



Legislation Details (With Text)

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Minutes for the City Council meeting on November 2, 1998

PUBLIC HEARING - 6:20 p.m. - A public hearing was held, as requested by Mr. Gene Vance, regarding the vacating and abandonment of a drainage easement located between Lots 12 and 13, Block "D", of Ridgepointe Phase I. No opposition was voiced.

CITY COUNCIL MINUTES - November 2, 1998

The Jonesboro City Council met Monday, November 2, 1998, at 6:30 p.m. A full quorum was in attendance. Present were: Mayor Hubert Brodell, City Clerk, Donna K. Jackson, City Attorney, Phillip Crego and 9 council members. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy. Councilman Tate, Councilman Davis and Councilman Young were unable to attend.

Councilman Perrin moved, seconded by Councilman Roddy to approve minutes of the special called meeting of October 23, 1998, and of the regular council meeting October 19, 1998, as delivered. Councilman Pratt questioned City Clerk, Donna Jackson regarding the writing of the minutes for the special called meeting. Mrs. Jackson explained the minutes were provided to her by the Mayor's Assistant, Larry Johnson. Councilman Pratt read from the Jonesboro Code of Ordinances, Section 2.20.02, entitled "Council Meetings - Special", which states special meetings of the Council may be held upon the call of the Mayor, or by three (3) members of the Council by giving at least two (2) days notice and by giving notice in writing to be served personally, or through the mail, to all members of the Council, stating the time and purpose of the meeting. Councilman Pratt also referred to a previous court ruling that if all members of a city council are not notified, then the meeting is not a legal meeting. Councilman Pratt requested a legal opinion from City Attorney, Phillip Crego regarding the legality of the special called meeting held on October 23, 1998, stating he had not been notified. Mayor Brodell responded by stating the meeting was necessary in order to get dirt work done due to inclement weather and he had a right to call the special meeting. He further stated, City Clerk, Donna Jackson was not notified of the special called meeting because she was hosting a district meeting of the Arkansas Clerk's Association. Mayor Brodell explained his secretary had contacted the media, as well as each alderman (by telephone), the afternoon prior to the special called meeting. Mayor Brodell stated it was his understanding that Councilman Pratt was working out of town and had not left a number where he could be reached. Mayor Brodell insisted there was nothing sinister nor illegal about his actions, but if Councilman Pratt wanted an Attorney General's opinion he

could get one, or if he wanted to sue him he could do so. Mayor Brodell then asked City Attorney, Phillip Crego for a legal opinion regarding the legality of the special called meeting. Mr. Crego stated he did not have sufficient information to give an answer to either side regarding the legality of the meeting, but would review the facts and give an answer at the next council meeting. A voice vote was taken resulting in all members voting aye with the exception of Councilman Pratt who voted nay. Those members voting aye were: Kelton, Rorex, Province, Crockett, Rega, Perrin, Bowers, and Roddy.

Councilman Bowers offered the following ordinance for first reading:

AN ORDINANCE TO VACATE AND ABANDON A DRAINAGE EASEMENT LOCATED BETWEEN LOTS 12 & 13, BLOCK "D" OF RIDGEPOINTE PHASE I. (Gene Vance)

Councilman Rega moved, seconded by Councilman Bowers to suspend the rules and place on second reading, but later withdrew their motion. Councilman Bowers moved, seconded by Councilman Perrin to amend the ordinance, changing the words "utility easement" to read "drainage easement". A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy. Councilman Kelton moved, seconded by Councilman Roddy to suspend the rules and place on second reading as amended. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy. Councilman Crockett moved, seconded by Councilman Rega for the third and final reading as amended. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy. Councilman Crockett moved, seconded by Councilman Perrin for the adoption of the ordinance as amended. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy. The ordinance was assigned number 3091.

Councilman Crockett offered the following ordinance for first reading:

ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND FOR OTHER PURPOSES (Jay Gunter / Scott Emerson)

Councilman Bowers moved, seconded by Councilman Kelton to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy. Some citizens requested to speak in opposition to the matter, but were asked to reserve their comments for the third and final reading. It was also recommended that prior to the next council meeting, any pertinent information regarding the zoning matter be mailed to the aldermen.

Councilman Perrin moved, seconded by Councilman Crockett for the adoption of a resolution setting a public hearing for November 16, 1998, at 5:30 p.m. for the purpose of gaining public input on the 1999 Community Development Block Grant Program. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy. The resolution was assigned 1998:69.

Councilman Rega moved, seconded by Councilman Bowers for the adoption of a resolution setting a public hearing for November 16, 1998, at 6:00 p.m. for the purpose of vacating unimproved street right-of-ways in Lazy Acres Subdivision. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy. The resolution was assigned 1998:70.

Councilman Perrin moved, seconded by Councilman Crockett for the adoption of a resolution setting a public hearing for November 16, 1998, at 6:10 p.m. for the purpose of vacating an unimproved portion of Bee Cove and currently recorded easements of Luke's Run. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy. The resolution was assigned 1998:71.

Councilman Province moved, seconded by Councilman Kelton for the reappointment of Deborah Agnew to the Board of Directors of the Jonesboro Urban Renewal and Housing Authority, with an expiration date of October, 2003. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy.

Under new business, Mayor Brodell requested the passage of an ordinance authorizing the purchase of the Huntington Ave. United Methodist Church and adjoining buildings. City Attorney, Phillip Crego had been sent to prepare an ordinance during the council meeting. Mayor Brodell explained the building was approximately 31,000 square feet and could be used for multiple purposes. Some suggested uses made by Mayor Brodell were a senior citizen's facility, a COPPS substation, a youth center, a community meeting facility, and/or a permanent city council chambers. He stated in the proposal it was agreed the following items would be left: the pews, main organ upstairs, the PA system in the sanctuary, as well as the stove, oven, commercial refrigerator, deep freeze, dishwasher, and ice maker in the kitchen area. He explained the proposal was subject to change since the church membership would have to vote for its approval, as well as approval by the District Superintendent. Mayor Brodell reported the building and 2.1 acres had been appraised at 1.1 million dollars in 1997, and the asking price was \$725,000.00 with a final offer of \$495,000.00 subject to approval. Councilman Bowers questioned if the city engineers had looked at the building. Mayor Brodell responded by saying the city does not have a structural engineer. Councilman Pratt asked what the cost would be to fix up the building. Mayor Brodell referred the question to his assistant, Larry Johnson. Mr. Johnson stated in his opinion not much of anything needed to be done to the structure of the building. Councilman Pratt questioned Mr. Johnson if he could provide an exact dollar amount, based on a room to room analysis, since the furnaces would have to be converted from gas to electrical. Mayor Brodell stated the furnaces in the Family Life Center (four years old) and the Sanctuary (two years old) were both gas operated, and it would be beneficial to the city to change to electrical for the free utilities provided by City Water & Light. Mayor Brodell stated the only significant change needed was an A.D.A. entrance to the old part of the church. He suggested the work could be done by city employees. Councilman Perrin stated questions regarding exact cost cannot be answered, since use of the facility had not been determined. Councilman Perrin explained consideration should be given to what is being purchased compared to the cost. He stated for the 2.1 acres the cost figures out to be \$5.32 a square foot, and the cost for the land plus buildings, only \$15.00 a square foot. Councilman Perrin stated the cost is moderate compared to what it would cost to replace the facility. Councilman Perrin recommended a committee be appointed to determine the best usage of the facility, should Council decide to approve the purchase. Councilman Pratt questioned if senior citizens would support a center in the downtown location. Councilman Province stated he has received complaints for years that there was nothing for senior citizens in the downtown area (Ward 1). Councilman Province stated the present facilities helped, but complaints of better location, better parking, and easier access were still a factor. Councilman Province stated in his opinion a COPPS station would benefit the area greatly. Councilman Pratt questioned Councilman Bowers if \$20,000.00 had been appropriated for a COPPS substation or does it come out of grant money. Councilman Bowers stated it would come from grant money. Councilman Pratt then asked could the grant money be used for this location. Councilman Crockett stated the grants program can be modified if the area meets grant specifications. Mayor Brodell reminded Council that the purpose of grant funding will be discussed at the public hearing. Councilman Pratt questioned Mr. Jim McKinnon, Grants Coordinator, if a COPPS substation must be located in the building or could another location be assigned. Mr. McKinnon stated it would be up to the Council to make a decision on the location, but the grants program could be modified. Councilman Pratt asked Mr. McKinnon if grant money

could be applied toward the purchase of the building. Mr. McKinnon stated it could not. Discussion followed regarding the proper procedure for authorizing the purchase of the property. It was determined a resolution was needed instead of an ordinance. Councilman Rega moved, seconded by Councilman Perrin for the adoption of a resolution authorizing the Mayor and City Clerk to purchase Huntington Ave. United Methodist Church, located at 900 W. Monroe, for \$495,000.00. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy. The resolution was assigned 1998:72.

Mayor Brodell asked for a motion to adopt the regular minutes of the last council meeting. Councilman Kelton moved, seconded by Councilman Roddy for that motion. A voice vote was taken with all members voting aye. Those members were: Kelton, Rorex, Province, Crockett, Rega, Pratt, Perrin, Bowers, and Roddy.

With no further business the meeting was adjourned.