



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, March 19, 2024

5:30 PM

Municipal Center, 300 S. Church

PUBLIC SERVICES COUNCIL COMMITTEE MEETING AT 4:15 P.M. **TIME CHANGE**

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

1. CALL TO ORDER BY MAYOR HAROLD COPENHAVER AT 5:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL (ELECTRONIC ATTENDANCE) INITIATED AND CONFIRMED BY CITY CLERK APRIL LEGGETT

Councilmember Chris Moore served as Mayor Pro-Tempore for the City Council meeting on March 19, 2024.

Present 11 - Brian Emison;Chris Moore;Chris Gibson;David McClain;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Absent 1 - Joe Hafner

4. SPECIAL PRESENTATIONS

5. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councilperson Chris Gibson, seconded by Councilperson Brian Emison, to Approve the Consent Agenda. The motioned PASSED

Aye: 10 - Brian Emison;Chris Gibson;David McClain;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Absent: 1 - Joe Hafner

[MIN-24:021](#)

MINUTES FOR THE CITY COUNCIL MEETING ON MARCH 5, 2024

Attachments: [CC Minutes 03052024](#)

This item was passed on the Consent Agenda.

[RES-24:016](#) A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO AN AGREEMENT WITH TRAC-WORK, INC. FOR THE CRAIGHEAD TECHNOLOGY PARK LEAD & NESTLE LEAD MAINTENANCE & GRADE CROSSING IMPROVEMENTS PROJECT (2024:06)

Attachments: [Bid Tab](#)
 [Contract](#)

This item was passed on the Consent Agenda.

Enactment No: R-EN-019-2024

6. NEW BUSINESS

RESOLUTIONS TO BE INTRODUCED

[RES-24:020](#) A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO CONDEMN PROPERTY LOCATED AT: 122 COLEMAN DRIVE, JONESBORO, AR 72401; PARCEL #01-144063-02500; OWNER LARRY BEATY

Attachments: [WIN_20230406_09_59_12_Pro](#)
 [WIN_20230406_09_59_39_Pro](#)
 [WIN_20230406_10_00_12_Pro](#)
 [WIN_20230406_10_00_14_Pro](#)
 [WIN_20230406_10_00_16_Pro](#)
 [WIN_20230406_10_00_36_Pro](#)
 [WIN_20230406_10_00_59_Pro](#)
 [WIN_20230406_10_01_01_Pro](#)
 [WIN_20230406_10_01_12_Pro](#)
 [WIN_20230406_10_01_14_Pro](#)
 [122 Coleman Boarding and Securing Certified Affidavit](#)
 [122 Coleman Condemnation Resolution](#)
 [122 Coleman Inspection Report](#)
 [122 Coleman Inspection Report](#)
 [122 Coleman Map](#)
 [122 Coleman Precondemnation Notice Affidavit 2](#)
 [122 Coleman Precondemnation Notice returned signature card](#)

A motion was made by Councilperson Mitch Johnson, seconded by Councilperson Brian Emison, that this matter be Passed. The motion PASSED with the following vote.

Aye: 10 - Brian Emison;Chris Gibson;David McClain;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Absent: 1 - Joe Hafner

Enactment No: R-EN-020-2024

ORDINANCES ON FIRST READING**ORD-24:008**

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 1323 STRAWFLOOR DRIVE AS REQUESTED BY HORIZON LAND SURVEYING ON BEHALF OF TILLER LAND DEVELOPMENT, LLC

Attachments: [Staff Summary - CC](#)
 [Signed Rezoning Application](#)
 [COJ Rezoning - Adjoining Property Owner Notification](#)
 [H22-173 Phipps-Strawfloor-Rezoning Plat](#)
 [Certified Mail Receipt](#)
 [Zoning Signs](#)

Councilmember John Street motioned, seconded by Councilmember Brian Emison, to suspend the rules and offer ORD-24:008 by title only. All voted aye.

Held at one reading**ORD-24:009**

AN ORDINANCE FOR A PRIVATE CLUB PERMIT FOR QVW Holdings, Inc., d/b/a BRASAS MEXICAN GRILL OF JONESBORO.

Attachments: [Brasas Private Club Permit_Redacted](#)
 [Brasas Menu](#)
 [brasas receipt](#)

Councilmember John Street motioned, seconded by Councilmember Brian Emison, to suspend the rules and offer ORD-24:009 by title only. All voted aye.

Councilmember David McClain said, I have a question and I don't know if I'm, and Carol you may correct me if I am wrong, is there not a distance requirement. City Attorney Carol Duncan said, there used to be. Councilmember McClain said, okay. Ms. Duncan said, I had that same thought when I saw this and I did some research. I read through the ABC regulations and then even called them just to be sure I wasn't missing something and that only applies to liquor stores now. It does not apply to schools or churches anymore. Councilmember McClain said, thank you.

James Elwyn Hinds, 508 Ridgecrest, said, I don't know how many of you know where Ridgecrest is. It is one block off of Southwest Drive, just south of Jonesboro High School. I have two strong objections to this one. The first one is a personal thing because if you noticed where I said Ridgecrest is, in case you don't know. Now, usually, when I ask what my neighborhood is I will admit I usually say south of Highland Drive, but this thing is only one block north of what I consider my neighborhood. I do not want this thing in my neighborhood. If you think this is a good thing putting this in, maybe you could rent them part of a lot that you live on. I don't want it near my house. I pass there. I passed there three times today already. If I told you how often I pass by there, it would be in times per day, not in so many days a week or so many days a month or whatever. I frequently walk in front of this place. There is very strong local objection to granting this permit. That is thing number one. Second is the thing that was mentioned, what is the policy that we have about how close we are going to let these things be to our public schools? If we don't have a policy, we need one and I would highly recommend putting this thing on pause until you figure out what that ought to be. Mayor Pro-Tempore Chris Moore said, thank

you Mr. Hinds.

Patti Lack, 4108 Forest Hill Road, said, so my question and maybe Carol you can answer this too is that I know a couple of times I have asked. I have always thought that when someone gets a permit to have an alcohol license that they have to name a non-profit organization, specifically who they are going to give to and I noticed that on the attachment here, all it says is that we will support area youth support teams, activities to include and not limited to baseball, basketball, football, and soccer and we will focus on other charities too. So, do they have to name a specific one or not? City Attorney Carol Duncan said, I thought you were referencing, does the non-profit have to have to exist. So, a non-profit has to exist which is why it has name doing business as Brasas. No, I don't think they have to name a specific organization. Ms. Lack said, because I remember in the past when someone came to get an alcohol permit is that they had the non-profit group come up here with them and saying that is who that they were going to have as their group. Ms. Duncan replied, that would be something that the ABC would require which is not something that we would do. So, if it is a requirement, it would be one when they get to the ABC Board. I would have to look again. I also still thought that the church and school rule was still in effect until I looked on this one and it wasn't. So, I'm not 100%, but I don't think that they are required to name a specific charity anymore. That would be something that the ABC would look at when they are approving it through their process. Ms. Lack said, okay, so if you hear, can you let me know on that? Thanks.

Held at one reading

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING

[ORD-24:007](#) AN ORDINANCE TO THE CITY OF JONESBORO TO PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS DETERMINED BY THE TRAFFIC CONTROL COMMITTEE

Held at second reading

ORDINANCES ON THIRD READING

[ORD-24:005](#) AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO I-1 FOR PROPERTY LOCATED AT 5709 E. NETTLETON AVENUE

Attachments: [Rezoning Application](#)
[Rezoning Plat](#)
[CWL Signed Notification](#)
[Rezoning Sign](#)
[Receipts](#)
[Staff Summary - CC](#)
[Publication Receipt](#)

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

Aye: 9 - Brian Emison;Chris Gibson;David McClain;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman and LJ Bryant

Absent: 1 - Joe Hafner

Abstain: 1 - Ann Williams

Enactment No: O-EN-010-2024

8. MAYOR'S REPORTS

Mayor Pro-Tempore Chris Moore asked, Brian, do you have anything on the Mayor's behalf. Chief Administrative Officer Brian Richardson indicated that he did not.

9. CITY COUNCIL REPORTS

Councilmember Chris Gibson said, just real quickly, I would like to get an update on where we are at on the Impact Fee Committee and the appointment thereof. Councilmember David McClain said, I have got to call a meeting. I'll call a meeting for probably not this week, but the next, or the first week of April. Councilmember Gibson said, okay, thank you.

10. PUBLIC COMMENTS

Patti Lack, 4108 Forest Hill Road, said, yesterday, I sent all of you a post that I made concerning the storage facility that they want to put next to the neighborhood Walmart over there on Parker Road and Harrisburg Road. I hope you guys looked at that. One of the conditions or the conditions that they approved at the MAPC was a condition that we just go ahead and name Elmhurst as a designated city street. I hope you looked at how the traffic patterns in that area are. And, I think what we really have to consider and I hope Craig because I know he is the one that's going to have the final decision on this, today, I was watching and I sat there in the parking lot. The 18 wheel trucks that are Walmart's use Elmhurst to get out and where are they coming out on is on Parker Road right there. You know, if they are turning left, there is going to be a huge accident. So, they can only turn right. So, I asked Craig to, you know, hopefully we can postpone this storage facility until we get that area planned correctly because there are two more lots that are still for sale in that area and there is a lot of acreage. And, if we don't plan ahead on how people can safely get in and out of that area, then we are going to have a lot of accidents. So, I hope that Craig, wherever you are Craig, is that he looks at that and that we just postpone that and I hope you guys can encourage him to do that on there. The other is kind of another two and one combination right here is that I had checked with a lot of the simple little questions that I have asked the city and also too some FOIA requests and there is about a dozen of them that have not been answered. And, my first question is, is that who is going to be my go to guy since Mr. Campbell is not here anymore so I can resubmit some of these questions. Mayor Pro-Tempore Chris Moore stated, that will be the City Clerk. City Clerk April Leggett shook her head no. Ms. Lack said, okay. Mayor Pro-Tempore Chris Moore said, you submit it in writing. Ms. Lack said, okay, thank you April. City Attorney Carol Duncan said, that is not who it is. Mayor Pro-Tempore Chris Moore asked, is that not who it is? Ms. Duncan joked, April may stab you with that pen. Councilmember David McClain said, if looks could kill. (There was laughing throughout the chamber at comments made.) Ms. Duncan said, I think it would be Brian Richardson in the Mayor's Office. Mayor Pro-Tempore Chris Moore asked, so is the City Clerk not the official keeper of the record. Ms. Duncan said, not for that, not for FOIA. Ms. Lack said, so, Brian toss it off on that. So, is the lucky guy Brian? Ms. Duncan said, yes. Mayor Pro-Tempore Chris Moore said, I'm sorry Brian.

I tried to put it off on April. Ms. Lack said, so, Brian, I'm going to resubmit a whole bunch of stuff to you. Okay. Thank you. Thank you. Okay. The other second thing that I really want to express is one of the FOIA requests that I made back in February, on the 22nd, and what this FOIA request was is that I was asking to see the grading permit for Phase 6 and 7 of Savannah Hills. And, also too, I didn't know really what to ask for, but I started researching it and it was a copy of the engineer approval inspection report. So, I was going to assume that was maybe kind of how that land floods and how it drains. I still have not received that. And, the reason why I am asking these questions is one, my neighbors and I are experiencing a lot of flooding and a lot of drainage problems when we get rain. I can look outside my back window and in the woods, there are actually little lakes in the woods where it is going to start being cleared. We are going to have drainage and flooding problems when we get the rest of those apartments. Mr. Lenny Hogan spoke about this problem back in 2023 when we were dealing with the approval of this property. So, I don't know if it has been addressed or not. But, currently, there are more trees being plowed down right now and I still haven't gotten all of the reports as far as significant trees and stuff like that. But, when you remove those trees, what do you guys think is going to happen? There is going to be more flooding. From my property going north, it is a hillside and the water comes down and it goes down from that point on. I know a couple of weeks ago at the MAPC, there was a rezoning or a conditional request and there was a 55 page drainage report attached to that conditional use. They were going to build some apartments north of town here. Well, that item got pulled from the agenda so I don't know what the issues were there. So, they had drainage problems too. So, I hope I can get Chris maybe April and then, Brian you can get Craig, that one of them can come out and look at this property right now to give assurance to all of us that have property right there on the west side of that bank there to make sure that we're not going to have drainage and flooding problems after the fact that these apartments get built. It needs to be approached right now because there are too many times that people have come up here to the city council and said my property is flooding. There wasn't adequate planning. So, I hope I can get Craig over there to come out or Michael Morris to come out there and show me how this is going to develop because it's not just about those apartments, it is about the residents that live there on that property. So, I hope I can do that. Can I do that Chris? April? Mayor Pro-Tempore Chris Moore said, okay, Ms. Lack, just to narrow it down, your official request of the documentation that you wanted was for the drainage or the engineering summary for Phase 2 and Phase 3? Ms. Lack said, no, it was Savannah Hills Phase 6 and 7. And, I'm going to assume that it was the city engineer approval for the inspection report. So, I would imagine the inspection included any type of flooding, drainage of how they were going to put that because that area actually floods on the street on Craighead Forest Park right now. So, that was part of that right there, but, you know, I don't, really, I don't, we don't need any more trees plowed down if that is not going to be able to suffice the flooding that we all have. I don't want my property to flood because of that, okay. Thank you. Mayor Pro-Tempore Chris Moore said, thank you Ms. Lack. (For clarification purposes, FOIA's are generally handled through the Director of Communications that operates under the purview of the Mayor. The Director of Communications position is currently vacant. The City Clerk handles FOIA requests dealing with City Council records since the City Clerk is the official keeper of the records of the City Council.)

11. ADJOURNMENT

A motion was made by Councilperson Brian Emison, seconded by Councilperson John Street, that this meeting be Adjourned. The motion PASSED with the following vote.

Aye: 10 - Brian Emison;Chris Gibson;David McClain;Mitch Johnson;Anthony Coleman;Janice Porter;John Street;Charles Coleman;LJ Bryant and Ann Williams

Absent: 1 - Joe Hafner

_____ **Date:** _____

Harold Copenhaver, Mayor

Attest:

_____ **Date:** _____

April Leggett, City Clerk