



## Legislation Text

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Minutes from the City Council meeting on May 20, 1991  
CITY COUNCIL MINUTES - MAY 20, 1991

The Jonesboro City Council met in regular session at 7:30 p.m. Present were Mayor, City Clerk, City Attorney and all Aldermen with the exception of Mr. Province who was absent.

Mr. Brian Hill representing the Boy Scouts of America led the pledge of allegiance and Alderman Pete Shelton gave the invocation.

The minutes of May 6, 1991, were approved as corrected on motion by Mr. Shelton, seconded by Mr. Hinson. All voted aye.

Mr. Mays offered the following ordinance for first reading:

AN ORDINANCE TO WAIVER COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF A USED RUBBER TIRE EXCAVATOR FROM BARTON EQUIPMENT CO. FOR THE CITY OF JONESBORO AND FOR OTHER PURPOSES

Mr. Hannah moved, seconded by Mr. Shelton to place the ordinance on second reading. All voted aye. Mr. Nix moved, seconded by Mr. Mays to further suspend the rules and place the ordinance on third reading. All voted aye. Mr. Mays moved, seconded by Mr. Shelton for the adoption of ordinance with the emergency clause. All voted aye. The ordinance was given the number 2342.

The following ordinance was on third reading:

AN ORDINANCE TO AMEND ORDINANCE NO. 1201, CHAPTER 5.12 OF THE JONESBORO CODE OF ORDINANCE, LABELED MOSQUITO AND BLACKBIRD CONTROL, TO PROVIDE FOR THE TAXATION OF THE CITIZENS OF JONESBORO AND TO ALLOCATE FUNDS FOR MOSQUITO CONTROL.

Dr. Strauser moved, seconded by Mr. Hinson to amend the ordinance in line eight (8) replacing the word "effectively" with the phrase "to attempt to". . . control the mosquito population. All voted aye. Mr. Mays moved, seconded by Dr. Strauser to adopt the ordinance as amended effective January 1, 1992. All voted aye. The ordinance was given the number 2343.

The following ordinance was on third reading: (Rezoning R-1 to R-2 Northside Church of Christ)

AN ORDINANCE TO AMEND #954 KNOWN AS THE ZONING ORDINANCE PROVIDING FOR THE CHANGE IN ZONING BOUNDARIES AND FOR OTHER PURPOSES

Mr. Sanderson moved to table the ordinance until usage for the property is determined and street, drainage and

brought up to standard. The motion died for lack of a second. Mr. Al Blanks addressed the council on behalf of the property owners stating the church congregation had the property appraised on and one-half years ago and rezoning was raised as one option to make the property more marketable. He noted the MAPC unanimously approved rezoning the property from R-1 to R-2. He added that in some point in the future the church property will probably be sold and the church relocated. A meeting was held with the adjacent property owners to discuss the matter however nothing was resolved at the meeting. Five residents spoke in opposition to the rezoning; stating the proposal would worsen existing drainage and traffic problems and lower the value of their single-family homes.

Mr. Hannah moved, seconded by Mr. Mays for the adoption of the ordinance with the emergency clause. A roll call vote was taken. Mr. Hannah stated and was reiterated by several Aldermen that his affirmation vote was being cast due to the legality and that the land in question is surrounded by property zoned R-2 and R-3. Aldermen Hannah, Mays, Stricklin, Evans, Shelton, Wise, Hinson and Nix voted aye. Aldermen Bridger, Sanderson and Strauser voted nay. The motion passed 8-3. The ordinance was given the number 2344.

The following bid was up for review:

91:30 - dozer - Street Department

Mr. Mays moved, seconded by Mr. Hinson to accept the low bid meeting specifications from Town and Country #2. All voted aye.

Under new business the Mayor called upon the Chairman of Seal Committee, Ouida Puryear, City Clerk for a report. She stated a committee of six (6) individuals representing the council, chamber, industry and community had met for over a year and reviewed literally hundreds of designs submitted by high school and college students, professional graphic designers, area residents. The unanimous recommendation from the committee was designed by Mr. Curtis Steele, ASU art instructor and depicts the slogan selected by the committee "People, Pride and Progress" and a graphic representation of medicine, industry, education and agriculture. She thanked the members of the committee for their time and effort in selecting a corporate seal and stated the City Attorney had prepared the legal document for adoption of the seal. Mr. Bridger offered the following for the first reading.

AN ORDINANCE FOR THE CITY OF JONESBORO, ARKANSAS, PROVIDING FOR AND ADOPTING A CORPORATE SEAL FOR SAID CITY, AND ESTABLISHING CERTAIN REGULATIONS WITH REFERENCE TO THE USE THEREOF

Mr. Hannah moved, seconded by Mr. Shelton that the ordinance be placed on second reading. All voted aye. Mr. Hannah moved, seconded by Mr. Shelton to further suspend the rules and place the ordinance on third reading. All voted aye. Mr. Hannah moved, seconded by Mr. Shelton for the adoption of the ordinance with the emergency clause. All voted aye. The ordinance was given the number 2345.

Mr. Bridger recommended to get the wheels turning in the recruitment of a City Planner and moved to advertise for the position, seconded by Mr. Shelton. All voted aye with the exception of Mr. Sanderson who voted nay.

Dr. Strauser moved, seconded by Mr. Shelton to transfer \$1,000.00 from the unappropriated sales tax to the street department for the rail crossing and \$2,300.70 from the unappropriated general fund to the professional category of the budget of the City Attorney for the city's share of a recent lawsuit filed by Max Render. The plaintiff's maintained that they were denied access to 5.41 acres of land they were renting from Lewis H. Reed

citing loss crop revenues. The city condemned a portion of the Reed land to construct a rail spur. Discussion followed. The Mayor stated he was unaware of a date set for trial of the lawsuit and learned of the court date from a telephone call at 9:05 a.m. the morning of the trial scheduled at 9:30 a.m. No attorney for the city was present and he worked out a settlement agreement with Brent Davis, attorney for Render and Chambers. He further added that as Mayor, he took full blame for anything he did in error. Mr. Nix stated he wanted to make certain the same problem did not reoccur.

The city attorney reminded aldermen that she was relieved of representing the city in civil cases effective December 31, 1991, adding she sent a memorandum March 26 notifying the Mayor that the case had been scheduled for trial during the civil term beginning April 29 and ending May 17. When asked by Mr. Nix how the city knew what date was assigned to the trial, Ms. Honeycutt stated the attorney representing the matter would have to attend Civil Pre-Trial on April 2 for assignment which she had not attended. Mayor Brodell said he had spoken with the Judge Olan Parker presiding over the term who stated that Ms. Honeycutt is still listed as the attorney of record for the city in all pending cases and must petition to the court to be formally relieved of the cases before another attorney can represent the municipality in the cases before the court. The Mayor said his office will prepare letters for Ms. Honeycutt to submit to the court to seek release from representing the city in any pending cases. Alderman Shelton stated he wanted assurances the same mistake did not occur again. A vote was taken on the appropriation and all voted aye.

With no further business, the meeting adjourned.