

March 25, 2019  
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, March 25, 2019, was called to order at 6:01 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, STEVE BAXTER, RON HARRIS, JANE GINN and CHARLIE HIGHT (8/0), a quorum was declared. City Clerk Diane Whitbey and City Attorney Amy Fields were also present.

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

On the motion of Council Member Ross and seconded by Council Member Taylor and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, March 11, 2019, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, communications #1, 3, and 4 were not read, but were accepted and filed (8/0).

1. Terry Hartwick, Director North Little Rock Parks and Recreation memorandum to Mayor Joe A. Smith and City Clerk Diane Whitbey re: Notice of Public Hearing for the Parks and Recreation Department – Monday, April 15, 2019, at 5:15 p.m. at the North Little Rock Community Center, 2700 Willow Street.
3. Anita Paul, Mayor's Office memorandum re: *application for Retail Beer on Premises – NEW* for Northshore Golf Range, 5401 Northshore, by James Barnes.
4. John Owens, President North Little Rock Chamber of Commerce letter re: North Little Rock Chamber of Commerce Economic Development Activity Report Q1 2019.

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 (8/0).

2. Mayor Joe A. Smith letter to Union Pacific Railroad c/o The Corporation Company re: Railroad Crossing Unlawful Delay Complaint re: West 13th Street; also impacting West 18th Street, West 22nd Street and West 24th Street.

Mayor Smith announced citizen public comment on legislation and advised the two people who signed in to speak did so on condemnations which will have public hearings later in the meeting, at which time they will be called to speak.

## **UNFINISHED BUSINESS**

O-19-27

AN ORDINANCE VACATING AND ABANDONING A STREET-RAILROAD CROSSING ON 14<sup>TH</sup> STREET OVER THE UNION PACIFIC RAILROAD IN THE CITY OF NORTH LITTLE ROCK; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A RAILROAD HIGHWAY CLOSURE AGREEMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time February 25, 2019; a motion to suspend the readings failed (5/3). The legislation was read a second time this date and held by the sponsor Mayor Smith. Mayor Smith stated the Legal Department has advised the Railroad owns the right-of-way and the city has no authority (or control). He said City Engineer Chris Wilbourn has advised the bridge is in disrepair and dangerous to use. It will not qualify for a pedestrian walkway because it is not ADA (Americans With Disabilities Act) accessible. Mayor Smith said there is the possibility to apply for a grant to build a pedestrian bridge. Mr. Wilbourn estimated the cost at \$600,000.00. If the city fails to do anything, the railroad could abandon the bridge and require the city to remove it. Council Member White asked if the \$75,000.00 proposed by the railroad could be used to put in a turn-around for vehicles that she had seen in previous plans. Council Member Ross said she asked Mr. Wilbourn to check the structural soundness of the bridge for pedestrian use only. Mr. Wilbourn has communicated with Union Pacific (Railroad) and ARDOT (Arkansas Department of Transportation). If the bridge becomes a pedestrian walkway, it would no longer be inspected by ARDOT and would become the property (and responsibility) of the City of North Little Rock. The bridge is in Union Pacific right-of-way. As it is, the bridge is structurally deficient. Mr. Wilbourn said upon inspection, the bridge required substantial improvement to bring it up to the 3 ton posted limit. The estimate at that time was over \$300,000.00 to bring it up to the posted limit. In 2001, a study was done for a crossing over the railroad tracks (similar to the crossing over McCain) that would have run from Main Street to Poplar. Mayor Smith serves on the National Transportation Committee (for the National League of Cities). In a recent meeting, discussion indicated that at grade crossings are an issue nationwide. Mayor Smith referred to the study Mr. Wilbourn mentioned which would have gone down 15<sup>th</sup> Street and required some homes to be condemned and purchased by the city, which would be costly. Mayor Smith said it would be better to spend funds on a (new) pedestrian bridge than to repair the old (wooden) bridge. Council Member Ross asked if a Grade Separation has been considered at 13<sup>th</sup> Street. Mr. Wilbourn said there would be issues due to the surrounding area. Council Member Ross recommended applying for TAP funds.

## **CONSENT AGENDA**

On the motion of Council Member Ross and seconded by Council Robinson, and all members having voted “aye” consent items R-19-51, R-19-52 and R-19-53 were unanimously adopted (8/0).

R-19-51 (RESOLUTION NO. 9634 – MAYOR SMITH)

A RESOLUTION REAPPOINTING EMANUEL BANKS TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-19-52 (RESOLUTION NO. 9635 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (8/0).

R-19-53 (RESOLUTION NO. 9636 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE ARKANSAS REGIONAL INNOVATION HUB, INC.; AND FOR OTHER PURPOSES, was adopted (8/0). (\$125,000.00)

### **NEW BUSINESS**

R-19-54 (RESOLUTION NO. 9637 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AMENDED OFFER AND ACCEPTANCE WITH BOBBY BRANT AND TO PURCHASE CERTAIN REAL PROPERTY LOCATED AT 3919 AND 3921 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. City Attorney Fields advised when the property was surveyed there was a misunderstanding on the size. This legislation includes an additional \$6,000.00 to cover the cost of the additional property. On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0). (\$356,000.00)

Mayor Smith convened a public hearing on the following proposed condemnations: 211 West 47<sup>th</sup> Street, 10 Rhodes Avenue, 1014 North G Street, 900 North G Street, 207 Mosley, and 523 Flowers Street. Ms. Sharon Bowers spoke regarding 900 N G Street. She just moved to the Dixie Addition area and advised there are old abandoned houses on her street she has issues with including the doors being left open and people going in and out of the houses. Regarding this property, Ms. Bowers asked if the house would be torn down and if the community could start a garden on the lot. Mayor Smith advised once the house is removed, then the cost of the condemnation (removal of the structure) would be attached to the deed in the form of a Lien. The state could take over the property and sell it at public auction. Mayor Smith recommended Ms. Bowers visit with Code Enforcement Director Tom Wadley. Ms. Sandra Cherry spoke regarding 523 Flowers Street. She is the property owner and has done a lot of remodeling. She is almost through with the roof, however, it rained and messed up the floor which has caused a delay. Council Member Ross said photos provided and dated March 12, 2019 do not show improvement. Mayor Smith said this property has been on the list for several years. There being no one else wishing to be heard, the public hearing was adjourned.

R-19-55 (RESOLUTION NO. 9638 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 211 WEST 47<sup>TH</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. On the motion of Council Member Ross and seconded by Council Member White, and by consent of all members present, the resolution was unanimously adopted (8/0).  
(owner: *Michael D. Davin*)

R-19-56 (RESOLUTION NO. 9639 – MAYOR SMITH)  
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 10 RHODES 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. On the motion of Council Member Baxter and seconded by Council Member Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0).  
(owner: *Tina B. Ford*)

R-19-57 (RESOLUTION NO. 9640 – MAYOR SMITH)  
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1014 NORTH G 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. On the motion of Council Member Taylor and seconded by Council Member Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0). (owner: *Earl Bryant*)

R-19-58 (RESOLUTION NO. 9641 – MAYOR SMITH)  
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 900 NORTH G 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. On the motion of Council Member Baxter and seconded by Council Member Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0).  
(owner: *Carolyn Stovall*)

R-19-59 (RESOLUTION NO. 9642 – MAYOR SMITH)  
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 207 MOSLEY 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. On the motion of Council Member Robinson and seconded by

Council Member Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owners: heirs of Wilbur Coleman*)

R-19-60 (RESOLUTION NO. 9643 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 523 FLOWERS 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 Council Member Ross and seconded by Council Member Taylor. Council Member Ross said she has received more complaints about this property than any other (proposed condemnation) in the past. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Sandra A. Cherry*)

R-19-61 (RESOLUTION NO. 9644 – 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 2104 WEST SHORT 17<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 Council Member Ross and seconded by Council Member 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 unanimously adopted (8/0). (*amount - \$3,918.86*)

O-19-33 (ORDINANCE NO. 9097 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE PURCHASE OF AN ANIMAL DETERRENT FENCE SYSTEM FOR THE WESTGATE SUBSTATION FROM VANQUISH FENCINC, INC.; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hight and seconded by Council Member Taylor, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Hight and seconded by Council Member Ross, 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). (*\$60,333.38 + tax*)

O-19-34 (ORDINANCE NO. 9098 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR INSTALLATION OF AN ANIMAL DETERRENT FENCE SYSTEM FOR THE WESTGATE SUBSTATION; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH A-DEPENDABLE FENCING, INC.; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hight and seconded by Council Member Taylor, and by consent of all members present, the readings were suspended (8/0). A motion to adopt

was made by Council Member Hight and seconded by Council Member Baxter. Council Member Ross asked if there was a warranty or guarantee on the product. Mr. Scott Springer, General Manager North Little Rock Electric Department advised there is no guarantee. He said Entergy has been using these type fences at their substations and have had no issues. Mayor Smith said there was an outage that resulted in closing (Verizon) Arena during an event. 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). (\$58,000.00)

O-19-35 (ORDINANCE NO. 9099 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE PURCHASE OF A SURVEILLANCE SYSTEM FROM CRIME POINT, INC., A SOLE SOURCE VENDOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter and seconded by Council Member White, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Baxter and seconded by Council Member White, 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). (\$48,447.18)

*Without objection, O-19-36, O-19-37, O-19-38, O-19-39, O-19-40, O-19-41, O-19-42, O-19-43, O-19-44 and O-19-45 were called at the end of the agenda.*

O-19-46 (ORDINANCE NO. 9100 – COUNCIL MEMBER ROSS)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A TOW LOT IN AN I-1 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1200 MAIN STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 (8/0). A motion to adopt was made by Council Member Ross and seconded by Council Member Robinson. Mayor Smith said this address is almost under the viaduct. The applicant, Mr. Claussen said the back of the lot is the side of the bridge. Access to the lot is from Poplar Street. Mr. Clauseen said his business is a small repossession company. 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: Thomas Claussen*)

O-19-47 (ORDINANCE NO. 9109 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A DAYCARE IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4000 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Robinson and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (8/0). 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 unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Kimberly Brasfield*)

O-19-48

AN ORDINANCE ALLOWING A SPECIAL USE FOR A DAYCARE CENTER AND ADULT EDUCATION CENTER IN A C-1 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5800 ALPHA STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called. Mayor Smith asked the sponsor, Council Member Robinson if she would hold the legislation to allow time to contact the State of Arkansas Licensing Division regarding the combination of a child daycare and an adult Education Center at the same location. Council Member Robinson then held the legislation. (*applicant: Andrew Rodgers*)

*The remaining items were called.*

Mr. Shawn Spencer, Planning Director advised several conditional uses were approved several years ago, however, the applicants did not follow through with the requirements. The city attorney recommended repealing the ordinances.

O-19-36 (ORDINANCE NO. 9102 – MAYOR SMITH)

AN ORDINANCE REPEALING ORDINANCE NO. 8282 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED ON THE EAST SIDE OF MICHAELA COURT, ALSO KNOWN AS 810 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 Ross, and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Baxter and seconded by Council Member 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).

O-19-37 (ORDINANCE NO. 9103 – MAYOR SMITH)

AN ORDINANCE REPEALING ORDINANCE NO. 8346 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 9301 MAUMELLE BOULEVARD 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 Baxter, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Baxter and seconded by Council Member 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).

O-19-38 (ORDINANCE NO. 9104 – MAYOR SMITH)

AN ORDINANCE REPEALING ORDINANCE NO. 8351 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY AT 5320 MACARTHUR 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 Baxter, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Baxter and seconded by Council Member 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).

O-19-39 (ORDINANCE NO. 9105 – MAYOR SMITH)

AN ORDINANCE REPEALING ORDINANCE NO. 8364 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 116 EAST 23<sup>RD</sup> STREET 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 Baxter, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Taylor and seconded by Council Member Harris, 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).

O-19-40 (ORDINANCE NO. 9106 – MAYOR SMITH)

AN ORDINANCE REPEALING ORDINANCE NO. 8377 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 2114 WEST 38<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read. On the motion of Council Member Harris and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Taylor and seconded by Council Member Baxter, 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).

O-19-41 (ORDINANCE NO. 9107 – MAYOR SMITH)

AN ORDINANCE REPEALING ORDINANCE NO. 8382 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 2323 EAST BROADWAY STREET 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 (8/0). On the motion of Council Member Taylor and seconded by Council Member Baxter, 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).

O-19-42 (ORDINANCE NO. 9108 – MAYOR SMITH)

AN ORDINANCE REPEALING ORDINANCE NO. 8396 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY AT 4220 EAST MCCAIN BOULEVARD 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 Ginn, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Taylor and seconded by Council Member Ginn, 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).

O-19-43 (ORDINANCE NO. 9109 – MAYOR SMITH)

AN ORDINANCE REPEALING ORDINANCE NO. 8448 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 4108 MACARTHUR 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 Baxter, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Hight and seconded by Council Member Baxter, 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).

O-19-44 (ORDINANCE NO. 9110 – MAYOR SMITH)

AN ORDINANCE REPEALING ORDINANCE NO. 8451 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT 4607 EAST BROADWAY STREET, SUITE B 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 Ross, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Taylor and seconded by Council Member Baxter, 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).

O-19-45 (ORDINANCE NO. 9111 – MAYOR SMITH)

AN ORDINANCE REPEALING ORDINANCE NO. 8463 TO REVOKE A CONDITIONAL USE FOR CERTAIN REAL PROPERTY LOCATED AT THE NORTHWEST END OF 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 Baxter, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Ginn and seconded by Council Member

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).

### **PUBLIC COMMENT**

Ms. Bowers requested a speed bump on C Street coming down Sam Evans Street (near the playground). The buses come through the area and kids get off on Sam Evans Street. Ms. Bowers said there is an issue with a recently burned house on F Street. She has observed people going in and out of the building. Ms. Jessie Clingmon said there are a lot of problems with pot holes in the Rose City area and Dixie. Mayor Smith said the city has a list. This winter has been brutal with regard to pot holes. During the winter months, the city patches the holes with cold asphalt which doesn't last long. Ms. Clingmon then asked about illegal gambling in Rose City. City Attorney Fields said ABC (Arkansas Alcohol Beverage Control Board) has been investigating these activities. Ms. Clingmon asked if the machines were legal. Ms. Whitbey said according to state law, they are not. Mayor Smith said the activity is regulated by the state. Mr. Corwin Hattison spoke regarding gaming machines. A man named Sam, keeps his business which is across the street from the (Rose City) Police Substation open 24-hours. Mr. Hattison gave a list of locations to Chief Davis before the meeting convened. He also advised "Sam" told him he is legal and he paid to operate. Mr. Hattison said he spoke with the State Gaming Commission and was advised it was North Little Rock's issue. He said he called the Prosecuting Attorney who told him she didn't know. Mr. Hattison said he knows of the illegal gambling issue because he has been in (one of the) businesses and played. Mr. Bobby Taylor commended the Sanitation Code Enforcement Officer for her efforts with regard to recycling bins and garbage bins. Mr. Taylor advised over a year ago, Central Arkansas Water (CAW) installed a new meter in front of his home at 4609 Boyer. Since then, Mr. Taylor said he has had to put rocks/bricks in the hole to try to fill it. When it rains the material washes out. Someone is going to fall into the hole. Mr. Taylor said he had a water leak at his shop for over a month. He called CAW but no one came out. There is also an issue with the backflow. Mr. John Santoro said Mr. Taylor just celebrated his 80<sup>th</sup> Birthday. Mr. Santoro asked if there was a way to get a traffic light on (Highway) 391 at (Highway) 165 coming out of Stone Links. Traffic is heavy. Council Member Taylor said the state did a traffic study in the area which did not find enough traffic to warrant a light. Mr. Santoro said the previous Planning Director told him the road was designed for turn lanes into each business. Council Member Taylor said the study may have indicated they (the highway department) would consider turn lanes. He said he and Council Member Robinson have talked to the mayor about reducing the speed limit from (Highway) 391 to (Interstate) 440 from 55 mph. Mr. Santoro asked about a flashing light at the Fire Station. Council Member Taylor said that was in the works. Mr. Charles Witcher said there are two big trees (by his house) that are dead. He has six children and is worried about the trees falling on his house. The location is across the street from 707 Parker. Mr. Jimmy Ard said Waste Management will no longer pick up glass and wants to raise rates. He asked the city to consider looking for another company to pick up recycling. Mr. Ard thanked the (North Little Rock) Fire Department for assisting him recently and thanked MEMS for taking him to the hospital. Mr. Nick Franke spoke regarding the North Little Rock Airport. He referenced minutes that indicate the airport

reported \$50,000.00 in income. He did not see a carryover included in the budget. Mr. Franke referenced \$100,000.00 that went to the airport. He also referenced a recent newspaper article regarding the airport. Mr. Franke referenced other airports around the state and construction of hangars. He said the people who use the hangars should pay to maintain and improve them. Mr. Lynn Dereuisseaux said he is the President of the International Association of Firefighters (IAFF), North Little Rock Chapter. He referenced a letter Mayor Smith sent to members this date. He hasn't had much time to look over it. However, the letter brought up more questions with regard to their salaries and staffing. IAFF members would like to meet with Mayor Smith to try to work out their differences and include City Council members in the meeting. He suggested holding the meeting in the council chambers and reviewing each article in their contract. Mr. Dereuisseaux said there were several inaccuracies in the previously referenced letter. They (the Firefighters Union) would like to move forward. He said they felt like other uniformed and non-uniformed employees received better benefits. They (firefighters) want to keep what they have and have what other employees have with regard to vacation and (unlimited) sick accrual. He also said they were on a seven-day overtime cycle that is now a 28-day cycle, which has reduced their overtime pay. This also delays overtime pay by several weeks. Mayor Smith said a meeting such as Mr. Dereuisseaux requested would include media. He added the fire department has a lot of great men and women working there. Mayor Smith requested a written response (from the Union) to the letter he sent to employees and advised he has talked with a number of firefighters regarding the contract and some said they were unaware of some of the items. Mr. Dereuisseaux said he is following the Bylaws of the Union with regard to providing information to members. Mr. Dereuisseaux said other employees get unlimited sick-leave accrual. Mayor Smith said the department has used three times more sick leave than other department. Last year, sick leave used by the department averaged one-month per firefighter. Mr. Dereuisseaux said they deal with sick people and sick employees come to work because they are afraid to call in. Mr. Dereuisseaux said their intent is not to reduce benefits provided to other employees. Council Member Ross asked if Human Resources could provide (a comparison) of the benefits provided to Fire, Police and Non-Uniformed employees. Council Member Ginn asked for a list of the demands from both sides and suggested compromising. Mayor Smith said the information had been provided previously. Council Member Hight met with Charles Fraiser, Executive Director Rock Region Metro and was advised trolley usage is up 300%. Drivers are also promoting local businesses (trolley) sponsors. Council Member Hight said Val at Central Arkansas Water has always been very helpful and that last week a resident on Remount Road had a complaint which Val helped resolve. He advised property at the corner of Hickory and McCain has been purchased and the new owner will complete the construction. Two additional single family dwellings will be built next door. Mayor Smith asked about the driveway. Council Member Hight said it will be relocated. Mr. Spencer said the owner is planning to close the existing garage and put a new one on the side. Council Member Hight also said he has received telephone calls regarding the trees that have been removed from McCain Boulevard. Mayor Smith said the trees were bad and needed to come out. Council Member Ross said the planters have been removed. Council Member Robinson said there is an issue with landlords who pile debris on the street after a tenant moves out. If there is legislation regarding "move-outs" it needs to be enforced.

Council Member Ginn said (the arrival of) Amazon has resulted in three logistical businesses in the city. They each have 10 to 20 vans that operate from the main location. Mayor Smith said he has provided the annual State of the City Report to council members.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the meeting was adjourned at 7:35 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, April 8, 2019, 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