

City of Benton

August 12, 2024

Commissions Committee Meeting Minutes

Committee Members:

Ann Spencer-Cole, Chair – Present	Evelyn Reed, Vice Chair - Present
Frank Baptist - Present	Steve Brown - Present
Bill Donnor - Present	Jeff Morrow – Present
Judd Hart - Present	Shane Knight - Present
Steve Lee – Present	Jeff Hamm – Present
Staff Liaison: Toby Hirscheider – Present	
Mayor: Tom Farmer – Present	

Council Member Spencer-Cole – hi calling the commission's committee meetings all attendees have been recognized next on our agenda is the approval of our July 2024 minute, all in favor. OK next on our agenda is our information from my previous C for anything Mr. Knight?

Council Member Knight -No ma'am, nothing for the council this month from PUC.

Council Member Spencer-Cole - OK thank you sir, information from A&P.

Council Member Brown - Yes ma'am, we recently completed the RFP interviews going out for the website design for A&P to promote the city all of our events. We received nine responses and had some good responses with the selected narrowed down to three, we interviewed those three very good candidates. We will be going to the committee next week with recommendations for one of those vendors. The recommendation will be for the vendor that is located in Little Rock that will be very familiar with us, but some very highly qualified candidates. I think we're going to be very pleased with the results and thank you to Toby for getting all those arranged for us and Mrs. Mandy for helping us with the RFP crafting and helping us go through the results. We'll make that recommendation to the Commission at the meeting next week.

Council Member Spencer-Cole - Any questions from the council? OK all right moving on next is P&Z and it is a rezone 15618 I 30 and 614 West Sevier Street from C3 to C1 and it's going to be a special hearing on August 26 befor the council meeting, do we have any questions from the council?

Council Member Knight - Which parcel is that?

Council Member Spencer-Cole - That is the one where they were going to put the truck stop there by Caldwell School that lot right there.

Council Member Morrow - Behind Mac's Minnow & More, you know where the soccer fields are now I think it's just an open field.

Council Member Knight - I know where it's at, by the roundabout.

Council Member Donnor – Inaudible.

Council Member Morrow - So it's going from service commercial to neighborhood commercial that's the label or description what's the distinction between them?

Council Member Donnor - C3 was for something like a truck stop. But with the roundabout came it's no longer suitable for a C3 so we're going to make it to C1 which is neighborhood commercial.

Council Member Hart - I guess Mr. Mayor, I have a question, is this something that we need to bring up at this current time due to the Freedom of Information Act or any of those kinds of issues that were concerning?

Mayor Farmer - We've already gone through that last Johns dealt with that Friday and today with their lawyers and sent it to him so Baxter's dealing with that.

John Parton - Inaudible.

Council Member Morrow - Can we get clarification on that emails phone calls notes anything emails are text what if we I guess there are a lot of scenarios behind that but I'll get with you John offline on that cause that's and I guess our FY laws don't allow us to what if we're out of town on vacation and I mean it's like a three day from request to Friday yeah I didn't give you a lot of time to really.

Mayor Farmer - Inaudible.

John Parton - yeah check your e-mail we had a pretty detailed e-mail to each of y'all regarding the foyer request in terms of any correspondence you may have had both in I've only sent you an e-mail asking for information.

Council Member Morrow - So in between elected officials and staff or is this anybody in the public anybody OK .

Council Member Knight - So my questions are this, I understand the nature of the FOI that we received, understanding the nature of the project, understanding the nature of a comparison project that this thing is is involved the primary project in which the FOI originates from is that project an applicant for permit to construct?

John Parton - They have submitted site plan for review by both the DRC.

Council Member Knight - My question then is this for the council, for the mayor, and it may not be able to be answered right now I understand that a special hearing has been asked for by PNZ to address shifting from C3 to C1 would that shift number back up understanding the primary project that this involves will this matter be cleared up if P&Z votes affirmative to shift from C3 to C1 will this matter be cleared up rectified before it comes to council OK alright OK I get you OK say we do this council then will be put in a position to alter a zoning that an applicant has in place under C3 not C1.

John Parton - So I think the rezone is to not necessarily impact the applicant it's meant to um you know zones are uh there's certain restrictions that have been that have come into play with respect to how the infrastructure is changed around those parcels, for example, the frontage Rd. has been reduced by about 40% based on the construction of that roundabout that impacts the ability for ingress and egress for certain size projects and what's required from a fire code standpoint from a so you're throwing traffic probably onto W Sevier I say all that to say it's not meant to impact this the project per se it's meant to impact or encourage the right kind of development moving forward.

Council Member Knight - So I'll rephrase my question then if it it's an affirmative from PNZ and moves to council has a decision in front of us to shift from C3 to C1 given the nature of the changes in the infrastructure in that area going from C3 to C1 is the proposal that would best agree with those infrastructure changes will that app OK I don't want to get the council in a position to where we have adversely impacted and already standing application to construct under the current zoning regulations OK because it can be perceived regardless of infrastructure improvements or changes that a zoning regulation has changed midstream on an applicant that would implicate this council by affirming that change from C3 to C1 as an Alderman I would like the direction of legal counsel at the time of our vote that what we are doing is indeed legal and does not implicate this council into litigation or other legal matters.

Mayot Farmer – Our City Attorney is already working on that.

Council Member Knight – Thank you.

Council Member Lee – We can change anything we want to that's what we set up here for and if it is for example ready someone's already applying for a building permit they'll just be exempt from our change I mean it's something we've changed what people could build in places because we didn't want apartments built we've done that several times So what we're up here to wait whatever votes do we can pretty much do just about anything recharge anything anywhere virtually.

Council Member Hamm - I have one question if we contact and I've got I know of eight constituents right now that have asked me numerous times in the last few days about whether or not this project was back on the table which projects the truck stop OK yes Sir and I have not gotten an answer to give them if that comes up and is that the reason for the special hearing what impact would their concern be considered on August 26th before the council meeting meaning that 30 minutes before the council meeting we're going to be required to make a decision as to the feelings of the people that are present at that meeting and give it all the proper thought process and you consideration that we are charged with doing.

Council Member Donnor - Alderman Hamm, I was at the meeting and they had the session for the public and the public spoke about the issue the couple of attorneys that were representing the landowner had made a statement that he was not given enough time to prepare for that meeting and our city attorney and all the attorneys got together and says well we'll we're going to we'll extend the meeting until the 26th of August 5:00 in will retake the meeting up then.

Council Member Hamm- Was the entire council notified of that? I have not seen anything about that.

Mayor Farmer - Everyone was notified of the P&Z meeting, it was a public meeting there were two council people present they chose to be here 3 that's right 3 OK so uh it was just like every other public meeting it was put out there and as the Alderman donner said this our city attorney I thought did a real good job in coming up with a solution right on the spot OK they asked for 9 days so they just extended the meeting until right before the council meeting to accommodate the request of what we heard.

Council Member Spencer-Cole - And it was agreed upon.

Council Member Hamm – OK, was the entire public notified of that?

Council Member Spencer-Cole - You could hear it online, but it was agreed upon with the attorneys, our city attorney, and their attorney.

Council Member Hamm - I'm not arguing I'm just saying that somewhere I missed it.

Council Member Brown -There was a good turnout from the neighborhood.

Council Member Spencer-Cole – Mr. John, was it publicized?

John Parton – Yes

Council Member Spencer-Cole – So it was publicized. Next on our agenda is the Rosemary Fields this from reasoning from mining to R3 and if you look in your packet this is where hope consulting is asking for a rezoning of this property where he wants

to put a single-family district where he wanted to be single-family lots or 3000 square foot minimums, so he wanted to put some family homes on this project property it's out there by Aaronfield Road.

Council Member Hart - Can someone help me with where?

Council Member Spencer – Cole - Property is the old Alcoa, around Gattin and Aaronfield. Any other questions from the council? OK next on the agenda is the list of condemnations from July community services that is 719 S Market Street, 300 N 2nd St., 1206 Misty Drive. Do you have any questions about these or any other questions? OK I will adjourn this meeting. Thank you.