



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, November 1, 2016

5:30 PM

Municipal Center

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; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman; Todd Burton and Robert Long

4. SPECIAL PRESENTATIONS

COM-16:077

PRESENTATION BY MAYOR PERRIN TO KATHERINE PRESCOTT AND THE JUNIOR AUXILIARY PROVISIONAL CLASS OF 2016

Sponsors: Mayor's Office

Ms. Prescott discussed the Junior Auxiliary and the work they do.

This item was Filed.

COM-16:089

PROCLAMATION BY MAYOR PERRIN TO THE JUNIOR AUXILIARY FOR "STAND BESIDE HER" WEEK

Sponsors: Mayor's Office

Mayor Perrin presented the proclamation to Ms. Katherine Prescott and declared Oct. 30 – Nov. 5, 2016, as Stand Beside Her Week.

This item was Read.

COM-16:085

PRESENTATION BY MAYOR PERRIN TO THE VALLEY VIEW BOYS GOLF TEAM STATE CHAMPIONS

Sponsors: Mayor's Office

Mayor Perrin presented the golf team with a proclamation commending them for their recent state championship win.

This item was Read.

COM-16:086

PROCLAMATION PRESENTATION BY MAYOR PERRIN TO MRS. DANA MOORE

Sponsors: Mayor's Office

Mayor Perrin presented a proclamation to Ms. Moore for her work with the homeless.

This item was Read.

COM-16:091

ORDINANCE REVIEW PRESENTATION BY DERREL SMITH, CITY PLANNER

Sponsors: Planning and Mayor's Office

Attachments: [City of Jonesboro Proposed Code Changes](#)

City Planner Derrel Smith stated he has been reviewing Jonesboro's codes to see what may need improvement. He looked at Jonesboro's codes, as well as others from around the state. Jonesboro does a lot of things right, but there are some things that can be done to help the city look better and improve the development (see attached PowerPoint for more details).

He noted with regards to the landscaping he doesn't know if the industrial requirements need to be the same as the commercial.

He recommended requiring sidewalks with residential development and redevelopment as well as commercial. He noted the Highway Department will build sidewalks within city limits.

He also recommended looking at monument signs in terms of advertising as opposed to pile on signs that may distract drivers away from the road. Landscaping could also be required around the advertising monuments as well.

He stated the city should work with the Highway Department to come up with access management standards. It doesn't have to be elaborate, but it does need to be something that helps traffic move more efficiently. The Engineering Department has some good ideas as well.

This item was Read.

5. CONSENT AGENDA

Approval of the Consent Agenda

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

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman; Todd Burton and Robert Long

MIN-16:132

CITY COUNCIL MEETING MINUTES FOR OCTOBER 18, 2016

Attachments: [Minutes](#)

This item was APPROVED on the consent agenda.

RES-16:142

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS ADOPTING THE FINALIZED CRAIGHEAD COUNTY HAZARD MITIGATION PLAN; PROVIDING

AND EFFECTIVE DATE; AND FOR OTHER PURPOSES

Sponsors: Engineering

Attachments: [Craighead-County-HMP](#)

This item was APPROVED on the consent agenda.

Enactment No: R-EN-120-2016

6. NEW BUSINESS

COM-16:092

REQUEST TO SET A PUBLIC HEARING TO REVIEW THE APPLICATION BY ANIEFIOK JACOB TO OPERATE A CITY CAB

Attachments: [Letter of Application](#)
[Documentation.pdf](#)
[Public Hearing Request.pdf](#)
[Publication Receipt.pdf](#)

Councilman Dover motioned, seconded by Councilman Frierson, to set the public hearing for November 5, 2016, at 5:20 p.m. All voted aye.

ORDINANCES ON FIRST READING

ORD-16:076

AN ORDINANCE TO AUTHORIZE THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS UNDER THE MUNICIPALITIES AND COUNTIES INDUSTRIAL DEVELOPMENT REVENUE BOND LAW FOR THE PURPOSE OF SECURING AND DEVELOPING INDUSTRY; TO AUTHORIZE THE SALE OF THE BONDS AND PAYMENT IN LIEU OF TAXES AGREEMENT IN CONNECTION THEREWITH; TO AUTHORIZE THE EXECUTION AND DELIVERY OF A TRUST INDENTURE SECURING THE BONDS; TO AUTHORIZE AND PRESCRIBE CERTAIN MATTERS PERTAINING TO THE PROJECT, THE ACQUISITION, CONSTRUCTION, AND EQUIPPING THEREOF, AND THE FINANCING THEREOF; TO AUTHORIZE THE EXECUTION AND DELIVERY OF A FOURTH SUPPLEMENTAL LEASE AGREEMENT RELATING TO THE PROJECT; AND FOR OTHER PURPOSES.

Attachments: [Fourth Supplemental Lease Agreement \(Frito-Lay 2016\).PDF](#)
[Trust Indenture \(Frito-Lay 2016\).PDF](#)
[PILOT Agreement \(Frito-Lay\) \(2\).PDF](#)

Councilman Dover offered the ordinance for first reading by title only.

Councilman Dover motioned, seconded by Councilman Vance, to suspend the rules and waive the second and third readings. All voted aye.

A motion was made by Councilman Mitch Johnson, seconded by Councilman Charles Frierson, 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;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

Enactment No: O-EN-063-2016

ORD-16:079

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM C-3 LUO PUD TO C-3 LUO PUD FOR ADDITIONAL UNITS TO ORIGINAL PUD PROPERTY LOCATED AT 3308 S. CARAWAY ROAD AS REQUESTED BY CESAR ISLAS

Sponsors: Metropolitan Area Planning Commission

Attachments: [Plat.pdf](#)
[Plan.pdf](#)
[Original Plat.pdf](#)
[Staff Summary.pdf](#)
[Craighead Commons Plan for Space.pdf](#)
[Site Plan for Craighead Commons Phase 3.pdf](#)
[Playground Area.pdf](#)
[Aerial View of Surroundings.pdf](#)
[Aerial View with Locations of Buildings.pdf](#)

Councilman Gibson offered the ordinance for first reading by title only.

A motion was made by Councilman Chris Moore, seconded by Councilman Charles Frierson, that this matter be Waived Second Reading . The motion PASSED with the following vote.

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

ORD-16:080

AN ORDINANCE TO AMEND CHAPTER 117, ARTICLE III, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT, C-3 GENERAL COMMERCIAL DISTRICT AND C-3 GENERAL COMMERCIAL DISTRICT LUO TO C-3 GENERAL COMMERCIAL DISTRICT LUO TO PROPERTY LOCATED AT 3500 E. JOHNSON AVENUE AS REQUESTED BY FIRST NATIONAL BANK

Attachments: [Plat.pdf](#)
[Staff Report.pdf](#)
[Application.pdf](#)
[Site Development Plans.pdf](#)
[Rezoning Plat.pdf](#)
[Plans-Site Grading and Site Improvements.pdf](#)
[Plans-Under Slab and Foundation.pdf](#)
[Aerial View.pdf](#)

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

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

Aye: 12 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

7. UNFINISHED BUSINESS

ORDINANCES ON SECOND READING**ORD-16:072**

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-2 TO RM-12 FOR PROPERTY LOCATED AT 1007 AND 1103 COMMERCE DRIVE AS REQUESTED BY DEBBIE VETETO

Attachments: [Application](#)
 [Rezoning Plat](#)
 [Staff Summary - 1007 and 1103 Commerce Drive](#)

After the city attorney read the ordinance title, Councilman Moore noted the ordinance was on third reading, not second reading.

Michael Boggs, representing the property owners, discussed the rezoning. The property is currently zoned R-2, allowing for 12 units per acre. They are not asking for additional density; rather, they are asking for RM-12 to allow them to extinguish the interior lot lines and setbacks in order to develop a more pleasing development. It will allow for ease of utility construction and better green space. It was his understanding that the neighbors who are opposed to it are not opposed to the density, but they are opposed to the apartments being developed. With the current zoning they can put apartments in now. He reiterated they are asking for the same density and to extinguish the lot lines for a more pleasing development.

Councilman Dover asked for a brief description of the two zonings. City Planner Derrel Smith explained RM-12 will allow the developers to take the whole property, omit the lot lines and put in 12 units per acre up to almost 36 units. With R-2 they would have to put in duplexes on the property. They would still get 12 units per acre. They would have to replat the property to do that. They can build up to a four-plex in R-2 zoning. Councilman Moore asked if the replat would be guaranteed. Mr. Smith stated if they meet the ordinance and have the minimum square footage, then they would get the replat. A similar development was put in across the street from this property where they built four-plexes on individual lots.

Mr. Smith also noted that with RM-12 there would be internal parking and the development would be laid out better than if it was just individual lots. Councilman Vance added there would be less of a footprint and more green space with RM-12. Mr. Smith explained that the developers wouldn't have to go to the MAPC under the current R-2 zoning. They could develop one lot at a time and start obtaining permits for construction.

Councilman Street referred to comments made by a neighbor at the last Council meeting where he stated there was no place for the storm water to go except across his property. City Engineer Craig Light explained that area is generally flat, but a new development would go in under the current city ordinances regarding storm water improvements. If water backs up, they would look at that as part of the development. Councilman Dover asked if there could be a requirement for a detention pond for this development. Mr. Light answered yes. Councilman Dover then asked if the need for a detention pond would lessen the number of units on the property. Mr. Light explained if they came in and developed a duplex or triplex there would be no storm water improvements because they would be exempt. Four-plexes would be required to have storm water improvements.

Mr. Boggs stated they have looked at the drainage for the project. The drainage crosses the north side of the property and goes back to the west, then south to the

existing ditch along the south edge. They would put the detention in that area in order to address the drainage issue.

Councilman Moore asked if the property is rezoned to RM-12 whether they would have to meet storm water detention for duplexes. Mr. Light answered yes, under RM-12 they will have to meet storm water requirements. If they develop duplexes on individual lots, then they could potentially be exempt from storm water regulations under R-2.

Councilman Dover clarified that it would be the zoning, not the development, that would determine the requirements for storm water. Mr. Light stated RM-12 is considered a commercial development and under commercial developments you are required to meet storm water regulations. Individual lots would be looked at as a triplex or duplex and would be exempt in R-2.

Councilman Long stated he was looking at the criteria. Criteria A states the development is not consistent with the Future Land Use Plan which was categorized as moderate intensity growth with a recommendation of up to 8 units per acre. He questioned why, on the staff report, the criteria is check-marked if it's not consistent. Mr. Smith answered that was wrong and shouldn't have been there. Eight units per acre is what the plan shows and this request is over that. But, the current R-2 zoning does allow up to 12 units per acre, so that may be why it was checked.

Councilman Long then referred to Criteria F on the staff report – the length of time the property has remained vacant as zoned as well as the zoning at the time of purchase. He noted the second part of the criteria isn't addressed in the explanation. Mr. Smith explained there are single family homes on the property and the property was purchased under R-2.

Councilman Long questioned the surrounding properties and their zoning. The staff report doesn't indicate any RM-12 development in the neighboring properties. Mr. Smith stated there is R-2 across the street that was developed into apartments. There's also RM-12 across the street that has a 300 foot buffer. One side of the property is bordered by R-1. The R-1 property is undeveloped and is still currently farmland on the west side. Councilman Vance noted the R-1 and R-2 are old classifications. Mr. Smith agreed, adding those are the zonings they were under when they were annexed into the city limits.

Larry McElroy, 1005 Commerce Drive, spoke in opposition to the rezoning. He commended Mr. Smith for his earlier presentation concerning planning. He showed the Council some pictures of storm water on the property in question along with pictures of his property. He stated there is a water problem in that area. He expressed concern if the property is raised, then the water will flow into his backyard. There is no drainage to the west except for a ditch a quarter of a mile away. But, they would have to provide the water a way to get to that ditch. The neighbors aren't only concerned with the number of units, but also the units encroaching onto a single family development. That zoning should never happen unless the whole neighborhood is purchased. He noted there is also a crime problem in the area, but they don't have much of a police presence. Mr. McElroy stated with the development, they would also need to plan for the police officers and firefighters that would be needed to cover that area.

Councilman Dover asked if the Engineering Department planned a way for the storm water problem to be helped, if they would still be opposed to the multi-family development. Mr. McElroy answered yes.

Jennifer Easley, 5910 Pacific Road, also spoke in opposition to the rezoning. She presented the Council with a signed list of residents in the area that are opposed to the rezoning. Ms. Easley then referred to the application submitted by the applicants. She explained there are several questions that must be answered by applicants, but there were no answers on their application. Councilman Moore questioned whether this could be a legal challenge to the application. City Attorney Carol Duncan stated that could be a potential challenge since the application itself says the questions need to be completed. Ms. Easley expressed further concern about the amount of crime in the area. She noted they have 300 apartments on Commerce Drive already and not all of them are finished. These applicants are asking for 36 more units. Last week at the MAPC meeting, Bob Rees was turned down for a rezoning in that area for more apartments. If this rezoning is approved, then Mr. Rees will appeal his rezoning and ask for his 36 units as well.

Councilman Frierson motioned to return the application to MAPC for further review, including those questions.

Mr. Boggs stated those questions were answered. Ms. Easley explained the answers were not provided for residents. City Attorney Duncan questioned whether anyone knew where the document was that answered those questions. It was stated they don't know where the document is at.

A motion was made by Councilman Chris Moore, seconded by Councilman Darrel Dover, that this matter be Postponed Temporarily until this can be returned to the MAPC. The motion PASSED with the following vote.

Aye: 12 - Darrel Dover; Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Rennell Woods; Charles Coleman; Todd Burton and Robert Long

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

The city issued \$21 million in permits last month. Residential was 53% versus commercial at 47%.

Winter Wonderland will start November 30 and run through December 21. First Community Bank sponsored an ice skating rink which will be located across the street from Winter Wonderland. The rink will be open November 30 and run through January 1.

From September 16 to October 29, JETS has had 779 riders for the ASU football games. Ridership has increased over the past few football games.

The 2017 budget process is still ongoing. They will deliver the budget to the Council members the week before Thanksgiving in order to give everyone time to review it.

The city has had 44,338 hits on its website for two months. Pages hit the most often are the city's website, then the airport, Craighead Forest Park, Animal Control, JETS and Sanitation. Jonesboro residents are the #1 users, with #2 being residents from Memphis. Ottawa, Ontario, Canada is #3, with Little Rock being #4 and State University (ASU) being #5. They are developing an app to help make all the departments within the city more accessible.

9. CITY COUNCIL REPORTS

Councilman Street referred to the Mayor's comments about JETS ridership during ASU football games. ASU charges \$10 to park, while people can pay \$1.25 downtown then ride a JETS bus and be dropped off and picked up at the door.

Councilman Johnson stated he was impressed with Mr. Smith's presentation concerning zoning changes. One thing he is concerned with is people who buy land, then tear down the trees and leave the land vacant. He asked if something could be done about that.

He then questioned the ditch that runs along the backside of the Centre Grove development on Highland from Melody to Highland. He's had a few calls about the ditch. The ditch goes from box culverts, to open ditch, back to box culverts. He stated that could cause issues when it rains. That area did flood during the heavy rain the city experienced earlier this year. He asked if there are any plans to resolve that issue. Mr. Light explained they have looked at it and have a set of plans to replace the box culvert, take it under Highland Drive and build a detention pond on Parkview. The estimated cost is well over \$1 million, around \$1.2 million. The problem is funding the project. The project entails replacing the box culvert, digging a sizable detention pond and relocating some CWL utilities. Mayor Perrin added they have looked at other remedies, but didn't find anything that would really help. Further discussion was held concerning the area. Mayor Perrin stated they will look at the project during budget time.

Councilman Woods thanked the Mayor and the Street Department for putting in speed bumps around the voting annex.

Councilman Long thanked Mr. Smith for the planning presentation. He thinks the city is on the right track.

Councilman Burton also thanked Mr. Smith for his presentation. He referred to a drainage issue in his ward and stated he would be glad to meet with the Mayor about it. Mayor Perrin noted they are going to try and get to it tomorrow afternoon. They have been working with the developer to improve the situation.

10. PUBLIC COMMENTS

Councilman Dover explained at the Nominating & Rules Committee meeting last week they discussed an area of the rules that hasn't been enforced. He stated public comments is only for things that have not been discussed earlier in the meeting. If there's anything is on the agenda, public comments is not the time to rehash it.

Evelyn Page, property owner near Viney Slough at 5711 Harrisburg Road, discussed the clearing and rechanneling going on near her property in the South Bend development. She was not notified that anything was happening. She has asked several people whose responsibility it was to notify the property owners. She found out, by accident, that Kinder Excavating had cleared off all the trees on her property, leaving only one tree, without any notice. She noted she is a resident of Memphis at 3984 Argon. She further explained there are more ditches to be cleaned out and the company is bringing equipment across her property. Her niece owns the property behind her and is having her property worked on now. The equipment has damaged her driveway. She has spoken with City Engineer Craig Light, who offered to put chat down for a new driveway. He asked her what he could do make it better. She stated you can't put 80 and 90-year old trees back. She expressed concern about the one tree that was left, noting it's so close to the ditch now she doesn't know if it will live. Several years ago the Highway Department wanted twenty feet of her property to increase the width of Highway 1/Harrisburg Road, and then the city came and

wanted ten more feet. Off her 1.92 acres, 30 feet has been taken off and now that the ditch has been cleaned out. She said supposedly the ditch wasn't widened, but once you take out all of the trees on one side the ditch won't maintain its width. The trees used to act as a buffer between her property and South Bend, but now she can see into their yards and into their windows. The trees can't be replaced or re-grown. She asked if the other owners were notified or if this is just how the city does business. Mr. Light explained on an earlier project on Higginbottom Creek the contractor got in touch with property owners and notified them he would be on their property. On this particular project they did talk to one property owners of a bigger piece of property and got permission. But, two properties on the south side of the ditch were not contacted prior to the work beginning. There is an easement with the drainage channel, but he doesn't know where the trees were in relation to that easement. He does know the contractor got wider than the 30 foot easement. The contractor indicated he was worried about the size of some of the trees and what the negative effects would be if he didn't take them down. The city has offered to help out Ms. Page and they endeavor to make sure the contractor will contact property owners on other projects they're doing. They are working on and will do a better job in the future.

Ms. Page stated not everyone is okay with taking down trees. Green space is important and provides clean air and water. She added she will get back with Mr. Light in the next few days.

11. ADJOURNMENT

A motion was made by Councilman Chris Moore, seconded by Councilman Gene Vance, 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;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk