

November 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, November 25, 2019, was called to order at 5:57 p.m. by the Honorable Acting Mayor Linda Robinson.

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). Chief Deputy City Clerk/Treasurer Katelyn Thomas, Deputy City Clerk/Treasurer Talor Shinn and City Attorney Amy Fields were also present.

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

On the motion of Council Member Hight and seconded by Council Member Baxter and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Tuesday, November 12, 2019, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Council Member White and seconded by Council Member Baxter, and by consent of all members present, communication #3 was read, accepted and filed (8/0).

3. Mayor Joe A. Smith letter to City Clerk Diane Whitbey and City Council members re: recovery from recent appendectomy, Council Member Linda Robinson to preside over City Council meeting 11-25-19.

On the blanket motion of Council Member Taylor and seconded by Council Member Ross, and by consent of all members present, communications #1, 2, 4, 5, 6, and 7 were not read, but were accepted and filed (8/0).

1. Anita Paul, Mayor's Office, memorandum re: *Retail Beer Off-Premises - Change of Manager from David Wolfe*, for Doublebee's #112, 2623 North Main, by Robert C. Howell.
2. Ember Strange, Energy Risk Management Committee Chair/Finance Director memorandum to City Clerk Diane Whitbey re: Power Cost Adjustment rate for December, 2019 (.0018/kwh) negative.
4. Anita Paul, Mayor's Office, memorandum re: *Retail Beer Off-Premises - Replacement for Majid Kameli*, for Broadway Valero, 605 East Broadway, by Monica B. Han.
5. Anita Paul, Mayor's Office, memorandum re: *Retail Beer Off-Premises - Replacement for Steve S. Chunn and Small Farm Wine – NEW*, for Pike Avenue Convenience Store, 2300 Pike Avenue, by Baljit Kaur.
6. Anita Paul, Mayor's Office, memorandum re: *Restaurant Mixed Drink Minimum - Transfer of Location*, for Mamatana Salvadorean Restaurant, 5501 MacArthur Drive, by Ruth Fuentes.
7. Anita Paul, Mayor's Office, memorandum re: *Retail Liquor and Retail Beer Off - Premises- Replacement for Marty James*, for First and Last Chance Liquor, 11810 Maybelline Road, by Kamaljit Kaur.

No one signed in to speak under citizen comments on legislation.

### **UNFINISHED BUSINESS**

O-19-128

AN ORDINANCE ALLOWING A SPECIAL USE TO ALLOW A DAYCARE CENTER IN A R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2001 PARKER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was held by the sponsor, Council Member Taylor. (*applicant: Anthony Pettigrew*)

### **CONSENT AGENDA**

*None filed.*

### **NEW BUSINESS**

R-19-203 (RESOLUTION NO. 9780 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was read.

On the motion of Council Member Baxter and seconded by Council Member Harris, and by consent of all members present, the resolution was adopted (8/0).

R-19-204 (RESOLUTION NO. 9781 – MAYOR SMITH)

A RESOLUTION ADOPTING A BUDGET FOR THE 2020 FISCAL YEAR FOR 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 White. Council Member Ross asked that funds previously approved for the Police Department K-9 foundation expenses be under the Police Department. Finance Director, Ember Strange said there would be a line item for K-9 officers. Council Member Ross requested it be placed under the K-9 Foundation in the future.

Council Member Ross said Park Hill Fire Station No. 5 has been vacant for nearly one year due to the condition of the building. She requested that if the conditions were not met in order to use the building as a Fire Station, that funds be added to bring the building up to code for use as an office and allow the Fire Marshal's staff to move in. The Fire Marshal's Office has to be out of their current building by December 23<sup>rd</sup> and do not have a place to move in. Council Member White said the building should be safe and adequate for the Fire Marshal's needs. Council Member Ross said the Fire Station in Park Hill is important to neighborhood residents. The presence of Fire Department staff would provide some security for the neighborhood. Council Member Ross said this did not mean that Station No. 5 would not be brought back, but there is a cost to make the building livable for a Fire Station, and offices would be different. She said the bay area downstairs can be made into a neighborhood meeting space. She then asked \$150,000.00 be allocated for the 2020 budget to be used to renovate the building into office space for the Fire Marshal. Council Member White said any grant applications or estimates were based on the buildings continued use as a fire station. Acting Mayor Robinson asked if there was a figure quoted for the building (to remain a fire station). Council Member Ross said it

could take \$1 million. Council Member Ginn asked if Neighborhood Services storage building in the back would remain the same. Council Member Ross said this is for the fire station building only. Council Member Ross suggested a line item under Special Appropriations for Fire Station No. 5 in the 2020 Budget. Chief of Staff, Danny Bradley said the money was eligible to come out of the Sales Tax Capitol improvement fund or the 2017 Sales Tax Capital Improvement Fund for Fire Stations. Council Member Ross said the money was already marked in the 2017 Sales Tax Capital Improvement Fund for the new stations. The City can apply for a grant for windows, etc. Council Member Harris said he would like to tour the building. Ms. Fields advised an amendment should be specific enough to show how the money is intended to be used and where it is coming from. Mrs. Strange reminded the council that State law requires a balanced budget. Chief Bradley said funds should come from Sales Tax Capital Improvement funds. Mrs. Strange confirmed the money was there and can be used. The line item can be added without having to amend the revenues. On the motion of Council Member Ross and seconded by Council Member White, and by consent of all members present with the exception of Council Member Hight who passed, the resolution was amended as follows:: *add expense line in 2020 Budget in the amount of \$150,000.00 for Renovations to Station No. 5 for Fire Marshal's Office from Sales Tax Capital Improvement Fund.* (7/1). On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present with the exception of Council Member Hight who passed, the resolution was adopted as amended (7/1).

R-19-205 (RESOLUTION NO. 9782 – MAYOR SMITH)

A RESOLUTION ADOPTING A BUDGET FOR THE 2020 FISCAL YEAR FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT, ARKANSAS; 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 with the exception of Council Member Hight who passed, the resolution was adopted (7/1).

R-19-206 (RESOLUTION NO. 9783 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH THE NORTH LITTLE ROCK SCHOOL DISTRICT FOR THE EXCHANGE OF REAL PROPERTY; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Taylor and seconded by Council Member Ross. Council Member Ross asked if the North Little Rock School District would be responsible for any other insurance besides that stated within the legislation. Ms. Fields said the City has the building and the School District is responsible for the contents. She said the School board met and approved the agreement with one change. The agreement stated the School District would vacate the premises prior to a date in December, but asked it be extend until January 31<sup>st</sup>. On the previous motion and by consent of all members present, the resolution was adopted (8/0).

R-19-207 (RESOLUTION NO. 9784 – MAYOR SMITH)

A RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION OF THE CITY’S AGREEMENT WITH THE NORTH LITTLE ROCK CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT SERVICES; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Hight and seconded by Council Member Harris. Council Member White asked if the City still received economic development reports. Mr. John Owens, CEO North Little Rock Chamber of Commerce said the reports are filed quarterly. Council Member White asked how many employees were at Economic Development. Mr. Owens said there are two, Todd Larson and Robert Birch. He clarified Mr. Birch is full-time. On the previous motion and by consent of all members present, the resolution was adopted (8/0).

R-19-208 (RESOLUTION NO. 9785 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH PULASKI COUNTY, ARKANSAS CONCERNING THE OPERATION OF THE PULASKI COUNTY REGIONAL DETENTION FACILITY; 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 resolution was adopted (8/0).

R-19-209 (RESOLUTION NO. 9786 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO TASK ORDER NO. 1 IN FURTHERANCE OF DISASTER RECOVERY ADMINISTRATIVE SERVICES; AMENDING THE FY19 BUDGET FOR FLOOD RELATED EXPENSES; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Taylor and seconded by Council Member Baxter. Chief Bradley advised the City hired Witt Global Partners to assist with a flood that happened previously in the year. An additional \$2 million in funding was achieved during the disaster. The Mayor reached out to the company to inquire about two large projects within the city that included Dickey-Stephens Ball Park and dredging at the Hydro-plant which had an estimate of \$6 million. Mr. Bill Riley, Witt Global Partners Representative, advised the company’s services include an assessment and reviewing documents before they are sent to FEMA (Federal Emergency Management Agency) in order to maximize refunds. A more thorough discussion followed. Council Member Ross asked Mrs. Strange if \$400,000.00 budgeted for Dickey-Stephens Park would be applied towards mitigation. Ms. Strange said it was an additional amount. On the previous motion, and by consent of all members present, the resolution was adopted (8/0). (*\$1.5 million*)

R-19-210 (RESOLUTION NO. 9787 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES, OTHER STRUCTURES LOCATED AT 912 NORTH F 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. Acting Mayor Robinson convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the motion of Council Member Taylor, and seconded by Council Member Harris, and by consent of all members present, the resolution was adopted (8/0). (*owner: Burns Investment Properties*)

R-19-211 (RESOLUTION NO. 9788 – 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 Taylor. Acting Mayor Robinson 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 (8/0).

O-19-129 (ORDINANCE NO. 9188 – MAYOR SMITH)

AN ORDINANCE AMENDING THE 2019 QUOTA ORDINANCE (ORDINANCE NO. 9071) FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross 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 Taylor 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 (8/0). Emergency clause adopted (8/0).

O-19-130 (ORDINANCE NO. 9189 – MAYOR SMITH)

AN ORDINANCE ACCEPTING STREETS AND DRAINAGE FACILITIES WITHIN PHASE 9 OF FAULKNER CROSSING IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor 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 Taylor 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 (8/0). Emergency clause adopted (8/0).

O-19-131 (ORDINANCE NO. 9190 – MAYOR SMITH)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 1600 ROCKWATER BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM TND ZONING CLASSIFICATION TO THE C-4 ZONING CLASSIFICATION BY AMENDING ORDINANCE NO. 7697; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Harris and seconded by Council Member White and by consent of all members present, the readings were suspended (8/0). Council Member Taylor asked Planning Director

Shawn Spencer to explain the legislation. Mr. Spencer said the Planning Department is updating the Zoning Ordinance and it was discovered that the TND Classification that was created around ten years ago wasn't used so Planning is in the process of eliminating it. Council Member Ross asked why it was being changed to C-4. Mr. Spencer said the property is being returned to previous zoning. Council Member Hight asked if the location was a parking lot. Mr. Spencer confirmed it was. He said the lot isn't big enough to develop anything on. Council Member Ross asked if the residents were okay with the C-4 Classification. Mr. Spencer said residents were notified and a public hearing was held at the Planning Commission meeting where there was no opposition. On the motion of Council Member Taylor, 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 (8/0). Emergency clause adopted (8/0). (*applicant: City of North Little Rock*)

O-19-132 (ORDINANCE NO. 9191 – MAYOR SMITH)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED NORTH OF ROCKWATER BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM TND ZONING CLASSIFICATION TO THE R-4 ZONING CLASSIFICATION BY AMENDING ORDINANCE NO.7697; 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 adopted (8/0). Emergency clause adopted (8/0). (*applicant: City of North Little Rock*)

O-19-133 (ORDINANCE NO. 9192 – MAYOR SMITH)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED NORTH OF ROCKWATER BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM TND ZONING CLASSIFICATION TO THE CONSERVATION ZONING CLASSIFICATION BY AMENDING ORDINANCE NO. 7697; 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 Ross, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (8/0). Emergency clause adopted (8/0). (*applicant: City of North Little Rock*)

O-19-134 (ORDINANCE NO. 9193 – COUNCIL MEMBERS ROSS AND WHITE)

AN ORDINANCE AMENDING APPENDIX A, PARK HILL OVERLAY DISTRICT OF THE ZONING ORDINANCE (ORDINANCE NO. 7697) TO ALLOW AN OUTDOOR FOOD TRUCK COURT BY CONDITIONAL USE; AMENDING APPENDIX TO DEFINE “OUTDOOR FOOD TRUCK COURT” AND “FOOD TRUCK”; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member White and seconded by Council Member

Ross and by consent of all members present, the readings were suspended (8/0). Council Member White said this amendment would allow a food court in a specific location. The Park Hill Merchants Association support the legislation. Mr. Spencer said this legislation is not currently site specific, it would only amend the rules to allow it in the Park Hill Overlay District. This is part of a series of legislation that will need to be passed if someone is interested in going through the process to make it happen. There would be conditions in the final Ordinance. Acting Mayor Robinson convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. Council Member Ross said Park Hill and Levy created their own zoning when the Park Hill Jump Start Grants became available. Food trucks were not thought of at that time. Council Member Ross said Mr. Spencer has been working on the requirements for the legislation. 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 (8/0). Emergency clause adopted (8/0). Emergency clause adopted (8/0).

### **PUBLIC COMMENT**

No one signed in to speak under citizen public comment. Council Member Ross said the Northern Lights Festival is scheduled for November 30<sup>th</sup>, 5:30pm – 9:00pm. Chief Bradley said there will be a meeting Wednesday regarding a contingency plan if the weather is bad. The backup date is Sunday, December 1<sup>st</sup>. The North Little Rock Sertoma Club Christmas Parade will be held Sunday, December 1<sup>st</sup>, at 2:00pm.

There being no further business to come before the Council, and on the motion of Council Member Taylor and seconded by Council Member Harris, and by consent of all members present, the meeting was adjourned at 6:52 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, December 9, 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