



Legislation Details (With Text)

File #: MIN-93:015 **Version:** 1 **Name:**
Type: Minutes **Status:** Passed
File created: 8/2/1993 **In control:** City Council
On agenda: **Final action:** 8/16/1993
Title: Minutes for the City Council meeting on August 2, 1993

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
8/16/1993	1	City Council	Passed	Pass

Minutes for the City Council meeting on August 2, 1993

APPEAL HEARING - 6:30 p.m. - The MAPC rezoning denial of property owned by Mr. John Prunty. Mr. Prunty was represented by Mr. W. Ray Nickle, Attorney. Mr. Nickle stated the business was not a pool hall but an arcade which would be used to deter youth crime in the area. Mr. Nickle argued the young people in this area needed an alternative to drugs and violence and this facility would be that alternative. Others to speak in favor of the facility were Mr. McKinney, Director of the E. Boone Watson Center, Curtis Tate, and Mr. John Prunty. Mr. Prunty stated the facility would offer supervised activities by more than one adult, and welcomed any suggestions regarding the operations of the facility. Mr. Nickle pointed out prior to the facility being built there had been 3 shooting and drug solicitation in this area. The facility would help offer something positive for the young people to do. Those speaking in opposition to the rezoning were: Marilee Pruitt, Adenna Fisher, Kenneth L. Lorange, and Roy Henery. The opinion of the opposition was that even though it was a good idea the location was too close to their homes. They expressed concerns of too much noise at all hours of the night, and feared this would encourage outside teenagers to come into the area creating an increase in the drug and violence problems. Both sides presented the Council with petitions of citizens either for or against the rezoning.

PUBLIC HEARING - 7:00 p.m. - The public hearing scheduled for this time was tabled by Mr. Burton due to illness in his family.

PUBLIC HEARING - 7:15 p.m. - A public hearing was held regarding the vacating and abandonment of Fernwood Drive. Mr. Clay Kenward requested the Council consider both the rezoning and street abandonment together since one was dependant on the other. No opposition was voiced.

CITY COUNCIL MINUTES - August 2, 1993

The Jonesboro City Council met in regular session at 7:30 p.m. Present were the Mayor, City Clerk, City Attorney and all council members with the exception of Councilman Province who was unable to attend.

The minutes of July 19, 1993, were approved as mailed out by motion of Councilman Harpole seconded by Councilman Bowers. A roll call vote was taken resulting in all council members voting aye.

Mr. Rohnny B. McDaniel addressed the Council regarding several issues which were published in the Jonesboro Sun. Officer McDaniel delivered letters to committee chairmen, requesting notification of any and all meetings which directly affect police department employees. Officer McDaniel reported that unilateral changes had been made in the Federal Labor Standards Act and for this reason he had mailed a complaint to the U.S. Department of Labor. Officer McDaniel addressed issues of over-time pay, officers who work part-time security jobs to make ends meet, longevity payments, absolving the Civil Service, uniform cleaning policies, and the advantages to citizens when officers take patrol units home. End closing, Officer McDaniel urged citizens to insist that meetings be held in an open, fair, and impartial manner.

The following ordinance was on the third reading:

AN ORDINANCE ESTABLISHING FARM CREEK SUBDIVISION ROAD IMPROVEMENT DISTRICT NUMBER FIVE.

Councilman Evans moved, seconded by Councilman Mullenix moved for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye. The ordinance was given the number 2492.

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 OTHER PURPOSES. (CLAY KENWARD)

Councilman Bowers moved, seconded by Councilman Evans moved for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye. The ordinance was given the number 2493.

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 OTHER PURPOSES. (DICK ROWAND OF ROBERTSON, INC.)

Councilman Vance moved, seconded by Councilman Perrin moved for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye. The ordinance was given the number 2494.

The following ordinance was on the second reading:

AN ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE, PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND OTHER PURPOSES. (HILLPOINT DEVELOPMENT CORPORATION/CLAY KENWARD)

Councilman Vance moved, seconded by Councilman Wise moved to further suspend the rules and place on the third and final reading. A roll call vote was taken resulting in all council members voting aye. Councilman Harpole moved, seconded by Councilman Wise for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye. The ordinance was given the number 2495.

The following ordinance was on the third reading with the following stipulations:

- (a) adding the words "The north 300 feet of", then the legal description
- (b) approval of a site-plan by the MAPC.
- (c) one egress and ingress outlet from Johnson Ave., as far away from Paragould Drive, going east as possible.

AN ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE, PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND OTHER PURPOSES. (JIM LYONS/PAUL ARNOLD)

Councilman Bowers moved, seconded by Councilman Mullenix for the adoption of the ordinance stipulating the filing assurances. A roll call vote was taken resulting in all council members voting aye. The ordinance was given the number 2496.

Councilman Kelton offered the following ordinance for the first reading:

AN ORDINANCE TO VACATE AND ABANDON A PORTION OF AN UN-IMPROVED STREET OR ALLEY (CLAY KENWARD/FERNWOOD DRIVE)

Councilman Vance moved, seconded by Councilman Wise to suspend the rules and place on the second reading. A roll call vote was taken resulting in all council members voting aye.

Councilman Evans moved, seconded by Councilman Vance to further suspend the rules and place on the third and final reading. A roll call vote was taken resulting in all council members voting aye. Councilman Evans moved, seconded by Councilman Kelton for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye. The ordinance was given the number 2497.

Councilman Wise offered the following ordinance for the first reading:

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF A 1993 DEMONSTRATOR FIRE TRUCK WITH SUPPLIES AND EQUIPMENT FOR THE FIRE DEPARTMENT.

Councilman Mays moved, seconded by Councilman Vance to suspend the rules and place on the second reading. A roll call vote was taken resulting in all council members voting aye.

Councilman Vance moved, seconded by Councilman Bowers to further suspend the rules and place on the third and final reading. A roll call vote was taken resulting in all council members voting aye. Councilman Kelton moved, seconded by Councilman Bowers for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye. Councilman Hannah moved, seconded by Councilman Kelton to move \$171,000.00 from the Capital Improvement Budget to the Fire Departments fixed assets budget. A roll call vote was taken resulting in all council members voting aye. The ordinance was given the number 2498.

Councilman Evans 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 OTHER PURPOSES. (STEVE CHAPLAIN)

Councilman Evans moved, seconded by Councilman Perrin to suspend the rules and place on the second

reading. A roll call vote was taken resulting in all council members voting aye. No other action was taken on this ordinance at this time.

Councilman Bowers offered a resolution placing a 45 M.P.H. sign at Lacy Drive and at Mahon Drive. Councilman Evans moved, seconded by Councilman Vance for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:34.

Councilman Wise offered a resolution condemning property located at 3713 School Street owned by Harold Wells. Councilman Bowers moved, seconded by Councilman Mullenix for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:35.

Councilman Vance offered a resolution placing liens of the following properties: Parcel Numbers: 27908, 27993, 28025, 28514, 24299, 24257, 28006, 28007, 28008, 28005, 28001, 28002, 28000, 27939, 31422, 26417, 31384, 19968, 27574, 18433, 20962, 24383, 31375, 25087, 28486, 27484, 12766 and 27887. Councilman Harpole moved, seconded by Councilman Kelton for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:36.

Councilman Evans offered a resolution requesting City Water and Light to provide electrical service to two rest-room buildings on Access Road No. 6 at Craighead Forrest Park. and two security lights on road no. 6 at Craighead Forrest Park. Councilman Evans moved, seconded by Councilman Harpole for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:37.

Councilman Bowers offered a resolution requesting City Water and Light to provide electrical service for a night security light at Allen and Second Street. Councilman Evans moved, seconded by Councilman Perrin for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:38.

Councilman Vance moved, seconded by Councilman Kelton to accept the low bid which met specifications on bid number 93:46 which was pavement markings for the Street Department. A roll call vote was taken resulting in all council members voting aye.

Councilman Evans moved, seconded by Councilman Harpole to accept the recommendation of Mr. Jim Watkins to replace Mr. Dan Murphy on the South Caraway Road Improvement Project. A roll call vote was taken resulting in all council members voting aye with the exception of Councilwoman Ingram and Councilman Mullenix who both passed on their votes.

Councilman Hannah moved, seconded by Councilwoman Ingram to reschedule the public hearing regarding the vacating of Roxbury Narrows in Highland Forest Subdivision for the first Council meeting in September at 7:00 p.m. A roll call vote was taken resulting in all council members voting aye.

Under new business Councilman Bowers moved, seconded by Councilman Kelton to spec out bids on a new fire truck. A roll call vote was taken resulting in all council members voting aye.

Councilman Evans complimented Doug Little's job performance for the city.

Councilman Mullenix inquired about the Colony Road railroad crossing as to who is responsible for the gates and lights. Mayor Brodell stated it is a combination of responsibility in that the City of Jonesboro must obtain permission from the federal government, and the railways have not put any money into correcting this problem.

Councilman Mullenix also requested that the proper authorities see that sales advertisements on lights poles be removed in order to avoid any further accidents. Mayor Brodell stated this was the first he had heard of the problem and he or Brian Wadley would work to solve the problem.

Councilman Kelton commended the Fire Fighters Convention held in Jonesboro, stating it left people with a good opinion of our city. Councilman Kelton also requested a budget report from Linda Bullock, Finance Director.

Councilman Vance reported that the General and Personnel Committee had met with the Human Resource Director, Andre Houser and with City Clerk, Donna Jackson and made the following recommendations: To accept the City Clerk's job description, to amend the last page under the title "Working Conditions" reading, "Requires attendance at various meetings of the city council and other groups." Amended to read, "Requires attendance at all meetings of the city council and various meetings of other groups." Also the General and Personnel Committee recommended to the Council that the portion titled "Minimum Qualifications" which states "Must possess the qualifications of an elector", should be understood that this portion shall take effect when the office is vacated or after the November election. It was explained that City Clerk, Donna Jackson was a qualified elector at the time of her appointment, but has since moved. According to a written opinion by the City Attorney's office there is no law that addresses residency for the City Clerk, once appointed or elected. Discussion followed with Councilman Hannah questioning office hours for the City Clerk and the appointment of a Deputy Clerk. Councilman Vance responded by quoting the job description which states the City Clerk shall, "Establish procedures for public access to such documents during normal city business hours." City Clerk, Donna Jackson responded by clarifying "normal office hours" to mean from 8:00 a.m. till 5:00 p.m. Monday through Friday when City Hall is open with an hour off for lunch. Mrs. Jackson also stated when she is unable to be in the office, a deputy clerk will be sworn in, be provided a key, and be instructed to provide access to all public documents and accept any important documents on the Clerk's behalf, but only at the City Clerk's request and only in the City Clerk's absence. Councilman Bowers moved, seconded by Councilman Mullenix to accept the recommended job description along with the following recommendations:

(A) "WORKING CONDITIONS - (LAST PAGE) REQUIRES ATTENDANCE AT VARIOUS MEETINGS OF THE CITY COUNCIL AND OTHER GROUPS" amend to read "REQUIRES ATTENDANCE AT ALL MEETINGS OF THE CITY COUNCIL AND VARIOUS MEETINGS OF OTHER GROUPS."

(B) "MINIMUM QUALIFICATIONS - (LAST PAGE) MUST POSSESS THE QUALIFICATIONS OF AN ELECTOR. THIS PORTION SHALL TAKE EFFECT WHEN THE OFFICE IS VACATED OR AFTER THE NOVEMBER ELECTION."

A roll call vote was taken resulting in all council members voting aye. The motion was adopted.

Councilman Mays introduced an Overlay Maintenance Program submitted by Public Works Director, Guy Lowes. Councilman Mays requested the Council to review the proposal and give any recommendations to the Street Committee. Mayor Brodell stated he had not seen this proposal until the Council meeting and this is no different than it has been done in the past. Mayor Brodell explained the proposal was a maintenance plan.

Councilman Hannah requested Mr. Guy Lowes to explain the process for hiring a new Sanitation Superintendent. Mr. Lowes stated he had run the job qualifications in various news media's, requiring a minimum of five years experience with supervision in the municipal solid waste field. Mr. Lowes stated none of the applicants had this qualification. After consulting with various sanitation employees Mr. Lowes recommended Mr. Billy Mueller as being the best qualified for the position. Councilman Hannah explained that Mr. Lowes would be supervising Mr. Mueller therefore, that is why Mr. Lowes did the hiring. Councilman

Mullenix moved, seconded by Councilman Kelton to accept Mr. Lowes recommendation to hire Mr. Mueller as Sanitation Superintendent. A roll call vote was taken resulting in all council members voting aye.

In closing Councilman Wise commended Interim Police Chief Jack McCann, Jonesboro Police Department and the Sheriff's Department for the job done with the "Freedom of Religion March" held August 1, 1993. Councilman Wise stated that even though it cost the City of Jonesboro approximately \$1,500.00 in over-time, still there were no casualties, so it was worth the money.

With no further business the meeting was adjourned.