

August 11, 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, August 11, 2014, 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, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT and MURRY WITCHER (8/0). City Clerk Diane Whitbey and Assistant City Attorney Matt Fleming were also present.

The invocation and pledge of allegiance were led by Alderwoman White.

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 scheduled for Monday, July 28, 2014, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, communications #1, 2, 3, and 4, were accepted and filed (8/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises - Replacement from Kabiruddin Gilani* for NLR Corner Store, fka Lord's Food World, 1802 Pike Avenue, by Deshaun Taylor.
2. Karen Scott, Chairman, Energy Risk Management Committee memorandum to City Clerk Diane Whitbey re: Energy Cost Recovery Rider adjustment factor (ECR) for August 2014 - \$.0090/kwh.
3. Karen Scott, Finance Director memorandum to City Council members re: Revised Investment Policy - NLR Non-Uniformed Pension (adopted by Pension Board July 28, 2014).
4. Bob Major, Executive Director North Little Rock Advertising and Promotion Commission memorandum to Mayor Smith and City Council members re: 2014 Mid-Year Tourism Report.

On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, communication #5 was read by title only, accepted and filed (8/0).

5. Public Meetings Notice from Arkansas Highway and Transportation Department re: Interstate 30 Planning and Environmental Linkages Study. Dates August 12, 2014 and August 14, 2014.

No one signed in to speak during citizen public comment on legislation.

UNFINISHED BUSINESS

R-14-97

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A MODIFIED EEI MASTER AGREEMENT WITH MACQUARIE ENERGY, LLC; AND FOR OTHER PURPOSES, was called and pulled by the sponsor, Mayor Smith.

O-14-70

AN ORDINANCE AMENDING SECTION 3.1 (REGULATIONS APPLYING TO ALL DISTRICTS) AND ARTICLE 21 (TABLE OF PERMITTED USES) OF ORDINANCE NO. 7697 (THE NORTH LITTLE ROCK ZONING ORDINANCE) REGARDING SMALL FARMING OR RANCH PLOTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Alderman Taylor.

CONSENT AGENDA

None filed.

NEW BUSINESS

R-14-132 (RESOLUTION NO. 8602 - MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1218 WEST 9TH STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. Mayor Smith advised this was an NSP1 House. On the motion of Alderwoman White and seconded by Alderwoman Ross, and by consent of all members present, the resolution was unanimously adopted (8/0). (*\$90,000.00 - Marian Arnett*)

R-14-133 (RESOLUTION NO. 8603 - MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN INFORMAL INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK AND NORTH LITTLE ROCK SCHOOL DISTRICT FOR STREET IMPROVEMENTS AT AMBOY ELEMENTARY SCHOOL; 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 resolution was unanimously adopted (8/0). (*City's Share \$74,104.50 - Special Projects Infrastructure Fund 2014 Budget*)

Mayor Smith asked if council members had received their invitations to (upcoming) ground breakings and ribbon cuttings at the schools.

R-14-134 (RESOLUTION NO. 8604 - MAYOR SMITH)

A RESOLUTION REPEALING RESOLUTION NO. 8269 WHICH DECLARED 704 GRAHAM AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO BE A PUBLIC NUISANCE AND CONDEMNED IT; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman

Ross and seconded by Alderwoman White, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-14-135 (RESOLUTION NO. 8605 - MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL VACANT LAND LOCATED ON YOUNG ROAD, SOUTHEAST OF I-430 AND CRYSTAL HILL ROAD AND EAST OF NORTH SHORE DRIVE, IN THE CITY OF NORTH LITTLE ROCK TO JEL LAND ACQUISITIONS, LLC; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Taylor. On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the resolution was unanimously amended as follows: *substitute copy provided this date* (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). (*\$754,000.00 - Fair Market Value*)

R-14-136 (RESOLUTION NO. 8606 - 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 1723 EAST 2ND 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 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 unanimously adopted (8/0). (*amount - \$149.78*)

R-14-137 (RESOLUTION NO. 8607 - 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 623 WEST 18TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher 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 unanimously adopted (8/0). (*amount - \$170.82*)

R-14-138 (RESOLUTION NO. 8608 - 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 Witcher 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 unanimously adopted (8/0).

O-14-73 (ORDINANCE NO. 8664 - ALDERMAN HIGHT)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 1301 WEST MARYLAND AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM C-3 TO R-1 CLASSIFICATION 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 Alderman Hight and seconded by Alderman Witcher and by consent of all members present, all readings were suspended (8/0). On the motion of Alderman Hight 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 (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Basil Shoptaw*)

O-14-74 (ORDINANCE NO. 8665 - ALDERMAN HIGHT)

AN ORDINANCE APPROVING A REQUEST TO WAIVE REQUIREMENTS OF THE MASTER STREET PLAN FOR HALF STREET IMPROVEMENTS FOR CERTAIN PROPERTY LOCATED ON MARYLAND AVENUE 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, the readings were suspended (8/0). On the motion of Alderman Hight and seconded by Alderman Foutch, 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). (*requested by: Thomas Engineering Company*)

O-14-75 (ORDINANCE NO. 8666 - ALDERMAN FOUTCH)

AN ORDINANCE GRANTING A WAIVER TO ALLOW VARIANCES FOR A POLE SIGN ON CERTAIN REAL PROPERTY LOCATED AT 11819 MAUMELLE BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Foutch and seconded by Alderman Baxter, and by

consent of all members present, all readings were suspended (8/0). A motion to adopt was made by Alderman Foutch and seconded by Alderman Baxter. Alderwoman Ross referenced the type of sign. Mr. Robert Voyles, Planning Director advised the Maumelle corridor allows Electronic Changeable Copy Signs. 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). (*requested by: Eddy Hackleman, Total General Contracting*)

O-14-76 (ORDINANCE NO. 8667 - ALDERMEN TAYLOR AND ROBINSON)

AN ORDINANCE ACCEPTING STREETS AND DRAINAGE INFRASTRUCTURE WITHIN THE STONE LINKS SUBDIVISION, PHASE ONE, IN THE CITY OF NORTH LITTLE ROCK;

DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Robinson. Alderwoman Ross asked Mr. Mike Smith, City Engineer if the streets had been inspected and were acceptable. Mr. Smith said these were acceptable. However, Stonelinks (Phase) Two was a different story. On the previous motion, and the roll having been called, and all members present, having voted in the affirmative, the resolution was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*requested by owners of Stone Link Subdivision, Phase One*)

O-14-77

AN ORDINANCE AMENDING CHAPTER 8 (NUISANCE ABATEMENT & PROPERTY MAINTENANCE) OF THE NORTH LITTLE ROCK MUNICIPAL CODE REGARDING OUTDOOR STORAGE; 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). The ordinance was read a second time and held by sponsor, Alderwoman Ross. Alderwoman Ross asked for suggestions or amendments from council members. A 30 day no-fee permit has been suggested that would allow the homeowner to get a temporary permit to work on (refinish furniture, cabinets, etc) items outside (carport, porch, etc). Alderwoman White said people will need time to understand the legislation. Mayor Smith suggested an effective date of January 1. Alderwoman Ross said if a homeowner was doing a major remodeling project, they would have a Building Permit. The problem is people storing cabinets and other items (indefinitely). Alderman Hight said this legislation is directed to people who have a porch or carport full of "stuff" covered by tarps. Alderwoman White said the problem include yards and driveways.

PUBLIC COMMENT

There were no public comments.

There being no further business to come before the Council, and on the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the meeting was adjourned at 6:21 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, August 25, 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