

September 11, 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, September 11, 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, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, and MURRY WITCHER (6/0). Council Members MAURICE TAYLOR and CHARLIE HIGHT were absent. Assistant City Clerk Katelyn Thomas, Deputy City Clerk Talor McPherson, City Attorney C. Jason Carter and Assistant City Attorney Amy Fields, were also present.

The prayer and pledge of allegiance were led by Mr. Mike Marlar, Marlar Engineering.

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, August 28, 2017, were approved, accepted and filed as prepared by the City Clerk (6/0).

On the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, communications #1, and #2 were accepted and filed (6/0).

1. Glinda Craigmyle, Mayor's Office, memorandum re: *application for Hotel/Motel/Restaurant Mixed Drink – Change of Manager from Charlie Todd*, for Midas Restaurant Solutions, LLC (aka Hilton Garden Inn), 4100 Glover Lane, by Daniel C. Sawran.
2. Karen Scott, Chair Energy Risk Management Committee / Finance Director – memorandum to City Clerk Diane Whitbey re: ECR Adjustment Factor for September, 2017 (.0076 positive).

On the motion of Council Member Ross and seconded by Council Member White, and by consent of all members present, communication #3, was read by title only, accepted and filed (6/0).

3. C. Jason Carter, City Attorney memorandum to North Little Rock City Council members re: Risk Management Committee Quarterly Report (Q2, FY17).

Council Member Ross requested City Attorney, Jason Carter explain Communication #3. Mr. Carter referenced differences compared to previous quarterly reports. One was in Section 3 concerning measured performance. Mr. Carter said the committee evaluates performance of the program by modeling where they believe prices will be. Mr. Carter then referenced a number of figures and calculations. He referenced a chart in Section 3. Mr. Carter said the numbers/reports are substantial and the committee is doing a good job with control, cost and managing of the cities power cost. For the next six (6) months the committee will evaluate the cost versus the ability to manage the price risk.

Council Member Ross asked about a standing option. Mr. Carter said he recommended that if a member was absent someone could be appointed as a replacement. Over the past 18 months, Ms. Jill Ponder, Electric Department, has served in that role. She attends meetings so she is aware of the decision making process. This makes her aware of the risks and helps when it is time to make a decision. In the report, it is recommended that the committee have a standing alternate who would attend the meetings. This recommendation would facilitate continuity and reduce record keeping. Council Member Ross asked if this would come before the City Council or if it could be done internally. Mr. Carter said the Council would need to amend the Risk Management Policy.

On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, communication #3, was read in entirety, accepted and filed (6/0).

4. James Bray, General Manager North Little Rock Electric Department memorandum to North Little Rock City Council members re: Metering Options.

Mayor Smith said there were about 30 (customers) who have not switched to Smart Meters. Mr. Bray, said the department has made contact with each customer.

Mayor Smith announced a Special Call meeting.

September 8, 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 6:00 p.m. on Monday, September 11, 2017, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-17-161 - A RESOLUTION APPROVING SELECTION OF PROFESSIONAL SERVICE PROVIDERS FOR UPCOMING CONSTRUCTION PROJECTS ON COUNTS MASSIE ROAD EXTENSION, ARGENTA THRIVE STREET IMPROVEMENTS AND PARKER ROAD WIDENING; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES. Sponsor: Mayor Joe A. Smith

R-17-162 - A RESOLUTION APPROVING ACCEPTANCE OF GRANT FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE NORTH LITTLE ROCK MUNICIPAL AIRPORT; AND FOR OTHER PURPOSES. Sponsor: Mayor Joe A. Smith

R-17-163 - A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF NORTH LITTLE ROCK TO UTILIZE STATE GRANT FUNDS FOR RENOVATIONS TO

THE NORTH LITTLE ROCK HEALTH DEPARTMENT FACILITIES LOCATED AT 2800 WILLOW STREET; APPROPRIATING LOCAL MATCH FUNDS; AND FOR OTHER PUPROSES. Sponsor: Mayor Joe A. Smith

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-17-161 (RESOLUTION NO. 9281 – MAYOR SMITH)

A RESOLUTION APPROVING SELECTION OF PROFESSIONAL SERVICE PROVIDERS FOR UPCOMING CONSTRUCTION PROJECTS ON COUNTS MASSIE ROAD EXTENSION, ARGENTA THRIVE STREET IMPROVEMENTS AND PARKER ROAD WIDENING; APPROPRIATING FUNDS; AND FOR OTHER PUPROSES, was read. On the motion of Council Member Witcher and seconded by Council Member Ross, and by consent of all members present, the resolution was adopted (6/0).

R-17-162 (RESOLUTION NO. 9282 – MAYOR SMITH)

A RESOLUTION APPROVING ACCEPTANCE OF GRANT FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE NORTH LITTLE ROCK MUNICIPAL AIRPORT; AND FOR OTHER PUPROSES, was read. On the motion of Council Member Witcher and seconded by Council Member Robinson, and by consent of all members present, the resolution was adopted (6/0).

R-17-163 (RESOLUTION NO. 9283 – MAYOR SMITH)

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF NORTH LITTLE ROCK TO UTILIZE STATE GRANT FUNDS FOR RENOVATIONS TO THE NORTH LITTLE ROCK HEALTH DEPARTMENT FACILITIES LOCATED AT 2800 WILLOW STREET; APPROPRIATING LOCAL MATCH FUNDS; AND FOR OTHER PUPROSES, was read. On the motion of Council Member Baxter and seconded by Council Member Robinson, and by consent of all members present, the resolution was adopted (6/0).

Mayor Smith announced citizen public comment on legislation.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

None.

NEW BUSINESS

R-17-159 (RESOLUTION NO. 9284 – MAYOR SMITH)

A RESOLUTION APPOINTING NICOLE HART TO THE POSITION PREVIOUSLY HELD BY TONY VESTAL ON THE ROCK REGION METROPOLITAN TRANSIT AUTHORITY BOARD OF DIRECTORS; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, the resolution was adopted (6/0). Mayor Smith thanked Nicole Hart for her service.

R-17-160 (RESOLUTION NO. 9285 – 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 Ross and seconded by Council Member Baxter. 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 (6/0)

O-17-68

AN ORDINANCE AMENDING NORTH LITTLE ROCK MUNICIPAL CODE CHAPTER 4 (BUILDINGS AND BUILDING REGULATIONS) REGARDING FEE SCHEDULES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held by the sponsor, Mayor Smith. Council Member Ross said property owners currently have 180 days from the time the property is condemned to rehabilitate it. There is a lot more to the process for a condemned property to be rehabilitated than a regular rehab agreement. The City Attorney and Code Enforcement are both involved throughout the process to condemn a property. Mayor Smith encouraged contractors or builders to provide input on the legislation. Current fees have not been raised since 1999.

O-17-69 (ORDINANCE NO. 8940 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE APPROVING A REQUEST FOR WAIVER OF SCREENING AND LANDSCAPING BUFFER REQUIREMENTS FOR CERTAIN REAL PROPERTY LOCATED AT 3118 HIGHWAY 391 NORTH IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Robinson and seconded by Council Member Harris, and by consent of all members present, the readings were suspended (6/0). On the motion of Council Member Ross and seconded by Council Member Harris, 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).

O-17-70 (ORDINANCE NO. 8941 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE AMENDING ORDINANCE NO. 7697 (“THE ZONING ORDINANCE”) TO ADD MEDICAL MARIJUANA CULTIVATION FACILITY TO THE TABLE OF PERMITTED USES IN ARTICLE TWENTY-ONE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Harris, and by consent of all members present, the readings were suspended (6/0). On the motion of Council Member Ross and seconded by Council Member Harris, 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). Mr. Carter said the Arkansas State Legislature passed Acts during the 2017 Session to legalize Medical Marijuana. Changes to our zoning ordinance were required. This type business will be permitted in I-2 and I-3 zones for properties that meet the definition and distance requirements within the constitutional amendment. The distance for a Cultivation Facility would be a distance of three-thousand feet (3000 feet), over half a mile from schools, parks, Daycares, and churches. There are a few locations within the North Little Rock city limits where a facility would be allowed.


PUBLIC COMMENT

Ms. Shawnte Poynter spoke regarding Ordinance No. 8927 concerning North Little Rock Electric. Residents living in the 72114 zip code received a post card via U.S. Mail with information on a recently updated policy regarding credit checks for utility customers. She said many residents do not understand and asked for clarification. Mayor Smith said there will be quick credit checks, which is now done by all utilities. Once an account is set up, the city is agreeing to provide services and basically loan the money to the customer and the customer is agreeing to pay the city for the service provided. Mayor Smith asked Mr. Bray to visit with Ms. Poynter after the meeting. Council Member White thanked Ms. Poynter for coming before the Council to ask her questions. Council Member Robinson said she did not receive the post card in the mail and asked Mr. Bray to send one to her home address. Mr. James Ard asked residents and City Council to remember 9/11 and those effected by the recent hurricanes. He also thanked Council Member Robinson for speaking up for residents. Mr. Doug McDowall invited everyone to the North Little Rock Air Show, September 23rd, 2017. The gates will open at 9:00 am and the show will begin at noon. There will be lots of activities taking place at the event. There will also be a car show. Mr. McDowall referenced several other upcoming events. Council Member Ross thanked the North Little Rock High School – East Initiative Students and their instructor, Stan Wisnet, for their ongoing project of transferring VHS tapes of older City Council Meetings to digital formats. Mayor Smith announced the North Little Rock Friends of Animals will host Rummage Sale Fund Raiser, Saturday, September 23, 2017, 7:00 am at 4001 Lakeshore Drive. All proceeds go to NLRFOA.

There being no further business to come before the Council, and on the motion of Council Member Witcher and seconded by Council Member Ross, and by consent of all members present, the meeting was adjourned at 6:27 p.m. (6/0), until the next regularly scheduled meeting which will be held on

Monday, September 25, 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