August 26, 2019
Six o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

At 5:30, Rock Region Metro Executive Director Charles Frazier provided an update/presentation to the City Council.

The regular meeting of the North Little Rock City Council scheduled for Monday, August 26, 2019, was called to order at 6:08 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/Treasurer/Revenue Talor Shinn, and City Attorney Amy Fields were also present.

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

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 and a Special Call meeting held on Monday, August 12, 2019, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, communications #1, 2, 3, 4, and 5, were accepted and filed (8/0).

1. Anita Paul, Mayor's Office memorandum re: *Retail Liquor, Retail Beer off Premises, & Sampling – Change of Manager from Diane Holitik #02526* for Pat's Beverage Shop, 7424 North Hills Boulevard, by Bryant T. Weinzimer.
2. Anita Paul, Mayor's Office memorandum re: *Retail Liquor & Retail Beer off Premises – Replacement for Darron W. Methvin #00378,* Boulevard Spirits (*fka Boulevard Wine & Spirits*), 11905 Maumelle Boulevard, by Sukhwinder Singh.
3. Email from Sara Custer to Mayor Smith re: Gratitude for opportunity to be involved in Sister City Program.
4. Anita Paul, Mayor's Office memorandum re: *Restaurant Mixed Drink – Minimum – New #03465* for Butta's Grill, 1117 E. Washington, by Billie Jenkins.
5. Melissa Ervin, Director Community Development Agency email re: Notice of Public Hearings and Funding Availability.

Mayor Smith introduced Major William Phillips. Major Phillips is the Public Affairs Officer for the Arkansas National Guard and represents both the Air and Army branches which includes over 10,000 airmen and soldiers state-wide. He provided copies of the Arkansas National Guard's Posture Statement which includes the economic impact the Guard has on the local community. Camp Robinson/Camp Pike will host the first *Be Your Best Day* which replaces the previous *Minute Man Days* open house. The event will include Food Trucks, flyovers, bands, bouncy houses and a 5-K which are all open to the public. Everyone was encouraged to attend this free event. The date is September 21, 2019, from 8:30 a.m. until 4:30 p.m.

Mr. Randy Naylor, Keep North Little Rock Beautiful announced the upcoming *Great Arkansas River Cleanup* which is part of the *Great American Cleanup.* The event will be held Saturday, September 7, 2019. Stations will be set up at the boat ramp in Riverview Park and in Burns Park. Mr. Naylor said trash bags, gloves, etc. will be provided. Volunteers are encouraged to wear boots and long pants. Mayor Smith thanked Mr. Naylor for his continued service with this program.

Mayor Smith invited Miss Sara Cate Lay, Miss Arkansas Outstanding Teen 2019 to come forward. Miss Lay is the daughter of Mark and Cathy Lay. She is a junior at Mount Saint Mary Catholic School. Her personal platform is *The Purple Project* which provides Epilepsy Education throughout the state. She will serve as the state's Teen Ambassador through the Children's Network. She has been a competitive dancer since the age of six and is an honor roll student. She has served in leadership roles at her school. Mayor Smith congratulated her for her accomplishments and presented her with a proclamation. Miss Lay thanked everyone for the opportunity to be present and speak. She said she represents the state now, but has always been a representative of the City of North Little Rock.

Mayor Smith introduced Ms. Ember Strange, Finance Director for the city. Ms. Strange is well educated and experienced in municipal government (finance). She served as Comptroller and Assistant Finance Director for the City of Little Rock for 11 years. Mayor Smith also thanked Assistant Finance Director Stephanie Thomas for filling the position previously. Mayor Smith also announced Mr. Condo Breedlove (who was not present) is the new Sanitation Director.

Mayor Smith announced citizen comments on legislation. Mr. Bob Francis spoke regarding R-19-151. He purchased the property in 2010 from the City of North Little Rock. The cost to the city to maintain the property was $240,000.00 - $300,000.00 per year. Mr. Francis removed the original 300,000 square foot (sf) (six story) hospital (which was built in 1960) and all of the asbestos. A 70,000 sf (one story) building was gutted and removed. The foundation, plumbing infrastructure, red iron structure and roof decking were left. This has a value of $1,700,000.00 towards future development. The remaining brick walls are a façade only. Future development opportunities include a distribution center and storage (Fed Ex, Walmart, Amazon, Drones, etc.). Mr. Francis referenced the Bass Pro Shop at the Gateway Center in Little Rock. He said there have been some issues, however they have addressed them as they occur. Mr. Francis said development of this property will bring jobs to the

city. Since they have owned the property it has been used by several non-profits for events, for North Little Rock Police Officer and Canine training and as a staging area for a pipe company. His intent is to install an additional iron gate which should deter some of the activity on the property. Police and Fire would continue to have access. Weather related issues have prohibited or delayed mowing.

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*)

CONSENT AGENDA

On the motion of Council Member Taylor and seconded by Council Member Hight, and all members present having voted "aye" consent items R-19-145 through R-19-149 were unanimously adopted (8/0).

R-19-145 (RESOLUTION NO. 9724 – MAYOR SMITH)

A RESOLUTION APPOINTING GARDNER BURTON TO THE POSITION PREVIOUSLY HELD BY CARL JACKSON ON THE NORTH LITTLE ROCK PLANNING COMMISSION BOARD OF ADJUSTMENT & APPEALS; AND FOR OTHER PURPOSES, was adopted (8/0).

R-19-146 (RESOLUTION NO. 9725 – MAYOR SMITH)

A RESOLUTION APPOINTING JOSEPH PRICE II TO THE POSITION PREVIOUSLY HELD BY HARRISON DEAN ON THE NORTH LITTLE ROCK MEMS BOARD; AND FOR OTHER PURPOSES, was adopted (8/0).

Ms. Whitbey administered the Oath of Office to Mr. Gardner Burton and Mr. Joseph Price, II. Mayor Smith thanked both for their service to the city.

R-19-147 (RESOLUTION NO. 9726 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (8/0).

R-19-148 (RESOLUTION NO. 9727 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A TEMPORARY CONSTRUCTION EASEMENT WITH THE ARKANSAS DEPARTMENT OF

TRANSPORTATION TO ALLOW DRAINAGE AND CULVERT IMPROVEMENTS AT CAMP ROBINSON ROAD AND 54TH STREET; AND FOR OTHER PURPOSES, was adopted (8/0).

R-19-149 (RESOLUTION NO. 9728 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A RIGHT-OF-WAY EASEMENT FROM THE CITY OF NORTH LITTLE ROCK TO ENTERGY ARKANSAS, LLC FOR ACCESS TO ENTERGY'S LEVY 2 SUBSTATION AND TO INSTALL UNDERGROUND FIBER; AND FOR OTHER PURPOSES, was adopted (8/0).

NEW BUSINESS

R-19-150 (RESOLUTION NO. 9729 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN OPTION TO PURCHASE AGREEMENT FOR PROPERTY LOCATED AT 2721 NORTH POPLAR STREET, WITH THE NANCY COCHRAN TIPPIT TRUST AND THE GEORGE EDWARD COCHRAN TRUST; 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 resolution was unanimously adopted (8/0).

Mayor Smith convened a public hearing regarding R-19-151 - #1 Pershing Circle, R-19-152 – 2910 East Broadway, and R-19-153 – 1521 Orange Street. Mr. Francis spoke earlier in the meeting regarding R-19-151. Mr. Steve Owings, Attorney at Law represents the property owner for R-19-152. He advised the issue is the insurance company is not paying. He requested more time and will contact Ms. Laura Petty, Code Enforcement regarding the same. There was a fire in December (2018). The Insurance Company is located in California. Mr. Owings has contacted the (Arkansas) Insurance Commissioner regarding the issue(s). Mr. Jermaine Merrida spoke regarding R-19-153. He said he has been working on the property but had financial and contractor issues. The walls have been closed and utility inspections have passed. Mayor Smith referenced photos and asked if Mr. Merrida had done the work he referenced since they were taken. Council Member Ross asked if the property was purchased in 2014 after a fire. Mr. Merrida said he did. The fire required reframing most of the house.

R-19-151
A RESOLUTION DECLARING CERTAIN BUIILDINGS, 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 as a result of Mr. Francis's comments. If the property is condemned it will affect the Title going forward. (*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 also held by the sponsor, Mayor Smith after discussion with Ward 2 council members. (*owner: Arkansas Group of C Stores #2, LLC*)

R-19-153 (RESOLUTION NO. 9730 - MAYOR SMITH)
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1521 ORANGE 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 read. Mayor Smith asked City Attorney Fields what would happen if the council condemns the structure. Ms. Fields said the resolution requires the property owner to raze and remove the structure. Ms. Fields said the letter (to council members) indicated there had been no contact with the property owner or (current) building permits (to repair or demolish). Ms. Fields said the property owner can enter into a rehabilitation agreement and (put up a cash bond). If the work has been done the bond could be refunded. Mr. Tom Wadley, Director of Code Enforcement referenced the timeline attached to the resolution. The photos were taken in May, 2019, and August, 2019. The owner advised Code Enforcement that he has not had any inspections. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Jermaine Merrida*)

R-19-154 (RESOLUTION NO. 9731 – 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 900 NORTH G STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Hight 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). (*amount $3,418.70*)

R-19-155 (RESOLUTION NO. 9732 – 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 1014 NORTH G STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Baxter 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). (*amount $4,233.00*)

R-19-156 (RESOLUTION NO. 9733 – MAYOR SMITH)
A RESOLUTION APPROVING AND CERTIFYING THE 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 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).

O-19-104 (ORDINANCE NO. 9164 – MAYOR SMITH)
AN ORDINANCE AMENDING THE 2019 QUOTA ORDINANCE (ORDINANCE NO. 9071) FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; 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 (8/0). On the motion of Council Member Taylor and seconded by Council Member Ross, 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-19-105 (ORDINANCE NO. 9165 – MAYOR SMITH)
AN ORDINANCE AUTHORIZING THE ISSUANCE OF CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2019A AND TAXABLE SERIES 2019B; AUTHORIZING A TRUST INDENTURE SECURING THE BONDS; AUTHORIZING THE SALE OF THE BONDS AND THE EXECUTION OF A BOND PURCHASE AGREEMENT; PRESCRIBING OTHER MATTERS PRETAINING THERETO; AND DECLARING AN EMERGENCY, was read. A motion to suspend the readings was made by Council Member Hight and seconded by Council Member Taylor. Council Member Ross said the council was not unanimous (previously) with regard to the Airport Bond. All members did support the Justice Building Bond. On the previous motion, and by consent of all members present, the readings were suspended (8/0). Mayor Smith said the market is good for Bonds. If this is delayed to separate the bonds, it could cost the city an additional $30,000.00. He said a majority of the council support the issue (Airport Bond). Council Member Ross said a previous issue that was similar had separate votes. She made a motion to amend the ordinance to separate the bonds (Series 2019A and 2019B). She advised she voted no (on the Airport Bond) previously and will vote no again and said this is a difficult position for the council. City Attorney Fields said the Mayor sponsored this legislation to include both bonds (Police/Courts Building and Airport Renovations/Restaurant). Council Member Ginn said she would like to have The Police and Courts Bond separate from the portion of the Airport Bond that included a restaurant. She would support the Airport Bond (for renovations) with that change. Council Member Robinson said she does not oppose

the Justice Building (Bond). However, she opposed the Airport (Bond). She said putting the two together would require voting for both. She then seconded the previous motion made by Council Member Ross. Council Member White said she has talked to a lot of her constituents who are opposed to the Airport renovations due to the amount of money involved and will vote no for that reason. Council Member Ross said the legislation adopted July 22, 2019, was approved for $4.5 million. The amount (for the Airport) in this legislation is listed as $4.925 million. City Attorney Fields said the additional funds are for various fees. Mayor Smith said this is standard for all bond (issues). On the previous motion to amend and the following council members having voted yes: Ross, White, Robinson and Ginn; and, the following members having voted no: Taylor, Baxter, Harris, Hight, and Mayor Smith, the motion failed (4/5). A motion to adopt was made by Council Member Hight and seconded by Council Member Harris. Mayor Smith convened a public hearing on the bonds. There being no one present wishing to be heard, the public hearing was adjourned. Council Member Ross reiterated her vote represents the wishes of her constituents. She said she is not opposed to improvements at the airport, but that improvements could be made in phases which would save money in fees. On the previous motion to adopt and the roll having been called and the following members having voted yes: Taylor, Baxter, Harris, Hight, and Mayor Smith; and, the following members having voted no: Ross, White, Robinson, and Ginn, the ordinance was adopted (5/4). On the emergency clause all members present voted in the affirmative with the exception of Council Members Ross and Ginn, who voted no (6/2). Emergency clause adopted.

PUBLIC COMMENT

Mr. Doug McDowall represents Neighbors United for Levy group which meets on the first Monday of each month. Since September 2, 2019, is Labor Day, there will not be a meeting in September. Mayor Smith said he met with Laman/Argenta Library Director Crystal Gates regarding their financial status. Payments on the downtown library branch bond is part of the problem. Mayor Smith also met with Chief of Staff Danny Bradley to discuss the issue. No decisions have been made. Options will need to be considered, which may include the city partnering with the library. Council Member Ross asked the balance of the bond. Mayor Smith said it is about $2.4 million. The Argenta Branch note (bond) is about $400,000.00 with expenses at about $300,000.00 for a total of $700,000.00 annually. Laman Library has between 1,200 and 1,500 patrons each day. Council Member White asked if it was possible to have a mixed-use at the Argenta Branch Library, possibly with other tenants.

There being no further business to come before the Council, and on the motion of Council Member Hight and seconded by Council Member Ross, and by consent of all members present, the meeting was adjourned at 7:05 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, September 9, 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