

July 27, 2015  
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, July 27, 2015, was called to order at 6:01 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, and BRUCE FOUTCH (6/0). Aldermen CHARLIE HIGHT and MURRY WITCHER were absent. City Clerk Diane Whitbey and Assistant City Attorney Daniel McFadden were also present.

The prayer and pledge of allegiance were led by Mayor Smith. Mayor Smith recited the opening prayer from a recent U. S. Senate session presented by Reverend Ken Carney, 1<sup>st</sup> Church of the Nazarene, Hot Springs, Arkansas. Reverend Carney is the husband of Hot Springs, Mayor Ruth Carney.

On the motion of Alderman Taylor and seconded by Alderman Baxter, and by consent of all members present, the minutes from the North Little Rock City Council meeting and Special Call meeting held on Monday, July 13, 2015, were approved, accepted and filed as prepared by the City Clerk (6/0).

On the blanket motion of Alderwoman Robinson and seconded by Alderwoman Ross, and by consent of all members present communications #1, 2, 3, 4, 5, and 7 were accepted and filed (6/0).

1. Karen Scott, Finance Director – list of Code Liens collected by Pulaski County Treasurer in 2015.
2. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer on Premises – NEW (add Growlers)* for Old Chicago, 4305 Warden Road, by Gerald J. Parent.
3. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer of Premises & Small Farm Wine – Change of Manager from Kevin Stephens* for Wal-Mart Supercenter #4460, 12001 Maumelle Boulevard, by Naeomi L. York.
4. Karen Scott, Finance Director – Utilities Accounting Department Financial Statements with Independent Auditors Report for Years ended December 31, 2014 and 2013 (Craft, Veach & Company, PLC)
5. Kate Luck email to Mayor Smith re: Downtown Public Safety Officer and thank you. Alderman Taylor requested that Communication #5 be read, then advised the city does not provide the downtown Safety Officer, Argenta Downtown Council does. Mayor Smith said Mr. Spriggs knows everyone in every building and is a great ambassador for the area.
7. Karen Scott, Chairman Energy Risk Management Committee/Finance Director memorandum to City Clerk Whitbey re: Energy Cost Recovery Rider Adjustment Factor for August, 2015, \$.0062.

On the motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, communication #6 was read by title only, accepted and filed (6/0).

6. Notice of Public Hearings and Funding Availability U. S. Department of Housing and Urban Development for FY 2016, Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Funds. (Hearings will be held July 28, 2015 – July 30, 2015).

Mayor Smith asked Mrs. Margaret Powell, Director of External Affairs to come forward. Mrs. Powell said a delegation from North Little Rock's Sister City, Uiwang City, South Korea were present. This year marks the 15<sup>th</sup> Year of the exchange program. Mrs. Powell thanked the council for their funding and support of the program. She then introduced Mr. Hong and Un Suk Yin who were chaperones. Mrs. Powell introduced the host families who were present. She also introduced her summer intern Christopher Leer who has been a big help in preparing for the delegation visit. Mr. Hong then read a letter to Mayor Smith from the Mayor of Uiwang City. Mayor Smith thanked Mr. Hong and thanked all of the host families and Mrs. Powell for their time and efforts. He then asked the visiting youth to stand and be welcomed.

Mayor Smith announced public comment on legislation. Mrs. Judy Cromwell spoke in support of R-15-108. She and her husband have been maintaining the property which has a lot of pretty flowers and other foliage on it. There being no one else signed in to speak, public comment was concluded.

### **UNFINISHED BUSINESS**

O-15-38

**AN ORDINANCE ESTABLISHING THE NORTHSORE LANE MULTI-PURPOSE IMPROVEMENT DISTRICT NO. 36 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**, was called and held by the sponsor, Mayor Smith. *(Note: a scheduled public hearing was held Monday, June 22, 2015). (petitioned by Eugene Pfeifer, III and Matt Chandler)*

### **CONSENT AGENDA**

On the motion of Alderman Taylor and seconded by Alderwoman Ross, and all members present having voted "aye", consent items R-15-104, R-15-105, and R-15-107 were adopted (6/0).

R-15-104 (**RESOLUTION NO. 8831 – MAYOR SMITH**)

**A RESOLUTION CONFIRMING THE REAPPOINTMENT OF MARIE-BERNARD MILLER TO THE BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER; AND FOR OTHER PURPOSES**, was adopted (6/0).

R-15-105 (**RESOLUTION NO. 8832 – MAYOR SMITH**)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH ARKANSAS DEPARTMENT OF HEALTH FOR RENOVATIONS TO PUBLIC HEALTH SERVICE FACILITIES AT 2800 WILLOW STREET; AND FOR OTHER PURPOSES, was adopted (6/0).

R-15-107 (RESOLUTION NO. 8833 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN CITY-OWNED VEHICLES, OUTDATED PARTS, AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (6/0).

### **NEW BUSINESS**

R-15-106 (RESOLUTION NO. 8834 – MAYOR SMITH)

A RESOLUTION APPROVING ACCEPTANCE OF A GRANT AWARDED TO THE NORTH LITTLE ROCK FIRE DEPARTMENT BY FEMA UNDER ITS STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) PROGRAM; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Ross. Alderwoman Ross asked Fire Chief James Murphy to come forward. Chief Murphy said this grant (\$2,632,824.00) does not require any matching funds. These funds will allow the city's fire department to come closer to meeting Federal Standard Guidelines on minimal manpower on equipment. New Firefighters will be equipped using Act 833 Funds. Mayor Smith said applicants understand that these positions are being funded by a grant and may not be available after the Federal Funding runs out. Chief Murphy also thanked Human Resources Director Betty Anderson and her staff for their assistance. Mayor Smith said as of today, there are 83 applicants. Ms. Anderson said the deadline to submit an application is Friday, July 31, 2015. Alderman Foutch asked if the city would be setting up for mass applications at any other locations. Ms. Anderson said they were at McCain Mall Saturday where 31 applications were collected. Radio advertising will run Wednesday through Friday. On the previous motion, and by consent of all members present, the resolution was adopted (6/0).

R-15-108 (RESOLUTION NO. 8835 – ALDERMEN ROSS AND WHITE)

A RESOLUTION ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY LOCATED AT 903 WEST 45<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK FROM THE COMMISSIONER OF STATE LANDS; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman White. Alderwoman Ross said this property belonged to Ms. Betty Nash. Ms. Nash was active in the community before she passed away. Ms. Nash was also a member of the Iris Society and planted lots of plants on the property. This property went to the State Land Commission for back taxes, but did not sale at public auction. Alderwoman Ross suggested turning the property into a pocket Flower Park. Mrs. Cromwell said they do not want city crews caring for the property. They will continue to maintain it. Mrs. Cromwell did say there is a dead tree on the corner at 45<sup>th</sup> and Marion. She is concerned that it may fall. Mayor

Smith asked someone to check on it. On the previous motion, and by consent of all members present, the resolution was adopted (6/0).

R-15-109 (RESOLUTION NO. 8836 – 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 1805 BEECH 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 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 (6/0). (*amount - \$3,084.55*)

R-15-110 (RESOLUTION NO. 8837 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 601 55<sup>TH</sup> TERRACE DRIVE 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 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 adopted (6/0). (*owner: Curtis McIvor*)

R-15-111 (RESOLUTION NO. 8838 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2225 FENDLEY DRIVE 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 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 adopted (6/0). (*owner: Rafael Guarionex DeCastro*)

R-15-112 (RESOLUTION NO. 8839 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2800 JOHN ASHLEY DRIVE 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 Baxter and seconded by Alderman 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 adopted (6/0). (*owner: Rafael Guarionex DeCastro*)

R-15-113 (RESOLUTION NO. 8840 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 522 WEST 22<sup>ND</sup> 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 Taylor and seconded by Alderwoman 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 (6/0). (*owner: Gloryland Baptist Church*)

R-15-114 (RESOLUTION NO. 8841 – 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 Alderman Baxter and seconded by Alderman 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 adopted (6/0).

O-15-59 (ORDINANCE NO. 8753 – MAYOR SMITH)

AN ORDINANCE AMENDING THE MID-YEAR 2015 QUOTA ORDINANCE (ORDINANCE NO. 8750) FOR THE NORTH LITTLE ROCK FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the readings were suspended (6/0). On the motion of Alderman Baxter and seconded by Alderman Foutch, and the roll having been called, and all members present, having voted in the affirmative, the ordinance was adopted (6/0). Emergency clause adopted (6/0).

O-15-60

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A THERAPEUTIC MASSAGE CLINIC IN A C-1 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2525 WILLOW #1 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (6/0). On the motion of Alderman Taylor 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 (6/0). A motion to adopt was made by Alderman Taylor and seconded by Alderman Foutch. Alderwoman White said the residents of the area do not want any more Special Uses in their neighborhood. Alderwoman Ross agreed the residents of Military Heights do not want any more Special Uses. On the previous motion, and the roll having been called, and all member present having voted no, the ordinance failed (0/6). (*applicant: Craig Betts*)

O-15-61

AN ORDINANCE AMENDING SECTION 3.1 (REGULATIONS APPLYING TO ALL DISTRICTS) AND ARTICLE 21 (TABLE OF PERMITTED USES) OF ORDINANCE NO. 7697 (THE ZONING ORDINANCE) REGARDING FARMING AND THE KEEPING OF LIVESTOCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES; was read. The legislation was then held at the request of the sponsor, Alderman Taylor.

O-15-62 (ORDINANCE NO. 8754 – ALDERMAN BAXTER AND FOUTCH)

AN ORDINANCE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 6910 DEWAFFLEBAKKER DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM I-2 TO I-1 TO ALLOW A FITNESS CENTER, BY AMENDING ORDINANCE NO. 7697; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter and seconded by Alderman Taylor, and by consent of all members present, the readings were suspended (6/0). On the motion of Alderman Baxter and seconded by Alderman Taylor, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (6/0). Emergency clause adopted (6/0). (*applicant: Eric Holloway*)

### **PUBLIC COMMENT**

Alderwoman Ross said there are things that need to be changed in zoning and referenced classifications within the same. Alderwoman White announced the birth of her grandson Harold Evans White.

There being no further business to come before the Council, and on the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 6:31 p.m. (6/0), until the next regularly scheduled meeting which will be held on Monday, August 10, 2015, 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