April 8, 2019
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, April 8, 2019, 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, JANE GINN and CHARLIE HIGHT (7/0), a quorum was declared. Council Member MAURICE TAYLOR was absent. Chief Deputy City Clerk Katelyn Thomas and City Attorney Amy Fields were also present.

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

On the motion of Council Member Hight 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, March 25, 2019, 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 Robinson, and by consent of all members present, communications #1, 2, and 3 were not read, but were accepted and filed (7/0).

1. Karen Scott, Finance Director/Chair Energy Risk Management Committee memorandum to City Clerk Diane Whitbey re: Power Cost Adjustment rate (PCA) for April, 2019 (.0002/kwh) negative.
2. Nathan Hamilton for Mayor Joe A. Smith, Annual State of the City Report for 2019.
3. Steve Sparr and Morgan Adams – Petition for Stop Sign at the Intersection of Somers Avenue and Fairway (*43 signatures – for*)
4. C. Tad Bohannon, Chief Executive Officer, Central Arkansas Water letter to North Little Rock Mayor Joe A. Smith and Little Rock Mayor Frank D. Scott, Jr., re: Public Hearing (April 25, 2019 at 3:00 p.m., 3d floor Board Room, 221 East Capitol Avenue) – Water Rate Schedule.

Mayor Smith announced the Special Call meeting.

April 5, 2019

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 6:05 p.m. on Monday, April 8, 2019, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

> **R-19-63 – Authorizing the Mayor and City Clerk to execute a Real Property Purchase and Sale Agreement with Joe Wickliffe and Mary Lou Wickliffe and to purchase certain real property located east of Burns Park baseball fields in the City of North Little Rock; appropriating funds. Sponsor: Mayor Joe A. Smith**

Pursuant to Ordinance No. 9079, 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.

Amy Beckman Fields
City Attorney

Mayor Smith advised this property is located next to the baseball field. The city intends to relocate fire station No. 8 in Burns Park on property next to the North Little Rock Woman's Club house. In order to do this, the city has to add property to the park to take the place of the property that will be removed. This is due to it being public park land. The new addition includes 6 to 7 acres and adjoins the park and will allow a property swap. The asking price was $150,000.00. The property appraised at $125,000.00. The city has offered $137,500.00.

SPECIAL CALL R-19-63 (RESOLUTION NO. 9645 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL PROPERTY PURCHASE AND SALE AGREEMENT WITH JOE WICKLIFFE AND MARY LOU WICKLIFFE AND TO PURCHASE CERTAIN REAL PROPERTY LOCATED EAST OF BURNS PARK BASEBALL FIELDS IN THE CITY OF NORTH LITTLE ROCK; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Baxter and seconded by Council Member Hight. Council Member Ross said the property is not in the city limits and asked if it would be annexed in the future. City Attorney Fields said there is a state statute that allows city owned parks to be annexed. Council Member Ross asked if the existing structures on the property had been examined (for asbestos or Meth) since both could result in additional expenses. Mayor Smith will check with the property owner. On the previous motion and by consent of all members present, the resolution adopted (7/0). (*amount - $137,500.00*)

Mayor Smith asked Mr. Bud Gray, North Little Rock Office of Emergency Services (911) to come forward. He then read a Proclamation proclaiming the week of April 14-20, 2019 as Public Safety Telecommunicators Week and presented the same to Mr. Gray.

Note: citizens who signed in to speak under public comment on legislation spoke when the items were called.

UNFINISHED BUSINESS

O-19-27 (ORDINANCE NO. 9112 – MAYOR SMITH)

AN ORDINANCE VACATING AND ABANDONING A STREET-RAILROAD CROSSING ON 14TH STREET OVER THE UNION PACIFIC RAILROAD IN THE CITY OF NORTH LITTLE ROCK; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A RAILROAD HIGHWAY CLOSURE AGREEMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time February 25, 2019, a second time March 25, 2019, and the third and final time this date. Mayor Smith said the city has looked into options. However, due to the observation (of the condition of the bridge) by City Engineer (Chris Wilbourn), he recommended the city accept the agreement with the (Union Pacific) Railroad to tear down the bridge at their costs and pay the city $75,000.00. The city is looking into the possibility of applying for a grant to build a pedestrian bridge over the railroad tracks in the area. Council Member White asked what the funds would be used for. Mayor Smith suggested using it to close off the road to the right. A motion to adopt was made by Council Member Hight and seconded by Council Member Harris. Council Member Hight said there is a sidewalk in the area that needs maintenance. On the previous motion, and the roll having been called, and the following members having voted yes: Baxter, Harris, Ginn and Hight; and the following members having voted no: Ross, White and Robinson; and the Mayor having voted yes, the ordinance was adopted (5/3). On the emergency clause, all members present voted in the affirmative, with the exception of Council Members Ross and White, who voted no; and the Mayor voted yes (6/2).

O-19-48 (ORDINANCE NO. 9113 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE ALLOWING A SPECIAL USE FOR A DAYCARE CENTER ~~AND ADULT EDUCATION CENTER~~ IN A C-1 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5800 ALPHA STREET 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 White, and by consent of all members present the ordinance was amended as follows:: *strike through all references to an ~~Adult Education Center~~, including Section 2. 6., and renumber subsequent sections* (7/0). On the motion of Council Member Baxter and seconded by Council Member Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading as amended (7/0). On the motion of Council Member Ross and seconded by Council Member Robinson, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted as amended (7/0). Emergency clause adopted (7/0). Mayor Smith made sure the applicant understood the Daycare Center was adopted. If the applicant wants to move forward with the Adult Education Center, he will need to visit with the Planning Director, Mr. Shawn Spencer. (*applicant: Andrew Rodgers*)

CONSENT AGENDA
None filed.

NEW BUSINESS
R-19-62 (RESOLUTION NO. 9646 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDMENT TO THE CITY'S SERVICE APPLICATION CONTRACT FOR ENHANCED 9-1-1 UNIVERSAL EMERGENCY NUMBER SERVICE WITH AT&T; 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 (7/0).

O-19-49 (ORDINANCE NO. 9114 – MAYOR SMITH)
AN ORDINANCE AMENDING THE 2019 QUOTA ORDINANCE (ORDINANCE NO. 9071) FOR THE NORTH LITTLE ROCK ELECTRIC, FINANCE, INFORMATION TECHNOLOGY, TRAFFIC, AND VEHICLE MAINTENANCE DEPARTMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Hight and seconded by Council Member Ross, 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).

O-19-50 (ORDINANCE NO. 9115 – MAYOR SMITH)
AN ORDINANCE VACATING AND ABANDONING THE ALLEYWAY BETWEEN BEECH STREET AND SMOTHERS STREET IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Harris and seconded by Council Member Ginn, and by consent of all members present, the readings were suspended (7/0). A motion to adopt was made by Council Member Hight 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 the roll having been called, and the following members having voted yes: Ross, Baxter, Harris, Ginn and Hight; and the following members having voted no: White and Robinson, the ordinance was adopted (5/2). Emergency clause adopted (7/0). (*requested by John Pownall of Thomas Engineering Company for Tucker Family, LLC*)

O-19-51 (ORDINANCE NO. 9116 – COUNCIL MEMBER HIGHT)
AN ORDINANCE VACATING AND ABANDONING CERTAIN UNUSED EASEMENTS ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF EAST MCCAIN AND SMOKEY LANE IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hight and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (7/0). Mr.

Spencer said a new restaurant called Raising Cane's plans to combine two (2) lots into one (1) for a bigger property. There are old unused easements between the lots that have to be abandoned and relocated. On the motion of Council Member Harris and seconded by Council Member Hight, 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: Benchmark Design Group, LLC*)

O-19-52 (ORDINANCE NO. 9117 – MAYOR SMITH)
AN ORDINANCE REPEALING A SECTION OF ORDINANCE NO. 8627 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 3 KIERRE DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Baxter and seconded by Council Member Ross, 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).

O-19-53 (ORDINANCE NO. 9118 – MAYOR SMITH)
AN ORDINANCE REPEALING A SECTION OF ORDINANCE NO. 8506 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 201 INMON DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Baxter and seconded by Council Member Hight, 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).

O-19-54 (ORDINANCE NO. 9119 – MAYOR SMITH)
AN ORDINANCE REPEALING ORDINANCE NO. 8582 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 1800 NORTH MAPLE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Baxter and seconded by Council Member Ross, 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).

O-19-55 (ORDINANCE NO. 9120 – MAYOR SMITH)
AN ORDINANCE REPEALING ORDINANCE NO. 8688 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 5201 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR

OTHER PURPOSES, was read. On the motion of Council Member Baxter 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 Baxter and seconded by Council Member Hight, 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).

O-19-56 (ORDINANCE NO. 9121 – MAYOR SMITH)
AN ORDINANCE REPEALING ORDINANCE NO. 8758 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 11200 AND 11100 RICHARDSON DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hight and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Baxter and seconded by Council Member Ross, 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).

O-19-57 (ORDINANCE NO. 9122 – MAYOR SMITH)
AN ORDINANCE REPEALING ORDINANCE NO. 8928 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT MICHAELA DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter 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 Baxter and seconded by Council Member Robinson, 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).

O-19-58 (ORDINANCE NO. 9123 – MAYOR SMITH)
AN ORDINANCE REPEALING ORDINANCE NO. 8931 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 2906 MACARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter 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 Harris and seconded by Council Member Hight, 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).

PUBLIC COMMENT

Mr. Willie McFadden, Jr. asked about the legislation regarding the alleyway on property between Beech and Smothers (see O-19-50). Mayor Smith said it is behind H. W. Tucker's (building). Mr. McFadden asked what they were going to do with it. Mayor Smith said the property owner owns

property on both sides and may fence it. Mr. McFadden asked if the plan was to extend the business to 16th Street. Mr. Spencer said there have been no applications (to the Planning Department). Mr. McFadden said he has lived in the community 72 years. This business makes a lot of noise cleaning equipment and asked why they can't work on their property south of 13th Street. Mr. McFadden said he lives within a half block of the property. He served in Vietnam and has PTSD (Post Traumatic Stress Disorder) and Diabetes. The noise effects his sleep. Council Member Ross asked Mr. Spencer if the property was zoned residential. He advised it was. If it is re-platted, it does not have to come before the City Council. However, if a request is made to rezone it, then it will have to come back before the City Council. Mr. Bobby Taylor thanked Mayor Smith, Max Phillips with Central Arkansas Water and North Little Rock Safety Director Kenny Stephens for their assistance with an issue he had. Mr. Taylor said there are issues with the recycling bins in his area. Mr. Taylor said his neighbor's home was on fire last week and he had to kick the door open and assist with rescuing the residents. Mr. Don Duke also assisted in the rescue. Mr. Taylor said the property owner now has a rehabilitation permit. Mr. Lynn Dereuisseaux, International Association of Fire Fighters said they (the Union) submitted a contract proposal this date. Mayor Smith said Chief of Staff Danny Bradley will set up a meeting later this week. Mr. Jimmy Ard pointed out a leak in the ceiling (in the Council Chambers). Mr. Ard said if employees don't like their job they can go work in Little Rock. Council Member Ross asked the status of (upgrading media) equipment in the Council Chambers. Mayor Smith said it will take two to three weeks to install the equipment. Council Member Ginn said people can continue to recycle glass at the following locations: North Little Rock Public Works Compound – 500 West 13th (Tuesdays and the 3rd Saturday each month), Sherwood Public Works – 6500 North Hills Boulevard (Mondays and the 1st Saturday), and Edwards Cash Saver – 3801 Camp Robinson Road. Mayor Smith said there will be a meeting Monday, April 22, 2019, at 5:30 p.m. in the City Hall Council Chambers. Mr. Jimmy Moses, along with architects and developers will present their recommendations regarding marketing (City Services property). Council Members were encouraged to attend and to share their opinions and thoughts.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Hight, and by consent of all members present, the meeting was adjourned at 6:45 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, April 22, 2019, 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