



# City of Jonesboro

900 West Monroe  
Jonesboro, AR 72401

## Meeting Minutes - Final City Council

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Tuesday, November 3, 2009

6:30 PM

Huntington Building

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### PUBLIC WORKS COMMITTEE - 5:30 P.M. - Huntington Building

#### 1. CALL TO ORDER BY MAYOR PERRIN AT 6:30 P.M.

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

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

**Present** 11 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent** 1 - Chris Moore

#### 4. SPECIAL PRESENTATIONS

#### 5. CONSENT AGENDA

#### *Approval of the Consent Agenda*

**A motion was made by Councilman John Street, seconded by Councilman Chris Gibson, to Approve the Consent Agenda. A motion was made that these files be approved by consent voice vote**

**Aye:** 11 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent:** 1 - Chris Moore

#### [MIN-09:109](#)

Minutes for the City Council meeting on October 20, 2009.

**Attachments:** [minutes 10/20/09](#)

**A motion was made that this Minutes be Passed . The motion passed BY VOICE VOTE**

#### [RES-09:127](#)

A RESOLUTION TO CONTRACT WITH LINEBARGER GOGGAN BLAIR AND SAMPSON, LLP FOR THE COLLECTION OF DELINQUENT WARRANTS FOR THE CITY OF JONESBORO

**Sponsors:** Police Department

Attachments:     [Contract](#)  
                          [Contract - PDF](#)

**This item was passed on the Consent Agenda.**

**RES-09:145**       RESOLUTION TO CHANGE THE SPEED LIMIT ON KATHLEEN STREET AS RECOMMENDED BY THE PERMANENT TRAFFIC CONTROL REVIEW COMMITTEE

Sponsors:       Police Department

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

**RES-09:151**       RESOLUTION RATIFYING PREVIOUS ACTS OF MAYOR HUBERT BRODELL AUTHORIZING LEASE OF FIVE (5) ACRES FROM ARKANSAS STATE UNIVERSITY

Sponsors:       Mayor's Office

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

## **6. NEW BUSINESS**

### *ORDINANCES ON FIRST READING*

**ORD-09:064**       AN ORDINANCE TO AMEND THE 2009 ANNUAL BUDGET TO INCREASE THE ADVERTISING & PROMOTIONS (A & P) BUDGET TO INCLUDE \$150,000 FOR SESQUICENTENNIAL EXPENDITURES. FUNDS WILL BE APPROPRIATED FROM ADVERTISING & PROMOTIONS RESERVES TO COVER THE COST OF THE EXPENDITURES AND DECLARING AN EMERGENCY

Sponsors:       Finance

*Councilwoman Williams offered the ordinance by Title Only.*

*Councilwoman Williams moved, seconded by Councilman Johnson to suspend with the second and third readings. A voice vote was taken resulting in all members voting aye. Councilman Fears moved, seconded by Councilwoman Williams for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye.*

*Councilman Tim McCall stated they were well under budget by approximately \$20,000.*

**A motion was made by Councilman Darrel Dover, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by an unanimous vote**

**Aye:** 11 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent:** 1 - Chris Moore

**ORD-09:084**       AN ORDINANCE TO AMEND THE 2009 ANNUAL BUDGET TO INCREASE THE POLICE BUDGET BY THE APPROPRIATION OF \$408,500 FROM THE GENERAL FUND TO PAY FOR SALARIES, GROUP INSURANCE, POLICE PENSION, AND PAYROLL TAXES THAT WERE UNDERFUNDED IN THE APPROVED 2009 POLICE BUDGET AND DECLARING AN EMERGENCY

**Sponsors:** Finance

*Councilman Street offered the ordinance by Title Only. Councilman Street moved, seconded by Councilman Johnson to suspend with the second and third readings. A voice vote was taken resulting in all members voting aye. Councilman Johnson moved, seconded by Councilman Gibson for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye.*

**A motion was made by Councilman John Street, seconded by Councilman Mitch Johnson, that this matter be Passed . The motion PASSED by an unanimous vote**

**Aye:** 11 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 1 - Chris Moore

## **7. UNFINISHED BUSINESS**

### ORDINANCES ON THIRD READING

#### **ORD-09:076**

AN ORDINANCE TO AMEND ORDINANCE NO. 954, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

**Attachments:** [Plat](#)  
[K CADProjectsKathleen\(Coleman\)REZONING NORTH KATHLEEN Model](#)  
[Opposition](#)  
[Staff Summary Caldwell-Coleman RZ09\\_16 Council \(2\)](#)  
[Jennifer Easley Opposition](#)

*This ordinance was on the third and final reading.*

*The following individuals spoke in opposition to the zoning change: Jennifer Easley 5910 Pacific Road, Larry McElroy, 1005 Commerce Drive, Margaret Easley, 5914 Pacific Road, Fred Easley, Pacific Road, Leslie Warr, 5707 Pacific Road, Louis Stadler, 5300 Pacific Road, and Jack Grimes, 1003 Commerce Drive.*

*Several issues were discussed regarding lack of Infrastructure such as narrow streets and poor drainage. It was explained that the residents are not opposed to progress, but are requesting the proper type of progress. It was explained that preparation is needed prior to rezoning the area. Discussion was held regarding the definition of low density. Mr. Otis Spriggs, City Planner explained the Zoning Code does not have a set definition of low density, but rather it is a matter of perception. Mr. Spriggs explained with the Limited Use Overlay in the ordinance the development of the property could not exceed 4 units per acre. Several in opposition argued that rezoning should not take place until infrastructure issues have been resolved, however, Mr. Spriggs explained in order to do that the City Council would have to place a moratorium on all zoning changes until the infrastructure could be addressed. Councilman Johnson stated at some point the City of Jonesboro must look at the needs of the mass annexation and service the individuals who were brought into the city. He stated he was opposed to rezoning property for marketing purposes.*

*Carroll Caldwell explained this was not an annexation, but rather 11 acres zoned*

Agri, and they were requesting single family dwellings, with 4 houses per acre maximum. He stated the owner has agreed to provide right-of-way if requested by the MAPC. Mr. Caldwell reported the traffic count to be 3,000 cars per day, which is being affected by the industrial park not the 40 lot subdivision. He explained all utilities would be provided by the developer. He further explained an 11 acre subdivision would have to detain its own water. Lastly, Mr. Caldwell stated the subdivision would increase the value of the surrounding land. Ms. Jennifer Easley countered saying rezoning these 11 acres sets precedence for the other 150 acres.

Councilman Frierson stated he was concerned with the true function between the City Council and the MAPC. He explained the City Council can not hold a full scale hearing in zoning matters and as an appeal body the City Council should only consider if the MAPC properly followed Arkansas law and City ordinances; and did the MAPC grossly abuse the facts when making their decision.

Councilman Vance moved for the adoption of the ordinance, but the motion failed due to a lack of a second.

**This Ordinance was Denied**

**ORD-09:081**

AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES.

**Attachments:** [Plat](#)  
[Staff Summary RZ09-19 Cude Properties Rezoning Council \(2\)](#)

**A motion was made by Councilman Chris Gibson, seconded by Councilman Charles Frierson, that this matter be Passed . The motion PASSED by an unanimous vote**

**Aye:** 11 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent:** 1 - Chris Moore

**ORD-09:082**

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES

**Attachments:** [Staff Summary RZ09-18 Vaden-CWL Rezoning Council \(3\)](#)  
[Vaden Survey 2 \(2\)](#)  
[Brad Vaden - Plat](#)

**A motion was made by Councilman Mitch Johnson, seconded by Councilman Charles Frierson, that this matter be Passed . The motion PASSED by an unanimous vote**

**Aye:** 11 - Darrel Dover; Ann Williams; Charles Frierson; Jim Hargis; John Street; Mitch Johnson; Tim McCall; Gene Vance; Chris Gibson; Rennell Woods and Mikel Fears

**Absent:** 1 - Chris Moore

**8. MAYOR'S REPORTS**

*Financial Summary - Mayor Perrin stated he would present a Financial Summary at the regularly scheduled Finance Committee meeting.*

*Incinerator Update - Mayor Perrin stated he was working with Legacy Landfill regarding the disposal of ash. He explained they would be meeting with local representatives in order to change the laws regarding disposal. He stated a second option would be a mono-cell with Legacy Landfill and they would be negotiating the price.*

*2010 Budget – Mayor Perrin stated they have a target date set before Thanksgiving to provide the proposed budget to council members.*

*Special Called Joint Meeting of Public Services and Public Safety – Mayor Perrin announced a Special Called Joint Meeting of Public Services and Public Safety for Thursday, November 5, 2009 at 5:00 p.m. at the Huntington Building. The purpose of the meeting is to present ordinances and resolutions from the Revenue Enhancement Advisory Committee.*

## **9. CITY COUNCIL REPORTS**

### **RES-09:181**

A RESOLUTION APPROVING AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS, JONESBORO, ARKANSAS

**Sponsors:** Community Development

**Attachments:** [Amendment](#)  
[signed amendment](#)  
[resolution](#)

*Councilwoman Williams moved, seconded by Councilman Dover to suspend the rules and place this resolution on the City Council Agenda. All members voted aye.*

**A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this Resolution be Passed. The motion CARRIED by a Voice Vote.**

**Aye:** 11 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 1 - Chris Moore

## **10. PUBLIC COMMENTS**

*Paul Pitman, a Fire Captain for the Jonesboro Fire Department informed everyone of a website - buyjonesboro.com and explained the importance of buying in Jonesboro.*

## **11. ADJOURNMENT**

**A motion was made by Councilman Mitch Johnson, seconded by Councilwoman Ann Williams, that this be Adjourned. The motion CARRIED by a Voice Vote.**

**Aye:** 11 - Darrel Dover;Ann Williams;Charles Frierson;Jim Hargis;John Street;Mitch Johnson;Tim McCall;Gene Vance;Chris Gibson;Rennell Woods and Mikel Fears

**Absent:** 1 - Chris Moore

\_\_\_\_\_ Date: \_\_\_\_\_  
**Harold Perrin, Mayor**

\_\_\_\_\_ Date: \_\_\_\_\_  
**Donna Jackson, City Clerk**