

August 27, 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, August 27, 2018, was called to order at 6:00 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 not present during roll call. City Clerk Diane Whitbey, Deputy City Clerk Talor Shinn and City Attorney Amy Fields were also present.

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

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 and a Special Call meeting held on Monday, August 13, 2018, were approved, accepted and filed as prepared by the City Clerk (7/0).

Council Member Taylor entered the council chambers at 6:01 p.m.

On the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, communications #1, 2, 3, and 4, were not read, but were accepted and filed (8/0).

1. Clark McGlothlin, letter to Mayor Joe A. Smith re: resignation from North Little Rock Waste Water Commission, effective August 20, 2018.
2. Ayanna Raulston, letter to Margaret Powell, Director of Governmental Affairs re: thank you to City of North Little Rock for hosting Sister City Program and sharing her experiences during Exchange Program Trip.
3. C. Tad Bohannon, Chief Executive Officer, Central Arkansas Water letter re: Proposed Issuance of Parity Bonds.
4. Paul Leopoulous, Executive Director, Thea Foundation, letter to Mayor Joe A. Smith re: Economic and Development Benefit Thea Foundation brought to North Little Rock.

On the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, communication #5 was read, accepted and filed (8/0).

5. Melissa Ervin, Community Development Director, Notice of Public Hearings and Funding Availability for Fiscal Year 2019: Community Development Block Grant (CDBG) and Home

Investment Partnership (HOME) funds. Public hearings scheduled for August 28, 29 and 30, 2018.

Mayor Smith invited Mr. Gary Sipes, Executive Director, Arkansas Chiefs of Police Association and North Little Rock Police Chief Mike Davis to come forward. Mayor Smith said Mr. Sipes is a retired North Little Rock Police Officer and a former Police Chief. Mr. Sipes said the Arkansas Chiefs Association selected Mayor Smith as Arkansas Mayor of the Year for 2018. In 2010, the association looked at ways to make law enforcement agencies in the state more professional. Training, policies and best practices were needed. The majority of state agencies have 10 or less staff. Arkansas joined 27 other states by creating a Law Enforcement Accreditation Program. An agency has to meet 188 standards before being considered for accreditation. Mr. Sipes presented a Certificate of Accreditation to North Little Rock Police Chief Mike Davis, making the North Little Rock Police Department the 12th in the state to receive the designation. Chief Davis thanked the City Council and Mayor for their continued support.

No one signed in to speak on legislation.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

On the motion of Council Member Witcher and seconded by Council Member Hight, and all members present having voted "aye", consent items R-18-162, R-18-163, R-18-164, and R-18-165 were unanimously adopted (8/0).

R-18-162 (RESOLUTION NO. 9497 – MAYOR SMITH)

A RESOLUTION REAPPOINTING ARTIS M. BOYKIN TO THE NORTH LITTLE ROCK CIVIL SERVICE COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-18-163 (RESOLUTION NO. 9498 – MAYOR SMITH)

A RESOLUTION REAPPOINTING MELODY WILLIFORD TO THE NORTH LITTLE ROCK ADVERTISING AND PROMOTION COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-18-164 (RESOLUTION NO. 9499 – MAYOR SMITH)

A RESOLUTION REAPPOINTING CARLTON M. "SONNY" RHODES TO THE NORTH LITTLE ROCK LIBRARY COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0). Mayor Smith invited Mr. Rhodes to come forward to receive the Oath of Office which was administered by the City Clerk, Ms. Whitbey and thanked him for his service.

R-18-165 (RESOLUTION NO. 9500 – COUNCIL MEMBERS ROSS AND WHITE)

A RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH RIVER RIDGE CONSTRUCTION LLC FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, MARION STREET FROM 18TH TO 16TH – STREET AND DRAINAGE IMPROVEMENTS PROJECT, IN THE AMOUNT OF \$311,507.00; AND FOR OTHER PURPOSES, was adopted (8/0).

Mayor Smith thanked Ms. Boykin and Ms. Williford (who were not present) for their continued service to the city as commission members.

NEW BUSINESS

R-18-166 (RESOLUTION NO. 9501 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A REAL ESTATE DEVELOPMENT AND OPTION TO PURCHASE AGREEMENT, FOR PROPERTY LOCATED ON MAIN AND 6TH STREETS, WITH J. CHANDLER & COMPANY, INC; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Baxter and seconded by Council Member Ross. Mayor Smith advised the city previously gave Mr. Chandler an option (to purchase) on a property on Main Street where the city is now building a three-story building. Mr. Chandler agreed to void the option in exchange for this property (next to the Downtown Argenta Plaza site). Council Member Ross asked about the length of time, which is up to one-year. Mayor Smith said Mr. Chandler is working with potential restaurant tenants and needs the time. When the city begins dirt work on the Plaza, it will also do the dirt work on this property and bill Mr. Chandler for his portion. If Mr. Chandler has not purchased it by the time the Plaza is finished the city could use it for parking or green space. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-18-167 (RESOLUTION NO. 9502 – MAYOR SMITH)

A RESOLUTION APPROPRIATING ADDITIONAL FUNDS FOR THE CONSTRUCTION OF THE ARGENTA PLAZA; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Baxter and seconded by Council Member Harris. Mayor Smith said construction plans were finished and bid. The bid came in \$800,000.00 over the original amount. After meeting with the architect and contractors, some things were changed which reduced costs by \$200,000.00. However, removing additional items would affect the quality of the project. Mayor Smith said a consultant working on the Justice Building project advised the costs of construction have been rising about one percent per month over the past 18 months. Another reason for the increase in costs, was an increase in the size of the plaza. Mayor Smith said the addition of the First Orion Building (which will bring 200-300 new jobs to North Little Rock) resulted in an increase in the overall plaza site by about 25%. Current property sales and future sales will cover expenses. Council Member Ross said none of the recently passed one-cent sales tax funds will be used for this project. Council Hight asked if any funds would be left in the Special Projects Infrastructure Fund. Mayor Smith reminded council

members there is not a contingency fund on this project and said that everything has been bid and prices are set. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0). (\$665,500.00)

R-18-168 (RESOLUTION NO. 9503 – MAYOR SMITH)

A RESOLUTION APPROPRIATING ADDITIONAL FUNDS FOR THE DESIGN, SCHEMATICS AND CONSTRUCTION SUPERVISION SERVICES PROVIDED BY TAGGART ARCHITECTS FOR THE ARGENTA PLAZA; 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 unanimously adopted (8/0). (\$299,925.00)

R-18-169 (RESOLUTION NO. 9504 – MAYOR SMITH)

A RESOLUTION AUTHORIZING APPLICATION BY THE NORTH LITTLE ROCK POLICE DEPARTMENT FOR FUNDS UNDER THE 2018 EDWARD BRYNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Taylor. 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).

R-18-170 (RESOLUTION NO. 9505 – 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 307 WEST 20TH 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 White. 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). (amount \$5,363.28)

R-18-171 (RESOLUTION NO. 9506 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 910 NORTH C STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS 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 Robinson 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 unanimously adopted (8/0). (owner: Maybell Cole)

R-18-172 (RESOLUTION NO. 9507 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1701 WEST LONG 17TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS 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 Robinson 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 unanimously adopted (8/0). (*owner: Louise V. Mitchell*)

R-18-173 (RESOLUTION NO. 9508 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2216 WEST 16TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Robinson and seconded by Council Member Taylor. 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).

R-18-174 (RESOLUTION NO. 9509 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 128 ½ DAVIS STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS 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 Robinson and seconded by Council Member Taylor. 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). (*owner: Alta Bookout*)

R-18-175 (RESOLUTION NO. 9510 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 116 S. SPRUCE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Robinson and seconded by Council Member Taylor. 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). (*owners: Clarence and Gloria Nalls*)

R-18-176 (RESOLUTION NO. 9511 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 120 S. SPRUCE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS 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 Taylor. 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). (*owners: Clarence and Gloria Nalls*)

R-18-177 (RESOLUTION NO. 9512 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 413 DIVISION STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS 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 Taylor. 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). (*owner: Emma Heflin*)

R-18-178 (RESOLUTION NO. 9513 – 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 Taylor. 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-18-70 (ORDINANCE NO. 9038 – MAYOR SMITH)

AN ORDINANCE AMENDING THE 2018 QUOTA ORDINANCE (ORDINANCE NO. 8980) FOR THE NORTH LITTLE ROCK COMMUNITY PLANNING DEPARTMENT, ELECTRIC DEPARTMENT, AND FIT 2 LIVE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, the readings were suspended (8/0). On the

motion of Council Member Taylor and seconded by Council Member Ross, 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-18-71 (ORDINANCE NO. 9039 – COUNCIL MEMBERS WHITE AND ROSS)
AN ORDINANCE VACATING AND ABANDONING A PORTION OF RIGHT OF WAY LOCATED ON WEST 19TH STREET BETWEEN MARION STREET AND ALLEN STREET IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Witcher and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (8/0). Council Member Ross asked to be added as a cosponsor. Mayor Smith said this is part of the demolition and reconstruction of Silver City Courts. On the motion of Council Member Witcher and seconded by Council Member Taylor, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Without objection, Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. Emergency clause unanimously adopted (8/0). (*applicant: NLR Housing Authority*)

O-18-72 (ORDINANCE NO. 9040 – COUNCIL MEMBERS BAXTER AND HARRIS)
AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 7521 YOUNG ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C-3 ZONING CLASSIFICATION TO PLANNED USE DEVELOPMENT (PUD) ZONING CLASSIFICATION BY AMENDING ORDINANCE NO. 7697; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Without objection, Council Member Harris was added as a cosponsor. On the motion of Council Member Baxter and seconded by Council Member Hight, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Thomas Engineering*)

PUBLIC COMMENT

Mr. Bobby Taylor continues to have issues with his neighbor and trash. He went to court this month and his neighbor didn't show up. The Judge issued a warrant for failure to appear. His neighbor has had three garage sales without a permit in the last five months (the city allows one per quarter – otherwise it is considered a business). The trash piles are causing rats which are entering his (Mr. Taylor's) home. The court won't do anything. Mayor Smith said he has no control over the judicial system. Mr. Taylor suggested the city bring out a truck and pick up the trash. Mayor Smith said the city has to follow the law. Mr. Taylor said someone from Waste Management called him regarding his issue with misused recycling bins. Mayor Smith said he will meet with Regional Solid Waste tomorrow regarding negotiations to extend the contract the city has in place. Mayor Smith said it looks like there will be at least a one-dollar increase (from \$2.99 to \$3.99 per month). Mr. James Ard asked the Police Chief to come forward and thanked him and the department for how they handled a situation

where two youth had ran away from DHS (Department of Human Services). Council Member Robinson said there have been recycling issues with residents mixing/putting things into the recycling bin that shouldn't be there. Mayor Smith said the contamination rate issue is part of the on-going negotiations for recycling. There are two neighborhoods where the contamination level is above 90%, meaning 9 out of 10 carts are contaminated. Mayor Smith said the city is prepared to start picking up containers from violators. Waste Management plans to give two warnings before removing a container. The resident will still have to pay the fee even if their container is removed for repeated contamination. China is no longer accepting recycled materials from the United States so there is no longer a market for some of the materials. Council Member White has had complaints about liquid leaking from garbage trucks. Mr. Harold Ford, Sanitation Director told her the trucks are not water tight. Some of the issues are due to garbage bins either being left open or not having a lid. When it rains, water accumulates inside the container and is dumped into the truck with the trash. This is an issue with recycling containers as well. Council Member Baxter said city code requires that garbage/trash containers have a lid and regulates maximum size. Council Member Ross referenced the inclusion of plastic bags (Kroger/Wal-Mart bags) in the current contract for recycling. Council Member Ross said the public needs to be educated. Council Member Ross asked for an update on the Police and Fire projects which are being funded by the sales tax. Mayor Smith said an architect was chosen for two fire stations. One will be in Levy and the other will be in Burns Park. These were the selections of the Fire Chief and his assistants. In Levy, there were two properties (approximately 6 blocks from the existing station) under consideration that had to be appraised. Station 7 on McCain will be remodeled at a cost of about ¾ million dollars. The Maumelle Station will be fixed/remodeled. Station 8 (old Conway Highway) would relocate to Burns Park, (which would provide quick access to the Interstate). Regarding the Police building, an architect from Kansas City was selected. A contract has not been signed yet. This was delayed due to property exchanges that had to take place (between North Little Rock School District, Arkansas National Guard and City of North Little Rock). Mayor Smith said he was concerned about rising construction costs. Council Member Witcher referenced the current City & Town Magazine which is published by the Arkansas Municipal League (AML). Mayor Smith is currently serving as President of the state-wide organization. Mayor Smith advised that AML Head Legal Counsel was named Executive Director during the annual Executive Committee Meeting last week. Council Member Taylor asked what the plan is for the Fire Station located on the eastern side of the city. Mayor Smith said the city just purchased the property. The Firefighters who are stationed there love the station location, separate bedrooms and kitchen area. That station was not on the list to be renovated or rebuilt. Council Member Taylor said his constituents were told the station would be temporary and that a permanent building and possible police substation would be built in the future. Mayor Smith suggested they talk with the firefighters stationed there. Council Member Robinson agreed with Council Member Taylor's comments. Ms. Whitbey reminded residents of the upcoming (Labor Day) holiday. Garbage, trash and recycling routes will be delayed one-day all week.

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 6:55 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, September 10, 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