

September 10, 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, September 10, 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, CHARLIE HIGHT and MURRY WITCHER (6/0). Council Member STEVE BAXTER was absent and Council Member RON HARRIS was running late. City Clerk Diane Whitbey, Deputy City/Enforcement Officer Shannon Carroll, and City Attorney Amy Fields were also present.

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

On the motion of Council Member Witcher and seconded by Council Member Hight and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, August 27, 2018, were approved, accepted and filed as prepared by the City Clerk (6/0).

Note: Council Member Harris entered the council chambers at 6:07 p.m.

On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, communication #1 was read by title only, accepted and filed (7/0).

1. Karen Scott, Finance Director, City of North Little Rock, Electric Department Financial Statements and Independent Auditor's report, December 31, 2017 and 2016.

Finance Director Scott referred to page 1: Opinions. *In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Department as of December 31, 2017 and 2016, and the changes in financial position and cash flows for the years then ended in accordance with accounting principles generally accepted in the United States.* Mrs. Scott also referenced page 3: Department Overview and Analysis; page 4: Current Assets increased and liabilities decreased; page 14: Long-term Debts; page 20: Comparison to Original Budget.

On the motion of Council Member Ross and seconded by Council Member White and by consent of all members present, communication #2 was read by title only, accepted and filed (7/0).

2. Scott E. Bennett, P. E., Director Arkansas State Highway Commission letter to Council Member Robinson re: letter concerning traffic operations on Highway 165 in North Little Rock.

Council Member Robinson said residents in the area have complained about speeding vehicles on Highway 165. It is difficult to enter the highway and others have missed their turn or exit due to being

followed by someone traveling too fast. Residents requested a Traffic Study of the area from North Little Rock to Scott. Residents have also requested a device to be placed near the fire station to allow trucks to enter the highway safely.

On the motion of Council Member Ross and seconded by Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, communication #3 was read by title only, accepted and filed (7/0).

3. Karen Scott, Finance Director/Chair Energy Risk Management Committee memorandum to City Clerk Diane Whitbey re: Energy Cost Recovery Rider adjustment factor (ECR) for September, 2018 (.0018/kwh [positive]).

On the motion of Council Member Witcher and seconded by Council Member Hight, and by consent of all members present, communication #4 was read, accepted and filed (7/0).

4. Carey Woods, North Little Rock Health Department Administrator letter to Mayor Joe A. Smith re: Effective October 1, 2018, transfer to Cabot/Lonoke County Health Unit as Local Health Unit Administrator.

Mayor Smith said Ms. Woods did a great job at the North Little Rock Health Department and will be missed.

One person signed up to speak during public comment, but declined.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

None filed.

NEW BUSINESS

R-18-179 (RESOLUTION NO. 9514 – MAYOR SMITH)

A RESOLUTION APPOINTING JAY CARMAN TO THE WASTEWATER TREATMENT COMMISSION; 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 resolution was adopted (7/0). Mayor Smith thanked Mr. Carman for his upcoming service.

R-18-180 (RESOLUTION NO. 9515 – MAYOR SMITH)

A RESOLUTION ESTABLISHING THE THOMAS CEMETARY ADVISORY COMMITTEE; APPOINTING MEMBERS OF THE COMMITTEE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Witcher and seconded by Council Member Ross. On the motion of Council Member Ross and seconded by Council Member and by consent of all members present, the resolution was amended as follows:: *Section 2: insert* THE MEMBERS OF THE

COMMITTEE ARE SPECIFICALLY EXEMPTED FROM THE RESIDENCY REQUIREMENT OF NORTH LITTLE ROCK MUNICIPAL CODE SECTION 2-490. NON-RESIDENTS OF THE CITY WHO HAVE FAMILY OR OTHER CONNECTIONS TO THE CITY AND/OR TO THE THOMAS CEMETERY MAY BE APPOINTED TO THE COMMITTEE (7/0). Council Member Taylor asked who did not live in the city and referenced the number of residents residing within the city limits. Ms. Fields said this applies to this committee only, which is for advisory purposes only. Mayor Smith said the members are passionate about saving the cemetery and are going to work on raising money through fund-raisers and grants. Council Member Ross said additional members can be added in the future. On the motion of Council Member Witcher and seconded by Council Member Hight, and by consent of all members present, the resolution was adopted as previously amended (7/0). All members were then sworn in by the City Clerk. *(members: Betty Harp, Chairman, Jacquenette Armstrong, Teresa Clark, Jan Davenport, Jeff Dumboski, Steven Tiner, and Lisa Winkleman)*

Mayor Smith asked City Attorney Fields to provide an update regarding the property. Ms. Fields said the complaint for Imminent Domain has been filed. A Warning Order is being published in the newspaper for three (3) weeks as required. The Judge has entered an Order granting the city possession of said property pending the final resolution of the Imminent Domain action. Mayor Smith asked the committee to get started. He will appoint a staff liaison to work with the committee.

R-18-181 (RESOLUTION NO. 9516 – COUNCIL MEMBERS ROBINSON AND TAYLOR)
A RESOLUTION ACCEPTING THE LOW BID OF AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH SMITHWORTH, INC. D/B/A ON-LINE CONSTRUCTION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, POE STREET IMPROVEMENTS PHASE II – STREET AND DRAINAGE IMPROVEMENTS PROJECT, IN THE AMOUNT OF \$156,790.00; APPROPRIATING FUNDS; 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 resolution was adopted (7/0).

R-18-182 (RESOLUTION NO. 9517 – MAYOR SMITH)
A RESOLUTION CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF FIRST ORION CORP. TO PARTICIPATE IN THE TAX BACK PROGRAM AS AUTHORIZED BY SECTION 15-4-2706(D) OF THE CONSOLIDATED INCENTIVE ACT OF 2003; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Witcher and seconded by Council Member Taylor, and by consent of all members present, the resolution was adopted (7/0).

R-18-183 (RESOLUTION NO. 9518 – 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

EXPENCES 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 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 adopted (7/0).

O-18-73 (ORDINANCE NO. 9041 – COUNCIL MEMBER TAYLOR)
AN ORDINANCE APPROVING A REQUEST FOR WAIVER OF SCREENING AND LANDSCAPING BUFFER REQUIREMENTS FOR CERTAIN REAL PROPERTY LOCATED AT 760 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 Taylor and seconded by Council Member Robinson, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Taylor 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: Richard Chapman, Premier Pharmacy Care*)

O-18-74 (ORDINANCE NO. 9042 – COUNCIL MEMBER ROBINSON AND TAYLOR)
AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 2018 CRUTCHER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R-3 TO R-4 BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 all members present, the readings were suspended (7/0). 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 adopted (7/0). (*applicant: Fennell Purifoy Architects*)

PUBLIC COMMENT

Ms. D. Yarberry read a letter thanking the North Little Rock Police Department. She fell in front of City Hall. Within seconds, two (2) uniformed Police Officers were there to offer assistance. She was impressed by the concern the officers showed her and thanked them. Mr. James Ard referenced observing officers dealing with two teenagers and how well they handled the situation. Mr. Bobby Taylor continues to have issues with his neighbor. A warrant has been issued for his arrest. Mayor Smith said the city is looking into getting a search warrant through the Health Department. Mr. Nick Franke asked when a member of the Airport Commission would be removed as he had assaulted someone which resulted in an arrest.

There being no further business to come before the Council, and on the motion of Council Member Taylor and seconded by Council Member Ross, and by consent of all members present, the meeting was adjourned at 6:30 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday,

September 24, 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