

GENTRY CITY COUNCIL AGENDA

MONDAY, AUGUST 3, 2020

PUBLIC HEARING: 317 South Collins Ave. Condemnation
119 North Nelson Ave. Condemnation

Meeting Called to Order

Invocation

Roll Call

Review of Minutes: July 6, 2020 Regular Council Meeting

COMMUNITY COMMENTS

1. Public Comment (Item(s) Not on Presented Agenda)
2. Main Street Gentry Chamber of Commerce – Janie Parks
3. Gentry Senior Activity Center – Maxine Foster
4. Gentry Public Schools – Terrie Metz

UNFINISHED BUSINESS

1. Dawn Hill East Bridge Update
2. Park Master Plan Update
 - a. 10721 Browning Rd.
 - b. Splashpad
 - c. Tuj Lub Court(s)
 - d. TAP Grant Update (S. Smith Trail Improvement)
 - e. RTP Grant (Ped. Bridge @ FCNA)
3. Water Storage Facility Update
4. Condemnation Resolution – 317 S. Collins Ave.
5. Condemnation Resolution – 119 N. Nelson Ave.
6. Golf Cart Ordinance

NEW BUSINESS

1. Rezoning Ordinance – RLP Development LLC
2. Public Hearing Resolution – Petition to Vacate Alley (Arkansas to Railroad)
3. Zoning of Annexed Lands Procedure Ordinance
- 4.

Any items that may arise after the publication of this Agenda must be voted on, to be heard, by the majority of the City Council.

ANNOUNCEMENTS

- Planning Commission Meeting, August 20, 2020 @ 7pm

	2018	2019	2020
City Sales & Use	\$77,596.81	\$121,689.22	\$137,059.64
County Tax	\$65,681.93	\$73,737.38	\$72,819.13

**CITY OF GENTRY
REGULAR CITY COUNCIL MEETING
MONDAY, JULY 6, 2020**

The City Council of the City of Gentry, Arkansas, met in a virtual session at the Council Chambers and, at various locations at 6:30 p.m. on July 6, 2020. Mayor Kevin Johnston called the meeting to order. Given the circumstances it was agreed the invocation would be by-passed for this session.

Prior to roll call, Mayor Johnston addressed the Council asking permission to add a Resolution regarding the COVID-19 Pandemic, to this agenda. A motion was then made by Mr. Barrett to add the Resolution to this evening's agenda. The motion was seconded by Mr. Williams. All members responding were as follows: Arnold-yes; Barrett-yes; Crawford-yes; Erskin-yes; Philpott-yes and Williams-yes. The motion was passed that the Resolution would be added as #5 under the New Business section of the agenda.

COUNCIL MEMBERS ANSWERING ROLL CALL:

Janice Arnold	Jason Barrett	Michael Crawford	Dan Erskin
Cindy Philpott	Jason Williams	Kristi Reams, though having technical difficulty, was also present	

Absent Members: Jimmy Thorburn

Others in attendance: Randy Moll, City Attorney Joel Kurtz, City Clerk Jenny Trout, Fire Chief Vester Cripps, Janie Parks, Police Chief Clay Stewart and Rick Craft.

REVIEW OF MINUTES: June 1, 2020- Regular Council Meeting

Motion: Williams- to approve the minutes as presented

Second: Philpott

Roll Call: Arnold-yes Barrett -yes Crawford- yes Erskin-pass
 Reams- yes Philpott-yes Williams- yes

Motion approved.

COMMUNITY COMMENTS

- 1. Public Comment (Items Not on Presented Agenda)** None.
- 2. Main Street Gentry Chamber of Commerce – Janie Parks** announced Pickin' Time on 59 should proceed as planned, as well as the Glow Ride; new business continues to open and new members have joined the Chamber.

3. **Gentry Senior Activity Center-** Maxine Foster was not present this meeting, but it was stated the Center remains closed at this time due to effects of the Pandemic.
4. **Gentry Public Schools –** Jason Barrett, on behalf of **Terrie Metz**, stated High School Graduation ceremonies are scheduled to take place Friday, July 10, 2020 at 7:30p.m. and face masked are a requirement for those in attendance.

UNFINISHED BUSINESS

1) **Dawn Hill East Bridge Update:** Mayor Johnston was happy to announce progress continues to move forward.

a. **Change Order- Fisher Circle Connection;** A Resolution Conditionally Approving Change Order on Dawn Hill East Bridge Project Upon Approval by ARDOT, was presented for review and consideration.

Motion: Barrett- to approve the Resolution as presented

Second: Williams

Roll Call: Crawford-yes Erskin-yes Reams-yes Philpott-yes
 Williams-yes Arnold-yes Barrett-yes

Motion passed.

b. **Speed Limit Ordinance:** An Ordinance Establishing a 25-Mile-per-hour Speed Limit on Portions of Dawn Hill East Road Located within the City Limits of Gentry, Arkansas, and for other Purposes, was presented for review and consideration:

Motion: Crawford- to suspend the rules and read by heading only

Second: Philpott

Roll Call: Erskin-yes Reams-yes Philpott-yes Williams-yes
 Arnold-yes Barrett-yes Crawford-yes

Motion passed; City Attorney Joel Kurtz, read by heading only.

Motion: Crawford- to pass on three readings with a single vote

Second: Barrett

Roll Call: Erskin-yes Reams-yes Philpott-yes Williams-yes
 Arnold-yes Barrett-yes Crawford-ye

Motion passed.

2) **Park Master Plan Update:**

a) **10721 Browning Rd. Property Purchase Update:** Mayor Johnston stated he had been working with those at McKee regarding an annexation petition.

i. Annexation: Mayor Johnston will proceed with works currently in progress and continue to update the Council on said progress.

- ii. Site Sample Report: Mayor Johnston stated the soil sample reports looked good.
- iii. Site Plan: Mayor Johnston stated there are potential options at hand and he will continue to provide information as the project develops.

b) **Splashpad Update:** Mayor Johnston stated he will continue to provide information as the project progresses. A conceptual layout and design was presented in the packet.

c) **Outdoor Recreational Grant Resolution:** A Resolution Authorizing Application for Outdoor Recreation Matching Grant from the Arkansas Department of Parks, Heritage and Tourism, was presented for review and consideration:

Motion: Williams- to accept the resolution as presented

Second: Erskin

Roll Call: Philpott-yes Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Reams-yes

Motion passed.

d) **TAP Grant Update (S. Smith Trail Improvement):** Mayor Johnston updated that 30% drawings had been submitted to ARDOT for Right-of-Way review. Further design will be continued with ARDOT concurrence.

e) **RTP Grant Update (Pedestrian Bridge @ FNCA):** Bid Acceptance Resolution: A Resolution Authorizing the City of Gentry, Arkansas to Enter into a Contract with Diamond Construction Company Pursuant to its Bid for the Pedestrian Bridge at Flint Creek Nature Area Project and Requesting ARDOT Approval for the Bid, was presented for review and consideration:

Motion: Arnold- to accept the resolution as presented

Second: Williams

Roll Call: Williams-yes Arnold-yes Barrett-yes Crawford-yes
 Erskin-yes Reams-yes Philpott-yes

Motion passed.

3) **Water Storage Facility Update:** Plans had previously been submitted to the Arkansas Department of Health. ADH provided comments. A response has been submitted to address each comment. Once approval is given by ADH, the bid documents will be prepared for advertisement.

4) **Hwy 12/43 Waterline Relocation Change Order Resolution:** A Resolution Conditionally Approving Certain Change Orders Submitted by Hargan Construction Co. in connection with Waterline Relocation Project Upon Approval by ARDOT, was presented for review and consideration:

Motion: Williams- to accept the resolution as presented

Second: Philpott

Roll Call: Crawford-yes Erskin-yes Reams-yes Philpott-yes
 Williams-yes Arnold-yes Barrett-yes

Motion passed.

- 5) **Condemnation Process Update- 317 S. Collins Ave:** Mayor Johnston stated verbal conversations had been had with the property owner, but matters had not been addressed as they should have been. Mayor Johnston also stated a demolition permit was expected.
- 6) **Condemnation Process Update- 119 N. Nelson Ave:** Mayor Johnston stated verbal conversations had been had with the property owner, but matters had not been addressed as they should have been.

After discussion about both property matters, it was decided that should matters not be addressed promptly, a Notice of Public Hearing must be provided to the property owners and lien holders in order to move forward

Motion: Arnold- to proceed with Public Hearing, on August 3 at 6:30p.m. for condemnation of both properties

Second: Philpott

Roll Call: Erskin- yes Reams-yes Philpott-yes Williams-yes
 Arnold-yes Barrett-yes Crawford-yes

Motion passed.

- 7) **Engine Brake Ordinance:** An Ordinance Prohibiting the Use of Engine Brakes withing the City of Gentry, Arkansas; Providing for Penalties Therefore; and for Other Purposes, was presented for review and consideration:

Motion: Arnold- to suspend the rules and read by heading only

Second: Erskin

Roll Call: Philpott-yes Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Reams-yes

Motion passed. City Attorney Joel Kurtz read by heading only.

Motion: Arnold- to pass on three readings with a single vote

Second: Erskin

Roll Call: Philpott-yes Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Reams-yes

Motion passed.

NEW BUSINESS:

1. **Pine Ave. Lift Station Property Purchase Resolution:** A Resolution Authorizing Purchase of 0.15 Acres of Land within the City of Gentry, Arkansas, was presented for

review and consideration:

Motion: Arnold- to accept the resolution as presented

Second: Erskin

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford- yes Erskin- yes Reams-yes Philpott-yes

Motion passed.

2. **Golf Cart Ordinance:** An Ordinance Permitting and Regulating the use of Golf Carts within the City of Gentry, Arkansas; and for Other Purposes, was presented for review and consideration:

Motion: Arnold- to suspend the rules and read by heading only

Second: Crawford

At this time Council Member Williams interjected stating he had some questions and concerns. After lengthy discussion with the presented Ordinance:

Motion: Arnold- to amend previous motion and to table this matter; to be sent to the Safety Committee for further discussion and return to the Council at a later date

Second: Crawford

Roll Call: Williams-yes Arnold-yes Barrett-yes Crawford-yes
 Erskin-yes Reams-yes Philpott-yes

Motion passed.

3. **Hwy 59/12 Intersection Turn Lanes- East/West Legs:** Mayor Johnston stated steps are being taken in looking into “unprotected turn lanes”. Further updates to follow.

4. **Safety Committee, Additional Topics of Discussion;**

a.) **Speed Limits- City Wide:** Several suggestions were made regarding this issue, including the possibility of a city-wide pole being taken in order to consider all streets and, the possibility of changing the speed limits on those streets. Safety Committee will continue to review per council request.

b.) **Side by Side Use on City Streets:** Mayor Johnston informed the Council about the utilization of side by sides on city streets and, the hope for better clarification in the future. It was decided this matter would remain as stated within Arkansas State Law, at this time.

5. **COVID-19 Resolution:** A Resolution by the City of Gentry, Arkansas Regarding the Use of Face Coverings in Relation to the COVID-19 Pandemic, was presented for review and consideration:

Motion: Williams- to accept the resolution as presented

Second: Arnold

Roll Call: Williams-yes Arnold-yes Barrett-yes Crawford-yes
 Erskin-mic muted Reams-yes Philpott-yes

Motion passed.

ANNOUNCEMENTS AND COMMENTS

***Planning Commission Meeting, July 16, 2020 @ 7:00p.m.**

*** ARDOT Virtual Public Involvement 6/21-7/13/2020
WNSConnector.TransportationPlanRoom.com**

*** City Sales & Use & County Tax for 2018, 2019 & 2020 were listed.**

There being no other new business the Mayor entertained a motion to adjourn.

Motion: Crawford- to adjourn this meeting

Second: Arnold

All in favor. None opposed.

Motion passed; meeting adjourned.

**CITY CLERK:
JENNY TROUT**

**MAYOR: KEVIN JOHNSTON
CITY OF GENTRY**

RESOLUTION NO. _____

CITY OF GENTRY, ARKANSAS

RESOLUTION DECLARING THE STRUCTURE LOCATED AT 317 SOUTH COLLINS AVENUE IN THE CITY OF GENTRY TO CONSTITUTE A NUISANCE AND CONDEMNING SAID STRUCTURE; PROVIDING A PERIOD OF TIME FOR THE PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City Code Enforcement Officer has found the structure located at 317 South Collins Avenue, Gentry, Arkansas (more particularly described as Lot 5, and the North 30 feet of Lot 6, Block 43, to the Original Town of Gentry, Benton County, Arkansas) (the “Property”) to be structurally unsafe, dilapidated, unsightly, unfit for human occupancy, and in violation of various provisions of the International Property Maintenance Code of 2003 as adopted by the City of Gentry (the “IPMC”).

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Gentry:

Section 1. The Council finds that the Property is in violation of the IPMC, as follows:

- A. Missing footings and foundation walls on south side; piers insufficient for load; missing joist headers – IPMC 304.4, 304.5
- B. Improper support of roof structure; rafters sagging – IPMC 304.4
- C. No sheathing on south side and under eaves – IPMC 304.2, 304.6

Section 2. The Property is accordingly declared to be unsafe and a public nuisance, and the structure thereon is hereby condemned in order to ensure its removal or other abatement.

Section 3. The City Code Enforcement Official or the City Attorney shall provide a copy of this Resolution to the owner of the Property and shall post a copy at a prominent place on the

condemned structure as provided in the IPMC.

Section 4. The owners of record of the Property are hereby directed to remove the structure or otherwise abate the said nuisance within thirty days after the posting of a copy of this Resolution on the Property.

Section 5. If the aforementioned structure has not been removed and/or abated within thirty days after the posting of a copy of this Resolution upon the structure constituting the nuisance, the structure shall be torn down and removed by the City Code Enforcement Officer or his designated representative. Each day after the aforesaid thirty days that the nuisance is not abated shall constitute a separate and distinct offense punishable as provided in the Gentry Municipal Code.

Section 6. If occupied, the condemned structure shall be vacated as ordered by the City Code Enforcement Officer. Any person who shall occupy the structure and any owner who shall let any person occupy the condemned structure shall be liable as provided in the IPMC and the Gentry Municipal Code.

Section 7. This Resolution shall be in full force and effect from and after its passage and approval.

PASSED, APPROVED AND ADOPTED THIS 3rd day of August, 2020.

Kevin Johnston, Mayor

ATTEST:

Tonya Carney, Director of Finance

	In Compliance	Out of Compliance	Comments
			IPMC.
Drainage Away from building		X	Water has nowhere to go but under the house on the south side. 302.2
Footings		X	Missing on south side 304.4
Foundations		X	None 304.5
Piers		X	Not sufficient for load. No foundation or support. 304.4
Girders			UKN
Debris Removal Under Building			UKN
Finish grade under building		X	Grade too high. Building code
Ventilation Under Build.		X	Nothing on the south side 304.5
Mud Seal- Treated		X	Mud Seal missing 304.4
Joist Headers		X	None installed on south side 304.4
Subfloor		X	See above.
Pest Control; Min. Standard			UKN
Floor Joist 1 st and 2 nd floor			UKN (no 2 nd floor)
Ceiling Joist			UKN
Rafters		X	Sagging 304.4
Sheathing		X	None on S. side of house and on eaves 304.2
Roofing		X	Improper support of roof structure. 304.4
Roof Finish		X	Shingles torn and coming loose 304.7
Means of Egress			UKN
Windows as Egress		X	AC unit blocking window
Doors Exterior			UKN Looks OK
Doors Interior			UKN
Windows -Standard	X		
Bathroom Ventilation	X		Window 302.6
Room Size			UKN
Ceiling Height	X		
Stairs			NONE
Electrical			UKN
HVAC			Window unit.
Plumbing		X	Improper Venting 504.1
Porches			N/A
Accessory Buildings			N/A













RESOLUTION NO. _____

CITY OF GENTRY, ARKANSAS

RESOLUTION DECLARING THE STRUCTURES LOCATED AT 119 NORTH NELSON AVENUE IN THE CITY OF GENTRY TO CONSTITUTE A NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR THE PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City Code Enforcement Officer has found the structure located at 119 North Nelson Avenue, Gentry, Arkansas (more particularly described as Lots 21 and 22, Block 21, to the Original Town of Gentry, Benton County, Arkansas) (the “Property”) to be structurally unsafe, dilapidated, unsightly, unfit for human occupancy, and in violation of various provisions of the International Property Maintenance Code of 2003 as adopted by the City of Gentry (the “IPMC”).

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Gentry:

Section 1. The Council finds that the Property is in violation of the IPMC, as follows:

- A. Large holes in roof – IPMC 304.1, 304.7
- B. Holes in interior floor – IPMC 305.1, 305.4
- C. Exposed electrical wiring – IPMC 605.1
- D. Plumbing in disrepair – IPMC 504.1
- E. Shed collapsing – IPMC 302.7

Section 2. The Property is accordingly declared to be unsafe and a public nuisance, and the structures thereon are hereby condemned in order to ensure their removal or other abatement.

Section 3. The City Code Enforcement Official or the City Attorney shall provide a copy

of this Resolution to the owner of the Property and shall post a copy at a prominent place on the Property as provided in the IPMC.

Section 4. The owners of record of the Property are hereby directed to remove the structures or otherwise abate the said nuisance within thirty days after the posting of a copy of this Resolution on the Property.

Section 5. If the aforementioned nuisance has not been removed and/or abated within thirty days after the posting of a copy of this Resolution upon the Property, the structures shall be torn down and removed by the City Code Enforcement Officer or his designated representative. Each day after the aforesaid thirty days that the nuisance is not abated shall constitute a separate and distinct offense punishable as provided in the Gentry Municipal Code.

Section 6. If occupied, the condemned structures shall be vacated as ordered by the City Code Enforcement Officer. Any person who shall occupy said structures and any owner who shall let any person occupy the condemned structures shall be liable as provided in the IPMC and the Gentry Municipal Code.

Section 7. This Resolution shall be in full force and effect from and after its passage and approval.

PASSED, APPROVED AND ADOPTED THIS 3rd day of August, 2020.

Kevin Johnston, Mayor

ATTEST:

Tonya Carney, Director of Finance

	In Compliance	Out of Compliance	Comments
Drainage Away from building	✓		
Footings	✓		
Foundations	✓		
Piers		✓	
Girders		✓	
Debris Removal Under Building		✓	
Finish grade under building		✓	
Ventilation Under Build.		✓	
Mud Seal- Treated		✓	
Joist Headers		✓	
Subfloor		✓	
Pest Control; Min. Standard		✓	
Floor Joist 1 st and 2 nd floor		✓	
Ceiling Joist		✓	
Rafters		✓	
Sheathing		✓	
Roofing		✓	
Roof Finish		✓	
Means of Egress		✓	
Windows as Egress		✓	
Doors Exterior		✓	
Doors Interior		✓	
Windows -Standard	✓		
Bathroom Ventilation	✓		
Room Size	✓		
Ceiling Height	✓		
Stairs		✓	
Electrical		✓	
HVAC		✓	
Plumbing		✓	
Porches		✓	
Accessory Buildings		✓	Wood Removed

















ORDINANCE NO. _____

CITY OF GENTRY, ARKANSAS

**AN ORDINANCE PERMITTING AND REGULATING THE USE OF
GOLF CARTS WITHIN THE CITY OF GENTRY, ARKANSAS.**

BE IT ORDAINED by the City Council of the City of Gentry, Arkansas, pursuant to Arkansas Code Annotated Section 14-54-1410:

Section 1: A person twenty-one years of age and older who owns a golf cart may operate the golf cart without a driver's license on the streets of Gentry, Arkansas, except that golf carts may not be operated on streets that are also designated as state or federal highways or county roads. Golf carts may cross state or federal highways or county roads at legal intersections.

Section 2: While operating a golf cart, drivers must:

1. Yield to all motor vehicles, pedestrians, and cyclists, and avoid obstructing traffic;
2. Refrain from driving in excess of twenty (20) miles per hour;
3. Abide by the manufacturer's passenger-capacity limits;
4. Ensure that all passengers remain seated;
5. Operate only during daylight hours (between sunrise and sunset) unless the golf cart is equipped with operational headlights, brake lights, and turn signals;
6. Maintain a reflective caution triangle affixed to the rear of the golf cart; and
7. Obey all generally applicable traffic laws except as modified in this ordinance;

Section 3: Golf carts may not be operated on the following streets/locations:

1. State Highway 12 (West Main Street from John Zodrow Road to Shaffer Road; Pioneer Lane from West Main Street to West 3rd Street; West 3rd Street; East 3rd Street);
2. State Highway 59 (South Gentry Boulevard; North Gentry Boulevard);
3. State Highway 59 Spur (Railroad Avenue from North Gentry Boulevard to East Main Street);
4. State Highway 59 Business (South Collins Avenue; East Main Street); and
5. In any designated school zone while the school-zone lights are flashing.

Section 4: Golf carts may not be modified to travel or accelerate more quickly than the manufacturer's stock configuration or so as to circumvent, remove, or disable any of the manufacturer's safety features.

Section 5: Any prior ordinances that are in conflict with this ordinance are hereby repealed to the extent of such conflict.

PASSED and APPROVED in regular session this day of July, 2020.

ATTEST:

Kevin Johnston, Mayor

Tonya Carney, Director of Finance

ORDINANCE NO. _____

**AN ORDINANCE AMENDING APPENDIX B OF THE CITY OF GENTRY
MUNICIPAL CODE REGARDING ZONING OF CERTAIN LANDS
LOCATED WITHIN THE CITY; AND FOR OTHER PURPOSES.**

WHEREAS, RLP Developments LLC has filed its Petition for Rezoning of certain real property within the City of Gentry of which it is the owner of record from R-1 Residential to C-2 Commercial zoning, said property being more particularly described as follows:

A portion of Benton County Parcel Number 10-00070-001, as shown on the attached Map (the "Property").

WHEREAS Said Petition for Rezoning has been duly considered and recommended for approval by the Gentry Planning Commission following notice and hearing as required by Section 14.04.12 of the Gentry Municipal Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Gentry, Arkansas:

Section 1: The zoning of that portion of Benton County Parcel Number 10-00070-001 that was previously zoned R-1 Residential is hereby changed and amended from and after the effective date of this Ordinance to C-2 Commercial zoning.

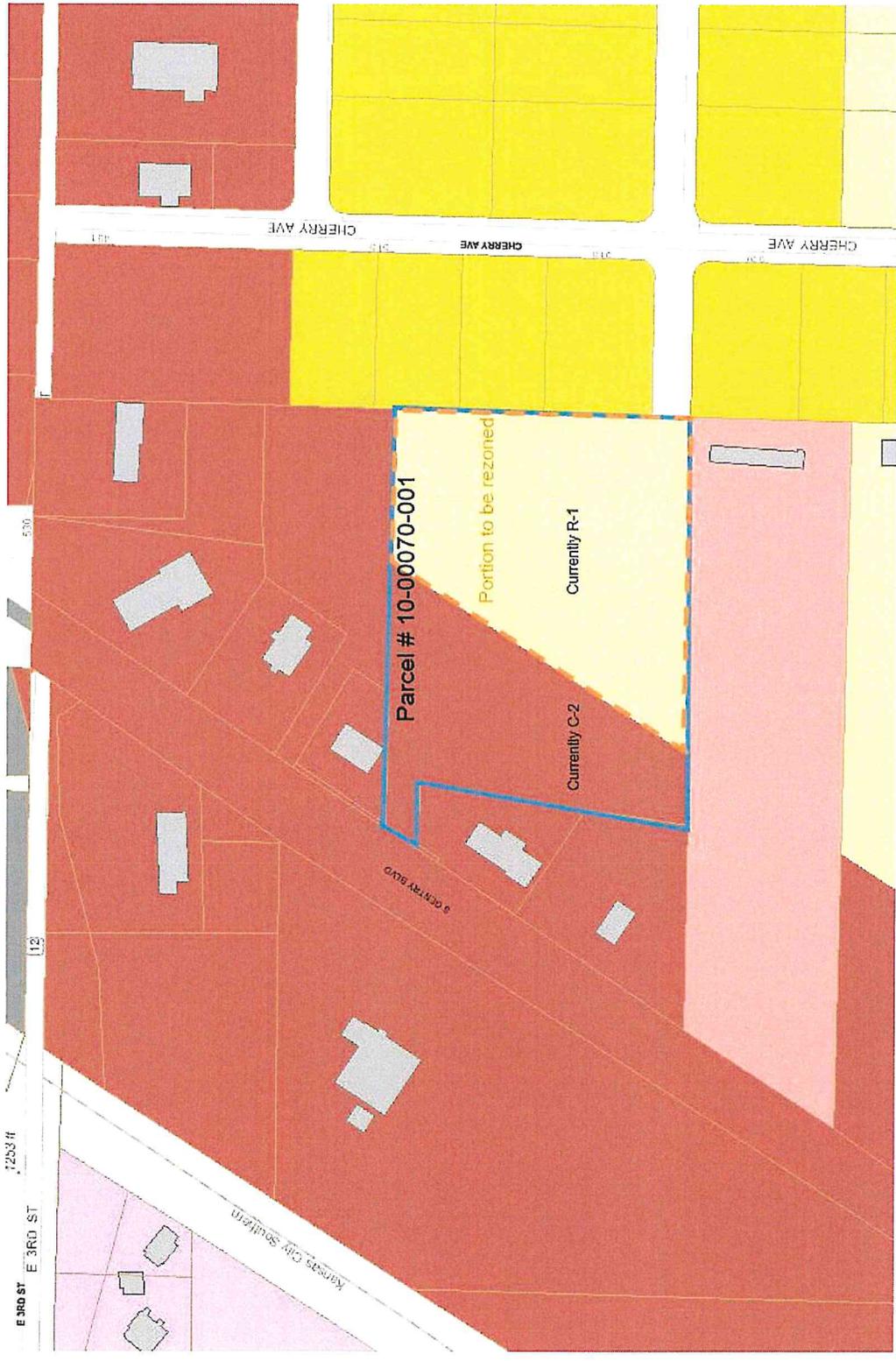
Section 2: The Official Planning Map of the City of Gentry, as well as Appendix B of the City of Gentry's Municipal Code, and Ordinance No. 308 are hereby amended accordingly to reflect the change in zoning of the Property.

PASSED and APPROVED this _____ day of August, 2020.

Kevin D. Johnston, Mayor

ATTEST:

Tonya Carney, Director of Finance



Parcel # 10-00070-001

Portion to be rezoned

Currently R-1

Currently C-2

1255 ft

E 3RD ST

12

530

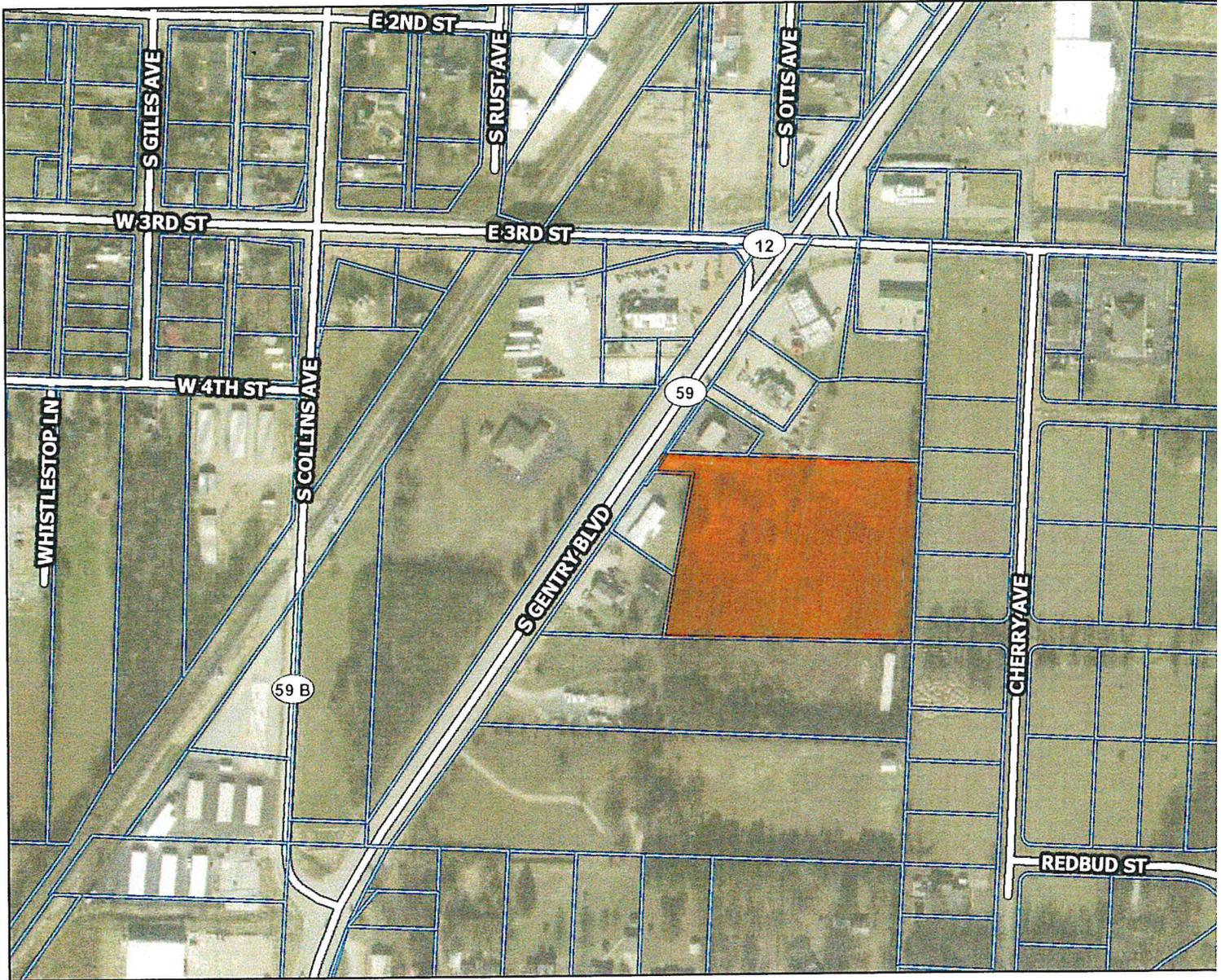
Kansas City Southern

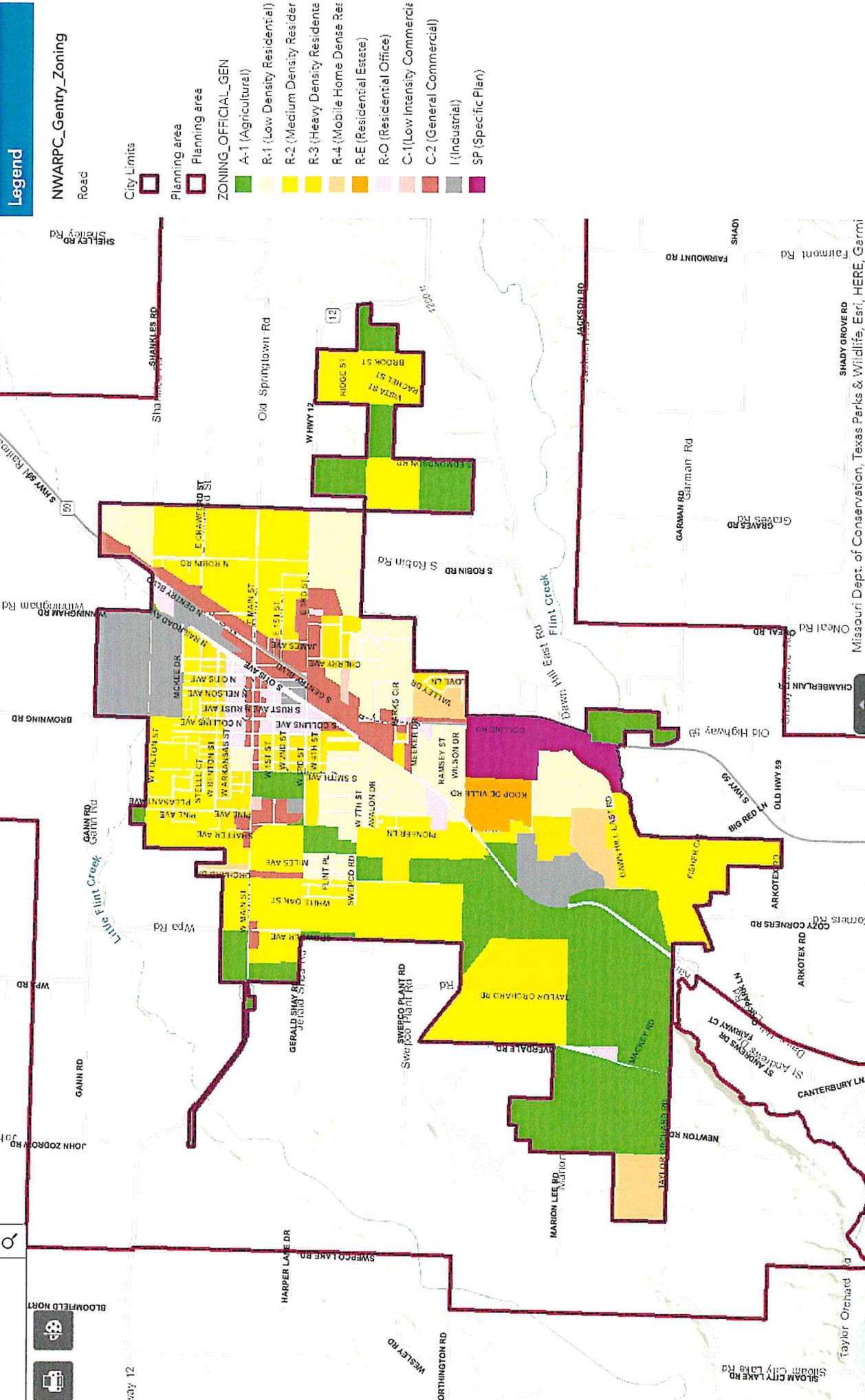
S GENTRY BLVD

CHERRY AVE

CHERRY AVE

CHERRY AVE





Legend

- NWARPC_Gentry_Zoning**
- Road
 - City Limits
 - Planning area
 - ZONING_OFFICIAL_GEN
 - A-1 (Agricultural)
 - R-1 (Low Density Residential)
 - R-2 (Medium Density Residential)
 - R-3 (Heavy Density Residential)
 - R-4 (Mobile Home Dense Res)
 - R-E (Residential Estate)
 - R-O (Residential Office)
 - C-1 (Low Intensity Commercial)
 - C-2 (General Commercial)
 - I (Industrial)
 - SP (Specific Plan)

RESOLUTION NO. _____

CITY OF GENTRY, ARKANSAS

**RESOLUTION SETTING SEPTEMBER 8, 2020 FOR
HEARING PETITION TO VACATE AN ALLEY RUNNING
NORTH AND SOUTH BETWEEN EAST ARKANSAS STREET
AND NORTH RAILROAD AVENUE**

WHEREAS, a Petition to Vacate an unnamed platted street within the City of Gentry Arkansas has been filed with the City of Gentry with respect to an alley running North and South between East Arkansas Street and North Railroad Avenue, bordered by Lots 6–10, Block 19, Original Town of Gentry, Arkansas on the West, and by Lots 11–13, Block 19, Original Town of Gentry, Arkansas to the East.

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Gentry:

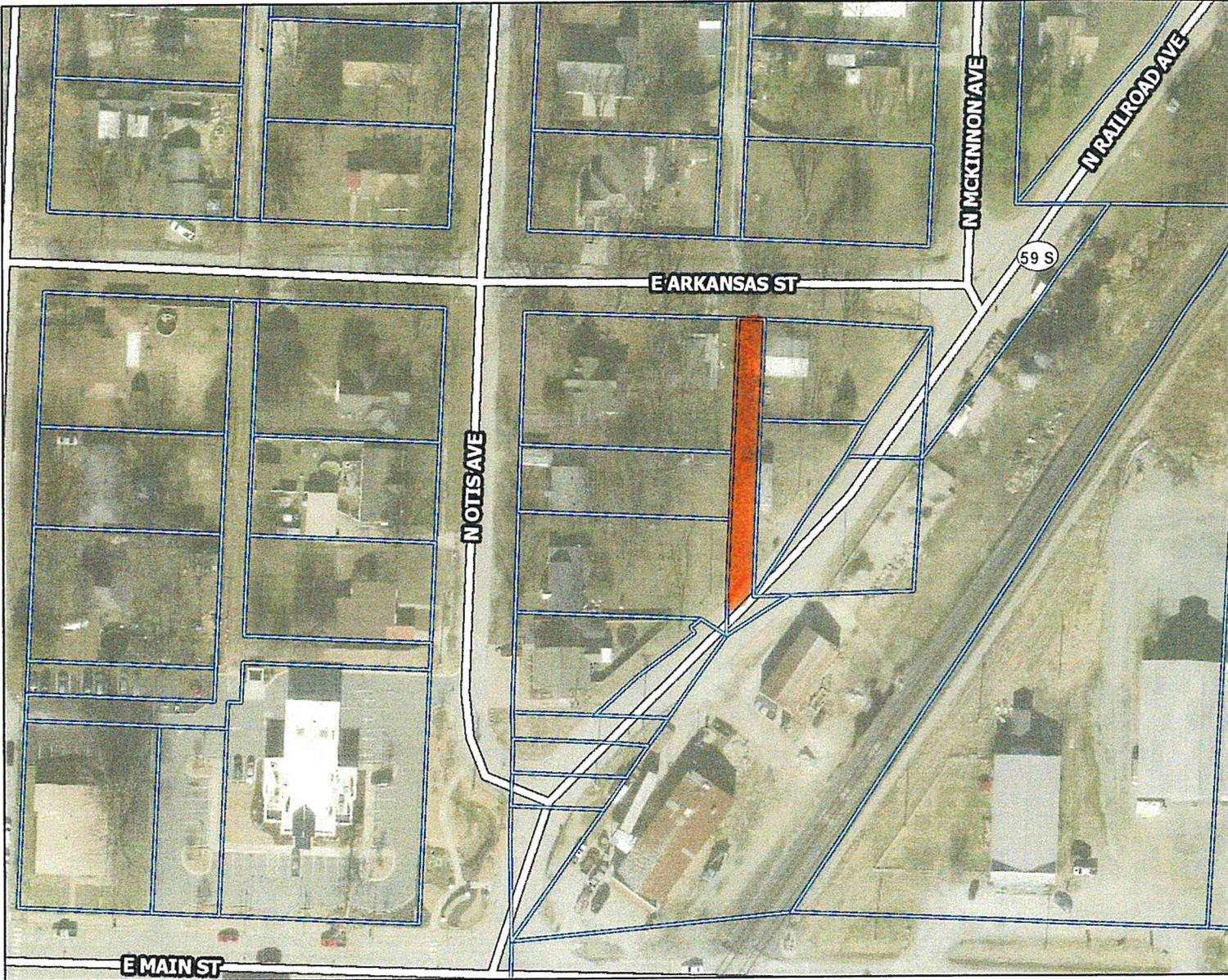
- Section 1. Said Petition to Vacate shall be set for public Hearing on the 8th day of September, 2020, at 6:30 p.m.; and
- Section 2. The City Clerk shall give notice of the meeting by publication once a week for two (2) consecutive weeks in some newspaper published in the county and having a general circulation in the City.

PASSED, APPROVED AND ADOPTED THIS 3rd day of August 2020.

Kevin Johnston, Mayor

ATTEST:

Tonya Carney, Director of Finance



E MAIN ST

N OTIS AVE

E ARKANSAS ST

N MCKINNON AVE

N RAILROAD AVE

59 S

ORDINANCE NO. _____

CITY OF GENTRY, ARKANSAS

**AN ORDINANCE AMENDING THE GENTRY MUNICIPAL CODE
TO ESTABLISH PROCEDURES FOR THE ZONING OF ANNEXED
LANDS UPON ANNEXATION; AND FOR OTHER PURPOSES.**

WHEREAS, it has come to the attention of the City Council of the City of Gentry, Arkansas that it would be more cost-effective and convenient to provide a means whereby the City Council could zone lands concurrently with the annexation thereof, rather than requiring the owners of said lands to petition separately and consecutively for annexation and re-zoning of said lands;

WHEREAS, the Gentry Planning Commission has recommended the following amendment to the Gentry Zoning Ordinance; and

WHEREAS, the City Council concurs in and wishes to adopt the Planning Commission's recommendations.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Gentry, Arkansas:

Section 1: Chapter 14.04 of the Gentry Municipal Code is hereby amended to add the following provisions:

14.04.15 Procedure for Zoning Annexed Lands

- A. Prior to consideration by the City Council of any ordinance annexing any lands to the City of Gentry, the Planning Commission shall hold a public hearing regarding the appropriate zoning of the said lands in the event of annexation. Notice of the public hearing shall be published at least one time in a newspaper of general circulation within the City at least fifteen (15) days prior to the hearing. The Planning Commission shall also notify the adjoining property owners of the hearing by mail at least fifteen (15) days prior to the hearing.
- B. Following the public hearing, the Planning Commission shall make and certify to the City Council a recommendation as to the most appropriate zoning for the said lands in the event of annexation.
- C. In connection with its consideration of the annexation of the said lands, the City Council may either adopt the Planning Commission's recommendation as to the proposed zoning of the lands by ordinance; modify the zoning recommendation and adopt the recommendation as modified; or return the zoning recommendation to the Planning Commission for further study and recommendation.

Section 2: Section 14.04.05(M) of the Gentry Municipal Code and any other provisions that are in conflict with this ordinance are hereby repealed to the extent of such conflict.

PASSED and APPROVED in regular session this 3rd day of August, 2020.

Kevin Johnston, Mayor

ATTEST:

Tonya Carney, Director of Finance