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Minutes for the City Council meeting on August 1, 1994

APPEAL HEARING - 6:45 P.M. - An appeal hearing was held regarding MAPC stipulations on twenty apartment units located in the Heatheridge III Addition, owned by Mr. Robert Rees. Mr. Rees was represented by Mr. Skip Mooney Sr., who requested that the Council remove the stipulation to box in a drainage culvert. Councilman Mays questioned if the developer at the corner Nettleton and Kitchen was required to put in a box-culvert. Mr. Mooney Sr. stated the developer was not required, but was in agreement and desired to do so. No opposition was voiced regarding this matter.

PUBLIC HEARING - 7:15 P.M. - A public hearing was held regarding the vacating and abandonment of an unimproved portion (75') of Murray Creek Drive. No opposition was voiced regarding this matter.

PUBLIC HEARING - 7:20 P.M. - A public hearing was held regarding the vacating and abandonment of utility easements in the Murray Creek Subdivision. No opposition was voiced regarding this matter.

CITY COUNCIL MINUTES - AUGUST 1, 1994

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

The minutes of July 18, 1994, were approved as mailed by motion of Councilman Evans seconded by Councilman Perrin. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah.

Councilman Hannah moved, seconded by Councilman Kelton to remove the MAPC stipulations regarding the 20 apartment units in the Heatheridge III Addition as requested by Mr. Skip Mooney and his client Mr. Robert Rees. A roll call vote was taken resulting in a nine to two vote in favor of the motion. Those members voting aye are Aldermen Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Harpole and Hannah. Those Aldermen voting nay were Vance and Mays. The motion carried.

Councilman Wise offered the following ordinance for the first reading:

## AN ORDINANCE TO VACATE AND ABANDON AN UNIMPROVED PORTION OF MURRAY CREEK DRIVE

Councilman Hannah moved seconded by Councilman Bowers to suspend the rules and place on the second reading. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Hannah moved, seconded by Councilman Wise 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 with the exception of Councilman Evans and Councilman Vance. Those voting aye were: Wise, Province, Mullenix, Bowers, Perrin, Kelton, Harpole, Mays and Hannah. Councilman Hannah moved, seconded by Councilman Harpole for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye with the exception of Councilman Evans. Those voting aye were: Wise, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The ordinance was given the number 2568.

Councilman Kelton offered the following ordinance for the first reading:

## AN ORDINANCE TO VACATE AND ABANDON EASEMENTS IN THE MURRAY CREEK SUBDIVISION

Councilman Hannah 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. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Hannah moved, seconded by Councilman Wise 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 with the exception of Councilman Evans. Those voting aye were: Wise, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Hannah moved, seconded by Councilman Harpole for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye with the exception of Councilman Evans. Those voting aye were: Wise, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The ordinance was given the number 2569.

The following ordinance was on the second reading:

## AN ORDINANCE TO AMEND SECTION 2.20.05 OF THE JONESBORO MUNICIPAL CODE AND TO ESTABLISH ATTENDANCE REQUIREMENTS FOR MEMBERS OF THE JONESBORO CITY COUNCIL

Councilman Hannah moved, seconded by Councilman Bowers to table the ordinance. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah.

Councilman Bowers offered the following ordinance for the first reading:

## AN ORDINANCE TO WAIVE BIDS AND AUTHORIZE PURCHASE OF POLICE AND EMERGENCY SIRENS AND OTHER EQUIPMENT

Councilman Bowers moved seconded by Councilman Hannah to suspend the rules and place on the second reading. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Hannah moved, seconded by Councilman Mullenix 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. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Vance moved, seconded by Councilman Bowers for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The ordinance was given the number 2570.

The following bid was reviewed:

94:36 - Dumpsters - Sanitation Department

Councilman Hannah moved, seconded by Councilman Harpole to accept the low bid which met specifications and to include one additional two-yard dumpster. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah.

Councilman Hannah moved, seconded by Councilman Harpole to authorize a Public Auction to be held August 20, 1994, at the City Shop. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah.

Councilman Hannah moved, seconded by Councilman Bowers to adopt a resolution authorizing the application for a matching grant from the Arkansas Department of Parks and Tourism for tennis courts located at the Valley View campus. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The resolution was given the number 1994:37.

Councilman Harpole moved, seconded by Councilman Bowers to adopt a resolution requesting City Water & Light to provide free underground electrical and/or water service at 1624 Strawfloor Drive and at 207 West Allen. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The resolution was given the number 1994:38.

Councilman Hannah moved, seconded by Councilman Evans to adopt a resolution certifying local government endorsement of Kraft General Foods-Post Division for the Arkansas Enterprise Zone Program. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The resolution was given the number 1994:39.

Councilman Evans moved, seconded by Councilman Wise to adopt a resolution authorizing Mayor Brodell to utilize Federal-Aid money for a Beautification Project on the 63 Bypass at Caraway and Stadium. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The resolution was given the number 1994:40.

Councilman Evans moved, seconded by Councilman Harpole to set a public hearing for 7:15 p.m., August 15, 1994, to vacate and abandon the unimproved east end of Tumbleweed. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The resolution was given the number 1994:41.

Councilman Evans moved, seconded by Councilman Harpole for the adoption of an ordinance condemning

property located at 3713 Griffin Street. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The resolution was given the number 1994:42.

Councilman Evans moved, seconded by Councilman Harpole to set a public hearing for 7:00 p.m., August 15, 1994 to vacate and abandon the unimproved portion of North Church Street. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The resolution was given the number 1994:43.

Mr. Mickey Seeman and his attorney, Mr. Skip Mooney Sr. addressed the Council regarding Mr. Seeman's pool which was built on approximately five feet of the city's easement. Mr. Mooney requested the Council to approve a restricted covenant which would allow Mr. Seeman to use the pool until the city needed the easement. Councilman Bowers questioned if Mr. Seeman had tried to obtain a permit to build the pool. Mr. Mooney stated his client did not obtain a permit because he was unaware one was needed. It was explained by Mr. Mooney that due to miscommunications with the Planning and Inspection Office, Mr. Seeman was believed to be deliberately trying to defy the city's regulations. Mr. Brian Wadley, Director of Planning and Inspection responded by stating that Mr. Seeman had been denied on four different occasions a permit for his pool. Mr. Wadley explained that a permit is permission to begin a project, therefore Mr. Seeman knew he should not have installed the pool. Councilman Vance moved, seconded by Councilman Harpole to deny a restricted covenant as requested by Attorney Mooney (Sr.). A roll call vote was taken resulting in an eight (8) to three (3) vote in favor of the motion. Those Aldermen voting aye were: Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, and Hannah. Those Aldermen voting nay were: Wise, Evans and Mays.

Next Mr. Mooney requested the Council to establish a public hearing to vacate and abandon the same drainage easement. Councilman Evans moved, seconded by Councilman Wise to adopt a resolution establishing a public hearing for 6:45 p.m. on August 15, 1994, as requested by Mr. Mooney Sr. A roll call vote was taken resulting in all council members voting aye. Those voting aye were: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The resolution was given the number 1994:44.

Under new business Ms. Linda Bullock, Finance Director gave a copy of the auditor's report by Freeman & Company to each council member. She requested they review the report and come prepared to discuss the matter, and hopefully concur with the management responses to the auditor's recommendations by the next council meeting (August 15, 1994).

With no further business the meeting was adjourned.