



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, July 5, 2016

5:30 PM

Municipal Center

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

NOMINATING & RULES COMMITTEE MEETING AT 5:15 P.M.

PUBLIC HEARING AT 5:20 P.M.

Regarding the abandonment of a portion of an alley lying south of Lots 9 thru 14 of Block 1 of Hurley & Moore's Addition as requested by the Hispanic Community Services, Inc.

No one spoke in opposition to the abandonment.

PUBLIC HEARING AT 5:25 P.M.

Regarding the abandonment of a 25 foot public street right-of-way as requested by Carey Smothermon.

No one spoke in opposition to the abandonment.

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

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

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

4. SPECIAL PRESENTATIONS

[COM-16:047](#)

Presentation to Officers Trey Dupuy and Jason Chester, and Jacob Hunter, who was rescued May 24, 2016, from a storm drain

This item was read.

5. CONSENT AGENDA

Approval of the Consent Agenda

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

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

MIN-16:082

Minutes for the City Council meeting on June 21, 2016

This item was approved on the consent agenda.

RES-16:081

A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO APPROVE SUPPLEMENTAL AGREEMENT 1 FOR THE BNSF RAILROAD OVERPASS (HWY. 18) (JONESBORO)(P.E.) - JOB NO. 100824

This item was approved on the consent agenda.

Enactment No: R-EN-072-2016

RES-16:082

RESOLUTION TO CONTRACT WITH PROPERTY ROOM.COM FOR AUCTIONING OF SEIZED PROPERTY IN POSSESSION OF THE CITY OF JONESBORO

This item was approved on the consent agenda.

Enactment No: R-EN-073-2016

6. NEW BUSINESS

ORDINANCES ON FIRST READING

ORD-16:034

AN ORDINANCE TO VACATE AND ABANDON PART OF AN ALLEY LYING SOUTH OF LOTS 9 THRU 14 OF BLOCK "1" OF HURLEY AND MOORE'S ADDITION TO THE CITY OF JONESBORO, ARKANSAS AS REQUESTED BY HISPANIC COMMUNITY SERVICES, INC.

Councilman John Street offered for first reading. Councilman Vance and Councilman Coleman abstained from the discussion and voting on this item because they are involved with Hispanic Community Services, Inc. Councilman Street motioned and Councilman Moore seconded to suspend the rules and waive the second and third readings. All voted aye with the exception of Councilman Vance and Councilman Coleman who abstained.

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

Aye: 10 - Darrel Dover;Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Chris Gibson;Rennell Woods;Todd Burton and Robert Long

Abstain: 2 - Gene Vance and Charles Coleman

Enactment No: O-EN-029-2016

ORD-16:035

AN ORDINANCE ABANDONING AND VACATING AN UNUSED 25 FOOT STREET RIGHT OF WAY LOCATED WEST OF ARCH STREET AS REQUESTED BY CAREY SMOTHERMON

Councilman John Street offered for first reading. Councilman Street motioned and Councilwoman Ann Williams seconded that the council suspend the rules and waive the second and third reading. All voted aye.

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

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

Enactment No: O-EN-030-2016

ORD-16:037

AN ORDINANCE APPROVING THE PURCHASE OF A CATERPILLAR EXCAVATOR FOR THE STREET DEPARTMENT, APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY

A motion was made by Councilman Darrel Dover, seconded by Councilman John Street, that this matter be Postponed Indefinitely . The motion PASSED with the following vote.

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

ORD-16:038

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2016 BUDGET TO ADD TWO NEW STREET MAINTENANCE LABORERS, AND DECLARING AN EMERGENCY

Councilman John Street offered the ordinance for first reading. Councilman Street motioned and Councilwoman Ann Williams seconded that the council suspend the rules and waive the second and third reading. All voted aye.

Councilman Dover explained that the bids came back higher than expected so the Finance Committee decided to go to an alternative route and purchase an excavator and a couple of additional trained employees to do the work rather than hire it out as a contract. Mayor Perrin stated that was true with two bids coming in and one was at \$1.8 million and the other at \$114,000. He said we called both companies in because of such a huge discrepancy. He said one company could do it for no less than \$1.8 million and the other company did not realize the amount of work to be done and could not do it for the bid amount of \$114,000. Mayor Perrin said they set down with Craig Light, the City Engineer, and others in administration and felt like this was an ongoing operation. He said he found out that the city excavators have to be pulled off some jobs to help with other jobs. He said the large excavator will allow the city to do the jobs they need to do and will allow the other two excavators to remain in the ditches at all times. Mayor Perrin stated two new entry level employees will be brought in and two trained employees will be moved to use all of the excavators.

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

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

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

Enactment No: O-EN-031-2016

ORD-16:039

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO C-3 LUO FOR PROPERTY LOCATED AT 5110 SOUTHWEST DRIVE AS REQUESTED BY JEREMY MOORE

Councilman John Street offered the ordinance for first reading. Councilman Chris Moore abstained from the discussion and voting on this item because he is a relative of Jeremy Moore.

A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, to Waive Second Reading . The motion PASSED with the following vote.

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

Abstain: 1 - Chris Moore

ORD-16:041

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO I-1 LUO FOR PROPERTY LOCATED IN THE 5900 BLOCK OF SOUTHWEST DRIVE AS REQUESTED BY VALLEY VIEW STORAGE

Councilman John Street offered the ordinance for first reading. Councilman Chris Moore abstained from the discussion and voting on this item because he is a relative of the agent selling the property.

A motion was made by Councilman John Street, seconded by Councilman Gene Vance, to Waive Second Reading . The motion PASSED with the following vote.

Aye: 11 - Darrel Dover;Ann Williams;Charles Frierson;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman;Todd Burton and Robert Long

Abstain: 1 - Chris Moore

ORD-16:042

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 TO RM-12 LUO FOR PROPERTY LOCATED AT 3423 HUDSON AS REQUESTED BY ROBIN CALDWELL

Councilman Dover asked that this ordinance be tabled until the following studies are done which include a crime study comparison between R-1 and RM-12, a traffic study done which would differentiate between R-1 and RM-12, a school impact study done which would differentiate between R-1 and RM-12, a drainage study done which would differentiate between R-1 and RM-12, and a study on the impact of retail home sales in the last year which have a RM-12 or one adjoining. He said we need to discuss who is to pay for these studies. Councilman Frierson asked who would be responsible for paying for that. Councilman Dover said he would assume it would be paid by the person who has brought about the rezoning. City Attorney Carol Duncan stated that the property owner is asking to address the Council. Cole Stevenson came to the podium to speak. He stated he is the real estate broker representing Ms. Caldwell, the property owner. He said we have already stipulated that a traffic study be done, and we are only asking for rezoning to be done to solicit to a developer. He stated that we are not coming with a site plan or a project. Mr. Stevenson said at the time we could get the zoning to find a developer for this property, we would come to MAPC with a site plan. He noted that a lot of the concerns being brought up are in the ordinance. He said we would have to gain MAPC approval to move forward with any

project.

Councilman Dover stated he would still rather have the studies done before rezoning the property from R-1 to RM-12. Councilman Long asked what their willingness is to reduce the density in that project. Mr. Stevenson stated that what they are ultimately trying to do is find the best use for this property. He said the property is currently surrounded by commercial and industrial property and there was another commercial rezoning done just by it. He said there are 40 acres of commercial development in Greensboro Village which is right across from Highway 351. He said they feel that the commercial aspect is oversaturated and there hasn't been big growth in that area. Mr. Stevenson said he thinks they need people in the area to make this thing work and they think they can provide a benefit to the citizens of Jonesboro by offering a multifamily project. He said they want to meet any requirements and concerns because we want to do something positive for the City of Jonesboro.

Councilman Dover stated that we still need facts. Councilman Long said he didn't think that was correct that it was all surrounded by commercial property because he looked on Google Maps and there are houses all around that. Mr. Stevenson said there are four homes to the east. There is commercial C3-LUO to the south and southeast. He said there is also commercial C-3 to the southwest, to the west, there are two industrials, and to the northwest, there is C4-LUO which was just approved in rezoning. He said the only residential R-1 is four homes to the east. Councilman Long stated that Mr. Stevenson said in the last meeting that the homeowners you spoke with conceded to the fact that commercial was coming that way and they had to get used to it. He asked Mr. Stevenson why a homeowner would have to get used to commercial property coming. Mr. Stevenson said that was a skew of the words and language he used. He stated he spoke with the homeowners and he said he told MAPC that the homeowners were not happy about the rezoning of the property. Councilman Long asked how many homeowners Mr. Stevenson had spoke to. Mr. Stevenson said he had attempted to speak to all, but was only able to speak to Mr. Fowler and the Kusters. He said the homeowners said they did not like the idea of development and they understood. However, in understanding that rezoning had been done and there was inevitability due to the high intensity development in that area where that area would develop over time. He stated he understands that impacts the homeowners, but he represents Ms. Caldwell and they are trying to get the property zoned to its best use and this was the best use we could find for that property. He wanted to mention that even in its current zoning, there is a potential to build 43 single family homes. He stated again that the best use of the property would be to rezone it from RM-1 to RM-12 to bring people into the area for the businesses that are stagnate at this point.

Mayor Perrin asked if there were any person who wanted to come to the podium to speak on the reading of this ordinance. Carolyn Koster, 3501 Hudson Drive, wanted to make it clear that they said they did not want apartments directly behind their house. Dan Passmore owns property at 3509 Hudson Drive and stated that you can hardly get out of that neighborhood now due to traffic. He said there are 18 or 19 homes with one or two rental properties. He said he doubts that will change as it is a stable neighborhood. He said you cannot get out on Highway 351 and you have to cut over to Johnson and go through business parking lots to get out. He said speeding is an issue and the Police Department does a good job at patrolling that area. He said this is a nice little neighborhood and they would like for it to stay that way.

Mavis Stark, 1808 Pearl Drive, said that her street was a branch off of Hudson Drive until the City incorporated us into the city limits. She said at that time, they had to change the name of the street and it was changed to Pearl Drive. She has been a

resident of that community and they have begged for city drainage and city sewer. She said she was the first to call about the blind curve and what could be done about it. She said she was told to call a man in Paragould and then that man told her to call a man in Little Rock about the street outlets onto Highway 351. She said you cannot turn left from Hudson Drive onto Highway 351 because of the amount of traffic in that area. She said the other outlet by Burger King is extremely difficult to immerse from due to the extreme amount of traffic in that area around Johnson Avenue. She said to get safely to Jonesboro, they have to go through Songbird Center which they were told was illegal to cut through parking lots. She said she spoke personally with the State Highway Department about how dangerous Highway 351 and 49 is. She said she wants answers as to how the residents can safely get in and out of that area before any new major developments are built. She said she wants to know why they have not been afforded some of the things that other places have been like sewer. She said they are in a dilemma due to traffic issues and safety. Mrs. Starks stated that she is begging the city not to throw an additional 100 apartments on top of that area because the area just cannot handle it. She said they are all long time residents of that area and they are in the middle of a big mess where they don't need more added to it. Terry Fowler, 3513 Hudson Drive, stated the apartments would be right behind him. He said he is in the towing business and has been to too many wrecks in that area. He requested that the Council come and see the traffic problem they currently are faced with.

Councilman Dover motioned to table the ordinance until the aforementioned studies are completed. Mayor Perrin asked if Councilman Dover wanted to table ORD-16:042 until the following studies are done: a crime study comparison between R-1 and RM-12, a traffic study done which would differentiate between R-1 and RM-12, a school impact study done which would differentiate between R-1 and RM-12, a drainage study done which would differentiate between R-1 and RM-12, and a study on the impact of retail home sales in the last year which have a RM-12. Councilman Dover stated yes. Councilman Bobby Long seconded the motion. Councilman Moore asked Carol Duncan, the city attorney, about the school impact study since it is not one of the seven criteria for rezoning. Ms. Duncan stated that she didn't know if it would be appropriate to ask them to pay for the school impact study since it is not a part of the zoning ordinance requirement. Councilman Dover said it didn't have to be a study. He said it could be a letter from the schools asking about the impact apartments in terms of transition, high mobility, etc. Ms. Duncan said that it could be a problem to ask for that if there is a cost involved since it is not one of the criteria for rezoning. Councilman Moore stated he has no opposition to the other studies, but he doesn't want to require something that is not in the zoning ordinance that might require a legal challenge.

Mayor Perrin said that in the past developers have set down with the school districts to discuss the impacts a development would have on ingress and egress for the safety of the children. Carol Duncan stated they do not do that until they have a site plan. Mayor Perrin said that would probably be done at that time. Mayor Perrin asked if everyone understood the motion. He stated the motion is to table ORD-16:042 until studies can be done for a crime comparison, a traffic study, a drainage study, and a retail home sales impact study between R-1 and RM-12. Councilman Dover stated they need a letter from the school district on the impact once a site plan has been developed. Carol Duncan asked for clarity on who would be responsible for the costs of those studies. Councilman Dover stated the developer would be responsible for the costs of the studies. Mayor Perrin asked Councilman Moore if he wanted that to be part of the motion. Councilman Moore said yes he did. Carol Duncan said she needed it to be clear on who is responsible for the cost of the studies. Councilman Dover stated that he requests the motion to state that the studies be paid for by the person requesting the rezoning. Councilman Dover stated the ordinance for rezoning

should be tabled until we get the studies and that the city will not pay for those studies.

Mayor Perrin said the owner of the property requesting the change in the rezoning would be responsible for the costs of the studies. Cole Stevenson, agent for the property owner, asked Councilman Dover how a drainage study could be done without a site plan. Councilman Dover said you can use the R-1 zoning and build single family housing. Mr. Stevenson stated that they thought the best use of the property would be to rezone for RM-12. Councilman Dover asked Mr. Stevenson who would it be best for. Mr. Stevenson stated it would be best for his client, Ms. Caldwell. Councilman Long stated it is not the best for the people who have lived in that neighborhood for most of their lives. Mr. Stevenson stated he understood the concern, but he represents Ms. Caldwell and her best interests. He said they are trying to move forward and do a good project and they are willing to meet the council demands for as much as they can do on their end. Councilman Dover stated to Mr. Stevenson that he is asking the council to rezone this property so he can sell it for the most profit he can. Mr. Stevenson agreed.

Councilman Moore asked if they could hold this at one meeting in two weeks so they could discuss with the city attorney on the best avenue to take. He said they could table it at any point at the second or third readings. Councilman Dover stated he was trying to avoid pushing the issue through without getting the facts. Councilman Moore stated he was trying to avoid making mistakes in not having the seven criteria and considering criteria that is not currently part of our rezoning process. Councilman Dover said he would amend his motion to take the school criteria out and to require the other studies that do meet the criteria for rezoning. Ms. Duncan, city attorney, said her only problem would be with the drainage study. She said they should get with Engineering to see if a drainage study is even feasible at this point before you have a site plan to see what is being built there. Councilman Dover asked why they are asking for rezoning to RM-12. Mr. Stevenson said to maximize density. Councilman Dover said he wants the studies done before they rezone because that is only fair to the people who already live around the property.

Mayor Perrin said they have pulled out the school impact study. Councilman Dover said they have left in the drainage study. Councilman Moore said they would need to come back with what the maximum density would be under RM-12 for the drainage study. Mayor Perrin asked about another reading. Councilman Dover stated that his motion is to table it. Brenda Hetler, 1811 Pearl Drive, spoke to the council and stated that she has been fighting with the city for 2-3 years about drainage. She said the city Engineer has been out there and the city has only put band-aids on everything. She said the first culvert washed away and she has pictures of the drainage problems. She challenges the council to come out on a rainy day to see the problems. Mayor Perrin said the City Engineer will be out there tomorrow to address her concerns.

A motion was made by Councilman Darrel Dover, seconded by Councilman Robert Long, that this matter be Postponed Temporarily . The motion PASSED with the following vote.

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

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

ORD-16:031

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM C-4 TO C-3 LUO FOR PROPERTY LOCATED AT 1425 E. JOHNSON AVENUE AS REQUESTED BY AYAD TALIB

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

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

Enactment No: O-EN-032-2016

ORD-16:033

AN ORDINANCE AMENDING CHAPTER 117, KNOWN AS THE ZONING ORDINANCE OF JONESBORO, ARKANSAS, PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RS-1 TO I-1 FOR PROPERTY LOCATED AT 6106 SOUTHWEST DRIVE AS REQUESTED BY PAULETTE QUINN

Mayor Perrin asked if anyone wanted to address the council. Dr. Jim Sanders, 4123 Friendly Hope Road, wanted to read from the public record regarding this property. He referred to the May 13, 2008 MAPC meeting, the June 3, 2008 Public Works meeting, the June 17, 2008 council meeting, the August 19, 2008 council meeting, and the June 14, 2016 MAPC meeting. Dr. Sanders stated there was a big issue made of the danger of having an airstrip perpendicular to Highway 49 rather than horizontal, and if it was a danger then, it has more than quadrupled or 10 times. He said there are more houses on the road which is almost directly across from the airstrip and that Merrell Drive and Julia Drive are less than a half a mile from the airstrip. He said there is Beaver Creek, Prairie Meadows, Maple Valley, Bowden Lane, Friendly Hope Estates, and Flemon Drive with a large population of homeowners who are exposed to the danger of aircraft. He stated that if it goes through as planned, the airstrip could be there for the next 100 years. Dr. Sanders said the only way it goes back now is to August 19, 2018. He said if you pass this and it does get rezoned, he thinks they will have to do another ordinance to get it rezoned and then you will have a conditional use thing and will solve the problem of the airstrip.

Mr. Bobby Gibson, attorney for Ms. Quinn, spoke to the council and he was unaware that Dr. Sanders was opposed to the rezoning of the property. He said there was a lot of information given this evening that he had not had the opportunity to discuss before the MAPC when all of the MAPC members had an opportunity to discuss this. He said it was publicized prior to that meeting and Dr. Sanders could have come to that meeting to address his concerns which he chose not to do. Mr. Gibson said that Dr. Sanders could have addressed his concerns at the first reading instead he chose to come to the last reading which is very convenient. He said has been meeting with the Planning Department for over a year. He said this is the plan Mr. Spriggs presented to him to present to the council for the proper method of obtaining an extension of the non-conforming use. He said the annexation came first and the rezoning came second. Mr. Gibson said the recession had a great impact on the ability to market the property and to his knowledge, there have been no complaints about Quinn Aviation regarding its safety, being a good neighbor, or being a good business. He said everyone has spoken positively about this rezoning extension. If someone had brought up an issue, Mr. Gibson said he could have addressed it before the last reading. He said this property needs to continue to be utilized for its best use and at this time, it is best to continue to be used as an airstrip with the possibility to be converted to residential use at a future date. He said that is the plan and what they are trying to accomplish with it. He said this is the way the Planning

Department asked us to present it would be in this capacity. As far as he knows, there is no problem with the wording of the ordinance with the Planning Department or the City Attorney. He said the wording has not changed and if any development is presented in any of the acreage that the industrial use would cease to be allowed. He said it is a limited use overlay.

Councilman Dover stated his concern was why are they coming two years in advance if they had until 2018. Mr. Gibson said there is always the possibility that the council would vote no and there are issues with financing the operation. He said there are a multitude of reasons why you should be proactive instead of waiting until the last day. Councilman Dover stated he understood. He asked if the intent was to sell it, but they couldn't find a buyer. Mr. Gibson said there was a deal back when it was originally presented, but the deal fell through due to the recession. Councilman Dover asked if they were requesting an extension because they couldn't sell it. Mr. Gibson said he presented the ten years and it wasn't forced. He said the general non-conforming use would allow them to use it until it burned down or they tried to expand. He said with an airstrip that didn't make a lot of sense so he tried to come up with something of a temporary nature. Mr. Gibson said that the industrial use would cease if they sold any of the surrounding property. Councilman Dover said that they basically can't sell any lots because they don't have it subdivided and is a mute point. He voiced concern that the entire property must sell for it to cease to conditional use. Mr. Gibson agreed. Councilman Street asked how many total acres were in that property. Mr. Gibson said there were around 160 acres. Councilman Street stated that they petitioned the city to annex the property and had they stayed in the county, they could have stayed an airstrip forever. Mr. Gibson said that was correct. Councilman Dover stated the stipulation was the 10 year period and Mr. Gibson agreed that it was one of the stipulations. He stated he wanted to clear up about the tie vote and it was for the annexation, not the zoning. Councilman Vance asked when the property was annexed, how many acres were annexed. Mr. Gibson said in rough numbers that it was about 160 acres. Councilman Vance asked if any of the property was developed if it would turn all of it into residential and the airstrip would have to cease at that time. Mr. Gibson said the airstrip would have to cease. Councilman Vance asked about expansion of the current operation and building of a new hanger. Councilman Frierson said as a grandfathered non-conforming use, you can't do that. Mr. Gibson said the airstrip is further back on the property located away from the buildings and he couldn't speak as to any expansions.

Mayor Perrin asked if there were any other questions. Councilman Dover asked why they didn't ask the council to extend the ordinance for one year which gives you three years. Mr. Gibson stated they are in a position to take any concerns the council may have and compromise. Councilman Dover stated that it boils down to you have to sell the whole package because you aren't going to sell part of it. Mr. Gibson said that was correct. Councilman Dover stated that what they are asking is to have the property as an airport for ever unless someone buys all of it. Councilman Mitch Johnson stated that they came to the council to ask them to annex the property so you could develop into a residential area and your plans didn't work out and so you are wanting the council to revert back to something else to protect your area so you can continue to do business. He said as far as he's concerned, they got the rezoning and that's the way it needs to stay. Mr. Gibson reiterated that it is not forever. Councilman Dover said it is forever until you sell it and you have already had eight years to sell it. Mr. Gibson stated that we were in a recession and it has been hard to sell. Councilman Johnson stated that the city is not in a building recession and you got what you asked for. Mr. Gibson said the airstrip itself is 13 acres. Councilman Dover said his concern is that no one is going to buy the front property and keep the airstrip at the back of the property.

Councilman Vance said the people annexed 300 feet of the front property in the mass annexation, but then they petition the city to annex the property behind that. He asked Mr. Gibson if there was any way that the council could table this and see if there are other options other than going back and rezoning the property to all Ms. Quinn a long enough time to make it good with the banks and come back in five years or so and ask for the rezoning. He said there are a whole lot more questions about this than was previously brought up at the last meeting. Mr. Gibson said they had been talking with the Planning Department for the last year and a better solution had not come up, but they are certainly open to ideas that can make the situation better until the land is developed as residential. He said that has always been the goal, but they don't want to wreck a good, long standing, tax-paying business in Jonesboro in the process of doing that. He said they are asking for a little bit of reason and understanding. Councilman Dover said he is not opposed to extending the original time period a little bit, but he doesn't want to vote on it to make it forever.

Mr. Gibson asked how he would get this back on the agenda. Councilman Dover stated that Councilman Vance had some good ideas on coming up with some alternative to help. He said they are not against it, but the forever part bothers him. Councilman Vance agreed and stated that postponed temporarily means you can bring it back up. He said he thought they needed 2-4 weeks at least to converse to see if there is something that can come up that will work better. Councilman Dover asked for the 1st Council meeting in August. Mayor Perrin stated that they have already voted. Councilman Vance said they would get back with Mr. Gibson on it.

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

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

8. MAYOR'S REPORTS

Mayor Perrin stated our building permits last month were \$176,147,264 which comprised of 86% commercial and 14% residential. He stated the commercial was the Marriott Courtyard on Highway 49N and the housing development behind the armory at Arkansas State University. On the quality of life, two condemnations have been torn down by the city, 11 by the owners, and 3 by rehab. He said we have taken down 16 houses already this year.

Mayor Perrin stated that he and Carol Duncan received a letter from Unico Bank to be asked to be discussed. He said he has asked Bert Newell to come to the Council Meeting on July 19th to discuss that letter from Unico Bank and Mr. Don Parker on that rezoning. He stated at that same council meeting, we will have a quarterly report by Darrin May on the recycling because we asked for quarterly reports on that contract. Mayor Perrin said some good news is the Race Street drainage project will begin in the morning by Lakeside Contractors. He said this time it will go all the way down to Sonic to encompass that entire side on Race Street. He said the Building Services Committee will meet this Thursday at 2 p.m. to discuss 3 or 4 items that need to be brought before the council.

9. CITY COUNCIL REPORTS

Councilman Street asked Mayor Perrin what the progress was on the roundabout and about the time schedule. Mayor Perrin stated he didn't know about the time schedule, but they had met with the Supervisor to discuss the work being done.

Mayor Perrin said there is work being done, but he doesn't think it is being done as quickly as it should be. He said we are going to meet with the Contractor to see if we can't get the project sped up dramatically on the roundabout on Airport Road.

Councilman Dover expressed his concern that school starts in about five weeks.

Mayor Perrin said that was exactly right and they would not make that deadline even if you have a full crew. He said he has been out there two or three times in the last week and there were two on the ground working and three in equipment which isn't good. He said there are 75 days on that contract, but with rain days and working with the Highway Department, it could be drug out to a year. He said we are going to get on that in the morning and speak with the contractor.

Councilman Johnson asked the Mayor if they could look into the possibility of a dual left hand turn lane on Race turning North on Red Wolf. He said you might get four cars through the light. Mayor Perrin stated that is a definite possibility and that the city engineer would look into that.

Councilman Dover stated they had a specially called Finance Committee Meeting prior to the Council meeting. He asked to suspend the rules and add ORD-16:043 to the agenda this evening. Councilman Street seconded the motion to suspend the rules. Mayor Perrin stated that he has a second to the motion to suspend the rules and add ORD-16:043 to the agenda. All voted aye.

ORD-16:043

AN ORDINANCE AMENDING THE BUDGET AND APPROVING THE PURCHASE OF A JOHN DEERE EXCAVATOR WITH MOWER ATTACHMENT FOR THE STREET DEPARTMENT, APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY

Councilman Dover stated that we had sought bids after the recent flooding to clean the ditches out. He said they came in at \$1.8 million and our administration sought a more cost effective solution of purchasing one large excavator and two additional employees that they could accomplish the same thing with putting two small excavators into the ditches full time and using the large excavator for other projects. Councilman Street motioned and Councilman Long seconded that the council suspend the rules and waive the second and third readings. All voted aye. After the passage of the ordinance, Councilman Johnson motioned, seconded by Councilman Dover, to adopt the emergency clause. All voted aye.

A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED with the following vote:

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

Enactment No: O-EN-033-2016

Councilman Dover stated he requested at the Finance Committee meeting that Mayor Perrin look into the potential cost of purchasing an additional smaller third excavator where we could have three excavators in the ditches full time because of the many miles we need cleaned out. Mayor Perrin stated that Steve Kent is getting prices on those excavators. Councilman Dover said this is an ongoing issue that we need to take care of. Mayor Perrin said he agreed.

Councilman Moore said he has heard that with the addition of eight additional sprayings, the mosquito problem is much less than they have been. He said he

would like to know if there is any way to evaluate that so we can consider the additional sprayings next year. He said he is also concerned about how we handling zonings. He stated we need to have a meeting with Bert Newell and our city attorney to work out any potential issues with potential criteria that we evaluate rezoning with. He said the process needs to be reexamined to make sure that we are not using our own criteria against ourselves.

10. PUBLIC COMMENTS

Dr. Jim Sanders, 4123 Friendly Hope Road, said he apologized for bringing up the issue earlier. He stated that all he really did was read the public record. He said that if he has missed any important meetings, there was a really good reason why.

Laura Pew, 907 Walnut Street, wanted to issue a complaint about the speed limit of 30 mph on her street which is a very narrow street. She said she is pleading with the city to lower the speed limit on her street. Ms. Pew said she is also concerned about the loud music that people play in her neighborhood. Mayor Perrin stated he would look into the speed limit on her street.

Harold Carter asked if there was an ordinance regulating sound levels. City Attorney, Carol Duncan, said there is a loud noise ordinance. She stated that it is complaint driven. Mr. Carter stated that gave the police a wide variety to act because the police have to agree with you if it's too loud. Ms. Duncan said if you are a citizen, you can record the loud music and create your own evidence and file an affidavit. She said there is an affidavit process. She said the ordinance is called loud noises.

11. ADJOURNMENT

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

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

_____ **Date:** _____

Harold Perrin, Mayor

Attest:

_____ **Date:** _____

Donna Jackson, City Clerk