



Legislation Text

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Minutes for the City Council meeting on July 19, 1993

APPEAL HEARING - An Appeal Hearing was held regarding the MAPC rezoning denial of property owned by Mr. Paul Arnold. Mr. Arnold was represented by Attorney Jim Lyons regarding this matter. City Planner, Jim Shaw explained the MAPC felt that the rezoning of this property would be improper due to the MAPC recommendation of the Kent Arnold property earlier. Vice Mayor Hannah questioned Mr. Shaw regarding a compromise in footage from 600 feet to 300 feet of this rezoning. Mr. Shaw stated the 300 foot compromise was rejected by Mr. Arnold. Those speaking in opposition to the rezoning were Mr. J. D. Yates of 1721 Paragould Drive, and Mrs. Verla Gerdes whose home is at the corner of Brenda Street and Paragould Drive.

CITY COUNCIL MINUTES - July 19, 1993

The Jonesboro City Council met in regular session at 7:30 p.m. Present were the City Clerk, City Attorney and all council members. Vice Mayor Jim Hannah conducted the council meeting in the absence of Mayor Brodell who was in Washington, on official city business.

The minutes of July 2, 1993, were approved as amended by motion of Councilman Harpole seconded by Councilman Perrin, amending paragraph five, page one to read 4,000 feet instead of 40,000 feet. A roll call vote was taken resulting in all council members voting aye.

Mr. Robin Nix II came before the Council requesting the relinquishment of the City of a drainage easement lying between Lots 1 and 2 of the Replat of Nix Lake Estates Third Addition. The two lots being owned by Mr. Ed Troutt. Councilman Vance moved, seconded by Councilman Kelton to relinquish the easement between lots 1 and 2 of Nix Lake Estates Third Addition, with the stipulation prior to receiving a building permit the approval of the engineer would be needed. The City Attorney requested a deed to be filed, and Mr. Nix stated he would do so. A roll call vote was taken resulting in all council members voting aye.

Mr. Roger Moore owner of property located at 3706 Griffin Street requested an extension on the condemnation action taken against this property. Doug Little, Code Enforcement Officer, gave a history regarding the property. Mr. Little stated this will be the third request by Mr. Moore for an extension. Mr. Moore stated the job was bigger than he anticipated and asked the council for a sixty day extension. Councilman Evans argued that five years was plenty of time to have this done. However, Councilman Kelton stated 60 more days could not hurt. Councilwoman Ingram stated it sometimes takes five years to get a yard mowed. Councilman Harpole stated he felt Mr. Moore should come back to every council meeting and give a report on his progress. But Councilman Province stated he would rather grant the 60 day extension and address the matter at the end of the sixty days if it is not resolved. Councilman Kelton moved, seconded by Councilman Perrin to grant Mr. Moore the sixty day extension. A roll call vote was taken resulting in a ten (10) to two (2) vote in favor of the motion. Those council members voting aye were: Wise, Evans, Ingram, Province, Mullenix, Bowers, Perrin, Kelton, Vance and Hannah. Those opposed to the motion were: Harpole and Mays. The sixty day extension was approved.

Dr. Dougan introduced Dr. Larry D. Ball, Chairman of the History Department at Arkansas University. Dr. Ball

presented a petition requesting that the Old Federal Post Office (currently the Justice Complex) be nominated by the city corporation for inclusion on the National Register of Historic Houses. Dr. Ball gave various reasons why the Justice Complex should be included on the National Register of Historic Houses, one of which was the quitclaim deed between the General Services Administration and the City of Jonesboro. The quitclaim deed states, "That the exterior and interior architectural and structural integrity of the former Federal Building and Courthouse . . . shall be maintained and any further restoration or actions affecting the exterior or interior of the structure shall be accomplished only subsequent to securing the concurrence of the Arkansas Historic Preservation Office." Dr. Dougan and Dr. Ball urged the council to consult the State and Federal Historical Preservation Offices regarding a feasibility study. Vice Mayor, Hannah requested the Council to research this matter and come prepared to discuss it at the next council meeting.

The decision was made to have the Presentation by Mr. Jim Shaw regarding yard sales at the end of the council meeting. Item 4-A from the agenda was addressed next.

Councilman Vance offered the following ordinance for the first reading:

AN ORDINANCE ESTABLISHING FARM CREEK SUBDIVISION ROAD IMPROVEMENT DISTRICT NUMBER FIVE.

Councilman Vance moved, seconded by Councilman Bowers to suspend the rules and place on the second reading. A roll call vote was taken resulting in all council members voting aye. No further action was taken.

Councilman Wise offered the following ordinance for the first reading:

AN ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE, PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND OTHER PURPOSES. (CLAY KENWARD)

Councilman Vance 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. No other action was taken on this ordinance.

Councilman Kelton offered the following ordinance for the first reading:

AN ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE, PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND OTHER PURPOSES. (DICK ROWAND OF ROBERTSON, INC.)

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. No other action was taken on this ordinance.

Councilman Kelton offered the following ordinance for the first reading:

AN ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE, PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND OTHER PURPOSES. (HILLPOINT DEVELOPMENT CORPORATION/CLAY KENWARD)

Mr. Kenward stated the rezoning was contingent on the vacating and abandonment of Fernwood Drive and asked that no further action be taken on the rezoning until the next council meeting.

Councilman Harpole offered a resolution establishing a public hearing regarding the vacating and abandonment of Fernwood Drive for August 2, 1992, at 7:15 p.m. Councilman Harpole moved, seconded by Councilman Bowers for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:30.

The following ordinance was NOT offered

AN ORDINANCE REQUIRING PRIVATE CLUBS TO RECEIVE A PERMIT AND TO LEVY SUPPLEMENTAL TAX ON PRIVATE CLUB'S PROCEEDS FROM SALE OF ALCOHOL

Mr. Wade Quinn, Chairman of Crime Stoppers, reported to the council that Crime Stoppers is totally funded by donations and in an effort to solve the problem of police shortages felt this was a practical solution since most of the police arrests were alcohol related. Mr. Larry James reminded the Council this was not the only method to fund the police shortage, just one way to solve the problem. The ordinance was never offered.

Councilman Kelton offered the following ordinance for the first reading with the following stipulations:

- (a) adding the words "The north 300 feet of", then the legal description
- (b) approval of a site-plan by the MAPC.
- (c) one egress and ingress outlet from Johnson Ave., as far away from Paragould Drive, going east as possible.

AN ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE, PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND OTHER PURPOSES. (JIM LYONS/PAUL ARNOLD)

Councilman Vance 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. No other action was taken on this ordinance.

Councilman Wise offered a resolution to place 25 MPH traffic signs at Samantha Avenue and Rhonda Drive. Councilman Evans moved, seconded by Councilman Kelton for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye with the exception of Councilman Mays who voted nay. The resolution was given the number 1993:27.

Councilman Perrin offered a resolution authorizing the placement of a new patrolman position in the Police Department. Councilman Vance moved, seconded by Councilman Bowers for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:28.

Councilman Perrin offered a resolution upgrading the Training Officer's, Lieutenant position to a Captain's position. Councilwoman Ingram questioned the need to make the Lieutenant position a Captain's position. Councilman Province stated because it was comparable to the Fire Department's training officer. Councilman Vance stated as a training officer this position is eligible for time and a half comp-time, but as a Captain would be a salaried employee not eligible for comp-time. Councilman Mullenix questioned if Mr. Bud Marshall,

Training Officer is advanced to a Captain, would he be moved. Councilman Mullenix was told he would not be. City Attorney, Pam Honeycutt reminded the council if this is a promotion then it must be first approved by the Civil Service Commission. It was determined that this was merely restructuring within the department. Councilman Evans asked are we creating the position of Lieutenant to Captain with an increase in pay and if so is this not a violation of the Civil Service. Councilman Perrin stated there would be an increase in pay and Councilman Vance and Councilman Province both explained that before Mr. Marshall or anyone else is promoted from Lieutenant to Captain they would have to meet the Civil Service guidelines. Councilman Wise asked who is eligible to be Captain. Interim Police Chief Jack McCann stated three police officers were eligible, Bud Marshall, Rohnny McDaniel, and B.J. Smith. Vice Mayor Hannah clarified by stating all we are doing is changing a slot on our authorization board from Lieutenant to Captain, any promotions that are done must be done through the Civil Service guidelines. This has nothing to do with who fills the slot. Councilman Perrin moved seconded by Councilman Vance for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:33. Councilman Perrin moved, seconded by Councilman Kelton to appropriate \$1,537.00 from unallocated general reserves. A roll call vote was taken resulting in all council members voting aye.

Councilman Bowers offered a resolution establishing a public hearing regarding the vacating and abandonment of Roxbury Narrows for 7:00 p.m. August 2, 1993, at City Hall. Councilman Perrin moved, seconded by Councilman Bowers for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:29.

Councilman Wise offered a resolution expressing appreciation to Dr. Jack R. Jones for his work with Jonesboro's Police Dog. Councilman Kelton moved, seconded by Councilman Wise for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:31.

Councilman Vance offered a resolution requesting the placement of a "NO PARKING" sign located on East Matthews in front of 303 East Matthews. Councilman Vance moved, seconded by Councilman Harpole for the adoption of the resolution. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:32.

Councilman Perrin moved, seconded by Councilman Kelton to establish an Appeal Hearing regarding the rezoning denial of property and of a site plan for a mobile home park for Mr. Tom Reagan. The Appeal Hearing was set for August 16, 1993, at 6:45 p.m. A roll call vote was taken resulting in all council members voting aye.

Councilman Vance moved, seconded by Councilman Harpole to establish an Appeal Hearing regarding the rezoning denial of property owned by Mr. John Prunty. The Appeal Hearing was set for August 2, 1993, at 6:30 p.m. A roll call vote was taken resulting in all council members voting aye.

The following appointments were reviewed:

- Doug Gilmore - Board of Zoning Adjustment - expiration date 7/96. Councilman Evans moved, seconded by Councilman Perrin to accept the Mayor's appointment of Mr. Gilmore. A roll call vote was taken resulting in all council members voting aye, with the exception of Councilman Mullenix who voted nay.

- Harris Gilliam, Jerry Goforth, Edwina Aycock, Bob Massenelli - Parking Authority - expiration date 7/98. Councilman Harpole moved, seconded by Councilman Evans to accept the Mayor's appointment of these persons. A roll call vote was taken resulting in all council members voting aye, with the exception of

Councilman Mullenix who voted nay.

- Jimmie Lewis, Vivian LaBlanc - Jonesboro Handicap Advisory Committee - expiration date 7/97. Councilman Evans moved, seconded by Councilman Harpole to accept the Mayor's appointment of these persons. A roll call vote was taken resulting in all council members voting aye, with the exception of Councilman Mullenix who voted nay.

- Gene Vance - Justice Complex Commission - expiration date 7/95. Councilman Harpole moved, seconded by Councilman Mays to accept the Mayor's appointment of Councilman Vance. Discussion followed with Councilman Mullenix stating he was opposed to the other appointments due to no input by the Council, and opposed to this appointment because of Councilman Vance's opinion that the Justice Complex was not worth renovation. Councilman Mullenix suggested the Council be given the opportunity to nominate individuals to these committees. A roll call vote was taken resulting in the following council members voting aye: Wise, Evans, Province, Perrin, Kelton, Harpole, Mays and Hannah. The following council members voted nay: Ingram and Mullenix. The following council members passed their vote: Bowers and Vance.

- Warren Dupwe - Forum Commission - expiration date 7/98. Councilman Evans moved, seconded by Councilman Province to accept the Mayor's appointment of these persons. A roll call vote was taken resulting in all council members voting aye, with the exception of Councilman Mullenix who voted nay.

City Planner, Jim Shaw gave a presentation on the regulation of yard sales, as requested by the Planning and Inspection Committee. Mr. Shaw compared the following cities: El Dorado, Fayetteville, Fort Smith, North Little Rock, Pine Bluff, and West Memphis. Mr. Shaw noted enforcing the regulations must be taken into consideration. Vice Mayor Hannah suggested these recommendations be addressed to the Planning Committee, and to include vendors in the research.

Under new business Vice Mayor Hannah reported the Fire Department will no longer be allowed to burn down homes for individuals because of new regulations by Environmental Control. The Vice Mayor informed council of a Sanitation Committee meeting for July 21, 1993, at 7:00 a.m. at City Hall, and encouraged everyone to go see the new fire truck.

Councilman Mays moved, seconded by Councilman Harpole to approve the 1992 Audit Report which was handed out at the previous meeting. A roll call vote was taken resulting in the following council members voting aye: Wise, Evans, Province, Mullenix, Bowers, Perrin, Vance, Harpole, Mays, and Hannah. Councilwoman Ingram voted nay, stating she still had unanswered questions. Councilman Kelton passed due to confusion over what was to be addressed.

Councilman Wise informed the Council of the Fire Fighters State Convention to be held in Jonesboro July 23, 24, and 25.

Councilman Evans informed the Council of a possible summer youth camp, in an effort to deter youth crime within the city. Also, Councilman Evans stated Parks and Recreation would be seeking a part-time attendant for the Boone Center which will now be open from 1:00 p.m. to 5:00 p.m.

With no further business the meeting was adjourned.