

July 12, 2010  
Seven 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 12, 2010, was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: DEBI ROSS, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, SAM BAGGETT, JIMMY PHILLIPS, CHARLIE HIGHT and MURRY WITCHER (8/0), a quorum was declared. City Clerk Diane Whitbey and City Attorney, C. Jason Carter were also present.

The invocation was given by Alderman Witcher, followed by the pledge of allegiance to the flag which was led by Alderman Hight.

On the motion of Alderman Witcher, and seconded by Alderman Hight, and by consent of all members present, the minutes of a regular council meeting and a Special Call meeting held on Monday, June 28, 2010, were approved, accepted and filed as prepared by the City Clerk (8/0).

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

1. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Liquor & Retail Beer - Replacement from Kulbir Singh* for Warehouse Liquor Market, 3320 East Broadway, by Inderjit Singh.
2. Bob Hardin for Main Street Argenta, Inc., re: Smarthouse Way Central Business Improvement District No. 27, Petition for Appointment of Successor Commissioners of Central Business Improvement District to Fill Vacancies.
3. Mike Russ, North Little Rock Electric Department General Manager email re: General Services Administration (GSA) to Eliminate Federal Governments Footprint.

On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, communication #4 was read, accepted and filed (8/0).

4. Alderman Charlie Hight email from Richard S. Cooper re: opposition to renaming Atkinson Street.

On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, communication #5 was read, accepted and filed (8/0).

5. Bob Reynolds, P.E., CEM, North Little Rock Electric Department letter to City Council members re: Ordinance No. 8263, waiving bids and copy of a letter from Edward Stratton, President/CEO, National Electrical Systems, Inc. (NESI), objecting to rationale.

Mr. Mike Russ, General Manager, North Little Rock Electric Department said two companies replied to a request for bids for transformers. The city utilizes oil transformers. Mr. Carter said the decision of the Electric Department is reasonable.

Mr. Russ said Unit 1 at the Hydro Plant had a seal failure. While the unit was down, ball bearing failure was also discovered. Mr. Reynolds is going to the factory in Wisconsin tomorrow to meet with an Insurance Adjuster. Unit 2 had a failure around the same time. High water flow on the Arkansas River is preventing full production. The cost to the city is approximately \$40,000 to \$45,000 per day. When the water subsides, Unit 2 should be up and running at capacity. Unit 1 should be on line in about five weeks.

Mr. Russ said power was out sporadically for about 200 customers and along one circuit due to lightening strikes early in the day.

Mayor Hays announced a Special Call scheduled for this date.

July 9, 2010 (via email)

Subject: Special Call Meeting for 7:05 p.m. on July 12, 2010

Honorable Members of the North Little Rock City Council:

The purpose of this e-mail is to advise you that Mayor Hays has called a special meeting of the North Little Rock City Council for 7:05 p.m. on Monday, July 12, 2010, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1) A RESOLUTION SPONSORING TWENTY-FIVE NORTH LITTLE ROCK YOUTHS TO PARTICIPATE IN AN ENTREPRENEURSHIP EDUCATIONAL TRAINING COURSE; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES.  
Sponsors: Mayor Hays and Alderman Taylor
- 2) A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF NORTH LITTLE ROCK TO CONSTRUCT AN EXTENSION OF THIRD STREET ABUTTING A CERTAIN PLANNED UNIT DEVELOPMENT; AND FOR OTHER PURPOSES. Sponsor: Mayor Hays

Pursuant to Sec. 2-48(2) of the North Little Rock Municipal Code, you are entitled to 72 hours' *electronic* notice of this meeting. Please acknowledge receipt of this e-mail as soon as possible by replying to the same. A copy of your reply will automatically be sent to City Clerk Diane Whitbey.

Respectfully submitted,  
C. Jason Carter  
City Attorney

Special Call #1 (RESOLUTION NO. 7672 - MAYOR HAYS, ALDERMEN TAYLOR AND ROBINSON)

A RESOLUTION SPONSORING TWENTY-FIVE NORTH LITTLE ROCK YOUTHS TO PARTICIPATE IN AN ENTREPRENEURSHIP EDUCATIONAL TRAINING COURSE (MH

Marketing Elevate Program); APPROPRIATING FUNDS (\$15,000.00 - General Fund); AND FOR OTHER PURPOSES, was read. Alderman Taylor asked that Alderwoman Robinson be added as a cosponsor. A motion to adopt was made by Alderwoman Robinson and seconded by Alderman Taylor. On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, the resolution was amended as follows:: *Section 2: strike through appropriated from the General Fund, and insert* APPROVED TO BE PAID FROM THE PREVIOUSLY BUDGETED YOUTH PROGRAM LINE ITEM (8/0). Mayor Hays thanked Harold Tennenbaum for donating a building for this project. Alderman Taylor said he was impressed during a presentation regarding this program. Ms. Maria Hampton, Vice President MH Marketing said the North Little Rock Summer Self-Employment Program will provide youth ages 16-21 with an opportunity to receive training in entrepreneurship. The youth selected for this program will complete a business plan, recruit startup capital to develop a business, and meet with City Officials to present their businesses for support from the city of North Little Rock's Mayor and Aldermen. To ensure participation by a cross-section of North Little Rock youth, each Alderman and the Mayor will have the ability to select youth from their constituencies. Several youth participants spoke. Mr. Fred Moore and Mr. Justin McNeely have started a mobile auto detail and pressure washing business. They are identifying sites in the area to provide mobile car washes and fleet services. Mr. Donald Stone has started a catering service. He is a culinary art student and recently completed his first catering project. The Elevate program has helped him turn a dream into a reality. Mr. Sidney Moore and Mr. Eli Moore have started a vending snack box business using the "honor system". He is currently working towards 50 locations in central Arkansas. Mr. Matt Hampton, MH Marketing said this program encourages and develops entrepreneurial skills in our youth. Participants from all income levels creates a great opportunity. Mr. Hampton thanked everyone for the opportunity being provided to our youth. Alderwoman Robinson asked about the minimum age. Mr. Hampton said high school youth have a greater potential to implement and execute a business. Alderwoman White asked about the criteria. Mr. Hampton said interested youth would submit an essay explaining why they deserve the opportunity to participate in the program. The city council represents a cross-section of North Little Rock. Alderwoman Ross said this is an eight-week course. Mr. Hampton said the youth would complete four weeks prior to school starting and the remainder would be completed in an After School Program (Saturday sessions) this fall. Alderwoman Ross said a lot of kids go to college on a scholarship and then drop out, thus depriving someone else the opportunity. After further discussion and on the motion of Alderman Taylor, and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

Special Call #2 (RESOLUTION NO. 7673 - MAYOR HAYS)

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF NORTH LITTLE ROCK TO CONSTRUCT AN EXTENSION OF THIRD STREET ABUTTING A CERTAIN PLANNED UNIT DEVELOPMENT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Mayor Hays said the estimated cost of the road is around \$750,000 and drainage work is estimated to be about \$100,000. A TIF District may produce some \$600,000 to \$700,000. Mr. Joe Smith, Director of Commerce and Governmental Affairs (Purchasing) said HUD Financing needed to be sure of the intent of the city. Apartments could be available for rent by August 2011. There being no

further discussion and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

Mr. Nick Willis lives on 9<sup>th</sup> Street in Baring Cross and is on the Argenta Community Development Corporation Board. Mr. Willis spoke regarding the TIF funds mentioned earlier, and the area where they are collected.

There being no objection, O-10-48 was then called.

O-10-48 (ORDINANCE NO. 8271 - MAYOR HAYS)

AN ORDINANCE AMENDING ORDINANCE NO. 8203 TO REVISE THE METES AND BOUNDS DESCRIPTION FOR PROPERTY ALONG RIVER ROAD; ACCEPT REVISED SITE PLAN AND PROJECT NARRATIVE FOR THE PROPOSED APARTMENT DEVELOPMENT; AMEND CONDITIONS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, the rules were again suspended and the ordinance was placed on its second reading (8/0). The ordinance was read a third and final time.

Mr. (Joe) Smith said the legal description has changed slightly, the building location may have shifted and the structures will not be made out of stucco but another cement type product. Alderwoman Ross asked about the location of a gate previously requested by residents in the neighborhood. Mr. Willis said a concern was neighborhood kids walking to school. Mr. Smith said the location changed. Alderwoman White asked about paragraph 2 in Exhibit "B" regarding restrictions regarding units being rented at low to moderate rates. The developer, Alex Condos, said the management company will establish standards for occupancy regarding tenant income. Nationally, income should be three times the monthly rent. Property lease rates are driven by the market at the time. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, 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). (*request made by the developer*)

Without objection, O-10-49 was called.

O-10-49 *for consideration only*

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AUTOMOBILE SALES IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1423 E. BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read.

Mr. Arthur Cuen said this request went before the planning commission. Mrs. Ruth Mozley owns the property. When the Arkansas State Highway Department widened Broadway, they entered into a contract with Mrs. Mozely regarding removal of a fence and then replacing said fence, which is what they are trying to do now. The adjacent property owner would like to expend his carlot to include this property as well. Alderwoman Robinson said the carlot owner Mr. Cuen referenced has not maintained his property. Mr. Cuen said everything has been cleaned up. Mr. Robert Voyles said the Planning Commission vote was four to four. There being

no motion to suspend the rules, the item was then withdrawn by the sponsor (*for consideration only*) Mayor Hays.  
(*applicant: Arthur Cuen*)

Mayor Hays announced Citizen Public Comment on Agenda Items.

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

R-10-93 (RESOLUTION NO. 7674 - MAYOR HAYS)

A RESOLUTION REAPPOINTING BETSY DAVIES TO THE NORTH LITTLE ROCK, ARKANSAS HEALTH FACILITIES BOARD (BAPTIST HEALTH); AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-10-94 (RESOLUTION NO. 7675 - MAYOR HAYS)

A RESOLUTION CONFIRMING THE APPOINTMENT OF TERRY C. HARTWICK TO THE NORTH LITTLE ROCK HOUSING AUTHORITY BOARD OF COMMISSIONERS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. On the motion of Alderman Taylor and seconded by Alderman Witcher, and by consent of all members present the resolution was amended as follows: *attach Personal Information Sheet* (8/0). On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

R-10-95 (RESOLUTION NO. 7676 - MAYOR HAYS)

A RESOLUTION APPOINTING SUCCESSOR COMMISSIONERS (*Ann Faitz, Dan Scott, Joe Smith and Todd Larson*) FOR THE SMARHOUSE WAY CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 27; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-10-96 (RESOLUTION NO. 7677 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RECOVERY FUNDS WITH THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-10-97 (RESOLUTION NO. 7678 - MAYOR HAYS)

A RESOLUTION AMENDING THE 2006 AND 2010 ANNUAL ACTION PLANS OF THE CITY OF NORTH LITTLE ROCK IN REGARD TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS; AND FOR OTHER PURPOSES, was read. On the motion of

Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted (8/0).

*(\$85,000 from the High Street Drainage and Street Improvement Project will be allocated to the 47<sup>th</sup> Street Drainage Project and \$40,000 will be allocated to the Weatherization Project)*

Mayor Hays asked Ms. Mary Beth Bowman, Community Development Director to come forward. Ms. Bowman advised every five (5) years public hearings are required regarding Fair Housing. On August 17, 2010, at 2:00 p.m. a hearing will be held in City Hall Council Chambers. She encouraged people to take the Fair Housing Survey which is available online at the City's website under Community Development.

R-10-98 (RESOLUTION NO. 7679 - ALDERMEN TAYLOR AND ROBINSON)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT THE DONATION OF CERTAIN REAL PROPERTY (2105 W. 16<sup>th</sup> Street) FROM CANDICE SMITH DANIELS; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present the resolution was unanimously adopted (8/0).

O-10-47 (*see earlier entry*)

O-10-48 (*see earlier entry*)

**PUBLIC COMMENTS-----**

Alderman Baggett said notices are appearing in his neighborhood indicating local police, fire, and ambulance services require your address number on the curb. Mayor Hays said there is an ordinance requiring the address on the house or building to identify the address. Alderman Baggett said the implication is that this is something the city is doing. Mayor Hays said the curb painters have to be properly licensed to do business in the city. Mayor Hays said Fire Chief Bob Mauldin is back after facing some challenges. Public Works Director Bob Ward is also back in the office. Chief Mauldin thanked everyone for keeping him in their prayers. Mr. Bobby Taylor said the Police Department did a good job keeping fireworks violations down this year. Mr. Harold Bell lives in Meadowpark. Someone driving a blue pickup with red lights and a siren from the East Pulaski County Volunteer Fire Department almost ran over him on Sunday. He needs to know who to report it to. Mayor Hays asked him to visit with Police Chief Danny Bradley. Mr. James Ard spoke supported the electric department on the electric transformers bid. He commended Alderman Phillips for figuring out what caused the flooding problems in Levy last year. Mr. Ard presented an exploded firework that came over his house. He said he also heard gun shots. The owner of the property (where the shots came from) should be held responsible for the actions of the tenants. Mr. Ard said bicyclists are not using the designated bike trails. Pastor Victor Moore spoke regarding renaming Atkinson Street and read a response to a communication regarding the same. He thanked the Mayor and Council members for all of the work they have done on Atkinson Street (curbs, gutters, etc.). Mt. Olive Church would be elated to have Atkinson Street renamed to Mt. Olive to honor the church.

There being no further business to come before the Council, and on the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the meeting

was adjourned at 8:20 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, July 26, 2010, at seven o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: MAYOR PATRICK HENRY HAYS  
ATTEST: DIANE WHITBEY, CITY CLERK