FFATA § 2(b)(1).

**Required Sub-Awardee Information**

(A) Sub-Awardee – DUNS Number: \_\_\_\_\_

Parent (if applicable) – DUNS Number: \_\_\_\_\_

(B) In the preceding completed Federal fiscal year, did your business or organization (the legal entity to which the DUNS number entered above belongs) receive (1) 80 percent or more of its annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; and (2) \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?

Yes / No (Circle one)

*If "Yes" is selected, answer (C).*

(C) Does the public have access to information about the compensation of the executives in your business or organization (the legal entity to which the DUNS number entered above belongs) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986?

Yes / No (Circle one)

*If "Yes" is selected, visit <http://www.sec.gov/edgar.shtml> for reference.*

*If "No" is selected, answer (D).*

(D) If "No" was selected in Question "C", complete the following information for the five (5) most highly compensated executives in your business or organization (the legal entity to which the DUNS number entered above belongs). Amount should reflect the Total Compensation Amount in the preceding completed Federal fiscal year in U.S. whole dollars.

Sub-Awardee Names and Compensation of Most Highly Compensated Officers

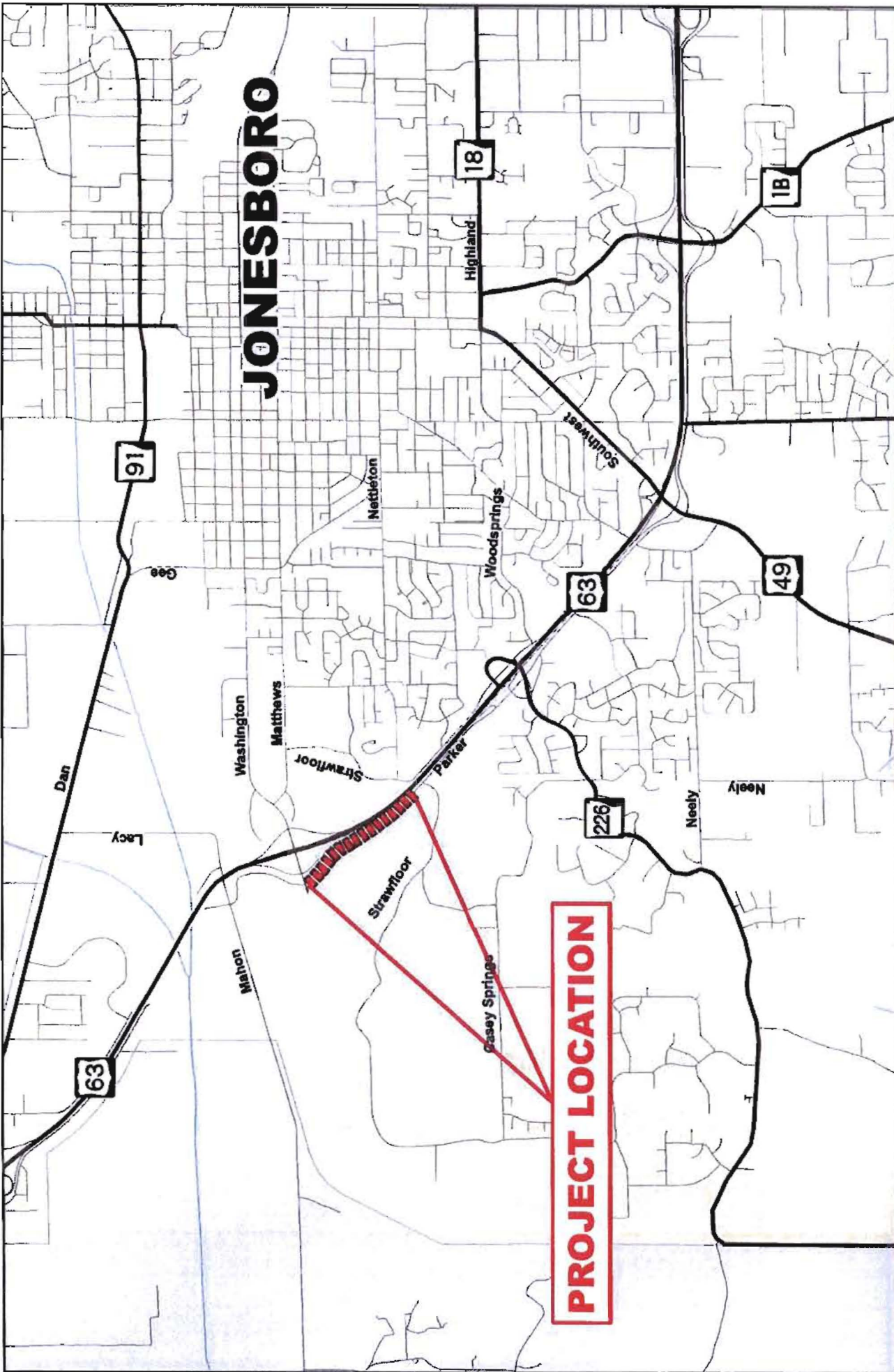
1. Name: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

2. Name: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

3. Name: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

4. Name: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

5. Name: \_\_\_\_\_ Amount: \$ \_\_\_\_\_



**Job 10**  
**Parker Road Extension**  
 Jonesboro  
 Craighead County

PAC/PA/CLD: 10-17-2013



## Legislation Details (With Text)

<b>File #:</b>	RES-13:192	<b>Version:</b>	1	<b>Name:</b>	Contract with Fisher & Arnold for engineering services
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	10/31/2013	<b>In control:</b>		<b>In control:</b>	Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO AN AGREEMENT WITH FISHER & ARNOLD, INC. TO PERFORM PROFESSIONAL ENGINEERING SERVICES				
<b>Sponsors:</b>	Engineering				
<b>Indexes:</b>	Contract				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Agreement.pdf</a>				

Date	Ver.	Action By	Action	Result
11/5/2013	1	Public Works Council Committee		

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO AN AGREEMENT WITH FISHER & ARNOLD, INC. TO PERFORM PROFESSIONAL ENGINEERING SERVICES WHEREAS, the City of Jonesboro desires to enter into an agreement for professional engineering services with Fisher & Arnold, Inc. for the Higginbottom Creek Bridge Widening; and,

WHEREAS, Fisher & Arnold, Inc. has agreed to provide the Scope of Services detailed in the attached agreement at a cost of \$34,750.00; and,

WHEREAS, funding for the execution of the agreement shall come from the capital improvements budget and compensation shall be paid in accordance with the agreement.

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

Section 1: That the City of Jonesboro shall enter into an agreement with Fisher & Arnold, Inc. to perform professional engineering services for the Higginbottom Creek Bridge Widening.

Section 2: Funding for the execution of the agreement shall come from the capital improvements budget and compensation shall be paid in accordance with the agreement.

Section 3: The Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.



FISHER &  
ARNOLD, INC.

October 30, 2013

Mayor Harold Perrin  
City of Jonesboro  
515 W. Washington  
Jonesboro, AR 72401

**RE: PROFESSIONAL SERVICES AGREEMENT  
HIGGINBOTTOM CREEK BRIDGE WIDENING**

Dear Mayor Perrin:

Thank you for the opportunity to submit this proposal to you to provide engineering services for the Higginbottom Creek Bridge in Jonesboro, Arkansas. Our scope of work is as follows:

- Architects
- Engineers
- Environmental Consultants
- Interior Designers
- Landscape Architects
- Planners
- Surveyors

- I. Provide construction plans for the widening of the bridge. Tasks include the following:
  - A. Cover Sheet with Index.
  - B. General Notes.
  - C. Bridge Layout.
  - D. Foundation Plan.
  - E. Typical Bridge Section.
  - F. Framing Plan.
  - G. Abutment and Bent Layout.
  - H. Slab Plan.
  - I. Beam Design.
  - J. Bill of Steel.
  
- II. Roadway Design & Construction Plans:
  - A. The City of Jonesboro will provide Roadway Design & Construction Plans for the project.
  - B. Fisher & Arnold will assist the City with Traffic Control Plans.
  
- III. Construction Administration:
  - A. Shop Drawing and Submittal Reviews and Approvals. (Bridge Items Only)
  - B. Four (4) construction observation trips for bridge construction only.
  - C. City forces will administer the construction phase of the project.





Mayor Harold Perrin  
October 30, 2013  
Page 2

The Scope of Work does not include the following:

1. Environmental documents or permitting – City to provide.
2. Hydraulic and Hydrology Study – City to provide.
3. Surveying for Road and Bridge – City to provide.
4. Geotechnical Services including Soil Borings, Concrete & Soils Testings, Pile Load Test, etc. (Note: Designer to use existing soil boring information for design).
5. Revisions to plans required by review of AHTD.
6. Rip-rap Armoring Plan in creek for stabilization purposes – City to provide.
7. Detailed Quantity Calculations.

We can provide the services described above for a lump sum fee amount of **\$34,750.00**.

We will bill you monthly until completion of the project (or upon completion of the project). Payment is due the 10th of each month. Interest in the amount of 1.5% per month on the outstanding balances (18% per annum) will be assessed the contracting party after the payment due date.

The fees shown in this proposal are based on the Owner agreeing to limit the Professional's liability for all engineering services to the Owner, all construction contractors, and subcontractors on the project, due to the Professional's negligent acts, errors or omissions, such that the total aggregate liability of the Professional to all those named shall not exceed the Professional's total fee for services rendered on the project.

The parties hereto agree that Fisher & Arnold, Inc. will be held harmless from any claims existing and future that may come forth from the use of any Survey, Engineering Study, Permitting and Plans furnished to Fisher & Arnold, Inc. by the Owner or others.

Exclusive venue for enforcement of this Agreement shall be in Craighead County, Arkansas. The obligation to provide further services under the Agreement may be terminated by either party upon written 30-day notice. In the event of termination, Fisher & Arnold, Inc. will be paid for all services rendered to the date of termination and all reimbursable expenses.

This proposal represents the entire understanding between you and us in respect to the "Project" and may only be modified in writing signed by both of us.





## Legislation Details (With Text)

<b>File #:</b>	COM-13:088	<b>Version:</b>	1	<b>Name:</b>	Appeal hearing request by Sage Meadows Property Owners Association
<b>Type:</b>	Other Communications	<b>Status:</b>			Recommended Under New Business
<b>File created:</b>	11/5/2013	<b>In control:</b>			City Council
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	Request by the Sage Meadows Property Owners Association to set an appeal hearing regarding the approval of the site plan requested by The Reserve at Sage Meadows, LLC for apartment units located at the end of Prairie Dunes Lane in Sage Meadows.				
<b>Sponsors:</b>					
<b>Indexes:</b>	Appeal hearing requests				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Appeal letter</a> <a href="#">MAPC minutes August 13, 2013</a> <a href="#">MAPC Minutes October, 2013</a>				

Date	Ver.	Action By	Action	Result
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Request by the Sage Meadows Property Owners Association to set an appeal hearing regarding the approval of the site plan requested by The Reserve at Sage Meadows, LLC for apartment units located at the end of Prairie Dunes Lane in Sage Meadows.

**Sage Meadows Property Owners Association  
4406 Clubhouse Drive  
Jonesboro, AR 72401**

November 5, 2013

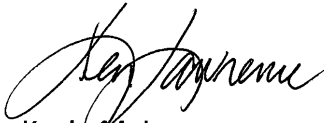
Ms. Donna Jackson  
City Clerk, City of Jonesboro  
300 South Church Street  
Jonesboro, AR 72401

Dear Ms. Jackson:

Please allow this letter to serve as an appeal of the October 7, 2013 decision of the MAPC in regards to the approval of the site plan requested by The Reserve at Sage Meadows, LLC for apartment units located at the end of Prairie Dunes Lane in Sage Meadows. The Sage Meadows POA has a conflict with the November 19, 2013 City Council meeting date so I am requesting the appeal to be heard at the December 3, 2013 City Council meeting.

Please let me know if you require any further information from Sage Meadows Property Owners Association in regards to this appeal.

Respectfully yours,



Kevin M. Lawrence  
Secretary of Sage Meadows POA



# City of Jonesboro

300 South Church Street  
Jonesboro, AR 72401

## Meeting Minutes 2 Metropolitan Area Planning Commission

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Tuesday, August 13, 2013

5:30 PM

900 West Monroe

---

### 1. Call to order

### 2. Roll Call

**Present** 6 - Lonnie Roberts Jr.; Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jerry Reece and Jim Scurlock

**Absent** 3 - Brian Dover; Beverly Nix and Kim Elmore

### 3. Approval of minutes

**MIN-13:065** Approval of the July 9, 2013 MAPC Meeting Minutes

**Sponsors:** Planning

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

Mr. Hoelscher observed the discrepancies in the minutes. Mr. Spriggs explained that the minutes reflect the corrected language in bold print where Mr. Scurlock had a lapse in his reappointment. In that instance the Legistar system kicked his name off of the role call; therefore, staff had to manually type in his name on each item.

A motion was made by Jim Scurlock, seconded by Ron Kelton, that the minutes be Approved. The motion PASSED with the following vote.

**Aye:** 5 - Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jerry Reece and Jim Scurlock

**Absent:** 3 - Brian Dover; Beverly Nix and Kim Elmore

### 4. Preliminary Subdivisions

**PP-13-23** Greg Griffin, Owner requests MAPC approval of Boston Proper Third Addition. Zoning District: R-1; Lots: 22 Single Family Homes proposed.

Location: South of Boston Proper 2nd Add'n, End of Copely Ln, East of Richardson

**Attachments:** [Boston Proper 3rd Plat Application Report](#)

Carlos Woods presented to the MAPC the hard copy of the plans. Continuation

of the Boston Proper. It is a different ownership but same name is used for the subdivision.

Mr. Spriggs gave staff comments for 22 lots in the single family district. The R-1 standards are met. Michael Morris, Engineering gave comments noting that staff preferred that the developer provide the stub outs move so the road is extended, and change the entrances on Richardson Road to future road, and provide a turn around for emergencies.

Mr. Scurlock made motion to approve with Engineering stipulations, seconded by Ron Kelton, that this matter be Approved. The motion PASSED with the following vote.

**Aye:** 5 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Jerry Reece and Jim Scurlock

**Absent:** 3 - Brian Dover;Beverly Nix and Kim Elmore

## 5. Final Subdivisions

**PP-13-22** Final Subdivision: The Villas at Sage Meadows Ph. 2

Carlos Wood, Engineer on behalf of David Onstead, Owner requests MAPC consideration for a Preliminary Subdivision Approval for The Villas at Sage Meadows Phase 2, for 14 Single Family lots in an R-3 Multi-family District.

Location: East of the intersection of Clubhouse Road & Villa Drive.

**Attachments:** [Villas Ph 2 DET-1](#)  
[Villas Ph 2 STR-1](#)  
[Villas Ph 2 STR-2](#)  
[Villas Aerial](#)  
[Villas Phase 2 Final Application](#)

Mr. Carlos Wood asking for final review of the final plat. Mr. Spriggs gave staff comments and noted that the final is in compliance with the preliminary plan. the lots meet the minimum requirements of the R-1 District. Mr. Morris had no comments.

A motion was made by Jim Scurlock, seconded by Joe Tomlinson, that this matter be Approved. The motion PASSED with the following vote.

**Aye:** 5 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Jerry Reece and Jim Scurlock

**Absent:** 3 - Brian Dover;Beverly Nix and Kim Elmore

**PP-13-24** Terry Bare, HKB & Associates, on behalf of the owners (Craighead County Fair Association) of Floyred Commons requests MAPC approval of a driveway access to the development, waiving an approved covenant restriction, to allow a proposed right-in only vehicular motion of Stadium Blvd.(East Side), South of Dayton Dr./North of Parkwood Dr.

**Attachments:** [Floyred Record Replat](#)  
[Proposed Right Turn Lane Concept Sketch](#)

Mr. Terry Bare, Craighead County Fair Association requesting the City to waive

the self composed limited access from Stadium Dr. to the property. During the development with the limited access they have determined a need to have a right in from Stadium Blvd. It discourages anyone from traveling north to turn into that area. Access to lot 2 is requested as a right in only.

Mr. Spriggs stated that staff has met on a number of occasions with the applicants with the special need for the inward movement on to the site. This is a major compromise from the original request. Lots 1, 2 of 2R were placed with a restriction by the developer and was agreed by the Commission and the Staff for the note that was on the plat. It was listed as an easement that ran parallel with Stadium. It was the City Attorney's opinion and staff's recommendation that the request be approved by the MAPC because this location has worked out a compromise with the condition that all technical requirements of that easement be satisfied by the applicant and that they gain state highway dept. approval of that drive location.

Terry there is a legal question of whether there is a legal easement on the property. If it is determined then we will ask that it be abandoned. Mr. Tomlinson asked what is the width of the drive. Mr. Bare 13 ft. we will use the Highway dept. requirement. Will it be an entrance and an exit. Mr. Bare it will be a right in only. Mr. Bare explained the motion and design of the striped area. Mr. Tomlinson asked were the original applicants denied an entrance on this lot? Mr. Bare replied that he is not aware of one.

Mr. Hoelscher asked what if the site gained a straight inward access to access the development to the west end of the property (Academy). Is it a reasonable stipulation to avoid a straight shot through the property. Mr. Spriggs stated that there would have to be identifying and directional signage to deal with that issue. Mr. Bare stated that they were desiring cross access through the property once you get into the development you can drive between the properties. It doesn't align straight through.

Mr. Kelton gave a point of clarity that when this was originally done, no-one denied access. It was a note placed on the plat by the owner.

MPO Director and Craig Light stated concurrence with the recommendation. Mr. Reese abstained.

Mr. Kelton made motion with the stipulations, seconded by Jim Scurlock, that this matter be Approved. The motion PASSED with the following vote.

**Aye:** 5 - Lonnie Roberts Jr.; Joe Tomlinson; Paul Hoelscher; Ron Kelton and Jim Scurlock

**Absent:** 3 - Brian Dover; Beverly Nix and Kim Elmore

**Abstain:** 1 - Jerry Reece

## **6. Site Plan Reviews**

### **SP-13-10**

Site Plan Review: Large Scale Development: Existing R-3 Property: The Reserve at Sage Meadows.

Engineer Travis Fischer/TraLan Engineering, on behalf of the Owner: The Reserve at Sage Meadows, LLC is requesting MAPC site plan approval for 41 one-bedroom

and two bedroom units located on a 7.00 acre tract of land off of Prairie Dunes Lane in Sage Meadows Subdivision.

The Applicants are also requesting that Prairie Dunes Lane be renamed to Reserve Boulevard.

**Attachments:** [ReserveAtSage\\_VicinityMap](#)  
[ReserveAtSageMeadows\\_Memo](#)  
[Site Plan](#)

Mr. Don Parker presented before the Planning Commission. Mr. Fischer was introduced. This is a 7 acre development. Staff has reached an agreement of the turn around as opposed to a cul-de-sac off of Prairie Dunes which has been requested to be changed to Reserved Dr.

**Mr. Spriggs**

Staff reviewed the R-3 Zoned, unplatted property which is allowed a density of 18 units per acre;' however the applicant has designed the site to have a density less than what is allowed. Staff had initial concern about the property that remains to the east which could potentially be land-locked; (Connectivity was a concern) however, the applicant has clarified that the property to the east has purchase agreements which will address that concern.

The buffering of any homes that would be adjacent to the development was a concern of staff. Staff has no issues with the street renaming. Fire access was a concern and the issue of turn-around was addressed as mentioned. The front/side and rear yard setbacks was a concern. There was not considered front door, the buildings were originally closer to the property line, and the landscaping was enhanced as well.

Mr. Parker while this is laid out to the northern part of this site, we are planning for the southern portion to have the 25 ft. setback from the existing sage meadows homes to the southern boundary of the R-1. Whatever is appropriate for the landscaping we will also be willing to do.

**Comments from Public:**

**Buddy Nichols:** sage meadows country club, General Manager. Concerns form Sage MEADOWS WE have concern that we are a community of over 500 homes having only one entrance. We don't not know when that 2nd entrance will be done. Second Concern: What type of manmade or natural barrier are they planning on the west side of that development is a concern. A barrier of keeping the balls from going through a window is a concern.

**Mr. Parker:** In terms of the landscaping we are willing to do whatever is necessary. This is along the #13 green: that is not a part of this phase. We will be excavating had providing a natural berm with landscaping.

**Mr. Tomlinson** where is your gate where you enter in. Mr. Parker clarified. Mr. Tomlinson asked about visitors hoping to turn around, what is the alternative. Mr. Parker explained the turn-around design. Mr. Tomlinson asked about the chance of going east along the private drive, what alternative do you have? Mr. Parker explained that there will be future development there. We have that parcel under contract and we will close on that once the construction begins. Mr. Tomlinson: So there are more units that can be put in. Can you build



covered parking out to your drive like this? Mr. Spriggs explained that this will be a private drive. Mr. Spriggs asked the developers if they would provide traffic calming devices? Mr. Parker explained that because of the topo, there will be natural calming of the traffic. Mr. Tomlinson asked where will the kids play. Mr. Parker explained there is green space and a club house and pool in the future phase. Mr. Tomlinson: are these two story or one story units?

Mr. Fischer stated that to the north will be one story and the unit on the south end of each building is a 2 story building.

Mr. Spriggs asked because of the question of connectivity to the east? Are you willing to put cross access egress ingress easement from one tract to the other.

Mr. Parker explained the tracts adjacent to the east.

Ms. Sue Winstead asked about the access to this property. Mr. Parker stated that they will access from Aberdeen. Ms. Carol Duncan explained that the access is to Inverness because the extension of Aberdeen to Clubhouse has not been built yet.

Mr. Scurlock asked whose responsibility is to build the secondary access. Mr. Spriggs noted that it is a joint effort between developers, the city, and the county to extend to Macedonia. Mr. Parker stated it will be completed before the occupants of this development.

Mr. Tomlinson: Sage Meadows is developing a lot faster than most of the occupants thought. The promoter of Sage Meadows wanted R-3 wanted smaller lots. Since he left, it is going to the R-3 max. All of this is coming to a head. This is a lesson to the City that next time someone comes in and says and implies that it will be all single family homes that we get it as a legal contract.

Mr. Don Parker: Made comments about the \$400 Million Dollar Baptist Hospital and the exploded growth. Editorial Comment by Mr. Parker: There is far more traffic with single family houses than with apartments or multi-family. The fear of traffic of this being developed as Multi-family may be less than if it were developed as R-1 Single Family.

Mr. Nichols: They are going to take some time to put this together. Even if we have another access off Macedonia Rd. or Inverness Dr., they will be coming in on City Streets with traffic and construction traffic for 6-9 months.

Mr. Don Parker stated that he is involved with the property to the east. He is working out arrangement to bring construction north and east to Macedonia. Mr. Kelton asked about staff stipulations: Mr. Spriggs stated that they will be required to satisfy commercial permit submittal requirements as well as storm-water regulations compliance by Engineering.

Motion by Mr. Scurlock to accept to the plan as presented with stipulations; 2nd by Kelton. Roll Call: Mr. Reese- Nay; Mr. Tomlinson- Nay; Scurlock- Aye; Kelton- Aye; Hoelscher- Aye. Motion passed with a 3-2 vote.

(Note: The original record was corrected per the MAPC Bylaws Section D. Special Rules of Procedure, 4. Majority Vote, (a) A simple majority of those

members present at a meeting shall be sufficient to approve any administrative or procedural action and the passage of all motions; except that the adoption amendments to the Land Use or Comprehensive Plan, the Zoning Code/Zoning Ordinance text, and the Subdivision Regulations shall require a majority of all appointed members.)

\*\*\*\*\*

Mr. Spriggs: Explained to Mr. Parker that his option allowed by the City Code of Ordinances is that he can appeal the Site Plan denial to the City Council.

Mr. Parker asked Mr. Reece and Mr. Tomlinson if they would state their reasons for denial of the Site Plan since it satisfies all the City requirements.

Mr. Reece explained that he could not vote yes, because of Mr. Tomlinson's remarks of when it got rezoned R -3 for the stipulation of getting more ground per lot... of getting more lots. That was possibly a misrepresentation. I'm voting to protect the interests of the home owners of the Subdivision.

Ms. Carol Duncan stated that there is no reason to argue. He has stated his reason for voting no.

Mr. Tomlinson stated that he needs to think about it; he feels he needs more time before making a decision otherwise to reverse. Mr. Hoelscher stated that he would have voted no, but when they meet the requirements, what are we left with. This is a quality of life issue. There is nothing but concrete pavement and building here. I don't think I can vote no under what we are legally allowed to do.

Mr. Tomlinson stated that he feels that this developed is maxed out; and the end should have been a playground. The site plan didn't sit on the plat properly. There was not open space. It was designed to the very max. Then we are talking about adding more to it. It is concrete with a few shrubs around the parking lot. It doesn't do much for the occupants or the City of Jonesboro.

Mr. Spriggs: Commented that we have had much discussion of the site plan, are there any changes that you can do in terms of scaling back the intensity. The turn around and connectivity issues were raised. Since Mr. Tomlinson has stated that he needs more time for consideration. Mr. Spriggs stated that he would rather table the matter and deal with the questions.

Mr. Scurlock: Are any of these issues subject to a home owners association? By this being a planned unit development it seems it should be covered. Mr. Spriggs corrected that this is R-3 and not a Planned District. The code allows 18 units per acre under the R-3 District.

Mr. Parker: Gave comments on the type of units to be built. They could maximize the density and have siding and change the style of units and the clientele. We are looking at that with the acquisition of the additional property, we can space the buildings out and provide more green space. Staff brought it to the Planning commission not because there are 41 units but because it would be part of a larger scaled development. Mr. Parker, stated that Mr. Tomlinson, if you need more time to study this then we will pull it to allow for that. The legal question was raised on how to proceed.

Mr. Spriggs reiterated that there seems to be a need to pull the buildings from the property lines and provide more green-space.

Ms. Duncan stated that the Commission has the option to vote to reconsider, and allow them to pull it back to refine the plan to provide Mr. Tomlinson more time.

Mr. Scurlock made the motion and stated that he is not sure how we could turn it down if they followed all of the requirements, he moved to reconsider, 2nd by Mr. Kelton. Question by Mr. Hoelscher: I would prefer to handle this without going through legal matters; are we voting on the same thing? Stated he would not want to waste the Commission's time if we would be looking at the same plan.

Mr. Parker: We are looking at the possibility to be able to spread these units out to the east. We will have nice clubhouse/pool amenities. We haven't gotten it fully planned.

**Mr. Spriggs: Recommended that the Commission establishes some findings of fact to either approve the site plan or deny it.**

**Note: The vote was 3 (Nay) - 2 (aye) for reconsideration: (3 Nays- Mr. Hoelscher, Tomlinson, Reece) - (2 Ayes- Kelton, Scurlock) vote.**

**Aye:** 3 - Paul Hoelscher; Ron Kelton and Jim Scurlock

**Nay:** 2 - Joe Tomlinson and Jerry Reece

**Absent:** 3 - Brian Dover; Beverly Nix and Kim Elmore

**SP-13-11** Final Development Plan- Final Review:

PD-M PLANNED MULTIUSE FOR PROPERTY LOCATED AT 4021 SOUTHWEST DRIVE AS REQUESTED BY KAGLE & SHARON HUFF.

**Attachments:** [KagleHuff\\_Final Drawings](#)  
[ORDINANCE13 026](#)

**A motion was made by Ron Kelton, seconded by Jim Scurlock, that this matter be Approved. The motion PASSED with the following vote.**

**Aye:** 5 - Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jerry Reece and Jim Scurlock

**Absent:** 3 - Brian Dover; Beverly Nix and Kim Elmore

**SP-13-12** Site Plan Review:

Lindel Turner, Owner is requesting MAPC approval of a final plat/plan for property recently rezoned to RM-8 LUO. The proposal is for 1 single family home to be located on the southeast portion of the acreage as a separate lot.

Location: 5308 Apt. Drive.

**Attachments:** [MP 13-21 Lindel Turners 2nd Apt Drive Minor Plat Rezoning Plat for Rezoning](#)  
[ORD 11 048](#)

A motion was made by Joe Tomlinson, seconded by Jim Scurlock, that this matter be Approved. The motion PASSED with the following vote.

**Aye:** 5 - Joe Tomlinson;Paul Hoelscher;Ron Kelton;Jerry Reece and Jim Scurlock

**Absent:** 3 - Brian Dover;Beverly Nix and Kim Elmore

## 7. Rezoning

**RZ-13-14** Rezoning Case RZ 13-14:

William D. Rupard, James R. Rupard and James M. Rupard are requesting MAPC approval of a Rezoning from R-1 Single Family Residential to C-3 General Commercial District L.U.O. for 9.77 acres of land located at the northwest corner of the intersection of Highway 49 and Greenway Lane.

**Attachments:** [Rezoning Plat](#)  
[RZ 13-14 Application](#)  
[Staff Summary RZ 13-14 MAPC Rupard Draft](#)

**Applicant:**

Mr. George Hamman appeared before the Commission as agent for the applicant for the Rezoning. He stated that he had not read the staff report and has no further comments as this time.

**Staff:**

Mr. Spriggs gave staff comments noting the surrounding conditions under the existing R-1 Zoning District for 9.77 acres. The Land Use Plan recommends a combination of Planned Mixed Use Area and Single Family residence. The proposed C-3 LU-O rezoning is partially consistent with the Future Land Use Plan. Mr. Spriggs stated that about 50% of the site is proposed as a Planned Mixed Use Area (PMUA) where the rezoning to C-3 LU-O is consistent and approximately 50% of the site is planned as Single Family Low Density where the rezoning is inconsistent. PMUA includes a combination of retail commercial, office and residential uses mixed.

Mr. Spriggs gave comments on the subject property is served by East Johnson Ave., which is classified on the master street plan as a principal arterial. The recommended right of way is a minimum 120 ft. right-of-way (60 ft. to road centerline). The right-of-way dedication shown on the rezoning plat is 83.7 ft. from the road centerline.

Mr. Spriggs noted that consideration of access management needs to be addressed during the site plan approval process. Engineering: Michael Morris had no concerns other than Greenway Lane being a private drive at this point. Mr. Spriggs asked Mr. Hamman for his comments on the status of Greenway Lane.

Mr. Hamman: One of the warranty deeds has shown an ingress/egress easement granted in one area (1/2 of right of way). We are willing to dedicate at least one-half of the requirements. He noted one previous plat done in 1989

where one side of Greenway was dedicated. There is no right of way to get to that dedicated tract. The main driveway will be as far from Greenway as we can get it. They were looking at some access to include the property to the west; however, those details are still pending.

The Conditions were read:

1. The proposed listed uses that would be prohibited under the requested limited use overlay include:
  - a. Animal care, general
  - b. Animal care, limited
  - c. Cemetery
  - d. Construction sales and service
  - e. Day care, limited (family home)
  - f. Day care, general
  - g. Funeral home
  - h. Nursing home
  - i. Pawn shop
  - j. Golf course
  - k. Recreational vehicle park
2. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
3. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
4. Coordination required of all egress/ingress with the State Highway Dept., City Engineering Dept. and the Planning Dept.
5. The setback, building height, screening, and site design standards required in "Sec. 117-328. - Residential Compatibility Standards" shall apply with the exception of an increased setback requirement of 20 ft. for surface-level parking and driveways. All adjacent property will serve as a "triggering property" without any exemptions.

Department Reviews: No comments of opposition were received from any department or agency.

Public Input:

Mr. Dennis G. Gambill: 2024 Greenway Ln.: Noted that he is in favor of this progress. He will be back to request his own property to be rezoned. He has visited the Planning Department to have his property rezoned also. He is hoping that all of his neighbors feel the same way.

Mr. Josh Brown: Stated that in terms of the other side of Greenway Ln. (East Side), he has the properties being marketed as well for commercial.

Mr. Hamman stated that his client is willing to dedicate right of way to make Greenway Lane a public road. If his client agrees he may have to amend his plan.

Commission Action:

Mr. Scurlock moved to place Case: RZ-13-14 on the floor for recommendation by MAPC to the City Council, with the noted stipulations, and that changing the zoning of this property from R-1 Single Family Medium Density to the proposed C-3 Limited Use Overlay District is compatible and suitable with the zoning, uses, and character of the surrounding area. Motion seconded by Mr. Reece.

The motion **PASSED** with the following vote.

**Aye:** 5 - Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jerry Reece and Jim Scurlock

**Absent:** 3 - Brian Dover; Beverly Nix and Kim Elmore

**RZ-13-15**

Rezoning Case: RZ 13-15:

Glen Bridger and Phil Bridger requests MAPC approval of a Rezoning from R-1 Single Family Residential to C-3 General Commercial District L.U.O. for 18.40 acres of land located at 5508 and 5512 East Johnson.

**Attachments:** [Rezoning Plat](#)  
[Staff Summary RZ 13-15 MAPC Bridger McNeese Draft Application](#)

**Applicant:** Mr. Travis Fischer, TraLan Engineering appeared on behalf of the Bridger's for the rezoning of 18.4 acres from R-1 to C-3 L.U.O. This is immediately west of the previous rezoning petition (Rupard Case).

**Staff:**

Mr. Spriggs gave staff comments noting the surrounding conditions under the existing R-1 Zoning District for 18.4 acres. The Land Use Plan recommends a combination of Planned Mixed Use Area (PMUA). The proposed C-3 LU-O rezoning is fully consistent with the Future Land Use Plan. PMUA includes a combination of retail commercial, office and residential uses mixed.

Mr. Spriggs gave comments on the subject property which is on East Johnson Ave., classified on the master street plan as a principal arterial which requires a 120 ft. right-of-way (60 ft. to road centerline). The majority of the dedicated right-of-way is currently 60 ft. from the road centerline. However, approximately 103 ft. of the road frontage has a dedicated right-of-way of 55 ft. to the road centerline.

Mr. Spriggs added that the compatibility standards for preserving buffering between commercial and remaining residential shall be part of the final site plan.

Mr. Spriggs noted that staff will bring caution to access management during the site plan approval process. Engineering: Michael Morris had no concerns.

1. The proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. Coordination required of all egress/ingress with the State Highway Dept., City Engineering Dept. and the Planning Dept.
4. The setback, building height, screening, and site design standards required in "Sec. 117-328. - Residential Compatibility Standards" shall apply with the exception of an increased setback requirement of 20 ft. for surface-level parking and driveways. All adjacent property will serve as a "triggering property" without any exemptions.
5. Dedication of the required 60 feet of right-of-way from the centerline of

East Johnson Ave.

6. Prohibited uses:
- a. Adult entertainment
  - b. Adult retail sales
  - c. Tobacco sales

Public Input: None present.

Department Reviews: No comments of opposition were received from any department or agency.

Commission Action:

Mr. Reece moved to place Case: RZ-13-15 on the floor for recommendation by MAPC to the City Council, with the noted stipulations, and that changing the zoning of this property from R-1 Single Family Medium Density to the proposed C-3 Limited Use Overlay District is compatible and suitable with the zoning, uses, and character of the surrounding area. Motion seconded by Mr. Scurlock.

The motion **PASSED** with the following vote.

**Aye:** 5 - Joe Tomlinson; Paul Hoelscher; Ron Kelton; Jerry Reece and Jim Scurlock

**Absent:** 3 - Brian Dover; Beverly Nix and Kim Elmore

## **8. Staff Comments**

**COM-13:056** Presentation: Access Management

The Jonesboro MPO, Engineering & Planning Staff would like to give a brief presentation on a current Study of Access Management Policies for the City of Jonesboro

**Attachments:** [Access Management Presentation](#)

Marsha Guffey, PhD, Jonesboro Metropolitan Planning Organization presented a powerpoint presentation on Access Management (see attachment).

## **9. Adjournment**

## **RECORD OF PROCEEDINGS: MAPC MEETING MINUTES: October 7, 2013**

**SP-13-17 Site Plan Review:** Large Scale Development: Existing R-3 Property: **The Reserve at Sage Meadows.**

**Engineer Travis Fischer/TraLan Engineering**, on behalf of the Owner: The Reserve at Sage Meadows, LLC is requesting MAPC site plan approval for 41 one-bedroom and two bedroom units located on a 7.00 acre tract of land off of Prairie Dunes Lane in Sage Meadows Subdivision.

**Applicant: Mr. Donald Parker, Jr. addressed the Commission:**

**Mr. Parker** presented the revised Site Plan review for The Reserve at Sage Meadows, a gated community to be development on approximately 2.5 acre tract. Part of a larger 7.0 acre tract.

**Mr. Parker** added: The property is zoned R-3 and has been zoned R-3 since annexation into City and has been zoned R-3 since before the first lot was sold in Sage Meadows. This is NOT a rezoning request. R-3 Zoning District allows multifamily development of 18 units per acre as a matter of right. Property is zoned for 45 units.

The proposed initial development is on 2.5 acres and consists of 29 1BR and 12 2BR units, for a total of 41 units in 4 buildings in Phase I; The density is 16.4 units per acre in Phase I.

Mr. Parker: The R-3 District requires side set back of 7.5 feet and street and rear set back of 20 feet. There is no street frontage on development; Prairie Dunes is stubbed to property. However, based on concerns raised at last MAPC meeting, building on west side by 12th green has been moved to 20 feet from property line (from 7.5 feet). Entire first phase was extended to property line on the east to increase green space on west and between buildings. By extending/moving the development to the east, allowed larger hammer head turn around at the gate for anyone who is lost and does not have access to The Reserve.

Mr. Parker stated that the topography of the property falls west to east, and north to south; the first building will serve as retaining wall with landscaping, and no development will be visible from 12th green. Two-thirds of the north side will have a retaining wall, with landscaping area between wall and property line.

Landscaping regulations require 41 trees and 123 bushes in Phase I. Our plans are to significantly exceed the City's minimum landscaping requirements.

All comments received from staff and department heads, have been addressed; no outstanding issues. As part of the site plan approval, requesting that Prairie Dunes be renamed Reserve Blvd. No residences front on Prairie Dunes.

All buildings will be brick and stone. All one BR will be one level. The 12 two BR will be two levels.

One BR units will be approximately 700 feet and anticipated rents will be \$850 or higher.

Two BR units will be approximately 960 feet and anticipated rents will be \$975 or higher.



Target market: retirees, empty nesters, and young professionals.

In August, Mr. Tomlinson requested the opportunity to see the conceptual for the remaining development. It is included in your packet.

**Mr. Parker explained the Concept** for remaining 4.5 acres: Large one story 2BR/2BA units in 4-plexes along golf course; with 2 story flats behind one story 4-plexes. With landscaping and typography, only the single story 4-plexes will be visible from the golf course. With proper landscaping, parking lots will not be visible from golf course.

Setback on south side designated as rear of property to provide maximum set back adjacent to existing single family residential: 20 ft. set back required for rear set back in R-3. Extended set back additional 5 ft to provide 25 ft. buffer with existing single family development along Inverness. Anticipated that area will be fenced and heavily landscaped.

Set back along golf course is 7.5 ft (side set back). However, conceptual plan is to extend set back to 20 to 25 ft. along golf course, provided that an agreement with the Sage Meadows POA can be reached regarding landscaping, fencing, sight restriction limits on golf course and maintenance of property visible from golf course.

Sage Meadows POA: On August 28, we met with Otis Spriggs and 2 gentlemen from the POA Board to review and discuss our site plan and concept for future development. The primary concern raised (other than some residents don't like apartments) was increased traffic.

Received assurances from Mayor and City Engineer (who confirmed with County Judge Ed Hill) that upon completion of Aberdeen and Country Club Blvd to the Sage Meadows property line by Kelley Copeland, the County, with assistance from the City, will complete paving Aberdeen to Macedonia (CR 712), allowing for a second access to and from Sage Meadows.

Based on information from his engineer Carlos Woods and his contractor Jim Gulley, Mr. Copeland's work on these roads should be completed in November. Assuming that occurs as planned, the street work to provide access to Macedonia should be completed in early to mid 2014. Thus the second access should be completed prior to Phase I completion.

We anticipate that assuming site plan approval today, it would be December before we can get our construction loan closed and begin site work. Foundations will likely not be poured until sometime in the first quarter of 2014, with completion likely late summer or fall, 2014.

Additionally, working on agreement to bring construction traffic through undeveloped property to east, so no construction traffic through Sage Meadows. Thus, any traffic concerns by the residents of Sage Meadows should be alleviated prior to any occupancy of Phase I.

**Mr. Parker's Closing:** In summary, the proposed site plan is situated on existing R-3 property, allowing development for 18 units/acre, the plan meets or exceeds all applicable criteria established by the City, all comments raised by the staff have been fully addressed, and the traffic concerns raised by the Sage Meadows POA will be alleviated by the access under construction to Macedonia (712). We would appreciate your favorable vote to approve the site plan.

**Staff:**

**Mr. Spriggs** stated that the proposed plan before the Commission is a revision of the original submitted recently. The applicant has made consideration of the comments made by Staff and the Commission as it related to the property line setbacks and buffering from the single family residential areas; and consideration of open space buffering. Staff feels as though the applicant has addressed those concerns with the new site plan. Also, the MAPC also expressed concerns about the acreage to the south would relate to the 41 units, although not a part of this administrative approval. The applicant has outlined openspace provision such as the club-house and pool area and the configuration of the units in the southern and future phases. The Code does have certain open space requirements that area controlled by satisfaction of certain building and lot coverage. The MAPC is asked to approve a site plan for the 41 units, of which we considered a large-scale development. This is the reason the item is brought before the commission as an administrative approval.

**Mr. Spriggs:** The provisions for the vehicular turn-around at the west entrance and access concerns raised by the Engineering and Planning Departments were addressed. The concerns of the East-West connection that was raised by the Commission was also addressed by the applicant. The status of Clubhouse Rd. has been commented on and we feel confident that will happen in a timely fashion as it related to the construction of this phase. **Mr. Spriggs** also observed that the property is currently zoned R-3 high density multi-family and the question of use is not a subject of this request, but a site plan approval is the request before the Commission and staff is available to answer any further questions.

**Public Comment:**

**Mr. Buddy Nichols**, General Manager at Sage Meadows presented before the Commission stating that on August at the regular meeting of the Board of Directors, they approved a resolution against the complex, Mr. Parker spoke about. The resolution was read and copied to the Commission noting opposition to the apartment complex for reasons of increased traffic and the safety of the Sage Meadows Residents who travel the streets. It was signed by all 5 board members. A large group of residents were recognized and stood up.

**Diana Roush:** Stated that she has lived in Sage Meadows since 1996. Stated that they bought in Sage Meadows when it was said it would never be a subdivision and that they were guinea pigs and would lose their money. Now when you drive through you can see we did not do that. The residence have bought that golf course. And, have invested our lives in that. We would love to see an aerial view since 1998 until now to see how it has grown with single family homes. We do worry about more traffic. She noted that Mr. Kessinger is putting in more houses at the front of the subdivision. Some will come through the Boulevard and some will come through Macedonia Rd. We worry about traffic at the Villas, where David Onstead is adding about 14 homes. We have to think about the children waiting on buses,

residents who are walking or running. The hospital has given us lots of residents and growth for our area. We do not want apartments at Sage Meadows, nor apartment dwellers going through our subdivision. She presented 447 signatures of residents at Sage Meadows saying we do not want apartments.

**Dulane Hogan, 4504 Lochmoor:** Commented on the fact that the area is already zoned R-3 and stated he would not want to be in the shoes of the Commission. Mr. Hogan stated that he wanted to tell the Commission on how it became R-3.

**Mr. Hogan:** September of 1996 and May of 1997, the City of Jonesboro annexed 528 acres to be known as the Sage Meadows' Project into the city limits. The City could have just then granted the availability of apartments 7,000 - 8,000 apartments on that R-3 property. They knew that would not happen, because the Mayor was going to make sure it didn't happen. Mr. Trout and Mr. Arnold wanted to build a golf-course community with houses and apartments, which were mentioned one time. (Which was the very front section in Western Gales). In 2010 the property owners purchased the golf course to protect their home values, the golf course, and safe environment. No sidewalks were required of the developer so the residents take care for the safety of the pedestrians walking in the streets. Dues and amenities were discussed.

**Mr. Hogan** mentioned that the developer pulled the "26-(un-platted) acres" out of the Sage Meadows Subdivision. Mr. Hogan asked why did the City make sure that property remain a part of the Sage Meadow's project golf course development? He mentioned his request for Freedom of Information on March 12, 2010 on any and all information on Sage Meadows.

Mr. Hogan: He recalled the annexation documents: AZ-96-1 # 17. He requested the infrastructure plans for the annexation or the master plan for this project; which he was never given. A letter to Brian Wadley for the annexation for R-1 was sent. On May 13<sup>th</sup>, the staff report noted that he request for annexation was for R-3 with development plans forthcoming. In the report Mr. Wadley stated: "*it is happening again, that our city is expanding again without an annexation plan. I have asked the Mayor and City Council to adopt a moratorium until an annexation study and plan is in place*". It was approved without one. 528 acres of R-3 Zoning was approved.

**Mr. Hogan** spoke of a meeting and an agreement on Lochmoor to have it completed. Mr. Hogan showed a copy of a Sage Meadows Phase II-A & II-B; A schematic utility plan was also shown. He stated that the only zoning available in 1997 was R-3 that would allow zero-lot lines in the very back. Single Family lots were marked off. Mr. Trout told me that this will never be apartments and told others. Three years ago I went to the Mayor and asked what should we do? They did not know.

**Mr. Hogan:** The apartments? Let the apartments exist. Let them exist. What we would like to see is that the ingress and egress not come through the development. We do not want the traffic. They will go straight through the neighborhood and one kid could get hit. There is a way to get to this property and Mr. Parker is very well aware. I hope that he and his partners will look at that. They want to use the Sage Meadows' name instead.

**Mr. Hogan** presented the 2010 proposed Land Use Map and asked what was recommended over there. “Low Density Single Family Residential”. A manipulation of this property has been going on. If we set back and let over 600 homes the size of Brookland and put 27 acres of apartments in it. Mr. Hogan read the minutes when Alec Farmer and Mr. Shipley on October 4, 2004, commented on a zoning case that came up in MAPC (meaning City Council) questioning the R-3 Zoning.

**Mr. Hogan** read the minutes as filed:

*Councilman Farmer asked for clarification that Planned Unit Development (PUD) is now treated just like a zoning request. Interim City Planner, Ron Shipley confirmed and explained the R-3 zoning used at Sage Meadows was to reduce the lot size to accommodate the patio type homes for a larger density of housing. Councilman Farmer explained the Bill of Assurance and Restrictive Covenants for areas like Sage Meadows are filed with the Circuit Clerk’s Office and provide protection for property owners even though the property is zoned R-3. He further explained when the City of Jonesboro annexed property into the city everything was brought in as Residential (R-1) whether or not it was suitable for that type zoning. **Mr. Hogan stopped reading at this point.***

***He asked that the MAPC would consider that it is R-3 but it was considered that for patio homes and not apartments. Mr. Hogan asked the MAPC to decide on what is right not what is legal.***

***Mr. Spriggs gave an overview of the history of this R-3 project. Mr. Spriggs later stated that he recalled that there were other comments made by others:** Discussion followed regarding the retention of water, where it would be located and would it be necessary to rezone the property for the retention pond. Mr. Arnold clarified that he intends to provide the buffering on his property which has a natural buffered area. Mr. Shipley informed council members that this was a high use area and was in compliance with the Land Use Plan. Mr. Robert Ryan also addressed the Jonesboro City Council pointing out that if Mr. Kent Arnold is an agent for the sale of the property, then he cannot say how the property will be developed. Ms. Susan Smith questioned if it were possible to impose restrictions in perpetuity through zoning, with Attorney Crego responding he knew of no way to do so. Over the years the property owners have rezoned portions within Sage to R-1 Single Family and we anticipated that it would return with questions.*

The legality of the R-3 is not the question tonight.

**Mr. Hogan:** On the same day, the 86 acres were brought in, Sage’s attorney had the first few stages changed from R-3 to R-1 but that happen from the front to the back.

**Ms. Nix,** asked for the date on the maps he presented: he noted 1998. Mr. Spriggs asked to see the title of the drawings presented for the record? Phase II-B that shows the lots marked off, signed off for final approval January 15, 1998. Did Associated do Sage Meadows? **Mr. Spriggs** noted that they were the engineer of record. **Mr. Spriggs** asked if that phase include the subject

property of tonight? **Mr. Spriggs** asked to see the record plat. He noted that this phase that shows supplemental information that showed the future areas in concept. The subject property is not a part of the recorded plat. Sewer, water and street- Would you not consider where the lines would go when you approve this section? **Mr. Spriggs** stated that the subject acreage was not part of that platted subdivisions. **Mr. Hogan** has presented drawings that were not all approved or recorded. The utilities plan presented was conceptual, and was probably used by the utility company to assume the full project build-out.

**Ms. Nix:** this yellow highlighted zoned was it included in the original drawings? Is this the way it was presented? **Ms. Nix** asked if the plan was accurate? Would it be the way it would be developed? **Mr. Spriggs** stated that it was a conceptual plan. That may have been presented to CWL for information. That part of this phase was never presented and approved by the City. It was annexed in and rezoned. It was never officially approved. In any of those, have they shown apartments back there, **Ms. Nix** asked. **Mr. Spriggs** stated no.

**Mr. Spriggs** noted also that there were streets sketched on the concept plan for the subject acreage. The city cannot enforce those street layouts, they are considered paper concepts. This was one of the difficulties that Staff had with the area- because it was not platted property . We met with the new landowners and developers, we stated to them that when you come back with a proposal or improvement of the un-platted property, we will treat it as a large-scale development, and we need to deal with the East-West Connection, which we are dealing with that at this time. **Mr. Hogan** asked **Mr. Spriggs** if he thought a document like that (utility plan) would be used by another board of council to make a decision? **Mr. Spriggs** responded that he is correct that it could be used for informational purpose when we deal with connectivity, but it has no legal standing other than for conceptual purposes.

**Mr. Hoelscher** asked **Mr. Spriggs** to clarify what the MAPC will be voting on.

**Mr. Spriggs** noted that the only reason this plan is presented to the MAPC is because it is a large-scale development and we knew that this R-3 property would be developed and we stated to the developer that once it came back to the City, this is how we would handle it when it exceeded 48 units to see the connectivity.

**Mr. Spriggs:** **You are presented a site plan** unfortunately it is zoned R-3 and no one wants the apartments there; however you have been presented with a use that is permitted and allowed on the property, and we have to deal with the site plan issues tonight.

#### **Commission Deliberation:**

**Mr. Kelton:** I was a member of the Jonesboro City Council from January 1 1993 – December 31, 2002. Everything that happened out there I was a sitting and voting member. The way I remember it, it was petition to be annexed as R-3 and we were looking at something new to us at that time- *A Village Concept*. The land use plan was adopted in 1996, and we had just been presented some new information and terminology to develop property and new ideas on

maximizing profits for developers by placing more buildings on a lot. There are three parts of the process: acquisition costs are high, development costs are high, you have to work within a margin that your final sales price is acceptable to a buying market. When they petitioned us with this (speaking only for himself), this was a chance for the City of Jonesboro to grow along the Hwy. 351 corridor, to extend sewer to that area and to encourage additional growth and development. One of the things about the village concept is that it was to be on a very limited basis, a mixture of single family, multi-family, and commercial development. The commercial development was to be along the corridor – first 300 ft. then multi-family and single family. The community has a lot to be concerned about, but looking at the history it appears the developers have met the requirement of the site plan approval.

**Mr. Joe Tomlinson:** What is the current Land Use Plan for this area. **Mr. Spriggs:** Low density residential. **Mr. Tomlinson** noted that he worked on the Land Use Committee and does not recall rating Sage Meadows as high density development. He asked the developer about channeling the traffic to Macedonia Rd. **Mr. Parker** stated that he had approved the adjoining property to make every effort to have another/secondary access to Macedonia and they have said, **No.**

**Mr. Tomlinson:** With instead of two exits through Sage Meadows and just one to Macedonia, It seems these people will be happy. **Mr. Don Parker** noted that his property will be land-locked with no access allowed though Sage Meadows.

**Mr. Tomlinson** made further comments about his experience with apartments and the devaluation of property. He has never seen anyone that has looked for property that was located near apartments.

**Nancy Robinson,** You said you could use the access to the east for your construction? Why can you not use it permanently? **Mr. Parker:** described the property to the east. We worked on a number of concepts; they will be separate and I do not think that a single access will handle the traffic from what would be developed there. The response to the question; it will be only for construction traffic. As an attempt to divert as much traffic as possible, and to reduce construction traffic is our attempt.

**Mr. Reese:** By what means do you propose to control the construction traffic. It is very difficult to control. **Mr. Parker:** Contractors will be instructed to use the alternative access.

**Mr. Lonnie Roberts** asked what is the status of the completion of the second street to Macedonia?

**Mr. Parker:** There was a pre-meeting and Mr. Copeland stated that his contractors are saying that his portion of Aberdeen will be in Mid-November. The City Engineer has stated that it will be 2014 before the City and County will completed Aberdeen to Clubhouse to Macedonia. (1<sup>st</sup> quarter or second quarter). **Mr. Spriggs** stated that one part of the construction is contingent

upon the other; Mr. Parker presented the Mayor's email explaining the City's position. Mr. Roberts read the email:

*As you know, Don Parker's case will be going to the MAPC. I've talked with County Judge Ed Hill and because of safety reasons we've agreed to pave the road on 351 up to the private property line, when Kelly Copeland is done with the drive. The county will do the base, no curbs and the city will pay for the asphalt. If you have any questions please let me know.*

*Thank you, Harold Perrin, Mayor*

**Commission Action:**

**Mr. Scurlock:** All people have made good points. Our job is to do what the law says and protect property owners of small and large properties. We need to think of a couple of points that have been brought up: I remember like when Mr. Kelton discussed when Sage Meadows was just a concept, it was going to be a village concept with a movie theater, fast food, laundry and you would never have to come to Jonesboro. But, the market changes and the zoning has changed. This R-3 concept has been R-3 Zoning since they started selling lots. I don't think we have any choice but to approve this as presented. They have made every effort to try to make this thing less obtrusive. **Mr. Scurlock** made the **motion for approval** of the Site Plan. Motion was **seconded** by **Mr. Dover**.

**Scurlock- Aye;**

**Hoelscher-** Stated he has no personal or professional connection with the project, but **Abstained;**

**Kelton-Aye;**

**Mr. Reese- Nay:** We have an obligation as Commissioners to look out for both sides; even though it meets the criteria of the law, I can see where it got out of hand, for people to look at a conceptual plan, and plan on your future to invest the money they have in new homes, we have an obligation to those folks;

**Ms. Nix: Aye:** I know that Mr. Parker and Mr. Osment have met all of the requirements of the law and all of the regulations, but when I was asked to served, it was said that it's not always what but what can be done but what should be done. The current Land Use Plan has that single family residence and I believe that's what the intent was suppose to be so I vote no.

**Mr. Dover: Aye**

**Mr. Tomlinson: Nay:** I would lean a little heavy on the Land Use Plan, because I was on the Land Use Plan Committee, because when we saw that it was R-3 Multi-family, we did not re-designate that as high density, so it remained as low density. Mr. Tomlinson added that there is a legitimate argument on the devaluation of property.

**Ms. Shrantz: Aye:** Based on the information provided and that we are reviewing a site plan. It has seven less units than it could have, and 29 of those units are 1-bedroom.

**Chair Roberts: Voted to break the tie vote and to pass the measure. Aye.** Voted yes based strictly on the site plan.

Site plan was approved at a **5-4 vote. (Note See Corrected MAPC Minutes for August 13, 2013 which apply to this case).**





## Legislation Details (With Text)

<b>File #:</b>	RES-13:112	<b>Version:</b>	2	<b>Name:</b>	Suggested renaming of Stadium Blvd to Red Wolves Blvd
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Recommended to Council
<b>File created:</b>	7/8/2013	<b>In control:</b>		<b>In control:</b>	Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS FOR THE SUGGESTED RENAMING OF STADIUM BOULEVARD TO RED WOLF BOULEVARD AS REQUESTED BY ARKANSAS STATE UNIVERSITY.				
<b>Sponsors:</b>	Mayor's Office				
<b>Indexes:</b>	Other, Parking & Traffic				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">ASU letter October 2, 2013</a> <a href="#">Stadium Blvd Street Name Change Letter</a> <a href="#">Hwy Dept Response Letter Stadium Blvd</a> <a href="#">Stadium Blvd Retailers</a> <a href="#">Postal Service Response Letter</a> <a href="#">ASU letter asking for postponment of resolution</a>				

Date	Ver.	Action By	Action	Result
11/5/2013	2	Public Works Council Committee		
10/3/2013	1	Public Works Council Committee	Recommended to Council	Fail
8/6/2013	1	Public Works Council Committee	Tabled	Pass

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS FOR THE SUGGESTED RENAMING OF STADIUM BOULEVARD TO RED WOLF BOULEVARD AS REQUESTED BY ARKANSAS STATE UNIVERSITY.

WHEREAS, businesses located on Stadium Boulevard were contacted regarding the street name change and agreed to the renaming; and

WHEREAS, the United States Post Office Post Master Robert Driskell has stated the mail delivery service will be continued to both street names to the addresses of the businesses; and

WHEREAS, the information gathered produced the following recommendations:

1. Immediate renaming of Stadium Blvd. to Red Wolf Blvd. between Johnson Avenue & US 63 as requested by Arkansas State University.
2. Naming priority shall be considered to any new street within the city limits, or any future bypass created around Jonesboro.

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

1. The above recommendations are hereby accepted by the Jonesboro City Council.

2. The Mayor and City Clerk are hereby authorized to submit necessary documents to effectuate this agreement.



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**OFFICE OF THE CHANCELLOR**

P.O. Box 600, State University, AR 72467 | o: 870-972-3030 | f: 870-972-3465

October 2, 2013

The Honorable Harold Perrin  
Mayor, City of Jonesboro  
P. O. Box 1845  
Jonesboro, AR 72403

Dear Mayor Perrin,

We at Arkansas State University greatly appreciate the consideration of the proposal for Red Wolf Boulevard to replace Stadium Boulevard between Johnson Avenue and U.S. 63.

During the past two months of due diligence, we have engaged with multiple constituencies to receive feedback. We're very pleased to report very enthusiastic response. Attached are resolutions to support the name change that have been adopted by:

- Jonesboro Regional Chamber of Commerce Board of Directors
- Arkansas State University Student Government Association
- Arkansas State University Faculty Senate
- Arkansas State University Alumni Association

In addition, we visited with a variety of businesses on Stadium Boulevard. Based on the feedback we received, we're confident there will be no undue expense burden.

All constituents of the city and the campus were given ample opportunity to express their views and contribute to the decision-making process, and now we would request that the City Council consider the proposal at its regular November meeting.

Transforming Stadium Boulevard into Red Wolf Boulevard serves as an important marketing initiative for Arkansas State, and using a mascot name for street naming purposes is in line with other university cities across the country. This would send a compelling message to visitors that Jonesboro is a city that values its close ties with its university.

Thank you again for your consideration.

Sincerely,

Tim Hudson, Ph.D.  
Chancellor



## CITY OF JONESBORO

February 25, 2013

Mr. Walter McMillan, District Engineer  
AR Highway Department  
2510 W. Kingshighway  
PO Box 98  
Paragould, AR 72451-0098

RE: Stadium Blvd.

Dear Walter:

I had a request from Arkansas State University that we consider naming Stadium Boulevard from Hwy 63 to past the stadium which would be Hwy 49N. I was wondering if I needed to get permission from the State in order to change this to Red Wolves Blvd. rather than Stadium Blvd. If so please let me know what I need to do. L.M. and I are going around to the businesses to phase this in and see if they like it. If I come up with too much resistance I'm not for sure I want the city to do this. Please let me know what I need to do and I appreciate what you do for District.

Sincerely,

Harold Perrin  
Mayor

HP/clg



ARKANSAS STATE HIGHWAY  
AND TRANSPORTATION DEPARTMENT  
DISTRICT TEN

2510 WEST KINGSHIGHWAY • P. O. BOX 98 • PARAGOULD, AR 72451-0098 • TELEPHONE 870-239-9511 • FAX 870-236-1156  
CLAY - CRAIGHEAD - GREENE - LAWRENCE - MISSISSIPPI - POINSETT - RANDOLPH

March 4, 2013

Honorable Harold Perrin  
Mayor of Jonesboro  
P.O. Box 1845  
Jonesboro, AR 72403

Dear Mayor Perrin:

Reference is made to your letter of February 25, 2013 concerning the changing of the name of Highway 49 North from Highway 63 to Johnson Ave. to Red Wolves Boulevard.

The state highway system is referenced by route and section numbers. The Department normally allows the local jurisdiction to place an appropriate name on a section of state highway if they so desire. If the City elects to make this change, please advise the Department so the appropriate changes can be made to the guide signs at the Highway 49 North Interchange on Highway 63. The updating of the street names signs along Highway 49 North will be the responsibility of the City.

If you have any questions concerning this matter, please feel free to contact me.

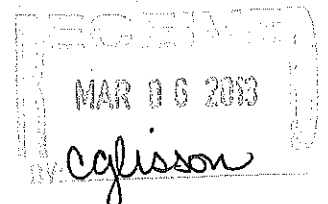
Sincerely,

A handwritten signature in cursive script that reads 'Walter McMillan'.

Walter McMillan  
District Engineer

WBM

c: Mr. Emanuel Banks, Assistant Chief Engineer-Operations  
Mr. Tony Sullivan, State Maintenance Engineer



	Service Address	Yes	No	No Answer
Dream Home Gallery	1312 Stadium Blvd.	X		
Tucker's Appliance	1312 Stadium Blvd.		X	
Westbrook & Wright Constr.	1312 Stadium Blvd.	X		
America's Car-Mart, Inc.	1315 Stadium Blvd.	X		
I.O. Metro LLC	1319 Stadium Blvd.	X		
Local Culture	1319 Stadium Blvd.	X		
The Lower Deck	1320 Stadium Blvd.	X		
Bedding Mart	1320 Stadium Blvd.	X		
Blue Coast Burrito	1320 Stadium Blvd.	X		
Beautiful Nails & Spa	1320 Stadium Blvd.	X		
La Bella Vita Boutique LLC	1320 Stadium Blvd.	X		
Popeyes Chicken & Biscuits	1323 Stadium Blvd.	X		
Advanced Auto Parts #6708	1324 Stadium Blvd.	X		
Andy's Frozen Custard	1327 Stadium Blvd.	X		
Walgreen	1328 Stadium Blvd.	X		
Hardee's of Jonesboro	1331 Stadium Blvd.	X		
First Security Bank	1341 Stadium Blvd.	X		
Murphy Express #8523	1601 Stadium Blvd.	X		
Redbox Automated Retail LLC	1601 Stadium Blvd.	unable to contact		
LSUB Jonesboro LLC	1699 Stadium Blvd.	X		
Hibachi Grill Jonesboro LLC	1699 Stadium Blvd.	X		
Russell Cellular & Satellites	1699 Stadium Blvd.	X		
Star Nails & Spa	1699 Stadium Blvd.	X		
U-Haul Co. of Arkansas	1700 Stadium Blvd.	X		
Golden Grotto	1717 Stadium Blvd.	X		
Chick-Fil-A	1800 Stadium Blvd.	X		
Chili's Bar-n-Grill	1900 Stadium Blvd.	X		
Olive Garden Italian Rest #1824	1918 Stadium Blvd.	X		
Plato's Closet	2100 Stadium Blvd.	X		
Five Guys	2100 Stadium Blvd.	X		
Cheddar's Casual Café Inc.	2123 Stadium Blvd.	X		
Panera Bread	2213 Stadium Blvd.	X		

USA Gold & Silver Buyers	2402 Stadium Blvd. Ste B	X
Shipley Donuts	2404 Stadium Blvd.	X
Modern Nail & Spa	2504 Stadium Blvd.	X
Focus Bank	2525 Stadium Blvd.	X
Sonic Drive In #3	2604 Stadium Blvd.	X
Redbox Automated Retail LLC	2604 Stadium Blvd.	unable to contact
Kum & Go #395	2604 Stadium Blvd.	X
Tractor Supply Co. #158	2605 Stadium Blvd.	X
Ridout Lumber Co	2608 Stadium Blvd.	X
O'Reilly Auto Parts #738	2611 Stadium Blvd.	X
Car Today, Inc.	2612 Stadium Blvd.	X
Zaxbys	2625 Stadium Blvd.	X
Longhorn Steakhouse #5394	2626 Stadium Blvd.	X
Captian D's	2629 Stadium Blvd.	X
Red Lobster #6371	2642 Stadium Blvd.	X
Jonesboro Cycle & ATV LLC	2829 Stadium Blvd.	X
Shaz Enterprises Inc.	2925 Stadium Blvd.	X
NEA Baptist (Aramark)	3024 Stadium Blvd.	X
NEA Baptist Memorial Hosp.	3024 Stadium Blvd.	X
Gregory Lewis, MD	3024 Stadium Blvd.	X
John Phillips, MD	3024 Stadium Blvd.	X

Carrier Annex  
2404 Race St  
Jonesboro AR 72401



May 3, 2013

Mayor Harold Perrin  
City of Jonesboro  
515 W Washington Ave  
Jonesboro AR 72401

Subject: "Stadium Blvd name change to Red Wolves Blvd "

Dear Mayor Perrin,

If the street numbers for Stadium Blvd remain the same as they are currently, then the Post Office will continue to deliver both street names to that address.

Sincerely,

A handwritten signature in black ink that reads "Robert Driskell".

Robert Driskell  
Postmaster  
2404 Race St  
Jonesboro AR 72401  
870-972-0275





August 5, 2013

**OFFICE OF THE CHANCELLOR**  
P.O. Box 600, State University, AR 72467 | o: 870-972-3030 | f: 870-972-3465

The Honorable Harold Perrin  
Mayor, City of Jonesboro  
P. O. Box 1845  
Jonesboro, AR 72403

Dear Mayor Perrin:

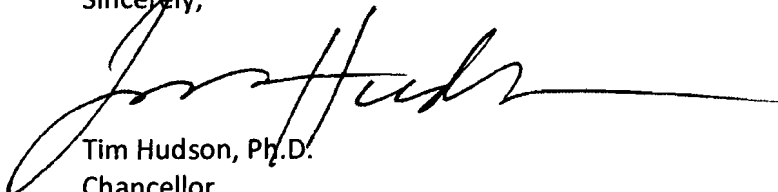
We at Arkansas State University greatly appreciate the consideration of the proposal for Red Wolf Boulevard to replace Stadium Boulevard between Johnson Avenue and U.S. 63. This concept has generated community dialogue among the City Council, businesses on Stadium, and local residents.

Based on these discussions, we respectfully request that the City Council postpone consideration of the change for two months. This extra time allows all constituents of the city and the campus ample opportunity to express their views and contribute to the decision-making process.

Transforming this segment of Stadium Boulevard into Red Wolf Boulevard serves as an important marketing initiative for Arkansas State, and using a mascot name for street naming purposes is in line with other university cities across the country. The change would send a compelling message to visitors that Jonesboro is a city that values its close ties with its university.

Arkansas State wants to continue to be a good community partner and a good neighbor. Please let me know what we can do to facilitate further discussion and input.

Sincerely,



Tim Hudson, Ph.D.  
Chancellor  
Arkansas State University

TH:slj