



## Legislation Text

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**File #:** MIN-96:015, **Version:** 1

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Minutes for the City Council meeting on July 15, 1996

PUBLIC HEARING - 6:10 P.M. - The public hearing to vacate 97.6 feet platted as Rose Avenue requested by Mark & Tammy Rees, represented by C. M. Mooney, Sr. was tabled for further discussion.

### CITY COUNCIL MINUTES - JULY 15, 1996

The Jonesboro City Council met Monday, July 15, 1996, at 6:30 p.m. A full quorum was in attendance. Present were: Hubert Brodell, Mayor; Donna K. Jackson, City Clerk; Phillip Crego, City Attorney; and 9 council members. Those members were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy, and Harpole. Councilman Wise and Councilman Perrin were unable to attend the meeting. Vice Mayor, Gary Harpole presided over the first half of the council meeting because Mayor Brodell was delayed in Little Rock on official city business.

The minutes of July 1, 1996, were approved as delivered by Councilman Roddy and seconded by Councilman Kelton. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy, and Harpole.

The first item of business was a decision by Council, regarding stipulations made by the Metropolitan Area Planning Commission for replat of property located on Main, Campus and Church Streets. Councilman Vance moved, seconded by Councilman Province to table the decision for two weeks in order to allow City Attorney, Phillip Crego time to review the matter. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy, and Harpole.

The following ordinance was being read for the third time:

AN ORDINANCE TO CLOSE A TWENTY (20) FOOT UTILITY EASEMENT BETWEEN LOT 2R AND LOT 4R AND CLOSE A TWENTY (20) FOOT UTILITY EASEMENT ON THE SOUTH LINE OF LOT 5 BETWEEN LOT 5 AND LOT 2R. BOTH EASEMENTS ARE LOCATED IN THE THOMAS ADDITION, CAPRICE AT MALIBU. (PHILLIPS INVESTMENTS, INC.\ D. MULHOLLEN)

Councilman Young moved, seconded by Councilman Tate for the adoption of the ordinance. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy, and Harpole. The ordinance was given the number 2704.

The following ordinance was being read for the third time:

AN ORDINANCE TO CLOSE A DRAINAGE EASEMENT, LOCATED ON PEABODY DRIVE EAST OF STADIUM. (PHILLIPS INVESTMENTS, INC.\ D MULHOLLEN)

Councilman Tate moved, seconded by Councilman Young for the adoption of the ordinance. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy, and Harpole. The ordinance was given the number 2705.

The following ordinance was being read for the third time:

AN ORDINANCE TO VACATE AN EASEMENT LOCATED IN THE BROWNSTONE ADDITION.  
(VANCE A. BROWN)

Councilman Tate moved, seconded by Councilman Roddy for the adoption of the ordinance. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy, and Harpole. The ordinance was given the number 2706.

The following ordinance was being read for the third time:

AN ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND FOR OTHER PURPOSES. (HERMAN GEORGE & MARION PERKINS/ G. S. BRANT PERKINS)

Councilman Roddy moved, seconded by Councilman Rega for the adoption of the ordinance. Discussion began with Mr. G. S. Brant Perkins, the representing attorney, by explaining there were no plans to change the usage of the property, only to upgrade the building for aesthetic purposes. Council was assured by Attorney Perkins the usage would remain the same as it has been in the past Councilman Vance inquired if this was not located in an historical area, and compared it to the Gasaway Grocery rezoning request, which was denied in November of 1995. Councilman Vance explained once property has been rezoned it is permanent. Vice Mayor Harpole called for a roll call vote resulting in Five (5) members voting aye. Those members were: Hannah, Tate, Kelton, Roddy, and Harpole. Three (3) members voting nay. Those members were: Vance, Province and Rega. One (1) member abstained from voting, that member was Councilman Young. The motion failed for lack of a majority of the whole elected body.

The following ordinance was being read for the third time:

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

Councilman Kelton moved, seconded by Councilman Young for the adoption of the ordinance. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy, and Harpole. The ordinance was given the number 2707.

The following ordinance was being read for the third time:

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

Councilman Kelton moved, seconded by Councilman Young for the adoption of the ordinance. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy, and Harpole. The ordinance was given the number 2708.

Councilman Tate moved, seconded by Councilman Kelton to table Item G, and to reset the Public Hearing for 6:00 p.m. on August 5, 1996, in Municipal Court. (An Ordinance to vacate 97.6 feet platted as Rose Avenue running between Blocks I and F in the Belmont Addition.) A voice vote was taken resulting in all council

members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy, and Harpole.

Vice Mayor Harpole recessed the meeting for three minutes, to allow Mayor Brodell to recommence with the rest of the council meeting. Councilman Harpole had to leave early due to his wife being taken to the hospital with premature labor pains.

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 FOR OTHER PURPOSES. (David D. Conrad)

Councilman Vance moved, seconded by Councilman Tate to suspend the rules and place on the second reading. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy. Councilman Tate moved, seconded by Councilman Roddy to further suspend the rules and place on the third and final reading. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy. Councilman Tate moved, seconded by Councilman Kelton for the adoption of the ordinance. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, and Roddy. The ordinance was given the number 2709.

Councilman Young 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 FOR OTHER PURPOSES. (Phillip Jones)

Councilman Tate moved, seconded by Councilman Roddy to suspend the rules and place on the second reading. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy. Councilman Tate moved, seconded by Councilman Province to further suspend the rules and place on the third and final reading. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, Roddy. Councilman Tate moved, seconded by Councilman Roddy for the adoption of the ordinance. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, and Roddy. The ordinance was given the number 2710.

Councilman Roddy 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 FOR OTHER PURPOSES. (Scott Moore)

Councilman Tate moved, seconded by Councilman Roddy to suspend the rules and place on the second reading. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, and Roddy. The ordinance was read a second time.

The following ordinance was being read for the second time:

AN ORDINANCE TO AMEND ORDINANCE NO. 1365 AND THE JONESBORO CODE OF ORDINANCES, CHAPTER 8.12, KNOWN AS "EMERGENCY VEHICLES" BY SETTING STANDARDS

FOR PERSONS OR FIRMS TO OPERATE EMERGENCY AND NON-EMERGENCY TRANSPORT SERVICES WITHIN THE CITY LIMITS OF JONESBORO, ARKANSAS.

Councilman Vance requested City Attorney, Phillip Crego to research the ordinance with concern for maintaining a response time for emergency vehicles. Councilman Rega moved, seconded by Councilman Vance to amend a typo on page 2-C from the word “on” to read “one”. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, and Roddy.

Councilman Kelton offered the following ordinance for the first reading:

ORDINANCE TO ADOPT A COMPREHENSIVE LAND USE PLAN AS RECOMMENDED BY THE METROPOLITAN AREA PLANNING COMMISSION

Mr. C. M. Mooney, Sr. stated he had been asked to look over the Land Use Plan for a client, and requested a copy of the Land Use Plan. Councilman Kelton reported a meeting of the Board of Realtors would be discussing the Land Use Plan at 11:30 a.m. at Wyatts Cafeteria, Thursday July 11, 1996, and invited anyone who might be interested to come to the meeting. This ordinance was read only one time.

Councilman Tate moved, seconded by Councilman Kelton for the adoption of a Resolution setting a Public Hearing for August 5, 1996, at 5:30 p.m. in Municipal Court for the purpose of vacating a portion of Gordon Street, beginning 140 feet West of its intersection with Fourth Street and continuing west until its intersection with McClure Street and a portion of Word Street between Fourth Street and McClure. (Arkansas Glass Container Corp./Jon R. Coleman, Attorney) A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, and Roddy. The resolution was given the number 1996:33.

Councilman Young move, seconded by Councilman Tate for the adoption of a Resolution requesting City Water & Light to provide free “water” service to the city park north of the Forum at 115 East Monroe, Jonesboro, Arkansas. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, and Roddy. The resolution was given the number 1996:34.

Under new business Councilman Tate moved, seconded by Councilman Young to appropriate \$16,548.00 to come from the Act 833 fund for fire department equipment. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, and Roddy.

Councilman Roddy moved, seconded by Councilman Young to appropriate \$22,500.00 to Fisher & Arnold, Inc. for a complete layout of a new park being developed off the 63 Bypass. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Province, Hannah, Young, Rega, Tate, Kelton, and Roddy.

With no further business the meeting was adjourned.