

September 26, 2016
Six o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

Mayor Smith advised the audio in the council chambers was not working. He asked those attending the meeting who were speaking to speak up and those who were not to be as quiet as possible.

The regular meeting of the North Little Rock City Council scheduled for Monday, September 26, 2016, was called to order at 6:05 p.m. by the Honorable Mayor Joe A. Smith.

The roll having been called and the following Aldermen answered to their names: DEBI ROSS, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT, and MURRY WITCHER (8/0). City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

The prayer and pledge of allegiance were led by Alderwoman Ross.

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the minutes from the North Little Rock City Council meeting on Monday, September 12, 2016, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, communications #3, 4 and 5 were accepted and filed (8/0).

3. Glinda Craigmyle, Mayor's Office memorandum re: *application for Retail Beer off Premises – NEW for Zone Mart, 8701 Maumelle Boulevard, by Mohammad H. Honarmand.*
4. Glinda Craigmyle, Mayor's Office memorandum re: *application for Retail Beer of Premises & Small Farm Wine – Retail – Change of Manager from Elvis Small for Wal-Mart Supercenter #1105, 4450 E. McCain Boulevard, by Ian K. Bardo.*
5. Glinda Craigmyle, Mayor's Office memorandum re: *application for Restaurant Beer & Wine (Combo) – Change of Manager from Gary Dillon for North Little Rock Athletic Club, 3804 McCain Park Drive, by Frank Lawrence.*

On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, communication #1 was read, accepted and filed (8/0).

1. Kelly Rodgers, Superintendent – North Little Rock School District letter to Mayor Smith and City Council re: Requesting assistance from city re: Park Hill Elementary property.

On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, communication #2 was read by title only, accepted and filed (8/0).

2. Mary Beth Bowman, Director of Commerce letter to Mayor Smith and City Council re: GovDeals (online auctions).

On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, communication #6 was read, accepted and filed (8/0).

6. Ken Sullivan, Executive Director Lakewood Recreational Improvement District #IV letter to Mayor Smith and City Council re: Dam (#2) repairs and request for \$200,000.00.

Mayor Smith said staff will meet with LRID Board members and put together a proposal for the city council. A Special Call meeting may be necessary.

Mayor Smith announced a Special Call meeting.

September 22, 2016

Special Meeting of the North Little Rock City Council

Honorable Members of the North Little Rock City Council:

The purpose of this e-mail is to advise you that Mayor Smith has called a special meeting of the North Little Rock City Council at 6:00 p.m. on Monday, September 26, 2016, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

O-16-66 – AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ELECTRIC SYSTEM REFUNDING REVENUE BOND, SERIES 2016; AUTHORIZING A TRUST INDENTURE SECURING THE BOND; AUTHORIZING THE SALE OF THE BOND; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY. Sponsor: Mayor Joe A. Smith

Copies of the Indenture, Reserve Agreement and Placement Agent Agreement are not available at this time. They will be made available prior to commencement of the special call meeting.

Pursuant to Sec. 2-48(2) of the North Little Rock Municipal Code, you are entitled to 72 hours' *electronic* notice of this meeting. Please acknowledge receipt of this e-mail as soon as possible by replying to the same. A copy of your reply will automatically be sent to City Clerk Diane Whitbey.

Respectfully,
Marie-Bernarde Miller for C. Jason Carter
City Attorney

O-16-66 (ORDINANCE NO. 8840 – MAYOR SMITH)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ELECTRIC SYSTEM REFUNDING REVENUE BOND, SERIES 2016; AUTHORIZING A TRUST INDENTURE SECURING THE BOND; AUTHORIZING THE SALE OF THE BOND; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY, was read. On the motion of

Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Taylor and seconded by Alderman Hight, and by consent of all members present, the rules were again suspended and the ordinance placed on its third and final reading (8/0). A motion to adopt was made by Alderman Taylor and seconded by Alderman Hight. Finance Director Karen Scott advised Stephen's was the Underwriter. The amount (of the bond) is \$13.85 million. The interest rate for the first 96 months will be 2.47%. The rate for the last 78 months will be 2.57%. This is a savings of \$3.19 million. Friday, Eldridge and Clark are the Legal Counsel. On the previous motion, and the roll having been called, and all members present, having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). Mr. Carter asked that the Trust Indenture and Placement Agreement (and related documents) be filed with the ordinance (in the City Clerk's Office).

No one signed in to speak on legislation.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

On the motion of Alderman Taylor and seconded by Alderman Witcher, and by voice vote, and all members present having voted "aye", consent items R-16-150, R-16-151, and R-16-152 were unanimously adopted (8/0).

R-16-150 (RESOLUTION NO. 9063 – MAYOR SMITH)

A RESOLUTION REAPPOINTING NORMAN CLIFTON TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-16-151 (RESOLUTION NO. 9064 – MAYOR SMITH)

A RESOLUTION REAPPOINTING CHARLES FOSTER TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-16-152 (RESOLUTION NO. 9065 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (8/0).

Mayor Smith thanked Norman Clifton and Charley Foster for their continued service on the Planning Commission. He also commented that GovDeals has been a great partnership for the city and thanked Alderwoman Ross for pursuing it.

NEW BUSINESS

R-16-153 (RESOLUTION NO. 9066 – MAYOR SMITH)

A RESOLUTION APPROPRIATING FUNDS TO REDEEM THE PROMISSORY NOTE ISSUED FOR THE LOWER BARING CROSS REDEVELOPMENT TIF DISTRICT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Robinson and seconded by Alderman Witcher. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0). (*\$1,327,245.00 – to the General Fund from Carryover Funds*)

R-16-154 (RESOLUTION NO. 9067 – MAYOR SMITH AND ALDERMAN WITCHER)

A RESOLUTION AUTHORIZING ADVANCE PAYMENT TO THE DOWNTOWN DEVELOPMENT BOARD FOR THE USE OF PROPERTY PREVIOUSLY USED FOR RAIL PURPOSES; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-16-155 (RESOLUTION NO. 9068 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A DECLARATION OF RESTRICTIVE COVENANTS ON CERTAIN PROPERTIES OWNED BY THE CITY OF NORTH LITTLE ROCK LOCATED SOUTH AND EAST OF THE PIKE AVENUE ROUNDABOUT; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-16-156 (RESOLUTION NO. 9069 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4821 ALPHA STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderman Foutch. Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owners: Larry Thomas Morehead and Brittany Nicole Taylor*)

R-16-157 (RESOLUTION NO. 9070 – MAYOR SMITH)

A RESOLUTION APPROVING AND CERTIFYING AMOUNTS OF LIENS TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTIES IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS AS A RESULT OF GRASS CUTTING EXPENSES AND ABATEMENT OF OTHER NUISANCES; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderman Foutch. Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

O-16-60 (ORDINANCE NO. 8841 – MAYOR SMITH)

AN ORDINANCE AMENDING ORDINANCE NO. 8823 WHICH ESTABLISHED JOB CLASSIFICATIONS AND NUMBERS OF EMPLOYEES FOR EACH DEPARTMENT OF THE CITY GOVERNMENT OF NORTH LITTLE ROCK FOR MID-YEAR 2016; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, the readings were suspended. On the motion of Alderman Taylor and seconded by Alderman Witcher, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-16-61 (ORDINANCE NO. 8842 – MAYOR SMITH)

AN ORDINANCE AMENDING SECTION 4.1.5(C) NORTH LITTLE ROCK MUNICIPAL CODE CHAPTER 10 (PARKS AND RECREATION) REGARDING WEAPONS IN CITY PARKS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Mr. Carter said the purpose of this ordinance is to ensure that city legislation matches state law and is clear and understandable. The rule is that a person cannot bring a gun into a state park. A person with a concealed weapons permit can bring a gun into a park if it remains locked in their vehicle. Alderman Foutch said the people who violate the rules in “gun-free” zones are the criminals who show up with guns, knives, etc. Alderwoman Ross asked about bows and arrows. Mr. Carter said if a (sponsored or allowed) event demonstrating the use of bows and arrows is held in the park then bows and arrows would be allowed (for participation in the event). On the previous motion, and the roll having been called, and all members present having voted in the affirmative, with the exception of Alderman Foutch, who voted no, the ordinance was adopted (7/1). On the emergency clause, all members present voted the affirmative, with the exception of Alderman Foutch, who voted no, the emergency clause was adopted (7/1).

O-16-62 (ORDINANCE NO. 8843 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS; RATIFYING THE PURCHASE OF AND PAYMENT FOR REMODELING WORK AT THE WILLOW STREET NORTH LITTLE ROCK COMMUNITY CENTER; APPROPRIATING FUNDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Alderman Taylor and seconded by Alderman Hight. Alderman Witcher asked the status of previously discussed regulations regarding purchases. Mr. Carter said the initial draft is currently being reviewed. Mayor Smith said the intention is to train and retrain staff. Alderwoman White said the parks department has done a great job. She does have concerns regarding this issue. Mayor Smith said new software and a better understanding should prevent this from happening in the future. Alderman Foutch asked if there were written consequences (for employees). Mr. Carter said it will be on a case by case basis. Mayor Smith said his goal is for transparency. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, with the exception of Alderwoman Ross who passed, and Alderwoman White, who voted no, the ordinance was adopted (6/1/1). Emergency clause unanimously adopted (8/0). (\$45,642.04)

O-16-63 (ORDINANCE NO. 8844 – ALDERWOMAN WHITE)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 1301 MAIN STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM O-1 TO C-3 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members present, the readings were suspended (8/0). On the motion of Alderman Taylor, and seconded by Alderwoman Ross, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Terry Burruss*)

O-16-64 (ORDINANCE NO. 8845 – ALDERWOMAN WHITE)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A DAYCARE IN AN R-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1700 NORTH LOCUST STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman White, and seconded by Alderman Foutch, and by consent of all members present, the readings were suspended (8/0). On the motion of Alderman Taylor and seconded by Alderman Baxter, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: LaAngela Medley*)

O-16-65 (ORDINANCE NO. 8846 – ALDERWOMAN ROSS AND WHITE)
AN ORDINANCE AMENDING ORDINANCE NO. 7697 (“THE ZONING ORDINANCE”) TO
UPDATE THE REGULATING PLAN (ATTACHMENT 1) OF APPENDIX A – PARK HILL
DEVELOPMENT OVERLAY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,
was read. On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Ross. Alderwoman Ross said she appreciated the (North Little Rock) School Board and (Superintendent) Mr. (Kelly) Rodgers for working with the city on this. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

PUBLIC COMMENT

Ms. Lisa Qualls lives in Stone Links. She has an issue with an adjacent undeveloped property. The owner is not maintaining the property. She said vegetation is overgrown and on her fence. She cannot maintain or repair her fence because of it. She has contacted Code Enforcement and her Aldermen. Mayor Smith said he will call the property owners. It was his understanding that (the city) cannot make an owner do anything on undeveloped property and referenced a personal experience. Ms. Qualls said it needs to be bush-hogged. The grass is 6 to 7’ tall. Alderwoman White said St. Patrick’s Catholic Church Men’s Club is holding their annual Steak Dinner, October 22, 2016, at 211 West 19th Street. Alderwoman Ross congratulated Alderman Taylor on being elected President of the Arkansas Realtor’s Association. Alderman Witcher advised October 4, 2016, will be National Night Out in the city with events going on around the city from 4:00 p.m. until 9:00 p.m. Ms. Whitbey said Fire Fest, will be held on Tuesday, October 11, 2016, at the Kroger Parking Lot (McCain Boulevard). The Annual Brother Paul Fish and Fowl Dinner will be Friday, October 21, 2016 (at Verizon Arena). Also, North Little Rock Friends of Animals will host a Chili Supper Fund Raiser, October 28, 2016. Hearts & Hooves will hold their annual Hoedown (in the H&H arena), Saturday October 29, 2016.

There being no further business to come before the Council, and on the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the meeting was adjourned at 6:45 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, October 10, 2016, at six o’clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: _____
MAYOR JOE A. SMITH

ATTEST: _____
DIANE WHITBEY, CITY CLERK