

August 14, 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, August 14, 2017, was called to order at 6:01 p.m. by the Honorable Mayor Joe A. Smith.

The roll having been called and the following Council Members answered to their names: DEBI ROSS, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, and MURRY WITCHER (7/0). Council Member CHARLIE HIGHT was absent. City Clerk Diane Whitbey, Deputy City Clerk Talor McPherson, and City Attorney C. Jason Carter were also present.

The prayer and pledge of allegiance were led by Council Member Witcher.

On the motion of Council Member Witcher and seconded by Council Member Ross and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, July 24, 2017, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the motion of Council Member Witcher and seconded by Council Member Ross, and by consent of all members present, communications #1, 2, 3, 4, 5, and 7, were accepted and filed (7/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: Retail Beer off Premises & Small Farm Wine – Replacement from Laura Picklesimer, for Corner Store #1795, 9723 Maumelle Boulevard, by Randy Horne.
2. Glinda Craigmyle, Mayor's Office memorandum re: Retail Beer off Premises & Small Farm Wine – Replacement from Laura Picklesimer, for Corner Store #1787, 9600 Hwy 165 East, by Randy Horne.
3. Glinda Craigmyle, Mayor's Office memorandum re: Retail Beer off Premises – Replacement from Mohammad and Small Farm Wine – NEW, for Broadway Express Inc, (fka) AR Group of C Stores #2, 2190 East Broadway, by Kabir H. Mir.
4. Glinda Craigmyle, Mayor's Office memorandum re: Retail Beer off Premises – Replacement of Randall Carter, for Protho Junction Shell (fka) Shell Hope Mart N.L.R., 2522 Jacksonville Hwy, by Donnie Miller.
5. Karen Scott, Chairman Energy Risk Management Committee/Finance Director memorandum to City Clerk Diane Whitbey re: ECR Adjustment Factor – August, 2017 (.0052 positive).
7. Julie Fisher, Mayor's Office memorandum re: *Flyer for Fresh 2 You Mobile Food Market at Willow, Heritage/Bowker and Campus Towers.*

On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, communication #6 was read by title only, accepted and filed (7/0).

6. Karen Scott, Finance Director – FY 16 Audited Financial Statements – North Little Rock Electric Department.

Mrs. Scott referenced the Audit Report provided to council members this date. Craft, Veach & Company, PLC provided the following report “...*the financial statements referred to above present fairly, in all material respects, the financial position of the Department as of December 31, 2016 and 2015, and the changes in the financial position and cash flow for the years ended in accordance with the accounting principles generally accepted in the United States.* Mrs. Scott advised Mr. Joe Folen, North Little Rock Electric Finance Department was also present.

On the motion of Council Member Witcher and seconded by Council Member Taylor, and by consent of all members present, with the exception of Council Member Ross who voted no, communication #8 was read by title only, accepted and filed, and a voice vote was also taken regarding the content of the Agreement attached to the same (6/1).

8. C. Jason Carter, City Attorney memorandum to Mayor Smith and City Council members re: (Arkansas) AR Trison Farms/Kaye Lynn Tankersley re: removal of existing recycled concrete (ruble) at 12602 Faulkner Lake Road.

Mr. Carter advised he has met with the Tankersley’s attorney regarding property located at 12602 Faulkner Lake Road (zoned R-2). A Special Use to allow recycling concrete from the Arkansas Highway Department came before the council on February 13, 2017. A motion to adopt was made on that date and died for lack of a second. Mr. Carter advised activity was on-going. There is a lot of (recycled and usable) concrete on the property. The Tankersleys would like to be able to use the concrete to fulfill existing concrete rubble. Conditions in the attached agreement allow removing the material between the hours of 8:00 a.m. and 6:00 p.m. through November 30, 2017. No other uses are authorized. Council Member Robinson asked if a city Business License was required. Mr. Carter advised it was. Council Member Robinson said this company has to be treated the same as any others (doing business in the city) and that a business license needs to be issued before any rock is moved. Mayor Smith said this concrete is needed for a project on Interstate 440. He then requested a Voice Vote authorizing him to send a letter stating the facts included in the agreement. He spoke with Ward 3 Council Members who agreed. Legislation will be presented at the next council meeting (August 28, 2017), at which time the concrete removal may begin. Council Member White asked what will happen November 30, 2017, when the agreement expires. Mr. Carter said the site will be in better condition and only lawful allowed uses in an R-2 zone will be allowed. Any additional uses will require coming back before the city council. Council Member Ross said the council denied the request but the applicant went ahead and brought in the concrete. Mr. Carter said there is a significant amount of material on-site. Mr. Carter advised the Tankersley’s plan to use some of the material for a development in the area. Mr. Carter advised citations have been issued. Mayor Smith said punishment for the violations will be handled in District Court. At issue is the delay of the construction of I-440. The Special Use is to sell Top Soil until February 13, 2018. Council Member Taylor asked for

clarification. A business license will need to be obtained tomorrow (August 15, 2017). Mayor Smith will then write a letter to the Highway Department stating the city's intent. Legislation will be filed for the next council meeting. After adoption, removal of the concrete may begin on Tuesday, August 29, 2017.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

On the motion of Council Member Witcher and seconded by Council Member Ross, and Mayor Smith called for a voice vote to accept consent items R-17-133, R-17-134, and R-17-135, and all members present voted "aye" (7/0). Items R-17-131 and R-17-132 were pulled.

R-17-133 (RESOLUTION NO. 9253 – MAYOR SMITH)

A RESOLUTION REAPPOINTING GLADYS M. WEBB TO THE NORTH LITTLE ROCK HOUSING & BUILDING BOARD OF ADJUSTMENT & APPEALS (SIGN BOARD); AND FOR OTHER PURPOSES, was adopted (7/0).

R-17-134 (RESOLUTION NO. 9254 – MAYOR SMITH)

A RESOLUTION CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF CFO NETWORK TO PARTICIPATE IN THE TAX BACK PROGRAM AS AUTHORIZED BY SECTION 15-4-2706(D) OF THE CONSOLIDATED INCENTIVE ACT OF 2003; AND FOR OTHER PURPOSES, was adopted (7/0).

R-17-135 (RESOLUTION NO. 9255 – MAYOR SMITH)

A RESOLUTION CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BEN E. KEITH MID-SOUTH, TO PARTICIPATE IN THE TAX BACK PROGRAM AS AUTHORIZED BY SECTION 15-4-2706(D) OF THE CONSOLIDATED INCENTIVE ACT OF 2003; AND FOR OTHER PURPOSES, was read.

NEW BUSINESS

R-17-131(RESOLUTION NO. 9254 – MAYOR SMITH)

A RESOLUTION ACCEPTING A FEMA GRANT FOR \$363,637.00 UNDER THE FY 2016 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR THE PURCHASE OF A RESCUE VEHICLE FOR THE NORTH LITTLE ROCK FIRE DEPARTMENT; APPROPRIATING THE CITY'S LOCAL SHARE FROM ACT 833 FUNDS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Witcher. Council Member Ross advised North Little Rock Fire Department Captain Billy Jones was present and thanked him for his efforts in acquiring these funds. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-17-132 (RESOLUTION NO. 9257 – MAYOR SMITH)

A RESOLUTION APPOINTING DONALD A. SKRIVANOS TO THE POSITION PREVIOUSLY HELD BY CHARLES LEE JONES ON THE NORTH LITTLE ROCK PARKS & RECREATION COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Robinson and seconded by Council Member Taylor, and by consent of all members present, the resolution was adopted (7/0). Mayor Smith advised that as a result of the passage Act 138, which went into effect August 1, 2017, City Clerks and Recorders are now able to administer the Oath of Office. Ms. Whitbey then joined Mr. Skrivanos at the podium and administered his Oath of Office.

R-17-136 (RESOLUTION NO. 9258 – MAYOR SMITH)

A RESOLUTION CONGRATULATING JERRY JONES ON HIS RECENT INDUCTION INTO THE PRO FOOTBALL HALL OF FAME AND RECOGNIZING HIM FOR HIS MANY CONTRIBUTIONS TO THE CITY OF NORTH LITTLE ROCK; DECLARING AUGUST 3, 2027 AS “JERRY JONES DAY”; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council Member Robinson, and by consent of all members present, the resolution was adopted (7/0).

R-17-137 (RESOLUTION NO. 9259 – MAYOR SMITH)

A RESOLUTION EXTENDING THE CURRENT VOLUME DISCOUNT AGREEMENT WITH THE CITY OF LITTLE ROCK FOR CLASS I AND CLASS IV SOLID WASTE LANDFILL SERVICES; AND FOR OTHER SERVICES, was read. On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, the resolution was adopted (7/0). Mayor Smith said this represents an increase in the amount the city will need to pay in the future per yard.

R-17-138 (RESOLUTION NO. 9260 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE LOW BID OF BOB KENNEDY CONSTRUCTION FOR THE EXTENSION OF COUNTS MASSIE ROAD; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (7/0). (\$445,131.42)

R-17-139 (RESOLUTION NO. 9261 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE LOW BID OF LEGACY HOUSING, LLC FOR STREET AND UTILITY IMPROVEMENTS ON 4TH, 5TH, POPLAR AND MAGNOLIA STREETS IN THE CITY OF NORTH LITTLE ROCK, APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Robinson and seconded by Council Member Taylor. Mayor Smith said this bid was a lot lower than expected. This has been a great partnership between the city and the county (Pulaski). On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (\$535,734.00)

R-17-140 (RESOLUTION NO. 9262 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE LOW BID OF RED ROC, INC. FOR THE PARKER STREET IMPROVEMENTS PROJECT; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council Member Robinson, and by consent of all members present, the resolution was adopted (7/0). (\$137,165.00)

R-17-141 (RESOLUTION NO. 9263 – 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 Council Member Taylor and seconded by Council Member 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 adopted (7/0).

R-17-142 (RESOLUTION NO. 9264 – MAYOR SMITH)

A RESOLUTION APPROPRIATING FUNDS FOR THE PURCHASE OF TWO (2) BOOM TRUCKS FOR THE NORTH LITTLE ROCK SANITATION DEPARTMENT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Taylor and seconded by Council Member Ross. On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, the resolution was amended as follows: *strike through \$164,631.94 and insert \$329,263.88* (7/0). On the motion of Council Member Witcher and seconded by Council Member Taylor, and by consent of all members present, the resolution was adopted as amended (7/0). Council Member Ross said these funds are coming from Capital Improvement.

PUBLIC COMMENT

Ms. Whitbey advised that a Bill passed during the 2017 Legislative Session changing the title of Alderman to Council Member. North Little Rock Friends of Animals is hosting a Fundraiser titled *Pamper a Shelter Pet*. For each \$25.00 donated to the Spay or Neuter Program, a shelter dog will receive a soothing oatmeal bath, coconut oil body massage, lavender face massage, fresh bandana, photo and a pupcake treat. Council Member Robinson said new rules regarding delinquent electric accounts will take effect. Residents seeking assistance will have to have a shut-off notice or something similar. Council Member Ross suggested a page on the city's website that includes monies spent as a result of the recent sales tax, etc. Mayor Smith said the city will keep the *NorthLittleRockProud.com* link on the website and it will be updated by the Communications Department. Ms. Whitbey introduced Deputy City Clerk Talor McPherson.

There being no further business to come before the Council, and on the motion of Council Member Taylor and seconded by Council Member Baxter, and by consent of all members present, the meeting was adjourned at 6: 29 p.m. (7/0), until the next regularly scheduled meeting which will be held on Monday, August 28, 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