

December 27, 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, December 26, 2016, was rescheduled to Tuesday, December 27, 2016, due to the Christmas holiday. The meeting 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 was led by Alderman Witcher. The pledge of allegiance was led by Aldermen 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 held on Monday, December 12, 2016, were approved, accepted and filed as prepared by the City Clerk (8/0).

No communications were filed.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

At the request of Alderman Hight, all Consent items were called under New Business.

NEW BUSINESS

R-16-197A (RESOLUTION NO. 9111 – MAYOR SMITH)

A RESOLUTION ADOPTING REVISED PAY SCHEDULES FOR GRADE/STEP NON-UNIFORM EMPLOYEES IN THE CITY OF NORTH LITTLE ROCK TO REFLECT PAY INCREASE; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-16-198 (RESOLUTION NO. 9112 – MAYOR SMITH)

A RESOLUTION APPROVING SALARY INCREASES TO CERTAIN FULL TIME SALARIED EMPLOYEES (EXCLUDING ELECTED OFFICIALS), BATTALION FIRE CHIEFS, ASSISTANT FIRE CHIEF, FIRE CHIEF, ASSISTANT POLICE CHIEF AND POLICE CHIEF OF THE CITY OF

NORTH LITTLE ROCK, ARKANSAS; 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 resolution was unanimously adopted (8/0).

R-16-199 (RESOLUTION NO. 9113 – MAYOR SMITH)

A RESOLUTION ADOPTING A REVISED AND UPDATED FRATERNAL ORDER OF POLICE, JOHN E. CHARLES LODGE NO. 5, SALARY SCHEDULE FOR POLICE OFFICERS OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderman Baxter, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-16-200 (RESOLUTION NO. 9114 – MAYOR SMITH)

A RESOLUTION ADOPTING AN UPDATED SALARY SCHEDULE FOR NORTH LITTLE ROCK POLICE DEPARTMENT SUPERVISORS ASSOCIATION (SA); 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 unanimously adopted (8/0).

R-16-201 (RESOLUTION NO. 9115 – MAYOR SMITH)

A RESOLUTION ADOPTING A REVISED AND UPDATED SALARY SCHEDULE FOR FIRE FIGHTERS OF THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS A.F.L.-C.I.O., LOCAL NO. 35; 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 resolution was unanimously adopted (8/0).

R-16-202 (RESOLUTION NO. 9116 – ALDERMAN WITCHER)

A RESOLUTION APPROVING SALARY INCREASES FOR ELECTED OFFICIALS OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight, and seconded by Alderman Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-16-203 (RESOLUTION NO. 9117 – MAYOR SMITH)

A RESOLUTION APPROVING AN EXTENSION OF THE CONTINGENCIES PERIOD ON THE SALE OF PROPERTY LOCATED AT 632 WEST RIVERFRONT DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, the resolution was amended as follows: *Section 1: strike through 30 days and insert 45 DAYS, and change the date from January 18, 2017 to FEBRUARY 2, 2017* (8/0). On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, the resolution was unanimously adopted as amended (8/0). (H3RE, LLC)

R-16-204 (RESOLUTION NO. 9118 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE DONATION OF CITY-OWNED PROPERTY TO PULASKI COUNTY NEIGHBORHOOD ALLIANCE FOR HABITAT FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING FOR LOW INCOME RESIDENTS; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderman Baxter and seconded by Alderwoman Ross. Mayor Smith said this property was donated to the city. Mr. Carter said CDBG Funds have been used on the property. Repairs are needed. Chief of Staff Danny Bradley said the city is limited to use of the property due to funds used to purchase the property. The property is in a state of disrepair. Habitat For Humanity is willing to take the property and plans to remove the (existing) house and build a new one. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0). (*504 West 51st Street*)

R-16-205 (RESOLUTION NO. 9119 – MAYOR SMITH)

A RESOLUTION AMENDING RESOLUTION NO. 9068 WHICH AUTHORIZED THE MAYOR AND CITY CLERK TO EXECUTE A DECLARATION OF RESTRICTIVE COVENANTS ON CERTAIN PROPERTIES OWNED BY THE CITY OF NORTH LITTLE ROCK LOCATED SOUTH AND EAST OF THE PIKE AVENUE ROUNDABOUT; AND FOR OTHER PURPOSES, was read.

On the motion of Alderwoman Ross and seconded by Alderman Foutch, and by consent of all members present, the resolution was unanimously adopted (8/0). (*Union Pacific Railroad*)

R-16-206 (RESOLUTION NO. 9120 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE DONATION OF CERTAIN USED BASEBALL FIELD POLE LIGHTS TO THE CITY OF GUY, ARKANSAS; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. Mayor Smith said these are old poles the city removed and does not plan to use. Mayor Sam Higdon is a retired North Little Rock Firefighter and had asked Mayor Smith to let him know if North Little Rock had old poles. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-16-207 (RESOLUTION NO. 9121 – MAYOR SMITH)

A RESOLUTION AMENDING THE 2016 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO INCLUDE ADDITIONAL EXPENSES IN TWO DEPARTMENTAL BUDGETS; 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 resolution was unanimously adopted (8/0).

R-16-208 (RESOLUTION NO. 9122 – MAYOR SMITH)

A RESOLUTION APPROVING AND CERTIFYING THE 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 Alderwoman Ross. 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 (8/0).

O-16-90 (ORDINANCE NO. 8869 – MAYOR SMITH)

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF A CITY OF NORTH LITTLE ROCK TAX INCREMENT BOND, SERIES 2017; PROVIDING FOR THE SECURITY FOR AND PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BOND; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND 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 (8/0). 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 (8/0). The ordinance was read a third and final time. A motion to amend was made by Alderman Foutch and seconded by Alderman Taylor. Mr. Carter went over a summary of amendments. On the previous motion, and by consent of all members present, the ordinance was amended as follows:: *substitute ordinance (and exhibits) provided this date* (8/0). On the motion of Alderman Witcher and seconded by Alderman Baxter, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted as amended (8/0). (*not to exceed \$1,105,000.00*)

O-16-91 (ORDINANCE NO. 8870 – MAYOR SMITH)

AN ORDINANCE AMENDING THE RETIREMENT SYSTEM OF THE CITY OF NORTH LITTLE ROCK REGARDING CONTRIBUTIONS, SERVICE RETIREMENT ALLOWANCES, AND DEATH AND SEPARATION BENEFITS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher 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 (8/0). 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 (8/0). The ordinance was read a third and final time. On the motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, the ordinance was amended as follows:: *see 2.2.2 City Contributions* (8/0). On the motion of Alderman Witcher and seconded by Alderman Taylor, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted as amended (8/0).

O-16-92 (ORDINANCE NO. 8871 – MAYOR SMITH)

AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS AND NUMBERS OF EMPLOYEES FOR EACH DEPARTMENT OF THE CITY GOVERNMENT OF NORTH LITTLE ROCK FOR 2017; 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). 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 unanimously adopted (8/0). (2017 *Quota Ordinance*)

O-16-93 (ORDINANCE NO. 8872 – MAYOR SMITH)

AN ORDINANCE GRANTING A WAIVER TO ALLOW AN ELECTRONIC CHANGEABLE COPY SIGN ON CERTAIN REAL PROPERTY LOCATED AT 2700 WILLOW STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, with the exception of Alderman Witcher who voted no, the rules were suspended and the ordinance was placed on its second reading (7/1). On the motion of Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, with the exception of Alderman Witcher who voted no, the rules were again suspended and the ordinance was placed on its third and final reading (7/1). The ordinance was read a third and final time. Alderman Taylor asked if a (sign) zone would need to be established for this request. Mr. Shawn Spencer Planning Director said there was nothing indicating that it had to be done, and referenced past policy. Mr. Carter said the council can make the rules and amend the rules. Alderman Witcher said Percy Machin has been a quiet business area for some time, with a number of Doctor and Lawyer offices along the street. Alderman Baxter asked about the brightness the sign in nits. Mr. Spencer said they will go out and measure the brightness using a devise designed for the same. Alderwoman Ross said there are exceptions. The Community Center is used as a cooling and warming center during extreme weather. Alderman Hight said this sign will be of a benefit to the community. Alderwoman White agreed with the benefit to the community. Alderman Witcher asked how much the sign would cost. Mr. Terry Hartwick, Parks and Recreation Director said approximately \$40,000.00. Mr. Hartwick added the Community Center is a designated Emergency Relief location and signage will help the public locate the center. 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, with the exception of Alderman Witcher, who voted no, the ordinance was adopted (7/1). Alderwoman Ross asked if there was a need for the emergency clause. Mr. Carter said emergency clause is included in all ordinances when they are drafted. Alderwoman Ross said she has been questioned as to why all items include and emergency clause. Ms. Karen Scott, Finance Director said this has already been bid. Mr. Carter said if the emergency clause is not adopted, the ordinance would not go into effect until 60 days after passage. Alderman Hight said he received an email from someone whose concern was that items were called in one meeting instead of separate meetings. Emergency clause unanimously adopted (8/0). (*applicant: City of North Little Rock Parks and Recreation – Terry Hartwick*)

O-16-94 (ORDINANCE NO. 8873 – ALDERMAN ROSS)

AN ORDINANCE VACATING AND ABANDONING CERTAIN UNUSED EASEMENTS ON PROPRTY LOCATED AT 4101 CAMP ROBINSON ROAD IN THE CITY OF NORTH LITTLE ROCK; 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 readings were suspended (8/0). 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 unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*requested by: John Pownall, Thomas Engineering*)

O-16-95 (ORDINANCE NO. 8874 – ALDERMAN TAYLOR)

AN ORDINANCE LEVYING OF ANNUAL CHARGES FOR PROPERTIES LYING WITHING THE BOUNDARIES OF THE CITY OF NORTH LITTLE ROCK MUNICIPAL MULTIPURPOS IMPROVEMENT DISTRICT NO. 37 – FAULKNER CROSSING; 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 readings were suspended (8/0). On the motion of Alderman Taylor and seconded by Alderman Foutch, 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). (*requested by: Bob Hardin*)

O-16-96 (ORDINANCE NO. 8875 – ALDERMAN HIGHT)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A CAR LOT IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5039 WARDEN ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMEGENCY; AND FOR OTHER

PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, the readings were suspended (8/0). Alderman Hight said in Section 2: e) 108 vehicles are allowed. He asked what the recommendation of the Planning Commission was. Mr. Spencer said the commission recommended the existing number of spaces (currently marked – 140 spots). A motion to amend the number of spaces was made by Alderman Hight and seconded by Alderman Foutch. Alderwoman Ross said the 140 spots would include customers, employees, etc. Alderman Baxter said the number of spaces is determined by square footage. Mr. Spencer said this property was a car lot in the past. Alderman Hight said there are a lot of car dealers in that area. On the previous motion, and by consent of all members present, with the exception of Alderman Baxter, who voted no, the ordinance was amended as follows: *Section 2: e) strick through There shall be a ratio of one (1) vehicle per every 450 square feet of open lot area. This ration will allow 108*, and insert THERE SHALL BE ALLOWED 140 (7/1). A motion to adopt as amended was made by Alderman Hight and seconded by Alderman Witcher. Alderwoman Ross said car lots on Broadway have to comply with the rules. Alderman Taylor said the current rules were adopted in 2005. On the previous motion, and the roll having been called and the following members having voted yes: White, Taylor, Foutch, Hight and Witcher; and the following members having voted

no: Ross, Robinson and Baxter, the ordinance was adopted as amended (5/3). Emergency clause unanimously adopted (8/0). (*applicant: Mike Marlar, Marlar Engineering*)

PUBLIC COMMENT

Mr. Bobby Taylor said there were still issues in his neighborhood. Mr. Taylor said there is garbage piled up on the street at 4708 and 4706 East Broadway. He also said the recycling bin is still out at 4708 Boyer. There is another recycle bin near Stella’s Liquor on East Broadway. Mr. Taylor referenced limbs at a house on Boyer (may be 4523) that was torn down. The leaves he mentioned at the last meeting are still in the street on Prothro. The Electric Department tree service has left some brush/limbs behind on Atkins. Alderwoman Robinson commended the Parks and Recreation Department for a program they are starting next month for Special Needs Children. Children will be taught team sports and more. Also, she has had some complaints and concerns regarding a project on Mosley Street. The city has paid over \$200,000.00 for two blocks. Some of the neighbors were concerned about their easements a couple of years ago. Alderwoman Robinson said they usually see all bids for a project. In this case, they only saw the bid from the winning bidder. There is an elderly lady at the corner of Glenview Lane and Poe. Her house has been there since the 1920’s. She has a wheel chair ramp. She was concerned that the drainage project will take away part of her yard. Alderman Baxter said it has been a pleasure serving on the council with Ward 3 Alderman Foutch for the past six years. Alderman Foutch thanked Mayor Smith and all city employees for their assistance over the years. He thanked Alderman Baxter and the other council members for their guidance and support. He said it is easy to look good as a council members when we have a professional employees in every department. Alderman Foutch encouraged Mr. James Ard to get well soon. He also wished Alderman-elect Ron Harris much luck. It has been an honor and a privilege to serve. He then thanked his wife Jan for her urging and support. Mayor Smith said it has been a great 2016 and we are looking forward to 2017.

There being no further business to come before the Council, and on the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 6:52 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, January 9, 2017, 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