



## Legislation Details (With Text)

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Minutes for the City Council meeting on November 20, 1989  
CITY COUNCIL MINUTES - NOVEMBER 20, 1989

The Jonesboro City Council met in regular session at 7:30 p.m. at City Hall. Present were Mayor, City Clerk, City Attorney, and all Aldermen.

The minutes of November 6, 1989, were approved as mailed on motion by Mr. Stricklin, seconded by Mr. Nix. All voted aye.

The following ordinance was on third reading:

AN ORDINANCE TO AMEND #954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUNDARIES AND FOR OTHER PURPOSES

Mr. Park moved, seconded by Mr. Evans for the adoption of the ordinance with the emergency clause. All voted aye. The ordinance was given the number 2234.

The following ordinance was on third reading:

AN ORDINANCE TO AMEND #954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUNDARIES AND FOR OTHER PURPOSES

Bob Schuchardt, property owner stated that all stipulations placed by the MAPC had been complied with accepting the requirement of a 10' additional right of way granted on Hwy 1B for a total of 50' from the centerline. He stated he had contacted the affected property owners and they were not willing to provide the additional 10'. He further added that SW Bell had purchased the 10' and paid for it. MAPC representative, Gene Vance stated he had discussed the matter with MAPC liaison Brian Wadley and they concluded the requirement probably should not be included. Mr. Nix moved, seconded by Mr. Stricklin to adopt the ordinance with the provision that 40 ft. of right of way be dedicated and then with the emergency clause. All voted aye. The ordinance was given the number 2235.

Mr. Stricklin offered the following ordinance for first reading:

AN ORDINANCE TO AMEND #954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUNDARIES AND FOR OTHER PURPOSES

Mr. Evans moved, seconded by Mr. Shelton to suspend the rules and place the ordinance on second reading. All voted aye. Mr. Evans moved, seconded by Mr. Nix to further suspend the rules and place the ordinance on third reading. All voted aye. Mr. Mays moved, seconded by Mr. Evans for the adoption of the ordinance with the emergency clause and with the MAPC stipulations. All voted aye. The ordinance was given the number 2236.

The following ordinance was on second reading:

AN ORDINANCE TO AMEND ORDINANCE #2229, TO DELETE CERTAIN RESPONSIBILITIES WHICH ARE NOT CURRENTLY UNDER THE AUTHORITY OF THE PUBLIC WORKS DIRECTOR

Mr. Mays moved, seconded by Mr. Nix to suspend the rules and place the ordinance on third reading. All voted aye. Mr. Mays moved, seconded by Mr. Province to adopt the ordinance with the emergency clause. All voted aye. The ordinance was given the number 2237.

The following ordinance was on third reading:

AN ORDINANCE TO AMEND #1269 KNOWN AS THE ORDINANCE LEVYING A PRIVILEGE TAX ON THE USERS OF WATER, DIRECTING THE COLLECTION THEREOF AND DECLARING AN EMERGENCY

Dr. Strauser inquired of the attorney representing the matter, Skip Mooney, Sr. about provisions for an audit. Mr. Mooney stated the city has the right to request an annual audit under State Law. The citizens of Jonesboro have been paying a gross water privilege tax since 1970 when it was voted by all residents of the city. He added that Ark La and SW Bell both pay a franchise fee. Mr. Marvin Smith, a customer of the Valley View System, asked what residents would be getting from the tax levy. Mayor Brodell responded that the money would go into the General Fund to provide police and fire protection, park improvements, and other services. The Fire Department has no revenue and the Police Department is not self-sustaining. The Mayor further responded to a question regarding non-conforming status deals with land use and not utilities. Mr. Mays moved, seconded by Mr. Park for the adoption of the ordinance with the emergency clause. A roll call vote was taken. All voted aye, with the exception of Mr. Sanderson who voted nay. The ordinance was given the number 2238.

Dr. Strauser offered the following ordinance for first reading:

AN ORDINANCE TO AMEND #954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUNDARIES AND FOR OTHER PURPOSES

Mr. Bridger moved, seconded by Dr. Strauser to suspend the rules and place the ordinance on second reading. All voted aye.

Mr. Park offered the following ordinance for first reading:

AN ORDINANCE TO AMEND #954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUNDARIES AND FOR OTHER PURPOSES

Mr. Park moved, seconded by Mr. Stricklin to suspend the rules and place the ordinance on second reading. All voted aye.

Mr. Evans offered the following ordinance for first reading:

AN ORDINANCE TO AMEND #954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUNDARIES AND FOR OTHER PURPOSES

Mr. Vance of MAPC stated that an agreement be prepared and signed by the owner stating that they agreed to pay their share for street improvements on Cottage Home Rd. at such time as it is improved by the City, with the improvements including widening and curb and gutter. Mr. Stricklin moved, seconded by Mr. Nix to suspend the rules and place the ordinance on second reading. All voted aye.

Mr. Shelton offered the following ordinance for the first reading:

AN ORDINANCE SETTING MINIMUM STANDARDS FOR WATER UTILITIES SERVING WATER CUSTOMERS WITHIN THE CITY LIMITS, SETTING PENALTIES FOR VIOLATIONS AND DECLARING AN EMERGENCY

Skip Mooney, Sr. Attorney representing the matter stated the ordinance was designed to bring to the public's attention and particularly to the water utilities minimum standards in order to provide them with adequate time to be in compliance with it before the next fire rating. The Mayor stated it is the cities obligation to set standards to maintain the Class 4 Fire Rating. It is not an intent in any manner to run anyone out of business. He further added the Ordinance would specify minimum sizes for water lines, mandate installation of fire hydrants in residential developments and on certain existing lines, call for adequate water pressure and volume to all customers, order the provision of fluoridated water to all customers and set standards for the pH of the water. The water associations would have to meet the standards by December 31, 1991, which should provide adequate time to meet the standards before the fire rating in 1992. He indicated the decision to bring the ordinance for first reading was done after Gene Jones, Manager of the Valley View Water Association following the November 6, 1989, City Council Meeting when Mr. Jones requested a current copy of the water tax ordinance and stated that he wondered when the water minimum standards ordinance would be brought for consideration by the Council and further indicated that he wanted to stay in business and inquired when the ordinance was passed if it would be legally valid. Several members of water associations voiced opposition to the ordinance. Mr. Glenn Eubanks, Manager of the Rural Water Service stated the water associations were organized to provide domestic water supplies and were never asked to provide fire service. He asked the Council not to consider the ordinance further until negotiations were completed with CWL. Mr. Don Vineyard, Board of Directors of Shady Park Water Association stated CWL and the rural water associations have been negotiating for CWL to purchase those portions of the rural systems now inside the city limits and asked the city to delay adopting the ordinance until the negotiations are completed. Mr. Gene Jones, Manager of Valley View Water stated CWL has thus far offered nothing more than a merger. Mayor Brodell stated he would write CWL Manager, Jim Reed a letter inquiring the status of the negotiations and would delay placing the ordinance on second reading for a period up to (45) forty-five days.

Mr. Stricklin moved, seconded by Mr. Shelton to appoint Bill Williams to the Jonesboro Urban Renewal and Housing Authority to replace Henry Jones with the term to expire October, 1994. All voted aye.

MR. Evans moved, seconded by Mr. Park to allow the mobile home placement of Eric Parker at Rt. 9, Hwy 1 S. All voted aye.

The following bids were up for review:

89:35 - Past Control

The bid was pulled until it could be further reviewed as the figures appeared identical.

89:36 - Police Cleaning

Mr. Park moved, seconded by Mr. Nix to award the bid to West One Hour Cleaning, the low bid meeting specifications. All voted aye.

89:37 - Welding Supplies

The bid was pulled until the Purchasing Agent could clarify the figures on the specs.

Mr. Stricklin offered a resolution requesting CWL to remove old fixed time lights at the corner of Flint and Nettleton and replace with new traffic actuated lights. Public Works Director, Jeff Gibson stated the intersection is being redesigned into three lanes. Mr. Hannah stated he had problems with the intersection design but not with the resolution. Mr. Stricklin moved, seconded by Mr. Shelton to adopt the resolution. All voted aye. The resolution was given the number 1989-60.

Mayor Brodell commended efforts of Robin Nix for his work on the Debbye Turner Miss America 1990 homecoming. Alderman Stricklin asked for the minutes to reflect said commendation.

Concerning a Cable rate increase, Mr. Evans asked if there was anything that could be done and that several citizens had lodged complaints. Following the response by Alderman that there was nothing that could be done, Dr. Strauser asked that the Mayor appoint a special committee to review the matter and cited the City of Paragould had been able to obtain lower rates when they encountered competition.

Mr. Province asked the Traffic Officer to look into no striping or centerline on E. Washington. The Mayor indicated the street had been overlaid in said area and he would look into it.

The Mayor recommended that the moratorium on annexations be lifted on five minor annexation proposals that have been approved by the MAPC. Mr. Bridger moved, seconded by Mr. Park to lift moratorium regarding give minor annexation territories as stated by the Mayor. The Mayor stated that his secretary was supposed to have sent amended agendas to notify Aldermen and the media of the addition of the lifting of the moratorium and that it had appeared in the Jonesboro Sun. Following discussion, several Aldermen indicated that had not received a letter with an amended agenda. Mr. Bridger and Mr. Park withdrew their respective motions.

With no further business, the meeting adjourned.