



## Legislation Text

---

**File #:** MIN-93:006, **Version:** 1

---

Minutes for the City Council meeting on March 15, 1993

**PUBLIC HEARING - 7:00 P.M.** - A public hearing was held regarding the vacating of Jackson Street. Mayor Brodell reported that they had received letters from Arkla Gas and City Water and Light stating they no longer object to the closing of Jackson Street.

**PUBLIC HEARING - 7:10 P.M.** - A public hearing was held regarding the development of the Benton Improvement District number five. Attorney Charles Frierson III was there to represent the Improvement District. Mr. Frierson introduced Mr. Glenn Bradly, Mr. Ed Weaver, and Mr. Gerald Brown as commissioners for the Benton Improvement District #5, and explained the petition of 51 percent of property owners. Mr. Billy West spoke in opposition to the Improvement District, questioning why his name had been removed from the list of commissioners, and when a man and wife sign are they counted once or twice. Mr. Frierson explained it was due to Mr. West's refusal to sign the petition that caused him to be removed as commissioner, and as long as there is a representation of fifty one percent of the assessed property value it doesn't matter how married couples are counted. Others to speak in opposition were Ben Toy and Paul Wimpy.

**APPEAL HEARING RESCHEDULED** - The decision was made to reschedule an appeal hearing regarding the MAPC rezoning denial of property owned by Kent Arnold. Mr. Lyons, Attorney for Mr. Arnold questioned the informal procedures of the Council, explaining that the only individuals which need be informed were the parties requesting the appeal.

### CITY COUNCIL MINUTES - MARCH 15, 1993

The Jonesboro City Council met in regular session at 7:30 p.m. Present were the Mayor, City Clerk, City Attorney and all Council Members.

The minutes of March 1, 1993, were approved as amended by motion of Councilman Harpole, seconded by Councilman Bowers, to include the words "by state bid" with regard to the purchase of a vehicle for the Street Department. A roll call vote was taken resulting in all council members voting aye.

Councilman Harpole offered the following ordinance for the first reading:

**AN ORDINANCE ESTABLISHING A MUNICIPAL STREET IMPROVEMENT DISTRICT TO BE KNOWN AS BENTON SUBDIVISION STREET IMPROVEMENT DISTRICT NO. 5 DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

Councilman Hannah questioned the purpose of the Improvement District and was told by Mr. Frierson that the purpose was for street grading improvements. Councilman Evans 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.

Councilman Bowers offered the following ordinance for the first reading:

AN ORDINANCE TO VACATE AND ABANDON A PORTION OF WEST JACKSON AVENUE BETWEEN UNION STREET AND MADISON STREET.

Vice Mayor Jim Hannah, continued the meeting in the absence of Mayor Brodell, while he took an important phone call. Councilman Harpole moved, seconded by Councilman Vance to suspend the rules and place on the second reading. A roll call vote was taken resulting in all council members voting aye. Mayor Brodell returned to conduct the meeting.

The following ordinance was on the third reading:

AN ORDINANCE TO ESTABLISH A PROCEDURE FOR SUBMITTING ITEMS TO BE PLACED UPON THE AGENDA FOR CITY COUNCIL MEETINGS AND TO ADDRESS THE COUNCIL IN SUCH MEETINGS.

Councilwomen Ingram moved, seconded by Councilman Hannah to amend the ordinance as follows:

SECTION ONE: amending 12 noon to read 10:00 a.m.

SECTION TWO: amending street improvements to read street improvement districts and amending handicap mobile home applications to read manufactured home applications.

SECTION THREE: amending the words "written notice" to read "notice" and to delete the words "24 hours"

SECTION FOUR: delete section in its' entirety and replace it with the following: The Mayor, as the Chief Executive of the City, may add items to or delete items from the agenda as prepared by the City Clerk, providing it is done so in a time frame that allows a copy of the changes to be made available to every council person by the affected meeting time. The City Council may override the Mayor's amendments to the agenda by a 2/3 vote of the council members present."

SECTION FIVE: amending "8 X 14" to read "8 1/2 X 14"

SECTION NINE: Deletion of section nine in it's' entirety.

A roll call vote was taken resulting in all council members voting aye. Due to the amendment changing the content of the ordinance, the decision was made to place the ordinance on the first reading at the next council meeting, April 5, 1993.

The following ordinance was on the third reading:

AN ORDINANCE DECLARING THE DUTIES AND SALARY OF THE CITY CLERK, AND ESTABLISHING THE ELECTED POSITION AS A FULL TIME POSITION.

Councilwoman Ingram moved, seconded by Councilman Harpole for the adoption of the ordinance. A roll call vote was taken resulting in a seven to five vote in favor of the adoption: Wise, Evans, Ingram, Mullenix, Bowers, Kelton, and Harpole. Those opposed were: Province, Perrin, Vance, Mays and Hannah. The ordinance was given the number 2462.

Councilman Kelton offered the following amended ordinance for the first reading:

AN ORDINANCE CONDITIONALLY APPROVING THE METROPOLITAN AREA TRAFFIC AUTHORITY'S STREET AND HIGHWAY PLAN DATED JANUARY 14, 1992.

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. Councilman Harpole moved seconded by Councilman Vance to further suspend the rules and place on the third and final reading. A roll call vote was taken resulting in all council members voting aye. Councilman Harpole moved, seconded by Councilman Vance for the adoption of the ordinance. A roll call vote was taken resulting in the following Councilpersons voting nay: Province and Hannah. Those voting aye were: Wise, Evans, Ingram Mullenix, Bowers, Perrin, Kelton, Vance, Harpole, and Mays. Those opposed were Province and Hannah. The ordinance was adopted by a ten to two vote. The ordinance was given the number 2463.

Councilman Hannah moved, seconded by Councilman Mays to call for a public referendum within ninety days, regarding ordinance 2463. A roll call vote was taken, resulting in a seven to five vote in favor of the motion. The following council members voted aye: Wise, Province, Bowers, Perrin, Kelton, Mays and Hannah. Those voting nay were: Evans, Ingram, Mullenix, Vance and Harpole. For the motion to pass a 2/3 vote (8) was needed. The motion was defeated.

Councilman Hannah moved, seconded by Councilman Evans to reschedule the appeal hearing, regarding the rezoning denial by the MAPC of Mr. Kent Arnold for April 5, 1993, at 7:00 p.m. A roll call vote was taken resulting in all council members voting aye.

The following bids were reviewed:

93:17 Fire Hose - Fire Department

Councilman Wise moved, seconded by Councilman Bowers to accept the low bid which met specifications. A roll call vote was taken resulting in all council members voting aye.

93:18 Emergency Generator - 911

Councilman Perrin moved, seconded by Councilman Hannah to accept the low bid which met specifications, and to purchase the generator through the unallocated sales tax fund, due to the generator not being budgeted for 1993. A roll call vote was taken resulting in all council members voting aye.

93:19 Power Rescue Tool - Fire Department

Councilman Wise moved, seconded by Councilman Mullenix to accept the low bid which met specifications. A roll call vote was taken resulting in all council members voting aye.

93:20 Concrete Pipe - Street Department

Councilman Mays moved, seconded by Councilman Harpole to accept the low bid which met specifications. A roll call vote was taken resulting in all council members voting aye.

93:21 Sand and Gravel - Street Department

Councilman Mays moved, seconded by Councilman Vance to accept the low split bid in which both met specifications. A roll call vote was taken resulting in all council members voting aye.

93:22 Street Paint - Street Department

Councilman Mays moved, seconded by Councilman Harpole to accept the low bid which met specifications. A roll call vote was taken resulting in all council members voting aye.

93:23 Asphalt - Street Department

Councilman Vance moved, seconded by Councilman Mays to accept the low bid which met specifications. A roll call vote was taken resulting in all council members voting aye.

93:24 Ready Mix Concrete - Street Department

Councilman Mays moved, seconded by Councilman Harpole to accept the low bid which met specifications. A roll call vote was taken resulting in all council members voting aye.

93:25 Rip Rap - Street Department

Councilman Mays moved, seconded by Councilman Harpole to accept the low bid which met specifications. A roll call vote was taken resulting in all council members voting aye.

93:26 Concrete Blocks - Street Department

Councilman Vance moved, seconded by Councilman Bowers to accept the low bid which met specifications. A roll call vote was taken resulting in all council members voting aye.

93:27 Glass Spheres - Street Department

Councilman Harpole moved, seconded by Councilman Vance to accept the low bid which met specifications. A roll call vote was taken resulting in all council members voting aye.

93:28 Sidewalk/Gutter - Street Department

Councilman Vance moved, seconded by Councilman Harpole to accept the low split bid in which both met specifications. A roll call vote was taken resulting in all council members voting aye.

93:29 Motor Oil - Street Department

Councilman Mays moved, seconded by Councilman Perrin to accept the low bid which met specifications. A roll call vote was taken resulting in all council members voting aye.

93:30 Tire Recaps- Street/Sanitation Department

Councilman Mays moved, seconded by Councilman Harpole to accept the low bid which met specifications. A roll call vote was taken resulting in all council members voting aye.

Councilman Hannah moved, seconded by Councilman Vance to adopt a resolution to condemn property at the following locations: 508 N. Fourth, 516 N. Fourth, 526 W. Woodrow, 332 N. Second and 508 N. Third. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:11.

Councilman Hannah moved, seconded by Councilman Bowers to adopt a resolution establishing a public hearing regarding the vacating of South Street, for 6:45 p.m. on April 5, 1993. A roll call vote was taken resulting in all council members voting aye. The resolution was given the number 1993:12

Councilman Hannah move, seconded by Councilman Mullenix to accept the Mayor's recommendation of Mr. Lee Hummelstein to Ward One (1), of the City Water and Light Board. A roll call vote was taken resulting in all council members voting aye.

Councilman Bowers moved, seconded by Councilman Mullenix to table the Mayor's recommendation of Mr.

Randy Hood and Jim Hoggard to the Civil Service Commission till the next meeting. A roll call vote was taken resulting in all council members voting aye.

Under new business Mr. Lowes, Public Works Director, stated that on March 23, 1993, there would be a Stormwater meeting by the MAPC at 7:00 p.m.

Councilman Vance 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.

This ordinance was held for the second reading till the next council meeting.

Councilman Vance requested the Police Department to send out information to the media regarding the \$24,000.00 Grant from the Highway and Transportation Department, explaining the details of how this money is to be used.

Mayor Brodell recognized Ms. Betty Snyder from the floor. Ms. Snyder addressed council regarding the City Attorney's office, stating she felt she was not properly represented. Ms. Pam Honeycutt, City Attorney explained this was incorrect and produced signed affidavits from several court clerks stating Ms. Snyder's inappropriate behavior. Ms. Honeycutt stated she would be forced to take legal action if Ms. Snyder's harassment toward her office continued. City Attorney, Pam Honeycutt questioned Mayor Brodell regarding the procedure for addressing the council. Mayor Brodell stated since January 1, 1993, he has taken comments from the floor at the end of each meeting, and would continue doing so unless the council decides differently.

With no further business the meeting was adjourned.