February 22, 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 22, 2016, was called to order at 6:01 p.m. by the Honorable Mayor Joe A. Smith.

The roll having been called and the following Aldermen answered to their names: BETH WHITE, LINDA ROBINSON, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT and MURRY WITCHER (6/0). Aldermen DEBI ROSS and MAURICE TAYLOR were not present. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

Mayor Smith extended condolences to Alderwoman Ross whose mother passed away Sunday, February 21, 2016.

Alderman Baxter 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, February 8, 2016, were approved, accepted and filed as prepared by the City Clerk (6/0).

Mayor introduced Mr. John Owens, newly elected President and CEO of the North Little Rock Chamber of Commerce.

Mayor Smith asked Mr. Jarrod Varner, Rock Region METRO to come forward. Mr. Varner introduced Board member Mr. Bentley Wallace. Mr. Wallace said they were present to review the future of transit and *Move Central Arkansas: A New Public Transit Service Plan.* Community involvement was guided by a professional firm that has completed transportation projects throughout the world and included members of a commission and coordinating committee. The task was a thorough review of the bus system, improvements, funding, etc. On March 1, 2016, the community has an opportunity to support the proposed plan by voting for a ¼ cent sales tax. The proposed system will appeal to workers of tomorrow. Highly skilled workers are being educated at Pulaski Technical College. This would also allow seniors who are aging in place continued access to health care and daily activities. Current workers will also benefit. The public would benefit by fewer vehicles being on the road, which would also reduce green-house gases. Investing in transit will help the economy grow. Recent projects have included a new Compressed Natural Gas (CNG) Station, 15 new CNG buses, free Wi-fi on all buses, a bus-stop texting system with real time arrival information, a new website and a mobile application. New shelters are also being ordered and installed. Mr. Wallace

encouraged everyone to vote for the tax. Mr. Varner said review of the plan started 18 months ago, and included members of all central Arkansas communities. The (current transit) system carries over 3 million passengers a year which averages to approximately 10,000 people per day. The MOVE Central Arkansas project is a comprehensive planning effort involving a variety of stakeholders in public transit. The project goal was to develop a vision for Rock Region METRO that addresses service improvement and support central Arkansas' economic development and efforts to provide a dynamic, desirable place to live, work and play. Move Central Arkansas focuses on three key areas; service expansion and improvements, comprehensive and consistent branding and exploring funding opportunities to support the former. Mr. Varner then reviewed details of the plan. Alderman Witcher asked about new shelters. Mr. Varner said they are adding 55 (total). Twenty-five are replacements. Alderman Hight asked if changes to the system (locally) are similar to those in other areas around the nation.

On the motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, communication #1 was accepted and filed (6/0).
1. Petition to Rename Street – Van Ashe Lane to Ben E. Keith Way – filed by Todd Larson, and responses from Community Planning, NLRPD, NLR911, NLR History Commission and NLRFD.

No one spoke during citizens' public comment on legislation.

Without objection, O-16-15 was called.

O-16-15 (ORDINANCE NO. 8792 – ALDERMEN TAYLOR AND ROBINSON)
AN ORDINANCE APPROVING A REQUEST TO WAIVE CERTAIN REQUIREMENTS OF THE MASTER STREET PLAN FOR STREET IMPROVEMENTS, AND SCREENING AND LANDSCAPING REQUIREMENTS OF THE ZONING ORDINANCE, FOR PROPERTY LOCATED ON RAINS DRIVE AND CENTRAL AIRPORT ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson 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 Robinson and seconded by Alderman Baxter, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (6/0). On the motion of Alderwoman Robinson and seconded by Alderman Hight, and the roll having been called, and all members present, having voted in the affirmative, the ordinance was adopted (6/0). Emergency clause adopted (6/0). (*applicant: Diamond State Oil, LLC*)

**UNFINISHED BUSINESS**

O-16-08 (ORDINANCE NO. 8793 – MAYOR SMITH)
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 read. On the motion of Alderman Hight and seconded by Alderman Foutch, and by consent of all members present, the readings were suspended (6/0). A motion to adopt was made by Alderman Witcher and seconded by Alderman Foutch. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the ordinance was amended as follows:: *attach letter provided this date from Debbie Barker, Overbrook Managing Agent and approved by Darren Brown, President Overbrook Property Owners Association as* EXHIBIT "C" (6/0). On the motion of Alderman Witcher and seconded by Alderman Foutch, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted as amended (6/0). Emergency clause adopted (6/0). (*requested by North Little Rock School District*)

**CONSENT AGENDA**

On the motion of Alderman Hight and seconded by Alderman Witcher, and by voice vote, and all members present having voted "aye", consent items R-16-26, R-16-27, R-16-28, and R-16-29 were unanimously adopted (6/0). Item R-16-25 was pulled.

R-16-26 (RESOLUTION NO. 8939 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PROGRAM AGREEMENT WITH THE NORTH LITTLE ROCK POLICE ATHLETIC LEAGUE (PAL); AND FOR OTHER PURPOSES, was adopted (6/0). (*$50,000.00 – 2016 Budget*)

R-16-27 (RESOLUTION NO. 8940 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ADDENDUM TO TASK ORDER 1 OF THE RESOURCE MANAGEMENT AGREEMENT WITH THE ENERGY AUTHORITY, INC.; AND FOR OTHER PURPOSES, was adopted (6/0).

R-16-28 (RESOLUTION NO. 8941 – MAYOR SMITH
A RESOLUTION DECLARING INTENT REGARDING THE NORTH LITTLE ROCK, ARKANSAS SEWER SYSTEM IMPROVEMENTS PROJECT; AND FOR OTHER PURPOSES, was adopted (6/0).

R-16-29 (RESOLUTION NO. 8942 – MAYOR SMITH)
A RESOLUTION DESIGNATING AND AUTHORIZING THE DIRECTOR OF THE NORTH LITTLE ROCK WASTEWATER TO EXECUTE CERTAIN DOCUMENTS IN CONNECTION WITH THE ARKANSAS CLEAN WATER REVOLVING LOAN PROGRAM ADMINISTERED BY THE ARKANSAS NATURAL RESOURCES COMMISSION; AND FOR OTHER PURPOSES, was adopted (6/0).

**NEW BUSINESS**

R-16-25 (RESOLUTION NO. 8943 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PREPURCHASED FOOD AGREEMENT WITH ARKANSAS FOODBANK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Foutch (6/0). A motion to adopt was made by Alderwoman White and seconded by Alderwoman Robinson. Alderman Hight asked if others (foodbanks) can be added in 2016. Mr. Carter said the amount allocated is what is set. Alderman Hight said he volunteers at a foodbank and they verify residency. On the previous motion, and by consent of all members present, the resolution was amended as follows:: *Exhibit "A" 2. Strike through ~~$1,000.00~~ and insert* $1,111.00 *and strike through ~~twenty (20)~~ and insert* EIGHTEEN (18), *and Spreadsheet, strike through ~~We Care Adult Day Care, Inc., 603 Cotton~~, and ~~Oak Hill Family Worship Center, 7226 Wheat Road~~* (6/0). On motion of Alderman Hight and seconded by Alderman Baxter, and by consent of all members present, the resolution was adopted as amended (6/0). (*$20,000.00 – Special Appropriations*). Alderwoman White said Mrs. Delois Sykes recently received the Full of Life Award from Channel 7 News for her efforts in the community. She (Mrs. Sykes) often uses her own money to purchase food for local families.

Mayor Smith announced March 28, 2016, at 5:00 p.m. council members and media were invited to the North Little Rock Emergency Operation Center (EOC) at 8th and Main for a tour of the facility.

R-16-30

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY LOCATED AT 601 55TH TERRACE DRIVE IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, the resolution was amended as follows:: *Paragraph 4, Subparagraph d. Certificate of Occupancy, insert following ...City shall return any and all* ESCROW FUNDS IN ACCEPTANCE WITH SECTION 2 AND, IF NECESSARY, CITY *Council shall pass...*(6/0). The resolution was then held by the sponsor, Alderman Baxter.

R-16-31 (RESOLUTION NO. 8944 – MAYOR SMITH)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 4000 ROGERS STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Baxter. Mayor Smith convened a public hearing. Mr. Douglass Prescott said he owned the property. It was given to him over a year ago. He did what he could to clean it up and make it livable. Mr. Carter said the lien is to cover the cost of demolition. There being no one else wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (6/0). (*amount - $4,938.50*)

R-16-32 (RESOLUTION NO. 8945 – MAYOR SMITH)
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 709 WEST 37TH 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 Foutch and seconded by Alderman Baxter. Mayor Smith convened a public hearing. Alderwoman Robinson asked where the owner was located. Mr. Tom Wadley, Director of Code Enforcement advised Tampa, Florida. 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 adopted (6/0). (*owner: Providence Assets LLC*)

R-16-33 (RESOLUTION NO. 8946 – MAYOR SMITH)
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4904 SCHOOL 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 Baxter and seconded by Alderman Foutch. Ms. Stephani VanHooks said she recently purchase the property not knowing the condition. She has had complications with pregnancy and been unable to work on it. She didn't know what to do. Alderman Hight asked if Ms. VanHooks bought the property without looking at it. She said it went through the "Commission" and she purchased it based on the outside appearance. She is trying to provide a home for her child. Mayor Smith recommended she contact the legal department. On the previous motion, and by consent of all members present, the resolution was adopted (6/0). (*owner: Stephani VanHooks*)

R-16-34 (RESOLUTION NO. 8947 – MAYOR SMITH)
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1711 ALLEN 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 Baxter 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. Alderman Hight asked if the condemnation was on the garage only. It was. On the previous motion, and by consent of all members present, the resolution was adopted (6/0). (*owner: Michael Williams*)

R-16-35 (RESOLUTION NO. 8948 – 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 Alderwoman Robinson 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 adopted (6/0).

O-16-11 (ORDINANCE NO. 8794 – MAYOR SMITH)
AN ORDINANCE AMENDING ORDINANCE NO. 7697 ("THE ZONING ORDINANCE") TO MOVE THE SECTIONS ON TRADITIONAL NEIGHBORHOOD DEVELOPMENT, SMART CODE ZONING DISTRICT AND RIVER ROAD OVERLAY DISTRICT TO THE APPENDICES PORTION OF THE ZONING ORDINANCE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Foutch, and seconded by Alderwoman Robinson, and by consent of all members present, the readings were suspended (6/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (6/0). Emergency clause adopted (6/0).

O-16-12 (ORDINANCE NO. 8795 – MAYOR SMITH)
AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR COMPREHENSIVE LOSS AND BUSINESS INTERRUPTION INSURANCE FOR THE MURRAY HYDROELECTRIC PLANT; AUTHORIZING THE MAYOR TO EXECUTE AN INSURANCE AGREEMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the readings were suspended (6/0). 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 adopted (6/0). Emergency clause adopted (6/0). (*$213,560.00*) Mayor Smith thanked Mr. Eric Herget, Insurance Consultant for his efforts. Mr. Herget said the city has done a lot of work at the Hydro Plant that has paid off with a reduction in rates.

O-16-13 (ORDINANCE NO. 8796 – MAYOR SMITH)
AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR REPLACEMENT OF AUTOMATIC SELF-CLEANING STRAINERS AT THE MURRAY HYDROELECTRIC PLANT; APPROPRIATING FUNDS (*$65,000.00*); DECLARING AN EMERGENCY; 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 readings were suspended (6/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and the roll having been called, and all members present, having voted in the affirmative, the ordinance was adopted (6/0). Emergency clause adopted (6/0).

O-16-14 (ORDINANCE NO. 8797 – ALDERMEN HIGHT AND WITCHER)
AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT THE NORTHWEST CORNER OF GAGE DRIVE AND EAST 43RD STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM I-2 TO C-2 CLASSIFICATION BY AMENDING ORDINANCE NO. 7967 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. Without objection, Alderman Witcher was added as a co-sponsor. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all member present, the readings were suspended (6/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and the roll having been called, and all members present, having voted in the affirmative, the ordinance was adopted (6/0). Emergency clause adopted (6/0). (*applicant: Cromwell Architects Engineers*)

O-16-15 *was called earlier in meeting – see above.*

**PUBLIC COMMENT**

Mr. Robert Rutledge extended his condolences to Alderwoman Ross. In 2006, Alderwoman Ross helped him with a storm sewer issue. He returned from Missouri last year. In April, August and earlier this year, heavy rain caused flooding in the area and the street to be closed. A French drain on his property extending to 15th Street has been blocked. Water pools in his back yard and washes over a wall. Mayor Smith asked Mr. Rutledge to visit with City Engineer Chris Wilbourn. Mr. James Ard said Mr. Carter took care of a sign issue he had. Mr. Ard said he was arrested in the 1970's for having a police scanner in his car and fined. The case was appealed. When his father went to get his money back, there was no record. Mr. Ard said he had a receipt and got a refund. Mr. John Richards extended his condolences to Alderwoman Ross. He continued to ask for a road on East 46th Street off of Smokey Lane. Mr. Richards said he and Alderman Hight worked together at Weingarten's. He then shared some of his life experiences, He said Smokey Lane was named because his grandfather was a bootlegger. The (Richards) cemetery dates back to the 1800's. The city has extra funds in an account that could be used to fix the road. Alderman Baxter referenced condemned properties and the process to rehabilitate the same. The process may need to be reviewed and improved to become more streamlined and user friendly.

There being no further business to come before the Council, and on the motion of Alderman Hight and seconded by Alderman Baxter, and by consent of all members present, the meeting was adjourned at 6:58 p.m. (6/0), until the next regularly scheduled meeting which will be held on Monday, March 14, 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