

April 28, 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, April 28, 2014, was called to order at 6:00 p.m. by the honorable Mayor JOE A. SMITH.

The prayer and pledge of allegiance were lead by Alderman Maurice Taylor.

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). Assistant City Clerk Linda Marshall and Assistant City Attorney Matt Fleming were also present.

Mayor Smith invited North Little Rock High School Basketball Coach Rice and members of the team to come forward. Coach Rice then introduced the members of the team. Mayor Smith presented each member a Day Proclamation before the council meeting and congratulated them on winning the 2014 Championship.

Mayor Smith invited Mrs. Suzanne Jackson, Chairman North Little Rock History Commission and Mr. Herman Shirley, Past Chairman to come forward. Mr. Shirley said commissioners have been interviewing longtime (100 years+) families from the City of North Little Rock. Lewis and Mary Davis moved to North Little Rock around 1880. Mr. Shirley reviewed the family's timeline in the city. Aubrey August Davis went on to become a North Little Rock City Council member. Mr. Aubrey "Mert" Davis was present and accepted a certificate on behalf of his family. In 1937, G. L. and Margaret Smith moved from Little Rock to North Little Rock. They had two children, G. L. Jr. and Pasty. Mr. Shirley reviewed the Smith family's history in the city. Mr. Shirley then presented a certificate to Mayor Smith on behalf of his family, including Pat and his sister Phyllis.

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 and two (2) Special Call meetings held on Monday, April 14, 2014, were approved, accepted and filed as prepared by the City Clerk (8/0).

A blanket motion was made by Alderman Hight and seconded by Alderman Witcher to accept and file communications #1, 2, and 3.

On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, communication #1 was read by title only, accepted and filed (8/0).

1. Karen Scott, Finance Director email re: 1st Quarter Liens and Code Enforcement Fines collected.

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

2. Warren Atkins, Solid Waste Services Manager, City of Little Rock Public Works letter to Harold Ford, Sanitation Director re: CPI increase for disposal as outlined in current contract.

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, communication #3 was read by title only, accepted and filed (8/0).

3. George Wheatley, Waste Management letter to John Roberts, Pulaski County Regional Recycling and Waste Reduction District re: Rate Adjustment effective April 1, 2014.

Without objection, O-14-41 was called.

O-14-41 (ORDINANCE NO. 8635 – ALDERMAN HIGHT)

AN ORDINANCE GRANTING WAIVERS TO ALLOW VARIANCES FOR UTILIZING TWO EXISTING PYLON SIGNS AS OFF-PREMISES SIGNS ON CERTAIN REAL PROPERTY LOCATED AT 5105 WARDEN ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of

Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, all readings were suspended (8/0). A motion was made by Alderman Hight and seconded by Alderman Witcher. Alderman Taylor asked why monument signs weren't being required. Alderman Hight said exceptions have been made along the interstate from Wildwood Avenue to McCain Boulevard. On the previous motion, and the roll having been called and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause adopted (8/0).

(applicant: Brendon Hollier)

SPECIAL CALL O-14-38

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A PAWN SHOP IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 6907 JFK (John F. Kennedy) BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held by the sponsor

Alderman Witcher. This item was added to the city council meeting agenda under Unfinished Business. A public hearing was scheduled for this date and called to order. There being no one wishing to be heard, the public hearing was adjourned. The legislation was withdrawn by the sponsor, Alderman Witcher at the request of the applicant. *(applicant: Douglas Braswell)*

Mayor Smith announced citizen public comment. Mr. John Santoro spoke regarding R-14-66. He read an excerpt from a newspaper article regarding fire response times in Queens, New York. He said the drive takes 8 – 11 minutes. He said by the time a call goes through 911 to the responders and they get into their turnouts and vehicles more time has passed. Response to a fire in his area is around 20

minutes. Mr. Santoro compared other needs in the city to that of a Fire Station and said it should take priority. Mr. Gerald Paulton also spoke regarding R-14-66. He thanked Aldermen Taylor and Robinson for bringing legislation to help their community. The safety and security of the people around are the number one concern. He encouraged the council to adopt the legislation and hoped to see a fire station on the east side of the city. Mr. Stephen Hart said residents were told during a recent meeting that they would not get a fire station. He is a new resident to the city. He takes care of his property. The city's east side needs to be taken seriously and needs help. Mr. Patrick Benga spoke for R-14-66 and the need for a Fire Department in the area. There are a lot of houses in the area and a lot of taxes being paid by residents. A study of the area by a consulting firm is needed.

Mayor Smith recognized members of Boy Scouts Troop #427 from Immaculate Conception Church who were present and thanked them for their attendance.

UNFINISHED BUSINESS

R-14-60

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A MASTER LEASE AGREEMENT WITH VERIZON WIRELESS TENNESSEE PARTNERSHIP DBA VERIZON WIRELESS; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith.

SPECIAL CALL O-14-38 *see above* and withdrawn by the sponsor, Alderman Witcher.

CONSENT AGENDA

None filed.

NEW BUSINESS

R-14-65 (RESOLUTION NO. 8535 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A MITIGATION CREDIT ACQUISITION ASSISTANCE AGREEMENT WITH RICHMOND HOLDINGS, INC.; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Alderman Foutch understood the premise of the agreement but did not agree with the (\$57,000.00) fee for wetland credits. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-14-66 (RESOLUTION NO. 8536 – ALDERMEN TAYLOR AND ROBINSON)

A RESOLUTION DIRECTING THAT A REQUEST FOR PROPOSALS (“RFP”) BE ISSUED SEEKING THE SERVICES OF A CONSULTING FIRM TO REVIEW AND PROVIDE AN ANALYSIS OF THE FIRE DEPARTMENT’S RESPONSE TIMES AND SERVICES; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Robinson. Alderwoman Robinson said this is nothing new. The facts are needed so the

council can make an informed decision. Alderman Hight asked about costs. Alderwoman Robinson spoke to someone who conducted a study in Oklahoma City in 2008. The cost was around \$20,000.00. Alderwoman White asked if the study would be in the eastern part of the city or citywide. Alderman Taylor said citywide. The study may show areas with under coverage or areas with over-coverage. Alderwoman Ross asked how long the process will take. Mayor Smith said between three and four weeks to prepare the proposal and get it out. It could be up to three months. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-14-67 (RESOLUTION NO. 8537 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1307 EAST 16TH STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISAANCE 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 Taylor and

seconded by Alderman Foutch. 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). (*owners: Cheryl Ballard, Kendra Gerard, Charles Anderson, Susie Ware, and Jonny Anderson*)

R-14-68 (RESOLUTION NO. 8538 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2102 ½ ORANGE 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 Foutch. 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). (*owner: Geraldine Finch (deceased) c/o Travis Foster, Glenda Cummins, James Foster, Eddie Foster*)

R-14-69 (RESOLUTION NO. 8539 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2914 EAST 2ND STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSITUTUTE 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. Mrs. Jacuely Holmes-Beamon is the guardian over the property along with her siblings. They have had a lot of problems with the area. When she had plumbing work done, someone removes it. It's a dangerous area. She has to call the police when she cuts the grass. She wants the property condemned. There being one

else 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). (*owner: Mary Nutt (deceased) c/o Laura Young, Corneluis Burton, Marquita Holmes and Ronnie Holmes*)

O-14-39 (ORDINANCE NO. 8636 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE LEASING OF CERTAIN VEHICLES USED BY THE NORTH LITTLE ROCK POLICE DEPARTMENT; 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 Alderman Witcher 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. A motion to adopt was made by Alderman Witcher and seconded by Alderman Taylor. Alderwoman Ross asked North Little Rock Police Chief Mike Davis to explain the need for this. Chief Davis said the city was leasing vehicles from Lander's Toyota who notified the city they will be discontinuing the program. Professional Leasing Company, Inc. is able to lease vehicles for the same price (\$700.00 each per month for 36 months). These vehicles will be used by Narcotics Investigators. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-14-40 (ORDINANCE NO. 8637 – ALDERMEN BAXTER AND FOUTCH)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW STONE AND MARBLE CUTTING IN AN I-2 ZONE FOR CERTAIN REAL PROEPRTY LOCATED AT 5050 NORTSHORE LANE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read.

On the motion of Alderman Baxter 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 (8/0). On the motion of Alderman Baxter and seconded by Alderman Foutch, 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. A motion to adopt was made by Alderman Hight and seconded by Alderwoman Ross. Alderman Hight said a property owner contacted him and wanted to be sure the business would be conducted on the inside and that there would be no noise or air pollution as a result of the cutting of marble or stone. Mr. Robert Voyles, Planning Director said the ordinance contains a section regarding the same. Alderman Baxter referred to the conditions, too. The developer Mr. Gene Pfefier said the applicant's business model will attract a large volume of consumers to the business park. Cutting marble does create a lot of noise and dust. Mr. Pfefier visited a similar facility in Little Rock which uses modern equipment which produces less noise and no dust. High pressure water is used in the new process. Alderwoman White asked if the water used in the process was recycled or sanitized. The applicant said they do not recycle the water. The only by-product from the process is sand and small pieces of granite or marble. On the

previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Eddie Pitonyak*)

O-14-41 *was called earlier in the meeting and adopted.*

PUBLIC COMMENT

Mr. James Ard realized the city is tightening its belt. However, the city could make money in other ways. There are contractors who do not haul off their debris. This is revenue. People on a fixed income may not be able to afford an increase in Sanitation fees. There are other ways to increase revenue like issuing and enforcing citations. Alderman Taylor said council members will be getting an email regarding a Webinar for Priority Based Budgeting. He encouraged participation as this will provide guidance and how to move forward in budget planning.

There being no further business to come before the Council, and on the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the meeting was adjourned at 7:00 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, May 12, 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