

June 25, 2018
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 25, 2018, was called to order at 6:00 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, and MURRY WITCHER (7/0). Council Member CHARLEY HIGHT was absent. Assistant City Clerk Katelyn Thomas, Deputy City Clerk Talor Shinn and City Attorney Amy Fields were also present.

The prayer and pledge of allegiance were led by Council Member Taylor.

On the motion of Council Member Witcher 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 11, 2018, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, communication #1, 2, 3, 4, 6, and 7 were not read, but were accepted and filed (7/0).

1. Mayor Joe A. Smith letter to William F. Laman Library Board of Trustees re: Downtown/Argenta Parking.
2. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – NEW* for Fill Up Fuel Inc., 300 Lake Lane, by Asmi Awad.
3. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink – Upgrade from Restaurant Wine & On Premises Beer* for American Pie, LLC, 9709 Maumelle Boulevard by Melody A. Williford.
4. Glinda Craigmyle, Mayor's Office memorandum re: *Small Farm Wine & Grocery Store Wine – NEW* for Big Red #119, 601 W. Broadway, by Douglas A. Hendrix.
6. Mt. Pleasant Baptist Church letter to Mayor Joe A. Smith and City Council re: Opposition to O-18-30, Reclassifying Property located East of Graham Avenue and North of Page Mill Road; Special Use for Top Soil Sales to Prepare Land for Row Crops.
7. Glinda Craigmyle, Mayor's Office memorandum re: *Native Beer & Malt Beverages – NEW* for Rockwater Marina, 1600 Rockwater Boulevard, by James R. Jackson. (*Addition to two existing beer permits*)

On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, communication #5 was read, accepted and filed (7/0).

5. Kenny Brock, North Little Rock Vehicle Maintenance Director memorandum re: McCain Bridge/Fairfax Crossing Project and Police Vehicle Equipment Boxes.

Council Member Ross commended the city employees who worked on this project for their skills and abilities which saved the city thousands of dollars.

On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, communication #8 was read by title only, accepted and filed (7/0).

8. North Little Rock Parks and Recreation – News Release, 6-20-18, re: Award Ceremony to Honor the North Little Rock Parks and Recreation Department as winner of a Statewide Award for the *2018 Friend of Master Gardner Award* at the Old Mill in T. R. Pugh Memorial Park.

Ms. Deanna Montgomery, Janet Beck, and Valerie Boyce are co-chairs of the Old Mill Master Gardeners group. North Little Rock Parks and Recreation won the award for improvements to and upkeep of the park. This Thursday, June 28, 2018, at 5:30 p.m., a plaque will be presented to the Parks and Recreation Department. The public is invited to attend.

Mayor Smith announced citizen public comment on legislation and advised O-18-30 will be held. Mr. Melvin Peoples lives on Bradburn Road. He said there is a misunderstanding. At the previous meeting it was mentioned there was a miscommunication between the property owner and the church, however, there was no mention of the residents of the neighborhood. This also involves the residents. Mayor Smith said the council is aware of the concerns of both the church and the residents. Mayor Smith said the item, will remain on the agenda for a total of six meetings. If it is not called, it will be removed. However, the council would have the option to refile it at a later time. Mayor Smith said he will not call the legislation without contacting Ms. Betty Williams so she can share the information with others. Council Member Ross provided Mr. Peoples a copy of communication #6.

UNFINISHED BUSINESS

O-18-30

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED EAST OF GRAHAM AVENUE AND NORTH OF PAGE MILL ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM R-1 TO R-2 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; GRANTING A SPECIAL USE TO ALLOW THE SALE OF TOPSOIL IN ORDER TO PREPARE LAND FOR ROW CROPS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith.

(applicant: David Mitchell)

CONSENT AGENDA

On the of Council Member Taylor and seconded by Council Member Ross, and all members present having voted “aye”, items R-18-117, R-18-118, and R-18-119, were adopted (7/0).

R-18-117 (RESOLUTION NO. 9453 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (7/0).

R-18-118 (RESOLUTION NO. 9454 – COUNCIL MEMBERS BAXTER AND HARRIS)

A RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH GENE SUMMERS CONSTRUCTION CO., INC. FOR 39TH STREET, FROM BURKS AVENUE TO JUST BEYOND HAYS COURT – STREET AND DRAINAGE IMPROVEMENT PROJECT, IN THE AMOUNT OF \$172,180.00; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was adopted (7/0).

R-18-119 (RESOLUTION NO. 9455 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN INTERLOCAL AGREEMENT AND MEMORANDUM OF UNDERSTANDING TO ASSIST IN THE MAINTENANCE AND OPERATION OF THE PULASKI COUNTY REGIONAL CRISIS STABILIZATION UNIT, was adopted (7/0).

NEW BUSINESS

R-18-120 (RESOLUTION NO. 9456 – MAYOR SMITH)

A RESOLUTION APPROVING THE 2018 ANNUAL ACTION PLAN FOR THE CITY OF NORTH LITTLE ROCK, INCLUDING THE 44TH YEAR (2018) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND THE 2018 HOME INVESTMENTS PARTNERSHIPS PROGRAM (HOME) PROJECTS AND BUDGETS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Witcher 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 (7/0).

R-18-121 (RESOLUTION NO. 9457 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2221 E. WASHINGTON 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 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 (7/0). (*owner: CoStar Medical Networks, Inc.*)

R-18-122 (RESOLUTION NO. 9458 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 3805 FREEMAN CIRCLE 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 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 (7/0). (*owner: Hawkins Enterprises, LLC*)

R-18-123 (RESOLUTION NO. 9459 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2105 WHYTE 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. 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 (7/0). On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*owners: Herbert and Dorothy Fair*)

R-18-124 (RESOLUTION NO. 9460 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 6505 MEDFORD LANE 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 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 (7/0). (*owner: Wanda F. Kloss*)

R-18-125 (RESOLUTION NO. 9461 – 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 Council Member Witcher 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 (7/0).

O-18-49 (ORDINANCE NO. 9019 – MAYOR SMITH)

AN ORDINANCE AMENDING ORDINANCE NO. 9017; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Witcher 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 (7/0). Emergency clause adopted (7/0).

O-18-50 (ORDINANCE NO. 9020 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE REPAIR OF THE LAMAN LIBRARY FOUNTAIN; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Witcher and seconded by Council Member Ross and by consent of all members present, the readings were suspended (7/0). A motion to adopt was made by Council Member Taylor and seconded by Council Member Ross. Council Member Ross asked if this included the Gazebo. Mayor Smith said it did not. The fountain hasn't worked in several years. Hydco Construction looked at the pumps, etc. and estimated the cost would be \$35,000.00. The city will pay for the repair and the Parks Department will take over the water bill and the Gazebo. The Library Commission agreed. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

O-18-51

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE PURCHASE AND INSTALLATION OF AN ELECTRONIC GATE AS A TRAFFIC CONTROL DEVICE AT THE ENTRANCE OF CYPRESS CROSSING NEIGHBORHOOD; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and pulled by sponsor, Council Member Taylor. (\$21,500.00)

O-18-52 (ORDINANCE NO. 9021 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A FUNERAL HOME WITH 22 PARKING SPACES IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1901 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Robinson and seconded by Council Member Ross, and by consent of all members present the readings were suspended (7/0). A motion to adopt was made by Council Member Taylor and seconded by Council Member Robinson. Council Member Ross asked if the number of parking spaces was adequate. Mr. Shawn Spencer, Planning Director said the site is short eight (8) spots. The applicant has made arrangements with the neighbors to use their parking. On the previous motion, and the roll having been called, and all members present, having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: Venetta Peaster*)

O-18-53 (ORDINANCE NO. 9022 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT ROCKWATER BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) AND R-4 TO C-6 CLASSIFICATION TO ALLOW FOR A RESIDENTIAL SUBDIVISION WITH ZERO FRONT YARD SETBACKS 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. On the motion of Council Member

Robinson and seconded by Council Member Taylor, and by consent of all members present, the readings were suspended (7/0). A motion to adopt was made by Council Member Witcher and seconded by Council Member Taylor. Council Member Taylor said Zero Lot Lines allow a house to sit on the property line, which creates walkable communities which are more cozy, comfortable and wholesome. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). *applicant: Thomas Engineering*)

O-18-54

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED NORTH OF ROCKWATER BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM R-4 TO R-3 CLASSIFICATION TO ALLOW FOR DUPLEXES 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 called and held by the sponsor, Council Member Robinson. (*applicant: Thomas Engineering*)

O-18-55 (ORDINANCE NO. 9023 - COUNCIL MEMBER ROBINSON)

AN ORDINANCE APPROVING A REQUEST TO WAIVE CERTAIN REQUIREMENTS OF THE MASTER STREET PLAN FOR RIGHT-OF-WAY WIDTH CRITERIA FOR PROPERTY LOCATED AT INDEPENDENCE DRIVE AND COLUMBUS DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Robinson and seconded by Council Member Taylor, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Taylor 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 (7/0). Emergency clause adopted (7/0). (*applicant: Thomas Engineering Company*)

O-18-56 (ORDINANCE NO. 9024 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE AMENDING ORDINANCE NO. 8972 TO REVISE PREVIOUSLY APPROVED HOME STYLES AND OTHER CONDITIONS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council

Member Ross, and by consent of all members present, the readings were suspended (7/0). Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the motion of Council Member Taylor and seconded by Council Member Ross, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: John Callahan Construction*)

PUBLIC COMMENT

Council Member Taylor referenced the recent death of long-time Arkansas Municipal League Executive Director Don Zimmerman. He was a class act. Mayor Smith said visitation will be between 5 p.m. and 7 p.m. Thursday, at the Rueble Funeral Home. The funeral service will be Friday at 1:00 p.m. at Immanuel Baptist Church.

There being no further business to come before the Council, and on the motion of Council Member Witcher and seconded by Council Member Ross, and by consent of all members present, the meeting was adjourned at 6:25p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, July 9, 2018, 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