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Minutes from the City Council meeting on November 19, 2001  
CITY COUNCIL MINUTES - NOVEMBER 19, 2001

The Jonesboro City Council met Monday, November 19, 2001, at 6:30 p.m. A full quorum was in attendance. Present were: Mayor Brodell, City Attorney Phillip Crego, City Clerk, Donna K. Jackson, and ten council members. Those members were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. Councilmen Tate and Perrin were unable to attend.

Councilman Roddy moved, seconded by Councilman Crockett to approve the minutes of November 5, 2001, as previously delivered. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy.

Councilman Young offered the following ordinance for first reading:

ORDINANCE TO REZONE PROPERTY FROM AGRICULTURAL (AG-1) TO RESIDENTIAL (R-2), LOCATED AT 2207 MARGO ON THE SOUTH SIDE OF MILDRED LANE WEST OF MARGO LANE (BRENDA FLETCHER)

Councilman Young moved, seconded by Councilman Roddy to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. Councilman Young moved, seconded by Councilman Rorex to further suspend the rules and place on third and final reading. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. Councilman Roddy moved, seconded by Councilman Young for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. Councilman Copeland moved, seconded by Councilman Moore for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The ordinance was assigned ordinance number 3330.

Councilman Moore offered the following ordinance for first reading:

ORDINANCE TO REZONE PROPERTY FROM RESIDENTIAL (R-2) TO COMMERCIAL (C-1), LOCATED ON THE EAST SIDE OF CARSON STREET, NORTH OF MONROE AVENUE, WEST OF BRIDGE STREET AND SOUTH OF CREATH AVENUE. (JONESBORO REAL ESTATE HOLDINGS CO., INC. AND CITY WATER AND LIGHT)

Councilman Young moved, seconded by Councilman Rorex to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye with the exception of Councilman Rega who recused himself from voting. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Province, Copeland, Moore, and Roddy. Councilman Young moved, seconded by

Councilman Rorex to further suspend the rules and place on third and final reading. A voice vote was taken resulting in all members voting aye with the exception of Councilman Rega who recused himself from voting. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Province, Copeland, Moore, and Roddy. Councilman Young moved, seconded by Councilman Roddy for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye with the exception of Councilman Rega who recused himself from voting. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Province, Copeland, Moore, and Roddy. The ordinance was assigned ordinance number 3331.

Councilman Kelton moved, seconded by Councilman Roddy for the adoption of a resolution to set a public hearing for December 3, 2001, at 6:10 p.m. o'clock at the Council Chambers located at 900 W. Monroe. Mr. Jim Abel requested the public hearing for the purpose of vacating a fifteen (15') foot utility easement located in Block "D" of Woodland Heights Phase III Subdivision. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore and Roddy. The resolution was assigned number 2001:68.

Councilman Young moved, seconded by Councilman Roddy for the adoption of a resolution to set a public hearing for December 3, 2001, at 6:20 p.m. o'clock at the Council Chambers located at 900 W. Monroe. Steve and Dan Phillips of Phillips Investments, Inc. requested the public hearing for the purpose of vacating the unimproved portions of a ten foot (10') utility easement and twenty foot (20') drainage easement both located in Block "B" of Rossland Hills, Phase III Addition. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The resolution was assigned number 2001:69.

Councilman Rega moved, seconded by Councilman Young for the adoption of a resolution creating a public transportation committee to study the feasibility of a public transportation system. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The resolution was assigned number 2001:70.

Councilman Young moved, seconded by Councilman Moore for the adoption of a resolution encouraging Craighead County School Superintendents to display the National Motto of the United States, "IN GOD WE TRUST" in conjunction with other symbols of American Patriotism. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The resolution was assigned number 2001:71.

Councilman Crockett moved, seconded by Councilman Copeland to pull Items 9 and 10 from the agenda. Agenda Item 9 was an appeal hearing request by Mr. Michael Thompson and his attorney, C.M. Mooney, Sr. Mr. Mooney sent a letter to City Clerk, Donna Jackson requesting the matter be pulled. Councilman Kelton explained that two of the property owners have almost complied with city codes, and the third was in foreclosure. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy.

Councilman Young moved, seconded by Councilman Crockett for the reappointment of Mr. Tommy Brown to the Board of Directors of the Jonesboro Urban Renewal and Housing Authority with an expiration date of October 2006. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy.

Under new business, discussion was held regarding the cost of copies for Freedom of Information requests. Councilman Young requested City Attorney, Phillip Crego to get an opinion from the Attorney General. Mr. Crego stated he did not have the authority to request an Attorney General's opinion, so Mayor Brodell volunteered to request an opinion. Councilman Young moved, seconded by Councilman Copeland to request an Attorney General's Opinion regarding copying charges. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy.

Mayor Brodell reported he would be calling a "Special Called Meeting" for the purpose of providing a proposed 2002 budget. It was explained the Mayor must submit to the governing body a proposed budget on or before December 1 of each year (A.C.A. 14-58-201)

Mr. Bill Ebbert addressed the Jonesboro City Council regarding several issues, the first being the price of copies for Freedom of Information Requests. He stated the Attorney General provided an opinion many years ago, that twenty-five cents per copy was not unreasonable. He explained this opinion was issued for the entire state, and may vary from town to town. Mr. Ebbert reported the Police Department is being charged a minimum of 4000 copies a month, but only producing 1000 copies a month, with paper being less than six cents a sheet. He stated the fees must be reasonable based on actual cost to the city. Secondly, Mr. Ebbert addressed the discontinuation of dumpster charges. He explained at the last council meeting it was stated that the Sanitation Committee made the decision to adjust fees in order to be more competitive with other waste management businesses. Mr. Ebbert stated adjustments in dumping fees have not been made since 1996, but the rental charges for dumpsters were discontinued in 1998, and stated there

seemed to be some confusion regarding the facts.

Councilman Kelton reported the Metropolitan Area Planning Commission unanimously recommended an amendment to the zoning ordinance regarding how rezoning requests are handled. Mr. Kelton requested the ordinance be read one time and held till the next council meeting. He stated the MAPC makes recommendations regarding zoning matters that may include stipulations that city council members may not be made aware of. He explained the purpose for the amendment was to revamp the system so the city planner could correctly place stipulations in zoning requests prior to being forwarded to the city clerk. Councilman Kelton also explained the issue of signage was addressed in the amendment, at a cost of \$50.00 per sign to the petitioner and requiring proper posting and maintenance of the signs. Councilman Young questioned the consequences to a petitioner not following the guidelines. Councilman Kelton stated the ordinance does not address that particular issue, but suggested the zoning request could be tabled until the signage requirements were met. Councilman Young questioned who would be responsible for policing the signage requirements. Councilman Kelton responded saying it would be the responsibility of the Planning and Inspection Department. Councilman Young questioned is a fine would be invoked if petitioners do not comply. Councilman Kelton stated it would be the regular fine for violating city ordinances. Councilman Young questioned how much the fine would be, and City Planner, Glenn Batten responded saying between \$100.00 and \$500.00. Councilman McCall asked if the Planning Department had been enforcing the fine. Mr. Batten stated if the signs are not properly posted the MAPC would delay the hearing. Councilman McCall questioned if the Planning and Inspection Department had enough staff to provide the policing of signs, since there had been reports of understaffing. Mr. Batten stated they do it because it must be done. He stated it should be the responsibility of the petitioner to place and maintain the signs, but to make sure it is done his department checks the signs. Councilman Young questioned if the Planning Committee had reviewed and discussed the ordinance. Councilman Kelton and Councilman Moore stated the committee had addressed aspects of the ordinance in committee meetings, but the Planning Commission provided input as well.

Councilman Crockett offered the following ordinance for first reading:

ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN THE TEXT OF THE ORDINANCE

No further action was taken regarding this ordinance.

Councilman Rega reported the Personnel Committee recommends the continuation of coverage with Blue Cross/Blue Shield and Delta Dental. He stated the negotiations will be included in the Mayor's proposed budget figures.

Councilman Moore asked about the injunction regarding Cemetery Lane. Mayor Brodell reported that Mr. Larry Johnson and Mr. Alec Farmer had met to discuss a proposal, including stipulations. Councilman Tate was scheduled to meet with the Street Committee to discuss the proposal, but was called out of town on business. Mayor Brodell reported he had requested City Attorney, Crego not to file the injunction until the Street Committee could meet.

In closing, City Clerk, Donna Jackson recommended the ordinance pertaining to amendments to the zoning ordinance be provided to the city attorney for review as to its content and form.

With no further business, the meeting was adjourned.