

August 12, 2013
Six-thirty 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, August 12, 2013, was called to order at 6:34 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, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT and MURRY WITCHER (8/0), a quorum was declared. Assistant City Clerk Linda Marshall and Assistant City Attorney Matt Fleming were also present.

The invocation was given by Alderwoman Robinson, followed by the pledge of allegiance to the flag which was also led by Alderwoman Robinson.

On the motion of Alderman Witcher and seconded by Alderman Hight and by consent of all members present, the minutes of a regular council meeting held on Monday, July 22, 2013, were approved, accepted and filed as prepared by the City Clerk (8/0).

Mayor Smith asked Mrs. Margaret Powell, Director of External Affairs to come forward. Mrs. Powell said this summer was the 13th year for the Sister Cities Youth Program/Exchange between North Little Rock and Uiwang City, South Korea. Mrs. Powell introduced members of local host families who were present which included Anna Depoyster, Evan Dowers, Gabriel Kerr, Chloe Moses, Tiger Nguyen, Samantha Rusk, Kim Trevino, Hannah Vaden, Grace and Lance Wilson. Miss Hannah Vaden thanked the council for the opportunity to participate in the program and spoke of her relationship with her Sister City student. Mrs. Hong Nguyen spoke of the opportunity to be a host family. Participants distributed folders to council members which included essays highlighting the recent event. Mayor Smith thanked all of the families for hosting the Korean Delegation. Mrs. Powell thanked Miss Winston Myer who has been her assistant for the past three years. She is very organized and works well with others. Mrs. Powell advised there will be a Winter Program in January 2014 and advised host families are needed to house a Korean student for two to three weeks while they attend school in North Little Rock.

Mayor Smith invited Interim North Little Rock Electric Department General Manager C. Jason Carter to come forward. Mr. Carter spoke regarding Communication #10. The city has responded to a Request for Proposals from the (United States Army) Corps of Engineers. The request was for a firm, fixed price contract to extend electric service to the Bayou Meto Water Management District (BMWMD) pump station in North Little Rock. The council recently annexed the pump station (see

Ordinance No. 8502). The total amount is anticipated to be \$9,260,000.00. Mr. Carter said the length of the line will be eight (8) miles and voltage of 69 KB. This would be a dedicated circuit. Mr. Carter said this is a federally funded project. The BMWMD is a large project using multiple 1,500 horsepower electric motors to elevate water from the Arkansas River for irrigation and water management. An “in-service” date was estimated to be late fall (2014).

On the blanket motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, communications #3, 4, 6, 7, 8, 9 and 10 were, accepted and filed (8/0).

3. Glinda Craigmyle, Mayor’s Office memorandum re: *Hotel/Motel/Restaurant Mixed Drink – Change of Manager from Linda Sutton*, for Bogie’s Nightclub at Holiday Inn North, 120 West Pershing Boulevard, by Jeananne Hawking.
4. Glinda Craigmyle, Mayor’s Office memorandum re: *Hotel/Motel/Restaurant Mixed Drink – NEW* for Courtyard by Marriott, 4339 Warden Road, by Jitendra K. Patel.
6. Glinda Craigmyle, Mayor’s Office memorandum re: *Private Club/Restaurant Beer & Wine – NEW* for Chaps, 2695 Pike Avenue, by Philip F. Patten.
7. Glinda Craigmyle, Mayor’s Office memorandum re: *Retail Beer off Premises & Small Farm Wine – NEW* for One Stop Convenience Store, 9603 MacArthur Drive, by Ali H. Dicko (*note: address is outside city limits*).
8. Karen Scott, Chairman Energy Risk Management Committee memorandum to Diane Whitbey, City Clerk re: ECR Adjustment Factor, August 2013, \$.0036/kwh.
9. Mike Smith, Acting Traffic Services Director memorandum to Mayor Smith re: 2012 Speed Hump Study Report.
10. C. Jason Carter, North Little Rock Electric Department Interim Director memorandum to Mayor Smith and City Council members re: Bayou Meto RFP (Request for Proposals) Response (\$9,260,000.00).

On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, Communication #1 was read, accepted and filed (8/0).

1. Captain John Pflasterer, Assistant Fire Marshal, North Little Rock Fire Department email to Council members re: Ordinance No. 7093 – address numbers on structures.

Alderman Hight referenced a program where Fire Department employees visited homes and installed smoke detectors and suggested the city provide reflective numbers on residential structures as a service. The Fire Department provided smoke detectors through a F.O.C.U.S. program and there continue to be grants available through the state for in-home smoke detectors. Alderwoman Ross said residents may not be aware of the house number requirement and suggested the city issue a press release or some other form of notification to the public. Mr. Nathan Hamilton, Communications Director advised the city is working on a Public Information Video regarding house numbers.

On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, communication #2 was read by title only, accepted and filed (8/0).

2. Memorandum re: Petition to Rename Street in North Little Rock – North Broadway (West 5th to West 7th) to Diamond Bear Way. No objection from Robert Voyles, Planning Director, Chief Mike Davis, North Little Rock Police Department and Chief Robert Mauldin, North Little Rock Fire Department.

Alderwoman Ross asked if this would come before the city council. Mayor Smith said Mr. Todd Larson, Economic Development Director was waiting on call-backs from other property owners in the area and the North Little Rock Historic District Commission.

On the motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, Communication #5 was read, accepted and filed (8/0).

5. Alderman Baxter email from Bobby Clark re: vehicle break-ins at Burns Park boat ramp. Alderman Baxter said runners have had similar issues and concerns. Alderman Hight said bikers had similar concerns in the area of Cooks Landing. Alderman Baxter reminded the public to (always) lock their vehicles and not leave valuables in them. Alderman Witcher asked about mobile cameras. Chief of Staff Danny Bradley said (the price) depends on the type of camera system. When he was Police Chief, the city purchased equipment that is used primarily at public events. There are some mobile cameras; however, Police Chief Mike Davis advised all are being used.

No one signed up to speak on agenda items (legislation).

UNFINISHED BUSINESS

R-13-133 (RESOLUTION NO. 8380 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LAKEVIEW ROAD AND BARBARA DRIVE IN THE CITY OF NORTH LITTLE ROCK FROM WOODCREST COMPANY, LLP; AND FOR OTHER

PURPOSES, was read. Alderman Witcher referenced Alderwoman Ross's suggestion that the property be zoned as Conservation. Mayor Smith visited several residences adjacent to the property. One lady was concerned about snakes in the area. Mayor Smith said some work may be required on the property. Alderwoman Ross said she didn't want to accept the property if it was going to create more work for city employees. The property drains into a swamp. Alderwoman Ross said the area provides drainage from the surrounding area. Mayor Smith said three ditches drain into the area. On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted (8/0). Alderwoman Ross asked if the city could sell this property in the future. Mayor Smith said the resident he talked to said she bought her home because of the green space. However, the snakes are so bad that she would give up the green space to keep snakes out of her home.

O-13-68 (ORDINANCE NO. 8555 – MAYOR SMITH)

AN ORDINANCE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 500 AND 600 BLOCKS OF THE EAST SIDE OF MAPLE STREET IN THE CITY OF NORTH LITTLE ROCK,

ARKANSAS, FROM PLANNED USE DEVELOPMENT (PUD) TO C-6 TO ALLOW APARTMENTS, BY AMENDING ORDINANCE NO. 7697; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and all readings were suspended on July 22, 2013, was read again this date. On the motion of Alderman Witcher and seconded by Alderwoman Ross, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Mayor Smith thanked the Salter's for their investment in the downtown area. The emergency clause was unanimously adopted (8/0). (*applicant: Brent Salter*)

CONSENT AGENDA

None

NEW BUSINESS

R-13-145 (RESOLUTION NO. 8381 – MAYOR SMITH)

A RESOLUTION APPOINTING KAY ALONZO TO THE POSITION PREVIOUSLY HELD BY MICHAEL ROWETT ON THE NORTH LITTLE ROCK LIBRARY COMMISSION; AND FOR OTHER PURPOSE, was read. On the motion of Alderman Foutch and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0). Mayor Smith said Ms. Alonzo will be representing Ward 3 and thanked her for her service.

R-13-146 (RESOLUTION NO. 8382 – MAYOR SMITH)

A RESOLUTION REAPPOINTING CHARLES JAMISON TO THE NORTH LITTLE ROCK ADVERTISING AND PROMOTION COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter and seconded by Alderman Witcher, and by consent of all members present, the resolution was unanimously adopted (8/0). Alderman Hight said Mr. Jamison is the longest serving commissioner on the Advertising and Promotion Commission and commended him for his continued service.

R-13-147 (RESOLUTION NO. 8383 – MAYOR SMITH)

A RESOLUTION APPROVING AMOUNTS OF LIENS TO BE CERTIFIED TO 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 Alderman Taylor 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 unanimously adopted (8/0).

R-13-148 (RESOLUTION NO. 8384 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE LOW BID OF LADD'S FOR A SELF-CONTAINED FIVE GANG FAIRWAY MOWER FOR THE NORTH LITTLE ROCK PARKS AND RECREATION

DEPARTMENT; APPROPRIATING FUNDS (\$54,020.44 including applicable taxes – Sales Tax PARKS Capital Improvement Fund); AND FOR OTHER PURPOSES, was read. Mr. Fleming referenced an amendment. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. On the motion of Alderman Hight and seconded by Alderwoman Ross, and by consent of all members present, the resolution was amended as follows: *Section 2: strike through Sales Tax and insert PARKS Capital Improvement Fund* (8/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

O-13-70 (ORDINANCE NO. 8556 – MAYOR SMITH)

AN ORDINANCE WAIVING COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT TO ENTER INTO A FIELD SERVICES AGREEMENT WITH HCMS, INC., FOR THE INSPECTION OF UNIT 1 AT THE MURRAY HYDRO PLANT SIMULTANEOUSLY WITH CURRENTLY SCHEDULED REPAIRS; 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 rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. On the motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, the ordinance was amended as follows: *Section 3: strike through NLRED operation funds and insert FROM THE NORTH LITTLE ROCK BOND ISSUE FOR 2012* (8/0). On the motion of Alderman Witcher and seconded by Alderman Taylor, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted as amended (8/0). Emergency clause unanimously adopted.

PUBLIC COMMENT

Mr. Tom Crnko spoke regarding the Creosote Plant in Argenta and provided audio he recorded from his back yard the previous Saturday. He said the sound can be heard from 7:00 a.m. until 4:30 p.m. Last week, he wrote a letter voicing his opinion and called the police to report a nuisance noise. He brought a box of moth balls and said that is what the creosote smells like. The noise goes on eight hours a day. There is a nuisance ordinance. He also referenced pollution of water and noxious odors. His home is next door to the future home of Diamond Bear Brewery. Mayor Smith said the police department has interrogated residents in the area. Those interrogations are being transcribed and will be turned in to the legal department. Legal will review the same and provide a legal opinion regarding the same. Mr. Crnko commented regarding the renaming of the street to Diamond Bear Brewery. He spoke against renaming the street for a business that has no ties to North Little Rock and said it lays the groundwork for future renaming. The Baker House has been in North Little Rock over 100 years. Mr. Scott Miller would like to rename his street. If the brewery makes a bad batch of beer that smells or

tastes of creosote, they will leave. The city will then have an empty building and a street named after a business that is gone. Mr. Crnko suggested the city consider a land swap by moving the brewery to a location where there are beer establishments and bars. Their proposed site (and nearby green space) could be used for a community center for children. Alderwoman Ross said RFP's are in for a new City Website. Mayor Smith distributed copies of a survey conducted by the City of Fayetteville regarding Insurance Premiums for like-sized cities and encouraged council members to review the same. Mayor Smith distributed copies of a map of McCain Boulevard. A grant from a ½ cent Sales Tax in the amount of \$250,000.00 was awarded to the city. Council members were encouraged to drive McCain and consider which area to overlay with the grant funds. The city's portion will be 10% plus anything over \$250,000.00. Mayor Smith showed the council a portion of a traffic light. During the recent severe weather (thunderstorms) a lot have been damaged. Over the weekend, 17 were damaged. The lights are LED and cost about \$100.00 each. Mayor Smith said two substations in Levy were down during the storm. He commended crews for their work getting power back on. Alderwoman Ross said the circuit in Levy seems to be down a lot and asked if there was a problem with it. Mr. Carter said the department is looking into the area to see if there is a problem or if it is a coincidence.

There being no further business to come before the Council, and on the motion of Alderwoman Ross and seconded by Alderman Witcher, and by consent of all members present, the meeting was adjourned at 7:35 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, August 26, 2013, at six thirty 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