

August 24, 2020
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, August 24, 2020, was called to order at 6:00 p.m. by the Honorable Acting Mayor Debi Ross.

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). Mayor JOE A. SMITH was absent. City Clerk/Treasurer Diane Whitbey, and City Attorney Amy Fields were also present.

Note: the majority of Council Members participated in the meeting electronically. City Clerk Whitbey, City Attorney Fields, Council Member/Acting Mayor Debi Ross and Council Member Jane Ginn were present in the council chambers.

The prayer was led by Council Member Hight.

On the motion of Council Member Ginn and seconded by Council Member Baxter and by consent of all members present, the minutes from the North Little Rock City Council meeting and Special Call meeting scheduled for Monday, August 10, 2020, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the blanket motion of Council Member Baxter and seconded by Council Member Hight, and by consent of all members present, communications #1, 2, and 3, were accepted and filed (8/0). *Note: communication #3 was read and voted on under blanket motion.*

1. Anita Paul, Mayor's Office memorandum re: *Native Beer Permit (on premises) – New for The Filling Station*, 3623 John F. Kennedy Boulevard, by Joy Evans.
2. Ember Strange, Finance Director, memorandum to City Council Members re: July Financial Update (2020).
3. Mayor Joe A. Smith, letter to City Clerk Diane Whitbey and City Council Members re: unable to attend City Council Meeting, August 24, 2020. Council Member Ross to preside over meeting.

PRESENTATION

Finance Director Ember Strange said a Comprehensive Annual Financial Report (CAFR), which is an expanded and more detailed audit was prepared. A statistical section was also added. Mrs. Strange said the audit report has been submitted to the Government Finance Officers Association of the United States and Canada for consideration of a Certificate of Achievement for Excellence in Financial

Reporting. This is the highest form of recognition in the area of governmental accounting and financial reporting. Mrs. Strange then introduced Mr. David Coleman with BKD, LLP Audit Firm from Dallas, Texas. Mr. Coleman said the CAFR Award is a prestigious award. He commended the City Council for supporting the Finance Department. Mr. Coleman said the city has a 'clean opinion' regarding its financial statement. This means the financials are materially correct. A Grant Compliance Audit was included. Two (2) programs (and rules) were tested: Argenta Economic Development and FEMA funds (2019 Flood). The General Fund performed well for the year ending 2019. Mr. Coleman discussed reserves and balances. The city has seven (7) pension plans which include non-uniformed employees, Police and Fire. The city also has closed plans with LOPFI (for Police and Fire). This had to be restated in the Financial Statements. Mr. Coleman said the Finance Department was very helpful through the audit process. Acting Mayor Ross said Mrs. Strange will begin providing a monthly Financial Report during the 2nd City Council meeting each month. This will provide transparency to our residents.

Acting Mayor Ross announced citizen public comment on legislation. Two comments were submitted via email to the City Clerk's Office. Ms. Whitbey read both regarding O-20-75. Mr. John Cather and Mrs. Jane Cather Nilz own the Alexander House located at 13219 Highway 70, which was built in 1917, and is listed on the National Register of Historic Places. Their parents purchased the home, surrounding crop land and grocery store at Galloway in the 1960's. The family raised cattle and horses. Ms. Nilz provided family history and indicated they (she and her brother) are concerned about the future value of their property if a planned warehouse/distribution center is built on the farm land abutting their property. They are concerned the development will affect the value of their property. Mrs. Rachel Patton, Executive Director, Preserve Arkansas sent an email urging council members to take additional steps to minimize the adverse effects of light industrial development on the historic Schaer House and Hill Lake located immediately adjacent to the property at 13001 Highway 70. Mrs. Patton said she has admired the Schaer House and the Cypress-filled oxbow lake that runs along the south side of Highway 70 directly across from the house. The gorgeous Craftsman-style home, likely designed by well-known Arkansas architect Charles L. Thompson, features a red tile roof and a trellised porte cochere. The house was listed in the National Register of Historic Places in 2007 and remains in good, well-maintained condition. Mrs. Patton encouraged the City Council to consider additional measures to protect one of Galloway's few remaining historic properties.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

Acting Mayor Ross called for a voice vote and all members present having voted "aye", consent items R-20-119, R-20-120, R-20-121, R-20-122, R-20-123, R-20-124, and R-20-125, were adopted (8/0).

R-20-119 (RESOLUTION NO. 9907 – MAYOR SMITH)

A RESOLUTION REAPPOINTING SUZANNE CLEMENTS JACKSON TO THE NORTH LITTLE ROCK HISTORY COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-20-120 (RESOLUTION NO. 9908 – MAYOR SMITH)

A RESOLUTION REAPPOINTING KRISTAL CLARK TO THE NORTH LITTLE ROCK HISTORY COMMISSION, AND FOR OTHER PURPOSES, was adopted (8/0).

R-20-121 (RESOLUTION NO. 9909 – MAYOR SMITH)

A RESOLUTION REAPPOINTING ANN CLEMENTS TO THE NORTH LITTLE ROCK HISTORY COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-20-122 (RESOLUTION NO. 9910 – MAYOR SMITH)

A RESOLUTION REAPPOINTING DEEANA MONTGOMERY TO THE POSITION ON THE NORTH LITTLE ROCK HISTORY COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-20-123 (RESOLUTION NO. 9911 – MAYOR SMITH)

A RESOLUTION REAPPOINTING BELINDA SYKES-BURNEY TO THE NORTH LITTLE ROCK HISTORY COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-20-124 (RESOLUTION NO. 9912 – MAYOR SMITH)

A RESOLUTION REAPPOINTING DEBRA WOOD TO THE POSITION ON THE NORTH LITTLE ROCK HISTORY COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-20-125 (RESOLUTION NO. 9913 – MAYOR SMITH)

A RESOLUTION REAPPOINTING SUSAN MARKMAN TO THE NORTH LITTLE ROCK HISTORIC DISTRICT COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

Acting Mayor Ross thanked all of the above for their continued service on the North Little Rock History and Historic District Commissions.

NEW BUSINESS

R-20-126 (RESOLUTION NO. 9914 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1320 EAST WASHINGTON AVENUE 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 Taylor

and seconded by Council Member Hight. Acting Mayor Ross 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). (*owners: Arnoldo Diaz and Sonia Arteaga*).

R-20-127 (RESOLUTION NO. 9915 – MAYOR SMITH)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 610 GORDON STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Taylor and seconded by Council Member White. Acting Mayor Ross 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). (*\$5,163.81*)

R-20-128 (RESOLUTION NO. 9916 – 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 Taylor and seconded by Council Member Baxter. Acting Mayor Ross 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-20-72 (ORDINANCE NO. 9273 – MAYOR SMITH)

AN ORDINANCE AMENDING THE 2020 QUOTA ORDINANCE (ORDINANCE NO. 9197) FOR THE NORTH LITTLE ROCK COMMERCE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council Member Hight, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Ginn 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).

O-20-73 (ORDINANCE NO. 9274 – MAYOR SMITH)

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; ASSIGNMENT OF SAID TERRITORY TO WARD 2; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council Member Hight, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Ginn 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).

O-20-74 (ORDINANCE NO. 9275 – MAYOR SMITH)

AN ORDINANCE AMENDING ORDINANCE NO. 9235 WHICH GRANTED A CONDITIONAL USE TO ALLOW A DAYCARE IN A CPH ZONE FOR PROPERTY LOCATED AT 3801 JOHN F. KENNEDY BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS;

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). A motion to adopt was made by Council Member Hight and seconded by Council Member Taylor. Council Member White asked the owner about the ratio of children and staff that includes transporting children from the building to the play area. Ms. LaAngela Medley (who participated in the meeting via telephone). Ms. Medley said that class room has 20 children and she will have adequate staff. Only 10 children will be on the playground at a time. Council Member Hight asked about access to the building. Ms. Medley said there is a sidewalk from the parking lot to the classroom. Council Member Hight said a new retail business is building a new building on the property. Acting Mayor Ross said Mayor Smith looked at the property and supported this legislation. On the previous motion, 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: LaAngela Medley*)

O-20-75 (ORDINANCE NO. 9276 – MAYOR SMITH, COUNCIL MEMBERS TAYLOR AND ROBINSON)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 13001 HIGHWAY 70 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R-2 TO I-2 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; 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 Taylor and seconded by Council Member White, and by consent of all members present, the readings were suspended (8/0). At the request of Council Member Taylor, and without objection Council Member Robinson was added as a cosponsor. Council Member Ginn said this legislation is to rezone the property only. Any consideration as to a business operation will be discussed at another time. Mr. Thomas Pownall is the applicant on this legislation. Mr. Pownall said the rezone is approximately 450 acres. The portion to be developed for a distribution center is about 100 acres west of the residential properties. He said the distance is 200 to 300 feet from the property lines referenced in previous comments to the council. A 50 foot greenbelt will be on their property. There is a Conservation area to the north which is also part of this property. Current requirements and permits for wetlands, storm drains, water retention, etc. will be obtained. Acting Mayor Ross had concerns regarding future development. Mr. Pownall said the 100 acres he referenced went through a Site Plan Review. Any other development will have to do the same. Council Member Ginn asked how many jobs will be brought to the area. Mr. Pownall said it

should be in excess of 500. On the motion of Council Member Taylor and seconded by Council Member White, 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: Thomas Engineering*)

O-20-76 (ORDINANCE NO. 9277 - COUNCIL MEMBER BAXTER)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A MINOR AUTO REPAIR IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 11921 MAUMELLE BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; 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, with the exception of Council Member Hight who was having technical difficulties, the readings were suspended (7/1). A motion to adopt was made by Council Member Baxter and seconded by Council Member Taylor. Council Member Ginn said she spoke with Scott Grammer, Maumelle Planning Department said this request and the next one will be good for the area (North Little Rock and Maumelle). On the previous motion, 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: Lemons Engineering*)

O-20-77 (ORDINANCE NO. 9298 – COUNCIL MEMBER BAXTER)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A TIRE SHOP IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 11921 MAUMELLE BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; 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 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 unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Lemons Engineering*)

PUBLIC COMMENT

Council Member Harris asked for an update on the city's efforts with regard to the 2020 Census count. Acting Mayor Ross said Mrs. Margaret Powell was not present, but would ask if she can provide an update for the next meeting. Acting Mayor Ross also encouraged people to visit Census.gov to complete the 2020 Census and encouraged everyone to help each other. The value of funding provided by a reported family of four (4) is \$120,000.00 over a period of ten (10) years. Council Member Ginn said the deadline to complete the Census is September 29, 2020. Council Member Robinson complimented the Street Department on their work. Council Member Baxter thanked the IT people. He didn't have any audio issues. Ms. Whitbey read a public comment called in by Mr. James Ard. "It's election time and the candidates cannot get their message out as they used to. So choose the right candidate for the job. It would be great if everyone would pray before choosing their candidates."

Council Member Ginn has a sign in her yard *We Back the Blue*. Anyone wanting to obtain one can contact The Wright Sign Shop at 501-834-4255.

There being no further business to come before the Council, and on the motion of Council Member Hight and seconded by Council Member Baxter, and by consent of all members present, the meeting was adjourned at 6:50 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, September 14, 2020, 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