

April 13, 2015
Six o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

The North Little Rock City Council meeting scheduled for Monday, April 13, 2015, was called to order at 6:00 p.m. by the honorable Mayor JOE A. SMITH.

The roll having been called and the following Aldermen answered to their names: DEBI ROSS, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT and MURRY WITCHER (8/0). City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

The invocation was led by Mrs. Lauren Walker and the pledge of allegiance was led by Mayor Smith and members of Brownie Troop #6626 (which included his granddaughter, Sydney).

On the motion of Alderman Witcher and seconded by Alderwoman Ross and by consent of all members present, the minutes from the North Little Rock City Council meeting and Special Call meeting held Monday, March 23, 2015, were approved, accepted and filed as prepared by the City Clerk (8/0).

Mayor Smith asked Fit 2 Live Coordinator Bernadette Rhodes to come forward. April 7, 2015 was the 3rd Mayors and County Day of Recognition for National Service provided to state AmeriCorps volunteers. Mayor Smith presented a proclamation to volunteers who provide a wide variety of services to the city of North Little Rock. Former city employee Delbert Brewer and GardenCorps Program participants, Beau and Sharice. There were numerous other volunteers (programs represented included RSVP, Pulaski County Learning Center and the Literacy Council, and The Stand Foundation) present.

Mayor Smith invited representatives from Arkansas Regional Organ Recovery Agency (ARORA) to come forward. Ms. Audrey Coleman, Director of Public Education for ARORA said April is National Donate Life Month. The hope is that people in Arkansas and across the country will talk about organ and tissue donation. People were encouraged to participate. Ms. Coleman presented a plaque to Mayor Smith in recognition of the City of North Little Rock's support and partnership with ARORA. Mayor Smith presented ARORA with a Proclamation from the City proclaiming the month of April, 2015 as Donate Life Month in the city.

On the blanket motion of Alderman Baxter and seconded by Alderman Hight, and by consent of all members present, communications 1, 3, 4, 6, 7, 8, and 9 were not read, but were accepted and filed (8/0).

1. Scott E. Bennett, P. E., Director of Highways and Transportation, Arkansas State Highway and Transportation Department letter to city Clerk Diane Whitbey, re: Notice of I-30 and I-40 Public Meeting in Little Rock, ATHD Job No. CA0602 I-530-Hwy 67 (Widening and Reconst.) (I-30 & I-40) Interstate 30 Planning and Environmental Linages Study.
3. Glinda Craigmyle, Mayor's Office memorandum re: *application for Restaurant Mixed Drink – NEW* for Skinny J's, 314 Main Street, by Joe A. Denton.
4. Karen Scott, Chairman Energy Risk Management Committee memorandum to City Clerk Diane Whitbey re: ECR Adjustment Factor April 2015 - $-\$.0012$ (CREDIT).
6. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – Replacement from Mohammed Yafai* for Ridge Mart, Inc. fka Quick Stop, Inc. 4700 Camp Robinson Road, by Adel T. Altowayti.
7. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink – Replacement from Emma Gist* for Chief's Café, 6708 Hwy 161, N., by Sheila A. Aekel (*note: this business is not in North Little Rock city limits*).
8. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – Change of Manager from Benjamin Gray*, for Pilot Travel Center #332, 3300 Hwy 391, by Tommy A. Bradshaw, Sr.
9. W. Russell Meeks, III, letter to Mayor Joe A. Smith re: Arkansas Travelers Baseball Club, Inc. annual payment to City of North Little Rock.

On the motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, communication #2 was read, accepted and filed (8/0).

2. Bob Rhoads, Parks and Recreation Director memorandum to Mayor Smith re: Notice of Public Hearing for Parks and Recreation Department – April 20, 2015, 5:15 p.m., North Little Rock Community Center, 2700 Willow Street.

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

5. Mike Smith, Chief City Engineer letter to Mayor Joe A. Smith re: Retirement effective June 19, 2015.

Mayor Smith thanked Mr. (Mike) Smith for his service to the city and wished him well. Mr. (Mike) Smith said it has been a real joy to work for the city.

Mayor Smith said a public hearing re: Petition for Formation of Municipal Improvement District – Northshore Lane Municipal Multi-Purpose Improvement District – Petitioner Eugene M. Pfeifer, III., scheduled for this date would be held (at the request of the petitioner). Two (2) pieces of legislation (O-15-21 and O-15-22) on the agenda regarding rezoning and a road in and out of a development were also held. There has been debate regarding where the road should come out of the development.

Mayor Smith said there has been a need for an additional exit out of the commercial park in the area in the event of an emergency. Mayor Smith said engineers from both sides have been challenged to come up with a fair and correct road alignment. A Special Call City Council meeting will be held Monday, April 20, 2015, at 6:00 p.m. at which time the above issues will be addressed. Mr. Carter said notification will also be provided.

Mayor Smith announced public comment on agenda items. Mr. Jeremy Rhodes is a North Little Rock business owner. He spoke regarding O-15-28 and thanked the Mayor and Council for continuing the discussion regarding food trucks in North Little Rock. During an event in Park Hill last year, 5,000 people attended and three (3) food truck participants sold out. Food trucks are invaluable to central Arkansas. Mr. Rhodes referenced a food truck that has opened a “brick and mortar” location as a result of the success of the truck. He commended the city for removing some of the regulations. He did have questions regarding food trucks that have private businesses who may want them to come onsite to provide lunch for employees and used Union Pacific as an example. Mobile vendors go from city to city and have had a lot of success in Little Rock. Two upcoming events are Tour de Bark in Park Hill and the Makers Fair where food trucks are being requested. There being no one else present wishing to be heard, public comment was concluded.

UNFINISHED BUSINESS

O-15-10

AN ORDINANCE AMENDING SECTION 3.1 (REGULATIONS APPLYING TO ALL DISTRICTS) AND ARTICLE 21 (TABLE OF PERMITTED USES) OF ORDINANCE NO. 7697 (THE NORTH LITTLE ROCK ZONING ORDINANCE) REGARDING SMALL FARMING OR RANCH PLOTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time January 26, 2015, was called and referred back to Planning at the request of the sponsor, Alderman Taylor. The item was withdrawn from the agenda.

O-15-21

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT YOUNG ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM C-3 TO R-4 CLASSIFICATION 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 called and held by the sponsor, Mayor Smith. (*applicant: Hugh Jarrett*)

O-15-22

AN ORDINANCE AMENDING THE MASTER STREET PLAN (ORDINANCE NO. 8601) TO REALIGN THE PROPOSED COLLECTOR STREET OF NORTHSORE LANE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith.

CONSENT AGENDA

On the motion of Alderman Hight and seconded by Alderman Witcher, and all members present having voted “aye” Consent items R-15-57, R-15-58, R-15-59, R-15-60, and R-15-61 were adopted (8/0). R-15-56 was pulled and called under New Business.

R-15-57 (RESOLUTION NO. 8784 – MAYOR SMITH)

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

R-15-58 (RESOLUTION NO. 8785 – MAYOR SMITH)

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

R-15-59 (RESOLUTION NO. 8786 – MAYOR SMITH)

A RESOLUTION REAPPOINTING AVON “JUNIOR” PHILLIPS TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-15-60 (RESOLUTION NO. 8787 – ALDERMAN WITCHER)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED ACCESS AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK AND INDIAN HILLS COMMUNITY CLUB; APPROPRIATING FUNDS (\$35,000.00 – *Ward 4 Drainage Funds*); AND FOR OTHER PURPOSES, was adopted (8/0).

R-15-61 (RESOLUTION NO. 8788 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A SHARE AGREEMENT WITH THE STATE OF ARKANSAS FOR 2015-2016 SALARIES OF THE NORTH LITTLE ROCK DISTRICT COURT JUDGES; APPROPRIATING FUNDS (\$117,300.00 – *2015 Budget*); AND FOR OTHER PURPOSES, was adopted (8/0).

NEW BUSINESS

R-15-56 (RESOLUTION NO. 8789 – MAYOR SMITH)

A RESOLUTION REAPPOINTING VANDY BELASCO TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, the resolution was unanimously adopted (8/0). Mayor Smith commended Ms. Belasco for her previous service and thanked her for her continued service to the City of North Little Rock.

O-15-26 (ORDINANCE NO. 8723 – MAYOR SMITH)

AN ORDINANCE AMENDING THE 2015 QUOTA ORDINANCE FOR THE NORTH LITTLE ROCK POLICE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER

PURPOSES, was read. On the motion of Alderman Baxter and seconded by Alderman Taylor, 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 Baxter and seconded by Alderman Taylor, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). On the motion of Alderman Baxter and seconded by Alderman Foutch, 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-15-27 (ORDINANCE NO. 8724 – MAYOR SMITH)

AN ORDINANCE AMENDING SECTION 8-002 OF THE NON-UNIFORMED EMPLOYEES' POLICY AND PROCEDURE MANNUAL; AND FOR OTHER PURPOSES,

was read. On the motion of Alderman Hight and seconded by Alderman Foutch, 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 Baxter, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). On the motion of Alderman Hight and seconded by Alderman Foutch, and the roll having been called, and all members present, having voted in the affirmative, the ordinance was unanimously adopted (8/0).

(Note: there was no Emergency Clause – the ordinance will go into effect in 60 days).

O-15-28

AN ORDINANCE AMENDING SECTION 74-51 OF CHAPTER 74 OF THE NORTH LITTLE ROCK MUNICIPAL CODE TO CLARIFY AND SIMPLIFY REGULATIONS FOR MOBILE FOOD VENDORS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read. On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). Alderman Hight asked that the legislation be held and a public hearing scheduled. The ordinance was read a second time. Alderman Hight has received calls and emails from people who would like to provide input regarding food trucks. Mayor Smith said there are a couple of events coming up soon (see comments). Mr. Carter said there is an emergency clause included in this legislation. Alderwoman Ross is in favor of food trucks. She asked about Section 2. Rules and Regulations iii. pertaining to 'dining area'. Mr. Carter said the initial ordinance was developed from ordinances from cities from throughout the country. Alderman Hight said the current ordinance does not allow areas for food trucks, but may be something to be considered in the future. Other cities and towns around the state have 'food courts'. Mr. Carter recommended finding out why other cities included the regulation

regarding dining areas. Alderman Foutch asked about the Severability Clause. Mr. Carter, said it was included in the ordinance twice, which was redundant. Alderman Taylor said the dining area may have been included to differentiate between a mobile food truck and a ‘sticks and bricks’ business. In other cities (Chicago, New York) you walk up to a truck to get your food and then figure out where you will eat. Alderwoman Ross said other cities have food truck courts and was referring to dining areas within the same. Other cities require liability insurance. Portland requires \$400,000.00 and Seattle requires \$1 million. She also referenced fire inspections. Alderman Hight suggested forming a Task Force. Alderman Witcher and his coworkers visit food trucks in Little Rock. Several of the vendors now have brick and mortar stores. This ordinance is event driven. Mayor Smith wants to talk with local restaurant (brick and mortar) owners/operators. Alderwoman Ross asked if something like “Food Truck Thursday” would be considered an ongoing event. Mayor Smith said it would. Mayor Smith then held the legislation and scheduled a public hearing for the next City Council meeting, April 27, 2015, at 6:05 p.m.

O-15-29 (ORDINANCE NO. 8725 – MAYOR SMITH, ALDERMEN ROBINSON AND TAYLOR) AN ORDINANCE ACCEPTING STREETS AND DRAINAGE INFRASTRUCUTURE WITHIN STONE LINKS SUBDIVISION, PHASE 2, INTO THE CITY OF NORTH LITTLE ROCK WITH CONDITIONS; DECLARING AN EMERGENCY; AND FOR OTHER PUROSES, was read. On the motion of Alderwoman Robinson and seconded by Alderman Taylor, 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 Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. Without objection, Aldermen Robinson and Taylor were added as cosponsors. On the motion of Alderman Taylor and seconded by Alderwoman 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).

PUBLIC COMMENT

Ms. Whitbey said the first council held at 300 Main was 100 years ago yesterday (April 12). Mr. James Ard said a man was in his neighborhood going door to door soliciting tree trimming, lawn work, etc. He didn’t have a city ID. He trimmed a neighbors trees and left everything in the yard for the city to pick up. He got the license plate number and telephone number from the truck. Ms. Joyce Burks is a Real Estate Agent with Michele Phillips. In February of this year, she wrote a contract for a client on a piece of property in North Little Rock located at 1301 Crutcher. A week later the property was condemned by the city. Mayor Smith is familiar with the property because he grew up in the area. The purchaser plans to restore the property, replace the upstairs fan coil, heat pump, etc. There is a large house with a large pool and basketball court on the property which includes three (3) lots. There was a fire and water damage. Mayor Smith asked who owns the property. Ms. Burks said it was a foreclosed property. The cost to demolish the property would be \$14,000.00, which does not include filling in the pool. Mr. Bill Eaton, Jr. has an offer pending on the property. His father is Bill Eaton,

Sr. who sold a lot of property in Argenta to the city in the 1990's. The house on Crutcher was vandalized. Mr. Eaton has contractors ready to reinstall drywall, etc. Mr. Carter said rehabilitation agreements are made with the property owner. If Mr. Eaton is the owner, then an agreement could be negotiated with him. The problem would be trying to negotiate an agreement pending a sale. Mr. Eaton said he is at the closing stage on the property and has to have a release from the city. Mr. Carter said the next step would be to appeal the decision of the Circuit Court. Alderman Taylor said the property has been a nuisance for a long time and is located next to a school. Ms. Whitbey announced the North Little Rock Woman's Club Annual Carousel Ball will be Saturday, April 18, 2015. Alderwoman Ross said Memorial Day is May 24th this year. City offices will be closed on Monday, May 25th, which is the date of the second council meeting in May. She asked if the meeting would be rescheduled and if anything needed to be done by the council. Mr. Carter said Alderwoman Ross's comment would suffice as notice. Alderman Baxter said a lot of graduation ceremonies are held at Verizon Arena in May, which presents parking issues for council meeting. Mayor Smith will ask the parking lot managers to have spaces available for the meetings.

There being no further business to come before the Council, and on the motion of Alderwoman Robinson and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 6:51 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, April 27, 2015, 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