



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, August 1, 2017

5:30 PM

Municipal Center

PUBLIC WORKS COMMITTEE MEETING AT 5:00 P.M.

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

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2. PLEDGE OF ALLEGIANCE AND INVOCATION

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3. ROLL CALL BY CITY CLERK DONNA JACKSON

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Present 11 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner and David McClain

4. SPECIAL PRESENTATIONS

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5. CONSENT AGENDA

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Approval of the Consent Agenda

A motion was made by Councilman Chris Gibson, seconded by Councilman Joe Hafner, to Approve the Consent Agenda. The motioned PASSED

Aye: 11 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner and David McClain

[MIN-17:086](#)

Minutes for the City Council meeting on July 18, 2017

[play video](#)

Attachments: [Minutes](#)

This item was approved on the Consent Agenda.

RES-17:088 RESOLUTION FOR THE ADOPTION OF A REGULATED FEE SCHEDULE FOR THE STREET DEPARTMENT

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This item was approved on the Consent Agenda.

RES-17:089 RESOLUTION FOR THE ADOPTION OF A REGULATED FEE SCHEDULE FOR THE ENGINEERING DEPARTMENT

[play video](#)

This item was approved on the Consent Agenda.

RES-17:090 RESOLUTION FOR THE ADOPTION OF A REGULATED FEE SCHEDULE FOR THE PARKS AND RECREATION DEPARTMENT

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This item was approved on the Consent Agenda.

RES-17:104 A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO INCREASE PURCHASE ORDER NUMBER 45476 TO KINDER BROTHER EXCAVATING, INC. FOR THE DITCH RECHANNELING PROJECT- JOB NO. 2016:28

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Attachments: [Additional Cost](#)

This item was approved on the Consent Agenda.

RES-17:107 A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE ROTARY CLUBS OF JONESBORO FOUNDATION, INC. FOR IMPROVEMENTS TO THE CITY PARK LOCATED AT THE INTERSECTION OF CHURCH STREET AND MONROE AVENUE IN JONESBORO

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Attachments: [Memorandum of Understanding \(City of Jonesboro\)](#)

This item was approved on the Consent Agenda.

RES-17:108 A RESOLUTION FOR THE CITY OF JONESBORO, ARKANSAS TO ADOPT THE TITLE VI AND OTHER CIVIL RIGHTS PROGRAM AS IT PERTAINS TO ALL FEDERALLY FUNDED PROJECTS

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Attachments: [COJ Title VI and Other Civil Rights Program](#)

This item was approved on the Consent Agenda.

6. NEW BUSINESS

[play video](#)

COM-17:053

PRESENTATIONS BY CANDIDATES FOR WARD 5 VACANCY. EACH CANDIDATE WILL BE GIVEN 3 MINUTES TO SPEAK.

[play video](#)

Attachments: [Verification From County Clerks Office](#)
[LJ Bryant](#)
[Tom Fielder](#)
[Lynda Hogue](#)
[Vince Pearcy](#)
[Angela Sparks](#)
[TJ Thompson](#)
[Todd Wilcox](#)
[Rennell Woods](#)

Councilmember Mitch Johnson made a motion, seconded by Councilmember Chris Gibson, to adjourn to executive session for the purpose of selecting the candidate to fill the vacancy for Ward 5, Position 1 City Councilmember position. All voted aye.

Councilmember John Street motioned, seconded by Councilmember Chris Gibson to reconvene the City Council Meeting after the executive session. All voted aye.

Councilmember Chris Gibson motioned, seconded by Councilmember John Street, to appoint L.J. Bryant to the position of Councilmember for Ward 5, Position 1 vacated by Darrel Dover. All voted aye.

Councilmember Chris Gibson motioned, seconded by Councilmember John Street, to appoint L.J. Bryant to the position of Councilmember for Ward 5, Position 1 vacated by Darrel Dover. All voted aye.

ORDINANCES ON FIRST READING

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ORD-17:035

AN ORDINANCE TO AMEND THE JONESBORO CODE OF ORDINANCES TO ESTABLISH A PERMIT PROCESS AND REGULATIONS FOR TEMPORARY STREET AND LANE CLOSURES IN THE CITY OF JONESBORO, ARKANSAS

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Attachments: [Regulations](#)

Councilmember Chris Gibson motioned to suspend the rules and read by title only, seconded by Councilmember Bobby Long. All voted aye.

Councilmember John Street asked City Engineer Craig Light if this was any kind of emergency. Mr. Light said no.

Held at one reading

ORD-17:065

AN ORDINANCE TO DELETE AND REPLACE THE LANGUAGE OF ORDINANCE 66-6 TO PROVIDE FOR TEMPORARY, LONG TERM OR PERMANENT STREET CLOSURES BY THE CITY OF JONESBORO

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Councilmember John Street motioned to suspend the rules and read by title only, seconded by Councilmember Chris Gibson. All voted aye.

Councilmember John Street asked City Engineer Craig Light if this was any kind of emergency. He asked Mr. Light to come to the podium and discuss this matter. Councilmember Street said this has been before us before. City Attorney Carol Duncan said this ordinance was a little different. Mr. Light said this ordinance gives the Mayor the authority to close a street with the passage of a resolution by City Council. This was put on the agenda for the Monroe Street closure for the Forum Park projects so there will be a resolution coming after this passes for that closure of that street. The resolution will not be before you until September. It would be nice to know that this is passed before September's meeting, but we probably have until the second meeting in September for the resolution anyway.

Councilmember John Street motioned, seconded by Councilmember Chris Gibson to suspend the rules and waive the second reading and hold it. All voted aye.

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

Aye: 11 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner and David McClain

ORD-17:066

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM C-4 TO RS-2 FOR PROPERTY LOCATED AT 5416 MAPLE VALLEY DRIVE AS REQUESTED BY WADE CARPENTER

[play video](#)

Attachments: [Rezoning Plat](#)
[Staff Summary - Council](#)
[USPS Receipts](#)
[USPS Returned Cards and Letters](#)
[Warranty Deed](#)
[Aerial View of Location](#)
[Application](#)
[Minutes](#)
[Property Location](#)
[Property Owner Notifications](#)

Councilmember Chris Gibson motioned to suspend the rules and read by title only, seconded by Councilmember Bobby Long. All voted aye.

Councilmember Joe Hafner asked Mr. Carpenter if there was anything pressing on this as far as an emergency or anything. This is the first reading. Mr. Wade Carpenter, 5416 Maple Valley Drive, said it depends on whether living with my parents is pressing or not. Mr. Carpenter said in his opinion yes, desperately, but realistically no. Councilmember Chris Moore said that Mr. Carpenter would have an

answer at the next meeting.

A motion was made by Councilman Joe Hafner, seconded by Councilman John Street, that this matter be Waived Second Reading . The motion PASSED with the following vote.

Aye: 11 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner and David McClain

7. UNFINISHED BUSINESS

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ORDINANCES ON SECOND READING

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ORD-17:051

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-4 LUO FOR PROPERTY LOCATED AT 2814 WOOD STREET AS REQUESTED BY FIRST BAPTIST CHURCH

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Attachments: [Appeal Letter.pdf](#)
[COJ Rezoning Ordinance.doc](#)
[Rezoning Plat.pdf](#)
[Application.pdf](#)
[Staff Summary.pdf](#)
[Wood Street Opposition.pdf](#)
[Wood Opposition Presentation.pdf](#)
[CWL.pdf](#)

Councilmember Chris Moore said it is his understanding that this will go on three readings. Mr. Jim Gramling said that was his understanding. In light of the Code's admonition against being repetitive, out of respect for your time, I am not going to take your time with a presentation. I am happy to answer any questions that any of you may have, but otherwise, I will save whatever I have for the third reading.

Cheryl Rogers, 2815 Wood Street, said she is speaking for the neighborhood that is in opposition to this and we also will be making a presentation on the 15th so we do not want to be repetitive with you. We will wait until that time. We are also in the process of gathering signatures on a petition in opposition.

Eric Kriner, 819 Amberwood Cove, said he would try to keep this as brief as possible. Today, I want to talk a little bit about uncertainty. Really, no one can state definitively that this rezoning proposal won't adversely affect our property values, noise, odor, light, traffic, etc. It is clear that the church has no plans to develop this property and no one really knows what is going to be there. That uncertainty is what we residents fear the most. The church stated that there are already ordinances in place to protect us from noise, odor, and light, but as far as the residents who live behind the bank are concerned, the backs of their houses are bathed in light at all hours of the night. They can't open their windows on a cool day because their living rooms will smell like grease from Outback. This may be acceptable as far as our local ordinances are

concerned, but nonetheless, these are factors which affect the marketability of our properties. These are factors which impede on our ability to enjoy our homes to the fullest. I wanted to point out that every window on my house which isn't on the front overlooks the church's lot, which takes up 2/3's or ¾, 's of our property. It is impossible to say that a commercial development won't have an impact on our property because no one really knows what is going to be there. The uncertainty behind this proposal is really at the heart of why we are objecting to this rezoning.

Mr. Gramling stated that the commercial rezoning he believes to be appropriate for this area. With all due respect, we are the one's who have our properties in this area. I realize that some of you on this Council may hold the belief that commercial rezoning won't have a detrimental effect on our neighborhood. We, who do live there, disagree. No one that I spoke with believes this to be a good idea. No one in the area in our neighborhood believes this to be something that should go forward. Mr. Gramling stated that the church has gone above and beyond to address our concerns by pushing for a C-4 instead of a C-3. He also stated that he believes our concerns to be legitimate, but with regard to buffer zones and further limiting the types of commercial entities which can go there, there really wasn't any discussion about the ingress and egresses. There were none that were going to proceed until there was already a positive vote to rezone and then the site plan could be discussed. We residents believe at that point, it would be too late to have that discussion.

At the end of the day, this really isn't about high-intensity growth sectors or master street plans or staff summaries. I don't think that any of you aren't astutely aware of the human factors involved in decisions like these. At the end of the day when this is all said and done, if you would vote to approve the rezoning, they simply sell their property. But, we have a 30-year mortgage on this neighborhood. It took us three years to pick a neighborhood within which to raise our son and we have a long-term investment in this neighborhood and we have some very great neighbors. When we bought our house, we wondered what would become of the lot behind it. It had a house there. When we closed on our house in 2014, it was barely a year later that we had to come and argue against a rezoning. Now, had I anticipated this, I would have never closed on that property. To be honest, we never once thought about selling our home until they demolished the house and we knew that we were going to have another fight on our hands.

This whole thing has been a tremendous disappointment to us. Just to give you an example, today's is my son's 4th birthday. We are supposed to be at home celebrating. We were supposed to go to Chuck E. Cheese and we have relatives in from out-of-town, but we have to be here tonight because we feel this is very important to fight to protect our properties. Please, let's not pretend for a moment that this rezoning hasn't been a disruption in our lives and for our neighborhood. We have legitimate concerns and fears. All that we can ask the City of Jonesboro to do is simply protect us.

In the interest of brevity, there is one quick thing I want to say. If First Baptist Church came to us and said we would like to rezone to C-5 so that we could put a gymnasium there so the children could play, swim, and shoot pool, I wouldn't have a problem with that because that would show me that they have a long-term investment in that property and in our neighborhood. That would provide me with a lot of solace because that would erase the possibility of a McDonald's popping up in a decade when some of you and some of the MAPC may no longer be serving the city and thus, wouldn't remember how contentious this issue is with whomever buys that property and they decide at that point that C-3 is for their highest and best use. If you vote to rezone, we lose our voices. All that we can ask you to do at this point is to

protect our interest. You don't have to consider everything on the staff summary, but please consider the human factor. Please uphold the MAPC recommendation for denial. Please protect our property values and our quality of life. Thank you all very much for your attention.

Robin Crisp, 821 Amberwood Cove, said that she wanted to add that on her way up here tonight, she drove west on Alexander and there is Christian Creek Commons. It has been developed for commercial use. There are five different places that are up for lease right now that are not being used. I am thinking why does there need to be another area set up for commercial when there is that much down there that is not even being used. I wish you would take that into consideration.

Held at second reading

[ORD-17:053](#)

AN ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES, AND ADOPTING THE CITY OF JONESBORO MASTER STREET PLAN; PROVIDING FOR AMENDMENTS OF ARTICLE III, CHAPTER 101, AND ADOPTING SUCH AMENDMENTS TO THE MASTER STREET PLAN BY REFERENCE

[play video](#)

Attachments: [2017 Master Street Plan](#)

Held at second reading

[ORD-17:063](#)

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM C-3 TO RM-14 FOR PROPERTY LOCATED AT THE END OF GLADIOLUS DRIVE AS REQUESTED BY VICTOR DITTA

[play video](#)

Attachments: [Withdrawal Letter for Ordinance-17-063.pdf](#)
[Plat](#)
[Staff Summary - Council](#)
[USPS Certified Cards and Letter Returns](#)
[USPS Receipts](#)
[Application](#)
[Property Owner Notifications](#)
[Street Drawing](#)
[Traffic Report](#)
[Aerial View of Location](#)
[Opposition Presentation.pdf](#)
[Opposition Signed Petition.pdf](#)
[Nettleton School Letter of Opposition](#)
[Gladiolas Drive Rezoning Opposition](#)
[Gladiolus.pdf](#)

Jim Gramling representing the Ditta Family said as with the previous one, this is on second reading so I don't want to take up a lot of your time since we have another reading. But, you are going to hear a lot of objections tonight. I just want to ask you to keep an open mind. I think that any multifamily application that comes before this Council has some amount of opposition, some more than others but, there is always opposition. This application met all of the MAPC requirements. I am not going to

recite them all, but the Council knows what they are. There hasn't been any objection from the Police Department, Fire Department, or any other agencies. In fact, if you look at the aerial view of the property, it is situated and uniquely suited for multifamily development. You have a gas station nearby. You have a church. You have a grocery store. You have a bus stop. It is almost tailor made. The biggest objection is traffic. We have addressed that. The current traffic study on file says that the intersection of Gladiolus and Harrisburg is currently an F for level of service. As you all know, there is going to be a five-lane that is created from the road being widened there past Central Baptist Church and I think three lanes all the way to Harrisburg after that. With that improvement, the intersection goes up to a C. This application is conditioned upon us getting access from that property to Parker Road for a second means of access. That additional access will have a huge impact on the traffic and basically negate any negative effects. There is a residential neighborhood to the west. There is a very large natural buffer in the form of a ditch. We have also agreed to an additional 30 ft. buffer and to put in some trees. We are trying to be reasonable about that and we are willing to consider any suggestions in that regard. As far as any drainage issues are concerned, this is before the Council on rezoning right now. At the time of the site plan, any drainage issues would be addressed at that time and certainly whatever is required in that regard will be done. I will leave it at that for now.

Councilmember Chris Moore said he wanted to remind everyone to not be repetitive, to be courteous and keep remarks between three and five minutes.

Patti Lack, 4108 Forest Hill Road, said she came to the meeting two weeks ago not knowing a single thing. She said she has gotten so smart because she has so many friends. Mr. Gramling said that he wasn't going to take a lot of time. I am not going to take up too much time, but we do have a PowerPoint presentation because I think this is really important. What I did when I left here two weeks ago is that I thought about how I was going to approach it and what I did is I opened up a Facebook page and as of right now, we have over 538 friends on that page opposing what is going to go on. What I did then was to gather some people to start petitions. In less than ten days, I have about 1,050 petitions.

Also, too, if you have noticed in this room, there are a lot of people that usually don't come to the City Council meeting. We said that this was the most important thing. The petition signing is important, but coming to the meeting and showing what we oppose is more important. What I would like for you to do is to ask who else in this room opposes these apartments.

Councilmember Chris Moore asked the audience to stand if they were at the meeting in opposition to the apartments.

Ms. Lack said if you had a larger room, we could have filled it. We had a lot of elderly people that said that they didn't want to come because of the traffic and because of the parking downtown. When I started thinking about this, because I am so out of my realm, I thought why am I doing this. Well, I want Jonesboro to grow, but I want it to be the best. I want it to be the best in neighborhoods, churches, hospitals, cemeteries, schools. I want that to be the best. I don't want to be the biggest. I don't want to be known as the city that has the most apartments and that is what we want to point out to you tonight.

We gave you a copy of the PowerPoint presentation. On the first page, we showed what we were trying to petition against and this is what we took around to all of the neighborhoods. What we were petitioning was having shrinking green spaces, negative impact to residents and emergency personnel, the crime, decreasing property values, and also too the quality of education that affects the Nettleton School

District. The amendment, if you remember, the reason why I came here is because there was no sign that anybody saw except at the end of Gladiolus Estate, right there beside the Exxon station. What I did was look at Section 117-34. It says to ensure that the signs remain continuously posted until a final decision is made. If you read on there, it says that it should be placed along an abutting street in a manner that makes it clearly visible to neighboring residents and passersby. That is what my point was. The sign wasn't noticeable. All of these people behind me had no knowledge of what was going on. Now, I know it was in the paper. I saw that in the paper yesterday it was published four times and it was on the tv. But, once again, the readership of the Jonesboro Sun isn't as large as it used to be. Most of the people that I talked to do not get the Jonesboro Sun. The tv is hit or miss on whatever they are doing on that. That is the reasoning behind why this many people are opposing this right now.

On the next page is how the sign was visible. This is at the end of the Gladiolus Estate. See that little itty bitty sign beside the next big sign there, that is what people saw when they were pulling into the end of the Gladiolus Estate. That is the only sign that is visible to anybody. The only one that pulls down that street is someone that lives at the end of the Estate. That is all that was posted. And, as of the meeting that we had last week, when we were told that they are working on it an entrance/exit off of Parker Road, I was thinking well I haven't seen any other sign. So, once again, nothing's been done and this sign hasn't been moved yet. I don't know if that is following what this ordinance says.

Councilmember Moore asked if Ms. Lack wanted him to address that right now or would she like for him to address it at the end of her statement. We will ask City Planner Derrel Smith if that meets the requirements because we take signage very seriously. It is my understanding that is the only abutting street. Ms. Lack said when they say abutting street, it should be where it is going to hit. My understanding of that word would have been at Gladiolus Street and Harrisburg Road. Councilmember Moore said he needed to get a legal opinion. City Attorney Carol Duncan said unfortunately, the legal definition would be where the street abuts this particular property that is being rezoned. So, it is not the Gladiolus Estate that is being rezoned. This is an unfortunate circumstance because it is kind of at a dead end so nobody drives down there for any reason. But, legally, this is the abutting street. I know they have talked of a second entrance to be placed over on Parker Road, but they don't own this property at this point. That is something they are in negotiations with so they can't. That doesn't abut that road either so there is no legal requirement to put a sign on that side. I understand that no ordinance is ever perfect. In normal circumstances, that would provide the notice because abutting streets might be on three sides of the property. This is sort of an unusual circumstance, but legally, it meets the ordinance.

Ms. Lack said that it is unusual and unfortunate I think for a lot of people. So maybe something can be done with that change when and if it occurs at a dead end. This is going to affect a lot of people being notified. When we heard about the rezoning, we heard about Parker Road. I think you remember Loretta Young. She was the first lady. She is sitting in the audience right now. As I said at the last meeting, they promised her a ditch and a couple of trees. I kept on hearing Parker Road. I thought where is there a ditch on Parker Road. First I thought that it was the Parker Road by the Neighborhood Market, not thinking of the ditch, that they were going to use that, but that is not an access. If it was, whoever uses that if they turn to the left, they have to cross four lanes of traffic if you are at that Neighborhood Walmart. So, I thought that is not the Parker Road access that they are talking about. When we were gathering petitions, there was several people that had said that they had received a certified letter in the mail. As you can read right here, it says that one item on the agenda in the meeting is going to be requested by the commission to approve the rezoning of the ordinance and they want to have within 20 feet of your property. Once

again, that goes for rezoning so if this right here falls into the category of posting a sign. There was no sign of where this location is. This location is at Charleston and Brickstone in the Brickstone and the Woodland Heights neighborhoods. I don't know if you have been there. I had never been there before until last night. When we got this, I asked them if they had ever seen a sign there and they said no. So, we started looking around. The other day I was fortunate that I started watching the MAPC meeting that they had. Kent Arnold was speaking at it. His attorney spoke and then he spoke. When Kent Arnold came up there, we heard about how they are negotiating with the property owner.

Now, it is becoming an investigation. Where is this property? We found this property. How can this be? We went to this property and we talked with a gentleman that lives at one of the houses. He let us in his backyard and there is a big ditch there. On the two top pictures of the slide, those are his views from his backyard. You can see right there that it is a pretty big ditch. The two bottom pictures are of a little watershed, but you can see that there is a road there. When I was listening to Mr. Arnold at the MAPC meeting, his words were that he was working with the Wornack Family to get the easement from them, that they would sign it over, and in turn, it would be a quick pro-quo that he would get sewer and water. The second thing is that I don't know who is paying for that sewer and water. I don't know whether the City is or not, but those were his words. They want the 30-foot easement and he said he wants to build a 27-foot street and they will put curbs and gutters on that street and they will pay for that. So, they are going to get this right-of-way in this neighborhood here.

I started thinking well, how are these people going to get out. These are very nice neighborhoods. I don't know if you know that neighborhood. You need to go out and look at the ditch. Well, you come out of this neighborhood right here and to the right is Woodland Heights and to the left is Brickstone Estates. They want to come out of this property on Charleston and Brickstone. They want to come out of this property and they want the residents of that apartment building because they need that second exit for fire. What they also did is in that meeting, they said that they secured the dedication right-of-way and that it is going to be used for public use. I am assuming that is where their second exit is going to be. These people that are coming out of this apartment are going to be driving through the neighborhoods of Woodland Heights. If they turn to the left, they are going to be driving through Dunwoody. They are going to be driving down through Brentwood Estates. They are going to drive down Green Meadows Road. Then, they are going to turn left on Rhonda. Guess what Rhonda comes into, Parker Road. That is where I figure Parker is going to play the big part.

This was in the paper yesterday, it says a traffic impact report rezoning acknowledges that they would have potential increases of traffic on Harrisburg if it was the only access. But, they were negotiating with someone for another road to go out. In the past statement he said with this traffic report, it would reduce the traffic by 75%. I guess what is going to happen is that all the people from the Gladiolus, instead of spending 15 or 20 minutes trying to turn left onto Harrisburg, they are going to through these new apartments, go over that ditch, go through those neighborhoods, and either exit out on Culberhouse or they are going to come out on Parker. So guess what is going to happen to those neighborhoods, I can't even imagine. That is why you have these people behind me. I can guarantee you I was only given 10 days to get these petitions signed. We only hit an eighth of those people. If I had more time, I could get all of those people and they would know about it. With that, that is where I am assuming that they are going to come out on Parker Road.

On this one right here, the existing apartments, we looked at apartments and within a

two-mile radius of where they want to put 280 more apartments, there are 1,700 units already. That doesn't include duplexes. They are all in the Nettleton School District. That is a lot of apartments for one area, too many. Too many apartments on there. Years ago, I guess the Council did a study called the J-Quad Study. The J-Quad Study said that with density in a populated area, that crime is going to go up. The City Council said that the crime would increase and that's when they had the moratorium on building apartments for a while. They took the study so we already know that crime is going to increase with that. When you think of it, it goes back to I don't want to know as the town that has the most apartments and its kind of like a little disease that we have right here. There are too many apartments. We don't need any more of them.

The next slide refers to the businesses in the area. This is talking a little bit about the traffic. You can see that there is the Home Depot, Waffle House, a new Arby's, Sonic, Dollar General, Central Baptist Church, Exxon, Pizza Works. The new Arby's is going to increase traffic. Have you ever been to the Sonic at Happy Hour? That is the worst place to be. They come out on Parker Road too. You have a lot of businesses and that is ok. I would much rather have more businesses in the area than more apartments.

If you look at the next page, this is a printout of a report from 2015. I won't go over all of them. You can read them later on. This was two years ago, and at the top it reads: According to information from the Jonesboro Police Department, the intersection of Harrisburg and Parker Road has the most accidents a year in 2015. Well, right now, the section of Harrisburg and Parker is the number two. The number one for accidents is Southwest Drive and Parker. So, we are right in between them. That was 2015. I don't know how many of you have kids. What they say is that you become involved in an accident within five miles of your house. I don't know how many of you live within five miles of these intersections. It is a tough, tough intersection. I know that the attorney said that there is no opposition from firemen or policemen. I want to let you know that I walked a lot of pavement this last couple of weeks. I have talked to a lot of those policemen. I have talked to a lot of city employees and you know what their comment is? Well, I would like to sign it, but I work for the City. I don't want my name on that petition. But you know what, you all are still residents of this town and you have to take that into consideration. I understand that point, but you all are residents of this town too.

Where it says right there, the Harrisburg Road, it sees 11,000 cars a day. Well, guess what, it is up to 12,000 a day. There are comments that say you don't want to make a left turn. The other day, I thought that it would be fun to post a video on Facebook. I went down early in the morning and I went into the Exxon parking lot. I can't tell you the number of cars that were in the Exxon parking lot because they wanted to turn right. They will just swoop around because it's backed up. There are a lot of accidents that are going to happen. School hasn't even started yet. It was bad and it is going to get worse. When they say they are going to widen, I see the flags out there, but it's not going to be for a while. I think when you widen a road, you are going to have four lanes of traffic, but you are also going to have traffic there and those people are going to speed a little bit more. Then, you are going to have more accidents. There is a pro and con. We need the road widened, but all of those have consequences too. Jonesboro Police Sgt. George Martin said, "Seeing more traffic every day, the city is growing and it's going to keep getting worse." Everybody needs to be safe. Everybody is late for work or late for school and they take that chance. I know that I have been hit on that road before.

On the next page, it says traffic accidents. If you read on the following page, in 2013, there were 22 accidents at the intersection of Harrisburg and Parker. There were 12

in 2014. In 2016, there were 23 accidents. Right now, we are at 23 accidents and we are just past half a year. We still have more to go. That includes Harrisburg Road, Parker Road, and Windover by the Burger King. We have the reports from there. It is not going to get any better.

On the next sheet, it refers to the congestion on Harrisburg Road. The traffic is very congested along the intersection of Harrisburg and Parker Road to Central Baptist Church. I am glad to see the Church there except for Wednesday's and Sunday's because I can't get out of my neighborhood unless I go to the left and I make a long way around. When church comes out, I sit there and I count the cars down my street. I want to let you know that I have small kids that live across the street from me. They play in the yard a lot. Those people speed. That is a fun street to go fast on. I know that there are Police Officers there that try to catch them, but it is not all of the time. Everybody is in a hurry so they take these routes that go through Rossland. The people who live in the Mardis Addition, they can't get out of their neighborhoods at a certain time so we kind of time it on that way. I think Central Baptist Church is the only church in Jonesboro that has off-duty Police Officers patrolling the place to get in and out of their parking lot. They can get out, but what about us residents. If you add more traffic to that street, it is going to get worse. My street is Forest Hill Road. One time I know that I stayed there for twenty minutes in able to turn left. That is a bad intersection. Just wait until school starts. Right now it is bad, but everybody is taking last minute vacations. Wait one more week and it's going to go back to what we are used to.

On the next page, it is talking about the overhead damage that we had due to a recent accident. The statistic that we had is that 12,000 cars travel Highway 1 and the overpass each day. It says that 33,000 travel I-555 each day. A third of that traffic pass over that bridge every day. That is a lot of traffic. And, we want to add some more apartments to give us some more traffic. It is not right.

On the next page, we want to talk about crime. We went and got the Police reports on these apartments. I was shocked. This is not just petty theft. I was shocked to see what goes on in some of these apartments. You can see right there, 41 calls at the Walmart, 215 calls at the Gladiolus Apartments, 197 calls at the Links Apartments, 28 calls at Craighead Forest Park Apartments, and 43 calls at the Willow Creek Apartments. If you look at all of the numbers, that is 588 total calls so far this year to the apartments, not to the residences, but to the apartments. The Police reports include rape, armed robbery and that is what is going on in these apartments. Again, we don't need any more apartments. I have to pat the Police Department, the Sheriff's Department, and the Fire Department on the back. That is a full time job with just the apartments and then they have the rest of the city to protect.

We are going to talk about schools now. I hope all of you got the letter we got from the Nettleton School Superintendent. We wanted to send that to you to give you a head's up. When I spoke with Mr. Dunivant, he said he knew nothing about these apartments. If you look at this amendment and look at number seven on the Section 117-34, it added that you have to have utilities, streets, drainage, parks, open space, fire, police, and school districts. The school district has to plan for these apartments to come in because they are already overwhelmed with students right now at Nettleton. What they have to do is that they have to have a plan also. How are they going to have enough buildings? How are they going to have enough teachers? How are they going to have enough buses? I thought about buses so I called up the Nettleton School and spoke with Mr. Glenn. He is the bus coordinator and he is in charge of all of the buses. I asked him during the school year, how many buses do you run to these apartments in the Nettleton area. He said that he runs seven full buses a day. He runs them in the morning and the afternoon. They go to the end of

the street of the complex and drop most of the elementary kids off. They drop the high school kids off on the major streets, either Caraway or Harrisburg Roads. Guess what that does, adds traffic. Even though these kids are older, that is a safety concern. I think that is what Nettleton School District is concerned about. We have got to be aware of that. I thought how do we pay for these schools. We pay for them through our property taxes. With the 1,700 apartments, these people who live in the apartments don't pay property taxes to educate these kids in our district. All of these people behind me do. The other day, I got a notice that the property value on my house had gone up. I was so excited and then I looked at the bottom of it and it said my property tax went up almost \$200. I was a little shocked because I thought what did I do to make my house go up that much. How do they know how much my house is going to be worth if I keep on having these apartments going up in my neighborhood. It is going to go down in value if we keep on building more and more apartments. I am not against apartments. I think they serve a purpose. When we have too many in one certain area, it overwhelms everybody, the neighborhood and the schools. In this case right here, the Nettleton School District was not notified about these apartments until I told them. I think that is wrong because they are the ones that have to plan for this.

On the next page, is a copy of the letter and that is really for all of the people behind me to see that we have the support of the Nettleton School District. We have to consider with the schools that this is our future. These are the kids that are going to take care of all of us. This is the future of our kids. They can't be educated in the right manner. If the idea of having apartments is to serve that purpose, I am sure that there is some place in Jonesboro that we can start building apartments and serve that need. The need to add 280 more apartments in our area and to put a road in that neighborhood to wind to go all the way to Parker to relieve the traffic jam on Harrisburg and Gladiolus is not fair and is not right. I don't know how anybody with all of these stats that we have given you can even vote for this. It is wrong. We don't want any more multifamily homes in our district. We don't want them now and we don't want them later. We will keep on fighting this and we will keep on fighting another one when someone comes in. It is not about the apartments, it is about someone making a lot of money. If we wanted apartments, go put them someplace else in Jonesboro. Make us the community that has the best apartments for our families. Let's work on reducing the crime in the area. Then, start thinking about what we are going to do.

I started thinking about the North side of Jonesboro versus the South side of Jonesboro. We have two councilmembers here, Ann Williams and Dr. Charles Coleman, that have been working very hard to make North Jonesboro a nicer place. I give you all the credit. It is like a pool. Right now, their pool has a lot of algae in it and it's cloudy. But, they are working on it and they are trying to put chemicals in it to make it clearer and make it better. I don't want Jonesboro, South Jonesboro, to be like that. I want my pool to be clear. I want to maintain it. I don't want to have to keep on putting more chemicals in it to make it better. I want it to be the way that it is and I don't want it changed. With that, I hope you take the time to look at this. I realize that we are going to have a fight ahead of us, but I think if you look at what all of these people are opposed to and if you take the time to go look at that large ditch and you look at where that road is going to come out, it is going to affect a lot of people. I don't know where you all live, but I know where these people live and they don't need it. I appreciate your time, but I really want you to consider this because we elected you as people to represent us and if you can dig real deep and ask if you lived in this neighborhood, would you want these apartments. I think that is what you are going to have to ask yourself. I appreciate it. We have all these petitions and we have all of these people and I thank them for showing up because we just wanted to let you know how much we oppose these apartments.

Councilmember Moore said he believes both sides have had a statement. Let me remind everyone tonight is just the second reading. We will have presentations at the next meeting.

Mr. Gramling said unless he misunderstood, I think there is some confusion about the road. Councilmember Moore said the road is not under consideration right now on the rezoning. City Attorney Carol Duncan said it is a requirement under MAPC. Mr. Gramling said it would be a condition before anything could be built out there. The road would be from the northeast corner of the property connecting up to where the road is next to the Walmart. Nobody is talking about going over that ditch and going through the neighborhoods over there. If we are successful in getting it, the road is either going to go straight across there or follow this fence line to the road that is immediately west of the Walmart Market. I just wanted to make that point of clarification. Councilmember Moore said that was duly noted.

Mike Cohen, representing Glenwood Limited Partnership, said they are the adjacent land owner and just for clarification purposes, there has been no agreement on a location of any road. Our client is keeping all of his options open with respect to where that road may be. For clarification, our client has not agreed to any location of that easement at this time. Councilmember Moore said that was duly noted.

Held at second reading

[ORD-17:064](#)

AN ORDINANCE TO REPEAL AND REPLACE JONESBORO CODE OF ORDINANCES CHAPTER 2, ARTICLE III, DIVISION 2 ESTABLISHING MEETING RULES AND PROCEDURES IN THE CITY OF JONESBORO

[play video](#)

Attachments: [Clean Copy City Council Rules.docx](#)

Held at second reading

ORDINANCES ON THIRD READING

[play video](#)

[ORD-17:047](#)

AN ORDINANCE FOR THE CREATION OF A REGULATED FEE SCHEDULE FOR THE PLANNING DEPARTMENT, AND FOR THE AMENDMENT OF THE JONESBORO CODE OF ORDINANCES CHAPTER 42, LICENSES, PERMITS, AND MISCELLANEOUS BUSINESS REGULATIONS - PLANNING DEPARTMENT

[play video](#)

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

Aye: 11 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner and David McClain

[ORD-17:048](#)

AN ORDINANCE FOR THE CREATION OF A REGULATED FEE SCHEDULE FOR THE INSPECTIONS DEPARTMENT, AND FOR THE AMENDMENT OF THE JONESBORO CODE OF ORDINANCES, CHAPTER 42, ENTITLED LICENSES, PERMITS, AND MISCELLANEOUS BUSINESS REGULATIONS - INSPECTIONS

DEPARTMENT

[play video](#)

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

Aye: 11 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner and David McClain

ORD-17:062

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM C-2 TO RS-4 FOR PROPERTY LOCATED AT 512 WEST JEFFERSON AS REQUESTED BY GARY HARPOLE

[play video](#)

Attachments: [Plat](#)
[USPS Receipts](#)
[USPS Returned Green Cards](#)
[Warranty Deed](#)
[Aerial View of Location](#)
[Application](#)
[Signed](#)
[Staff Summary - Council](#)

Councilmember Chris Moore asked Mr. Harpole if he would like to address this issue and the emergency clause.

Gary Harpole, 2111 Autumn Drive, said that this is on the third and final reading for this rezoning request at 512 W. Jefferson. We are going to a more restrictive zoning going from a C-2 Commercial to single-family residential to begin the process of redeveloping W. Jefferson into single-family homes. This will actually be our primary residence for our family. We are building that for ourselves to live. We have included the emergency clause based on the timing of the year. Without that, we would not be allowed to pay the fees and pull the permits for a full 30 days after passage. As we get closer to the fall, that is just going to put us into a precarious position where if it is a wet fall, we may not be in the dry and it just causes a lot of delay in terms of construction and being able to get it finished so we respectfully ask that you consider doing that based on the merit and allow us to go ahead and pull the permits and begin the construction as soon as possible. Thank you.

Councilmember David McClain said that in Section 4 of the ordinance, it says that it is found and declared that certain construction that is in the public interest and contributes to the welfare, health, and safety of the general public is delayed awaiting passage of this ordinance. Councilman McClain asked if this was truly an emergency. He said he had no problem with it, but wondered if it was truly an emergency. Is it setting a precedent of things like this coming before the Council if we were to allow the emergency clause? I don't think this is a precedent we should set.

Councilmember Mitch Johnson said it is not uncommon place for us to do this in a construction situation. Councilmember Vance said we have done this numerous times based on the time of year and the construction season. This isn't the first or precedence. We have done it before.

City Attorney Carol Duncan said she needs to address the question that was asked. I

do think there is a difference between an emergency for the City of Jonesboro which is what emergency clauses are for and an emergency for a private citizen. I do believe there is a difference under the law as to what constitutes an emergency. I think we addressed this a while back with someone with a swimming pool. They asked what the consequences of that were. We said you can start, the ordinance goes into effect in 30 days, you just run the gamble if somehow it gets contested within that 30 days, you have wasted a little bit of money by getting started. He made the decision of whether he was going to go forward or he was going to wait.

Councilmember McClain asked if that once we pass this, the emergency portion does not have to be obtained to start the project. Councilmember Chris Moore said that is correct. Ms. Duncan said that is correct.

Councilmember McClain asked what the purpose was of having the emergency clause was. I wish the record would reflect that. Councilmember Charles Frierson said we need to look at this from another point. The 30-day delay is in case anyone wants to file a suit against the ordinance. In this case, I don't see that having any possibility and that is the only reason for the 30-day delay. Ms. Duncan said the only reason for the 30-day delay is the law says that ordinances take effect 30 days after their passage and approval unless there is an emergency. Councilmember Frierson said he understands that. The reason for the 30-days originally is for letting people sue us. Ms. Duncan said there could be someone who doesn't agree with this ordinance and wants to file suit, but that is what it is there for.

Councilmember Gene Vance said that this has been six weeks maybe seven weeks at the Council level and prior to that at the Planning Commission. If there was that lawsuit coming up, it should have already come up. Councilmember Frierson said that someone would have objected to Harpole by then. Ms. Duncan said that is all speculation. I am saying legally, it is not an emergency for the City of Jonesboro. Councilmember Vance said he is not speaking for or against it, but the other thing we need to consider is which piece of property this is. We had the city offices out in front of this building when it burnt down and it has been in that condition for several years.

Councilmember Mitch Johnson motioned, seconded by Councilmember Charles Frierson to adopt the emergency clause. All voted aye except for Councilmember David McClain who voted no to the emergency clause.

A motion was made by Councilman Mitch Johnson, seconded by Councilman Gene Vance, that this matter be Passed . The motion PASSED with the following vote.

Aye: 11 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner and David McClain

8. MAYOR'S REPORTS

[play video](#)

9. CITY COUNCIL REPORTS

[play video](#)

Councilmember John Street said he would like to commend every applicant that applied for the vacant seat. It was an extremely impressive group of people. It is a shame that there is only one vacancy. I would like to thank everybody for stepping up and volunteering to sacrifice their time and time with their families to serve. That is

what makes Jonesboro a wonderful, unique place to live. The volunteer spirit here is excellent and I think that is why we do so well. We have a great quality of people here that are willing to give of their time and talent to make it a better place to live. So, thank you to every one of them.

Councilmember Chris Moore said I think we all agree on that. We had that discussion in the back that we were lucky to have a bunch of qualified applicants.

Councilmember Mitch Johnson said there was a very good selection of impressive resumes' there that was presented.

Councilmember Joe Hafner said he would like to add to that. Obviously, if you applied for this position, you still have an interest in serving and there is a lot of different ways to help the City of Jonesboro besides sitting up here. If you have that need to serve, put your name in and make it available and I am sure we can find a way to use you. Thanks for applying.

Councilmember Charles Coleman said he would like to thank the Sanitation Department for the cleanup that we had this weekend. I would say thanks to Mr. Gibson for allowing us to ride on one of the trucks. I think we need to replace a couple of them. The gears were sticking as collection was going on. Maybe we can invest some more money into this utility structure in picking up the garbage. I do want to thank the Sanitation Department and all of the people that came out. They did a great job.

10. PUBLIC COMMENTS

[play video](#)

Denise Snider, Director of City Youth Ministries, said she thanks everyone for their time tonight. She is here to bring attention to a concern that she has for their facility, for their volunteers, for their employees, and for their children. Within the last year of coming onboard and serving as Director, we have dealt consistently with metal, nails, debris, things from our neighbor across the street on Madison. My neighbor that we are struggling with is TRG. I have had some conversations with the owner of the business. I did have to make contact with owner last fall when it was time to pick up children from school. We had two of our City Youth vans completely flat. At that time, that is when it became very obvious that we had some problems. It has been reported to me within the last year that several of my employees and my volunteers as well as myself, we are getting flat tires a lot. Obviously, the biggest concern to me is the children. I have children bringing metal debris, nails, and things like that to us from the parking lot and from a little play yard that we have. I am here tonight to please ask you to do what you can to research whatever means there might be to help us create a more safe environment for all of us at City Youth.

Councilmember Chris Moore said Ms. Snider is talking about the section of driveway that is just to the west of her building. I asked City Engineer Craig Light to research that. Was there a conclusion if that was City of Jonesboro property, a street? City Attorney Carol Duncan said the street is the City of Jonesboro property. I believe a letter went out this week, yesterday, to TRG because it has come to our attention that permits weren't pulled to get those driveways open for use so they don't meet code. We are asking them to quit using them until they bring it up to code, that is not to say they are not able to bring it up to code, but that is the first step in addressing the problem. We have also discussed options where we can look at littering or failure to secure load, or things like that, but we would have to have a discussion about the proof we are going to need and how we are going to gather that in order to issue

citations for that, but that is a possibility as well.

Ms. Snider said that if you ever need help with that, we are more than happy to supply that for you. Ms. Duncan said we are starting with either getting the driveways closed or brought up to code whichever they chose to do. Right now, they do not meet code so they should be closed. Councilmember Moore asked which openings. Would that include Burke Street or just facing their property? Ms. Duncan said yes, Burke Street and Madison. Ms. Snider said that Madison is the worst. Madison is where most of the debris that affects City Youth is coming from. Ms. Duncan said we are starting there. Councilmember Moore asked what the timeline is on that. Ms. Duncan said she thought we told them to stop using them immediately or maybe 30 days, she can't remember. Councilmember Moore said in 30 days they have to quit using them or buy a permit to bring it up to code. Ms. Snider said thank you very much for your time and attention. I would greatly appreciate as much follow through with that as possible.

11. OATH OF OFFICE - REAPPOINTMENT OF WARD 5, POSITION 1 TO BE ADMINISTERED BY CITY CLERK DONNA JACKSON

[play video](#)

City Clerk Donna Jackson gave the Oath of Office to L.J. Bryant who was appointed by the Council to fill the vacancy of Ward 5, Position 1 Councilmember.

12. ADJOURNMENT

[play video](#)

A motion was made by Councilman Chris Gibson, seconded by Councilman Gene Vance, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 11 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner and David McClain

_____ Date: _____

Harold Perrin, Mayor

Attest:

_____ Date: _____

Donna Jackson, City Clerk