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Minutes for the City Council meeting on February 7, 2006

APPEAL HEARING - 6:10 P.M. - Attorney Skip Mooney, Sr. addressed the Jonesboro City Council regarding denial by the Metropolitan Area Planning Commission to rezone property from AG-1, Agricultural to R-1 Residential, located north of Flemon Road, east of Woodsprings Road, and west of Friendly Hope Road for his client Mr. Jerry McCormick. Attorney Mooney provided an outline of the Valley View area, its growth and school district. He explained the property as it currently exists is not being used for anything, but the proposed project would contain 87 lots, with three exits and entrances on Flemon Road. He explained the property is owned by individuals who do not live here, but wish to sell to developers who do live here. Mr. Carlos Wood, engineer for the project explained there were plans for a detention area on the property to prevent water going south toward Flemon Road. He stated it was his opinion that the storm drain on Flemon Road was not large enough and detention was needed. He explained they were planning on detaining more than the 10 year storm detention from the present flow to the future flow and would try to retain and detain a 25 year storm. Attorney David Tyler, representing the opposing homeowners provided petitions containing approximately 60 signatures. He explained the local residents are not opposed to the development of the property and supported an R-0 rating. Referring to a previous R-1 rezoning in the area, Attorney Tyler stated two wrongs does not make a right. He explained the approval rating for R-1 does not meet the criteria of the Land Use Plan in that it is no longer low density, but rather medium density. He explained the Village Residential classification does not apply either because the area must contain 75 acres or more but this development only contains 27 acres. He also explained the plan states when a Village Residential classification does not apply then it should go to the lowest density residential classification which is R-0. He estimated the density at 5 units per acre making it medium density rather than low density. Attorney Tyler also stated the entrance to the area was too narrow and contained drainage problems. He asked the Council to consider the burden this development would place on the City of Jonesboro, explaining the further out and with a larger number of people the greater the burden it will be.

CITY COUNCIL MINUTES - February 7, 2006

The Jonesboro City Council met Tuesday, February 7, 2006, at 6:30 p.m. Members present were: City Clerk, Donna K. Jackson, City Attorney Crego and eleven council members. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. Councilman Street was out due to

knee surgery. Councilman Perrin presided over the meeting in the absence of Mayor Formon.

Councilman Ashley moved, seconded by Councilman McCall for the adoption of the City Council minutes from January 16, 2006, and January 23, 2006, as provided. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley.

Finance Director, Larry Flowers summarized the 2005 operations as a good year. He stated the fund balances in most categories increased, resulting from exceeding budgeted revenues, or spending less than appropriated. He stated the collected O&M Revenues were 104% of budget, and expenditures were 97% which is typical since he has been with the City of Jonesboro. In the Fixed Asset Fund he explained both the revenues and expenditures were 94% of budget, however due to a transfer from the Capital Improvement Fund it caused an increase in fund balance. In the Capital Improvement Fund he explained revenues were 5% above what was budgeted which is also typical. He further stated in the Other Fund Category there were slight increases,

The following ordinance was on the third and final reading:

ORDINANCE TO REZONE PROPERTY FROM C-3, GENERAL COMMERCIAL DISTRICT, TO R-1, SINGLE-FAMILY MEDIUM DENSITY, LOCATED SOUTH OF GREEN MEADOW LANE, EAST OF HUNTERS RIDGE DRIVE, WEST OF HIGGINBOTTOM CREEK, AND NORTH OF SAVANNAH DRIVE (Jim Abel)

Councilman Moore moved, seconded by Councilman McCall for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. Councilman Moore moved, seconded by Councilman Dover for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3609.

The following ordinance was on the third and final reading:

ORDINANCE TO REZONE PROPERTY FROM R-1, SINGLE FAMILY MEDIUM DENSITY TO C-3, GENERAL COMMERCIAL DISTRICT, LOCATED ON SOUTH SIDE OF JOHNSON AVENUE BETWEEN AIRPORT ROAD AND OLD PARAGOULD ROAD. (Keith Bryson).

Councilman Moore moved, seconded by Councilman Williams for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. Councilman Johnson moved, seconded by Councilman Dover for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3610.

The following ordinance was on the third and final reading:

ORDINANCE TO REZONE PROPERTY FROM R-1, SINGLE FAMILY MEDIUM DENSITY TO R-1A, SINGLE FAMILY HIGH DENSITY, LOCATED NORTH OF GREENSBORO ROAD AND EAST OF SCOTT STREET. (Harrell Mays)

Councilman Moore moved, seconded by Councilman Johnson for the adoption of the ordinance. A voice vote

was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. Councilman Dover moved, seconded by Councilman Johnson for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3611.

Councilman Johnson offered the following ordinance for first reading:

ORDINANCE TO REZONE PROPERTY FROM AG-1, AGRICULTURAL TO R-1 RESIDENTIAL, LOCATED NORTH OF FLEMION ROAD, EAST OF WOODSPRINGS ROAD, AND WEST OF FRIENDLY HOPE ROAD. (Jerry McCormick)

Councilman Farmer moved, seconded by Councilman Moore to suspend with the second reading of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley.

Councilman Johnson offered the following ordinance for first reading:

ORDINANCE DEFINING THE TERM “PROFESSIONAL SERVICES”, PROVIDING FOR THE ANNUAL NEGOTIATION OF CONTRACTS WHICH PROHIBITS THE USE OF COMPETITIVE BIDDING FOR THE PROCUREMENT OF PROFESSIONAL SERVICES.

Councilman Moore moved, seconded by Councilman McCall to suspend with the second and third reading of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. Councilman Moore moved, seconded by Councilman Johnson for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. Councilman Moore moved, seconded by Councilman Johnson for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned number 3612.

No action was taken regarding Agenda item “F”, an ordinance to accept the bid of J. A. Riggs # 1 and to appropriate funds for a 2003 Caterpillar Hydraulic Excavator.

Councilman Farmer moved, seconded by Councilman Hargis for the adoption of a resolution approving the assignment of the Cable Television Franchise to Cebridge Acquisition Company, LLC. Councilman Moore questioned if the City of Jonesboro had a liability by certifying to Cebridge that Cox Communications is in compliance. City Attorney Crego responded saying the City is certifying that Cox is in compliance with the franchise agreement. Finance Director, Larry Flowers confirmed that the franchise payments have been received from Cox Communications, and no non-compliance has been filed. It was explained that the franchise agreement is reviewed periodically. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned number 2006:11.

Councilman Moore moved, seconded by Councilman McCall for the adoption of a resolution setting a public hearing for February 21st at 6:15 p.m. for the purpose of vacating and closing all of Baker Street South of Hope Avenue and North of Washington Avenue, and to close an alley. Attorney Bobby Gibson provided a revised resolution, petition, plat, and ordinance prior to it being read. It was explained the notification has been

amended as well. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned number 2006:12.

Councilman Moore moved, seconded by Councilwoman Furr for the adoption of a resolution naming judges, clerks, and alternate workers to serve in the election for directors for Positions 4, 5, and 6 for the City Water and Light Plant. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned number 2006:13.

Under new business, Mr. Brian Wadley introduced Mr. Otis Sprigs, the newly hired City Planner, and Mr. Joel Gardner, the newly hired Transit Coordinator.

At the request of Councilman Perrin, Ms. Suzanne Hackney, Human Resources Director provided copies of resumes for the position of Internal Auditor. He requested members of the city council to review the resumes for the purpose of discussion at a special called meeting for the middle of February.

Councilman Farmer questioned the status of the firemen's pension fund. Mr. Brian Wadley explained the process would not begin until February 20, 2006.

Attorney Glenn Lovett, representing CamTri Ross Investments requested reconsideration, apologizing saying they had not gotten the memo that the meeting had been changed from January 17th to January 16th, 2006, a Federal Holiday. Attorney Lovett stated as a matter of fundamental fairness that they be given the opportunity to present their side at the next regularly scheduled meeting. Councilman Moore moved, seconded by Councilman Ashley to approve the request for reconsideration and be added to the next agenda for February 21, 2006, regarding an ordinance to rezone property from C-3, General Commercial District to C-5 Neighborhood Office District, described as Lot 5 of South Caraway Village Addition between Latourette Lane and Caraway Road for Camtri Ross Investments, and Attorney, Glenn Lovett. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley.

Ms. Wanda Turner, Director of the Northeast Arkansans for Animals, provided an invitation to council members for a premier of an HBO Special featuring the animal shelter. The meeting would be held in the Elk's Lodge on February 21, 2006, from 8:30 p.m. to 9:30 p.m.

Mr. David Jackson addressed the City Council questioning the status of the at large voting. He stated it is not fair to have everyone voting on each representative, but should be like in other large cities where they are voted on by ward. Councilman Perrin stated it was his understanding that the Nominating and Rules Committee is looking at that.

Ms. Misty Dorty addressed the Jonesboro City Council regarding the downtown skate park area, stating it seemed that everyone was dragging their feet, and as parents they wanted some answers. She questioned the process for being heard. Mr. Jason Wilkie responded saying they were looking at their options and would be providing an action plan. He explained this was on the agenda for their Public Services Committee meeting, and invited individuals to attend.

Mr. Ted Pylate, President of the Craighead Veteran's Monument Foundation, explained the monument at the Courthouse is a living monument to all veteran's, containing 4000 names of both living and dead soldiers. He stated some skateboarders have damaged the monument, showing disrespect to the veterans, and asked the

Jonesboro City Council to do something that would stop the vandalism.

Ms. Jean Browning addressed the Jonesboro City Council regarding her eleven year old grandson, Colin Weaver, who was bitten by a cat. She asked that laws be passed that would require tags, showing cats have had their shots. She explained the cat when tested did not have rabies but had never been vaccinated, and therefore her grandson was having to take the shots. She further stated her grandson was unable to be at the city council meeting because he was playing basketball on a Westside team coached by his father.

With no further business, Councilman Johnson moved, seconded by Councilman Ashley to adjourn the meeting. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley.