

January 12, 2015
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, January 12, 2015, 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, 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 invocation and pledge of allegiance were led by Alderwoman Robinson.

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, December 22, 2014, were approved, accepted and filed as prepared by the City Clerk (7/0).

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

1. Karen Scott, Chairman Energy Risk Management Committee and Finance Director memorandum to City Clerk Diane Whitbey re: Energy Cost Recovery Rider Adjustment Factor (ECR) for January 2015 - \$.0037/kwh (CREDIT).
2. Helen Greenfield, President North Little Rock Woman's Club Annual Report to City of North Little Rock for year 2013.
4. Mary McFadden, via U. S. Mail, Petitions requesting Speed Hump on Broken Arrow Drive (*60 signatures for*).

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

3. Scott E. Bennett, P. E. Director of Highways and Transportation (Arkansas) letter to City Clerk Whitbey re: Notice of Public Hearing in North Little Rock re: AHTD Job No. CA0602, I-530-Hwy 67 (widening and reconstruction) (I-30 & I-40) Interstate 30 Planning and Environmental Linkages Study, Pulaski County.

Mayor Smith announced citizen public comment on legislation. Mr. James Ard spoke in support of O-15-05 although there may not be enough parking. Mr. Chris Owens spoke in support of O-15-04.

They have purchased property adjacent to their existing business and asked for a waiver regarding the privacy fence and barbed wire.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

All items moved to new business.

NEW BUSINESS

R-15-01 (RESOLUTION NO. 8729 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT FOR ELECTRIC CUSTOMER ASSISTANCE WITH CENTRAL ARKANSAS DEVELOPMENT COUNCIL, was read. A motion to adopt was made by Alderman Witcher and

seconded by Alderwoman Ross. Alderwoman Ross asked that CADC be reminded that the city (North Little Rock Electric) offers and Energy Efficiency Audit to its customers (North Little Rock and Sherwood), including rental property. Mr. C. Jason Carter, City Attorney and Interim Director North Little Rock Electric Department said finding ways to help low income residents reduce energy usage and costs is important. The landlord does not always want to make the improvements. This is something that needs to be studied and resolved. Mr. Carter said last year was more than a 10-year low for energy consumption. The community is becoming more energy efficient. Alderman Foutch asked if CADC provides a running total of the remaining balance of funds available when they provide monthly billing. Mr. Carter's staff stays in contact with CADC. Funds are usually depleted by August (depending on summer temperatures). On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-15-02 (RESOLUTION NO. 8730 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED LEASE AGREEMENT WITH THE PUBLIC BUILDING AUTHORITY OF THE CITY OF NORTH LITTLE ROCK ON THE ARGENTA BRANCH OF THE WILLIAM F. LAMAN PUBLIC LIBRARY PROPERTY FORMERLY KNOWN AS THE DOWNTOWN POST OFFICE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and

seconded by Alderwoman Robinson. Alderman Foutch asked Mayor Smith to explain why the council has to approve this. Mr. Fleming said the resolution that set up the Public Building Authority requires council approval for expenditures. Mr. Carter said once the property is paid for, ownership of the facility will revert to the City of North Little Rock. Any matter related to financing or extension of payments requires council approval. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). *Note: a typo in the first whereas was corrected by the City Attorney.*

R-15-03 (RESOLUTION NO. 8731 – ALDERMAN WITCHER)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN ACCESS AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK AND INDIAN HILLS COMMUNITY CLUB; APPROPRIATING FUNDS (\$25,000.00 - Ward 4 Drainage Funds); AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Alderwoman Ross said the last agreement in this regard was five (5) years ago. Ward 4 does not have a Community Center or other facility like the other wards do. This facility is open to anyone who wants to go. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). Alderman Hight said the Indian Hills Pool serves a lot of residents, not only from Indian Hills but other areas of the city.

Alderman Witcher referenced an email he sent to council members regarding discussion pertaining to where reports should be filed within the city government. Indian Hills Neighborhood Association had filed their reports with the Department of Neighborhood Services. There is a desire to have this information available to the public. Alderman Witcher spoke to Ms. Whitbey and Alderwoman White regarding the same. Mayor Smith said six (6) months ago, all reports started going to Mary Beth Bowman, Commerce Department. Alderman Witcher said a possibility would be filing the reports as council communications. Alderwoman Ross said she sponsored legislation in January 2013 defining what would be filed. After speaking with Ms. Bowman, they determined it needs to be updated. Alderwoman White said so much has been accomplished and Ms. Bowman has done a lot with the details.

O-15-01 (ORDINANCE NO. 8700 – MAYOR SMITH)

AN ORDINANCE AUTHORIZING THE PAYMENT OF RETIREMENT BENEFITS TO FORMER CITY TREASURER MARY RUTH MORGAN; APPROPRIATING FUNDS (\$2,500.00 - General Fund); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Foutch and seconded by Alderwoman Robinson, and by consent of all members present, all readings were suspended (7/0). 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 adopted (7/0). Emergency clause adopted (7/0).

O-15-02 (ORDINANCE NO. 8701 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED AGREEMENT WITH TWENTY FIRST CENTURY COMMUNICATIONS, INC. FOR EMERGENCY OVERFLOW ANSWERING SERVICES; 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 (7/0). 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).

O-15-03 (ORDINANCE NO. 8702 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE ACQUISITION OF SCHEDULING AND TIMEKEEPING SOFTWARE; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT THE PROPOSAL OF EXECUTIME SOFTWARE, LLC; 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, all readings were suspended (7/0). A motion to adopt was made by Alderman Baxter and seconded by Alderman Hight. Alderwoman Ross asked why formal bidding was being waived. Mrs. Karen Scott, Finance Director said the city is converting its Accounting Software. The vendor is BS&A. They have two interfaces with vendors with this functionality. One price is \$172,000.00. The other price is approximately \$45,000.00. Police, Fire and Emergency Services were happy with the ExecuTime product. 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-15-04 (ORDINANCE NO. 8703 – ALDERMAN TAYLOR)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 3020 EAST 2ND STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM R-4 TO C-4 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; GRANTING A CONDITIONAL USE TO ALLOW A FENCE COMPANY WITH OUTDOOR STORAGE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read. On the motion of Alderman Hight and seconded by Alderwoman Robinson, 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 Alderwoman Robinson. Alderwoman Ross asked about the applicants request to waive the wooded privacy fence and referenced razor wire. Mr. Robert Voyles, Planning Director said buffers require council approval. There is a residence on one side of the property. The applicant is trying to purchase that property. Alderwoman Robinson said the company provides commercial services. Their intent is to begin providing services to residential customers. She would prefer a privacy fence or other buffer between the business and residence. Alderwoman White asked if all three lots were under one address. Mr. Owens (who spoke during public comment at the beginning of the meeting) said their request is for a chain link fence with barbed wire facing towards their property along the top (for security). Mr. Voyles said barbed wire is allowed in the city. 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: Billy Briggs*)

O-15-05 (ORDINANCE NO. 8704 – ALDERMEN BAXTER AND FOUTCH)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A CHILDCARE CENTER IN AN R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4923 CAMP ROBINSON ROAD 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 (7/0). On the motion of

Alderman Baxter and seconded by Alderman Foutch, 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: Beverly Hall*)

PUBLIC COMMENT

Mr. Ard again spoke regarding O-15-05, advising that the bus drivers for the day care are very courteous. Mr. Ard asked Alderwoman Robinson to work on getting a handicapped seat in the shower at the Hays Center. Mayor Smith said someone is working on that. Mr. Ard said he has turned in businesses with illegal banners. He suggested the city add a fee to the Privilege tax that would allow people to have banners.

There being no further business to come before the Council, and on the motion of Alderwoman Robinson and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 6:29 p.m. (7/0), until the next regularly scheduled meeting which will be held on Monday, January 26, 2015, 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