



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Council Agenda City Council

Tuesday, May 18, 2010

6:30 PM

Huntington Building

PUBLIC SAFETY COMMITTEE MEETING AT 5:15 P.M.

City Council Chambers, Huntington Building

1. CALL TO ORDER BY MAYOR PERRIN AT 6:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

4. SPECIAL PRESENTATIONS

[COM-10:052](#) Advertising and Promotions Committee presentation by Mr. Thom Beasley

5. CONSENT AGENDA

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

[MIN-10:044](#) Minutes for the City Council meeting on May 4, 2010.

Attachments: [Minutes](#)

[RES-10:045](#) A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM MICHAEL HAMILTON FOR THE MAINTENANCE OF DRAINAGE IMPROVEMENTS

Sponsors: Engineering

Attachments: [Michael Hamilton](#)

Legislative History

5/4/10	Public Works Council Committee	Recommended to Council
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[RES-10:046](#) A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM STEVE STROUD FOR THE MAINTENANCE OF DRAINAGE IMPROVEMENTS

Sponsors: Engineering

Attachments: [Steve Stroud](#)

Legislative History

5/4/10 Public Works Council Recommended to Council
Committee

RES-10:048

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO APPROVE A CHANGE ORDER WITH CAMERON CONSTRUCTION COMPANY, INC. FOR NETTLETON AVENUE DRAINAGE IMPROVEMENTS - 2009:30

Sponsors: Engineering

Attachments: [Change Order #1](#)

Legislative History

5/4/10 Public Works Council Recommended to Council
Committee

RES-10:050

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO APPROVE SUPPLEMENTAL AGREEMENT NO. 2 FOR SURVEY OF PIPE INVENTORY THROUGHOUT THE CITY OF JONESBORO - JOB NO. 100614

Sponsors: Engineering

Attachments: [Supplemental Agreement #2](#)

Legislative History

5/4/10 Public Works Council Recommended to Council
Committee

RES-10:055

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL AID MONEYS TO CONSTRUCT SECTION SIX OF PHASE I OF THE TURTLE CREEK GREENWAY

Sponsors: Parks & Recreation

Attachments: [2010 application](#)

[City Map \(2\)](#)

[Phase I](#)

[Phase I - Section VI](#)

Legislative History

5/10/10 Public Services Council Recommended to Council
Committee

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-10:028

AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE MAYOR OF JONESBORO TO ENTER INTO A MOWING CONTRACT ALONG U.S. HIGHWAY 63.

Sponsors: Engineering

Attachments: [Contract for highway mowing](#)

EMERGENCY CLAUSE

Legislative History

5/4/10	Public Works Council Committee	Recommended to Council
5/11/10	Finance & Administration Council Committee	Recommended to Council

ORD-10:029 AN ORDINANCE TO AMEND SECTION 117-32 OF CHAPTER 117 OF THE JONESBORO CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS FOR THE PURPOSE OF CLARIFICATION ON THE PERMIT DRAWING REQUIREMENTS AS IT RELATES TO MULTI-FAMILY AND COMMERCIAL APPLICATIONS

Sponsors: Planning and Inspections

Attachments: [Staff MAPC Memo Architectural Seal Requirements ExistingCode of Ordinances Chpt 117, Section 32 Zoning&BuildingPermits](#)

EMERGENCY CLAUSE**Legislative History**

5/4/10	Public Works Council Committee	Recommended to Council
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ORD-10:030 AN ORDINANCE TO WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF TWO USED RENTAL RADAR RECORDER KITS

Sponsors: Engineering

Attachments: [JAMAR Quote](#)

EMERGENCY CLAUSE**Legislative History**

5/4/10	Public Works Council Committee	Recommended to Council
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ORD-10:031 AN ORDINANCE ADOPTING THE CREATION OF THE TRANSPORTATION MANAGEMENT BOARD

Sponsors: Engineering

EMERGENCY CLAUSE**Legislative History**

5/4/10	Public Works Council Committee	Recommended to Council
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ORD-10:039 AN ORDINANCE TO AMEND THE 2010 ANNUAL BUDGET AND THE CITY SALARY & ADMINISTRATION PLAN FOR THE CITY OF JONESBORO TO ADD AN ADDITIONAL CODE ENFORCEMENT OFFICER TO THE INSPECTIONS DEPARTMENT

Sponsors: Community Development, Human Resources and Code Enforcement

Attachments: [Code Enforcement job desc](#)

EMERGENCY CLAUSE**Legislative History**

5/11/10	Finance & Administration Council Committee	Recommended to Council
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- ORD-10:040** AN ORDINANCE TO AMEND THE 2010 BUDGET OF THE CITY OF JONESBORO, ARKANSAS TO PROVIDE FOR ADDITIONAL COSTS OF UNEMPLOYMENT INSURANCE
- Sponsors:** Finance
- Attachments:** [2009 Unemployment Cost](#)
- EMERGENCY CLAUSE
- Legislative History**
- 5/11/10 Finance & Administration Recommended to Council
Council Committee
- ORD-10:041** AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF MEDIAEDGE VIDEOCASTING SYSTEM FOR THE INFORMATION SYSTEMS DEPARTMENT
- Sponsors:** Information Systems
- EMERGENCY CLAUSE
- Legislative History**
- 5/11/10 Finance & Administration Recommended to Council
Council Committee
- ORD-10:042** AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF AUDIO RECORDING EQUIPMENT FOR THE INFORMATION SYSTEMS DEPARTMENT
- Sponsors:** Information Systems
- EMERGENCY CLAUSE
- Legislative History**
- 5/11/10 Finance & Administration Recommended to Council
Council Committee
- ORD-10:043** AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF VIDEO EQUIPMENT FOR THE INFORMATION SYSTEMS DEPARTMENT
- Sponsors:** Information Systems
- EMERGENCY CLAUSE
- Legislative History**
- 5/11/10 Finance & Administration Recommended to Council
Council Committee
- ORD-10:044** AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES FROM R-2 LOW DENSITY MULTI-FAMILY TO C-3 GENERAL COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 1405 EAST WASHINGTON AS REQUESTED BY JONESBORO REAL ESTATE HOLDINGS
- Attachments:** [Plat](#)
[MAPC Report](#)
- ORD-10:045** AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FOR TIM REDDEN LOCATED AT 5701 JOHNSON AVE./HWY. 49N FROM R-1 TO C-3 L.U.O./GENERAL

COMMERCIAL

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

RESOLUTIONS TO BE INTRODUCED

RES-10:037 A RESOLUTION TO condemn property at 304 N Rogers; property owner Charles E. Chamberlain, Jr.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST.doc](#)
[Inspection Report 1001.jpg](#)
[100_2129.JPG](#)
[100_2132.JPG](#)
[100_2133.JPG](#)
[100_2136.JPG](#)

Legislative History

4/20/10	Public Safety Council Committee	Recommended Under New Business
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7. UNFINISHED BUSINESS*ORDINANCES ON SECOND READING*

ORD-10:036 AN ORDINANCE PROVIDING FOR THE LEVY OF A ONE-HALF PERCENT SALES AND USE TAX WITHIN THE CITY OF JONESBORO, ARKANSAS; ALL PROCEEDS DERIVED FROM THE SALES AND USE TAX WILL BE FOR PROVIDING POLICE AND FIRE SERVICES.

Sponsors: Mayor's Office

Legislative History

4/27/10	Finance & Administration Council Committee	Recommended to Council
5/4/10	City Council	Held at one reading

ORD-10:037 AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF JONESBORO, ARKANSAS, ON THE QUESTION OF LEVYING A ONE-HALF PERCENT SALES AND USE TAX WITHIN THE CITY OF JONESBORO, ARKANSAS; DEFINING THE TERM SINGLE TRANSACTION; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY

Sponsors: Mayor's Office

EMERGENCY CLAUSE**Legislative History**

4/27/10	Finance & Administration Council Committee	Recommended to Council
5/4/10	City Council	Held at one reading

8. MAYOR'S REPORTS

9. CITY COUNCIL REPORTS

10. PUBLIC COMMENTS

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

11. ADJOURNMENT



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: COM-10:052 **Version:** 1 **Name:**
Type: Other Communications **Status:** To Be Introduced
File created: 5/13/2010 **In control:** City Council
On agenda: **Final action:**
Title: Advertising and Promotions Committee presentation by Mr. Thom Beasley
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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title

Advertising and Promotions Committee presentation by Mr. Thom Beasley



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: MIN-10:044 **Version:** 1 **Name:**
Type: Minutes **Status:** To Be Introduced
File created: 5/6/2010 **In control:** City Council
On agenda: **Final action:**
Title: Minutes for the City Council meeting on May 4, 2010.
Sponsors:
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
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title
Minutes for the City Council meeting on May 4, 2010.



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, May 4, 2010

6:30 PM

Huntington Building

PUBLIC WORKS COMMITTEE MEETING AT 5:30 P.M.

NOMINATING AND RULES COMMITTEE MEETING AT 6:15 P.M.

1. CALL TO ORDER BY MAYOR PERRIN AT 6:30 P.M.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

Present 12 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

4. SPECIAL PRESENTATIONS

COM-10:046 Proclamation by the Mayor for Motorcycle Safety Awareness Month

Mayor Perrin presented the proclamation to Mr. Rick Turman and declared May as Motorcycle Awareness Month.

This item was Read.

COM-10:047 Presentation by Phillip Steed of the Jonesboro Airport Commission

Airport Manager Phillip Steed gave a presentation concerning the airport.

This item was Read.

5. CONSENT AGENDA

Approval of the Consent Agenda

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

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

MIN-10:040 Minutes for the City Council meeting on April 20, 2010.

This item was PASSED on the consent agenda.

RES-10:040 A RESOLUTION APPROVING AND ADOPTING THE CONTENTS OF THE POLICY AND PROCEDURES MANUAL OF THE POLICE DEPARTMENT IN THEIR ENTIRETY

Sponsors: Police Department

This item was PASSED on the consent agenda.

Enactment No: R-EN-040-2010

RES-10:043 A RESOLUTION TO ADOPT A REVISED EMPLOYEE HANDBOOK FOR ALL EMPLOYEES OF THE CITY OF JONESBORO.

Sponsors: Human Resources and Mayor's Office

This item was PASSED on the consent agenda.

Enactment No: R-EN-041-2010

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-10:020 AN ORDINANCE TO ESTABLISH POLICIES FOR THE ADMINISTRATION OF CEMETERY REVENUES

Sponsors: Finance and Parks & Recreation

Councilwoman Williams offered the ordinance for first reading by title only.

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

Councilman Gibson motioned, seconded by Councilwoman Williams, to adopt the emergency clause. All voted aye.

A motion was made by Councilwoman Ann Williams, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by a unanimous vote

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

Enactment No: O-EN-016-2010

ORD-10:027 AN ORDINANCE TO AMEND THE 2010 BUDGET TO PROVIDE FOR TRANSFER OF MONIES PAID TO THE FEDERAL TRANSIT ADMINISTRATION BY JONESBORO ECONOMICAL TRANSIT SYSTEM

Sponsors: Finance

Councilwoman Williams offered the ordinance for first reading by title only.

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

Councilwoman Williams motioned, seconded by Councilman Gibson, to adopt the emergency clause. All voted aye.

A motion was made by Councilwoman Ann Williams, seconded by Councilman Mitch Johnson, that this matter be Passed . The motion PASSED by a unanimous vote

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

Enactment No: O-EN-017-2010

ORD-10:036

AN ORDINANCE PROVIDING FOR THE LEVY OF A ONE-HALF PERCENT SALES AND USE TAX WITHIN THE CITY OF JONESBORO, ARKANSAS; ALL PROCEEDS DERIVED FROM THE SALES AND USE TAX WILL BE FOR PROVIDING POLICE AND FIRE SERVICES.

Sponsors: Mayor's Office

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

Councilman Street asked for the ordinance to be held at one reading and for the other two readings to be held at the next two meetings.

Mayor Perrin announced they will be holding public meetings on May 10 and May 17 at 6 p.m. in Council Chambers in order to answer questions anyone has regarding the budget, expense items, revenue, etc. He explained they will also be holding public meetings on every Thursday during the entire month of June, so the public will have at least eight times to discuss the budget. He further explained they are also creating a website that will allow citizens to ask questions and get answers to those questions.

Operations Director Gary Harpole discussed the current one cent city sales tax. He noted the one cent sales tax will generate an estimated \$13.6 million this year. He stated the City of Jonesboro has been deficit spending six out of the past eight years, meaning the City has been spending more than it's been making dating back to 2003. He explained the deficit spending has decreased the excess reserves, which will only amount to \$1.7 million at the end of 2010. Mr. Harpole stated if the 2010 budget was repeated in 2011 without any additions the excess reserves would be depleted by September, 2011. He added if they adopt a 2011 budget that is reflective of needed expenditures, then the excess reserves will be depleted in April or May of 2011, depending on sales tax revenues. He discussed the cost of public safety, noting \$27.2 million in revenue can be spent this year on operations and maintenance. He added \$18.9 million out of the \$27.2 million is for public safety, which equals out to be 69% of the City's operations and maintenance budget, and 74% of the \$18.9 million is related to personnel.

This ordinance was Held at one reading.

ORD-10:037

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF JONESBORO, ARKANSAS, ON THE QUESTION OF LEVYING A ONE-HALF PERCENT SALES AND USE TAX WITHIN THE CITY OF JONESBORO, ARKANSAS; DEFINING THE TERM SINGLE TRANSACTION; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY

Sponsors: Mayor's Office

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

Mayor Perrin asked for this ordinance to be held at one reading.

This ordinance was Held at one reading.

ORD-10:038

ORDINANCE TO AMEND SECTION 117-32 OF CHAPTER 117 KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO CODE OF ORDINANCES PROVIDING FOR A CHANGE IN ZONING BOUNDARIES FROM CR-1 (L.U.O.) PROFESSIONAL OFFICE TO C-3 PROFESSIONAL OFFICE/SERVICE RETAIL FOR PROPERTY LOCATED AT 2300 STADIUM BLVD AS REQUESTED BY BEN FORD

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

Councilman Moore explained the zoning for the property will go from one commercial zoning to another commercial zoning. He also noted MAPC held a special meeting in order to get this done.

Councilman Moore motioned, seconded by Councilman Dover, to suspend the rules and waive second and third readings. All voted aye, with the exception of Councilman Vance who abstained from voting.

Councilman Street motioned, seconded by Councilman Moore, to adopt the emergency clause. All voted aye, with the exception of Councilman Vance who abstained from voting.

A motion was made by Councilman Darrel Dover, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by a unanimous vote

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;Chris Moore;John Street;Mitch Johnson;Tim McCall;Chris Gibson;Rennell Woods and Mikel Fears

Abstain: 1 - Gene Vance

Enactment No: O-EN-018-2010

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

ORD-10:025

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A PLANNED UNIT DEVELOPMENT OVERLAY LOCATED AT THE LINKS AT JONESBORO, 3700 S. CARAWAY RD./ LINKS DRIVE AT HARRISBURG RD. REQUESTED BY KIM FUGITT

The third reading was held.

City Planner Otis Spriggs explained this rezoning is for the Links Apartments on south Caraway/Harrisburg Road. He further explained the ordinance will allow them to place separate water meters at each of the units. He added the density will not be changed.

A motion was made by Councilman Charles Frierson, seconded by Councilman

Chris Gibson, that this matter be Passed . The motion PASSED by a unanimous vote

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

Enactment No: O-EN-019-2010

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

The City received an award from the Armed Services for the recent blood drive. He congratulated E-911 Director Jeff Presley, who put the event together.

They made a presentation to the Chamber of Commerce Board of Directors concerning Jonesboro 2030. The Board was impressed with the presentation.

He and City Engineer Craig Light met with City Attorney Crego regarding the review of ordinances to increase fees. City Attorney Crego stated their next step is to meet with Judge Blackman and will report back to the Mayor.

The Corps of Engineers agreed to work with the City on the master drainage plan.

He and Grants Administrator Tony Thomas met with City Water and Light concerning the energy grant. They will be doing energy-efficient improvements on some of the city-owned buildings, which will be funded through the grant.

Interviews are still being conducted concerning the Parks Director position. They received 30 applications and have conducted 6 interviews. He noted many of the applicants are out of state. They hope to have something in the next 30 to 60 days.

They received information and release forms from two cities in Florida concerning changes in their non-uniform pension plan. They will contact Principal to transfer the funds to Stephens. If Principal denies the transfer of funds, he will forward the information on to City Attorney Crego and let him handle it. He thanked Councilman Hargis for his help.

9. CITY COUNCIL REPORTS

Councilman Street motioned, seconded by Councilman Moore, to suspend the rules and place RES-10:051 on the agenda. All voted aye.

RES-10:051

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO APPROVE A CHANGE ORDER WITH TRIDANT BUILDERS, INC. FOR TURTLE CREEK GREENWAY PHASE 1 - PEDESTRIAN BRIDGE - 2009:33

Sponsors: Engineering and Parks & Recreation

A motion was made by Councilman John Street, seconded by Councilman Darrel Dover, that this matter be Passed . The motion PASSED by a unanimous vote

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

Enactment No: R-EN-042-2010

Councilman Fears discussed the need for safehouses in different areas in the City. Mayor Perrin stated the only safehouses he is aware of are at MacArthur School and at some of the Nettleton District Schools. He explained he will contact the schools to see if they open safehouses during severe weather.

Councilman Gibson commended E-911 Director Jeff Presley for the success of the recent blood drive. He also commended the Fire Department. He explained one of his neighbors recently had a fire at their home and the Fire Department response time was less than seven minutes after the 911 call.

Councilman Hargis asked for an update concerning the pending lawsuit concerning King's Ranch. City Attorney Phillip Crego discussed the history of the case and stated the City has not been formally served. He added when the City is served it will be forwarded on to APERMA. He explained the lawsuit is federal due to King's Ranch asking for a reasonable accomodation in order to continue with their project.

Councilman Vance presented the Council with a construction update. He explained the JETS facility contractor is on-site moving dirt. He added they will be putting some excess properties up for auction. He stated they hope to put out the bids for the mechanics/shop building project in the next 30 days.

Councilman Dover motioned, seconded by Councilman Johnson, to suspend the rules and add RES-10:054 to the agenda. All voted aye.

RES-10:054

A RESOLUTION TO MAKE APPOINTMENTS AND/OR REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS AS RECOMMENDED BY MAYOR HAROLD PERRIN

Sponsors: Mayor's Office

A motion was made by Councilman Mitch Johnson, seconded by Councilman Mikel Fears, that this matter be Passed . The motion PASSED by a unanimous vote

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

Enactment No: R-EN-043-2010

10. PUBLIC COMMENTS**11. ADJOURNMENT**

A motion was made by Councilman Chris Moore, seconded by Councilman Mitch Johnson, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.

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

Harold Perrin, Mayor

Date: _____

Attest:

Donna Jackson, City Clerk

Date: _____



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: RES-10:045 **Version:** 1 **Name:**
Type: Resolution **Status:** Recommended to Council
File created: 4/15/2010 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM MICHAEL HAMILTON FOR THE MAINTENANCE OF DRAINAGE IMPROVEMENTS
Sponsors: Engineering
Indexes:
Code sections:
Attachments: [Michael Hamilton](#)

Date	Ver.	Action By	Action	Result
5/4/2010	1	Public Works Council Committee		

Title

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM MICHAEL HAMILTON FOR THE MAINTENANCE OF DRAINAGE IMPROVEMENTS

Body

WHEREAS, the City of Jonesboro, Arkansas desires to accept the following described property and easements for maintenance of drainage improvements:

A part of the Northeast Quarter of the Southwest Quarter of Section 33, Township 14 North, Range 4 East, Craighead County Arkansas; being more particularly described as follows:

Beginning at the Southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 33; thence North 00°11'08" West, 40.00 feet to the North right-of-way line of Planters Drive; thence North 88°58'51" East, along said right-of-way line, 596.32 feet; thence North 00°09'09" West, 202.91 feet, to a point on the South line of Three Sisters Fifth Addition; thence along said South line of Three Sisters Fifth Addition the following bearings and distances: North 57°05'24" East, 71.35 feet; North 67°10'19" East, 52.82 feet; North 71°28'19" East, 75.52 feet, to the Point of Beginning Proper; thence continue North 71°28'19" East, 69.48 feet; thence South 63°38'32" East, departing said South line, 12.43 feet; thence South 71°23'26" West, 81.23 feet; thence North 00°11'06" West, 9.37 feet, to the Point of Beginning Proper; containing 0.015 acres (665.50 sq.ft), more or Less; being subject to all rights of way and easements of record.

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

Section 1. The Mayor and City Clerk are hereby authorized by the City Council for the City of Jonesboro, Arkansas to accept the easement described above.

Type of Instrument: Permanent Drainage Easement
Grantors: Michael Hamilton
Grantee: City of Jonesboro, Arkansas

This Instrument Prepared By and
After Recording Return to:
Wilcox Parker Hurst Lancaster & Lacy PLC
Attorneys at Law
3000 Browns Lane
Jonesboro, Arkansas 72401

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, Michael Hamilton, a single person ("Grantor") does hereby grant, convey and release unto City of Jonesboro, Jonesboro, Arkansas ("Grantee") and unto its successors and assigns, an easement and right of entry in, over and across the following described land situated in the City of Jonesboro, County of Craighead, State of Arkansas, to-wit:

A part of the Northeast Quarter of the Southwest Quarter of Section 33, Township 14 North, Range 4 East, Craighead County Arkansas; being more particularly described as follows:

Beginning at the Southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 33; thence North 00°11'08" West, 40.00 feet to the North right-of-way line of Planters Drive; thence North 88°58'51" East, along said right-of-way line, 596.32 feet; thence North 00°09'09" West, 202.91 feet, to a point on the South line of Three Sisters Fifth Addition; thence along said South line of Three Sisters Fifth Addition the following bearings and distances: North 57°05'24" East, 71.35 feet; North 67°10'19" East, 52.82 feet; North 71°28'19" East, 75.52 feet, to the Point of Beginning Proper; thence continue North 71°28'19" East, 69.48 feet; thence South 63°38'32" East, departing said South line, 12.43 feet; thence South 71°23'26" West, 81.23 feet; thence North 00°11'06" West, 9.37 feet, to the Point of Beginning Proper; containing 0.015 acres (665.50 sq.ft), more or less; being subject to all rights of way and easements of record.

This easement and right of way is for the purpose of making drainage improvements within the City of Jonesboro. Any other use of this area, other than by record owners, shall only be granted by record owners, but they are not precluded from using or granting other use, so long as same does not interfere unreasonably with the express purpose intended.

The Grantee is responsible for operating and maintaining the above described works of improvement.

This grant of easement and right of way shall be binding upon the heirs, successors and assigns of the Grantor.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument on the 9th day of November, 2009.


Michael Hamilton

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

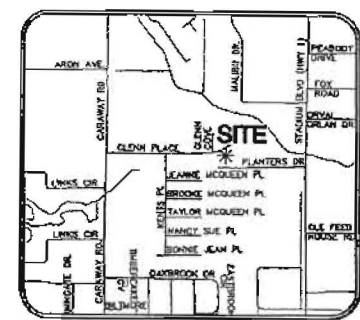
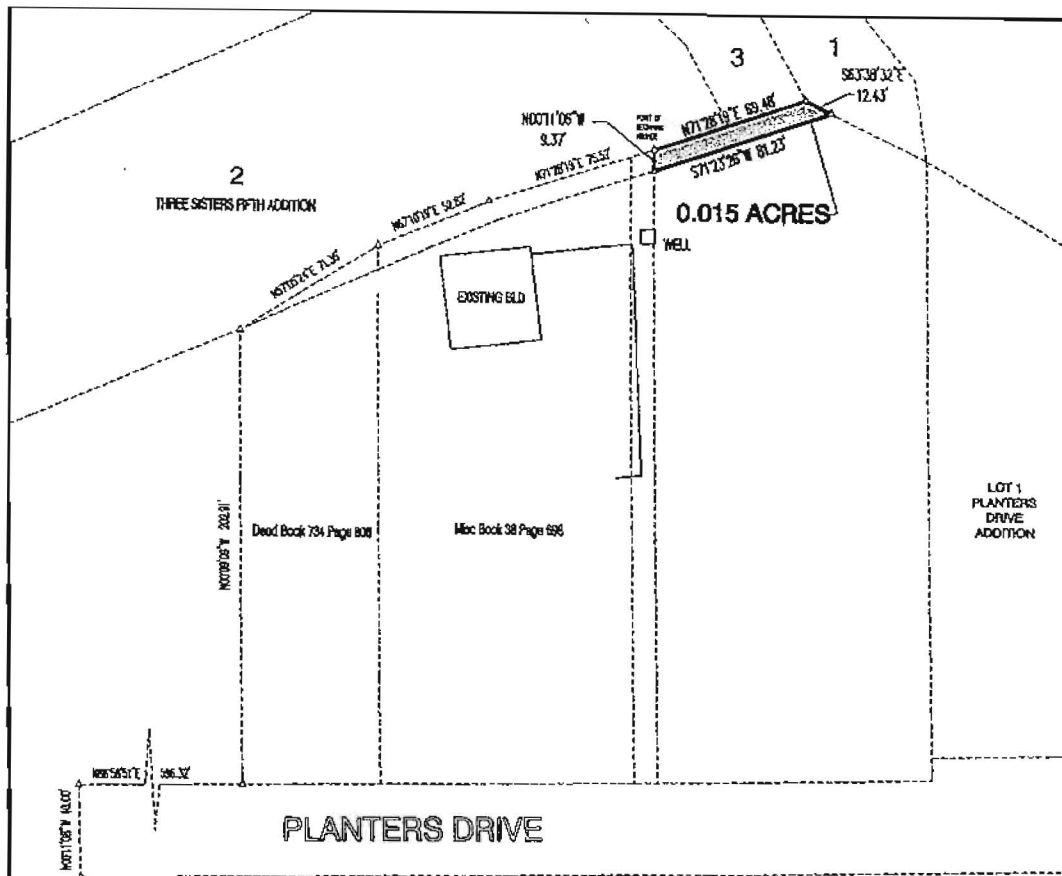
On this day before me, the undersigned, a Notary Public, (or before any officer within this State or without the State now qualified under existing law to take acknowledgments), duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named **Michael Hamilton**, to me personally well known, stated and acknowledged that he had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 9th day of November, 2009.

Joslyn Johnson
Notary Public

My Commission Expires:
12-10-18





BASIS OF BEARINGS:
RECORD PLAT OF THREE SISTERS ADDITION

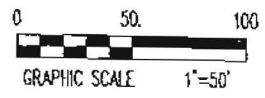
LOT 1
PLANTERS
DRIVE
ADDITION

DRAINAGE EASEMENT:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY ARKANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE NORTH 00°11'06" WEST, 40.60 FEET TO THE NORTH RIGHT-OF-WAY LINE OF PLANTERS DRIVE; THENCE NORTH 88°56'51" EAST, ALONG SAID RIGHT-OF-WAY LINE, 506.32 FEET; THENCE NORTH 00°09'09" WEST, 202.91 FEET, TO A POINT ON THE SOUTH LINE OF THREE SISTERS FIFTH ADDITION; THENCE ALONG SAID SOUTH LINE OF THREE SISTERS FIFTH ADDITION THE FOLLOWING BEARINGS AND DISTANCES: NORTH 57°06'24" EAST, 71.35 FEET; NORTH 67°10'19" EAST, 52.82 FEET; NORTH 71°28'19" EAST, 75.52 FEET, TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE NORTH 71°28'19" EAST, 69.48 FEET; THENCE SOUTH 63°38'32" EAST, DEPARTING SAID SOUTH LINE, 12.43 FEET; THENCE S71°23'26" WEST, 81.23 FEET; THENCE NORTH 00°11'06" WEST, 9.37 FEET, TO THE POINT OF BEGINNING PROPER; CONTAINING 0.015 ACRES (665.50 SQ.FT.), MORE OR LESS; BEING SUBJECT TO ALL RIGHTS OF WAY AND EASEMENTS OF RECORD.

POINT OF BEGINNING
THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, T14N-R4E



PRELIMINARY

THIS MAP IS NOT A BOUNDARY SURVEY. IT IS INTENDED FOR RESEARCH USE ONLY AND IS NOT FOR PUBLICATION

DRAINAGE EASEMENT

A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER SECTION 33, TOWNSHIP 14 NORTH, RANGE 04 EAST, CRAIGHEAD COUNTY, ARKANSAS

HAYWOOD, KENWARD, BARE & ASSOCIATES, INC.
CIVIL ENGINEERING - SURVEYING - PLANNING
1801 LATOURETTE DRIVE
JONESBORO, ARKANSAS 72404

DATE	BY	DESCRIPTION
SURVEY INDEX CODE		
PROJECT NO. F022-0008-10		
DRAWN BY JHB	CHECKED BY	
SHEET 1 OF 1	SCALE 1"=50'	DRAWING NO.
DATE 09/08/09		

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CLIENT
DON PARKER

10.870-932-2013 1095-932-1076



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: RES-10:046 **Version:** 2 **Name:**
Type: Resolution **Status:** Recommended to Council
File created: 4/15/2010 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM STEVE STROUD FOR THE MAINTENANCE OF DRAINAGE IMPROVEMENTS
Sponsors: Engineering
Indexes:
Code sections:
Attachments: [Steve Stroud](#)

Date	Ver.	Action By	Action	Result
5/4/2010	2	Public Works Council Committee		

Title

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT A PERMANENT DRAINAGE EASEMENT FROM STEVE STROUD FOR THE MAINTENANCE OF DRAINAGE IMPROVEMENTS

Body

WHEREAS, the City of Jonesboro, Arkansas desires to accept the following described property and easements for maintenance of drainage improvements:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY ARKANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE NORTH 00°11'08" WEST, 40.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF PLANTERS DRIVE; THENCE NORTH 88°58'51" EAST, ALONG SAID RIGHT-OF-WAY LINE, 596.32 FEET; THENCE NORTH 00°09'09" WEST, 202.91 FEET, TO A POINT ON THE SOUTH LINE OF THREE SISTERS FIFTH ADDITION, THE POINT OF BEGINNING PROPER; THENCE ALONG SAID SOUTH LINE OF THREE SISTERS FIFTH ADDITION THE FOLLOWING BEARINGS AND DISTANCES: NORTH 57°05'24" EAST, 71.35 FEET; NORTH 67°10'19" EAST, 52.82 FEET; NORTH 71°28'19" EAST, 75.52 FEET; THENCE SOUTH 00°11'06" EAST, 9.37 FEET; THENCE SOUTH 71°23'26" WEST, 71.07 FEET; THENCE SOUTH 68°46'11" WEST, 30.25 FEET; THENCE SOUTH 65°29'21" WEST, 27.19 FEET; THENCE SOUTH 64°11'44" WEST, 66.56 FEET, TO THE POINT OF BEGINNING PROPER; CONTAINING 0.033 ACRES (1424.68 SQ.FT.), MORE OR LESS; BEING SUBJECT TO ALL RIGHTS OF WAY AND EASEMENTS OF RECORD.

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

Section 1. The Mayor and City Clerk are hereby authorized by the City Council for the City of Jonesboro, Arkansas to accept the easement described above.

Type of Instrument: Permanent Drainage Easement
Grantors: Steve Stroud
Grantee: City of Jonesboro

This Instrument Prepared By and
After Recording Return to:
Wilcox Parker Hurst Lancaster & Lacy PLC
Attorneys at Law
3000 Browns Lane
Jonesboro, Arkansas 72401

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the undersigned **Steve Stroud** ("Grantor") does hereby grant, convey and release unto City of Jonesboro, Jonesboro, Arkansas ("Grantee") and unto its successors and assigns, an easement and right of entry in, over and across the following described land situated in the City of Jonesboro, County of Craighead, State of Arkansas, to-wit:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY ARKANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE NORTH 00°11'08" WEST, 40.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF PLANTERS DRIVE; THENCE NORTH 88°58'51" EAST, ALONG SAID RIGHT-OF-WAY LINE, 596.32 FEET; THENCE NORTH 00°09'09" WEST, 202.91 FEET, TO A POINT ON THE SOUTH LINE OF THREE SISTERS FIFTH ADDITION, THE POINT OF BEGINNING PROPER; THENCE ALONG SAID SOUTH LINE OF THREE SISTERS FIFTH ADDITION THE FOLLOWING BEARINGS AND DISTANCES: NORTH 57°05'24" EAST, 71.35 FEET; NORTH 67°10'19" EAST, 52.82 FEET; NORTH 71°28'19" EAST, 75.52 FEET; THENCE SOUTH 00°11'06" EAST, 9.37 FEET; THENCE SOUTH 71°23'26" WEST, 71.07 FEET; THENCE SOUTH 68°46'11" WEST, 30.25 FEET; THENCE SOUTH 65°29'21" WEST, 27.19 FEET; THENCE SOUTH 64°11'44" WEST, 66.56 FEET, TO THE POINT OF BEGINNING PROPER; CONTAINING 0.033 ACRES (1424.68 SQ.FT.), MORE OR LESS; BEING SUBJECT TO ALL RIGHTS OF WAY AND EASEMENTS OF RECORD.

This easement and right of way is for the purpose of making drainage improvements within the City of Jonesboro. Any other use of this area, other than by record owners, shall only be granted by record owners, but they are not precluded from using or granting other use, so long as same does not interfere unreasonably with the express purpose intended.

The Grantee is responsible for operating and maintaining the above described works of improvement.

This grant of easement and right of way shall be binding upon the heirs, successors, personal representatives, administrators and assigns of the Grantor.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument on the 13 day of April, 2010.



Steve Stroud

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

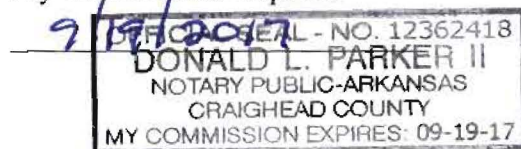
On this day before me, the undersigned, a Notary Public, (or before any officer within this State or without the State now qualified under existing law to take acknowledgments), duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named **Steve Stroud**, to me personally well known, stated and acknowledged that he had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

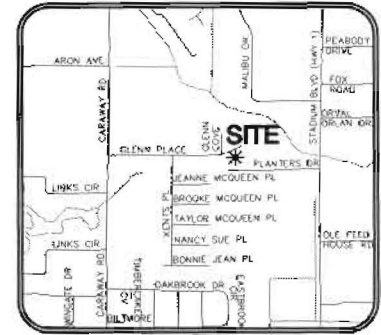
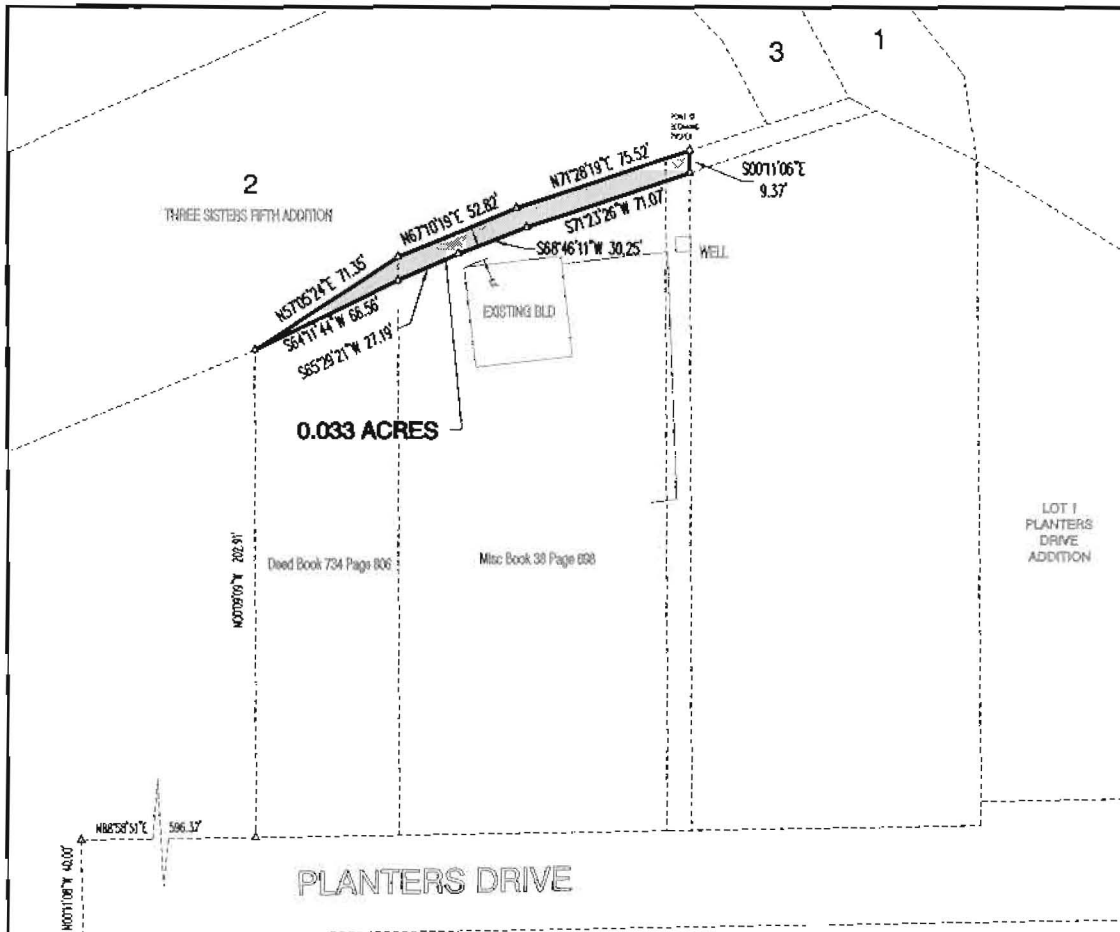
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 13th day of April, 2010.



Notary Public

My Commission Expires:





VICINITY MAP
NOT TO SCALE

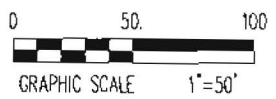
BASIS OF BEARINGS:
RECORD PLAT OF THREE SISTERS ADDITION

DRAINAGE EASEMENT:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY ARKANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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POINT OF BEGINNING
THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, T14N-R4E



PRELIMINARY	THIS MAP IS NOT A BOUNDARY SURVEY. IT IS INTENDED FOR RESEARCH USE ONLY AND IS NOT FOR PUBLICATION.	DRAINAGE EASEMENT	
		A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER SECTION 33, TOWNSHIP 14 NORTH, RANGE 04 EAST, CRAIGHEAD COUNTY, ARKANSAS	
CLIENT DON PARKER	HAYWOOD, KENWARD, BARE & ASSOCIATES, INC. CIVIL ENGINEERING - SURVEYING - PLANNING 1801 LATOURETTE DRIVE JONESBORO, ARKANSAS 72404		DATE 04/13/10
	TEL 870-932-2019 FAX 870-932-1076		DRAWING NO
COPYRIGHT 2010. ALL RIGHTS RESERVED		PROJECT NO. F022-0008-100	
		DRAWN BY JHB	CHECKED BY
		SHEET 1 OF 1	SCALE 1"=50'
		SURVEY INDEX CODE	
		DESCRIPTION	
		DATE BY	



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: RES-10:048 **Version:** 1 **Name:**
Type: Resolution **Status:** Recommended to Council
File created: 4/22/2010 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO APPROVE A CHANGE ORDER WITH CAMERON CONSTRUCTION COMPANY, INC. FOR NETTLETON AVENUE DRAINAGE IMPROVEMENTS - 2009:30
Sponsors: Engineering
Indexes:
Code sections:
Attachments: [Change Order #1](#)

Date	Ver.	Action By	Action	Result
5/4/2010	1	Public Works Council Committee		

Title

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO APPROVE A CHANGE ORDER WITH CAMERON CONSTRUCTION COMPANY, INC. FOR NETTLETON AVENUE DRAINAGE IMPROVEMENTS - 2009:30

Body

WHEREAS, the City of Jonesboro desires to change the Nettleton Avenue Drainage Improvements project with Change Order No. 1 as attached increasing the contract \$28,396.50, the new contract amount is \$470,447.00; and

WHEREAS, the funding for the Change Order shall come from the 2010 Capital Improvements budget and compensation shall be paid in accordance with the contract documents for this project.

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

Section 1. The City of Jonesboro shall accept Change Order No. 1 in the amount of \$28,396.50 from Cameron Construction Company, Inc. for the Nettleton Avenue Drainage Improvements project.

Section 2. Funding for the Change Order shall come from the 2010 Capital Improvements budget and compensation shall be paid in accordance with the contract documents for this project.

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

CITY OF JONESBORO	P.O. BOX 1845 JONESBORO, AR 72403	CHANGE ORDER NO.	1
PO NUMBER 39203	DATE PREPARED 4/13/2010	PROJECT NAME	Nettleton Avenue Drainage Improvements

NAME AND ADDRESS OF CONTRACTOR

Cameron Construction Company, Inc.
P.O. Box 1492, Jonesboro, AR 72403

DESCRIPTION OF WORK INCLUDED IN CONTRACT

- A. Increase Scope of Work
- B. Increase in Contract Time
- C.
- D.
- E.

CHANGES ORDERED AND REASON ORDERED (List Individual Changes as A, B, C, D, etc.)

- A. Additional pond construction on Thomas Street. Work to include: furnish all materials, equipment, labor, and related appurtenances to perform necessary site preparation, earth work to bring project to grade, and perform the necessary final grading to drain and install the permanent erosion control measures per design drawings and specifications.
- B. Increase in contract time due to inclement weather and additional work to complete the project.

	Bid Item No.	Unit	Original Estimated Quantity	Contract Unit Price	Revised Estimated Quantity	Negotiated C.O. Unit Price	Original Estimated Cost	Revised Estimated Cost
A.		L.S.	0	\$ -	1	\$ 28,396.50	\$ -	\$ 28,396.50
B.								
C.								
D.								
E.								
TOTAL							\$ -	\$ 28,396.50

Original Contract Amount	\$ 442,050.50	
Previously Approved Change Orders	\$ -	
This Change Order	\$ 28,396.50	Overrun
New Contract Amount	\$ 470,447.00	

Contract time increased by 182 days. New contract 302 days.

THIS AGREEMENT SUBJECT TO ALL ORIGINAL CONTRACT PROVISIONS

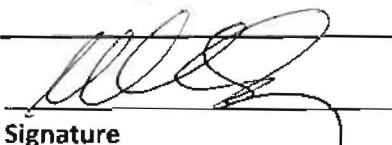
ISSUED FOR REASONS INDICATED ABOVE


Signature

CITY ENGINEER
Title

4/22/10
Date

ACCEPTED BY CONTRACTOR


Signature

Title

Date

ACCEPTED BY OWNER

Signature

Title

Date



Construction Company, Inc.

1721 Dan Avenue P.O. Box 1492 Jonesboro, Arkansas 72403
Business (870) 932-1306 Fax (870) 932-1554

March 31, 2010

Craig Light, P.E.
City Engineer
City of Jonesboro, Arkansas
P.O. Box 1845
Jonesboro, AR 72403

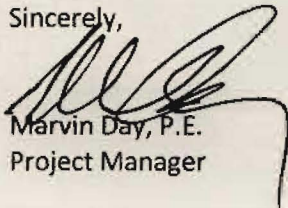
RE: City of Jonesboro – 2009:30
Nettleton Avenue Drainage Improvements
Change Order Request for Additional pond at Thomas and Kitchen

Dear Mr. Light:

Per your request and the details that we discussed, we propose to add this location to our contract for \$28,396.50. We would remove the interior trees and concrete pavement, excavate the site to grade, provide temporary and permanent erosion control (similar to the Nettleton Ave. pond).

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

Sincerely,



Marvin Day, P.E.
Project Manager



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: RES-10:050 **Version:** 1 **Name:**
Type: Resolution **Status:** Recommended to Council
File created: 4/27/2010 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO APPROVE SUPPLEMENTAL AGREEMENT NO. 2 FOR SURVEY OF PIPE INVENTORY THROUGHOUT THE CITY OF JONESBORO - JOB NO. 100614
Sponsors: Engineering
Indexes:
Code sections:
Attachments: [Supplemental Agreement #2](#)

Date	Ver.	Action By	Action	Result
5/4/2010	1	Public Works Council Committee		

title

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO APPROVE SUPPLEMENTAL AGREEMENT NO. 2 FOR SURVEY OF PIPE INVENTORY THROUGHOUT THE CITY OF JONESBORO - JOB NO. 100614

body

WHEREAS, the City of Jonesboro entered into an agreement for surveying services with Associated Engineering and Testing, LLC on July 17, 2006;

WHEREAS, the City of Jonesboro approved Supplemental Agreement No. 1 increasing the agreement to \$665,754.31 on July 7, 2009;

WHEREAS, the City of Jonesboro desires to change the project with Supplemental Agreement No. 2 as attached increasing the agreement \$84,701.18, the new contract amount is \$750,455.49;

WHEREAS, Federal monies have been allocated to fund this work and all expenses are reimbursable through Federal Drainage Grant administered through the Arkansas Highway and Transportation Department (AHTD).

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

Section 1. That the City of Jonesboro hereby accepts Supplemental Agreement No. 2 in the amount of \$84,701.18 from Associated Engineering and Testing, LLC;

Section 2. Federal monies have been allocated to fund this work and all expenses are reimbursable through Federal Drainage Grant administered through the Arkansas Highway and Transportation Department (AHTD);

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

Supplemental Agreement No. 2

Job No. 100614

FAP. No. SD-AR51 (1)

Job Title: **JONESBORO TRANSPORTATION & DRAINAGE PLANNING
CRAIGHEAD COUNTY**

Date April 27, 2010

WHEREAS, the City of Jonesboro, Arkansas and Associated Engineering and Testing, LLC entered into an Agreement for Surveying Services on July 17, 2006; and,

WHEREAS, representatives of the City of Jonesboro, Arkansas requested work in addition to that defined in the Agreement.

NOW THEREFORE, the following modifications will be made to the Agreement to include the additional work requested:

MODIFICATIONS:

- 1) The "Contract Ceiling Price" (Section 1.4) is increased from \$ 665,754.31 to \$ 750,455.49.
- 2) The "Title I Services Ceiling Price" (Section 1.14) is increased from \$ 665,754.31 to \$ 750,455.49.
- 3) The "Title II Services Ceiling Price" (Section 1.17) is increased from \$ 0.00 to \$ 0.00.
- 4) The fixed fee (Section 3.4) is increased from \$ 50,651.94 to \$ 56,125.55.
- 5) See Attachment A for modifications to Section 6, 7, and 13.
- 6) See Attachment B for modifications to Appendix A -- Justification of fees and costs
- 7) The completion date (Section 17.1) for Job No. 100614 is changed from December 31, 2009 to December 31, 2010.
- 8) See Attachment C for Work Plan for the additional work.

IN WITNESS WHEREOF, the parties execute this Supplemental Agreement No. 2, to be effective upon the date set out above.

Associated Engineering and Testing, LLC

The City of Jonesboro, Arkansas

BY: 

Kenneth L. Scrape
Managing Partner

BY: _____

Harold Perrin
Mayor

ATTACHMENT A
DESCRIPTION OF ADDITIONAL WORK

6. DESCRIPTION OF THE PROJECT

ESTABLISH A FIRST ORDER VERTICAL CONTROL BENCHMARK NETWORK WITHIN THE CITY OF JONESBORO (66 ADDITION BENCHMARKS AS DIRECTED BY THE CITY ENGINEER) IN ACCORDANCE WITH THE REQUIREMENTS OF NATIONAL GEODETIC SURVEY

7. INFORMATION AND TITLE I SERVICES TO BE PROVIDED BY CONSULTANT

A: Establish a first order vertical control benchmark network within the city of Jonesboro (66 addition benchmarks as directed by the city engineer) in accordance with the requirements of National Geodetic Survey (N.G.S.). The benchmark monuments shall have stability of A or B and will be submitted for approved by N.G.S. & acceptance into the National Spatial Reference System.

13. DELIVERABLES

A: Electronic leveling field data for processing by National Geodetic Survey.
B: Digital Photographs of newly constructed Benchmarks in JPG format.
C: Reference ties to newly constructed Benchmarks.

ATTACHMENT B

COST ESTIMATE FOR THE ADDITIONAL WORK

ASSOCIATED ENGINEERING & TESTING, LLC
P.O. BOX 1462
JONESBORO, AR 72403

DATE: 04/27/2010

RFQ #: 2005:95

JOB TITLE: CITY OF JONESBORO – FIRST ORDER VERTICAL CONTROL NETWORK
THROUGHOUT THE CITY OF JONESBORO (66 NEW BENCHMARKS)

COUNTY: CRAIGHEAD

ESTIMATE OF COST FOR CHANGE ORDER NO. 2

SALARY BASED ON SCOPE:

<u>POSITION</u>	<u>RATE</u>	<u>HOURS</u>	<u>AMOUNT</u>
Registered Surveyor	\$25.00	108	\$2,700.00
Survey Technician	\$15.50	120	\$1,860.00
Cadd Operator	\$15.50	0	\$0.00
3-Man Field Crew	\$34.00	502	\$17,068.00

(1)	TOTAL LABOR		<u>\$21,628.00</u>
(2)	OVERHEAD %	<u>153.08</u>	<u>\$33,108.14</u>
(3)	SUB TOTAL		<u>\$54,736.14</u>
(4)	EXPENSES (DESCRIBE BELOW)		<u>\$0.00</u>
	(Extraordinary expenses only allowed in computing Fixed Fee)		

(5)	Fixed Fee (10%)		<u>\$5,473.61</u>
(6)	EXPENSES		
	(NOT ALLOWED in computing Fixed Fee)		

<u>EQUIPMENT</u>	<u>RATE</u>	<u>HOURS</u>	
GPS Equipment	\$20.00	0	<u>\$0.00</u>
Leveling Equipment, Material & Supplies (Reimburse Per Invoice)	N/A	N/A	<u>\$22,332.83</u>

*Mileage	<u>Miles</u>	<u>Rate/Mile</u>	
	5,020	\$0.43	<u>\$2,158.60</u>

*Lodging and meals	<u>Man days</u>	<u>Days</u>	<u>Rate</u>	
	3	0	\$65.00	<u>\$0.00</u>

(7)	TOTAL	<u>(3+4+5+6)</u>	<u>\$84,701.18</u>
-----	-------	------------------	--------------------

CITY OF JONESBORO
 FIRST ORDER VERTICAL CONTROL NETWORK
 EQUIPMENT, MATERIALS AND SUPPLIES
 PRICE BREAKDOWN

QUANTITY	ITEM NO.	DESCRIPTION	UNIT PRICE	AMOUNT
14		SURVEY LEVEL, 2 RODS & ACC. (14 WKS. RENTAL)	\$300.00	\$4,200.00
		(LEVEL AND RODS TO BE CERTIFIED PER NGS REQUIREMENTS PRIOR TO LEVEL WORK STARTING)		
420	MSS91604	9/16" X 4' STAINLESS STEEL ROD	\$17.85	\$7,497.00
56	MSS12	9/16" STAINLESS STEEL DRIVING POINT	\$9.91	\$554.96
392	M13	9/16" LOCKING CONNECTOR THREAD	\$0.91	\$356.72
56	MSSDP1	9/16" Stainless Steel Spherical Datum Point	\$11.98	\$670.88
56	BMAC1	NGS STYLE ACCESS COVER	\$48.37	\$2,708.72
20	UV6800	ADHESIVE FOR BMAC/PVC PIPE	\$11.30	\$226.00
14		3-1/2" BRASS DISK	\$24.73	\$346.22
14		EPOXY	\$5.59	\$78.26
224	10385	80# BAG OF CONCRETE MIX	\$3.46	\$775.04
1		PVC GLUE & CLEANER	\$10.00	\$10.00
140		5" PVC PIPE (20' JOINTS) PRICE PER FT	\$3.25	\$455.00
88		BIO-DEGRADABLE GREASE	\$11.71	\$1,030.48
1		GREASE GUN	\$3.99	\$3.99
3		EYE & HEARING PROTECTION	\$25.00	\$75.00
1		CLEANING MATERIALS/SUPPLIES	\$50.00	\$50.00
1		BOLTS/NUTS	\$14.70	\$14.70
22		CHANNEL POST	\$47.31	\$1,040.82
66		WITNESS SIGNS	\$8.86	\$584.76
			SUB-TOTAL =	\$20,678.55
		SALES TAX	8.00%	\$1,654.28
			TOTAL =	\$22,332.83

CITY OF JONESBORO
FIRST ORDER VERTICAL CONTROL NETWORK
EQUIPMENT TO BE FURNISHED BY ASSOCIATED ENGINEERING
AT NO ADDITIONAL COST TO THE CITY

1. UTILITY TRAILER (1)
2. AIR COMPRESSOR (1)
3. JACK HAMMER WITH ROD DRIVING ADAPTOR (1)
4. SLEDGE HAMMER (2)
5. SMALL BALL PING HAMMER (1)
6. PIPE WRENCH (2)
7. CONCRETE TROWEL (2)
8. DIGGING BAR (1)
9. SPRING LOADED PUNCH (1)
10. STAMPING DIES (1 SET NUMERIC AND ALPHA)
11. STAMPING BASE (1 - MOUNTED ON TRAILER)
12. GENERATOR (1)
13. ELECTRIC DRILL (1)
14. EXTENSION CORDS (2)
15. ELECTRIC ROTARY HAMMER WITH BITS (1)
16. MANUAL ROD DRIVER (1)
17. MANUAL POST DRIVER (1)
18. STAR DRILL (1)
19. CHISELS (2)
20. CARPENTERS LEVEL (1)
21. HANDHELD GPS (1)
22. MISC. TOOLS
23. SAW (1)
24. EYE AND HEARING PROTECTION
25. WHEEL BARROW (1)
26. TARPS (2)
27. SHOVEL (1)
28. SHARP SHOOTER (1)
29. RAKE (1)
30. BRUSH HOOK (1)
31. POST HOLE DIGGERS (1)
32. BENCH VICE (1 - MOUNTED ON TRAILER)
33. AUGER (1)
34. 5 GALLON GAS CAN (1)
35. 5 GALLON BUCKET (1)
36. WATER HOSE (1)
37. 25' TAPE MEASURE (1)
38. 100' FIBERGLASS TAPE (1)
39. PAINT, FLAGGING, ETC.

Associated Engineering and Testing, LLC

103 S. Church St. – P.O. Box 1462 – Jonesboro, AR 72403 – Phone (870) 932-3594 – FAX (870) 935-1263

ATTACHMENT C

WORK PLAN

April 27, 2010

First Order Vertical Control Network

AHTD JOB #: 100614

FAP.#: SD-AR51 (1)

JOB TITLE: Pipe Inventory – City of Jonesboro

CITY: Jonesboro

COUNTY: Craighead County

The work performed on this project shall meet the current National Geodetic Survey requirements for Geodetic Leveling.

This project consists of approximately sixty-three (63) miles of vertical control network to establish approximately sixty-six (66) new benchmarks throughout the city of Jonesboro. Initially we met with Brian Ward (National Geodetic Survey Advisor) and Joshua Bettis (City Surveyor). This meeting was a planning meeting to discuss the overall scope of the project and to receive input from Brian Ward concerning NGS's requirements for submittal and approval of a Vertical Control Network which could be published by NGS. Brian provided us with detailed information concerning certification of survey equipment, survey procedures, equipment and materials for monument construction and procedures for monument construction. Brian agreed to spend time with our personal at the beginning of the project to assist in the training of field procedures and data processing.

The first phase of this project will be to recon and recover existing NGS First Order Benchmarks. Area one (1) for recon will be Southeast of Jonesboro along the Burlington-Northern Railroad, North of Bay. Area two (2) for recon will be South of Jonesboro along the Union Pacific Railroad and East of Highway 1 South. Area three (3) for recon will be Northwest of Jonesboro along the Burlington Northern Railroad and East of Highway 63. Area four (4) for recon will be in the downtown area East of Main Street along the railroad. Area five (5) for recon will be at the Municipal Airport. Area six (6) for recon will be in the Nettleton area near the crossing of Burlington-Northern Railroad with the Union Pacific Railroad. Area seven (7) for recon will be Southwest of Jonesboro along the Union Pacific Railroad at Gibson Switch and West of Highway 49 South.

(Continued)

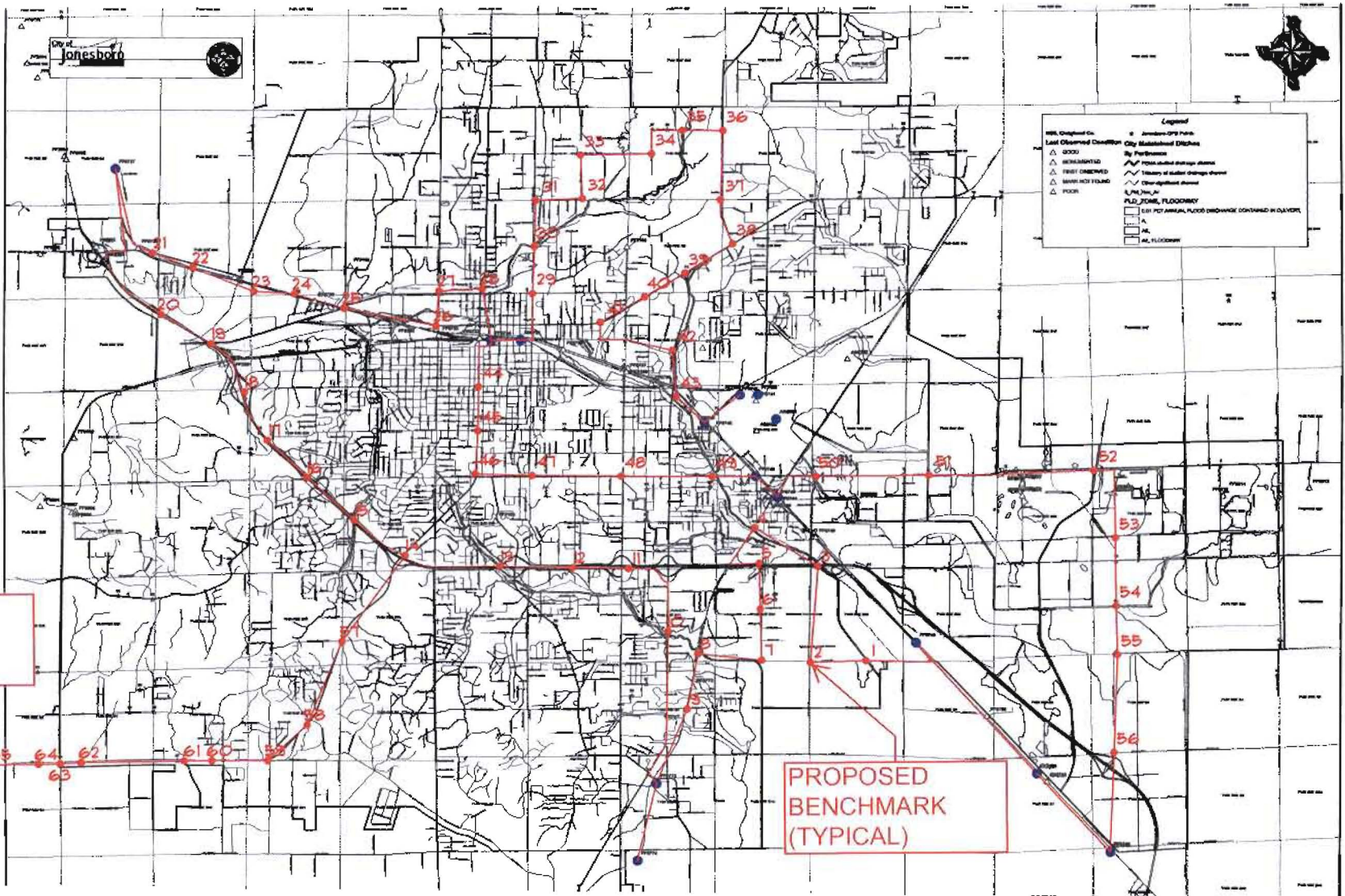
Work Plan – City of Jonesboro
First Order Vertical Control Network
AHTD Job #100614
(Continued)

The second phase of this project will be to recon the proposed benchmark locations. After an area is selected for the proposed benchmarks position, the area will be marked for utility locates by Arkansas One Call and/or local utility providers. After utility locates are completed and the site is determined to be suitable for monument construction, the proposed monument location will be staked for construction.

The third phase of this project will be to construct the benchmark monuments. The benchmark monuments shall have stability of A or B and will be submitted for approved by N.G.S. & acceptance into the National Spatial Reference System. There will be two types of monuments constructed. The first type will be a free standing monument consisting of a 9/16" stainless steel rod driven to refusal or 30'± maximum depth and encased in concrete with a grease fill sleeve surrounding the rod and an access cover installed in the concrete, all in accordance with NGS requirements. The second type will be a disk mounted in an existing bridge structure or in an existing box culvert structure, all in accordance with NGS requirements. We estimate there will be forty-two (42) rod type benchmarks and twenty-four (24) disks in existing structure type benchmarks. We plan to construct three (3) rod type benchmarks in a ten (10) hour work day and eight (8) disks in existing structure type benchmarks in a ten (10) hour work day.

The fourth phase of this project will be to run the level loops. This will begin after the required curing time for the newly constructed monuments. We will start at the existing benchmarks in area one (1). The level loop will be run in numerical order as shown on the attached map of the City of Jonesboro which has the proposed Benchmarks labeled 1 through 66. The procedures used to run the level loops will be in accordance with the NGS requirements. There will be a closed level loop run between each benchmark and that field data will be processed for verification of accuracy prior to continuing to the next benchmark. We plan to have two and one-half (2-1/2) miles of forward movement with our level loop in a ten (10) hour work day. As the field work progresses the field data will be provided to Joshua Bettis for his review and to be forwarded to Brian Ward for his review.

The final phase of this project will be to submit the survey data to NGS for processing, review and/or approval.



City of Jonesboro

Legend

<ul style="list-style-type: none"> ● BM, Proposed ▲ BM, Observed ▲ BENCHMARK ▲ FIRST OBSERVED ▲ SECOND FOUND ▲ FOUND 	<ul style="list-style-type: none"> ○ Jonesboro GPS Point ○ City Maintained Dispersed ○ City Performance ○ FIRM/LOCAL SURVEY POINT ○ HISTORY OF SURVEY CHANGE POINT ○ OBSOLETE POINT ○ POINT OF
--	---

FLOOD ZONE, FLOODWAY

□	100 YEAR FLOOD
□	50 YEAR FLOOD
□	100 YEAR FLOOD DRAINAGE CONTAINED IN DRAINAGE
□	100 YEAR FLOOD
□	100 YEAR FLOOD

EXISTING BENCHMARK (TYPICAL)

PROPOSED BENCHMARK (TYPICAL)



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: RES-10:055 **Version:** 1 **Name:**
Type: Resolution **Status:** Recommended to Council
File created: 5/3/2010 **In control:** Public Services Council Committee
On agenda: **Final action:**
Title: A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL AID MONEYS TO CONSTRUCT SECTION SIX OF PHASE I OF THE TURTLE CREEK GREENWAY
Sponsors: Parks & Recreation
Indexes:
Code sections:
Attachments: [2010 application](#)
[City Map \(2\)](#)
[Phase I](#)
[Phase I - Section VI](#)

Date	Ver.	Action By	Action	Result
5/10/2010	1	Public Services Council Committee		

title

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO UTILIZE FEDERAL AID MONEYS TO CONSTRUCT SECTION SIX OF PHASE I OF THE TURTLE CREEK GREENWAY

body

WHEREAS, The City of Jonesboro is applying for funding through the Arkansas Recreational Trails Program to develop or improve the City of Jonesboro, and

WHEREAS, The City of Jonesboro is willing and able to provide the required twenty percent (20%) of the total project cost, and

WHEREAS, The City of Jonesboro understands that Federal-Aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement, and

WHEREAS, The City of Jonesboro understands that there will be no reimbursement for any work accomplished prior to the issuance by the Arkansas State Highway and Transportation Department of an official Notice To Proceed, and

WHEREAS, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant.

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

Section 1: The City of Jonesboro will participate in accordance with its designated responsibility, including maintenance of this project.

Section 2: Mayor Harold Perrin and City Clerk, Donna Jackson are hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above stated project.

Section 3: The City Council pledges its full support and hereby authorizes the City of Jonesboro to cooperate with the Arkansas State Highway and Transportation Department to initiate action to implement this project.

ARKANSAS RECREATIONAL TRAILS PROGRAM

Application For Fiscal Year 2010 Funds

The Arkansas Recreational Trails Program uses federal funding for the purpose of building and performing major maintenance on motorized, non-motorized, and multiple use trails. Agencies of city, county, state, or federal government and duly incorporated private/non-profit agencies can apply for these funds if access to the project by the general public is provided throughout the life of the project.

A local sponsor must provide at least 20% of the total project cost. The local share can be in the form of cash, donated funds, or the documented fair market value of any donated materials or services that are accepted and incorporated into the project. Federal funds from other sources cannot be used to match these funds. Federal agencies wishing to use these funds can provide up to 15% of the total project cost as match, with the remaining 5% coming through cooperative relationships with trail user groups.

This is a reimbursable program. This means once the local sponsor receives an official Notice to Proceed from the Arkansas State Highway and Transportation Department (AHTD), 80% of the costs directly attributable to the project can be reimbursed. The local sponsor is responsible for maintaining records and proving that expenses are legitimate and directly related to the project. This may be in the form of receipts, time sheets, etc. Such reimbursement will occur after an on-site visual verification conducted by the AHTD.

PROJECT ADMINISTRATION PROCESS

The following steps will be taken to administer approved trail projects through completion.

1. Sponsors must submit a **resolution** to the AHTD from their governing body **with the application** expressing support for the project and that they have the resources for their 20% share of their project's cost. Without this resolution the application will be incomplete.
2. With the application, the sponsor will provide AHTD with **proof of land ownership and all plans, mapping, and construction specifications** for review and approval.
3. Successful applicants (sponsors) will be notified by the AHTD in late 2010 or early 2011.
4. A **trails project administration workshop** will be held in late 2010 or early 2011. Each sponsor must have a representative at this meeting. Environmental clearances, billing procedures, and administrative procedures will be discussed.
5. An **Agreement of Understanding** will be executed between the sponsor and the AHTD. This document outlines the responsibilities of each of the respective parties.

6. The sponsor will provide AHTD with **proof of State Historic Preservation Officer approval** of the project and any other documentation necessary to obtain environmental clearances.
7. Once plans, maps, and construction specifications have been approved and after all environmental clearances have been obtained the final Contract between the sponsor and AHTD will be executed. **This contract must be executed no later than March 31, 2012. Any project not under contract for construction by March 31, 2012 will be canceled and funds will be allocated to other trail projects.**
8. A pre-construction conference will be held.
9. **AHTD will provide the sponsor with an official Notice to Proceed. All eligible expenses incurred after receipt of the Notice to Proceed will be reimbursable at the rate of 80%. All such expenses must be directly related to the trail project as outlined in the documentation listed above. Any expenses incurred prior to receipt of the Notice To Proceed will be the responsibility of the sponsor and will not be eligible for reimbursement.**
10. At set stages during the construction of the project, the sponsor can request reimbursement for work accomplished. Such reimbursements will be preceded by a visual verification conducted by AHTD staff. The stages at which reimbursement can be requested will be clearly outlined in the Agreement of Understanding.

For information contact:

**Bill Bastress
Planning and Research Division
Arkansas State Highway and Transportation Department
10324 Interstate 30
Little Rock, AR 72209**

**(501) 569-2209
bill.bastress@arkansashighways.com**

FREQUENTLY ASKED QUESTIONS

How much money can I request?

There is no maximum or minimum to a sponsor's request. The average award is approximately \$50,000.

What should I do if I want to request funding for more than one project?

If a sponsor submits applications for more than one project, separate applications for each project must be submitted and they must be prioritized by the applicant.

When is the application due?

All applications are due at the Arkansas State Highway and Transportation Department's headquarters building on Interstate 30 in Little Rock **no later than 3:30 p.m., Wednesday, June 9, 2010.**

Applications received after 3:30 p.m. on June 9, 2010 will not be considered. Decrease the possibilities of late arrivals by completing and mailing your application(s) at least one week prior to the deadline.

How do I fill out and send in the application?

Follow the instructions for filling out the electronic application included later in this package. Read the questions in the application carefully. Determine what information is required and provide the information in the space provided. Use the application in the form received. **Do not add additional pages. There is ample space provided on the application for answers to the questions.**

Do not skip any questions on the application. Do not omit the budget sheets.

One original and fourteen copies of the application must be submitted. Applications with fewer copies will not be considered.

Do I need to include proof of support for the project?

It is not necessary to provide copies of letters from individuals supporting your project unless they are indicating a financial commitment to the project as requested in the application.

What is the minimum width of a paved bicycle and walking path?

To meet existing safety and design guidelines, multiple use trails allowing access to bicycles must be 10 feet wide. Such facilities can be as narrow as 8 feet in width when bicycle use is expected to be low, pedestrian traffic is expected to be low, there is adequate horizontal and vertical sight clearance, and the trail will not be used by maintenance vehicles. **Proposing a width of less than 10 feet must be carefully justified.**

Does my project need to be in compliance with the Americans with Disabilities Act?

With few exceptions, all trails, particularly in urban areas, must be accessible to individuals with disabilities. The project must adhere to existing barrier free design standards. The minimum width for accessible trails is five feet.

What kind of work can I request funding for?

Projects resulting in new trails or major maintenance to existing trails have a higher priority for funding than do projects with large percentages of trail support facilities. These support facilities include, but are not limited to benches, trash receptacles, lighting, trailhead information kiosks, drinking fountains, etc.

Landscaping beyond what is necessary to eliminate construction damage and irrigation facilities cannot be approved. Visitor center construction/improvements, playground equipment, and sidewalks will not be funded. Engineering, architect, planning and construction inspection services are not eligible for reimbursement. In addition, advertising costs incurred during the bid process are not eligible for reimbursement.

Can a project on private property be approved?

Projects on private property can be funded. However, public access must be provided.

What can I use for my 20% (twenty percent) local match?

Budgeted line item funds (cash) are the preferred source of local match.

The documented and verified value of donated materials can be used as local match.

Volunteer labor can be credited at the prevailing minimum wage rate and used as local match.

The appraised value of real estate donated to the sponsor for the express purpose of the trail project can be used as local match.

When can I start work on the project?

AHTD will issue an official notice to proceed to each sponsor who submits required project development information (proof of ownership, plans and specifications, and approval from the State Historic Preservation Officer) and who signs an Agreement of Understanding and a Contract. Any approved costs directly associated with the project incurred **after** the issuance of the notice to proceed are eligible for reimbursement. **Costs incurred prior to the issuance of the notice to proceed will not be eligible for reimbursement.**

Can I receive funds to get started on the construction?

This is a reimbursable program. The sponsor is responsible for accomplishing work on the project and incurring actual expenses prior to receiving funds from the AHTD.

Can I use prison inmate labor on my project?

The value of prison inmate labor cannot be used as part of the local sponsor's match. This labor can be used to decrease the overall cost of the project, but is not eligible for reimbursement or match.

What type of work can I apply for?

The following items are eligible for funding. However, the primary goal of this program is to construct new trails or repair damage to existing trails due to overuse. Trail amenities (benches, lighting, information kiosks, signing, brochures, etc.) will be given a lesser priority. Furthermore, funding for an approved project may be reduced to reflect the deletion of these items.

- new construction,
- relocation of existing trails,
- major maintenance of existing trails,
- fee simple land purchase,
- bridge purchase and installation,
- bridge construction,
- interpretive brochures and trail education materials *,
- lighting *,
- landscaping necessary to heal construction damage along paved trails,
- bike racks *,
- trail signs and marking *, and
- trail head facilities *:
 - restrooms *,
 - bulletin boards *,
 - all terrain vehicle/dirt-bike loading ramps *,
 - parking areas *,

- water supply *
- drinking fountains *, and
- trash receptacles *

* Funding may be withheld for these items within approved projects.

The following items will not be approved.

- landscaping beyond that necessary to heal construction damage along paved trails,
- irrigation equipment,
- visitor center construction/improvements,
- playground equipment.
- bid advertising fees, or
- engineering, inspection, planning, design, or architect fees.

When will applicants know if their projects will be funded?

All applicants will be informed on the status of their applications as soon as the information becomes available.

If you have questions that are not covered here, please contact:

Bill Bastress
(501) 569-2209
bill.bastress@arkansashighways.com

Mail 1 original of your application and 14 copies to the following address. Each of the applications that are forwarded should have four pictures of the Project Site.

Bill Bastress
Planning and Research Division
Arkansas State Highway and Transportation Department
10324 Interstate 30
Little Rock, AR 72209

Also, email the four pictures of the project site to:

bill.bastress@arkansashighways.com

Required Supplements

1. A resolution of support from your governing body, sample attached.
2. A preliminary site plan, sample attached.
3. A location map showing the site in relation to the nearest municipality and to the nearest highway, sample attached.
4. Documentation of donations of cash, materials, or labor from donors if applicable.
5. Proof of ownership for the property on which the trail will be developed.
6. Four pictures of the proposed site should be included with each application. In addition, email the pictures electronically to bill.bastress@arkansashighways.com

RESOLUTION NO. _____

A RESOLUTION EXPRESSING THE WILLINGNESS OF

_____ ***insert sponsor's name*** _____

TO UTILIZE FEDERAL-AID RECREATIONALS FUNDS

WHEREAS *(insert sponsor's name)* understands Federal-aid Recreational Trails Funds are available at 80% federal participation and 20% local match to develop or improve **(insert project name)**, and

WHEREAS *(insert sponsor's name)* understands that Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement, and

WHEREAS *(insert sponsor's name)* understands that there will be no reimbursement for any work accomplished prior to the issuance by the Arkansas State Highway and Transportation Department of an official Notice to Proceed, and

WHEREAS this project, using federal funding, will be open and available for use by the general public and maintained by the applicant.

NOW, THEREFORE, BE IT RESOLVED BY *(insert sponsor's governing body)* **THAT:**

SECTION I: *(insert sponsor's name)* will participate in accordance with its designated responsibility, including maintenance of this project.

SECTION II: *(insert title of sponsor's CEO/CAO)* is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above stated project.

SECTION III: *(insert sponsor's governing body)* pledges its full support and hereby authorizes the *(insert sponsor's name)* to cooperate with the Arkansas State Highway and Transportation Department to initiate action to implement this project.

THIS RESOLUTION adopted this _____ day of _____, 2010.

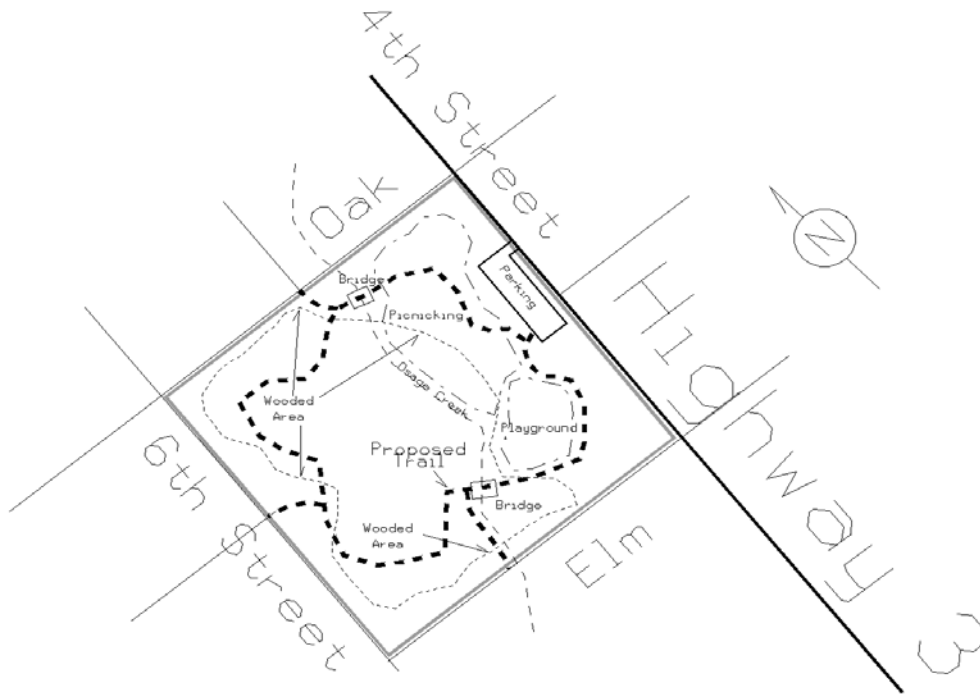
Signed: _____
(Insert sponsor's CEO/CAO)

ATTEST: _____

(SEAL)



ANYTOWN, AR
 RECREATIONAL TRAILS PROGRAM APPLICATION
 Project Location Map



ANYTOWN CITY PARK
 RECREATIONAL TRAILS PROGRAM APPLICATION
 Site Plan

ARKANSAS RECREATIONAL TRAILS PROGRAM

APPLICATION INSTRUCTIONS

The application is in the form of a Microsoft Word Form. Applicants should load it into Word as they would load any Microsoft Word document (.doc). Simply fill in your response and **tab** to the next response. The space will expand as you type but will not allow you to type past the pre-set limit. When complete, use the **Save As** command (File - Save As) and give the new file a name you'll be able to remember and find in the future. You will also be able to use the **File - Save As** sequence if you need to save your application before completing it so you can revisit it later.

Several responses use drop-down boxes. When you tab to them they will be indicated by a small arrow to the right of the response. Simply hit the arrow and select a response. Then, tab to the next item.

When complete, make the required fourteen (14) copies and mail it. Electronic or facsimile applications will not be accepted.

Helpful Hints....

Be careful in your responses. The application limits the amount of space you can use. Do not add additional pages; **they will not be accepted.**

If the original contains colored pages (maps, photos, etc.), make sure you provide color pages in the copies.

Do not bind your application! Simply **staple** it in the upper left-hand corner.

All supporting materials, maps, drawing, etc. must be **no larger than 8.5"x 11"**.

Start early and finish early. Applications received after the deadline will not be reviewed. The deadline will not be extended for any reason.

Make sure all necessary supplements are contained in your completed application.

Mail only the required supplements, the original application, and fourteen copies of the application along with four photos of the proposed site.

ARKANSAS RECREATIONAL TRAILS PROGRAM
2010 Application

Applicant: City of Jonesboro, Arkansas

Type of Applicant: City

Address, city, state, and zip: 1212 S. Church St., Jonesboro, AR 72401

Primary Contact Person: Jeff Owens

Primary Contact Title: Assistant Director, Jonesboro Parks and Rec

Primary Contact Phone: 870-933-4604

Primary Contact Fax: 870-933-4641

Primary Contact E-mail: jowens@jonesboro.org

Recreational Trails Program Funds Requested: **\$80,000.00**

Local Match (Must be at least 20% of total project cost):

\$20,000.00

Total Project Cost: **\$100,000.00**

County: Craighead Nearest Municipality: Jonesboro, AR

Land Ownership: Public Type of Ownership: Long Term Easement

Provide an accurate 8.5" x 11" map showing the location of the project site in relation to the nearest municipality and the nearest State or U.S. Highway.

Length of trail to be constructed or repaired in feet: 1,200 Width of trail in feet: 10

Trail surface material: Asphalt If other, specify:

1. Describe what you will accomplish with the funds you are applying for:

The City of Jonesboro is seeking to construct Section VI of Phase I of the Turtle Creek Greenway. Section V construction will include 1,200 feet of trail. The trail will be a 10 foot wide asphalt trail that will eventually connect Downtown Jonesboro, Arkansas State University, Turtle Creek Mall, Nettleton Public School's Intermediate Center and Central Elementary, and Allen Park Community Center. If the City receives full funding from the Rec Trails Program, it will be able to extend the existing trail an additional 950 feet and continue toward ASU.

2. What is the Primary purpose of your project (check one box)?
- Restoration of trail damaged by use. **40 points**
 - New trail construction. **50 points**
 - Improvements, upgrades, or relocation to enhance use of existing trail. **30 points**
 - Trail-side or trail-head facility construction including, but not limited to: kiosks, bulletin boards, trash receptacles, lights, benches, parking lots, vista clearing, restrooms **20 points**
3. Check each of the trail uses to be provided by this project and provide a **brief explanation** of how each will be accommodated.
- bicycling walking equestrian jogging interpretive motorcycle
 - 4-wheel drive vehicle 4-wheel all terrain vehicle overnight/long distance hiking aquatic barrier free
 - other, please specify Roller Blading
4. How is this project in compliance with the current statewide Comprehensive Outdoor Recreation Plan developed by the Arkansas Department of Parks and Tourism, (501) 682-1301 or available on the internet at www.outdoorgrants.com./2003%20SCORP.pdf
- This project directly fulfills the priority for urban trails and greenways. More specifically, it fulfills the priority for multi-use trails. All of Jonesboro's parks are maintained at a high level with an emphasis on safety. The City has demonstrated its commitment to maintenance in the way parks are maintained. The Greenway trail will also provide barrier free access, add to recreational diversity, was recommended and designed with the input of over 2,000 citizens and the trail was designed by landscape architects who have an eye for integrating infrastructure with nature.
5. How will the project be designed and constructed to ensure the safety of its users and to avoid danger or injury to users due to possible conflicts between different user types? **20 points**
- The trail design is based upon the ASHTO guidelines for shared-use trails. The trail will be striped for two way traffic. As recommended by ASHTO, one foot on either side of the trail will be flat, crushed aggregate to provide a flat area where users can step or ride off the trail safely if needed. Most turns are sweeping and wide open for long range visibility. Collapsible bollards at entry points prohibit cars from entering. Signs at entry points along the trail will instruct of safe and proper trail etiquette. When possible, the greenway will be patrolled by Jonesboro Police.
6. Describe how maintenance will be accomplished after project completion. Include who will perform maintenance, maintenance schedule and checklist, and inspection schedule. **30 points**
- The City of Jonesboro Parks and Recreation Department will perform the daily mowing and maintenance of the facility. Any surfacing repairs will be performed by the City of Jonesboro Street Department. Lighting and lighting maintenance, when added, will be performed by the City's utility company, City Water and Light. The Parks and Recreation Department will mow the grass on approximately a 10 day schedule. Formal maintenance inspections will take place on a monthly basis and will be reported in the Parks Department work order system.
7. Explain the planning process that led to this proposal, i.e. public involvement, establishment of need and demand, review process, etc. **50 points**
- The need for a shared use trail has been expressed by 1,300 citizens in the 2002 Recreation Activity Study, 710 citizens in the 2003 Recreation Venue Poll, in the 2004 Mayor's Conference on Economic Development and in the 2005 MPO transportation study. The 2008 Jonesboro Quality of Life survey conducted by the Arkansas State's Center for Social Research indicated 88% of Jonesboro citizens

supported or strongly supported more sidewalks and bike paths. The report said "the construction of more sidewalks and bike paths received the greatest amount of support from respondents."

8. What accommodations will be made to provide access to this trail for individuals with disabilities?
10 points

All new construction of the City of Jonesboro meets ADA guidelines and must be approved by an engineer who specifically reviews ADA requirements. The plans for the Turtle Creek Greenway have been through this review. Specifically, the greenway will have handicapped accessible parking, asphalt paving, and accessible drinking fountains. The trail itself is flat and will be easily traversable by the elderly and wheelchairs.

9. What is the source of the required local 20% match: budget item, donated materials, donated services, donated cash, or a combination? If donated funds, materials, or services will be used as all or part of the local 20% match, **written commitments by the donors(s) must be provided.** The required match will come from the City of Jonesboro 2011 Budget.

10. **Is the local 20% match available right now? Yes** **20 points**

11. Source of labor: Contract

12. List any previous Recreational Trail Program or Trails for Life Program funds you have received since 1996 and the projects' status.

2002 Job#100571 Development of a parking lot and fencing for an ATV area at Craighead Forest Park. The project is complete and is in very good condition. The ATV parking lot is used by many ATV patrons on a daily basis. \$85,000

2007 Job#100669 Construction of Section III of Turtle Creek Greenway. \$57,742.00. Under Construction

2008 Job#100683 Construction of Section IV of Turtle Creek Greenway. \$36,250.00 Under Construction

Budget

Clearing and Grubbing: Length in feet 1,200 Width in feet 10 Cost
 \$1,000.00

Base Material: Include purchase, hauling, and installation. Cost \$18,000.00

Paving / Surface Material: Include purchase, hauling, and installation. Cost \$13,000.00

Boardwalk Construction: Length in feet 0 Width in feet Cost

Trailside / Trailhead Facilities:

- 1. Cost
- 2. Cost
- 3. Cost
- 4. Cost

- | | | |
|----|--|------|
| 5. | | Cost |
| 6. | | Cost |
| 7. | | Cost |

Bridges:

- | | | |
|-------------------|---------------|------|
| 1. Length in feet | Width in feet | Cost |
| 2. Length in feet | Width in feet | Cost |
| 3. Length in feet | Width in feet | Cost |
| 4. Length in feet | Width in feet | Cost |

Utilities:

- | | |
|----|------|
| 1. | Cost |
| 2. | Cost |
| 3. | Cost |
| 4. | Cost |
| 5. | Cost |

Drainage Structures:

- | | | | |
|----------|--------------------|------|-------------|
| Number 5 | Length in feet 100 | Cost | \$20,000.00 |
|----------|--------------------|------|-------------|

Brochures / Maps / Educational Materials:

- | | |
|----|------|
| 1. | Cost |
| 2. | Cost |
| 3. | Cost |

Other:

- | | | |
|------------------|------|-------------|
| 1. Dirt Work | Cost | \$20,000.00 |
| 2. Sormwater BMP | Cost | \$2,000.00 |

3. Seeding and Mulching	Cost	\$1,000.00
4. Rip Rap / Headwall	Cost	\$25,000.00
TOTAL PROJECT COST:		\$100,000.00
RECREATIONAL TRAILS PROGRAM FUNDS REQUESTED:		\$80,000.00

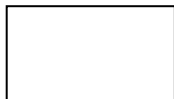
All applications must be received at the Arkansas State Highway and Transportation Department headquarters building in Little Rock no later than 3:30 p.m., Wednesday, June 9, 2010. No facsimile (fax) or electronic (e-mail, diskette, etc.) applications will be accepted. Send one original and fourteen (14) copies of this application with all necessary attachments including pictures to:

Bill Bastress
 Planning and Research Division
 Arkansas State Highway and Transportation Department
 10324 Interstate 30
 Little Rock, Arkansas 72209

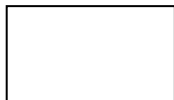
The 4 pictures should also be emailed to:
bill.bastress@arkansashighways.com

RECREATIONAL TRAILS PROGRAM APPLICATION CHECKLIST
Do not include this with your application.

Frequently Asked Questions have been read.



Site Plan



Location Map

Completed Budget

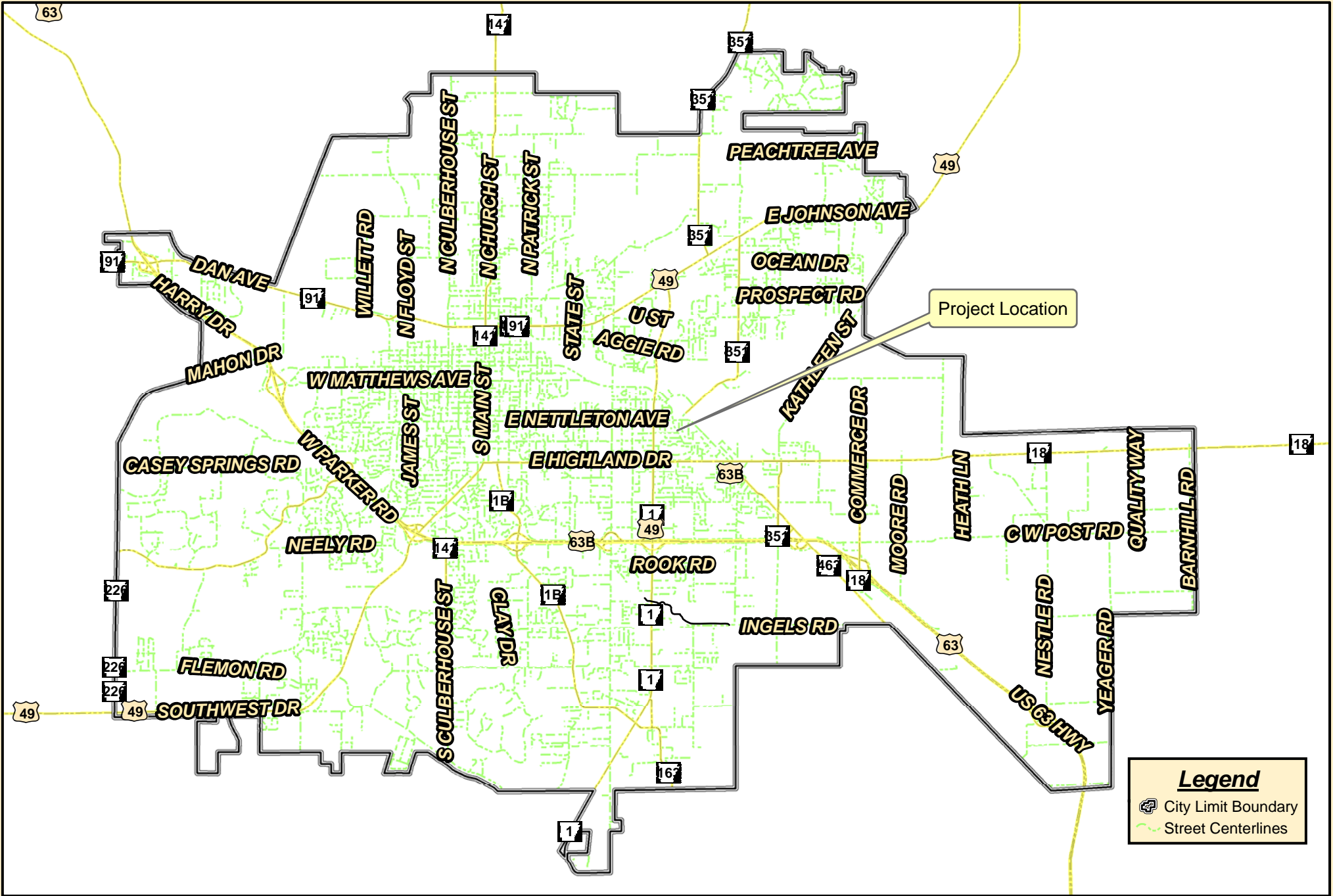
All Questions Answered Completely

Length

Width

Surface Type

Pictures – send with application and also email them to:
bill.bastress@arkansashighways.com



Legend

- City Limit Boundary
- Street Centerlines



CITY OF JONESBORO

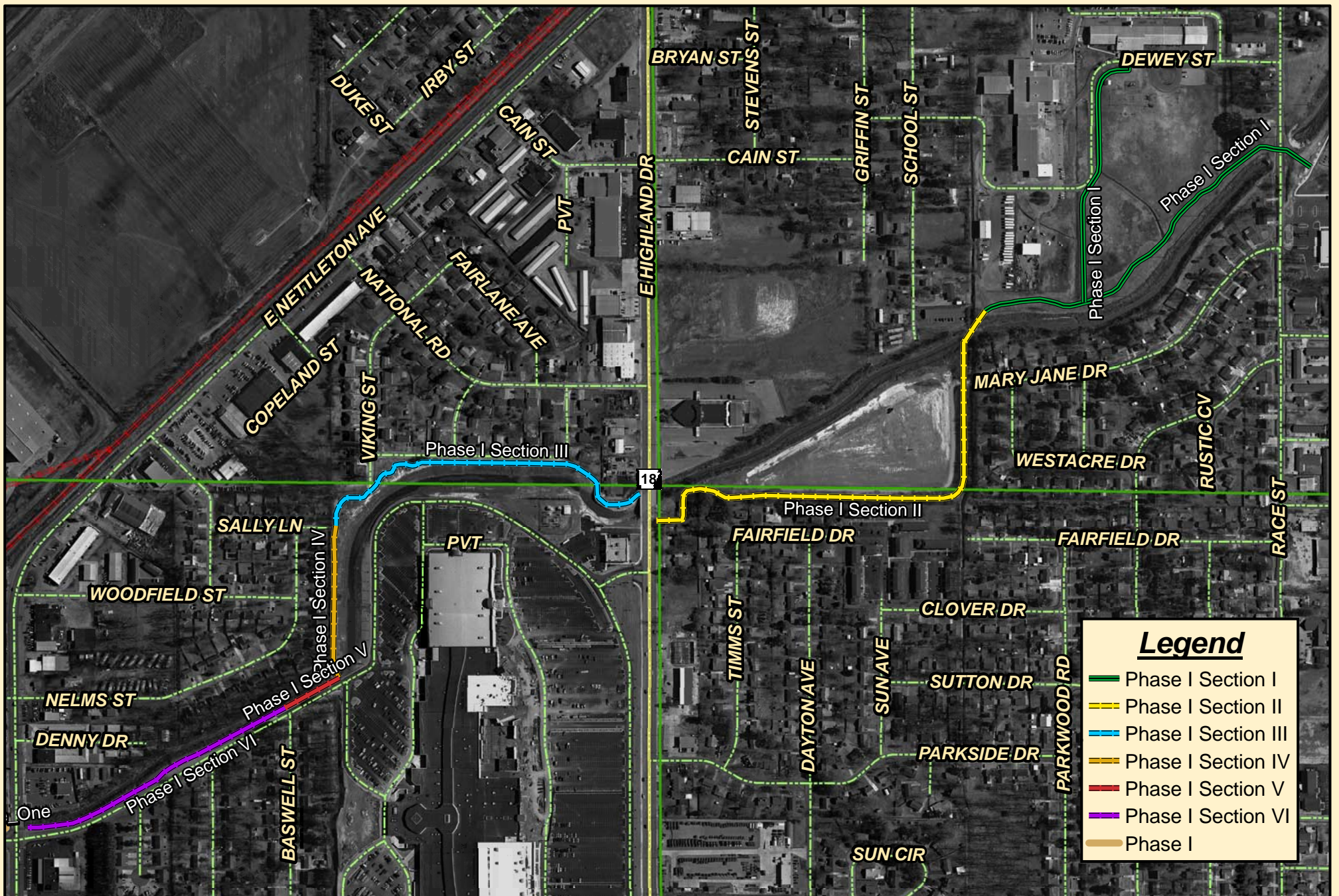
Jonesboro, Arkansas



City of Jonesboro
Engineering Department

Ph. 1.870.932.2438 Fax. 1.870.933.4664





Legend

- Phase I Section I
- Phase I Section II
- Phase I Section III
- Phase I Section IV
- Phase I Section V
- Phase I Section VI
- Phase I



Turtle Creek Greenway Trail

Phase I



City of Jonesboro
Engineering Department

Ph. 1.870.932.2438 Fax. 1.870.933.4664

0 200 400 800





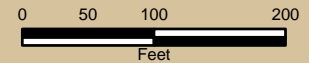
Turtle Creek Greenway Trail

Phase I - Section VI



City of Jonesboro
Engineering Department

Ph. 1.870.932.2438 Fax. 1.870.933.4664





City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: ORD-10:028 **Version:** 1 **Name:**
Type: Ordinance **Status:** First Reading
File created: 4/21/2010 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE MAYOR OF JONESBORO TO ENTER INTO A MOWING CONTRACT ALONG U.S. HIGHWAY 63.
Sponsors: Engineering
Indexes:
Code sections:
Attachments: [Contract for highway mowing](#)

Date	Ver.	Action By	Action	Result
5/11/2010	1	Finance & Administration Council Committee		
5/4/2010	1	Public Works Council Committee		

Title

AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE MAYOR OF JONESBORO TO ENTER INTO A MOWING CONTRACT ALONG U.S. HIGHWAY 63.

Body

WHEREAS, the City of Jonesboro desires to have the right-of-way along U.S. Highway 63 mowed where it intersects with the Northern and Southern city limits, and

WHEREAS, time is of the essence, as the mowing season has already started, and

WHEREAS, Hurley Highways, LLC is a company approved by and providing said services of the Arkansas State Highway and transportation department.

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

1. That the City desires to enter into a contract with Hurley Highways, LLC for mowing services.
2. That any requirements for competitive bidding are hereby waived pursuant to ACA 14-58-303 due to the immediate need to acquire said services from a qualified company.
3. That Mayor Harold Perrin and City Clerk Donna Jackson are hereby authorized to execute such documents necessary to effectuate this Contract.
4. The City Council of the City of Jonesboro, Arkansas hereby appropriates \$22,680 to be paid from undesignated Street Fund Balance.
5. This ordinance, being necessary for the health, safety and welfare of the citizens of the City of Jonesboro, an emergency is declared to exist. This ordinance shall take effect immediately upon its passage and approval.

CONTRACT FOR HIGHWAY MOWING

1. The City of Jonesboro (City) and Hurley Highways, LLC (Hurley) enter into the following contract for mowing services, according to the terms and conditions set forth herein,

2. Hurley hereby agrees to perform mowing services along the following routes, to-wit:

From right-of-way to right-of-way along U.S. Highway 63, where said highway intersects The North city limits of the City of Jonesboro to where the South city limits intersects U.S. Highway 63, excluding interchanges.

3. Hurley shall mow said route three (3) times during the time period May 19, 2010 to October 31, 2010. Further Hurley agrees to provide one (1) additional mowing of said route, at no additional charge to the City.

4. In return for said services the City agrees to pay to Hurley the sum of Twenty Two Thousand six hundred and eighty Dollars (\$22,680.00) which includes all applicable taxes. One-third (1/3) of said sum shall be paid upon receipt of invoice by Hurley, each time mowed.

5. City further agrees to provide trash pickup along said route to be coordinated with Hurley.

6. Hurley agrees to comply with all Arkansas State Highway and Transportation Department special provisions for mowing and trimming the highway right-of-way for divided highways.

7. Both parties agree that Hurley shall be considered an independent contractor with responsibility to provide its own employees and equipment.

However, Hurley shall provide proof of workmen's compensation insurance and auto insurance. Also proof of commercial and general liability insurance in the amount of Two Million Dollars (#2,000,000.00) shall be provided.

8. City hereby affirms that it has obtained the required permission from the Arkansas State Highway and Transportation Department to allow it to perform the mowing and pruning services set out herein.

ENTERED INTO ON THIS ____ DAY OF _____, 2010.

HURLEY HIGHWAYS, LLC
BY:

DAVID HURLEY, MGR.

CITY OF JONESBORO
BY:

MAYOR HAROLD PERRIN

ATTEST:

CITY CLERK, DONNA JACKSON



Legislation Details (With Text)

File #: ORD-10:029 **Version:** 1 **Name:**

Type: Ordinance **Status:** First Reading

File created: 4/23/2010 **In control:** Public Works Council Committee

On agenda: 5/4/2010 **Final action:**

Title: AN ORDINANCE TO AMEND SECTION 117-32 OF CHAPTER 117 OF THE JONESBORO CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS FOR THE PURPOSE OF CLARIFICATION ON THE PERMIT DRAWING REQUIREMENTS AS IT RELATES TO MULTI-FAMILY AND COMMERCIAL APPLICATIONS

Sponsors:

Indexes:

Code sections:

Attachments: [Staff MAPC Memo Architectural Seal Requirements](#)
[ExistingCode of Ordinances Chpt 117, Section 32 Zoning&BuildingPermits](#)

Date	Ver.	Action By	Action	Result
5/4/2010	1	Public Works Council Committee		

Title

AN ORDINANCE TO AMEND SECTION 117-32 OF CHAPTER 117 OF THE JONESBORO CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS FOR THE PURPOSE OF CLARIFICATION ON THE PERMIT DRAWING REQUIREMENTS AS IT RELATES TO MULTI-FAMILY AND COMMERCIAL APPLICATIONS

Body

WHEREAS, currently Chapter 117, Section 117-32 (c), the Zoning Ordinance specifies: Multi-family development plans of five (5) or more units and all commercial developments shall be sealed by an architect licensed in the State of Arkansas.

WHEREAS, The City of Jonesboro desires to encourage orderly development and provide clarity in the permit submittal requirements and assure that City standards comply with the State of Arkansas architectural licensing requirements for residential and commercial construction as well as the International Existing Building Code (IEBC), and

WHEREAS, The Metropolitan Area Planning Commission (MAPC) held a public hearing on April 13, 2010 and voted unanimously to recommend approval of this text amendment to City Council.

BE IT ORDAINED by the City Council for the City of Jonesboro, Arkansas that:

SECTION ONE: That Chapter 117, Section 117-32 (c) (formerly known as Section 14.44.02 *Zoning and Building Permits*) of the Jonesboro Code of Ordinances is hereby amended to read as follows:

Section (C): Multi-family development plans having three (3) or more units and all commercial developments with project costs exceeding \$75,000 shall be sealed by an architect licensed in the State of Arkansas. The Chief Building Code Official is authorized to require all applicable architect and engineer stamps when deemed necessary for safety per the Submittal of Documents Section of the 2007 Arkansas Fire Prevention Code (AFPC).

Section (D): All Group A (Assemblies), E (Educational), and I (Institutional) occupancies, (except Group A occupancies with an occupant load less than or equal to 50) shall have the official seal of a registered architect affixed to the Submittal Documents.

Section (E) All buildings and structures three (3) or more stories in height, and all buildings and structures 5,000 square feet (464.5 m²) or more in area shall have the official seal of a registered architect affixed to the Submittal Documents.

SECTION TWO: This ordinance, being necessary for the preservation of the public peace, health and safety, is hereby declared to be an emergency and this ordinance shall take effect and be in full force from and after its passage and approval.

Memo

To: City Council/Public Works Committee
From: Otis T. Spriggs, Planning Dept./ Terry Adams, Building Inspections
CC.: Phillip Crego, City Attorney; Mayor Harold Perrin
Date: May 4, 2010
Re.: **Text Amendment- MAPC Record of Proceedings**

RZ-10-05 Text Amendment Case: - AN ORDINANCE TO AMEND SECTION 117-32 OF CHAPTER 117 OF THE JONEBORO CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS FOR THE PURPOSE OF CLARIFICATION ON THE PERMIT DRAWING REQUIREMENTS AS IT RELATES TO MULTI-FAMILY AND COMMERCIAL APPLICATIONS

MAPC Public Hearing Held on April 13, 2010: Record of Proceedings:

Staff: Mr. Spriggs presented the Text Amendment case stating that this is a coordination of a previous ordinance adopted a couple of years ago. It deals with the Zoning Code which allows for a certain threshold of multi-family developments which exceed 2 units, and the requirement of architectural review of such plans and also for all commercial. This makes our requirement congruent with the State, National and all local codes. We have reduced the requirement from 5 units to 3 units including all commercial improvements exceeding \$75,000 in costs, to require a licensed architectural seal.

It also states that the Chief Building Code Official is authorized to require all applicable architect and engineer stamps when deemed necessary for safety per the Submittal of Documents Section of the 2007 Arkansas Fire Prevention Code (AFPC). We are attempting to bring everything into compliance. In August, 2008 the State code was changed. This will go to the Public Works Committee first and then MAPC's recommendation will be forwarded on to City Council for final adoption.

Commission: Mr. Hoelscher asked that in terms of commercial is this exempting either emergency repairs and or routine maintenance? For example, if someone was re-roofing a building and it costs \$80,000 and that's all they were doing, would they be exempt. Mr. Spriggs stated that would fall under the special authority of the Chief building inspector in terms of exemptions. Mr. Hoelscher stated his firm has a lot of people that ask what will be required of them; there was not a specific requirement for mechanical and electrical; its left open to not know what each project will require; will the applicant be able to meet and get feed-back before the final design?

Mr. Spriggs replied that typically, staff meets with any potential applicant at the table with all departments and disciplines present to go over all requirements. We make ourselves available. Mr. Spriggs added that the Building Department at this time is not requiring a permit for re-roof projects.

Mr. Kelton asked what if someone is adding on to an existing building or unit? Mr. Spriggs stated that if it is a tri-plex and above, the building code official can require the code analysis of the architect. Minor modifications do not require an architect. Those items only require a letter of code analysis. Mr. Hoelscher stated that the issue here is- this is already a requirement of the state.

Action:

Mr. Kelton moved to adopt the ordinance and recommended approval to Council; motion 2nd by Mr. Roberts. Case approved all ayes.

This matter has been posted on legistar to be discussed in the next Public Works Council Committee meeting scheduled for May 4, 2010. An Emergency Clause has been added within the Ordinance for reasons that this will allow our code change to take immediate effect once adopted, and also will bring us into compliance with all state building code requirements for document submittal. If you have any questions, please direct them to the undersigned or Terry Adams, Chief Building Inspector.

Thank you.

(5) *Enforcements.* To enforce these regulations and take all necessary steps to remedy any condition found in violation. The city may enjoin any individual or property owner who is in violation of this chapter to prevent or correct such violation. Any individual aggrieved by a violation of this chapter may request an injunction against any individual or property owner in violation of this chapter, or may mandamus any official to enforce the provisions of this chapter.

(6) *Advisements.* To keep the mayor, city council, planning commission and board of zoning adjustment advised of all matters other than routine which relate to the administration and enforcement of this chapter.

(Zoning Ord., § 14.44.01)

Sec. 117-32. Zoning and building permits.

(a) It shall be unlawful to commence the construction, reconstruction, moving, demolition or structural alteration of any building until a zoning permit and a building permit has been issued. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of these regulations and other applicable building laws, ordinances, or regulations. A zoning permit shall also be required for the use or reuse of property, buildings, or structures where building permits are not required. Compliance with paved parking and other site standards shall be achieved as a condition a change of use for commercial, industrial and multifamily pur-

poses. In addition, a zoning permit evidencing compliance with the provisions of this chapter shall be a prerequisite to the issuance of a city privilege or occupation license.

(b) All applications for building permits shall be accompanied by a plan in duplicate drawn to scale, showing the size of the building to be erected and its location on the zoning lot, the location of any existing buildings or structures, location and dimensions of all driveways and parking or loading areas, drainage and such other information as may be necessary to provide for the administration of this chapter.

(c) Site plans, sealed by a professional engineer licensed in the state shall be required in accordance with the city stormwater management/drainage ordinance for all development or redevelopment proposals. Multifamily development plans of five or more units and all commercial developments shall be sealed by an architect licensed in the state.

(d) Site plans shall be required for all multifamily development proposals of five units or more, as well as for all new commercial and industrial development and substantial redevelopment. Such plans shall be reviewed and approved at the staff level, subject to appeal by the applicant to the Metropolitan Area Planning Commission; provided that, large-scale commercial development of over 75,000 square feet of gross floor area, and multifamily developments of more than 48 units shall be approved by the Metropolitan Area Planning Commission. Site plan decisions by the MAPC shall be subject to

appeal to the city council. Complete requirements for site plans are included in the appendices hereto.

(e) The design professional, engineer, architect, or landscape architect, preparing and sealing site plans as prescribed under this section shall periodically inspect the construction of all site improvements shown on and required by the site plan approved by the city planner and/or the Metropolitan Area Planning Commission and shall verify that, to the best of the design professional's knowledge, all improvements have been constructed and completed in accordance with said plan. A letter verifying this fact shall be submitted to the city planner prior to issuance of a certificate of occupancy.

(Zoning Ord., § 14.44.02; Ord. No. 3429; Ord. No. 07-3165, 12-18-2007)

Sec. 117-33. Certificate of occupancy.

(a) Certificates of occupancy are required to ensure that completed structures and the development of property of which such structures are a part, comply with the provisions of this chapter, as well as any site plans or conditional approvals for such structures and development.

(b) The building inspector shall have the authority and responsibility to issue and keep records of certificates of occupancy in accordance with the requirements set forth in this chapter, and the building code.

(c) A certificate of occupancy must be applied for and issued by the building inspector prior to occupancy and use of a structure or premises for any of the following:

(1) Any new structure.

(2) Any addition to an existing nonresidential structure.

(3) Any change in occupancy or use of a building or premises that involves nonresidential occupancy.

(4) Placement or change in occupancy of any mobile home on any lot or parcel, regardless of use.

(d) A certificate of occupancy shall be applied for coincident with the application for a building permit and must be issued before occupancy and connection of utilities to such building.

(e) The building official or his designated agent shall inspect the property which is the subject of an application within a reasonable time, after a completed application has been filed, and shall issue a certificate of occupancy if the premises of the property comply in all respects with the applicable development regulations in effect for the city. If the premises do not so comply, the building official shall deny the application in a written notice mailed to the applicant with five days, excluding weekends and holidays, after the inspection of the property, specifying the provisions of which ordinance or code the structure or development does not comply.

(f) A temporary certificate of occupancy may be issued for a portion or portions of a building which may safely be occupied prior to final completion of the building. A temporary certificate of occupancy shall be valid for a period not exceeding six months. Such temporary certificate shall not be construed as in any way altering the respective rights, duties or obligations of the owner or of

the city relating to the use or occupancy or any other matter required by this chapter.

(g) A temporary certificate of occupancy shall not be issued until the owner of the property and/or the general contractor have posted a surety bond, irrevocable letter of credit with automatic renewal, or other instrument approved by the city attorney to ensure that incomplete building improvements and/or site improvements are completed as required by the city zoning permit and/or the city building permit issued for the property. The amount of the bond shall be equal to the cost of the remaining work to be completed as determined by an architect or engineer registered in the state or by a licensed general contractor and verified by the city engineer or the chief building official.

(h) Information required for submission to obtain a certificate of occupancy shall include:

- (1) The name of applicant.
- (2) The nature and extent of the applicant's ownership interest in the subject property.
- (3) The address of the property for which a certificate is requested.
- (4) A legal description of the property, the zoning classification for the property, and a statement that the use of the property is allowed or permitted in the zoning classification for the property.
- (5) Four copies of a site plan for any new construction, same as required for a building permit, for the struc-

ture or the development of which such structure is a part, is required.

- (6) Four copies of architectural plans for the proposed structure or the development of which such structure is a part is required. When no new work is required with a change in use of a commercial space, such request for certificate of occupancy shall accompany a letter of code analysis by a registered architect within the state certifying compliance with all applicable building, zoning and fire codes.
- (7) Such other information as requested by the building official to ensure conformance with applicable development regulations.

(Zoning Ord., § 14.44.03; Ord. No. 3430; Ord. No. 07:3165, § 2, 12-18-2007)

Sec. 117-34. Amendments.

Two types of amendments to this zoning chapter are recognized; one being a revision in the textual provisions of the chapter, and the other being a change of boundary in a zoning district.

- (1) *Amendment to text.* Amendments to the text may be initiated by the planning commission, the city council, or by the mayor. Proposed amendments shall be processed in accordance with the procedures set forth in this section.
 - a. *Notice.* The city planner shall be responsible for scheduling a public hearing before the planning commission. He shall prepare the content of a public notice, and ensure that the



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: ORD-10:030 **Version:** 1 **Name:**
Type: Ordinance **Status:** First Reading
File created: 4/22/2010 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: AN ORDINANCE TO WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF TWO USED RENTAL RADAR RECORDER KITS
Sponsors: Engineering
Indexes:
Code sections:
Attachments: [JAMAR Quote](#)

Date	Ver.	Action By	Action	Result
5/4/2010	1	Public Works Council Committee		

Title

AN ORDINANCE TO WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF TWO USED RENTAL RADAR RECORDER KITS

body

WHEREAS, the City of Jonesboro desires to purchase two used rental radar recorder kits to measure the speed of free-flowing traffic within the City of Jonesboro;

WHEREAS, JAMAR Technologies, Inc. currently has a limited supply of used rental radar recorder kits available to interested Public Works departments in Arkansas;

WHEREAS, JAMAR Technologies, Inc. has provided a price quote of \$4,465.00 for two used rental radar recorder kits;

WHEREAS, time is of the essence, as the price quote is valid for 30 days.

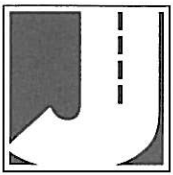
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1. That the City of Jonesboro desires to purchase two used rental radar recorder kits from JAMAR Technologies, Inc. to measure the speed of free-flowing traffic for a cost of \$4,465.00.

Section 2. The City Council in accord with the terms of A.C.A. Section 14-58-302 hereby waives the requirement of competitive bidding due to the immediate need to acquire said equipment from a qualified company.

Section 3. The City Council of the City of Jonesboro, Arkansas hereby appropriates \$4,465.00 to be paid from undesignated Street Fund Balance.

Section 4. It is further found that due to the immediate need to acquire this equipment an emergency is declared to exist and this ordinance being necessary for the preservation of the public peace, health, and safety shall take effect immediately upon its passage and approval.



JAMAR Technologies, Inc.

TRAFFIC COUNTING EQUIPMENT AND SUPPLIES
DISTANCE MEASURING EQUIPMENT AND SUPPLIES

1500 Industry Road, Suite C
Hatfield, PA 19440

Phone 215-361-2244 • Fax 215-361-2267

QUOTATION

DATE: 4/22/2010

QUOTATION NO. 64532

P - (870) 932-2438 Ext. 0000
F - (000) 000-0000 Ext. 0000

JONESBORO, CITY OF*
ENGINEERING DEPARTMENT
307 VINE STREET
JONESBORO AR 72401

ATTN: CRAIG LIGHT

		CUSTOMER ID	SALES PERSON	SHIPPING METHOD	PAYMENT TERMS	REQUIRED SHIP DATE	MASTER NUMBER
		4899	BRENDAN	UPS	NET 30	5/21/2010	77,798
QUANTITY ORDERED	ITEM NUMBER	DESCRIPTION				UNIT PRICE	EXTENDED PRICE
1 EACH	*1000	USED RENTAL RADAR RECORDER KIT INCLUDES:				\$2,740.0000	\$2,740.00
1.00 Each	RADAR RECORDER					\$0	\$0.00
1.00 Each	HANDHELD PDA W/JPDA					\$0	\$0.00
2.00 Each	BATTERIES					\$0	\$0.00
1.00 Each	BATTERY CHARGER					\$0	\$0.00
1.00 Each	MOUNTING KIT					\$0	\$0.00
1.00 Each	TRAXPRO SOFTWARE					\$0	\$0.00
1.00 Each	SOLAR PANEL					\$0	\$0.00
1 EACH	*1000	USED RENTAL RADAR RECORDER KIT INCLUDES:				\$1,650.0000	\$1,650.00
1.00 Each	RADAR RECORDER					\$0	\$0.00
2.00 Each	BATTERIES					\$0	\$0.00
1.00 Each	MOUNTING KIT					\$0	\$0.00
1.00 Each	SOLAR PANEL					\$0	\$0.00

PRICE QUOTE IS VALID FOR 30 DAYS UNLESS OTHERWISE NOTED

By 

Subtotal	\$4,390.00
Misc	\$0.00
Tax	\$0.00
Freight	\$75.00
Total	\$4,465.00



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: ORD-10:031 **Version:** 1 **Name:**
Type: Ordinance **Status:** First Reading
File created: 4/27/2010 **In control:** Public Works Council Committee
On agenda: **Final action:**
Title: AN ORDINANCE ADOPTING THE CREATION OF THE TRANSPORTATION MANAGEMENT BOARD
Sponsors: Engineering
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
5/4/2010	1	Public Works Council Committee		

title
AN ORDINANCE ADOPTING THE CREATION OF THE TRANSPORTATION MANAGEMENT BOARD
body

WHEREAS, the City of Jonesboro is responsible for planning, developing, and managing a safe, efficient, and affordable transportation system for its local jurisdiction;

WHEREAS, this responsibility requires involvement of policy makers, technical staff, and citizens to address various facets of transportation management and planning;

WHEREAS, a formal transportation management and planning committee is needed to guide and make recommendations regarding the transportation system for the City of Jonesboro;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION ONE: Name: The official name of this committee shall be The Transportation Management Board (TMB).

SECTION TWO: Member number, qualifications, appointment and terms of office of members.

There is hereby created a City of Jonesboro Transportation Management Board which shall consist of nine (9) voting members counting:

- (1) The Chair of the Public Works Transportation Subcommittee of the City Council;
- (2) The Chair of the Transportation Subcommittee of the Jonesboro Regional Chamber of Commerce;
- (3) The Chair of the Metropolitan Area Planning Commission (MAPC);
- (4) The Chair of the Jonesboro Economical Transit System (JETS) Board; and
- (5) Five (5) members from the community at-large.

At-large members shall be appointed by the Mayor and confirmed by a majority vote of the City Council. All other members shall serve by virtue of their other appointments.

At-large members shall serve a term of two (2) years from the anniversary date of the passage of this Ordinance and shall continue to be so eligible as long as they shall serve or be reappointed by the Mayor. The terms of office of the first appointed at-large members shall be staggered such that two at-large appointments expire after the first year.

Non-voting members of the committee shall include the following listed members or their appointees: Director of the Metropolitan Planning Organization (MPO), the City Engineer, the City Planner, the City Street Superintendent, the Uniform Patrol/Traffic Captain of the Jonesboro Police Department, and the Director of Jonesboro Economical Transit system (JETS).

SECTION THREE: Organization

Within thirty days after its appointment, the Transportation Management Board shall organize itself by election of one of its voting members as chairperson and another as vice chairperson. New officers shall be elected annually at the first meeting following the anniversary date of the passage of this Ordinance. The City Engineer shall appoint the secretary to the board to be the custodian of the minutes and records of the proceedings of the board. The City Attorney or his representative shall serve as legal advisor to the board.

SECTION FOUR: Compensation

All appointed members of the board shall serve without compensation.

SECTION FIVE: Removal and Replacement of Members.

All appointed members of the board may be removed from membership on the board by a majority vote of the City Council for continued absence from meetings of the board or other just cause. Replacement of any appointed member of the board resigning or dismissed from the board shall be appointed by the Mayor and confirmed by the City Council in the same manner as prescribed for regular appointees. Any members appointed as a replacement shall serve only for the remainder of the term of the member replaced, unless subsequently re-appointed for an additional term.

SECTION SIX: Duties and Procedures.

The Transportation Management Board shall adopt such rules and regulations as it may deem necessary to conduct its business. The board, in open meeting, shall hear all appeals, under the provisions of this section. The board shall meet at regular intervals of at least once every other month with the day and time to be set by the board. In the event no appeals have been filed and there is no business pending, the chairperson may cancel the meeting seven (7) days before its scheduled date.

The board shall assist with the planning, preparation, promotion, and implementation of a comprehensive transportation management program for the City of Jonesboro and shall make recommendations to other boards and commissions, as necessary.

The board shall approve all transportation related technical codes and standards, planning documents, and improvement programs before they become binding under the terms of an ordinance. The board shall also advise and make recommendations to the City Council, or the appropriate City Council Committee, regarding transportation related issues including, but not limited to, traffic control signage, signals, street functional classification, street configuration, and street geometric design.

SECTION SEVEN: Quorum, Voting and Conflict of Interest.

Five members of the Transportation Management Board shall constitute a quorum. A majority vote of voting members present shall be required for actions by the board. No member of the board shall act in any case in which he has a personal interest.

SECTION EIGHT: Appeals to Board.

(1) Whenever the City Engineer shall reject or refuse to approve a plan for noncompliance of the applicable Transportation Management Codes, the owner or his authorized agent may appeal the decision of the City Engineer to the Transportation Management Board. An appeal must be filed within thirty (30) days after said decision by the City Engineer. The fee for filing an appeal shall be \$100.00 plus all actual advertising costs.

(2) Every decision of the board shall be final, subject however, to such remedy as any aggrieved party or the City of Jonesboro may have at law or in equity. All decisions of the board shall be in writing and shall indicate the vote of each member of the board upon the decision. Every decision shall be promptly entered into the minutes of the meeting of the board and filed in the office of the City Engineer and in the office of the City Clerk. The records of the board shall be open to public inspection and a certified copy of each decision shall be sent by mail or otherwise to the appellant.

SECTION NINE: This Ordinance expressly supersedes Ordinance No. 06:108 and any other ordinance in conflict.

SECTION TEN: Due to confusion resulting in delays in the placement of traffic control signage, signals, and other devices, an emergency is declared and this ordinance shall take effect and be in full force and effect from and after its passage and approval.



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: ORD-10:039 **Version:** 1 **Name:**

Type: Ordinance **Status:** First Reading

File created: 4/29/2010 **In control:** Finance & Administration Council Committee

On agenda: **Final action:**

Title: AN ORDINANCE TO AMEND THE 2010 ANNUAL BUDGET AND THE CITY SALARY & ADMINISTRATION PLAN FOR THE CITY OF JONESBORO TO ADD AN ADDITIONAL CODE ENFORCEMENT OFFICER TO THE INSPECTIONS DEPARTMENT

Sponsors: Community Development, Human Resources, Code Enforcement

Indexes:

Code sections:

Attachments: [Code Enforcement job desc](#)

Date	Ver.	Action By	Action	Result
5/11/2010	1	Finance & Administration Council Committee		

Title

AN ORDINANCE TO AMEND THE 2010 ANNUAL BUDGET AND THE CITY SALARY & ADMINISTRATION PLAN FOR THE CITY OF JONESBORO TO ADD AN ADDITIONAL CODE ENFORCEMENT OFFICER TO THE INSPECTIONS DEPARTMENT

Body

WHEREAS, Ordinance Number 09:113 adopted the 2010 Budget; and

WHEREAS, Resolution Number 09:001 adopted the City Salary & Administration Plan; and

WHEREAS, it is recommended by the Finance Committee, to ensure sufficient staffing in the Inspections Department, that the position of Code Enforcement Officer be added;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1: The annual 2010 budget of the City of Jonesboro is amended by the addition of one Code Enforcement Officer.

SECTION 2: The City Salary & Administration Plan is amended to include the position of Code Enforcement, grade 109, in the Inspection Department.

SECTION 3: The salary for this position will be funded through the CDBG grant with the condition that this position will serve CDBG designated areas exclusively.

SECTION 4: For the financial and operational continuity of the City of Jonesboro it is hereby found and declared that an emergency exists and that this ordinance shall take effect from and after its passage and approval.



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: ORD-10:040 **Version:** 2 **Name:**
Type: Ordinance **Status:** First Reading
File created: 5/5/2010 **In control:** Finance & Administration Council Committee
On agenda: **Final action:**
Title: AN ORDINANCE TO AMEND THE 2010 BUDGET OF THE CITY OF JONESBORO, ARKANSAS TO PROVIDE FOR ADDITIONAL COSTS OF UNEMPLOYMENT INSURANCE
Sponsors: Finance
Indexes:
Code sections:
Attachments: [2009 Unemployment Cost](#)

Date	Ver.	Action By	Action	Result
5/11/2010	2	Finance & Administration Council Committee		

Title

AN ORDINANCE TO AMEND THE 2010 BUDGET OF THE CITY OF JONESBORO, ARKANSAS TO PROVIDE FOR ADDITIONAL COSTS OF UNEMPLOYMENT INSURANCE

Body

WHEREAS, the City of Jonesboro, Arkansas, as a proper employer does maintain unemployment insurance for the benefit of those who have been employed; and,

WHEREAS, the City participates in a plan of insurance that assesses premiums based on experience; and,

WHEREAS, the City received a premium billing in 2010 that exceeds the budgeted amounts for this expenditure in the amount of \$94,123.57; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1: The 2010 Budget of the City of Jonesboro, Arkansas be amended, and budgeted expenditures for unemployment insurance of each department be increased according to schedules maintained by the Finance Department, said increases totaling \$94,123.57.

SECTION 2: It being necessary that the finances of the City of Jonesboro, Arkansas be efficiently administered and accounted for, and whereas this ordinance is necessary for the proper execution of contractual obligations, an emergency is declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.



Unemployment Insurance Expense 2009

Department	Expense
Finance	\$ 6,034.00
Police	16,847.13
Fire	12,544.71
Inspection	-
Animal Control	2,166.53
City Clerk	-
City Attorney	-
Planning	-
Info. System	17,229.46
Human Resource	388.52
Building Maint.	192.60
Mayor's Office	2,201.00
Street	6,005.29
Engineering	-
Sanitation	34,361.98
Parking	-
Parks	26,050.03
E-911	5,423.64
Grants	-
CDBG	-
MPO	-
Transit	15,514.68
Total 2009 Expenses	\$ 144,959.57



Legislation Details (With Text)

File #: ORD-10:041 **Version:** 1 **Name:**
Type: Ordinance **Status:** First Reading
File created: 5/6/2010 **In control:** Finance & Administration Council Committee
On agenda: **Final action:**
Title: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF MEDIAEDGE VIDEOCASTING SYSTEM FOR THE INFORMATION SYSTEMS DEPARTMENT
Sponsors: Information Systems
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
5/11/2010	1	Finance & Administration Council Committee		

Title

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF MEDIAEDGE VIDEOCASTING SYSTEM FOR THE INFORMATION SYSTEMS DEPARTMENT

Body

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION ONE: That the Information Systems department of the City of Jonesboro, Arkansas, needs to purchase a Media Edge Video casting System.

SECTION TWO: That said equipment may be purchased from Influence Media Network, a sole source, for the sum of \$27,301.86 sales tax included, to be paid from the account 09-100-0662-00. Funding source for this purchase was received from the General Improvement fund from The State of Arkansas. The said purchase is to aid in the production of training materials that will provide sufficient and cost effective training for current and future employees of the City of Jonesboro

SECTION THREE: That the City Council in accord with the terms of A.C.A. Section 14-58-302 hereby waives the requirement of competitive bidding and directs the Purchasing Agent to purchase the above described for the price set forth in Section 2 above.

SECTION FOUR: It is further found that due to the immediate need to acquire this equipment to provide sufficient and cost effective training for current and future employees of the City of Jonesboro, an emergency is declared to exist and this ordinance being necessary for the preservation of the public peace, health and safety, it shall take effect from and after its passage and approval.



Legislation Details (With Text)

File #: ORD-10:042 **Version:** 1 **Name:**
Type: Ordinance **Status:** First Reading
File created: 5/6/2010 **In control:** Finance & Administration Council Committee
On agenda: **Final action:**
Title: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF AUDIO RECORDING EQUIPMENT FOR THE INFORMATION SYSTEMS DEPARTMENT
Sponsors: Information Systems
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
5/11/2010	1	Finance & Administration Council Committee		

Title

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF AUDIO RECORDING EQUIPMENT FOR THE INFORMATION SYSTEMS DEPARTMENT

Body

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION ONE: That the Information Systems department of the City of Jonesboro, Arkansas, needs to purchase Audio Recording Equipment.

SECTION TWO: That said equipment may be purchased from Sweetwater Music Technology Direct, a sole source, for the sum of \$2,057.72 sales tax included, to be paid from the account 09-0100-0662-00. Funding source for this purchase was received from the General Improvement fund from The State of Arkansas. The said purchase is to aid in the production of training materials that will provide sufficient and cost effective training for current and future employees of the City of Jonesboro

SECTION THREE: That the City Council in accord with the terms of A.C.A. Section 14-58-302 hereby waives the requirement of competitive bidding and directs the Purchasing Agent to purchase the above described for the price set forth in Section 2 above.

SECTION FOUR: It is further found that due to the immediate need to acquire this equipment to provide sufficient and cost effective training for current and future employees of the City of Jonesboro, an emergency is declared to exist and this ordinance being necessary for the preservation of the public peace, health and safety, it shall take effect from and after its passage and approval.



Legislation Details (With Text)

File #: ORD-10:043 **Version:** 1 **Name:**
Type: Ordinance **Status:** First Reading
File created: 5/6/2010 **In control:** Finance & Administration Council Committee
On agenda: **Final action:**
Title: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF VIDEO EQUIPMENT FOR THE INFORMATION SYSTEMS DEPARTMENT
Sponsors: Information Systems
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
5/11/2010	1	Finance & Administration Council Committee		

Title

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF VIDEO EQUIPMENT FOR THE INFORMATION SYSTEMS DEPARTMENT

Body

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION ONE: That the Information Systems department of the City of Jonesboro, Arkansas, needs to purchase Video Equipment.

SECTION TWO: That said equipment may be purchased from B&H, a sole source, for the sum of \$13,000.00 sales tax included, to be paid from the account 09-100-0662-00. Funding source for this purchase was received from the General Improvement fund from The State of Arkansas. The said purchase is to aid in the production of training materials that will provide sufficient and cost effective training for current and future employees of the City of Jonesboro.

SECTION THREE: That the City Council in accord with the terms of A.C.A. Section 14-58-302 hereby waives the requirement of competitive bidding and directs the Purchasing Agent to purchase the above described for the price set forth in Section 2 above.

SECTION FOUR: It is further found that due to the immediate need to acquire this equipment to provide sufficient and cost effective training for current and future employees of the City of Jonesboro, an emergency is declared to exist and this ordinance being necessary for the preservation of the public peace, health and safety, it shall take effect from and after its passage and approval.



Legislation Details (With Text)

File #: ORD-10:044 **Version:** 1 **Name:**
Type: Ordinance **Status:** First Reading
File created: 5/13/2010 **In control:** City Council
On agenda: **Final action:**
Title: AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES FROM R-2 LOW DENSITY MULTI-FAMILY TO C-3 GENERAL COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 1405 EAST WASHINGTON AS REQUESTED BY JONESBORO REAL ESTATE HOLDINGS
Sponsors:
Indexes:
Code sections:
Attachments: [Plat](#)
[MAPC Report](#)

Date	Ver.	Action By	Action	Result
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title
AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES.

body
BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

SECTION 1. That Title 14 of the Jonesboro Municipal Code known as the Zoning Ordinance of the City of Jonesboro, Arkansas, 00 be amended by the change in zone district boundaries as follows:

From R-2, Low Density Multi-Family to C-3, General Commercial District, that land described as follows:

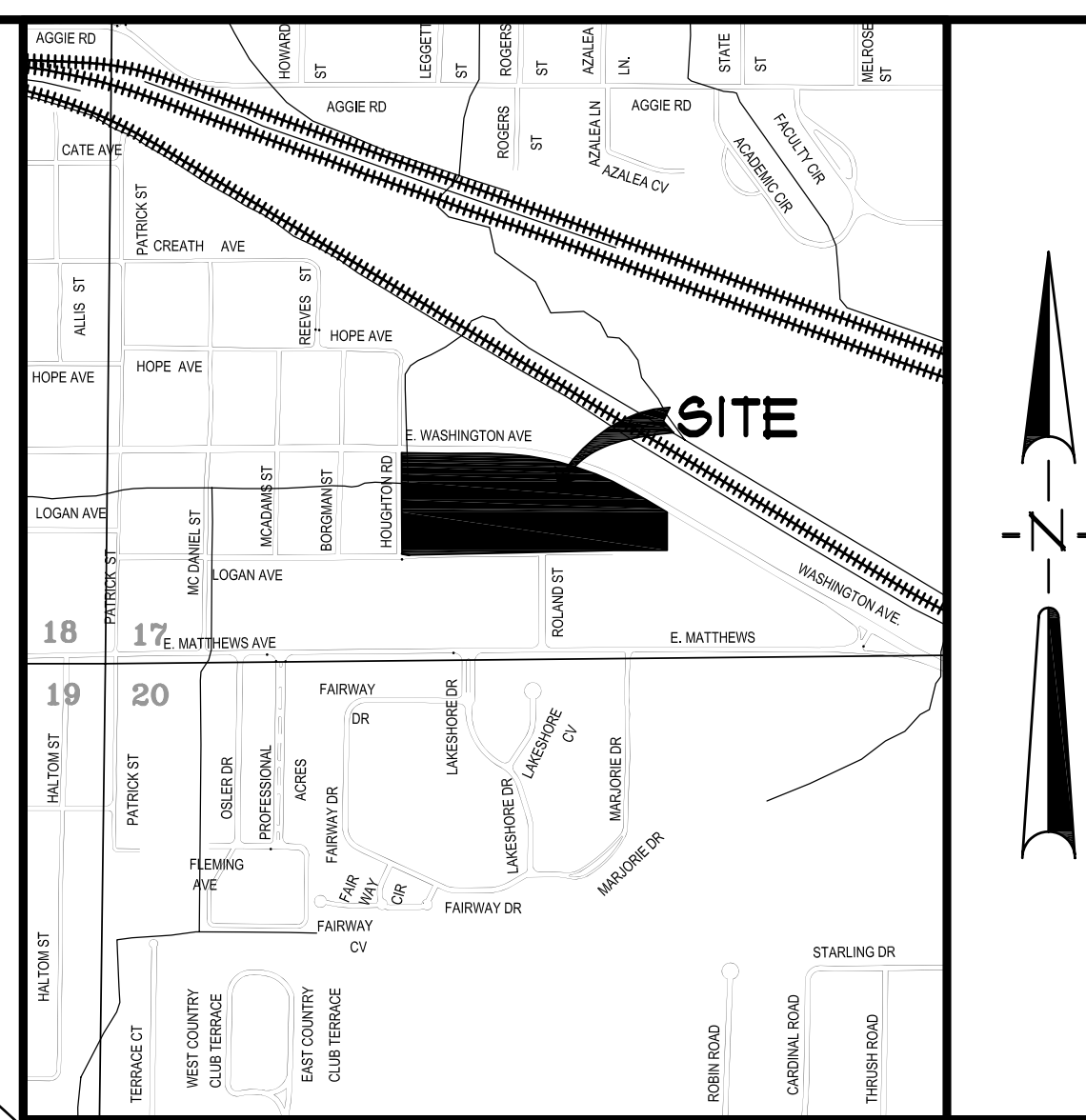
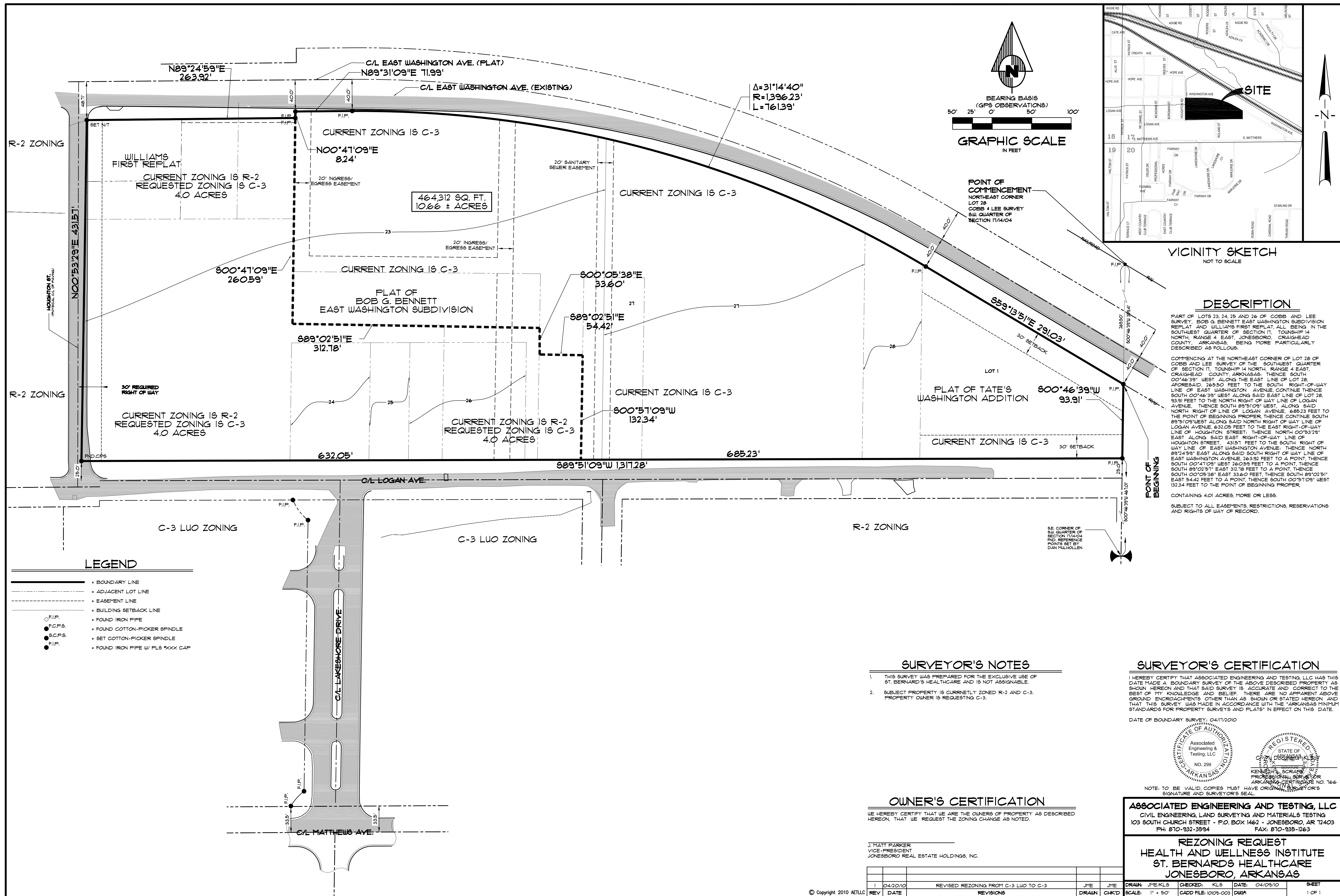
LEGAL DESCRIPTION

PART OF LOTS 23, 24, 25 AND 26 OF COBB AND LEE SURVEY, BOB G. BENNETT EAST WASHINGTON SUBDIVISION REPLAT AND WILLIAMS FIRST REPLAT, ALL BEING IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 4 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 28 OF COBB AND LEE SURVEY OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS: THENCE SOUTH 00°46'39" WEST ALONG THE EAST LINE OF LOT 28, AFORESAID, 265.50 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF EAST WASHINGTON AVENUE, CONTINUE THENCE SOUTH 00°46'39" WEST ALONG SAID EAST LINE OF LOT 28, 93.91 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LOGAN AVENUE, THENCE SOUTH 89°51'09" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE OF LOGAN AVENUE, 685.23 FEET TO THE POINT OF BEGINNING PROPER, THENCE CONTINUE SOUTH 89°51'09" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF LOGAN AVENUE, 632.05 FEET TO THE EAST RIGHT-OF-WAY LINE OF HOUGHTON STREET: THENCE NORTH 00°53'29" EAST ALONG SAID EAST RIGHT-OF-WAY LINE OF HOUGHTON STREET, 431.57 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF EAST WASHINGTON AVENUE: THENCE NORTH 89°24'59" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF EAST WASHINGTON AVENUE, 263.92 FEET TO A POINT, THENCE SOUTH 00°47'09" WEST 260.59 FEET TO A POINT, THENCE SOUTH 89°02'57" EAST 312.78 FEET TO A POINT, THENCE SOUTH 00°05'38" EAST 33.60 FEET TO A POINT, THENCE SOUTH 89°02'51" EAST 54.42 FEET TO A POINT, THENCE SOUTH 00°57'09" WEST 132.34 FEET TO THE POINT OF BEGINNING PROPER,

CONTAINING IN ALL 174,676 SQ. FT. OR 4.01 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.



VICINITY SKETCH
NOT TO SCALE

DESCRIPTION

PART OF LOTS 23, 24, 25 AND 26 OF COBB AND LEE SURVEY, BOB G. BENNETT EAST WASHINGTON SUBDIVISION REPLAT AND WILLIAMS FIRST REPLAT, ALL BEING IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 28 OF COBB AND LEE SURVEY OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS; THENCE SOUTH 00°46'39" WEST ALONG THE EAST LINE OF LOT 28, AFORESAID, 269.50 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF EAST WASHINGTON AVENUE; CONTINUE THENCE SOUTH 00°46'39" WEST ALONG SAID EAST LINE OF LOT 28, 93.91 FEET TO THE NORTH RIGHT OF WAY LINE OF LOGAN AVENUE; THENCE SOUTH 89°51'09" WEST, ALONG SAID NORTH RIGHT OF LINE OF LOGAN AVENUE, 685.23 FEET TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH 89°51'09" WEST ALONG SAID NORTH RIGHT OF WAY LINE OF LOGAN AVENUE, 632.05 FEET TO THE EAST RIGHT-OF-WAY LINE OF HOUGHTON STREET; THENCE NORTH 00°53'28" EAST ALONG SAID EAST RIGHT-OF-WAY LINE OF HOUGHTON STREET, 431.51 FEET TO THE SOUTH RIGHT OF WAY LINE OF EAST WASHINGTON AVENUE; THENCE NORTH 89°24'59" EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF EAST WASHINGTON AVENUE, 263.92 FEET TO A POINT; THENCE SOUTH 00°41'09" WEST 260.59 FEET TO A POINT; THENCE SOUTH 89°02'51" EAST 312.78 FEET TO A POINT; THENCE SOUTH 00°09'38" EAST 33.60 FEET; THENCE SOUTH 89°02'51" EAST 54.42 FEET TO A POINT; THENCE SOUTH 00°15'10" WEST 132.34 FEET TO THE POINT OF BEGINNING PROPER.

CONTAINING 4.01 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD.

SURVEYOR'S NOTES

- THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF ST. BERNARD'S HEALTHCARE AND IS NOT ASSIGNABLE.
- SUBJECT PROPERTY IS CURRENTLY ZONED R-2 AND C-3. PROPERTY OWNER IS REQUESTING C-3.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT ASSOCIATED ENGINEERING AND TESTING, LLC HAS THIS DATE MADE A BOUNDARY SURVEY OF THE ABOVE DESCRIBED PROPERTY AS SHOWN HEREON AND THAT SAID SURVEY IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THERE ARE NO APPARENT ABOVE GROUND ENCROACHMENTS OTHER THAN AS SHOWN OR STATED HEREON AND THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE "ARKANSAS MINIMUM STANDARDS FOR PROPERTY SURVEYS AND PLATS" IN EFFECT ON THIS DATE.

DATE OF BOUNDARY SURVEY: 04/11/2010

Associated Engineering & Testing, LLC
NO. 299

REGISTERED PROFESSIONAL SURVEYOR
STATE OF ARKANSAS
KENNETH L. SCARF
PROFESSIONAL SURVEYOR
ARKANSAS CERTIFICATE NO. 166

NOTE: TO BE VALID, COPIES MUST HAVE ORIGINAL SURVEYOR'S SIGNATURE AND SURVEYOR'S SEAL.

OWNER'S CERTIFICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF PROPERTY AS DESCRIBED HEREON, THAT WE REQUEST THE ZONING CHANGE AS NOTED.

J. MATT PARKER
VICE PRESIDENT
JONESBORO REAL ESTATE HOLDINGS, INC.

ASSOCIATED ENGINEERING AND TESTING, LLC
CIVIL ENGINEERING, LAND SURVEYING AND MATERIALS TESTING
103 SOUTH CHURCH STREET - P.O. BOX 1462 - JONESBORO, AR 72403
PH: 810-932-3594 FAX: 810-935-1263

REZONING REQUEST
HEALTH AND WELLNESS INSTITUTE
ST. BERNARD'S HEALTHCARE
JONESBORO, ARKANSAS

REV	DATE	DESCRIPTION	DRAWN	CHECKED	DATE	SHEET
1	04/20/10	REVISED REZONING FROM C-3 LUO TO C-3	JME	JME	04/09/10	8 OF 1
		REVISIONS	DRAWN	CHKD	SCALE: 1" = 50'	CADD FILE: 10109-003 DWG#

- LEGEND**
- BOUNDARY LINE
 - ADJACENT LOT LINE
 - EASEMENT LINE
 - BUILDING SETBACK LINE
 - F.I.P.
 - F.C.P.S.
 - S.C.P.S.
 - S.E.T.
 - F.I.P.
 - FOUND IRON PIPE W/ PL&S XXXX CAP

City of Jonesboro City Council
Staff Report – RZ 10-07 Jonesboro Real Estate, 1405 W. Washington
Huntington Building - 900 W. Monroe
For Consideration by Council on May 18, 2010

REQUEST: A recommendation by MAPC to rezone property containing 4.0 acres more or less.

PURPOSE: To rezone a tract of land from R-2 Low Density Multi-Family to C-3 General Commercial.

**APPLICANT/
OWNER:** Jonesboro Real Estate Holdings, Inc., Jonesboro, AR 72403

LOCATION: 1405 E. Washington Ave., Jonesboro, AR

**SITE
DESCRIPTION:** Tract Size: 4.0 Acres (174,749 sq. ft.)
Frontage: 431' frontage on Houghton, 264' frontage on E. Washington
Topography: Flat
Existing Dvlpmt: Vacant

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
	North: I-1, C-3	Commercial/Industrial
	South: R-2, C-3 L.U.O.	Commercial/Residential
	East: C-3	Commercial
	West: R-2	Residential

HISTORY: None

ZONING ANALYSIS: City Planning Staff has reviewed the proposed development and offers the following findings.

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Future Land Use Map adopted on January 5, 2010 shows this area to be within the Northwest Sector and to be recommended as Downtown Redevelopment District Area (DRD).

The current Future Land Use Plan describes this Eastern portion of Downtown as an area transitioning into a medical and financial services campus and it lends itself to redevelopment incentives with a mixture of low intense office and housing type options. Staff finds consistency with the intent of this rezoning.

Master Street Plan Review:

The proposed site is located along East Washington Ave. which is proposed as a Minor Arterial on the most current Jonesboro Master Street Plan. The rezoning plat maintains an 80+/- ft. right away along E. Washington Avenue, but the right of ways along Houghton St. and Logan Avenue appear less than 30 ft. from center of street. Staff also cautions the Commission and Council to consider limiting the amount

of curb-cuts along this segment of Washington Ave. to promote good traffic management for the planning area.

Approval Criteria- Section 14.44.05, (5a-g) - Amendments:

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the planning commission or city council in reaching a decision. The criteria to be considered shall include but not be limited to the following:

- (a) Consistency of the proposal with the Comprehensive Plan
- (b) Consistency of the proposal with the purpose of the zoning ordinance.
- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
- (e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property;
- (f) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and
- (g) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services.



Aerial Map/ Vicinity Map

Metropolitan Area Planning Commission – Record of Proceedings

The MAPC held a public hearing for this request on May 11, 2010 and makes the following recommendation to City Council:

Applicant: Mr. John Easley, Associated Engineering, presented the case on behalf of St. Bernards/Jonesboro Real Estate Holdings, Inc., stating the rezoning is to allow for a health and wellness center. The property is zoned C-3 to the east and R-2 on the west, and they would like to bring the R-2 Zoning into the C-3 for uniform Zoning purposes.

Public Input: No opposition.

Commission Deliberation: Mr. Tomlinson asked where the main access will be located. Mr. Easley stated that the main entrance will be off Matthews Ave., off Lakeshore Dr. The doctors/secondary entrance will be off of Houghton St., and none off of Washington Ave. Mr. Tomlinson stated concerns about limiting the amount of curb-cuts along Washington Ave.; he requested cross access easements across the front on Washington Ave. Mr. Easley stated that with no access points along Washington Ave., the cross access easement would be no benefit.

Staff: Mr. Spriggs gave comments concerning the Master Street Plan which recommends Washington Ave. as a Minor Arterial with 80 ft. of right of way. Mr. Easley stated that they meet that requirement. Mr. Spriggs stated that any conditions will necessitate a limited use overlay, and suggested that Mr. Tomlinson defer all of his concerns about access management to the requirement that the site plan be submitted to the MAPC for approval. Staff suggested that this not be a limited use overlay so that the site which is already C-3 to the west will be consistent as one Zoning District.

Commission Action: Mr. Tomlinson made the motion to approve the case with the stipulation that all site plans be approved by the Planning Commission to address all issues of access easement management which is to be included on the final site plan. Motion was seconded by Mr. White.

Roll Call Vote: Mr. Tomlinson- aye; Mr. Scurlock- aye; Mr. White- aye; Ms. Norris- aye; Mr. Hoelscher- aye; and Mr. Dover- aye. Case recommended to City Council with a 6 to 0 vote.

Mr. Roberts, Mr. Kelton were absent.

Findings:

As mention previously this general area is under redevelopment as a medical campus with various service oriented office and infill housing as a trend. A number of the homes in this area show signs of deterioration, however with new improvements and other incentives such as side walk improvements, housing and services for the elderly, and the new greenway project, this rezoning could serve as a catalyst to accelerate the redevelopment process.

The applicant has requested a C-3 Rezoning for the said property under the ownership of Jonesboro Real Estate Holdings, and the proposal utilizes the area as a medical health/wellness center.

A lighting plan should be required to demonstrate compliance with the zoning ordinance during the permit process. This will allow for controls and assurance that will protect the abutting residential properties. Site access should be implemented with care. Please note that any restrictive conditions would necessitate a Limited Use Overlay.

Conclusion

The MAPC and the Planning Staff have reviewed the request and all issues regarding impacts on the surrounding area have been considered. The MAPC recommends approval to Council with a change from R-2 Low Density Multi-family Residential to C-3 General Commercial with the stipulation that all site plans be approved by the Planning Commission with access easement management included on the site plan.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning Director
Planning & Zoning Department

Site Photographs



View looking east towards the site



View looking southeast towards site



View looking southeast towards the subject site.



View looking south towards the site



View looking south towards the site



View looking north



View looking northeast



View looking east



View looking east from site



View looking south from site



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: ORD-10:045 **Version:** 1 **Name:**

Type: Ordinance **Status:** First Reading

File created: 5/13/2010 **In control:** City Council

On agenda: **Final action:**

Title: AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FOR TIM REDDEN LOCATED AT 5701 JOHNSON AVE./HWY. 49N FROM R-1 TO C-3 L.U.O./GENERAL COMMERCIAL

Sponsors:

Indexes:

Code sections:

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

Date	Ver.	Action By	Action	Result
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title
AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FOR TIM REDDEN LOCATED AT 5701 JOHNSON AVE./HWY. 49N FROM R-1 TO C-3 L.U.O./GENERAL COMMERCIAL

body
BE IT ORDAINED BY THE CITY COUNCIL OF JONESBORO, ARKANSAS:

SECTION I: TITLE 14, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS BE AMENDED AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION BY THE CHANGES IN ZONING CLASSIFICATION AS FOLLOWS:

FROM (R-1) SINGLE FAMILY MEDIUM DENSITY DISTRICT TO (C-3 LU-O) GENERAL COMMERCIAL DISTRICT - LIMITED USE OVERLAY, THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4, NE1/4) OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 4 EAST IN JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11, THENCE S88°32'00"W 80.00 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11 TO A POINT, THENCE S00°18'00"W 34.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF EAST JOHNSON AVENUE (US HIGHWAY 49), THE POINT OF BEGINNING;

CONTINUE THENCE S00°18'00"W 368.42 FEET TO A POINT, THENCE S88° 07'00"W 492.07 FEET TO A POINT, THENCE N03° 35'49"E 86.68 FEET TO A POINT, THENCE N03°35'00"E 290.40 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF EAST JOHNSON AVENUE (US HIGHWAY 49), THENCE N88°32'00"E 394.60 FEET ALONG SAID RIGHT OF WAY TO A POINT, THENCE S88° 36'00"E: 75.70 FEET TO THE POINT OF BEGINNING, CONTAINING SOME: 4.125 ACRES, MORE OR LESS, SUBJECT TO A 30 FOOT ROAD EASEMENT ON THE WESTERLY SIDE THEREOF.

SECTION II: THE REQUESTED REZONING CLASSIFICATION IS C-3 LIMITED USE OVERLAY (LU-O). THE LU-O IS FURTHER RESTRICTED AS FOLLOWS AND SHALL ADHERE TO THE FOLLOWING STIPULATIONS SET FORTH:

1. THE LIMITED USE SHALL EXCLUDE THE FOLLOWING:

ADULT ENTERTAINMENT
OFF-PREMISE ADVERTISEMENT

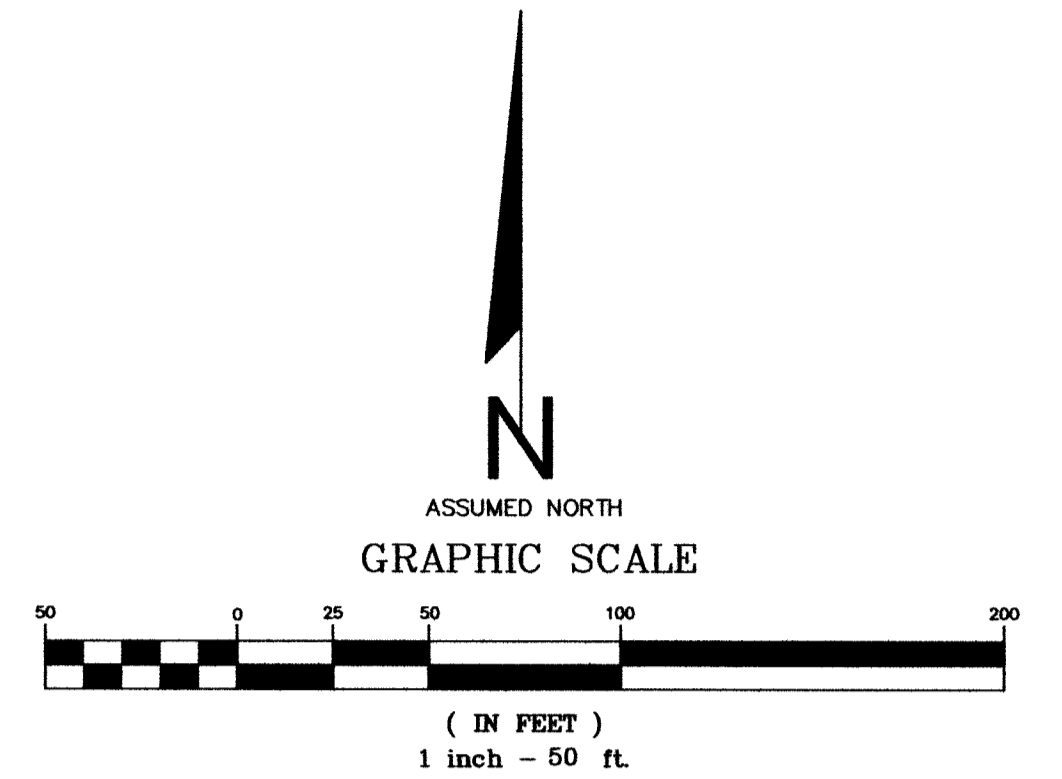
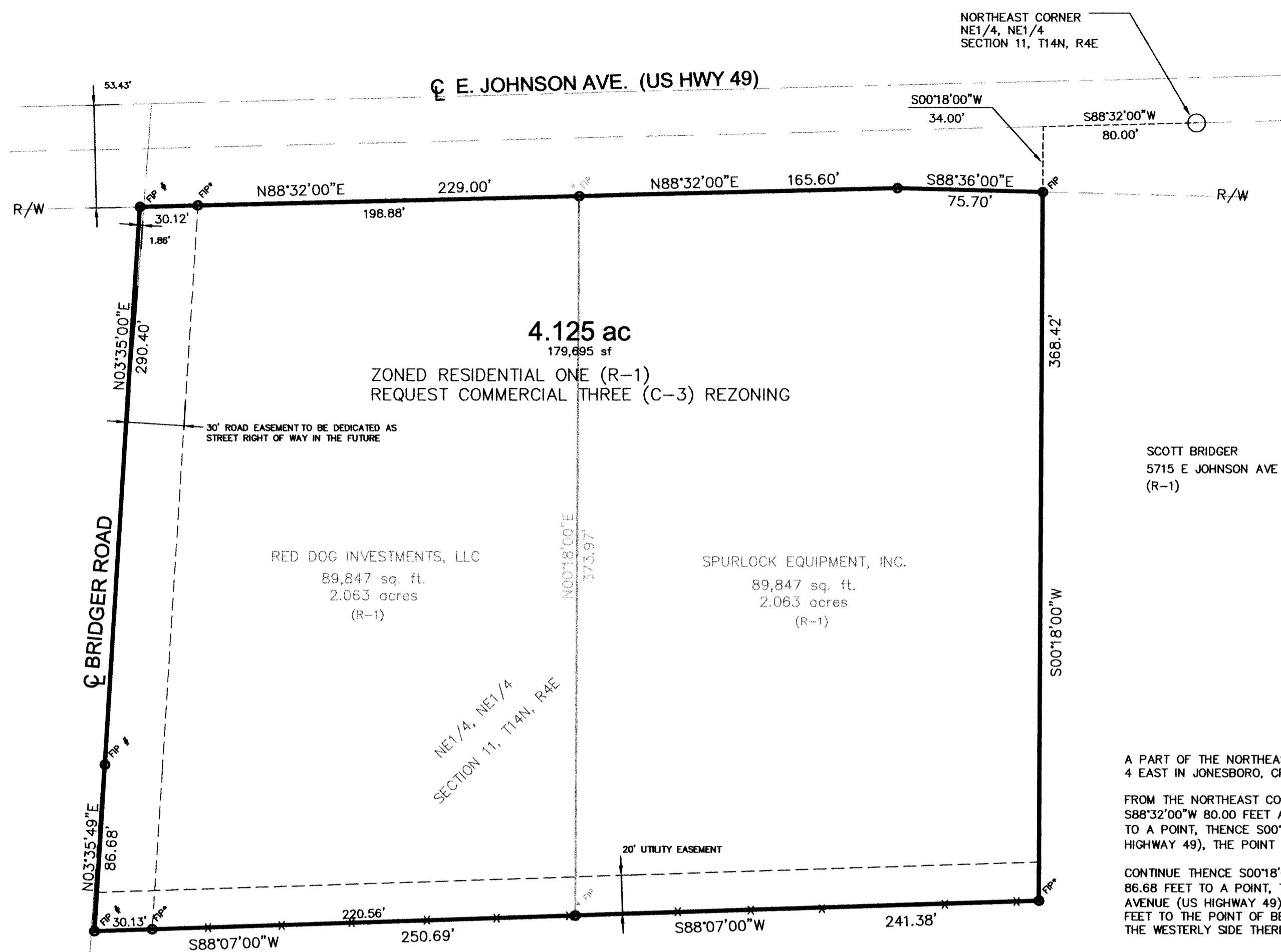
2. THE FOLLOWING LIMITED USES SHALL BE ALLOWED ONLY BY CONDITIONAL USE APPLICATION/APPROVAL BY THE MAPC:

CARWASH
CEMETERY
CONSTRUCTION SERVICES
CONVENIENCE STORE
FAST FOOD RESTAURANT
GAS STATION

GENERAL AND LIMITED VEHICLE REPAIR

3. That all site plans be approved by the Planning Commission with access easement management included on individual site plans with cross access easements. No new work shall commence prior to Final site Plan review and approval by the MAPC.
4. A lighting plan and landscaping plan shall be submitted to the MAPC, including a 30 ft. landscape buffer where the site abuts existing residential uses.
5. That a final Replat be filed depicting the dedication of a 30 ft. right of way east of the center of Old Bridger Rd.
6. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
7. That prior to any issuance of Certificate of Occupancy of new uses, all requirements stipulated by all city, state and local agencies shall be satisfied.

SECTION III: THE CITY CLERK IS HEREBY DIRECTED TO AMEND THE OFFICIAL ZONING DISTRICT BOUNDARY MAP OF THE CITY OF JONESBORO, ARKANSAS, INsofar AS IT RELATES TO THE LANDS DESCRIBED HEREINABOVE SO THAT THE ZONING CLASSIFICATION OF SAID LANDS SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE.



- LEGEND**
- ^{RP} — FOUND IRON PIN (1" DIA PIPE EXCEPT AS NOTED)
 - — (1" DIA PIPE W/ 1303 CAP)
 - ⦿ — (5/8" DIA REBAR W/ 1303 CAP)
 - # — (PK NAIL)
- X — X — X — FENCE

NOTES:
1. CLIENT - TIM REDDEN

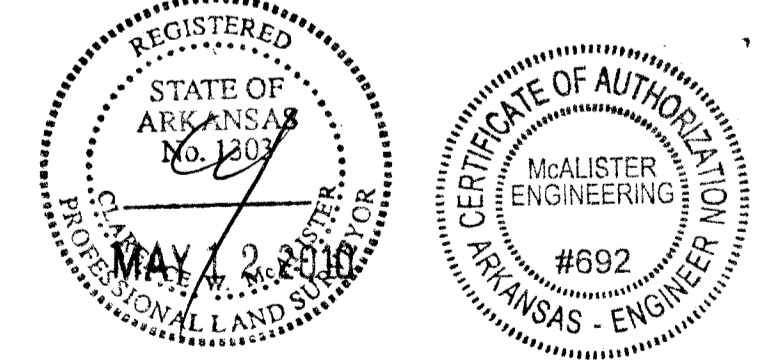
DESCRIPTION - REZONING REQUEST
A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4, NE1/4) OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 4 EAST IN JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 11, THENCE S88°32'00"W 80.00 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11 TO A POINT, THENCE S00°18'00"W 34.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF EAST JOHNSON AVENUE (US HIGHWAY 49), THE POINT OF BEGINNING;

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CERTIFICATION
I HEREBY CERTIFY THAT McALISTER ENGINEERING HAS THIS DATE MADE A BOUNDARY SURVEY OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH THE ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS AND THAT ALL PROPERTY LINES AND CORNER MONUMENTS HAVE BEEN CORRECTLY ESTABLISHED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Clarence W. McAlister
CLARENCE W. McALISTER, PROFESSIONAL LAND SURVEYOR NO. 1303 APRIL 14, 2010



BARRY PHILLIPS
1905 OLD BRIDGER ROAD
(R-1)

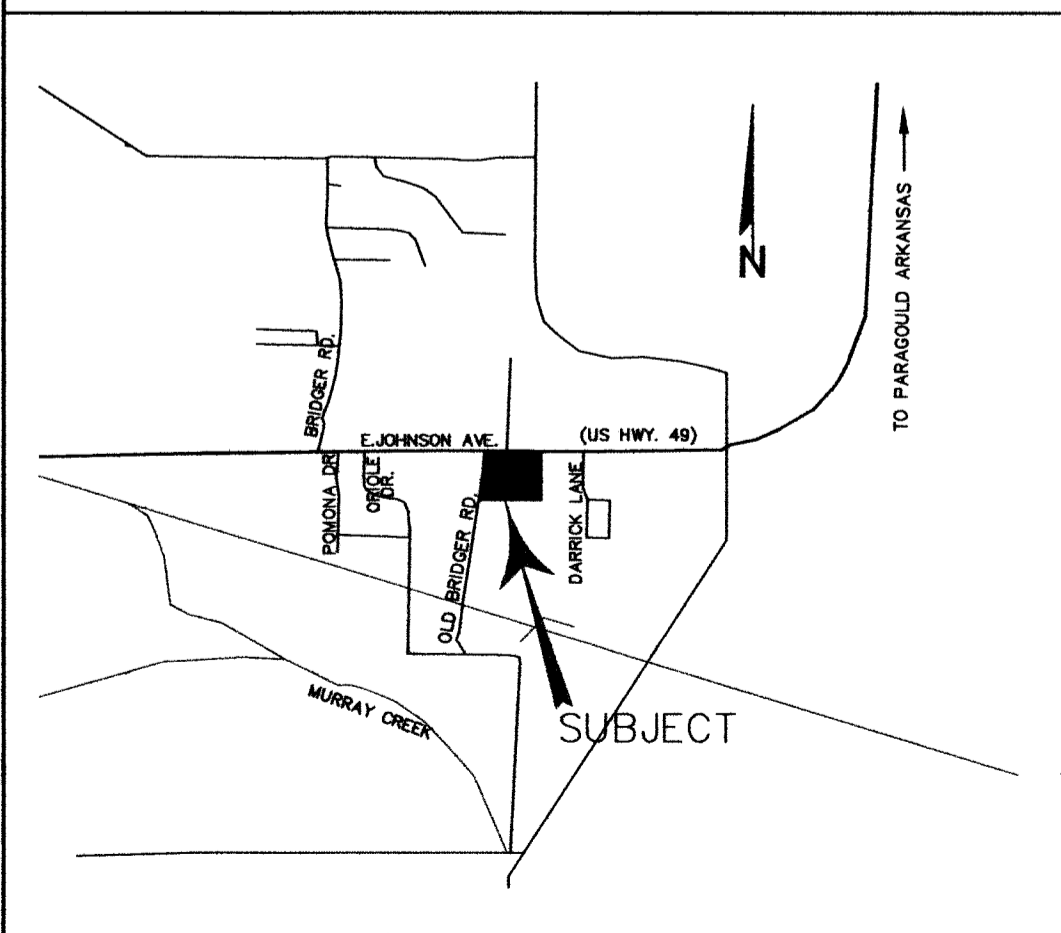
SPURLOCK EQUIPMENT, INC.
89,847 sq. ft.
2.063 acres
(R-1)

RED DOG INVESTMENTS, LLC
89,847 sq. ft.
2.063 acres
(R-1)

OWNER'S CERTIFICATION
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE ABOVE DESCRIBED PROPERTY AND WE HEREBY REQUEST A REZONING FROM RESIDENTIAL ONE (R-1) TO COMMERCIAL THREE (C-3) AS SHOWN HEREON.

RED DOG INVESTMENTS, LLC
Tim Redden
TIM REDDEN

SPURLOCK EQUIPMENT, INC.
Paul E. Spurlock
PAUL SPURLOCK



REZONING PLAT

IN THE NE 1/4, NE 1/4 SECTION 11, T14N, R4E
JONESBORO, ARKANSAS

MALISTER ENGINEERING CIVIL ENGINEERING AND LAND SURVEYING 1013 CR 620 JONESBORO, AR 72404 870-931-1420	DRAWN BY: BDS	CHECKED BY: CM
	SCALE: 1" = 50'	DATE: 14APR10
CLARENCE W. "MAC" McALISTER, PE, PLS	JOB NO. 1039932	SHEET 1 / 1

DATE	DESCRIPTION	BY
12MAY10	ADDED FUTURE STREET DEDICATION ON BRIDGER ROAD	CM



City of Jonesboro City Council
Staff Report – RZ 10-08 Tim Redden, 5701 E. Johnson
Huntington Building - 900 W. Monroe
For Consideration by Council on May 18, 2010

REQUEST: A recommendation by MAPC to rezone property containing 4.125 acres

PURPOSE: To rezone a tract of land from R-1 to C-3 General Commercial L.U.O.

**APPLICANT/
OWNER:** Tim Redden, 3112 Southern Hills Lane, Jonesboro, AR 72401

LOCATION: 5701 E. Johnson Ave./Hwy. 49N

**SITE
DESCRIPTION:** Tract Size: 4.125 Acres (179,695 sq. ft.)
Frontage: 847.38' of frontage: 377.08' along Old Bridger/ 500.42' along E. Johnson Ave..
Topography: Predominantly flat
Existing Dvlpmt: Vacant

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
	North: R-1	Highway 49N
	South: R-1	Residential
	East: R-1	Residential
	West: R-1	Residential

HISTORY: Previously petitioned for rezoning and denied by MAPC on November 8, 2005; An appeal was filed, and later heard on December 19, 2005 by City Council; Appeal was read Once and on January, 3, 2006, MAPC denial was upheld by Council unanimously (See attached associated meeting minutes on Agenda Details for this item.)

ZONING ANALYSIS: City Planning Staff has reviewed the proposed development and offers the following findings.

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Future Land Use Map adopted on January 5, 2010 shows this area to be within the Northeast Sector and to be recommended as Planned Mixed Use Area.

Typically, PMUA is a campus-style planned development with multiple uses that are created in separate buildings or within single buildings, sharing a common image and circulation system. The Planned Mixed Use Area is typically located on major arterial streets; where the infrastructure is preexisting or is planned as part of a proposed development. Access management shall be a major priority; consolidated curb-cuts shall be promoted.

Components: The intent of the PMUA is to promote a mix of uses and to discourage single use, and the composition shall be reviewed on a case by case basis by the Metropolitan Planning Commission.

PMUA promotes innovative neighborhood themes having housing choices that will stand the test of time in terms of construction and architectural standards as well as first-class management and maintenance. Consistency is determined with the current proposed change in the zoning to “C-3” General Commercial if designed in an orderly fashion taking into account surrounding residential in terms of buffer and screening and incompatible uses are excluded under a limited use overlay or planned district development.

Master Street Plan Review:

The proposed site is located along Highway 49N/Johnson Avenue which is a Principal Arterial on the most current Jonesboro Master Street Plan. In this instance, the goal of the Master Street Plan is to preserve necessary right of way for future road improvements with a minimum of 120 ft. minimum right of way is recommended. Hwy. 49 N is already improved, but the applicant only shows a 30 ft. + road easement on Old Bridger Rd. on the rezoning plat. According to the current Master Street Plan, a proposed principle arterial providing for the extension of South Commerce Rd. north will be located just east or west of this tract. To the minimum, the City Engineer will require 60 ft. right of way on public streets during the platting process; however, participation by the subject owner may be needed to accommodate future transportation needs.

Approval Criteria- Section 14.44.05, (5a-g) - Amendments:

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the planning commission or city council in reaching a decision. The criteria to be considered shall include but not be limited to the following:

- (a) Consistency of the proposal with the Comprehensive Plan
- (b) Consistency of the proposal with the purpose of the zoning ordinance.
- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
- (e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property;
- (f) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and
- (g) Impact of the proposed development on community facilities and services, including those related to utilities, streets, drainage, parks, open space, fire, police, and emergency medical services.



Aerial Map/ Vicinity Map

Metropolitan Area Planning Commission – Record of Proceedings

The MAPC held a public hearing for this request on May 11, 2010 and makes the following recommendation to City Council:

Applicant: Mr. Tim Redden presented the case stating that he has a 4.125 acre parcel located on the SE intersection of Old Bridger Rd. and E. Johnson that he is asking for a rezoning from R-1 Single Family to C-3 Commercial.

Public Input: No opposition was present.

Staff: Mr. Spriggs stated that Staff has five (5) recommended conditions. He asked Ms. Norris is she was aware of any constraints by the utility companies for installing landscaping within utility easements? Staff has proposed that a 30 ft. landscape buffer be provided along the southern perimeter where the property abuts residential. Ms. Norris noted that nothing permanent could be built in that easement. Anything planted could be removed with any future improvements in those easements.

Mr. Spriggs also noted that the Master Street Plan has proposed a northern extension of Commerce Dr. which may one day align to the east or west of the subject property. The applicant is aware and he is willing to participate in the future if that were to happen. Michael Morris, from City Engineering noted concerns with multiple access points along Highway 49N.

Mr. Tomlinson asked the applicant if he has considered making out a list of uses that he could live with and others that we could eliminate. Mr. Redden stated that he had considered that and would be open to any stipulations. Mr. Spriggs noted that there were some listed in the staff report in the “Findings” section. He recommended that the list could be described as all *uses allowed under the C-3 District* with an exclusion list added.

Mr. Johnny White asked, what is the difference between Vehicular Repair General and Vehicular Limited? Mr. Spriggs noted that the difference is that *General* includes collision body repair shops and contractor enterprise type uses that store vehicles and equipment outside, and the *Limited* would exclude those and include things such as engine repair shops.

Mr. Tomlinson stated that he would like to form a motion to exclude drive in restaurants/fast food and adult entertainment, and he would entertain a motion recommending a C-3 Limited Use overlay with a provision that the following uses be omitted from the C-3 District such as: Car wash, cemetery, construction services, gas station, convenience store, billboards/offsite advertisement, vehicular repair limited and general and adult entertainment.

Mr. Spriggs stated that at the time of site plan review process, we could deal with the cross access easements or any right-of-way issues.

Mr. Paul Hoelscher expressed concerns about eliminating those restrictions if the area were to redevelop as all commercial in the future; do they have the option to come back and approve fast food or any of the other items. Does it have to be a complete rezoning?

Mr. Spriggs stated that we dealt with this same issue concerning Limited Use Overlays where in the last special meeting- Mr. Ben Ford wanted to make a minor request that had to go through the entire process. You may want to be careful how you craft the restrictions.

Mr. Hoelscher asked would it be better to not eliminate but make them a conditional use? Mr. Spriggs agreed with Mr. Hoelscher that the restricted or excluded list of uses could be stipulated as a condition use, and the MAPC could weigh those at that time of whether they are consistent with the area. Mr. Hoelscher stated that it still provides protection to the whole area.

MAPC ACTION: Mr. Tomlinson modified his motion as follows:

THE REQUESTED REZONING CLASSIFICATION IS C-3 LIMITED USE OVERLAY (LU-O). THE LU-O IS FURTHER RESTRICTED AS FOLLOWS AND SHALL ADHERE TO THE FOLLOWING STIPULATIONS SET FORTH:

1. THE LIMITED USE SHALL EXCLUDE THE FOLLOWING:

ADULT ENTERTAINMENT
OFF-PREMISE ADVERTISEMENT

2. THE FOLLOWING LIMITED USES SHALL BE ALLOWED ONLY BY CONDITIONAL USE APPLICATION/APPROVAL BY THE MAPC:

CARWASH
CEMETERY
CONSTRUCTION SERVICES
CONVENIENCE STORE
FAST FOOD RESTAURANT
GAS STATION
GENERAL AND LIMITED VEHICLE REPAIR

3. That all site plans be approved by the Planning Commission with access easement management included on individual site plans with cross access easements. No new work shall commence prior to Final site Plan review and approval by the MAPC.

4. A lighting plan and landscaping plan shall be submitted to the MAPC, including a 30 ft. landscape buffer where the site abuts existing residential uses.

5. That a replat be filed depicting the dedication of a 30 ft. right of way east of the center of Old Bridger Rd.

6. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.

7. That prior to any issuance of Certificate of Occupancy of new uses, all requirements stipulated by all city, state and local agencies shall be satisfied.

The motion was seconded by Mr. Johnny White. **Roll Call Vote:** Mr. Tomlinson- aye; Mr. Scurlock- aye; Mr. White- aye; Ms. Norris- aye; Mr. Hoelscher- aye; and Mr. Dover- aye. Case recommended to City Council with a 6 to 0 vote. Mr. Roberts, Mr. Kelton were absent.

Findings:

This area is under transition with the new regional hospital project soon to be underway, as well as a number of properties currently being marketed in this surrounding area. The applicant has requested a C-3 Rezoning for the said property; this would allow any use listed within the permissible use table of general commercial such

as: bank, carwash, convenience store, hospital, hotel/motel, medical and general office, pawn shop, retail service, gas station, general and limited vehicle repair. Also this district would allow for adult entertainment and off premise advertisement as a conditional uses, in which the Commission and Council may want to place restrictions on.

A lighting plan and landscaping plan including adequate buffering should be required to demonstrate compliance with the zoning ordinance during the permit process. This will allow for controls and assurance that will protect the abutting residential properties. Site access should be implemented with care. Please note that any restrictive conditions would necessitate a Limited Use Overlay.

Conclusion

The MAPC and the Planning Staff have reviewed the request and all issues regarding impacts on the surrounding area have been considered. The MAPC unanimously recommends approval of the request of C-3 L.U.O., excluding adult entertainment and off- premise advertisement billboards, recommending approval to Council with a change from R-1 Single Family Residential to C-3 General Commercial L.U.O. with the stipulations noted in the record of proceedings above.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning Director
Planning & Zoning Department

Site Photographs



View looking to the northeast from area south of the site



View looking to the north from area southwest of the site



View looking northwest



View looking southwest of the subject site.



View looking south along Old Bridger Rd.



View looking to the east along Hwy. 49 N Frontage



View looking to the southeast from Hwy. 49 N/ Old Bridger Rd. Intersection



View looking to the West along Hwy. 49 N.



View looking to the east along Hwy. 49 N Frontage



View looking Southwest from intersection



View looking to the West along Hwy. 49 N



View looking east from subject property.

METROPOLITAN AREA PLANNING COMMISSION
DRAFT MINUTES – NOVEMBER 8, 2005 7:00PM
Hunting Building – 900 W. Monroe Avenue

Commissioners Present: Beadles, Gott, Day, Roberts, Krennerich, Harpole, Halsey, Moore, Sawyer.

Commissioners absent: none

Staff Present: Martin, Rook

Chairman Beadles called the meeting to order at 7:00p.m.

Chairman Beadles announced prior to calling the meeting to order that item FP-05-10 had been withdrawn by the applicants, and that item PP-05-11 would not be considered due to not meeting city guidelines.

On a motion by Dr. Sawyer and seconded by Mr. Gott, the minutes of the September 13, 2005 meeting were approved by unanimous vote.

On a motion by Dr. Sawyer and seconded by Mr. Harpole, the minutes of the October 11, 2005 minutes were approved by unanimous vote.

1. FP-05-10 CHASTAIN DEVELOPMENT, LLC request final plat approval for WINDSOR LANDING PHASE IV, A 37-lot residential subdivision on 11.09 acres in an R-1 Single-Family Medium Density District. The subject property is on the west side of Clinton School Road. THIS ITEM WAS WITHDRAWN BY THE APPLICANT PRIOR TO THE MEETING.

2. PP-05-11 THE PROVIDENCE GROUP, INC. request preliminary and final plat approval of CRAIGHEAD ESTATES, a 55-lot residential subdivision on 75.37 acres in an R-1 Single-Family Medium Density District. The subject property is on the south side of Magnolia Road, east of Prescott Lane. THIS ITEM WAS NOT HEARD DUE TO NOT MEETING CITY GUIDELINES.

3. RZ-05-29 RICHARD AND PATSY FOSTER request rezoning from R-1 Single-Family Medium Density to C-3 General Commercial for a 2.21 acres parcel on the EAST SIDE OF HIGHWAY 141 JUST SOUTH OF PHILADELPHIA RD.

Skip Mooney, Jr., Attorney, was present as proponent for this item. Stated that his client has owned this property for 20 years and has had no development during this time. The property owner's brother has property just north of this parcel and this property is zoned commercial. The property in request is on major 4 lane road and was zoned R-1 when it was brought into the city. Stated that commercial would be the best use of this property. Property owner should have right to use this as commercial and this would not take away

commercial in the area and that the property where Crowley's Ridge Development council is located is rental and could change at any time. He is not a development company and will not be moving out of the area, does not think anyone who does not live in the immediate area should have a say in the matter. Does not agree with some of the changes in the area but feels he can live with them.

Sherry Broadway came forward to oppose, lives directly across from property, Mr. Foster has had equipment on this property. Does not understand why he can not put on property directly across from his house.

Chairman Beadles asked commissioners for discussion or a motion. Commissioner Krennerich made motion that they deny the request stating there is ample commercial property on 141, and that we as a commission have gone on record against linear commercial and there is enough commercial up and down 141 that is not being utilized, therefore it should be left as is. Commissioner Gott seconded. The vote was 5/4 to deny the request with Chairman Beadles casting the deciding vote. Chairman Beadles advised applicant that he could appeal to the City Council and it would be up to him to get it on the council agenda.

4. RZ-05-30 RAY AND ALICE BRIDGER request rezoning from R-1 Single-Family MEDIUM Density Residential to C-3 General Commercial for a 4.125 acre parcel on the south side of Hwy 49 just east of Old Bridger Road.

Skip Mooney, Jr. Attorney spoke as proponent for request for Mr. and Mrs. Ray Bridger again stated location of property. The property directly behind is owned by Mr. Phillips and all the property in this area is well maintained and mowed. Most of the residents in the area are Bridgers. This property is in the Farrville area and again it was brought into the city as R-1 and Johnson Avenue in this area is four laned with turn lane. There is a lot of development in this area with several Banks moving out to this area. There is now an Ace Hardware built in the area, and then driving down this area you will see several realty signs on property for sale, stated that he thought this is because that the City Council approved a large commercial area at the intersection of Johnson Ave. and Old Paragould Hwy. There are several commercial properties that are being developed in this area with a large commercial tract being developed by Kent Arnold. Because of this fact my clients believe that commercial is the best use of this property. Mr. and Mrs. Bridger no longer live in this area but still have property and family in the area. They would like to sell this property but there is no immediate planned use for this property, they respectfully request that this commission recommend approval to the City Council that this property be rezoned from R-1 Single-Family Medium Density Residential to C-3 General Commercial.

Scott Bridger spoke as representative for those opposed to this request. At this time Chairman Beadles ask that those present that opposed this request to stand, approximately 20 people stood. Again Scott Bridger stated that he lives at 5715 Johnson Ave. which joins the property in request. His uncle Ray Bridger owns the property and lives in Gainesville, Ga., which is 500 miles away from this property. Stated that he wants to sell property for monetary value and not the betterment of the community. This land has not been developed because his grandparents that owned the property chose not to. After the death of his grandmother he purchased the house and property it sets on, and the land adjacent was deeded to his uncle. The property is located on a 5 lane road, but if you are traveling from Paragould to Jonesboro you will notice there is a hill that blocks the view of the commercial property from this area. There has been increased traffic because of the housing development in this area. Mr. Bridge had copy of land use development dated 08/15/96 which states that this land was brought into the city as R-1 and they feel it should stay this way. The property is on corner of Johnson and Old Bridger Road which would handle traffic from residential area. We feel this would be spot zoning because it would be in the middle of residential, and granted there is commercial property on the west side of the road and completely out of sight because of the terrain, it is my understanding the commercial properties that are close to the Farrville curve were "grandfathered in" when it was brought into the city and were already commercial. We ask that the commission deny this request.

Chairman Beadles asked commissioners for questions or a motion. **Commissioner Krennerich made motion to deny the request** stating that this commissioner has gone on record as being against strip commercial along Hwy 49 north and feels there is ample commercial between Hwy 351 and the new Ace Hardware Store, we should follow the land use plan and recommend that the request be denied. **Commissioner Gott seconded.** **The request was denied with a vote of 5/3.** Chairman Beadles advised that they could appeal to the council and they would need to get this on their agenda. Chairman Beadles adjourned the meeting at approximately 7:50 p.m.

..title

Minutes for the City Council meeting on December 19, 2005.

..body

PUBLIC HEARING - 6:00 P.M. - A public hearing was conducted for the abandonment of a drainage easement located in Lot 41 of Mardis 2nd Addition as requested by Mr. Roy Jackson. No opposition was voiced.

APPEAL HEARING - 6:10 P.M. - Councilwoman Furr excused herself from the appeal process due to a conflict of interest in that she is related to the Bridger family. An appeal hearing was conducted for the rezoning of property from R-1 to C-3, located on the south side of Highway 49, east of Old Bridger Road as requested by Ray and Alice Bridger. Attorney Skip Mooney represents the Bridgers. He added the property is on Johnson Ave. by the curve in Farville on the corner of Bridger and Johnson. He also added the location where the property is has a five-lane road by it and a lot of traffic. The property is not used, even though it's located in an expanding commercial district. He stated his clients think the best use for the property is for commercial use. It was questioned why the MAPC did not approve the rezoning. Mr. Mooney noted that Mr. George Krennerich stated there is already enough commercial property along Johnson Ave. and it was also stated there was substantial opposition to it from the residences around the Bridgers property. It was also questioned what the adjoining properties are zoned as. Mr. Mooney stated the surrounding areas are residential. It was also noted the interim City Planner did not make a recommendation concerning the property. Attorney Jim Lyons represented the opponents to the rezoning. Several opponents to the rezoning attended the hearing. Mr. Lyons stated all the property adjoining the proposed rezoned area is residential, none of it is commercial. He further stated the Jonesboro Comprehensive Plan shows the property as being residential and the residents should be able to rely upon that plan. He added the rezoning was turned down by the MAPC because of the opposition.

APPEAL HEARING - 6:20 P.M. - Councilman McCall abstained from the appeal process due to a conflict of interest with this property. An appeal hearing was conducted for the rezoning of property from R-1 to C-3, located on the east side of Highway 141, south of Philadelphia Road as requested by Richard and Patsy Foster. Mr. Mooney also represents the Fosters. He noted nearby property has been rezoned commercial years ago. The property has a drainage problem and will need work done to it. He stated Mr. Foster and his son are in the implement business and would like to put implements on the land to sell. They do not wish to put multi-family housing on the property. He further explained his clients do not believe the property has any residential use and its best use is commercial. Mr. Randy Ishmael addressed the Council to voice opposition to the rezoning. He had a list of 75 people who voice opposition to the rezoning. Mr. Joseph Clark, a resident of Philadelphia Road, also addressed the Council in opposition to the rezoning. He noted there is a commercial lot across from the proposed rezoned area for the family to put their implements on. Mr. Ishmael stated the area residents would like the area to stay residential and that most of the area is residential, except for a few small businesses. He added the business do not have heavy equipment or such. He further added that the City should wait until the City has a planning staff before changes are made so the City Planner can decide what should be done.

CITY COUNCIL MINUTES - December 19, 2005

The Jonesboro City Council met Monday, December 19, 2005 at 6:30 p.m. Members present were: Mayor Doug Formon, City Clerk, Donna K. Jackson, and twelve council members. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Assistant City Attorney, Carol Duncan was filling in for City Attorney Phillip Crego who was out due to illness.

Councilman Perrin moved, seconded by Councilman Moore for the adoption of the City Council minutes from November 15, 2005 as provided. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Assistant City Attorney Carol Duncan delivered the legal report. The total number of district court trials in 2005 was 3, 350. It was questioned whether a report has been received from Attorney Ralph Ohm. It was stated a report has not been received from Mr. Ohm yet.

Councilman Farmer offered the following ordinance for first reading:

ORDINANCE TO REZONE PROPERTY FROM R-1 TO C-3, LOCATED ON THE EAST SIDE OF HIGHWAY 141, SOUTH OF PHILADELPHIA ROAD (Richard and Patsy Foster)

Councilman McCall recused himself from the reading of the ordinance due to a conflict of interest with this property.

Councilman Johnson offered the following ordinance for first reading:

ORDINANCE TO REZONE PROPERTY FROM R-1 TO C-3, LOCATED ON THE SOUTH SIDE OF HIGHWAY 49, EAST OF OLD BRIDGER ROAD (Ray & Alice Bridger)

Councilwoman Furr recused herself from the reading of the ordinance due to a conflict of interest in that she is related to the Bridger family. Mr. Mooney suggested putting the previous rezoning ordinances on second readings and allow people to make presentations at the next Council meeting at the third reading to save time. Councilman Farmer stated the second and third readings will be at the next meeting.

Councilman Perrin offered the following ordinance for first reading:

ORDINANCE TO VACATE A PORTION OF A DRAINAGE EASEMENT LOCATED IN LOT 41 OF MARDIS 2ND ADDITION AS REQUESTED BY ROY JACKSON

Councilman Moore moved, seconded by Councilman Perrin to suspend with the second and third readings. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Moore moved, seconded by Councilman Perrin for the adoption of the



Legislation Text

File #: MIN-06:043, Version: 1

title

Minutes for the City Council meeting on January 3, 2006.

body

CITY COUNCIL MINUTES - January 3, 2006

PUBLIC HEARING - 6:20 P.M. - A public hearing was conducted for the abandonment of a 20 foot and 15 foot utility easement located at Matthew Medical Park as requested by Mr. J. Matt Parker. No opposition was voiced.

CITY COUNCIL MINUTES - January 3, 2006

The Jonesboro City Council met Tuesday, January 3, 2006 at 6:30 p.m. Members present were: Mayor Doug Formon, City Clerk, Donna K. Jackson, City Attorney Crego and twelve council members. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Councilman Perrin moved, seconded by Councilman Moore for the adoption of the City Council minutes from December 19, 2005 as provided. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Mr. Larry Flowers provided a financial report stating the revenue side of Operations and Maintenance was at 94% as of November, and the fixed assets fund for 2005 has either been paid or on order. Councilman Farmer asked for clarification regarding how a city sales tax projection of 2.1 million dollars was raised to 2.8 million dollars. Councilman Farmer stated an article in the Jonesboro Sun dated December 30, 2005 read as if it was at the request of the Finance Committee. Mr. Flowers stated he and Mayor Formon had reviewed actual collections for 2005 after submitting his 2006 proposed budget and discovered collections were ½ million dollars higher than in 2004 and determined the figures needed to be adjusted.

The following ordinance was on the second reading:

ORDINANCE TO REZONE PROPERTY FROM R-1 TO C-3, LOCATED ON THE EAST SIDE OF HIGHWAY 141, SOUTH OF PHILADELPHIA ROAD (Richard & Patsy Foster)

Councilman Moore moved, seconded by Councilman Street to waive the third reading for discussion purposes. A voice vote was taken resulting in all members voting aye with the exception of Councilman McCall who abstained from voting. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, and Ashley. Attorney Skip Mooney, representing the Fosters, stated they wanted to operate an implement (equipment) business on the property. Mr. Mooney stated the property has drainage problems and would never be used for residential property, even though it was zoned residential when annexed in to the city. He explained at the time of annexation, people were promised that they would receive help from the city to rezone their property to the proper classification. Attorney Mooney stated all residential homes sit back away from this property which would not be an interference, nor endanger anyone else's property. Mr. Mooney stated there had been a previous commercial zoning in the area so the highest and best use for the property would be commercial. Mr. Foster stated the MAPC had denied his request citing spot zoning as the reason, however, Mr. Foster contended they had previously zoned his brother's land just to the north, commercial. Mr. Randy Ishmael addressed members of the city council stating even though he was an attorney, he was there as a resident of the Philadelphia community speaking in opposition to the zoning request. Mr. Ishmael introduced other residents from the Philadelphia area. Paul Sherman contended the reason the land to the east is still vacant is because it belongs to Mr. Foster, and the reason no one had offered to purchase the land is because Mr. Foster had never put the land up for sale. He also stated there was opposition when Mr. Foster's brother rezoned his property even though it was approved. Mr. Joseph Clark spoke in opposition questioning enforcement of the site development requirements, such as curb and gutter and the mowing of the property. Attorney Ishmael explained the Foster Well Drilling property, located on the north side across Philadelphia Road was a non-conforming pre-existing use. He explained a variance was issued to allow Mr. Foster to continue his business, but was not rezoned Commercial C-3. He explained the property is being used as office space for Crowley's Ridge Development Council, and the only other commercial business is a nursing home rehabilitation center. He further explained Highway 141 has been designated at a scenic byway. Councilman Moore moved, seconded by Councilwoman Williams to deny the rezoning in accordance with the MAPC recommendation. A voice vote was taken resulting in all members voting aye with the exception of Councilman McCall who

abstained from voting. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, and Ashley. The ordinance was denied.

The following ordinance was on the second reading:

ORDINANCE TO REZONE PROPERTY FROM R-1 TO C-3, LOCATED ON THE SOUTH SIDE OF HIGHWAY 49, EAST OF OLD BRIDGER ROAD (Ray and Alice Bridger)

Councilman Moore moved, seconded by Councilman Johnson to waive the third reading for discussion purposes. A voice vote was taken resulting in all members voting aye with the exception of Councilman Farmer and Councilwoman Furr who abstained from voting. Those members were: Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, McCall and Ashley. Attorney Skip Mooney, representing Mr. and Mrs. Ray Bridger, introduced several other individuals living in the area who addressed the city council in support of this zoning request. Ms. Martha Bridger listed various commercial and industrial businesses in the area, stating to impede commercial zoning would hurt the progress of Jonesboro. Attorney Mooney stated this was an argument between Ray Bridger and his brother, who did not want the family property to become commercial. Attorney Mooney cited several commercial businesses along Johnson Ave., one of which was Bill's Fresh Market, owned by Mr. Barry Phillips who stood in opposition to the Bridger property being zoned commercial. Attorney Mooney questioned the number of votes needed to pass the zoning measure. City Attorney Crego explained seven votes of the total elected body would be necessary to pass the zoning request. Mr. Mooney responded saying it was unfair to Mr. and Mrs. Ray Bridger since Councilman Farmer and Councilwoman Furr were recusing themselves from voting, leaving only 10 voting members. Attorney Jim Lyons, represented opponents to the zoning request and provided council members a copy of a petition containing 118 signatures. He disagreed with Attorney Mooney's statement that all the area is going commercial, saying most of the commercial property (Ace Hardware and NEA Clinic) is located "over the hill" from the property in question. He explained the property is classified as medium density residential in the Comprehensive Land Use Plan and is located outside the commercial zoning area, two miles from Bill's Fresh Market which is classified as community commercial. He provided information regarding the MAPC vote, stating five members voted against the zoning request. He explained the comprehensive plan allows individuals to know what can be expected in the area. Mr. Scott Bridger speaking in opposition to the zoning requested, contradicting several points made by Attorney Mooney regarding commercial zoning and the past annexation. Councilman Moore moved, seconded by Councilman Johnson to deny the ordinance in accordance with the MAPC recommendation. A voice vote was taken resulting in all members voting aye with the exception of Councilman Farmer and Councilwoman Furr who abstained from voting. Those members were: Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, McCall and Ashley. The motion was denied.

The following ordinance was on the third and final reading:

ORDINANCE TO REZONE PROPERTY FROM R-2 MULTI-FAMILY LOW DENSITY TO C-5 NEIGHBORHOOD OFFICE DISTRICT LOCATED AT 800 AND 802 PATRICK STREET (Thad Brown, III)

Councilman Perrin moved, seconded by Councilman Moore for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3603.

The following ordinance was on the third and final reading:

ORDINANCE TO REZONE PROPERTY FROM R-2 MULTI-FAMILY LOW DENSITY TO C-5 NEIGHBORHOOD OFFICE DISTRICT LOCATED ON THE NORTH SIDE OF STALLINGS LAND AND WEST OF STADIUM BOULEVARD (Herb Stallings and Sam Brown)

Councilman Perrin moved, seconded by Councilman Ashley for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3604.

Councilman Johnson offered the following ordinance for first reading:

ORDINANCE TO VACATE AND ABANDON A 20 FOOT AND 15 FOOT UTILITY EASEMENT LOCATED AT MATTHEW MEDICAL PARK (J. Matt Parker)

Councilman Moore moved, seconded by Councilman McCall to suspend with the second and third readings of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Moore moved, seconded by Councilman Street for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3605.

ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Perrin moved, seconded by Councilman Moore for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3605.

Councilman Johnson offered the following ordinance for first reading:

ORDINANCE TO REZONE PROPERTY FROM C-3, GENERAL COMMERCIAL DISTRICT TO C-5 NEIGHBORHOOD OFFICE DISTRICT, DESCRIBED AS LOT 5 OF SOUTH CARAWAY VILLAGE ADDITION BETWEEN LATOURETTE LANE AND CARAWAY ROAD (Camtri Ross Investments)

Councilman Farmer moved, seconded by Councilman Johnson to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The following local residents spoke in opposition to this zoning request: Curtis Shatley; Delane Hogan; and Peter Pierce. Attorney Glenn Lovett explained the property had been subject of a lawsuit for Residential R-3 zoning, so now they were requesting Commercial C-5.

Councilman Moore offered the following ordinance for first reading:

ORDINANCE TO REZONE PROPERTY FROM R-1, SINGLE FAMILY MEDIUM DENSITY TO C-3, GENERAL COMMERCIAL DISTRICT, LOCATED AT 3701 E. JOHNSON (W. L. Gillespie)

Councilman Farmer moved, seconded by Councilman Johnson to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The following local residents spoke in opposition to this zoning request: John Hatcher, George Harp, Phyllis Hankins, Stacy Schratz, Jim Carter, and Shirley Ward. Reasons given for the opposition were enforcement of the Limited Use Overlay stipulations, citing Bill's Fresh Market as an example, property value decrease, and over crowding. Members of the Jonesboro City Council requested copies of the MAPC minutes and a legible plat for the next city council meeting.

Councilman Perrin moved, seconded by Councilman Province to set an appeal hearing for February 7, 2006 at 6:00 p.m. of the decision of the MAPC regarding the rezoning of the property located on Highland Drive and requested by INHOC, LLC. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Councilman Moore moved, seconded by Councilman Perrin for the adoption of a resolution to proceed with condemnation action on the following property locations: 903 Cottonbelt, Mohammed Ben-Mohammad and Sherry Davis, Owners; 1703, 1705, 1811, and 1813 Henry Street, Bill Greenwood, Owner. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned number 2006:01.

Councilman Moore moved, seconded by Councilman Perrin for the adoption of a resolution to increase commercial sanitation rates. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned number 2006:02.

Councilman Street moved, seconded by Councilman Perrin for the adoption of a resolution accepting the bid from Ritter Communications for the City of Jonesboro phone system. The resolution was assigned number 2006:05.

Under new business, Councilman Johnson and Councilwoman Furr encouraged action be taken regarding the hiring of a permanent city planner and the need to have this position filled. It was explained this was not a reflection on the current Interim Planner, but given the various planning situations a permanent position was warranted.

Councilman McCall moved, seconded by Councilman Dover to place two resolutions on the agenda for consideration by the full council. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Councilman Perrin moved, seconded by Councilman Ashley for the adoption of the resolution to appoint Mr. Ted Fortenberry to the Citizens Parks Advisory Board. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned number 2006:03.

2006:03.

Councilman Moore moved, seconded by Councilman Perrin for the adoption of a resolution to contract with Mr. Harry Hardwick for land acquisition for another year. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned number 2006:04.

Councilman Perrin asked members of the Jonesboro City Council to give their comments to Human Resource Director, Suzanne Hackney regarding the position of Internal Auditor.

Councilman Perrin moved, seconded by Councilman Dover to move the next city council meeting to Monday, January 16, 2006 because of an awards banquet for the "Northeast Arkansas Businessman of the Year" scheduled for January 17, 2006. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. It was requested that notification be provided to all individuals that the meeting change would affect.

Councilman Hargis requested something be done about a pot-hole located by the Public Library which is causing cars to scrape on the asphalt.

Councilman Farmer moved, seconded by Councilman Dover to reappoint the same members to the Nominating and Rules Committee who will be reviewing a "Committee of the Whole" as well as other recommendations. The members of this committee are, Councilman Farmer, Councilman Province, Councilman Moore, and Councilman McCall. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Councilman Farmer questioned if city council members would be able to get copies of any contracts, leases or evaluations regarding the newly proposed Convention Center, prior to being placed on the agenda. Mayor Formon stated the information would be provided.

Councilman Farmer questioned if meetings were planned for discussion of the pipe inventory and Hydrological Engineer. Mayor Formon responded saying a meeting was scheduled for tomorrow at 9:30 a.m. in his conference room regarding pipe inventory, but were waiting on a response from Mr. Auld regarding the Hydrological Engineer meeting.

Councilman Farmer requested that Public Works committee members be provided a copy of requirements for the City Planner position.

Under public comment, Mr. Dan Melton, retired fire fighter, provided research on the fireman's pension plan. He requested a printout from the City of Jonesboro showing where the money has gone and how it has been used from the present to 1992. He also requested a printout of the millage funds for this same length of time. Lastly, he questioned if a response had been received from Attorney Ralph Ohm. Mayor Formon explained that Mr. Ohm had been out for several weeks, but they had scheduled for the Director of LOPFI to come and address the Finance Committee, but he wanted to know in advance the specific questions that would be asked. Mr. Melton stated he had no questions for LOPFI because they can only handle the money according to state law, and questioned why they were waiting on the attorney from Hot Springs. Councilman Farmer explained the City Council needed to get advice from legal counsel if there is any exposure for the City of Jonesboro. Mr. Melton stated he wants an accounting from the City of Jonesboro. Mayor Formon responded saying if he will get with Finance Director, Larry Flowers he would make available what they have.

Lastly, Mr. Roger Watkins commended Mr. Teddy Hooton and his staff for the good work they had done in cleaning out a ditch located on Nelms Street. He expressed his appreciation.

With no further business, Councilman Moore moved, seconded by Councilman Johnson to adjourn the meeting. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.



Legislation Details (With Text)

File #: RES-10:037 **Version:** 1 **Name:**
Type: Resolution **Status:** Recommended Under New Business
File created: 3/30/2010 **In control:** Public Safety Council Committee
On agenda: 5/18/2010 **Final action:**
Title: A RESOLUTION TO condemn property at 304 N Rogers; property owner Charles E. Chamberlain, Jr.
Sponsors: Code Enforcement
Indexes:
Code sections:
Attachments: [CONDEMNATION CHECKLIST.doc](#)
[Inspection Report 1001.jpg](#)
[100_2129.JPG](#)
[100_2132.JPG](#)
[100_2133.JPG](#)
[100_2136.JPG](#)

Date	Ver.	Action By	Action	Result
4/20/2010	1	Public Safety Council Committee		

Title

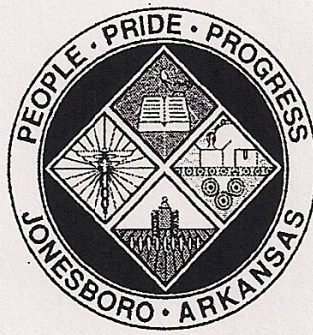
A RESOLUTION TO condemn property at 304 N Rogers

Body

WHEREAS, the above property has been inspected and has been determined unsuited for human habitation.

WHEREAS, all the stipulations have been met in the condemnation process to proceed with condemnation of this property.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT: the City should proceed with the condemnation of the property at: 304 N Rogers



DEPARTMENT OF PLANNING, INSPECTION AND CODE ENFORCEMENT

RESIDENTIAL / COMMERCIAL BUILDING INSPECTION REPORT

DATE OF INSPECTION: 2-25-10

PROPERTY ADDRESS: 304 N. ~~1st~~ Rogers

PROPERTY OWNER: Charles Eugene ~~Chamberlain~~ Jr.

OCCUPIED: YES NO

BUILDING ELEMENT	CONDITION					NOTES & COMMENTS
	VERY POOR				VERY GOOD	
Foundation	1	(2)	3	4	5	Fair condition
Front Porch	1	2	3	4	(5)	concrete
Exterior Doors and Windows	(1)	2	3	4	5	Broke & Rotted
Roof Underlay	1	(2)	3	4	5	Rotted & Deteriorated
Roof Surface	1	2	(3)	4	5	weathered
Chimney	1	2	3	4	5	n/a
Siding	(1)	2	3	4	5	wood Rotten
Facia and Trim	(1)	2	3	4	5	wood Rotten
Interior Doors	(1)	2	3	4	5	non-existing
Interior Walls	(1)	2	3	4	5	peeling
...	(1)	2	3	4	5	...

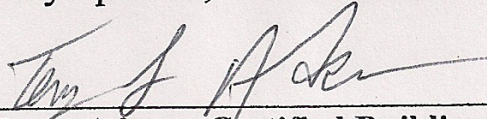
Ceilings	①	2	3	4	5	FAILING IN
Flooring Underlay	①	2	3	4	5	ROTTEN
Flooring Surfaces	①	2	3	4	5	"
Electrical	①	2	3	4	5	NOT TO CODE
Heating	①	2	3	4	5	
Plumbing	①	2	3	4	5	

HEALTH/SAFETY
ISSUES
↓

- In my opinion, this structure is is not suitable for human habitation.
- In my opinion this structure is is not physically feasible for rehabilitation.
- In my opinion, this structure is is not economically feasible for rehabilitation.
- In my opinion, this structure is is not a public safety hazard and should be condemned.

EMERGENCY CONDEMNATION IS WARRANTED: YES NO

In my opinion, this structure is is not a public safety hazard and should be condemned immediately.


Terry Adams, Certified Building Inspector

Craig Davenport, Fire Marshal

Other Signature



3
0
4

02/25/2010



02/25/2010



02/25/2010





Legislation Details (With Text)

File #: ORD-10:036 **Version:** 1 **Name:**

Type: Ordinance **Status:** Second Reading

File created: 4/28/2010 **In control:** Finance & Administration Council Committee

On agenda: **Final action:**

Title: AN ORDINANCE PROVIDING FOR THE LEVY OF A ONE-HALF PERCENT SALES AND USE TAX WITHIN THE CITY OF JONESBORO, ARKANSAS; ALL PROCEEDS DERIVED FROM THE SALES AND USE TAX WILL BE FOR PROVIDING POLICE AND FIRE SERVICES.

Sponsors: Mayor's Office

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/4/2010	1	City Council		
4/27/2010	1	Finance & Administration Council Committee		

Title

AN ORDINANCE PROVIDING FOR THE LEVY OF A ONE-HALF PERCENT SALES AND USE TAX WITHIN THE CITY OF JONESBORO, ARKANSAS; ALL PROCEEDS DERIVED FROM THE SALES AND USE TAX WILL BE FOR PROVIDING POLICE AND FIRE SERVICES.

Body

WHEREAS, the City Council of the City of Jonesboro, Arkansas (the City) has determined that there is a continuing great need for providing police and fire services for a source of revenue to finance such services; and

WHEREAS, Title 26, Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated (the Authorizing Legislation) provides for the levy of a one-half percent (.5%) citywide sales and use tax for the benefit of the City of Jonesboro.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

SECTION 1: Under the authority of the Authorizing Legislation, there is hereby levied a one-half percent (.5%) tax on the gross receipts from the sale at retail within the City of all items which are subject to the Arkansas Gross Receipts Act of 1941, as amended (A.C.A. 26-52-101 et seq.), and the imposition of an excise (or use) tax on the storage, use, distribution or other consumption within the City of tangible personal property subject to the Arkansas Compensating Tax Act of 1949, as amended (A.C.A. 26-53-101 et seq.), at a rate of one-half percent (.5%) of the sale price of the property or, in the case of leases or rentals, of the lease or rental price (collectively, the Sales and Use Tax). The Sales and Use Tax shall be levied and collected only on the first \$2,500 for each single transaction.

SECTION 2: That all proceeds derived from the Sales and Use Tax will be for providing police and fire services.

SECTION 3: That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: That this Ordinance shall not take effect until an election is held on the question of levying the Sales and Use Tax at which a majority of the electors voting on the question shall have approved the levy of the Sales and Use Tax, upon such approval, the tax shall commence January 1, 2011 and end December 31, 2014.

PASSED AND ADOPTED this 1st day of June, 2010.



City of Jonesboro

515 West Washington
Jonesboro, AR 72401

Legislation Details (With Text)

File #: ORD-10:037 **Version:** 1 **Name:**
Type: Ordinance **Status:** Second Reading
File created: 4/28/2010 **In control:** Finance & Administration Council Committee
On agenda: **Final action:**
Title: AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF JONESBORO, ARKANSAS, ON THE QUESTION OF LEVYING A ONE-HALF PERCENT SALES AND USE TAX WITHIN THE CITY OF JONESBORO, ARKANSAS; DEFINING THE TERM SINGLE TRANSACTION; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY
Sponsors: Mayor's Office
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
5/4/2010	1	City Council		
4/27/2010	1	Finance & Administration Council Committee		

title

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF JONESBORO, ARKANSAS, ON THE QUESTION OF LEVYING A ONE-HALF PERCENT SALES AND USE TAX WITHIN THE CITY OF JONESBORO, ARKANSAS; DEFINING THE TERM SINGLE TRANSACTION; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY

body

WHEREAS, the City Council of the City of Jonesboro, Arkansas (the City) has passed on June 1, 2010, an Ordinance providing for the levy of a one-half percent (.5%) sales and use tax within the City (the Sales and Use Tax); and

WHEREAS, the Sales and Use Tax shall be levied and collected only on the first \$2,500 for each single transaction; and

WHEREAS, the purpose of this Ordinance is to call a special election on the question of the levy of the Sales and Use Tax, and to define the term single transaction.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

SECTION 1: That there be, and there is hereby called, a special election to be held on August 10, 2010, at which election there shall be submitted to the electors of the City the question of the levy of the Sales and Use Tax.

SECTION 2: That the question of levying the Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

Vote on measure by placing an X in the square opposite the measure either for or against:

FOR adoption of a one-half percent (.5%) local sales and use tax within the City of Jonesboro, Arkansas, with proceeds derived from the sales and use tax used for providing police and fire services to commence on January 1, 2011 and end on December 31, 2014 []

AGAINST adoption of a one-half percent (.5%) local sales and use tax within the City of Jonesboro, Arkansas, with proceeds derived from the sales and use tax used for providing police and fire services to commence on January 1, 2011 and end on December 31, 2014 []

SECTION 3: That the election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for municipal elections unless otherwise provided in Title 26, Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated (the authorizing Legislation) and only qualified voters of the City shall have the right to vote at the election.

SECTION 4: That the results of the election shall be proclaimed by the Mayor, and his Proclamation shall be published one time in a newspaper published in the City and having a general circulation therein, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

SECTION 5: That a copy of this Ordinance shall be given to the Craighead County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.

SECTION 6: That the Mayor and City Clerk, for and on behalf of the City, be, and they are hereby authorized

and directed to do any and all things necessary to call and hold the special election as herein provided and, if the levy of the Sales and Use Tax is approved by the electors, to cause the Sales and Use Tax to be collected in accordance with the Authorizing Legislation, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

SECTION 7: Single transaction is defined according to the nature of the goods or services purchased as follows:

(A) When two or more devices in which, upon which, or by which any person or property is, or may be transported or drawn, including but not limited to, on-road vehicles, whether required to be licensed or not, offroad vehicles, farm vehicles, airplanes, water vessels, motor vehicles, or non-motorized vehicles, and mobile homes, are sold to a person by a seller, each individual unit, whether part of a fleet sale or not, shall be treated as single transaction for the purposes of the sales and use tax.

(B) The charges for utility services, which are subjects to the sales and use tax and which are furnished on a continuous service basis, whether such services are paid daily, weekly, monthly or annually, for the purposes of the sales and use tax shall be computed daily increments, and each such daily charge increment shall be considered to be a single transaction for the purposes of the sales and use tax.

(C) For sales of building materials and supplies to contractors, builders or other persons, a single transaction, for the purpose of the sales and use tax, shall be deemed to be any single sale which is reflected on a single invoice, receipt or statement on which an aggregate sales (or use) tax figure has been reported and remitted to the State of Arkansas.

(D) When two or more items of major household appliances, commercial appliances, major equipment and machinery are sold, each individual unit shall be treated as single transaction for the purposes of the sales and use tax.

(E) For groceries, drug items, dry goods and other tangible personal property and/or services not otherwise expressly covered in this Section, a single transaction shall be deemed to be any single sale which is reflected on a single invoice, receipt or statement, on which an aggregate sales tax figure has been reported and remitted to the State of Arkansas.

SECTION 8: That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 9: It is hereby ascertained and declared that there is a great need to establish a stable source of revenue to provide public safety services in order to promote and protect the health, safety and welfare of the City and its inhabitants. It is, therefore, declared that an emergency exists and this Ordinance being necessary for the immediate preservation of public peace, health and safety shall be in force and take effect immediately from and after its passage.

PASSED AND ADOPTED this 1st day of June, 2010.