

January 23, 2017
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 23, 2017, 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, RON HARRIS, 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 Alderwoman Ross.

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, January 9, 2017, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Alderman Baxter and seconded by Alderman Taylor, and by consent of all members present, communications 1, 2, 3, and 4, were accepted and filed (8/0).

1. Diane Whitbey, City Clerk/Treasurer, memorandum to City Council members re: Flood in Basement of City Hall and list of damaged records.
2. Robert Hardin, Petition for Reappointment of Commissioners of Municipal Improvement District No. 32 – North Cedar Street.
3. Belinda F. Snow, Executive Director Housing Authority of North Little Rock letter to Mayor Smith re: Reappointment of Commissioner Oliver Dillingham.
4. Melissa Ervin, Director of Community Development email re: Point-In-Time Count of Central Arkansas Homeless Population, Tuesday, January 24, 2017.

On the motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, communication #5 was read by title only, accepted and filed (8/0).

5. City Attorney C. Jason Carter, memorandum to City Council members re: Simplified Procedural Rules of City Council.

Mr. Carter reviewed council meeting procedures and recommended the following changes:

-Ordinances and Resolutions – change filing deadline (with city clerk) to the fourth business day prior to the regular City Council meetings.

-Request for Legislation – must be submitted to the City Attorney by noon on the third business day prior to a filing deadline.

-Principle Sponsor – only the sponsor, cosponsor, or a designated Council member may call an ordinance or resolution for consideration by the council.

The remainder of the Simplified Rules of the North Little Rock City Council remain the same. Mr. Carter can provide legislation regarding the above changes. Alderwoman Ross asked for clarification regarding speaking during public comment and signing in prior to the meeting. Ms. Whitbey said she had been questioned regarding signing in at the meeting or prior to the meeting (meaning at another time).

Mayor Smith invited members of the North Little Rock Elite Starz Cheer Team to come forward and Glenview Recreation Center Director Jennie Cunningham to come forward. Ms. Cunningham said members present were from the Parks and Recreation Competitive Cheer Squad. They have competed and been champions for the past four years. This weekend, they will travel to Dallas, Texas, where they will participate in the Dallas Cowboys Cheerleaders National Competition (at Cowboy Stadium). Mayor Smith said the group has earned 15 first place trophies in the last two years.

Mayor Smith invited Mr. Ham and members of the Sister City Student exchange program from Uiwang City, South Korea to come forward. Mrs. Margaret Powell introduced Mr. Ham and members of the delegation, along with the host families. Mr. Ham read a letter from the mayor of Uiwang City to the council thanking the council, city and school district for their support. Two of the students spoke and expressed their appreciation for the opportunity to participate in the program and attend classes at North Little Rock High School.

Mayor Smith announced the presentation of 2016 Christmas Parade Trophies and invited Parade Chair Sherry Bruno and Alderman Hight to come forward to assist. Trophies were presented to the following:

Mayor's Cup	EMOBA – Let It Snow
Chairman's Choice	The Plane Train
Best Girl Scout Entry	Girl Scouts #6096 and 6066
Best Beauty Entry	Arkansas State Fair Queen
Best Club Entry	North Little Rock Lion's Club
Best Boy Scout Award	Boy Scout Troop #87
Best Decorated Commercial or Business Vehicle	Razorback Concrete Twinkle Truck
Sertoma Chairman's Award	Elk's Lodge
Best Dance/Performing	Golden Royalty Dance
Best Fire Truck	Scimitar
Best Marching Group	North Little Rock High School ROTC Color Guard
Sertoma President's Award	Mann Magnet Middle School

Mayor Smith asked Ms. Belinda Snow, Executive Director of the Housing Authority to come forward. He recently when over projects the Housing Authority Board of Commissioners had approved. After looking over the recommendations he asked Ms. Snow to provide a summary to the council members. In the past, the report would have included the annual per capita fund forms (which total approximately \$1 million/year divided between eight sites). HUD (Housing and Urban Development) created the opportunity to apply for additional funds through RAD (Rental Assistance Demonstration) Program. Ms. Snow went over items HUD funds could not be used for. However, the RAD Program includes some of the excluded uses, including Section 8 Vouchers. The application being submitted to HUD includes four developments. Three are for demolition and disposition. This does not mean the facilities will be torn down. The Housing Authority is responsible for relocating its residents (assisting them in finding new residences and financial assistance). Tower property tenants do not pay utilities. The application is for 'extreme modernization.' There are approximately \$26 million in needs at the Heritage/Bowker property alone. They are proposing applying for tax credits (4%) and loans. Alderwoman Ross asked about Silver City Courts. Ms. Snow said that property would be demolished, followed by new construction. Heritage House, Willow House and Campus Towers would be recommended for Section 18 - demolition-disposition (extreme modernization). Disposition of the property would include it being sold to a partnership. The Housing Authority would continue to be a partner in the property. A third party management company would come in and manage the property for 3 – 5 years. Mayor Smith said this is similar to what occurred a few years ago with the Argenta Community Development Corporation in regard to tax credits. Alderwoman Ross asked if Willow House was being considered for Senior only housing. Ms. Snow said it was. Alderwoman White asked about a date (time-line). Ms. Snow said they need to acquire another property (to take the place of Silver City Courts). Alderwoman Robinson asked about Hemlock Courts. Ms. Snow said Hemlock Courts would also fall under demolition due to environmental issues. Mayor Smith asked what the chances were of all of the requests being approved. Ms. Snow said chances were good. Alderman Baxter asked about the cost of the third-party oversight. Ms. Snow said it could be about five percent.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

None filed.

NEW BUSINESS

R-17-09 (RESOLUTION NO. 9131 – ALDERMAN TAYLOR)

A RESOLUTION REAPPOINTING COMMISSIONERS OF THE NORTH CEDAR STREET IMPROVEMENT DISTRICT NO. 32 OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-17-10 (RESOLUTION NO. 9132 – MAYOR SMITH)

A RESOLUTION APPROVING AN INCENTIVE RECRUITING PLAN FOR THE HIRING OF EXPERIENCED AND CERTIFIED POLICE OFFICERS INTO THE NORTH LITTLE ROCK POLICE DEPARTMENT; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderman Baxter and seconded by Alderman Taylor. North Little Rock Police Chief Mike Davis said nationwide, recruitment is down. The department is down 10 officers and several are scheduled to retire in the near future. During the last testing, 110 people applied and 36 showed up for testing. The new incentive would give the city the opportunity to hire from other departments (in the region). If an officer has experience in another department, then he/she could come in at a higher starting pay scale. Alderwoman Robinson referenced several cities that are trying to add recruitment incentives. Chief Davis said there will also be (financial) savings to the city as these recruits won't have to go through the (Police) Academy or ride with other officers. Mayor Smith said the department has met with Human Resources to implement additional testing. Chief Davis said the maximum age to apply is 45. The department is currently budgeted for 186 officers. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

O-17-03 (ORDINANCE NO. 8878 – MAYOR SMITH)

AN ORDINANCE AMENDING THE TERM LENGTH FOR TRUSTEES SERVING ON THE NORTH LITTLE ROCK LIBRARY COMMISSION; 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, the readings were suspended (8/0). A motion to adopt was made by Alderman Witcher and seconded by Alderman Baxter. Alderman Hight asked if this was to conform with state requirements. Mr. Carter said it was. Alderwoman Ross asked if Esther Crawford was going to be reappointed. Mayor Smith asked Mr. Carter to prepare reappointment legislation for the next meeting. 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). Emergency clause unanimously adopted (8/0).

O-17-04 (ORDINANCE NO. 8879 – MAYOR SMITH)

AN ORDINANCE AMENDING SECTION 1.1.4 AND CITY PARKS MAP ATTACHMENTS OF NORTH LITTLE ROCK MUNICIPAL CODE CHAPTER 10 (PARKS AND RECREATION) TO INCLUDE THE ADDITION OF FACILITIES AT 140 SOUTH OLIVE STREET; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read.

On the motion of Alderman Hight and seconded by Alderwoman Ross, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Alderman Hight and seconded by Alderwoman Ross. Alderwoman Ross asked if the Fire Department was still using this building for the Buzz B Que event. 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). Emergency clause unanimously adopted (8/0). Bids came back at \$100,000.00 - \$200,000.00. Mayor Smith said Parks Director Terry

Hartwick has staff who can work on this project. Using staff will save a lot of money. Mayor Smith said this is a great location with a beautiful view of the skyline.

O-17-05 (ORDINANCE NO. 8880 – MAYOR SMITH)

AN ORDINANCE AMENDING THE NON-UNIFORMED EMPLOYEE’S POLICY AND PROCEDURE MANUAL; DECLARING AN EMERGENCY; 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 readings were suspended (8/0). On the motion of Alderwoman Ross 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 (8/0). Emergency clause unanimously adopted (8/0).

O-17-06 (ORDINANCE NO. 8881 – MAYOR SMITH *for consideration only*)

AN ORDINANCE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 4500 NORTH HILLS BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R-4 TO PLANNED USE DEVELOPMENT (PUD) TO ALLOW OFFICES AND INDOOR STORAGE UNITS, BY AMENDING ORDINANCE NO. 7697; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN EMERGENCY; 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 readings were suspended (8/0). Mayor Smith said neighbors have met with the engineer and developer and have no objections to this request. Alderwoman Ross said Mr. Mike Marlar met with neighbors on both sides of Fairway and provided presentations. Neighbors had no objections. Mayor Smith said he understood the storage facility will be new and the church building will be converted to office space. Mr. Marlar and Mr. Michael Hall, the property developer were present. Mr. Hall agreed with Mayor Smith’s comments. Alderwoman White said the presentation was one of the most thorough she had seen. Mr. Shawn Spencer, Planning Director said everything was submitted to Planning included site plans, etc. Mr. Hall said this is a \$5 to \$7 million project. On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Mike Marlar – Marlar Engineering*)

O-17-07 (ORDINANCE NO. 8882 – ALDERMEN BAXTER AND HARRIS)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 3921 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM R-3 TO C-4 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Without objection, Alderman Harris was added as a cosponsor. On the motion of Alderman Baxter and seconded by Alderman Harris, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Alderman Baxter and seconded by Alderman Harris. Alderwoman Ross asked if

questions asked at the Planning Commission were resolved. Mr. Spencer said they were. Mr. Marlar advised a Community Development project is underway and replatting and rezoning is necessary. Community Development will purchase the easements. 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). Emergency clause unanimously adopted (8/0). (*applicant: Mike Marlar – Marlar Engineering*)

O-17-08 (ORDINANCE NO. 8883 – ALDERMEN BAXTER AND HARRIS)

AN ORDINANCE APPROVING A WAIVER REQUEST OF BUFFER REQUIREMENTS FOR CERTAIN REAL PROPERTY LOCATED ON WEST 39TH STREET, NORTHWEST OF ITS INTERSECTION WITH PIKE AVENUE, IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Without objection, Alderman Harris was added as a cosponsor. On the motion of Alderman Baxter 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 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). (*Mike Marlar – Marlar Engineering*)

Mr. Marlar provided an update on the East McCain Project. The project is ahead of schedule due to favorable weather. It is estimated that it will be completed by June or July, 2017. The retaining walls are complete. Decorative lights will be discussed within the next few weeks.

Mayor Smith said monthly meetings are held with regard to I-30 Crossing. Discussions continue. One thing Mayor Smith wanted to bring to the council's attention was regarding Overpasses. Basically, if the city wants an overpass, it will have to fund it. Mayor Smith said an aesthetics committee will be appointed to review and provide opinions regarding the same. Mayor Smith said the city will need to look at setting aside funds in the 2018 / 2019 budgets. He also mentioned lighting under the underpass. Regarding the Broadway Bridge, City Engineer Chris Wilbourn had advised Mayor Smith that the bridge construction is ahead of schedule and will be open ahead of the deadline.

PUBLIC COMMENT

Ms. Courtney Nixon spoke regarding the city's BSL (Breed Specific Legislation). A dog named Gambit was euthanized because he was a pit bull mix. She said BSL legislation does reduce dog bites, however, she was against banning a specific breed. She then reference NLRMC regarding Animals. The description of banned breeds includes muscular, block headed and big chested. This describes Rottweilers, Great Danes, Mastiffs and the English Lab. Gambit's death was a case of mistaken identity. She said the North Little Rock Animal Shelter's surgical vet said the dog had no pit in him. Ms. Cindy Toland said Gambit was a Blue Heeler mix. He was picked up by animal control for a violation of being a banned breed. Gambit was picked up after a second violation and Ms. Toland had a court date set of February 9. Gambit was euthanized the day after being picked up by mistake. This

shouldn't have happened. She referenced the City of Little Rock and their requirements including insurance and confinement. She also referenced the City of Sherwood and said they have not put down a dog in years. Only two of the three levels of approval were met at the shelter prior to her dog being euthanized. Her dog was a good dog with a lot of personality. She understands it was a mistake, but it shouldn't have happened. The animals at the shelter need a voice. She asked if the city could look at the ordinances other cities have. Mrs. Claudia Gravett owns an apartment complex in North Little Rock. It is adjacent to where Ms. Toland lives. She was familiar with Gambit and said he was a loving animal. As a result of the mistake (in his death), changes should be considered. Mr. James Ard recommended notifying residents by cell phone when the garbage day is changed. He said when you call North Little Rock Electric they give you a date and time when they'll be out. Mr. Ard reminded the public that if they see a police officer with someone pulled over, they should try and get the license number. Our department has been fortunate that nothing has happened to one of our officers. Mr. Bobby Taylor thanked the mayor and city departments, including police, fire, code enforcement and sanitation for their help in his neighborhood. Mr. Taylor said Broadway looks a lot better. However, there is still brush on the England Highway. He is also not pleased with leaf pickup. Mayor Smith asked Mr. Taylor to give Chief of Staff Danny Bradley the address. Ms. Toland asked what she needed to do to get the ordinance in the city changed (regarding breed specific ban). Mayor Smith said a council sponsor would be required. He then referenced the City's website for contact information.

There being no further business to come before the Council, and on the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the meeting was adjourned at 7:31 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, February 13, 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