

June 24, 2019
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 24, 2019, was called to order at 6:01 p.m. by the Honorable Mayor JOE A. SMITH.

The roll having been called and the following Council Members answered to their names: DEBI ROSS, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, JANE GINN and CHARLIE HIGHT (8/0), a quorum was declared. Chief Deputy City Clerk Katelyn Thomas and City Attorney Amy Fields were also present.

The prayer was led by Guy Lyons.

The pledge of allegiance was led by Josh Foster and Eli Foster.

On the motion of Council Member Hight and seconded by Council Member Ross and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, June 10, 2019, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, communications #1, 2, and 3 were not read, but were accepted and filed (8/0).

1. Anita Paul, Mayor's Office memorandum re: *Restaurant Mixed Drink minimum – NEW*, for La Poblanita, 3400 East Broadway, by Jose O. Vaquera.
2. Anita Paul, Mayor's Office memorandum re: *Retail Beer Off Premises – NEW*, for Levy Unlimited, 3301 Pike Avenue, by Mohammad K. Butte.
3. Mayor Smith, letter to the Trinity Foundation re: donation of \$25,000 to help with flood relief expenses.

On the motion of Council Member Hight and seconded by Council Member Ross, and by consent of all members present, communication #4 was read, accepted and filed (8/0).

4. Kim Smith, North Little Rock resident, email to Mayor Smith re: commending North Little Rock Electric employees for their professionalism and work during power outage.

Mayor Smith advised there had been four major storms in June. He commended and thanked the Electric Department and all City employees for their hard work during those periods. Council Member Charlie Hight said he spoke with Mr. Scott Springer, General Manager of North Little Rock Electric Department, and was advised these storms did more damage than the ice storm in 2000. Mayor Smith said the City lost 15 poles to the storms. It is a major construction job to remove then reinsert the

poles. The City had all poles back up within three (3) days. Council Member Baxter said the City's customer service employees handled the situations to the best of their capability and had the desire to resolve the issues. Mayor Smith advised that during situations of electrical outages, the City's policy will continue to remain that the areas who are able to be reconnected in majority will take priority.

Mayor Smith announced the passing of Mr. Carl Jackson. Mr. Jackson was a commissioner on the Board of Adjustment.

Mayor Smith announced citizen comment on legislation. Mr. Dave Davenport spoke in opposition of O-19-82. Mr. Davenport said the request is to rezone the property for an auto repair business. He said there are junk cars and trash already in the area and he does not believe the business is suitable for an R-3 zone. Mr. Davenport stated he was just made aware of this request two (2) days prior to the Council Meeting because he was told by Norman Clifton that Mr. Davenport needed to be within two-hundred (200) feet to receive a notice. Mr. Davenport said the community is trying to improve Baring Cross. He stated he had photos of 20 vehicles sitting on the business lot. Mr. Davenport does not want the business in his neighborhood. Mr. Dave Whitson spoke against O-19-82. Mr. Whitson said the current zoning is in place to protect the residents from nuisances. He said Pike Plaza is already dealing with inoperable vehicles. Mr. Whitson supports businesses that enhance the community, for example the Dollar General that is currently located in the neighborhood. Mr. Kevin Brown was called to the podium in regards to R-19-118, however declined to speak due to the legislation being pulled. Mrs. Tammie Muse was called to speak on O-19-81. Mrs. Muse stated she is an applicant for the legislation along with her husband. Mayor Smith advised Mrs. Muse would have a chance to speak when the legislation is called or if there were any questions for the applicant. Todd Adams was called to speak on O-19-79. Mr. Adams is the applicant for the project. Mayor Smith advised the same and explained Mr. Adams would have a chance to speak when the legislation is called. Mr. Aaron Hinton spoke regarding O-19-82. Mr. Hinton is the applicant. He said the building is one way in and can fit around eight (8) vehicles inside. Mr. Hinton is relocating his business from 2655 Pike Avenue to 1705 Moss. He found out during the process of relocation that the property was not zoned for auto repair. Mr. Hinton said the business has cleaned the property and started painting. They want to help enhance the neighborhood. He said the community has reached out to him for repairs and in return taught individuals how to repair themselves. He wants to help build up the community. Ms. Margo Warner spoke regarding O-19-82. She wanted to clarify that the business is not being used as a junk yard, but there are cars parked there. Ms. Warner also referenced the comment made previously about junk cars in the Pike Plaza area. She stated the cars parked on Pike do not belong to Mr. Hinton's business. Bruce Tate was called to speak on R-19-120. City Attorney Amy Fields suggested Mr. Tate speak during the Public Hearing on the legislation. Mayor Smith Agreed.

UNFINISHED BUSINESS

None filed.

CONSENT AGENDA

None filed.

NEW BUSINESS

R-19-110 (RESOLUTION NO. 9691 – MAYOR SMITH)

A RESOLUTION CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF GARVER LLC TO PARTICIPATE IN THE TAX BACK PROGRAM AS AUTHORIZED BY SECTION 15-4-2706(D) OF THE CONSOLIDATED INCENTIVE ACT OF 2003; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter and seconded by Council Member Hight, and by consent of all members present, the resolution was adopted (8/0).

R-19-111 (RESOLUTION NO. 9692 – MAYOR SMITH)

A RESOLUTION RENEWING AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH WITT O'BRIEN'S, LLC FOR DISASTER DEBRIS MONITORING SERVICES; AND FOR OTHER PURPOSES; was read. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (8/0). Mayor Smith said an after action meeting was held. A follow up meeting will also be held. The meetings analyze how the City handles emergencies. Mayor Smith said the City probably will not need the debris service, but the City is following FEMA's regulations. Mayor Smith commended the training for disasters over the last 7 years. A report will be put together and shared with Council Members outlining the highlights and improvements of the disaster.

R-19-112 (RESOLUTION NO. 9693 – 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 2204 EAST WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member White. 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 (8/0). (*amount - \$8,571.32*)

R-19-113 (RESOLUTION NO. 9694 – 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 2204 ½ EAST WASHINGTON AVENUE, APT A,B,C AND E IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Robinson and seconded by Council Member Taylor. 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 (8/0). (*amount - \$20,494.32*)

R-19-114 (RESOLUTION NO. 9695 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5900 MACARTHUR DRIVE 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. Mayor Smith convened a public hearing. Mr. Byron Reeves spoke regarding the property. He is the owner. Mr. Byron provided the Council with a packet showing a before and after photo of the property. He said he advised Chief Bradley that he no longer would rent the property and would sell it. Mr. Byron said Chief Bradley told him he would need to maintain the property. Mr. Byron contacted a realtor to list his property, but never received a call back. He said Laura Petty, Code Enforcement Officer, had posted a nuisance to the neighborhood sign and that is why the realtor never called back. Mr. Byron said he made all the repairs and the photos reflect that. He would like all code violations removed in order to sell the property. Council Member Jane Ginn expressed that she could not see the difference in the photos. A motion to adopt was made by Council Member Ross and seconded by Council Member White. There being no one else present wishing to be heard, the public hearing was adjourned. Council Member Debi Ross asked what the status was on showing photos during the televised Council Meetings. Mayor Smith said they are still working on it. On the previous motion, and by consent of all members present, the resolution was adopted (8/0). (*owner: Byron Reeves*)

R-19-115 (RESOLUTION NO. 9696 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 204 WEST 13TH, OTHERWISE KNOWN AS 1209 JIM WETHERINGTON, 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 Council Member Ross and seconded by Council Member Taylor. 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 (8/0). (*owner: Carlton R. Womack*)

R-19-116 (RESOLUTION NO. 9697 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4900 ALPHA STREET (REAR STRUCTURE) 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 Council Member Baxter and seconded by Council Member Taylor. 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 (8/0). (*owner: Eva T. Bellar/Jimmy Ray Bromley c/o Joyce Blackwell*)

R-19-117

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 305 WEST I AVENUE 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 withdrawn by the sponsor, Mayor Smith. Council Member Ross asked for an explanation of withdrawing the legislation. City Attorney Amy Fields stated this property had an issue with the heirs and the administrator of the property. An agreement was met between the heirs and the administrator to sell the property. It will be rehabilitated. There is a buyer for the property that also owns other pieces of property in North Little Rock. The request to withdraw the legislation was by Ms. Fields and the Code Enforcement Director, Tom Wadley. The Estate attorney is in contact with Ms. Fields regarding the progress. It has to be approved by the probate court. The court estimates the sale of property between two to six (2 – 6) weeks. Council Member Ross asked if the City would have to restart the process if the deal falls through between the administrator, heirs and buyer. City Attorney Amy fields confirmed the City would with other notices. (*owner: Karla Martinez c/o Mark Rogers*)

R-19-118

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 900 NORTH C 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 withdrawn by the sponsor, Mayor Smith. (*owner: Kevin Brown Jr.*)

R-19-119 (RESOLUTION NO. – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 421 WEST 24TH 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 Council Member Ross and seconded by Council Member White. 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 (8/0). (*owner: Larry Handy*)

R-19-120 (RESOLUTION NO. 9699 – MAYOR SMITH)

A RESOLUTION APPROVING AND CERTIFYING AMOUNTS OF CLEAN UP 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. Mayor Smith convened a public hearing. Bruce Tate spoke regarding 3514 and 3516 Sycamore Street. He has received multiple notices from Code Enforcement on the properties. There are charges for both properties with the Arkansas Land Commission. He was told by Code Enforcement that both properties have a combined total of seven-thousand dollars (\$7,000.00) in liens. Mr. Tate feels that Code Enforcement officers are targeting him. He has large outstanding liens and cannot pay his taxes with the County. Council Member Ross asked if the City condemned a house on his properties. Mr. Tate said there had never been a structure on the properties since he originally bought it and no liens on a house. Mayor Smith asked that Mr. Tate schedule a meeting with City Attorney Amy Fields and Code Enforcement regarding the amounts. There being no one else present wishing to be heard, the public hearing was adjourned. A motion to adopt was made by Council Member Hight and seconded by Council Member Taylor. On the previous motion, and by consent of all members present, the resolution was adopted (8/0).

O-19-77

AN ORDINANCE AMENDING ORDINANCE 7697 (“THE ZONING ORDINANCE”) TO CONFORM TO ACT 446 OF THE 92ND ARKANSAS GENERAL ASSEMBLY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was held by the sponsor, Mayor Smith.

O-19-78 (ORDINANCE NO. 9139 – MAYOR SMITH)

AN ORDINANCE AMENDING ORDINANCE 7697 (THE “ZONING ORDINANCE”) BY REPEALING ARTICLE NINETEEN, BOARDS; ADOPTING ARTICLE NINETEEN, BOARDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Hight and seconded by Council Member Taylor, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (8/0). City Attorney Amy Fields advised during the Sign Board meetings the City found existing sections of rules and regulations to be conflicting. The legislation will simplify the procedures. It also clarifies what is to be sent to the sign board or board of adjustment. Emergency clause adopted (8/0).

O-19-79 (ORDINANCE NO. 9140 – COUNCIL MEMBER HIGHT)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 901 KELLOGG ACRES ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C-3 ZONING CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (PUD) ZONING CLASSIFICATION BY AMENDING ORDINANCE NO. 7697; DECLARING AN EMERGENCY; AND FOR OTHER

PURPOSES, was read. On the motion of Council Member Hight and seconded by Council Member Taylor, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Council Member Hight and seconded by Council Member Harris. Council Member Ross requested that Shawn Spencer, Planning Director, explain the zoning. Mr. Spencer said the area was originally zoned to allow a mall. There is a large area of commercial in the middle of woods because of it. It was recommended to remove the commercial zoning and one way was to classify it under PUD. It will be a PUD for a wedding event center. If the applicant falls through, anyone coming in afterwards would have to go through the process. Council Member White asked if a Police Officer would be required at the center as some others have the stipulation. Mr. Spencer said the Planning Commission expressed the venue was primarily a wedding location than an event center with any event. Alcohol will probably be served. Council Member Hight did not feel that the legislation needed to be amended for off duty police officers. He is opposed to the idea. Council Member Ross said the Lakewood Property Owners Association is required to have a licensed off duty police officer when alcohol is present. She said it is not three to four-hundred (\$300-\$400) to rent one. Mayor Smith confirmed with the Chief of Police it is around \$60 per hour for an off duty officer, with a minimum of three (3) hours. Mayor Smith asked Mr. Spencer if the City has required this in the past. Mr. Spencer said it was done once before for an event center that could be rented for whatever the client needed if alcohol was being served. Council Member Ross asked if the venue was for weddings only. Mr. Todd Adams said he does not want to be restricted to weddings only. The venue would be open to retirement parties or training. Mayor Smith asked what the capacity of the center was. Mr. Adams said three hundred (300) is the intent, but could possibly hold five-hundred (500). Mayor Smith asked hypothetically what the situation would be if a frat party rented the center with bands. Mr. Adams said it is their intent to focus on weddings that are booked at least one year in advance. The applicants would be screened before events are approved. Mr. Adams said that is in the best interest of the business. Council Member Ross said there had been problems in the past and would like something in the event a problem arises. Mayor Smith asked if the City could put a clause in the PUD that allowed the City to reconsider if there was problems with Alcohol on the property. City Attorney Amy Fields advised the wording would not be binding. The City can reconsider any legislation. Council Member White asked if a time restriction could be placed on the property for serving alcohol. Mr. Adams said it would put their business at an unfair advantage and the City could act upon other Ordinances already set in place, for example the noise Ordinance or disturbance. Council Member Ross asked for Chief Davis' opinion. Chief Davis said there is an ongoing issue with another event center, but Mr. Adams business is set up differently and does not sound like an issue. He does not feel that Police should be present at a wedding venue. Chief Davis said if a problem did arise he would sit down with Mr. Adams, and the City Attorney to work things out or close it as a nuisance. Council Member Hight ask that the Council give it a chance. Council Member Ross wished the business well and her concern was using City resources if avoidable. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (8/0). Emergency clause adopted (8/0). (*applicant:Medlock Management Co. LLC*)

O-19-80 (ORDINANCE NO. 9141 – COUNCIL MEMBERS ROSS AND WHITE)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 4140 JOHN F KENNEDY BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R-1 ZONING CLASSIFICATION TO C-2 ZONING CLASSIFICATION BY AMENDING

ORDINANCE NO. 7697; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member White, and by consent of all members present, the readings were suspended (8/0). Council Member Baxter confirmed that a bank had been here previously. He asked if it fell through the cracks. Mr. Spencer said it had been that way for at least thirty (30) years. A motion to adopt was made by Council Member Ross and seconded by Council Member Taylor. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (8/0). Emergency clause adopted (8/0). Council Member Ross welcomed the applicant to Ward 1. (*applicant: True Service Community Federal Credit Union*)

O-19-81 (ORDINANCE NO. 9142 – COUNCIL MEMBER BAXTER)

AN ORDINANCE ALLOWING A SPECIAL USE TO ALLOW INDOOR RETAIL IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 7420 COUNTS MASSIE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER

PURPOSES, was read. On the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, the legislation was amended as follows: *Remove section 2, #2* (8/0). On the motion of Council Member Robinson and seconded by Council Member Baxter and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (8/0). Emergency clause adopted (6/0).

O-19-82 (ORDINANCE NO. 9143 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE ALLOWING A SPECIAL USE TO ALLOW AUTO REPAIR IN AN R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1705 MOSS STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER

PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (8/0). Council Member Robinson expressed concern with the hours of operation being from 6am to 9pm. She believes it is too early for a residential neighborhood. Mr. Hinton, the applicant, said the time would allow for them to come in early some days. Council Member Robinson asked to amend the Ordinance to change the time to 7am – 5pm. Council Member Taylor stated as long as the business itself is not open before the set business hours then the applicant can arrive at the business at the time of his choice. Council Member Taylor suggested that Planning set what is to be considered normal business hours before sending applicants through the Council process so that amendments would not be necessary. Mr. Hinton said the hours of operation, 6am – 9am, would allow for them to open up the business, make

coffee and prepare to open to the public. It would not mean the business would be open to the public at that time. Mr. Hinton said he works day and night and does not end his shift until 7am, so he would not be there that early. Council Member Robison clarified that the legislation states Mr. Hinton can only work inside the building structure. She reiterated that the operation hours are too early in her opinion in a residential neighborhood. A motion to amend was made by Council Member Robinson and seconded by Council Member Ross. Council Member Robinson stated that the legislation reads that the business cannot have outdoor PA/music or the business license could be revoked. She asked if the applicant understood the requirements. Mr. Hinton said the previous tenants had outdoor music, however his business would not. He said he understood. Council Member Ross reiterated that the business must conduct work within the building with no exceptions. Mr. Hinton said he understood the neighbors did not want them working outside and will pull the vehicles into the building. Council Member Hight expressed his concern that residential property surrounded the business. He asked what was at the address to require barbwire around the property. Mr. Hinton said it was previously a storage facility. Council Member Hight said he was opposed to it. Ms. Warner stated there are commercial offices on both sides of Mr. Hinton's address. Council Member Robinson said the building looked like it was adequate enough to store vehicles inside and there should not be a bunch of vehicles sitting on the lot. Council Member Ross called Mr. Dave Davenport to the podium. Mr. Davenport said there were fifteen to eighteen (15-18) vehicles sitting on the lot at this time. He does not have an issue with two to three (2-3) vehicles on the lot at a time while they are being worked on as long as the vehicles are cleared at night. He believes it looks like a junk yard. Council Member Ross asked if Mr. Hinton had enough space to store vehicles in the building overnight. Mr. Hinton said the cars currently outside are due to equipment and higher valued vehicles occupying the space inside. He believes there is enough room for eight (8) vehicles inside. Mr. Hinton said the security of this location is one of the reasons he decided to move to the address. He wanted to protect his customer's property. Ms. Warner said the operation was shut down a month ago and Mr. Hinton could not conduct work to repair the vehicles. That is why the vehicles are still on the lot and cannot be moved. Mr. Hinton's business is not storage. Council Member Baxter asked for the previous location of the business. Mr. Hinton said he was previously located at 2655 Pike Avenue. Council Member Taylor asked for Ms. Warner to clarify her statement regarding outside storage. Ms. Warner stated Mr. Hinton was not in the business of storing vehicles. Mr. Hinton needs to repair the vehicles in order to get them off the lot. Council Member Taylor said he supports businesses, but also will keep the neighborhood in mind. He wants to ensure the business will stay as clean as possible. Council Member Ross suggested limiting the number of vehicles outdoors. Ms. Warner said the business can agree to five (5). Mayor Smith asked the relation of Ms. Warner to Mr. Hinton and the business. Ms. Warner said she was a friend and also an attorney. Council Member Taylor said he supports an amendment restricting the outdoor number of vehicles stored on the lot to five (5) overnight. On the motion of Council Member Taylor and seconded by Council Member Robinson, and by consent of all members present with the exception of Council Member Hight who voted no, the ordinance was amended as follows:: Section 2, Number 1: *add* HOURS OF OPERATION: MONDAY – SATURDAY 7:00AM TO 5:00PM. Section 2, *add* Number 12: *add* NO MORE THAN FIVE (5) VEHICLES LEFT OUTDOORS OVERNIGHT. (7/1).

A motion to adopt as amended was made by Council Member Taylor and seconded by Council Member Robinson. Council Member Ross stated that the City could not be the eyes all the time. The City needs the residents help in enforcing the overnight rule if the legislation passes. Council Member Ginn asked if the legislation could be placed on hold until the business dwindles the vehicles down to five (5). Mayor Smith said Mr. Hinton needs the legislation to pass in order to do the work and get the cars off the lot. If Mr. Hinton violates the regulations his business license will be revoked. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (8/0). Emergency clause adopted (8/0). (*applicant: Aaron Hinton*)

O-19-83 (ORDINANCE NO. 9144 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE ALLOWING A SPECIAL USE TO ALLOW A STORAGE CONTAINER AS AN ACCESSORY STRUCTURE IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4800 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of

Council Member Taylor and seconded by Council Member Robinson, and by consent of all members present, the readings were suspended (8/0). Council Member Ross expressed her concern with items being stored outside the container. Council Member Ross proposed an amendment for no outside storage of any appliance or items. On the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, the ordinance was amended as follows:: Section 2: *add* NO OUTSIDE STORAGE OF APPLIANCES (8/0). Mayor Smith asked Mr. Steve Jenkins if the amendment would create issues. Mr. Jenkins said there is occasionally some outdoor storage and the storage container is to get some of the items put away. He said had spoken to Council Member Ross and the business owner and suggested constructing a privacy fence. There might be times where items are in the yard. Council Member Ross requested the opinions of fellow Council Members. Council Member Taylor said the property has been around for some time with items outside and the business is making an effort to get the situation cleaned up. He supports the privacy fence. City Attorney Amy Fields stated the amendment for no outdoor storage has been voted and passed. If the Council adopts the legislation as amended it will be included in the regulations. Mayor Smith suggested expunging the vote. A motion to expunge the previous vote, to amend Section 2: *add* NO OUTSIDE STORAGE OF APPLIANCES, was made by Council Member Taylor and seconded by Council Member Robinson. On the motion, and the roll having been called, and all members present having voted in the affirmative with the exception of Council Member Ross who voted no, the previous vote to amend was expunged. (7/1). Mr. Spencer advised the property was zoned C-3 and no outdoor storage is allowed under it. The Council would have to amend the language into the legislation to allow outdoor storage behind a privacy fence as a condition. Council Member Ross asked if the privacy fence would be in the rear or around the entire property. Mr. Spencer said Planning requires fencing on all four sections of the property. Council Member Baxter advised there was a typo on the legislation. The legislation states one hundred feet (100 ft) from any structure. It should be ten feet (10 ft). City Attorney Amy Fields said their office would correct it. A motion to

adopt was made by Council Member Robinson and seconded by Council Member Taylor. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (8/0). Emergency clause adopted (8/0). (*applicant:AI Affordable Applications*)

O-19-84

AN ORDINANCE APPROVING THE APPLICATION OF PARK HILL PUMP, INC. FOR A PRIVATE CLUB TO BE LOCATED AT 4608 JFK BLVD, NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was held by the sponsor, Mayor Smith.

PUBLIC COMMENT

Note: No one present signed up to speak for public comment.

Council Member White stated she is grateful for the new sound system in the Council Chambers. She recently watched a Planning Commission meeting and could not hear the sound well. She asked for clarification on the number of active mics and asked if it will continue to be that way. Mayor Smith said a total of four (4) mics can be on at a time. It is the way the system is designed. It is a learning curve. Mayor Smith asked if the recording is picking up sound if mics are not on. He asked that Chief Deputy City Clerk Thomas advise the answer once the minutes are being recorded. Mayor Smith said the City will continue to work on the sound.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, the meeting was adjourned at 7:30 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, July 8, 2019, 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