

December 10, 2018  
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, December 10, 2018, was called to order at 6:01 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, CHARLIE HIGHT and MURRY WITCHER (7/0). Council Member RON HARRIS arrived late. City Clerk Diane Whitbey and City Attorney Amy Fields were also present.

The prayer and pledge of allegiance was led by Council Member Hight.

On the motion of Council Member Witcher and seconded by Council Member Hight and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, November 26, 2018, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, communications #1, 2, 3, and 4 were not read, but were accepted and filed (7/0).

1. Anita Paul, Mayor's Office memorandum re: *Retail Beer Off Premises – Replacement from Amelia Hernandez, for Taqueria Guadalajara dba Guadalajara Grocery*, 3809 Camp Robinson Road, by Ramon Hernandez.
2. Anita Paul, Mayor's Office memorandum re: *Retail Beer On Premises – Replacement from Amelia Hernandez, for Taqueria Guadalajara*, 3811 Camp Robinson Road, by Ramon Hernandez.
3. Anita Paul, Mayor's Office memorandum re: *Retail Beer Off Premises Replacement from Mike Lashbrook, for Locust Food Mart*, 1424 N. Locust, by Sulaiman Hudda.
4. Mayor Joe A. Smith, letter to City Council Members re: Logo for Argenta Plaza.  
Mayor Smith said North Little Rock Convention and Visitor's Bureau staff worked on this logo and considered different designs.

There was no citizen public comment on legislation.

### **UNFINISHED BUSINESS**

R-18-210 (RESOLUTION NO. 9563 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDMENT TO THE AGREEMENT BETWEEN THE REGIONAL RECYCLING AND WASTE REDUCTION DISTRICT, CITY OF NORTH LITTLE ROCK, CITY OF LITTLE ROCK, CITY OF

SHERWOOD AND WASTE MANAGEMENT OF ARKANSAS, INC. TO EXTEND THE TERM OF AGREEMENT FOR RESIDENTIAL RECYCLING CURBSIDE PICK-UP SERVICES; AND FOR OTHER PURPOSES, was read. Mayor Smith said the final draft (of the agreement) was reviewed by all parties over the weekend. A motion to adopt was made by Council Member Hight and seconded by Council Member Baxter. Council Member Ross referenced page 8 (contract compensation) being based on residential water meters. Ms. Fields advised billing is on the customer's Electric bill, but is in fact based on the number of water meters. Council Member Hight referenced the portion that referred to changing laws in other countries and the effect on rates. Mayor Smith said the language is similar to an agreement with the City of Nashville. Council Member Baxter said residents have made calls to Waste Management in the past and referenced a section of the agreement that referred to calls being made by the city. He asked if residents are supposed to contact North Little Rock Sanitation or Waste Management. Mayor Smith said the city is going to educate the public regarding contamination issues. Reducing contamination levels could result in more reasonable rates in the future. Council Member White said some of the content (what can and cannot be recycled) is vague and said specific details need to be provided to the public. She also referenced items included in the previous agreement that were not fulfilled (by Waste Management). Council Member Ross asked that weekly reports be provided to the city (Mayor) and shared with the City Council Members. Mayor Smith said whether or not reports are submitted (to the city) depends on who the Regional Manager is. On the motion of Council Member Ross and seconded by Council Member Witcher, and by consent of all members present, the resolution was amended as follows: *attach Exhibit "A" provided this date (7/0)*. A motion to adopt as amended was made by Council Member Hight and seconded by Council Member Witcher. Council Member Ross asked about "uncontrollable changes" and what that meant. Mayor Smith referenced a natural disaster like a (severe) storm or tornado. Ms. Fields said storm events were separated. In the event of a storm, Waste Management could forego running their routes. However, if the route is not picked up, the city would not pay for the period of time that routes were not serviced. Regarding the change in law (International), Waste Management can ask the city for an increase in rates. The city has an obligation to negotiate. If there is no agreement, the rate included in the contract (agreement) would remain until the end of the term. Any modifications to the contract (agreement) would have to be brought back to the City Council for approval. On the previous motion, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

*Note:* Council Member Harris entered the Council Chambers at 6:14 p.m.

O-18-90 (ORDINANCE NO. 9061 – MAYOR SMITH)

AN ORDINANCE APPROVING COMPENSATION AND BENEFITS FOR UNIFORMED EMPLOYEES OF THE NORTH LITTLE ROCK FIRE DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read November 13, 2018, and the readings were suspended. The ordinance was read and a motion to adopt was made by Council Member Hight and seconded by Council Member Witcher. Mayor Smith said he met with Fire Department representatives. This legislation is the same as that approved for the Police Department. It identifies

what and how the employees are being paid. Mayor Smith said there has to be an agreement between the department and the City Council. Otherwise, employees are receiving benefits that have not been approved. An example would be the monthly meal allowance (\$100.00 per month per employee). This legislation does not change pay or benefits. Ms. Fields referenced an amendment regarding sick leave. On the motion of Council Member Witcher and seconded by Council Member Ross, and by consent of all members present, the resolution was amended as follows: *Section L. Sick Leave, strike through After the first year of employment, e and insert a capitol E (8/0)*. Council Member Robinson asked if everything would remain the same following several meetings with representatives. Mayor Smith said it would. However, the city does not have a current contract with the department. One issue involved past practices. The other was family medical coverage. Mayor Smith agreed to not change the rate more than five (5) percent per year. (Example: if the family medical rate changed, the difference in the portion paid by the city would go from 75% (at 5%) to 70%). Council Member Robinson asked the length of the agreement. Mayor Smith said the contract would be two (2) years. However, this ordinance would be in effect until changed (amended). Ms. Fields said there needs to be something showing that paid benefits were authorized (by the City Council). Council Member Taylor asked how the contract lapsed. Mayor Smith said the contract was written that if the parties do not agree, the old contract remains in place unless written notice was provided regarding the expiration of the contract. The City sent a letter (as required) advising the contract would expire by the end of the year. He said employees were concerned about a large increase in their (insurance) coverage. Council Member Taylor asked if the legislation could be held. Mrs. Karen Scott, Finance Director advised the new policy provides for (some) back leave to be credited as if it were accrued during the year. It takes time to put together the calculations and enter them. The legislation needs to be adopted this date to allow staff time to do this and enter other changes for all of the employees. On the motion of Council Member Hight and seconded by Council Member Witcher, 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).

### **CONSENT AGENDA**

*None filed.*

### **NEW BUSINESS**

R-18-231 (RESOLUTION NO. 9564 – MAYOR SMITH)

A RESOLUTION SUPPORTING ALLEGIANCE ARTS & ENTERTAINMENT, LLC'S

APPLICATION FOR EQUITY INVESTMENT TAX CREDITS PURSUANT TO ARKANSAS

CODE ANNOTATED §14-4-3301; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Witcher, and seconded by Council Member Hight, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-18-232 (RESOLUTION NO. 9565 – MAYOR SMITH)

A RESOLUTION APPROVING ACCEPTANCE BY THE NORTH LITTLE ROCK AIRPORT COMMISSION OF A GRANT FROM THE ARKANSAS DEPARTMENT OF AERONAUTICS FOR THE CONSTRUCTION OF AN APRON FOR FUTURE HANGAR DEVELOPMENT PROJECT; AND FOR OTHER PURPOSES, was read.

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

R-18-233 (RESOLUTION NO. 9566 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH HOEFER WYSOCKI ARCHITECTS, LLC, FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION FOR THE POLICE AND COURTS BUILDING; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Council Member Hight and seconded by Council Member Baxter. Council Member Hight asked if \$30 million was the new projected cost of the project and what would happen going forward if the cost was more. Mayor Smith said he will “hard-bid” this project. Once the drawings are complete the bid (contract) will not be subject to change. The first architect projected the cost at \$40 million. This architect has built a number of police and courts buildings. The size of the project was 85,000 square feet. This has been reduced to 55,000 square feet. This architect believes they can do the (all-inclusive) project from under \$30 million. This resolution will authorize the mayor to enter in to a contract so the architect can start drawing the plans. Council Member Robinson asked if there were any local companies who could do the work. Mayor Smith said Wysocki Architects, LLC is a partner with a Little Rock firm. Council Member Robinson. Council Member Ross asked if the \$.5 million to purchase the Armory was included. Mayor Smith said it was and also included the demolition costs. Council Member Ross asked if furnishings, etc. were also included. The Training and Detective Divisions could stay in the buildings were they are currently located if necessary. Council Member Ross asked how often court is held. Mayor Smith said the court room at the current location is used daily. The (current) construction plan includes one large courtroom and one small one. Mayor Smith advised legislation will be filed authorizing the city to look into borrowing \$15 million (\$10 million – Police and Courts Building and \$5 million – North Little Rock Airport). Mayor Smith reiterated this legislation is to hire the architect only. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-18-234 (RESOLUTION NO. 9567 – MAYOR SMITH)

A RESOLUTION ADOPTING UPDATED SALARY SCALES FOR NORTH LITTLE ROCK POLICE DEPARTMENT OFFICERS AND SUPERVISORS; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Council Member Ross and seconded by Council Member Witcher. On the motion of Council Member Ross and seconded by Council Member Witcher, and by consent of all members present, the resolution was amended as follows: *Attachment “B” – last line, replace \$5.65 per month to \$5.85 PER MONTH* (8/0). On the motion of Council Member Witcher and

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

R-18-235 (RESOLUTION NO. 9568 – MAYOR SMITH)

A RESOLUTION ADOPTING A BUDGET FOR THE 2019 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 Witcher and seconded by Council Member Baxter. Finance Director Karen Scott reviewed the differences between the first draft and what was filed with legislation. The difference is \$693,905.00 which includes salary increases for the North Little Rock Police Department. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-18-236 (RESOLUTION NO. 9569 – MAYOR SMITH)

A RESOLUTION ADOPTING A BUDGET FOR THE 2019 FISCAL YEAR FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Witcher and seconded by Council Member Ross, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-18-237 (RESOLUTION NO. 9570 – 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 Witcher and seconded by Council Member Ross. 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-18-94 (ORDINANCE NO. 9062 – COUNCIL MEMBER ROSS AND WHITE)

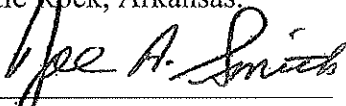
AN ORDINANCE GRANTING A WAIVER OF SECTIONS 13.1 AND 13.4 OF THE ZONING ORDINANCE TO ALLOW A REDUCED NUMBER OF OFF-STREET PARKING SPACES FOR CERTAIN REAL PROPERTY LOCATED AT LOT 10 AND LOT 11, BLOCK 4, SPRINGHILL DEVELOPMENT IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Hight, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Council Member Ross and seconded by Council Member Baxter. Council Member Ross said large parking lots are often empty most of the day. A Bill of Assurance was also provided on the property. Mayor Smith thanked the applicant, Mr. John Pownall for his efforts and said a hotel and CARTI will be on the site. Mr. Manoj Patel said CARTI will break ground in early January (2019). The hotel should start a few months later. It will be a

Hilton Hotel with both extended and regular stay options. Council Member Hight commended Mr. Patel for the Hampton Inn which may be the number 1 hotel (in the chain) in 17 countries. 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).

**PUBLIC COMMENT**

Council Member Baxter wished everyone a Merry Christmas from Mr. Jimmy Ard who was absent. Mayor Smith reminded everyone the next Council Meeting will be held on Wednesday, December 26, 2018, due to the Christmas holidays (Christmas Eve and Christmas Day).

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Witcher, and by consent of all members present, the meeting was adjourned at 6:49 p.m. (8/0), until the next regularly scheduled meeting to be held on *Wednesday*, December 26, 2018, 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