



## Legislation Text

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**File #:** MIN-94:016, **Version:** 1

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Minutes for the City Council meeting on August 15, 1994

**PUBLIC HEARING - 6:45 P.M.** - As requested by Mickey Seeman and his attorney, Mr. Skip Mooney Sr., a public hearing was held regarding the vacating of a drainage easement to allow for a swimming pool in Mickey Seeman's back yard. Councilman Harpole and Councilman Hannah questioned Mr. Lowes, Public Works Director regarding the Higginbottom Creek drainage project, as well as the maintenance of the drainage ditch. Mr. Lowes and Councilman Mays both stated they did not see a problem vacating the requested five foot easement. Councilman Vance stated Mr. Seeman had repeatedly and willingly disregarded the Planning and Inspection Department when he was told he could not build on an easement. Councilman Vance stated he felt as an Alderman he should stand behind Mr. Brian Wadley, Director of the Planning and Inspection Department and the other city employees. Mr. Mooney replied by saying this was a failure to communicate between the city staff and his client, Mr. Seeman. Attorney Mooney stated he believed Mr. Seeman did not know he was building on the easement. Councilman Kelton read portions of letters written by Ron Shiply and Christina Huffmaster, employees of the Planning and Inspection Department which verified that Mr. Seeman had been informed on numerous occasions not to build his pool in the easement, but chose to do so anyway. Councilman Kelton informed the Council that he had recommended to Mr. Seeman that he contact City Water & Light if he felt they had incorrectly marked the sanitary sewer easement. Discussion followed with Mr. Seeman stating he had built the pool after two separate plats had had been filed with the city. Mr. Mooney stated they had built the pool before the survey was done.

**PUBLIC HEARING - 7:00 P.M.** - A public hearing was held regarding the vacating and abandonment of an unimproved portion of North Church as requested by Mr. Prunty. Councilman Vance and Councilman Perrin requested letters be given releasing utility easements and bring this matter before the MATA committee. No further discussion was held.

**PUBLIC HEARING - 7:15 P.M.** - A public hearing was held regarding the vacating and abandonment of an unimproved portion of Tumbleweed Street. No opposition was voiced regarding this matter.

### CITY COUNCIL MINUTES - AUGUST 15, 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 August 1, 1994, were approved as mailed by motion of Councilman Province, seconded by Councilman Harpole. 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 offered the following ordinance for the first reading:

**AN ORDINANCE TO APPROPRIATE FUNDS FOR THE E-911 SYSTEM FOR EQUIPMENT AS REQUESTED BY THE E-911 COMMITTEE**

Councilman Vance moved, seconded by Councilman Harpole to suspend the rules and place on the second reading. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Kelton moved, seconded by Councilman Harpole 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 members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Harpole moved, seconded by Councilman Evans for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The ordinance was given the number 2571.

Councilman Vance offered the following ordinance for the first reading:

AN ORDINANCE TO APPROPRIATE FUNDS AND RELATED EXPENDITURES FOR THE DIRECTOR OF THE E-911 SYSTEM

Councilman Vance moved, seconded by Councilman Perrin to amend the ordinance to read: "to come from unappropriated sales tax". A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Vance moved, seconded by Councilman Harpole to suspend the rules and place on the second reading. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Harpole moved, seconded by Councilman Perrin 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 members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Vance moved, seconded by Councilman Harpole for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The ordinance was given the number 2572.

Councilman Hannah offered the following ordinance for the first reading:

AN ORDINANCE TO VACATE AND ABANDON AN UNIMPROVED PORTION OF TUMBLEWEED STREET (RON BOWEN)

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 members voting aye are as follows: 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. Those members voting aye are as follows: Wise, Evans, 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. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The ordinance was given the number 2573.

Councilman Hannah moved, seconded by Councilman Bowers to table Item "4B" (Ordinance to vacate the unimproved portion of North Church) for two weeks to allow the MATA committee to view the request and to

obtain utility easements. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah.

Councilman Hannah offered the following ordinance for the first reading:

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

Councilman Evans moved, seconded by Councilman Perrin to suspend the rules and place on the second reading. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah.

Councilman Bowers offered the following ordinance for the first reading:

AN ORDINANCE ABANDONING A PORTION OF EASEMENT FOR HIGGINBOTTOM CREEK LOCATED IN THE CITY OF JONESBORO ARKANSAS. (MICKEY SEEMAN)

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 members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Hannah moved, seconded by Councilman Bowers 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 members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Mays moved, seconded by Councilman Bowers for the adoption of the ordinance. A roll call vote was taken resulting in a six to five vote in favor of the motion. Those members voting aye were: Wise, Mullenix, Bowers, Perrin, Mays and Hannah. Those members voting nay were: Evans, Province, Kelton, Vance and Harpole. The motion was denied for lack of a majority by the full elected body.

Councilman Hannah offered the following ordinance for the first reading:

AN ORDINANCE TO WAIVE BIDS AND AUTHORIZE THE PURCHASE OF POLICE VESTS FOR THE POLICE DEPARTMENT

Councilman Bowers moved, seconded by Councilman Kelton to suspend the rules and place on the second reading. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Bowers 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 members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. Councilman Harpole moved, seconded by Councilman Evans for the adoption of the ordinance. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The ordinance was given the number 2574.

Councilman Hannah moved, seconded by Councilman Vance to accept low bid meeting specifications on bid number 94:37 - Public Officials Liability Insurance - All Departments. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix,

Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah.

The following appointments/reappointments were reviewed:

\* Harry Findley - Equalization Board with term to expire August, 1997.

Councilman Evans moved, seconded by Councilman Harpole to accept the appointment recommendation. A roll call vote was taken resulting in all council members voting aye with the exception of Councilman Mullenix who voted nay.

\* Rickey Clifft and Shirl Strauser - Solid Waste Authority with term to expire August, 1997.

Councilman Perrin moved, seconded by Councilman Vance to accept the appointment recommendation. A roll call vote was taken resulting in all council members voting aye.

\* Marian Jolly and Charlotte Jones - Forum Commission with term to expire August, 1999.

Councilman Vance moved, seconded by Councilman Harpole to accept the appointment recommendation. A roll call vote was taken resulting in all council members voting aye.

\* Ben Owens - Airport Commission with term to expire April, 1999.

Councilman Evans moved, seconded by Councilman Perrin to accept the appointment recommendation. A roll call vote was taken resulting in all council members voting aye with the exception of Councilman Mullenix.

\* Dennis Gillis, Donald Smith, and James Scott - Board of Zoning Adjustment with term to expire August, 1997. Councilman Perrin moved, seconded by Councilman Vance to accept the appointment recommendation. A roll call vote was taken resulting in all council members voting aye.

Under new business Councilman Hannah moved, seconded by Councilman Bowers to accept the 1993 Audit Report which was submitted at the last council meeting. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah.

Councilman Hannah moved, seconded by Councilman Bowers for the adoption of a resolution requesting City Water & Light to provide a demand signal light at Brown's Lane at Windover and Race. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah. The resolution was given the number 1994:45.

Councilman Vance moved, seconded by Councilman Bowers to move the next council meeting to Tuesday, September 6, 1994, due to the Labor Day weekend. A roll call vote was taken resulting in all council members voting aye. Those members voting aye are as follows: Wise, Evans, Province, Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, Mays and Hannah.

With no further business the meeting was adjourned.