



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes - Final Public Works Council Committee

Tuesday, January 7, 2014

5:00 PM

Municipal Center

Election of a chair

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Councilman Dover motioned, seconded by Councilman Johnson, that Councilman Street be elected chair of the Public Works Committee. All voted aye.

1. Call To Order

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Mayor Perrin was also in attendance.

2. Roll Call by City Clerk Donna Jackson

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Present 4 - John Street; Mitch Johnson; Darrel Dover and Charles Coleman

Absent 2 - Gene Vance and Chris Moore

3. Approval of minutes

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[MIN-13:110](#)

Minutes for the Public Works Committee meeting on December 3, 2013

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Attachments: [Minutes](#)

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

Aye: 3 - Mitch Johnson; Darrel Dover and Charles Coleman

Absent: 2 - Gene Vance and Chris Moore

4. New Business

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Resolutions To Be Introduced

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RES-13:210

A RESOLUTION AUTHORIZING MAYOR AND CITY CLERK TO SIGN THE SETTLEMENT AND RELEASE AGREEMENT WITH DSI REGARDING PARADISE ESTATES PHASE I MAINTENANCE BOND

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Sponsors: Engineering

Attachments: [Settlement and Release.pdf](#)
[Exhibit A.pdf](#)

City Engineer Craig Light explained this is a settlement agreement with a surety company because the subdivision has been defaulted on. He added the repairs that need to be made are fairly small and the settlement amount is for \$4,500.

A motion was made by Councilman Mitch Johnson, seconded by Councilman Darrel Dover, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 3 - Mitch Johnson;Darrel Dover and Charles Coleman

Absent: 2 - Gene Vance and Chris Moore

RES-13:212

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR RIDGECREST MINOR PLAT - PHASE 1, A COMMERCIAL DEVELOPMENT

[play video](#)

Sponsors: Engineering

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

Chairman Street noted this is a standard maintenance agreement.

A motion was made by Councilman Darrel Dover, seconded by Councilman Charles Coleman, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 3 - Mitch Johnson;Darrel Dover and Charles Coleman

Absent: 2 - Gene Vance and Chris Moore

RES-13:214

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR KUM & GO STORE #362, A COMMERCIAL DEVELOPMENT

[play video](#)

Sponsors: Engineering

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

Chairman Street noted this is a standard agreement. He then asked if this is for the Kum and Go on Culberhouse. Mr. Light answered yes

A motion was made by Councilman Charles Coleman, seconded by Councilman Mitch Johnson, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 3 - Mitch Johnson;Darrel Dover and Charles Coleman

Absent: 2 - Gene Vance and Chris Moore

RES-13:219

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR HIGHLAND POINTE ADDITION, A COMMERICAL DEVELOPMENT

[play video](#)

Sponsors: Engineering

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

Chairman Street stated this is a standard agreement.

A motion was made by Councilman Mitch Johnson, seconded by Councilman Darrel Dover, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 3 - Mitch Johnson;Darrel Dover and Charles Coleman

Absent: 2 - Gene Vance and Chris Moore

RES-13:221

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR REPLAT OF LOT 1 BLOCK C OF CORNERSTONE UNITED METHODIST CHURCH ADDITION, A COMMERICAL DEVELOPMENT

[play video](#)

Sponsors: Engineering

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

A motion was made by Councilman Darrel Dover, seconded by Councilman Mitch Johnson, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 3 - Mitch Johnson;Darrel Dover and Charles Coleman

Absent: 2 - Gene Vance and Chris Moore

RES-13:222

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE PROPERTY LOCATED AT 919 CREATH, JONESBORO, ARKANSAS FOR THE PURPOSE OF STREET IMPROVEMENTS

[play video](#)

Sponsors: Engineering

Attachments: [Offer and Acceptance.pdf](#)
[Appraisal](#)
[Map](#)

Mr. Light explained this is for the Patrick Street widening project. He added the house is located on the corner of Creath and Patrick Streets and is in the way of the widening project. He further explained the offer is for \$20,000 for the house and \$4,100 for a 20 foot strip of land for the right-of-way.

Councilman Dover asked if this is the only property that will need to be purchased for this project. Mr. Light answered no, because there are three other properties that will need to be purchased. He further explained those properties that need to be purchased will just be land and not houses.

A motion was made by Councilman Darrel Dover, seconded by Councilman Mitch Johnson, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 3 - Mitch Johnson;Darrel Dover and Charles Coleman

Absent: 2 - Gene Vance and Chris Moore

RES-13:224

A RESOLUTION TO ACCEPT A MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT FACILITIES FOR THE VILLAGE AT SAGE MEADOWS, A RESIDENTIAL SUBDIVISION

Sponsors: Engineering

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

Chairman Street stated this needs to be placed on tonight's Public Works agenda.

Councilman Dover motioned, seconded by Councilman Johnson, that this be placed on tonight's Public Works agenda. All voted aye.

Chairman Street noted this does not need to go to the Council until the next meeting in two weeks.

A motion was made by Councilman Darrel Dover, seconded by Councilman Mitch Johnson, that this matter be Recommended to Council . The motion PASSED with the following vote:

Aye: 3 - Mitch Johnson;Darrel Dover and Charles Coleman

Absent: 2 - Gene Vance and Chris Moore

6. Other Business

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COM-14:001

Discussion: Site Plan Reviews/Appeal Process

[play video](#)

Sponsors: Planning

Attachments: [MEMO Site Plan Appeal Text Amendment PublicWorks Proposed Ordinance Site Plan Appeals](#)

City Planner Otis Spriggs stated he has been working with the Planning Commission concerning their by laws dealing with site plan approvals. He further explained there is an issue with the existing Code of Ordinances concerning who can appeal a decision with site plans. He added this will review existing ordinances and what State law has passed down to local government as it relates to appeals.

Discussion was held concerning administrative duties by the Planning Commission dealing with site plans.

Mr. Spriggs suggested cleaning up the Code of Ordinances to where it will have site plans only being appealed to the Council by the applicant when it is denied by the Planning Commission. He further stated that the suggested new ordinance is attached to this file and has been reviewed by City Attorney Phillip Crego who suggested a few things be changed. He added the part of the proposed ordinance where it states "appeals of final administrative or quasi-judicial approvals by the Metropolitan Area Planning Commission shall be taken before the County Circuit Court" will be removed because it is already State law. He noted that City Attorney Crego feels like the rest of the proposed ordinance would satisfy State law and clean up the City's existing ordinances.

Councilman Dover asked what are the alternatives for a citizen who lives in the area of a site plan if they object to the site plan. Mr. Spriggs answered if the proposed ordinance is passed the citizen would have to go to Circuit Court. He added unless it is denied by MAPC then it would come before Council. He noted Councilman Frierson suggested the Council look at whether or not the law was applied or a harsh decision was made. Councilman Dover stated most of the decisions are subjective. He then inquired if there was a case where the MAPC has violated the items Councilman Frierson suggested. Mr. Spriggs answered no because it hasn't been a problem in the past and he believes those type of issues can be handled administratively.

Discussion was held concerning subjective decisions.

Councilman Dover asked what legal missteps could an applicant do that the MAPC would rule in error. Mr. Spriggs answered if the applicant didn't follow the guidelines of the ordinances that have to do with notifications or technicalities. Councilman Dover then stated the decision is mainly subjective. Mr. Spriggs agreed.

Mr. Spriggs stated he would bring the ordinance back after it has been cleaned up. Chairman Street asked when the ordinance is brought back would it include City Attorney Crego's suggested changes. Mr. Spriggs answered he would do that.

Chairman Street asked that the cleaned up version of the proposed ordinance be forwarded to the full Council so they can review it. Mr. Spriggs answered yes.

City Clerk Donna Jackson asked if the committee wanted to have the ordinance come back to just this committee and not the full Council. Chairman Street answered the ordinance is coming back to this committee, but he wanted the proposed ordinance sent to the full Council as FYI.

This item was Read.

5. Pending Items

[play video](#)

RES-13:206

RESOLUTION PROVIDING FOR THE RENAMING OF STATE HIGHWAY 141 (JOHNSON) RUNNING NORTH UP TO THE CITY LIMITS OF JONESBORO, ARKANSAS, TO BE RENAMED DR. MARTIN LUTHER KING JR. BOULEVARD

[play video](#)

Attachments: [Opposition Petition](#)
[Property owners information](#)

Chairman Street noted this will go to the next Council meeting.

Mr. Garry Tate, a resident who lives near North Church Street, stated he represents other citizens who live in the area and they are against the renaming of the street. He added they are against any name change and he suggested renaming the eastern bypass Dr. Martin Luther King, Jr. Blvd.

Councilman Johnson stated he agrees with Mr. Tate's opinion on the name change. He added he was against the last name change and he is not in favor of renaming any current street.

Chairman Street noted he concurs with Councilman Johnson with renaming streets. He noted naming a new street isn't a problem, but renaming a current street causes a lot of inconvenience to citizens and businesses.

Chairman Street then asked if the vote was for renaming the street or just forwarding it to Council. Councilman Coleman answered it is just for forwarding to the full Council.

Discussion was held concerning how many votes are needed to forward it to Council.

Chairman Street stated he will vote against this when it goes to Council, but will only vote for it in the committee because he believes the full Council should have an opinion on it.

City Clerk Jackson noted this resolution does not pass tonight because of not having all of the votes needed to forward it on to Council.

A citizen asked if it could be brought before the committee again. Chairman Street answered someone would have to reintroduce it to the committee and then it could go to Council, but at this moment it is a dead issue.

A motion was made by Councilman Charles Coleman, seconded by Councilman Darrel Dover, that this matter be Recommended to Council . The motion DENIED with the following vote.

Aye: 3 - John Street;Darrel Dover and Charles Coleman

Nay: 1 - Mitch Johnson

Absent: 2 - Gene Vance and Chris Moore

7. Public Comments

[play video](#)

8. Adjournment

[play video](#)

A motion was made by Councilman Mitch Johnson, seconded by Councilman Darrel Dover, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 3 - Mitch Johnson;Darrel Dover and Charles Coleman

Absent: 2 - Gene Vance and Chris Moore