June 27, 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, June 27, 2016, was called to order at 6:07 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, and CHARLIE HIGHT (5/0). Aldermen MAURICE TAYLOR, BRUCE FOUTCH and MURRY WITCHER were absent. Assistant City Clerk Linda Marshall, Deputy City Clerk Katelyn Thomas, and City Attorney C. Jason Carter were also present.

Mayor Smith introduced Reverend William Robinson who led the prayer and pledge of allegiance.

On the motion of Alderman Hight and seconded by Alderman Baxter, and by consent of all members present, the minutes from the North Little Rock City Council meeting and a Special Call meeting held on Monday, June 13, 2016, were approved, accepted and filed as prepared by the City Clerk (5/0).

On the blanket motion of Alderwoman Ross and seconded by Alderwoman White, and by voice vote and all members present having voted aye, communication #1, was accepted and filed (5/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises & Small Farm Wine – Change of manager from Carl White,* for Superstop, 18823 MacArthur Drive, by Kimberly J. White. (*Per Planning outside city limits.*

Mayor Smith announced a Special Call meeting scheduled this date.

June 24, 2016

Special Meeting of the North Little Rock City Council, Monday, June 27, 2016

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, June 27, 2016, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-16-112 – A RESOLUTION CONFIRMING THE APPOINTMENT OF KANDI HUGHES TO THE BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER; AND FOR OTHER PURPOSES. Sponsor: Mayor Joe A. Smith

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 email as soon as possible by replying to the same. A copy of your reply will automatically be sent to City Clerk Diane Whitbey.

C. Jason Carter
City Attorney

Special Call R-16-112 (RESOLUTION NO. 9017 – MAYOR SMITH)
A RESOLUTION CONFIRMING THE APPOINTMENT OF KANDI HUGHES TO THE BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderwoman Ross. Alderman Hight mentioned to the Council that previous appointments had personal information sheets with the legislation. City Attorney Jason Carter stated he would need to sift through his documents to answer whether or not one had been attached. Mayor Smith asked Mr. Carter if the legislation should be held or if an amendment could be made after the vote. Mr. Carter advised that the personal information sheet could be amended in. He also stated that Central Arkansas Water (CAW) appointments are nominated and approved through the City of North Little Rock's governing body as well as Little Rock's governing body. Alderman Hight advised the Council is confirming the appointment. Mayor Smith said the legislation would be corrected at the next meeting. On the previous motion, and by consent of all members present, the resolution was adopted (5/0).

Mayor Smith asked Mr. Jim Billings if the presentations were ready. Mr. Billings stated the Uverse TV Channel was not available. Mayor Smith stated there are presentations to be made, but he would prefer to wait until all three TV Channels are available to air the Council Meeting. He said he would come back to the presentations after calling the Agenda.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

On the motion of Alderman Hight and seconded by Alderwoman Ross, and by voice vote, and all members present having voted "aye", consent items R-16-104 and R-16-105 were adopted (5/0).

R-16-104 (RESOLUTION NO. 9018 – MAYOR SMITH)
A RESOLUTION CONFIRMING THE REAPPOINTMENT OF JAY HARTMAN TO THE BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER; AND FOR OTHER PURPOSES, was adopted (5/0).

R-16-105 (RESOLUTION NO. 9019 – MAYOR SMITH)
A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (5/0).

NEW BUSINESS

R-16-106 (RESOLUTION NO. 9020 – 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 226 COLLEGE PARK CIRCLE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman Robinson. 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 (5/0). (*amount $3,231.18*)

R-16-107 (RESOLUTION NO. 9021 – 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 723 WEST 35TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Baxter and seconded by Alderwoman Ross. 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 (5/0). (*amount $2,812.66*)

R-16-108 (RESOLUTION NO. 9022 – MAYOR SMITH)
A RESOLUTON CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 709 WEST 37TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman Robinson. 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 (5/0). (*amount $2,115.54*)

R-16-109 (RESOLUTION NO. 9023 – 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 1220 WEST 13TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Baxter and seconded by Alderwoman Robinson. 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 (5/0). (*amount $4,801.69*)

R-16-110 (RESOLUTION NO. 9024 – MAYOR SMITH)
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 323 WEST 20TH STREET 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 Alderwoman Ross. 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 (5/0). (*applicant: Devareaus Family Trust*)

R-16-111 (RESOLUTION NO. 9025 – 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 Alderwoman White. Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. Alderwoman Ross stated there are multiple addresses on the list that continue to be repeat offenders. She stated there are properties in foreclosure and that the City does not have information concerning the services that the banks or foreclosure companies use. There are also companies that offer this as a service locally. Tom Wadley, Code Enforcement Director, confirmed there are businesses that charge a registration fee, at no cost to the City, that was set by the Council. The business services the records and once the documents are received at the Courthouse, the property starts the foreclosure process. Mayor Smith asked City Attorney Carter if the City was working on this already. Mr. Carter said yes. Mr. Wadley stated this does not benefit the City. The Fire Department needs to know if a house is occupied. It takes anywhere from three to six years for an owner to occupy a foreclosed home. There is an issue of individuals occupying a home who may not necessarily be the owner of the property. Mayor Smith asked that the issue be readdressed in 30 days to decide on how to move forward. Alderwoman Ross stated there are several communities with vacant properties and the City does want a list of the foreclosed properties. Mr. Wadley said when the foreclosure process starts notice is served on the occupants who then have to move. The homes then become and stay vacant for

years. He gave an example of a foreclosed home that caught on fire, the City could not locate the mortgage company or who oversees the property. Alderwoman Ross said there is a case where the City did locate a California company who did have a local service agent who is supposed to do the work, but didn't realize the responsibility was theirs. Alderman Hight asked if this issue goes beyond yards being mowed. Mr. Carter said its primarily the exterior that is the issue. Alderman Hight asked if this included backyards too. Mr. Wadley stated they enforce backyards now. He said neighbors end up mowing the front yard and the assumption is sometimes made that someone is looking over the property. Alderman Hight said he has a neighbor that has not blown their leaves in 5 years. He feels this is abandonment. He said he dealt with many foreclosed homes in the past. He and Mr. Wadley have had many discussions on how to deal with this issue. He feels the City is powerless. Mayor Smith said the City has a lot more tools in a foreclosure than a bankruptcy. He agreed with the Council on moving forward. Alderwoman White referenced an instance that wasn't just grass, but a combination of neighbors piling trash, and other items in the carport. They could not figure out which neighbor was doing this. Mr. Wadley estimates there are around 300 homes in North Little Rock that are in some type of foreclosure. Alderwoman Ross stated this is not a cure all solution. Mayor Smith asked Mr. Carter if thirty days was enough time to present legislation. Mr. Carter believes something could be drafted. On the previous motion, and by consent of all members present, the resolution was adopted (5/0).

Mayor Smith said it he was an honored to make a special presentations to two friends of his. He said has known both for 27 years. Mayor Smith read the proclamation for Assistant City Clerk Linda Marshall, who retired on July 15th, 2016 after 37 years. He then asked Mrs. Marshall to come forward and receive her proclamation. Mayor Smith then introduced Ms. Valerie Baker. She worked for the Parks Department in 1986. In 1988, she became the first African American Female Fire Fighter in the City of North Little Rock. Mayor Smith has known Ms. Baker since 1989. Ms. Baker thanked her family, friends, and the Mayor for this honor.

O-16-38 (ORDINANCE NO. 8819 – 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 Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, with the Mayor having voted yes, the readings were suspended (6/0). A motion to adopt was made by Alderman Hight and seconded by Alderwoman Ross. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (5/0). Emergency clause adopted with the Mayor having voted yes (6/0).

O-16-39
AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A CAR LOT ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2410 PIKE AVENUE IN THE CITY OF NORTH LITTLE

ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by its sponsor, Mayor Smith. (*applicant: C J S Enterprises, Inc.*)

O-16-40 (ORDINANCE NO. 8820 – ALDERMAN ROSS)
AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A CAR LOT IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3809 HIGHWAY 161 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; APPROVING CERTAIN WAIVER REQUESTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, with the Mayor having voted yes, the readings were suspended (6/0). Alderman Baxter asked if the hours were in the legislation. Shawn Spencer, Community Planning Director, advised no neighbors came forward concerning this. Mayor Smith called on Joseph Kim who signed up to speak regarding this legislation. Alderwoman Ross asked if Mr. Kim was in agreement with the legislation. Mr. Kim agreed to an extent. Alderwoman Ross advised that the legislation does normally include hours of business. She asked Mr. Kim about hours of operation. Mr. Kim advised Monday through Friday, 9:00 am to 6:00 pm, Saturday 10:00 am to 4:00 pm., and closed Sunday. On the motion of Alderman Hight and seconded by Alderman Baxter, and by consent of all members present, the ordinance was amended as follows:: *insert* SECTION 2 (n) HOURS OF OPERATION WILL BE MONDAY THROUGH FRIDAY, 9:00 A.M. TO 6:00 P.M., SATURDAY, 10:00 A.M. TO 4:00 P.M., AND CLOSED SUNDAY (5/0). On the motion of Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, and Mayor Smith having voted yes, the ordinance was amended as adopted (6/0). Emergency clause adopted with the Mayor having voted yes (6/0). Alderwoman Ross advised Mr. Kim the Planning Commission was concerned with potential parking in the Churches parking lot next door and asked if the issue had been resolved. Mr. Kim said yes. (*applicant: Joseph Kim*)

Mayor Smith asked Police Chief Mike Davis to come forward for the North Little Rock Police Summer Camp presentation. A total of 17 youth and 15 Police officers participated. He advised that this year's first summer youth camp was a success. Several sponsors including Wal Mart, Sam's, Target, Edwards, Kroger, and more donated funds to the cause. Alderman Baxter, Alderwoman Ross and Alderwoman White attended the camp in the Mayors absence. The event will occur next year as well. Chief Davis thanked the Council for allowing the presentation to be showed. Alderwoman White commended Police officers and staff on their ability to hold the summer camp event and work well with the children present. Alderwoman Ross stated that many people bragged about the group of kids attending. Alderman Baxter said they kids experienced new things such as rock climbing and shooting a bow and arrow. He said the resources that were shared were phenomenal. Mayor Smith stated the 3rd Annual Air show was held last weekend and was an even bigger success than the previous years. Approximately 7,000 people attended. The event was very well organized. The North Little Rock Firefighters were commended on their safety training efforts in preparation for the event. Police, Public Works and Clay Rogers, Airport Director were also commended by Mayor Smith.

PUBLIC COMMENT

Mr. "Dr." Jimmy Ard came forward to speak. He asked Assistant City Clerk Linda Marshall to come stand at the podium with him. Mr. Ard came dressed in Doctors attire to congratulate Mrs. Marshall on her retirement. Mayor Smith thanked "Dr." Alderman Baxter made comment regarding the Air Show and the great job that was done.

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. (5/0), until the next regularly scheduled meeting which will be held on Monday, July 11, 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