

January 22, 2018
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, January 22, 2018, 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 and City Attorney Amy Fields were also present.

The prayer and pledge of allegiance were led by Mr. Tom White.

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, January 8, 2018, were approved, accepted and filed as prepared by the City Clerk (6/0).

On the blanket motion of Council Member Robinson and seconded by Council Member Ross, and by consent of all members present, communications #1 and 2, were not read, but were accepted and filed (6/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: *Application for Restaurant Beer & Wine – NEW* for Eat My Catfish of NLR, Inc, 4220 McCain Boulevard, by Travis A. Hester.
2. North Little Rock Police Chief Mike Davis letter to Mayor Joe A. Smith re: Request for Equipment Transfer to the City of Gould, Arkansas.

Mayor Smith referenced a 16 year old vehicle with 150,000 miles.

Without objection, R-18-07, R-18-09 and R-18-11 were pulled from the consent agenda.

CONSENT AGENDA

On the motion of Council Member Robinson and seconded by Council Member Baxter, and by voice vote, consent items R-18-08, R-18-10, R-18-12 and R-18-13 were adopted (6/0).

R-18-08 (RESOLUTION NO. 9345 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MUTUAL AID PROGRAM AGREEMENT WITH OTHER MEMBERS OF THE MISSOURI PUBLIC UTILITY ALLIANCE FOR ASSISTANCE IN THE EVENT OF A DISASTER OR EMERGENCY SITUATION; AND FOR OTHER PURPOSES, was adopted (6/0).

R-18-11

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL CERTAIN VACANT PROPERTY GENERALLY LOCATED ALONG THE NORTH BANK OF THE ARKANSAS RIVER BETWEEN THE RIVER AND ARKANSAS STATE HIGHWAY 165 IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Witcher and seconded by Council Member Robinson. Mayor Smith held the legislation and advised the Waste Water Commission has approved this transaction. There were two appraisals on the property. The city is working with Waste Water and the Blue Rock Gun Club to set the corners. The area is approximately 40 acres. Council Member Ross asked if there were EPA (Environmental Protection Agency) guidelines regarding the lead. Mayor Smith said a company comes in and picks it up. Without objection, Mayor Smith called for a voice vote to allow him to move forward (6/0).

Mayor Smith introduced new staff member, Robert Birch who was present.

Mayor Smith asked Mrs. Margaret Powell, Director of Governmental Relations to come forward. Mrs. Powell advised this is the seventh year for the Winter Sister City Education Program. Mrs. Powell then introduced Mr. Kelly Rogers, Superintendent North Little Rock School District who is hosting two of the ten students. Mr. Rogers said this is a great opportunity for students in the district and the visiting students from South Korea. Mr. Rogers thanked the city council for their support of the program. Host family members, the visiting chaperone and participants were introduced. Mayor Smith thanked the host families for their support.

Mayor Smith announced the presentation of the Annual North Little Rock Sertoma Club Christmas Parade Trophies and invited Parade Chair Sherri Bruno to come forward. The following trophies were presented:

- Mayor's Cup – Arkansas Travelers Baseball Club
- Chairman's Choice – Scimitar
- Best Girl Scout Float – Girl Scout Troop 6566-6096
- Best Beauty Entry – Arkansas State Fair Queens
- Best Club Entry – Elks Lodge #1004
- Best Boy Scout – Cub Scout Pack 87
- Best Decorated Commercial or Business – I Realty Arkansas
- Best Non-Profit – North Little Rock Police Athletic League
- Best Dance Performing – Golden Royalty Dance Team
- Best Fire Truck – McAlmont Fire Department
- Best Marching Group – North Little Rock High School Army JROTC Marching Group
- Sertoma Club Presidents Award – Hamilton Boys and Girls Club

Mayor Smith announced citizen public comment on legislation. Mr. Jim Baker said he represents the Amboy Neighborhood Association. He said residents in the community were not aware of this rezoning and are opposed to rezoning the property for use as a car lot. There are already too many in the area. The lot is small and is next door to the new Family Dollar Store. Residents prefer a soft retail type business in the area. Mayor Smith reminded the council that the property owner spoke at the previous council meeting and had also contacted council members by email.

UNFINISHED BUSINESS

O-18-03

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A CAR LOT IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5521 MacARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time January 8, 2018. On the motion of Council Member Witcher and seconded by Council Member Baxter, and by consent of all members present, the ordinance was placed on its second reading (6/0). On the motion of Council Member Baxter and seconded by Council Member Harris, 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 ordinance was read a third and final time. A motion to adopt was made by Council Member Witcher and seconded by Council Member Harris. Council Member Ross said the lot isn't paved and asked if the applicant was going to either pave or asphalt it. Mr. Shawn Spencer, Planning Director said paving is a requirement. Mayor Smith asked Mr. Stan Smith if he was aware of this. Mr. Smith said he was not and that he thought the requirements in the ordinance were recommendations. Mr. Spencer said the applicant was aware of the requirements. Council Member Baxter referenced the minutes from the Planning Commission meeting which indicate the applicant was aware of the paving requirement. Council Member Baxter referenced the lack of drainage in the area and asked how paving the property would affect water runoff onto adjacent property. Mr. Spencer said part of the process to pave commercial property requires applying for a commercial permit which is reviewed by the city engineer. Mr. Smith said paving was discussed and thought it was a recommendation. He now understands it is a requirement. Mr. Smith has requested a contractor look at the area with regard to paving and has been in contact with the city and the state with regard to the easement. This would be a small car lot with a few cars that would bring revenue into the city. The property was previously in disrepair. Mr. Smith said he owns a home and business in the area. Council Member Ross asked Mr. Smith if he had looked at the legislation. Council Member Baxter said a Business License won't be issued until requirements (of the Special Use) are met. Council Member Baxter asked Mr. Chris Wilbourn, City Engineer about drainage. Mr. Wilbourn said he would have to look at the area. Mayor Smith advised Mr. Smith that if the item is called and fails, it cannot come back before the council for one year. Council Member Baxter said he has received telephone calls from residents in the area who are opposed to this type of business. On the previous motion to adopt, and the roll having been called, and all members present, having voted no, the ordinance failed (0/6). (*applicant: Emmanuel Philip*)

NEW BUSINESS

R-18-14 (RESOLUTION NO. 9351 – MAYOR SMITH)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 400 VALLEY VIEW IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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). (*amount - \$9,378.82*)

R-18-15 (RESOLUTION NO. 9352 – MAYOR SMITH)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 5417 MAPLE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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). (*amount - \$6,580.29*)

R-18-16 (RESOLUTION NO. 9353 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 902 N. F 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 Council Member Baxter and seconded by Council Member Harris. 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). (*owner: Berdena James*)

R-18-17 (RESOLUTION NO. 9354 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 824 E. 14TH 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 Council Member Baxter and seconded by Council Member Harris. 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-18-06

AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS AND NUMBERS OF EMPLOYEES FOR EACH DEPARTMENT OF THE CITY GOVERNMENT OF NORTH LITTLE ROCK FOR 2018; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and withdrawn by the sponsor, Mayor Smith.

O-18-07 (ORDINANCE NO. 8979)

AN ORDINANCE APPROVING VARIANCES FOR A FREESTANDING PYLON SIGN ON CERTAIN REAL PROPERTY LOCATED AT 8901 DIAMOND DRIVE 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 Ross, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (6/0). On the motion of Council Member Robinson and seconded by Council Member Baxter, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (6/0). On the motion of Council Member Robinson and seconded by Council Member Witcher, 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). (*applicant; Stephanie Thrash*)

PUBLIC COMMENT

None.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the meeting was adjourned at 6:52 p.m. (6/0), until the next regularly scheduled meeting to be held on Monday, February 12, 2018, 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