

February 27, 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, February 27, 2017, was called to order at 6:02 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 Alderman Taylor.

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, February 13, 2017, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, communications 1, 2, 6, and 7, were accepted and filed (8/0).

1. Charlotte Thomas, Mayor's Office memorandum re: *Retail Beer off Premises & Small Farm Wine – Change of Manager from Steven Bruno* for MAPCO #7328, 3401 John F. Kennedy Blvd, by Clarice Halter.
2. Alderman Maurice Taylor – communication re: The Innovation Hub – 2016.
6. Alderwoman Debi Ross – communication re: The Innovation Hub – 2016 (North Little Rock Students).
7. Bob Hardin, Attorney at Law – Annual Financial Report for Argenta Downtown Council Business Improvement District No. 31 – Year End December 2016.

On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, communications 3 and 4 were read by title only, accepted and filed (8/0).

3. C. Jason Carter, City Attorney memorandum re: Risk Management Committee Quarterly Report (Q4, FY16).
4. C. Jason Carter, City Attorney memorandum re: North Little Rock Risk Management Committee Annual Report.

City Attorney Carter referenced and summarized both of the reports.

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

5. Karen Scott, Finance Director memorandum re: FY15 Audited Financial Statements – North Little Rock Electric and Utilities Accounting.

Finance Director Karen Scott advised the Electric Financial Statement was reissued. Subsequent to that, the City Council authorized an increase in the city's contribution into the Non-Uniformed Pension Plan, which required a recalculation.

### **UNFINISHED BUSINESS**

R-17-23 (RESOLUTION NO. 9151 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE ARKANSAS REGIONAL INNOVATION HUB, INC.; AND FOR

OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Alderwoman Ross said The Innovation Hub has done a good job. The amount budgeted (\$150,000.00) included \$85,000.00 which was designated for The Art Connection students to help them learn about art and business. She discussed items included in communications 2 and 6. Field trips (\$6.00) and after school programs (\$150.00) have fees that are charged to the students. Membership fees are \$50.00 per month. The city is contributing funds for the programs and the families are paying for the programs. She referenced other programs that appear to have sponsors. Mayor Smith said staff members, parents and teachers were present in support of the program. Mr. Warwick Sabin said support from the city is critical to all of the programs. Some programs are offered for a fee, however, scholarships are also available. There are a lot of expenses which include paying educators, facility upkeep, etc. The money from North Little Rock is divided among educational programing. Alderwoman Ross said the other concern was that the council was not aware The Art Connection was no longer there. On the motion of Alderwoman Ross and seconded by Alderwoman White, and the roll having been called, and the following members having voted yes: Ross, White, Taylor, Robinson and Baxter; and the following members having voted no: Harris, Hight and Witcher, the resolution was amended as follows: *reduce funding from \$150,000.00 to \$100,000.00 (5/3)*. Having voted in the affirmative on the previous motion, Alderman Baxter made a motion to expunge the previous vote, which was seconded by Alderman Hight, and the roll having been called, the following members voted yes: Robinson, Baxter, Harris, Hight, and Witcher; and the following members voted no: Ross, White, and Taylor, the previous vote was expunged (5/3). On the previous motion (to amend) of Alderwoman Ross and seconded by Alderwoman Robinson, and the roll having been called, and the following members having voted in the affirmative: Ross, White, Taylor, and Robinson; and the following members having voted no: Baxter, Harris, Hight and Witcher, the motion failed (4/4). On the motion of Alderman Baxter, and seconded by Alderman Hight, and the following members having voted yes: Robinson, Baxter, Harris, Hight, and Witcher; and the following members having voted no: Ross, White and Taylor, the resolution was adopted (as filed) (5/3). (*\$150,000.00*) Mayor Smith thanked all of those who were present regarding this item. Alderwoman Ross asked if

students who had art at The Innovation Hub (through The Art Connection) could get their art back. Mayor Smith said they could.

### **CONSENT AGENDA**

*None filed.*

### **NEW BUSINESS**

R-17-29 (RESOLUTION NO. 9152 – MAYOR SMITH)

A RESOLUTION APPROPRIATING AN AMOUNT NOT TO EXCEED \$100,000.00 TO MAKE REPAIRS AND ALTERATIONS TO CITY-OWNED PROPERTY LOCATED AT 116 MAIN STREET FOR THE NORTH LITTLE ROCK CITY ATTORNEY OFFICE SPACE, AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. Mayor Smith said due to a reduction in Community Development staff, the office was relocating to the Public Works Compound. The City Attorney's Office will relocate to 116 Main. The building is in disrepair and needs repairs and updates. On the motion of Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, the resolution was amended as follows: *Section 1: strike through Seventy* (8/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

R-17-30 (RESOLUTION NO. 9153 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 212 EAST 18<sup>TH</sup> STREET (AKA 1723 MAGNOLIA 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 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). (*owner: Harvest Interdenominational Ministries*)

R-17-31 (RESOLUTION NO. 9154 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5215 NELSON DRIVE 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 Alderman Baxter and seconded by Alderwoman Robinson. Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned (8/0). On the previous motion, and by consent of all

members present, the resolution was unanimously adopted (8/0). (*owner: US Bank National Association*)

R-17-32 (RESOLUTION NO. 9155 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2621 EAST 2<sup>ND</sup> 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 White. 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). (*owner: Short Sale Your Home Corp, c/o Louis Butler*)

R-17-33 (RESOLUTION NO. 9156 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 221 PRARIE VIEW DRIVE 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 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). (*owner: Robert G. Dean*)

R-17-34 (RESOLUTION NO. 9157 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2112 EAST WASHINGTON AVENUE 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 Alderman Taylor and seconded by Alderwoman Robinson. 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). (*owner: Jewel Lee Sawyer, c/o Freddie Roberson*)

O-17-16

AN ORDINANCE ESTABLISHING STONE LINKS DRIVE URBAN SERVICE DISTRICT NO. 2 OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. A motion to suspend the rules was made by Alderman Taylor and seconded by Alderwoman Robinson. Mayor Smith asked Mr. Bob Hardin, Attorney at Law to come forward and

provide a synopsis regarding the legislation. Mr. Hardin said he was asked to assist the residents in preparing their petitions, etc. There is one other Urban Service District in the city (Heritage Park). The district allows property owners to raise a certain amount of funds per household for a ten (10) year period of time. Fees can be collected with a water (or other utility) service bill. Twenty-five percent of electors (within the district) are required to sign a petition to form a district. Public notice is required to advise residents of a 30-day comment / objection period. Mr. Hardin said the city administers the funds. The money can be used for neighborhood improvement services (i.e. green spaces, etc.). Mr. Hardin said once adopted, the fee would be collected by Central Arkansas Water (CAW). Mr. Hardin said twenty-five percent of the electors are required to create the district. Fifty-percent of the electors would be required to stop it. The projected fee would be \$11.00 per household. Alderwoman Ross asked how the area was established. Mr. Hardin said it includes the legal descriptions in Stone Links Phase I and Phase II. He also referenced undeveloped lots. Mr. Hardin said there are about 250 homes in the area. Mr. Hardin said a group of residents are concerned about the entryway, greenspaces, lighting, etc. Alderwoman Robinson received a complaint from someone who lives on Faulkner Lake Road and does not use the main entrance (into the subdivision). Alderwoman Ross asked if the legislation was going to be held since notice didn't go out to residents until the 21<sup>st</sup> (February) and some residents didn't receive notice until last Friday. Alderman Taylor said he would like to hear from the residents (who were present).

Mayor Smith convened a public hearing at 6:40 p.m. re: O-17-16. Mr. Willie Thomas is the acting President of the community association. He said the benefit would be for all residents, including the homeowners on Faulkner Lake Road. Any improvement in the subdivision would increase all property values. It costs money to mow the entryway and other green spaces. Currently, volunteers are paying the expenses. Residents would have the opportunity to vote (on the use of funds). Mr. Hardin said the Administrator would make recommendations to the city. Alderman Taylor said they tried to collect funds in the past, but it was not consistent as not all residents participated. Mr. Thomas said petitions were circulated twice. About ten percent of the residents were opposed. Mr. Thomas said over half of the households signed the petition in support of this. Alderwoman Robinson said this will better the community. Ms. Chandra Martin said residents on Faulkner Lake Road are part of the subdivision. Before the city took over the golf course and a volunteer started mowing the area, the grass had gotten tall. Rats and other rodents increased. They don't want to have to worry about the grass height. Mr. Phil Beuth is an attorney who lives in Stone Links. When he moved there, it was a golf community. Following the sale of the golf course, the area behind his home grew up (4' to 5'). He also referenced a long median area. They want to keep up their property values and increase security. Ms. Tammy/Tamara (inaudible) doesn't mind paying dues but wants to know where her money is going. She hasn't attended the last two meetings. People do care, but can't always attend meetings. She said everyone is not in agreement. They don't need a lawyer or the city to make them pay dues. Mr. Gary Bryant has lived in Stone Links for a year. No one mentioned fees to him when he moved in. He is unable to attend meetings because of his work schedule. He doesn't think the city should assess fees. Mayor Smith said the creation of the district is allowed under a state law. Ms. Pamela Joseph said the

fee is reasonable. Alderwoman Robinson said this is about more than cutting grass. There are other projects the funds could be used for that the residents want. Mr. Ray Vanzan has been a resident of Stone Links for 17 years. This topic has been discussed for 15 years. Stone Links has a nice entrance with three (3) flag poles. However, they don't have a light on the American flag because they cannot turn on the utilities. Mr. Vanzan said they feel neglected. If something isn't done, property values will decrease. Without objection, Mayor Smith recessed the public hearing until the next City Council meeting, scheduled for Monday, March 13, 2017 (at 6:00 p.m.).

Mayor Smith encouraged residents to email council members regarding their position. Alderman Taylor commented and commended residents for their efforts. Alderman Taylor then held the legislation.

O-17-17 (ORDINANCE NO. 8890 – ALDERWOMAN ROBINSON)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW THREE MODULAR BUILDINGS FOR CLASS ROOM SPACE IN AN R-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 604 NORTH LOCUST STREET 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 Hight, 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 Alderman Taylor. Alderwoman Ross asked if the amount of time was sufficient. Alderwoman Robinson said Shorter College had a fire three months ago. These buildings would provide temporary class rooms until the damaged structures are rehabilitated. Mr. Mike Marlar said a major beautification project is planned on the campus. 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*)

**PUBLIC COMMENT**

Ms. Courtney Mixon said the last time she attended a meeting, she spoke regarding BSL (Breed Specific Legislation). She shared several stories about pit bull dogs that were abused. Many pit bull dogs have been rehabilitated and found homes. She is a responsible pet owner and made sure her dog was trained, spayed or neutered, and fully vetted. People need to look at the owners, not the breed. Any dog can be vicious in certain circumstances. Ms. Cynthia Tolend said there are benefits to pet ownership. She said keeping dogs alive and giving them a chance to be adopted outweighs putting them down. She said people at North Little Rock Animal Control do not have the knowledge needed to correctly identify specific breeds. Rescue organizations are not allowed to rescue pit bulls in North Little Rock. The city of Little Rock has registration and adoption fees. Mr. James Ard said a neighbor put an icebox out on the street and did not secure it. He called Mr. Harold Ford, Sanitation Director who took care of it. Mr. Bobby Taylor said people continue to leave their garbage and recycling cans out (in Rose City) and asked what could be done. Mayor Smith asked him to provide addresses. Mr.

Taylor said he continues to have issues with the resident at 4605 Boyer. Rats are bad and he has to buy poison to control them.

There being no further business to come before the Council, and on the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the meeting was adjourned at 7:30 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, March 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