

July 25, 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, July 25, 2016, was called to order at 6:00 p.m. by the Honorable Mayor Joe A. Smith.

The roll having been called and the following Aldermen answered to their names: DEBI ROSS, LINDA ROBINSON, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT, and MURRY WITCHER (6/0). Alderman BETH WHITE and MAURICE TAYLOR were absent. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

The prayer and pledge of allegiance were led by Alderman Foutch.

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 meeting and a Special Call meeting held on Monday, July 11, 2016, were approved, accepted and filed as prepared by the City Clerk (6/0).

On the blanket motion of Alderman Foutch and seconded by Alderwoman Ross, and by consent of all members present, communications #1, 2, and 3 were accepted and filed (6/0).

1. Karen Scott, Finance Director, Liens collected from Pulaski County Treasurer - 2016 (Jan - Jun).
2. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises - Replacement* from Mohsain Kazmi for Bea's Mart fka 786 Food Mart, 300 Lake Lane, by Wanda L. Williams.
3. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink - NEW* for Mama Beas Burgers and Casual Dining, 300 Lake Lane, by Wanda L. Williams.

On the motion Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, communication #4 was read by title only, accepted and filed (6/0).

4. Julie Fisher, Mayor's Office – Notice of Public Hearings and Funding Availability – Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) funds.

Mayor Smith announced a Special Call meeting scheduled this date.

July 22, 2016

Special Meeting of the North Little Rock City Council, Monday, July 25, 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, July 25, 2016, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-16-123 - A RESOLUTION APPROPRIATING \$75,000.00 FOR CONSTRUCTION OF SIDEWALKS AND OTHER IMPROVEMENTS NEAR 700 BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES. Sponsor: Mayor Joe A. Smith

O-16-49 - AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR REPLACEMENT OF THE ROOF ON THE PARTY HOUSE AT IDLEWILD PARK IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; APPROPRIATING FUNDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES. Sponsors: Mayor Joe A. Smith, Alderman Debi Ross and Alderman Beth White.

Also attached is the Risk Management Committee Quarterly Report for FY16, Quarter 2.

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-16-123 (RESOLUTION NO. 9032 – MAYOR SMITH)  
A RESOLUTION APPROPRIATING \$75,000.00 FOR CONSTRUCTION OF SIDEWALKS AND OTHER IMPROVEMENTS NEAR 700 BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 resolution was adopted (6/0).  
*(from North Little Rock Electric Department for Economic Development)*

O-16-49 (ORDINANCE NO. 8826 – MAYOR SMITH, ALDERMEN ROSS AND WHITE)  
AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR REPLACEMENT OF THE ROOF ON THE PARTY HOUSE AT IDLEWILD PARK IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; APPROPRIATING FUNDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderman Foutch, and by consent of all members present, the rules were suspended and the ordinance was placed

on its second reading (6/0). *Note: Alderman Taylor entered the council chambers at 6:07 p.m.* On the motion of Alderwoman Ross 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 (7/0). A motion to adopt was made by Alderwoman Ross and seconded by Alderman Hight. Alderwoman Ross asked the City Engineer to provide an update. Mr. Chris Wilbourn said this is a Parks Department Project. The city requested competitive quotes. The existing roof is unsound, sagging and rotting. Mr. Wilbourn is a licensed Structural Engineer. This facility is used a lot; there is a small period of time where the building is not being rented. Alderwoman Ross said a lot of work has already taken place. Updates include adding handicapped parking spaces and sidewalks. Parks and Recreation budgeted money to work on the (interior of the) building this year. Mr. Wilbourn discussed a few options regarding the project and costs associated with the same. Alderman Foutch referenced Section 5 and additional costs. Mr. Carter said Section 5 is the emergency clause and the intent is to reflect the need to have the work done to prevent future expenses. Alderwoman Ross said interior work is on hold until after the roof is repaired. 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). (*\$27,760.00 – 2016 Parks and Recreation Budget*).

Mr. Carter referenced a Risk Management Report that was provided to the council with the Special Call and asked that it be accepted as a communication.

On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, the Risk Management Report included in the Special Call was accepted and filed as communication #5 (7/0).

#### 5. Risk Management Committee Quarterly Report for FY16, Quarter 2.

Mayor Smith introduced citizen public comment on legislation. Mr. Jim Jackson spoke in support of O-16-47. The proposal is to add signage and lettering (Rockwater) to the Vestal Chimney which they own. The chimney is the centerpiece of Rockwater Village. The sign would only be visible from the south view and will bring visual attention to the riverfront area. It would be a positive addition and have timers. Alderman Hight asked about the off-premises application when the chimney is in the middle of the property. Mr. Carter said signage is usually on a commercial structure. There is no business co-located with this property and referenced it as a stand-alone type sign. Mrs. Lisa Ferrell also spoke in support of O-16-47. The chimney is something significant and as owners of the chimney they (Mrs. Ferrell and Mr. Jackson) are thrilled with the opportunity to keep it. During public charrettes there was an interest in keeping the chimney as a center piece to their property. Mrs. Ferrell said notice of a public hearing was provided to neighbors. Mr. Harlan Hunter spoke against O-16-47. He understood that the chimney was a historic property. He thought the chimney land belonged to the city. Mayor Smith said Mr. Jackson and Mrs. Ferrell own the property. They gave the right-of-way to the city to build a road several years ago. The city did not want the liability or responsibility for the chimney structure. Mr. Jackson and Mrs. Ferrell retained ownership of the chimney and the road was

built around it. Mr. Hunter referenced previous Mayor Patrick Henry Hays and said the chimney was a historic landmark. Mr. Hunter said he had issues with Baring Cross residents not having been included in any discussions pertaining to Rockwater. Mr. Hunter said people in Baring Cross can't get sidewalks or lights along the streets. Ms. Andrea Newton, with Habitat for Humanity spoke in support of the ordinance.

Without objection, O-16-47 was called.

**O-16-47 (ORDINANCE NO. 8827 – ALDERWOMAN ROBINSON)**

**AN ORDINANCE ALLOWING AN OFF-PREMISES SIGN FOR CERTAIN REAL PROPERTY LOCATED AT 1525 ROCKWATER BOULEVARD 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 Hight, and by consent of all members present, the readings were suspended (7/0). Mayor Smith convened a scheduled public hearing. There being no one present wishing to be heard, the public hearing was adjourned. Alderwoman Robinson said the city is not paying any money towards the sign or structure. She also said Mr. Shawn Spencer, Planning Director contacted the North Little Rock History Commission to see if the (Vestal) chimney was a historic structure. Alderman Taylor clarified that this is a private sign on private property. Alderwoman Ross said this is not an Electronic Changeable Copy Sign. On the motion of Alderman Taylor and seconded by Alderman Witcher, 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: Jim Jackson*)

**UNFINISHED BUSINESS**

None.

**CONSENT AGENDA**

None filed.

**NEW BUSINESS**

**R-16-119 (RESOLUTION NO. 9033 – MAYOR SMITH)**

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1516 POPLAR 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 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: Loretta Lynn Penney*)

R-16-120 (RESOLUTION NO. 9034 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4523 BOYER 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 Fouch. 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: US Bank National Association*)

R-16-121 (RESOLUTION NO. 9035 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 719 WEST 35TH 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 Taylor and seconded by Alderman Baxter. 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: Keith Caldwell Properties LLC*)

R-16-122 (RESOLUTION NO. 9036 – 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 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-16-46 (ORDINANCE NO. 8828 – MAYOR SMITH)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A PROMISSORY NOTE TO PROVIDE SHORT-TERM FINANCING UNDER AMENDMENT NO. 78 TO THE ARKANSAS CONSTITUTION FOR IMPROVEMENTS TO THE NORTH LITTLE ROCK RECREATIONAL VEHICLE PARK; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE NOTE; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the readings were suspended (7/0). A motion to adopt was made by Alderman Taylor and seconded by Alderman Hight. Alderwoman Ross said the Visitors Bureau (aka Advertising and Promotion

Commission) will make the payments. Mayor Smith said this will be the third loan and will add parking pads to the RV Park. Alderman Foutch said people in the RV community will like these improvements and will come and stay in the park. They will also spend money in the city while they are here. Mayor Smith said the average stay is three nights. 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). (*Bond amount - \$144,600.00*)

O-16-47 *called earlier in meeting, see above.*

O-16-48 (ORDINANCE NO. 8829 – MAYOR SMITH)

AN ORDINANCE AMENDING ORDINANCE NO. 8213 DEFINING "NERC/FERC COMPLIANCE SERVICES" AS A PROFESSIONAL SERVICE TO INCLUDE RTO COMPLIANCE SERVICES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

was read. On the motion of Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, the readings were suspended (7/0). 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 (7/0). Emergency clause adopted (7/0).

### PUBLIC COMMENT

Mr. Bobby Taylor said the city recently held a (Operation F.O.C.U.S) program in Rose City. This resulted in some areas being cleaned up and some that were not. He sees people (who care about their property) working in their yards. Others don't seem to care. Some people don't know when they are supposed to put out their recycling bins. Mr. Taylor asked Mayor Smith to do another program in the area. He referenced one resident who throws garbage over the fence and lets it sit all week. He also referenced rubbish (limbs, etc.). These properties need to get a ticket. Mr. Taylor said people working together can get things done. Alderwoman Ross asked Mr. Carter to provide a brief update regarding the Risk Management Report provided this date. Mr. Carter advised the city is in compliance. He then referenced a table that illustrated approved and executed transactions. The city acquired approximately 52,750 megawatt hours for delivery next year. Mr. Carter said the city will continue to build its portfolio and commended the city's consultants for their assistance. Mayor Smith commended the committee and staff on their efforts. Alderwoman Ross referenced a city owned lot that the city mows. The Land Task Force Committee recommended selling excess lots. The lot (referenced above) is located on West 23<sup>rd</sup> Street. Mayor Smith said the city owns several lots in the area. He doesn't want to sell them and then have someone put in rental property that they won't care for. This has been a problem area and the city is working to improve it. If the city could purchase the remaining lots, the property could be turned into something positive like Care Link or the Housing Authority. Alderwoman Ross said there a lots in other areas of the city that the city has to care for. Alderwoman Robinson commended the North Little Rock Electric Department for their efforts during the recent power outages. She asked how power is restored and referenced the grids, etc. She said there are residents in her area who lose power every time there is an outage. Mayor Smith said he would

provide addresses to Mr. James Bray, North Little Rock Electric Department General Manager and asked him to look into it. Alderwoman Robinson said people on her street area effected. Alderman Hight said there are residents in Ward 4 that have the same issues. Mayor Smith said some of the areas are due to the greenbelt and trees over or near the lines. Alderman Hight commended the Sanitation Department on working in the heat. He also acknowledged Mr. John Owens, President of the North Little Rock Chamber of Commerce. Alderman Baxter said trees do affect power lines. Restoring power at night and in inclement weather is difficult. Mayor Smith said during the power outage last week (Thursday), 7,049 customers were without power after the storm passed through. Twelve power poles were broken. Three transformer lines, six transformers, six primary and six secondary spans were affected. The majority of the damage was repaired. The next day, a second storm caused outages to another 1,546 customers. There were 2,400 man hours. Twenty-four poles snapped, which exceeded the number of poles lost during the ice storm. By Saturday night, 99% of North Little Rock Electric customers had power restored. The City of Little Rock had power out in areas through Tuesday of the following week. There are currently 147 Street Light outage reports pending. There may be more. Crews worked all weekend. Residents were asked to be patient. The cost of the damage caused by storms will exceed \$250,000.00. City policy is to restore power to the largest number of customers first. Alderman Baxter commended the city on the use of social media by keeping the public informed as to outage locations and power restoration. Ms. Jill Ponder, Mr. Nathan Hamilton and Mr. Jim Billings worked together to keep the public informed. Mayor Smith said a paving project scheduled for July has been extended. Fairway will be paved the week of August 1 – 5 and North Hills will be the week of August 8 – 12. These projects will be completed in advance of school starting. Alderwoman Ross said the Electric Department Outage Map was great. She also thanked all of the city’s employees who work outside and advised them to be careful in the heat.

There being no further business to come before the Council, and on the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 6:52 p.m. (7/0), until the next regularly scheduled meeting which will be held on Monday, August 8, 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