

February 11, 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, February 11, 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). City Clerk Diane Whitbey and City Attorney Amy Fields were also present.

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

On the motion of Council Member Hight and seconded by Council Member Ross and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, January 28, 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 Robinson, and by consent of all members present, communication #1, was not read, but was accepted and filed (8/0).

1. Anita Paul, Mayor's Office memorandum re: *application for Grocery Store Wine – NEW* for CVS/Pharmacy #10975, 2501 McCain Boulevard, by Johnathan S. Muse.
2. Todd Larson, Director of Economic Development memorandum to City Council members regarding an article by Rex (Nelson) re: development and City Services site reference.

Mayor Smith presented photos of the progress on the Downtown Plaza Project (just over one acre) which included the original design and ongoing updates. The Power and Ice building construction has not started. The first Orion project is on the third level. Ground is being cleared for the 600 Main building and the Thrive Apartments project is 95% complete. Illustrations included the Front Porch area, an audio/visual screen wall, the second level of the Orion building (which will be over 5 stories tall). Other photos included the water wall and oxbow foundations and fountains. The Powerpoint presentation will be posted to the City's website for the public to view. Mayor Smith advised a group from North Little Rock will visit the Legacy Development in Plano (Texas) next week. Council Member Hight said there will be a ground breaking Tuesday, February 19, 2019 for the three story office building that will house Taggart Architects, the Arkansas Automobile Dealers Association and North Little Rock Convention and Visitors Bureau. Council Member White asked if Food Trucks would be allowed. Mayor Smith said they may not be allowed on the plaza but could be off site. Council Member White referenced (Washington) D.C. and the mall area where food trucks are allowed

around it. Council Member Baxter asked if it would be possible to show (sporting events) games on the big screen. Mr. Robert Birch, Special Assistant to the Mayor said work on the back area could begin between August 1 and 15th. The front area will be done soon, possibly by the end of May. The (Plaza) project is on schedule and within budget.

Mayor Smith announced citizen public comment on legislation. Mr. Robert Fureigh spoke regarding R-19-05. He advised he is 71 and a retired Civil Engineer and specialized in airport planning, cost estimation and design. Mr. Fureigh asked the cost of the improvements. He advised the Arkansas Department of Aeronautics has assistance programs (grants) available. Mr. Fureigh referenced the Airport Master Plan and Airport Layout Plan and asked if the proposed improvements are in conformance. The city has a full-time Airport Manager and a seven member Airport Commission. The city has a multi-year contract with Garver (Engineering). Mr. Fureigh said the city has used a small architectural firm located in Oklahoma that specializes in Healthcare facilities. Mr. Fureigh said neither the FAA or Department of Aeronautics have had recent discussions with city representatives. He asked the city to coordinate (with these agencies). Mayor Smith said Mr. Jerry Chism was in a meeting with the city within the last month. Mr. Nick Franke said there are grant programs available that require the applicant to adhere to their rules and meet standards. Mr. Franke said the airport is being mismanaged and costing the city money. Mr. Franke said the city doesn't provide funding to assist homeless people but does provide funding for the airport. Mr. Franke said other airports in Arkansas do not take money from cities. Council Member Ross said the city has assisted homeless people by supporting Jericho Way.

UNFINISHED BUSINESS

R-19-05

A RESOLUTION EXPRESSING AN INTENT TO ISSUE REVENUE BONDS FOR THE PURPOSE OF FINANCING IMPROVEMENTS TO THE NORTH LITTLE ROCK AIRPORT; AUTHORIZING THE MAYOR TO EXECUTE ENGAGEMENT LETTERS WITH BOND COUNSEL AND UNDERWRITERS; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith. (*\$4 million*)

R-19-19 (RESOLUTION NO. 9615 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN EXCLUSIVE LISTING AGREEMENT WITH NEWMARK MOSES TUCKER PARTNERS TO SELL APPROXIMATELY FIVE ACRES OF PUBLIC LAND IN THE CITY OF NORTH LITTLE ROCK'S DOWNTOWN AREA; AND FOR OTHER PURPOSES, was read. Mayor Smith said this legislation (allows the city to) enter into an agreement with professionals to develop and present a plan (for the City Services site and surrounding parking areas). The Real Estate Company, at their expense, will develop a plan to present to the city. A motion to adopt was made by Council Member Hight and seconded by Council Member Baxter. City Attorney Fields advised the proposed contract is for 365 days with the possibility of a 180 day extension. Council Member Ross asked if the contract allowed (Newmark

Moses Tucker Partners) the first right of purchase. Council Member Ross said this appears to be a free Master Plan and asked if the city would retain the same if the property doesn't sale. Mayor Smith said they will develop something to promote and possibly sell the property. Council Member Hight asked if designs will be solicited. Mayor Smith said the company will solicit developers. Council Member Taylor said he lists property daily with a plan in place. The council needs to consider the Chamber of Commerce and other tenants in the area. The city paid for a Downtown Master Plan several years ago. Council Member Ginn asked if the property had been appraised. Mayor Smith said the city recently sold property on the Plaza (for \$16 per square foot) and compared the cost to that sale. This project will also have demolition costs. Council Member Hight referenced an amended contract and asked City Attorney Fields to describe the changes. Ms. Fields said it shorten the time period from 2 ½ years to 1 ½ years; deleted the automatic renewal of the Exclusive Listing for an extra 1 ½ years; deleted all provisions with regard to the company leasing the property and commission related to the same. There were several provisions that were more favorable to the realtor than the city. The changes provided more of a balance. Council Member Taylor referenced other Exclusive Agency Agreements within the contract. Council Member Ross asked about the environmental report, survey, soil test etc. Mr. Todd Larson, Director North Little Rock Economic Development Corporation has contracted these services. Environmental was \$6,800.00 and the survey was \$4,000.00. Mr. Larson said this is a Phase I review only. Mr. Larson said Mr. Jimmy Moses is an Urban Planner who is also a developer. He was a professional planner in central Arkansas for many years and has a graduate degree in Urban Planning. On the motion of Council Member Ross and seconded by Council Member Hight, and by consent of all members present, the resolution was amended as follows:: *substitute Exclusive Listing Contract provided this date for Exhibit "A" (8/0)*. On the motion of Council Hight and seconded by Council Member Baxter, and by consent of all members present, with the exception of Council Member Robinson, who voted no, the resolution was adopted (7/1).

R-19-31

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1323 FRANKLIN 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.

CONSENT AGENDA

None filed.

NEW BUSINESS

R-19-33 (RESOLUTION NO. 9616 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH ARKANSAS ARTS CENTER; AND FOR OTHER PURPOSES, was read. On

the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0). (\$40,000.00)

R-19-34 (RESOLUTION NO. 9617 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN OFFER AND ACCEPTANCE WITH BOBBY BRANT AND TO PURCHASE CERTAIN REAL PROPERTY LOCATED AT 3919 & 3921 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, with the exception of Council Member Baxter, who voted no, the resolution was adopted (7/1). (\$390,000.00 – *Levy Fire Station*)

R-19-35 (RESOLUTION NO. 9618 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A PURCHASE AND SALE AGREEMENT WITH BRUCE OAKLEY, INC. TO SELL PROPERTY LOCATED ON NORTH BUCKEYE AND EAST 5TH STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. Council Member Hight said the newspaper listed the appraised value at \$1.4 million in July, 2018 and asked why the property was being sold for less. Mayor Smith said the appraisals did not include the inside of the warehouses which are in disrepair. The Oakley's had estimates for repairs which could be \$600,000.00 to \$900,000.00. Mayor Smith said the Oakley's have been renting the large warehouse on the site for several years. Council Member Hight said the money from the sale may be needed in the future. Council Member Ross said these are non-tax producing properties at this time because the city owns them. 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 (8/0). (\$1.1 million)

O-19-14 (ORDINANCE NO. 9079 – MAYOR SMITH)

AN ORDINANCE ADOPTING RULES AND PROCEDURES FOR THE NORTH LITTLE ROCK CITY COUNCIL; REPEALING NORTH LITTLE ROCK MUNICIPAL CODE SECTION 2-46 TO 2-104, ORDINANCE NOS. 7900, 8157, 8501, AND 8611; 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 Baxter, and by consent of all members present, the ordinance was amended as follows: *Section 2.04 (b) strike through Aldermen and insert COUNCIL MEMBER*; and *Section 2.05 add PUBLIC COMMENT ON AGENDA ITEMS TO BE HEARD AT THE BEGINNING OF THE MEETING. PUBLIC COMMENT ON NON-AGENDA ITEMS WILL BE HEARD AT THE END OF THE MEETING* (8/0). On the motion of Council Member Baxter and seconded by Council Member Hight, 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-19-15 (ORDINANCE NO. 9080 – MAYOR SMITH)

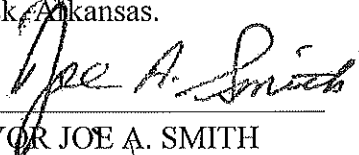
AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE PURCHASE OF LICENSE PLATE READER CAMERAS FROM SKYCORP INC. A SOLE SOURCE VENDOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of

Council Member Baxter and seconded by Council Member Robinson, and by consent of all members present, the readings were suspended (8/0). North Little Rock Police Chief Mike Davis said the city has license plate readers, however the firm the city was using discontinued providing updates. The Little Rock Police Department maintains the server. The city has nine (9) at this time. As more agencies use the technology, it will allow more communication with regard to stolen vehicles, etc. 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). (\$54,326.04)

PUBLIC COMMENT

Mr. Jimmy Ard said there is a way for residents to get sewer lines and roofs fixed (by going through Habitat for Humanity). Council Member Robinson asked the status of negotiations on the contract with the Fire Union. Mayor Smith said he met with representatives last week and will meet with them again tomorrow and progress has been made. Council Member Taylor referenced R-19-19 that was pulled from the agenda and asked if the house was repaired. Mayor Smith said the owner paid for the (Business) license and had a frame-out inspection by Code (Enforcement) today. An Electrical Inspection is scheduled for Friday. He informed the owner that if progress does not continue he will recall and refile the legislation.

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 6:51 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, February 25, 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