



## Legislation Text

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Minutes for the City Council meeting on February 7, 2000.

**PUBLIC HEARING 6:00 P.M.** - A public hearing was conducted for the purpose of abandoning two five foot utility easements and a 60 foot road right of way located near the intersection of Western Gales Drive and Western Gales Cove in Sage Meadows, Phase I. No opposition was voiced.

**PUBLIC HEARING 6:15 P. M.** - A public hearing was held for the purpose of abandoning a portion of Warner Avenue. Mr. Ben Owens, representing the Administrative Board of the First United Methodist Church addressed Council speaking in favor of the abandonment. He explained a request had been made to MATA sometime in September of 1997 in which the MATA Committee recommended waiting until construction had been completed on Main and Union Streets before closing that portion of Warner Avenue. Several requests had been made since that time to the Mayor's Office as well as the MATA Committee. Mr. Owens explained they proposed to close the entrance and exit to Main Street from Warner, but enter and exit from Union to protect pedestrian safety. Former Alderman Gene Vance presented Council a large size plat stating the portion of Warner Street they are wishing to vacate is between Union and Main and Oak and Matthews. He stated this portion of Warner has been blocked due to the MATA project for two years. Mr. Vance explained, that Mr. Ernie Peters, a Little Rock traffic engineer recommended vacating Warner and entering one-way on Main and exiting one-way on Union. He stated the Administrative Board was willing to consider that possibility. Mr. Aubry Scott, representing the MATA Committee read the recommendation made by Mr. Ernie Peters, and concurred with the recommendation. Mr. Vance stated if Council agrees to close Warner Street their construction engineer would work closely with the MATA Committee and Mr. Peters, taking into consideration their recommendations to design a parking lot that will work. Mr. James Hargis addressed Council speaking in opposition to the vacating of Warner Street. Mr. Hargis read a letter which stated the MATA Director was asked by the church over a year ago to close Warner Street for the purpose of facilitating their parking lot. He stated Warner Street has already been turned into a parking lot for the church. Mr. Hargis' letter stated the revitalization study recently done for the downtown area recommended making streets two way, not giving them away which makes revitalization more difficult. Mr. Hargis urged Council to leave Warner Street open and recommended the churches supervise the walkways during Sunday services.

### CITY COUNCIL MINUTES - February 7, 2000

The Jonesboro City Council met Monday, February 7, 2000 at 6:30 p.m. A full quorum was in attendance. Present were: City Clerk Donna Jackson, City Attorney Phillip Crego and 11 council members. Those members were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. Councilman Perrin was unable to attend. Vice Mayor Rega, presided over the meeting in the absence of Mayor Brodell who was home recovering from heart surgery.

Vice Mayor Rega recognized Boy Scout Troop 6 of the First United Methodist Church, by having them lead the Pledge of Allegiance with the invocation given by Councilman Province.

Councilman Roddy moved, seconded by Councilman Young for approval of the minutes from January 17, 2000 as delivered. A voice vote was taken resulting in all members voting aye. Those members voting aye were:

Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy.

Vice Mayor Rega changed the order of business by moving the request to address Council by Mr. Bill Ebbert to line item 12 (New Business by the Mayor). It was explained Mr. Ebbert would have unlimited time to address Council.

Councilman Kelton moved, seconded by Councilman Roddy to table Item 4-A until March 6, 2000. The property owner and the petitioner, Mr. Paul Koros requested the ordinance be tabled until that time. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy.

The following ordinance was on the third and final reading:

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

Councilman Young moved, seconded by Councilman Moore for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The ordinance was assigned ordinance number 3189.

The following ordinance was on third and final reading:

ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES AS FOR OTHER PURPOSES (Floyd Wineland)

It was explained that a revised ordinance had been provided which acknowledged the property as part of a closed municipal landfill. Councilman Young offered the revised ordinance. Councilman Copeland moved, seconded by Councilman Moore to suspend the rules and place on second reading as amended. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. Councilman Young moved, seconded by Councilman Crockett to further suspend the rules and place on second reading as amended. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. Councilman Kelton moved, seconded by Councilman Roddy for the adoption of the ordinance as amended. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The ordinance was assigned ordinance number 3190.

The following ordinance was on the third and final reading:

ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES AS FOR OTHER PURPOSES ( Ruben Griffin )

Councilman Tate moved, seconded by Councilman Moore for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The ordinance was assigned ordinance number 3191.

Councilman Copeland offered the following ordinance for first reading:

ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES AS FOR OTHER PURPOSES (Jimmy Gray)

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

Councilman Tate offered the following ordinance for first reading:

ORDINANCE TO ABANDONING TWO FIVE FOOT UTILITY EASEMENTS AND A 60 FOOT RIGHT OF WAY LOCATED NEAR THE INTERSECTION OF WESTERN GALES AND DRIVE AND WESTERN GALES COVE IN SAGE MEADOWS, PHASE I (C. M. Mooney, Sr. )

Councilman Moore moved, seconded by Councilman Crockett to suspend the rules for second reading by title only. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. Councilman Tate moved, seconded by Councilman McCall to further suspend the rules for third and final reading by title only. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. Councilman Young moved, seconded by Councilman Crockett for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The ordinance was assigned ordinance number 3192.

Councilman Young offered the following ordinance for first reading:

ORDINANCE ABANDONING A PORTION OF WARNER AVENUE

Councilman Young moved, seconded by Councilman McCall to suspend the rules for second reading by title only. A voice vote was taken resulting in all members voting aye, with the exception of Councilman Copeland who abstained from voting. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Moore, and Roddy. Councilman Young moved, seconded by Councilman McCall to further suspend the rules and place on third reading by title only. A voice vote was taken resulting in all members voting aye, with the exception of Councilman Copeland who abstained from voting. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Moore, and Roddy. Councilman Young moved, seconded by Councilman Roddy for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye, with the exception of Councilman Copeland who abstained from voting. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Moore, and Roddy. The ordinance was assigned ordinance number 3193.

Councilman Moore offered the following ordinance for first reading:

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

Councilman Moore moved, seconded by Councilman Crockett to suspend the rules and place on second

reading. A voice vote was taken resulting in all members voting aye, with the exception of Councilman Kelton who abstained from voting. Those members voting aye were: Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy.

Councilman Roddy offered the following ordinance for first reading:

ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF TRASH CONTAINERS FROM OTTO INDUSTRIES FOR THE SANITATION DEPARTMENT.

Councilman Kelton moved, seconded by Councilman Roddy to amend the ordinance to delete the word gray. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. Councilman Tate moved, seconded by Councilman Young to suspend the rules for second reading by title only as amended. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. Councilman Tate moved, seconded by Councilman Kelton to further suspend the rules for third reading by title only as amended. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The ordinance was assigned ordinance number 3194.

Councilman Kelton moved, seconded by Councilman Tate for the adoption of a resolution requesting free services from City Water and Light for a community park located at Valley View Elementary School, work at Craighead Forest Park, and two Adopt an Intersection Programs at Windover and Harrisburg Road; and Airport Road and Nettleton Ave. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The resolution was assigned resolution number 2000:05.

Councilman Young moved, seconded by Councilman Crockett for the adoption of a resolution endorsing Art Advertising, Inc. to participate in the Advantage Arkansas Program. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The resolution was assigned resolution number 2000:06.

Councilman Kelton moved, seconded by Councilman Moore to set an appeal hearing for February 21, 2000 for 6:15 p.m. Mr. Rick Turman had requested the hearing regarding the recommendation of the Metropolitan Area Planning Commission to deny a rezoning from Residential (R-1) to Residential (R-2), located on the south side of Rook Road, east of Stadium Boulevard. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy.

Councilman Young moved, seconded by Councilman Crockett for the adoption of a resolution naming judges, clerks, and alternate workers to serve in the election for Board of Directors of the City Water and Light Board. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The resolution was assigned resolution number 2000:07.

Councilman Tate moved, seconded by Councilman Kelton for the adoption of a resolution setting a public hearing for February 21, 2000 for 6:10 P.M. for the purpose of vacating a utility easement located in Block "E" of Dunwoody Huntcliff Estates, as requested by Dr. Spanos. A voice vote was taken resulting in all members

voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The resolution was assigned resolution number 2000:08.

Councilman Crockett moved, seconded by Councilman Copeland to set a TEFRA Hearing for March 6, 2000 at 6:15 p.m. for public comment regarding VHA, Inc. National Capital Borrowing Program on behalf of St. Bernard's Healthcare, Inc. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy.

Councilman Young moved, seconded by Councilman Roddy confirming the reappointment of Mr. Bill Gott to the Metropolitan Area Planning Commission with an expiration date of February 1, 2003. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy.

Under new business, Mr. Bill Ebbert commended the Jonesboro Sun for their article regarding the Arkansas Freedom of Information Act (F.O.I. A.) and explained he had experienced difficulty in obtaining public information from various municipal departments. He stated he was told to put his request in writing, even though the Freedom of Information Act does not have such a requirement. Mr. Ebbert stated our municipal officials cannot use the excuse they did not know the law, because they have access to the City Attorney's Office, Arkansas Municipal League and the Attorney General's Office. Mr. Ebbert explained the F. O. I. A. states copies may be made at a reasonable rate, and provided bids from four different sources showing a lower rate than the thirty cents per copy currently charged by the City of Jonesboro. Mr. Ebbert stated if it is important that individuals have their construction jobs inspected, it should be just as important that the City of Jonesboro follow the same inspections, because it provides for the health and well being of citizens. He also referred to a law which requires an architect be hired when a certain amount of money is being spent on a construction job. Mr. Ebbert stated this assures that the public's money is not wasted. Mr. Ebbert stated he supported the renovation of buildings, but questioned if it was wise to spend tax payer's money to renovate a building that is only used two to four weeks out of the year. He questioned where the funds came from to renovate the buildings on Union and Main, stating he had not heard Council approve the funds to renovate these buildings. He further stated the occupancy number was not provided until the building was completed. He explained the purpose of the occupancy number, according to the State of Arkansas, is to determine the number of emergency exits and other vital factors when considering the construction of a building. Mr. Ebbert stated even though there was a number of violations, no citations were issued, and nothing will be done until someone does something about it. Mr. Ebbert argued that the City of Jonesboro is constructing buildings without proper planning and without following the law. He stated the architects law requires you count for free labor when determining the cost of the construction. Mr. Ebbert stated the attitude of the City of Jonesboro, with the exception of Mr. Lowell Gregg, Plumbing Inspector is that they do not have to inspect city property. He questioned when the City of Jonesboro is going to inspect its own property, and recommended appointing a committee to make recommendations to the full Council. Mr. Ebbert asked Mr. George Kennerich, Architect if he had anything to say. Mr. Kennerich stated the law was self explanatory. In closing, Mr. Ebbert urged the Council to do better planning, in order spend the tax payer's money more wisely, and do inspections on city owned property.

Vice Mayor Rega opened the floor to Regions Bank Officials, Carla Carson, Benefit Officer of the Trust Department, and Hoyt Pyle Portfolio Manager of Jonesboro's non-uniform pension plan who provided a brief overview of how the non-uniform pension plan had done in 1999. Mr. Pyle reported the plan had provided a total return of 23.72% with 80% of the assets invested in stock funds and the remainder in fixed income funds. Ms. Carson gave a summary of the eligibility requirements.

Councilman Young moved, seconded by Councilman McCall for the adoption of a traffic resolution placing traffic signs at the following locations:

STOP SIGNS:

Dara Dr. at Highland  
Highland Park Cir at Dara Dr. both sides (South intersection)  
Dara Dr. at Highland Park Cir. (North intersection)  
Rose St. at Greenbriar Dr. for west bound traffic

YIELD SIGNS:

Rose St. at Greenbriar Dr. for east bound traffic

A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Tate, McCall, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, and Roddy. The resolution was assigned resolution number 2000:09.

Councilman Rorex questioned Mr. Brian Wadley, of the Inspection Department, if they had inspected the buildings on Union and Main referring to Mr. Ebbert's earlier comments. Mr. Wadley stated they had inspected every aspect of the buildings dimensions and had provided copies of the inspection and permit to Mr. Ebbert. Mr. Ebbert disputed Mr. Wadley's statement saying Mr. Wadley told him the Inspection Department is not responsible for inspections of city owned property. Mr. Ebbert stated Mr. Wadley did not even have a copy of the plans, and plans must be provided before a permit is issued. Vice Mayor Rega proceeded to move the meeting along, and thanked Mr. Ebbert for his comments. Mr. Ebbert responded he wanted to keep the record accurate, and the matter could be settled here or in court.

Councilman Moore made the recommendation that signs be posted for street closings similar to the way signs are posted for rezonings in an effort to keep the public informed. Councilman Kelton agreed with the recommendation made by Councilman Moore.

With no further business, the meeting was adjourned.