

**AGENDA
REGULAR MEETING
CITY COUNCIL
CITY OF MAUMELLE
NOVEMBER 7, 2016
6:00 PM
CITY HALL**

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The City of Maumelle welcomes people of diverse cultures and beliefs. Any religious viewpoint expressed during invocation, or at any other time during the meeting, reflects only the personal opinion of the speaker. It is not intended to proselytize, advance, or disparage any religious belief.

3. SPECIAL GUESTS AND ANNOUNCEMENTS

- A. Mr. Ron Harris
- B. Maumelle Area Chamber of Commerce – Student Committee Presentation about “Run Like You’ve Been Stung”

4 APPROVAL OF MINUTES – OCTOBER 17th REGULAR MEETING

5. PUBLIC COMMENT

During Public Comment, issues NOT on the agenda may be addressed. Public comments concerning items on the agenda will be allowed when that item is discussed by the Council. Anyone wishing to make a comment must fill out the provided form and present it to the City Clerk. In the interest of time comments will be limited to three (3) minutes. **This privilege may be revoked by the Mayor in the case of inappropriate language or comments.** Any public member shall first state his or her name and address, followed by a concise statement of the person's position or concern. **All remarks shall be addressed to the Mayor or the Council as a whole, not to any particular member of the Council.** No person other than the Council members and the person having the floor shall be permitted to enter into any discussions without permission of the Mayor.

6. FINANCIAL STATEMENT REVIEW (second meeting of each month)

7. PROCEDURAL MOTION

8. UNFINISHED BUSINESS

- A. 2015 Audit Report
- B. Second Reading Ordinance 915 to Appoint Commissioners to District 12 **Mayor Watson**
With no objections, Mayor Watson may call for the second reading of the ordinance to appoint Municipal Multipurpose Property Owners Improvement District Commissioners to Municipal

Multipurpose Property Owners' Improvement District No. 12 of Maumelle, Arkansas. NO ACTION IS REQUIRED.

9. NEW BUSINESS

- A. Appeal of the Planning Commissions's Denial of Variance regarding Sec 14-143 Fences or Barriers Required for Swimming Pools By Steve and Sheryl Mosley
- B. First Reading Ordinance 916 Amendment to Master Zoning Map **Mayor Watson**
With no objections, Mayor Watson may call for the first reading of the ordinance amending the Maumelle zoning map rezoning 4.501 acres from PCD to C-3. NO ACTION IS REQUIRED.
- C. Resolution 2016-29 Code of Conduct for Elected Officials **Alderman Vaprezsan**
With no objections, Mayor Watson may call for the reading of the resolution to reestablish a code of conduct for elected officials in the City of Maumelle. A MOTION IS IN ORDER.
- D. Resolution 2016-30 Granting a Conditional Use Permit **Mayor Watson**
With no objections, Mayor Watson may call for the reading of the resolution granting a conditional use permit to Destiny of the Kingdom Ministries to locate a church in I-1 zoning district. A MOTION IS IN ORDER.
- E. Resolution 2016-31 Prelim. D. Plan for Lot 4, Maumelle Town Cntr. For Chick-Fil-A **Mayor Watson**
With no objections, Mayor Watson may call for the reading of the resolution approving a preliminary development plan for Chik-Fil-A. A MOTION IS IN ORDER.
- F. Resolution 2016-32 Preliminary Development Plan for Chalets of Country Club **Mayor Watson**
With no objections, Mayor Watson may call for the reading of the resolution approving a preliminary development plan for Chalets of Country Club. A MOTION IS IN ORDER.
- G. Resolution 2016-33 Approving A Name For The New Senior Facility **Mayor Watson**
With no objections, Mayor Waston may call for the reading of the resolution approving the naming of the new Senior Services Center the "Maumelle Center on the Lake". A MOTION IS IN ORDER.
- H. Resolution 2016-34 Setting The Date For The Public Hearing on MPFB Library Bonds **Mayor Watson**
With no objections, Mayor Watson may call for the reading of the resolution setting the date for a Public Hearing on the issuance by the Maumelle Public Facilities Board of its Library Revenue Bonds, Series 2016. A MOTION IS IN ORDER.
- I. Appoint one new member to the Maumelle Public Facilities Board and reappoint a member to the Maumelle Public Facilities Board.
a. Tom Boothe
b. David Hodges
- J. Discuss Library Board Appointment

10. MAYOR'S COMMENTS

- A. Veterans Day Ceremony 11/11/16 at 4:00 p.m. @ Veteran's Memorial
- B. Next Budget Meeting November 15, 2016 at 6:00 p.m.

11. PLANNING COMMISSION REPORT

- A. Alderman Marc Kelley

12. ALDERMEN'S COMMENTS

13. CITY ATTORNEY'S COMMENTS

14. CITY CLERK'S COMMENTS

15. FYI

- 1. Sales Tax Report
- 2. Speed Study 37 Club Manor Drive
- 3. Building Permit Report

16. ADJOURNMENT

**MINUTES
REGULAR MEETING
CITY COUNCIL
CITY OF MAUMELLE
OCTOBER 17, 2016
6:00 PM
CITY HALL**

Mayor Watson called the meeting to order at 6:00 p.m. with eight members present.

Alderman Vaprezsan gave the invocation and led the Pledge of Allegiance.

SPECIAL GUESTS AND ANNOUNCEMENTS

Alderman Vaprezsan introduced Leigh Ann Pool and Eric Holloway.

Leigh Ann Pool and Eric Holloway briefly discussed and answered questions regarding the Morgan Sanitary Sewer Project.

APPROVAL OF MINUTES – OCTOBER 3, 2016 REGULAR MEETING

Alderman Mosley stated he would like to see both ballot votes placed in the minutes.

Alderman Vaprezsan motioned to amend the October 3rd minutes. Alderman Anderson seconded the motion and it passed unanimously.

FINANCIAL STATEMENT REVIEW

Tasha Thompson and Carolyn Korte presented a power point presentation of the month's financials.

Alderman Mosley asked how the audit is going. Tasha Thompson stated due to time constraints with her current job they are working on it now. She stated they plan to present the audit at the November 7th meeting.

Alderman Saunders motioned to approve the current financials. Alderman Anderson seconded the motioned and it was passed unanimously.

TREE BOARD APPOINTMENT

Barbara Baker introduced herself to the Council and gave a brief background.

Alderman Vaprezsan motioned to appoint Barbara Baker to the Tree Board. Alderman Anderson seconded the motion and it passed unanimously.

PROCEDURAL MOTION

Alderman Anderson moved to have all ordinances and resolutions read by title only. Alderman Vaprezsan seconded the motion, and it passed unanimously.

ORDINANCE 913 - AMENDMENT TO CHAPTER 46 OF MAUMELLE CITY CODE

Alderman Kelley motioned to approve Ordinance 913. Alderman Anderson seconded the motion and it passed unanimously.

ORDINANCE 915 TO APPOINT COMMISSIONERS TO DISTRICT 12

With no objections, Mayor Watson called for the first reading of the ordinance to appoint Municipal Multipurpose Property Owners Improvement District Commissioners to Municipal Multipurpose Property Owners' Improvement District No. 12 of Maumelle, Arkansas. The City Clerk gave the reading.

RESOLUTION 2016-28 SUPPORTING ISSUE 3

With no objections Mayor Watson called for the reading of the resolution supporting the passage of issue No. 3, an amendment of the Arkansas Constitution concerning the job creation, job expansion, and economic development. The City Clerk gave the reading.

Alderman Saunders stated he could not support this resolution.

Alderman Mosley stated he would not be supporting this resolution.

Alderman Vaprezsan stated he would like to hear from Mrs. Keller about this.

Judy Keller, Director of Community and Economic Development, stated this resolution is a good thing and she supported the Mayor.

Alderman Holt suggested delaying the vote until the next council meeting. Mayor Watson stated there would be no time. Alderman Holt stated he would be voting no.

Alderman Vaprezsan motioned to approve Resolution 2016-28. Alderman Anderson seconded the motion and it passed with Aldermen Holt, Kelley, Mosley and Saunders voting no. Mayor Watson made the deciding vote.

MAYOR'S COMMENTS

Mayor Watson stated Maumelle was voted 2016 Volunteer Community of the year. He stated this was our 14th time of getting the award.

Mayor Watson passed out the 2017 budget. Mayor Watson said this is a working document and there will be mistakes. The first 2 meetings are Oct 25th and Nov 1st at 6:00 p.m.

Mayor Watson mentioned the Club Manor traffic study stating that 85% of the cars drove under 31mph.

ALDERMAN'S COMMENTS

Alderman Vaprezsan mentioned there will be a Trunk or Treat on the 31st at the police and fire station. He also stated that the yearly Code of Ethics should be re-introduced due to all the newly elected officials.

Alderman Mosley thanked Alderman Vaprezsan for all his efforts with the Morgan Sanitary Sewer Project.

Alderman Kelley asked about an update on the New Fire Station dedication. Mayor Watson stated he will know after Wednesday.

CITY ATTORNEY'S COMMENTS

CITY CLERK COMMENTS

ADJOURNMENT

Alderman Vaprezsan motioned to adjourn the meeting. Alderman Saunders seconded the motion, and it passed unanimously by all in attendance.

Mayor Watson adjourned the meeting at 7:05 p.m.

MAYOR MICHAEL WATSON

CITY CLERK/TREASURER, TINA TIMMONS

APPROVED

October 17, 2016

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MAUMELLE,
COUNTY OF PULASKI, STATE OF ARKANSAS,**

AN ORDINANCE TO BE ENTITLED:

ORDINANCE NO. 915

AN ORDINANCE TO APPOINT MUNICIPAL MULTIPURPOSE PROPERTY OWNERS IMPROVEMENT DISTRICT COMMISSIONERS TO MUNICIPAL MULTIPURPOSE PROPERTY OWNERS' IMPROVEMENT DISTRICT NO. 12 OF MAUMELLE, ARKANSAS, AND FOR OTHER PURPOSES

WHEREAS, on December 14, 2005, the City of Maumelle, Arkansas, by Ordinance No. 581, established the Municipal Multipurpose Property Owners' Improvement District No. 12 of Maumelle, Arkansas (New Bedford Residential Subdivision Project) (the "District");

WHEREAS, the original Commissioners of the District, Clint Aguiar, Gary Washam and Robert Aguiar, resigned and the three positions on the Board of Commissioners were replaced by Russell W. James, Scott M. Hurley and Robert Graham Smith by Ordinance No. 841 passed February 18, 2014;

WHEREAS, Russell W. James, Scott M. Hurley and Robert Graham Smith have resigned and the three positions on the Board of Commissioners are vacant;

WHEREAS, all improvements in the District have been completed;

WHEREAS, New Bedford LLC has petitioned the City Council pursuant to Arkansas Code Annotated § 14-94-107(a)(2)(A), seeking to name Ryan Schoch, Melanie Bunten, and Billy Smith, as Commissioners; and

WHEREAS, Ryan Schoch, Melanie Bunten and Billy Smith are willing to serve as Commissioners.

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

SECTION 1. That Ryan Schoch, Melanie Bunten and Billy Smith are named as Commissioners of Municipal Multipurpose Property Owners' Improvement District No. 12 of Maumelle, Arkansas (New Bedford Residential Subdivision Project).

Ryan Schoch, Melanie Bunten and Billy Smith are directed to file their Oaths of Office within thirty (30) days of the effective date of this ordinance with the Maumelle City Clerk.

SECTION 2. *Severability.* If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way effecting the validity of the other provisions of this Ordinance.

SECTION 3. Repealer. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

APPROVED, this ___ day of November, 2016.

By: _____
Michael Watson, Mayor

Attest:

Tina Timmons, City Clerk/Treasurer

Approved As To Legal Form:

Caleb Norris, City Attorney

SPONSORED BY:

Mayor Michael Watson

	Mosley	Saunders	Kelley	Anderson	Williams	Timmons	Vaprezsan	Holt
Yes								
No								

**IN THE MATTER OF AN APPEAL
OF THE DENIAL OF A VARIANCE
REQUESTED BY
STEVE AND SHERYL MOSELY
WITH RESPECT TO THEIR
PROPERTY LOCATED AT
16 RIVERWOOD PLACE
MAUMELLE, AR**

I

OVERVIEW

Steve and Sheryl Mosley have a swimming pool on their property which is fenced on three sides. On the rear of their property, there is a natural barrier protecting the unfenced side of their pool. This barrier is created by a four foot deep inlet of the Arkansas River. The City fencing ordinance requires that swimming pools be fenced on four sides, but in the alternative, a barrier can be approved if it is equally as effective in preventing access by small children. Maumelle Code enforcement will not issue an approval to the Mosleys' based on the existence of the natural barrier formed by the Arkansas River. The City Planning Commission also denied the Mosleys' request for a Variance from the fencing ordinance. The Mosleys have appealed that denial to this Council. Their appeal will demonstrate that the natural barrier created by the Arkansas River inlet is at a minimum as effective as any fence required by the City's fencing ordinance.

II

FACTUAL BACKGROUND

Steve and Sheryl Mosley have lived at 16 Riverwood Place in Maumelle for over twenty years. The swimming pool was added by the previous owner no later than August 1989. It is fenced on three sides. According to the Mosleys' next-door neighbor the pool and its side fencing were already in existence when they moved

into their house at 14 Riverwood Place on or around that date. (See letter of Ron Keltner enclosed as Exhibit "A.")

A natural barrier bordering the unfenced side of the pool traverses the entire length of the Mosley's property on its northwestern boundary. (See survey of the property included as Exhibit "B" and aerial photographs included as Exhibit "C.") Because the inlet is part of the River, it is not susceptible to "drying up" during the typical dry periods of an Arkansas Summer. Its depth is approximately four feet even during these dry periods.

The inlet also creates a barrier with no gaps in it. The side fences bordering the Moselys' property extend all the way down to its waters.

The Inlet is not the only natural barrier on the rear of the Mosley's property. Its opposite bank is covered by thick brush and undergrowth. It also descends twenty-five feet at a steep angle to the waters of the Inlet.

The other bank of the Inlet immediately adjacent to the Mosley's property presents a third natural barrier. It is steep and covered with jagged rocks and undergrowth. (See pictures of this Inlet and its banks enclosed with this Appeal.)

Given these barriers it would be impossible for a small child to wander into the Mosley's property, survive his or her journey and discover their pool. First, the child would have to come from properties on the other side of the Inlet. These properties are located on Samantha Lane which is a private drive adjacent to the

Maumelle Country Club. The child would have to stay on his or her feet and travel down the steep opposite bank of the Inlet through brush and deep undergrowth. If the child lost his or her footing, he or she would in all likelihood tumble down the opposite bank, fall into the Inlet and drown.

If the small child could remain standing on the opposite bank of the Inlet, he or she would then have to cross it. Any attempt would likely be fatal because the depth of the Inlet is approximately four feet.

Finally, if the small child could survive crossing the Inlet, he or she would then have to climb over the jagged rocks and undergrowth on its other bank before arriving at the first level surface immediately adjacent to the Mosley's property. The odds of a small child accomplishing this are significantly less than he or she would have in climbing over a four foot wrought iron fence surrounding a pool.

Notwithstanding this natural barrier, Mr. Jim Morley of Code Enforcement informed the Mosleys they were required to build a fence on the rear side of the pool. Initially he indicated he had no problem with the natural barrier, but later changed his mind and stated that: "The current barrier, in my opinion, does not meet [the requirements of the Code.]" He also told the Mosleys that the part of the fence on the northerly side of their property was illegal because it extended beyond their property line. For these reasons, the Mosleys had no alternative but to seek a variance from the Planning Commission.

III

THE PLANNING COMMISSION

FAILED TO ADDRESS THE MATERIAL ISSUES

GOVERNING THE MERITS OF THIS VARIANCE

The applicable City Ordinance for pool fences provides:

[T]he fence must be of a height of at least 48 inches in order that access by small children may be restricted. In the alternative, if another type of barrier, at least 48 inches high is preferred by the [homeowner], that person may use the barrier if it is inspected and approved in writing by *the department enforcing this article, who shall so approve if the barrier is as effective as a fence would be in restricting access by small children.* (Sec. 14-143 [Emphasis added].)

The central issue governing this appeal is whether:

The Moselys' natural barrier is as effective as a fence in restricting access by small children.

No one on the Planning Commission appeared to challenge the effectiveness of the Mosleys' natural barrier. Nor were any serious concerns raised about whether the Mosleys' pool constituted a safety hazard.

Instead, the Commission engaged in a discussion about matters that were either immaterial, outside the scope of its authority or speculative in nature. There was little or no discussion of whether the Mosleys' pool presented a safety hazard.

The bulk of the Commission's discussion centered on the following issues.

- 1) Who owned the land that borders on the rear of the Mosley's property.

- 2) The legality of the side fences.
- 3) Is a natural barrier less effective because it is not on the Moselys' property?
- 4) Was there insurance?
- 5) What would happen if the side fences were blown down?

All of those issues raised are either immaterial to the issue of the Variance or without merit.

1. **Ownership of the Property.** If a natural barrier is formed by the Arkansas River the issue of who “owns” that barrier is completely immaterial. It is still a natural barrier regardless of who owns it. No one, including Mr. Morely presented any evidence that this natural barrier is going to disappear. At best, Mr. Morely *speculated* about whether the depth of the inlet *could or might be reduced or diminished*. But he presented *no evidence that it would*.

Ownership of the property between the River Inlet and the Mosley's rear boundary is not relevant or material to the issue of whether the Mosleys have an effective natural barrier that would prevent children from gaining access to their swimming pool.

Instead, the Planning Commission entertained speculative hearsay statements about who owned that property. Even if there were a property dispute, neither the City nor the Planning Commission would be in any position to

adjudicate that issue. That would be an issue to be decided by the Pulaski County Circuit Court in a civil case. It could involve matters such as validity or color of title, adverse possession, prescriptive easements and boundaries by acquiescence. None of this is within the scope of the City's authority or jurisdiction. None of these speculative matters involve issues of public safety which is the City's concern here.

In addition, the natural barrier in question is formed by the Arkansas River. The River does not have to be on anyone's property to form an effective natural barrier. There is nothing illegal per se about the Inlet that is adjacent to the Mosleys property. In addition, the Mosleys have occupied all of this property between the Inlet and their property line since the time they purchased their home over twenty years ago. No one has complained.

2, **The side fences bordering the Mosley's property.** This is another non-issue. Many on the Planning Commission and Mr. Morely apparently failed to understand that these fences are legal even if they extend beyond the Mosleys' property line. Repeatedly cited was the City Ordinance which provides that:

“No fence may be constructed beyond the property line. (§ 14-112(9).)

Because the side fences extend beyond the Moselys' rear property line and down to the River Inlet, they were claimed to be illegal. The above code, however, does not apply to “fences erected before November 1, 2006.” (See § 14-112(9).)

The fences on both the North and South boundaries of the Mosley's property were in existence long before 2006. Therefore, as a matter of law, the side fences on the Mosleys' property are legal.

Some of the Planning Commissioners, however, raised the question: "What if the fences are blown down and have to be repaired or reconstructed?"

That issue is a hypothetical one that may or may not occur in the future. It could be addressed *if and when it does occur*. The Planning Commission was therefore approaching the subject as if the *Mosleys did not have legal side fences*.

To alleviate these concerns about construction of future fences, the following language was offered at the hearing for the text of the Variance.

The natural barrier satisfies the fence requirement with regard to the rear side [of the property] on the condition that the existing side fences remain intact and in [their] current positions.

By a vote of 4 to 3, the Planning Commission denied this Variance.

III

MAUMELLE CODE ENFORCEMENT FAILED TO PERFORM

THE LEGAL DUTY IT OWED THE MOSELYS

Mr. Jim Morely of Code Enforcement told the Planning Commission that:

I did not consider the barrier in the back and this particular section of the code asks that I go out and make a determination on whether this barrier is equivalent to a four foot tall fence. And I have no way . . . no quantitative way to make that determination. And if everything stayed as it is I think the

probabilities are certainly very small that a child could get in there. But as *we know things do change over twenty or thirty years*. So I just don't feel comfortable at all about issuing [a variance]. . . . *I don't want to twenty years from now to be held either morally or otherwise culpable for some unlikely tragedy.*" [Emphasis added.]

There are multiple problems with his statement.

1. He introduced additional conditions not required by the Ordinance:

If everything stayed as it is I think the probabilities are very small that a child could get in there."

The Code does not require an enforcement officer to speculate about future events. It does not require a citizen to guarantee compliance in the future. It only requires that the barrier be evaluated *as it currently exists*.

2. Mr. Morely admitted the barrier was effective. He stated:

I think the probabilities are certainly very small that a child could get in there.

3. Based on his speculative "knowledge" that things "can change over "twenty or thirty" years, however, he discounted the effectiveness of the barrier.

4. Rather than objectively evaluate the barrier, he introduced his own personal subjective considerations.

So I just don't feel comfortable at all about issuing [a variance]. . . . *I don't want to twenty years from now to be held either morally or otherwise culpable for some unlikely tragedy.*"

Mr. Morely denied a variance because *he did not want to be held “morally culpable”* if some future tragedy were to occur. Based on that standard, Mr. Morely can never approve a variance with respect to a swimming pool within the City of Maumelle. There is always the *possibility* of some future tragedy regardless of the type of pool fencing, configurations and barriers involved.

5. Finally, he states: “I cannot quantitatively make that determination.” He never explained what he meant by that statement.

6. Mr. Morely cannot deny the request for variance based on his uncorroborated lack of knowledge about the depth of the Inlet, particularly after the Mosleys offered evidence that it was four feet deep. If he had reason to believe otherwise, he had a duty to verify his belief. He cannot arbitrarily refuse to do his duty and say “I can’t verify that.”

If Mr. Morley was unconvinced about the depth of the Inlet, he had an easy solution. *He could have measured it.* He chose not to do so.

IV

CONCLUSION

Under Ordinance 14-143, a swimming pool barrier may be used:

[I]f it is inspected and approved in writing by *the department enforcing this article, who shall so approve if the barrier is as effective as a fence would be in restricting access by small children.*

Mr. Morely had a duty to inspect and either approve or disapprove the natural barrier. He did not measure the Inlet. He failed to carry out his legal duties. For that reason, the Moselys had no alternative but to seek a variance from the Planning Commission. The Commission, in turn, failed to address the central issue of the effectiveness of the natural barrier. Instead, it went off on a series of speculative discussions about what would or could occur if the side fences on the Mosleys' property were blown down. The current legality of the side fences is not an issue. As a matter of law they are legal.

The merits of the Mosley's requested variance should not be determined based on immaterial matters. The natural barriers are unique to the Mosley's property. It is extremely doubtful that any other property in the City of Maumelle has an inlet from the Arkansas River providing a barrier at one of its boundaries.

The Mosleys therefore request that the Maumelle City Council reverse the decision of the Planning Commission and grant their request for a variance.

Respectfully submitted

RITTER LAW

By _____

George P. Ritter
Attorney for Steve & Sheryl Mosley
Ark. Bar No. 2011167
501-813-0954
734-8372(fax)

EXHIBIT

A

Ron Keltner
14 Riverwood Place
Maumelle, Arkansas 72113

July 27, 2016

Mr. Steve Mosley
16 Riverwood Place
Maumelle, AR 72113

Dear Steve,

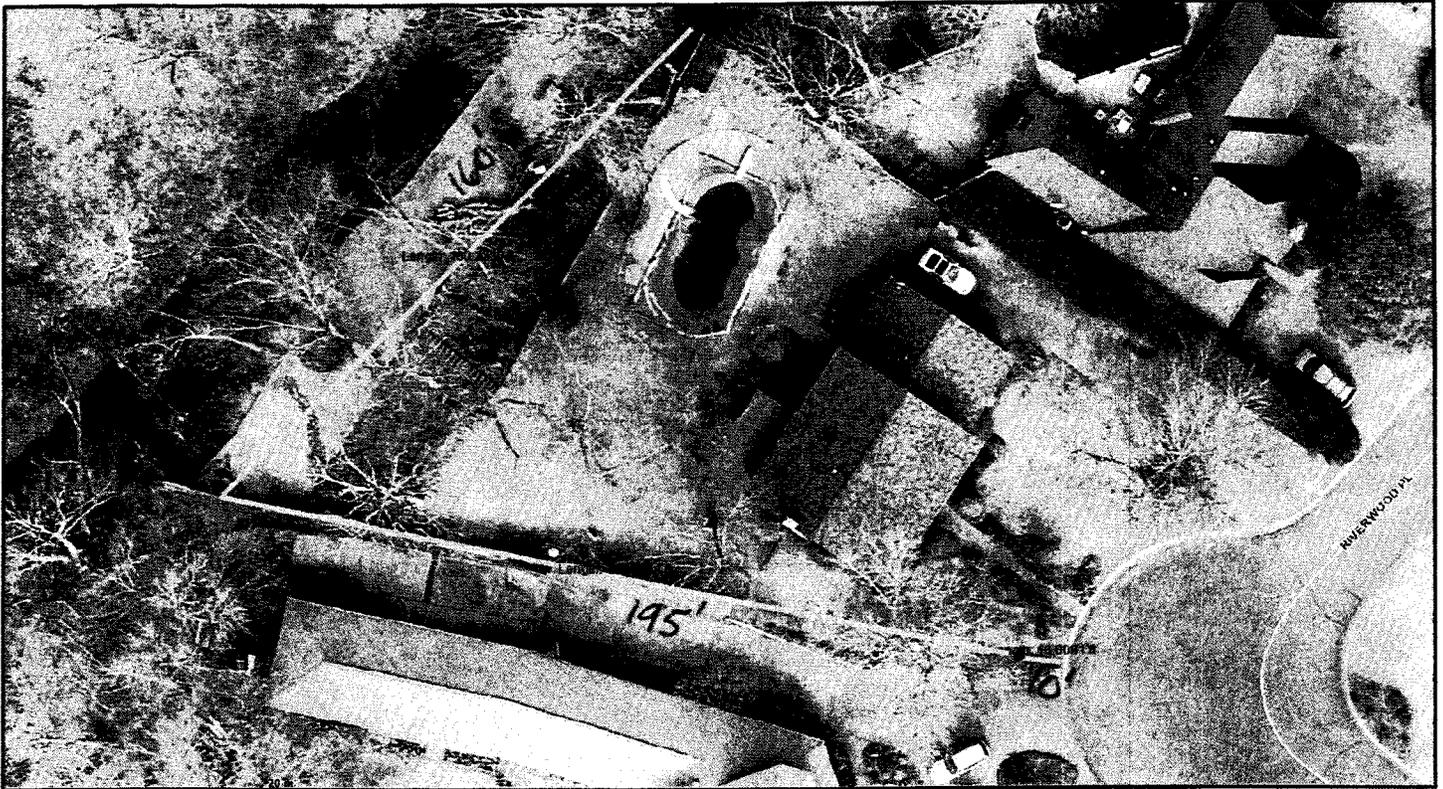
We are the first and current owners of our house at 14 Riverwood Place and live next door to 16 Riverwood Place. When we moved into our house in August of 1989, the pool and fencing at 16 Riverwood Place were already in place.

A handwritten signature in black ink that reads "Ron Keltner". The signature is written in a cursive style with a long horizontal stroke extending from the end of the name.

Ron Keltner

EXHIBIT

B



The Map Title

The Subtitle

All data provided by PAGis or a PAGis member agency is compiled from various sources for the sole use and benefit of PAGis and the public agencies it serves. Any use of the data by anyone other than PAGis is at the sole risk of the user; and by acceptance of this data, the user does hereby hold PAGis harmless and without liability from any claims, costs, or damages.

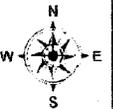
Printed: Jun 07, 2016

16 RIVERWOOD PLACE



The Map Title

The Subtitle



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Printed: Jun 07, 2016









**MINUTES
REGULAR MEETING
CITY OF MAUMELLE
PLANNING COMMISSION
August 25, 2016
5:30 PM
CITY HALL**

COMMISSION MEMBERS PRESENT

John Todd
Mike Fisher
Craig Johnson
David Gershner
Adrian Greene
Roy Andrews
Hall Ramsey

COMMISSION MEMEBERS ABSENT

STAFF MEMBERS PRESENT

Jim Narey, Planning Director
Caleb Norris, City Attorney
Lawren Aycock, Project Coordinator

OTHER STAFF MEMBERS ABSENT

Mizan Rahman, City Engineer
Dwight Pattison, Planning Consultant

Chairman Fisher called the special meeting of the Maumelle Planning Commission to order at 6:30pm.

ANNOUNCEMENTS

None

APPROVAL OF MINUTES FOR July 28, 2016

Chairman Fisher asked for comments and/or changes to the minutes as submitted.

MOTION: Commissioner Johnson made a motion to approve the minutes as submitted. Commissioner Andrews seconded the motion and the motion passed unanimously.

PUBLIC COMMENT

Chairman Fisher opened public comment at 6:31pm.

OLD BUSINESS

There was no old business.

NEW BUSINESS

- 1) **Request for amendment to the Maumelle Master Land Use Plan involving 16.6038 acres southwest of the intersection of Odom Boulevard and Naylor Drive. The proposed amendment would be from "MFA" (multifamily attached) to "SFD" (single family detached).**

Mr. Narey stated there were 77 citizen responses regarding the matter; 73 in favor and 4 no comment. Mr. Narey stated the request was for 16.6038 acres to become "SFD" from "MFA", part of 43 acres of R-2 zoned property. Mr. Narey stated that Staff recommended for a "do-pass" recommendation to the Maumelle City Council.

Commissioner Andrews asked if there would be two different zonings in one parcel.

Mr. Narey stated yes that is what was being proposed.

MOTION: Commissioner Todd made a motion to recommend to the Maumelle City Council a "do-pass" recommendation for an amendment to the Maumelle Master Land Use Plan from "MFA" (multifamily attached) to "SFD" (single family detached).
Commissioner Ramsey seconded the motion and the motion passed unanimously.

- 2) **Request for amendment to the Maumelle Master Zoning Map involving 16.6038 acres southwest of the intersection of Odom Boulevard and Naylor Drive. The proposed amendment would be from "R-2" (multifamily) to "R-1" (single family detached).**

Mr. Narey stated that Staff recommended for a "do-pass" recommendation to the Maumelle City Council.

MOTION: Commissioner Todd made a motion to recommend to the Maumelle City Council a "do-pass" recommendation for an amendment to the Maumelle Master Zoning Map from "R-2" (multifamily) to "R-1" (single family detached).
Commissioners Andres and Ramsey seconded the motion and the motion passed unanimously.

- 3) **Request for variance regarding Sec. 14-143. Fences or barriers required for certain swimming pools. (This request is in regard to a residential swimming pool not fully enclosed by a fence.)**

George Ritter, 103 Hibiscus, Applicant's Representative stated at the Subcommittee Meeting there were three legal issues regarding the pool. Mr. Ritter stated they believed there was an effective natural barrier already in place on the unfenced side of the pool. Mr. Ritter stated the pool should not require fencing because it is covered, and there was the issue of the retroactive application of the City's fencing ordinances. Mr. Ritter stated that Caleb Norris, Maumelle City Attorney did not agree.

Steve Mosley, 16 Riverwood Place, stated that he had owned the home for 21 years, the home is 29 or 30 years old and the fence had been constructed by the previous owners. Mr. Mosely stated that they constructed the fence to continue down into the water of the river inlet that is about 4 feet deep. Mr. Mosley stated the steep bank was

about 25 feet high and they had made no changes to the situation since owning the home. Mr. Mosely stated the current code stated the barrier around a pool needs to be as big as a 4 foot high fence, that would prevent a small child age five or under from accessing the yard. Mr. Mosley stated he believed a small child could not make it across and they never doubted it was a good natural barrier. Mr. Mosley stated the entire time they have owned the home they have never had little kids around or complaints from neighbors regarding safety, noise, or anything else. Mr. Mosley stated this issue had come about as a complaint from someone that is not a neighbor.

Commissioner Johnson asked Staff if the fence were to become in need of repair, and the owner of the fence, either Mr. Mosley or his neighbor were to apply for a fence permit could one be granted to relocate in the exact location that it is today.

Jim Morley, Director of Code Enforcement and Permitting for the City of Maumelle, stated he would not be able to grant a fence permit because the fence extends beyond the rear property lines, violating the current ordinance. Mr. Morley stated all fences need repair at some point, and when the time came the applicant would have to appear before the Planning Commission to grant another variance to be able to repair the fence.

Commissioner Johnson asked staff if when repairs occur, the applicant would be required to come back before the Planning Commission to request a variance for the side fences. Commissioner Johnson also stated he believed the variance stayed with the home owner or individual.

Mr. Morley stated Commissioner Johnson was correct.

Chairman Fisher asked if the variance stayed with the property owner or with the property itself.

Commissioner Todd stated the variance would stay with the property.

Commissioner Johnson asked if the variance was not granted would they be in violation of the Code.

Mr. Morley stated yes absolutely, the owner would need to construct a fence like all other homeowners within the City that have a pool.

Commissioner Greene asked Staff if the cover on the pool would mean Mr. Mosley was not in violation of the City Code.

Mr. Morley stated he has spoken with Mr. Mosely about the existing cover, and when he inspected the cover it was a tarp held down with boards or bricks and at the time it was full of enough water to drown a child. Mr. Morley stated he would not consider that particular cover a secure cover. Mr. Morley stated he had granted an exception regarding the rear fence in other situations where the homeowner provided a cover that was secured and anchored into the concrete, the cover was tight and would withstand a 40-50 pound person walking on it. Mr. Morley stated that in his opinion the cover on Mr. Mosley's pool was not secure, and the tarp type covers do require replacement every few years. Mr. Morley stated that tarp type would require periodic inspection. Mr. Morley stated the exceptions granted where adequate safe covers were provided were only temporary until their fence could be completed.

Commissioner Johnson asked if Mr. Morley had any discussion with Mr. Mosley regarding what would be necessary for compliance.

Mr. Morley stated he had and that there were many small problems with the situation however, a 4 foot fence across the rear of the property would be in compliance, or a safe, secure, and maintained cover would be in compliance. Mr. Morley stated he did not consider the barrier in the rear, and that that particular section of code asked for him to determine if the barrier would be equivalent to a 4 foot tall fence. Mr. Morley stated he had no quantitative way to make that determination. Mr. Morley stated that if everything stayed as it is currently that the probability of a child gaining access to the pool would be small, however things change over twenty or thirty years.

Commissioner Johnson state there was two tiers of a retaining wall and a set of stairs currently exiting and asked if Mr. Morley felt that was an adequate barrier.

Mr. Morley stated he did and if any section of that retaining wall is 4 feet tall then that would be in his opinion a four foot barrier and the fence could come from that point to connect.

Commissioner Johnson asked Mr. Morley if he measured the retaining wall.

Mr. Morley stated he did not measure it nor has he measured the depth of the water of the river inlet.

Commissioner Andrews asked if the river inlet was on the property and owned by Mr. Mosley.

Mr. Morley stated to the best of his knowledge and according to the survey it is on community owned property, owned by the property owners association.

Chairman Fisher stated this section of code needed to be examined and rewritten because it states there is a section of code adopted by reference, also he asked Mr. Morley what was the definition of a small child.

Mr. Morley stated he also struggled with those issues and he did not know how to define a small child and these were reasons he could not approve.

Chairman Fisher stated upon his visit to the property there was 12-15 feet of steep terrain from the pool to the waterline of the river inlet.

Mr. Morley stated the barrier of 4 feet is a particular vertical measurement in his interpretation, not just an elevation change.

Chairman Fisher stated the property had been as it currently is since before the Code existed or was amended.

Kevin Corbell, 123 Grenoble Circle, asked when would a new homeowner of this property be made aware of this variance and could the City be held legally liable if an accident involving a small child were to occur.

Chairman Fisher stated if the variance was granted and there were any alterations made to the existing fence they would be required to obtain a permit.

City Attorney Norris stated that in order to obtain a permit they would be required to comply with Maumelle City Code, and that the City would not be held liable from a legal standpoint.

Commissioner Johnson stated the Commission had to be careful if the variance was granted, if a new owner was to apply for a fence permit for a new fence or repairs to the existing fence. Commissioner Johnson asked how that would affect the side fences, if the variance was applied to the barriers.

City Attorney Norris stated the way he understood the variance is that it would be waiving the requirement of the back fence, and the Planning Commission could include that in the verbiage of the motion, and the side fence requirements would still remain in effect.

Commissioner Johnson stated that he understood from an insurance standpoint, unless the side fences exist as barriers they could not insure the home, because of the pool.

Mr. Mosley stated that they have had insurance company approval twice, once upon purchase and inspection of the home, and again about one year ago. Mr. Mosley stated on both occasions the insurance companies have signed off on the home policy. Mr. Mosley stated that nothing had changed about the natural barrier since he had lived in the home. Mr. Mosley stated that the exiting fence goes beyond his property into the river inlet.

City Attorney Norris stated the issue that was removed from the agenda at his request was regarding the requirement for a variance regarding the side fences.

Mr. Mosley stated if there was no issue then there would be no reason they could not obtain a permit to work on the existing fence.

Commissioner Johnson stated that is why he was bringing it to the attention of the Planning Commission.

Mr. Mosley stated if the Code was read carefully he did not believe it was required to obtain a permit to make repairs to an existing fence, it speaks to erections and additions.

Commissioner Johnson stated that Mr. Morley stated yes that is a requirement according to Maumelle City Code.

City Attorney Norris stated that Section 14-111 (b) it shall be unlawful for anyone to erect, construct, build, alter, or replace any fence regulated by this article without first obtaining a separate permit.

Commissioner Johnson asked Mr. Morley if the variance were to be granted, would that give the homeowners leverage to remove the side fences because the variance would allow the natural barrier. Commissioner Johnson stated that under the advice of City Attorney if the variance were granted it would be only for the rear yard, therefore the homeowner would have to come back before the Planning Commission to decide any side fence issues. Commissioner Johnson stated that it was his opinion that the rear and side fences are connected and both should have been addressed on the agenda.

Mr. Mosley stated that he agreed that the yard needed to be completely fenced.

Commissioner Johnson asked if Mr. Mosley had the ability to do that and be legally permitted to build a fence on a property that he does not own, without a gap in the barrier.

Mr. Ritter stated the Commission was off track because side fences were off the table, and if they needed to get into the legalities of the side fences. Mr. Ritter stated there was a specific requirement in the Ordinances that said these Ordinances to not apply to side fences erected before a certain period of time. Mr. Ritter stated by its own terms it did not cover Mr. Mosley's side fences, and he could get into that if the Commission wanted to however the issue was not on the table that day. Mr. Ritter stated the issue was the pool barrier variance.

Commissioner Johnson stated the pool barrier variance included not only the rear but the sides as well.

Mr. Mosley stated he meant to say the rear natural barrier.

Commissioner Todd asked City Attorney if the variance request was to basically ignore Section 14-143.

City Attorney Norris stated it would allow the applicant to vary from the requirement that the pool be fenced on all sides.

Commissioner Todd stated the section of code stated if any pool owner within the City was responsible for the erection and maintenance of a fence that must fully enclose any swimming pool. Commissioner Todd stated if the variance was granted and it stayed with the property, and would move onto any future owner.

City Attorney Norris stated that the Planning Commission could grant a variance contingent upon the side fences remaining intact and extended into the river inlet.

Commissioner Todd asked City Attorney how a new owner would know about the variance.

City Attorney Norris stated he could not answer how they would be informed. City Attorney Norris stated even if the pool was fenced on all three sides as required they would still be out of compliance.

Mr. Narey stated any new homeowner would not know unless someone complained, or a code official happened to look at the property but the variance could be disclosed at the time of sale of the home.

Mr. Ritter stated that if the Commission was to grant a variance it would be to the property as it is currently. Mr. Ritter stated that he understood that if any of the fence had to be rebuilt that would have to be dealt with.

Commissioner Todd stated Section 11-143 states all sides of the pool.

Commissioner Ramsey stated unless the Commission puts a condition on the variance.

Mr. Ritter asked that if there was a condition on the variance to include the side fences as they currently exist would that be acceptable.

Chairman Fisher asked City Attorney Norris if the variance was granted with this condition and in the event that the existing fence had to be replaced would they be granted a permit and could Mr. Morley require a rear fence at that time.

City Attorney Norris stated no the fence owner would apply for the permit and it would be denied with regards to that portion of the fence that extends beyond the property line. City Attorney Norris stated that they would be in violation and there would be a gap in the fence.

Chairman Fisher stated that the fences going down into the river inlet are chain link and highly unlikely.

Commissioner Johnson stated that he was trying to find the best conditions to apply to the variance that would be something both Mr. Mosley and the Planning Commission could live with.

City Attorney Norris stated that another consideration is that we cannot determine what the Ordinances will be in the future when the fence needs to be repaired or replaced, and it would be hard to say what would apply by that time.

Commissioner Ramsey asked the applicant if there was a permit obtained for the new fence that was installed.

Mr. Mosley stated his neighbor replaced the damaged fence and to his knowledge he did not get a permit. Mr. Mosley stated that upon Mr. Morley's first visit he stated the boundary was fine, and asked them to repair the fence.

Mr. Morley stated that it should have required a permit and at the time he believed all of the property belonged to Mr. Mosley. Mr. Morley stated generally what is done is if there is a permit for a fence on file, and they are going to follow exactly the same fence as before they do not require a new permit and fees. Mr. Morley stated that he later discovered there was no original permit and discovered the fence was behind the rear property line.

Mr. Mosley stated the fence was originally constructed before fence permits were required, and that the fence was built in accordance with the laws at the time.

City Attorney Norris stated a condition dictated by Mr. Ritter to read the natural barrier satisfies the fence requirement with regard to the rear side with the condition that the existing side fences remain intact and in their current position.

Commissioner Johnson stated he did not believe the property on which the natural barrier was located was owned by the applicant.

Commissioner Greene asked if the Commission could grand a variance on property that the applicant does not own.

Commissioner Johnson stated that 65-70% of the rear yard was the natural barrier and upon his visit to the property he asked Mr. Mosley to consider installing a wrought iron

Commissioner Johnson asked City Attorney Norris if he believed the natural barrier terminology would be within the ownership of a parcel.

City Attorney Norris stated there was no requirement in that particular section of code that addressed the barrier be on the property.

Kevin Corbell, 123 Grenoble Circle, stated according to the Pulaski County Courthouse records online the property that is beyond Mr. Mosley's parcel was owned by Maumelle Enterprises.

Mr. Mosley stated that company was owned by Mary Peyton.

Chairman Fisher asked if Mrs. Peyton has been maintaining the property.

Mr. Mosley stated no that it had been maintained by the home owner.

Mr. Ritter stated that Mr. Corbell had made a hearsay statement based on his opinion on a very complicated title situation. Mr. Ritter stated that in his opinion he would take Mr. Corbell's statement with a grain of salt.

City Attorney Norris stated that the City was currently contesting some of the same records from the same source and that the City's current position was that the records on the Pulaski County website were not necessarily accurate. City Attorney Norris stated he had not viewed this particular parcel online.

MOTION: Commissioner Johnson made a motion to approve the variance requested for 16 Riverwood Place regarding Sec. 14-143. Fences or barriers required for certain swimming pools, with the conditions that the natural barrier satisfies the fence requirement with regard to the rear yard with the condition that the existing side fences remain intact and in their current position.
Commissioner Gershner seconded the motion and the motion failed 3 in favor, 4 against.

PUBLIC HEARING WAS CLOSED AT 7:30 pm.

CITY COUNCIL LIAISON REPORTS

- August 1- Chairman Fisher stated there was a presentation by Central Arkansas Water and North Little Rock Wastewater departments, and the announcement of the Bash on the Boulevard Festival to be held September 10, 2016. Chairman Fisher stated there was the second reading of Ordinance 909, and Resolution 16-22 failed.
- August 15 – Commissioner Gershner stated there was the third reading and passing of Ordinance 909, the second reading of Ordinance 910, and resolution 16-23 passed granting a conditional use permit to Christian Life Church.

MOTION: Commissioner Andrews made a motion to adjourn the meeting.
Commissioner Todd seconded the motion and the motion passed.

The meeting was adjourned.

Approved:

Chairman Mike Fisher, September 22, 2016

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF
MAUMELLE, COUNTY OF PULASKI, STATE OF ARKANSAS,**

AN ORDINANCE TO BE ENTITLED:

ORDINANCE NO. 916

**AN ORDINANCE AMENDING THE MAUMELLE ZONING MAP AND
FOR OTHER PURPOSES**

WHEREAS, the Maumelle Planning Commission, upon request of the property owner, considered an amendment to the Maumelle Zoning Map and now desires to adopt the Maumelle Zoning Map reflecting said changes;

WHEREAS, on October 27, 2016, at a public hearing, the Planning Commission unanimously approved a motion to recommend adoption of the amendment to zoning map to the Maumelle City Council; and

WHEREAS, the City Council has reviewed the recommendations of the Planning Commission, the recommendation of staff, has obtained facts, statements and other information concerning the request to adopt the land use plan on certain property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF MAUMELLE, ARKANSAS, AS FOLLOWS:**

SECTION 1. The Maumelle Zoning Map is hereby amended to show that the zoning categorization on the area identified as "4.501 Acres" with the legal description as stated on the survey attached hereto as Exhibit A, Boundary Survey of 200 Casey Drive In SW ¼, NE ¼, Section 28, T-3-N,R-13-W, Maumelle, Pulaski Co., Arkansas, dated October 3, 2016 without revision, that was previously designated as PCD (Planned Commercial District) is hereby designated as C-3 (Commercial Service) to accommodate the anticipated use by the applicant. The description on the attached survey reflects the property that is the subject of this action.

SECTION 2. *Repealer.* All other ordinances and resolutions or parts of ordinances and resolutions in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3. *Severability.* If any clause, sentence, paragraph, section or other portion of this ordinance is found to be unconstitutional, invalid, or inoperative by a court of competent jurisdiction, such findings shall not affect the validity of the remainder of these sections, nor shall any proceeding invalidating any portion of any section operate to affect any portion of the remainder of said sections not specifically attacked in said proceeding.

ORDAINED this ____ day of _____, 2016.

By: _____

Michael Watson, Mayor

Attest:

Tina Timmons, Clerk/Treasurer

Approved As To Legal Form:

Caleb Norris, City Attorney

SPONSORED BY:

Mayor Watson

	Mosley	Saunders	Kelley	Anderson	Williams	Timmons	Vaprezsan	Holt
Yes								
No								

ZONING SUMMARY

OWNER: Mr. and Mrs. Eric Holloway

APPLICANT: Same as owners

REQUEST: To rezone 4.501 acres from Planned Commercial District (PCD) to Service Commercial (C-3)

PURPOSE: To accommodate a mini-storage facility

EXISTING ZONING: Planned Commercial District (PCD)

LEGAL DESCRIPTION: See survey.

LOCATION: 200 Casey Drive, Maumelle AR

SITE CHARACTERISTICS: undeveloped, wooded property.

EXISTING LAND USE: COMM/IND (Commercial/Industrial)

ABUTTING LAND USE AND ZONING:

NORTH: Land Use: "IND" (Industrial)
Zoning: "I-1" (Industrial)

SOUTH: Land Use: "COMM" (Commercial)
Zoning: "C-3" (Service Commercial)

EAST: Land Use: "IND" (Industrial)
Zoning: "I-1" (Industrial)

WEST: Land Use: "COMM/IND" (Commercial/Industrial)
Zoning: "PCD" (Planned Commercial District)

ZONING HISTORY: No recent zoning request on file.

ZONING ANALYSIS
Rezoning Request

DEMAND: First request since 1996 to rezone a PCD parcel to C-3.

CONFORMANCE WITH MUNICIPAL PLANS: Property currently abuts commercially zoned property on two sides (see analysis and summary for further detail.)

ENVIRONMENTAL IMPACT: If parcel developed in the future, clearing and grading will occur.

NEIGHBORHOOD POSITION: No public comments

PUBLIC SERVICES: When property develops, Staff review, inspection, and permitting will take place.

PUBLIC FINANCES: When parcel develops, some additional community service fee generated, possible employment opportunities.

LEGAL CONSIDERATIONS/REASONABLENESS: request is in line with zoning/ land use compatibility.

QUALITY CONTROLS: Owner/ applicant would have to adhere to all district regulations regarding C-3.

TRAFFIC AND STREET RIGHT-OF-WAY: Property conforms to MSP right of way, additional development subject to set back requirements for Murphy and /or Bringler Drives.

ANALYSIS AND SUMMARY: C-3 zoning and I-1 zoning were meant to be close proximity. C-3 zoning can be somewhat disruptive when near residentially zoned property because it allows outdoor advertising, outdoor storage, automotive repair, shops, etc. C-3 is also one of two zoning districts that allows a mini-storage facility by right, C-4 being the other.

STAFF RECOMMENDATIONS: Staff recommends for a “do-pass” recommendation to the Maumelle City Council.

**MINUTES
REGULAR MEETING
CITY OF MAUMELLE
PLANNING COMMISSION
October 27, 2016
5:30 PM
CITY HALL**

COMMISSION MEMBERS PRESENT

Mike Fisher
John Todd
Craig Johnson
David Gershner
Adrian Greene
Roy Andrews
Hall Ramsey

COMMISSION MEMEBERS ABSENT

STAFF MEMBERS PRESENT

Jim Narey, Planning Director
Caleb Norris, City Attorney
Lawren Aycock, Project Coordinator
Dwight Pattison, Planning Consultant

OTHER STAFF MEMBERS ABSENT

Mizan Rahman, City Engineer

Chairman Fisher called the meeting of the Maumelle Planning Commission to order at 6:30pm.

ANNOUNCEMENTS

Mr. Narey announced the dates of the November and December Planning Commission meetings due to holidays. Commissioner Johnson stated he would be absent for the November 2016 meeting.

APPROVAL OF MINUTES FOR September 22, 2016

Chairman Fisher asked for comments and/or changes to the minutes as submitted.

MOTION: Commissioner Todd made a motion to approve the minutes as submitted. Commissioner Andrews seconded the motion and the motion passed unanimously.

PUBLIC COMMENT

Chairman Fisher opened public comment at 6:32pm.

OLD BUSINESS

There was no old business.

NEW BUSINESS

1) Request for a Conditional Use Permit to locate a church in a I-1 zoning district.

Mr. Narey stated the Destiny of the Kingdom Ministries Church was previously located on Millwood Circle, and the proposed new location previously housed a church. Mr. Narey stated there were no comments from the public, and Staff recommended for a “do-pass” recommendation to the Maumelle City Council.

MOTION: Commissioner Todd made a motion to recommend to the Maumelle City Council a “do-pass” recommendation for the request for a Conditional Use Permit to locate a church in a I-1 zoning district. Commissioners Andrews and Greene seconded the motion and the motion passed unanimously.

2) Proposed amendment to the Maumelle Master Zoning Map. The request is to rezone 4.501 acres from Planned Commercial District (PCD) to Service Commercial (C-3).

Mr. Narey stated an amendment to the Land Use Map would not be required, and there were no public comment calls regarding this matter. Mr. Narey stated Staff recommended for a “do-pass” recommendation to the Maumelle City Council.

MOTION: Commissioner Todd made a motion to recommend to the Maumelle City Council a “do-pass” recommendation for the proposed amendment to the Maumelle Master Zoning Map to rezone 4.501 acres from Planned Commercial District (PCD) to Service Commercial (C-3). Commissioner Ramsey seconded the motion and the motion passed unanimously.

3) A proposed Preliminary Development Plan for Chick-fil-A

Mr. Narey stated the remaining Staff comments were minimal and that Staff recommended for a “do-pass” recommendation to the Maumelle City Council.

Commissioner Johnson asked the applicant’s representative how the grading and paving system was proposed to be built.

Todd Rogers, applicant’s representative, stated they intended to match the existing paving system and pave over.

Commissioner Todd stated there had been previous drainage issues on similar parcels.

Eric Holloway stated they were awaiting approval on a 24 inch pipe and should be able to complete drainage project very soon. .

Commissioner Andrews asked if the applicant would maintain the proposed detention pond.

Mr. Rogers stated that they would comply.

MOTION: Commissioner Todd made a motion to recommend to the Maumelle City Council a "do-pass" recommendation for the proposed Preliminary Development Plan for Chick-fil-A contingent upon satisfaction of all Staff and Commissioner comments. Commissioner Greene seconded the motion and the motion passed unanimously.

4) A proposed Landscape Plan for Chick-fil-A

Mr. Narey stated Staff recommended for approval as submitted.

MOTION: Commissioner Todd made a motion to approve the Landscape Plan for Chick-fil-A. Commissioners Gershner and Greene seconded the motion and the motion passed unanimously.

5) A proposed Commercial Building Design for Chick-fil-A

Mr. Narey stated Staff recommended for approval as resubmitted.

MOTION: Commissioner Johnson made a motion to approve the Commercial Building Design for Chick-fil-A as resubmitted. Commissioners Todd and Andrews seconded the motion and the motion passed unanimously.

6) A proposed Preliminary Plat for Ridgeview Trails.

Mr. Narey stated Staff recommended for approval contingent upon satisfaction of all Staff comments, any Commissioner comments, all Fire Marshall comments, all City Engineer comments, and all City Attorney comments.

Commissioner Johnson asked if the emergency access was addressed and if the Fire Marshall was satisfied.

Fire Marshall John Payne stated that 15% grade was the maximum for fire trucks, below 15% is recommended for safety reasons. Fire Marshall Payne stated no Certificate of Occupancy would be issued until the road was completed. Fire Marshall Payne stated that Mr. Dale verbally agreed to all terms and conditions in the email regarding this matter as reads below:

Jim,

An impromptu meeting was conducted today October 24, 2016 in my office with Mr. Brian Dale of White-Dater & Associates dealing with issue for Ridgeview Trails Phase1-7. Since the packets for the October 27, 2016 meeting have already been sent to the P & Z Commissioners, I do not have a avenue to conduct the information to the commission. I have conveyed the items covered in the meeting to this Memo to File and will read them to record on October 27, 2016.

Phase 1

1. A permanent Emergency Access Road (EAR) will be built (Not to exceed 10% grade) linking the Cul-De-Sac at the end of Ridgeview Trail Phase 1 with Odom.
2. The road will be asphalt, 20 ft. wide starting at Odom and continuing to 200 ft. from the Cul-De-Sac.
3. At 200 ft (Flat to low slope, per verbal agreement) from the Cul-De-Sac the road way will widen to 22 ft. which will consist of a 6 ft. concrete center and to 8 ft. Presto, GeoBLOCK areas on each side, that will be constructed to support 80,000 apparatus.
4. The EAR should be constructed before combustible materials arrive on site.

Phase 2-7

1. Roadway to connect Riverview Trail Phase 1 with Scenic Ridge Dr. Phase 2 will be completed before Phase 3-7 are started.

If the above listed items are not acceptable to the commission, or are rejected by Mr. Dales client, this memo should be considered null and void.

John W. Payne, EFO
Fire Marshal/ Division Chief
Maumelle Fire Department

Commissioner Johnson asked if the road was to be a permanent access road.

Fire Marshall Payne stated yes and it was to be maintained by the property owners association.

Mr. Dale stated there would be no dedicated right-of-way or easement but it would be a permanent road.

City Attorney Norris asked applicant's representative if they would comply with all requests and conditions.

Mr. Dale stated they would comply.

Commissioner Johnson asked if Mr. Dale would correct the contours.

Commissioner Todd asked if the applicant was in agreement with all comments.

Mr. Dale stated the client would comply and he would adjust contours.

MOTION: Commissioner Johnson made a motion to approve the proposed Preliminary Plat for Ridgeview Trails contingent upon satisfaction of all Staff comments, Commissioner Comments, Fire Marshall Comments, City Engineer comments, and City Attorney comments. Commissioner Andrews seconded the motion and the motion passed unanimously.

7) A proposed Preliminary Plat of Chalets at Country Club

Mr. Narey asked applicant's representative to obtain a CLOMR for any lots or portion of lots in the floodplain. Mr. Narey stated Staff recommended for approval contingent upon satisfaction of all City Engineer and Fire Marshall comments.

Mr. Holloway stated he would comply.

Commissioner Todd asked Mr. Holloway to add a plat note regarding fence locations when back of lot abuts water way.

Mr. Holloway agreed to comply.

MOTION: Commissioner Todd made a motion to approve the preliminary plat for Chalets at Country Club pending satisfaction of all Staff, Commissioner, Fire Marshall, and City Engineer comments. Commissioner Andrews seconded the motion and the motion passed unanimously.

8) A proposed Preliminary Development Plan of Chalets at Country Club

Mr. Narey stated Staff comments were the same as for the preliminary plat and that Staff recommended for a “do-pass” recommendation to the Maumelle City Council.

MOTION: Commissioner Todd made a motion to recommend to the Maumelle City Council a “do-pass” recommendation for the proposed Preliminary Development Plan for Chalets at Country club contingent upon satisfaction of all Staff and Commissioner comments. Commissioner Andrews seconded the motion and the motion passed unanimously.

PUBLIC HEARING WAS CLOSED AT 7:14 pm.

CITY COUNCIL LIAISON REPORTS

- October 3- Commissioner Johnson stated there was the appointment of the position for City Clerk Mrs. Tina Timmons, and Alderman Williams.
- October 17 – Commissioner Greene stated there was the third reading and passing of Ordinance 913, and the first reading of Ordinance 915.

MOTION: Commissioner Andrews made a motion to adjourn the meeting. Commissioner Todd seconded the motion and the motion passed.

The meeting was adjourned at 7:18pm.

Approved:

Chairman Mike Fisher, November 17, 2016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAUMELLE, PULASKI
COUNTY, ARKANSAS**

RESOLUTION NO. 2016-29

**A RESOLUTION REESTABLISHING A CODE OF CONDUCT
FOR ELECTED OFFICIALS IN THE CITY OF MAUMELLE**

WHEREAS, on or about May 18, 2015, the Maumelle City Council passed Resolution 2015-18, A Resolution Establishing a Code of Conduct for Elected Officials in the City of Maumelle, based upon a sample Code of Conduct that was distributed to municipal officials by the Arkansas Municipal League; and

WHEREAS, the City Council desires to renew its commitment to creating a more positive environment for political discourse in the City of Maumelle by reestablishing a code of conduct for elected officials.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
MAUMELLE, ARKANSAS, AS FOLLOWS:**

SECTION 1. The City Council hereby adopts the attached document titled "City of Maumelle Code of Conduct."

SECTION 2. The City Council hereby reaffirms its commitment to the Code of Ethics codified in Section 2-31 of the Maumelle City Code, which states as follows:

(a) *Generally.* Members of the city council occupy positions of public trust. All business transactions of such officials dealing in any manner with public funds, either directly or indirectly, must be subject to the scrutiny of public opinion both as to the legality and to the propriety of such transactions.

(b) *Conflict of interest.* Aldermen shall refrain from making use of special knowledge or information before it is made available to the general public; shall refrain from making or influencing decisions involving business associates, customers, clients, competitors and immediate family members; and shall comply with all lawful actions, directives and orders of duly constituted municipal officers as such may be issued in the normal and lawful discharge of the duties of these municipal officers. Nothing in this section, however, shall serve to deny aldermen of the legal rights and privileges available to all citizens of the city.

(c) *Responsibility to all citizens.* Aldermen shall conduct themselves so as to bring credit upon the city as a whole and so as to set an example of good ethical conduct for all citizens of the city. Aldermen shall bear in mind at all times their responsibility to the entire electorate, shall refrain from actions benefiting special interest groups at the expense of the city as a whole, and shall do everything in their power to ensure equal nondiscriminatory and impartial law enforcement throughout the city.

SECTION 3. The City Council hereby reaffirms its commitment to the principles described in Duties and Privileges of City Council Members as codified in Section 2-82 of the Maumelle City Code, which states as follows:

- (a) City council members shall occupy their respective seats in the city council room.
- (b) During city council meetings, city council members should preserve order and decorum and shall neither by conversation or delay interrupt the proceedings.
- (c) Every member of the city council desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine himself to the question under debate and shall avoid all personalities and indecorous language. A city council member once recognized shall not be interrupted while speaking unless called to order by the presiding officer unless a point of order is raised by another member or unless the member chooses to yield to questions from another member.
- (d) If a member is called to order while he is speaking, he shall cease speaking immediately until the question of order is determined. If ruled to be not in order, he shall remain silent or shall alter his remark so as to comply with the rules of the city council.
- (e) All members of the city council shall accord the utmost courtesy to each other, to city employees, and to members of the public appearing before the city council, and shall refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities. City council members shall confine their questions to the particular matters before the city council and in debate shall confine their remarks to the issues before the city council.

SECTION 4. Those public officials holding elected positions with the City of Maumelle that would like to pledge their adherence to the Code of Conduct may sign their name to the Code of Conduct.

SECTION 5. Nothing in this resolution or the attached document is intended to override any City ordinances or State statutes. To the extent this resolution conflicts with any City ordinances or State statutes, said ordinances or statutes shall control.

RESOLVED this __th day of _____, 2016.

Michael Watson, Mayor

ATTEST:

Tina Timmons, City Clerk/Treasurer

City of Maumelle Code of Conduct

Overview of Rules and Responsibilities

The Mayor

The mayor shall preside over the council in a manner designed to promote high standards of democratic governance and chair meetings with efficiency and fairness, never discriminating against any speaker, whether council member or member of the public, based on the speaker's point of view.

The mayor will not use his or her authority to thwart the democratic process.

Example 1: The mayor will not cancel or adjourn meetings for the purpose of preventing a matter from coming to a vote.

Example 2: The mayor will not refuse to allow a matter to be voted upon if it has received the necessary motion and second.

The mayor should sign all ordinances, resolutions, and city council minutes.

The mayor may veto any ordinance, resolution, or order adopted by the council.

The mayor has the same speaking rights as any other members of the city council.

The mayor shall demonstrate honesty and integrity in every action and statement.

The City Council

The city council shall demonstrate respect, kindness, consideration, and courtesy to others during meetings.

City council members should prepare in advance of meetings and be familiar with the issues on the agenda.

The city council serves as a model of leadership and civility to the municipality.

The city council inspires public confidence in Maumelle city government.

All members of the city council have equal votes. No council member has more power than any other council member, and should be treated with equal respect.

A city council member will remember at all times that as an individual he or she has no legal authority outside the meetings of the city council and that he or she shall conduct relationships with the city staff, the local citizens, and all modes of communication on the basis of this fact.

Council members will inform the mayor or the city clerk of plans to be absent from a council meeting or plans to leave a council meeting before it is adjourned.

A city council member recognizes that all electronic transmittals sent or received in performance of their duties as a city council member are subject to the Arkansas Freedom of Information Act.

The City Clerk/Treasurer

For purposes of the Arkansas Freedom of Information Act (FOIA), the city clerk/treasurer is the custodian of the City of Maumelle's permanent records. As such, the city clerk/treasurer shall respond to FOIA records requests in a timely manner.

The city clerk/treasurer is responsible for notifying the press of official city meetings, such as special meetings of the city council and other boards and commissions, pursuant to FOIA and other state and local laws.

In complying with FOIA and accounting laws, the city clerk/treasurer should make every effort to maximize transparency and accountability.

The city clerk/treasurer should draft city council's minutes in an objective manner being sure to include all actions taken at that meeting.

The city clerk/treasurer should use his or her purchasing powers benefit the city and the general public and should not use such powers to benefit business associates, customers, clients, friends, or family members.

The city clerk/treasurer shall demonstrate honesty and integrity in every action and statement

The City Attorney

The city attorney should advise the mayor, city council members, and other city officials and personnel in legal matters pertaining to city business.

The city attorney should review all ordinances and resolutions for compliance with the law and should sign those ordinances and resolutions once approved as to the legal form.

The city attorney should draft ordinances, resolutions, and other documents for members of the city council and mayor as requested.

The city attorney is responsible for the prosecution of City Code violations, traffic and misdemeanor offenses that occur within the City of Maumelle.

In functioning as a prosecutor, the city attorney has the responsibility of a minister of justice and not simply that of an advocate.

The city attorney shall demonstrate honesty and integrity in every action and statement.

Principles and Guidelines

The City Council shall hold themselves accountable to the following principles and guidelines:

City Council Members Conduct with One Another

This council is composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, each council member has chosen to serve in public office in order to preserve and protect the present and the future of the City of Maumelle. This common goal should be acknowledged even as council members may "agree to disagree" on

contentious issues.

1. In Public Meetings

Practice Civility and Decorum in Discussions and Debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, council members to make belligerent personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated. Therefore, aldermen shall:

Avoid personal comments that could offend other council members.

Honor the role of the mayor in maintaining order.

Be respectful of other members of the city council, boards, commissions, committees, city staff, and the public by refraining from abusive conduct, personal charges, or verbal attacks.

Fully participate in council meetings and other public meetings while demonstrating respect, consideration, and courtesy to others.

Always treat a fellow council member with the respect he or she would expect to receive in return.

Always address citizens, employees, committee members, and fellow council members with respect.

Request the opportunity to speak and address the council through the mayor or other person conducting the meeting.

Recognize fellow council members and guest speakers by their formal names and appropriate titles; after initial acknowledgement, the terms "Mr." or "Ms." may be used.

Be respectful of others' time and be brief and prepared in making remarks.

Be prompt in attending public meetings so that they may begin at the publicly posted time.

2. Appointments

From time to time, the city council is tasked with appointing individuals to various elected positions, boards, and commissions. In making appointments, council members should act so as to bring credit upon the city as a whole and so as to set an example of good ethical conduct for all citizens of the city. City council members should make appointments that benefit the general public and should not use the appointment process to benefit business associates, customers, clients, friends, or family members. Council members should refrain from providing information to applicants that pertain to questions being asked during the interview process unless they provide that information to all applicants.

3. Council Member Conduct with the Public

Be Polite and Professional to Speakers and Treat Them with Care and Gentleness.

Because personal concerns are often the reason citizens come before the council to speak, council

members should remember that their behavior will either relax the speaker or push their emotions to a higher level of intensity. The city council shall:

Limit comments to issues and avoid personal attacks.

Remain seated when someone is speaking at the podium.

Actively listen to the speaker,

Ask for clarification if necessary, but avoid debate and argument with the public.

Refrain from engaging in personal attacks of any kind, under any circumstances

Make no promises on behalf of the council or staff.

Make no personal comments about other council members.

Principles of Proper Conduct

City of Maumelle Principles of Proper Conduct

Proper conduct IS...

Keeping promises

Being dependable

Building a solid reputation

Participating and being available

Demonstrating patience

Showing empathy

Holding onto ethical principles under stress

Listening attentively

Studying thoroughly

Keeping integrity intact

Overcoming discouragement

Going above and beyond, time and time again

Modeling a professional manner

Proper conduct IS NOT...

Showing antagonism

Deliberately lying or misleading

Speaking recklessly

Spreading rumors

Stirring up bad feelings or divisiveness

Acting in a self-righteous manner

Glossary of Terms

Attitude	The manner in which one shows one's dispositions, opinions, and feelings.
Behavior	External appearance or action; manner of behaving; carriage of oneself.
Civility	Politeness, consideration, courtesy.
Conduct	The way one acts; personal behavior.
Courtesy	Politeness connected with kindness.
Decorum	Suitable; proper; good taste in behavior.
Manners	A way of acting; a style, method, or form; the way in which things are done.
Point of Order	An interruption of a meeting to question whether rules or bylaws are being broken (i.e. if the speaker has strayed from the motion currently under consideration).
Propriety	Conforming to acceptable standards of behavior.
Protocol	The courtesies that are established as proper and correct.
Respect	The act of noticing with attention; holding in esteem; courteous regard.

City of Maumelle Code of Conduct

This code of conduct is designed to describe the manner in which the mayor and council members should treat one another and others with whom they come in contact in representing the City of Maumelle.

I affirm that I have read and understand the City of Maumelle City Council Code of Conduct. The principles and guidelines for mayor and aldermen set forth in this document promote civility and set a standard of excellence that engenders trust and promotes the public good. This municipality will not condone activities that are in violation of the principles of appropriate conduct.

Alderman Steve Mosley

Mayor Michael Watson

Alderman Ken Saunders

City Clerk/Treasurer Tina Timmons

Alderman Marc Kelley

City Attorney Caleb Norris

Alderman Rick Anderson

Alderman Terry Williams

Alderman Timmons

Alderman John Vaprezsán

Alderman Jess Holt

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MAUMELLE, PULASKI COUNTY, ARKANSAS**

RESOLUTION NO. 2016-30

**A RESOLUTION TO GRANT A CONDITIONAL USE PERMIT TO DESTINY OF THE
KINGDOM MINISTRIES TO LOCATE A CHURCH IN I-1 ZONING DISTRICT**

WHEREAS, the Maumelle Planning Commission conducted a public hearing and meeting on October 27, 2016, to consider a Conditional Use Permit for certain property, zoned I-1, which is within the City of Maumelle, Arkansas;

WHEREAS, the Planning Commission unanimously passed a motion to recommend approval of the Conditional Use Permit; and

WHEREAS, the facility as described in the application for a conditional use permit does not adversely affect the character of the subject property or surrounding properties.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
MAUMELLE, ARKANSAS, AS FOLLOWS:**

SECTION 1. The application filed by Destiny of the Kingdom Ministries, seeking a conditional use permit for the operation of a church facility in an area zoned I-1, is approved and a conditional use permit is hereby granted to Destiny of the Kingdom Ministries, to be located at 701 Murphy Drive in Maumelle, Arkansas, 72113, for a church at that location zoned I-1.

RESOLVED this ___ day of _____, 2016.

Michael Watson, Mayor

ATTEST:

Tina Timmons, City Clerk/Treasurer

APPROVED AS TO LEGAL FORM:

Caleb Norris, City Attorney

SPONSORED BY:
Mayor Watson

	Mosley	Saunders	Kelley	Anderson	Williams	Timmons	Vaprezsan	Holt
Yes								
No								



City of Maumelle

APPLICATION FOR CONDITIONAL USE PERMIT

Application is hereby made to the Maumelle City Council through the Planning Commission pursuant to the provisions of Ordinance #61, the Maumelle Zoning Ordinance which was adopted in accordance with the requirements of Act 186 of 1957 Acts of Arkansas petitioning to allow a Conditional Use Permit in the following described area:

701 Murphy Dr. Maumelle, AR 72113

Title to this property is vested

in: Carleton E. McMullin Revocable Trust and Beth B. McMullin Share 2 Trust

Property is zoned: _____

It is desired that a Conditional Use Permit be issued to allow for the following use: Church/ministry/Religious

It is understood that notice of the public hearing hereon must be published in accordance with the requirements set forth in the instructions given with this application. It is further understood that the cost and responsibility of such notice is borne by the applicant.

[Signature]

09.22.16

Signature of Applicant

Date

Address: 108 River Valley Loop Maumelle, AR 72113

Phone: 302.981.0078

[Signature] Agent

10-6-2016

Signature of Owner

Date

Address: P.O. Box 3730 Little Rock, AR 72203

Phone: 501-978-4969 / 501-529-4969

STAFF USE ONLY

Planning Commission Meeting Docketed for _____, 20__ at _____ p.m.

Filing Fee: _____

Planning Commission Action: Approved: _____ Denied: _____

Date: _____

City Council Action: Approved: _____ Denied: _____

Date: _____ Ordinance No: _____

PREMISES

1. Description. Lessor hereby leases to Lessee, and Lessee takes from Lessor, that certain property and improvements thereon more particularly described as follows:

Lands lying in part of the SE 1/4 of Section 28, Township 3 North, Range 13 West, Pulaski County, Arkansas, and more particularly described as follows:
Commencing at the SE corner of said Section 28 (Arkansas State Plane Coordinates of North 191,075.016, East 1,882,825.870); then North 1,764.013 feet; thence West 1,836.90 feet to the point of beginning, said point of beginning being on the West right of way line of Murphy Drive thence leaving the said West right of way line South 85 degrees 57 minutes 04 seconds West 168.74 feet; thence North 04 degrees 53 minutes 27 seconds West 234.46 feet; thence North 85 degrees 57 minutes 04 seconds East 208.71 feet to the said West right of way line of Murphy Drive; thence along the said west right of way line along a 3.4194 curve to the left 237.46 feet to a point to which there is a chord bearing and distance of South 04 degrees 48 minutes 25 seconds West 237.26 feet to the point of beginning, (also described as 701 Murphy Drive, Little Rock, Arkansas (the "Premises").

ZONING ANALYSIS

Conditional Use

DEMAND: Second request in 2016 for a CUP to accommodate a church.

CONFORMANCE WITH MUNICIPAL PLANS: Request is a permissible conditional use in an I-1 zoning district.

ENVIRONMENTAL IMPACT: None noted

NEIGHBORHOOD POSITION: No public comments

PUBLIC SERVICES: No adverse impacts

PUBLIC FINANCES: some additional community service fees

LEGAL CONSIDERATIONS/REASONABLENESS: request is legal and reasonable

QUALITY CONTROLS: Earthen berm in front of property and surrounding forest like environment offer a measure of privacy.

TRAFFIC AND STREET RIGHT-OF-WAY: Property conforms to MSP right of way additional traffic created by two services per week with a 30 member congregation is minimal.

ANALYSIS AND SUMMARY: This location was previously the home of another church, First Christian Ministries. The current applicant proposes very similar hours of services as the previous tenant, a Sunday morning service and a Wednesday evening Bible study.

STAFF RECOMMENDATIONS: Staff recommends for a "do-pass" recommendation to the Maumelle City Council.

**ZONING SUMMARY
CONDITIONAL USE PERMIT
NAME**

OWNER: Ron Lazenby

APPLICANT: Destiny of the Kingdom Ministries

REQUEST: Conditional use permit

PURPOSE: To locate a church in a PCD zoning district.

EXISTING ZONING: PCD (Planned Commercial District)

LEGAL DESCRIPTION: Contained in previously approved site plan

LOCATION: 501 Millwood Circle Suite A

SITE CHARACTERISTICS: Landscaped lease center with asphalted lot

EXISTING LAND USE: Commercial lease space

ABUTTING LAND USE AND ZONING:

NORTH: Land Use: "MFA" (Multifamily attached)
Zoning: "R-2" (multifamily)

SOUTH: Land Use: "SUR" (Special Use Residential)
Zoning: "PRD" (Planned Residential District)

EAST: Land Use: "INST" (Institutional)
Zoning: "PCD" (Planned Commercial District)

WEST: Land Use: "INST" (Institutional)
Zoning: "PCD" (Planned Commercial District)

ZONING HISTORY: No recent rezoning requests

ZONING ANALYSIS
Conditional Use

DEMAND: Second conditional use permit request for a church in a PCD zoning district within two months.

CONFORMANCE WITH MUNICIPAL PLANS: Request by applicant consistent with applicable sections of Maumelle City Code.

ENVIRONMENTAL IMPACT: None noted.

NEIGHBORHOOD POSITION: 8 public responses; 5 no opinion, 3 in favor.

PUBLIC SERVICES: No impact noted.

PUBLIC FINANCES: Some additional community service fee funds.

LEGAL CONSIDERATIONS/REASONABLENESS: Request is quite reasonable.

QUALITY CONTROLS: Services held by applicant occur when other tenants are closed.

TRAFFICE AND STREET RIGHT-OF-WAY: 4 points of ingress-egress.

ANALYSIS AND SUMMARY: Applicant has already been leasing the indicated space and holding services for over two years. There were no permits to obtain; hence applicant was unaware of the conditional use process.

STAFF RECOMMENDATIONS: Staff recommends a do pass recommendation to the Maumelle City Council.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAUMELLE,
COUNTY OF PULASKI, STATE OF ARKANSAS**

A RESOLUTION TO BE ENTITLED:

RESOLUTION NO. 2016-31

APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR CHICK-FIL-A

WHEREAS, the Maumelle Planning Commission conducted a public meeting open for public comments on October 27, 2016, to consider a Preliminary Development Plan for certain property described below which is within the city of Maumelle, Arkansas;

WHEREAS, a motion to recommend approval of the Preliminary Development Plan to the City Council was unanimously passed by the Planning; and

WHEREAS, the proposed Preliminary Development Plan does not adversely affect the character of the subject property or neighboring properties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAUMELLE, ARKANSAS, AS FOLLOWS:

The application seeking approval of a Preliminary Development Plan for Chick-fil-A, (see attachments), is hereby approved.

RESOLVED this ___ day of _____, 2016.

Michael Watson, Mayor

ATTEST:

Tina Timmons, Clerk/Treasurer

APPROVED AS TO LEGAL FORM:

Caleb Norris, City Attorney

SPONSORED BY:
Mayor Watson

	Mosley	Saunders	Kelley	Anderson	Williams	Timmons	Vaprezsan	Holt
Yes								
No								

PRELIMINARY DEVELOPMENT PLAN REVIEW CHECKLIST & STAFF COMMENTS

Chick-Fil-A	October 19, 2016
Does not Comply Complies	Second Staff Review

Preliminary Development Plan Submission Requirements

- 1. A preliminary development plan is to be submitted on white paper no larger than twenty-four (24) inches by thirty-six (36) inches, and no smaller than twelve (12) inches by twenty-four (24) inches, and containing a small scale vicinity map
- 2. Graphic scale and north arrow
- 3. Proposed lot lines (if applicable)
- 4. Existing and proposed circulation system of all streets (arterial, collector, residential) including off-street parking areas, services areas, loading areas, and major points of access to public rights-of-way (ingress and egress)
- 5. Existing and proposed pedestrian circulation systems
- 6. Proposed treatment of the perimeter of the property, including materials and techniques used such as screens, fences, and walls as well as description of uses, setbacks and their relationship to surrounding uses
- 7. General schematic landscape plan of the treatment of the area used for private and common open space (including open space buffers)
- 8. Location and size of all areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, and similar public and semi-public use
- 9. Location, dimensions, nature of all existing and proposed easements (utility, streets) and public improvements (drainage, sewers, water, etc.)
- 10. Indication of location of structures and structure dimensions, dimensioned distances between buildings, and distance from structures to property lines
- NA 11. Description of the following existing conditions of the property: Contours at 2-foot intervals; Watercourses; Floodplains; Unique natural features; Forest cover
- 12. A development schedule indicating the approximate date when construction of the Planned Unit Development or stages of the Planned Unit Development can be expected to begin and be completed
- NA 13. A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the Planned Unit Development, including land areas, and dwelling units
- 14. Quantitative data including the following information:
- 15. Parcel size
- 16. Types and numbers of uses and floor areas by use
- 17. Ratio of building coverage and per cent of floor area occupied by permitted uses
- 18. Total acreage of private and common usable and non usable open space by type
- 19. A legal description of the total site proposed for development, including a statement of present and proposed ownership
- 20. An approved preliminary plat in accordance with the Subdivision Regulation for the City of Maumelle
- 21. Proof of a public notice being published one (1) time fifteen (15) days prior to the Planning Commission's public meeting
- Comply when needed 22. Two copies of the Storm Water Pollution Prevention Plan (SWPPP) for City review and approval. Also provide contact information for responsible persons including their addresses and telephone numbers.

PRELIMINARY DEVELOPMENT PLAN REVIEW CHECKLIST & STAFF COMMENTS

Chick-Fil-A

October 19, 2016

Does not

Comply Complies

Second Staff Review

Review Procedure and Authority

An applicant seeking the Planned Unit Development of property shall submit to the staff a preliminary development plan and all the necessary fees at the time of the filing. The preliminary development plan will be reviewed by staff and any affected City departments, and their recommendations shall be forwarded to the Planning Commission. A public hearing for the preliminary plan shall be set not later than sixty (60) days after filing and shall be legally advertised at least one time in a newspaper of general circulation in the City, fifteen (15) days before the meeting. At the public hearing before the Planning Commission, the applicant and interested citizens will have the opportunity to discuss the merits of the planned unit development proposal. The Planning Commission will assess the proposal in light of regulation guidelines and will take action after weighing the recommendations of the staff, the developer's presentation, and the community's response. The Commission shall approve, grant approval conditioned on specified modifications, or disapprove the planned unit development proposal. The applicant will receive written notification of the action taken by the Planning Commission within ten days of the meeting date.

- A. APPROVAL. If the preliminary development plan is approved by the Planning Commission, it will be forwarded to the City Council for their review. The City Council may grant, deny, defer for requested changes or information, or return the application to the Planning Commission for further study. The Council may direct the Planning Commission to reconsider specific aspects of the preliminary development plan. The approval of the preliminary development plan does not constitute the recording of a plat or authorize the issuance of a building permit. Both of these actions are contingent on approval of the final development plan and plot. The approved preliminary plat permits the completion of subdivision construction, streets, grading, utilities and the like. If the preliminary application is approved, a post preliminary application conference shall be held between the applicant and the staff. This conference will be held to discuss what changes were required by the City Council. The staff will inform the applicant of any plan alteration or additional information which must be submitted for the final development plan/plat review.
- B. MODIFICATION. If the preliminary development plan is conditionally approved, the applicant shall have ninety (90) days from the date of the Planning Commission action granting conditional approval, to submit a revised preliminary development plan. If the staff determines such revisions are in conformance with the Planning Commission's specific recommendations, it shall be forwarded to the City Council for public hearing and disposition. If the revisions are determined not to be in conformance with the intent of the conditional approval, the revised preliminary development plan will be resubmitted to the Planning Commission for public hearing.
- C. DISAPPROVAL. If a preliminary development plan is denied, the applicant may appeal to the City Council, provided a written request is filed within thirty (30) days of the denial by the Planning Commission.

Staff Comments:

22) Comply when needed.

In Addition:

Comply with all City Engineer and Fire Marshall comments.

Staff Recommendations: Staff recommends for approval contingent upon satisfaction of all Commissioner, City Engineer, and Fire Marshall comments.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAUMELLE,
COUNTY OF PULASKI, STATE OF ARKANSAS**

A RESOLUTION TO BE ENTITLED:

RESOLUTION NO. 2016-32

**APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR
CHALETS AT COUNTRY CLUB**

WHEREAS, the Maumelle Planning Commission conducted a public meeting open for public comments on October 27, 2016, to consider a Preliminary Development Plan for certain property described below which is within the city of Maumelle, Arkansas;

WHEREAS, a motion to recommend approval of the Preliminary Development Plan to the City Council was unanimously passed by the Planning Commission; and

WHEREAS, the proposed Preliminary Development Plan does not adversely affect the character of the subject property or neighboring properties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAUMELLE, ARKANSAS, AS FOLLOWS:

The application seeking approval of a Preliminary Development Plan for Chalets at Country Club, City of Maumelle, Pulaski County, AR, (see attachments), is hereby approved.

RESOLVED this ___ day of _____, 2016.

Michael Watson, Mayor

ATTEST:

Tina Timmons, Clerk/Treasurer

APPROVED AS TO LEGAL FORM:

Caleb Norris, City Attorney

SPONSORED BY:
Mayor Watson

	Mosley	Saunders	Kelley	Anderson	Williams	Timmons	Vaprezsan	Holt
Yes								
No								

PRELIMINARY DEVELOPMENT PLAN REVIEW CHECKLIST & STAFF COMMENTS

Chalets at Country Club

October 19, 2016

Does not

Comply Complies

Second Staff Review

Preliminary Development Plan Submission Requirements

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. A preliminary development plan is to be submitted on white paper no larger than twenty-four (24) inches by thirty-six (36) inches, and no smaller than twelve (12) inches by twenty-four (24) inches, and containing a small scale vicinity map |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Graphic scale and north arrow |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Proposed lot lines (if applicable) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Existing and proposed circulation system of all streets (arterial, collector, residential) including off-street parking areas, services areas, loading areas, and major points of access to public rights-of-way (ingress and egress) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Existing and proposed pedestrian circulation systems |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Proposed treatment of the perimeter of the property, including materials and techniques used such as screens, fences, and walls as well as description of uses, setbacks and their relationship to surrounding uses |
| <input type="checkbox"/> | NA <input type="checkbox"/> | 7. General schematic landscape plan of the treatment of the area used for private and common open space (including open space buffers) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Location and size of all areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, and similar public and semi-public use |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Location, dimensions, nature of all existing and proposed easements (utility, streets) and public improvements (drainage, sewers, water, etc.) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Indication of location of structures and structure dimensions, dimensioned distances between buildings, and distance from structures to property lines |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Description of the following existing conditions of the property: Contours at 2-foot intervals; Watercourses; Floodplains; Unique natural features; Forest cover |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 12. A development schedule indicating the approximate date when construction of the Planned Unit Development or stages of the Planned Unit Development can be expected to begin and be completed |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 13. A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the Planned Unit Development, including land areas, and dwelling units |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 14. Quantitative data including the following information: |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 15. Parcel size |
| <input type="checkbox"/> | NA <input type="checkbox"/> | 16. Types and numbers of uses and floor areas by use |
| <input type="checkbox"/> | NA <input type="checkbox"/> | 17. Ratio of building coverage and per cent of floor area occupied by permitted uses |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 18. Total acreage of private and common usable and non usable open space by type |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 19. A legal description of the total site proposed for development, including a statement of present and proposed ownership |
| <input type="checkbox"/> | Comply <input type="checkbox"/> | 20. An approved preliminary plat in accordance with the Subdivision Regulation for the City of Maumelle |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 21. Proof of a public notice being published one (1) time fifteen (15) days prior to the Planning Commission's public meeting |
| <input type="checkbox"/> | Comply <input type="checkbox"/> | 22. Two copies of the Storm Water Pollution Prevention Plan (SWPPP) for City review and approval. Also provide contact information for responsible persons including their addresses and telephone numbers. |

PRELIMINARY DEVELOPMENT PLAN REVIEW CHECKLIST & STAFF COMMENTS

Chalets at Country Club

October 19, 2016

Does not

Comply Complies

Second Staff Review

Review Procedure and Authority

An applicant seeking the Planned Unit Development of property shall submit to the staff a preliminary development plan and all the necessary fees at the time of the filing. The preliminary development plan will be reviewed by staff and any affected City departments, and their recommendations shall be forwarded to the Planning Commission. A public hearing for the preliminary plan shall be set not later than sixty (60) days after filing and shall be legally advertised at least one time in a newspaper of general circulation in the City, fifteen (15) days before the meeting. At the public hearing before the Planning Commission, the applicant and interested citizens will have the opportunity to discuss the merits of the planned unit development proposal. The Planning Commission will assess the proposal in light of regulation guidelines and will take action after weighing the recommendations of the staff, the developer's presentation, and the community's response. The Commission shall approve, grant approval conditioned on specified modifications, or disapprove the planned unit development proposal. The applicant will receive written notification of the action taken by the Planning Commission within ten days of the meeting date.

- A. APPROVAL. If the preliminary development plan is approved by the Planning Commission, it will be forwarded to the City Council for their review. The City Council may grant, deny, defer for requested changes or information, or return the application to the Planning Commission for further study. The Council may direct the Planning Commission to reconsider specific aspects of the preliminary development plan. The approval of the preliminary development plan does not constitute the recording of a plat or authorize the issuance of a building permit. Both of these actions are contingent on approval of the final development plan and plot. The approved preliminary plat permits the completion of subdivision construction, streets, grading, utilities and the like. If the preliminary application is approved, a post preliminary application conference shall be held between the applicant and the staff. This conference will be held to discuss what changes were required by the City Council. The staff will inform the applicant of any plan alteration or additional information which must be submitted for the final development plan/plat review.
- B. MODIFICATION. If the preliminary development plan is conditionally approved, the applicant shall have ninety (90) days from the date of the Planning Commission action granting conditional approval, to submit a revised preliminary development plan. If the staff determines such revisions are in conformance with the Planning Commission's specific recommendations, it shall be forwarded to the City Council for public hearing and disposition. If the revisions are determined not to be in conformance with the intent of the conditional approval, the revised preliminary development plan will be resubmitted to the Planning Commission for public hearing.
- C. DISAPPROVAL. If a preliminary development plan is denied, the applicant may appeal to the City Council, provided a written request is filed within thirty (30) days of the denial by the Planning Commission.

Staff Comments:

12) Furnish development schedule.
20 & 22) Comply

In Addition:

Staff Recommendations: Contingent approval

PRELIMINARY PLAT REVIEW CHECKLIST & STAFF COMMENTS

Chalets at Country Club

October 19, 2016

Does not

Comply Complies

Second Staff Review

Preliminary Plat Submission Requirements

- 1. Contours at intervals of five (5) feet maximum for terrain with slope at ten per cent (10%) or more, and at intervals of two (2) feet for terrain with slopes of less than ten per cent (10%);
- 2. Proposed design including streets, alleys and sidewalks with proposed street names, lot lines with approximate dimensions, service easements, open space land to be reserved or dedicated for public uses and land to be used for purposes other than residential;
- 3. Minimum building front yard setback lines for commercial/office, industrial and residential subdivisions and all setback lines for zero-lot-line, apartment and townhouse development;
- 4. Natural features in and surrounding the proposed subdivision including drainage channels, bodies of water, wooded areas and other significant features, for all watercourses leaving the tract, the direction of flow shall be indicated and for all watercourses entering the tract, the drainage area above the point of entry shall be noted;
- Comply 5. Storm Drainage Analysis showing drainage data for all water-courses entering and leaving the plat boundaries;
- 6. Date of survey, north point and graphic scale;
- Note 7. Any portion of property within the floodway or the 100 year floodplain;
- 8. Cultural features in and surrounding the proposed subdivision including existing and platted streets, bridges, culverts, utility lines, pipelines, power transmission lines, easements, parks, structures, city and county lines, section lines and other significant information;
- Comply 9. Preliminary storm drainage plan with proposed easement dimensions and typical ditch sections;
- 10. Center line locations adjacent to all streets abutting proposed subdivision;
- 11. Names of recorded subdivisions abutting the proposed subdivision, with plat book and page number or instrument number;
- 12. Residential plats, names of owners of un-platted tracts abutting the proposed subdivision and the names of all owners of platted tracts in excess of 2.5 acres. Nonresidential plats, in areas where zoning is not applicable, names of owners of all land contiguous to the proposed subdivision; both residential and commercial subdivisions, names of all owners of landlocked parcels contiguous or within the plat boundaries;
- 13. Exact boundary lines of the tract indicated by a heavy line giving dimensions and all bearings;
- 14. Zoning classifications within the plat and abutting areas;
- 15. Municipal boundaries that pass through or abut the subdivision;
- 16. Typical street cross sections and profiles when applicable;
- Comply 17. Floodplain analysis when applicable;
- Comply if needed 18. Soils Test when applicable;
- 19. Multi-family subdivisions must comply with City Code Section 70-136 of the Subdivision Regulations and commercial or industrial subdivision must comply with Sections 70-140A-A1
- 20. Certificate of Preliminary Surveying Accuracy;
- 21. Certificate of Preliminary Engineering Accuracy;
- 22. Certificate of Preliminary Plat Approval;
- 23. Preliminary Bill of Assurance;

PRELIMINARY PLAT REVIEW CHECKLIST & STAFF COMMENTS

Chalets at Country Club

October 19, 2016

Does not

Comply Complies

Second Staff Review

24. Preliminary Plat Filing Fees.

Comply if needed 25. Two copies of the Storm Water Pollution Prevention Plan (SWPPP) for City review and approval. Also provide contact information for responsible persons including their addresses and telephone numbers.

Staff Comments:

5 & 9) comply

7) Lots affected by floodplain boundary will need developmental permit and no adverse impact certificate unless a CLOMER is successfully executed.

17 & 18) comply if needed.

25) Comply when applicable.

Additional Comments:

Staff Recommendations: Contingent approval.

Jim Narey

From: John Payne
Sent: Thursday, October 06, 2016 4:57 PM
To: Jim Narey
Cc: Gerald Ezell; Shane Holmes; Scott Eaton; Drew Nichols
Subject: Chalets at Country Club

Jim,

I have reviewed the plans for Chalets at Country Club and have two comment listed below:

1. A fire hydrant will need to be installed at the north corner of Country Club Parkway and Layne Drive.
2. A fire hydrant will need to be installed at the north corner of Joel Lane and Layne Drive.

With these additions, I have no reason not to allow this project to move forward.

John W. Payne, EFO
Fire Marshal/ Division Chief
Maumelle Fire Department
2000 Murphy Dr.
Maumelle, Ark. 72113
501-851-1337 Ex. 202

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAUMELLE, PULASKI COUNTY, ARKANSAS

RESOLUTION NO. 2016-33

**NAMING THE NEW SENIOR SERVICES CENTER THE
“MAUMELLE CENTER ON THE LAKE” AND FOR OTHER PURPOSES**

WHEREAS, construction is underway on the Maumelle Department of Senior Service’s new center and, in order to create signage in a timely manner, the architects will need direction on the name of the new center on or before November 10, 2016;

WHEREAS, a trend across the United States is for senior centers to be named after a main benefactor, person or place in history, or the geographical area of the center;

WHEREAS, because the citizens of Maumelle are the benefactor of the new senior center and the geographical area of the new center is beside Lake Willastein, the City Council desires that the name of new senior center be “Maumelle Center on the Lake.”

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAUMELLE, ARKANSAS:

The Maumelle City Council hereby declares the name of the new senior center to be “Maumelle Center on the Lake.” The Mayor is hereby authorized to choose the names of the Maumelle Center on the Lake’s interior rooms.

RESOLVED this ___ day _____, 2016.

Michael Watson, Mayor

ATTEST:

Tina Timmons, City Clerk/Treasurer

APPROVED AS TO LEGAL FORM:

Caleb Norris, City Attorney

SPONSOR:

Mayor Watson

	Mosley	Saunders	Kelley	Anderson	Williams	Timmons	Vaprezsán	Holt
Yes								
No								

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAUMELLE, PULASKI COUNTY, ARKANSAS

RESOLUTION NO. 2016-34

A RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING ON THE ISSUANCE OF UP TO \$2,300,00 CITY OF MAUMELLE, ARKANSAS PUBLIC FACILITIES BOARD CAPITAL IMPROVEMENT REVENUE BONDS (CENTRAL ARKANSAS LIBRARY SYSTEM PROJECT) SERIES 2016 FOR THE PURPOSE OF FINANCING VARIOUS IMPROVEMENTS TO AND FOR THE BENEFIT OF THE MAUMELLE PUBLIC LIBRARY, AND FOR OTHER PURPOSES.

WHEREAS, the Central Arkansas Library System has requested that the Maumelle Public Facilities Board to issue revenue bonds to finance the costs of designing, acquiring, constructing and equipping of various capital improvements to and for the benefit of the Maumelle Public Library located at 10 Lakepointe Drive, Maumelle, Arkansas 72113.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAUMELLE, ARKANSAS:

SECTION 1: A public hearing is hereby set for November 21, 2016, at 6:00 p.m. in the City Council Meeting Room, City Hall, 550 Edgewood Drive, Suite 590, Maumelle, Arkansas 72113, on the question of the issuance by the Maumelle Public Facilities Board of its Capital Improvement Revenue Bonds (Central Arkansas Library System Project), Series 2016 in an amount not to exceed \$2,300,000 for the purpose of designing, constructing, renovating, and equipping various capital improvements to and for the benefit of the Maumelle Public Library.

SECTION 2: Publication of a Notice of Public Hearing is hereby authorized and confirmed.

RESOLVED this ___ day November, 2016.

Michael Watson, Mayor

ATTEST:

Tina Timmons, City Clerk/Treasurer

APPROVED AS TO LEGAL FORM:

Caleb Norris, City Attorney

SPONSOR:

Mayor Watson

	Mosley	Saunders	Kelley	Anderson	Williams	Timmons	Vaprezsan	Holt
Yes								
No								

TO: MAYOR WATSON
FROM: NICOLE HEAPS
DATE: 10/27/2016
RE: SIGNAGE FOR NEW SENIOR FACILITY AND REQUEST FOR BUILDING NAME

As the work for the new senior center progresses, decisions regarding signage have brought forward a request for the naming of the internal rooms and the facility name. In a commercial building, all interior rooms must be named or numbered per building code and ADA regulations. While numbers could be used, I would much prefer to highlight the history of Maumelle and more specifically the family names of what has been recorded the settlers of what now know Maumelle is prior to Maumelle Ordinance Works. Kevin Cummings, researched and wrote a thesis for his Master in History, that has been presented to the membership of the senior center on two occasions. Kevin has agreed to assist on his own time to research 7 family names that would be used to name the interior spaces of the new senior center. For example family names such as Pyeatt, Mason, Carnahan, Morgan, and Miller might be used to not only name the room, but for signage next to the rooms to list the significance of the individual or family in settling in the area that is now known as Maumelle.

If approved, we would also place either good color copies of maps showing Crystal Hill (Riverland area), Pyeatt's Township, and the settlement or work with a local artist to sketch or draw replications from the maps to be displayed in a glass display case in the main hall of the senior center near the reception desk.

I respectfully request a change in the facility name of the senior center. A trend across the United States has been for senior centers to be named either for a main benefactor, person or place in history, or for the geographical area. The citizens of Maumelle are the benefactor of the new senior center through the bonds that were approved and have been used for the building and therefore I propose the name include "Maumelle" on the first line and the second line to read "Center on the Lake". It is a play on the already named Maumelle Park on the River.

David Porter with Polk, Stanley, & Wilcox Architects will need for direction on the name to finalize the signage and has set the deadline for information on November 10th. Therefore, I request this be included in the next council meeting agenda.

City of Maumelle
City of Maumelle
Memo

Date: November 1, 2016
To: Aldermen, City of Maumelle
From: Mayor Mike Watson
Subject: Maumelle Public Facilities Board Selection

After an advertised request for persons interested in serving on the Maumelle Public Facilities Board (MPFB), two applicants submitted their names for the two positions that were vacant and expiring. One applicant is board member Mr. David Hodges, who is seeking re-appointment to his current position, and the other applicant is Mr. Thomas Boothe, who also applied for a Board position in 2015.

The MPFB met with both applicants and submitted the following recommendation. Reappoint Mr. David Hodges to his current position and appoint Mr. Boothe to the unexpired term of Board Member Bob Gram, who passed away earlier this year.

Based on the MPFB recommendation, I am submitting the following persons to serve on the Maumelle Public Facilities Board based on the criteria set forth in Ordinance No. 510:

Mr. Thomas Boothe, whose term will expired May 2017.
Mr. David Hodges, whose term will expired May 2021.

This selection process requires the Council's confirmation; therefore, I request a motion for approval of these appointments.

Mike Watson

From: Tony Wilson <Tony@mulhearn-wilson.com>
Sent: Tuesday, September 06, 2016 9:29 AM
To: Mike Watson
Subject: Maumelle Public Facilities Board Appointments

Mayor,
The Facilities Board met on Aug. 24th and voted to re-appoint John David Hodges to the position he currently holds.

Therefore, we have re-elected John David Hodges and in the previous meeting elected Tom Boothe to fill the vacancy created by Bob's passing.

Please let me know what the next step I need to do is? In addition, whom do I need to copy on these correspondence in Joshua's absence?

Thanks in advance,
TW

Tony Wilson



501-771-1300 Office
501-771-1303 Fax
501-258-4165 Cell
www.mulhearn-wilson.com
tony@mulhearn-wilson.com

"Stop being afraid of what could go wrong and focus on what could go right"

Tom Boothe

164 Mountain Valley Dr

Maumelle, AR 72113

tomboothe@me.com

501-414-6905 (M)

Profile

- * 20+ year track record of proven facilities and operations management; 5,000+ sites & 4.1 mil sf comm'l space
- * Proven success in Lean / Six Sigma methodology; 40+ projects successfully completed, saving over \$40 mil
- * Demonstrated history of successful project management, budget development, and program coordination.

Skills Summary

- ◆ Facilities Mgt
- ◆ Budget Development
- ◆ Energy Efficiencies
- ◆ Operations Mgt
- ◆ Six Sigma / Lean
- ◆ Logistics
- ◆ Strategic Planning
- ◆ Venture Capital Mgr
- ◆ Project Mgt

Professional Experience

PROJECT & PROGRAM MANAGEMENT:

- ◆ Develop & implement facilities improvement initiatives, utilizing Lean 6 Sigma methodologies.
- ◆ Coordinate maintenance, installation, & repair activities at 5,000+ wireless sites in 8 states.
- ◆ Develop, implement, and analyze capital and operational budgets.
- ◆ Direct all aspects of site / facility security, planning, design, construction, and maintenance.
- ◆ Conduct periodic inspections of properties and develop maintenance / repair plans and budgets.
- ◆ Develop and implement process improvement solutions in service & manufacturing operations.

STRATEGIC & TACTICAL INITIATIVES:

- ◆ Lead Lean Manufacturing, Kaizen, and Six Sigma exercises / training / projects.
- ◆ Conduct environmental, safety, and efficiency audits of industrial and commercial sites.
- ◆ Develop and implement strategic plans for energy reduction and site security solutions.
- ◆ Consult with all group levels to develop, implement, measure, and refine strategic plans.
- ◆ Provide training sessions for employees and contractors in various disciplines.
- ◆ Develop and implement marketing plans for growth into new markets and industries.

Employment Highlights

- ◆ SecureSite LLC – President -- design & fabricate security solutions for national clients. 2/13 - 5/16
- ◆ ABM Onsite Svcs - Branch Mgr, AR - managed 350+ sites & 75 employees. 5/14 - 8/15
- ◆ Signal Point Systems – Regional Manager -- managed 5,000+ sites & 43 field techs. 5/12 - 11/13
- ◆ P.I. Constr Grp – Director of Ops -- managed all aspects of a general contracting co. 6/11 - 5/12
- ◆ Cornerstone Industrial Svc – Dir of Bus Dev -- grew client portfolio by 100%. 2/09 - 6/11
- ◆ CB Richard Ellis – Facilities Manager -- managed over 80 financial services centers. 12/04 - 9-06
- ◆ Raytheon Aircraft – Facilities Mgr -- managed multi-site manufacturing operation. 6-98 - 2/04
- ◆ Menasco Aerospace – Prog Coord -- directed SCM for military & comm'l aircraft programs. 3/95 - 6/98
- ◆ Exel Logistics (TX) -- Facilities Mgr -- managed over 4M sf of industrial sites. 3/89 - 7/94

Education / Skills

EMBRY-RIDDLE AERONAUTICAL UNIVERSITY

Master of Aeronautical Sciences, 2000 – Operations and Management

UNIVERSITY OF HOUSTON (TX)

Bachelor of Science, 1990 - Business & Commerce

Six Sigma Master Black Belt (Raytheon Learning Institute); Lean Manufacturing/Kaizen; Adjunct Instructor (Embry-Riddle Aero Univ); OSHA/EPA compliance coordinator; Chairman, Little Rock Workforce Investment Board (2006); Available for travel, with valid passport in-hand.



NOTICE

CENTRAL ARKANSAS LIBRARY SYSTEM BOARD OF TRUSTEES VACANCY

The Maumelle City Council is accepting resumes from residents interested in service on the Central Arkansas Library System Board. An appointment will be made for a three year term ending December 31, 2019. For information on duties and responsibilities, please contact Tina Timmons, Maumelle City Clerk/Treasurer. Resumes should be submitted to the City Clerk/Treasurer's Office, 550 Edgewood Drive, Suite 590, Maumelle, Arkansas 72113 no later than 4:00 p.m., December 13, 2016. Applicants will be interviewed by the City Council at the regular City Council meeting December 19, 2016 at 6:00 p.m. at City Hall.



TREASURER OF STATE

Dennis Milligan
Treasurer

500 Woodlane Street, Suite 220
Little Rock, Arkansas 72201

Maumelle City Treasurer
550 Edgewood Drive, Suite 590
Maumelle, AR 72113-6907

City Sales and Use Tax Funds Distribution

From September, 2016

Effective Date: 10/25/2016

Maumelle Sales and Use Tax

\$213,252.13	Deposits
\$6,397.56	Service Charge
\$36.74	Interest Earned
\$0.34	Vending Decals
<hr/>	
\$206,891.65	Amount Distributed

City Sales Tax Receipts as of 10/25/16

<u>City Sales Tax 2016</u>		<u>City Sales Tax 2015</u>		<u>City Sales Tax 2014</u>	
January	\$ 183,840.41	January	\$ 163,827.26	January	\$ 158,595.58
February	\$ 316,645.88	February	\$ 245,918.10	February	\$ 220,714.92
March	\$ 218,500.16	March	\$ 171,927.13	March	\$ 152,724.85
April	\$ 163,747.79	April	\$ 172,283.49	April	\$ 127,834.26
May	\$ 243,159.26	May	\$ 174,677.48	May	\$ 192,715.85
June	\$ 165,632.22	June	\$ 176,055.42	June	\$ 160,899.48
July	\$ 192,440.10	July	\$ 172,953.46	July	\$ 206,241.98
August	\$ 193,237.65	August	\$ 211,343.96	August	\$ 195,095.70
September	\$ 190,326.60	September	\$ 194,181.79	September	\$ 198,303.58
October	\$ 206,891.65	October	\$ 194,693.99	October	\$ 189,891.92
November		November	\$ 208,235.41	November	\$ 188,520.22
December		December	\$ 195,134.66	December	\$ 179,306.78
	\$ 2,074,421.72		\$ 2,281,232.15		\$ 2,170,845.12
<u>City Sales Tax 2013</u>		<u>City Sales Tax 2012</u>		<u>City Sales Tax 2011</u>	
January	\$ 163,422.53	January	\$ 160,103.50	January	\$ 151,181.21
February	\$ 183,544.64	February	\$ 198,693.06	February	\$ 206,761.98
March	\$ 171,807.10	March	\$ 151,921.55	March	\$ 151,487.76
April	\$ 153,503.81	April	\$ 170,042.44	April	\$ 165,453.84
May	\$ 145,537.47	May	\$ 181,523.50	May	\$ 185,560.42
June	\$ 178,471.10	June	\$ 164,250.89	June	\$ 174,272.12
July	\$ 190,009.82	July	\$ 177,201.76	July	\$ 159,773.87
August	\$ 188,935.09	August	\$ 183,159.96	August	\$ 138,414.71
September	\$ 159,795.86	September	\$ 118,708.52	September	\$ 175,334.79
October	\$ 198,429.04	October	\$ 128,803.19	October	\$ 190,341.47
November	\$ 194,153.56	November	\$ 136,815.59	November	\$ 201,384.39
December	\$ 185,969.04	December	\$ 239,084.77	December	\$ 169,464.35
	\$ 2,113,579.06		\$ 2,010,308.73		\$ 2,069,430.91

Agency Name: TREASURER OF STATE
Address : 220 STATE CAPITOL BLDG
City,St Zip: LITTLE ROCK AR 72201

(501-682-5888)

Warrant Numb: 17DDA-0142586
Warrant Date: 10/23/2016
Payment Date: 10/23/2016

Vendor Number: 080000607

Invoice #	Document Text	Net Amount
80342627422017	Local Sales and Use Tax	206,891.65

TOTALS THIS WARRANT

206,891.65



TREASURER OF STATE

Dennis Milligan
Treasurer

500 Woodlane Street, Suite 220
Little Rock, Arkansas 72201

Maumelle City Treasurer
550 Edgewood Drive, Suite 590
Maumelle, AR 72113-6907

County Sales and Use Tax Funds Distribution

For September, 2016

Effective Date: 10/25/2016

Pulaski County Sales and Use Tax

	<u>Rate</u>	<u>Population</u>	<u>Percentage</u>	<u>Amount Distributed</u>
Alexander City Treasurer	1.000	236		\$4,089.68
Cammack Village City Treasurer	1.000	768		\$13,308.79
Jacksonville City Treasurer	1.000	28,364		\$491,523.98
Little Rock City Treasurer	1.000	193,524		\$3,353,606.18
Maumelle City Treasurer	1.000	17,163		\$297,420.18
North Little Rock City Treasurer	1.000	62,304		\$1,079,675.28
Pulaski County Treasurer	1.000	48,752		\$844,830.66
Sherwood City Treasurer	1.000	29,523		\$511,608.46
Wrightsville City Treasurer	1.000	2,114		\$36,633.82
			Total	\$6,632,697.03

COUNTY Sales Tax Receipts as of 10/25/16

<u>COUNTY Sales Tax 2016</u>		<u>COUNTY Sales Tax 2015</u>		<u>COUNTY Sales Tax 2014</u>	
January	\$ 291,026.79	January	\$ 284,524.61	January	\$ 285,664.21
February	\$ 377,134.36	February	\$ 369,255.24	February	\$ 343,875.87
March	\$ 271,731.99	March	\$ 275,803.19	March	\$ 253,307.63
April	\$ 304,513.80	April	\$ 282,207.46	April	\$ 280,989.89
May	\$ 305,548.14	May	\$ 325,940.56	May	\$ 308,431.98
June	\$ 279,799.21	June	\$ 295,504.97	June	\$ 265,161.37
July	\$ 300,760.27	July	\$ 298,089.77	July	\$ 311,463.75
August	\$ 308,148.89	August	\$ 309,943.74	August	\$ 295,398.43
September	\$ 309,014.18	September	\$ 302,187.22	September	\$ 285,825.22
October	\$ 298,177.96	October	\$ 303,824.05	October	\$ 296,287.46
November		November	\$ 297,797.86	November	\$ 293,386.95
December		December	\$ 314,316.50	December	\$ 297,190.93
	<u>\$ 3,045,855.59</u>		<u>\$ 3,659,395.17</u>		<u>\$ 3,516,983.69</u>
<u>COUNTY Sales Tax 2013</u>		<u>COUNTY Sales Tax 2012</u>		<u>COUNTY Sales Tax 2011</u>	
January	\$ 274,912.01	January	\$ 268,668.22	January	\$ 176,944.14
February	\$ 336,987.13	February	\$ 351,268.58	February	\$ 338,596.28
March	\$ 267,731.52	March	\$ 263,673.17	March	\$ 252,353.59
April	\$ 286,460.07	April	\$ 286,941.78	April	\$ 263,424.65
May	\$ 287,261.20	May	\$ 303,641.16	May	\$ 293,083.54
June	\$ 285,986.44	June	\$ 282,248.68	June	\$ 285,294.87
July	\$ 293,878.70	July	\$ 294,806.80	July	\$ 271,871.00
August	\$ 294,289.60	August	\$ 300,682.03	August	\$ 294,236.47
September	\$ 281,267.01	September	\$ 263,570.85	September	\$ 285,701.98
October	\$ 288,464.56	October	\$ 286,864.46	October	\$ 277,877.41
November	\$ 285,529.62	November	\$ 288,870.38	November	\$ 301,706.88
December	\$ 296,557.30	December	\$ 294,572.68	December	\$ 276,834.03
	<u>\$ 3,479,325.16</u>		<u>\$ 3,485,808.79</u>		<u>\$ 3,317,924.84</u>
P:\ACCOUNT\Mary\Account Reconciliations\City & County Sales Tax\COUNTY sales tax					

Address : 220 STATE CAPITOL BLDG
City,St Zip: LITTLE ROCK AR 72201

Warrant Date: 10/23/2016
Payment Date: 10/23/2016

Vendor Number: 080000607

Invoice #	Document Text	Net Amount
80342636122017	Local Sales and Use Tax	297,420.18

TOTALS THIS WARRANT

297,420.18



TREASURER OF STATE

Dennis Milligan
Treasurer

500 Woodlane Street, Suite 220
Little Rock, Arkansas 72201

Maumelle City Treasurer
550 Edgewood Drive, Suite 590
Maumelle, AR 72113-6907

County Sales and Use Tax Funds Distribution

For September, 2016

Effective Date: 10/25/2016

Little Rock National AF Pulaski Co Sales and Use Tax

	<u>Rate</u>	<u>Population</u>	<u>Percentage</u>	<u>Amount Distributed</u>
Alexander City Treasurer	1.000	236		\$9.98
Cammack Village City Treasurer	1.000	768		\$32.48
Jacksonville City Treasurer	1.000	28,364		\$1,199.63
Little Rock City Treasurer	1.000	193,524		\$8,184.94
Maumelle City Treasurer	1.000	17,163		\$725.90
North Little Rock City Treasurer	1.000	62,304		\$2,635.10
Little Rock National Airport	1.000	48,752		\$2,061.93
Sherwood City Treasurer	1.000	29,523		\$1,248.65
Wrightsville City Treasurer	1.000	2,114		\$89.41
			Total	\$16,188.02

Agency Name: TREASURER OF STATE
Address : 220 STATE CAPITOL BLDG
City,St Zip: LITTLE ROCK AR 72201

(501-682-5888)

Warrant Num: 17DDA-0142587
Warrant Date: 10/23/2016
Payment Date: 10/23/2016

Vendor Number: 080000607

Invoice #	Document Text	Net Amount
80342633962017	Local Sales and Use Tax	725.90

TOTALS THIS WARRANT

725.90



TREASURER OF STATE

Dennis Milligan
Treasurer

500 Woodlane Street, Suite 220
Little Rock, Arkansas 72201

Maumelle City Treasurer
550 Edgewood Drive, Suite 590
Maumelle, AR 72113-6907

County Sales and Use Tax Funds Distribution

For September, 2016

Effective Date: 10/25/2016

North Little Rock AF Pulaski Co Sales and Use Tax

	<u>Rate</u>	<u>Population</u>	<u>Percentage</u>	<u>Amount Distributed</u>
Alexander City Treasurer	1.000	236		\$0.44
Cammack Village City Treasurer	1.000	768		\$1.43
Jacksonville City Treasurer	1.000	28,364		\$52.68
Little Rock City Treasurer	1.000	193,524		\$359.42
Maumelle City Treasurer	1.000	17,163		\$31.88
North Little Rock City Treasurer	1.000	62,304		\$115.71
Little Rock National Airport	1.000	48,752		\$90.54
Sherwood City Treasurer	1.000	29,523		\$54.83
Wrightsville City Treasurer	1.000	2,114		\$3.92
			Total	\$710.85

Agency Name: TREASURER OF STATE
Address : 220 STATE CAPITOL BLDG
City,St Zip: LITTLE ROCK AR 72201

(501-682-5888)

Warrant Numb: 17DDA-0142588
Warrant Date: 10/23/2016
Payment Date: 10/23/2016

Vendor Number: 080000607

Invoice #	Document Text	Net Amount
80342635162017	Local Sales and Use Tax	31.88

TOTALS THIS WARRANT

31.88

**Local Distribution by NAICS
October 2016
MAUMELLE**

NAICS Code	NAICS Description	Net Sales	Net Use	Total	Rebates	Audits
1152	Support Activities for Animal Production (USA/CAN/MEX)	\$41.88	\$16.00	\$57.88	\$0.00	\$0.00
2123	Nonmetallic Mineral Mining and Quarrying (USA/CAN/MEX)	\$216.95	\$0.00	\$216.95	\$0.00	\$0.00
2213	Water; Sewage and Other Systems	\$4,477.00	\$0.00	\$4,477.00	\$0.00	\$0.00
2349	Other Heavy Construction	\$97.52	\$1.00	\$98.52	\$0.00	\$0.00
2351	Plumbing; Heating; and Air-Conditioning Contractors	\$1,995.88	\$356.93	\$2,352.81	-\$20.63	\$0.00
2353	Electrical Contractors	\$47.00	\$0.00	\$47.00	\$0.00	\$0.00
2359	Other Special Trade Contractors	\$332.00	\$0.00	\$332.00	\$0.00	\$0.00
2382	Building Equipment Contractors (USA/CAN/MEX)	\$703.91	\$74.00	\$777.91	\$0.00	\$0.00
2383	Building Finishing Contractors (USA/CAN/MEX)	\$45.00	\$0.00	\$45.00	\$0.00	\$0.00
2389	Other Specialty Trade Contractors (USA/CAN/MEX)	\$120.02	\$0.00	\$120.02	\$0.00	-\$19.36
3119	Other Food Manufacturing (USA/CAN/MEX)	\$1.00	\$10.00	\$11.00	\$0.00	\$0.00
3121	Beverage Manufacturing (USA/CAN/MEX)	\$63.01	\$110.00	\$173.01	\$0.00	\$0.00
3133	Textile and Fabric Finishing and Fabric Coating Mills (USA/CAN/MEX)	\$67.00	\$120.00	\$187.00	\$0.00	\$0.00
3149	Other Textile Product Mills	\$32.04	\$7.00	\$39.04	\$0.00	\$0.00

**Local Distribution by NAICS
October 2016
MAUMELLE**

(USA/CAN/MEX)						
3152	Cut and Sew Apparel Manufacturing (USA/CAN/MEX)	\$840.00	\$112.00	\$952.00	\$0.00	\$0.00
3222	Converted Paper Product Manufacturing (USA/CAN/MEX)	\$213.31	\$6,706.42	\$6,919.73	\$0.00	\$0.00
3231	Printing and Related Support Activities (USA/CAN/MEX)	\$128.00	\$1,323.59	\$1,451.59	\$0.00	\$0.00
3256	Soap; Cleaning Compound; and Toilet Preparation Manufacturing (USA/CAN/MEX)	\$18.98	\$6.03	\$25.01	\$0.00	\$0.00
3261	Plastics Product Manufacturing (USA/CAN/MEX)	\$294.15	\$0.00	\$294.15	\$0.00	\$0.00
3273	Cement and Concrete Product Manufacturing (USA/CAN/MEX)	\$840.00	\$0.00	\$840.00	\$0.00	\$0.00
3323	Architectural and Structural Metals Manufacturing (USA/CAN/MEX)	\$530.00	\$0.00	\$530.00	\$0.00	\$0.00
3332	Industrial Machinery Manufacturing (USA/CAN/MEX)	\$287.00	\$3.00	\$290.00	\$0.00	\$0.00
3333	Commercial and Service Industry Machinery Manufacturing (USA/CAN/MEX)	\$4.00	\$73.00	\$77.00	\$0.00	\$0.00
3334	Ventilation; Heating; Air-Conditioning; and Commercial Refrigeration Equipment Manufacturing (USA/CAN/MEX)	\$160.27	\$122.00	\$282.27	\$0.00	\$0.00
3339	Other General Purpose Machinery Manufacturing (USA/CAN/MEX)	\$160.00	\$981.00	\$1,141.00	\$0.00	\$0.00

**Local Distribution by NAICS
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MAUMELLE**

3341	Computer and Peripheral Equipment Manufacturing (USA/CAN/MEX)	\$26.00	\$403.19	\$429.19	\$0.00	\$0.00
3342	Communications Equipment Manufacturing (USA/CAN/MEX)	\$3.00	\$17.40	\$20.40	\$0.00	\$0.00
3346	Manufacturing and Reproducing Magnetic and Optical Media (USA/CAN/MEX)	\$7.00	\$18.00	\$25.00	\$0.00	\$0.00
3371	Household and Institutional Furniture and Kitchen Cabinet Manufacturing (USA/CAN/MEX)	\$28.96	\$138.00	\$166.96	\$0.00	\$0.00
3391	Medical Equipment and Supplies Manufacturing (USA/CAN/MEX)	\$0.00	\$140.88	\$140.88	\$0.00	\$0.00
3399	Other Miscellaneous Manufacturing (USA/CAN/MEX)	\$18.00	\$140.00	\$158.00	\$0.00	\$0.00
4211	Motor Vehicle and Motor Vehicle Parts and Supplies Wholesalers	\$14.00	\$695.00	\$709.00	\$0.00	\$0.00
4213	Lumber and Other Construction Materials Wholesalers	\$395.00	\$22.00	\$417.00	\$0.00	\$0.00
4214	Professional and Commercial Equipment and Supplies Wholesalers	\$453.18	\$775.11	\$1,228.29	-\$25.80	\$0.00
4215	Metal and Mineral (except Petroleum) Wholesalers	\$8.00	\$290.00	\$298.00	\$0.00	\$0.00
4216	Electrical Goods Wholesalers	\$3,086.99	\$3,944.12	\$7,031.11	\$0.00	\$0.00
4217	Hardware; and Plumbing and Heating Equipment and Supplies Wholesalers	\$297.53	\$124.00	\$421.53	\$0.00	\$0.03
4218	Machinery; Equipment; and Supplies	\$1,362.32	\$4,961.00	\$6,323.32	\$0.00	\$0.61

**Local Distribution by NAICS
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Wholesalers						
4219	Miscellaneous Durable Goods Wholesalers	\$163.00	\$17.00	\$180.00	\$0.00	\$0.00
4221	Paper and Paper Product Wholesalers	\$330.00	\$2,905.00	\$3,235.00	\$0.00	\$0.00
4224	Grocery and Related Product Wholesalers	\$25.16	\$20.00	\$45.16	\$0.00	\$0.00
4226	Chemical and Allied Products Wholesalers	\$306.23	\$299.00	\$605.23	\$0.00	\$0.00
4229	Miscellaneous Nondurable Goods Wholesalers	\$8.85	\$29.99	\$38.84	\$0.00	\$0.00
4232	Furniture and Home Furnishing Merchant Wholesalers	\$93.00	\$65.62	\$158.62	\$0.00	\$0.00
4233	Lumber and Other Construction Materials Merchant Wholesalers	\$249.00	\$0.00	\$249.00	\$0.00	\$0.00
4234	Professional and Commercial Equipment and Supplies Merchant Wholesalers	\$212.22	\$356.00	\$568.22	\$0.00	\$0.00
4236	Household Appliances and Electrical and Electronic Goods Merchant Wholesalers	\$37.00	\$14.29	\$51.29	\$0.00	\$0.00
4237	Hardware; and Plumbing and Heating Equipment and Supplies Merchant Wholesalers	\$6.00	\$15.00	\$21.00	\$0.00	\$0.00
4238	Machinery; Equipment; and Supplies Merchant Wholesalers	\$632.34	\$91.73	\$724.07	\$0.00	\$0.00
4239	Miscellaneous Durable Goods	\$23.07	\$21.01	\$44.08	\$0.00	\$0.00

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Merchant Wholesalers						
4242	Drugs and Druggists' Sundries Merchant Wholesalers	\$4.00	\$38.00	\$42.00	\$0.00	\$0.00
4244	Grocery and Related Product Merchant Wholesalers	\$398.82	\$54.00	\$452.82	\$0.00	\$0.00
4249	Miscellaneous Nondurable Goods Merchant Wholesalers	\$1.00	\$33.00	\$34.00	\$0.00	\$0.00
4411	Automobile Dealers	\$123.00	\$0.00	\$123.00	\$0.00	\$0.00
4412	Other Motor Vehicle Dealers	\$92.00	\$176.00	\$268.00	\$0.00	\$0.00
4413	Automotive Parts; Accessories; and Tire Stores	\$141.00	\$2,381.00	\$2,522.00	\$0.00	\$0.00
4421	Furniture Stores	\$1,753.49	\$21.00	\$1,774.49	\$0.00	\$0.00
4422	Home Furnishings Stores	\$798.65	\$18.52	\$817.17	\$0.00	-\$17.81
4431	Electronics and Appliance Stores	\$2,085.68	\$935.00	\$3,020.68	\$0.00	\$0.00
4441	Building Material and Supplies Dealers	\$3,577.29	\$1,160.95	\$4,738.24	\$0.00	\$0.00
4442	Lawn and Garden Equipment and Supplies Stores	\$53.14	\$22.00	\$75.14	\$0.00	\$0.00
4451	Grocery Stores	\$27,904.98	\$103.00	\$28,007.98	\$0.00	\$0.00
4452	Specialty Food Stores	\$13.00	\$24.96	\$37.96	\$0.00	\$0.00
4461	Health and Personal Care Stores	\$3,041.88	\$784.11	\$3,825.99	\$0.00	\$0.00
4471	Gasoline Stations	\$6,663.00	\$106.41	\$6,769.41	\$0.00	\$0.00
4481	Clothing Stores	\$0.93	\$784.95	\$785.88	\$0.00	\$0.00
4482	Shoe Stores	\$2.00	\$58.27	\$60.27	\$0.00	\$0.00

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4483	Jewelry; Luggage; and Leather Goods Stores	\$0.00	\$117.74	\$117.74	\$0.00	\$0.00
4511	Sporting Goods; Hobby; and Musical Instrument Stores	\$375.26	\$185.00	\$560.26	\$0.00	\$0.00
4512	Book Stores and News Dealers	\$44.99	\$189.00	\$233.99	\$0.00	\$0.00
4521	Department Stores	\$127.00	\$172.00	\$299.00	\$0.00	\$0.00
4529	Other General Merchandise Stores	\$1,320.00	\$141.79	\$1,461.79	\$0.00	\$0.00
4532	Office Supplies; Stationery; and Gift Stores	\$802.13	\$393.00	\$1,195.13	\$0.00	-\$8.85
4533	Used Merchandise Stores	\$39.00	\$4.57	\$43.57	\$0.00	\$0.00
4539	Other Miscellaneous Store Retailers	\$1,687.44	\$881.36	\$2,568.80	\$0.00	-\$5.07
4541	Electronic Shopping and Mail-Order Houses	-\$4,076.67	\$1,256.41	-\$2,820.26	-\$4,352.00	\$0.00
4543	Direct Selling Establishments	\$273.23	\$159.77	\$433.00	\$0.00	-\$12.74
4884	Support Activities for Road Transportation (USA/CAN/MEX)	\$110.81	\$6.00	\$116.81	\$0.00	\$0.43
4931	Warehousing and Storage (USA/CAN/MEX)	\$77.02	\$86.00	\$163.02	\$0.00	\$0.00
5111	Newspaper; Periodical; Book; and Directory Publishers (USA/CAN/MEX)	-\$0.01	\$8.99	\$8.98	\$0.00	\$0.00
5132	Cable Networks and Program Distribution	\$3.00	\$43.00	\$46.00	\$0.00	\$0.00
5133	Telecommunications	\$9,187.00	\$8.00	\$9,195.00	\$0.00	\$0.00
5142	Data Processing Services	\$33.00	-\$26.46	\$6.54	-\$43.00	\$12.54

**Local Distribution by NAICS
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5171	Wired Telecommunications Carriers (USA/CAN/MEX)	\$898.00	\$16.00	\$914.00	\$0.00	\$0.00
5172	Wireless Telecommunications Carriers (except Satellite) (USA/CAN/MEX)	\$2,399.50	\$4.00	\$2,403.50	\$0.00	\$0.00
5179	Other Telecommunications (USA/CAN/MEX)	\$322.07	\$0.00	\$322.07	\$0.00	\$0.00
5221	Depository Credit Intermediation	\$12.00	\$11.00	\$23.00	\$0.00	\$0.00
5222	Nondepository Credit Intermediation	\$195.00	\$115.35	\$310.35	\$0.00	\$0.00
5241	Insurance Carriers (USA/CAN/MEX)	\$304.00	\$17.56	\$321.56	\$0.00	\$0.00
5242	Agencies; Brokerages; and Other Insurance Related Activities (USA/CAN/MEX)	\$14.00	\$793.00	\$807.00	\$0.00	\$0.00
5311	Lessors of Real Estate (USA/CAN/MEX)	\$7.00	\$2.00	\$9.00	\$0.00	\$0.00
5321	Automotive Equipment Rental and Leasing (USA/CAN/MEX)	\$1,298.90	\$13.00	\$1,311.90	\$0.00	\$0.00
5322	Consumer Goods Rental (USA/CAN/MEX)	\$1,810.04	\$176.21	\$1,986.25	\$0.00	\$0.00
5324	Commercial and Industrial Machinery and Equipment Rental and Leasing (USA/CAN/MEX)	\$3,616.08	\$8.28	\$3,624.36	\$0.00	\$0.00
5414	Specialized Design Services (USA/CAN/MEX)	\$36.91	\$3.00	\$39.91	\$0.00	\$0.00
5415	Computer Systems Design and Related Services (USA/CAN/MEX)	-\$31.66	\$1,544.00	\$1,512.34	\$0.00	\$0.00
5416	Management; Scientific; and Technical	\$87.00	\$2.00	\$89.00	\$0.00	\$0.00

**Local Distribution by NAICS
October 2016
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	Consulting Services (USA/CAN/MEX)					
5418	Advertising; Public Relations; and Related Services (USA/CAN/MEX)	\$129.00	\$0.00	\$129.00	\$0.00	\$0.00
5419	Other Professional; Scientific; and Technical Services (USA/CAN/MEX)	\$52.00	\$25.00	\$77.00	\$0.00	\$0.00
5614	Business Support Services (USA/CAN/MEX)	\$0.20	\$12.00	\$12.20	\$0.00	\$0.00
5616	Investigation and Security Services (USA/CAN/MEX)	\$1,133.21	\$29.00	\$1,162.21	\$0.00	-\$0.05
5617	Services to Buildings and Dwellings (USA/CAN/MEX)	\$3,358.00	\$3.00	\$3,361.00	-\$0.17	-\$158.87
5621	Waste Collection	\$450.22	\$0.00	\$450.22	\$0.00	\$151.37
5622	Waste Treatment and Disposal	\$270.00	\$0.00	\$270.00	\$0.00	\$0.00
5629	Remediation and Other Waste Management Services	\$228.72	\$15.00	\$243.72	\$0.00	-\$2.23
7211	Traveler Accommodation (USA/CAN/MEX)	\$2,623.42	\$0.00	\$2,623.42	\$0.00	\$0.00
7221	Full-Service Restaurants	\$14,628.10	\$7.00	\$14,635.10	\$0.00	\$0.00
7222	Limited-Service Eating Places	\$598.91	\$0.00	\$598.91	\$0.00	\$0.00
7225	Restaurants and Other Eating Places (USA/CAN/MEX)	\$2,785.38	\$23.00	\$2,808.38	\$0.00	\$0.00
8111	Automotive Repair and Maintenance (USA/CAN/MEX)	\$1,956.00	\$9.00	\$1,965.00	\$0.00	-\$0.12
8112	Electronic and Precision Equipment Repair and Maintenance	\$86.22	-\$0.78	\$85.44	\$0.00	\$0.00

**Local Distribution by NAICS
October 2016
MAUMELLE**

(USA/CAN/MEX)						
8113	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance (USA/CAN/MEX)	\$606.04	\$0.00	\$606.04	\$0.00	\$0.00
8114	Personal and Household Goods Repair and Maintenance (USA/CAN/MEX)	\$754.58	\$3.99	\$758.57	\$0.00	\$0.00
8123	Drycleaning and Laundry Services	\$788.63	\$1,986.00	\$2,774.63	\$0.00	\$0.00
8129	Other Personal Services	\$303.40	\$28.00	\$331.40	\$0.00	\$0.00
9999	Non-Business Account	-\$0.11	-\$0.43	-\$0.54	\$0.00	\$0.00
Other	NAICS with Less Than 3 Businesses	\$39,749.46	\$8,414.84	\$48,164.30	-\$1,127.88	-\$474.61
	Automobile	\$6,257.77	\$256.03	\$6,513.80	\$0.00	\$0.00
	Wholesale Vending and Other Unidentified Receipts	-\$3.39	\$0.00	-\$3.39	\$0.00	\$0.00
TOTALS		\$163,883.43	\$49,368.70	\$213,252.13	-\$5,569.48	-\$534.73

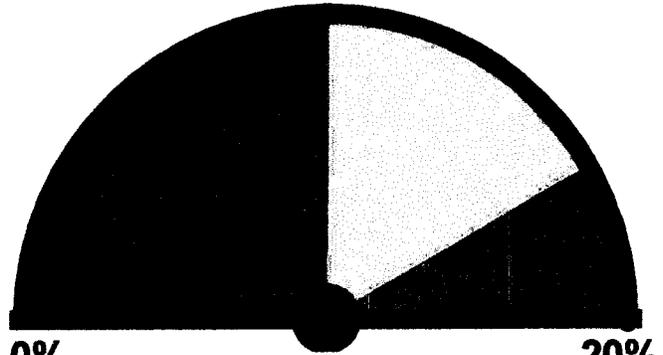
Speed Enforcement Evaluator

Location:
Club Manor Drive #37

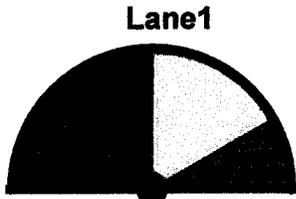
Total Percentage of Enforceable Violations

Closest Cross Street:
 Nicklaus Drive

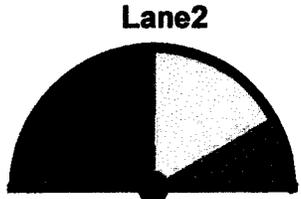
Analysis Dates:
 Monday, October 19, 2015
 Monday, October 26, 2015



0% **20%**
Posted Speed Limit: 25 MPH
Enforcement Tolerance: 10 MPH
Enforcement Limit: 36 MPH & Up
Percentage Above Limit: 0.8%
Enforcement Rating: **LOW**



Percent Above Limit: 0.2%
Enforcement Rating: LOW



Percent Above Limit: 1.5%
Enforcement Rating: LOW

Combined

1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	>65
11	94	424	753	1138	478	134	25	0	0	0	0	0	0

85 percentile = 26

Lane1

1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	>65
7	36	246	515	670	95	13	3	0	0	0	0	0	0

85 percentile = 23

Lane2

1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	>65
4	58	178	238	468	383	121	22	0	0	0	0	0	0

85 percentile = 28

CITY OF MAUMELLE
DEPARTMENT OF CODE ENFORCEMENT / PERMITS
THREE YEAR SINGLE FAMILY PERMIT COMPARISONS
As of October 2016

	<u>2014</u>		<u>2015</u>		<u>2016</u>	
	<u>Permits</u>	<u>Fees</u>	<u>Permits</u>	<u>Fees</u>	<u>Permits</u>	<u>Fees</u>
January	0	\$0	0	0	6	\$9,842.80
February	5	\$8,284.40	1	\$1,083.60	4	\$4,520.60
March	2	\$5,109.60	3	\$5,370.80	2	\$2,864.80
April	8	\$7,423.60	5	\$7,149.60	9	\$10,521.60
May	10	\$15,403.60	3	\$2,710.80	1	\$1,184.40
June	6	\$6,443.60	0	0	2	\$3,032.40
July	5	\$7,116.40	6	\$7,615.60	4	\$3,320.80
August	4	\$6,964.80	3	\$3,622.40	7	\$9,212.65
September	3	\$2,664.40	4	\$4,856.40	9	\$11,744.62
October	39	\$15,964.18	4	\$6,720.00	1	\$1,735.60
November	6	\$7,956.00	2	\$1,852.40		
December	10	\$11,431.20	4	\$4,551.90		
TOTALS	98	\$94,761.78	35	\$45,533.50	45	\$57,980.27

**CITY OF MAUMELLE
SINGLE FAMILY TOTAL VALUES
October 2016**

Estimated Values

DATE	BUILDER	LOT/SUB	ADDRESS	LOT	BUILDING	TOTAL
10/6/2016	Hines Homes	L47 B6 MVE	209 Lake Valley Drive	\$71,000	\$344,000	\$415,000

**BUILDING PERMITS
MAUMELLE, ARKANSAS
October 2016**

SINGLE FAMILY NEW CONSTRUCTION

Date	Lot & Subdivision	Address	Builder	Sq.Feet Heated/Cooled	Estimated Value
10/6/16	B6 L47 MVE	209 Lake Valley Drive	Hines Homes	4339	\$415,000

CITY OF MAUMELLE
DEPARTMENT OF CODE ENFORCEMENT / PERMITS
THREE YEAR DEPOSIT COMPARISONS
2014-2015-2016
As of October 2016

	<u>2014</u>	<u>2015</u>	<u>2016</u>
<u>JANUARY</u>	<u>\$ \$6,309.64</u>	<u>\$36,466.32</u>	<u>\$9,694.17</u>
<u>FEBRUARY</u>	<u>\$11,821.91</u>	<u>\$4,944.83</u>	<u>\$11,809.21</u>
<u>MARCH</u>	<u>\$11,342.92</u>	<u>\$15,289.41</u>	<u>\$7,978.82</u>
<u>APRIL</u>	<u>\$6,872.69</u>	<u>\$10,927.37</u>	<u>\$20,055.74</u>
<u>MAY</u>	<u>\$9,420.13</u>	<u>\$17,397.25</u>	<u>\$7908.18</u>
<u>JUNE</u>	<u>\$7,409.11</u>	<u>\$20,583.10</u>	<u>\$18,582.01</u>
<u>JULY</u>	<u>\$17,930.77</u>	<u>\$6,812.44</u>	<u>\$22,788.04</u>
<u>AUGUST</u>	<u>\$9,288.73</u>	<u>\$15,955.97</u>	<u>\$11,655.88</u>
<u>SEPTEMBER</u>	<u>\$9,964.26</u>	<u>\$24,665.94</u>	<u>\$10,408.64</u>
<u>OCTOBER</u>	<u>\$36,796.33</u>	<u>\$15,030.56</u>	<u>\$24,017.10</u>
<u>NOVEMBER</u>	<u>\$18,336.67</u>	<u>\$6,190.52</u>	
<u>DECEMBER</u>	<u>\$11,603.06</u>	<u>\$5,515.82</u>	
<u>TOTALS</u>	<u>\$157,096.22</u>	<u>\$179,779.53</u>	<u>\$144,897.79</u>

**CITY OF MAUMELLE
COMMERCIAL BUILDING PERMITS
2016**

<u>DATE</u>	<u>BUILDER</u>	<u>OWNER</u>	<u>ADDRESS</u>	<u>SQUARE FOOTAGE</u>	<u>TOTAL VALUE</u>
*NO COMMERCIAL TO REPORT AS OF 1/31/2016					
2/26/16	Ross Sparks Builders	Maumelle Senior Center	2 Club Manor Cove	16,060	\$3,904,257
3/14/16	Tri-South Contractors	Child Care Development	104 Country Club	9017	\$1,245,000
6/13/16	DL Rogers Corp.	SONIC	111 Commons Drive	1,800	\$1,350,000
6/22/16	Nabholz Construction	The Maumelle Foundation	900 Edgewood Drive	86,000	\$15,000,000