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Minutes for the City Council meeting on October 1, 1990

APPEAL HEARINGS

6:50 p.m. - An Appeal Hearing was held of the MAPC concerning property located on the S side of Nettleton Ave., E. of Nelms St. for Gary Woods. Mr. Woods requested Aldermen to reverse the MAPC stipulation that he dedicate eleven (11) ft. of right-of-way in front of his business in exchange for approval on a replat request to allow for expansion at the rear of the building.

Mayor Brodell stated W. Nettleton has been designated as a major arterial street with right-a-way requirements of eighty-two (82) ft. He added that the MAPC has been asked to secure additional right-of-way as replats and rezonings are brought up before the commission.

Mr. Woods said that he felt the city has singled his property out because he has come up for a replat and added that owners of adjacent tracts have not been forced to dedicate additional right-of-way.

Alderman Hannah stated the city had been following the same procedure acquiring right-of-way for years and noted Mr. Woods was not the victim of a selective decision.

Chairman of MAPC, Lloyd McCracken and a number of the commission, Gene Vance added that state law authorizes the city to request right-of-way when considering replat approval.

Mr. Shelton voiced opposition to the acquisition of right-of-way which would bring the property line up to his front door and added one business on E. Highland had to relocate because of right-off-way required for widening the street from two (2) to five (5) lanes.

Mayor Brodell cited Section - & 9.12.01 - Master Street Plan Adopted by Ordinance; and & 9.28.02 - Building Lines Established As To Certain Streets and stated from said paragraph: "Such routes being designated 'arterial' will require right-of-way of 82 ft. and the provisions of this ordinance respecting buildings shall apply 41 ft. from said lines or from the centerline of the highways, streets or roads designated."

7:10 p.m. - An Appeal Hearing was held of the MAPC concerning rezoning property R-2 to C-5 located on the

W. side of Flint, N. of Jefferson Ave. for Kent Arnold. Attorney Jim Lyons stated the property owner wanted to rezone the property on Flint from R-2 (residential) to C-5 (commercial) for use as a professional office and said development would not change the character of the neighborhood.

Mr. Province acknowledged commercial development on the E. side of Flint, and added he considers Flint as a natural boundary between the downtown commercial area and the residential area to the west. He stated he had received calls from a number of area residents opposing the rezoning because of the historic district that was formed to include W. Washington.

Mr. Lyons added that the developers can develop low-rent housing on the tract or professional offices and added the latter would be more in character of the neighborhood.

#### CITY COUNCIL MINUTES - October 1, 1990

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

Mayor Brodell recognized members of the Jonesboro Bambino Baseball All-Stars. Claude Bull, Manager of the Team recognized the outstanding accomplishment of the players in local, state, regional and national competition and coaches Randy Johnson and John Knight. He praised their winning efforts and noted the fulfillment of a dream of Deral Burrow. The Mayor thanked each team member individually and stated they would be sent certificates in recognition of their championship competition and applauded their efforts as goodwill ambassadors for the City.

The minutes of September 17, 1990, were approved as mailed on motion by Mr. Stricklin, seconded by Mr. Park. All voted aye.

Concerning the appeal of Mr. Gary Woods of the MAPC: the Mayor asked Mr. Woods to give a brief overview of his position on the proposal in which Mr. Woods restated comments he had made in the Appeal Hearing and requested Aldermen to reverse the MAPC stipulation that he dedicate eleven (11) ft. of right-of-way in front of his business and asked that he not be singled out individually in this request for a replat, but rather be considered when all property owners are addressed on the issue.

Mr. Bridger stated the right-of-way must be taken at the time of development or the city must purchase the right-of-way at the time it is desired for acquisition. Mr. Nix added the last fifteen (15) to twenty (20) ft. will probably always be an easement. Mr. Sanderson stated the property can continue to be used as it exists without taking any property from the front of his business until such time as the street is widened to four (4) or more lanes. Mr. Sanderson moved, seconded by Mr. Bridger that the request to override the MAPC be denied. A roll call vote was taken. All voted aye with the exception of Mr. Shelton who voted nay and Dr. Strauser who abstained. The vote was 10-1-1 and the appeal was denied. Mr. Woods asked for specific clarification if the appeal was denied because of eleven (11) feet of right-of-way. Mr. Sanderson stated the appeal was denied because of the ordinances of the City of Jonesboro regarding the Master Street Plan and Right-of-Way Setback regulations.

Concerning the appeal by Mr. Arnold, Attorney Jim Lyons restated the position of his property owner as reflected in the Appeal Hearing preceding the Council meeting and added a number of years previous, property located on the corner of Flint and Nettleton near the area currently under consideration, went through a similar rezoning appeal and after rental housing was placed on the property, the people have stated they preferred a business be located on said lot.

Mr. Province moved, seconded by Mr. Evans to deny the appeal. A roll call vote was taken and all voted aye, with the exception of Mr. Shelton who voted nay and Mr. Stricklin, who abstained. The vote was 10-1-1 and the Appeal was denied.

Mr. Hannah offered the following ordinance for first reading:

AN ORDINANCE TO AMEND #2008 FOR CLARIFICATION OF THE DESCRIPTION FOR VACATING AND ABANDONMENT OF A PORTION OF HIGHLAND DR. BETWEEN CRESTVIEW AND BROOKHAVEN RD.

Mr. Hannah moved, seconded by Mr. Park to suspend the rules and place the ordinance on second reading. All voted aye. Mr. Hannah moved, seconded by Mr. Shelton to further suspend the rules and place the ordinance on third and final reading. All voted aye. Mr. Hannah moved, seconded by Mr. Hinson for the adoption of the ordinance with the emergency clause. All voted aye. The ordinance was given the number 2299.

Mr. Hannah offered the following ordinance for first reading:

AN ORDINANCE PROVIDING REGULATIONS AND SPECIFICATIONS FOR WRECKER COMPANIES WHO RECEIVE CALLS FROM THE JONESBORO POLICE DEPARTMENT

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

The following ordinance was on third reading: (Rezoning Ruther)

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

Mr. Park moved, seconded by Mr. Hinson for the adoption of the ordinance with the stipulations of the MAPC (site development plan being submitted and approved and property being replatted before any development occurs) and with the emergency clause. All voted aye. The ordinance was given the number 2300.

The following bid was up for review:

90:37 - 10 (100 ft.) fire hose

Mr. Stricklin moved, seconded by Mr. Bridger to accept the low bid meeting specifications from Hartwick Fire for \$5,900. All voted aye.

Mr. Stricklin moved, seconded by Dr. Strauser to appoint Jeanne Henry to the JHAC to replace Cindy Harrison with expiration 6/2/94. All voted aye.

Mr. Hannah offered the following resolution:

RESOLUTION TO ESTABLISH POLICY FOR CITY OF JONESBORO EMPLOYEE EMERGENCY OR EXTENDED ILLNESS LEAVE

Mr. Hannah moved, seconded by Mr. Hinson to adopt the resolution. A roll call vote was taken and all voted

aye. The resolution was given the number 1990:45.

Mr. Stricklin offered a resolution as recommended by the Traffic Safety Officer as follows: slow or 25 mph sign on SW corner of intersection at Maryland Dr. and Melton Dr. prior to curve and hill; 30 mph on Richardson Dr.; 30 mph on both sides of Rook Rd. from Hwy 1 to Richardson Dr.; 25 mph at entrance to Hunter Dr. and “slow - children at play” prior to hill (northbound) on Hunter Dr. Mr. Stricklin moved, seconded by Mr. Shelton for the adoption of the resolution. All voted aye. The resolution was given the number 1990:46.

Mr. Shelton offered a resolution regarding the condemnation of property located at 807 W. Monroe and 105 E. Woodrow. A roll call vote was taken and all voted aye. The resolution was given the number 1990:47.

Under new business the Mayor called upon the Clerk who announced that copies of the Campaign Finance Act and campaign contribution forms were placed on the Alderman’s desks. Municipal candidates are required to turn in 10-day pre-contribution reports and are all candidates whether having opposition or not are required to submit the thirty (30) days post contribution form.

Mayor Brodell discussed the purchase of a used thirty (30) ton low boy for \$6,000 adding that some \$5,800 had been spent through August and the proposed low boy would haul almost anything but a dragline. Finance Director, Mr. Davis stated an ordinance would be necessary to make said purchase. Mr. Bridger moved, seconded by Mr. Stricklin for an ordinance to be drafted authorizing said purchase. All voted aye.

Mayor Brodell recommended looking into an avenue to begin planning a maximum of 12 - 14 sq. hundred ft., built to seismic code for an emergency communications center. He suggested placing the addition on the rear of the present main Fire Station at an estimate not to exceed \$60,000 - \$70,000. Chief Morgan added he hopes the system can be operational within 6 - 7 months. The communications center will radio dispatch services for municipal police and fire agencies, answer all E-911 calls and be designed to double as a command center in event of major disaster. Aldermen Evans and Hannah encouraged Mayor Brodell to consider locating the dispatch center in the Old Safeway Building acquired by the city. The Mayor stated he would consider the request and report back to the Council regarding same. Mr. Evans moved, seconded by Mr. Shelton to authorize the Mayor to begin planning an emergency communications center. A roll call vote was taken and all voted aye.

Mr. Evans inquired as to the effect of the Persian Gulf crisis on fuel consumption and costs. Finance Director, Herb Davis stated statements were received on the 30<sup>th</sup> and would be evaluated regarding same.

With no further business, the meeting adjourned.