

February 26, 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, February 26, 2018, 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, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, CHARLIE HIGHT and MURRY WITCHER (7/0). Council Member MAURICE TAYLOR was absent. City Clerk Diane Whitbey, Deputy City Clerk Talor McPherson and City Attorney Amy Fields were also present.

The prayer and pledge of allegiance were 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, February 12, 2018, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the blanket motion of Council Member Hight and seconded by Council Member Baxter, and by consent of all members present, communications #1, 2, 3, 4, and 5, were not read, but were accepted and filed (7/0).

1. Bruce Waller, email to Mayor Joe A. Smith re: resignation from Parks and Recreation Commission effective April 16, 2018. Mayor Smith thanked Mr. Waller for his 20 years of service on the commission.
2. David Cook, letter to Mayor Joe A. Smith re: resignation from North Little Rock City Engineering Department effective March 3, 2018. Mayor Smith thanked Mr. Cook for his service to the city.
3. C. Tad Bohannon, CEO Central Arkansas Water (CAW) letter re: appointment of Jim McKenzie to Board of Commissioners.
4. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer Off Premises – Small Farm Wine & Grocery Store Wine – NEW*, for Big Red #149, 8108 Counts Massie Road, by Douglas A. Hendrix.
5. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer Off Premises – Small Farm Wine & Grocery Store Wine – NEW*, for Big Red #122, 5506 MacArthur Drive, by Douglas A. Hendrix.

On the motion of Council Member Hight and Witcher, communication #6 was read, accepted and filed (7/0).

6. Mayor Smith letter to City Council re: Official name for future downtown Economic Development Project at 6th and Main Streets – Argenta Plaza.

Council Member Ross has talked to several city residents that did not feel the name was inclusive of all residents. A public contest was held and (all) residents were given the opportunity to vote. She asked that the city make the effort to make everyone in the city feel that the plaza is their plaza, too. Mayor Smith said the downtown area belongs to everyone in North Little Rock. The city spent a lot of years branding the (downtown) Argenta area as a location and destination.

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

7. Mayor Smith announcement of appointment of 37-year, North Little Rock Electric Department employee Scott Springer as General Manager effective May 29, 2018, following the retirement of Mr. James Bray (current General Manager). Mayor Smith introduced Mr. Springer and his wife Susan, and thanked him for his service and future service to the city.

On the motion of Council Member Witcher and seconded by Council Member Hight, and by consent of all members present, communication #8 was read, accepted and filed (7/0).

8. Isaac Henry, Fit2Live Director letter to Mayor Smith and City Council Members re: Bike Share Proposal and city's (financial) share. Mayor Smith said the program began at Metroplan a year or so ago and was introduced at no cost to the cities. However, the technology required included that Little Rock and North Little Rock would have to supplement the expenses (City of Little Rock - \$45,000.00 per year for three (3) years; and, North Little Rock - \$20,000.00 per year for three (3) years). If North Little Rock does not provide funding, the program will be still be offered in Little Rock. Council Member Ross asked how many bikes would be in North Little Rock and the rental fee. Council Member Harris asked if this was being done in Conway. Council Member Hight said the cities of Conway, Fayetteville and Bentonville all have programs. Mr. Henry said North Little Rock would have 50 bikes and Little Rock will have 100. The estimated rental fee could be between \$11.00 and \$15.00. Mr. Henry said the rentals work through a (Smart Phone) App. Renters would be able to ride the bikes between docking stations located in both cities. If a docking station was full, the rider would have to locate another one. It is assumed that most bikes will be ridden from the place where they are rented and returned to the same station. Council Member Harris asked about theft. Mr. Henry said the bikes have theft prevention built in. Council Member Hight said this is a movement across the country in larger cities. North Little Rock was designated a Bicycle Friendly Community in 2009. Council Member White asked where the (docking) stations would be located. Mr. Henry said locations are being considered and include the new plaza, (Dickey-Stephens) Baseball Park, and along the River Trail. Council Member White asked if the Levy area was discussed. Mr. Henry said areas are open for consideration. Council Member Ross asked if the cost for \$20,000.00 was spread out over three (3) years. Mr. Henry reiterated it is \$20,000.00 per year over three (3) years to cover operating costs and equipment. The cost of the bikes is a lot more than the two cities will be paying, however, there are sponsors that will help offset the total. At the end of six (6) years, the bikes would belong to the cities. Mayor Smith asked if the city could do one year at a time. Mr. Henry said he would check. Council Member Baxter said a lot of people in their late teens don't drive and have no interest in it.

This is different from previous generations. People between the ages of 18 and 24 currently rely heavily on public or other methods of transportations. A lot of new apartments near the plaza may have residents who would use these bikes. Mayor Smith asked that legislation be introduced at the next meeting to appropriate the funds and to allow council members the time to visit with Mr. Henry and look into the program.

Council Member Ross said audio from the meeting (being broadcast live) on Comcast is bad.

UNFINISHED BUSINESS

R-18-11

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL CERTAIN VACANT PROPERTY GENERALLY LOCATED ALONG THE NORTH BANK OF THE ARKANSAS RIVER BETWEEN THE RIVER AND ARKANSAS STATE HIGHWAY 165 IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was not called but held by the sponsor, Mayor Smith.

CONSENT AGENDA

None filed.

NEW BUSINESS

R-18-39 (RESOLUTION NO. 9376 – MAYOR SMITH)

A RESOLUTION CONFIRMING THE APPOINTMENT OF JIM MCKENZIE TO THE BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER; 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 resolution was adopted (7/0).

R-18-40 (RESOLUTION NO. 9377 – MAYOR SMITH)

A RESOLUTION APPOINTING GARDNER D. BURTON TO THE NORTH LITTLE ROCK HOUSING & BUILDING BOARD OF ADJUSTMENT AND APPEALS (SIGN BOARD); AND FOR OTHER PURPOSES, was read. On the motion of Council Member Witcher and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (7/0). Mayor Smith thanked Mr. Burton, who was not present, for his future service.

R-18-41 (RESOLUTION NO. 9378 – MAYOR SMITH)

A RESOLUTION AMENDING RESOLUTION NO. 8340 TO APPROVE APPOINTMENT OF DEPUTY CHIEF OF STAFF CHARLEY BAXTER TO PERFORM THE DUTIES OF THE MAYOR OF NORTH LITTLE ROCK IN THE ABSENCE OF THE MAYOR AND CHIEF OF STAFF; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Hight and seconded by Council Member Witcher. Mayor Smith said a scenario during a recent Emergency Operations Plan (EOP) exercise required calling in the National Guard. Only the Mayor (or his

representative) can make this request. This legislation will provide an authorized staff member in the event that both the Mayor and Chief of Staff, (Danny Bradley) were out of town at the same time in the event of an emergency (such as a tornado). Mr. Baxter has been involved in the EOP from the beginning and has 40 years of experience and decision making for and with the City of North Little Rock. Council Member Ross asked about Mr. Baxter's salary. Mayor Smith said he is paid hourly. Mayor Smith said the city previously had an Emergency Services Director and a Disaster Director. When the department (of Emergency Services) was reorganized, Mr. Leonard Montgomery was appointed as 911 Director and Mr. Baxter (who was acting in the Disaster Director capacity, while he was Director of the Patrick Henry Hays Senior Citizen Center) now does the same thing for the city, but as a part-time employee. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-18-42 (RESOLUTION NO. 9379 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY LOCATED BEHIND AND ADJACENT TO NORTH LITTLE ROCK FIRE STATION NO. 7 ON McCAIN BOULEVARD IN THE CITY OF NORTH LITTLE ROCK FROM THE WOODCREST COMPANY, LLP; 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 the James Matthews Family / Woodcrest Company for the donation.

R-18-43 (RESOLUTION NO. 9380 – MAYOR SMITH)

A RESOLUTION AMENDING THE 2018 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO REAUTHORIZE AND INCLUDE ADDITIONAL EXPENDITURES FOR SPECIFIED DEPARTMENTAL BUDGETS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Members Baxter. Finance Director Karen Scott provided members with a revised version of Exhibit "A" and referenced two highlighted items: 1. Traffic Department General Ledger number; and, 2. a Purchase Order for roof repair at the Rose City Community Center that had been entered wrong. On the motion of Council Member Ross and seconded by Council Member White, and by consent of all members present, the resolution was amended as follows: *replace Exhibit "A" with version provided this date and verbally corrected by Mrs. Scott* (7/0). 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 amended (7/0).

R-18-44 (RESOLUTION NO. 9381 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY LOCATED AT 2225 FENDLEY DRIVE IN THE CITY OF NORTH LITTLE ROCK; 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 resolution was adopted (7/0).

R-18-45 (RESOLUTION NO. 9382 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY AT 2800 JOHN ASHLEY DRIVE IN THE CITY OF NORTH LITTLE ROCK; 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-18-46 (RESOLUTION NO. 9383 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 713 N. VINE 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 Baxter. Mayor Smith convened a public hearing. Ms. Kesha Cobb CEO, The Sustainability Project is partnering with the Veterans Land Bank and other neighborhood organizations to appeal to the city regarding this property. The goal would be to turn the building into the East Argenta Heritage Center. This property is located near Shorter College. Ms. Cobb is familiar with the neighborhood and has volunteered with children in the area. She said that in the absence of the homeowner, she had a contractor look at the property and estimate the cost to rehabilitate it. Council Member Robinson said Annie Hamilton, the property owner worked at Scipio A. Jones High School and was well respected and looked up to in the community. Mayor Smith asked if this was a project of Ms. Cobb's group or Shorter College. Ms. Cobb said she is a member of the Shorter College Alumni Association and could have an office in the building, along with other non-profit organizations. Mayor Smith said Ms. Cobb doesn't own the property and in order to repair the property, she would have to own it. Mayor Smith asked if Ms. Cobb had legal counsel to consult with regarding this matter. Ms. Cobb said she spoke with (City) Code Enforcement and was advised that an heir, Mrs. Hamilton, or a contractor could appeal to the city on behalf of the location. Ms. Cobb said she is also aware the property is delinquent on taxes. Council Member Ross said if the property is condemned there would still be 30 days for Ms. Cobb to get the family to sign the property over to her and sign a rehab (rehabilitation) agreement with the city and post a (cash) bond. Mrs. Fields advised Ms. Cobb would need to get ownership of the property and provide a plan to the City Attorney with proof of financial ability to perform the work and post the bond. Mayor Smith recommended Ms. Cobb meet with the City Attorney before closing on the property. Planning Director Shawn Spencer said this was the first he had heard of this and would have to check zoning. The property is most likely zoned residential. If the property is to be used as a commercial office it will have to be brought up to commercial codes, which includes handicapped accessibility, parking, etc. Mayor Smith suggested Ms. Cobb contact Mr. Spencer regarding zoning issues. There being no one else 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). (*owner: Annie W. Hamilton c/o Herbert Hamilton*)

Ms. Whitbey asked about the photographs that are usually shown for condemnations. Mayor Smith said the (Council Chamber) Switcher broke about a month ago and this is reason for the audio issue and inability to show the condemnation photos. The parts have been ordered. The system is 12 years old or more.

R-18-47 (RESOLUTION NO. 9384 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1823 SCHAER 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 Baxter and seconded by Council Member Ross. Mayor Smith convened a public hearing. Mayor Smith has talked to family members (by telephone) and they understand this action. 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). (*owner: Ronnie Treat - deceased*)

R-18-48 (RESOLUTION NO. 9385 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 114 S. REDWOOD STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR THE PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Robinson and seconded by Council Member 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 (7/0). (*owner: Don Price*)

R-18-49 (RESOLUTION NO. 9386 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 126 MARVIN 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 Robinson 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 (7/0). On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*owner: Maggie Winford*)

R-18-50 (RESOLUTION NO. 9387 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN PROPERTY LOCATED AT 15 S. AVALON DRIVE IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE DUE TO THE ACCUMULATIONS OF GARBAGE, SCRAP MATERIALS AND RUBBISH ON SAID

PROPERTY; 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 Witcher and seconded by Council Member Hight. Mayor Smith convened a public hearing. Mr. David Sedberry, the owner said he lost two (2) fingers at work and fell and broke his hip. The gentleman who is responsible for the biggest part of the problem is going in for (inaudible) rehab and has hired people to clean up the property. Mr. Sedberry asked for understanding from the council and for 30 days. Mayor Smith said under the process, he would have 30 days. Mayor Smith said Mr. Sedberry has been in court and fined due to (citations issued by Code Enforcement) on this property. Mr. Sedberry said his income has been cut in half and he cannot pay the fines. He apologized to his neighbors and the city and said it got out of hand while he was incapacitated. The other person has been taking stuff to Branson, MO and will take the rest when he gets out of rehab. Mayor Smith asked what will happen if the property isn't cleaned up in 30 days. City Attorney Fields said the city would send someone in to bring it up to code and request a lien on the property to cover the costs. Mayor Smith advised Mr. Sedberry he could clean it up cheaper than the city. Council Member Ross asked if there will be a list of items that are removed and referenced photographs provided by Code Enforcement, and asked who will decide what goes and what stays. Assistant City Attorney Bill Brown said the property is a public nuisance and if Mr. Sedberry doesn't clean it up the city will go out with (Sanitation) trucks and clean it up. The city can then request a lien to be placed on the tax bill or authorize a foreclosure on the property. Council Member Ross said some of the items in the photos appear to have value. Mr. Sedberry said he would have to put some things inside and that the furniture in the carport is going to Missouri. Council Member Robinson said some of the items looked good and suggested a yard sale. Mr. Brown said Mr. Sedberry was fined \$30,000.00 in District Court. Mr. Brown said the front yard was cleaned up on a previous occasion. Council Member Baxter said there have been other properties in the city with similar issues and asked if this type of legislation could be used in the future. Mayor Smith said the city's S.A.F.E. Team has used this in the past. Mr. Yates Phillips is President of the Scenic Hill (Neighborhood Group) and advised neighbors have expressed concerns about this property and have discussed helping with the situation. They are concerned that the items will be moved from one location to another then back again. Mr. Phillips said nearly half of the properties in the city are rentals, which is a lucrative business for landlords. The city has a very liberal curbside pickup (of garbage and trash). Mr. Phillips said this is a public health issue, and there may be a mental health issue. There being no one else 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). (owner: David Sedberry)

R-18-51 (RESOLUTION NO. 9388 – 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 1506 NORTH VINE 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 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 (7/0). (*amount - \$3,248.88*)

R-18-52 (RESOLUTION NO. 9389 – 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 4408 SCHOOL 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 Robinson. Mayor Smith convened a public hearing. Mr. Phillips said when an item is referred for condemnation that no further code enforcement action is being taken. Requests are being rejected. Mr. Phillips referenced a *Report and Repair App* submission on one of the properties on the agenda and received a response that no further code enforcement action would be taken because the item would be before the city council. There being no one else 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). (*\$5,992.99*)

R-18-53 (RESOLUTION NO. 9390 – 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 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).

O-18-14 (ORDINANCE NO. 8985 – MAYOR SMITH)

AN ORDINANCE ESTABLISHING THE CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 38 (THE PORCHES AT ROCKWATER PROJECT); 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). Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. A motion to adopt was made by Council Member Witcher and seconded by Council Member Hight. On the motion of Council Member Ross and seconded by Council Member White, the ordinance was amended as follows: *attach map – Exhibit "C" provided this date* (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).

O-18-15 (ORDINANCE NO. 8986 – MAYOR SMITH)

AN ORDINANCE ESTABLISHING THE CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 39 (THE PORCHES AT ROCKWATER RECREATION DISTRICT); 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 (7/0). On the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, the ordinance was amended as follows: *attach map – Exhibit "C" provided this date* (7/0). On the motion of Council Member Witcher and seconded by Council Member Baxter, 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). *Note: Mayor Smith convened a public hearing regarding this item following the above actions. There being no one present wishing to be heard, the public hearing was adjourned and the previous votes remained.*

O-18-16 (ORDINANCE NO. 8987 – MAYOR SMITH, COUNCIL MEMBERS WHITE AND ROSS)
AN ORDINANCE CHANGING THE NAME OF FAIRFAX DRIVE TO EAST McCAIN BOULEVARD IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. At the request of City Attorney Fields, Council Member Ross was added as a sponsor. On the motion of Council Member Ross and seconded by Council Member White, and by consent of all members present, the readings were suspended (7/0). Council Member Robinson said she used to travel on Fairfax to get to Northeast High School. The Fairfax family is well recognized in the McAlmont community. Changing the name is reasonable. However, she has been getting telephone calls with regard to the history (of the street name). Council Member Robinson asked that the bridge be named Fairfax Crossing as the name Fairfax means a lot in that African American community. Mayor Smith has talked to the council members (Ward 1) and they have agreed to put up a sign that will designate it as Fairfax Crossing. Council Member White said it has been requested that a ceremony be held in the future. Council Member Ross referenced police, fire and Google maps. The bridge will be named Fairfax Crossing to maintain the family name. Mr. Chris Wilbourn, City Engineer said the (Arkansas State) Highway Department uses a standard nameplate and asked if he needed to look at doing something larger. Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the motion of Council Member Baxter, 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). Emergency clause adopted (7/0).

O-18-17

AN ORDINANCE ADOPTING NET METERING AND DISTRIBUTED GENERATION RULES FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read and held at the request of the sponsor, Mayor Smith. Mayor Smith said this deals with businesses that install solar and referenced the V.A. and L'oreal.

Electric Department Attorney C. Jason Carter was present to answer questions. Mayor Smith scheduled a public hearing for the next council meeting to be held on Monday, March 12, 2018 (at 6:05 p.m.). Mr. Phillips said he is a solar proponent and supports this effort.

O-18-18 (ORDINANCE NO. 8988 – COUNCIL MEMBER HARRIS)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 5300 NORTHSIDE DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM O-1 TO I-2 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 Harris 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 Baxter 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). Emergency clause adopted (7/0). (*applicant: White-Daters & Associates, Inc.*)

O-18-19 (ORDINANCE NO. 8989 – COUNCIL MEMBERS TAYLOR AND ROBINSON)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 4262 BAUCUM PIKE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R-3 TO C-4 ZONE, 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 Robinson and seconded by Council Member Hight, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Hight 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). Emergency clause adopted (7/0). (*applicants: Bobby and Phyllis Taylor*)

O-18-20 (ORDINANCE NO. 8990 – COUNCIL MEMBER HIGHT)

AN ORDINANCE ACCEPTING STREETS AND DRAINAGE IMPROVEMENTS WITHIN VILLAGE EAST SUBDIVISION IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read.

On the motion of Council Member Hight and seconded by Council Member Robinson, and by consent of all members present, the readings were suspended (7/0). Council Member Ross said there isn't a bond and these streets are approximately 10 years old. She asked if there was anything that needed to be done regarding current repairs. Mayor Smith said this neighborhood changed owners several times and the acceptance of the streets and drainage was lost in the process. The city would have accepted the streets and drainage if it had been done 10 years ago. On the motion of Council Member Hight and seconded by Council Member Witcher, 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: Marlar Engineering, Inc.*)

PUBLIC COMMENT

Mr. Larry Westmoreland, is with The Veterans Land Bank, a Nationwide 501c3 Non-profit. He asked if the agency can work with the city and advised The Veterans Land Bank works with veterans to get their credit in order to be able to purchase a home. The agency takes donations of land and asked if the city had land available to use as seed money for U.S. Military Veterans to use to purchase a home. There are programs and land banks available around the state in other cities. Mayor Smith said the City of North Little Rock does not have a Land Bank. However, the city does have numerous properties with liens on them that may be worth less than the amount of the lien. The city works with Habitat for Humanities. Mayor Smith said if Mr. Westmoreland has an opportunity help veterans the city will try to work with him and suggested Mr. Westmoreland contact Mr. Robert Birch, Special Assistant to the Mayor. Council Member Robinson asked if these homes could be built in areas that are considered flood zones. Mr. Westmoreland said they cannot. They are looking for properties that are under-valued but located in good neighborhoods. He has been talking with different banks that will consider financing if the applicant can become credit worthy. His agency will also monitor the applicant for two (2) years to ensure that the individual is making payments on time and maintaining the upkeep of the property. Council Member Hight said he has received calls from several businesses regarding other businesses using banners to advertise "Happy House" and the "Beer of the Month" and asked if a Supreme Court decision concerning signs applied to businesses that are attaching their signs to speed limit signs poles, etc. City Attorney Fields said this is unclear. The City Attorney's office is working with the City Planning Department to amend the Sign Code while being consistent with the First Amendment. Sign codes from other jurisdictions are being reviewed. Council Member Hight said it is getting out of hand and unsightly and something needs to be done. Council Member Ross said there is an ordinance in the city that does not allow anything to be placed on (or attached to) public property (stapled, taped, glued, etc.). City Attorney Fields said this could be enforced. Council Member White asked if the public right-of-way would apply to people who stand and hold signs. City Attorney Fields said public rights-of-way generally are streets and sidewalks. Those are seen as being a place for "free-speech." Mayor Smith referenced pan-handling. Council Member Baxter said the following events will take place this weekend: 7A State Basketball Tournament - held in the North Little Rock High School Gymnasium, the Little Rock Marathon, and the High School Production of the Little Mermaid. Ms. Whitbey reminded business owners that the final Business/Privilege License Invoices will be mailed shortly. Any business that has not renewed their license by March 31, 2018, will be assessed a 25% penalty beginning April 1, 2018. Mayor Smith and Council Member Witcher will not be at the March 12, 2018, City Council Meeting. Both will be attending the National League of Cities Conference in Washington, D.C.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Hight, and by consent of all members present, the meeting was adjourned at 7:22 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, March 12, 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