

October 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, October 22, 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, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, CHARLIE HIGHT and MURRY WITCHER (8/0). City Clerk Diane Whitbey, Deputy City Clerk Talor Shinn, and City Attorney Amy Fields were also present.

Council Member White introduced Apostle D. Anthony Robinson who led the prayer and pledge of allegiance.

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

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

1. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises, Small Farm Wine & Grocery Store Wine – Change of Manager from Clarice Hatter*, for MAPCO #7328, 3401 John F. Kennedy Boulevard, by Paul J. Titley.

Mayor Smith invited North Little Rock Housing Authority Director Belinda Snow to come forward and provide an update on construction at various locations around the city. Ms. Snow referred to information distributed to council members prior to the meeting. The Housing Authority is updating and modernizing their housing stock. The oldest property was built in the mid-1940's and the most recent construction was the S. W. Bowker property which was built in the 1980's. Silver City is the oldest property. The various transactions are being done in (named) packages. Package 1 is North Little Rock RAD Family Homes includes Eastgate, Silver City and Windemere. Eastgate has 171 units and will be part of an extreme rehabilitation. Silver City (all 128 units) will be demolished and rebuilt. Following construction, there will be 139 units. When initially built, Silver City had 147 units. This property is vacant and the last tenant moved out within the past week. Windemere has 75 units. This property will also include an extreme rehabilitation (modernization inside and updates outside). The way financing is done, the properties require a different legal entity for funding (this is the reason for the named packages). Heritage House will be known as Hickory View and connected to

Bowker House. Heritage House currently has 171 units and will retain that number. Bowker House has 74 units and will also retain that number. None of the properties (with the exception of Bowker) will be referred to as "public housing." Housing and Urban Development (HUD) has been trying to get away from that reference. Maple Place includes Willow House and Campus Towers. Maple Place has 215 units. Campus Towers has 71 units and will retain that number. Funding will come from Low Income Housing Tax Credits, Home Funds, Tax Exempt Bonds and funds loaned to the project by the Housing Authority. Ms. Snow provided a history on Public Housing. Money cannot be borrowed on Public Housing Property and subsidies cannot be used to leverage the funds to modernize these facilities. The Federal Government does allow the use of Section 8 Funds to leverage money. RAD (Rental Assistance Demonstration) Act allows for the conversion of the funding source. When the projects are complete, the Housing Authority Commission hopes to provide new elevators, roofs, HVAC systems, etc. Ms. Snow said there are a couple of developments where tenants cannot control their heat and air. There are also developments where the tenants use window units and others that have heat but no air. It is time for these amenities to be provided to all residents. Council Member Witcher asked about tenants. Ms. Snow said (she assumed) when the facilities were built, the intent was to provide housing for senior citizens. In the 1990's, the Federal Government decided if an adult (regardless of age) had a disability, they could also live in those developments. This is a Federal Law and there is nothing that can be done about it on the local level. Ms. Snow said they can now provide a senior (or elderly) preference. There is a selection plan that is based on age. If there is no one on the wait list that is at least a certain age, then those in other (younger) categories would be eligible. Ms. Snow said the following locations are Family sites: East Gate and Silver City. Campus Towers, Willow House, Heritage House and Bowker House all have the elderly preference. Council Member Ross asked if all residents were under Section 8 Housing. Ms. Snow referenced Section 9 Funds that can only be used to fix or repair properties. On November 30, 2018, those funds (Section 9) will switch over to Section 8 Funds. Ms. Snow said funds are provided based on unit count and occupancy. North Little Rock Housing Authority receives approximately \$6 million from the Federal Government. Based on the average rent for the area, this provides 1,192 regular Section 8 Vouchers and 200 Veteran Vouchers. Current residential units hold a voucher at the property where it is located. \$10 million currently covers public housing subsidies. These consolidation of these funds will cause the amount available to increase to approximately \$16 million. Council Member White asked about zoning. Ms. Snow said the city had changed zoning (at Willow House) over the years. The Housing Authority needs to change zoning on its properties to match the city. At the Willow House, the land was zoned for Public Use in a C-1 zone. Planning staff advised it needed to be rezoned to Multi-Family (R-4). Under current zoning, if the building burned, the Housing Authority would not be able to rebuild a multi-family property. Council Member Ross said there were plans to close Vine Street (at Eastgate). Ms. Snow said those plans have been revised and the request to close Vine was removed. Council Member Hight asked if Silver City was the only property scheduled for complete demolition. Ms. Snow advised Hemlock will be in the future (early 2019). Residents were given the option to move to another development or receive a (Tenant Protection) voucher and move where they wanted. This also applied to residents in the senior facilities. Ms. Snow recognized Mr. Raymond Wells, Resident

Commissioner who was present. Council Member White asked if residents who moved due to renovations, would they be able to come back. Ms. Snow advised they would. Campus Towers will be known as Cedar Gardens.

No one signed in to speak during public comment on legislation.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

None filed.

NEW BUSINESS

*R-18-208 (RESOLUTION NO. 9546 – COUNCIL MEMBERS ROBINSON AND TAYLOR) A RESOLUTION AUTHORIZING THE MAYOR & CITY CLERK TO ENTER INTO A PROGRAM MANAGEMENT AND LEASE RENEWAL AGREEMENT WITH DIXIE ADDITION COMMUNITY DEVELOPMENT CORPORATION; AND FOR OTHER PURPOSES, was read.

Council Member Taylor made a motion to adopt, which was seconded by Council Member Robinson. Council Member Ross said the agreement has a requirement for the Dixie CDC to hold Public Liability and Content Insurance. She asked who in the city keeps up with insurance on city owned properties (facilities). City Attorney Fields said this requirement was included in the previous lease. Insurance on contents is their responsibility. Ms. Fields said as long as the city has insurance on the premises, the reference to Public Liability Insurance could be removed. She suggested striking the provision from the agreement. Discussion proceeded with regard to accidents or injuries as a result of the use of the facility and programs offered by the CDC, which Ms. Fields said would be their responsibility. Mayor Smith asked Finance Director Mrs. Karen Scott to check into insurance on this (and other) city buildings. The legislation was then held for Ms. Fields to prepare an amendment. *On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the resolution was amended as follows: *Exhibit "A" – Section 3. Insurance and Indemnity, strike through Dixie CDC shall be solely responsible for maintaining insurance on its property, including but not limited to movables, fixtures installed by Dixie CDC, furniture, furnishings and inventory. Dixie CDC shall, during the term of the lease, maintain public liability insurance on the leased premises,* and insert THE CITY WILL NOT BE RESPONSIBLE FOR ANY LOSS OR DAMAGE TO ANY CONTENTS OWNED BY DIXIE CDC LOCATED IN OR ON THE PROPERTY (8/0). On the motion of Council Member Taylor and seconded by Council Member Robinson, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

R-18-209 (RESOLUTION NO. 9542 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO PURCHASE REAL PROPERTY LOCATED AT 1206 WEST 4TH STREET AND 219 PARKER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; APPROPRIATING FUNDS; 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 unanimously adopted (8/0). (\$85,000.00)

R-18-210

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDMENT TO THE AGREEMENT BETWEEN THE REGIONAL RECYCLING AND WASTE REDUCTION DISTRICT, CITY OF NORTH LITTLE ROCK, CITY OF LITTLE ROCK, CITY OF SHERWOOD AND WASTE MANAGEMENT OF ARKANSAS, INC. TO EXTEND THE TERM OF AGREEMENT FOR RESIDENTIAL RECYCLING CURBSIDE PICK-UP SERVICES; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith.

R-18-211 (RESOLUTION NO. 9544 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2104 W SHORT 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 Taylor. Mayor Smith convened a public hearing. Mr. Paul Atkinson said he is the owner and had an operation this year. He has also been receiving Chemo treatments and hasn't felt like working on the property. He is trying to sell the house since the (fire) damage isn't too bad. Mayor Smith advised Mr. Atkinson he has 30 days to provide a plan and put up a bond. If he sells the (condemned) property, then the buyer would have to put up a bond with the city. There being no one else 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: Paul Powers Atkinson III / Carol Ann and James Rohde*)

R-18-212 (RESOLUTION NO. 9545 – MAYOR SMITH)

A RESOLUTION APPROVING AND CERTIFYING THE 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 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).

**Note: R-18-208 was recalled for amendment...see above.*

O-18-83 (ORDINANCE NO. 9051 – COUNCIL MEMBERS TAYLOR AND ROBINSON)
AN ORDINANCE ACCEPTING THE ANNEXATION OF PROPERTY TO THE CITY OF NORTH
LITTLE ROCK MUNICIPAL PROPERTY OWNERS’ MULTIPURPOSE IMPROVEMENT
DISTRICT NO. 25 (NORTH BLUFFS PROJECT); DECLARING AN EMERGENCY; 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 readings were suspended (8/0). On the
motion of Council Member Taylor and seconded by Council Member Robinson, 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). *(requested by Lisa Ferrell)*

O-18-84 (ORDINANCE NO. 9052 – COUNCIL MEMBERS TAYLOR AND ROBINSON)
AN ORDINANCE ACCEPTING THE ANNEXATION OF PROPERTY TO THE CITY OF NORTH
LITTLE ROCK MUNICIPAL PROPERTY OWNERS’ MULTIPURPOSE IMPROVEMENT
DISTRICT NO. 34 (NORTH BLUFFS RECREATION DISTRICT); DECLARING AN
EMERGENCY; 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
readings were suspended (8/0). On the motion of Council Member Taylor and seconded by Council
Member Robinson, 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). *(requested by Lisa Ferrell)*


PUBLIC COMMENT


Mr. Jim Ard commended the Sanitation Department on debris pickup. Operators who were unable to pick up everything with the boom got out of the truck and used a shovel to pick up the remaining debris. Truck #30 and another one always do this. Mr. Ard said there is an issue with Code Enforcement not being able to go into the back yard of properties for high grass. He spoke of an occasion where a Code Officer went into a storage building that was in a backyard. Also, at the corner of 47th and Camp Robinson a vehicle has been sitting on a tire rim for over two months. Ms. Brenda Hampton had concerns regarding the displacement of disabled and elderly residents who reside at the Willow House. She referenced the resident vouchers and asked if families with children would be allowed to move into the Willow House. Ms. Snow said they would not. Ms. Juanita Henderson is with the Military Heights organization. She said they have had issues with the Willow House. The building (Willow House) was designed (built) for senior citizens age 55 years and above. Later on, the Federal Government changed the residency requirements to include handicapped people, with no regard of age. Since then, family members (of Willow House residents) have been in the area and there have been problems. She referenced a time when someone was found to be growing Marijuana in a bathtub. Police have been called for fighting. Traffic has increased and so have home break-ins.

She lives in a family oriented neighborhood. Ms. Henderson said they have requested that the Willow House be for Senior Citizens only. Mayor Smith said the upcoming changes/renovations will improve the properties greatly and there is a preference given to elderly applicants/residents. Mayor Smith said the law allowing all ages is a Federal Law and the city has no control over it. He said the changes referenced by Ms. Snow during her presentation will help. Ms. Henderson asked if (R-4) was considered apartments and family dwelling. Mayor Smith said it was. Ms. Henderson said a school bus stops in front of the building (Willow House) and children are getting off the bus. Mayor Smith said it is possible that a grandmother may be watching a grandchild after school. Ms. Henderson said who lives there could affect her property value and that she and other residents do not want this type of housing in their neighborhood. Ms. Linda Robinson, (current Ward 2 Council Member) is a candidate for reelection. She reminded people early voting began at 10:00 a.m. today. She said she appreciated the opportunity to represent the residents in Ward 2. As Council Member she has sponsored numerous pieces of legislation that have benefited residents in Ward 2 and city wide. She has also welcomed numerous businesses to the area. She said she has been a strong advocate for the residents and businesses in Ward 2. Council Member Robinson said she supports the North Little Rock Police and Fire Departments and has the endorsement of the I.A.F.F. Local No. 35 Firefighters. She asked for the opportunity to continuing serving. Council Member Ross said the annual Dog Town Derby will be held at 800 Main Street from 10:00 a.m. until noon, this Saturday, October 27, 2018. The event will begin with a race between North Little Rock Police Chief Mike Davis and North Little Rock Fire Chief Gerald Tucker. Council Member Robinson announced a Shredding/Recycling event to be held Saturday, October 27, 2018, at Shorter College at the corner of Bishop Lindsey and Vine. The time is 10:00 a.m. until 1:00 p.m. There is no limit on the quantity of paper to be shredded. Free food will also be provided. Participants are asked to bring two cans of food to be given away at Thanksgiving. Council Member White announced the Levy Trail Halloween event, Sunday, October 28, 2018, from 3:00 p.m. until 5:00 p.m. This is open to the public. Police Chief Davis said a Prescription Drug Takeback event will be held this Saturday, October 27, 2018, from 10:00 a.m. until 2:00 p.m. in the parking lot of the Target Shopping Center. Mayor Smith passed out information to Council Members regarding a program provided by the Audubon Society. Other cities in the state are already doing this. Council Member Hight asked if the city still provides assistance to residents who were unable to get their trash (or recycling) to the curb on pickup day. Mayor Smith said yes, the city does. Council Member Ross said it was included in the previous contract with Waste Management. Finance Director Karen Scott distributed a Draft of the 2019 proposed budget. A budget hearing has been scheduled for November 13, 2018, at 5:00 p.m. (this will precede the scheduled council meeting). Ms. Scott said she would be happy to answer any questions. Mayor Smith reminded the public that the council meeting scheduled for Monday, November 12, 2018, has been rescheduled to Tuesday, November 13, 2018, due to the Veterans Day holiday.

There being no further business to come before the Council, and on the motion of Council Member Robinson and seconded by Council Member Ross, and by consent of all members present, the meeting was adjourned at 6:57 p.m. (8/0), until the next regularly scheduled meeting to be held on *Tuesday*,

November 13, 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