



## Legislation Text

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Minutes from the City Council meeting on July 6, 2004  
CITY COUNCIL MINUTES - JULY 6, 2004

APPEAL HEARING - 6:00 p.m. - Attorney Skip Mooney representing Anita Arnold made the decision to withdraw their request for an appeal hearing, and asked that it be reset for a later date, allowing them time to negotiate with local property owners. Attorney Mooney reported a meeting had been held among the opposing local property owners and several council members had been invited as well as attended, however Alderman McCall explained he was the only council member in attendance, and had not received a formal invitation, but rather had learned of the meeting from a neighbor. Councilman McCall lives in the immediate area of the rezoning. Mr. Paul Wallace voiced opposition to delaying the appeal hearing stating the result would be the same regardless if the hearing was delayed or not.

CITY COUNCIL MINUTES - July 6, 2004

The Jonesboro City Council met Monday, July 6, 2004, 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 twelve council members. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy.

Councilman Moore moved, seconded by Councilman Street to approve the minutes of June 21, 2004, as delivered. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy.

Finance Director Larry Flowers provided the monthly financial report stating city revenues for the month were up by 8% compared to May of last year and contributed this increase to the increase in sales tax. He explained the city has used 38% of the appropriated expenditures up through May which is \$27,000.00 less than May of 2003. Mr. Flowers contributed this to only spending 11% of amount budgeted for Capital Improvements.

The following ordinance was on the third and final reading:

ORDINANCE TO REZONE PROPERTY FROM COMMERCIAL (C-3) AND COMMERCIAL (C-5) TO RESIDENTIAL (R-3), LOCATED ON THE SOUTH SIDE OF LATOURETTE DRIVE, ON THE EAST AND WEST SIDES OF LATOURETTE LANE. (HAML Investments)

Councilman Farmer moved, seconded by Councilman Dover to limit debate to ten minutes per side. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. Mr. Don Latourette spoke stating the property owners complaints were a result of existing apartment complexes and not his proposed development. He stated the MAPC predicted the traffic flow would be from the west to the east so they developed their plan accordingly, and he explained the Bill of Assurance would include a required six foot privacy fence around any construction. Mr. Greg Simmons of Peters and Associates provided information regarding trip generation, stating 2100 trips are generated in residential areas compared to a range of 8,700 to 15,000 trips in commercial areas. Mr. Carol Caldwell explained if the zoning change is approved, the proposed Latourette Street would contain a cul-de-sac so motorists could not get to Medallion Drive, but if the property is not rezoned, both Latourette Street and Medallion Drive would be opened causing an increase of 400% more traffic. Those speaking in opposition were: Mr. Jim Essman who complained of crime, noise and speeding, stating apartments were a 24 hour a day problem; Mr. John Fowler explained any development would have an adverse effect on the area, but it would be more effected by apartments than commercial zoning. He questioned why the cul-de-sac could not be installed in commercial as well as residential zoning, and suggested they had been given an ultimatum by the developers. Mr. Delane Hogan talked about traffic stating there are 1 or 2 accidents a week in the area and if the proposed rezoning is approved it would compound the problem. He stated the

property was commercial and requested the City Council consider the best use of the property as commercial. Councilman Farmer moved, seconded by Councilman Young for the adoption of the ordinance. A roll call vote was taken resulting in all members voting nay with the exception of Councilman Young who abstained from voting, stating he had a conflict of interest. Those members voting nay were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Dover, Furr, McCall and Roddy. The ordinance was denied.

The following ordinance was on the third and final reading:

**ORDINANCE TO REZONE PROPERTY FROM RESIDENTIAL (R-1) TO COMMERCIAL (C-3), LOCATED ON THE SOUTH SIDE OF STRAWFLOOR DRIVE, WEST OF PARKER ROAD. (Jim and Shirley Bryant)**

Councilman Moore moved, seconded by Councilman Perrin for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. The ordinance was assigned ordinance number 3476.

The following ordinance was on the first reading but at the request of Attorney Skip Mooney the item was pulled:

**ORDINANCE TO REZONE PROPERTY FROM RESIDENTIAL (R-1) TO RESIDENTIAL (R-3), LOCATED ¼ MILE NORTH OF JOHNSON AVENUE AND ¼ MILE WEST OF BRIDGER ROAD. (Anita Arnold)**

Councilman Perrin moved, seconded by Councilman Street to pull the ordinance from the agenda. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. Discussion was held regarding the proper procedure. It was explained that Attorney Mooney had the right to pull the appeal and the ordinance, but it would be up to the council to decide to set another date for the appeal.

The following ordinance was on the second reading:

**ORDINANCE AMENDING THE JONESBORO CODE OF ORDINANCES DEFINING AND LIMITING CONDITIONS FOR OPEN BURNING WITHIN THE CITY LIMITS OF THE CITY OF JONESBORO; PROVIDING FOR ENFORCEMENT BY THE FIRE DEPARTMENT; AND FOR OTHER PURPOSES.**

Mayor Brodell requested if anyone had questions pertaining to the proposed ordinance, to please call Fire Chief Butch Herring.

Councilman Perrin offered the following ordinance for first reading:

**ORDINANCE AMENDING THE 2004 ANNUAL BUDGET FOR THE APPROPRIATION OF \$25,000.00 FOR 2004 TRAFFIC SIGNALIZATION PROJECTS.**

Councilman Moore moved, seconded by Councilman Street to suspend with the second and thirds readings. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. Councilman Moore moved, seconded by Councilman Perrin for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. The ordinance was assigned number 3477.

Councilman McCall offered the following ordinance for first reading:

**ORDINANCE TO AMEND JONESBORO CODE OF ORDINANCES SECTION 8.12.07, KNOWN AS AMBULANCE SERVICES.**

Councilman Young moved, seconded by Councilman Moore to suspend with the second and third readings. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. Councilman Perrin moved, seconded by Councilman Moore for the adoption of the ordinance. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. Councilman Young moved, seconded by Councilman Moore for the adoption of the emergency clause. A roll call vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. The ordinance was assigned ordinance number 3478.

Councilman Perrin moved, seconded by Councilman Moore for the adoption of a resolution clarifying retirement benefits for the Mayor of the City of Jonesboro, Arkansas. A voice vote was taken resulting in all members voting aye. Those members were: Farmer,

Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. The resolution was assigned number 2004:52.

Councilman Young moved, seconded by Councilman Moore for the adoption of a resolution requesting free utility service from City Water and Light at 3609 "C" Race Street, known as Allen Park Tennis Courts. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. The resolution was assigned number 2004: 53.

Councilman Farmer moved, seconded by Councilman Street for the adoption of a resolution approving the purchase and installation of a lake spillway bridge at Craighead Forest Park. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. The resolution was assigned number 2004:54.

Under new business, Mayor Brodell announced the regularly scheduled Public Safety Committee meeting for 5:15 p.m. on July 19, 2004; a Public Hearing regarding tax increment financing by Mr. Bruce Burrows for 5:30 p.m. on July 19th; and announced the Appeal Hearing for Anita Arnold represented by Attorney Mooney, would be set for 6:00 p.m. on July 19<sup>th</sup>. Councilman Perrin moved, seconded by Councilman Dover to reschedule the appeal hearing for Anita Arnold for July 19<sup>th</sup>, 2004, at 6:00 p.m. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy.

Mayor Brodell informed council members he was communicating with Vector Mosquito Control, asking for a report on the work being done in the City of Jonesboro. He stated he expected a report no later than Wednesday or Thursday. Councilman McCall questioned if the plane had made any flights, and Mayor Brodell explained it had flown one time, but with all the rain, mosquitoes were a problem.

Councilman Street announced another Public Hearing would be conducted regarding the Traffic Study, and the date and time would be set toward the end of the month.

Councilman Young announced a grand opening ceremony for the Nature Center would be August 26, 2004, however council members were invited to attend a sneak preview during the time of 8:30 a.m. to 4:30 p.m. Tuesday through Friday of next week.

Councilman Farmer reported the Nominating and Rules Committee had approved a resolution to be added to the agenda for consideration. The resolution had been requested by the Chamber of Commerce. Councilman Street moved, seconded by Councilman Dover for the adoption of a resolution supporting the following:

(1) The new highway connector between U.S. 67 (proposed future I-30) from its new location to U.S. 49 at Gibson Switch is located approximately one mile south of the current State Highway 226.

(2) For this new highway (Proposed I-730) to have interstate-type right of ways for the roadbed and interchange and overpasses, and that the funds that would be expended to meet these 1991 State Highway program project for this corridor be used to plan and purchase the right of way and build the first two lanes of this project.

(3) Immediately start construction for the U.S. 49 five lane project to continue from the Valley View community along its present route to Gibson Switch.

(4) Supporting a request from the Congress of additional funds to accommodate the proposed I-730 as the 226 Corridor as listed in the proposed six year federal highway bill. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy. The resolution was assigned number 2004:55.

At the inquiry of Councilman Farmer, it was confirmed by Mr. Ron Shipley, Interim City Planner that by the next council meeting the newly proposed zoning classifications should be available for consideration.

Councilman Farmer expressed appreciation to the George Allen Family for their donation of property located 3609 Race Street for Allen Park, and explained members of the Jonesboro City Council would have liked to have attended the ceremony to show their appreciation but had not been invited.

Councilman Hargis and Councilman McCall both questioned about the completion date for the construction of Union Street. Mayor Brodell responded saying they would have to ask the people doing the construction. Councilman Hargis stated he had been asked by

citizens if the tax money being collected for streets was being spent for that purpose. Councilman Hargis recommended information be provided regarding what money has been collected and what has been spent with regard to street maintenance. Mayor Brodell stated they would report on street maintenance on a quarterly basis.

Mayor Brodell announced that the African American Culture Center is open from 10:00 a.m. to 5:00 p.m. Monday through Friday.

With no further business, Councilman Perrin moved, seconded by Councilman Dover for adjournment. A voice vote was taken resulting in all members voting aye. Those members were: Farmer, Province, Hargis, Moore, Williams, Perrin, Street, Young, Dover, Furr, McCall and Roddy.