July 8, 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 8, 2019, was called to order at 6:01 p.m. by the Honorable Acting Mayor LINDA ROBINSON.

The roll having been called and the following Council Members answered to their names: DEBI ROSS, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, JANE GINN and CHARLIE HIGHT (7/0), a quorum was declared. Council Member BETH WHITE was absent. Mayor JOE A. SMITH was also absent. City Clerk Diane Whitbey and City Attorney Amy Fields were also present.

The prayer and pledge of allegiance were led 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 minutes from the North Little Rock City Council meeting held on Monday, June 24, 2019, were approved as amended, accepted and filed as prepared by the City Clerk (7/0). (Amended page 11, O-19-84, *read one time* and held).

On the motion of Council Member Taylor and seconded by Council Member Baxter, and by consent of all members present, communications #1, 2, and 3 were accepted and filed (7/0).

1. Stephanie Thomas, Interim Finance Director and Chair Energy Risk Management Committee, memorandum re: *PCA Rate – July, 2019* (.0006/kwh – negative).
2. Harrison Dean, Baptist Health Western Region President, letter to Mayor Smith re: resignation from MEMS Board of Directors.
3. Lisa Bush, Mello Velo Cycling Club (via email) to Mayor Smith re: commending city on clean-up of River Trails in North Little Rock after 2019 flood.

Acting Mayor Robinson announced citizen comments on legislation. Two people signed in to speak if need on O-19-91.

UNFINISHED BUSINESS

O-19-77

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 called and held by Acting Mayor Robinson.

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 called and held by Acting Mayor Robinson.

CONSENT AGENDA

On the motion of Council Member Hight and seconded by Council Member Taylor, and all members present having voted "aye", consent items R-19-121, R-19-122, R-19-123, R-19-124, and R-19-125 were adopted (6/0).

R-19-121 (RESOLUTION NO. 9700 – MAYOR SMITH)
A RESOLUTION REAPPOINTING MICHAEL MOORE, SR. TO THE NORTH LITTLE ROCK CIVIL SERVICE COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-19-122 (RESOLUTION NO. 9701 – MAYOR SMITH)
A RESOLUTION REAPPOINTING VANDY BELASCO TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PUROSES, was adopted (7/0).

R-19-123 (RESOLUTION NO. 9702 – MAYOR SMITH)
A RESOLUTION REAPPOINTING AVON "JUNIOR" PHILLIPS TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0). Mr. Phillips was sworn in by City Clerk Whitbey and thanked for his service.

R-19-124 (RESOLUTION NO. 9703 – MAYOR SMITH)
A RESOLUTION REAPPOINTING STEVE WHITE TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-19-125 (RESOLUTION NO. 9704 – MAYOR SMITH)
A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (7/0).

NEW BUSINESS

R-19-126 (RESOLUTION NO. 9705 – MAYOR SMITH)
A RESOLUTION AMENDING RESOLUTION NO. 9568 (2019 BUDGET) TO AMEND THE FY19 BUDGET FOR FLOOD RELATED EXPENSES OTHER THAN PERSONNEL COSTS; APPROPRIATING FUNDS; 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 resolution was adopted (7/0). (*$500,000.00*)

R-19-127 (RESOLUTION NO. 9706 – 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 211 WEST 47TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Taylor. Acting Mayor Robinson 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 adopted (7/0). (*amount - $4,924.66*)

R-19-128 (RESOLUTION NO. 9707 – 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 2200 EAST WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Taylor. Acting Mayor Robinson 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 adopted (7/0). (*amount - $4,181.06*)

R-19-129 (RESOLUTION NO. 9708 – MAYOR SMITH)
A RESOLUTION APPROVING AND CERTIFYING THE 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 Baxter and seconded by Council Member Taylor. Acting Mayor Robinson 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 adopted (7/0).

O-19-85 (ORDINANCE NO. 9145 – MAYOR SMITH)
AN ORDINANCE AMENDING ORDINANCE 7697 (THE "ZONING ORDINANCE") BY UPDATING ARTICLE NINETEEN, BOARDS; 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 (7/0). A motion to adopt was made by Council Member Hight. Council Member Ross referenced Hillside cuts and unintended consequences. City Attorney Fields said she reviewed the Hillside ordinance which was adopted in 2013. There is nothing in the proposed ordinance that would allow the Board of

Adjustment to consider Hillside cut appeals. Mr. Shawn Spencer, Community Planning Director said there were items missing in the ordinance adopted June 24, 2019. This legislation add that language back in. The previous motion to adopt was then seconded by Council Member Ross, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

O-19-86 (ORDINANCE NO. 9146 – MAYOR SMITH)
AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO RAIN FOR RENT ARKANSAS FOR THE REMOVAL OF FLOOD WATERS; 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 (7/0). A motion to adopt was made by Council Member Taylor and seconded by Council Member Ross. Council Member Hight asked Interim Finance Director Stephanie Thomas if she monitors these funds and if the city had received money from FEMA (Federal Emergency Management Agency) yet (for flood related damages). Ms. Thomas advised she does monitor the fund, and no money has been received from FEMA. On the previous motion, and by the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*$134,467.02*)

O-19-87 (ORDINANCE NO. 9147 – MAYOR SMITH)
AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING THE PAYMENT TO FOUNDATION REPAIR OF ARKANSAS LLC FOR THE PURCHASE OF WALL STABILIZTION SERVICES; 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 (7/0). 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 adopted (7/0). Emergency clause adopted (7/0). (*$35,912.50*)

O-19-88 (ORDINANCE NO. 9148 – MAYOR SMITH)
AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING; PAYMENT TO JEFFREY SAND COMPANY FOR THE PURCHASE OF SAND FOR SANDBAGS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Robinson and seconded by Council Member Taylor, and the roll having been called, and all members present having voted in the affirmative the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*$28,942.05*)

O-19-89 (ORDINANCE NO. 9149 - MAYOR SMITH)
AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO XYLEM DEWATERING SOLUTIONS INC. FOR THE REMOVAL OF FLOOD WATERS; DECLARING AN EMEGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Robinson and seconded by Council Member Baxter, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*$33,939.72*)

O-19-90
AN ORDINANCE AMENDING ORDINANCE NO. 9094 WHICH GRANTED A SPECIAL USE TO 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 by the sponsor, Council Member Baxter. (*applicant: Highly Favored Ministries – Keitra Murdock and Corichia Brisco*)

O-19-91 (ORDINANCE NO. 9150 – MAYOR SMITH)
AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A SCHOOL IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 801 WEST 29TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Acting Mayor Robinson convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. Council Member Taylor said the previous location did not work out. Council Member Ginn asked about the age of the students. Mr. Steve Gast, Superintendent for Responsive Education Arkansas said this would be a high school campus for students' grades 9 – 12. This is primarily a credit and dropout recovery school for students to have a second chance at obtaining a diploma. 90 – 95% of the students would use public transportation and be provided bus passes. This will keep vehicle traffic down. Council Member Ross said she was under the impression that students would be either dropped off or picked up and that there was not a bus stop. Mr. Gast said there are two public (bus) stops that are within 100 feet of the front of the building. Council Member Ross asked if juniors and seniors attended class until noon. Mr. Gast said there are two four-hour sessions daily. Students have the option of attending either the morning or afternoon session, or both (which would accelerate graduation). Freshmen and sophomore students would attend eight (8) hours each day. Mr. Gast said he anticipates 50 – 75 students the first year. Maximum capacity could be 100 – 150 students. Council Member Ross asked how many students they have been approved for (by the state). Mr. Gast said 250. There are 48 schools in their entire system. This gives them to opportunity to open a satellite campus. Council Member Ross said there were concerns by the neighbors. Mr. Gast said there would be a full-time resource officer and staff on campus at all times. On the motion of Council Member Hight and seconded by Council Member Harris, and by consent of all members present, the readings were suspended (7/0). Council Member

Ross said she owned the building 12 years ago, but does not now, therefore there is no conflict of interest. On the motion of Council Member Hight and seconded by Council Member Taylor, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*Responsive Education Solutions*)

PUBLIC COMMENT

No one signed in to speak during public comment.

Council Member Ross asked North Little Rock Police Chief Mike Davis to provide an update on the number of Fireworks related calls received during the July 4th Holiday. Chief Davis said until the county (Pulaski) does something about fireworks, the city will continue to have issues. People can buy fireworks outside the city limits, get in their vehicle and drive out of the parking lot into North Little Rock. Fireworks are larger and louder. There were 209 calls between July 1 and July 5. In 2018, there were 210 calls during the same time frame. July 4th, there were 30 more calls than the previous year. Extra patrols were in place to respond to fireworks related calls. Council Member Harris asked the procedure if a business or group wanted to shoot fireworks as part of an event. Chief Davis said an application is made through the State Fire Marshal which the North Little Rock Fire Chief and Police Chief have to review and approve. Council Member Robinson asked Ms. Whitbey if there were any licensed fireworks stands in the city and referenced one on Highway 161. Ms. Whitbey advised (firework stands) are unable to get a zoning certificate or business license as those are not allowed under current zoning in the city. Chief Davis said the stand on 161 is not in the city limits, but is across the street and surrounded by the city.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, the meeting was adjourned at 6:29 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, July 22, 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