

March 13, 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, March 13, 2017, was called to order at 6:00 p.m. by the Honorable acting Mayor Charlie Hight.

The roll having been called and the following Aldermen answered to their names: DEBI ROSS, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, and CHARLIE HIGHT (6/0). Mayor JOE A. SMITH, Aldermen BETH WHITE and MURRY WITCHER 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 Taylor and seconded by Alderwoman Robinson and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, February 27, 2017, were approved, accepted and filed as prepared by the City Clerk (6/0).

On the motion of Alderman Baxter and seconded by Alderwoman Ross, and by consent of all members present, communications 1, 2, 3, 4, and 6, were accepted and filed (6/0).

1. A. Collins, North Cedar Street Municipal Improvement District No. 32 of North Little Rock Plan for Improvements and Estimated Costs.
2. A. Collins, Report of North Cedar Street Municipal Improvement District No. 32.
3. A. Collins, Annual Financial Report for the Year ending December 31, 2016, for North Cedar Street Municipal Improvement District No. 32 of North Little Rock.
4. Karen Scott, Finance Director / Chairman Energy Risk Management Committee ECR Adjustment Factor – March, 2017 (\$.0026) Credit.
6. Robert Hardin, Attorney at Law, Annual Financial Report for the Year ending December 31, 2016, for the Young Road Multi-Purpose Improvement District No. 33 of North Little Rock.

On the motion of Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, communication #5 was read, accepted and filed (6/0).

5. Mayor Joe A. Smith letter to Mr. Tom Davis re: 24 years of service on Parks and Recreation Commission and thank you for job well done.

On the motion of Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, communication #7, was read, accepted and filed (6/0).

7. Mayor Joe A. Smith letter to City Clerk Diane Whitbey and City Council members re: attending

National League of Cities Conference, March 13-15, 2017. Alderman Charlie Hight will preside over the City Council meeting.

UNFINISHED BUSINESS

O-17-16 (ORDINANCE NO. 8891 – ALDERMAN TAYLOR)

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 one time, February 27, 2017, and held. A public hearing was also held and recessed until this date. The ordinance was read a second time. Acting Mayor Hight reconvened a public hearing at 6:06 p.m. this date. Ms. Chandra Martin is the Secretary for the Stone Links Neighborhood Association and lives in the subdivision. She spoke in support of the ordinance and the future of Stone Links. Ms. Marie Hollowell moved to Stone Links in 2015. She has been paying voluntary dues. She can see what they are doing in the community and supports the ordinance. Ms. LaJuana Delph is opposed to the ordinance. The information provided has been unclear. They have gone from being a Home Owners Association (HOA) to being part of the city, to a Special Improvement District and now an Urban Improvement District. The club house (former Stone Links Golf Course) was placed under the city. Ms. Tammy Greer spoke at the last meeting and asked if she could reserve her time and speak last. Mrs. Phyllis Talburt lives in Stone Links. She loves it (the community) and supports this legislation. Dr. Jay Talburt lives in Stone Links. He also supports the legislation and agreed with his wife's previous comments. They are trying to make the community better and a lot of things need to be done. Mr. Bob Hardin, Attorney at Law, said there are 392 registered electors in the area. A total of 131 signed the petition, which equals 33.418% of the total number of registered voters. The threshold set by State Statute is 25% of the electors. Acting Mayor Hight said there were concerns at the previous meeting regarding notification to residents. Mr. Hardin said notice of the previous public hearing was published in The North Little Rock Times. Certified Letters were mailed to every property owner in the district advising of the hearing and the intent. Mr. Hardin said there are 266 individual single family lots within the subdivision. The (lot) information was obtained from the (Pulaski County) Assessor's Office. Mr. Phil Beuth lives in the Stone Links community and is a practicing attorney. He worked with Mr. Hardin on the proposed legislation. Mr. Beuth said signage was posted at the entrance of Stone Links regarding their annual meeting (held in January). Efforts have been made to notify every household in the community. Mr. Beuth said the statute includes a way to oppose the proposed ordinance. Alderwoman Robinson asked what the process (to oppose the ordinance) would be. Ms. Whitbey advised (North Little Rock) Neighborhood Services delivered notices to every household within the proposed district. Alderwoman Robinson asked what the money would be used for, besides grass cutting. Mr. Beuth said some items could be beautification, playground equipment, security cameras, lighting for the flag pole, etc. Alderwoman Robinson again asked who residents would appeal to. Mr. Hardin said the statute didn't set forth a procedure, however, a public hearing would probably be held before the council. Fifty-percent or more of the registered electors would have to file an objection. Mr. Carter referenced the statute and language included in the same. If sufficient signatures were obtained (and verified), the previous

ordinance would be void. Mr. Jerry Bryant said he didn't have enough information. Alderwoman Ross asked if there were specific projects in place, or if these were general ideas. She asked if residents would be able to vote on projects. Ms. Delph said she is one of the original neighborhood incorporators and referenced some of the neighborhood history. Enough planning has taken place for the community to move forward with an Urban Service District. Some people signed the petitions but were not aware they were not for the Stone Links Homeowners Association. Alderman Hight asked if there was anyone else who wanted to speak on this item that did not sign up to speak. Ms. Maria Mitchell has lived in Stone Links for 10 years. Since the Golf Club was taken over, new people have moved into the neighborhood. She didn't know she was signing a petition for an Urban Improvement District. She doesn't know what this is about or why she is being forced to pay more money. Mr. Ray Vanzandt lives in Stone Links. Residents meet once a month. There is one entrance into Stone Links and a large sign is posted with the meeting date and time on it. Residents are invited to attend. Everything that has been presented to the City Council has been discussed. Alderman Taylor said there is also a sign on Faulkner Lake Road. Ms. Josephine Haygood has not voluntarily paid dues, but spoke for the ordinance. Mr. Willie Thomas is President of the Stone Links Neighborhood Association. They have tried to let everyone in the community know what they are trying to do (by letter, email, website, door-to-door). They have published how they would use funds. If enough funds are collected, they could build a clubhouse that would be available to everyone in the neighborhood. Mr. Thomas said if it was the dollar amount, they could modify it. Mr. Ronald Martin has lived in Stone Links seven years and is for the legislation. Lights at the entrance and irrigation would be help. On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its third and final reading (6/0). 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).

Mr. Carter said those opposing the ordinance can sign a petition reflecting the same. Mr. Carter also referenced the Administrative Board for the District. Alderwoman Robinson reiterated that petitioners have 30 days to submit a petition (with 50% of the registered elector's signatures) to the City Clerk. Mr. Carter referenced the statute again. Acting Mayor Hight recessed the meeting briefly.

CONSENT AGENDA

All members present having voted "aye", consent items R-17-35, R-17-36, R-17-37, R-17-39, R-17-41, and R-17-42, were adopted (6/0). Items R-17-38 and R-17-40 were pulled.

R-17-35 (RESOLUTION NO. 9158 – MAYOR SMITH)

A RESOLUTION APPOINTING MARVIN NORMAN AS A SUCCESSOR COMMISSIONER OF THE ARGENTA DOWNTOWN CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 31; AND FOR OTHER PURPOSES, was adopted (6/0).

R-17-36 (RESOLUTION NO. 9159 – MAYOR SMITH)

A RESOLUTION REAPPOINTING MELINDA STANDLEY TO THE NORTH LITTLE ROCK CIVIL SERVICE COMMISSION; AND FOR OTHER PURPOSES, was adopted (6/0).

R-17-37 (RESOLUTION NO. 9160 – MAYOR SMITH)

A RESOLUTION REAPPOINTING EDWARD NELSON TO THE NORTH LITTLE ROCK WASTE WATER TREATMENT COMMITTEE; AND FOR OTHER PURPOSES, was adopted (6/0).

R-17-39 (RESOLUTION NO. 9161 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (6/0).

R-17-41 (RESOLUTION NO. 9162 – ALDERMEN WHITE, WITCHER, AND HIGHT)

A RESOLUTION RENEWING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A COMMUNITY GARDEN LICENSE AGREEMENT WITH ST. JOSEPH CENTER OF ARKANSAS; AND FOR OTHER PURPOSES, was adopted (6/0). (\$3,800.00)

R-17-42 (RESOLUTION NO. 9163 – ALDERWOMAN WHITE)

A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH ISLAMIC CENTER FOR HUMAN EXCELLENCE; AND FOR OTHER PURPOSES, was adopted (6/0). (\$1,885.00)

NEW BUSINESS

R-17-38 (RESOLUTION NO. 9164 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL CERTAIN VACANT PROPERTY LOCATED ON ROCKWATER BOULEVARD IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. Mr. Carter said development transactions other than zoning were not placed on the property. The purchaser is NLR Parker Street Properties (Jim Jackson/Lisa Ferrell). Chief of Staff Danny Bradley advised this was a remnant property left over from the acquisitions of Rockwater Boulevard. There are plans for the corner of Parker and Rockwater that would include smaller homes. The City Clerk will attach the Contract provided this date. On the motion of Alderwoman Robinson and seconded by Alderman Hight, and by consent of all members present the resolution was adopted (6/0). (\$11,000.00)

R-17-40

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY LOCATED AT 920 GRAHAM ROAD IN THE

CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was called and held by sponsor, Alderwoman Robinson. (*requested by Fred Jackson*)

R-17-43 (RESOLUTION NO. 9165 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH INTERNATIONAL DEVELOPMENT SERVICES; 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 adopted (6/0). Alderwoman Ross said there will be a volunteer staff and all expenses will be documented. She supports this agreement.

R-17-44 (RESOLUTION NO. 9166 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PROGRAM AGREEMENT WITH THE NORTH LITTLE ROCK POLICE ATHLETIC LEAGUE; 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 resolution was adopted (6/0). (\$46,650.00)

R-17-45 (RESOLUTION NO. 9167 – ALDERMAN WHITE)

A RESOLUTION ESTABLISHING THE NORTH LITTLE ROCK PUBLIC COMMUNITY GARDEN ADVISORY COMMITTEE; AND FOR OTHER PURPOSES, was read. Mrs. Bernadette Rhodes, Fit 2 Live Coordinator spoke in support of the committee and introduced proposed members. On the motion of Alderman Hight and seconded by Alderwoman Ross and by consent of all members present, the resolution was adopted (6/0). (*Initial members: Ruth Landers, Robert Fisher, Holly Anderson, Beth White, Bernadette Rhodes*)

R-17-46 (RESOLUTION NO. 9168 – MAYOR SMITH)

A RESOLUTION AMENDING THE 2017 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO RE-DISTRIBUTE THE BUDGET FOR UTILITIES ACCOUNTING DEPARTMENT; AND FOR OTHER PURPOSES, was read. Acting Mayor Hight said this resolution and O-17-17 were similar legislation. Mr. Carter said the legislation would include restructuring the Utilities Accounting Department (UAD). In the past, UAD handled funds for the Water, Waste Water and Electric Departments. Central Arkansas Water now collects water and wastewater payments. On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was amended as follows: *change \$403,936 to \$560,469* (6/0). On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was adopted as amended (6/0).

R-17-47 (RESOLUTION NO. 9169 – 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. Acting Mayor Hight convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was adopted (6/0).

O-17-18 (ORDINANCE NO. 8892 – MAYOR SMITH)

AN ORDINANCE AMENDING THE 2017 QUOTA ORDINANCE (ORDINANCE NO. 8871) FOR THE NORTH LITTLE ROCK ELECTRIC, FINANCE, TRAFFIC SERVICES AND UTILITIES ACCOUNTING DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, the readings were suspended (6/0). On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the ordinance was amended as follows: *substitute copy provided this date* (6/0). 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 adopted as amended (6/0). Emergency clause adopted (6/0).

O-17-19 (ORDINANCE NO. 8893 – MAYOR SMITH)

AN ORDINANCE AMENDING THE NON-UNIFORMED EMPLOYEES’ POLICY AND PROCEDURE MANUAL; 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 (6/0). On the motion of Alderman Taylor and seconded by Alderwoman Robinson, 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).

Acting Mayor Hight introduced Mr. Marvin Norman who was present and thanked him for his upcoming service on the Argenta Downtown Central Business Improvement District No. 31.

PUBLIC COMMENT

Mr. Jodie Carter said he represents the Dixie CDC. Three other members were present to show their support of the city and Ward 2. There are (vacant) lots in their area that could support housing, hotels, etc. This would produce additional revenue for the city. Mr. James Ard said 501-340-8787 is the telephone number for Carol at Waste Management and that she is helpful. Waste Management picks up over 2,000 containers every other week. Only about 50 of the containers are problems. Mr. Ard said the power was out Sunday. When he called the 800 number it took eight rings before someone answered. He asked for a call back when the power was restored, but no one did. He also called North Little Rock Police at 501-758-1234. A recording provided a list of options. He couldn’t get through to the Communications Center either. Alderwoman Ross thanked North Little Rock Electric Department for posting the Outage Maps on Social Media. This provided customers with a way to see where the

power was out. This is helpful if you are away from home. Alderwoman Robinson acknowledged her grandson who was attending his first council meeting. Alderman Taylor thanked Dixie CDC members for attending the meeting and offering their support.

There being no further business to come before the Council, and on the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, the meeting was adjourned at 7:15 p.m. (6/0), until the next regularly scheduled meeting which will be held on Monday, March 27, 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