



## Legislation Text

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**File #:** MIN-98:029, **Version:** 1

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Minutes for the City Council meeting on December 21, 1998

PUBLIC HEARING - 6:00 p.m. - Mr. Jerry Craft was represented by his Attorney, Bobby Gibson who provided Council with documentation detailing the benefits of a protected living environment. Mr. Gibson stated the only contention he was aware of involved Bridge Street which provides access to the Northside Christian Ministries, who was represented by their Attorney, C.M. Mooney, Sr. Mr. Mooney explained the Northside Christian Ministries cannot afford to finance access to their property should the right-of-way be vacated, and inquired as to who actually owned the side walk running the length of Bridge Street up to the church. Attorney Mooney stated his client was in agreement with the right-of-way abandonment except for Bridge Street. He requested that Mr. Craft build a fence along the west side of Bridge Street leaving access to Bridge Street as it presently exists. Mr. Mooney explained by cutting down Bridge Street it would remove the sidewalk, eliminate access to the church, and would make Bridge a substandard street. Attorney Gibson stated since 1969 the useable part of Bridge Street has been 26 feet in width, with the remainder being owned and used by Mr. Craft for parking. Mr. Gibson explained his client could not forgo the sidewalk due to the limited amount of space needed for parking. Councilman Crockett questioned if Mr. Craft would be willing to build a new side walk on the other side of Bridge Street. Mr. Gibson stated it was his understanding that Mr. Craft was working with limited funds for this project, and clarified that if a sidewalk was placed on the other side of Bridge it would be in the City's right-of-way not Mr. Craft's. Councilman Crockett questioned if it would solve the concerns of Northside Christian Ministries. Mr. Mooney stated it would be helpful, but would still leave Bridge a substandard street. Councilman Tate stated the sidewalk is on private property belonging to Mr. Craft and is outside the easement. Mr. Tate stated the 18 feet that Mr. Craft is asking for does not narrow Bridge Street anymore than it already is, making the traffic area the same as it was when it was constructed in 1969. Mr. Tate explained Bridge would be the same width as other streets in the area. Mr. Mooney responded by saying city streets are to be thirty feet wide. Mr. Craft stated Mayor Brodell discovered the dedication deed of the street right-of-way and it was only thirty feet in width, with the remainder of the property belonging to himself (Mr. Craft). Discussion followed regarding the signing of the dedication deed/plat and how the plat filed in the Circuit Clerk's Office is not the original 1969 plat. Mr. Craft stated the plat was not signed by the engineer, and the certification stamp was taped on. Mr. Craft stated it was not his intension to hurt the Northside Christian Ministries congregation nor Rev. Richardson, but he did not want to lose property that has been his since 1969.

CITY COUNCIL MINUTES - December 21, 1998

The Jonesboro City Council met Monday, December 21, 1998, 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 12 council members. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy.

Councilman Perrin moved, seconded by Councilman Davis to approve the minutes from December 7, 1998, as delivered. A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy.

Councilman Rorex offered the following ordinance for first reading:

ORDINANCE TO VACATE AND ABANDON A PORTION OF UNIMPROVED STREET RIGHTS OF WAY LOCATED IN NORTH ACRES SUBDIVISION (Jerry Craft)

Attorney Mooney requested the reading of the legal description. City Attorney, Phillip Crego read the legal description. Councilman Bowers moved, seconded by Councilman Rorex 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 Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. Councilman Kelton moved, seconded by Councilman Rega to further suspend the rules and place on third and final reading. Mr. Mooney stated it was his understanding that Mr. Craft was requesting that the west side of Bridge Street be vacated that encompasses the area being used as parking. Further Mr. Mooney contended the ordinance was vacating something other than what had been discussed. Councilman Rega questioned Mr. Mooney, stating it was his understanding that the streets of Novak, and Miller had been agreed on by both parties, so why was it a surprise that the streets are mentioned in the ordinance. Mr. Mooney responded, saying in the public hearing the petitioner requested the abandonment of the west side of Bridge Street which presently encompasses his parking lot and the sidewalk, but the ordinance is requesting the abandonment of the east side of Bridge Street as well. City Attorney Crego pointed out that the petition dated December 16, 1998, has the same legal description as the ordinance. Councilman Tate questioned if Mr. Craft would be willing to amend the ordinance to simplify the legal description. Mr. Mooney stated his client did not feel it was fair to vacate something other than what was discussed in the public hearing. Councilman Kelton moved, seconded by Councilman Tate to amend the ordinance by amending the legal description to read, “. . . 30 feet in width, same being 15 feet either side of the center-line of Bridge Street. . . A voice vote was taken resulting in all members voting aye. Those members voting aye were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. The ordinance was read a third time as amended. Councilman Tate moved, seconded by Councilman Rega for the adoption of the ordinance as amended. A roll call vote was taken resulting in a seven (7) to five (5) vote in favor of the motion. The motion failed due to a lack of two-thirds vote required for the passage of the emergency clause. Those members voting aye were: Kelton, Rorex, Tate, Crockett, Rega, Young, and Roddy. Those members voting nay were: Province, Davis, Pratt, Perrin, and Bowers. The ordinance was denied.

Councilman Perrin offered the following ordinance for first reading:

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

Councilman Perrin moved, seconded by Councilman Bowers to suspend the rules and place on second reading. A voice vote was taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. Councilman Perrin moved, seconded by Councilman Roddy 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 were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. Councilman Kelton moved, seconded by Councilman Roddy for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. The ordinance was assigned number 3099.

Councilman Rega moved, seconded by Councilman Perrin for the adoption of a resolution to incorporate the Drug-Free Workplace and Non-Dot Drug Testing Policy in to existing personnel policies. A voice vote was

taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. The resolution was assigned number 1998:83.

Councilman Perrin moved, seconded by Councilman Young for the adoption of a resolution endorsing Windchimes to participate in the Advantage Arkansas Program. A voice vote was taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. The ordinance was assigned number 1998:84.

Councilman Rega moved, seconded by Councilman Province for the adoption of a resolution accepting insurance proposals for major medical coverage offered by BlueCross BlueShield and for dental coverage offered by Delta Dental. A voice vote was taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. The ordinance was assigned number 1998:85.

Councilman Rega moved, seconded by Councilman Perrin for the appointment of Mr. Dave Kroeter to the Parks Advisory Committee replacing Ms. Tina Coots whose term expires January 2002. A voice vote was taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy.

Councilman Perrin moved, seconded by Councilman Bowers for the appointment of Mr. Edward Wilson to replace Mr. Donald Smith and Jim Sawyer to replace James Scott on the Board of Zoning Adjustment with both terms to expire August 2000. A voice vote was taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy.

Under new business, Councilman Bowers offered the following ordinance for first reading:

AN ORDINANCE CONFIRMING MATTERS PERTAINING TO AN INDUSTRIAL DEVELOPMENT REVENUE BOND PREVIOUSLY AUTHORIZED; AUTHORIZING AND PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY (Haworth)

Councilman Bowers 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 were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. Councilman Bowers moved, seconded by Councilman Davis 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 were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. Councilman Perrin moved, seconded by Councilman Young for the adoption of the ordinance. A roll call vote was taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. Councilman Perrin moved, seconded by Councilman Young for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. The ordinance was assigned number 3098.

Councilman Kelton offered the following ordinance for the first reading:

ORDINANCE ADOPTING A 1999 BUDGET FOR THE CITY OF JONESBORO ARKANSAS

Councilman Rega 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 were: Kelton Rorex, Province,

Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. Councilman Tate moved, seconded by Councilman Rega 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 were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. Councilman Young moved, seconded by Councilman Kelton for the adoption of the ordinance. A roll call vote was taken resulting in all members voting aye, with the exception of Councilman Davis who voted nay. Those members were: Kelton Rorex, Province, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. The ordinance was assigned number 3100.

Councilman Tate moved, seconded by Councilman Crockett for the adoption of a resolution recognizing Alderman Fred Bowers for his civic dedication to the City of Jonesboro. A voice vote was taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. The resolution was assigned number 1998:86.

Councilman Crockett moved, seconded by Councilman Rega for the adoption of a resolution recognizing Alderman Herb Davis for his civic dedication to the City of Jonesboro. A voice vote was taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. The resolution was assigned number 1998:87.

Councilman Rega moved, seconded by Councilman Crockett for the adoption of a resolution recognizing Alderman Johnny Pratt for his civic dedication to the City of Jonesboro. A voice vote was taken resulting in all members voting aye. Those members were: Kelton Rorex, Province, Davis, Tate, Crockett, Rega, Pratt, Young, Perrin, Bowers, and Roddy. The resolution was assigned number 1998:88. Each of the three Aldermen were provided a Certificate of Appreciation.

Councilman Kelton stated he had hoped the Land Use Code would be available before 1999, but for various reasons it was not possible. He stated it would be provided for council consideration in January 1999. Councilman Perrin commended the work that had been done by Councilman Kelton and others in putting the plan together.

With no further business the meeting was adjourned.