



Legislation Text

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Minutes for the City Council meeting on February 1, 2005

APPEAL HEARING - 6:00 P.M. - An appeal hearing was conducted regarding the denial of the Metropolitan Area Planning Commission for a conditional use permit for property located at 1005 E. Johnson as requested by Mr. Russ Anderson and his attorney, Mr. Donald Parker. No opposition was voiced.

CITY COUNCIL MINUTES - February 1, 2005

The Jonesboro City Council met Tuesday, February 1, 2005, at 6:30 p.m. A full quorum was in attendance. Present were: Mayor Doug Formon, City Clerk, Donna K. Jackson, City Attorney Phillip Crego, and twelve council members. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Councilman Moore moved, seconded by Councilman Perrin to approve the minutes of January 18, 2005, as provided. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Finance Director Larry Flowers provided a brief financial report stating copies of the report had been provided to council members prior to the meeting.

Councilman Moore moved, seconded by Councilman Johnson to approve Mr. Russ Anderson's request to over-ride the decision of the MAPC regarding a conditional use permit for property located at 1005 E. Johnson. Discussion was held regarding the risk of living quarters being located near hazardous conditions specifically for loft apartments in the downtown area. Councilman Farmer suggested delaying the matter until it could be addressed in its entirety by the newly hired City Planner, explaining he did not want to piece mill changes based on individual requests. However, Councilman Moore, Street, and Johnson expressed concern for delaying Mr. Anderson any further, since loft apartments already exist in the downtown area. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Moore moved, seconded by Councilman Perrin to establish a moratorium until Mr. David Harris, City Planner could recommend rules to address the down town fringe area with regard to loft apartments. A roll call vote was taken. It was originally thought that the vote was a tie (a six to six vote) however, it was later determined that the vote was actually a seven to five vote in opposition to the moratorium. The following individuals voted nay: Farmer, Hargis, Street, Johnson, Dover, Furr, and Ashley. Those voting aye were: Province, Moore, Williams, Perrin, and McCall. The motion for a moratorium was denied. When it was believed there was a tie vote, Mayor Formon cast a nay vote breaking the tie, however according to A.C.A. 14-42-501 the mayor in Cities of the First Class, may only vote for the passage of a measure and to establish a quorum.

The following ordinance was on the third reading:

ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES 6.08.01 DEFINING "DANGEROUS ANIMAL."

Councilman Farmer moved, seconded by Councilman Moore to withdraw this ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

The following ordinance was on the third reading:

ORDINANCE ACCEPTING CERTAIN LAND ANNEXED TO THE CITY OF JONESBORO, ARKANSAS BY ORDER OF THE COUNTY COURT OF CRAIGHEAD COUNTY. (Tyler/Chastain Development)

Councilman Farmer moved, seconded by Councilman Perrin to table the ordinance in order to offer an amended version, changing the zoning classification to Residential (R-1) and striking the words "water and sewage" from Section 5. A voice vote was taken resulting

in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Councilman Farmer offered the following ordinance for first reading:

(AMENDED) ORDINANCE ACCEPTING CERTAIN LAND ANNEXED TO THE CITY OF JONESBORO, ARKANSAS BY ORDER OF THE COUNTY COURT OF CRAIGHEAD COUNTY. (Tyler/Chastain Development)

Councilman Perrin moved, seconded by Councilman Moore to suspend with the second and third readings of the ordinance. A voice vote was taken resulting in all members voting aye with the exception of Councilman Farmer and Councilwoman Furr who abstained from voting. Those voting aye were: Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, McCall and Ashley. Councilman Perrin moved, seconded by Councilman Dover for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye with the exception of Councilman Farmer and Councilwoman Furr who abstained from voting. Those voting aye were: Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, McCall and Ashley. Councilman Perrin moved, seconded by Councilman Moore for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye with the exception of Councilman Farmer and Councilwoman Furr who abstained from voting. Those voting aye were: Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, McCall and Ashley. The ordinance was assigned ordinance number 3512.

The following ordinance was on the third and final reading:

ORDINANCE TO VACATE AND ABANDON THE UNIMPROVED STREET RIGHT OF WAY FOR UNION STREET. (Union Pacific Railroad)

Councilman Moore moved, seconded by Councilman Dover for the adoption of the ordinance upon written receipt of an agreement to provide flagmen for 21 days. Written receipt of the agreement was received and filed with City Clerk, Donna Jackson. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Moore moved, seconded by Councilman Hargis for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3513.

The following ordinance was on the third and final reading:

ORDINANCE TO REZONE PROPERTY FROM (R-1) TO (C-3), LOCATED ON THE HIGHWAY 63 BYPASS (James & Terri Green)

Councilman Moore moved, seconded by Councilman Dover for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Perrin moved, seconded by Councilman Ashley for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3514.

Councilman Farmer offered the following ordinance for first reading:

ORDINANCE AMENDING THE 2004 BUDGET ORDINANCE BY THE INCREASE (DECREASE) IN BUDGET REVENUES, EXPENDITURES, AND TRANSFERS AS PROVIDED IN SCHEDULES A & B.

Councilman Perrin moved, seconded by Councilman Johnson to suspend with the second and third readings of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Perrin moved, seconded by Councilman Farmer for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Perrin moved, seconded by Councilman Ashley for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3515.

Councilman Moore offered the following ordinance for first reading:

ORDINANCE TO AMEND SECTION 12.08 OF THE JONESBORO CODE OF ORDINANCES ALLOWING MOTOR VEHICLES IN CRAIGHEAD FOREST PARK

Councilman Moore moved, seconded by Councilman Ashley to suspend with the second and third readings of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Moore moved, seconded by Councilman McCall for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3516.

Councilman Perrin offered the following ordinance for the first reading:

ORDINANCE WAIVING COMPETITIVE BIDDING FOR ENGAGING LENDERS TITLE COMPANY TO IDENTIFY ALL CITY-OWNED REAL PROPERTY AND TO OBTAIN ASSESSED OR ESTIMATED VALUATIONS AND DEEDS FOR SUCH PROPERTY.

Councilman Farmer moved, seconded by Councilman McCall to suspend with the second and third readings of the ordinance. A voice vote was taken resulting in all members voting aye, with the exception of Councilman Street who abstained from voting. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. Councilman Dover moved, seconded by Councilman Farmer for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye, with the exception of Councilman Street who abstained from voting. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. Councilman Farmer moved, seconded by Councilman Moore for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye with the exception of Councilman Street who abstained from voting. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3517.

Councilman Perrin offered the following ordinance for first reading:

ORDINANCE TO AMEND THE 2005 ANNUAL BUDGET BY THE ELIMINATION OF THE TRANSFER FROM THE SALES TAX FUND TO THE STREET FUND AND BY THE REDUCTION OF THE TRANSFER FROM THE SALES TAX FUND TO THE E-911 FUND IN THE AMOUNT OF \$60,000.

Councilman Farmer moved, seconded by Councilman Furr to suspend with the second and third readings of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Farmer moved, seconded by Councilman Perrin for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Farmer moved, seconded by Councilman Perrin for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3518.

Councilman Perrin moved, seconded by Councilman Moore for the adoption of a resolution to contract with the Jonesboro Baseball Boosters for the construction of batting cages at Joe Mack Campbell Park. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned resolution number 2005:05.

Councilman Farmer moved, seconded by Councilman Ashley for the adoption of a resolution to contract with Joe Williams for the rental of Allen Park Community Center. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned resolution number 2005:06.

Councilman Hargis moved, seconded by Councilman Dover for the adoption of a resolution accepting the bid and approving the contract for sewer improvements from Crittco Construction under the CDBG Program. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned resolution number 2005:07.

Councilwoman Williams moved, seconded by Councilman Hargis for the adoption of a resolution accepting the low bid from Tech Line Sports Lighting for lighting at Miles Park. A voice vote was taken resulting in all members voting aye. Those members were:

Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned resolution number 2005:08.

Under new business, Mayor Formon announced he would provide the “State of the City Address” at the next meeting of the Jonesboro City Council in February. Mayor Formon requested Councilman Farmer attend the Washington D. C. trip in order to help him with particular city issues. Councilman Perrin moved, seconded by Councilman McCall authorizing reimbursement of costs for the Washington trip for Councilman Farmer. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Councilman McCall moved, seconded by Councilman Ashley to suspend the rules and place the following three items on the agenda for consideration:

- Ordinance to waive bids for the leasing of E911 Phone System.
- Ordinance to waive bids for Scott Clark Construction to do work on Limestone Road (Ditch 26) Bridge Project.
- Resolution authorizing the execution of a contract with Fisher & Arnold for engineering services for the design of Lawson Road.

A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Councilman Farmer offered the following ordinance for first reading:

ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE LEASE OF SBC’S PLANT VESTA/PALLAS SYSTEM FOR THE E911 DEPARTMENT

Councilman Perrin moved, seconded by Councilman Ashley to suspend with the second and third readings of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Perrin moved, seconded by Councilman Street for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Dover moved, seconded by Councilman Street for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3519.

Councilman Farmer offered the following ordinance for first reading:

ORDINANCE WAIVING COMPETITIVE BIDDING FOR SCOTT CLARK CONSTRUCTION TO DO WORK ON LIMESTONE ROAD (DITCH 26) BRIDGE PROJECT.

Councilman Farmer moved, seconded by Councilman Street to suspend with the second and third readings of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Farmer moved, seconded by Councilman Street for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. Councilman Farmer moved, seconded by Councilman Perrin for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The ordinance was assigned ordinance number 3520.

Councilman Dover moved, seconded by Councilman Moore for the adoption of a resolution authorizing the Mayor and City Clerk to execute and accept a contract with Fisher & Arnold for engineering services for the design of the Lawson Road Extension, contingent on Attorney Crego approving the contract. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley. The resolution was assigned resolution number 2005:09.

Councilman Hargis announced a ribbon cutting ceremony for the newly constructed bridge located at Craighead Forest Park on Tuesday, February 8, 2005, at 3:00 p.m.

Councilman Moore moved, seconded by Councilman Dover to accept Mayor Formon’s recommendation for the ad hoc Fire Chief

Selection Committee consisting of Alderman McCall, Alderman Perrin, Dr. Charles Coleman, Mr. Tim Rook, Fireman Alan Dunn, Fireman Rick Humphrey, Fireman Marty Hamrick, and Fireman Jason Wills. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.

Councilwoman Furr explained the Division of Volunteerism under the Arkansas Department of Human Services places monetary value on the number of volunteer hours provided by municipalities. She explained the number of volunteer hours is calculated into a formula when corporations are considering industrial locations, and therefore have a tremendous economic impact on the City of Jonesboro. Councilwoman Furr stated the goal was to surpass last years' volunteer hours of 57,301 equaling over a million dollars. She explained the information would be accumulated and so letters could be sent by Mayor Formon's Office.

With no further business, Councilman Moore moved, seconded by Councilman Street for adjournment. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Johnson, Dover, Furr, McCall and Ashley.