

Minutes of September 2015 City Council Meeting - 09/21/15

Date and time: 09/21/15 06:00 pm to: 09/21/15 08:00 pm
Meeting Secretary, Alderman Christian, Alderman Cantwell, Alderman Carmical, Alderman Phillips, Alderman Stout, Mayor Blue, Attorney Rhoads, Clerk Usrey, Fire Chief Dunavan, Police Chief Martinez, Superintendent Usrey
Present:
Absent: Alderman Milholen
Location: Little Flock City Hall 1500 Little Flock Dr. Little Flock, AR 72756-7029

Topics

1. Call Meeting to Order @ 6:00 P.M.

Mayor Blue called meeting to order

2. Invocation

Jackie Chesnutt, Pastor
Southside Church of Christ

3. Pledge of Allegiance

4. Roll Call

5. Public Comments

Mayor Blue opened public comments.
No public comments
Mayor Blue closed public comments

6. Action on Minutes

Decision Alderman Bob Stout made a motion to accept 08/17/2015 City Council minutes.
Alderman Phillips seconded the motion.
Motion passed unanimously

7. New Business



7-1. Acceptance of Little Flock Drive R.O.W. Easement for Jamie Dale Referred by Planning Commission

Decision Alderman Stout made a motion to accept Little Flock Drive right of way easement for Jaime Dale.
Motion was seconded by Alderman Cantwell.
Roll call: Alderman Carmical - yes Alderman Cantwell - yes
Alderman Phillips - yes Alderman Christian - Yes
Alderman Stout - yes
Motion passed unanimously

7-2. Ordinance 2015-005 Rezone from A to R-1 For Bob Brown Referred by Planning Commission

Decision City Council and the Mayor discussed rezone.
City Attorney Rhoads read Ordinance
Alderman Cantwell made a motion to suspend the rule requiring three readings of Ordinance 2015-005.
Alderman Stout seconded the motion.
Roll call: Alderman Phillips - yes Alderman Cantwell - yes
Alderman Christian - yes Alderman Stout - yes
Alderman - Carmical - yes
Motion Passed unanimously

Decision Alderman Stout made a motion to adopt Ordinance 2015-005.
Alderman Cantwell seconded the motion.
Roll call: Alderman Phillips - yes Alderman - Cantwell - yes
Alderman - Christian - yes Alderman - Stout - yes
Alderman - Carmical - yes
Motion passed unanimously

7-3. Acceptance of McClure Drive R.O.W. Easement for Bob Brown Referred by Planning Commission

Decision Alderman Stout made a motion to accept right of way easement from Bob Brown.
Alderman Cantwell seconded the motion.
Roll call: Alderman Phillips - yes Alderman Cantwell - yes
Alderman - Christian - yes Alderman Stout - yes
Alderman Carmical - yes
Motion passed unanimously

7-4. Ordinance 2015-??? Code changes to Title 5: Health and Sanitation



Decision Mayor Blue discussed Ordinance 2015-???
Mayor Blue opened public comment
Mr Lowery had a commplaint about 1401 West Brush Creek Drive is abanded and is unsightly .
Public comments closed.
Alderman Cantwell made a motion to table until October meeting.
Alderman Christian seconded the motion.
Passed unanimously

8. Unfinished Business

8-1. Ordinance 2015-002 Small Parcels of Land - Third Reading

Decision Alderman Stout made a motion to read Ordinance 2015-002 by title only.
Alderman Phillips seconded the motion.
Motion passed unanimously.
City Attorney Rhoads read Ordinance.
Alderman Stout made a motion to adopt Ordinance 2015-002 on third reading
Alderman Carmical seconded the motion.
Roll call: Alderman Phillips - yes Alderman Cantwell - yes
Alderman Christian - yes Alderman Stout - yes
Alderman Carmical - yes
Motion passed unanimously

8-2. Ordinance 2015-003 Careless/Imprudent Driving and Speed Limits - Third Reading

Decision Alderman Cantwell made a motion to read Ordinance 2015-003 by title only.
Alderman Christian seconded the motion.
motion passed unanimously
City Attorney Rhoads read Ordinance
Alderman Phillips made a motion to adopt Ordinance 2015-03 on third reading.
Motion was seconded by Alderman Cantwell
Role call: Alderman Phillips - yes Alderman Cantwell - yes
Alderman Christian - yes Alderman Stout - yes
Alderman Carmical - yes
Motion passed unanimously

8-3. Ordinance 2015-??? Code changes to Title 7.24: Noise



Decision Council discussed Ordinance
City Attorney Rhoads read Ordinance.
Alderman Stout made a motion to adopt on first reading Ordinance 2015-??? Code
changes to Title 7.24 Noise.
Motion seconded by Alderman Carmical.
Roll call: Alderman Phillips - yes Alderman Cantwell - yes
Alderman Christian - yes Alderman Stout - yes
Alderman Carmical - yes
Motion passed unanimously

9. Departmental Business

9-1. General

Decision Mayor Blue and Council discussed banks to invest C D's in.
Alderman Stout made a motion to authorize the mayor to invest 1.2 million dollars
in CDs not to exceed 2 years in Synchrony Bank, Discover Bank, California First
National Bank ,First Internet Bank of Indiana, and EverBank.
Alderman Christian seconded the motion.
Roll call: Alderman Stout - yes Alderman Christian - yes
Alderman Cantwell - yes Alderman Phillips - yes
Alderman Carmical - yes
Motion passed unanimously

Mayor discussed the 2016 budget.

9-2. Street Department

West Brush Creek Project Status
Mayor Blue stated West Brush Creek will be done by the end of the year,
Paving bids and easement status.

9-3. Police Department

Chief Martinez 1904 Little Flock Dr. was issued a citation for unsightly and
unsanitary and they are working on cleaning it up.

9-4. Fire Department

10. Announcements


11. Pay Bills-Over \$10,000



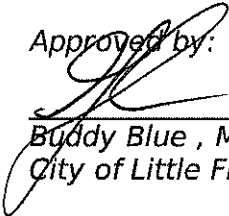
12. Adjourn

Decision Alderman Cantwell made a motion to adjourn.
Alderman Carmical seconded the motion,
Motion passed unanimously

Respectfully Submitted,


Linda Usrey, Recorder/Treasurer
City of Little Flock

Approved by:


Buddy Blue, Mayor
City of Little Flock

Next Meeting

Meeting title: October 2015 city council meeting
Date and time: 10/19/15 06:00 pm to: 10/19/15 08:00 pm
Location: Little Flock City Hall 1500 Little Flock Dr. Little Flock, AR 72756-7029



Agenda for September 2015 City Council Meeting - 09/21/15

Date and time: 09/21/15 06:00 pm to: 09/21/15 08:00 pm
Organizer: Meeting Secretary
Participants: Clerk Usrey, Alderman Cantwell, Alderman Phillips, Alderman Stout, Alderman Christian, Alderman Milholen, Alderman Carmical, Attorney Rhoads, Mayor Blue
Optional: Fire Chief Dunavan, Police Chief Martinez, Superintendent Usrey
Location: Little Flock City Hall 1500 Little Flock Dr. Little Flock, AR 72756-7029

Topics

1. Call Meeting to Order @ 6:00 P.M.

2. Invocation

Jackie Chesnutt, Pastor
Southside Church of Christ

3. Pledge of Allegiance

4. Roll Call

5. Public Comments

6. Action on Minutes

7. New Business

7-1. Acceptance of Little Flock Drive R.O.W. Easement for Jamie Dale Referred by Planning Commission

7-2. Ordinance 2015-??? Rezone from A to R-1 For Bob Brown Referred by Planning Commission

7-3. Ordinance 2015-??? Code changes to Title 5: Health and Sanitation

8. Unfinished Business

8-1. Ordinance 2015-002 Small Parcels of Land - Third Reading

8-2. Ordinance 2015-003 Careless/Imprudent Driving and Speed Limits - Third Reading

8-3. Ordinance 2015-??? Code changes to Title 7.24: Noise

9. Departmental Business

9-1. General

9-2. Street Department

West Brush Creek Project Status
Paving bids and easement status.

9-3. Police Department

9-4. Fire Department

10. Announcements

11. Pay Bills-Over \$10,000

12. Adjourn



AGENDA ITEMS
September 21, 2015

- General Comments
- Acceptance of Little Flock Drive R.O.W. Easement for Jaime Dale
- Ordinance 2015 ??? Rezone from A to R 1 for Bob Brown
- Ordinance - ??? Code changes to Title: Health and Sanitation
- Ordinance # 2015-002 Small Parcels of Land
- Ordinance # 2015-003 Fireworks
- Ordinance # 004 Careless Driving
- Ordinance # ??? Code changes to Title 7.24 Noise
- General
- Road
- Fire
- Police

Your Name: Boyd Foulony
(Check next to the above agenda items you would like to comment on.)

ORDINANCE NO. 2015-002

CITY OF LITTLE FLOCK, ARKANSAS

AN ORDINANCE AMENDING CHAPTER 11.24 OF THE LITTLE FLOCK
CODE, AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF LITTLE FLOCK, ARKANSAS AS FOLLOWS:

1. Amendment of Chapter 11.24 of the Little Flock Code. Chapter 11.24 of
the Little Flock Code is hereby amended to read as follows:

CHAPTER 11.24

SMALL PARCELS OF LAND

Sections:

- 11.24.01 Findings By City Council
- 11.24.02 Small Parcels With Existing Structures
- 11.24.03 Undeveloped Small Parcels
- 11.24.04 Sale of Small Parcels

11.24.01 Findings By City Council The City Council has determined that there
are parcels of land within the City of Little Flock that are smaller than currently allowed
by the zoning regulations of the City (herein called "Small Parcels" or singularly "Small
Parcel"). This situation leaves the Small Parcels in a legal limbo.

11.24.02 Small Parcels With Existing Structures. Existing structures on Small
Parcels may be repaired, improved, or rebuilt with the obtaining of a building permit
without changing the current zoning of the Small Parcel.

11.24.03 Undeveloped Small Parcels. Small Parcels without existing structures
may be developed with the obtaining of a building permit and with the zoning of the
Small Parcel being changed to the closest applicable zone based on the proposed use
of the Small Parcel even though the Small Parcel may not meet the acreage
requirement of the zone.

11.24.04 Sale of Small Parcels. Small Parcels may be sold, conveyed, or
transferred provided that the Small Parcel to be sold, conveyed, or transferred is first
zoned to the closest applicable zone based on the proposed use of the Small Parcel
even though the Small Parcel may not meet the acreage requirement of the zone.

COPY

PASSED AND APPROVED this _____ day of _____, 2015.

Attest

COPY CITY OF LITTLE FLOCK, ARKANSAS

LINDA USREY, Recorder/Treasurer

By _____
BUDDY BLUE, Mayor

COPY

ORDINANCE NO. 2015-_____

CITY OF LITTLE FLOCK, ARKANSAS

AN ORDINANCE AMENDING CHAPTER 7.24 TO THE LITTLE FLOCK CODE, AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLE FLOCK, ARKANSAS AS FOLLOWS:

1. Amendment of Chapter 7.24 to the Little Flock Code. Chapter 7.24 of the Little Flock Code is hereby amended to read as follows:

CHAPTER 7.24

NOISE

Sections:

- 7.24.01 Loud Noises Prohibited
- 7.24.02 Specific Noises
- 7.24.03 Exceptions
- 7.24.04 Fine

7.24.01 Loud noises prohibited. Subject to the exceptions hereinafter provided, no person shall willfully make, continue, or cause to be made or continued any unreasonably loud, disturbing and unnecessary noises within the city of such character, intensity or duration as to be detrimental to the life or health of any individual or to disturb the public peace and welfare from 11:00 p.m. until 6:00 a.m., except as follows:

- A. Construction noise, as defined below, is prohibited from 9:00 p.m. until 6:00 a.m.
- B. The use of fireworks is prohibited at all times, except during the period from 11:00 a.m. until 11:00 p.m. on July 1 through July 5 and during the period from 11:00 p.m. on December 31 until 1:00 a.m. on January 1 of each year.
- C. The discharge of firearms is prohibited from dusk until dawn, except for purposes of self-defense.

(Ord. No. 2007-309, Sec. 1., amended by Ord. No. 2015-_____)

7.24.02 Specific noises. Although the following list is not an exhaustive list of the noises prohibited by this ordinance, the following noises are specifically declared to be violations of this ordinance:

- A. Engine exhaust. The discharge into the open air of the exhaust of any internal combustion engine except through a muffler or other device which effectively prevents loud noises therefrom.
- B. Construction noise. Any sound made by construction activities if such sound can be heard beyond the boundaries of the construction site, except in case of urgent necessity in the interest of public health and safety.
- C. Horns, signaling devices, etc. The sounding of any horn, whistle or other audible signaling device so as to create a loud noise, other than a short sounding for the purpose of giving a warning.
- D. Sound amplification devices. The use, operation, or playing of any radio, stereo system, compact disc player, cassette tape player, or any other device capable of sound amplification on:
 - 1. Any motor vehicle located in any public right-of-way, public street or public property, at such a volume as to be plainly audible from a distance of thirty (30) feet or more from said motor vehicle; or
 - 2. Any private property, at such a volume as to be plainly audible from a distance of thirty (30) feet or more from said property's boundary line.
 - 3. For purposes of this ordinance, the term "plainly audible" shall mean clearly capable of being heard by a person of normal sensibilities using unaided auditory senses, at a volume level above that of a normal conversation. "Plainly audible" shall not include sounds which are just barely audible, but shall include without limitation or exclusion, with regard to music, detection of a rhythmic bass reverberating-type sound, beat or cadence.
- E. Sound trucks. Operating an amplifier, loudspeaker or other device for amplifying sound in, upon or attached to a vehicle within the city for advertising purposes or to attract the attention of the public, except for ice cream trucks.
- F. Yelling, shouting etc. Yelling, shouting, whistling or singing at any time or place so as to create a loud and raucous noise. (Ord. No. 2007-309, Sec. 2., amended by Ord. No. 2015-____)

7.24.03 Exceptions. None of the provisions of this ordinance shall apply to or be enforced against:

- A. City activities. Any facility or department of the city while engaged upon necessary business.
- B. Emergency activities. The necessary warning signals given by operators of police cars, fire trucks, or by a licensed physician or ambulance operator while answering an emergency call for medical assistance.
- C. Public addresses. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are non-commercial in character.
- D. Requests for help. Cries for emergency assistance.
- E. Warning. Warning calls or sounds.
- F. Fire and burglar alarms. The sounding of fire and burglar alarms prior to the owner or tenant of the premises having received notice of the alarm and having had a reasonable opportunity to turn off the alarm.
- G. Religious worship activities. The sound of religious worship activities conducted in a permanent structure.
- H. Farming Activities. Sounds related to agricultural and farming operations and vehicles. (Ord. No. 2007-309, Sec. 3., amended by Ord. No. 2015-____)

7.24.04 Fine Any person who violates this ordinance shall be guilty of a misdemeanor and shall be punished by a fine of Fifty Dollars (\$50.00) to Two Hundred Dollars (\$200.00) for a first violation and a fine of One Hundred Dollars (\$100.00) to Five Hundred Dollars (\$500.00) for each subsequent violation. If the person who violates this ordinance was directing or causing others to create prohibited construction noise, then the fine ranges shall be doubled. (Ord. No. 2007-309, Sec. 4., amended by Ord. No. 2015-____)

PASSED AND APPROVED this ____ day of _____, 2015.

Attest

CITY OF LITTLE FLOCK, ARKANSAS

LINDA USREY, Recorder/Treasurer

By _____
BUDDY BLUE, Mayor

ORDINANCE NO. 2015-_____

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PASSED AND APPROVED this ____ day of _____, 2015.

Attest

CITY OF LITTLE FLOCK, ARKANSAS

LINDA USREY, Recorder/Treasurer

By _____
BUDDY BLUE, Mayor