



## Legislation Text

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**File #:** MIN-99:018, **Version:** 1

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Minutes for the City Council meeting on September 20, 1999

**PUBLIC HEARING - 6:15** - A public hearing was conducted as requested by Mr. James Mead for the purpose of abandoning an unnamed street west of Mead Drive running parallel with Parker Road. No opposition was voiced regarding the abandonment.

**CITY COUNCIL MINUTES - September 20, 1999**

The Jonesboro City Council met Monday, September 20, 1999, at 6:30 p.m. A full quorum was in attendance. Present were: Mayor Hubert Brodell, City Clerk, Donna K. Jackson, City Attorney, Phillip Crego and 10 council members. Those members were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilmen Tate and McCall were unable to attend.

Councilman Perrin moved, seconded by Councilman Moore for approval of the minutes from September 7, 1999, as delivered. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy.

Mayor Brodell stated, at the beginning of the meeting, he had received a letter with CORR (Commission on Religion and Racism) letter head on it, but was unsure who had hand delivered the letter to his office. The letter requested that CORR be placed on the agenda. Mayor Brodell explained that the City of Jonesboro is currently in a law suit with individuals mentioned in the letter, so he contacted the attorney representing the City of Jonesboro. The attorney sent a letter to the National Director of CORR, Dr. Isaac Richmond asking him to meet with legal counsel and Mayor Brodell, but never received a response back from Dr. Richmond. Mayor Brodell stated he was prepared to allow the CORR group to address Council even though they had not followed proper procedures for being placed on the agenda; however they were not present in the meeting at that time.

Councilman Kelton offered the following ordinance for first reading:

**ORDINANCE TO ABANDON AN UNNAMED STREET, WEST OF MEAD DRIVE RUNNING PARALLEL WITH PARKER ROAD. (JAMES MEAD)**

Councilman Young moved, seconded by Councilman Perrin to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Young moved, seconded by Councilman Perrin to further suspend the rules and place on third and final reading. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Perrin moved, seconded by Councilman Roddy for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. The ordinance was assigned number 3162.

Councilman Rega 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 (Max Dacus, Jr.)

Councilman Young moved, seconded by Councilman Roddy to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Perrin moved, seconded by Councilman Moore to further suspend the rules and place on third and final reading. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Perrin moved, seconded by Councilman Young for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. The ordinance was assigned number 3163.

Councilman Roddy 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 (Eddie Foster)

Speaking in opposition to the rezoning was Mr. Robert R. Ryan who resides at 609 Paragould Drive. Mr. Ryan presented a petition to the Council containing signatures of thirty-nine local residents. The petition listed drainage problems and spot zoning as reasons for voting against the zoning change. Councilman Roddy questioned Mr. Ryan regarding a lagoon which serves as a waste treatment system for existing structures. Mr. Ryan stated the effluent from an existing apartment building (an old school building) is pumped into the lagoon, and was his understanding the same will be done if apartments are allowed to be built. Mr. Ryan requested Council to leave the area zoned residential one. Councilman Rorex moved to suspend the rules and place the ordinance on second reading, but the motion failed for lack of a second. No further action was taken regarding this particular ordinance.

Councilman Province 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 (Dan Hogan, Razorback Rock)

Councilman Province moved, seconded by Councilman Moore to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Perrin moved, seconded by Councilman Moore to further suspend the rules and place on third and final reading. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Perrin moved, seconded by Councilman Roddy for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. The ordinance was assigned number 3164.

The following bids were reviewed:

•99:25 - Surveillance Equipment - Parks Department

Councilman Rega moved, seconded by Councilman Young to accept the low bid meeting bid specifications from Safelink International for \$8,270.00. Mr. Steve Kent, Purchasing Agent explained this amount did not include sales tax. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy.

•99:26 - Collection Truck - Sanitation Department

Councilman Roddy moved, seconded by Councilman Moore to accept the low bid meeting bid specifications from Little Rock Equipment for \$53,315.00. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy.

Under new business, Mayor Brodell reported 63% of the gravel roads have been paved including annexed areas. He requested a time for Council to tour the areas, and evaluate work that has been done by MATA and the Street Department. Councilman Perrin recommended coordinating the tour with State Officials during the legislative weekend at Arkansas State University. Mayor Brodell responded saying he would take the recommendation under advisement.

Mayor Brodell reported on the status of 1210 S. Madison, owned by Mr. Bill Ebbert. He explained he had received a fax from the law firm of Snellgrove, Langley, Lovett, & Culpepper containing a court order for foreclosure and for the sale of the property. He explained, as of yet, a date for the sale has not been set, and the court order prohibits the City of Jonesboro from taking any condemnation action on the property. Mayor Brodell stated the building permit has run out and Council would have to decide if another extension should be granted. Councilman Kelton addressed an inspection report provided by Mr. Ron Shipley, Building Inspector, which indicates major problems with work already completed on the structure. Alderman Kelton stated the Council needs to provide direction to the Inspection Department as to issuing another building permit. Discussion followed with Councilman Moore and Councilman Kelton arguing another permit should not be granted because the work being done does not meet Jonesboro Code specifications, and Councilman Rorex arguing an extension should be granted, because the City of Jonesboro is prohibited from taking condemnation action anyway. Mr. Brian Wadley, Director of the Inspection Department, stated on April 18<sup>th</sup> Council granted a 120 day extension. He explained even with corrections to the work already done, the project is only 42% complete. The floor was opened to Mr. Mike Ebbert (Bill Ebbert's Brother). Mr. Ebbert stated he had set the 120 day deadline, and had specifically asked the Council to give him till August 5, 1999, to determine the financing with Regions Bank. He stated due to problems with the financing he made the decision to stop working on the project.

Mr. Ebbert stated that Mr. Shipley had agreed to sign off on the inspection, if the repairs were completed as requested, however they could not do the repairs until another building permit is issued. Mr. Ebbert warned Council against making accusations of poor workmanship until the work has been reviewed by someone qualified to make those assessments. Mr. Mike Ebbert stated in the process of inspecting the property they discovered problems that the inspectors did not find, but were corrected anyway. He explained this took more time. He apologized for not meeting the deadline requirements set by Council, but stated they were trying to do the work accurately, but could not without a building permit. Mr. Ebbert stated December 5, 1999, was the deadline for completing their dealings with the bank. Councilman Young asked Mr. Mike Ebbert if he felt any council members had a conflict of interest regarding the Madison Street property. Mr. Ebbert stated he did, and hoped this particular council member would recuse himself from the proceedings. Councilman Young stated since he has served as an Alderman, there have been times he has had to recuse himself due to a conflict of interest, and hoped that other members would do the same. Councilman Crockett moved, seconded by

Councilman Young to extend the building permit for thirty days. Councilman Rorex questioned Mr. Ebbert if he could complete the work in thirty days. Mr. Ebbert stated he needed forty-five days to complete the work. Councilman Perrin stated he had seen the additional work done on the building and suggested the extension be granted for forty-five days, rather than thirty. Councilman Crockett amended his motion and Councilman Young his second to amend the extension to forty-five days. A voice vote was taken resulting in all members voting aye with the exception of Councilman Moore who voted nay. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Perrin and Roddy.

Councilman Rorex questioned Mayor Brodell about renting the fellowship hall out to a citizen for a family reunion. Mayor Brodell stated he had made a personal decision to rent the fellowship hall out for \$100.00 for that purpose, but the family is responsible for clean up.

Councilman Rega offered the following ordinance for first reading:

ORDINANCE AMENDING THE 1999 ANNUAL BUDGET TO APPROPRIATE FUNDS FROM SALES TAX RESERVES FOR THE NEW TERMINAL BUILDING AT THE JONESBORO MUNICIPAL AIRPORT

Councilman Rega moved, seconded by Councilman Copeland to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Rega moved, seconded by Councilman Perrin to further suspend the rules and place on third and final reading. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. Councilman Roddy moved, seconded by Councilman Perrin for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton, Young, Crockett, Rorex, Rega, Province, Copeland, Moore, Perrin and Roddy. The ordinance was assigned number 3165.

Councilman Perrin announced a 911 Committee meeting for Thursday, September 23, 1999, at 9:00 a.m. at Councilman Perrin's office.

Councilman Province announced a Building Committee meeting for 5:00 p.m. Thursday afternoon at City Hall.

Mayor Brodell stated he had been handed a note which read that a representative of CORR was now present and wanted to address the City Council. Mayor Brodell requested the individual to come forward, so he (the Mayor) could make a statement. Mayor Brodell asked the individual if they were present when he made his opening remarks concerning the CORR request. The representative stated she was not present. Mayor Brodell explained that a request, in an envelope was laid on his desk on September 15, 1999, with a West Memphis return address. He explained he did not know who the request was from or who delivered it (The letter was not mailed). Mayor Brodell stated he called his attorney, who then requested to meet with the CORR group, but no reply was provided. Mayor Brodell then requested Council not to ask questions or respond in any manner because of a pending lawsuit over allegations mentioned in the letter. Mayor Brodell requested a written list of all the allegations from the CORR representative, and allowed her five minutes to address the Council. The representative stated her name as Sandra Hebron, State Director of CORR, and that she resided in West Memphis, Arkansas. She explained she was not there to address the Council, but rather to find out what the procedure was to be placed on the agenda. Ms. Hebron stated she and others had been denied the right to be placed on the agenda. Mayor Brodell responded saying we are giving you the right to address Council right now. Ms. Hebron stated she was not placed on the agenda as well as other citizens in the community, and again asked what the procedure was for being placed on the agenda. The Mayor stated she must provide a written

request and sign her name as the person making the request. Again Mayor Brodell offered Ms. Hebron five minutes to address the Council. She responded, saying she had already provided two different signed letters requesting to be placed on the agenda and was denied. She stated she would try again.

Councilman Roddy announced a CDBG meeting for Thursday, 5:30 p.m. on September 23, 1999, at City Hall. The Parks Committee was requested to attend.

With no further business, the meeting was adjourned.