



Legislation Text

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Minutes for the City Council meeting on July 2, 1990

Public Hearings

A Public Hearing was held at 6:55 p.m. concerning the abandonment of a 10 ft. alley running between Fisher and Drake, N of Hoover St. for Glen Letner. No objections were voiced.

A Public Hearing was held at 7:00 p.m. regarding the Jonesboro Sewer Improvement District #2 in Mardis Addition. Attorney Charles Frierson represented the property owners and stated more than 2/3 or the total valuation of property in the area supported the formation of the district and that state law requires that when an improvement district is formed and more than 50% of the property owners owning more than 50% of the property valuation want to form a district, the City Council as the governing body, must approve the request. He added that Minor Markle of Markle Abstract Co. Certified the petition submitted to the City Clerk contained more than 51% of the required signatures. In response to a question concerning how property owners were selected for inclusion in the district, Mr. Frierson stated if benefits will flow to the property, the land owners should pay their fair share and were included. He stated Mr. David Burgess had the map drawn after three (3) called meetings regarding the proposed district formation. Opponents voiced objections regarding the circulation of the petition and the questions posed by petitioners as being, "If you are interested in a sewer district to sign the petition" and added that a full disclosure of the facts was not provided. Mr. Frierson stated that letters were sent by certified mail to property owners included in the district providing notice of the meeting to discuss the proposal. Mr. James Buttry, Attorney added that the addresses were obtained from the Tax Assessors Office and may not have gone to the correct owner if the property had been sold. One individual expressed a desire to have his name withdrawn from the petition. Proponents of the formation of the district stated that on hot summer nights that the aroma from the septic tanks can be smelled and are in bad condition. Alderman Sanderson stated that in reality, the district has proved that more than 50% are in favor of the formation of the district and the council should act on the matter as required by law. Attorney James Buttry added that under the terms of a sewer improvement district, bonds will be sold to finance the project and bonds are paid off through fees assessed to property owners within the district boundary.

City Council Meeting - July 2, 1990

The Jonesboro City Council met in regular session at 7:30 p.m. at City Hall. Present were Mayor, City Clerk, City Attorney, and Aldermen Hannah, Park, Stricklin, Evans, Bridger, Province Sanderson, Strauser, Hinson and Nix. Aldermen Shelton and Mays were absent.

The minutes of June 18, 1990, were approved as mailed on motion by Mr. Stricklin, seconded by Mr. Nix. All voted aye.

Mr. Hannah offered a resolution regarding certifying local government participation in the Enterprise Zone program by Hytrol Conveyor, Co., Inc. located at 2020 Hytrol Drive. Mr. Hannah moved, seconded by Mr. Hinson for the adoption of the resolution. All voted aye. The resolution was given the number 1990:36.

Mr. Park offered the following ordinance for first reading:

AN ORDINANCE TO VACATE A TEN FOOT ALLEY BETWEEN FISHER STREET AND DRAKE STREET

Mr. Park moved, seconded by Mr. Hinson to suspend the rules and place on second reading. All voted aye. Mr. Sanderson moved, seconded by Mr. Stricklin to suspend the rules and place on third reading. All voted aye. Mr. Sanderson moved, seconded by Mr. Stricklin for the adoption of the ordinance with the emergency clause. All voted aye. The ordinance was given the number 2279.

Mr. Evans offered the following ordinance for first reading:

AN ORDINANCE ESTABLISHING A MUNICIPAL SEWER IMPROVEMENT DISTRICT; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

Mr. Park suggested a meeting be set by the district organizers to provide all property owners with the same information to further discuss the issue. Mr. Park moved, seconded by Mr. Stricklin to suspend the rules and place the ordinance on second reading. All voted aye. Mr. Sanderson moved, seconded by Dr. Strauser to further suspend the rules and place the ordinance on third reading. A roll call vote was taken. Aldermen Stricklin, Sanderson, Strauser and Nix voted aye. Aldermen Hannah, Park, Evans, Bridger. Province and Hinson voted nay. The motion failed 4-6.

Three ordinances were up for third and final reading concerning rezoning from R -1 to R -2, involving mobile home placement.

Mr. Province moved, seconded by Mr. Bridger to table all requests for rezoning of land for mobile home placement until details for proper zoning can be worked out for non-conforming use of mobile homes and to grant a temporary permit to Gerald Patterson for placement of a mobile home on the E side of Richardson Rd., S of Ingels Rd. All voted aye. The MAPC liaison, Brian Wadley passed out a revision of the existing ordinance on mobile homes for the Council to review.

Mr. Hannah moved, seconded by Mr. Nix to grant a temporary permit to Floyd Prescott for placement of a mobile home on the E side of Mitzi Lane, S of Darlene adhering to the same rules and provisions as stated in the previous rezoning request. All voted aye.

Mr. Hannah further moved, seconded by Mr. Nix to grant a temporary permit to G Rankin for placement of a mobile home on the SE corner of Lawson Rd. and Kersey Ln. adhering to the same rules and provisions applicable to the two previous rezoning requests. All voted aye.

The following ordinance was up for third and final reading:

AN ORDINANCE TO REGULATE NON-CONFORMING PROPERTY USE WITHIN EXISTING ZONING CLASSIFICATIONS; PROVIDE FOR THE EXPANSION, RESTORATION, AND CHANGE OFF NON-CONFORMING USES; AND FOR OTHER PURPOSES

Dr. Strauser moved, seconded by Mr. Evans for the adoption of the ordinance with the emergency clause. All voted aye. The ordinance was given the number 2280.

Dr. Strauser offered the following ordinance for first reading:

AN ORDINANCE TO AMEND CHAPTER 11.12, PLUMBING CODE, SECTION & 11.12.01 - STATE PLUMBING CODE ADOPTED BY REFERENCE; AMENDMENTS, SUBSECTION (b), AND TO REPEAL SECTION & 11.12.11, PROHIBITION OF NON-METALLIC PIPING OR FITTINGS, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, AR, TO ALLOW THE USE OF NON-METALLIC PIPE, AND FOR OTHER PURPOSES

City Plumbing Inspector, Lowell Gragg stated the ordinance would amend the plumbing code and would allow the use of non-metallic pipe (PVC pipe), which has been prohibited by code in the past, could be used instead of cast iron on water closets and similar connections, conventional floors with permanent access, soil and waste piping for a drainage system within a building, or above-ground water piping within buildings. Mr. Province stated that when the pipe is exposed to direct sunlight and placed under slab it deteriorates. Rick Forbus of the Jonesboro Fire Department expressed concern over the allowance of plastic pipe anywhere but under slab because when it burns, toxic deadly fumes result. The Mayor added that Jonesboro is one of the few cities in the area that still does not allow plastic pipe to be used. Mr. Nix added that although we may be only one of the two or three cities in the state not allowing usage of plastic pipe does not necessarily mean that the municipality is wrong and that the biggest pro is that it sales money. Jack Hollingsworth, local plumber voiced objections to the proposed ordinance and requested that local plumbers have a chance to review it. The Mayor suggested that the ordinance be left on one reading.

Mr. Hannah moved, seconded by Mr. Stricklin to set an Appeal Hearing of the MAPC for Joseph Foster regarding paving and curbs on the 235 LF street extension in a cul-de-sac on property located near intersection of Prospect Rd. and Old Paragould Hwy. at 7:00 p.m. and to set a Public Hearing at 6:50 p.m. concerning the abandonment of a 10 ft. Alley running N and S between Thorn and Clark, S of abandoned portion of School St. and a 10 ft. alley running N and S between Clark and Una, S of School Street by Nettleton Baptist Church on July 16, 1990. All voted aye.

Mr. Nix moved, seconded by Mr. Stricklin to set four Public Hearings on August 6, 1990, regarding the following:

(A) Closing of an island located on N side of Wood Springs Rd. (Hwy 226), approximately 1/4 mile E of Hwy 226 spur at 6:50 p.m. (Jonesboro Investment Co.)

(B) Closing of an island located E of Hwy 226 Spur approximately 1/2 mile S of Wood Springs Rd. (Hwy 226) at 7:00 p.m. (Jonesboro Investment Co.)

(C) Closing of an island located approximately 1/4 mile N of Wood Springs Rd. (Hwy 226), W of Friendly Hope Rd. and S of Casey Springs Rd. at 7:00 p.m. (Dean Tyrer and Coy Mac Boyd, B and T Trust, Co.)

(D) Closing of an island located on the W side of Hwy 63 Bypass, S of Hwy 91. 7:20 p.m. (Troy Coleman) All voted aye.

The following bid was up for review:

90:32 - full size pick up - Mosquito

Mr. Hannah moved, seconded by Dr. Strauser to accept the low bid meeting specifications and to accept bid #1 from Blackwell/Baldwin. All voted aye.

Mr. Hannah offered a resolution regarding traffic as requested by the Traffic Safety officer of a stop sign at Osler Dr. and Fleming Ave. to cause southbound traffic to stop before entering into Rehabilitation Hospital entrance. All voted aye. The resolution was given the number 1990:37.

Discussion followed regarding a request by the Mayor authorizing expenditures of the Traffic Study Commission with up to a maximum of \$75,000 from money given the municipality by CWL in 1988 earmarked for planning. Mr. Hannah stated CWL cannot legally stipulate how the city spends the donated money. The Clerk read the resolution offered by Mr. Park to authorize the Mayor to appoint a Metropolitan Area Traffic Authority charged with the responsibility of preparing a long-range plan for the routing of traffic within the city, making recommendations for traffic routing from outlying areas into the city, to authorize the Traffic Authority to employ consultants to assist with the traffic study and recommendations, that necessary funds be provided for this purpose, and that said authority would complete its traffic study, long range plan and recommendations within one calendar year of its appointment.

Mr. Park moved, seconded by Dr. Strauser to adopt the resolution and to authorize expenditures up to \$75,000.00 by the commission from money given to the city by CWL earmarked for planning purposes. A roll call vote was and all voted aye with the exception of Mr. Hannah who voted nay. The resolution was given the number 1990:38.

The Mayor presented information regarding a lawsuit filed by James Dunigan vs. City of Jonesboro and stated that the attorney representing the matter, Bill Bristow stated that Mr. Dunigan's attorney will settle for \$15,000.00 attorney fees as required by the court order and \$100 damages to Mr. Dunigan. Mr. Bristow's fee is \$5,000.00. He added that he had spoken with the insurance carrier, Gallagher regarding the matter and plans to take the file to Little Rock to meet with them on Tuesday, July 3, 1990, to ask the insurance trust to consider paying all or a portion of the costs of the attorney fees. Dr. Strauser offered a resolution to appropriate \$ 20,100.00 from the Unappropriated General Fund to Professional Services (Administration) line item #217. Dr. Strauser moved, seconded by Mr. Sanderson for the adoption of the resolution. All voted aye. The resolution was given the number 1990:39.

Mr. Hannah, Chairman of the Police Committee moved, seconded by Mr. Sanderson to approve a policy request by the Police Chief, John Morgan to establish the essential policies governing the utilization of Police Dept. vehicles that have been designated as home-storage units by the JPD. All voted aye.

Dr. Strauser offered a resolution to make a base salary adjustment to the pay scale of Brian Wadley of \$2,289.81 effective July 1, 1990. Dr. Strauser moved, seconded by Mr. Bridger for the adoption of the resolution. All voted aye. The resolution was given the number 1990:40.

With no further business the meeting adjourned.