



# City of Jonesboro

900 West Monroe  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, June 18, 2013

5:30 PM

Huntington Building

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### SPECIAL CALLED FINANCE COMMITTEE MEETING AT 4:50 P.M.

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

### PUBLIC HEARING AT 5:20 P.M.

*Regarding a telecommunications easement at 5726 Bowden Drive as requested by William Conrad*

*No opposition was voiced.*

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

### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

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

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

### 4. SPECIAL PRESENTATIONS

[COM-13:042](#) Rev. Adrian Rogers Jail Ministry presentation

**Sponsors:** Mayor's Office

*Rev. Rogers discussed the jail ministry. He has been chaplain at the jail since December, 2011. They have distributed almost 800 bibles and 500 pairs of glasses during his time there. Over 2,300 people have received salvation. They have services on Saturdays and Sundays and are working on scheduling Wednesday services back in. Many people have also been baptized and over 200 people have been put into rehab and now have success stories. The rehabs last from 8 months to a year, with freedoms earned along the way. They believe the program is working. Their desire is to minister to people so they don't end up back in jail.*

**This item was Read.**

[COM-13:043](#) Check presentation from Post for the Miracle League to Mayor Perrin and Heather Clements

**Sponsors:** Mayor's Office

*A representative from Post Foods presented the City with a check for the Miracle League. Mayor Perrin thanked her for the check.*

**This item was Read.**

## **5. CONSENT AGENDA**

### *Approval of the Consent Agenda*

**A motion was made by Councilman Mitch Johnson, seconded by Councilman Chris Gibson, 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; Chris Moore; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods; Mikel Fears and Charles Coleman

#### **MIN-13:048**

Minutes for the City Council meeting on June 4, 2013

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

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

#### **RES-13:069**

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT RIGHT-OF-WAY FROM GREG NALL AND STEPHANIE NALL FOR STREET IMPROVEMENTS AND MAINTENANCE

**Sponsors:** Engineering

**Attachments:** [Dedication Deed.pdf](#)

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

Enactment No: R-EN-073-2013

#### **RES-13:070**

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT RIGHT-OF-WAY FROM EAVES CONSTRUCTION, L.L.C. FOR STREET IMPROVEMENTS AND MAINTENANCE

**Sponsors:** Engineering

**Attachments:** [Dedication Deed.pdf](#)

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

Enactment No: R-EN-074-2013

#### **RES-13:071**

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO ACCEPT RIGHT-OF-WAY FROM VIVETTA REVA BRADY FOR STREET IMPROVEMENTS AND MAINTENANCE

**Sponsors:** Engineering

**Attachments:** [Dedication Deed.pdf](#)

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

Enactment No: R-EN-075-2013

**RES-13:080**

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO REQUEST FROM CITY WATER AND LIGHT TO PROVIDE FREE UTILITY SERVICE TO THE SOUTHSIDE BALL PARK

**Sponsors:** Mayor's Office

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

Enactment No: R-EN-076-2013

**RES-13:081**

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR NETTLETON PUBLIC SCHOOLS INTERMEDIATE SCHOOL MINOR PLAT, A COMMERCIAL DEVELOPMENT

**Sponsors:** Engineering

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

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

Enactment No: R-EN-077-2013

**RES-13:083**

A RESOLUTION TO CONTRACT WITH JONESBORO RADIO GROUP FOR RENTAL OF SOUTHSIDE SOFTBALL COMPLEX

**Sponsors:** Parks & Recreation

**Attachments:** [Fourth of july jbr southside](#)

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

Enactment No: R-EN-078-2013

**RES-13:084**

A RESOLUTION TO CONTRACT WITH DELTA DENTAL OF ARKANSAS FOR SPONSORSHIP OF A BASEBALL FIELD AT JOE MACK CAMPBELL PARK

**Sponsors:** Parks & Recreation

**Attachments:** [Delta Dental sign contract 052113](#)

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

Enactment No: R-EN-079-2013

**RES-13:085**

A RESOLUTION TO CONTRACT WITH EAB BROADCASTORS INC FOR RENTAL OF CRAIGHEAD FORREST PARK

**Sponsors:** Parks & Recreation

**Attachments:** [EAB Contract](#)

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

Enactment No: R-EN-080-2013

**6. NEW BUSINESS****ORDINANCES ON FIRST READING****ORD-13:022**

AN ORDINANCE TO VACATE AND ABANDON A 10' TELECOMMUNICATIONS EASEMENT AND DECLARING AN EMERGENCY FOR THE PURPOSE OF EXPEDITING CONSTRUCTION BY THE PROPERTY OWNER, WILLIAM CONRAD

**Attachments:**    [Application Form](#)  
                          [Petition](#)  
                          [Planning Letter](#)  
                          [Plat](#)  
                          [Utility Letters](#)

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

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

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

**A motion was made by Councilman Chris Gibson, 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;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-021-2013

**ORD-13:024**

AN ORDINANCE TO AMEND CHAPTER 117 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-4 FOR PROPERTY LOCATED AT 909 SOUTHWEST DRIVE AS REQUESTED BY LOUIS & PAULA WEWERS

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

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

*Councilman Street questioned whether there was any opposition. City Planner Otis Spriggs answered no.*

**A motion was made by Councilman John Street, seconded by Councilman Chris Moore, to Waive Second Reading . The motion PASSED by a unanimous vote**

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

**RESOLUTIONS TO BE INTRODUCED****RES-13:077**

A RESOLUTION TO SET PUBLIC HEARING REGARDING AN ABANDONMENT OF

PART OF THE UNDEVELOPED PORTION OF THE AVENIR PLACE CUL-DE-SAC, LYING AT THE WEST END OF THE PLATTED RIGHT-OF-WAY OF AVENIR PLACE, AS SHOWN ON THE PRIMARY CARE INVESTMENTS REPLAT OF JMEC ADDITION AND LOTS 1 AND 2 BROWNS LANDING ADDITION TO JONESBORO, ARKANSAS; AND RECORDED IN BOOK H, PAGE 141.

**Sponsors:** Engineering and Planning

**Attachments:** [Petition](#)  
[UtilityLetters](#)  
[PLATS-Abandonment](#)  
[Centerpoint Letter](#)  
[Adjacent owners consent](#)  
[Planning Letter](#)

**A motion was made by Councilman Chris Gibson, 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;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: R-EN-081-2013

## **7. UNFINISHED BUSINESS**

### *ORDINANCES ON THIRD READING*

#### **ORD-13:020**

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO RS-7 AND R-1 TO PD-RM FOR PROPERTY LOCATED AT KEELY AND LEXEE STREETS AS REQUESTED BY UNICO BANK

**Attachments:** [Plat](#)  
[MAPC Report](#)  
[MAPC Record of Proceedings December 11 2012](#)  
[MAPC Record of Proceedings March 12 2013](#)  
[Opposition material](#)  
[Opposition petition](#)

*Attorney Don Parker, representing Unico Bank, discussed the proposed rezoning. The property lies on the edge of the City limits near Ingels Road. Unico Bank is currently purchasing the Watson Family Trust parcel in order to provide access to a portion of the Unico Bank tract from Ingels Road. The MAPC voted in favor of the rezoning. There are two proposals, both tracts are currently zoned R-1. The first proposal is for RS-7 consisting of 8.81 acres, which will mirror the adjacent development, Caldwell Acres. Caldwell Acres is currently zoned R-3 with a limited use overlay. The second proposal is for PD-RM. That proposal will be 40 acres. The RS-7 proposal will act as a buffer between Caldwell Acres and the PD-RM development. The RS-7 property will be accessed solely by Keely and Lexee and will allow for those streets to be connected, which will improve fire and health coverage in Caldwell Acres. The project will result in a total of 217 mixed units consisting of 37 single-family lots, 22 single-level duplex lots, 12 single-level fourplex lots and 22 townhouse-style fourplex lots. Density in the RS-7 area is 5.2 units per acre and is*

consistent with the density in Caldwell Acres. The density in the planned development is virtually identical to Caldwell Acres at 5.4 units per acre. As required by planned development, a minimum of 7.9 acres must be set aside for common areas, but they will have 8.36 acres set aside which will include an area at the entrance for a bus stop and/or MATA stop. The rent in the planned development will range from \$800 to \$950. He then discussed the history of the proposal as it went through MAPC. Mr. Parker explained Unico spent \$23,000 on a hydrology study to determine the floodway and the developments' affect on the floodway. It was determined the development would not change or adversely affect the floodway location.

Mr. Parker further explained the opponents have three main concerns: increased traffic, increased crime and depreciating property values. The access to the proposed development will solely be through Ingels Road, which is labeled as a minor arterial road with the Land Use Plan. Multi-family developments are permissible on minor arterial roads. There will be no access via Lexee or Keely. There will be less traffic on Lexee and Keely with the planned development as opposed to developing the area as single-family residential with sole access on those streets. If the entire development was constructed as single-family, there would be 111 additional lots that would use Lexee and Keely as opposed to the 37 on the proposed plan. Given the density at 5.4 units per acre, the planned development will not result in any more traffic since the density is practically identical to that of the RS-7 property and Caldwell Acres. In fact, the number of cars will be smaller than that if it was a single-family development since single-family attracts more families.

Regarding crime, statistics show crime increases when there is a higher density of people living in a small geographic area. Crime hot spots tend to be around those smaller areas with a higher density of people. But, the density in this planned development is 5.4 units per acre, which is virtually identical to Caldwell Acres' 5.2 units per acre.

Regarding property values, this is no evidence that multi-family developments decrease property values in adjacent neighborhoods. If there were any data the opponents would have presented it. But, the opponents didn't present it because there is none to support this concern.

The planned district gives the MAPC and Council extensive control over the development of the property. If the development doesn't go as proposed, the developer must go back before the MAPC and Council. Additional requirements and stipulations may be required during site plan review. By providing the single-family buffer in the RS-7 area, Unico Bank is assuming the economic risk of selling the property. No residents of Caldwell Acres are being asked to assume that risk. The proposal will allow for orderly transition from single-family housing to single-family duplexes, to single-family fourplexes and then to townhouse-style fourplexes.

The property is located on the edge of city limits. The project will be one mile from the bypass and half-mile from Optic Fiber Park. Willow and Ingels Roads are sparsely populated. There are no large-scale multi-family developments near, thus avoiding a high concentration of multi-family developments. They asked for the Council to focus solely on this proposal and judge it on its own merits.

Mr. Doug Ward, 3407 Colony Drive, complimented Councilman Moore for his proposal regarding a moratorium on multi-family housing. He recommended a new system for readings with the MAPC and Council in order to not wear people down over possibly a long amount of time. He explained water from over half the city goes to that part of town and that he can't believe they are thinking of putting more

residences in that part of town. He noted the local school district still hasn't been contacted as suggested by MAPC. Mr. Ward added city infrastructure is not ready to handle this development. He further explained 289 citizens in that area have signed the opposition petition. He asked for the Council to do the right thing for the citizens and city as a whole.

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

**Aye:** 4 - Ann Williams; Charles Frierson; Gene Vance and Charles Coleman

**Nay:** 8 - Darrel Dover; Chris Moore; John Street; Mitch Johnson; Tim McCall; Chris Gibson; Rennell Woods and Mikel Fears

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

*Mayor Perrin reported on the following items:*

*The Street Department is working on both ends of Bittle Street to Nettleton. They are correcting and straightening out the area on Highland by Arby's. They are also putting in a dedicated right-hand turn lane if you are going north on Bittle turning west.*

*Last week, the City received a grant for \$1.1 million from the Federal Transportation Authority to renovate the fire station at Caraway and Matthews. They will also use the money to put sidewalks on both sides of Caraway to Washington and going back to Nettleton. There will be no cash spent out of the General Fund to match that grant.*

*The Street Department is working on two new fields at Joe Mack Campbell Park. In 2015, the City will be hosting the 12 and older Cal Ripken World Series. They will be also working on the concession stands.*

*They are ahead of schedule with the construction of the new Council Chambers at the Municipal Center. The chambers should be ready to be used at the second meeting in August.*

*Several delegates will be leaving for the Municipal League Conference tomorrow. He encouraged everyone to attend the conference.*

## **9. CITY COUNCIL REPORTS**

*Councilwoman Williams motioned, seconded by Councilman Gibson, to suspend the rules and place ORD-13:023 on the agenda. All voted aye.*

### **ORD-13:023**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF METRO CONNECTIONS FOR A COMMUNICATIONS TOWER, THE PROPOSED NEW FIRE LOCATION (TOWER PARK), GUEST NETWORK SERVICES LOCATED AT 300 S. CHURCH STREET AND THE CITY'S AIRPORT FACILITY FOR THE CITY OF JONESBORO

**Sponsors:** Information Systems

**Attachments:** [Quote City of Jonesboro Church Street 05 15 13](#)  
[Quote City of Jonesboro Lindbergh 05 15 13](#)  
[Quote City of Jonesboro Neely 05 15 13](#)  
[Quote City of Jonesboro Strawfloor 05 15 13](#)

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

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

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

**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;Chris Moore;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Mikel Fears and Charles Coleman

Enactment No: O-EN-022-2013

*Councilman Moore motioned, seconded by Councilman Johnson, to suspend the rules and add RES-13:099 to the agenda. Councilman Vance asked that the rules regarding walk-ons by committees be read into the record. Councilman Moore withdrew his motion, explaining that Councilman Vance is correct that because of one nay vote on the resolution in the committee that the resolution cannot be walked on to the Council agenda. Councilman Vance stated he is not in opposition to it being walked on; rather, he just wanted the rules to be read before the resolution is voted on. Councilman Moore further explained that the rules clearly state that due to Councilman Vance's opposition the resolution cannot be added to the agenda tonight. He asked that the resolution be added to the next Council agenda. Councilman Johnson withdrew his second on the motion.*

*Councilman Moore thanked the administration for the improvements at the intersection of Fair Park and Highland and Bittle. He stated the extra lane will be important for the flow of traffic.*

*Councilman Coleman thanked the administration for the proclamation that will be read at the park.*

*Councilman Vance reiterated that he had no prior knowledge of the rules regarding walk-ons from a committee until after the vote was taken at the committee meeting. It was brought to his attention by someone in the audience.*

## **10. PUBLIC COMMENTS**

*Attorney Don Parker encouraged the Council to define the term "temporary" when they consider the resolution regarding the moratorium and explain what the time period will be. He explained he knew there were problems in Bryant when they attempted a similar solution. He noted the Council will have the authority to extend the temporary moratorium should the committee the Mayor will appoint need additional time.*

## **11. ADJOURNMENT**

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



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

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

**Harold Perrin, Mayor**

**Attest:**

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

**Donna Jackson, City Clerk**