



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, June 17, 2014

5:30 PM

Municipal Center

FINANCE COMMITTEE SPECIAL CALLED MEETING AT 4:45 P.M.

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

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

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL BY CITY CLERK DONNA JACKSON

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

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

4. SPECIAL PRESENTATIONS

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. The motioned PASSED

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

MIN-14:066 Minutes for the City Council meeting on June 3, 2014

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-14:080 RESOLUTION TO MAKE APPOINTMENTS TO THE MASTER STREET PLAN COMMITTEE AND STORMWATER MANAGEMENT BOARD AND TO REMOVE MEMBERS FROM THE LAND USE COMMITTEE AS RECOMMENDED BY MAYOR

PERRIN

Sponsors: Mayor's Office

This item was PASSED on the consent agenda.

Enactment No: R-EN-072-2014

6. NEW BUSINESS

RESOLUTIONS TO BE INTRODUCED

RES-14:042

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 1126 W Matthew, Owner: Robert Martin

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report M](#)
[Case Report 1126 W Matthews](#)

Property owner Robert Martin discussed the condemnation. He apologized for the property's condition. He explained he lost his job in Jonesboro about four years, so he does not have the money to renovate the home. He has asked Code Enforcement to postpone the condemnation to allow him time to sell the house. He thinks the house is still salvageable. Code Enforcement Officer Ronnie Shaver explained Mr. Martin will have 30 days to purchase the permits required to renovate the home, then will have another 45 days to complete the renovation. That will give him 75 days to sell the house. He stressed that Mr. Martin will have to do some work within that time frame or the city can proceed with removing the home. He added they have been working on condemning the home for a while now. Ms. Janet Knickerson, a Jonesboro resident, stated the home will be a nice home when the money is put into renovating it.

Councilman Frierson questioned whether they should extend the timeline for Mr. Martin. He expressed concern that Mr. Martin will not have enough time to sell the property or recondition it within the 75 day timeframe.

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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Enactment No: R-EN-073-2014

RES-14:043

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 5605 Pacific Rd, Owner: James A Cowan.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report P](#)
[Case Report 5605 Pacific](#)

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

Enactment No: R-EN-074-2014

RES-14:044 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 2202 S Culberhouse Dr, Owners: Terry L Moore (deceased:) & Midland Mortgage.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report C](#)
[Case File 2202 S Culberhouse](#)

Mayor Perrin questioned whether or not Mr. Shaver has spoken with the mortgage company. Mr. Shaver answered yes, he met with them at the property yesterday and explained the city's condemnation procedure.

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

Enactment No: R-EN-075-2014

RES-14:045 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 815 Mays Rd, Owner: Deutsche Bank National Trust Co

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
[Inspection Report 815](#)
[Case Report 815 Mays](#)

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

Enactment No: R-EN-076-2014

RES-14:051 RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at 3611 1/2 School St, Owner: Florence A Jones (Deceased) Hiers: Mary Sue Hanson and William L Jones.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
 [Inspection Report 3611 .5](#)
 [Case File 3611 .5 School St](#)

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

Enactment No: R-EN-077-2014

RES-14:052

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS to condemn property at: 3905 Hill Dr, Manufactured Homes 1 thru 11 and Shed, Owner Marvin & Jacqueline Cleamer (Deceased) Hiers Linda Varner, Marlene Zelt and Ronald L Edmiston.

Sponsors: Code Enforcement

Attachments: [CONDEMNATION CHECKLIST](#)
 [Inspection Report 3905](#)
 [Case File 3905 Hill Dr](#)

Councilman Moore motioned, seconded by Councilman Gibson, to adopt the resolution. The motion was later withdrawn.

Attorney Marty Lilly, representing the administrator of the estate, explained Linda Varner was appointed as administrator of the estate on February 20th. They are currently talking to a real estate company in order to sell the property. He added there is no money in the estate to make improvements to the property, but they do have full insurance on the property. He asked the Council to table the condemnation for 30 days because they are not in a position where they could in good faith purchase a permit to repair the trailers. He noted they have also talked with some individuals who are looking at replacing the mobile homes. But, due to the probate process things have moved forward slowly.

Mr. Shaver stated the trailers are in bad condition and need to be removed. He mailed the first notice of violation in February, 2014, but has been in contact with Mr. Lilly since then. He noted the trailers are up for sale.

Councilman Johnson asked if the property is currently occupied. Ms. Marlene Zelt, 3905 Hill Drive, answered there are two tenants on the property. Mr. Shaver added that at the time they started the condemnation process there was one tenant on the property, but they indicated they were moving due to the deteriorating condition of the trailers. So, if there are two tenants they must have moved in since the condemnation process started. Mr. Lilly stated the estate is not aware of any tenants being on the property and has not authorized any tenants to be on the property. If there are occupants, then they are in violation of the estate. He expressed concern that if the mobile homes are removed and not replaced, then the property will lose the grandfather clause and could devalue the estate. Councilman Moore questioned how long they will have to remove the old mobile homes and sell the property without losing the grandfather clause. City Planner Otis Spriggs explained there is a one year limitation on vacancy that could risk the zoning. Councilman Moore clarified the estate would have a year to remove the mobile homes and clean up the property and sell it before losing the zoning. Mr. Spriggs answered yes, but the one year limitation would start from the time the mobile homes were no longer occupied.

Councilman Dover asked if one permit would be issued to renovate the property or if it would have to be 12 permits, one for each mobile home. Mr. Shaver answered it would be up to the Chief Building Official Terry Adams as to how he wanted to proceed.

Councilman Johnson noted that the mobile homes are not livable, yet someone has moved in since the condemnation process started. Mr. Lilly stated the estate did not move anyone in nor has the estate received rent from anyone. So, if there is someone living there they are there without authorization and can be removed. He added he will assist the city if that needs to happen.

Mr. Paul Corse, a neighbor in the area, stated the trailer park is an eye sore and the police are called out there on a regular basis. They would like to see the trailer park cleaned up.

City Attorney Phillip Crego explained it is not the owners that have the right to the nonconforming use on the property; rather, the nonconforming use on the property goes with the property itself. It could still be a trailer park with the original owners being deceased. He also agreed with Mr. Spriggs that there is a one-year time limit from the time the trailer park was no longer occupied. Mr. Corse questioned if the property continued to be a mobile home park, then the mobile homes brought it would have to be newer models under newer rules. City Attorney Crego answered yes, if new trailers were moved in. The current mobile homes could be rehabilitated, but they mobile homes are hard to rehab.

Councilman McCall then asked if there would be a limit on the number of mobile homes allowed on the property. Mr. Spriggs answered yes, the property would be limited to the original number of units. He noted the property is currently R-1 Single Family.

Councilman Moore clarified the property would not face being devalued if the current trailers were removed due to having a one year time limit.

Ms. Zelt explained they had an occupant that was in there for one year that just moved out this month. There is another occupant who is expecting to move out next month. There are a few trailers that need minor improvements. Councilman Moore asked if Ms. Zelt is working with Mr. Lilly to improve the property. Ms. Zelt answered she just hired a couple of people to help renovate the property. Mr. Lilly stated Ms. Zelt is one of the heirs, but is not the administrator of the estate. He added any action Ms. Zelt has taken was on her own and the mobile homes are not supposed to be occupied. He explained as long as they have some assurance from the city concerning the one-year limitation they would be willing to work with the city to remove the trailers that are beyond repair. They could find out within the next 30 days if any are savable. He noted they are just trying to protect the estate, but they do understand the concerns of the neighborhood.

City Attorney Crego asked that the condemnation be tabled for two weeks because there are some unanswered questions. He noted during that time Mr. Lilly will be able to get some final dates on occupancy and visit with Mr. Spriggs to possibly make some agreements as to what can be done.

A motion was made by Councilman Charles Frierson, seconded by Councilwoman Ann Williams, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

RES-14:085 RESOLUTION SETTING A PUBLIC HEARING REGARDING THE ABANDONMENT OF UTILITY EASEMENTS LOCATED SOUTH OF SPRING VALLEY DRIVE AS REQUESTED BY MATT RANKIN

Attachments: [Abandonment Plats](#)
[Letter from Planning & Engineering Departments](#)
[Utility Response Letters](#)
[Petition](#)

A motion was made by Councilman Chris Moore, seconded by Councilman Mitch Johnson, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Enactment No: R-EN-078-2014

7. UNFINISHED BUSINESS

ORDINANCES ON THIRD READING

ORD-14:034 AN ORDINANCE TO AMEND CHAPTER 117 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM C-3 TO RM-12 LUO FOR PROPERTY LOCATED AT 401 MCADAMS STREET AS REQUESTED BY DEBRA BARBER

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

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Enactment No: O-EN-034-2014

8. MAYOR'S REPORTS

Mayor Perrin reported on the following items:

They received cost estimates from the Highway Department concerning the Highland Drive overpass project. One estimate came in at \$6.8 million, the other at \$10.2 million. Those estimates including the purchase of right-of-way for both alternatives. They will discuss the estimates with the Highway Department at the next meeting.

They will be leaving for the Municipal League Conference in Little Rock tomorrow and will be there for the rest of the week.

Councilman Moore, Police Chief Michael Yates, Assistant City Attorney Carol Duncan and he met earlier today concerning the alcohol ordinances revisions. He explained that they decided to hold the ordinance revisions due to the possible upcoming election concerning making Craighead County a wet county. They will know in the next two to three weeks whether or not the issue will be on the ballot in November.

COM-14:058 Financial statements for the Airport Commission for the months ending May, 2014

Sponsors: Municipal Airport Commission

Attachments: [Financial statements](#)

This item was Read.

9. CITY COUNCIL REPORTS

Councilman Johnson commended city employees for their work during the recent storm.

Councilman Dover motioned, seconded by Councilman Street, to suspend the rules and place ORD-14:036, RES-14:078 and RES-14:083 on the agenda. All voted aye.

ORD-14:036 AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE AN AGREEMENT WITH ARCHITECTURAL ROOFING & CONSTRUCTION INC FOR THE MIRACLE LEAGUE PROJECT

Sponsors: Finance

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

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

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

A motion was made by Councilman Darrel Dover, seconded by Councilman Chris Moore, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Enactment No: O-EN-035-2014

RES-14:078 A RESOLUTION TO CONTRACT WITH ACADEMY SPORTS FOR SPONSORSHIP OF A SOCCER FIELD AT JOE MACK CAMPBELL PARK

Sponsors: Parks & Recreation

Attachments: [Academy soccer Field Contract](#)

A motion was made by Councilman Chris Gibson, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Enactment No: R-EN-079-2014

RES-14:083 A RESOLUTION TO CONTRACT WITH JONESBORO RADIO GROUP FOR RENTAL OF SOUTHSIDE SOFTBALL COMPLEX

Sponsors: Parks & Recreation

Attachments: [Jonesboro Radio Group Firework Contract](#)

A motion was made by Councilman Chris Gibson, 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;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods;Charles Coleman and Todd Burton

Enactment No: R-EN-080-2014

Councilman Woods invited everyone to attend the National Day of Summer Learning at the public library at 10 a.m. on June 19th. Councilwoman Williams will be reading at the event and there will be other attendees from around the state. He thanked Mayor Perrin for the proclamation.

Councilman Moore questioned the price difference in the estimates received from the Highway Department regarding the overpass. Mayor Perrin explained the higher estimate included moving the overpass to the north instead of just going straight. The move would include more real estate to be purchased and the additional construction costs. He further explained the Highway Department typically shows at least two different options for projects.

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 PASSED with the following vote.

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