

July 13, 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, July 13, 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, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT, and MURRY WITCHER (8/0). 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 Witcher and seconded by Alderman Hight, and by consent of all members present, the minutes from the North Little Rock City Council meeting and Special Call meeting held on Monday, June 22, 2015, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the blanket motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present communications #1, 3, and 5 were accepted and filed (8/0).

1. Karen Scott, Chairman Energy Risk Management Committee / Finance Director memorandum to City Clerk Diane Whitbey re: ECR Adjustment Factor July, 2015, \$.0009.
3. Mayor Smith letter to Mary Beth Bowman, Director of Commerce re: Architectural and Engineering (A & E) Committee, reconfirming members and appointment of two new members, Chris Wilbourn and Scott Springer.
5. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – Replacement from Shiraz Sutar* for North Hills P 66, 4601 North Hills Blvd, by Yu J. Lee.

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

2. Robert Voyles, Planning Director letter to Mayor Smith re: Resignation/Retirement effective July 31, 2015.

On the motion of Alderman Witcher and seconded by Alderman Baxter, and by consent of all members present, communication #4 was read by title only, accepted and filed (8/0).

4. Mayor Smith letter to City Council members re: appointment of Chief City Engineer, Chris Wilbourn – annual salary \$90,000.00.

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, communication #6 was read by title only, accepted and filed (8/0).

6. Mayor Smith letter to City Council members re: appointment of City Planning Director Shawn Spencer effective August 1, 2015.

Mayor Smith said if there are qualified applicants within the city, his intent is to promote them.

No one signed in to speak under citizens public comment.

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 the sponsor, Mayor Smith. *(Note: a scheduled public hearing was held Monday, June 22, 2015). (petitioned by Eugene Pfeifer, III and Matt Chandler)*

CONSENT AGENDA

On the motion of Alderman Witcher and seconded by Alderman Taylor, and all members present having voted “aye”, consent items R-15-99, R-15-100, and R-15-102, and R-15-103 were adopted (8/0).

R-15-99 (RESOLUTION NO. 8825 – MAYOR SMITH)

A RESOLUTION APPROPRIATING \$2,595.00 FROM ACT 833 FUNDS FOR CERTIFICATION CLASS TUITION FOR THREE NORTH LITTLE ROCK FIREFIGHTERS; AND FOR OTHER PURPOSES, was adopted (8/0).

R-15-100 (RESOLUTION NO. 8826 – MAYOR SMITH)

A RESOLUTION APPROPRIATING \$18,437.00 FROM ACT 833 FUNDS FOR THE LOCAL SHARE OF A FEMA GRANT AWARDED TO THE NORTH LITTLE ROCK FIRE DEPARTMENT FOR PURCHASE OF WILDLAND WILDFIRE GEAR; AND FOR OTHER PURPOSES, was adopted (8/0).

R-15-102 (RESOLUTION NO. 8827 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LEASE AGREEMENT WITH GAIN, INC. FOR PROPERTY LOCATED AT 504 WEST 51ST STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was adopted (8/0).

NEW BUSINESS

R-15-98 (RESOLUTION NO. 8828 – MAYOR SMITH)

A RESOLUTION APPOINTING JEANNE HYDE TO THE POSITION PREVIOUSLY HELD BY DR. DAVID BEVANS ON THE LAKEWOOD RECREATIONAL AREA IMPROVEMENT DISTRICT NO. 4 BOARD OF ASSESSORS; AND FOR OTHER PURPOSES, was read.

Mayor Smith asked Mrs. Hyde who was present to stand and thanked her for her service. He also recognized her husband, Pulaski County Judge Barry Hyde who was also present. On the motion of Alderwoman Ross and seconded by Alderman Witcher, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-15-101 (RESOLUTION NO. 8829 – MAYOR SMITH)

A RESOLUTION APPROPRIATING \$30,000.00 FOR THE COMPLETION OF RENOVATIONS TO AND PURCHASE OF CAGES FOR THE ADOPTION AREA AT THE NORTH LITTLE ROCK ANIMAL SHELTER; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderman Witcher and seconded by Alderman Taylor. Mayor Smith acknowledged volunteers from North Little Rock Friends of Animals (NLRFOA) who were present to show their support for this legislation. The volunteers raised \$30,000.00 towards the shelter renovation project. Mr. Billy Grace, North Little Rock Animal Control Director commended NLRFOA Treasurer Marsha Mosenthin for her involvement in this effort. He also thanked the family of the late Dr. David Bevins who was previous NLRFOA Treasurer. The family made a generous donation on his behalf. Mr. Grace also thanked the city council for their support. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-15-103 (RESOLUTION NO. 8830 – 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 Alderman Taylor and seconded by Alderman Foutch. Mayor Smith convened a public hearing. Mr. Jerry Lowkowski said the current owner (Keeton Properties, LLC) purchased the property in January and asked if the fees could be forgiven. Mayor Smith said these are not fines but fees for grass cutting expenses. Mr. Carter said if the fee is paid before the resolution is filed with the county clerk, then the name can be removed by Code Enforcement. The property is located at 16 Remount Road. There being no one else wishing to be heard, and on the previous motion, the resolution was unanimously adopted (8/0).

O-15-55 (ORDINANCE NO. 8750 – MAYOR SMITH)

AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS AND NUMBERS OF EMPLOYEES FOR EACH DEPARTMENT OF THE CITY GOVERNMENT OF NORTH LITTLE ROCK FOR MID-YEAR 2015; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Foutch and seconded by Alderman Taylor, and by consent of all members present, the readings were suspended (8/0). On the motion of Alderman Baxter and seconded by Alderman Taylor, and by consent of all members present, the ordinance was amended as follows:: *see Section 13 Emergency Services Department as provided by City Attorney this date* (8/0). 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 unanimously adopted as amended (8/0). Emergency clause unanimously adopted (8/0).

O-15-56 (ORDINANCE NO. 8751 – MAYOR SMITH)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW AN AMERICAN LEGION POST IN A C-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 325 WEST 29TH STREET 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 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 Taylor and seconded by Alderwoman Ross, 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). A motion to adopt was made by Alderman Hight and seconded by Alderman Taylor. Mayor Smith said this was American Legion Post #1 which was the first one created in the country. Alderwoman Ross asked if there was adequate parking. Mayor Smith said occasional events will be held. 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). (*applicant: Bob Criswell*)

O-15-57 *for consideration only*

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AUTOMOBILE SALES IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 920 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 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 Taylor 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 (8/0). A motion to adopt was made by Alderman Taylor and seconded by Alderman Witcher. Alderman Taylor has been by the location and the existing facility is nice. However, he suggested the applicant consider another location for car sales. On the previous motion, and all members present having voted no, the ordinance failed (0/8). (*applicant Sammy Alsofari*)

O-15-58 (ORDINANCE NO. 8752 – ALDERMEN WITCHER, WHITE AND HIGHT)
AN ORDINANCE ASSIGNING AND EXPANDING THE SPECIAL USE PREVIOUSLY
AUTHORIZED FOR CERTAIN REAL PROPERTY IN AN R-4 ZONE LOCATED AT 6800 CAMP
ROBINSON ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN
EMERGENCY; AND FOR OTHER PURPOSES, was read. At the request of Alderman Witcher, and without objection, Aldermen White and Hight were added as cosponsors. On the motion of Alderman Witcher 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 Hight and seconded by Alderman Witcher, 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). Alderman Witcher said there has been a change in the management at this location, therefore the special use needed to be expanded. Arkansas products will be added for sale. Mayor Smith said he toured some of the Community Gardens in the city last week and they were amazing. 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 unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: St. Joseph Center of Arkansas, Inc.*)

PUBLIC COMMENT

Mr. James Ard thanked the street department for clearing intersections along Camp Robinson Road so people can see to pull out onto the street. Mr. Ard said the city should enforce laws regarding banners and suggested adding \$100.00 to their privilege license to include banners. Alderwoman Robinson said her constituents have concerns with regard to power outages and restoration of the same. She asked if the Electric Department had someone who could speak to neighborhood groups to explain why one resident may have power and another may not. Mr. Carter said that can be done. Mayor Smith said the storm a few weeks ago included straight-line winds and effected a large area of the city. Six circuits were down at one time which effected over 10,000 customers. All six circuits were back up within eight hours. The straight-line winds caused a lot of local damage in back yards for example (trees down, transformers knocked down, service line down, etc.). The last few hundred customers fell into that category. Alderwoman Ross suggested moving a code officer to planning to enforce zoning issues, special use, etc. and also assist the City Clerk's Office with business licenses. Alderman Taylor said discussion regarding fees for banners has been discussed and that funds collected would cover an employee for enforcement. Alderman Hight said he knows of one beer distributor who would like to see banners banned. Alderwoman Robinson said they have a problem with dumping of tires and trash on property in Ward 2. Alderwoman Ross suggested posting "no dumping" signs. Mayor Smith asked Alderwoman Robinson to provide the address to Mr. Wilbourn. Alderman Taylor said the end of Rogers Street is a favored dumping site and suggested signs or cameras.

There being no further business to come before the Council, and on the motion of Alderman Taylor and seconded by Alderwoman White, and by consent of all members present, the meeting was adjourned at 6:31 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday,

July 27, 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