

Minutes of the Little Flock City Council Meeting

07/19/2021

Date and Time: 07/19/2021 at 6:30 pm

Participants: Doug Carmical, Robert Phillips, Debb Formanek, Wes Waddell, Maureen Brandolini

Optional: Attorney London Lundstrum, Christopher Craig, Wes Usrey

Discussion: Call Meeting to order at 6:30 pm

1. **Meeting called to order at 6:30 pm by Debb Formanek**
2. **Invocation**, Council Member Robbie Phillips
3. **Pledge of Allegiance**
4. **Roll Call:**

Council Member Chris Cantwell - Absent
Council Member Doug Carmical – Present
Council Member Debb Formanek – Present
Council Member Jim Milholen – Absent
Council Member Robert Phillips – Present
Council Member Wes Waddell - Present

5. **Public Comments**

None

6. **Action on Minutes**

Council Member Robbie Phillips made a motion to approve June 2021 Minutes.

Council Member Wes Waddell seconded the motion.

Motion passed unanimously

7. **Treasurer's Report as of 06/30/2021**

General Fund - \$1,795,404.00

Street Fund - \$ 484,738.45

Council Member Robbie Phillips made a motion to approve Treasurer's Report

Council Member Doug Carmical seconded the motion

Motion passed unanimously

8. **Unfinished Business**

None

9. **New Business**

- **Ordinance 2021-002 – Rezone of 51.33 Acres
Parcel # 23-00013-00 and Parcel # 23-00027-00**

Planning Commission Chairman Troy Davis attended the meeting to answer any questions regarding the proposed rezone request. Council Members asked about the recommendation for the rezone as it did not appear to meet the Land Use or Master Plan for the City of Little Flock. Mr. Davis stated that the property had good frontage on Highway 94, the proposed rezone could still be considered somewhat low density based on its location, and that it appeared to be a good use for the land. When asked about traffic and road issues Mr. Davis

stated that the travel path of Highway 94 could easily handle the increase. A Council Member stated that 94 ran north to south and the majority of people would need to take a road west in order to get to Bentonville, and the only road they could take would be Rustic. A discussion on the limitations of Rustic was held. Wes Usrey, City of Little Flock Road Superintendent, stated that there had been many hours spent with the Corps of Engineers as well as other entities making extensive plans to fix the bridge on Rustic and to pave the road. However, one of the landowners will not allow the city an easement for a portion of the road and so it cannot be done. This situation does not have a solution at this time. A Council Member asked if there had been any strategic planning done regarding growth for the city and any needed infrastructure. It was stated that there are many outside factions that would need to be involved with this type of long-range planning, and as such it could not be looked at by the Planning Commission alone.

Council Member Robbie Phillips made a Motion to Approve Ordinance 2021-002. Council Member Wes Waddell seconded the Motion.

Roll Call Vote:

Doug Carmical – No
Robbie Phillips - Yes

Debb Formanek – No
Wes Waddell – Yes

Motion Failed

Annette Gore, a Real Estate Agent, questioned the rezoning decision as it was a tie vote. Attorney London Lundstrum explained that under Arkansas Law the rules governing passing of an Ordinance had several components. The Council needs a Quorum of 4 members to hold the meeting and bring an item to the table for a vote, additionally to pass, a majority vote is required, which would be 3 of 4 votes. In the absence of a majority vote the matter fails. Several minutes of discussion regarding why the Interim Mayor did not cast the deciding vote followed Attorney Lundstrum’s statements. It was explained, repeatedly, that in the case of a tie vote, a mayor could only vote if it were a “Yes” vote. A Mayor cannot cast a “No” vote. It was demanded the Interim Mayor state their opinion, and the Interim Mayor stated, again, that they could not vote, but her opinion was a “No”.

- **Resolution 2021-007 - Extension of Existing Contract with Inland Waste Solutions, LLC, DBA Orion Waste Solutions**

Council Member Robbie Phillips made a Motion to Approve Resolution 2021-007. Council Member Wes Waddell seconded the Motion.

Roll Call Vote:

Doug Carmical - Yes
Robbie Phillips - Yes

Debb Formanek - Yes
Wes Waddell – Yes

Motion Passed Unanimously

- **Resolution 2021-008 – Authorize Deletion of Certain Assets from Inventory – Fire Department**

Council Member Robbie Phillips made a Motion to Approve Resolution 2021-008.
Council Member Wes Waddell seconded the Motion.

Roll Call Vote:

Doug Carmical - Yes
Robbie Phillips - Yes

Debb Formanek - Yes
Wes Waddell – Yes

Motion Passed Unanimously

- Bridge Repair Estimate. Council approved spending up to \$1,500 to obtain an estimate for repairs to the bridge on Little Flock Drive.

- **Candidate for Mayor Jeff Van Sickler**

Council Member Robbie Phillips made a Motion to Appoint Jeff Van Sickler to the position of Mayor of City of Little Flock.
Council Member Wes Waddell seconded the Motion.

Roll Call Vote:

Doug Carmical - Yes
Robbie Phillips - Yes

Debb Formanek - Yes
Wes Waddell – Yes

Motion Passed Unanimously

10. Announcements

- Council Member Robbie Phillips announced that the City of Little Flock has a new Mayor, Jeff Van Sickler.

11. Pay Bills Over \$10,000.00

None

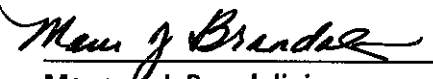
12. Adjourn

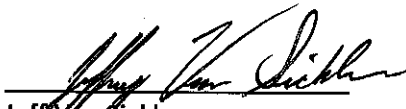
Council Member Robbie Phillips made a motion to adjourn.
Council Member Debb Formanek seconded the motion.

Motion passed unanimously

Respectfully submitted by:

Approved by:


Maureen J. Brandolini
Recorder/Treasurer


Jeff Van Sickler
Mayor