

May 8, 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, May 8, 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 Assistant City Attorney Amy Fields were also present.

The prayer and pledge of allegiance were led by Alderman Witcher.

On the motion of Alderman Witcher and seconded by Alderwoman Ross and by consent of all members present, the minutes from the North Little Rock City Council meeting and a Special Call meeting held on Monday, April 24, 2017, were approved, accepted and filed as prepared by the City Clerk (8/0).

Mayor Smith announced Assistant City Attorney Daniel McFadden has returned from Military deployment.

Mayor Smith announced a Special Call meeting.

May 5, 2017

Special Meeting of the North Little Rock City Council

Honorable Members of the North Little Rock City Council:

The purpose of this e-mail is to advise you that Mayor Smith has called a special meeting of the North Little Rock City Council at 6:05 p.m. on Monday, May 8, 2017, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

**R-17-91—AMENDING RESOLUTION NO. 9194 REGARDING THE
AUTHORIZATION TO SELL PROPERTY LOCATED AT 2013 SCHAEER STREET IN
THE CITY OF NORTH LITTLE ROCK TO CARELINK OF NORTH LITTLE ROCK**

TO INCLUDE PROPERTIES LOCATED AT LOTS 7 & 8, BLOCK 8 SCHAERS SUBDIVISION. Sponsor: Mayor Joe A. Smith

R-17-92—ENDORING THE INSTALLATION OF A ROPES COURSE IN EMERALD PARK. Sponsor: Mayor Joe A. Smith

O-17-38—VACATING AND ABANDONING A PORTION OF RANDOLPH ROAD NORTHWEST OF ITS INTERSECTION WITH JOHN F. KENNEDY BOULEVARD IN THE CITY OF NORTH LITTLE ROCK. Sponsor: Mayor Joe A. Smith

I have also included a proposed amendment to O-17-37 that clarifies the current and proposed tax rates on lodging.

O-17-37—AMENDMENT – AN ORDINANCE AMENDING SECTION 98-36 OF THE NORTH LITTLE ROCK MUNICIPAL CODE, CHAPTER 98 (TAXATION), REGARDING LODGING TAXES.

Pursuant to Sec. 2-48 (2) of the North Little Rock Municipal Code, you are entitled to 72 hours' *electronic* notice of this meeting. Please acknowledge receipt of this e-mail as soon as possible by replying to the same. A copy of your reply will automatically be sent to City Clerk Diane Whitbey.

Respectfully,
C. Jason Carter
City Attorney

Special Call R-17-91 (RESOLUTION NO. 9208 – MAYOR SMITH)
A RESOLUTION AMENDING RESOLUTION NO. 9194 REGARDING THE AUTHORIZATION TO SELL PROPERTY LOCATED AT 2013 SCHAEER STREET IN THE CITY OF NORTH LITTLE ROCK TO CARELINK OF NORTH LITTLE ROCK TO INCLUDE PROPERTIES LOCATED AT LOTS 7 & 8, BLOCK 8 SCHAERS SUBDIVISION; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Ross. Mayor Smith said all of properties were not included in a previous transaction. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

Special Call R-17-92 (RESOLUTION NO. 9209 – MAYOR SMITH)
A RESOLUTION ENDORSING THE INSTALLATION OF A ROPES COURSE IN EMERALD PARK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Robinson. Mr. Terry Hartwick, Parks and Recreation Director advised the Ropes Course should be open by March, 2018. Alderman Witcher said this will be the first Ropes Course in Central Arkansas. Mr. Hartwick said this will not affect the bike or walking

trails. On the motion of Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, the resolution was amended as follows: *attach maps/illustrations provided this date* (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).

Special Call O-17-38 (ORDINANCE NO. 8909 – MAYOR SMITH)

AN ORDINANCE VACATING AND ABANDONING A PORTION OF RANDOLPH ROAD NORTHWEST OF ITS INTERSECTION WITH JOHN F. KENNEDY BOULEVARD IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read. On the motion of Alderman Baxter, 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 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). The ordinance was read a third and final time. Mayor Smith said a gate is proposed. The original location had fiber lines running underneath. On the motion of Alderwoman Ross 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 (8/0). Emergency clause unanimously adopted (8/0).

On the motion of Alderwoman Ross and seconded by Alderwoman White, and by all members present having voted “aye”, communications #1, 4, 5, and 6, were accepted and filed (8/0).

1. Glinda Craigmyle, Mayor’s Office memorandum re: *application for Restaurant Mixed Drink – NEW* for Hawgs Blues Café, 5524 John F. Kennedy Boulevard, by Ed Askew.
4. Karen Scott, Finance Director/Chair Energy Risk Management Committee memorandum re: Energy Cost Recovery Rider Adjustment Factor – May, 2017 (.0072 [positive]).
5. Race Shelby – Petition requesting Speed Hump on Martineau Place (*8 signatures – for*).
6. Melissa Ervin, Community Development Director – Notice of 30 day Public Comment Period re: Amendments to Consolidated and Annual Action Plans.

On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, communication #2 was read by title only, accepted and filed (8/0).

2. Beth White, Council member – Arkansas Democrat-Gazette Editorial – Sunday, May 7, 2017 re: Thank you to city from Kit Murphy, widow of Jim Murphy, North Little Rock Fire Chief.

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

3. H. C. “Hank” Klein, email to City Clerk re: closing of CashMax Loan Services, 4700 John F. Kennedy Boulevard.

Mayor Smith invited Ms. Sandy DeCoursey, Executive Director St. Joseph Center of Arkansas, Inc. to come forward. Their mission is to preserve this historic place (St. Joseph's) while producing sustainable farm products and to educate the community in agro-tourism. Ms. DeCoursey referenced several gardens on the property funded by city grants. St. Joseph's leases space to seven artists at this time. Ms. DeCoursey introduced AmeriCorp Team Leader Nicola Jones. The "Earth 4" Team (of eight (8) members) arrived in April and will be on site until early July. The team has been working on gardens, pastures, etc. Mayor Smith invited team members forward to be introduced.

Mayor Smith announced the week of May 7, through May 13, 2017, as Municipal Clerks Week. Ms. Whitbey said clerks are employed around the world. The purpose of the proclamation is to recognize those who work in Municipal Clerk's offices and the services they provide.

Mayor Smith convened a scheduled public hearing re: O-17-35, (an Ordinance to Abolish the Stone Links Drive Urban Service District No. 2) at 6:20 p.m. Ms. Maria Mitchell lives on Faulkner Lake Road. People in the neighborhood have come together over this. Neighbors stood together and presented petitions to void (repeal) the ordinance. Ms. Mitchell said they have a sink hole in one of their streets and are trying to determine who is responsible for fixing it. It is on one of the private drives. Mayor Smith said City Engineer Chris Wilbourn was aware of the issue. The public hearing was adjourned at 6:22 p.m.

UNFINISHED BUSINESS

R-17-72 (RESOLUTION NO. 9210 – MAYOR SMITH)

A RESOLUTION APPROVING AN INTERCONNECTION AGREEMENT WITH THE L'OREAL USA; 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 resolution was amended as follows: *attach Exhibit "A"* (8/0). On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

CONSENT AGENDA

All members present having voted "aye", consent items R-17-86, R-17-87, and R-17-88, were unanimously adopted (8/0).

R-17-86 (RESOLUTION NO. 9211 – MAYOR SMITH)

A RESOLUTION APPOINTING TIMOTHY GIATTINA TO THE POSITION PREVIOUSLY HELD BY ANDY HIGHT ON THE PLANNING COMMISSION BOARD OF ADJUSTMENT & APPEALS; AND FOR OTHER PURPOSES, was adopted (8/0). Mayor Smith recognized Mr. Giattina, who was present and thanked him for his service.

R-17-87 (RESOLUTION NO. 9212 – ALDERWOMAN WHITE)

A RESOLUTION APPOINTING ISAAC HENRY TO THE POSITION PREVIOUSLY HELD BY BERNADETTE RHODES ON THE NORTH LITTLE ROCK PUBLIC COMMUNITY GARDEN ADVISORY COMMITTEE; AND FOR OTHER PURPOSES, was adopted (8/0).

R-17-88 (RESOLUTION NO. 9213 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION ON BEHALF OF THE CITY OF NORTH LITTLE ROCK TO OBTAIN CONSTRUCTION GRANT FUNDS FROM THE ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT’S “TRANSPORTATION ALTERNATIVES PROGRAM” FOR THE CONSTRUCTION PHASE OF THE PIKE AVENUE PEDESTRIAN/STREET IMPROVEMENTS PROJECT; AND FOR OTHER PURPOSES, was adopted (8/0).

NEW BUSINESS

R-17-89 (RESOLUTION NO. 9214 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE LOW BID OF AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH REDSTONE CONSTRUCTION GROUP FOR THE 2017 ASPHALT OVERLAY PROGRAM; APPROPRIATING ADDITIONAL FUNDS; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members the resolution was unanimously adopted (8/0).
(\$16,679.55 Street Carry Forward Funds)

R-17-90 (RESOLUTION NO. 9214 – 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 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).

O-17-35 (ORDINANCE NO. 8910 – MAYOR SMITH)

AN ORDINANCE ABOLISHING THE STONE LINKS DRIVE URBAN SERVICE DISTRICT NO. 2 OF NORTH LITTLE ROCK, ARKANSAS; REPEALING ORDINANCE NO. 8891; DECLARING AN EMERGENCY; 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). 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 unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-17-36

AN ORDINANCE DENYING THE ESTABLISHMENT OF THE NORTHSORE LANE MULTI-PURPOSE MUNICIPAL IMPROVEMENT DISTRICT NO. 36 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith.

O-17-37

AN ORDINANCE AMENDING SECTION 93-36 OF NORTH LITTLE ROCK MUNICIPAL CODE, CHAPTER 98 (TAXATION), REGARDING LODGING TAXES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and withdrawn by the sponsor, Mayor Smith. (*Hotel/Motel Tax increase from 2% to 3%*)

PUBLIC COMMENT

Ms. Whitbey announced all North Little Rock Fire Stations are participating in a Diaper Drive benefiting Caring Hearts Pregnancy Center (in North Little Rock). The drive begins Mother’s Day and will continue until Father’s Day. Mr. James Ard said he does not approve of a garbage fee or raising taxes, however, it is needed to keep the city from going into the red. He encouraged the public to support it. Mr. Ard said there are three (3) Wrecker Companies working for the city (J Hook, Phillips and Lewis). His friend recently had a car towed by J Hook while she was in the hospital. Mr. Ard called and asked what he needed to do to pick up the car, which was in Lonoke. When he arrived at the lot, no one was there. He waited a long time before someone showed up. Mr. Ard said he was quoted one price on the phone and advised it was cash only. At the lot, he was quoted a higher price. Mr. Ard asked someone to check into it. Alderwoman White said the city will be spraying for mosquitos May15. Alderwoman Ross said anyone who had substantial flood damage from the recent heavy rains has until 8:00 a.m., Wednesday, May 10, 2017 to contact North Little Rock Emergency Services and FEMA. She also reminded residents that if they have spent money on damage, they must have a receipt to file a claim.

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 6:32 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, May 22, 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