

July 22, 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, July 22, 2019, was called to order at 6:00 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 Robinson.

On the motion of Council Member Hight 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, July 8, 2019, were approved as amended, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Council Member Baxter and seconded by Council Member Taylor, and by consent of all members present, communications #1 and 2, were accepted and filed (8/0).

1. Anita Paul, Mayor's Office memorandum re: *Restaurant Mixed Drink – Minimum – Replacement for Bryan Silva #04315*, for SOBO fka Gigi's Soul Café & Lounge, 10840 Maumelle Boulevard, by Jermaine Burton.
2. Anita Paul, Mayor's Office memorandum re: *Retail Beer Off-Premises – Change of Manager from Wendell Huddleston*, for Tobacco Superstore #42, 4604 John F. Kennedy Boulevard, Suite 10, by Stephanie A. Daniels.

Mayor Smith announced citizen comments on legislation. Mr. Nick Franke spoke against R-19-133. He said Maverick Trucking and Oakley Trucking Companies are expected to make millions of dollars this year and referenced research indicating the City of North Little Rock brought in about \$69 million this year. The average income for North Little Rock residents is \$47,000.00. The median value of a home in the city is \$77,000.00. Mr. Franke said Maverick, Oakley and Homers (Restaurant) could build their own hangars (and restaurant) and that no other city supports a publicly owned airport in Arkansas. The city gives the Airport \$100,000.00 each year. Mr. Franke said he is for improving infrastructure in the city. However, the city doesn't pay for Interstates to go through the city. Those are funded by the Federal Government. Airport Improvement Projects are also funded by the Federal Government and the Arkansas Department of Aeronautics. Ms. Bernadette Conley spoke against R-19-133. She said East Broadway has looked the same for many years and if the city is going to spend

millions, it should be on infrastructure on East Broadway. There is no entertainment to attract people to the area. Residents of Ward 2 have to go to other areas of the city for entertainment. Money (city funds) would be better used to improve East Broadway. Mr. Doug McDowall lives in Ward 4. He has a plane at the North Little Rock Airport. Mr. McDowall said a restaurant will bring in extra business to the city. When people are flying across the country, they often have to stop for fuel. Aviation fuel is expensive and pilots prefer to stop at an airport where there is a restaurant where they can have coffee or a bite to eat. North Little Rock is missing out on this business (fuel sales, etc.) by not having a restaurant. Mr. McDowall said he sees people from Camp Robinson in uniform in area restaurants every week. These people have to drive by the North Little Rock Airport to get to restaurants in Sherwood and other areas.

UNFINISHED BUSINESS

O-19-77 (ORDINANCE NO. 9151 – MAYOR SMITH)

AN ORDINANCE AMENDING ORDINANCE NO. 7697 (“THE ZONING ORDINANCE”) TO CONFORM TO ACT 446 OF THE 92ND ARKANSAS GENERAL ASSEMBLY; 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 Ross and seconded by Council Member Taylor, and by consent of all members present, the ordinance was amended as follows: *undelete Section 1.9 B. Setbacks, and J. Landscaping, Section 1.6 A. (red strikethrough only), D. Fencing, and G. Landscaping 1., 2., 3., and 4. Sections will also be renumbered as required* (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 as amended (8/0). Emergency clause unanimously adopted (8/0).

O-19-84

AN ORDINANCE APPROVING THE APPLICATION OF PARK HILL PUMP, INC. FOR A PRIVATE CLUB TO BE LOCATED AT 4608 JOHN F. KENNEDY BOULEVARD, NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time, June 24, 2019, was read a second time. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the remaining reading was suspended (8/0). A motion to adopt was made by Council Member Taylor and seconded by Council Member Baxter. Council Member Ross asked if the applicant was present. On the previous motion, and the roll having been called, and all members present having voted “no”, the motion to adopt failed (0/8).

O-19-90

AN ORDINANCE AMENDING ORDINANCE NO. 9094 WHICH GRANTED A SPECIAL USE TO ALLOW A BINGO HALL IN A C-3 ZONE FOR PROPERTY LOCATED AT 2655 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND

FOR OTHER PURPOSES, was called and held at the request of the sponsor, Council Member Baxter. (applicant: *Highly Favored Ministries – Keitra Murdock and Corichia Brisco*)

CONSENT AGENDA

None filed.

NEW BUSINESS

R-19-130 (RESOLUTION NO. 9709 – MAYOR SMITH)

A RESOLUTION APPROVING RETROACTIVE SALARY INCREASES FOR THE PERIOD OF JANUARY 12, 2019 TO MAY 31, 2019 FOR FULL-TIME SALARIED EMPLOYEES

(EXCLUDING UNIFORMED POLICE PERSONNEL, UNIFORMED FIRE PERSONNEL, I.T.

EMPLOYEES WHO RECEIVED A SALARY ADJUSTMENT IN 2019, AND ELECTED

OFFICIALS), AND THE POLICE AND FIRE CHIEFS, THE ASSISTANCE POLICE AND FIRE

CHIEFS, THE FIRE BATTALION CHIEFS, AND THE FIRE MARSHAL, THE CITY ATTORNEY

AND THE CITY CLERK OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR

OTHER PURPOSES, was read. A motion to adopt was made by Council Member Hight and seconded by Council Member Ross. 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:: *to include the City Clerk and City Attorney (8/0)*. On the motion of Council Member Ross and seconded by Council Member Hight, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

R-19-131 (RESOLUTION NO. 9710 – MAYOR SMITH)

A RESOLUTION AMENDING RESOLUTION NO. 9568 (2019 BUDGET) TO AMEND THE FY19 BUDGET FOR A 2.5% PAY INCREASE, RETROACTIVE FROM JANUARY 12, 2019 TO MAY

31, 2019, TO CURRENT FULL-TIME, NON-UNIFORMED, SALARIED AND CLASSIFIED

EMPLOYEES (EXCLUDING UNIFORMED POLICE PERSONNEL, UNIFORMED FIRE

PERSONNEL, AND I.T. EMPLOYEES WHO RECEIVED A SALARY ADJUSTMENT IN 2019),

THE POLICE AND FIRE CHIEFS, THE ASSISTANT POLICE AND FIRE CHIEFS, THE FIRE

BATTALION CHIEFS, AND THE FIRE MARSHAL OF THE CITY OF NORTH LITTLE ROCK,

was read. A motion to adopt was made by Council Member Hight and seconded by Council Member Taylor. On the motion of Council Member Ross and seconded by Council Member Taylor, and by

consent of all members present, the resolution was amended as follows:: *add \$2,050.00 to General*

Fund amount (8/0). On the motion of Council Member Hight and seconded by Council Member Ross,

and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

(amount - \$277,683.26)

R-19-132 (RESOLUTION NO. 9711 – COUNCIL MEMBER TAYLOR)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN

AGREEMENT TO REHABILITATE PROPERTY LOCATED AT 3320 EAST BROADWAY

STREET IN THE CITY OF NORTH LITTLE ROCK; 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). (*owner: Kunal Manmeet, LLC*)

R-19-133 (RESOLUTION NO. 9712 – MAYOR SMITH)

A RESOLUTION EXPRESSING THE INTENT TO ISSUE REVENUE BONDS IN THE AMOUNT OF \$4,500,000.00 FOR THE PURPOSE OF FINANCING IMPROVEMENTS TO THE NORTH LITTLE ROCK AIRPORT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Hight and seconded by Council Member Taylor. Mayor Smith said the city has been working on this project for some time and acknowledged members of the North Little Rock Airport Commission who were present. He thanked them for their volunteer service on the commission and commended them for their work. Council Member Ross asked if the proposed restaurant would be a complete build-out or a shell. Mayor Smith said the restaurant (owners) would do the build out which could cost close to \$500,000.00. Rick Ashley, who is a developer will work with the city to negotiate a fair price. Council Member Ginn agreed the city could use more business. She said she ate at Homers Restaurant this week and the food was very good and reasonably priced. If the city is going to have an airport, it should be a nice one. Council Member Ginn said a business could lease the land and build their own hangar. The taxpayers of the city shouldn't have to pay to build one and no other city in the state does this. If the council approves \$4.5 million, then it needs to serve a large portion of the city and be profitable. Sixty-four thousand dollars in revenue is generated annually by (existing) hangars. As a result of the flood this year, city streets are in need of repair. She spoke with the City Engineer about traffic on Batesville Pike and parking around Crestwood Elementary (School) and was advised those projects have been postponed for a year (also due to the flood). Taxes were increased to pave streets. Council Member Ginn said the majority of the people she represents have never been to the North Little Rock Airport. A new building may not be required. Upgrading the facilities could be sufficient. Businesses will not make their decision to come to our city based on a new building and restaurant. She added that North Little Rock's Airport is the largest in the state. The land is owned by Camp Robinson with the stipulation that the property be used as an airport. The largest leasers are Maverick Trucking, Centennial Bank and Sport Air. Council Member Ginn said she was told that if there had been a demand for a restaurant at the airport, a private business would have built one by now. She asked what will happen if the restaurant (Homers) goes under and would another restaurant be able to lease it (the location). She also asked the amount and length of the lease. She suggested pilots call for food delivery when they know they are coming into the airport. This would save a lot of money. Council Member White said members of the council had the opportunity to visit several airports around the state in the past. The majority of her constituents do not feel the money should be spent on airport renovations. Council Member Ross said her concern is obligating the city for an additional \$408,000.00 for the next 15 years. The project could be done in phases at less cost. Council Member Hight said he has supported multiple projects in other areas of the city which included: Dickey-Stephens Ball Park, new Police and Courts Building, Park Hill and Levy Jumpstart Programs, Argenta Plaza and 600 Main Building, Patrick Henry Hays Senior Citizens

Center, Burns Park improvements including the ball fields, dog park, river trail, etc., a Roundabout downtown, Rockwater Boulevard infrastructure funding, the Library (Laman and Argenta Branch), Recreation Centers, and more. None of these things are in Ward 4. The only thing we have in Ward 4 is the Airport. Homers Restaurant is a good restaurant and will generate revenue. Mayor Smith said public investment creates private investment. Council Member Ross said there is only a limited amount of money that residents will spend in restaurants. On the previous motion, and the following members having voted yes: Taylor, Baxter, Harris and Hight, and the following members having voted no: Ross, White, Robinson, and Ginn, and the Mayor having voted yes, the resolution was adopted (5/4).

Mayor Smith convened a public hearing on the following condemnations: R-19-134 - 5509 Chiquito Road, R-19-135 - 5217 Chiquito Road, and R-19-136 - 1220 West 18th Street. There being no one present wishing to be heard, the public hearing was adjourned.

R-19-134 (RESOLUTION NO. 9713 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5509 CHIQUITO ROAD 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). (*owner: Herman Wilkins, Jr.*)

R-19-135 (RESOLUTION NO. 9714 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4217 CHIQUITO ROAD 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). (*owner: Marquis Thompson*)

R-19-136 (RESOLUTION NO. 9715 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1220 WEST 18TH 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: Danny L. Hinson*)

R-19-137 (RESOLUTION NO. 9716 – 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. 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).

O-19-92 (ORDINANCE NO. 9152 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO FLEMING ELECTRIC, INC. FOR ELECTRICAL SERVICES FOR THE OPERATION OF GENERATORS AND PUMPS; 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 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). (*\$34,287.18 – Electric Department Budget*)

O-19-93 (ORDINANCE NO. 9153 – MAYOR SMITH AND COUNCIL MEMBER TAYLOR)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT BAYOU DRIVE IN THE PLANNING JURISDICTION OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R-2 ZONING CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (PUD) 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 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 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). (*applicant: Brandon Chapman*)

O-19-94 (ORDINANCE NO. 9154 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE AMENDING ORDINANCE NO. 9130 WHICH GRANTED A CONDITIONAL USE TO ALLOW A TIRE SHOP AND AN AUTO DETAIL BUSINESS IN A C-4 ZONE FOR PROPERTY LOCATED AT 923 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). Council Member Taylor said this building

is next to Taco Bell. The previous ordinance contained a condition to close one of the curb cuts. However, there is no reason to do so. The existing cuts can be used for egress and ingress. City Attorney Fields advised the hours of operation are being changed from *Midnight to 10:00 p.m.* to 6:00 a.m. until 10:00 p.m. On the motion of Council Member White, 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). (*applicant: Larry Carpenter*)

O-19-95 (ORDINANCE NO. 9155 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE ALLOWING A SPECIAL USE TO ALLOW A TATTOO PARLOR IN A C-6 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 112 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 Robinson and seconded by Council

Member Taylor, and by consent of all members present, the readings were suspended (8/0). Council Member Robinson attended the Argenta Neighborhood Group meeting and the members present were in support of this business, which is currently located in Rose City. Mayor Smith asked the applicant, Mr. Scott Diffie to come forward. He said he has seen Tattoo Parlors (elsewhere) which had a lot of lights and signs that were a bit much. Mr. Diffie said he has been in business in North Little Rock for 20 years and has an established clientele. His intent is to remain low-key. He may put a strip of neon (lights) inside the windows. Mayor Smith asked about restrictions. Mr. Shawn Spencer, Planning Director said nothing was discussed (or added) during the Planning Commission meeting. Mayor Smith said Mr. Diffie's business will be (one of) the first people will see when they cross the (Main Street) bridge. Council Member Hight said the first thing you see when you cross the Main Street Bridge is a Pawn Shop. The next thing will be a Tattoo Parlor. This business doesn't seem like a good fit. Council Member Robinson said it is a new day, and a new generation. A lot of people like tattoos. She has constituents who are excited about this business. Mr. Diffie has kept his location in Rose City nice. People in the area appreciated his involvement in the community. This will be a win-win for the (downtown) area. Council Member Taylor said Mr. Diffie has a respectable business and tattoos are considered an art form. Mr. Diffie said customers must sign consent forms and the business is inspected by the State Health Department twice a year. Council Member Ross asked Mr. Diffie if they also offered tattoo removal. Council Member Baxter said a lot of people travel to Florida, where in many cities, there are multiple tattoo shops. On the motion of Council Member Ross and seconded by Council Member Robinson, and the roll having been called, and all members present having voted in the affirmative, with the exception of Council Member Hight, who voted no, the ordinance was adopted (7/1). Emergency clause unanimously adopted (8/0). (*applicant: Scott Diffie*)

PUBLIC COMMENT

Mr. Curtis Lyman owns property on Vine Street at the old S. A. Jones School Building which includes 10 acres. He is in the process of remodeling the building(s). Six to seven acres are vacant between Vine Street and Hickory Street. Residents cut his chain link fence and walk through his property. He

has renters which include a diesel mechanic who works on Amazon vans. He has tried repairing the fence and has rebuilt it. He doesn't know what else to do. He is trying to improve the buildings on the property. He doesn't mow the vacant areas because there are a lot of chiggers and blackberry bushes on the property, which are a deterrent. Mr. Lyman referenced a city ordinance that requires grass to be cut and asked to be excluded from the requirement to cut the grass until he can focus on improving that portion of the property. City Attorney Fields said one property owner cannot be excluded. Mr. Lyman said if he put up a privacy fence no one could see the property. Ms. Fields said that might be an option for Mr. Lyman. Council Member Hight asked Mr. Spencer the status of property at the corner of McCain and Randolph. Mr. Spencer said currently it is for townhomes, however, the plan has changed and the applicant will be coming back before the Planning Commission and City Council. Council Member Taylor said he was recently in Austin, Texas and had the opportunity to ride scooters. He said it was a great form of transportation. Council Member Ginn said the city has a new dog park in Burns Park called Barks and Rec, which opened today. Mayor Smith added that it is very nice. Council Member Hight asked about trees on McCain Boulevard. Council Member Ross said Mayor Smith has advised the council members from Wards 1 and 4 to get together and discuss the trees. Council Member Taylor said there are thriving cities with great (municipal) airports. Mayor Smith said the city has to be aggressive to be progressive when dealing with Economic Development. Council Member Robinson said Pastors and residents on East Broadway do not want a place where people can pull in and get a drink. Senior residents do not want a club or other drinking place. They want peace and quiet. Council Member Taylor referenced the property Mr. Carpenter is working on along with Hums Hardware and the old Warehouse Liquor location that will soon be rehabilitated. Turning around the area won't happen overnight, however, it is a process that is underway. Mayor Smith referenced the enlargement of the old Dons Weaponry location. Council Member Ross said the city has gone over budget on previous projects in the past and referenced The Justice Building as one. The budget for the North Little Rock Airport is set. She asked Mayor Smith to encourage them to stay within the budget. Mayor Smith said the funds from the Buckeye sell and the \$4.5 million the city will borrow is it. Council Member Ross asked if the Oakley sale fell through if the budget would be \$4.5 million. She also asked if the \$100,000.00 annual contribution from the city will also go away.

There being no further business to come before the Council, and on the motion of Council Member Taylor and seconded by Council Member Ross, and by consent of all members present, the meeting was adjourned at 7:04 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, August 12, 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