



Legislation Details (With Text)

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Minutes for the City Council meeting on November 20, 1995
CITY COUNCIL MINUTES, NOVEMBER 20, 1995

The Jonesboro City Council met Monday, November 20, 1995, at 6:30 p.m. A full quorum was in attendance. Present were City Clerk, Donna Jackson, City Attorney, Phillip Crego, and eleven council members. Those Councilmen were: Vance, Wise, Rega, Province, Young, Perrin, Tate, Kelton, Roddy, Harpole, and Hannah. Vice Mayor, Donnie Wise presided over the meeting for Mayor Brodell, who was away on city business. Councilmen Perrin was unable to attend.

The minutes of November 6, 1995, were approved as mailed by Councilman Young seconded by Councilman Harpole. A voice vote was taken resulting in all council members voting aye. Those Councilmen voting aye were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole, and Hannah.

The following ordinance was on the third reading:

AN ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND FOR OTHER PURPOSES. (Schwan's Sales Ent.\Troy Sheets)

Councilman Hannah moved, seconded by Councilman Harpole for the adoption of the ordinance. A voice vote was taken resulting in all council members voting aye. Those Councilmen voting aye were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole, and Hannah. The ordinance was given the number 2666.

The following ordinance was on the third reading:

AN ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND FOR OTHER PURPOSES. (Pete Gasaway)

Attorney Bob Gibson, represented Mr. and Mrs. Pete Gasaway in their request for rezoning of Gasaway

Grocery to Commercial-4 from Residential -1. Attorney Gibson reported the property had been annexed into Jonesboro and the Gasaways had filed a Non-Conforming Use Application. He explained that according to Jonesboro's Code, the Non-Conforming Use expires in the year 2009, and the business would close, unless the Gasaways are allowed to rezone to Commercial-4. Mr. Gibson went on to explain, banks will not loan money to the Gasaways, nor to another buyer, because of improper use zoning.

Mr. Bill Wade represented a group who were in opposition to the rezoning. Mr. Wade explained his group feared Commercial zoning would increase in the area, and there was too much commercial zoning already. Mr. Wade requested Council to turn down Gasaway's rezoning request, since Mr. Gasaway could continue to operate the business till the year 2009. Councilman Tate move, seconded by Councilman Harpole for the adoption of the ordinance. A roll call vote was taken resulting in five council members voting aye, five council members voting nay, and one council member passing his vote. The five Councilmen who voted nay were: Wise, Evans, Province, Kelton, and Roddy. Those Councilmen voting aye were: Rega, Young, Tate, Harpole, and Hannah. Councilman Vance passed voting on the motion. The ordinance was denied for lack of a majority vote by the whole elected body.

Councilman Kelton offered the following ordinance for the first reading:

AN ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND FOR OTHER PURPOSES. (Jesse Priddy)

Councilman Hannah moved, seconded by Councilman Young to suspend the rules and place on the second reading. A roll call vote was taken resulting in all council members voting aye. Those Aldermen voting aye were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole, and Hannah.

The following ordinance was on the third reading:

ORDINANCE TO AMEND TITLE NINE, KNOWN AS "STREETS AND SIDEWALKS", BY ADDING SECTION 9.38 KNOWN AS "STREET SPECIFICATIONS", FOR THE PURPOSE OF INCORPORATING THE RECOMMENDED GARVER & GARVER STREET SPECIFICATIONS PLAN INTO THE JONESBORO CODE OF ORDINANCES.

Councilman Young moved, seconded by Councilman Harpole for the adoption of the ordinance. Mr. Terry Bare and Mr. Carroll Caldwell, along with several other engineers and land developers expressed concern over the curb requirements for city streets in the plan. Councilman Tate stated there was no need to put in high back curbs on secondary streets, when drive over curbs could be installed one time, with less cost to the city and to homeowners. Mr. Caldwell volunteered to participate in a committee made up of three aldermen, and the city engineer to review street requirements and make recommendations to the Council. He explained certain requirements are not specific enough, which leave unanswered questions, and developers have no authority to over ride these specifications once they are adopted. Councilman Vance stated the street construction requirements are more stringent than in the past, but the requirements are equal for each developer. Councilman Vance explained if there are problems with the street requirements, they can be amended. Mr. Caldwell stated it would be better to take thirty days, and correct the problems, rather than adopt incorrect procedures. Councilman Young moved, seconded by Councilman Harpole for the adoption of the ordinance. A roll call vote was taken resulting in an eight to three vote in favor of the motion. Those Aldermen voting aye were: Vance, Wise, Rega, Province, Young, Roddy, Harpole, and Hannah. Those Aldermen voting nay were: Evans, Tate, and Kelton. The ordinance was given the number 2667. Councilman Rega first passed his vote. Discussion followed regarding the procedure when a vote is passed. Council determined the Clerk should call for the vote two (2) more times after a council member passes his vote. City Clerk, Donna Jackson called for Councilman Rega's vote a second time, and Councilman Rega voted aye after passing his vote one time.

The following ordinance was on the second reading:

AN ORDINANCE TO WAIVE BIDDING ON THE PURCHASE FOR BRIDGE PANELS AT EASLEY LANE

Councilman Hannah moved, seconded by Councilman Vance to suspend the rules and place on the third and final reading. A voice vote was taken resulting in all council members voting aye. Those members were: Vance Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole, and Hannah. Councilman Young moved, seconded by Councilman Vance for the adoption of the ordinance and to transfer \$95,000.00 from unallocated sales tax reserves to street materials, for the Easley and Peachtree bridge panels. A voice vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole, and Hannah. The ordinance was given the number 2668.

Councilman Vance pulled Item F - Ordinance to amend Section 5.08.01, "Littering Illegally", to allow City Attorney, Phillip Crego, and the Planning and Inspection Committee time to make needed changes to the ordinance.

Councilman Tate pulled Item G - Ordinance to amend Section 8.40.20, "Leased Spaces", to allow further research by the Parking Committee.

The following bids were reviewed:

95:48 - Knuckleboom Truck - Sanitation

Councilman Hannah moved, seconded by Councilman Harpole to accept the low bid meeting specifications which was River City #1. A voice vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole and Hannah.

95:46 - Commercial Garbage Truck - Sanitation

Councilman Hannah moved, seconded by Councilman Harpole to accept the low bid meeting specifications which was Town & Country International for a total of \$87,210.88 plus \$260.00 for the extended warranty. A voice vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole and Hannah.

95:47 - Residential Garbage Truck - Sanitation

Councilman Hannah moved seconded by Councilman Wise to accept the low bid meeting specifications which was Town & Country International for a total of \$81,025.88 plus \$260.00 for the extended warranty. A voice vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole and Hannah.

Councilman Hannah moved, seconded by Councilman Vance for the adoption of a resolution setting a public hearing at 6:20 p.m. On December 4, 1995, for the purpose of abandoning an alley located in the J.T. Barr First Subdivision. (David Conrad). A voice vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole and Hannah. The resolution was given the number 1995:64.

Councilman Hannah moved, seconded by Councilman Harpole for the adoption of a resolution setting a public hearing at 6:10 p.m. On December 4, 1995, for the purpose of abandoning a ten foot drainage easement located in the Calvary Chapel Addition of Jonesboro, Arkansas. A voice vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole and Hannah. The resolution was given the number 1995:65.

Councilman Hannah moved, seconded by Councilman Harpole for the adoption of a resolution adopting a Wage & Salary management Plan for the City of Jonesboro. A roll call vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole and Hannah. The resolution was given the number 1995:67.

Councilman Evans moved, seconded by Councilman Harpole for the adoption of a resolution to condemn property at 226 S. Bridge Street, owned by Mr. Harold Wells, and property located at 815 Haltom Street, owned by Tim Thrasher & David Callison. A roll call vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole and Hannah. The resolution was given the number 1995:66.

Dr. Olsen gave an oral report to Council on the Mosquito Control Program. It was requested that Dr. Olsen meet with the Mosquito Control Committee and provide a written report for the Committee's consideration.

Under new business, Councilman Vance requested that Mayor Brodell appoint a committee to review the Street Manual, and make any recommendations for the Council's approval. Councilman Vance also moved, seconded by Councilman Kelton to have Mayor Brodell appoint a committee to establish procedures for conducting council meetings with Councilman Young as Chairman. City Clerk, Donna Jackson requested to be part of the Procedures Committee. A voice vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole and Hannah.

Councilman Hannah moved, seconded by Councilman Harpole to transfer \$1,295.00 in the 911 Budget from line item 209 Expenses to line item 221 Maintenance Building & Grounds and to transfer \$700.00 from line item 209 Expenses to line item 224 Supplies for a total transfer of \$1,995.00 in the 911 Budget. A voice vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole and Hannah.

Councilman Kelton moved, seconded by Councilman Tate to allow city employees to take off the Friday following the 1995 Thanksgiving Holiday. A roll call vote was taken resulting in a six to five vote in favor of the motion. City Attorney, Phillip Crego was asked by the Council to give an opinion on the number of votes needed to pass this motion. Mr. Crego stated a majority of the whole elected body was needed for passage. The motion failed for lack of a majority of the elected body. A voice vote was taken resulting in all council members voting aye. Those members were: Wise, Province, Tate, Kelton, Roddy, and Hannah. Those members voting nay were: Vance, Rega, Evans, Young, and Harpole.

Councilman Hannah moved, seconded by Councilman Harpole to approve a recommendation by the Finance Committee to appropriate \$72,000.00 from Street Reserves to Fixed Assets for repayment to the Sanitation budget for equipment now being used by the Streets Department. A voice vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole and Hannah.

Councilman Hannah moved, seconded by Councilman Young to approve a recommendation by the Finance Committee to appropriate \$16,914.00 from Unallocated Sales Tax for the judgment and expenses regarding the condemnation suit at Brown's lane, Windover, and Race Street. A voice vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young, Tate, Kelton, Roddy, Harpole and Hannah.

Councilman Hannah moved, seconded by Councilman Harpole to approve a recommendation by the Finance Committee to appropriate \$5,543.00 from the Parking Meter Fund Reserves to the Parking Fund for street materials to cover additional costs for overlay of the parking lot behind City Hall. A voice vote was taken resulting in all council members voting aye. Those members were: Vance, Wise, Rega, Evans, Province, Young,

Tate, Kelton, Roddy, Harpole and Hannah.

With no further business the meeting was adjourned.