

October 27, 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, October 27, 2014, was called to order at 6:07 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, CHARLIE HIGHT and MURRY WITCHER (7/0). Alderman BRUCE FOUTCH was absent. City Clerk Diane Whitbey and Assistant City Attorney Matt Fleming were also present.

The invocation and pledge of allegiance were led by Alderman Hight.

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, October 13, 2014, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the blanket motion of Alderman Taylor and seconded by Alderman Baxter, and by consent of all members present communications #1, 2, 4, 5, and 6 were accepted and filed (7/0).

1. Belinda F. Snow, Executive Director North Little Rock Housing Authority letter to Mayor Smith re: appointment of Anna Bass to unexpired term of Shunika Johnson.
2. Steven Rowland, Petition requesting Speed Hump on Falling Creek Drive and Lori Lane (*12 signatures for*).
4. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer on Premises - NEW* for JPS Sport Bar, 18715 MacArthur Drive, by Juan Savceda (*per Wade Dunlap, NLR Planning, location outside city limits*).
5. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink - NEW* for Rosalinda Restaurant, 900 West 35th Street, by Rosalinda Santos.
6. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises & Small Farm Wine - Change of Manager from Yousef Qattoum* for Remount Food Mart, 6101 Remount Road by Saed Qatoum.

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

3. Bernadette Rhodes, Fit 2 Live Coordinator, Article re: Fit 2 Live Let's Move.

Mayor Smith asked Mr. Bill Barling to come forward and provide information about Adoption Awareness Month. Mr. Barling said there are 135,000 children in foster care across the United States. His agency has placed 739 children in the state of Arkansas. The agency makes adoption possible for families with average income. Mayor Smith thanked Mr. Barling and presented him a Proclamation proclaiming the month of November, 2014, as Adoption Awareness Month in the City of North Little Rock.

Mayor Smith announced citizen public comment on agenda items. There being no one present wishing to be heard, unfinished business was called.

UNFINISHED BUSINESS

R-14-171

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2225 FENDLEY DRIVE 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 called and held by the sponsor, Mayor Smith. (*owner: Rafael Guarionex DeCastro*)

R-14-172

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2800 JOHN ASHLEY DRIVE 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 called and held by the sponsor, Mayor Smith. (*owner: Rafael Guarionex DeCastro*)

R-14-177 (RESOLUTION NO. 8648 - MAYOR SMITH)

A RESOLUTION APPROVING THE PURCHASE BY NORTH LITTLE ROCK WASTEWATER UTILITY TREATMENT COMMITTEE OF PROPERTY OWNED BY DIXIE ADDITION COMMUNITY DEVELOPMENT CORPORATION FOR THE PURPOSE OF RELOCATING A PUMP STATION; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Robinson. On the motion of Alderman Hight and seconded by Alderwoman Ross, the resolution was amended as follows:: *substitute copy provided this date (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).

R-14-178 (RESOLUTION NO. 8649 - MAYOR SMITH, ALDERMEN ROSS AND TAYLOR)

A RESOLUTION APPROVING THE EXCHANGE OF CERTAIN PROPERTIES LOCATED IN DIXIE SUBDIVISION BETWEEN THE NORTH LITTLE ROCK WASTEWATER UTILITY

TREATMENT COMMITTEE AND CHARLES SLATER FOR THE PURPOSE OF RELOCATING A PUMP STATION; AND FOR OTHER PURPOSES, was read. Without objection, Aldermen Robinson and Taylor were added as cosponsors. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Ross. On the motion of Alderman Taylor and seconded by Alderman Witcher, and by consent of all members present, the resolution was amended as follows: *substitute copy provided this date (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).

CONSENT AGENDA

On the motion of Alderwoman Ross and seconded by Alderman Witcher and by voice vote and all members present having voted aye, items R-14-186, R-14-187, R-14-188, R-14-189, R-14-190, R-14-191, R-14-192, R-14-193, and R-14-194 were adopted.

Item R-14-185 was pulled and called under new business.

R-14-186 (RESOLUTION NO. 8650 – MAYOR SMITH)

A RESOLUTION APPOINTING JAN SMITH TO THE POSITION PREVIOUSLY HELD BY MAC STROUD ON THE LAKEWOOD RECREATIONAL AREA IMPROVEMENT DISTRICT NO. 4 BOARD OF ASSESSORS; AND FOR OTHER PURPOSES, was adopted (7/0).

R-14-187 (RESOLUTION NO. 8651 – MAYOR SMITH)

A RESOLUTION REAPPOINTING ANN CLEMENTS TO THE NORTH LITTLE ROCK HISTORY COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-14-188 (RESOLUTION NO. 8652 – MAYOR SMITH)

A RESOLUTION REAPPOINTING EARTHA DOBBINS TO THE NORTH LITTLE ROCK HISTORY COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-14-189 (RESOLUTION NO. 8653 – MAYOR SMITH)

A RESOLUTION REAPPOINTING HERMAN SHIRLEY TO THE NORTH LITTLE ROCK HISTORY COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-14-190 (RESOLUTION NO. 8654 – MAYOR SMITH)

A RESOLUTION REAPPOINTING BELINDA SYKES-BURNEY TO THE NORTH LITTLE ROCK HISTORY COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-14-191 (RESOLUTION NO. 8655 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN CITY-OWNED AIR CONDITIONING UNITS AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (7/0).

R-14-192 (RESOLUTION NO. 8656 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A MUTUAL AID AGREEMENT WITH AMERICAN PUBLIC POWER ASSOCIATION ("APPA") FOR ASSISTANCE FROM APPA IN THE EVENT OF A FEDERAL GOVERNMENT DECLARATION OF A MAJOR DISASTER OR EMERGENCY; AND FOR OTHER PURPOSES, was adopted (7/0).

R-14-193 (RESOLUTION NO. 8657 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MUTUAL AID AND ASSISTANCE AGREEMENT WITH OTHER MEMBERS OF THE ARKANSAS MUNICIPAL POWER ASSOCIATION FOR ASSISTANCE IN THE EVENT OF A DISASTER OR EMERGENCY SITUATION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-14-194 (RESOLUTION NO. 8658 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LEASE AGREEMENT WITH ARGENTA DOWNTOWN COUNCIL FOR WAREHOUSE SPACE LOCATED AT 201 BISHOP LINDSEY DRIVE; AND FOR OTHER PURPOSES, was adopted (7/0).

NEW BUSINESS

R-14-185 (RESOLUTION NO. 8659 – MAYOR SMITH)

A RESOLUTION CONFIRMING THE APPOINTMENT OF ANNA BASS TO THE NORTH LITTLE ROCK HOUSING AUTHORITY BOARD OF COMMISSIONERS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Witcher. On the motion of Alderman Taylor and seconded by Alderman Hight, and by consent of all members present, the resolution was amended as follows:: *attach Personal Information Sheet* (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).

R-14-195 (RESOLUTION NO. 8660 – MAYOR SMITH)

A RESOLUTION APPROVING A BONUS PAYMENT TO CERTAIN FULL-TIME NON-UNIFORMED EMPLOYEES OF NORTH LITTLE ROCK, ARKANSAS; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was adopted (7/0).

R-14-196 (RESOLUTION NO. 8661 – 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. On the motion of Alderman Baxter and seconded by Alderman Taylor, and by consent of all members present, the resolution was amended as follows: *Exhibit "A" remove 23N04060026900, North "I" Street, Emma Lee Powell* (7/0). Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the motion of Alderman Baxter and seconded by Alderman Hight, and by consent of all members present, the resolution was adopted as amended (7/0).

R-14-197 (RESOLUTION NO 8662 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 108 EAST EMILY 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. Mr. Lee Terry said he has owned the property for two months but cannot get a permit to work on it. Mayor Smith asked if he knew the process to proceed and advised him if the legislation was adopted, he would have 30 days to meet with the city's legal department to work out a plan to renovate the structure. There being no one else wishing to be heard, Mayor Smith adjourned the public hearing (7/0). On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*owner: Lee T. Terry*)

R-14-198 (RESOLUTION NO. 8663 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 216 EAST 19TH STREET IN THE CITY OF NORHT 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 Alderwoman Robinson. 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: Howard Clayton, Jr.*)

R-14-199 (RESOLUTION NO. 8664 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2022 MOSS 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 Hight 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: Marvin Hicks*)

O-14-94 (ORDINANCE NO. 8685 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS AND ACCEPTING THE LOW BID OF UNITED HEALTHCARE AS THE MAJOR MEDICAL PROVIDER WITH STEPHENS INSURANCE, LLC ACTING AS THE BROKER FOR CITY EMPLOYEE HEALTH BENEFITS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the

motion of Alderman Witcher 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 (7/0). 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 (7/0). The ordinance was read a third and final time. Finance Director Karen Scott advised the current provider, Qualchoice anticipated a 25% increase in premiums. Stephens, Inc. began seeking bids. QualChoice advised there would be no change in coverage, however there would be a 37.2% premium increase (= \$2.27 million). Different options were considered including higher deductibles and co-pays. Different premium options were also considered. About 40 different (option) proposals were submitted. An employee committee included representatives from the Police and Fire Unions and large city departments. Information was distributed to the committee and shared with employees in their departments. Proposals were received from United Healthcare, Arkansas Municipal League Health Benefit Fund, QualChoice and Arkansas Blue Cross and Blue Shield Health Advantage. Mrs. Scott compared those proposals. Eye care will no longer be provided. Mayor Smith advised if there are increases in 2016, employees will have to pay the cost. Alderwoman Ross asked if the city would provide deductible assistance. Mrs. Scott said that was not included in the proposed budget. On the motion of Alderman Hight 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).

O-14-95

AN ORDINANCE AMENDING SECTION 7.1.3 OF CHAPTER 2 (ANIMAL CONTROL) OF THE NORTH LITTLE ROCK MUNICIPAL CODE REGARDING THE KEEPING OF FOWL IN THE CITY; DECLARING AN EMERGENCY; AN FOR OTHER PURPOSES, was read one time and held by the sponsor, Alderman Witcher. Alderman Witcher visited with several residents who would like to change the distance requirement so they can have fowl in their neighborhoods. The current distance is 75 feet. A public hearing was scheduled for Monday, November 10, 2014, at 6:05 p.m.

Mayor Smith said there will be a presentation Monday, November 10, 2014, at 5:15 p.m. (prior to the scheduled council meeting) regarding the I-30 corridor update.

O-14-96 (ORDINANCE NO. 8686 – ALDERMEN ROSS, WHITE AND HIGHT)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW AN AFTER SCHOOL PROGRAM AT AN EXISTING DAYCARE IN AN R-3 ZONE FOR PROPERTY LOCATED AT 1922 TOPE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN

EMERGENCY; 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 rules were suspended and the ordinance was placed on its second reading (7/0). Without objection, Alderman Hight was added as a cosponsor. 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). On the motion of Alderwoman Ross and seconded by Alderman Taylor, and the roll having been called, and by consent of all members present, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: Rhonda Bensen*)

O-14-97 (ORDINANCE NO. 8687 – ALDERMAN TAYLOR)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW OUTDOOR DISPLAY OF RENTAL EQUIPMENT IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3913 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderman Hight, and by consent of all members present, the readings were suspended (7/0). On the motion of Alderman Taylor and seconded by Alderman Hight, and by consent of all members present, the ordinance was amended as follows:: *substitute copy provided this date adding condition (e) under Section 2* (7/0). On the motion of Alderman Taylor 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). (*applicant: Jason Bouwknecht*)

O-14-98 (ORDINANCE NO. 8688 – ALDERMEN TAYLOR AND ROBINSON)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A DAYCARE CENTER IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5201 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Without objection, Alderwoman Robinson was added as a cosponsor. On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, the readings were suspended (7/0). On the motion of Alderman Taylor and seconded by Alderwoman Robinson, 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: Deandrea Anderson*)

PUBLIC COMMENT

Mayor Smith said the council meeting was not being broadcast on AT&T. However, it was going out through Comcast. AT&T has been notified. Mr. Thomas Crnko is trying to figure out what constitutes a public nuisance. The noise and smells from Nevada Railroad continue. He asked for updates from the city attorney before December 15, 2014. He said the Argenta District plan included certain improvements and asked the status on those. Ms. Pamela Reed spoke regarding ongoing drainage problems at her home. Water from other property is causing her problems. Her house has deteriorated

as a result. She can't mow because the ground is saturated. Ms. B. J. Himes works for QualChoice. She thanked the mayor and council for the opportunity to serve the employees of the City of North Little Rock. During that time, they provided various programs to employees. They hope to have the opportunity to work with the city in the future. Mayor Smith thanked Ms. Himes for their partnership and support. Mayor Smith reminded everyone of the upcoming General Election, Tuesday, November 4, 2014 and encouraged people to exercise their right to vote.

There being no further business to come before the Council, and on the motion of Alderman Hight and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 6:57 p.m. (7/0), until the next regularly scheduled meeting which will be held on Monday, November 10, 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