

June 26, 2017
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, June 26, 2017, was called to order at 6:00 p.m. by the Honorable acting Mayor Charlie Hight.

The roll having been called and the following Aldermen answered to their names: DEBI ROSS, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, and CHARLIE HIGHT (5/0). Aldermen BETH WHITE, MAURICE TAYLOR and MURRY WITCHER were absent. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

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

On the motion of Alderman Baxter and seconded by Alderman Hight and by consent of all members present, the minutes from the North Little Rock City Council meeting Monday, June 12 2017, were approved, accepted and filed as prepared by the City Clerk (5/0).

On the motion of Alderman Baxter and seconded by Alderwoman Robinson, and by consent of all members present, communications 1, 2, and 4 were accepted and filed (5/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink – NEW for Gigi's Soul Café & Lounge*, 10840 Maumelle Boulevard, by Helen Wyrick. (*Former location of Nashville Rockin' Grill*).
2. Danny Bradley, Chief of Staff letter to Mayor Smith and City Council re: Glenmere Road Drainage Project; Ord 8919 and pending legislation O-17-54.
4. Melissa Ervin, Community Development Director - Notice of Public Hearing re: Proposed 2017 Annual Action Plan for Housing and Community Development needs, Monday, July 10, 2017, at 6:00 p.m.

On the motion of Alderman Baxter and seconded by Alderwoman Robinson, and by consent of all members present, communication #3 was read, accepted and filed (5/0).

3. Mayor Joe A. Smith letter to City Clerk Diane Whitbey and City Council members re: attending U. S. Conference of Mayor's Conference June 23 – 26, 2017. Alderman Charlie Hight will preside over City Council meeting (June 26, 2017).

Acting Mayor Hight announced a Special Call meeting.

June 23, 2017

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 6:05 p.m. on Monday, June 26, 2017, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

O-17-54 – WAIVING FORMAL BIDDING REQUIREMENTS FOR ADDITIONAL WORK NEEDED ON THE STORM DRAIN REPLACEMENT PROJECT ON GLENMERE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; APPROPRIATING FUNDS. Sponsors: Mayor Joe A. Smith and Alderman Debi Ross

I have also included copies of two (2) Exhibit “A” documents for attachment to Resolutions R-17-104 and R-17-105.

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,
C. Jason Carter
City Attorney

O-17-54

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR ADDITIONAL WORK NEEDED ON THE STORM DRAIN REPLACEMENT PROJECT ON GLENMERE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; APPROPRIATING FUNDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held. Mr. Carter advised the council can express its intent to appropriate these funds by discussion. A voice vote can be taken if desired. Alderwoman Ross asked City Engineer Chris Wilborn to discuss the urgency regarding this matter. Mr. Wilbourn said a drainage project is underway on Glenmere. The initial project involved replacing a pipe that extended over three (3) properties. This was previously approved by the City Council. An additional, larger pipe has been uncovered that runs parallel to the previous mentioned pipe. The additional pipe is in worse shape and a portion has collapsed. Numerous sink holes have been located along the line. Acting Mayor Hight asked if this would require going under Fairway. Mr. Wilbourn wasn’t able to say at this time. A contractor is already working on the previous issue. Alderwoman Ross said the back yards are already dug up. Alderwoman Ross made a motion to

support moving forward with the repairs referenced in O-17-54, which was seconded by Alderman Harris. All members present agreed by voting “aye” (5/0).

Acting Mayor Hight announced a scheduled public hearing re: O-17-47 – adopting General Service Rules & Regulations for the North Little Rock Electric Department. Mr. James Ard said it costs less to turn electricity (on and off) remotely. He asked that the cost be reduced for residents. Older residents have their electricity turned off every month. Acting Mayor Hight asked Mr. James Bray, North Little Rock Electric Department General Manager and Ms. Jill Ponder, Energy Services and Communications Manager to come forward and provide a Powerpoint presentation. Mr. Bray said multiple employees were involved in research and development. Current rules are a mixture of internal policies, Ordinance 6829 and Resolutions 2522 and 2265. Through strategic planning the department developed a proposal that will unify, describe and publish the rules governing the department operations, ensuring rules reflect modern utility operations, improve customer experience and better protect the utility against risk of loss. A variety of current procedures were reviewed, along with a proposal and the reason. This included initial deposits, disconnection increases, deposit refunds, and promissory notes. Additionally, routine extensions, medical extensions, suspended service (requested by customer) and disconnect were also discussed. Mr. Bray said the department would no longer mail customer shut-off notices. Notice will be provided by email or text. Other policies included meter change, customer rate, weather related policy and claims processing. Alderwoman Robinson asked how customers will be notified regarding these policy changes. Ms. Ponder said the customer would receive a shutoff notice with a notification of changes. Alderwoman Robinson said a lot of elderly customers may not have internet access. Ms. Ponder said customers can also opt for a “robo-call.” Alderwoman Ross had concerns regarding previous telephone scams. Mr. Bray said commercial account rates will be determined based on account history or load sheets and type of equipment required to provide service. A two part implementation timeline was reviewed. There being no other comments and no one else wishing to be heard, the public hearing was recessed. Acting Mayor Hight then held the legislation.

Acting Mayor Hight announced citizen comment on agenda items. Mr. James Ard spoke regarding O-17-49. The area is residential. A couple of people in the area do not want a car dealership or lot in the area. Mr. Ard said he does not live in the area. Mr. Ard also spoke regarding O-17-50. He is not opposed to the Ice Machine, however, it could be relocated to a different location on the property to allow room for future expansion or another business. Mr. Ard also commented regarding O-17-47. The ability to receive robo-calls from customers would benefit many (electric) customers.

UNFINISHED BUSINESS

O-17-42

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 6801 HIGHWAY 70 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM C-3 TO I-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 a second time, June 12, 2017, was called. Alderwoman Robinson advised Mayor Smith met with residents at the Meadowpark Neighborhood Association meeting regarding their concerns pertaining to this request. He said if neighbors heard operations for extended hours, residents are to call 911 at which time a (police) officer will be dispatched to confirm they are working. Mayor Smith will then contact the CEO or plant manager of Metro Scrap Metal to discuss any issues. The ordinance was read a third and final time. On the motion of Alderman Hight and seconded by Alderwoman Ross, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (5/0). The emergency clause will be called at the next meeting. The ordinance was then held by Acting Mayor Hight. (*applicant: Thomas Engineering for Metro Scrap Metal*)

O-17-47

AN ORDINANCE ADOPTING GENERAL SERVICE RULES & REGULATIONS FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read three times June 12, 2017. A public hearing was held this date (see above). The legislation was then held at the request of Acting Mayor Hight.

O-17-49

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A CAR SALES LOT IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1201 PARKWAY DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time, June 12, 2017, was read a second time this date. (*Note: the ordinance was read one time June 12, 2017 and the rules were suspended and a vote was taken, however, the ordinance was not read a second time until this date*). The legislation was then held by the sponsor, Alderman Harris. (*applicant: Sanford Frazier and Terrell Sanders*)

O-17-50

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A SELF-SERVE ICE VENDING UNIT IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5500 MACARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Alderman Harris. (*applicant: Randy Wiggins – Big Wig Ice, LLC*)

CONSENT AGENDA

Acting Mayor Hight called for a voice vote to accept consent items, R-17-103 and R-17-106, and all members present voted “aye” (5/0). Items R-17-104 and R-17-105 were pulled.

R-17-103 (RESOLUTION NO. 9226 – MAYOR SMITH)

A RESOLUTION APPOINTING ASSESSORS FOR NORTH CEDAR STREET MUNICIPAL IMPROVEMENT DISTRICT NO. 32 OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was adopted (5/0). (*Beth Gorman, Harry Hamlin, and Cody Lorge*)

R-17-106 (RESOLUTION NO. 9227 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH ONLINE INFORMATION SERVICES, INC. FOR CREDIT SCORING SERVICES; AND FOR OTHER PURPOSES, was adopted (5/0).

NEW BUSINESS

R-17-104 (RESOLUTION NO. 9228 – MAYOR SMITH)

A RESOLUTION TRANSFERRING PROPERTY TO BE USED IN THE DEVELOPMENT OF THE DOWNTOWN PLAZA FROM THE PUBLIC BUILDING AUTHORITY TO THE CITY; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman Robinson. On the motion of Alderman Baxter and seconded by Alderwoman Ross, and by consent of all members present, the legislation was amended as follows:: *attach EXHIBIT “A” provided this date* (5/0). On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the resolution was adopted as amended (5/0). (*500 Block of Main Street*)

R-17-105 (RESOLUTION NO. 9229 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE TRANSFER OF TITLE TO CERTAIN REAL PROPERTY LOCATED IN THE DOWNTOWN AREA OF NORTH LITTLE ROCK FROM THE PUBLIC BUILDING AUTHORITY TO THE DOWNTOWN DEVELOPMENT BOARD; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the legislation was amended as follows:: *attach EXHIBIT “A” provided this date* (5/0). On the motion of Alderman Baxter and seconded by Alderwoman Ross, and by consent of all members present, the resolution was adopted as amended (5/0). (*corner of Main Street and Bishop Lindsey Ave fka 7th Street*)

R-17-107 (RESOLUTION NO. 9230 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4515 ORANGE 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 Alderwoman Ross and seconded by Alderman Baxter. Acting Mayor Hight 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 (5/0). (*owner: Peter W. Mitchell*)

R-17-108 (RESOLUTION NO. 9231 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1506 NORTH VINE 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 Hight. Acting Mayor Hight 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 (5/0). (*owner: Sam Martin c/o Janice Martin*)

R-17-109 (RESOLUTION NO. 9232 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 801 CURTIS SYKES DRIVE (AKA 1506 N. VINE 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 Alderwoman Robinson and seconded by Alderman Baxter. Acting Mayor Hight 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 (5/0). (*owner: Sam Martin c/o Janice Martin*)

R-17-100 (RESOLUTION NO. 9233 – 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 Ross and seconded by Alderman Baxter. Acting Mayor Hight convened a public hearing. Ms. Whitbey advised Mr. Terry Ward had signed in to speak on this item, however, after speaking with Code Enforcement Director Tom Wadley, it was determined that the fee was correct. 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 (5/0).

O-17-52

AN ORDINANCE APPROVING A WAIVER REQUEST FOR REQUIREMENTS OF STREET TREES FOR CERTAIN REAL PROPERTY LOCATED AT 4331 EAST 43RD STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held at the request of sponsor, Alderman Hight.

(*applicant: Cromwell Architects Engineers*)

O-17-53

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A SECOND RESIDENCE IN AN R-2 ZONE ON CERTAIN REAL PROPERTY LOCATED AT 206 EAST G AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held at the request of the sponsor *for consideration only* by Alderwoman Ross. Ms. Whitbey asked if this was rental property and advised a business license will be required. (*applicant: Brandon Finch*)

Alderwoman Robinson said there are a lot of unlicensed landlords in the city. All businesses operating in the city are required to have a license. The current fees need to be reconsidered as well.

PUBLIC COMMENT

Mr. Ard encouraged voters to vote to support the city in the upcoming sales tax election. If the sales tax does not pass, a garbage fee will have to be imposed on (all) residents. Mr. Ard said he still hasn't gotten his \$60.00 from J Hook Wrecker service. Alderwoman Ross reminded everyone that Fireworks are illegal in the City of North Little Rock. North Little Rock Police Chief reminded everyone of the same. Fireworks effect veterans (who may suffer from post-traumatic stress), elderly residents and animals.

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 6:48 p.m. (5/0), until the next regularly scheduled meeting which will be held on Monday, July 10, 2017, 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