

June 8, 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, June 8, 2015, was called to order at 6:00 p.m. by the honorable acting Mayor 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, and CHARLIE HIGHT (7/0). Alderman MURRY WITCHER was out of town. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

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

On the motion of Alderman Hight and seconded by Alderman Foutch, and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Tuesday, May 26, 2015, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the blanket motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present communications #1, 2, 3, 4, 5, 6, 7, and 9 were accepted and filed (7/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – Replacement from Dong Rim Shin for Marty's Grocery fka Marty's Meat & Grocery*, 4628 East Broadway, by George A. Thornell.
2. Glinda Craigmyle, Mayor's Office memorandum re: *Small Brewery – Transfer of location from 700 East 9th Street (Little Rock) for Flyway Brewing Company*, 314 Maple Street, by Matthew J. Foster.
3. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Beer & Wine – NEW for Kirin Garden, Inc.*, 4000 Vali Court, by Qiao Y. Wu.
4. Karen Scott, Chairman Energy Risk Management Committee/Finance Director memorandum re: ECR Adjustment Factor – June, 2015 – $-\$.0009$ (CREDIT).
5. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink Maximum – Change of Manager from Brent Schleuse, for Chuy's*, 5105 Warden Road, by Dallas Hagar.
6. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – Replacement from individual to Inc. for McSwain Sports Center*, 9400 Hwy 165, by Randy A. Hughes.

7. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises & Small Farm Wine Retail – Replacement for Park Hill Shell fka Superstop*, 3100 John F. Kennedy Blvd, by Donnie Miller.
9. Petition requesting Speed Humps on North Locust (*64 signatures – for*).

On the motion of Alderman Baxter and seconded by Alderwoman Robinson, and by consent of all members present, communication #8 was read by title only, accepted and filed (7/0).

8. Mayor Joe A. Smith, letter to North Little Rock City Council members re: Alderman Maurice Taylor to preside over June 8, 2015, City Council meeting. Mayor Smith is out of state attending the American Public Power Association Conference, in Minneapolis, Minnesota.

Acting Mayor Taylor announced a Special Call scheduled for this date.

June 4, 2015 (via email)

Honorable Members of the North Little Rock City Council

The purpose of this e-mail 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, June 8, 2015, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-15-82 – A RESOLUTION EXTENDING THE CLOSING DATE FOR THE SALE OF PROPERTY LOCATED ON YOUNG ROAD TO JEL LAND ACQUISITIONS, LLC TO DECEMBER 31, 2015. Sponsor: Mayor Joe A. Smith

R-15-83 – A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH REDSTONE CONSTRUCTION GROUP, INC. FOR DESIGN AND CONSTRUCTION WORK PURSUANT TO THE 2015 ASPHALT OVERLAY PROGRAM. Sponsor: Mayor Joe A. Smith

Also attached are the following:

- 1) Exhibit "A" (Offer & Acceptance) to R-15-77 which was not attached at time of filing;
- 2) Communication *re* Murray Hydroelectric Plant; and
- 3) Communication *re* Meter Update.

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.

C. Jason Carter

City Attorney

Special Call R-15-82 (RESOLUTION NO. 8803 – MAYOR SMITH)

A RESOLUTION EXTENDING THE CLOSING DATE FOR THE SALE OF PROPERTY LOCATED ON YOUNG ROAD TO JEL LAND ACQUISITIONS, LLC TO DECEMBER 31, 2015; 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).

Special Call R-15-83 (RESOLUTION NO. 8804 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH REDSTONE CONSTRUCTION GROUP, INC. FOR DESIGN AND CONSTRUCTION WORK PURSUANT TO THE 2015 ASPHALT OVERLAY PROGRAM; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the resolution was adopted (7/0).

Alderwoman Ross asked Mr. Carter to discuss Special Call Communication (1). Mr. Carter advised (Arkansas) river flooding last week caused it to crest above the edge at the Murray (Hydroelectric) Plant. Water infiltration was in an area where conduit entered the top and had the potential to cause serious issues. At approximately 8:30 a.m., Department of Emergency Services Director Rick Ezell contacted the State of Arkansas and requested assistance for the City of North Little Rock. The Arkansas National Guard was deployed and put sandbags in place using a Blackhawk Helicopter.

On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, special call communications (1) and (2) were accepted and filed (7/0).

- (1) James Bray, General Manager North Little Rock Electric Department memorandum to Mayor Smith, City Clerk Whitbey and City Council members re: Murray Hydro Electric Plant – June 3, 2015, request for assistance from Arkansas National Guard to airlift 125 sandbags to address water infiltration due to flooding.
- (2) James Bray, General Manager North Little Rock Electric Department memorandum to City Council members re: Meter Upgrade Change Order (Smart Meters).

Note: no one signed in to speak during citizen public comment on legislation.

UNFINISHED BUSINESS

O-15-38

AN ORDINANCE ESTABLISHING THE NORTHSORE LANE MULTI-PURPOSE IMPROVEMENT DISTRICT NO. 36 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by acting Mayor Taylor. Ms. Whitbey advised a public hearing has been scheduled for the next council meeting, June 22, 2015, at 6:00 p.m. (*petitioned by Eugene Pfeifer, III and Matt Chandler*)

CONSENT AGENDA

None filed.

NEW BUSINESS

R-15-76 (**RESOLUTION NO. 8805 – MAYOR SMITH**)

A RESOLUTION APPOINTING ROBERT A. BARNES TO THE POSITION PREVIOUSLY HELD BY ELIZABETH SNIFF ON THE SENIOR CITIZENS COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Foutch and seconded by Alderman Baxter, and by consent of all members present, the resolution was adopted (7/0).

R-15-77 (**RESOLUTION NO. 8806 – MAYOR SMITH**)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE A STREET RIGHT OF WAY EASEMENT OVER CERTAIN REAL PROPERTY (from Lisa Douglas) LOCATED ON NORTH MAIN 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. On the motion of Alderman Baxter and seconded by Alderwoman Ross, and by consent of all members present, the resolution was amended as follows: *attach Exhibit “A”* (7/0). 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). (*\$25,000.00 – Main Street Improvements Project*)

R-15-78 (**RESOLUTION NO. 8807 – MAYOR SMITH**)

A RESOLUTION DECLARING CERTAIN CITY-OWNED VEHICLES, PARTS OF VEHICLES AND OTHER MOTORIZED EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Baxter and seconded by Alderwoman White. Alderwoman Ross asked if the city was getting new leaf machines. Chief of Staff Danny Bradley advised (some) new machines were purchased this year. The ones to be auctioned are old. There will still be some in reserve. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-15-79 (**RESOLUTION NO. 8808 – MAYOR SMITH**)

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK AND INVOICE CLOUD FOR ON-LINE AND PHONE PAYMENTS BY CUSTOMERS OF THE CITY AND THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman White. Mrs. Karen Scott, Finance Director said the city had an agreement with Teleworks. However, services were not provided as required. Invoice Cloud is the Merchant/Processor for Central Arkansas Water. The cost to the customer to use the service will remain at \$3.25. Alderman Foutch said the transfer of the contract from the previous provider was at

no cost to the city. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-15-80 (RESOLUTION NO. 8809 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY LOCATED AT 723 WEST 21ST STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. 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-15-81 (RESOLUTION NO. 8810 – MAYOR SMITH)

A RESOLUTION APPROVING AND CERTIFYING AMOUNTS OF LIENS TO BE FILED WITH 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 Alderwoman Ross and seconded by Alderwoman Robinson. Acting Mayor Taylor 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).

O-15-49 (ORDINANCE NO. 8745 – MAYOR SMITH)

AN ORDINANCE AMENDING ORDINANCE NO. 7697 (“THE ZONING ORDINANCE”) TO CHANGE DESIGNATIONS OF THE CURRENT ARTICLE TWENTY-TWO TO “APPENDIX C – TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT” AND ARTICLE TWENTY-THREE TO “APPENDIX D – SMART CODE ZONING DISTRICT”; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter 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 Alderwoman Ross, 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). Mr. Carter said this was an administrative change to the zoning ordinance.

O-15-50 (ORDINANCE NO. 8746 – ALDERMEN TAYLOR AND ROBINSON)

AN ORDINANCE APPROVING A REQUEST TO WAIVE REQUIREMENTS OF THE MASTER STREET PLAN FOR HALF STREET IMPROVEMENTS FOR CERTAIN PROPERTY LOCATED ON NORTH SIDE OF U.S. HWY. 70, WEST OF I-440, IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. A motion to suspend the readings was made by Alderman Taylor and seconded by Alderwoman Ross. Without objection, Alderwoman Robinson was added as a cosponsor. On the previous motion, and by consent of all members present, the readings were suspended (7/0). On the motion of Alderwoman

Robinson 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). *(requested by Timothy E. Daters, P.E. for Ben E. Keith)*

O-15-51 (ORDINANCE NO. 8747 – ALDERMAN BAXTER)

AN ORDINANCE GRANTING A WAIVER TO ALLOW A FREESTANDING POLE SIGN ON CERTAIN REAL PROPERTY LOCATED AT 11700 MAUMELLE BOULEVARD 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 readings were suspended (7/0). A motion to adopt was made by Alderman Baxter and seconded by Alderman Foutch. Alderman Hight asked if this was an LED sign. Alderman Baxter said it is not. Proper notification was also provided. 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: Floyd Woodruff)*

PUBLIC COMMENT

No one signed in to speak during public comment. Alderwoman White asked that council members be provided the new Zoning Book once updates are complete. Alderman Hight said the Food Truck ordinance needs to be amended. Mr. Shawn Spencer, Assistant Planning Director said Food Trucks are not currently included in the zoning ordinance. Alderman Foutch asked for an update on flooding in Burns Parks (and the Soccer Field area). Chief Bradley said he drove in the area this afternoon. A lot of progress has been made. Trails are being cleaned and the Soccer Fields are drying out. There is still standing water in areas. Unless there is a lot of rain over the weekend everything should be good to go (for the upcoming tournament). Alderman Hight said he rode his bike on the trails today. There was a huge pile of dust where city employees were working. Four hours later the area was clean. He commended city employees for their efforts. Alderman Baxter said the North Little Rock Fire Department is sponsoring a Kids Fire Academy June 16, 2015 for ages 7 to 12 years. Police Chief Mike Davis announced the North Little Rock Police Department is participating in a Summer Food Drive. Cereal (or breakfast bars) can be dropped off at any Police Substation in North Little Rock. During the summer months a lot of kids who eat breakfast and lunch at school may not have anything (at home). Acting Mayor Taylor said this meeting is the last one for North Little Rock City Engineer Mike Smith who is retiring after 25 years of service to the City of North Little Rock. A retirement ceremony (and reception) will be held June 19, 2015, in the Council Chambers in City Hall from 1:00 p.m. to 3:00 p.m. Everyone is invited to attend. Mayor Taylor said Mr. Smith had helped him immensely in his role as a council member. He commended him for his work.

There being no further business to come before the Council, and on the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, the meeting was adjourned at 6:22 p.m. (7/0), until the next regularly scheduled meeting which will be held on Monday,

June 22, 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