

# Minutes of April 2017 City Council Meeting - 04/17/17

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Date and time: 04/17/17 06:00 pm to: 04/17/17 07:00 pm  
Present: Meeting Secretary, Mayor Blue, Alderman Cantwell, Alderman Carmical, Alderman Phillips, Attorney Rhoads, Clerk Usrey, Police Chief Martinez, Fire Chief Dunavan, Superintendent Usrey, Chairman Englebrecht  
Absent: Alderman Christian, Alderman Milholen, Alderman Stout  
Location: City of Little Flock City Hall

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## Topics

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

🗨️ Mayo Blue called the meeting to order

### 2. Invocation -

Councilman Carmical

### 3. Pledge of Allegiance

### 4. Roll Call

### 5. Alderman Christian Resignation

Alderman Christian resigned his position.  
Resignation attached.

**Decision** 🗨️ *Council member Phillips made a motion to appoint Greg Sapp to Council for ward 1 position 1.  
Council member Carmical seconded the motion.  
Roll call:  
Council member Phillips - yes  
Council member Carmical - yes  
Council member Cantwell - yes  
Mayor Blue - yes  
motion passed unanimously.*

### 6. Public Comments



David Montgomery stated that three minutes is not enough time for public comments. Mayor Blue stated it is three minutes for each subject you check on comment cards.

## 7. Action on Minutes

**Decision** Council member Phillips made a motion to approve the minutes of the March 20, 2017 meeting.  
Council member Carmical seconded the motion.  
Motion passed unanimously.

## 8. Unfinished Business

### 8-1. Ordinance 2017-001 Cash Accounts - Second Reading

**Decision** Council member Phillips made a motion to bring Ordinance 2017-001 Cash Accounts to the table for second reading.  
Council member Cantwell seconded the motion.  
Motion passed unanimously.  
Council member Phillips made a motion to read Ordinance 2017-001 by title only.  
Council member Cantwell seconded the motion.  
Motion passed unanimously.  
City Attorney Rhoads read Ordinance 2017-001.  
Council member Phillips made a motion to adopt on second reading.  
Council member Carmical seconded the motion.  
Roll call:  
Council member Phillips - yes  
Council member Carmical - yes  
Council member Cantwell - yes  
Council member Sapp - yes  
Motion passed unanimously.

### 8-2. Ordinance 2017-003 Driveway Ordinance - First Reading



**Decision** 🗳️ Council member Phillips made motion to bring Ordinance 2017-003 to the table.

Council member Carmical seconded he motion.

Motion passed unanimously.

City Attorney Rhoads read Ordinance 2017-003.

Council member Phillips made a motion to suspend the rule requiring three readings.

Council member Council member Cantwell seconded the motion.

Roll call:

Council member Phillips - yes

Council member Cantwell - yes

Council member Carmical - yes

Council member Sapp - yes.

Motion passed unanimously.

Council member Phillips made a motion to adopt Ordinance 2017-003.

Council member Carmical seconded the motion.

Roll call:

Council member Phillips - yes

Council member Carmical - yes

Council member Cantwell - yes

Council member Sapp - yes.

Motion passed unanimously.

Council member Phillips mad a motion to adopt the emergency clause on Ordinance 2017-003.

Motion was seconded by Council member Cantwell.

Roll call:

Council member Phillips - yes

Council member Carmical - yes

Council member Cantwell - yes

Council member Sapp - yes

Passed unanimously

## 9. New Business

### 9-1. Ordinance 2017-004 Land Use and Master Street Plans

**Decision** 🗳️ Council member Phillips made a motion to bring Ordinance 2017-004 to the table and have City Attorney Rhoads read the Ordinance.

Council member Carmical seconded the motion.

City Attorney Rhoads read the Ordinance.

Council member Phillips made a motion to adopt on first reading.

Council member Cantwell seconded the motion.

Roll call:

Council member Phillips - yes

Council member Cantwell - yes

Council member Carmichael - yes

Council member Sapp - yes

Motion passed unanimously.

### 9-2. Resolution 2017-003 Capitalization Policy



**Decision** 🗳️ *Council member Phillips made motion to bring Resolution 2017-003 to the table.  
Motion was seconded by Council member Carmical.  
City Attorney Rhoads read Resolution 2017-003.  
Council member Phillips made a motion to adopt Resolution 2017-003.  
Council member Cantwell seconded the motion.  
Roll call: Council member Phillips - yes  
Council member Cantwell - yes  
Council member Carmical - yes  
Council member Sapp - yes  
Motion passed unanimously.*

## 10. Departmental Business

### 10-1. General

### 10-2. Fire

### 10-3. Police

🗳️ Chief Martinez stated the Police Department got a \$3500 mini grant.  
He also wanted to publicly thank the Fire Department for their help Friday night.

### 10-4. Street

Road Superintendent Usrey stated that at the MS4 meeting Benton County is recommending putting up barriers at all building sites.  
Mayor asked City Attorney Rhoads to look into that and if needed write an ordinance.


### 10-5. Planning


## 11. Announcements

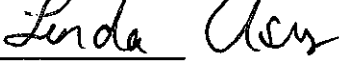
## 12. Pay Bills over \$10,000

## 13. Adjourn



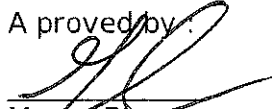
**Decision**  Council member Phillips made a motion to adjourn.  
Council member Carmical seconded the motion.  
Motion passed unanimously.

 Respectfully Submitted by :



Recorder/Treasurer  
Linda Usrey

A proved by :

  
Mayor Blue  
City of Little Flock

### Next Meeting

Meeting title: May 2017 city council meeting  
Date and time: 05/15/17 06:00 pm to: 05/15/17 07:00 pm  
Location: City of Little Flock City Hall



# Agenda for April 2017 City Council Meeting - 04/17/17

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Date and time: 04/17/17 06:00 pm to: 04/17/17 07:00 pm  
Organizer: Meeting Secretary  
Participants: Mayor Blue, Alderman Christian, Alderman Milholen, Alderman Cantwell, Alderman Carmical, Alderman Phillips, Alderman Stout, Attorney Rhoads, Clerk Usrey  
Optional: Police Chief Martinez, Fire Chief Dunavan, Superintendent Usrey, Chairman Englebrecht  
Location: City of Little Flock City Hall

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## Topics

1. Call Meeting to Order @ 6:00 P.M.
2. Invocation -
3. Pledge of Allegiance
4. Roll Call
5. Alderman Christian Resignation
6. Public Comments
7. Action on Minutes
8. Unfinished Business
  - 8-1. Ordinance 2017-001 Cash Accounts - Second Reading
  - 8-2. Ordinance 2017-003 Driveway Ordinance - First Reading
9. New Business

9-1. Ordinance 2017-004 Land Use and Master Street Plans

9-2. Resolution 2017-003 Capitalization Policy

10. Departmental Business

10-1. General

10-2. Fire

10-3. Police

10-4. Street

10-5. Planning

11. Announcements

12. Pay Bills over \$10,000

13. Adjourn

**Tasks from previous meeting(s)**

Previous meeting: March 2017 City Council Meeting - 03/20/17

**AGENDA ITEMS**

**April 17 2017**

- General Comments *Strength of public comments section.*
- General
- Road
- Fire
- Police

Your Name: David Montgomery

(Check next to the above agenda items you would like to comment on.)



Korey Christian  
2401 Mary Lane Drive  
Little Flock, AR 72756  
479-236-1620  
[Korevandmary@cox.net](mailto:Korevandmary@cox.net)

April 17<sup>th</sup>, 2017

Buddy Blue  
Mayor, Little Flock, AR

Dear Buddy:

Please accept this letter as formal notification that I am resigning from position 1, Ward 1, City Alderman effective April 17, 2017. I will be moving from Little Flock to Rogers, I have sold my Home and will move to Rogers.

Thank you, the other Alderman and the entire city staff for allowing be to be a part of a group that I have learned a lot and had a great experience while serving in this position.

It has been an honor to serve with all of you on the city council.

Sincerely,

Korey Christian.

Matthews  
Campbell  
Rhoads  
McClure &  
Thompson P.A.  
ATTORNEYS

119 South Second Street  
Rogers, AR 72756-4525

PH 479/636-0875  
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David R. Matthews<sup>3</sup>  
Craig A. Campbell  
George R. Rhoads<sup>3</sup>  
Edwin N. McClure<sup>1,2</sup>  
Larry J. Thompson  
Sarah L. Waddoups  
Scott Tidwell<sup>1,3</sup>  
Ryan P. Blue  
Edmond Joseph McGehee  
J. Alison Lee

Kimberly R. Weber<sup>4</sup>  
Mark T. Fryauf<sup>1,4</sup>  
M. Anneliese Reed  
Mary B. Matthews  
of counsel

<sup>1</sup> also admitted in Missouri

<sup>2</sup> also admitted in New York

<sup>3</sup> also admitted in Oklahoma

<sup>4</sup> also admitted in Texas

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March 21, 2017

Mr. Buddy Blue, Mayor  
City of Little Flock  
1500 Little Flock Drive  
Little Flock, Arkansas 72756-7029

Re: Medical Marijuana Amendment of 2016  
Prohibition of Cultivation Facilities in Little Flock

Dear Buddy:

At last evening's City Council meeting, the Planning Commission asked if the City could prohibit Medical Marijuana Cultivation Facilities in Little Flock. I have researched that question.

Section 14 of the Medical Marijuana Amendment of 2016 reads as follows:

Sec. 14. Local regulation

(a) This amendment does not prohibit a city, incorporated town, or county of this state from enacting reasonable zoning regulations applicable to dispensaries or cultivation facilities, provided that those zoning regulations are the same as those for a licensed retail pharmacy.

(b) This section does not allow a city, incorporated town, or county to prohibit the operation of any dispensaries or cultivation facilities in the city, incorporated town, or county unless such a prohibition is approved at an election under Article 5, Sec. 1, of this constitution.

Therefore, the only way to prohibit cultivation facilities in Little Flock is to have an Article 5, Sec. 1 election. Article 5, Sec. 1 deals with Initiative and Referendum.

Under Initiative, the citizens of Little Flock could present a petition signed by a number equal to at least 15% of the persons who voted in the last Mayor election. The Initiative Petition would propose an Ordinance that prohibits cultivation facilities in Little Flock. The Initiative Petition would call an election between 60 and 90 days after the Petition is presented.

Under Referendum, the Council would pass an Ordinance and delay its effective date until the citizens voted on whether to approve the Ordinance. The Ordinance would call an election.

