

September 23, 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 23, 2019, 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, 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. City Clerk Diane Whitbey, Deputy City Clerk/Treasurer Talor Shinn, and City Attorney Amy Fields were also present.

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

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, September 9, 2019, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the motion of Council Member Hight and seconded by Council Member Baxter, and by consent of all members present, communications #1, 2, 3, 4, 5, and 6, were accepted and filed (7/0).

1. Anita Paul, Mayor's Office memorandum re: *Restaurant Mixed Drink – Replacement for Eric Greer*, for Lakewood Fish & Seafood House fka Lakewood Lounge, 4801 North Hills Boulevard, Suite C, by James Greer.
2. Anita Paul, Mayor's Office memorandum re: *Retail Beer Off-Premises & Small Farm Wine – NEW* for Circle K, 700 E Broadway Street, by Todd Solomon.
3. John Owens, President and CEO North Little Rock Chamber of Commerce Economic Development Activity Report Q3 2019.
4. Anita Paul, Mayor's Office memorandum re: *Restaurant Beer & Wine – Combo – Replacement for Qiao Y Wu*, for Garden Asian Fusion fka Kirin Garden Inc, 4000 Vali Court, North Little Rock, by Fang Qun Wu.
5. Anita Paul, Mayor's Office memorandum re: *Retail Beer off Premises – Replacement for Young Chun & Small Farm Wine – NEW*, for IGA Food Mart, 124 Eureka Garden Road, by Alim Hemani.
6. Laura Richmond, Petition requesting Speed Hump on Arlington Drive (18 for, 1 against).

On the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present communication #7 was read, accepted and filed (7/0).

7. Nathan Hamilton, Communications Director, letter to Mayor Smith re: Resignation effective October 18, 2019.

Mayor Smith said Mr. Hamilton has done a great job for the city over the past 10 years and will be missed.

Mayor Smith announced the Special Call meeting.

September 20, 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 23, 2019, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-19-177 – Authorizing the Mayor and City Clerk to enter into a Disaster Recovery Administrative Services Contract with Witt Global Partners. 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-19-177 (RESOLUTION NO. 9743 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A DISASTER RECOVERY ADMINISTRATIVE SERVICES CONTRACT WITH WITT GLOBAL PARTNERS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Robinson. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the resolution was amended as follows: *insert pages (re: Cost Proposal) provided this date between pages 5 and 6 of the Exhibit (7/0)*. On the motion of Council Member Hight and seconded by Council Member Ross, and by consent of all members present, the resolution was adopted as amended (7/0).

Without objection, Mayor Smith called O-19-108.

O-19-108 (ORDINANCE NO. 9168 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO GREENJACKET INC. FOR THE PURCHASE OF ELECTRIC SUBSTATION INSULATORS FOR THE GALLOWAY SUBSTATION; DECLARING AN EMERGENCY; 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 readings were suspended (7/0). A motion to adopt was made by Council Member Taylor and seconded by Council Member Ross. Mr. Scott Springer, General Manager, North Little Rock Electric Department, advised during the summer months, there were several times that birds got into the Galloway Station which serves several large industrial customers (including L'Oreal and Ben E. Keith). On the previous motion, 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). (\$175,250.00 + tax)

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 withdrawn by 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 withdrawn by the sponsor, Mayor

Smith. *(owner: 1 Pershing Circle LLC)*

R-19-160 (RESOLUTION NO. 9744 – MAYOR SMITH)

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 read. On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, the resolution was adopted (7/0).

CONSENT AGENDA

All members present having voted “aye” consent items R-19-167, R-19-168, R-19-169, R-19-170, and R-19-171 were adopted (7/0).

R-19-167 (RESOLUTION NO. 9746 – 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).

R-19-168 (RESOLUTION NO. 9747 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY LOCATED AT 1521 ORANGE STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted (7/0). (*owner: Jermaine Merrida*) *Note: Mr. Merrida was present and said he understood the terms of the agreement.*

R-19-169 (RESOLUTION NO. 9747 - MAYOR SMITH)

A RESOLUTION ACCEPTING A FEMA GRANT FOR \$63,890.90 UNDER THE FY 2018 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM TO PURCHASE A TURNOUT WASHER/EXTRACTOR, AMBIENT AIR TURNOUT DRYERS, A CPR MANIKIN WITH CPR FEEDBACK, AND A LIFE SUPPORT TRAINING MANIKIN; APPROPRIATING THE CITY’S LOCAL SHARE FROM ACT 833 FUNDS; AND FOR OTHER PUPRPOSES, was adopted (7/0). (*\$6,389.10*)

R-19-170 (RESOLUTION NO. 9748 – MAYOR SMITH)

A RESOLUTION AMENDING RESOLUTION NO. 9568 (2019 BUDGET) TO AMEND THE FY19 BUDGET FOR FLOOD RELATED EXPENSES; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was adopted (7/0). (*\$500,000.00*)

R-19-171 (RESOLUTION NO. 9749 – MAYOR SMITH)

A RESOLUTION AMENDING RESOLUTION NO. 9568 (2019 BUDGET) TO APPROPRIATE FUNDS FOR THE FIRST ORION PARKING LOT; AND FOR OTHER PURPOSES, was adopted (7/0). (*\$47,430.00*)

NEW BUSINESS

R-19-172 (RESOLUTION NO. 9750 – 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 412 WEST 20TH STREET 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 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). (*\$4,171.56*)

Mayor Smith convened a public hearing on R-19-173 – 805 West 44th Street, R-19-174 – 4210 Baucum Pike, and R-19-175 – 112 Sunset Lane. There being no one present wishing to be heard, the public hearing was adjourned.

R-19-173 (RESOLUTION NO. 9751 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 805 WEST 44TH 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. On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, the resolution was adopted (7/0). (*owner: Katherine Anne Greer*)

R-19-174

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4210 BAUCUM PIKE 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. (*John P. Hill*)

R-19-175 (RESOLUTION NO. 9752 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 112 SUNSET LANE 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. On the motion of Council Member Taylor and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (7/0). (*owner: Beverly M. McClure*)

R-19-176 (RESOLUTION NO. 9753 – 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 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 adopted (7/0).

O-19-108 was called and adopted earlier in meeting (see above).

O-19-109 (ORDINANCE NO. 9169 – COUNCIL MEMBERS HIGHT AND GINN)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED EAST OF MINE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C-3 ZONING CLASSIFICATION TO R-1 ZONING CLASSIFICATION BY AMENDING ORDINANCE NO 7697; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN

EMERGENCY; 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 readings were suspended (7/0). 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). (*applicant: Halff+Marlar*)

O-19-110 (ORDINANCE NO. 9170 – COUNCIL MEMBERS HIGHT AND GINN)

AN ORDINANCE GRANTING A WAIVER OF RESIDENTIAL PIPE STEM LOT RESTRICTIONS OF SECTION 13.6 OF THE SUBDIVISION ORDINANCE FOR CERTAIN REAL PROPERTY LOCATED EAST OF MINE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of

Council Member Hight and seconded by Council Member Ginn, and by consent of all members present, the readings were suspended (7/0). A motion to adopt was made by Council Member Hight and seconded by Council Member Ginn. Council Member Taylor said this is not normal (re: Pipe Stem Lot) and asked why it is being waived on this application. Mr. Shawn Spencer, Planning Director said the city usually does not waive such. The lot limit is 200'. The three (3) lots are longer. With the Fire Marshals approval Mr. Spencer was not opposed to the request. On the previous motion 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). (*applicant: Halff+Marlar*)

O-19-111 (ORDINANCE NO. 9171 – COUNCIL MEMBERS HIGHT AND GINN)

AN ORDINANCE GRANTING A WAIVER OF SECTION 5.9 OF THE ZONING ORDINANCE AND SECTION 11.5 OF THE SUBDIVISION ORDINANCE WHICH PROHIBIT PIPE STEM LOTS IN COMMERCIAL ZONES FOR CERTAIN REAL PROPERTY LOCATED EAST OF MINE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN

EMERGENCY; 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 readings were suspended (7/0). A motion to adopt was made by Council Member Hight and seconded by Council Member Taylor. Council Member Ross asked if Mr. Spencer had any objection to this application. Mr. Spencer advised this is a commercial lot and it is not allowed. The applicant has stated he is putting in an office for himself. Mr. Spencer said the location is at the end of the street and staff did not have an objection. On the previous motion, 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). (*applicant Halff+Marlar*)

O-19-112 (ORDINANCE NO. 9172 – COUNCIL MEMBERS HIGHT AND GINN)
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 EAST OF MINE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ginn and seconded by Council Member Hight, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Ginn and seconded by Council Member Hight, and by consent of all members present, 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). (*applicant: Halff+Marlar*)

O-19-113 (ORDINANCE NO. 9173 – COUNCIL MEMBERS HIGHT AND GINN)
AN ORDINANCE APPROVING A REQUEST TO WAIVE REQUIREMENTS OF THE MASTER STREET PLAN AND ARTICLE 15 OF THE SUBDIVISION ORDINANCE FOR HALF STREET IMPROVEMENTS FOR CERTAIN REAL PROPERTY LOCATED EAST OF MINE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ginn 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 Ginn and seconded by Council Member Hight. Council Member Taylor said there is a lot going on in this area. Mr. Spencer said four (4) houses will be built on four (4) large lots which include Pipe Stems. The road is acceptable as it is for the area. On the previous motion, 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). (*applicant: Halff+Marlar*)

PUBLIC COMMENT

Mr. James Ard had a recent issue with Wastewater. He had a new sewer line installed two years ago. He recently had water back up in his home and contacted Wastewater regarding the same. He was told by an employee that a plumber would have to turn in a request for Wastewater to run a camera through a trunk line. Mr. Ard had a plumber come out and run his line who found debris in the main line. Mr. Ard then spoke with the Wastewater (Department) Director who said they would come out and check. This occurred approximately eight (8) weeks ago. Mayor Smith referenced a memorandum from (Shirley Abel) Neighborhood Services regarding National Night Out events scheduled for Tuesday, October 1, 2019. A copy was provided to all council members. Fire Chief Gerald Tucker said Fire Fest will be Tuesday, October 8, 2019, from 5:00 – 8:00 p.m. in the McCain Mall parking lot. The public is invited to attend. A rain date has been set for Thursday, October 10, 2019.

There being no further business to come before the Council, and on the motion of Council Member Taylor and seconded by Council Member Baxter, and by consent of all members present, the meeting was adjourned at 6:28 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, October 14, 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: Joe A. Smith
MAYOR JOE A. SMITH

ATTEST: Diane Whitbey
DIANE WHITBEY, CITY CLERK