

July 24, 2017  
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 24, 2017, was called to order at 6:03 p.m. by the Honorable Mayor Joe A. Smith.

The roll having been called and the following Aldermen answered to their names: DEBI ROSS, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, and MURRY WITCHER (6/0). Aldermen BETH WHITE and CHARLIE HIGHT were absent. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

The prayer and pledge of allegiance were led by Alderman Harris.

On the motion of Alderman Witcher and seconded by Alderwoman Ross and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, July 10, 2017, were approved, accepted and filed as prepared by the City Clerk (6/0).

On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, communications #1, 2, 3, 4, 5, 6, 7, and 8 were accepted and filed (6/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: *application Military Service Club - Change of Manager from Jack Scarbrough*, for Concord Café, Bldg 2501 Camp Robinson, NLR by Jason Smith.
2. Glinda Craigmyle, Mayor's Office memorandum re: *application Military Service Club - Change of Manager from Jack Scarbrough*, for Rock Lounge, Bldg 5305 Camp Robinson, NLR by Jason Smith.
3. Glinda Craigmyle, Mayor's Office memorandum re: *application Post Exchange – Change of Manager from Jack Scarbrough*, for AR Nat'l Guard M, W & R Fund, Inc., Bldg 5305 Camp Robinson, North Little Rock by Jason Smith.
4. Glinda Craigmyle, Mayor's Office memorandum re: *application Restaurant Mixed Drink – Replacement from Brian Biggs*, for Carino's Italian Kitchen, 4221 Warden Road, by Brian Biggs.
5. Glinda Craigmyle, Mayor's Office memorandum re: *application Restaurant Mixed Drink - Change of Manager from Jeff Seymour*, for Chuy's, 5105 Warden Road, by Patrick M. McCleary.
6. Glinda Craigmyle, Mayor's Office memorandum re: *application Restaurant Mixed Drink - Change of Manager from Ed Askew*, for Hawgz Blues Café, 5524 John F. Kennedy Blvd, by Kimberly D. Davis.
7. Julie Fisher, Mayor's Office email from Teresa Schultz, Passport America Campground Director Assistant, including testimonial from member.

8. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – Change of Manager from Rajwinder Kaur*, for Super Stop Arena, 623 North Cypress, by Balbir Singh.

Mayor Smith invited Mrs. Margaret Powell, Director of External Affairs to come forward and introduce members of the Sister City Delegation and local host families. Mrs. Powell announced this is the 17<sup>th</sup> Year for the Sister City Exchange with South Korea. This year, nine (9) Korean students are visiting from Uiwang City and staying with host families in the city. Mr. Hamm and Jenny were the chaperones. Mr. Hamm thanked the Mayor and City Council members for the opportunity to visit North Little Rock. Ms. Jenny also thanked the Mayor and Council for their hospitality and continued support of the Sister City Exchange Program. Mr. Hamm then read a letter addressed to Mayor Smith from the Mayor of Uiwang City which also thanked Mrs. Powell and the host families. Mrs. Powell then introduced the host family and students, while Mr. Hamm introduced the Korean students.

Mayor Smith reconvened a scheduled public hearing re: O-17-47 – adopting General Service Rules & Regulations for the North Little Rock Electric Department at 6:19 p.m. There being no one present wishing to be heard, the public hearing was adjourned.

#### **UNFINISHED BUSINESS**

O-17-47 (ORDINANCE NO. 8927 – MAYOR SMITH)

AN ORDINANCE ADOPTING GENERAL SERVICE RULES & REGULATIONS FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read three times June 12, 2017. A public hearing was held June 26, 2017. A public hearing was reconvened this date (see above) and adjourned. The ordinance was read again this date. On the motion of Alderman Witcher and seconded by Alderwoman Ross, 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-17-56 (ORDINANCE NO. 8928 – MAYOR SMITH, ALDERMEN TAYLOR AND ROBINSON)  
AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A WAREHOUSE WITH OFFICES IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED ON MICHAELA DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read and adopted July 10, 2017. The ordinance was read again this date. On the motion of Alderman Taylor and seconded by Alderman Harris, and all members present having voted in the affirmative, the emergency clause was adopted (6/0).

Mayor Smith announced citizen comment agenda items. Mr. James Ard spoke regarding R-17-119 and R-17-128. River City Ministries has done a lot for the city and has helped a lot of people with food and finding jobs. This situation is not Paul Wilkerson's fault. The Abstract Company delayed the process.

## **CONSENT AGENDA**

*None filed.*

## **NEW BUSINESS**

R-17-115 (RESOLUTION NO. 9238 – MAYOR SMITH)

A RESOLUTION APPOINTING DEBRA WOOD TO THE POSITION PREVIOUSLY HELD BY CONNIE WOODARD ON THE NORTH LITTLE ROCK HISTORY COMMISSION; 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 resolution was adopted (6/0). Mayor Smith thanked Ms. Wood, who was present, for her upcoming service. He also thanked Connie Woodard for her previous service on the Commission.

R-17-116 (RESOLUTION NO. 9239 – MAYOR SMITH)

A RESOLUTION APPROVING THE FINANCIAL MANAGEMENT PLAN FOR TRANSFERRING FUNDS AND ADJUSTING BUDGET AMOUNTS IN THE 2016 CDBG PROGRAM; 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 resolution was adopted (6/0).

R-17-117 (RESOLUTION NO. 9240 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, the resolution was adopted (6/0).

R-17-118 (RESOLUTION NO. 9241 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL CERTAIN VACANT PROPERTY GENERALLY LOCATED WEST OF PIKE AVENUE AND SOUTH OF THE INTERSECTION OF ROCKWATER BOULEVARD AND ROCKWATER ROUNDABOUT IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Robinson and seconded by Alderman Taylor. Alderwoman Ross asked if the money was earmarked. Mayor Smith would like to see it go towards the Plaza (project). Mr. Carter said this resolution does not (specifically) earmark these funds. On the previous motion, and by consent of all members present, the resolution was adopted (6/0). (*Shoreline at Rockwater - \$379,805.00*)

R-17-119 (RESOLUTION NO. 9242 – MAYOR SMITH)

A RESOLUTION AUTHORIZING ACCEPTANCE OF A SETTLEMENT OFFER (\$3,500.00) FROM RIVER CITY MINISTRIES TO FOREGO A LIEN BEING PLACED BY THE CITY OF NORTH LITTLE ROCK AGAINST CERTAIN PROPERTY CURRENTLY OWNED BY VONDA BAILEY AND BEING LOCATED AT 1118 EAST WASHINGTON AVENUE; AND FOR OTHER

PURPOSES, was read. On the motion of Alderman Baxter and seconded by Alderman Harris, and by consent of all members present, the resolution was adopted (6/0).

R-17-120 (RESOLUTION NO. 9243 – MAYOR SMITH)

A RESOLUTION ESTABLISHING PROCEDURES FOR REMOTE PARTICIPATION AT CITY COUNCIL MEETINGS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman Robinson. Alderwoman Ross said this legislation applies to regular meetings but not special call meetings and asked Mr. Carter how this would effect a Special Call meeting held in conjunction with a regularly scheduled meeting. Mr. Carter advised Special Call meeting procedures will need to be followed. However, the council can amend these procedures in the future. On the previous motion, and by consent of all members present, the resolution was adopted (6/0).

R-17-121 (RESOLUTION NO. 9244 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4801 ALPHA 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 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 adopted (6/0). (*owner: Keith L. Smith*)

R-17-122 (RESOLUTION NO. 9245 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4213 CORAL 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 Alderwoman Robinson and seconded by Alderman 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 by consent of all members present, the resolution was adopted (6/0). (*owner: David Johnson Sr. and Lillie Mae Johnson*)

R-17-123 (RESOLUTION NO. 9246 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 221 LAUREL 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 Alderwoman Robinson and seconded by Alderman 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 by consent of all members present, the resolution was adopted (6/0). (*owner: Jerry Brockinton*)

R-17-124 (RESOLUTION NO. 9247 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1122 EAST WASHINGTON AVENUE 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 Alderwoman Robinson 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: Jerry Brockinton*)

R-17-125 (RESOLUTION NO. 9248 – 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 221 PRAIRIE VIEW DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Robinson 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). (*amount \$3,478.13*)

R-17-126 (RESOLUTION NO. 9249 – 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 2112 EAST WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher 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 \$3,691.97*)

R-17-127 (RESOLUTION NO. 9250 – 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 2621 EAST 2<sup>ND</sup> STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Baxter 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 adopted (6/0). (*amount \$3,086.25*)

R-17-128

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 1118 EAST WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was called and withdrawn by the sponsor due to the adoption of R-17-119 earlier in the meeting. (*amount \$8,382.00*)

R-17-129 (RESOLUTION NO. 9251 – 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 210 EAST 18<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross 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 adopted (6/0). (*amount \$3,325.26*)

R-17-130 (RESOLUTION NO. 9252 – 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 Witcher 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).

O-17-57 (ORDINANCE NO. 8929 – MAYOR SMITH)

AN ORDINANCE AMENDING THE 2017 QUOTA ORDINANCE (ORDINANCE NO. 8871) FOR THE NORTH LITTLE ROCK CITY CLERK’S OFFICE AND CODE ENFORCEMENT DEPARTMENT; 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 readings were suspended (6/0). A motion to adopt was made by Alderman Baxter and seconded by Alderman Witcher. Alderwoman Ross asked if this employee would be a “Business Enforcement Officer.” Ms. Whitbey said the employee would help with enforcement of the Business License Ordinance and follow up on conditions included in Special and Conditional Uses approved by the City Council. The employee would also look at signs that are in poor condition and referenced one that is falling apart (falling off the pole). The employee would go out and visit with business owners and follow up with a written citation if needed. Mayor Smith said this is similar to the Sanitation Code Enforcement Officer. Mayor Smith said this also provided the opportunity to place a 19 year employee (from Community Development) in another department. Mayor Smith said the position will

be under the City Clerk's Office, however, the funds for the salary will remain under Code Enforcement which will affect the City Clerk's budget later in the year. Ms. Whitbey said this will help the department with the Business License responsibilities assigned to the City Clerk's Office. The Code Enforcement Department is busy enforcing other areas of the Municipal Code including nuisances, etc. On the previous motion, 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-17-58 (ORDINANCE NO. 8930 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR REMEDIATION OF SINK HOLES AT THE BURNS PARK ADA PLAYGROUND; APPROPRIATING FUNDS (expected to exceed \$20,000.00); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderman Baxter, and by consent of all members present, the readings were suspended (6/0). On the motion of Alderman Taylor and seconded by Alderwoman Ross, 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).

#### PUBLIC COMMENT

Mr. Ard thanked Alderwoman Ross for her efforts towards (Business License) enforcement. He said River City Ministries helped him get his medicine in the past. He said he had a notice from Code Enforcement this morning. Over the weekend he changed out his dryer and put the old one in the carport. (Garbage) pickup isn't until Thursday. Mayor Smith said he will take care of it. Mr. Ard also asked if the new Enforcement Officer would work after hours since that is when some violations occur. Ms. Whitbey advised the new Business License Enforcement Officer will work some Saturdays since there are often road side sales that set up on the weekend. Alderwoman Ross said the North Hills paving project is complete, however, there is still debris that needs to be cleaned up. Mr. Chris Wilbourn, City Engineer said they are working on it. Mayor Smith reminded everyone there will be a Special Election on August 8, 2017, to consider a one-percent sales tax in the city. Early voting begins August 1, at Laman Library.

There being no further business to come before the Council, and on the motion of Alderwoman Ross and seconded by Alderman Witcher, and by consent of all members present, the meeting was adjourned at 6:41 p.m. (6/0), until the next regularly scheduled meeting which will be held on Monday, August 14, 2017, 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