

November 13, 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, November 12, 2018, was rescheduled to Tuesday, November 13, 2018, due to the Veterans Day holiday. The meeting was called to order at 5:59 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, CHARLIE HIGHT and MURRY WITCHER (7/0). Council Member MAURICE TAYLOR was absent. Assistant City Clerk Katelyn Thomas and City Attorney Amy Fields were also present.

The prayer and pledge of allegiance was led by Council Member Robinson.

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, October 22, 2018, were approved, accepted and filed as prepared by the City Clerk (7/0).

Mayor Smith announced November is Adoption Awareness Month and read a proclamation regarding the same. He advised Mr. Bill Barling was unable to attend the meeting, but is a great advocate for adoption. 750 children have been adopted through the non-profit Families Are Special, which is located in North Little Rock.

Mayor Smith said one of our city employees choked at work last month. Mr. Scott Springer, North Little Rock Electric Department General Manager who has had training in both safety and life-saving techniques was able to use those skills to assist in saving the employee's life. Mayor Smith then presented Mr. Springer a Certificate of Appreciation.

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

1. Glinda Craigmyle, Mayor's Office memorandum re: Retail Beer on Premises – NEW for The Nut House Comedy Lounge, 303 Phillips Road, by Earl Brown.
3. Anita Paul, Mayor's Office memorandum re: NEW Restaurant Mixed Drink Permit for the Purple Cow, 4201 Warden Road, by Philip A. Tappan.

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

2. Scott Springer, General Manager North Little Rock Electric Department memorandum to Mayor Joe A. Smith and City Council Members re: Discontinue of Bill Payment Collection – CAW (Central Arkansas Water) and Centerpoint Entergy.

Council Member Ross has heard some concerns regarding this policy change. Ms. Jill Ponder, North Little Rock Electric Department advised the department has been working towards modernizing customer service which included a study of how payments were received. The result indicated that 53% of payments were from Central Arkansas Water (CAW) and CenterPoint. The city is reimbursed between 32 cents and 50 cents per transaction. However, the cost to the city is 92 cents per payment. There have also been issues with the payment processor. It is not economically feasible to continue this service at this time. Mayor Smith said some stores (Wal-Mart – Kroger) take utility payments. Council Member Robinson asked how many residents would be affected. Ms. Ponder estimated between 7,000 – 8,000 customers per month. Notification will be provided to the public regarding the changes. Council Member Ross said the city will still accept North Little Rock Electric payments. Ms. Ponder said North Little Rock will no longer be a third-party processor for the other utilities. Council Member Ross asked if CAW will continue to have an employee at City Services. Ms. Ponder advised they will not, however, CAW customers will be able to go to their main office to make payments and for other services. Centerpoint does not have a location with a lobby to accept payments. Council Member Ross recommended bank drafts or pre-payment.

Mayor Smith announced citizen public comment on legislation. Ms. Juanita Henderson is President of (the) Military Heights (Neighborhood) Organization. She provided a booklet to council members which included a history of the community, zoning, etc. Ms. Henderson said the Military Heights Outreach Association is a body of the Military Heights Community. The small family neighborhood was established in 1898 and rehabilitated in 1964. Under Urban Renewal the community was laid out and zoned C-1. C-1 is characterized as low-traffic. The North Little Rock Housing Authority has requested to have their property rezoned from C-1 to R-4. Residents in the surrounding neighborhood are concerned with the proposed zoning changes and said they were not properly notified. Council Members in the area were not aware of the request either. A presentation was made to the City Council at the previous City Council meeting. Community members researched and gathered information to obtain a better understanding of proposed zoning change. It is her understanding that R-4 (Multi-Family Zoning) is to allow zoning for apartments. The Urban Renewal Plan was to maintain a small, quiet community. In 1966, zoning for the Willow House was amended prior to construction. The property was built to provide safe housing for senior citizens. Ms. Henderson said changing the zoning to R-4 would allow apartments. Ms. Henderson said the Housing Authority owns the Willow House and plans to remodel. Remodeling could take place without changing zoning. There were also questions regarding who would oversee the day-to-day operations. She said you have to live in a neighborhood with a housing project to know the affect it has on the area. Ms. Henderson said she understood residents would be seniors and people with disabilities, which could include drug addicts, alcoholics, etc. The (neighborhood) residents have concerns with regard to some of the residents. Ms. Henderson asked council members to vote against the legislation. Mr. Raymond Wells

is the Resident Commissioner for the North Little Rock Housing Authority. Mr. Wells referenced residents from the Willow House and Heritage House were present. The facilities are old and outdated and need to be remodeled/replaced. The city requested the zoning be corrected going forward. The residents of the Willow House and other facilities want a quiet neighborhood as well. Unruly people are a part of all societies. The residents support this legislation. One woman has been a resident for more than 20 years and would love to have her unit updated. Mr. Wells encouraged council members to vote for the legislation.

UNFINISHED BUSINESS

R-18-210

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDMENT TO THE AGREEMENT BETWEEN THE REGIONAL RECYCLING AND WASTE REDUCTION DISTRICT, CITY OF NORTH LITTLE ROCK, CITY OF LITTLE ROCK, CITY OF SHERWOOD AND WASTE MANAGEMENT OF ARKANSAS, INC. TO EXTEND THE TERM OF AGREEMENT FOR RESIDENTIAL RECYCLING CURBSIDE PICK-UP SERVICES; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith. Mayor Smith said they are working on the final issues regarding the contract.

CONSENT AGENDA

None filed.

NEW BUSINESS

R-18-213 (RESOLUTION NO. 9546 – 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 Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (7/0).

R-18-214 (RESOLUTION NO. 9547 – 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 616 GARDENIA AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member 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 (7/0). (*amount - \$3,975.19*)

R-18-215 (RESOLUTION NO. 9548 – 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 4108 ALMA STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Witcher and seconded by Council Member 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 (7/0). (amount - \$5,860.75)

R-18-216 (RESOLUTION NO. 9549 – MAYOR SMITH)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEANUP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 2111 VIRGINIA DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Witcher and seconded by Council Member 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 (7/0). (amount - \$4,960.75)

R-18-217 (RESOLUTION NO. 9550 – 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 Council Member Baxter and seconded by Council Member Hight. 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-18-85 (ORDINANCE NO. 9053 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE PURCHASE OF LICENSE PLATE READER CAMERAS FROM SKYCORP INC., A SOLE SOURCE VENDOR; 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 Ross and seconded by Council Member Witcher, and by consent of all members present, the ordinance was amended as follows:: *substitute copy provided this date which includes change to the second whereas and number of cameras purchased* (7/0). On the motion of Council Member Witcher 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 as amended (7/0). Emergency clause adopted (7/0). (total: \$33,200.00)

O-18-86 (ORDINANCE NO. 9054 – MAYOR SMITH)

AN ORDINANCE VACATING AND ABANDONING CERTAIN UNUSED EASEMENTS ON PROPERTY LOCATED AT 13050 OLD RIVER DRIVE, SCOTT, ARKANSAS; DECLARING AN EMERGENCY; 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 readings were suspended (7/0). On the motion of Council Member Witcher and seconded by Council Member Robinson, and the roll having been called, and by consent of all members present, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*requested by Tracy and Kristy Wise*)

O-18-87 (ORDINANCE NO. 9055 – MAYOR SMITH)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 2500 WILLOW STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C-1 TO R-4 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 read. On the motion of Council Member Witcher and seconded by Council Member Hight, and by consent of all members present, the readings were suspended (7/0). A motion to adopt was made by Council Member Witcher and seconded by Council Member Hight. Council Member Ross asked Mr. Shawn Spencer, Planning Director to provide some background on this item. Mr. Spencer said the zoning notification process was properly followed. If the council does not approve the proposed rezoning, Planning will still issue a remodeling permit as it would be a continuation of a non-conforming use. Mr. Spencer said the issue regarding zoning may be with Federal Government funding. Council Member Ross asked if someone purchased the building would they be able to continue to operate under the non-conforming use. Mr. Spencer said they could or any other use allowed use under a C-1. Council Member White asked North Little Rock Housing Director Belinda Snow if they (The Housing Authority) would be able to obtain funding without the zoning change. Ms. Snow said they would not. The Housing Authority requested a letter from the city to indicate the building was properly zoned. Ms. Snow said their Architect meets with the funding sources and HUD (Housing Urban Development) representatives and reports back to the Housing Authority. The process cannot move forward until the property is properly zoned. Council Member Ross asked if there are any assurances if the HUD funds are not allocated. Ms. Snow said residents who currently live in the Willow House will continue to live there...but there won't be any updates. If the property isn't rezoned they cannot move forward. Council Member Ross asked what would happen if the ordinance was adopted but the emergency clause failed. Ms. Snow said she wants to close on this project this year (2018). Council Member Robinson referenced the Willow House is owned by the Housing Authority. Ms. Snow said funding would come from tax credits that will be sold, along with grants, loans, etc. Council Member White asked if the change from C-1 to R-4 would affect who can live at this location. Mr. Spencer said it will not. The property is an apartment building now and it would be zoned correctly. Mr. Spencer explained that R-1 and R-2 are for one family, R-3 is for a duplex, and everything else is multi-family. Council Member Ross asked if family was the same as a housing unit. Mr. Spencer said it was. Council Member Baxter said there are a specific

number of units in the building. Changing the zoning will not change the number of units. Council Member Ross asked about the management company. Ms. Snow said HUD requires someone (a Management Company) with experience running tax credit properties to be involved. This is to ensure that the investors are getting proper credit. Council Member Ross asked if the Willow House was the only property with a "senior" preference. Ms. Snow said it is at this time, however, their intent is to include "senior" preference for all of the "tower" properties. Council Member Ross said the changes are needed to make improvements to the property. On the previous motion, 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: North Little Rock Housing Authority*)

O-18-88 (ORDINANCE NO. 9056 – MAYOR SMITH)

AN ORDINANCE GRANTING COMCAST OF ARKANSAS, INC. A NONEXCLUSIVE FRANCHISE TO OCCUPY AND USE THE STREETS WITHIN THE CITY OF NORTH LITTLE ROCK, ARKANSAS IN ORDER TO CONSTRUCT, OPERATE, MAINTAIN, UPGRADE, REPAIR AND REMOVE THE CABLE SYSTEM, AND PROVIDE CABLE SERVICES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hight and seconded by Council Member Witcher, 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 Witcher. City Attorney Fields advised there are no significant changes. However, one change is that the fees will be collected quarterly instead of annually. On the previous motion, 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-18-89 (ORDINANCE NO. 9057 – MAYOR SMITH)

AN ORDINANCE APPROVING COMPENSATION AND BENEFITS FOR NORTH LITTLE ROCK POLICE DEPARTMENT OFFICERS AND SUPERVISORS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Witcher, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Witcher 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).

O-18-90

AN ORDINANCE APPROVING COMPENSATION AND BENEFITS FOR UNIFORMED EMPLOYEES OF THE NORTH LITTLE ROCK FIRE DEPARTMENT; DECLARING AN EMERGENCY; 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 readings were suspended (7/0). Captain Lynn Dereuisseaux, North Little Rock Fire Fighters Union (Local 35) thanked the Mayor and City Council for the proclamation for the 100th anniversary of the Fire Union. Captain Dereuisseaux said the union opposes this legislation as it is already in their contract. Union

representatives will be meeting in the morning regarding their contract and feel they have language that will avert this legislation. Captain Dereuisseaux said their proposals are such that all parties should be agreeable. Mayor Smith said the city does not have a contract (with the Fire Union) that explains compensation or benefits for uniformed employees at this time. The City and Fire Union have been trying to negotiate a contract for several years. The legislation was then held by the sponsor, Mayor Smith.

PUBLIC COMMENT

Mr. James Ard congratulated everyone who won their elections. He also commended a young man who was running for Representative for keeping the race clean. Mr. J. T. Zakrzewski ran for Council Member in Ward 4. He congratulated Council Member Robinson on her re-election and congratulated Council Member Elect Ms. Jane Ginn and wished them both well. He asked that everyone consider the future in making decisions. Mayor Smith encouraged Mr. Zakrzewski to become a member of a city board or commission. Mr. Brett Akie said he has had issues getting permits through the City Engineer. The Faulkner Crossing area of the city has issues with sink holes. This is due to non-oversight of installation of sewer drains. Near the sewer drains are holes in the grass or concrete. The City Engineer, Chris Wilbourn did not oversee the work being done by Rausch-Coleman. Mr. Akie asked that the city pull all permits issued to Rausch-Coleman until they come into compliance. He referenced two ADEQ (Arkansas Department of Environmental Quality) reports he previously emailed City Council members. Mr. Akie said he requested all permits issued for Phases 8, 9 and 10 and received one. Mr. Randall Bradley said seniors living in the area of (2200 – 2300 block) of E. 2nd Street and Washington have been having issues since a motorcycle club moved into the area. The members are racing up and down the street and drinking from open containers. They also have had issues with 18-wheeler vehicles traveling down E. 2nd Street and pulling down power lines. Most of the residents are age 60 – 80. Mr. Mike Shnaekel is a contractor with Quality Land Services. They have been employed by Faulkner Crossing POA to clean up public runoff, ditches and easements within the subdivision. Ms. Shnaekel has met with several city departments regarding silt runoff and the lack of oversight. There are 327 tax paying residents in the area. Mr. Shnaekel referenced legislation the city council adopted in 1998 regarding site excavation and voids. There are several instances of ditches that are greater than 5 feet in depth at the Rausch-Coleman site. There are children playing in the neighborhood and this could be an issue. It is the city's responsibility to provide oversight and enforcement for the safety of the community. Council Member Robinson said there are some issues with campaign signs that are still out.

There being no further business to come before the Council, and on the motion of Council Member Witcher and seconded by Council Member Ross, and by consent of all members present, the meeting was adjourned at 7:10 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, November 26, 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