



Legislation Text

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Minutes for the City Council meeting on July 1, 1996

PUBLIC HEARING - 5:35 P.M. - A Public Hearing was held 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. The request was made by Phillips Investments, Inc., represented by their attorney, Jim Lyons. No opposition was voiced.

PUBLIC HEARING - 5:45 P.M. - A Public Hearing was held to close a drainage easement, located on Peabody Drive east of Stadium. The request was made by Phillips Investments, Inc., represented by their attorney, Jim Lyons. No opposition was voiced.

PUBLIC HEARING - 6:00 P.M. - A Public Hearing was held to vacate an easement located in the Brownstone Addition. The request was made by Vance Brown. No opposition was voiced.

APPEAL HEARING - 6:10 P.M. - An Appeal Hearing was held regarding stipulations made by the Metropolitan Area Planning Commission for replat of property located on Main, Campus and Church Streets. The request for an Appeal Hearing was made by Mr. Robert Rees, and his attorney, Mr. C. M. Mooney, Sr. Mr. Mooney declared the Council did not have the authority to stipulate land easements of an individual's property without compensation. He cited the July 1992, Floyd Vuncannon Vs. City of Jonesboro case, noting the City of Jonesboro was ordered to pay restitution. Attorney Mooney explained when land has already been platted (developed), then the City must compensate for any property taken from a property owner. Only when land is undeveloped may the city require easements. Councilman Harpole asked if Mr. Rees was aware of the Traffic Plan (required easements) prior to purchasing this property. Mr. Rees did not respond, but Mr. Mooney stated he (himself) was unaware of an ordinance adopting a Master Traffic Plan, and requested a copy of the ordinance/s. Mr. Mooney was provided with Ordinance No. 2463 and Ordinance 2504. Councilman Kelton requested a copy of the Floyd Vuncannon File. Mr. Mooney stated his client did not have a problem with the sewer easements or site plan requests, but felt Mr. Rees should be compensated for any property the city takes. In closing, Mr. Mooney explained the law states once a citizen has "Exhausted all Administrative Remedies", the next step is a lawsuit.

CITY COUNCIL MINUTES - JULY 1, 1996

The Jonesboro City Council met Monday, July 1, 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, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. Councilman Young and Councilman Tate were unable to attend the meeting.

The minutes of June 17, 1996, were approved as delivered by Councilman Perrin and seconded by Councilman Harpole. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin 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 Harpole 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, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole.

Councilman Vance offered the following ordinance for the first reading:

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 Vance moved, seconded by Councilman Perrin 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, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. The ordinance was read a second time.

Councilman Perrin offered the following ordinance for the first reading:

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

Councilman Harpole moved, seconded by Councilman Vance 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, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. The ordinance was read a second time.

Councilman Harpole offered the following ordinance for the first reading:

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

Councilman Vance moved, seconded by Councilman Wise 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, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. The ordinance was read a second time.

Councilman Harpole 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. (HERMAN GEORGE & MARION PERKINS/G. S. BRANT PERKINS)

Councilman Kelton moved, seconded by Councilman Perrin 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, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. The ordinance was read a second time.

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. (DWIGHT

MANGRUM)

Councilman Vance moved, seconded by Councilman Perrin 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, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. The ordinance was read a second time.

Councilman Perrin 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. (HERMAN ALSTON)

Councilman Vance moved, seconded by Councilman Perrin 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, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. The ordinance was read a second time.

Councilman Perrin offered the following ordinance for the first reading:

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.

The ordinance was read one time and held until July 15th for the second reading.

Councilman Vance moved, seconded by Councilman Harpole for the adoption of a Resolution setting a Public Hearing on July 15, 1996, at 6:10 p.m. in Municipal Court for the purpose of vacating 97.6 feet of a street platted as Rose Avenue running between Blocks I and F in the Belmont Addition. (Mark & Tammy Rees/C. M. Mooney, Sr.) A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. The resolution was given the number 1996:30.

Councilman Vance moved, seconded by Councilman Kelton for the adoption of a Resolution certifying Gemala Trailer Corporation, located at 2800 BP Way to participate in the Arkansas Enterprise Zone Program. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. The resolution was given the number 1996:31.

Councilman Perrin moved, seconded by Councilman Harpole for the adoption of a Resolution requesting the following traffic signs:

- (1) 35 MPH speed sign on Industrial Drive, to cover area from Parker Road to the city limits, south.
- (2) "STOP" signs on Sandbrook at S. Caraway; and on Windgate at Sandbrook.

A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. The resolution was given the number 1996:32.

Under new business, Mayor Brodell made the following announcements:

- 1) Concern for Police Officer Bob Callahan at the loss of his wife who was involved in a fatal auto accident.
- 2) Complaints regarding increases in cable rates. He explained a municipality has no control over increases in cable rates. The Federal Communications Commission (FCC) has ruled Cable Companies may increase their rates on a quarterly basis.
- 3) The first bid for the first MATA project was opened, ranging from 248,000 to 244,000. This project would be used for improvements to the Nettleton School area.
- 4) Linda Bullock, will be leaving her position as Jonesboro's Finance Director sometime this month. She will be getting married July 21, 1996, to Mr. Gary Moore and moving in the vicinity of Texarkana.
- 5) Alderman Garry Tate's surgery was a success and should be up and around in a few weeks.

Under new business by the Council, Councilman Vance offered the following ordinance for the first reading:

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF BRIDGE PANELS AND CONCRETE PILINGS FOR REPLACEMENT OF TWO BRIDGES IN THE CITY OF JONESBORO, ARKANSAS. THE BRIDGE LOCATIONS ARE BARNHILL ROAD, OVER GUM SLOUGH, AND LIMESTONE DRIVE, OVER VINEY SLOUGH DITCH.

Councilman Vance moved, seconded by Councilman Wise 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, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. Councilman Vance moved, seconded by Councilman Kelton 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, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. Councilman Vance moved, seconded by Councilman Perrin for the adoption of the ordinance with the appropriation of funds to come from unallocated sales tax. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. The ordinance was given the number 2703.

Councilman Harpole moved, seconded by Councilman Perrin to appropriate \$20,000.00 from unallocated sales tax for the paving of two parking lots in Craighead Forrest Park. A voice vote was taken resulting in all council members voting aye. Those members voting aye were: Vance, Wise, Province, Hannah, Rega, Kelton, Roddy, Perrin and Harpole. The motion carried.

With no further business the meeting was adjourned.