

**MINUTES
HYBRID MEETING
CITY COUNCIL
CITY OF MAUMELLE
MARCH 15, 2021
6:00 PM
CITY HALL**

Mayor Norris called the meeting to order at 6:00 p.m. with six Council Members present. Council Members Mosley and Saunders attended virtually.

City Attorney Krebs gave the Invocation and led the Pledge of Allegiance.

SPECIAL GUEST AND ANNOUNCEMENTS

Mayor Norris named Michael Cossey the July 2020 Employee of the Month. Cossey has served over 18 years and is the current Division Chief of Training. Chief Cossey has gone above and beyond his normal duties in the midst of the Covid-19 pandemic, he ensured the city remained informed about current and accurate information. Mayor Norris proclaimed March 16, 2021 to be Michael Cossey Day in the City of Maumelle.

Mayor Norris gave his State of the City Address. The address highlighted how the city worked to combat the pandemic, the finished remodel of City Hall, department reports, and being optimistic in 2021.

APPROVAL OF MINUTES- FEBRUARY 22, 2021

Council Member Williams motioned to accept the minutes as submitted. Council Member Shinn seconded the motion, and the motion passed by all in attendance.

FINANCIAL STATEMENT REVIEW

Finance Director, Liz Mathis reported on the February general fund revenues, general fund expenses, general fund balance, street revenue fund, the police and fire fund, and the sanitation fund revenues and expense.

Council Member Shinn motioned to accept the February financials, Council Member Williams seconded the motion. The motion passed by all in attendance.

PROCEDURAL MOTION

Council Member Shinn motioned to have all ordinances and resolutions read by title only. Council Member Gardner seconded the motion, and the motion passed by all in attendance.

ORDINANCE 1022 AMENDING CHAPTER 10 OF THE MAUMELLE CITY CODE

With no objections, Mayor Norris called for the second reading of Ordinance 1022 amending chapter 10 of the Maumelle City Code to revise enforcement procedures, eliminate the categories of “potentially dangerous animal,” and “hazardous animal,” to change the current definition of

“dangerous animal” to remove the ban on certain breeds of dogs, and for other purposes. The City Clerk gave the reading.

Clerk Timmons read a public comment submitted by Phil Stowers, 143 Pleasantwood Drive. Stowers implored the Council to keep in place the current ordinance.

Clerk Timmons read a public comment submitted by Patti Robinson, 120 Ridgeland Drive. Patti Robinson stated she was concerned about repealing the ordinance. Robinson encouraged the Council to vote to keep the community safe.

Clerk Timmons read a public comment submitted by Ammy Theobald, 11 High Timber Drive. Theobald spoke in support of the ordinance and how Animal Services will have to the right tools to effectively mitigate problematic owners regardless of the dog breed.

Bret Winingar, 6812 Russwood, spoke in support of the ordinance and acceptance for all dogs.

Lane Brining, 4 St. Thomas Court, spoke about being bitten. She stated that none of those breeds were a bully breed or pit bull. She felt the owners should be held accountable. She encouraged the Council Members, Mayor, Clerk, and Attorney to get involved and spend some time at the shelter.

Gary Childers, 11 Hickory Lane, spoke about the ordinance having an impact on peoples insurance. He also stated that 90% of insurances will not cover against injury caused by the animal.

Michelle Elliot, 1 Randal Cove, stated that the ordinance gives Animal Control more ability and authority. She spoke in favor of the Ordinance.

Patti Robinson, 120 Ridgeland Drive, cited a study regarding dog bites in children hospitals. Robinson implored the Council to send this ordinance to the ballot.

Darrell Patrick, 8 Mountain Cove, encouraged the Council to let the people vote. He felt as if the people’s voice should be heard.

Jessica Roberts, 45 Masters Place Drive, spoke about her knowledge and experience and how all dogs can cause harm. Roberts said breed specific legislation is prejudice and not the answer.

Leslie Rush, 101 Sierra Valley Loop, spoke in support of the ordinance. She stated that breed specific enforcements are a waste of public resources and are ineffective.

Tricia Grant, 19 Nimrod Cove, stated that she is in support of the ordinance.

Vithoune Vigharath, 5 Apple Blossom Cove, spoke in support of the ordinance and how discriminating breeds is wrong and absurd.

Jeff VanPatten, 131 Manitou Drive, encouraged the Council to send to the ballot.

Stephen Davenport, 5 Oak Forest Cove, spoke about his animal encounters and how he is in support of the ordinance.

Council Member Mosley motioned to send the ordinance to a referendum by the people scheduled in May 2022, and request the City Attorney guide through the process. Council Member Saunders seconded the motion, the motion failed 4/4. Council Members Shinn, Gardner, Williams, and Tierney voted no.

City Attorney stated that this motion is to start the process, and to draft an ordinance as a sending document, and setting it for election.

Council Member Saunders stated that this is one of the very few times that this can go to the public because it is a public safety issue.

Council Member Tierney asked Animal Control Supervisor, Chris Davis about tether laws and how often offenses are apparent. Council Member Tierney emphasized the ordinance does more than lift the ban of pit bulls.

Chris Davis stated 2-3 weekly offenses.

Council Member Mazzoni asked Chris Davis how much experience he has with pit bulls.

Chris Davis, stated he lives in Conway, and he owns a pit bull. Davis communicated that he has 10 years of experience with working with BSL and cruelty investigations.

Council Member Holt asked Chris Davis for an example of how this ordinance will make his job easier. Council Member Holt also spoke about his dog.

Chris Davis reported about a dog who was tethered.

Council Member Mosley asked Council Member Shinn on his idea of dividing the ordinance.

Council Member Shinn stated that we should pass the bulk of the ordinance to allow Animal Control to do their job better and let the people vote on the controversial part.

Council Saunders expressed that he is in favor of the idea of dividing the ordinance.

No further discussion was needed, Ordinance 1022 will be on third reading at the next city council meeting.

ORDINANCE 1023 AMENDING MAUMELLE LAND USE PLAN

With no objections, Mayor Norris called for the third reading of Ordinance 1023, an ordinance amending the Maumelle Land Use plan and map and for other purposes. The City Clerk gave the reading.

Gib Carpenter, 22 Mountain Terrace Circle, spoke about Council Member Tierney addressing the evaluation appraisal of the land and demolition of the plant.

Greg Ramer, 147 Beaver Creek Lane, expressed that he is against rezoning and is concerned for safety of pedestrians.

Brad Frederiksen, 31 Fairway Woods Circle, emphasized the safety issues and how it will impact daily operations. Frederiksen asked the council which is more important, the addition of five houses or the impact of the Maumelle Country Club.

Ron Harris, 6309 Southwind Drive, stated the he is willing to work with the Maumelle Country Club to accommodate them.

Council Member Mosley questioned Gib Carpenter about the appraisal. Council Member Mosley also asked the City Attorney is it appropriate to take value into consideration.

Attorney Krebs confirmed that value should not be taken in consideration. It is not a guideline in the city code on land use amendments.

Council Member Mazzoni spoke about how he is concerned about rezoning. Council Member Mazzoni expressed the importance of increasing the commercial base and ways to draw people to Maumelle.

Council Member Tierney stated that he was not suggesting to take the value into consideration. He stated the sale of the land will go to cover demolition cost.

Council Member Mazzoni spoke about increasing tax base and dividends.

Council Member Holt asked the City Attorney about open space. Council Member Holt asked Director of Planning and Permits, Scott Grummer if there is an example of open space being rezoned.

Attorney Krebs referenced Code section 94, stating that open space must be maintained and not destroyed. Krebs also referenced ownership of open space.

Scott Grummer stated that there was an instance of property designated for public utility usage.

Council Member Tierney asked Grummer what the recommendation of the city staff and Planning Commission was.

Scott Grummer stated that this received a do pass.

Council Member Mosley stated the traffic studies were done when the water plant was in operation. Mosley stated the top priority of the Council is to preserve the quality of life.

Council Member Shinn motioned to adopt Ordinance 1023. Council Member Williams seconded the motion, the motion passed 5/3. Council Members Holt, Mazzoni, and Mosley voted no.

ORDINANCE 1024 AMENDING MAUMELLE ZONING MAP

With no objections, Mayor Norris called for the third reading of Ordinance 1024, an ordinance amending the Maumelle zoning map and for other purposes. The City Clerk gave the reading.

With no further discussion needed, Council Member Shinn motioned adopt to ordinance 1024. Council Member Williams seconded the motion, the motion passed 6/2. Council Member Mazzoni and Mosely voted no.

RESOLUTION 2021-7 APPROVING A CONDITIONAL USE PERMIT

With no objections, Mayor Norris called for the reading of Resolution 2021-7, a resolution granting a conditional use permit to conduct church-related activities in a C-2 (Village Center Commercial) zoning district.

With no further discussion needed, Council Member Gardner motioned to adopt Resolution 2021-7. Council Member Shinn seconded the motion. The motioned passed by all in attendance.

ORDINANCE 1025 AMENDING MAUMELLE LAND USE PLAN

With no objections, Mayor Norris called for the first reading of Ordinance 1025, an ordinance amending the Maumelle Land Use Plan and map and for other purposes. The City Clerk gave the reading.

Ron Harris, 6309 Southwind Drive, spoke about a market for senior housing with a property owners association with an identified home healthcare provider.

Council Member Mosley asked Scott Grummer the staff recommendation. Council Member Mosley also asked about traffic.

Scott Grummer stated it was a do not pass partly due to retainage of the commercial areas and that it has been zoned as commercial for over 20 years. The current zone, C3, does not allow for residential. Grummer stated the area was originally zoned as C3 and planned for an increase of traffic with easy access to the Blvd.

Attorney Krebs listed the uses in a C3 zone.

Council Member Tierney asked Grummer what was the Planning Commission recommendation.

Scott Grummer stated it received a do pass.

Council Member Gardner asked if the zoning request downgrade from C3 to C2 that is coming will satisfy staff concerns. Council Member Gardner also asked about the impact of the hill.

Scott Grummer stated that it does somewhat satisfy and gives a better opportunity for creating separation from industrial to residential use. Grummer expressed that there are some concerns as to how it would be designed and built, and the impact of commences.

Council Member Mazzoni asked about the impact on emergency response.

Scott Grummer stated that they have taken emergency response into consideration.

With no further discussion, Ordinance 1025 will be on second reading at the next city council meeting.

ORDINANCE 1026 AMENDING MAUMELLE ZONING MAP

With no objections, Mayor Norris called for the second reading of Ordinance 1026, an ordinance amending the Maumelle Zoning Map and for other purposes.

With no further discussion Ordinance 1026 will be on second reading at the next city council meeting.

ORDINANCE 1027 AMENDING MAUMELLE LAND USE PLAN

With no objections, Mayor Norris called for the first reading of Ordinance 1027, an ordinance adopting and enacting supplemental provisions of the city code for the City of Maumelle, Arkansas; providing for the repeal of certain ordinance not included therein; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective.

Council Member Gardner made a motion to suspend the rules and to have all three readings. Council Member Williams seconded the motion. The motion failed, Council Members Mosley, Saunders, and Mazzoni voted no.

Council Member Mosley asked about a previous ordinance that was similar to this.

Mayor Norris stated that there was a pervious ordinance, but was pulled.

Clerk Timmons confirmed that there was a previous ordinance a few months ago but the codifications were not yet received. The codifications are up to date through December 2021.

MAYOR'S COMMENTS

Mayor Norris reported on an email from Alyssa Anderson. The email stated that a Council Member wrongly stated the City was not in favor of the Splash Pad and questioned why a company would support an endeavor that is not supported. Mayor Norris sent out a thank you letter on behalf of the City thanking them for the donation.

Mayor Norris encouraged all to check out the East-West connector virtual public meeting information

ADJOURNMENT

Council Member Gardner made a motion to adjourn the meeting. Council Member Williams seconded the motion, the motion passed by all in attendance.

Mayor Norris adjourned the meeting at 9:02 pm.

MAYOR CALEB NORRIS

TINA TIMMONS CITY CLERK/TREASURER

APPROVED
April 5, 2021