



## Legislation Text

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**File #:** MIN-02:202, **Version:** 1

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Minute for the City Council meeting on August 19, 2002  
CITY COUNCIL MINUTES - August 19, 2002

The Jonesboro City Council met Monday, August 19, 2002, at 6:45 p.m. The City Council meeting was delayed due to an extended 5:00 p.m. Street Committee meeting where drainage issues were discussed. A full quorum was in attendance. Present were: Mayor Brodell, City Attorney, Phillip Crego, City Clerk, Donna K. Jackson, and twelve council members. Those members were: Kelton, Tate, Rorex, Crockett, McCall, Rega, Province, Moore, Young, Perrin, Copeland, and Roddy.

Councilman Perrin moved, seconded by Councilman Roddy to approve the minutes of August 5, 2002, as previously delivered. Councilman Young asked for a correction to the date of the minutes, and City Clerk Donna Jackson stated the correction would be made. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, Rorex, Crockett, McCall, Rega, Province, Moore, Young, Perrin, Copeland, and Roddy.

Mayor Brodell recognized Mr. Darrell Dover who was on the agenda to address City Council regarding the recent flooding of his property. Mr. Dover had spoken to the Street Committee at their meeting held at 5:00 p.m. He stated the problems with flooding could have been prevented, but the Mayor nor City Officials have offered a solution. He explained he has lived at 611 E. Nettleton for twenty-two years without a flooding problem to his home or his vehicle, but since the completion of concrete work in 2001, his garage has flooded three times, as well as his home and vehicle. Mr. Dover stated he had met with Claude Martin, City Engineer three times and each time Mr. Martin explained the culvert located under Nettleton Ave. is not large enough to handle the amount of water flowing through it. He stated due to the paving of the ditches the water flows faster and reaches the culvert more quickly causing the flooding problems. He also explained due to new construction of St. Bernard's Village and the retention pond even more water is directed to the culvert. Mr. Dover stated while he understands the situation may need to be studied, immediate measures should be taken to prevent this from happening again, and the City should act quickly and decisively to protect its citizens. He stated he was frustrated because these problems could have been prevented. In closing, Mr. Dover asked for solutions, not excuses.

Councilman Young offered the following ordinance for first reading:

ORDINANCE TO REZONE PROPERTY FROM RESIDENTIAL (R-1) TO COMMERCIAL (C-3),  
LOCATED ON THE NORTH SIDE OF JOHNSON AVENUE, WEST OF OLD GREENSBORO ROAD.  
(Glenn Thrash)

Councilman Crockett moved, seconded by Councilman Perrin to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, Rorex, Crockett, McCall, Rega, Province, Moore, Young, Perrin, Copeland, and Roddy. Councilman Young moved, seconded by Councilman Moore to further suspend the rules and place on third and final reading. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, Rorex, Crockett, McCall,

Rega, Province, Moore, Young, Perrin, Copeland, and Roddy. Councilman Perrin moved, seconded by Councilman Young for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, Rorex, Crockett, McCall, Rega, Province, Moore, Young, Perrin, Copeland, and Roddy. The ordinance was assigned ordinance number 3367.

The following ordinance was on the third and final reading:

ORDINANCE ADOPTING BY REFERENCE A CERTAIN TECHNICAL CODE ENTITLED, "PROPERTY MAINTENANCE CODE", CODIFYING CHAPTER 13.09 OF THE JONESBORO MUNICIPAL CODE.

Prior to voting Councilman Kelton addressed the Jonesboro City Council stating the Planning and Inspection Committee held a public hearing that was very informative, and from the public hearing has concluded they should look at existing ordinances for the purpose of addressing individual issues regarding property maintenance. Councilman Kelton explained his committee wished to vote on the ordinance for the purpose of taking it off the table. Councilman Kelton moved, seconded by Councilman Tate for the adoption of the ordinance. A voice vote was taken resulting in all members voting nay. Those members voting nay were: Kelton, Tate, Rorex, Crockett, McCall, Rega, Province, Moore, Young, Perrin, Copeland, and Roddy. The ordinance was denied.

Councilman Young offered the following ordinance for first reading:

ORDINANCE TO REZONE PROPERTY FROM RESIDENTIAL (R-2) TO RESIDENTIAL (R-2A) LIMITED USE OVERLAY, LOCATED AT 900 W. MONROE, THE HUNTINGTON BUILDING.

Councilman Tate moved, seconded by Councilman Perrin to suspend the rules and place on second reading. Councilman Rega recused himself on the advice of legal counsel because St. Bernard's, his employer, leases the Huntington Building. A voice vote was taken resulting in all members voting aye with the exception of Councilman Rega who recused himself from voting. Those members voting aye were: Kelton, Tate, Rorex, Crockett, McCall, Province, Moore, Young, Perrin, Copeland, and Roddy. Councilman Perrin moved, seconded by Councilman Rorex to further suspend the rules and place on third and final reading. A voice vote was taken resulting in all members voting aye with the exception of Councilman Rega who recused himself from voting. Those members voting aye were: Kelton, Tate, Rorex, Crockett, McCall, Province, Moore, Young, Perrin, Copeland, and Roddy. Councilman Moore raised questions regarding the screening of the property. City Planner, Glenn Batten responded stating this type of zoning requires the City of Jonesboro to meet certain screening requirements just like any other entity of the city. Mr. Batten explained the site plan process requires the location of all dumpsters so to eliminate odors and aid in the dumping of the dumpsters. Other requirements stated by Mr. Batten were the screening of the dumpsters and the west property line with a landscaping buffer, and to curb the parking lot along the west property line. Mr. Bill Ebbert addressed the Council saying, with the exception of Councilman Rega, the Council agreed to sublet the Huntington Building giving no consideration to a zoning change. He pointed out when the parking lot on the Huntington Building was installed there was never a curb put in. Mayor Brodell explained that law requiring curbing went in to affect after the parking lot was installed, and the law does not apply to pre-existing structures. Mr. Ebbert stated the zoning was not user friendly to the neighborhood, and is considered spot zoning with the City Council voting on its own request. He stated the signs were not placed properly notifying the property owners. Mr. Ebbert raised questions regarding Certificate of Occupancy. Councilman Tate clarified a Certificate of Occupancy would not be issued to St. Bernard's for an adult day care center without a site plan, but would continue to provide senior services. Councilman Kelton moved, seconded by Councilman Moore for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye with the exception of Councilman Rega who recused himself

from voting. Those members voting aye were: Kelton, Tate, Rorex, Crockett, McCall, Province, Moore, Young, Perrin, Copeland, and Roddy. The ordinance was assigned ordinance number 3368.

Councilman Young moved, seconded by Councilman Roddy for the adoption of a resolution authorizing the Mayor to enter into an agreement contained in the Land and Water Conservation Fund Grants Manual with the 2003 Arkansas Department of Parks and Tourism's Outdoor Recreation Grant Program, for a 50/50 matching grant totaling \$500,000.00. Councilman Rega questioned if the 50% matching funds (\$250,000.00) was already allocated in capital improvements for the parks department budget. Grants Coordinator, Jim McKinnon responded saying the money would come from the 2003 budget, and as of yet has not been allocated. It was further explained by Mr. McKinnon that the City of Jonesboro has applied for funds for the past three years and has received \$150,000.00 for Joe Mac Campbell Park, as well as funds for the tennis courts and lighting for Allen Park. He explained a public hearing was held in June of this year and received public support for the proposed projects. Councilman Crockett questioned if this was eligible for CDBG funding, and was told while Allen Park would qualify, Joe Mack Park would not. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, Rorex, Crockett, McCall, Rega, Province, Moore, Young, Perrin, Copeland, and Roddy. The resolution was assigned resolution number 2002:36.

Councilman Perrin moved, seconded by Councilman Moore for the adoption of a resolution requesting City Water and Light to provide free utility service to the street right of way located in the 200-700 blocks of Main Street for the Downtown Enhancement Project. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, Rorex, Crockett, McCall, Rega, Province, Moore, Young, Perrin, Copeland, and Roddy. The resolution was assigned resolution number 2002:37.

Councilman Crockett moved, seconded by Councilman Young for the adoption of a resolution authorizing the Mayor and City Clerk to execute MATA contracts and Right of Way Agreements for the following:

- Joe Cebulski, Laura Cebulski, & Tye Harvey, 811 W. Nettleton Ave. Parcel 45
- Vonda K. Cleghorn, 1401 Brookhaven Road, Parcel 88
- Parks Family Trust, 1313 Nettleton Circle, Parcel 59
- Rickey and Debbie White, 1503 W. Nettleton, Parcel 89
- Thad and Ingrid Brown, III, 1003 E. Matthews, Parcel 41

A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, Rorex, Crockett, McCall, Rega, Province, Moore, Young, Perrin, Copeland, and Roddy. The resolution was assigned resolution number 2002:38.

Under new business, Councilman Young moved, seconded by Councilman Moore to change the next City Council meeting from Monday, September 2, 2002, to Tuesday, September 3, 2002 due to the Labor Day holiday. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, Rorex, Crockett, McCall, Rega, Province, Moore, Young, Perrin, Copeland, and Roddy.

Mayor Brodell reported he had spoken with Vector Mosquito Control and there had been no cases of the West Nile Virus in Craighead County. He stated Vector was requesting citizens to call in with any information regarding breeding areas for mosquitoes.

Councilman Tate reported the Mata Department received three bids for the Matthew Street Improvements. The bids were as follows: Cameron Construction for \$2,656,081.00, Garry Meadows Construction for \$2,140,432.40, and Mobley Contractors for \$2,546,836.14. Mr. Tate stated the estimated bid for the Mata project

was for \$1,954,000,000.00 making the low bid of Garry Meadows 8½ % more than the estimate. Councilman Young moved, seconded by Councilman Tate to accept the low bid of Garry Meadows Construction. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, Rorex, Crockett, McCall, Rega, Province, Moore, Young, Perrin, Copeland, and Roddy.

Councilman Tate moved, seconded by Councilman Moore to accept the Street Committee's recommendation to appropriate whatever funds necessary to conduct a drainage study to alleviate the drainage problems. Councilman Young recommended establishing a drainage committee separate from the Street Committee. Mayor Brodell stated he wanted to have the study done, then decide how to proceed, and have it managed similar to MATA projects. Councilman Tate also stated he would like to see a citizens committee to oversee the drainage project like the MATA project. Councilman Tate recommended Mr. Aubry Scott to do the drainage study and report back to the full council before appointing a drainage committee. Mayor Brodell volunteered to speak with Mr. Scott and report back to the Council. Councilman Kelton questioned the time frame on the drainage study, and was told the study would depend on how much information the Engineering Company had in its files. Councilman Tate stated that should be a consideration when hiring the engineering company. Discussion followed regarding the bidding process opposed to the negotiation process for professional services. Councilman Perrin explained the engineering firm of Fisher and Arnold has been working on storm water drainage that is federally mandated to go into effect March of 2003. A voice vote was taken resulting in all members voting aye. Those members were: Kelton, Tate, Rorex, Crockett, McCall, Rega, Province, Moore, Young, Perrin, Copeland, and Roddy.

Councilman Crockett recommended having an independent count on mosquitoes since the only count being provided is by Vector Mosquito Control. Mayor Brodell stated he would check into it and report back to the Council. Councilman Crockett questioned if the mosquito count was going down. He stated an independent count would provide some checks and balances for mosquito control.

Mayor Brodell recognized two citizens who addressed the Jonesboro City Council under new business. First was a citizen who lives in the Nettleton area who complained about the process used to spray for mosquitoes, and spoke in opposition to putting Mr. Aubry Scott over the drainage project. Councilman Tate and Mayor Brodell defended Mr. Scott stating he has done a good job for the City of Jonesboro. Second was Mr. Jerry Larkin of 1316 Kitchen Street who stated he had spoken with several city officials regarding drainage problems on Kitchen Street and he felt there were problems with communication among various departments. He stated he was getting run off from Nettleton Ave. and Kitchen Street and insisted the City of Jonesboro get organized and provide assistance to the area.

With no further business, the meeting was adjourned.