



## Legislation Text

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**File #:** MIN-89:536, **Version:** 1

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Minutes for the City Council meeting on June 19, 1989  
PUBLIC HEARINGS

Appeal Hearing - 6:30 p.m. on a decision of the MAPC regarding a rezoning from R-3 to C-1 on property located at 717 and 719 E. Washington by Lenzy McCullough. The property owner indicated that he wished to place a restaurant on the property for carry-out and fast food and seating for (25) twenty-five people, stating that it would be restoring the property for the use for which it had been formerly used, although there was some legal question as to the property of the business on record. Aldermen questioned spot zoning in a residential area. Mr. McCullough voiced interest in obtaining other property owners support and rezoning entire street commercial.

Public Hearing - 7:00 p.m. to close a portion of Floyd St. 50 ft. in width and bounded on the South by the North right-of-way line of the St. Louis and Southwestern Railroad and on the North by the South right-of-way line of the St. Louis and San Francisco Railroad. Mr. Mooney represented the property owners and no objections were voiced.

Public Hearing - 7:10 p.m. to close the last 175 ft. of Belmont St. behind Wallace and Owens by Frank Macon. The Mayor stated after discussing the matter that the individual's property did not abut and she was in agreement.

Public Hearing - 7:20 p.m. to close a portion of an alley running East from Main between Jefferson and Jackson to the N/S alley between Jefferson and Jackson, lying between lots 6 and 7 in Block A of the original survey by Woody Freeman. No objections were voiced.

### CITY COUNCIL MINUTES - JUNE 19, 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 with the exception of Mr. Hinson, who was absent.

The minutes of June 5, 1989, were approved as mailed on motion by Mr. Stricklin, seconded by Mr. Park. All voted aye.

Mr. Stricklin moved, seconded by Mr. Nix to set the date of the next council meeting on July 10, 1998, due to the July 4<sup>th</sup> holiday. All voted aye.

Concerning an appeal of the MAPC of Mr. Lenzy McCullough, regarding rezoning property at 717 and 719 E. Washington. Motions were withdrawn regarding upholding the MAPC and denying the request, after Mr. McCullough requested permission to verify restaurant status.

Mr. Hannah offered the following ordinance for first reading:

AN ORDINANCE VACATING, CLOSING AND ABANDONING A PORTION OF FLOYD STREET BOUND ON THE SOUTH BY THE NORTH RIGHT OF WAY LINE OF THE ST. LOUIS AND SOUTHWESTERN RAILROAD AND BOUND ON THE NORTH BY THE SOUTH RIGHT OF WAY LINE OF THE ST. LOUIS AND SAN FRANCISCO RAILROAD

Mr. Nix moved, seconded by Mr. Shelton to suspend the rules and place on second reading. All voted aye.

Mr. Hannah offered the following ordinance for first reading:

AN ORDINANCE TO VACATE AND ABANDON A PORTION OF BELMONT ST. IN RIDGECREST ADDITION

Mr. Hannah moved, seconded by Mr. Shelton to suspend the rules and place the ordinance on second reading. All voted aye. The ordinance was read for the second time. Mr. Sanderson moved, seconded by Mr. Evans to further suspend the rules and place on third reading. All voted aye with the exception of Mr. Park who voted nay. The ordinance was read for the third time. Mr. Sanderson moved, seconded by Mr. Evans to adopt the ordinance with the emergency clause. All voted aye. The ordinance was given the number 2180.

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

AN ORDINANCE TO VACATE A TEN FOOT WIDE BY EIGHTY FOOT LONG ALLEY BETWEEN LOTS 6 AND 7 IN BLOCK A OF THE ORIGINAL SURVEY OF THE TOWN OF JONESBORO

Mr. Nix moved, seconded by Mr. Stricklin to suspend the rules and place the ordinance on second reading. All voted aye. The ordinance was read for the second time. Mr. Nix moved, seconded by Mr. Stricklin to further suspend the rules and place the ordinance on third reading. All voted aye with the exception of Mr. Park who voted nay. The ordinance was read for the third time. Mr. Evans moved, seconded by Mr. Stricklin for the adoption of the ordinance with the emergency clause. All voted aye. The ordinance was given the number 2181.

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. Evans moved, seconded by Mr. Hannah to adopt the ordinance with the emergency clause. All voted aye. The ordinance was given the number 2182.

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. Stuenkle representing the property owners stated that the engineer assures that there is adequate right-of-way on Wood Spring Rd. and that the right-of-way will be reflected on the plat as stipulated by the MAPC. Mr. Hannah moved, seconded by Mr. Park to include the stipulation. All voted aye. Mr. Hannah moved, seconded by Mr. Evans for the adoption with the emergency clause. All voted aye. The ordinance was given the number 2183.

The following ordinance was on the third reading:

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

Ray Nickle, Attorney stated the bank intended to use the property for storing of files and would be using it specifically for storage and warehouse use. He suggested a compromise to satisfy objecting property owners to place an exclusion in the ordinance to remove light manufacturing. He stated there is a precedent for placing such an exclusion with limitations. The City Attorney stated under Arkansas Law, you can tighten up a less restrictive category, but cannot loosen up a more restrictive zoning category. Mr. Hannah moved, seconded by Mr. Sanderson to amend the ordinance to exclude light manufacturing. A roll call vote was taken and all voted aye, with the exception of Dr. Strauser who voted nay. The motion passed 10-1. Mr. Shelton moved, seconded by Mr. Sanderson for the adoption of the ordinance as amended with the emergency clause. All voted aye with the exception of Mr. Park, Mr. Mays, and Dr. Strauser who voted nay. The motion was approved 8-3. The ordinance was given the number 2184.

Mr. Hannah offered a resolution to set a Public Hearing at 7:00 p.m. on July 10, 1989, regarding the abandonment of Machine Rd. in Shelby Acres, South of Hwy 63 Bypass. All voted aye. The resolution was given the number 1989-25.

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

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

Mr. Mixon, Attorney for the property owners stated they were in agreement with all stipulations placed by the MAPC. Mr. Mays moved, seconded by Mr. Stricklin to suspend the rules and place on second reading. All voted aye.

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

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

Mr. Blackman, Attorney for property owners stated they were in agreement with all stipulations placed by the MAPC. Mr. Nix moved, seconded by Mr. Stricklin to suspend the rules and place the ordinance on the second reading. All voted aye.

Mr. Hannah moved, seconded by Mr. Nix to set a Public Hearing regarding the vacating and closing of Block St. and the E/W alley between Block St. and Liggett St., North of Aggie Rd. at 7:00 p.m. on July 10, 1989. All voted aye. The resolution was given the number 1989-26.

The following requests for mobile home placements were made:

1.) Noel Holland - Corner of Elizabeth and Prospect Rd. Mr. Holland presented the petition with signatures from residents within 600 ft. of the proposed placement. Following much discussion, Mr. Hannah moved, seconded by Mr. Shelton to approve the placement of the mobile home. A roll call vote was taken and voting in the affirmative was Alderman Hannah. All other aldermen voted nay. The motion was rejected 1-10. Mr. Evans

requested the committee appointed to devise a comprehensive mobile home ordinance to complete the project as soon as possible. Chairman of the Committee, Mr. Province stated it takes time to prepare the document with the large annexation.

2.) Jimmie Smith - Rt. 10 Aggie Rd. on a lot with an existing mobile home. Mr. Hannah moved, seconded by Mr. Shelton to reject the request. A roll call vote was taken. All voted aye with the exception of Mr. Evans who voted nay. The motion passed 10-1.

3.) Nathan Trogmartin - Prospect Rd. Mr. Shelton moved, seconded by Dr. Strauser to deny the request. A roll call vote was taken and all voted aye with the exception of Mr. Hannah and Mr. Stricklin who voted nay. The motion passed 9-2.

4.) Elvis and Deborah White - Gravel Rd. Southeast of Mount Carmel Church. Mr. Shelton moved, seconded by Mr. Hannah to approve the placement. All voted aye.

5.) Micheal Cope - Prospect Rd. Mr. Bridger moved, seconded by Mr. Stricklin to table the request until Mr. Cope can verify the date of placement of the mobile home, as to whether it was prior to the date of annexation of April 9, 1989. All voted aye.

6.) Robert Brandon - 1211 Cartwright. Mr. Park moved, seconded by Mr. Shelton to approve the placement. All voted aye with the exception of Dr. Strauser and Mr. Stricklin who voted nay. The motion passed 9-2.

Mr. Hannah offered the following ordinance for first reading:

**AN ORDINANCE TO WAIVE BIDDING REQUIREMENTS FOR THE PURCHASE OF A USED FIRED TRUCK**

Mr. Stricklin moved, seconded by Mr. Evans to suspend the rules and place the ordinance on second reading. All voted aye. The ordinance was reading for the second time. Mr. Stricklin moved, seconded by Mr. Shelton to further suspend the rules and place the ordinance on the third reading. All voted aye. The ordinance was read for the third time. Mr. Stricklin moved, seconded by Dr. Strauser for the adoption of the ordinance with the emergency clause. All voted aye. The ordinance was given the number 2185.

The following ordinance was on the second reading:

**AN ORDINANCE TO AMEND CHAPTER 14.08, ZONING DISTRICT REGULATIONS, SECTION 14.08.02 (C) 4., R-1 RESIDENTIAL DISTRICT - PROHIBITED USES, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, BY ELIMINATING EXCEPTIONS FOR HOME OCCUPATIONS**

The following ordinance was on second reading:

**AN ORDINANCE TO AMEND CHAPTER 11.20, ELECTRICAL CODE, SECTIONS 11.20.02, 11.20.03, 11.20.06, 11.20.08, 11.20.11, CHAPTER 11.24, LICENSING OF ELECTRICIANS, CONTRACTORS, ETC., SECTION 11.24.05, 11.24.06, 11.24.07, 11.24.08, 11.24.09, 11.24.10, 11.24.11, 11.24.12, AND 11.24.13, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, TO STREAMLINE THE ELECTRICAL CODE AND ITS ADMINISTRATION, AND FOR OTHER PURPOSE**

The following ordinance was on third reading:

AN ORDINANCE TO AMEND CHAPTER 11.12, PLUMBING CODE, SECTION 11.12.04 (b), PERMITS AND FEES - NOTICE OF INSPECTION REQUIRED AND CHAPTER 11.04; BUILDING IN GENERAL, SECTION 11.04.06 (b), PERMIT FEES, OF THE CODE OF ORDINANCE OF THE CITY OF JONESBORO, ARKANSAS, TO LEVY FEES FOR BACK-FLOW PROTECTION INSPECTIONS FOR SPRINKLER SYSTEMS AND FOR ISSUANCE OF BUILDING PERMITS

Mr. Hannah moved, seconded by Mr. Evans to adopt the ordinance with the emergency clause. All voted aye. The ordinance was given the number 2186.

Mr. Hannah moved, seconded by Mr. Stricklin to accept a request from CWL for easement for electrical lines north of C. W. Post Dr. and West of Commerce Dr. All voted aye.

Mr. Bridger offered a resolution establishing N. Caraway Rd. Improvement District. Mr. Bridger moved, seconded by Mr. Evans for the adoption of the resolution. All voted aye. The resolution was given the number 1989-27.

Mr. Hannah offered a resolution requesting free electrical service at Craighead Forest Park from CWL. Mr. Hannah moved, seconded by Mr. Park to approve the resolution. All voted aye. The resolution was given the number 1989-28.

Mr. Hannah offered a resolution to condemn property located at 2217 Race and 301 McDaniel, NW Corner of McDaniel and Creath. A roll call vote was taken and all voted aye. The resolution was given the number 1989-29.

Mr. Hannah offered a resolution to place liens on the following property:

1.) Mattie Smothers and heirs  
509 N. Main  
\$1,622.50

2.) Gary Clippard  
2200 Block of Clark  
\$247.50

3.) Dessie Wheeler  
616 Hope St.  
\$2,374.42

Mr. Hannah moved, seconded by Mr. Stricklin for the adoption of the resolution. A roll call vote was taken and all voted aye. The resolution was given the number 1989-31.

Mr. Hannah moved, seconded by Mr. Shelton to add two additional routes in residential annexed area, employing approximately 6 new people at a cost of approximately \$170 thousand. All voted aye.

Mr. Hannah offered a resolution increasing the commercial sanitation rates effective October 1, 1989. (Attached listing) Ar. Hannah moved, seconded by Mr. Sanderson to approve the resolution. All voted aye. The resolution

was given the number 1989-32.

Dr. Strauser presented a recommendation from the Finance Committee revising the Police Department 1989 Budget to transfer from Unappropriated Sales Tax from General Fund \$111,675 for annexation related expansion of the department and \$40,000 for the addition of personnel to administer warrants on file in police department limited to \$150,000. Dr. Strauser moved, seconded by Mr. Shelton to approve the recommendation of the finance Committee. All voted aye.

Dr. Strauser offered a resolution revising the travel policy to include \$50 a day for hotel accommodations & meals shall be reimbursed for no more than \$4.00 for breakfast, \$8.00 for lunch and \$12.00 for dinner. Reimbursement includes gratuity. Any reimbursement greater than those amounts will require written justification to the Mayor and signed approval from the Mayor before payment can be made. Receipts are required in all cases. Expenses will not be paid for spouses that accompany employees on out-of-town trips; unless approved by the Finance Committee. Dr. Strauser moved, seconded by Mr. Hannah for the adoption of the resolution. All voted aye. The resolution was given the number 1989-33.

Mr. Sanderson offered a resolution authorizing the Mayor to execute an amended cooperation agreement for the low rent public housing program between the City of Jonesboro and the Jonesboro Urban Renewal and Housing Authority. Mr. Sanderson moved, seconded by Mr. Stricklin to approve the resolution. All voted aye. The resolution was given the number 1989-30.

With no further business, the meeting adjourned at 10:31 p.m.