

April 9, 2018  
Six o'clock P.M.  
North Little Rock City Hall Council Chambers  
300 Main Street  
North Little Rock, Arkansas

*Note: this meeting was preceded by a public hearing regarding O-18-26. The public hearing is not a part of these minutes since it was not a convened meeting of the City Council.*

The regular meeting of the North Little Rock City Council scheduled for Monday, April 9, 2018, was called to order at 6:07 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, CHARLIE HIGHT, and MURRY WITCHER (7/0). Council Member MAURICE TAYLOR was absent. Assistant City Clerk Katelyn Thomas, Deputy City Clerk/Revenue Officer Shannon Carroll and City Attorney Amy Fields were also present.

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

On the motion of Council Member Hight and seconded by Council Member Witcher and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, March 26, 2018, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, communication 1# was read by title only, accepted and filed (7/0).

1. Nathan Hamilton, North Little Rock Communications Director – Notice of Public Hearing re: Cable Television Franchise Renewal – April 9, 2018, at 6:00 p.m.

Mayor Smith said the city is currently in negotiations with Comcast. City Attorney Fields advised a Public Hearing was advertised for this date to allow the public the opportunity to provide comments regarding the cable provider. Mayor Smith convened a public hearing this date. Mr. James Ard asked about the digital signal and advised voices (audio) is not synced with videos. Council Member Hight asked if it was Comcast only or all digital signals and said that he has noticed the same on live broadcasts (like local news). Council Member Ross was concerned that the communication went out after the council agenda was published. Assistant City Attorney Marie Bernard-Miller advised the public hearing scheduled for this date was advertised in two (local) newspapers twice. Mayor Smith said he will take comments from the public leading up to negotiations. Council Member Ross asked for a contact number. Mrs. Evangeline Parker-Guest, External Affairs Manager for Comcast Big South Region – Memphis/Little Rock said they have local representatives who are ready and willing to serve. She introduced Mr. Brian Delanski, new Technical Operations Manager and new Xfinity Store Manager, Shalanda Bunch. Mayor Smith's office has Mrs. Parker-Guest's contact information. Mrs.

Parker-Guest announced Saturday, April 21, 2018, is Comcast Cares Day, which is a National Employee Service Day. Comcast employees will be recycling bicycles for youth. There being no one else wishing to be heard, Mayor Smith adjourned the public hearing.

On the motion of Council Member Baxter and seconded by Council Member Robinson, and by consent of all members present, communication #2 was read by title only, accepted and filed (7/0).

2. Karen Scott, Finance Director/Chairman Energy Risk Management Committee memorandum to City Clerk Diane Whitbey, re: Energy Cost Recovery Rider (ECR) adjustment factor for April, 2018 (.0065[positive]).

Mayor Smith asked Mr. Leonard Montgomery, Director North Little Rock Office of Emergency Services to come forward. He then read and presented Mr. Montgomery with a proclamation proclaiming the week of April 8 – 14, 2018, as National Public Safety Telecommunicators Week in the City of North Little Rock.

### **UNFINISHED BUSINESS**

*None filed.*

### **CONSENT AGENDA**

On the motion of Council Member Witcher and seconded by Council Member Hight, and by voice vote, consent items R-18-66, and R-18-68 through R-18-75 were adopted (7/0).

*R-18-65 pulled and called under New Business.*

R-18-66 (RESOLUTION NO. 9403 – MAYOR SMITH)

A RESOLUTION REAPPOINTING DON CHAMBERS TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

*R-18-67 pulled and called under New Business.*

R-18-68 (RESOLUTION NO. 9404 – MAYOR SMITH)

A RESOLUTION REAPPOINTING SYLVESTER L. SMITH TO THE NORTH LITTLE ROCK WASTEWATER TREATMENT COMMITTEE; AND FOR OTHER PURPOSES, was adopted (7/0).

R-18-69 (RESOLUTION NO. 9405 – COUNCIL MEMBER WHITE)

A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH AGAPE COMMUNITY TEMPLE OF SERVANTS (ACTS) CHURCH; AND FOR OTHER PURPOSES, was adopted (7/0). (\$5,000.00)

R-18-70 (RESOLUTION NO. 9406 – COUNCIL MEMBER WHITE)

A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH ANTI-POVERTY GROUP; AND FOR OTHER PURPOSES, was adopted (7/0). (\$4,638.04)

R-18-71 (RESOLUTION NO. 9407 – COUNCIL MEMBER WHITE)

A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH DIXIE ADDITION COMMUNITY DEVELOPMENT CENTER; AND FOR OTHER PURPOSES, was (\$4,600.00)

R-18-72 (RESOLUTION NO. 9408 – COUNCIL MEMBER WHITE)

A RESOLUTION RENEWING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A COMMUNITY GARDEN LICENSE AGREEMENT WITH EDGEMONT IN PARK HILL, LLC FOR THE SKYLINE COMMUNITY GARDEN; AND FOR OTHER PURPOSES, was adopted (7/0). (\$600.00)

R-18-73 (RESOLUTION NO. 9409 – COUNCIL MEMBER WHITE)

A RESOLUTION RENEWING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A COMMUNITY GARDEN LICENSE AGREEMENT WITH SHORTER COLLEGE; AND FOR OTHER PURPOSES, was adopted (7/0). (\$4,965.79)

R-18-74 (RESOLUTION NO. 9410 – COUNCIL MEMBER WHITE)

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 (7/0). (\$4,850.00)

R-18-75 (RESOLUTION NO. 9411 – COUNCIL MEMBER WHITE)

A RESOLUTION RENEWING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A COMMUNITY GARDEN LICENSE AGREEMENT WITH ISLAMIC CENTER FOR HUMAN EXCELLENCE; AND FOR OTHER PURPOSES, was adopted (7/0). (\$876.00)

### **NEW BUSINESS**

R-18-65 (RESOLUTION NO. 9412 – MAYOR SMITH)

A RESOLUTION APPOINTING JOHN HAY TO THE CITY OF NORTH LITTLE ROCK PARKS AND RECREATION COMMISSION; AND FOR OTHER PURPOSES; was read. On the motion of Council Member Witcher and seconded by Council Member Hight, and by consent of all members present, the resolution was adopted (7/0). Mayor Smith thanked Mr. Hay, who was present, for his upcoming service to the city.

R-18-67 (RESOLUTION NO. 9413 – MAYOR SMITH)

A RESOLUTION REAPPOINTING EDWARD WALLACE TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Robinson and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (7/0). Mayor Smith thanked Mr. Wallace, who was present, for his previous and continued service to the city.

R-18-76 (RESOLUTION NO. 9414 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH VERIZON ARENA FOR THE PURCHASE OF A SCOREBOARD; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Witcher and seconded by Council Member Hight. Mayor Smith said the old scoreboard will not qualify for big events like basketball tournaments. This scoreboard is from the Atlanta Arena and was able to be purchased at about one-third of the price of a new one. The city's share will be \$25,000.00 per year over a period of four (4) years. Mayor Smith has visited with the North Little Rock Convention and Visitors Bureau about possible assistance. Council Member Ross asked about attendance at Regional Conferences. Mayor Smith said the last time one was hosted here, the venue was packed. The city will also benefit from advertising inside the arena. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*\$100,000.00 over 4 years*)

R-18-77 (RESOLUTION NO. 9415 – MAYOR SMITH)

A RESOLUTION ACCEPTING FUNDING FROM AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED MEMORANDUM OF AGREEMENT WITH PULASKI AREA GEOGRAPHIC INFORMATION SYSTEM (PAgis) FOR STORMWATER GIS DATA DEVELOPMENT; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Robinson and seconded by Council Member Ross. Council Member Ross has had constituents ask questions as to why the city does not have a Storm Water Plan. Mr. Chris Wilbourn, City Engineer said ADEQ (Arkansas Department of Environmental Quality) mandates Storm Water Inventory (mapping) of the city. PAgis has a grant available. The city would pay 15% and they would pay 85%. Mr. Wilbourn said the city is at 65% (mapping). On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-18-78 (RESOLUTION NO. 9416 – COUNCIL MEMBER ROBINSON)

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO UTILIZE FEDERAL AID TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS FOR THE BISHOP LINDSEY STREETScape PROJECT FROM LOCUST STREET TO VINE STREET; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Robinson and seconded by Council Member Hight. Council Member Ross

said this includes a 20% match. Mayor Smith said some funds were appropriated from 2017. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-18-79 (RESOLUTION NO. 9417 – COUNCIL MEMBER ROBINSON)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH MARLAR ENGINEERING CO., INC. TO PROVIDE ENGINEERING DESIGN AND CONSTRUCTION OBSERVATION SERVICES FOR THE BISHOP LINDSEY STREETScape PROJECT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Robinson and seconded by Council Member Hight. Council Member Ross asked if funds were already appropriated and if this legislation was adding funds and the additional cost. Mr. Wilbourn said the amount is approximately \$75,000.00. Council Member Ross then asked if the difference was \$31,000.00. Finance Director Karen Scott said the funds being appropriated are for Engineering only. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*\$106,993.80*)

R-18-80 (RESOLUTION NO. 9418 – 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 902 NORTH F STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Witcher and seconded by Council Member Ross. 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). (*\$2,552.84*)

R-18-81 (RESOLUTION NO. 9419 – 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 701 ½ WEST 35<sup>TH</sup> STREET 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 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). (*\$3,396.16*)

O-18-24 (ORDINANCE NO. 8995 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE APPROVING A REQUEST TO WAIVE CERTAIN REQUIREMENTS OF THE MASTER STREET PLAN FOR ACCESS CRITERIA FOR PROPERTY LOCATED AT 12209 HIGHWAY 70 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 readings were suspended (7/0). On the motion of Council Member Robinson and seconded by Council Member

White, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: Richardson Engineering*)

O-18-25

AN ORDINANCE GRANTING A WAIVER OF SECTIONS 14.19 AND 14.23 OF THE ZONING ORDINANCE TO ALLOW AN ELECTRONIC CHANGEABLE COPY SIGN ON CERTAIN REAL PROPERTY LOCATED AT 6701 JOHN F. KENNEDY BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called. City Attorney Fields advised Council Member Hight will file additional legislation for the meeting April 23, 2018. The ordinance was then read one time and held at the request of the sponsor, Council Member Hight. Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. Council Member Hight advised said he and his wife were married at First United Methodist Church. Both of his children were baptized there. He knows a lot of the church members who have asked him to sponsor this legislation and asked for a favorable vote. Council Member Hight then referenced the (Electronic Changeable Copy) sign at (IC) Immaculate Conception, also on John F. Kennedy Boulevard. Council Member White asked if the proposed legislation would be to expand the area where a sign would be allowed. (*applicant: North Little Rock First United Methodist Church*)

O-18-26

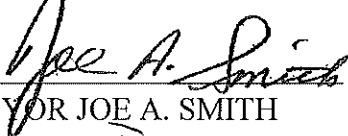
AN ORDINANCE ESTABLISHING ELECTRIC RATES FOR NORTH LITTLE ROCK ELECTRIC DEPARTMENT CUSTOMERS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held by the sponsor, Mayor Smith. A public hearing scheduled for 5:30 p.m., this date, was convened. (*See above*)

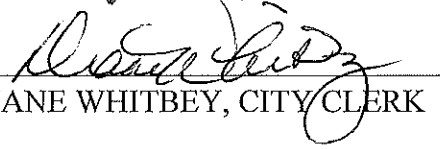
### PUBLIC COMMENT

Ms. Lula Dixon asked the council to vote against allowing pit bull dogs back into the city (of North Little Rock). Her experience and knowledge is that pit bull dogs cause more damage than other breeds. She has talked to several owners of pit bulls who have said their dogs are good and do not bite. However, every dog with a mouth can bite. She referenced a news report over the weekend regarding a four-year-old boy who is at Children's Hospital. He has had numerous facial reconstructive surgeries as a result of a dog bite. Ms. Dixon referenced another article she had read. She also has a niece who has been bit by a pit bull dog. Ms. Dixon said the dogs are vicious. Mr. James Ard agreed with the previous speakers comments. He loves dogs and has a rescue dog. Mr. Ard asked that the council not allow them back in the city. Council Member Hight said North Little Rock Friends of Animals is hosting a Spaghetti Supper at the Burns Park Hospitality House, Friday, April 13, 2018, starting at 5:00 p.m. Tickets are \$10.00 and \$6.00. The event also includes a Silent Auction.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, the meeting

was adjourned at 6:42 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, April 23, 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