



Legislation Text

File #: MIN-88:568, **Version:** 1

Minutes for the City Council meeting on October 17, 1988

A Public Hearing was held at 7:00 p.m. regarding the abandonment of a public easement on Lot 8 of Melton Manor Addition for Beverly Enterprises. Steve Joiner was the attorney representing the matter. No opposition was voiced.

City Council Minutes - October 17, 1988

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

The minutes of October 3, 1988, were approved as mailed on motion by Mr. Stricklin, seconded by Mr. Evans. All voted aye.

Mr. Hannah offered a resolution authorizing local government participation in the Arkansas Enterprise Zone by Colson, Ent. Mr. Hannah moved, seconded by Mr. Park to adopt the resolution. A roll call vote was taken and all voted aye. The resolution was given the number 1988:36.

Mr. Hinson offered the following ordinance for first reading:

AN ORDINANCE VACATING AND ABANDONING A PORTION OF A PUBLIC EASEMENT ON LOT 8 OF MELTON MANOR ADDITION TO THE CITY OF JONESBORO, ARKANSAS

Mr. Hannah moved, seconded by Mr. Park to suspend the rules and place on second reading. A roll call vote was taken and all voted aye. Mr. Hannah moved, seconded by Mr. Stricklin to further suspend the rules and place the ordinance on third reading. A roll call vote was taken and all voted aye, with the exception of Mr. Park who voted nay. Mr. Hannah moved, seconded by Mr. Nix for the adoption of the ordinance with the emergency clause. A roll call vote was taken and all voted aye. The ordinance was given the number 2147.

Mr. Park offered the following ordinance for first reading: (Rez/, C-3 to R-1, N. of Highland, W. of Bernard)

AN ORDINANCE TO AMEND ORDINANCE #954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUNDARIES

Mr. Hannah moved, seconded by Mr. Hinson to suspend the rules and place on second reading. All voted aye.

The following ordinance was on third reading:

AN ORDINANCE TO CLOSE AN UNNAMED CUL-DE-SAC ADJACENT TO LOTS 14, 15 AND 16 OF PHILLIPS ADDITION

Mr. Hannah moved, seconded by Mr. Park for the adoption of the ordinance with the emergency clause. A roll

call vote was taken and all voted aye. The ordinance was given the number 2148.

The following ordinance was on third reading: (Rez/C-2 to C-3. Lots 11, 12, 14, pt. of 15 & 16, Phillips Addition)

AN ORDINANCE TO AMEND ORDINANCE #954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUNDARIES

Mr. Hannah moved, seconded by Mr. Stricklin for the adoption of the ordinance with the emergency clause. A roll call vote was taken and all voted aye. The ordinance was given the number 2149.

Mr. Mays offered a resolution to exempt existing structures and buildings under construction in newly annexed areas from electrical, plumbing and natural gas inspections and other code requirements. Mr. Mays moved, seconded by Mr. Hannah to adopt the resolution. A roll call vote was taken and all voted aye. The resolution was given the number 1988:37.

Mr. Park offered a resolution for the condemnation of structures located at 223 S. Fisher, 3809 Stevens, 3706 Griffin, house behind 3811 Stevens, 221 S. Fisher, 215 S. McClure, 1206 Cartwright, 103 W. Forrest, 616 Hope, 518 McAdams, 515 Krewson, 509 N. Main, 209 Belt, 114 W. Forest and 1800 Arch. The owners have (30) thirty days to commence clean up or demolish the structures. According to the City Attorney, the ordinance authorizes the city to demolish the structures after (30) thirty days and bill the owner.

Claudine Perkins asked for an extension to obtain a Quitclaim Deed and make improvements to a structure located at 1206 Cartwright. Following discussion, Mr. Shelton moved, seconded by Mr. Evans to amend the resolution to allow a (90) ninety-day extension to the property located at 1206 Cartwright with the stipulation that the yard be kept mowed and the door locked. A roll call vote was taken all voted aye.

Property located at 209 Belt was removed from the resolution due to the property being involved in a court action according to Public Works Director, Jeff Gibson.

Roger Moore addressed the Council regarding property he owns located at 3811 Stevens, which he concurs should be torn down, 3809 Stevens and 3706 Griffin, requesting reinstatement of a building permit to rehabilitate both structures.

Mr. Moore stated that he had acquired (12) twelve pieces of property in southeast Jonesboro in much worse condition than the two homes in question and successfully remodeled the properties for rental units. He added that he has (60) sixty pieces of residential and commercial property within the municipality. The property on Stevens and Griffin were purchased from Mercantile Bank in July after the city began condemnation proceedings. He stated he had secured a building permit to rehabilitate the property. The Mayor stated that he ordered the building permit revoked when Mr. Moore repeatedly broke promises to the city to clean up his properties and exhibited photographs to council in evidence. Mr. Moore acquired debris from a service station that was demolished and piled the bricks and scrap lumber in two yards. The city hauled the materials from the property and billed Moore the amount of \$2,000 for the cleanup. Public Works, Director, Jeff Gibson and Code Enforcement Officer, Mel Brown stated Moore had been given repeated warnings to bring the properties on Stevens and Griffin up to minimum city standards.

Mr. Moore stated he could not get along with Mr. Brown. Mr. Brown stated that he could not get along when Mr. Moore was a "slum land lord." Mr. Moore added that the comment was uncalled for and asked the Clerk to

make the comment a part of the written record. He further added that “if he is a slumlord, the City of Jonesboro and the (Jonesboro Urban Renewal and) Housing Authority is subsidizing slumlords”. Mr. Moore stated that he wanted time to clean up the property and the city is not being fair in the matter.

Mayor Brodell stated he gave Mr. Moore (60) sixty days to commence cleanup work, then revoked the building permit a week later because Mr. Moore took no action.

Mr. Moore stated he could not clean the property up that quick and that he had a vested interest in the building permit. He requested the City Attorney, Jim Burton to explain vested rights to the council. Mr. Burton said Moore had no vested rights and would have to meet reasonable requirements to keep the permit.

Mr. Evans said that Mr. Moore has only offered excuse after excuse and that there is no need to play games, and that Mr. Moore knew what he was faced with when he purchased the property and the city ordinances should not be extended to satisfy someone’s greet. He further stated that he personally would not give Mr. Moore another extension and requested that be on written record.

Dr. Strauser stated he wanted Mr. Moore to first pay the city for hauling off (70) tons of debris from the two yards, adding he could not support another extension.

Mr. Moore then asked permission to haul the materials back to the yards, contending he plans to use some of the materials to rebuild two of the three structures, but stated it could not be cone in (30) thirty days. He added he is willing to pay the city \$600 for hauling the materials off, but not the \$1,400 tipping fee at the landfill.

Mr. Park moved the city give Mr. Moore (30) thirty days to commence clean up of his property, Mr. Nix noted that Mr. Moore cannot legally start the work without a building permit. Mr. Park withdrew the motion.

Mr. Shelton moved, seconded by Mr. Hinson to grant a temporary (30) day building permit to structures located at 3809 Stevens and 3706 Griffin with the owner to bring the structures up to standard and significant improvements made during the time period including keeping the yard mowed, windows and doors installed and bricked, and for the city to collect the \$600 fee owed before granting the permit. A roll call vote was taken and Aldermen Par, Bridger, Shelton, Mays, Sanderson, Hinson and Nix voted aye. Aldermen Hannah, Stricklin, Evans, Province and Strauser voted nay. The motion passed 7-5.

Mr. Park moved, seconded by Mr. Stricklin to adopt the resolution with the amendment to condemn structures located at 223 S. Fisher, 3809 Stevens, 3706 Griffin, house behind 3811 Stevens, 221 S. Fisher, 215 S. McClure, 103 W. Forest, 616 Hope, 518 McAdams, 515 Krewson, 509 N. Main, 114 W. Forest and 1800 Arch. A roll call vote was taken and all voted aye. The resolution was given the number 1988:38.

Mr. Park moved, seconded by Mr. Shelton to set a public hearing regarding vacating and abandoning an alley running north from Johnson Avenue mid-way of Block 15 of the Matthews Addition for a distance of 300 ft. and intercepting with an alley running east and west between Drake and Fisher by Fisher Street Church of Christ and Mr. Julius Coleman, on November 7, 1988, at 7:15 p.m. A roll call vote was taken and all voted aye.

The following bid was up for review:

88:29 - Hydraulic broom - Street Department

Mr. Nix moved, seconded by Dr. Strauser to accept the low bid meeting specifications from Town and Country. All voted aye.

Mr. Park offered a resolution supporting Red Ribbon Week and Drug Free America Week and encouraging citizens to participate in drug awareness activities. Mr. Park moved, seconded by Mr. Shelton for the adoption of the resolution. All voted aye. The resolution was given the number 1988:39.

Chairman of the Police Committee, Mr. Hannah presented a recommendation from the committee that \$275,000 be appropriated from unappropriated general fund to police budget fixed assets for a Motorola communication system for the Police Department. He added the system will be compatible with the one utilized by Craighead County Sheriff's Department and the Arkansas State Police. The State Agency authorized the city to utilize a portion of the new \$33 million state radio system to keep the city's cost down. Assistant Police Chief, Dan Emison stated the new radio package will replace a failing communication system dating back more than two decades. Mr. Hannah moved, seconded by Mr. Sanderson to accept the recommendation of the Police Committee. A roll call vote was taken and all voted aye.

Mr. Bridger moved, seconded by Mr. Hinson to purchase a Warner-Swasey Ditch Cleansing Machine for \$13,250, with money to be appropriated from fixed assets of the Street Department. A roll call vote was taken and all voted aye.

With no further business, the meeting adjourned.