



Legislation Text

File #: MIN-97:011, **Version:** 1

Minutes for the City Council meeting on June 2, 1997

PUBLIC HEARING - 5:15 P.M. - A public hearing was held regarding levying a tax upon the gross receipts of restaurants, cafes, cafeterias, delicatessens, drive-in restaurants, carry-out restaurants, catering and similar businesses in Jonesboro. Several citizens addressed Council regarding the purposed ordinance. Those speaking in favor of the tax were: Joe Lawson of the Fisher & Arnold Engineering Firm, Danny Miller of the Baseball Association, Gene Vance (former Alderman, and Softball Coach) of B.B. Vance Construction, Chris Fowler, Chairman of the Parks Advisory Commission, Bill Hubbard, Soccer Coach, Bob Gibson, former Chairman of the Parks Commission, Lori Richards, Soccer and Baseball Mom, Lee Richardson, Bruce Burrows, Land Developer, Tom Gschwend, Parks Advisory Commission, Paula Owen, Soccer Association, the following softball players: Tina Cook, Wayne Holmes, Erin Fowler, and Jacob Scott, Jay Clevenger, and Terry Rayburn. The following comments were made by this group: Investing in Jonesboro's youth, moving Jonesboro forward, Jonesboro revenue generated by softball, soccer, and other sports, investing in positive activities for Jonesboro youth rather than in the juvenile court system, a need for better parks, and playing areas. Those speaking in opposition to the ordinance (as is): Brand Myrtle, Floyd Fontana, Kevin Byrd, Stan McPike, Dentist, Jim Hardle, Frank Davidson, and Steve Cline. The following comments were made by this group: Do not wish to place taxes on future generations, would be better to have a time limit on the tax, not Jonesboro's job to correct problems with Soccer and Baseball teams, too many taxes, use grants and other means by which to fund the parks, not all youth can afford to be part of a team, make the tax more broad spread, the people should have a right to decide on the issue.

PUBLIC HEARING - 6:15 P.M. - A public hearing was held regarding the abandonment of a portion of drainage easement located in Sage Meadows Subdivision, Phase 1-D. No opposition was voiced

CITY COUNCIL MINUTES - June 2, 1997

The Jonesboro City Council met Monday, June 2, 1997, at 6:30 p.m. A full quorum was in attendance. Present were: Mayor Brodell, City Clerk, Donna K. Jackson, City Attorney, Phillip Crego and 12 council members. Those members were: Kelton, Rorex, Province, Kelly, Tate, Crockett, Rega, Pratt, Young, Fletcher, Bowers, and Roddy.

The minutes of May 19, 1997, were approved as delivered by Councilman Tate seconded by Councilman Young. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Kelton, Rorex, Province, Kelly, Tate, Crockett, Rega, Pratt, Young, Fletcher, Bowers, and Roddy.

As the next order of business, the following ordinance was erroneously read for the third reading:

AN ORDINANCE LEVYING A TAX UPON THE GROSS RECEIPTS OF RESTAURANTS, CAFES, CAFETERIAS, DELICATESSENS, DRIVE-IN RESTAURANTS, CARRY- OUT RESTAURANTS, CONCESSION STANDS, CONVENIENCE STORES, GROCERY STORE-RESTAURANTS, CATERING AND SIMILAR BUSINESSES IN THE CITY; PRESCRIBING THE PROCEDURE FROM THE COLLECTION AND ENFORCEMENT OF THE TAX; PRESCRIBING THE PURPOSES FOR WHICH

REVENUES DERIVED FROM COLLECTION OF THE TAX MAY BE USED AND PRESCRIBING OTHER MATTERS PERTAINING THERETO

City Attorney, Phillip Crego had been asked to prepare an amendment to the original ordinance. The amendment was never moved on, and Mr. Crego mistakenly read the wrong ordinance. Council was unaware of the mix up and thought they were discussing the original ordinance. Several council members discussed public reaction to the purposed one percent restaurant tax. Councilman Bowers and Councilman Pratt reported more citizens were opposed to the tax than were for it, while Councilman Kelly stated all but one was positive. Councilman Fletcher stated most people were opposed to the tax until he explained what the money would be used for, and the benefits it would provide for Jonesboro. Councilman Pratt stated he had researched the matter, and gave a report of his findings to the Council. Councilman Pratt stated according to his research, one million dollars was available for parks, but not being utilized. He recommended other ways to fund the park such as an Admission could be charged to use the park, or placing a special fund on the ballot directing where the money should go, and placing control of the fund with the Council. Councilman Pratt stated he was opposed to the Advertising and Promotion Commission having complete control of the money, without answering to Council. Mayor Brodell explained the Council could control the Advertising and Promotion Commission by voting to remove members from serving on the commission. Councilman Pratt stated the State Legislative Audit required the Airport Commission, the Advertising & Promotion Commission, and the Forum to provide a budget to the Council, which was not being done. Councilman Pratt stated that the Craighead Forrest Improvement Fund had allocated \$150,000 dollars in 1996 and only used \$3,340.00. In 1997 the same fund was allocated \$200,000. Councilman Pratt questioned why a reimbursement of 550,000 dollars for the purchase of land in 1996 (Dena Campbell Construction) was not reported in the 1997 budget. Councilman Rega explained the City made the payment in 1996 with the understanding that City Water & Light would reimburse the City for the land in 1997. City Water & Light did reimburse the 550,000 dollars on the last business day of December, 1996. Councilman Rega explained the Finance Department deposited the money instead of holding the check till 1997 and losing the interest. Councilman Young explained the one million dollars being held in the city's account was for improvements for all parks in Jonesboro, not just one park. Councilman Young further explained the tax would benefit everyone, not just the youth. Councilman Kelton spoke of the Land Use Plan and how with the estimated growth, the time to plan for Jonesboro parks is now. Councilman Roddy stated the tax was an investment in the youth of Jonesboro, and how much money would be saved by keeping youth out of the juvenile system. In closing, Councilman Rega reminded Council that Jani Rosy, Juvenile Officer, and leader of the Kids Center through the Juvenile Office, had 3204 kids involved in 1997 program, and was running out of funding. Ms. Rosy stated when children are given a choice between something positive or something negative they will choose the positive. She added children are going to belong to something, either sports or gangs. Councilman Rega moved, seconded by Councilman Roddy for the adoption of the ordinance. A voice vote was taken resulting in all council members voting aye with the exception of Councilman Pratt and Councilman Bowers who voted nay. Those members voting aye were: Kelton, Rorex, Province, Kelly, Tate, Crockett, Rega, Young, Fletcher, and Roddy. The ordinance was given the number 2786.

The following ordinance was up for the third and final reading:

ORDINANCE TO ABANDON UNIMPROVED PORTIONS OF A TEN FOOT DRAINAGE EASEMENT BETWEEN LOTS 4 AND 5 OF THE DAVID SMITH 4TH ADDITION (Jimmy Doyle Hunt / Berl Smith)

Councilman Tate moved, seconded by Councilman Fletcher to pull the ordinance indefinitely. Councilman Tate explained he had spoken to Berl Smith, Attorney for James Hunt, and they want the ordinance pulled until they could figure out what to do with the property. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Kelton, Rorex, Province, Kelly, Tate, Crockett, Rega, Pratt, Young,

Fletcher, Bowers and Roddy.

The following ordinance was up for the third and final reading:

ORDINANCE TO ABANDON UNIMPROVED PORTIONS OF TINA CIRCLE LYING EAST OF LOTS 4 AND 5 OF THE DAVID SMITH 4TH ADDITION (Jimmy Doyle Hunt / Berl Smith)

Tate moved, seconded by Councilman Fletcher to pull the ordinance indefinitely. Councilman Tate explained he had spoken to Berl Smith, Attorney for James Hunt, and they want the ordinance pulled until they could figure out what to do with the property. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Kelton, Rorex, Province, Kelly, Tate, Crockett, Rega, Pratt, Young, Fletcher, Bowers and Roddy.

The following ordinance was on the third and final reading:

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

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 were: Kelton, Rorex, Province, Kelly, Tate, Crockett, Rega, Pratt, Young, Fletcher, Bowers and Roddy. The ordinance was given number 2784.

The following ordinance was on the third and final reading:

ORDINANCE FOR THE APPROVAL OF ANNEXATION AND ZONING CLASSIFICATIONS OF COMMERCIAL (C-3) FOR 3.32 ACRES AND INDUSTRIAL (I-1) FOR 3.49 ACRES. (Jon Taylor / C. M. Mooney, Sr.)

Councilman Young moved, seconded by Councilman Rega for the adoption of the ordinance. A voice vote was taken resulting in all council members voting aye. Those members were: Kelton, Rorex, Province, Kelly, Tate, Crockett, Rega, Pratt, Young, Fletcher, Bowers and Roddy. The ordinance was given number 2785.

Councilman Roddy offered the following ordinance for the first reading:

ORDINANCE ABANDONING A PORTION OF DRAINAGE EASEMENT LOCATED IN THE SAGE MEADOWS SUBDIVISION, PHASE 1-D. (Sage Meadows / Mooney, Sr.)

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

Councilman Roddy offered the following ordinance for the first reading:

ORDINANCE TO AMEND ORDINANCE NO. 954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES AND FOR OTHER PURPOSES (Farrell Benton/ Mooney, Sr.)

Councilman Bowers moved, seconded by Councilman Tate to suspend the rules and place on the second

reading. Several citizens spoke in opposition to the ordinance, stating Mr. Benton bought the property knowing it was zoned residential. They cited the following problems: increase in traffic, decreasing property values, and poor drainage. A voice vote was taken resulting in all council members voting aye, with the exception of Councilman Kelly who voted nay. Those members were: Kelton, Rorex, Province, Tate, Crockett, Rega, Pratt, Young, Fletcher, Bowers and Roddy. The ordinance was read a second time.

The following ordinance was on the first reading:

ORDINANCE TO AMEND SECTION 8.40.18, ENTITLED "PARKING TIME LIMITS"

Before the ordinance could be offered for first reading, Councilman Rorex moved, seconded by Councilman Kelly to table the ordinance till June 16, 1997 to allow City Attorney, Phillip Crego time to prepare a new ordinance. A voice vote was taken resulting in all council members voting aye, with the exception of Councilman Kelly who voted nay. Those members were: Kelton, Rorex, Province, Tate, Crockett, Rega, Pratt, Young, Fletcher, Bowers and Roddy.

Under new business, Councilman Bowers announced he would be resigning from the Advertising and Promotion Commission because he could not support the 1% restaurant tax without allowing a vote of the people.

With no further business the meeting was adjourned.