

February 8, 2016  
Six o'clock P.M.  
North Little Rock City Hall Council Chambers  
300 Main Street  
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council scheduled for Monday, February 8, 2016, was called to order at 6:00 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, LINDA ROBINSON, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT and MURRY WITCHER (7/0). Alderman MAURICE TAYLOR was not present. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

Alderwoman Robinson led the prayer and pledge of allegiance.

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 held on Monday, January 25, 2016, were approved, accepted and filed as prepared by the City Clerk (7/0).

Alderman Taylor entered the council chambers at 6:02 p.m.

On the motion of Alderwoman Robinson and seconded by Alderwoman Ross, and by consent of all members present, with the exception of Alderman Taylor who passed, communications 1, 2, 3, 4, 5, 6, and 7, were accepted and filed (7/1).

1. Glinda Craigmyle, Mayor's Office memorandum re: Restaurant Mixed Drink – NEW for U S Pizza Company, Inc. 4001 McCain Park Drive, Judy C. Waller-Breece.
2. North Little Rock Woman's Club Annual Performance Report – 2015.
3. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Liquor & Retail Beer off Premises – Replacement from Iskandar Sbait*, for D & H Liquor, 1604 Pike Avenue, by Cherihan I. Sbait.
4. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Liquor & Retail Beer off Premises – Replacement from Douglas McDowall*, for Neighborhood Wine & Spirits, 4526 Camp Robinson Road, by Kulwinder Kaur.
5. Bob W. Rhoads, CPRP, Director Parks and Recreation letter to Mayor Smith re: Retirement effective March 4, 2016.
6. Karen Scott, Chairman Energy Risk Management Committee memorandum to City Clerk Diane Whitbey re: ECR Adjustment Factor, February 2016 (\$.0137) CREDIT.
7. Butch McCrudy, General Manager Chickasaw Personal Communications letter to Rick Ezell and Leonard Montgomery re: RFP-15-3375.

Mayor Smith asked Mr. Kent Walker, Candidate for State Representative to come forward. Mr. Walker is running for House District 38. He is a lifelong resident of the city and a graduate of North Little Rock High School. Mr. Walker has served on various committees in the community including the North Little Rock Chamber of Commerce Board of Directors and is cofounder of the Park Hill Merchants Association. He wants our city to be a better city and one that people want to live in.

Mayor Smith asked Mr. Jon Swanson, Executive Director Metropolitan Emergency Medical System (MEMS) to come forward. MEMS is a public non-profit established in Little Rock 31 years ago and serves several counties in Arkansas. Four paramedic units are maintained in North Little Rock 24-hours a day, seven days a week. Additional units are assigned if needed. Mr. Swanson reviewed number of responses, transports, etc. The average response time was 6 minutes and 40 seconds. The STAR (Special Tactics Advanced Response) Team provides support for SWAT related events. There is a focus on Active Shooter Protocol. Police officers have been trained on how to use tourniquets, bandages, etc. The North Little Rock Police Department was the first in the state to fully qualify all officers in this training. Mr. Swanson discussed partnerships with UAMS and other medical facilities in the community where lives have been saved as a result. MEMS has been a partner with the City of North Little Rock for 30 years. They have not and do not intend to request a subsidy from the city. They are dedicated to providing quality care to their customers when a circumstance arises. Alderman Fouch asked about bullet proof vests for employees. Mr. Swanson said that has been their intent and they are in the process of getting them.

Mayor Smith announced citizens public comment on legislation. Ms. Barbara Armstrong spoke regarding R-16-18. She represents the Argenta Farmers group and requested that the council either reconsider or hold the legislation. There are issues regarding the relocation of the market. They have requested information (from ADC – Argenta Downtown Council) that has not been provided. She said they are concerned that this money will be used to promote the Dogtown Farmers Market. Their market (Argenta Farmers Market) has been here for nine years and the farmers are committed to growing their market. She said they were told they could not participate with certain farmers or residents of the city due to problems with those who were either banned or deemed troublemakers. She said they have requested information regarding funds allocated in 2008 and 2009. Ms. Armstrong said information requested under FOIA has not been provided. She said they have asked for a reconciliation of funds collected at the market for stalls (rental). They believe they (ADC) have (farmers market) funds in excess of \$10,000.00 in a separate account. They have been advised they have zero funds available. The market was originally located at 4<sup>th</sup> and Main.

### **UNFINISHED BUSINESS**

**R-15-164 (RESOLUTION NO. 8930 – MAYOR SMITH)**

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NORTH LITTLE ROCK AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS A.F.L.-C.I.O., LOCAL NO. 35; AND**

FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Foutch. Mr. Carter reviewed changes provided Friday, February 5, 2016 (via email). On the motion of Alderwoman Ross and seconded by Alderman Foutch, and by consent of all members present, the Memorandum of Understanding was amended as follows:: *page 14 Article XXVI Insurance strike through 2015 and insert 2016 (8/0)*. On the motion of Alderwoman Ross and seconded by Alderman Foutch, and by consent of all members present, the resolution was again amended as follows:: *attach Memorandum of Understanding and Attachment "A" provided this date by the City Attorney (8/0)*. A motion to adopt as amended was made by Alderman Witcher and seconded by Alderman Foutch. Mayor Smith said an agreement was made last week that by June of this year, the (Fire) Union Negotiating Committee will present the city with a meeting agenda, deadlines and adjustments. On the previous motion, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

### **CONSENT AGENDA**

On the motion of Alderwoman Robinson and seconded by Alderman Foutch, and by voice vote, and all members present having voted "aye", consent items R-16-17, R-16-19, R-16-22 and R-16-23 were unanimously adopted (8/0). Items R-16-18, R-16-20, and R-16-21 were pulled and moved to new business.

R-16-17 (RESOLUTION NO. 8931 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE NORTH LITTLE ROCK UNITS OF THE BOYS AND GIRLS CLUB OF CENTRAL ARKANSAS; AND FOR OTHER PURPOSES, was adopted (8/0). (\$50,000.00)

R-16-19 (RESOLUTION NO. 8932 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THEA FOUNDATION; AND FOR OTHER PURPOSES, was adopted (8/0). (\$48,000.00)

R-16-22 (RESOLUTION NO. 8933 – 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).

R-16-23 (RESOLUTION NO. 8934 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN ADDENDUM TO LEASE AGREEMENT WITH THE NORTH LITTLE ROCK PUBLIC BUILDING AUTHORITY FOR THE SMARHOUSE WAY PROPERTY; AND FOR OTHER PURPOSES, was adopted (8/0).

**NEW BUSINESS**

R-16-18 (RESOLUTION NO. 8935 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN ENHANCED COMMUNITY SERVICES AGREEMENT WITH ARGENTA DOWNTOWN COUNCIL; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Taylor. Alderwoman Ross asked how much of the money is used for the Farmers Market. Mrs. Donna Hardcastle, Argenta Downtown Council said the council is not associated with the Farmers Market which is in its planning stage and no money has been allocated for the same. On the previous motion, and by consent of all members present, the resolution was

unanimously adopted (8/0). (\$95,000.00)

R-16-20 (RESOLUTION NO. 8936 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE ARKANSAS REGIONAL INNOVATION HUB, INC.; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Alderwoman Ross said \$85,000.00 was supposed to go to the Art Connection and asked if that should be included in the legislation. Mr. Warick Sabin, Executive Director, Arkansas Regional Innovation Hub said Art Connection is now part of the Innovation Hub and the money is allocated to programming. Mayor Smith said kids in the Art Connection are involved. Alderman Taylor said 20 youth worked at the Art Connection last year. Mr. Sabin said the money will go towards youth in the city and will include the information in his report next year. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

(\$150,000.00)

R-16-21 (RESOLUTION NO. 8937 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH ARKANSAS ARTS CENTER; AND FOR OTHER PURPOSES, was read. A

motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. Alderwoman Ross referenced Background Information provided this date and asked that the legislation be amended to attach the same. Ms. Whitbey asked if the Reporting Guidelines were to be attached, too. On the motion of Alderwoman Ross and seconded by Alderman Foutch, and by consent of all members present, the resolution was amended as follows: *attach the Application (Background Information) and Reporting Guidelines – 2015 Annual Funding Performance Report* (8/0). On the motion of Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, the resolution was unanimously adopted as amended (8/0). (\$40,000.00)

R-16-24 (RESOLUTION NO. 8938 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE PROPOSAL OF AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH SAFETYCOM.INC. FOR THE PURCHASE OF AN OUTDOOR WARNING SIREN SYSTEM; AND FOR OTHER PURPOSES,

was read. On the motion of Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted (8/0).

O-16-07 (ORDINANCE NO. 8789 – MAYOR SMITH)

AN ORDINANCE AMENDING THE NON-UNIFORMED EMPLOYEES’ POLICY AND PROCEDURE MANUAL; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, all readings were suspended (8/0). On the motion of Alderman Baxter and seconded by Alderman Taylor, 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-16-08

AN ORDINANCE WAIVING A REQUIREMENT FOR WOOD PRIVACY FENCES ON PROPERTY LOCATED AT 1901 CRESTWOOD DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith. (*requested by: Crestwood Elementary School*)

O-16-09 (ORDINANCE NO. 8790 – MAYOR SMITH)

AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS AND NUMBERS OF EMPLOYEES FOR EACH DEPARTMENT OF THE CITY GOVERNMENT OF NORTH LITTLE ROCK FOR 2016; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Foutch and seconded by Alderman Taylor, and by consent of all members present, all readings were suspended (8/0). Mayor Smith said promotions in the Fire Department will take place as a result of grant funding. The “X” designates whether the position was grant funded. Employees in the Fire Department are aware that some who are promoted now (to Captain), may be returned to previous positions (Lieutenant) if the funding is no longer available. On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the ordinance was amended as follows: *page 6, strike through Captain, Y03X—3 (grant funded positions\*), (9 deleted by promotion), and Lieutenant, Y02X—3 (grant funded positions\*)* (8/0). On the motion of Alderman Witcher 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 as amended (8/0). Emergency clause unanimously adopted (8/0).

O-16-10 (ORDINANCE NO. 8791 – ALDERMAN TAYLOR)

AN ORDINANCE GRANTING A WAIVER TO ALLOW VARIANCES FOR A FREESTANDING POLE SIGN ON CERTAIN REAL PROPERTY LOCATED AT 11200 HWY 165 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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, with the exception of Alderman Witcher, who voted no, the rules were

suspended and the ordinance was placed on its second reading (7/1). On the motion of Alderman Taylor and seconded by Alderman Baxter, and by consent of all members present, with the exception of Alderman Witcher, who voted no, the rules were again suspended and the ordinance was placed on its third and final reading (7/1). A motion to adopt was made by Alderman Taylor and seconded by Alderman Foutch. Alderman Witcher said a monument sign was approved with a reader. Alderman Taylor said an Overlay District was approved. Alderman Witcher asked if there would be a reader sign on a pole. On the previous motion, and the roll having been called and all members present having voted in the affirmative, with the exception of Aldermen Hight and Witcher, the ordinance was adopted (6/2). On the Emergency Clause, all members present voted yes, with the exception of Aldermen Hight and Witcher, who voted no (6/2). *(requested by John Santoro, Representative for Church at Willow Beach)*

### **PUBLIC COMMENT**

Mr. John Richards VI said he is trying to get his road going to his family cemetery put back the way it was. Jason Peterson came out in October 2014. A layer of sod has caused a problem. He doesn't know what to do other than come to every (council) meeting. Some of his family members are too old to drive at night. This year will be Jubilee Year. Alderman Hight thanked whoever was responsible for cleaning up the bike trails. Mayor Smith said it was a joint effort which included the Street Department and Parks and Recreation Departments. Cleanup began January 6, 2016, and ended February 2, 2016. During that time there were 791 man hours, 787 equipment hours, 174 dump truck loads of sand (3,132 cubic yards), and 140 loads of wood and other debris (2,200 cubic yards). City departments did a magnificent job getting the trails open in three (3) weeks. Alderwoman White asked for an update regarding Dickie Stephens Park. Mr. Chris Wilbourn, City Engineer said construction has been underway for 2-3 weeks and progress is good. Seventy-percent of the main pipes have been replaced. The first (ball) game is March 29, 2016. The target deadline date is March 15, 2016. Alderman Foutch thanked Mayor Smith for attending the Neighborhood United for Levy meeting. Residents appreciated the information provided, including the Broadway Bridge update. Mayor Smith reminded everyone there will be traffic congestion during construction. Alderwoman Robinson thanked Neighborhood Services for recent information they provided to Ward 2 residents. Alderman Hight said Bob Rhoads, Parks and Recreation Director will be retiring after 17 years with the city and he has done an outstanding job. Mayor Smith referenced material he shared regarding the Mayor's Institute on City Design South Regional Session which was held October 21 – 23, 2015. He and eight (8) other Mayors discussed issues which were summarized. Mayor Smith also referenced Street, Ward and Drainage Project Purchase Orders that were closed at the end of 2015. As a result the fund balance will increase by a total of \$604,201.80. Some of the money will go back into the Street Department Fund. Some will go back into Special Projects.

There being no further business to come before the Council, and on the motion of Alderman Hight and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 6:53 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, February

22, 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