

September 9, 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, September 9, 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, Deputy City Clerk/Revenue Enforcement Officer Shannon Carroll, and City Attorney Amy Fields were also present.

Council Member Ginn spoke about children growing up with little direction or church attendance and how the results could be devastating. She then spoke of a team of youth who were sponsored by the Pershing United Pentecostal Church to compete in the National Bible Quiz Tournament. She introduced Matson and Annity Clay (ages 6 and 4) and Lillian Ussery (8 years old), and their coach Matthew Clay and pastor Reverend Richard Whittington. The team of three spent months preparing for the competition and came in 4th Place in the State of Arkansas. Matson learned 165 (Bible) verses. Council Member Ginn then invited Matson to recite some versus. Mayor Smith commended the youth on their accomplishments.

The prayer and pledge of allegiance were led by Reverend Whittington at the request of Council Member Ginn.

On the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, the minutes from the North Little Rock City Council meeting and a Special Call meeting held on Monday, August 26, 2019, were approved, accepted and filed as prepared by the City Clerk (8/0).

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

1. Ember Strange, Energy Risk Management Committee Chair/Finance Director memorandum to City Clerk Diane Whitbey re: Power Cost Adjustment (PCA) rate for September, 2019 (.0016/kwh) negative.
2. Anita Paul, Mayor's Office memorandum re: *Retail Beer off Premises – Change of Manager from Patrick Simpson* for Love's Country Store #236, 11801 E. I-40, by Courtney Tatum.

Mayor Smith announced the Special Call meeting.

September 9, 2019

Special Meeting of the North Little Rock City Council

Honorable Members of the North Little Rock City Council:

The purpose of this e-mail is to advise you that Mayor Smith has called a special meeting of the North Little Rock City Council at 6:00 p.m. on Monday, September 9, 2019, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-19-166 – Authorizing the North Little Rock Parks and Recreation Director to execute a Customs Power of Attorney with Gilscot-Guidroz International Company, Inc. to allow for the import of playground equipment for the One Heart Playground. Sponsor: Mayor Joe A. Smith

O-19-107 – Authorizing the issuance of Capitol Improvement Revenue Bonds, Series 2019A; authorizing a Trust indenture securing the bonds; authorizing the sale of the bonds and the execution of a bond purchase agreement; prescribing other matters pertaining thereto; repealing Ordinance No. 9165 . Sponsor: Mayor Joe A. Smith

Pursuant to North Little Rock Ordinance No. 9079, you are entitled to 72 hours' *electronic* notice of this meeting. Please acknowledge receipt of this e-mail as soon as possible by replying to the same. A copy of your reply will automatically be sent to City Clerk Diane Whitbey.

Amy Beckman Fields
City Attorney

Special Call R-19-166 (RESOLUTION NO. 9734 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE NORTH LITTLE ROCK PARKS AND RECREATION DIRECTOR TO EXECUTE A CUSTOMS POWER OF ATTORNEY WITH THE GILSCOT-GUIDROZ INTERNATIONAL COMPANY, INC. TO ALLOW FOR THE IMPORT OF PLAYGROUND EQUIPMENT FOR THE ONE HEART PLAYGROUND; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Robinson and seconded by Council Member Taylor. Mayor Smith said the company makes a swing that a wheel chair can be attached to. A Customs Agent has to get it through customs. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0). (\$750.00)

Special Call O-19-107 (ORDINANCE NO. 9166 – MAYOR SMITH)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2019A; AUTHORIZING A TRUST INDENTURE SECURING THE BONDS; AUTHORIZING THE SALE OF THE BONDS AND THE EXECUTION OF A BOND PURCHASE AGREEMENT; PRESCRIBING OTHER MATTERS PERTAINING THERETO; REPEALING ORDINANCE NO. 9165; AND DECLARING AN EMERGENCY, 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). A motion to adopt was made by Council Member Taylor and seconded by Council Member Robinson. Mayor Smith advised Bond Counsel had concerns about borrowing money and then leasing a (Airport) building. This ordinance will split two issues. Funding for The Justice Building cannot be delayed. Council Member Ross asked if the issue was due to funds coming from a bond issue and a possible lease agreement. City Attorney Fields said the (Bond) Counsel requested information regarding the type(s) of lease agreement(s). (North Little Rock) Airport Director Clay Rogers acquired (copies of) Lease Agreements from other airports around the state that are similar in size. There are parameters regarding leasing public facilities built with bond money. 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 adopted (8/0).

All who signed in to speak during citizen comments on legislation are applicants and available to answer questions when their item was called.

UNFINISHED BUSINESS

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*)

R-19-151

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED ALONG MEMORIAL DRIVE AND PERSHING CIRCLE 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 called and held by the sponsor, Mayor Smith (*owner: 1 Pershing Circle LLC*)

R-19-152

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2910 EAST BROADWAY 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 called and withdrawn by the sponsor, Mayor Smith (*owner: Arkansas Group of C Stores #2, LLC*). Mayor Smith advised the city has received a plan for the subject property from the Attorney representing the same.

CONSENT AGENDA

None filed.

NEW BUSINESS

R-19-157 (RESOLUTION NO. 9735 – MAYOR SMITH)

A RESOLUTION TO MAKE MINOR AMENDMENTS TO THE 2019 ANNUAL ACTION PLAN OF THE CITY OF NORTH LITTLE ROCK IN REGARDS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; 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 resolution was unanimously adopted (8/0).

R-19-158 (RESOLUTION NO. 9736 – MAYOR SMITH)

A RESOLUTION RATIFYING THE CONTRACT WITH CINERGI CONTRACTORS FOR THE NORTH LITTLE ROCK SIDEWALK PROGRAM FOR 2018 AND 2019; AUTHORIZING THE EXTENSION OF SAID CONTRACT THROUGH DECEMBER 31, 2020; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hight, and seconded by Council Member Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-19-159 (RESOLUTION NO. 9737 – MAYOR SMITH)

A RESOLUTION UPDATING THE APPROPRIATION OF THE CITY OF NORTH LITTLE ROCK'S PRO RATA SHARE OF THE 20% LOCAL MATCHING FUNDS REQUIRED FOR THE ADAPTIVE SIGNAL CONTROL PROJECT FOR MAUMELLE BOULEVARD (ARKANSAS STATE HIGHWAY 100); 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 resolution was unanimously adopted (8/0).

R-19-160

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A DEVELOPMENT AGREEMENT AND TO SELL PROPERTY LOCATED ON MAIN AND 6TH STREETS TO J. CHANDLER & COMPANY, INC.; AND FOR OTHER PURPOSES, was called and

held by the sponsor, Mayor Smith. Mayor Smith said there is an issue with regard to parking which should be resolved this week.

R-19-161 (RESOLUTION NO. 9738 – MAYOR SMITH)

A RESOLUTION APPROVING ROCKWATER VILLAGE PHASE 3 SUBDIVISION IMPROVEMENTS; AUTHORIZING DISBURSEMENT OF FUNDS FROM 2019 REDEVELOPMENT DISTRICT CONSTRUCTION FUND FOR EXPENSES RELATED TO

PROJECT; 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 resolution was unanimously adopted (8/0).

R-19-162 (RESOLUTION NO. 9739 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN OFFER AND ACCEPTANCE WITH JOHN L. PRIDE, RUTH L. PRIDE, PHILLIP PARSONS, SHIRLEY L. PARSONS, BILLY MANTOOTH, LUCY C. MANTOOTH, KEN WIESNER, AND JILL WIESNER AND TO PURCHASE CERTAIN REAL PROPERTY LOCATED AT THE CORNER OF FAIRFAX AVENUE AND MCCAIN BOULEVARD 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 Baxter. Mayor Smith said the city purchased property for the right-of-way for the McCain (Boulevard) overpass. A small parcel next to the railroad tracks was excluded from the purchase agreement. The owners have been paying taxes on property that is landlocked. The property appraised at more than \$10,000.00. The amount herein is fair and will resolve the issue. On the previous motion, and by consent of all members present, the resolution was unanimously adopted

(8/0). (\$10,000.00)

R-19-163 (RESOLUTION NO. 9740 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE APPLICATION BY THE CITY OF NORTH LITTLE ROCK FOR FUNDS UNDER THE 2020 ARKANSAS COMMUNITY ASSISTANCE GRANT PROGRAM; 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 resolution

was unanimously adopted (8/0).

R-19-164 (RESOLUTION NO. 9741 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE APPLICATION BY THE NORTH LITTLE ROCK POLICE DEPARTMENT FOR FUNDS UNDER THE 2019 EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM; 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).

R-19-165 (RESOLUTION NO 9742 – MAYOR SMITH)

A RESOLUTION APPROVING AND CERTIFYING AMOUNTS OF LIENS TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTIES 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 Hight 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-19-106 (ORDINANCE NO. 9167 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE GRANTING A WAIVER OF THE SIDEWALK REQUIREMENTS OF SECTION 12.21 OF THE ZONING ORDINANCE AND SECTION 9.11 OF THE SUBDIVISION ORDINANCE FOR CERTAIN REAL PROPERTY LOCATED AT 3003 GRIBBLE 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). 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 (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Jason Bouwknecht of Halff+Marlar*) Mayor Smith said this is a multi-million dollar project.

PUBLIC COMMENT

Council Member Ross asked if maps, etc., could be attached to legislation when it is filed for the council agenda. This is helpful in determining the location of property, etc. Council Member Hight had calls regarding ways to save the downtown (Argenta Branch) Library. Mayor Smith said this is a top priority. Council Member Robinson said the Glenview Neighborhood Association had someone from Code Enforcement and Sanitation attend their meeting. Both representatives were informative and the residents have a better understanding of how the two departments work. She thanked both for attending and speaking to the members. Council Member Ross said the Scott Firefighter Challenge will be held at McCain Mall (in the Sears parking lot). The competition begins this Friday and will run through Saturday. The public is invited to attend. Mayor Smith said firefighters from across the country will compete against each other. Mayor Smith said the North Little Rock Fire Department sent six firefighters to North Carolina to offer assistance following hurricane Dorian. Council Member Taylor said he talked to constituents over the weekend who are interested in saving the (downtown) Library. Mayor Smith said options are being considered. Library Director Crystal Gates is looking at other urban type libraries and the possibility of sharing the building. Ms. Whitbey said the Arkansas National Guard's *Be Your Best Day* will be Saturday, September 21, 2019, at Camp Robinson/Camp Pike here in North Little Rock. The event is free to the public. Fire Chief Tucker invited people to Fire Fest which will be October 8, 2019, in the McCain Mall parking lot. A rain date has been set. National Night Out events will be held on October 1, 2019.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the meeting was adjourned at 6:28 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, September 23, 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