



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes City Council

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Tuesday, November 21, 2017

5:30 PM

Municipal Center

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

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### **APPEAL HEARING AT 5:20 P.M.**

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*Mr. Scott Troutt said he is representing Ms. Barbara Tosh on the appeal hearing regarding the denial by the MAPC to rezone property located at 800 Scott Street.*

*Councilmember Joe Hafner asked why it is on the agenda for first reading. What are we hearing now for the appeal? City Clerk Donna Jackson said this is the appeal hearing that he has asked for. We have the hearing prior to reading the agenda or reading the ordinance.*

*Mayor Perrin said that this is on the agenda for the first reading tonight. He said this is parliamentary procedure where you have asked for an appeal hearing. Ms. Jackson said the meeting has not been called to order yet and this is strictly to hear the matter.*

*Councilmember Gene Vance said in order to answer Councilmember Hafner's question, when the planning commission turns it down, it comes to us as an appeal. If the planning commission passes it, it automatically goes on our agenda when the petitioner asks for it. So, we have to have a public hearing because of the appeal and then we hear it at the Council level.*

*No one spoke in opposition.*

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

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### **2. PLEDGE OF ALLEGIANCE AND INVOCATION**

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

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*Mayor Harold Perrin was in attendance.*

**Present** 12 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner; David McClain and LJ Bryant

#### **4. SPECIAL PRESENTATIONS**

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*Mayor Perrin said that there are no special presentations on the agenda, but he wants to introduce someone that is with us this evening. Courtney Nance is the new field representative for Senator Boozman. They have an office on the 4th floor. She worked with the governor's office and is moving here to Jonesboro. She is originally from Forrest City. Mayor Perrin said welcome aboard and we are glad to have you.*

#### **5. CONSENT AGENDA**

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##### *Approval of the Consent Agenda*

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

**Aye:** 12 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner; David McClain and LJ Bryant

**MIN-17:129**

Minutes for the City Council meeting on November 7, 2017

[play video](#)

**Attachments:** [Minutes 11072017.pdf](#)

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

**RES-17:158**

A RESOLUTION TO THE CITY OF JONESBORO TO ENTER INTO AN INDEMNIFICATION AGREEMENT WITH DEER VALLEY ESTATES, LLC

[play video](#)

**Attachments:** [Entrance Rendering](#)  
[Indemnification Agreement](#)  
[sh11-entrance detail](#)

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

**RES-17:159**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS REQUESTING FREE UTILITY SERVICES FROM CITY WATER AND LIGHT FOR 3007 DAN AVENUE

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

**RES-17:166** A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO GRANT AN EASEMENT - INGRESS & EGRESS TO CITY WATER AND LIGHT PLANT OF JONESBORO, ARKANSAS

[play video](#)

**Attachments:** [Easement - Ingress and Egress](#)

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

**RES-17:168** A RESOLUTION TO OF THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE MAYOR AND CITY CLERK TO GRANT AN EASEMENT - UNDERGROUND ELECTRIC LINES (UTILITY EASEMENT) TO CITY WATER AND LIGHT PLANT OF JONESBORO, ARKANSAS

[play video](#)

**Attachments:** [Easement - Underground Lines](#)

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

**RES-17:175** A RESOLUTION TO THE CITY OF JONESBORO, ARKANSAS TO ACCEPT THE LOW BID AND ENTER INTO A CONTRACT WITH SHELBY RAILROAD SERVICE, INC. FOR THE INDUSTRIAL RAIL LEAD MAINTENANCE CONTRACT - JOB NO. 2017:33

[play video](#)

**Attachments:** [Bid Tab](#)

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

**RES-17:181** A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS AUTHORIZING THE MAYOR TO ENTER INTO A CHANGE ORDER WITH RITTER COMMUNICATIONS, INC. TO INCREASE INTERNET SPEED

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**Attachments:** [Ritter Change Notice](#)

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

**6. NEW BUSINESS**

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*ORDINANCES ON FIRST READING*

[play video](#)

**ORD-17:083** AN ORDINANCE TO CREATE THE LAND BANK COMMISSION; TO SET FORTH CERTAIN DUTIES AND RESPONSIBILITIES OF THIS COMMISSION; AND FOR OTHER PURPOSES.

[play video](#)

*Councilmember John Street motioned, seconded by Councilmember Chris Moore, to suspend the rules and read ORD-17:083 by title only. All voted aye.*

*Councilmember Chris Moore asked that ORD-17:083 be read three times.*

**Held at one reading**

**ORD-17:086**

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO RM-8, RESIDENTIAL MULTI-FAMILY FOR PROPERTY LOCATED AT 800 SCOTT STREET AS REQUESTED BY BARBARA TOSH

[play video](#)

**Attachments:** [Appeal Letter.pdf](#)  
[AN ORDINANCE TO AMEND CHAPTER 117\(Tosh\).docx](#)  
[Plat.pdf](#)  
[Application.pdf](#)  
[Staff Report.pdf](#)  
[Staff Summary 17-27 800 Scott Street APPREAL.pdf](#)

*Councilmember John Street motioned, seconded by Councilmember Chris Gibson, to suspend the rules and read ORD-17:086 by title only. All voted aye.*

*Councilmember John Street asked that ORD-17:086 be read three times.*

*Mr. Scott Troutt with the Troutt Law Firm said his business address is 247 South Main Street and his home address is 5625 Hollow Creek Lane. Mr. Troutt said he would like to make a quick comment. This is an appeal from the MAPC. I wasn't part of that procedure, but my clients dropped the request down from RM-16 to RM-8. The motion failed to pass through MAPC. We are now appealing that. We are requesting that this property be rezoned from R-1 to RM-8 for the purposes of allowing multifamily condominiums or apartments on the land.*

*Councilmember Chris Moore asked what the basis is for the appeal. Mr. Troutt said the basis of our appeal was there was a relative small number of MAPC Board members available on that particular day. It came up without my client's having the advantage of having an attorney at the time. I understand they could have solved that, but with the case the way that it is I am attempting to work with the City to the extent that I can to make sure that the ordinance that we are ultimately putting forth will be as non-detrimental to the business of the city as possible and as positive to that area as it can possibly be. Ultimately, I am involved in large part to make sure that occurs and that we present a proposal that will work for the benefit of the city rather than any other manner.*

*Councilmember Moore said he doesn't mean to be short, but my question was what was the basis for your appeal? What is the basis that you are saying that MAPC erred in their decision? Mr. Troutt said the basis as to why the MAPC erred is because with the move from RM-16 to RM-8, that brought the proposal into compliance with the requirements of the statute, for the requirements of the zoning statute. We are requesting it based upon that issue. I do understand that the MAPC has some degree of leeway on that through the statute, but ultimately our suggestion is that at this point, it meets the guidelines of the statute and that the MAPC erred by not granting it at that*

time. No offense to the MAPC of course, but that is where we are at.

Mayor Perrin asked if they had lowered it from the 16 down to the 8. Mr. Troutt said that is correct and that to my understanding brought it into compliance with the rezoning statute. Mayor Perrin said at the MAPC, it is like a modified vote. You had three absent and you had three to vote yes and two against with the Chair not voting. Mr. Troutt said that is correct. Mayor Perrin said that this is something that I will take up with City Planner Derrel Smith tomorrow. We have to have an attendance at the MAPC meeting, to have representation there. I did go through that with my notes when I was going through this for the meeting tonight. We will check on that tomorrow.

Councilmember Joe Hafner asked if there was anyone from the Planning Department that could answer questions regarding this. Mayor Perrin said he doesn't know. Planner Jonathan Smith came to the podium. Councilmember Hafner said his question involves the staff report and the approval criteria. When this was submitted as RM-16, there were four areas where it didn't meet the criteria. How does that change with the switch to RM-8? Also, I was a little confused on part B regarding consistency. There was a red x there, but under explanations and findings, it says the proposal will achieve consistency with the purpose of Chapter 117, but there was still a red x. Mr. Smith said to answer the first part for the four x's, all of them with the exception of D would change. These are made prior to the MAPC meeting. Any decisions that are made during that meeting aren't actually going to be reflected on your staff summary. As he was saying, they negotiated down to a RM-8 which would bring three of the four into compliance. Two things, we did have several MAPC members absent. You have to have five to get it approved. They did receive a three to two vote in favor of it, but with five being the cutoff, it failed. In the second part, there was some pushback from the community and technically, it could still be developed as an R-1 if it is left unzoned. If it is left zoned R-1, it could still be developed as single-family residential. Combining that with the feedback from the community, I think that played a role in their decision. But to answer your question specifically, three of the four x's would have been eliminated. RM-8 recommends eight units per acre and our Land Use Plan recommends eight units per acre as well. Councilmember Hafner said thank you. It would be nice in the future if there is a change at the MAPC that affects this to have some way to show the updates are reflected. When I am looking at these, I look at the staff report, but if something changes at MAPC that makes it more compliant, but it is not reflected in the staff report, I don't think we have an accurate picture sometimes.

City Attorney Carol Duncan said for purposes of the record, it would be good to have the original, but then maybe have an amendment that you attach as well or an additional staff report that you attach as well that said they negotiated this and if they are requesting this rezoning, then this would be the result. You might end up with two staff reports, but then you would know what MAPC considered originally. That wouldn't change and also you would have what changed at the meeting. Councilmember Vance said that normally we have the minutes. Ms. Duncan said yes, right. Councilmember Hafner said the minutes weren't available for this one. Councilmember Vance said he can't find the minutes here. If we had the minutes, we would have that information. Councilmember Hafner said he tried to look at the minutes and he tried to look at the video but for some reason they were not available on the website.

Councilmember Chris Moore asked from a legal standpoint, can we not when we have an appeal of the MAPC, can we not request the basis for that appeal being included in it so we know. In other words, in order to overthrow a MAPC decision, I would think like Charles Frierson does, there should be a finding of wrongdoing or a finding of a mistake by the MAPC. I think it would be the duty of the Counsel requesting the

*appeal to present that to us as opposed to just saying we are appealing because we don't like the decision, there could be a basis for that appeal. City Clerk Donna Jackson said that is supposed to be in the appeal letter. Councilmember Moore said his basis might be that there wasn't a quorum or there wasn't enough members present. That might be a legitimate basis. I don't know, but in the future, I would ask that we add that to the appeal process.*

*City Attorney Carol Duncan said some of that is included in the appeal letter. Maybe it can be made clear that this is my basis for an appeal. Councilmember Moore said I don't see what it would hurt to have one more line item on that appeal and that would be the basis for the appeal and you state it specifically. Mr. Troutt said if it would please the Council, I would be happy to amend that into my letter or the statute itself if that would be beneficial. I do want to note real quick that the vote was actually 4-2 with 4 in favor and 2 against. That is my understanding. I did want to point that out. We were able to see the minutes on that particular day. I might have a copy of it if that would be helpful if it is not there anymore. Councilmember Hafner said it may have been the link he clicked on or it may have been the operator. Mr. Troutt said that he would be happy to provide anything that is necessary. Ms. Duncan said your letter says 3-2. Are you sure about 4-2 because your letter says 3-2? Mr. Troutt said he believes it was 4-2. Ms. Duncan said that we can double check it. Mr. Troutt said I can double check it and if that is incorrect, I will be happy to amend that letter and if it was, I do sincerely apologize to the Council. Mayor Perrin said that we will also get with City Planner Derrel Smith too. Councilmember Vance said according to the minutes, it was 3-2 with 3 absent. Mayor Perrin said exactly, that is what he looked at.*

*Mr. Troutt said that was his mistake. I misspoke on that. Ms. Duncan said she is not positive, but that could have been during the time that they were transitioning. We had a couple of people retire or resign and you were appointing new members and it could have come up during that time. It may not have been absences so much as the vacant seats. Mayor Perrin said that we will check on that. We can get with her on that tomorrow and talk about adding that in there too what you are talking about. I agree with you, we have always said that if we are going to discuss an appeal with MAPC, what is the reasoning for the appeal? Again, it is not just the vote, there has to be something in there with some substance. Councilmember Gene Vance said it could be a disagreement with the MAPC. Mayor Perrin said that could be an issue. Councilmember Moore said I am not saying that is not a legitimate appeal. Councilmember Vance said that we are humans sitting here making decisions as well as MAPC making decisions. I think that Mr. Frierson has indicated that is our job to determine whether the MAPC considered the facts correctly. Councilmember Moore said that is his point. My point wasn't a reflection on the Counselor's ability to represent his client. It was the fact for full disclosure, if you want us to consider an appeal, and you have something you feel was not addressed adequately, then by all means, you should tell us so that we can look at it.*

*Mayor Perrin said thank you. We will hold it at one reading and we will read it three times.*

#### **Held at one reading**

#### **[ORD-17:087](#)**

AN ORDINANCE FOR THE ADOPTION OF A BUDGET FOR THE CITY OF JONESBORO, ARKANSAS, FOR THE TWELVE (12) MONTHS BEGINNING JANUARY 1, 2018, AND ENDING DECEMBER 31, 2018, APPROPRIATING MONEY FOR EACH ITEM OF EXPENDITURE THEREIN PROVIDED FOR, ADOPTION OF THE EMERGENCY CLAUSE FOR THE EFFICIENT OPERATION OF CITY GOVERNMENT, AND FOR THE FINANCIAL CONTINUITY OF 2018, AND FOR OTHER PURPOSES.

[play video](#)

**Attachments:** [2018 Proposed Budget](#)  
[John Gay Email.pdf](#)  
[Budget 2018 Amended.pdf](#)

*Councilmember Chris Gibson motioned, seconded by Councilmember Bobby Long, to suspend the rules and read ORD-17:083 by title only. All voted aye.*

*Councilmember Joe Hafner said that he would like to mention before this is read that the Council has received updated schedules. During more review of the budget, it was discovered that there was a work schedule that was looked at incorrectly and it added some additional expense for fixed assets to recycling. Everyone has received updated schedules. I wanted to make sure that everyone was aware of that and the reason why they received these updated schedules.*

*Mayor Perrin said what Councilmember Hafner is talking about is going back through the budget, Finance Manager Trever Harvey changed the pages on the recycling. On the working papers, it showed there were two trucks and we thought that was the total, but it wasn't. It is the cost per truck so we had to add an additional cost in there for the recycling. I wanted everyone to know that and it is in your books. I would like for you all to hold it there at one reading.*

*Councilmember David McClain asked so that he is clear, the cost of the two trucks is \$434,000. Mayor Perrin said yes sir and that is when we were going back through it again this week I think. Chief Financial Officer Bill Reznicek and Trever Harvey were talking about it and they were looking at it and found that the way it was worded on the working papers you would think that was the cost of both of the trucks and there is another line item at the bottom. We got to looking at it and evaluating it, and we said that is per truck. You have the correct one in your budget. Councilmember Hafner said I would rather we find it now than later. Mayor Perrin said absolutely, I agree with you. We will hold it there at one reading.*

**Held at one reading**

**ORD-17:089**

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RESIDENTIAL, R-1 TO GENERAL COMMERCIAL DISTRICT, C-3 LUO FOR PROPERTY LOCATED AT 3217 SOUTHWEST DRIVE AS REQUESTED BY JOE HAYNIE OF FIRST BAPTIST CHURCH

[play video](#)

- Attachments:** [Rezoning Ordinance.pdf](#)  
[3217 SW Drive Plat.pdf](#)  
[Application.pdf](#)  
[Staff Summary - Council.doc.pdf](#)  
[Aerial View of Location.pdf](#)  
[Pam Alexander Handout.pdf](#)  
[Pictures of Rezoning Property.pdf](#)  
[Property Owner Notifications.pdf](#)  
[Quit Clam Deed.pdf](#)  
[Real Property Transfer Tax.pdf](#)  
[USPS Receipts.pdf](#)  
[USPS Return Cards .pdf](#)

*Councilmember John Street motioned, seconded by Councilmember Chris Gibson, to suspend the rules and read ORD-17:089 by title only. All voted aye.*

**Held at one reading**

**ORD-17:090**

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM RESIDENTIAL, R-1 TO GENERAL COMMERCIAL DISTRICT, C-3 LUO FOR PROPERTY LOCATED AT 4150 SOUTHWEST DRIVE AS REQUESTED BY ASHDOWN PLAZA, LLC

[play video](#)

- Attachments:** [Rezoning Ordinance.pdf](#)  
[4150 SW Drive Plat.pdf](#)  
[Application.pdf](#)  
[Staff Summary - Council.pdf](#)  
[Aerial View of Location.pdf](#)  
[Pictures of Rezoning.pdf](#)  
[Property Owner Notifications.pdf](#)  
[USPS Receipts.pdf](#)  
[USPS Returned Green Cards.pdf](#)

*Councilmember Chris Gibson motioned, seconded by Councilmember Joe Hafner, to suspend the rules and read ORD-17:090 by title only. All voted aye.*

**Held at one reading**

**RESOLUTIONS TO BE INTRODUCED**

[play video](#)

**RES-17:177**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY SALARY & ADMINISTRATION POLICY

[play video](#)



**Attachments:** [2017 Pay Grades and Titles.pdf](#)  
[Non-Uniformed Employee Pay Grades and Steps.pdf](#)  
[Uniformed Employee Pay Grades and Steps 10-1-16.pdf](#)  
[Salary Administration Plan January 2018.pdf](#)

*Mayor Perrin said he thought everyone got a copy of that. Human Resources Director Dewayne Douglas came to the podium. Mayor Perrin said he would like for Mr. Douglas to explain this since it is a resolution rather than an ordinance.*

*Mr. Douglas said I think every year we look at updating our plan. Last year at this time, we passed the new step plan. Our current plan now refers to the language of the merit based system. So, we took a lot of that language out and refer only to the step plan that we currently use and cleaned up a lot of that language. Really, the plan itself has not changed. We just cleaned up a little bit and took out a lot of the old language. We added a list of job titles in there as well that was left out of last year's pay plan so we added them back in. That is really it. That is the only thing we have really done.*

*Councilmember Joe Hafner asked about the pay scales and the safety sensitive section, did you all get the administrative secretary for the City Clerk updated? Mr. Douglas said yes. We made that change. Councilmember Hafner said I don't see it reflected on what is in Legistar. Mr. Douglas said yes, that has been entered in.*

*Mayor Perrin said basically this is a cleanup.*

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

**Aye:** 12 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

## **7. UNFINISHED BUSINESS**

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### **ORDINANCES ON THIRD READING**

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#### **ORD-17:080**

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FOR PROPERTY LOCATED AT 1110 LOBERG LANE FROM RESIDENTIAL, R-1 TO RM-8, L.U.O. AS REQUESTED BY CHRIS ISHMAEL

[play video](#)

**Attachments:** [Ordinance.docm](#)  
[Ordinance.pdf](#)  
[Plat.pdf](#)  
[Application.pdf](#)  
[Staff Summary.pdf](#)  
[Site Plan Layout.pdf](#)  
[SITE LAYOUT #2.pdf](#)  
[Rendering of Project.pdf](#)  
[rezoning plat.pdf](#)  
[Aerial view of Location.pdf](#)  
[Land Survey.pdf](#)  
[Letter about receipts from USPS.pdf](#)  
[Picture of Lot.pdf](#)  
[Handout.pdf](#)  
[Handout from neighbors.pdf](#)  
[Email from Judy Casteel.pdf](#)  
[Letter from Renter for Rezoning.pdf](#)  
[Neighbor address of pictures.pdf](#)  
[Opposition Letter from Mr. Cudd.pdf](#)  
[Opposition Letter from Shirley Moore.pdf](#)  
[2nd Opposition Letter from Shirley Moore.pdf](#)  
[shirley moore letter 3.pdf](#)  
[Opposition Emails.pdf](#)  
[Opposition.pdf](#)  
[R Williams Opposition.pdf](#)  
[R Williams.pdf](#)  
[2015-StatusReport\\_AR.pdf](#)  
[Petition Signed By Neighbors.pdf](#)  
[Petition Signed By Neighbors 2.pdf](#)  
[Pictures from Mary Beth Williams.pdf](#)  
[Pictures from Neighbors.pdf](#)  
[Loberg Opposition 11072017.pdf](#)  
[Carroll Opposition Loberg.pdf](#)  
[Rezoning Opposition Loberg.pdf](#)

*Mayor Perrin said I am going to make a couple of comments. I know that we have dug into this pretty deep for two meetings. Again, I think you have also gotten some handouts tonight. If you don't mind, try not to repeat yourself on the same things that we went over and over again.*

*Chris Ishmael, 604 CR 464, said that he is the owner of the property located at 1110 Loberg Lane. I am currently requesting this property to be rezoned. I am currently surrounded on three sides by R-2. I am requesting to be rezoned RM-8. I would like to put 12 townhouse units on this property which would put me at a much lower density rate than R-2 rezoning requires. R-2 only requires 3,600 sq. ft. per unit. With the size of my parcel, the 12 townhouses would be around 4,900 sq. ft. of land per unit. I have listened to the concerns of some of the other property owners and we have done our best to address them. One main concern has been the water runoff. The City has requirements and people in place that deal with that on a regular basis. So, I feel, if*

anything, the water runoff would be better if we developed the property. I am not requesting multifamily zoning in an already R-1 neighborhood. I am asking rezoning in a neighborhood that is already multifamily. Several apartments and duplexes are already in the area. I am only asking for the same opportunity with my property. It has been said several times that I knew the property was zoned R-1 when I bought it and that is true. I bought the property with hopes that I could possibly get it rezoned knowing the area around it was already R-2. I am a construction company owner and I am a local developer so this is what I do for a living. This is what I do to support my family. That was my intention from the beginning I bought the property.

Councilmember David McClain asked what the reason was for asking RM-8 versus RM-2. That is a lot more units. Councilmember Gene Vance said that R-2 is no longer in our zoning ordinances. Our zoning ordinances were changed some years ago and the R-2 and the R-3 was changed to the RM. We went from RM-1, RM-2, RM-3 to RM based on the density. There no longer is a rezoning for R-2. Councilmember McClain asked if it went from R-1 to RM-8. Councilmember Vance said it would go from an R-1 to RM something. Now, R-2 can remain. We have never unless someone has come and asked for a change, it will remain as it is, the old R-1, R-2, R-3. There is still a lot of that property in town. If you change zonings today, our ordinances are RS or RM instead of R-1, R-2, R-3. Mayor Perrin said it can be confusing, but it is basically density. Councilmember Vance said it is confusing.

Councilmember McClain asked if this will allow you to put eight units per acre. Mr. Ishmael said yes. Councilmember McClain asked how many acres this rezoning request was on. Mr. Ishmael said that it was on 1.5 or 1.6 acres.

Jeff Webb, 2014 Timber Ridge, said he had a couple of things come up these last few weeks concerning this issue. I had a neighbor come by my house and ask a very simple question. Where do the children play? I have raised three kids in my neighborhood and I know that we tend to spread out with kids. When you pack between 25-50 people into a 1.6 acre lot, they are going to look for a place to play. There is a street across from Loberg, but they are probably going to play their games right there in the street of Loberg. Now, that is bad enough, but when I looked the other day, I was coming home and there was an Animal Control officer that had pulled over on the side of Loberg. There is no shoulder along Loberg. He simply moved over to the outside of the lane, but by doing so converted a two-lane road into a single lane road. Traffic came to a stop. We were afraid to pull over into oncoming traffic because you could not see coming over that hill what was coming to you. I got to thinking how does that match up with the children. The property that we are talking about has 24 parking spaces. There has not been an issue made with deliveries, mail, pizza deliveries, police coming by, sanitation. All of these issues, but the biggest thing of all is friends and family. There are going to be people wanting to come by and visit these people. When they do, there will not be a place to park except overflowing out over onto Loberg. Then, you are going to have children coming out between these parked cars and there is going to be issues. We are going to have accidents and then people are going to ask a simple question. Who thought that this was a good idea? On whose watch was this allowed? We are not trying to stop this gentleman from making money. He's great. There are hundreds and hundreds of other properties in Jonesboro that he could apply his trade at. He chose to come into our neighborhood and try to take money this way instead of going to these other areas. At what expense? The expense is going to be with us. There are over 75 homes just on my street alone. When you calculate in all of the other streets around me, that number starts to move up to 500 to 700 families and homes that are affected by this. A property like this could drop our property values by \$1,000-\$2,000 a piece so all of a sudden, we are looking at \$1

*million of property value that has dropped because of this. This is not what we are about. Jonesboro is better than this. We stand in front of you tonight not as adversaries. We know that you all are our allies. We heard your speeches when you were elected. We know what you stand for. It is the same thing that we do. We want a prosperous Jonesboro. We want a Jonesboro we can raise our families in that we can buy our homes and feel comfortable. In many cases, this is the biggest financial investment that we have. We want to be able to do that with the safety that we have been afforded up until now. We ask that when you make your votes in a couple of minutes, that you stand with the people. Stand with us because we are better than this Jonesboro. We don't need this. Thank you for your time.*

*Judy Casteel, 1902 Independence Cove, said she would be very brief. You already have the handout and I already gave you a little bit of cover information in case I didn't have the opportunity to speak. So, actually, I would just refer you back to that. In the information that I have given you, the building area is very similar to what Mr. Ishmael wants to build on Loberg. You have before you the crime report for the last three years. You see what the issues have been. This is a grave concern to us. You can see the intensity of the crimes. They are repeat offenders. When this was going to be built, this was going to be a prime area for young professionals. That doesn't always work out that way and we would just like for you to take that into account as well. Other than that, I just really want to thank you all for your time. I know that this has been a long involved process. We greatly appreciate it.*

*Virgil Tyler, 1201 Rainwood, said he wanted to thank the City for all of the money that they have just spent taking care of the ditch that has washed out his property. It drains in my neighborhood, so water is a big issue. Back in the 1960's, Avondale Arms was one of the nicest places to live. By 1978, even the roaches didn't want to stay there. I am so afraid now of what is going to happen. Yes, this might be a nice quiet place to live, but when it is sold in a few years, it is going to go down the drain and it is going to take our property values with it. I invite any one of you to come to my house at 3:30 a.m. and hear what I put up with at 3:45 a.m. from down the street and across the street. I urge you folks to give this serious thought and I thank you very much.*

*Mayor Perrin said that this ordinance is for the third and final reading. Councilmember McClain said he had a question of the planning office. This says due to the lack of public right-of-way frontage, it is not economical to develop this parcel as a single-family subdivision. Does that mean just that one piece of property is not economical to develop? Planner Jonathan Smith asked what Councilmember McClain was referring to. Councilmember McClain said he is looking at the rezoning application. This is what I guess Mr. Ishmael gave us. Mr. Smith said that those are generally filled out by the applicant. They put their reasoning or their justification for asking for the rezoning. Councilmember McClain asked Mr. Smith if he wanted to see it. Mr. Smith said yes. Councilmember Hafner said are you asking if that is correct. Councilmember McClain said I am asking if that is correct. Mr. Smith asked Councilmember McClain which number he was looking at. Councilmember McClain said that he was looking at number 8. Mr. Smith said a lot of these questions would be dealt with at site plan. Right-of-ways and things like that would really be addressed by Mr. George Hamman depending upon what they wanted to do. As far as right-of-way goes, I am not an engineer. Engineers Craig Light or Michael Morris would address the street issues and things like that. Mr. Hamman could probably answer that better than I could. This, as far as everything that our staff looks at zoning wise and our land use plan, is compatible. There is obviously pushback from the community. A lot of their fears and concerns again will naturally be addressed in site plan review. We can't ask or require him to turn in what he wants to do before a rezoning, but we do have*

ordinances in place that require him no matter what he puts in to address drainage and he can't make it worse. Buffering, lighting, sound, stuff like that our ordinances address that. No matter how you all vote and no matter how it is developed, whether it is single-family or apartments or whatever he wants to do. It will be addressed in the site plan review at the staff level. We will work with Mr. Hamman and whomever the owner is at the time to address any concerns that we have as a staff. Unfortunately, with it being a rezoning, we can't address specific issues like that, but we do have ordinances in place that protect neighbors and things like that.

Mayor Perrin said I think you have explained it. Basically, you go through a thorough deal on a site plan on design. Mr. Hamman said it is 1.36 after you comply with the master street plan. Mr. Smith said that we would address these issues at site plan. Mayor Perrin said they would have to comply. Mr. Smith said yes, they would have to comply. As far as the right-of-way and stuff like that, no matter what he puts there, we are going to make it adhere to our current codes.

Shirley Moore, 1902 Mt. Vernon, said that she didn't hear the size of the property. How big is the property? Mr. Hamman said as it is right now, it is 1.6 acres. Once we apply the master street plan, the net is 1.36 acres. Ms. Moore said she had 1.06 so she didn't know for sure what it was. I wonder how many sq. ft. is in the two-bedroom apartment that you are going to build? Mr. Hamman said approximately 900 sq. ft. Ms. Moore said she just wondered how many sq. ft. was going to be in this two-bedroom apartment when there is going to be six duplexes. Is that each side or is that the whole thing? Is that one duplex that is going to be 900 sq. ft.? Mr. Ishmael said it would be a duplex. It will have approximately 900 sq. ft. per unit. It will be a townhouse, so that won't be the footprint because part of that will be upstairs. Ms. Moore said that before, they didn't show us that it would be an upstairs. They just said it will look like this and it is going to be low. Mr. Ishmael said that is what a townhouse is. It has an upstairs. Ms. Moore said they didn't show it that way. Mr. Ishmael said that he thought they submitted a site plan at the first meeting that had a picture of the buildings. Ms. Moore said they said it wouldn't be the top, it would just look like this bottom. Mr. Ishmael said he hopes that clears it up for you.

Jeb Spencer, 803 Olive, said he appreciates the opportunity to ask a few questions. We have a rendering of what is supposed to be built. When that came through MAPC, I questioned that. I'm thinking now that once something is rezoned, you can build anything you want there. Can anyone answer that for me? Councilmember Chris Moore said that the rendering has nothing to do with it. Once the zoning goes with the property, as long as it meets the criteria, they can design it anyway they chose. Mr. Spencer said that is what I was thinking. I think the big fear that people have is that they look at the multifamily that has already been built. The likelihood of it being something that will stabilize or increase their property values is moot. You can experiment yourself. All you have to do is ride around. I have taken pictures of all of the multifamily in the West End and some of the older stuff is not too bad because it follows some basic traditional principles of facing the street. I could turn around and make my address to you guys with my back to you and it is very similar to what a building does when it doesn't address the street. I do live in the West End area. We are having a townhouse, a duplex that is two-stories, built right now in the 500 block of W. Matthews, between two traditional homes that are close to 100 years old. There is an empty lot there that is not really big enough for a duplex which incidentally I think of a duplex as two single-family homes with zero space in between them. Generally, not the kind of living that people generally aspire to. They settle there for a while, but that is nearly all we are offering people now. So, yeah, I'll live in a duplex for a while or whatever. If you could put two feet between those two and offer everything for the same

*price, my thinking is that they would probably take the single-family home. Again, when you look at what might happen and what probably will that is what people are going on. They have filled up this place five or six times now. I have never heard a word against tenants, really multifamily housing in general. What is it? What are people worried about? I am very concerned that basically we are making our city ugly. I'll say it again. What happens to it in the long-term? I had an interesting conversation with a well-known builder and developer who builds houses to sell and builds houses and multifamily plexes to rent and is about to do so in my neighborhood. He mentioned another well known person that was providing a lot of affordable housing which we do need. He said something that blew me away a little bit. He said of course, you wouldn't want it in your backyard. I thought really. My question for the whole city, builders, everybody is why are we building things that people wouldn't want in their backyard? Why are we building things that need to be buffered? It doesn't have to be done that way. Particularly, now that I realize because when it came before MAPC, the rendering was up, and I said this is what you are going to build. The response was yes, this is it. Well, there were three different renderings. We have an actual photograph of the kind of salt box duplex with no windows that is being built in the 500 block of W. Matthews right now. That was one of the things that was presented to us. There is another house with a garage on the front that was presented. We have these other sets of townhouses that have been presented. Now, I realize they don't have to build any of that and that concerns me. Maybe I won't make the other point, but I think applications need to be accurate. If we are potentially going to jeopardize people's property values that they should be done carefully. There were pictures of some house that was supposed to be on this property. It was never there. There were pictures of the back of another house that was never there, but that wasn't a big deal evidently. It is a big deal to me if we are going to put people in jeopardy like that. Lastly, I would just say knowing what might be there if you would not mind it in your back yard, then go ahead and vote for the rezoning. I am in no way against density. We need it, but we need attractive buildings that people will want to stay in because that takes care of a lot of the turnover and that people won't mind living near. I hope we can do something in the near future along the lines of making these things look better. That is going to solve a lot of our problems with the opposition to these buildings. Thank you. Councilmember Mitch Johnson asked that a roll call vote be done.*

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

**Nay:** 12 - Ann Williams; Charles Frierson; Chris Moore; John Street; Mitch Johnson; Gene Vance; Chris Gibson; Charles Coleman; Bobby Long; Joe Hafner; David McClain and LJ Bryant

**[ORD-17:081](#)**

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM I-1, INDUSTRIAL DISTRICT TO RM-16, RESIDENTIAL MULTI-FAMILY FOR PROPERTY LOCATED AT 1106 EAST JOHNSON AS REQUESTED BY K & A INVESTMENT, LLC

[play video](#)

**Attachments:** [Ordinance 10-11-17.docx](#)  
[plat.pdf](#)  
[Staff Summary - Council.pdf](#)  
[Application.pdf](#)  
[Deed.pdf](#)  
[Letter To Public about Public Meeting.pdf](#)  
[Neighborhood Meeting Minutes.pdf](#)  
[Opposition Email from Attorney.pdf](#)  
[Plan.pdf](#)  
[Aerial View of Location.pdf](#)  
[Property Owner Notifications.pdf](#)  
[Rezoning Plat.pdf](#)  
[USPS Returned Green Cards.pdf](#)  
[Johnson Rezoning Opposition.pdf](#)

*Benton Smith, attorney at Cahoon & Smith, 519 W. Washington, Jonesboro, thanked the councilmembers for their service. He said, with the holiday season coming I appreciate everything you do for our wonderful community. I know you have tough decisions and you're doing an excellent job as Jonesboro moves forward. My client is K&A Investments, LLC. It's a locally-owned limited liability company by two friends and clients, Kevin and Andrea Alpe. They are residents here. Andrea has been here all her life. Kevin has been here for 17 years. There was some misinformation at the last meeting about an out-of-state LLC, I think organized in Texas. That is not this particular entity and I wanted to make sure you were aware of that. Mr. Smith said his client owns the property on East Johnson and desires to take an old building, the former Turtle Creek Pawn, and convert it to a six or eightplex that will be an aesthetically pleasing building on Johnson. It will be a great addition to the community and Jonesboro, as Jonesboro continues to move forward. I believe there was a comment at the last meeting about crime at Arkansas State University. I am certainly not familiar with that. I think the change of this property, should this council vote to grant this ordinance, would be a benefit. I think this actually accomplishes what the lady, who spoke at the last meeting, was opposing. My client is excited about the prospect of building this property. They're proud residents of Jonesboro, and I don't know of any negative impact this would have. I will be happy to answer any questions.*

*Councilmember David McClain asked Benton Smith how many conversations he had with the gentleman who owns the auto center right next to the property. Mr. Smith said he spoke with him personally at his property once, and he received a couple letters from us, as well as from the MAPC. Councilmember McClain said what were his initial thoughts when you all spoke? Mr. Smith said that Brian Smallman owns University Auto and he works late at night and he was concerned that it would possibly interfere with someone living next door and that there would be more people. The property has been vacant for two years. Before that, it was Totem Pole Pawn Store. It's been a business since I was a kid. Obviously, going from a vacant building that needs to be razed, and, of course, my client will comply with the code and the planning and enforcement to do that. I guess if you're a neighbor and you have a vacant building, it is nice there is no activity and then you may have 12 to 18 people living next door to you. That will for sure increase the traffic in that area. Councilmember McClain asked if Mr. Smallman mentioned anything about crime. Mr. Smith said, not one mention about crime. Councilmember McClain said the only reason I'm asking is because I had a conversation with him yesterday and he had legitimate concerns. I could see where he would have those concerns. He has his fence and even part of the property goes behind where you are talking about putting a strip of apartments. If I was him, I*

wouldn't want this, and that's just me saying that as him. Because number one, you're taking an industrial area that could possibly generate more revenue and tax dollars for the City. It may produce more and it could produce less. That's my initial thought. The other piece, is looking at it being RM-16. It seems like there is more of a desire to put apartments on the north side of Johnson. As someone who has looked at our apartment study that was done, looking at the makeup and the demographics of the area, I feel like we are not allowing those residents to have a voice in this. You said you contacted the property owners, but none of the residents. I feel like we are not letting them have a voice and they are going to be the ones most affected by this. Mr. Smith said as far as contacting the residents who are tenants, statutory-wise that is not a requirement, but I do understand your concern, and I have talked to my client about that as well. Being able to do that and get the feedback was something we did not do after you asked that at the first reading. I know Mr. Smallman bought the lot that is directly behind my client's property sometime in the past six to eight months. Behind that, there is an apartment complex and the owner was notified as to the rezoning ordinance change. I understand there are obviously various multi-family projects off North Johnson by the university. Not being an economic developer myself, I would dare say that would probably be the driving force to that being close to the university, as well as the growth occurring on the north side of Jonesboro to the Hilltop area. So, I hope I answered his question. Mayor Harold Perrin asked Councilmember McClain if Mr. Smith answered his question. Councilmember McClain said I guess, in a sense.

Councilmember Chris Moore said you intend to have between six to eight units on that property. Is that actual calculation based on RM-16 or was that your proposal. Mr. Smith said that is based on the RM-16 and the proposal. My client wants to build a six or eightplex, a one structure building, under one roof. Councilmember Moore asked what the actual calculation was. He said my numbers show 25,520 sq. ft. on that lot. What was the calculation for RM-16? Was that 3,200 sq. ft. per door? Mr. Smith said I am not certain as far as the actual square footage. When I met with City Planner Derrel Smith in order to have the eightplex, I knew that based upon the lot size, I think it is .56 acres. Councilmember Moore said .58 acres. Mr. Smith said it would have to be the RM-16 to do an eightplex on the property and that's what Derrel Smith had advised. Councilmember Moore said so the calculations showed up to eight units could be built on there? Mr. Smith said that is correct. Councilmember Moore said that is all the questions I had.

Councilmember McClain said he had another question for planning. I am looking at the pool of criteria. I am going through the staff report. In the first one, it did not meet that one criteria. Planner Jonathan Smith said this goes back to Councilmember Moore's question regarding how many units are available. We don't actually do it by square footage like the old code. It is done by density. So, RM-16 means 16 units an acre, and since you have .58 acres, that would actually allow you to build up to nine units. Based off the rezoning alone, in order for him to be able to do eight units, he would have to do RM-16, which would actually allow him to do nine units.

Councilmember Gene Vance said I am looking at the plat that is in the agenda. It is showing the lot to be 90 x 200, which is .42 acres. Councilmember Chris Moore said it is 18,000 square feet where .58 is 25,520, and that is what I was referring to earlier. What is the actual size of that lot? Jonathan Smith said I am showing the lot to be .58 acres. I am not sure what you all are looking at. I haven't actually looked at the entire packet. Based off what the plat shows, do you have a copy of the plat? Benton Smith said he did and showed the plat to Jonathan Smith. Councilmember Moore said it is 90 x 200 was 18,000 square feet as opposed to 25,000 square feet. Jonathan Smith said



*your calculations are probably right because I was basing it off the staff summary. To answer your question, why they were left blank was probably a correction they came back in after and tried to correct it. If it's over eight units an acre, which is obviously not what was showing on the plat you have then it wouldn't have met that criteria. I am just assuming they forgot to put the checkmarks in there. Councilmember McClain said if you think about our land use and 20 years down the road, in your professional opinion, do you think this fits where we are going as a city? In this location, do you feel like this is us moving forward? Jonathan Smith said the only thing we can use is the tools the public gives us, zoning, master street plans, land use plans and things of that nature and the public input puts those together, and based off the plan, yes. We are getting ready to hopefully present the new land use plan. We are getting ready to start putting it in front of public input, but right now this is the one we have adopted. As far as design standard, we can't really address that because we don't have that as current yet. But is it appropriate for what we currently have, the guidelines we have to go by as a planning staff, yes. It could be changing in the future based off public input on the new land use plan, but right now that is still a work in progress.*

*Councilmember L.J. Bryant said so part of this timing would be unknown, if council approves multi-family standards, when council approves, all that kind of thing. Let's say council approved in a normal set of circumstances, whether that was three readings at once or whatever, I know there's some variables here. If it was done with an emergency clause, I'm trying to juxtapose that against people building multi-family and when it might actually take effect. Jonathan Smith said City Attorney Carol Duncan would probably be better explaining that. Ms. Duncan said she believes anything approved now would operate under the current code. Councilmember Bryant said so would it be when they pulled the permit? Ms. Duncan said it would be when they were approved during council. Jonathan Smith said we are only approving a rezoning, correct? We're not actually approving any site plan. So, when they come through to apply, whenever they want to apply for the building permit that's what they have to adhere to. They might not apply for a building permit for a year. So, right now if he were to come to our office tomorrow, he would be okay. Ms. Duncan said, right now it would be the rules as they exist right now. Jonathan Smith said on December 4th, or whenever we start these public hearings on design standards, if that stuff gets approved after that point and he applies, then as a staff we would require him to adhere to that. Mayor Perrin said a lot of your questions from the council and also the comments from audience is going to be picked up in this new build design standards that Derrel Smith is working on now. I think the first public hearing on that is December 4th, and they are going to go into great deal on some things you just asked here, as well as the audience's concern. Jonathan Smith said it is still a working draft, so we are going to open it up to the public and get their feedback. It's not set in stone. It's a good starting point, but, as always, if you have suggestions we can put those in there.*

*Councilmember Chris Moore said I have one more question that goes to technical issue. If this lot is 200 x 90, that's 18,000 square feet, what is the square footage requirement on RM-16? How many square feet per unit is required? Jonathan Smith said it is not based off square footage. Councilmember Moore said there is a requirement under RM-8 and RM-16 that you have to have a certain amount of land per unit. What is that requirement? Jonathan Smith said that's what I am trying to say. You can have one-quarter of an acre and ask for an RM-16 zoning, so it's not necessarily based off square footage. It's based off 16 times however big your acreage is. Councilmember Moore said there is a minimum requirement under the RM zoning. What is that minimum requirement of square footage for RM-8 - three thousand and some odd feet? Jonathan Smith said that is for the old code. That is R-2 which is*

3,600 square foot per unit. Councilmember Moore said on RM-8 and RM-16 there is no minimum square footage on lot size? Jonathan Smith said it is based off density. It is not 3,600 square feet per unit. That's your old R-2 and R-3 codes. Councilmember Moore said so under the current one we have no minimum square footage on RM-16? Jonathan Smith said you'll end up having, I think, minimum lot sizes. I would have to look at the book, but as far as density based off square footage, you're not looking at 3,600 square feet. That's the old code. Councilmember Moore said I was thinking though that on RM-8 and RM-16 there was a minimum on square footage. I don't know what that number was. Jonathan Smith said a lot of the stuff we deal with is still under the old code. That's a vast majority of what we still deal with is R-2 and R-3 just because there's not been a great number of rezonings come through asking for this. So, we do deal with the 3,600 square feet per unit on R-2s and R-3s, but when you do a rezoning now, you can't ask for that. Councilmember Moore said the reason I asked that was because when we were rezoning out where Bob Rees' apartments were one of the complaints on changing to RM-8 was because it required a certain number of square feet on the lot size to accommodate each unit. Councilmember Gene Vance said that was because there were several pieces of property within what he wanted to do and if he didn't get it reconfigured into one lot he was going to have lots that would have less on them. Councilmember Moore said that's correct, but, again, the resulting debate was when you add up all the square footage, that would be the limiting factor on how many units he could build on the property, and I'm wondering what the limiting factor on this is.

Councilmember Vance said the limiting factor is the RM-16. Councilmember Moore said Okay. Because counsel is reporting that it's a 25,000 square foot lot and, if the plat is right, it's only 18,000 square feet. Jonathan Smith said I'm relying on the math and the meeting Benton Smith had with Derrel Smith. Councilmember Vance said you're relying on the application and we're looking at the surveyor's plat that was submitted with the application. The application does say there's twenty-five thousand something square feet, but the plat that came with that application and it's signed by the engineer. Jonathan Smith asked what it was saying. Councilmember Moore said it's 25,520. Councilmember Vance said it's immaterial because it's a rezoning versus a rezoning, but he can't get as many units as he says he can based on the survey. Jonathan Smith said if you take 25,560 divided by the total square footage in an acre, which is 43,560, you actually end up with .58 of an acre, which is actually what is reflected on the staff summary. Councilmember Vance said on the application. You want to see the survey. The survey came with the application and it's for that piece of property. Councilmember Moore said the survey is showing it's a 90 x 200 lot, which is only 18,000 square feet. That's the point. Councilmember Vance said there's a discrepancy between the application and the number on the survey.

Mayor Harold Perrin said the question here is the rezoning issue. Councilmember Vance said if we rezone it, he can't build but six units, and the question before us is rezoning. It's not how many units he builds. Councilmember Moore said and my question was how did you come to the six units? Councilmember Vance said you take 18,000 divide it 43,560 and multiply that by 16, and you come up with 6.675, I think. Benton Smith said obviously my client is going to comply with the planning. They won't have any choice. Unfortunately, I am not an engineer and I don't have the engineer here today, but I know the deed and the actual acreage was .58, but I understand. Councilmember Vance said you're gonna build by that survey, unless that survey is wrong. It is .41 acres, which means 6.61 units on that lot. But, anyway, that's not a question. Mayor Perrin said that's a statement, not a question to the counselor. Councilmember Vance said we need to let the opposition speak so we can get to a decision. Mayor Perrin said what would be good for the Council since we have changed, again, from the R-1, R-2, R-3 is to get with Chief Operations Officer Ed

Tanner and get some stuff together to give to Council. That would have saved a lot of time and discussion on this issue. Jonathan Smith said, just to clarify, they are going to have to have a legally platted lot on file before they can actually start the building permit process. Mayor Perrin said you have heard all the discussion tonight and you can help Derrel Smith do it. What you said and what Councilmember Vance said was that you submitted the plat. So, you're gonna build to that. Jonathan Smith said I just want to make sure it's the one we have on file. I am not sure where the .58 is coming from on this.

Patti Lack, 4108 Forrest Hill Road, said she put together photos to pass around to councilmembers. Ms. Lack said before I left for Wisconsin I took some photos, and two weeks ago, when I talked to the Council, I asked for the aerial view of the pawn shop to be pulled up. That was kind of misleading. Hopefully, some of you had gone to go and look at that. If you look at the lot, it's 90 x 200 feet. It's a little over half an acre or .41 acres. We don't really know. If you go and look at the lot and if you saw that the car shop behind there has 75 cars right behind the lot. It's not the apartments that are behind the lot. It's the cars behind the lot. So, it's not a very big lot. We're talking about if there are six units, seven units or eight units on a half an acre. If there are 6 units, there's going to be 12 cars that is assuming there is two cars per unit. If there are seven apartments, there are going to be 14 cars. If there are eight apartments allowed, then there will be 16 more cars on half an acre with those units. I know Mr. McClain asked about the apartments, their availability and Mr. Smith was going to give a report, but I don't know whether he has a report of the apartments. Before I left, I decided to drive around the north side, north of Johnson, and there are 27 complexes of apartments. I have named all of them. Some of them I didn't get the names so I put the street addresses. On 75% of those buildings, there was a sign that said "now leasing, come on inside." So, I don't know how many were available. I wasn't going to get out of my car and go into all those buildings. There are 27 complexes of apartments and some are pretty large complexes over there. I was really surprised. That's not including the Greensboro ones that are going to be built where there will be 264 in the first phase and 336 in the second phase. That's 600 more apartments. There's 61 apartments going to be built at Sage Meadows, and there's even more apartments. If you look north of Johnson on Aggie Road, there are a couple more apartments there. So, I don't know who we are catering to that we are having to build all these apartments. Because if it's the ASU students, there's lots of apartments for lease for ASU students. So, I don't know who we are catering to and who we are building all these apartments for. When you look on the next pages, I went around and I looked at these properties of the K&A Investments, and I have to say, if I was wrong two weeks ago, but when I Googled K&A Investments, there are about seven K&A Investments, LLC, when you Google it. So, I'll say my bad on that if that wasn't the same one. I went around and looked at some of the units K&A Investments owns. Some of them aren't in pretty good shape. I know the black and white picture doesn't really show the condition of some of these, but they're not very well kept up, and I didn't take a lot of pictures. K&A Investments has 12 properties under their investments. If you look at the sheet where I searched for the record search, they have delinquent taxes on six of the 12 properties. They owe the City \$5,439.82 on the property for those delinquent ones. Councilmember Chris Moore said just as a point of order, we can't consider any of that in this decision. That is not the decision before us. We can't consider the owner and their track record because the zoning goes with the property. He may or may not sell it the day after it is rezoned, and whether or not he owes back taxes cannot be considered in this decision. I appreciate that information, but I'm just telling you that we cannot consider any of that in our criteria for this rezoning. Ms. Lack said then looking at the condition of the buildings should be a part of that right there. Councilmember Moore said we can't consider that either because he

does not have to even build on this. We have to consider if it's the appropriate zoning for this particular property without regard to what he might or might not build on it. So, in other words, we can't consider his other properties in making this decision because he may not own it the day after. Ms. Lack said I think that is something that might be looked into, the changing, because I think when you grant people the rezoning right to a property they are building in our city, and if they are not taking care of the property they own already, then why would you want to have them build again. Councilmember Moore said well, because you might come in and give us the prettiest story we have ever heard in our whole life of what you want to build on that and then the day after we rezone it you say, never mind I'm not gonna build that. That's the same as if he might be the worst landlord or the worst property owner in Jonesboro, but we can't consider that end of it either. Ms. Lack said that's too bad that we can't. Councilmember Moore said it is too bad. Ms. Lack said, what I have said before is that the number of apartments that we have we really don't need any more apartments, but with that being said, I feel like Jonesboro, in the last two weeks, has really, really stepped up. They have taken two or three steps forward. I saw in the newspaper that we are going to get a convocation center. We're going to get an addition to the stadium. We are going to have a nice bike track or walking track on Aggie Road that is going to connect the university to the downtown area. I hear the green bikes are going to be a big success. When I look at this, I think you have to ask yourself a couple questions. One, do we need more apartments? I know their attorney said they want to help Jonesboro grow. Jonesboro doesn't need any more apartments to grow. I think if I look at what these people have done, they have a lot of investments. They're smart investors and I give them credit for that, but if they're that smart, take this property, right now, and if they're local people, take it and start building and making North Johnson or Johnson Street a better street, and then kind of cater towards where you're going towards the convocation center. I think you just have to ask yourself do we need more apartments and whose going to profit from this, and putting more apartments is not going to make Jonesboro a better place. Put a business and start bringing that in right there. Thank you very much.

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

**Aye:** 1 - Chris Gibson

**Nay:** 11 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

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

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Mayor Perrin reported on the following items:

Mayor Perrin stated that he attended a meeting in Charlotte, NC last week at the National League of Cities. Approximately 4,500 people attended that with Mayors and Council people all over the United States. I will give you the highlights. The number one discussion at that meeting was the crisis of opioid drugs in the U.S. Mayor Berry who is from Nashville, TN got up and spoke. It is public record that her son overdosed and killed himself in June of this year. The problem is not going away. I have talked to the Chief about that and we are going to look at it pretty strong here in town and do some other things. There are new things that are coming up and that are coming into town that are very scary. We are not immune as is any city. As we grow, we are going

to have those issues. We are going to have to try to get ahead of it and get up in front of it. The other things they discussed very heavily was infrastructure. A lot of cities are growing, not at the pace we are, but at least growing and infrastructure is an issue. It is like anything else in Arkansas, the Highway Department doesn't have enough money to even take care of what they have, regardless of even adding a new street or highway in the State of Arkansas. That is an issue. The other part was quality of life was a big, big concern, trying to attract industries and companies to a city. They call it Smart Cities where you have to have things in place or you are not going to recruit those people to come into a town to have the quality of life that they want to have with bike trails and walking trails and things of that nature. Overall, it was a real good conference.

We received a letter on our FEMA report and we are still at a class eight which is what we were at before. That is our audit back to the city. I talked to Engineer Craig Light and we are going to try to send something out about June to try to get that lowered to a seven if we can. We have done a lot of work in that area.

A release will probably go out tomorrow, we were notified that the City of Jonesboro did get the COPS grant. We applied for five and we got two for a total of \$249,604. The City's match on that grant will be around \$83,201. That will be adding two new police officers in next year once we get the grant approved. I think Grants Director Tiffany Calloway is going to get with the Chief on that to get it signed and get it back in.

Last weekend, we had the Wounded Warriors and many of you participated in that. It was an incredible program and banquet. The City netted out of that somewhere around \$8,692. I did receive a letter from the Executive Director thanking us for having that event. I think everyone that attended was amazed. We did have the Halloween Bash Softball a week prior to the Wounded Warriors. We collected a net of \$12,111.25. The point I am trying to make on those two things is the fact that as long as we have the things in our budget to add into and increase the Parks & Recs and things of that nature, you can see what happens to your town. We got rained out this year for tournaments. In this year's budget, we are already down \$70,000 just in concession sales and things of that nature. It is not that. It is the quality of life. People who come to town here want to have a tournament and then the weather automatically does that. What you have in the 2018 budget is the addition of turf fields and things that you can start playing within 20-30 minutes after that depending on no lightning, etc. That is something we are going to be looking at.

The HUB that we have has started. We now have 406 people who have walked through that HUB. Again, 196 are still homeless here in your city that has gone through there that we know of record on that. More importantly, one of our corporate sponsors, Sam's Club, called and brought 50 care package bags to the City of Jonesboro for our homeless and our HUB which includes food and canned goods. I was extremely impressed that they are going to do that. We will certainly be sharing that with the Salvation Army as well as the homeless as well as our continuum of care. If you remember, the City got a grant last year of about \$96,000 to help assist on rent, etc. Some of these care packages have already been delivered. I was very impressed by that. We thought good so we are going to call another corporate citizen and have not gotten an answer back. We didn't make contact, but hopefully they are willing to assist us to help our homeless people again this year. And, it is not just the time of year here at Thanksgiving, it is obviously the time that you think about this, but this is a problem that is going on in our city every day. It is not just Thanksgiving. It is every day and that is why we are trying to work on the homeless to do something for them. We are going to continue to do that. Ms. Calloway said that we also received a \$500

*check from Sam's Club. Mayor Perrin said it shows you that this community is probably one of the most loving, benevolent communities that I have ever lived in. If there is a true need, I can tell you that we try to satisfy that need. The Governor was up here a couple of months ago and we opened up the largest Hispanic Community Center that I know of and all of the services they provide for the Hispanic Community. When you travel to other places, you are not going to see that. We are a diverse community.*

*I want to say is Happy Thanksgiving to all of the citizens.*

*We just got the sales tax report and through November, we are \$905,000 above last year. I always ask are you better off today than you were a year ago. I want to look at the bottom line and \$905,000 or 3.2% on your sales tax through November. We have one more month in there. If you remember, these sales tax reports are always six dates behind. November figures are in reality, September's sales. In a breakdown of that, the city is at 2.9 and the county is 3.51, but we are right at \$1 million better off today than we were a year ago. We will hit that and maybe a little over that. We are a little bit over the budget that we prepared last year for this year and I am thankful for that.*

**COM-17:080**

Financial statements for the Jonesboro Airport Commission for October, 2017

[play video](#)

**Attachments:**     [JAC Jonesboro Airport Financials 10\\_17.pdf](#)

**Filed**

## **9. CITY COUNCIL REPORTS**

[play video](#)

*Councilmember John Street said that today at the MPO meeting, Randy Orr from the Arkansas Department of Transportation came and spoke to us about the decline of Arkansas' roadways and the need for funding. It looks like they will be proposing something possibly in 2019 or maybe as late as 2020. There is a survey on the Arkansas Department of Transportation's website. It asks how you would prefer funding to take place for Arkansas roadways. There is a great need and he conveyed that. Communications Director Bill Campbell has some of that information and I am sure he will put it on the website about the survey and how you can do it. It is important as far as the steps they take going forward. I think you mentioned this, but Winter Wonderland opens and the skating rink is open. Mr. Campbell sent out an email on that so I encourage everyone to take advantage of that over the Thanksgiving Holiday.*

*Councilmember Mitch Johnson said he would like to echo Happy Thanksgiving to everyone. We have so much to be thankful for in Jonesboro. Enjoy that time with your friends and family.*

*Councilmember Joe Hafner said he gets the pleasure of serving on the A&P Commission along with Councilmember Chris Gibson. I think on Friday we really hit a homerun with getting the Convention Center coming and the hotel. It is going to be about a \$60 million project once you take into consideration furniture, pictures, and equipment. For the City to only kind of do the rebate for up to ten years or \$2.5 million is a great deal. One of the projects that was brought up was Denton, TX and it was*

about an \$80 million project. The City reached an agreement with the developer to give over the course of 25 years up to a \$54 million deal which was a 100% rebate of sales tax, hotel occupancy tax, and ad valorem taxes. Jonesboro got a great deal because we will still get the sales tax and everything. It is going to be exciting to see the impact it has on Jonesboro and especially that area of town. I also want to say congratulations to Austin Cook. Not every city has a PGA winner living here. It will be nice when he is able to come here and we are able to recognize him. I just wanted to give congratulations to him. Mayor Perrin said he thinks he is scheduled to come to the next City Council meeting on December 5, 2017.

Councilmember Chris Moore said a quick note that he wanted to remind everyone. It was published in the Jonesboro Sun. The City of Jonesboro will conduct a Public Forum on Monday, December 4, 2017 at 4:30 at City Hall. The purpose of that meeting is to review the design guidelines for multifamily housing. They are requesting that the public come and provide any feedback. I think it would be important if all the neighborhood groups and anyone else come and offer input because the purpose of that meeting is going to be to consider design criteria for multifamily housing. I think it will be important for the Council to pay attention to that meeting also.

**10. PUBLIC COMMENTS**

[play video](#)

**11. ADJOURNMENT**

[play video](#)

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

**Aye:** 12 - Ann Williams;Charles Frierson;Chris Moore;John Street;Mitch Johnson;Gene Vance;Chris Gibson;Charles Coleman;Bobby Long;Joe Hafner;David McClain and LJ Bryant

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

**Harold Perrin, Mayor**

**Attest:**

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

**Donna Jackson, City Clerk**

