

March 24, 2014
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, March 24, 2014, was called to order at 6:02 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, BRUCE FOUTCH, CHARLIE HIGHT and MURRY WITCHER (7/0). Alderman MAURICE TAYLOR was absent. City Clerk Diane Whitbey and Assistant City Attorney Matt Fleming were also present.

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

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, March 10, 2014, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the blanket motion of Alderman Witcher and seconded by Alderman Baxter, and by consent of all members present, communications #1, 2, 5 and 6 were accepted and filed (7/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Beer & Wine – NEW* for E's Bistro and Gourmet Foods, Inc., 3812 JFK (John F. Kennedy) Boulevard by LaPrincie A. Baxter.
2. Karen Scott, Chairman North Little Rock Energy Risk Management Committee memorandum re: ECR (Energy Cost Recovery Rider) Adjustment Factor March 2014, \$.0119/kwh.
5. Daven McCoy letter to Mayor Smith re: resignation as Special Projects Director effective February 28, 2014.
6. Charlotte Thomas, Mayor's Office memorandum re: *Private Club, Restaurant Wine & Retail Beer on Premises – Change of Manager from Jean-Louis Mouton* for Fox and Hound English Pub & Grille, 2800 Lakewood Village Drive, by Thor W. Markey.

On the motion of Alderman Foutch and seconded by Alderman Baxter, and by consent of all members present, communication #3 was read, accepted and filed (7/0).

3. Mike Smith, Chief City Engineer letter to Mayor Smith and City Council members re: Proposed 2014 Asphalt Overlay Program.

On the motion of Alderman Hight and seconded by Alderman Foutch, and by consent of all members present, communication #4 was read, accepted and filed (7/0).

4. Mary Ruth Morgan, City Treasurer letter to Mayor Smith and City Council members re: decision to not seek reelection at end of term and recommendation that position be consolidated with City Clerk and Collector.

Mayor Smith said Mrs. Morgan has served the city very well over the years and will be missed next year.

Mayor Smith announced a Special Call scheduled for Monday, March 24, 2014, at 6:00 p.m.

March 20, 2014 (via email)

Subject: Special Call (R-14-57)

Honorable Members of the North Little Rock City Council:

The purpose of this email 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, March 24, 2014, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1) A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LEASE AGREEMENT WITH THE ARGENTA ARTS FOUNDATION FOR PROPERTY LOCATED AT 506 MAIN STREET; AND FOR OTHER PURPOSES.

A copy of the proposed resolution and agreement are attached hereto for your reference.

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

City Attorney C. Jason Carter

By: Matthew W. Fleming
Deputy City Attorney

SPECIAL CALL R-14-57

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LEASE AGREEMENT WITH THE ARGENTA ARTS FOUNDATION FOR PROPERTY LOCATED AT 506 MAIN STREET (*History Commission Building*); AND FOR OTHER PURPOSES, was read.

Mayor Smith invited those who signed in to speak on this item to come forward. Former North Little Rock Alderman Martin Gipson said this was his second time to address the council since retiring as council member Ward 1. He spoke regarding the building at 506 Main Street. He became aware of the proposed Lease Agreement through a newspaper article in the *Arkansas Democrat Gazette*. A

good relationship existed between the Laman Library Branch that occupied the space and the North Little Rock History Commission. Since the Library Branch has moved, the only way to get to the History Commission is to go to the back of the building and ring the bell. Visitors then have to wait for someone to come downstairs to let them in. Even with another tenant in the space, the scenario will be essentially the same. When the building was restored it was with the vision that the History Commission would one day occupy the whole space. When you visit other cities and towns around the state (Walnut Ridge, Hope, Jonesboro, etc.), their history is on Main Street. History is a major tourist attraction. Former Alderman Gipson said they (the Foundation) could have another place (that they either own or have an interest in) to relocate to. Mrs. Donna Hardcastle, Argenta Arts Foundation said this move would allow a business with 19 employees to remain in Argenta. The Arts Foundation has moved several times in the last few months due to others needing the space. SEAL Corporation will lease their current location. They are approximately 6 months away from completing their building at 4th and Poplar and would be able to move to that space if needed. She said they would be accommodating to the History Commission as best as they can. The relocation is not for the Foundation but to allow another business an opportunity to locate in the area. Mayor Smith said this is about keeping 19 jobs in the area. Construction is underway on 70 – 100 apartments that will bring more people into the downtown area. It is possible that the building will be managed by the History Commission in the future. It will take time for that to happen (4 to 5 months). Alderman Foutch said the legislation references the Argenta Arts Foundation; however the Argenta Downtown Council and Innovation Hub are involved. Mrs. Hardcastle is the Executive Director for both the Downtown Council and Arts Foundation. They share staff and space and are currently sharing space with the Arkansas Innovation Hub. There would be a total of four employees in the space. Alderman Foutch referenced funds provided to the Foundation and Hub. Mrs. Hardcastle said they have a location with a lease through the end of July. Alderman Foutch referenced funds (\$13,000.00) for the Argenta Arts Foundation to oversee the plaza. Alderwoman Robinson said this would be temporary (6 months). There are things that would need to be done before the History Commission could occupy the space downstairs. Alderwoman White asked if there was another possibility other than moving to the Innovation Center and if they would seek an extension on the lease. Mrs. Hardcastle said there is not a location available at the present time and an extension would not be requested. Alderwoman Robinson asked about renovations. Mrs. Hardcastle said there would be no changes to the space. Mayor Smith said the rent would be dedicated to the History Commission. Alderwoman Ross said the length of the lease submitted in a communication at the previous council meeting was 3 – 6 months. Alderman Hight said this is a win-win situation for both parties. His intention is that the History Commission have full occupancy after the lease expires. Alderman Witcher was involved in finding money to redo the building. At that time it was assumed it would be the History Building. Small towns have their history on Main Street. He enjoys visiting historic areas when he travels. The History Commission needs a place to display their items. They have a shortage of storage space. He has supported the Argenta Arts Foundation, but has strong feelings about this (use). Alderwoman Robinson asked if the Commission has the money to fix up the area in question. Mayor Smith said they do not. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Hight. On the motion of

Alderwoman Ross and seconded by Alderman Witcher, and by consent of all members present, with the exception of Alderman Witcher who voted no, the Lease Agreement was amended as follows: *length of lease agreement reduced from 9 months to 6 MONTHS (6/1)*. A motion to adopt as amended was made by Alderman Hight and seconded by Alderman Baxter, the following members voted yes: Aldermen Robinson and Hight; and the following members voted no: Aldermen Ross, White, Baxter, Foutch and Witcher, the motion failed (2/5).

Mayor Smith announced citizen public comment on legislation. Ms. Heather Nelson, President and CEO SEAL Corporation spoke for O-14-26. SEAL Corporation is an Energy Efficiency Firm with 19 employees. They are committed to the Energy Efficiency Industry and support this legislation. The city of Fayetteville has adopted legislation. This is a new industry for the state which is growing. Employees attend Weatherization Training at Pulaski Tech which is at the forefront and considered to be the top training program in the mid-south. Mr. Steve Patterson, Executive Director Arkansas Advanced Energy Association also spoke in support of O-14-26. Members of AAEA have said that access to financing is the biggest obstacle the Energy Efficiency Industry faces in trying to encourage commercial property owners to retrofit their buildings to reduce energy costs and increase cash flow. Through the State Legislature, they found bi-partisan support to allow jurisdictions around the state to create PACE Improvement Districts. Fayetteville adopted PACE last October and has established a board and will be issuing requests for proposals for a third-party administrator as early as June. This is an attractive Economic Development tool for communities. Participation is 100% voluntary. Assessments only affect property owners who have voluntarily taken out a loan for a project. Each loan results in a net cash flow for customers. Mr. Ron McCarty works for Powers of Arkansas in North Little Rock. The company has 120 employees. One of their major focuses is energy savings for their customers. This legislation will help customers get over the financial hurdle. They had one customer who received \$400,000.00 in rebates. Programs like these will be very beneficial in growing organizations and in the future. Mrs. Lisa Meyer is Manager of McCain Mall which is owned by Simon Property Group. Simon Property wants to use this PACE opportunity to take advantage of and undertake the first PACE Project in Arkansas. Nationwide, Simon Property has completed several (similar) projects and is familiar with the process and willing to share experience and knowledge as needed. Benefits include: environmental friendly; tax-free bond; owner alternative to financing; and community benefits by jobs and competitive for future business growth. Mr. James Ard spoke regarding O-14-18 and encouraged the council to consider people on fixed incomes who cannot afford to pave gravel driveways. There should be a way of people can find out what they need to do before purchasing a property. Regarding R-14-50 (certain Sex Offenders report to Law Enforcement Agencies every 30 days) is a great idea. There being no one else wishing to speak, Mayor Smith ended comments on legislation.

UNFINISHED BUSINESS

O-14-18 (ORDINANCE NO. 8621 – ALDERMAN ROSS)

AN ORDINANCE AMENDING SECTION 1.4.1 OF CHAPTER 9 (PARKING REGULATIONS) OF THE NORTH LITTLE ROCK MUNICIPAL CODE TO REVIEW THE DEFINITION OF PARKING SURFACES AS IT APPLIES TO PROPERTY OWNERS IN RESTRICTED PARKING DISTRICTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read three times February 24, 2014, again on March 10 and again this date. Alderwoman Ross said this has been discussed at the previous two meetings. She has visited with the Lakewood Improvement District and Park Hill Historic District regarding the same. Gravel is not an approved parking surface in the original Parking District legislation. Both groups agreed they want their neighborhoods cleaned up and improved. This legislation would apply only to those persons who live in a Parking District until December 22, 2018. On the motion of Alderwoman Ross and seconded by Alderwoman White, and the roll having been called and all members present having voted in the affirmative, with the exception of Alderman Hight, who voted no, the ordinance was adopted (6/1). On the emergency clause, all members present voted in the affirmative, with the exception of Alderman Hight, who voted no (6/1).

CONSENT AGENDA

On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by voice vote and all members present having voted aye, consent agenda items R-14-43, R-14-45, and R-14-48, were adopted (8/0). R-14-42, R-14-44, R-14-46, and R-14-47 were moved to the regular agenda.

R-14-43 (RESOLUTION NO. 8514 – MAYOR SMITH)

A RESOLUTION AUTHORIZING A ONE-TIME PAYMENT OF \$80,000.00 TO THE LOCAL POLICE AND FIRE RETIREMENT SYSTEM (LOPFI) FOR THE BENEFIT OF CERTAIN RETIREES OF THE NORTH LITTLE ROCK POLICE AND FIREMEN’S RELIEF AND PENSION FUNDS; AND FOR OTHER PURPOSES, was adopted (7/0).

R-14-45 (RESOLUTION NO. 8515 – MAYOR SMITH)

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO UTILIZE STATE AID STREET MONIES FOR THE NORTH LITTLE ROCK McCAIN BOULEVARD OVERLAY PROJECT; AND FOR OTHER PURPOSES, was adopted (7/0).

R-14-48 (RESOLUTION NO. 8516 – MAYOR SMITH)

A RESOLUTION AMENDING THE 2014 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO INCLUDE \$45,051.43 RECEIVED FROM THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR DESIGN SERVICES AND PLANS FOR PARKING LOT MODIFICATIONS AT DICKEY STEPHENS PARK FOR THE BROADWAY BRIDGE PROJECT; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH MARLAR ENGINEERING CO., INC.; APPROPRIATING FUNDS (\$45,051.43 – *Special Projects Infrastructure*); AND FOR OTHER PURPOSES, was adopted (7/0).

NEW BUSINESS

R-14-42 (RESOLUTION NO. 8517 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT FOR ELECTRIC CUSTOMER ASSISTANCE WITH CENTRAL ARKANSAS DEVELOPMENT COUNCIL; AND FOR OTHER PURPOSES, was read.

Alderman Foutch asked about \$150,000.00 to assist residents with utilities. Central Arkansas Development Council (CADC) will receive 15% (\$22,500.00). Two million dollars is paid to the Utilities Accounting Department (UAD) each year. Customers pay their electric bills there and make arrangements to get their power back on and set up payment plans. He then asked why UAD employees aren't handling these arrangements. Mayor Smith said it is a very difficult task to decide who will receive assistance. CADC is already set up to handle these transactions. It would take 2 – 3 fulltime employees to manage the same volume of requests. Alderwoman Robinson said it was cheaper to have CADC provide the service for the city. Alderwoman Ross asked that those people requesting funds have an energy audit. Alderwoman Robinson asked to see demographics as to how many North Little Rock residents receive assistance. (Funds are available for North Little Rock Electric Customers). Mr. Carter sent out information to be filed as a communication. (Ms. Whitbey will receive and file it as a communication for the next council meeting). On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the resolution was adopted (7/0).

R-14-44 (RESOLUTION NO. 8518 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY LOCATED EAST OF NORTH LOCUST STREET TO SHORTER COLLEGE, INC. FOR STUDENT HOUSING EXPANSION; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderwoman Robinson and seconded by Alderwoman Ross. On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, the resolution was amended as follows: *attach Exhibit "A"* (7/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was adopted as amended (7/0). Mayor Smith introduced Shorter College President Green and said the college has grown to 450 students this semester. Last year there were 50. This property was old urban renewal property. Shorter is raising funds to build dorms in that area so they can better serve their students.

R-14-46 (RESOLUTION NO. 8519 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO PCS SITE AGREEMENTS WITH STC FIVE LLC, SUCCESSOR IN INTEREST TO SPRINT SPECTRUM EQUIPMENT COMPANY L.P. FOR THE EXISTING CELL TOWER SITE LOCATED ON MAGNOLIA STREET (3415 Magnolia); AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderwoman Ross and seconded by Alderman Foutch. Alderman Foutch asked about Exhibit A, paragraph 2 that referenced a \$10,000.00 signing bonus. Mayor Smith advised it

would go into the General Fund. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-14-47 (RESOLUTION NO. 8520 – MAYOR SMITH)

A RESOLUTION APPROPRIATING THE CITY OF NORTH LITTLE ROCK'S 20% MATCHING SHARE OF ESTIMATED COSTS FOR THE FIVE MILE CREEK PROJECT ON REMOUNT ROAD; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Alderman Hight read an article in the *Arkansas Democrat Gazette* that indicated funding has been put on hold. Mayor Smith said the Federal Highway Trust Fund doesn't have any money. Congress will review and (can) make up the deficit. If the funding is not provided, then these funds will not be appropriated. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*\$72,000 – 2010 Sales Tax Bond Fund and \$71,070.00 – Sales Tax Capital Improvement Fund*)

R-14-49 (RESOLUTION NO. 8521 – MAYOR SMITH)

A RESOLUTION AMENDING RESOLUTION NO. 8466 TO DESIGNATE ALLOCATION OF FUNDS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Alderman Foutch referenced \$157,500.00 for improvements to (Argenta) Plaza and asked how the money would be spent. Mayor Smith said they're waiting on plans. Mayor Smith said in 2010, a warehouse on East Broadway was donated to the city. During closing it was learned there was a reversion clause which gave the donor the right to take the property back. Mayor Smith spoke with representatives of the partnership who indicated they would like for half of the proceeds to go towards the development of the Downtown Plaza. Only half of the proceeds from the sale will go towards CATA (Central Arkansas Transit Authority) buses. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-14-50 (RESOLUTION NO. 8522 – ALDERMAN ROSS)

A RESOLUTION EXPRESSING SUPPORT FOR AN AMENDMENT TO THE ARKANSAS SEX OFFENDER REGISTRATION ACT OF 1997, AS AMENDED, TO REQUIRE CERTAIN SEX OFFENDERS TO REPORT TO LAW ENFORCEMENT AGENCIES EVERY 30 DAYS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Hight. Alderwoman Ross said people can receive notifications through the Arkansas Crime Information Center (ACIC) when sex offenders move into the area. She recently received notification of a 'homeless' offender in the area. After talking to Detective Mike Cooke, North Little Rock Police Department she proposed this legislation and is asking the Arkansas Municipal League for support of the same during the next Legislative Session. This would change the 6 month notification requirement to a 30 day notification requirement. She spoke with Paul Stitts with ACIC who supports the legislation. Officer Cooke has talked to law enforcement agencies in other city's who support the same. On the motion of Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, the resolution was amended as follows: *correct typo in title Registration to*

REGISTRATION (7/0). On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the resolution was adopted as amended (7/0).

R-14-51 (RESOLUTION NO. 8523 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 900 EAST 17TH STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight 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 all members present having voted in the affirmative, the resolution was adopted (7/0). (*owners: Clevester and Patricia Waits*)

R-14-52 (RESOLUTION NO. 8524 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1202 EAST 16TH 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 Alderwoman Ross. Mayor Smith convened a public hearing. Ms. Kendra Gerard asked for an extension of time. Mayor Smith asked if they understood the process if the council condemns the property and asked if Code (Enforcement) had advised them of the same. (A man – assume it was Mr. Anderson) advised they had not. Alderwoman Ross said signing the agreement would require a (cash) bond. There being no one else wishing to be heard, the public hearing was adjourned (7/0). (*owner: Ira Anderson c/o Kendra Gerard*)

R-14-53 (RESOLUTION NO. 8525 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 116 S. PALM STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross 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). (*owners: Jessie G. Carter and Jacqueline Cousert*)

R-14-54 (RESOLUTION NO. 8526 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2900 LINCOLN 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 Alderman Foutch and seconded by Alderman Hight. 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). (*owner: Ketina L. Washington*)

R-14-55 (RESOLUTION NO. 8527 – 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 3003 EAST 4TH 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 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 (7/0). (*amount – \$2,967.34*)

R-14-56 (RESOLUTION NO. 8528 – 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 1513 WEST 12TH 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 Alderman Hight. 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). (*amount - \$3,224.55*)

O-14-25 (ORDINANCE NO. 8622 – ALDERMAN HIGHT)

AN ORDINANCE APPROVING A REQUEST TO WAIVE REQUIREMENTS OF THE MASTER STREET PLAN FOR HALF STREET IMPROVEMENTS, SCREENING AND BUFFER REQUIREMENTS FOR PROPERTY LOCATED ON REMOUNT ROAD BETWEEN KIERRE DRIVE AND PERIN ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Foutch, and by consent of all members present, all readings were suspended (7/0). A motion to adopt was made by Alderman Hight and seconded by Alderman Foutch. Alderman Hight said there are no curbs or gutters in this area on Remount Road. Alderwoman White said there is a (residential) neighborhood behind this property which would benefit from trees around the perimeter. This street might be developed in the future and the city would be responsible for the curbs and gutters. Mr. Robert Voyles, Planning Director said this parcel was developed before it was annexed into the city. There are two (2) cell towers on the property and a replat has been requested. Alderman Hight asked about buffers. Mr. Voyles said some of the requirements may have been waived. The area is a rocky hilltop that backs up to a contractors property. On the previous motion, and the roll having been called, and all members present, having

voted in the affirmative, with the exception of Alderwoman White, who voted no, the ordinance was adopted (6/1). Emergency clause adopted (7/0). (*applicant: Mike Marlar*)

O-14-26 (ORDINANCE NO. 8623 – MAYOR SMITH)

AN ORDINANCE CREATING A PROPERTY ASSESSED CLEAN ENERGY (PACE) IMPROVEMENT DISTRICT NAMES “ENERGY IMPROVEMENT DISTRICT”; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. A motion to suspend the rules was made by Alderwoman Ross and seconded by Alderman Hight. Mayor Smith said this was approved by the State Legislature in 2013. Fayetteville is the only city in the state to adopt such. This will give property owners the ability to tax themselves to pay for energy improvements. Alderman Foutch asked about the phrase “with loan repayment tied to collection of real property taxes.” Mr. C. Jason Carter, North Little Rock City Attorney and Acting General Manager North Little Rock Electric Department said PACE Districts are structured as an Improvement District. Assessments have to be voluntary participation in a project. The cost of an Energy Efficient Project can be assessed on property taxes for the property. This allows bonds to be issued and is a way for property owners to access low-cost capital. Alderman Foutch said if this is independent of the city, then the council has no say. Mr. Carter said it is like any other Improvement District and requires action by the Municipality. On the previous motion, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Hight and seconded by Alderwoman Ross, and by consent of all members present, the remaining rules were suspended (7/0). On the motion of Alderman Hight and seconded by Alderman 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).

O-14-27 (ORDINANCE NO. 8624 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE PURCHASE OF AN ASPHALT PAVER MACHINE FOR THE NORTH LITTLE ROCK STREET DEPARTMENT; APPROPRIATING FUNDS (\$118,000.00 plus taxes – Sales Tax Capital Improvement Fund); 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 (7/0). On the motion of Alderman Witcher and seconded by Alderman Hight, 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). The ordinance was read a third and final time. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Robinson. Alderman Foutch attended the Arkansas Recycling Coalition meeting and advised asphalt can now contain up to 3% recycled roofing material after 1980. This could save money on the cost of asphalt. Mayor Smith said he, Chief of Staff Danny Bradley and Street Department Director Patrick Lane are going to go see a street paved in this manner. The asphalt maker has to provide the mixed material. Mayor Smith said the bid is being waived on this item as it is a demonstrator (demo) and cannot be sold as new. The cost new would be \$176,000.00. This was a budgeted item and will save \$58,000.00. There is a one year warranty. 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-14-28 (ORDINANCE NO. 8625 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE REPLACEMENT OF A DAMAGED SECTION OF THE ROCKET SLIDE AT BURNS PARK; APPROPRIATING FUNDS (\$43,493.41 – 2014 Parks and Recreation Capital Improvement MAINTENANCE OPERATION Fund); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read.

On the motion of Alderman Hight and seconded by Alderman Baxter, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the rules were suspended and the ordinance was placed on its third and final reading (7/0). The ordinance was read a third and final time. A motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the ordinance was amended as follows: *strike through Parks and Recreation Capital Improvement Fund in the Budget and insert OPERATION BUDGET* (7/0). Alderwoman Ross asked if restitution is collected if the money will go back into the budget. State Representative Patti Julian is working on getting grant money from Central Arkansas Planning and Development. Mrs. Jean Hyde organized a group that has raised over \$6,000.00 in donations. On the motion of Alderman Witcher and seconded by Alderman Hight, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted as amended (7/0). Emergency clause adopted (7/0).

O-14-29

AN ORDINANCE AMENDING SECTIONS 2.1.3, 4.1.3, 4.1.7 AND 4.2.4 OF NORTH LITTLE ROCK MUNICIPAL CODE CHAPTER 10 (PARKS AND RECREATION) TO INCLUDE CHANGES PROPOSED BY THE PARKS AND RECREATION COMMISSION; 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, the rules were suspended and the ordinance was placed on its second reading (7/0). The ordinance was read a second time. The legislation was then held at the request of the sponsor, Mayor Smith.

O-14-30 (ORDINANCE NO. 8626 – MAYOR SMITH)

AN ORDINANCE VACATING AND ABANDONING A PORTION OF AN ALLEYWAY LOCATED EAST OF MAIN STREET AND WEST OF POPLAR STREET BETWEEN EAST 22ND AND EAST 23RD STREETS IN THE CITY OF NORTH LITTLE ROCK; 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 (7/0). On the motion of Alderman Baxter and seconded by Alderman Hight, 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). On the motion of Alderwoman Ross and seconded by Alderman Hight, 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-14-31 (ORDINANCE NO. 8627 – ALDERMAN HIGHT)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 3 KIERRE DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM R-1 TO C-2 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; GRANTING A CONDITIONAL USE TO ALLOW OFFICES IN A C-2 ZONE DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderwoman Ross, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Hight and seconded by Alderman Witcher, 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). The ordinance was read a third and final time. Alderman Fouch asked if any neighbors had complained about this request at the Planning Commission. Mr. Voyles said several residents had questions but those were resolved. On the motion of Alderman Witcher and seconded by Alderman Hight, 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: Mike Marlar*)

O-14-32 (ORDINANCE NO. 8628 – ALDERMAN TAYLOR)

AN ORDINANCE APPROVING A WAIVER REQUEST OF A CONDITION ESTABLISHED PURSUANT TO SECTION 2 (A) OF ORDINANCE 8578 TO ALLOW A FENCE IN THE FRONT YARD OF A VEHICLE SALES LOT ON CERTAIN REAL PROPERTY LOCATED AT 11511 DIAMOND DRIVE 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 rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Hight and seconded by Alderwoman Robinson, 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). The ordinance was read a third and final time. A motion to adopt was made by Alderman Hight and seconded by Alderman Fouch. Alderwoman Robinson said this would be a decorative fence and she does not have a problem with it. This property is in the Galloway area. 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: Mike Marlar*)

PUBLIC COMMENT

Mr. James Ard said Fair Housing has completed their investigation of the House of 3. He asked if there was a limit on making a request. Mr. Ard also said there is a pot hole on Camp Robinson Road

(47th and Camp Robinson by the Shell Station). Alderwoman Robinson said a Budget Planning meeting was held last week. She has had calls from constituents who would rather see an increase in sanitation fees than another tax. She advised them Mayor Smith would be provided more information. Alderman Foutch thanked Chief Bradley for representing the city and judging the Amboy Chili Cook Off last weekend. Mayor Smith distributed copies of the State of City report. Ms. Whitbey will email it to those who receive the council agenda. Alderman Witcher advised the new downtown Library branch ribbon cutting will be April 5, 2014, at 10:00 a.m. Also from 11:00 a.m. until 4:00 p.m. the North Shore Animal League Annual Tour For Life will be in Lakewood Village Shopping Center. That night, at 6:00 p.m., the North Little Rock Woman's Club will host their annual Carousel Ball at the Hays Center. Alderman Hight said Shep has done a great job in Burns park keeping geese away. Ms. Whitbey advised Alderman Baxter adopted a dog during the Tour For Life last year. Her name is Miss Karma aka Miss K.

There being no further business to come before the Council, and on the motion of Alderwoman Robinson and seconded by Alderman Baxter, and by consent of all members present, the meeting was adjourned at 7:30 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, April 14, 2014, 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