



## Legislation Text

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**File #:** MIN-98:024, **Version:** 1

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Minutes for the City Council meeting on October 19, 1998

**PUBLIC HEARING - 5:45 p.m.** - A public hearing was held regarding the authorization of the issuance of Industrial Revenue Bonds for Haworth, Inc. Dr. John Sawyer, Superintendent of Nettleton School District questioned the payment of the bonds. Mr. Tom Leggett, Attorney for Friday, Eldredge & Clark stated payment would be \$50,000.00 per year up to the year 2001, and any calendar year after 2001 during the term of the Bonds, with payments made annually. Dr. Richard Wang questioned if the School Board had been involved with the bonds, since they would primarily be affected by the decision. Dr. Sawyer stated the school board had worked on the first stages of the construction process and were willing to make what arrangements necessary to obtain a business such as Haworth.

**APPEAL HEARING - 6:00 P.M.** - An appeal hearing was held, as requested by Mr. Jay Gunter and his attorney, Mr. Scott Emerson. Mr. Emerson stated four (4) members of the Metropolitan Area Planning Commission voted in favor of rezoning five acres of the forty acre tract. Mr. Emerson explained the area was annexed into Jonesboro as residential, however along Highway 49 is commercial property. He stated that Mr. Gunter wishes to relocate his fabricating business to this new location which is only ½ mile away. Vice Mayor Kelton questioned if the property was contiguous with other Commercial - 3 properties in the area. Mr. Emerson stated it was not contiguous, but across the street is Quinn Aviation, and other businesses. Mr. Kelton questioned if there existed any non conforming use in the area. Mr. Brian Wadley of the Inspection Department stated the FFA - Farmer's Co-Op was non-conforming use, while others in the area were zoned commercial. Regina Moore who lives at 5916 South West Drive spoke in opposition to the rezoning stating no commercial property touches the land in question, and to open it up to commercial zoning will set a precedence for the future. Glenda Sanders who lives on Maple Valley Drive also spoke in opposition to the rezoning stating the plat provided by Mr. Emerson shows only commercial property not the existing residential property in the area. She explained no information had been provided regarding what kind of business would be located there, and the reason for Mr. Gunter's move was to expand his business.

**PUBLIC HEARING - 6:15 P.M.** - Councilman Tate reported that Mr. Craft and Rev. Richardson were negotiating access to the church. Vice Mayor Kelton questioned if they were prepared to table the item in the regular meeting. Councilman Tate responded they were.

**CITY COUNCIL MINUTES - October 19, 1998**

The Jonesboro City Council met Monday, October 19, 1998, at 6:30 p.m. A full quorum was in attendance. Present were: City Clerk, Donna K. Jackson, City Attorney, Phillip Crego and 10 council members. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. Councilman Perrin and Councilman Young were unable to attend.

Councilman Rega moved seconded by Councilman Davis, to approve the minutes as delivered. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy.

The following ordinance was on first reading:

AN ORDINANCE TO VACATE AND ABANDON AND UNIMPROVED PORTION OF THE 300 AND 400 BLOCKS OF EAST NOVAK AND BRIDGE STREET FROM PINE STREET NORTH TO THE NORTH PROPERTY LINE OF NORTH ACRES ADDITION. (Jerry Craft)

Councilman Tate moved, seconded by Councilman Crockett to table the ordinance indefinitely. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy.

Councilman Bowers offered the following ordinance for first reading:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN INDUSTRIAL DEVELOPMENT REVENUE BOND TO FINANCE CERTAIN INDUSTRIAL FACILITIES; AUTHORIZING THE LEASING OF SUCH FACILITIES TO HAWORTH, INC.; AUTHORIZING THE SALE OF THE BOND AND THE EXECUTION OF A BOND PURCHASE AGREEMENT IN CONNECTION THEREWITH; AUTHORIZING AND PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY

Councilman Tate moved, seconded by Councilman Rega to suspend the rules and place on second reading. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. Councilman Tate moved, seconded by Councilman Rega to suspend the rules and place third and final reading. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. Councilman Rega moved, seconded by Councilman Bowers for the adoption of the ordinance. Dr. Richard Wang, who lives at 101 University Drive, spoke in opposition to the ordinance being passed with three readings in one night. He stated even though the letter of the Constitution allows for three readings in one night, he questions the emergency of the ordinance. He stated provisions are in place to allow maximum communications between Council and the people of Jonesboro. Dr. Wang asked what the emergency was on this particular ordinance. Mr. Tom Leggett, Attorney with the Friday, Eldredge & Clark Law Firm, Bond Counsel for the Issue, stated they were asking for waiving of the readings which is typical in matters such as this for financial reasons. Mr. Leggett explained they would be waiting the thirty day referendum period before issuing the bond, and therefore the emergency clause was not absolutely necessary. He stated there may be signing or other action that needs to be taken by the mayor and the clerk to get the bonds ready to distribute, and that is why the emergency clause was included. Mr. Leggett requested the emergency clause be adopted separately from the ordinance, however, City Attorney, Phillip Crego stated the emergency clause was already incorporated into the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. The ordinance was assigned number 3088.

Councilman Bowers offered the following ordinance for first reading:

ORDINANCE DISSOLVING FARM CREEK SUBDIVISION ROAD IMPROVEMENT DISTRICT NO. 5 (Kevin Orr)

Councilman Bowers moved, seconded by Councilman Pratt to suspend the rules and place on second reading. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. Councilman Rega moved, seconded by Councilman Bowers to suspend the rules and place third and final reading. A voice vote was taken resulting in

all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. Councilman Rega moved, seconded by Councilman Pratt for the adoption of the ordinance. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. The ordinance was assigned number 3089.

Councilman Tate moved, seconded by Councilman Crockett for the adoption of a resolution to proceed with condemnation action on the following properties: 1002 Walnut - Owned by Doris Sanders, 518 N. Main - Owned by Willie Green, and 916 Hope - Owned by Wade Robertson. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. The resolution was assigned number 1998:63.

Councilman Tate moved seconded by Councilman Davis for the adoption of a resolution to set a public hearing on November 2, 1998, at 6:20 p.m. for the purpose of vacating a drainage easement located between Lots 12 and 13, Block "D", of Ridgepointe Phase I for Mr. Gene Vance. Mr. Brian Wadley of the Inspection Department informed Council that Mr. Vance was replatting three lots into one and had agreed to grant an easement where the ditch is now. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. The resolution was assigned number 1998:64.

Under new business, the following millage resolutions were reviewed:

LIBRARY - Councilman Tate moved, seconded by Councilman Roddy for adoption of a resolution establishing a rate of taxation of 2 mills on the dollar for a public library tax. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. The resolution was assigned number 1998:65.

CITY - Councilman Rega moved, seconded by Councilman Roddy for adoption of a resolution establishing a rate of taxation of 2.1 mills on the dollar for personal property tax. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. The resolution was assigned number 1998:66.

POLICE - Councilman Rorex moved, seconded by Councilman Crockett for adoption of a resolution establishing a rate of taxation of .5 mill on the dollar for Police Pension. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. The resolution was assigned number 1998:67.

FIRE - Councilman Rega moved, seconded by Councilman Roddy for adoption of a resolution establishing a rate of taxation of .5 mill on the dollar for Fire Pension. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. The resolution was assigned number 1998:68.

Vice Mayor Kelton stated a meeting to discuss procedures for appointing the city treasurer's position had been moved to November 2, 1998, at the request of Councilman Pratt.

Councilman Roddy offered the following ordinance for first reading:

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF A JOHN DEERE 850B DOZER FOR THE SANITATION DEPARTMENT

Councilman Davis moved, seconded by Councilman Crockett to suspend the rules and place on second reading. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. Councilman Davis moved, seconded by Councilman Tate to suspend the rules and place on third and final reading. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. Councilman Davis moved, seconded by Councilman Tate for the adoption of the ordinance. A voice vote was taken resulting in all members present voting aye. Those members were: Kelton, Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Bowers, and Roddy. The ordinance was assigned number 3090.

With no further business the meeting was adjourned.