

October 24, 2016  
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 24, 2016, was called to order at 6:01 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, and MURRY WITCHER (6/0). Aldermen MAURICE TAYLOR and CHARLIE HIGHT were absent. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

The prayer and pledge of allegiance were led by Alderwoman Robinson.

On the motion of Alderman Witcher and seconded by Alderman Foutch, and by consent of all members present, the minutes from the North Little Rock City Council meeting and Special Call meeting held on Monday, October 10, 2016, were approved, accepted and filed as prepared by the City Clerk (6/0).

Mayor Smith asked Mr. Bill Barling to come forward. He then presented a Proclamation proclaiming the month of November as Adoption Awareness Month in the City of North Little Rock to Mr. Barling. Mr. Barling said 756 children have been placed in Arkansas in the past 23 years. Mr. Barling said there are currently 250,000 children in foster care in the United States who are available for adoption. 50,000 children are adopted annually across the U. S. He encouraged people to consider adoption.

Mayor Smith asked Alderwoman Ross and White to join him at the podium. Mr. Melka Konshie recently attained his Eagle Scout status. His project consisted of building and installing 10 bat boxes at Toltec Mounds in Scott, Arkansas. The bat boxes will help with insect control. He then asked Mr. Konshie to come forward and presented him with a Day Proclamation making November 2, 2016, his day in the City of North Little Rock.

Mayor Smith asked Mrs. Peggy Hogg, President Levy Business Owners Association to come forward. Mrs. Hogg announced the revival of Levy Day in the City of North Little Rock. The event will be Saturday, October 29, 2016, from 4:30 p.m. until 7:00 p.m. in the Kroger Parking Lot at 4401 Camp Robinson Road. Centennial Bank is the Presenting Sponsor. The event will include political candidates, a band, games, food trucks and chances to win prizes. The event will also include a

Recognition of the Day of the Dead. Alderman Foutch encouraged Mrs. Hogg to request (financial) support from the city.

Mayor Smith introduced Mr. Carlton Wing, candidate for State Representative who was present.

On the motion of Alderman Witcher and seconded by Alderman Foutch, and by consent of all members present, communication #1 was read and filed (6/0).

1. Mr. Phil Campbell, Attorney at Law - letter to Mayor Smith re: commending North Little Rock Police Officers.

Mayor Smith announced citizen comment on legislation. Mr. Ed Adcock, Attorney at Law spoke regarding R-16-168. He represents the Bohra family. He asked for the council's consideration. The owner of the property (Mr. Imran Bohra) is disabled. His guardian is his son, Dr. Robin Bohra who took over the company three years ago. Dr. Bohra has worked hard to improve the properties. This house has not been repaired yet. Mr. Adcock asked for additional time (120 days). Mr. Carter said if the resolution is adopted, the owner has 30 days to either appeal the council's decision or work out an agreement with the city (and post a cash bond). Alderman Foutch asked the amount of the bond (and length of agreement). Mr. Carter said it is usually the amount it would cost the city to raze the structure. Mr. Carter said the length of the agreement is traditionally 180 days and until a certificate of occupancy is received. Alderwoman White has seen condemned houses that have been rehabbed and made livable. Mr. Adcock was advised to get with the city attorney after the legislation is adopted. Mayor Smith commended Dr. Bohra for his efforts with his other properties. Mr. Sam Hilburn, Attorney at Law, spoke regarding O-16-71. This is a rezone application for an (auto) salvage yard. The existing salvage yard has been there several years. The majority of the employees live in North Little Rock. Mr. Hilburn then described the area. He added this is not a quiet business type. In 2016, the business did not operate at night. However, it may be required occasionally.

### **UNFINISHED BUSINESS**

*None.*

### **CONSENT AGENDA**

*None filed.*

### **NEW BUSINESS**

R-16-165 (RESOLUTION NO. 9078 – MAYOR SMITH)

A RESOLUTION EXPRESSING APPRECIATION TO JERRY JONES FOR HIS DONATION OF DALLAS COWBOY GAME TICKETS AND TRAVEL FOR UNIFORMED OFFICERS OF THE NORTH LITTLE ROCK POLICE DEPARTMENT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Ross. Mayor Smith said the North Little Rock Police Department has a great reputation. He spoke with Mr. Jerry Jones, who had great things to say about our city, his hometown. Mr. Jones has donated Dallas Cowboys

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*Approved by council 11/14/2016*

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tickets and transportation to all North Little Rock Police Officers and their wives to thank them for their service. He also thanked Officer Michael Gibbons, President of the North Little Rock Fraternal Order of Police for his efforts. On the previous motion, and by consent of all members present, the resolution was adopted (6/0).

R-16-166 (RESOLUTION NO. 9079 – ALDERMEN BAXTER AND FOUTCH)

A RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH HARRIS CONSTRUCTION MANAGEMENT FOR 39TH STREET, FROM PIKE AVENUE TO BURKS AVENUE, STREET AND DRAINAGE IMPROVEMENT PROJECT, IN THE AMOUNT OF \$261,672.00; APPROPRIATING FROM 40TH YEAR (2014), 41ST YEAR (2015) AND 42ND YEAR (2016) CDBG PROGRAM FUNDS IN THE AMOUNT OF \$194,672.00 AND \$67,000.00 FROM WARD III DRAINAGE FUNDS; 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 (6/0).

R-16-167 (RESOLUTION NO. 9080 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 926 NORTH G 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 Foutch. 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 (6/0). (*owner: Tom Williams c/o Tomanika Williams*)

R-16-168 (RESOLUTION NO. 9081 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1600 WEST 18TH 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 Alderwoman Ross. Mayor Smith convened a public hearing. There being no one (other than Mr. Adcock and Dr. Bohra) 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 (6/0). (*owner: Imran Bohra*)

R-16-169 (RESOLUTION NO. 9082 – 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 Foutch 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 adopted (6/0).

O-16-68 (ORDINANCE NO. 8848 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS TO PURCHASE CURRENTLY INSTALLED METERING EQUIPMENT; AUTHORIZING THE EXECUTION OF A BILL OF SALE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, the readings were suspended (6/0). On the motion of Alderman Witcher and seconded by Alderman Foutch, and the roll having been called, and all members present, having voted in the affirmative, the ordinance was adopted (6/0). (\$80,000.00)

O-16-69 (ORDINANCE NO. 8849 – ALDERMEN FOUTCH AND BAXTER)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A CAR SALES LOT IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 7323 COCK OF THE WALK LANE 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 (6/0). 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 (6/0). (*applicant: Warren Robinette, Presidential Conversions*)

O-16-70

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A CAR LOT IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3004 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by sponsor, Alderwoman Robinson. (*applicant: Beau Turnbo, Turnbo's Auto Center*)

O-16-71 (ORDINANCE NO. 8850 – ALDERMEN ROBINSON AND TAYLOR)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 7005 AND 7021 HIGHWAY 70 EAST IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM C-3 TO I-3 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson and seconded by Alderman Baxter, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (6/0). A motion to suspend

the rules and place the ordinance on its third and final reading was made by Alderwoman Robinson and seconded by Alderman Baxter. Alderwoman Robinson said the residents of Meadow Park are happy about the expansion of any business and increased job opportunities. However, there are concerns with the noise late at night. There have been times in the past when residents have been awakened in the middle of the night and ask the council to protect their interests. Alderwoman Ross asked about the noise decibels and if the level was different during the day. The daytime commercial level is 80 decibels (from 7:00 a.m. until 11:00 p.m.) and the night-time level is 70 decibels (from 11:00 p.m. until 7:00 a.m.). On the previous motion, and by consent of all members present, the rules were suspended and the ordinance was placed on its third and final reading (6/0). 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 (6/0). Emergency clause adopted (6/0). (*applicant: Maridale Corp*)

O-16-72 (ORDINANCE NO. 8851 – ALDERWOMAN ROBINSON)

AN ORDINANCE GRANTING A SPECIAL USE FOR A DAY CARE CENTER IN AN R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2001 PARKER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson and seconded by Alderman Foutch, and by consent of all members present, the readings were suspended (6/0). 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 (6/0). Emergency clause adopted (6/0). (*applicant: Anthony Pettigrew*)

O-16-73

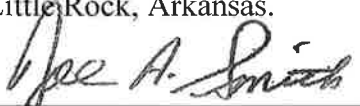
AN ORDINANCE TO ESTABLISH AND LAY OFF THE NORTH LITTLE ROCK MUNICIPAL MULTIPURPOSE IMPROVEMENT DISTRICT NO. 37 - FAULKNER CROSSING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held on behalf of the sponsor. Ms. Whitbey referenced an email requesting the item be pulled. Mr. Carter said the legislation would need to be held until Alderman Taylor was present.

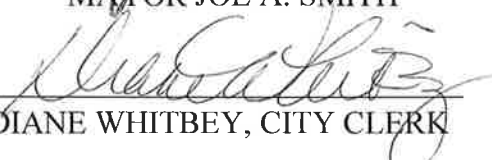
**PUBLIC COMMENT**

Mr. James Ard encouraged everyone to vote. People should vote for the person they think will do the best job even if they don't like them. He then told a story from his school days regarding a school election. Mr. Ard spoke to someone at Waste Management and said he has a contact who has assured him that the company will do better with their pickups in North Little Rock. Alderwoman Robinson asked the Police Chief if any clown sightings have been reported. Parents in her neighborhood are concerned. North Little Rock Police Chief Mike Davis encouraged people to not wear clown costumes this Halloween. Alderwoman White went trick-or-treating with her grandchildren last year. There were lots of cars and pedestrians. She encouraged parents to make sure their children have on lots of reflective material. People driving in neighborhoods dim their lights, which reduces their visibility.

Alderman Baxter said there are a lot of activities this weekend in central Arkansas, including: Dog Town Derby – Box Car Races, Levy Day, a Cornbread Festival, North Little Rock Police versus Razorback Alumni Game, and Bellwood Merchants event. Alderwoman Ross announced the Friends of Old Mill Open House Tuesday, October 25, 2016, which will include tours, hot dogs and revealing the new logo. Ms. Whitbey announced the North Little Rock Woman’s Club Annual Fall Follies will be Saturday, November 12, 2016, at the Patrick Henry Hays Senior Center. Tickets are \$25.00 which includes Corky’s BBQ for dinner, music, and a Country Store. Mayor Smith said the council will hold a budget meeting on Wednesday, November 9, 2016, from 4:00 p.m. until 6:00 p.m. If another meeting is necessary, it will be scheduled. Mayor Smith said the budget should be available by November 3, 2016.

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 6:47 p.m. (6/0), until the next regularly scheduled meeting which will be held on Monday, November 14, 2016, 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