

March 23, 2015
Six o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

The North Little Rock City Council meeting scheduled for Monday, March 23, 2015, was called to order at 6:05 p.m. by the honorable Mayor JOE A. SMITH.

The roll having been called and the following Aldermen answered to their names: DEBI ROSS, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT and MURRY WITCHER (8/0). City Clerk Diane Whitbey and Assistant City Attorney Matt Fleming were also present.

The invocation and pledge of allegiance were led by Alderwoman Ross.

On the motion of Alderman Witcher and seconded by Alderman Hight and by consent of all members present, the minutes from the North Little Rock City Council meeting scheduled for Monday, March 9, 2015, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the blanket motion of Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, communications 2, 3, and 4 were not read, but were accepted and filed (8/0).

2. Julie Fisher, Mayor's Office – Argenta City Club memorandum to Mayor Smith and City Council from Saul Rousseau re: Annual Performance Report.
3. Glinda Craigmyle, Mayor's Office memorandum regarding application for *Restaurant Mixed Drink – Change of Manager* from Dan Jayroe, for Mexico Chiquito, 4511 Camp Robinson Road, by Chad M. Jones.
4. Glinda Craigmyle, Mayor's Office memorandum regarding application for *Restaurant Mixed Drink – NEW* for Fox and Hound English Pub & Grille, 2800 Lakewood Village Drive, by Candy Kent.

On the motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, communication #1 was presented by title only, accepted and filed (8/0).

1. Charley Baxter – North Little Rock Senior Citizens and Office of Volunteer Program Annual Report – 2014.

Mayor Smith asked Mr. Baxter to come forward. Mr. Baxter briefly reviewed the contents of the report. Alderwoman White said she uses the Hays Center frequently and recommended others check out the facility and services provided. Alderman Witcher said mayors from cities and towns around the country have visited the Hays Center for ideas for similar facilities in their communities.

Mayor Smith announced a Special Call meeting scheduled for Monday, March 23, 2015, at 6:00 p.m.

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 6:00 p.m. on Monday, March 23, 2015, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-15-55 – A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO UTILIZE FEDERAL AID ARKANSAS TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS TO CONSTRUCT SIDEWALKS UNDER THE SAFE ROUTES TO SCHOOLS PROGRAM FOR AMBOY ELEMENTARY AND BOONE PARK ELEMENTARY SCHOOLS; AND FOR OTHER PURPOSES. Sponsor: Mayor Joe A. Smith

A copy of the proposed resolution is attached hereto for your reference.

Pursuant to Sec. 2-48(2) of the North Little Rock Municipal Code, 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.

City Attorney C. Jason Carter
By: Matthew W. Fleming
Deputy City Attorney

R-15-55 (RESOLUTION NO. 8773 – MAYOR SMITH)
A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO UTILIZE FEDERAL AID ARKANSAS TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS TO CONSTRUCT SIDEWALKS UNDER THE SAFE ROUTES TO SCHOOLS PROGRAM FOR AMBOY ELEMENTARY AND BOONE PARK ELEMENTARY SCHOOLS; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the resolution was unanimously adopted (8/0).

UNFINISHED BUSINESS

O-15-10

AN ORDINANCE AMENDING SECTION 3.1 (REGULATIONS APPLYING TO ALL DISTRICTS) AND ARTICLE 21 (TABLE OF PERMITTED USES) OF ORDINANCE NO. 7697 (THE NORTH LITTLE ROCK ZONING ORDINANCE) REGARDING SMALL FARMING OR RANCH PLOTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time January 26, 2015, was called and held by sponsor, Alderman Taylor. Mayor Smith advised he spoke with the Salmon family and is waiting on a survey.

CONSENT AGENDA

On the motion of Alderman Taylor and seconded by Alderman Baxter, and all members present having voted “aye” Consent items R-15-45, R-15-46, R-15-47, R-15-48, R-15-49, R-15-50, and R-15-51 were adopted (8/0).

R-15-45 (RESOLUTION NO. 8774 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE PROPOSAL OF THOMAS ENGINEERING COMPANY TO PROVIDE ENGINEERING AND SURVEYING SERVICES FOR IMPROVEMENTS TO OTT PARK; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was adopted (8/0). (*\$13,830.00 – 2010 Sales Tax Bond Fund*)

R-15-46 (RESOLUTION NO. 8775 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH CRAFTON, TULL & ASSOCIATES TO PROVIDE SERVICES FOR THE PREPARATION OF CONSTRUCTION PLANS, BID DOCUMENT AND CONSTRUCTION ADMINISTRATIVE SERVICES FOR THE MAIN STREET IMPROVEMENTS PROJECT, 22ND STREET TO PERSHING BOULEVARD; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was adopted (8/0). (*\$10,800.00 – Street Fund*)

R-15-47 (RESOLUTION NO. 8776 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE PROPOSAL OF GRUBBS, HOSKYN, BARTON & WYATT, INC. TO PROVIDE GEOTECHNICAL AND CONSULTING SERVICES FOR THE MAIN STREET IMPROVEMENTS PROJECT, 22ND STREET TO PERSHING BOULEVARD; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was adopted (8/0). (*\$7,500.00 – Street Fund*)

R-15-48 (RESOLUTION NO. 8777 – MAYOR SMITH)

A RESOLUTION APPROVING FINANCIAL MANAGEMENT PLAN TO ADJUST BUDGET AMOUNTS AND TRANSFER FUNDS IN THE 2013 AND 2014 CDBG PROGRAMS; AND FOR OTHER PURPOSES, was adopted (8/0).

R-15-49 (RESOLUTION NO. 8778 – MAYOR SMITH)

A RESOLUTION APPROPRIATING AN AMOUNT NOT TO EXCEED \$150,000.00 TO MAKE ALTERATIONS TO PROPERTY LOCATED AT 9906 EAST U. S. HWY. 165 FOR ITS USE AS A NORTH LITTLE ROCK FIRE STATION; AND OTHER PURPOSES, was adopted (8/0).

R-15-50 (RESOLUTION NO. 8779 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1231 W. 8TH STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted (8/0). (*to Kenneth F. and Rosemary Jane Lumley - \$80,000.00*)

R-15-51 (RESOLUTION NO. 8780 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDMENT TO THE PULASKI AREA GEOGRAPHIC INFORMATION SYSTEM (PAgis) INTERLOCAL AGREEMENT; AND FOR OTHER PURPOSES, was adopted (8/0).

Mayor Smith asked Community Development Director Joan Bohannon to come forward and advised she will be retiring this month. He said she has done a wonderful job and wished her well. Mayor Smith also advised he has appointed Assistant Community Development Director, Ms. Melissa Ervin as incoming Director.

NEW BUSINESS

R-15-52 (RESOLUTION NO. 8781 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1805 BEECH STREET IN THE CITY OF NORTH LITTLE ROCK 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 Alderman Taylor and seconded by Alderman Foutch. 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: Nerline Bunting*)

R-15-53 (RESOLUTION NO. 8782 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4105 ALMA 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 Alderman Baxter and seconded by Alderman Taylor. Mayor Smith convened a public hearing. Ms. Jessica Rivera advised they are in the process of tearing down the house and it should be down in a few days. Mayor Smith said if the house is removed (within the next 30 days), the city attorney can file a resolution repealing this legislation. Mr. Fleming asked that Ms. Rivera contact his office once the structure is removed. There being no one else present wishing to be heard, Mayor Smith adjourned the public hearing. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Jessica Rivera*)

R-15-54 (RESOLUTION NO. 8783 – 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 2022 MOSS STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and

seconded by Alderwoman 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 unanimously adopted (8/0). (*amount - \$3,576.57*)

O-15-21

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT YOUNG ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM C-3 TO R-4 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith. (*applicant: Hugh Jarrett*)

O-15-22

AN ORDINANCE AMENDING THE MASTER STREET PLAN (ORDINANCE NO. 8601) TO REALIGN THE PROPOSED COLLECTOR STREET OF NORTSHORE LANE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith.

O-15-23 (ORDINANCE NO. 8720 – MAYOR SMITH)

AN ORDINANCE AMENDING CHAPTER 8 OF THE NORTH LITTLE ROCK MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR THE PROPER STORAGE AND DISPOSAL OF USED AND SCRAP TIRES; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. A motion to adopt was made by Alderman Foutch and seconded by Alderwoman Ross. Alderwoman Ross asked if Code Enforcement will enforce this. Chief of Staff Danny Bradley said the Fire Marshal, Code Enforcement and Sanitation have all been involved in discussions. If a person calls in regarding improper storage or dumping of tires, Code Enforcement will be the first department notified. Last year, Sanitation hauled off approximately 3,500 discarded tires. Some were found in piles of 20 – 40 tires which may have been dumped by used tire stores. The Fire Marshal is concerned about storage. This legislation requires participation in the Regional Recycling Program which doesn't cost anything. State law requires new tire dealers participate in the program, but used tire dealers were not addressed. A record of tire disposal will be required and subject to inspection. Alderman Foutch referenced 8.1.3 and asked how excessive amounts will be determined. Mr. Fleming said in an effort to provide guidance to Code Enforcement, an enumerated nuisance was included. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). There was no emergency clause. This ordinance will go into effect August 1, 2015.

O-15-24 (ORDINANCE NO. 8721 – ALDERWOMAN ROSS)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A TIRE STORE IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2922 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER

PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Baxter. On the motion of Alderwoman Ross and seconded by Alderman Witcher, and by consent of all members present, the ordinance was amended as follows: *Section 2: (d) strike through (30) and insert (25) (8/0)*. A motion to adopt as amended was made by Alderman Witcher and seconded by Alderman Taylor. Alderwoman Ross said the applicant was present and wanted to be sure he understood the conditions. A translator was present with him and advised he did understand. On the previous motion, 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). (*applicant: Jorge Zendejar*)

O-15-25 (ORDINANCE NO. 8722 – ALDERMEN HIGHT AND WITCHER)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A DAYCARE CENTER IN AN R-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5301 SUMMERTREE DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR

OTHER PURPOSES, was read. Without objection, Alderman Witcher was added as a cosponsor. A motion to suspend the readings was made by Alderman Hight and seconded by Alderman Witcher. Alderwoman Robinson referenced Section 2: i) regarding sex offender residence check and asked what will happen if the legislation is adopted and then a check indicates a sex offender in the area; and, would said sex offender have to move. Mr. Fleming said he would check. Alderwoman Robinson asked North Little Rock Police Chief Mike Davis what will happen if it is determined that a Level 3 or Level 4 sex offender already lives in the area; and, would that person have to move. Chief Davis said he would have to look into it. Mr. Fleming recommended adopting this legislation. Alderman Baxter asked who would monitor future sex offenders in the area. The applicant, Mr. Ronald Bailey said he appreciated the questions. On the previous motion, and by consent of all members present, the readings were suspended (8/0). On the motion of Alderman Witcher and seconded by Alderman Taylor, 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). (*applicant: Ronald Bailey*)

PUBLIC COMMENT

Mr. James Ard thanked Alderwoman Ross. Alderwoman Robinson complimented the Traffic Department for responding to concerns from residents in the eastern area of the city who regarding traffic coming off of the interstate. Mayor Smith said the city is working to fill pot holes. The winter storms this year have caused more damage to our city streets than he has seen during his tenure with city (25 years). Patrick Lane and the Street Department worked hard to keep roadways clear and passable when the ice and snow was present. If someone sees a pothole, contact the city with the location. Alderman Witcher recently attended a conference in Washington, D.C. and had the opportunity to visit with Arkansas Congressional members. Three primary topics: 1. Online Internet Sales (where local taxes are not being collected), 2. Surface Transportation (local responsibility), and 3. Municipal Bonds, will effect cities and towns. Alderwoman Ross said the city passed a resolution last year asking for support from the Arkansas Municipal League regarding checks on homeless sex offenders. Senator Woods from Springdale sponsored legislation which included a 30 day requirement that is now state law. Chief Davis and Detective Cooke worked on this effort as well. Alderman Baxter said the Arkansas Innovation Hub will be hosting Summer Camps for youth of different ages and encouraged North Little Rock youth to sign up.

There being no further business to come before the Council, and on the motion of Alderwoman Robinson and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 6:41 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, April 13, 2015, at six o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

Alderman Hight asked that the record reflect this meeting set a record for the shortest meeting since he has been on the council.

APPROVED: _____
MAYOR JOE A. SMITH

ATTEST: _____
DIANE WHITBEY, CITY CLERK