

October 28, 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, October 28, 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, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, JANE GINN and CHARLIE HIGHT (8/0), a quorum was declared. Chief Deputy City Clerk/Treasurer Katelyn Thomas, Deputy City Clerk/Revenue Officer Shannon Carroll, and City Attorney Amy Fields were also present.

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

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, October 14, 2019, were approved, accepted and filed as prepared by the City Clerk (8/0).

Mayor Smith announced the Special Call meeting.

October 25, 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, October 28, 2019, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-19-195 – Authorizing continued participation in the Municipal Health Benefit Fund for employee health and dental benefits, with the option for employees to pay additional costs for a lower deductible. 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

R-19-195 (RESOLUTION NO. 9764 – MAYOR SMITH)

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION IN THE MUNICIPAL HEALTH BENEFIT FUND FOR EMPLOYEE HEALTH AND DENTAL BENEFITS, WITH THE OPTION FOR EMPLOYEES TO PAY ADDITIONAL COSTS FOR A LOWER DEDUCTIBLE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member

Robinson and seconded by Council Member Taylor. Mayor Smith said open enrollment will begin before the next City Council Meeting. The City put out Invitations to Bid several months ago. There were five potential companies, but only one or two were interested. Other than the Arkansas Municipal League (AML), the second closest proposal was \$2.5 million more than AML's bid. The city held off until the end of September to see what claims would be. Some employees from Police and Fire requested the option to pay on their own to reduce their deductible. AML has not done this previously, however, as of last week had agreed to the request. City Attorney Fields said AML has offered the following: Employee Only: \$1,200.00 deductible - no additional charge. Employee Only: \$500.00 deductible – additional \$20.00 fee per pay period. Employee plus family: \$1,200.00 deductible - \$67.43 per pay period. Employee plus family: \$500.00 deductible – \$117.43 per pay period. The additional fee to reduce the deductible is optional. Council Member Ross asked if Drug co-pay amounts, etc. would stay the same. Mayor Smith said they would. 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: *substitute Medical Plan Comparison provided this date (8/0)*. On the motion of Council Member Baxter and seconded by Council Member Hight, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

On the blanket motion of Council Member Hight and seconded by Council Member Baxter, and by voice vote of all members present who voted “aye”, communications #1, 2, 3, and 4, were accepted and filed (8/0). Mayor Smith referred to Communication #2 which thanked the City of North Little Rock and North Little Rock Electric Department for assistance following storms in Jonesboro in August, 2019.

1. Mayor Joe A. Smith letter to City Council members re: request from Rock Region Metro Director, Charles Frazier re: Trolley Passing Track at the Trolley stop in front of the City Services Building (120 Main Street).
2. Jake Rice III, PE, City Water & Light, Jonesboro, Arkansas letter to Mr. Scott Springer, General Manager North Little Rock Electric Department expressing appreciation for power restoration assistance following disastrous wind storm damage on August 6, 2019.
3. Anita Paul, Mayor's Office memorandum re: *Retail Beer off Premises – Replacement for Asim Awad*, Lake Lane Exxon fka Fill Up Fuel Inc., 300 Lake Lane, by Sargon Abdo.

4. Ember Strange, Finance Director/Chair Energy Risk Management Committee memorandum re: Power Cost Adjustment Rate (PCA) for November, 2019 (.0023/kwh) negative.

Mayor Smith announced citizen comments on legislation and asked the one person who signed in if he would mind waiting until a public hearing is called on the legislation.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

None filed.

NEW BUSINESS

R-19-187 (RESOLUTION NO. 9765 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN OPTION AGREEMENT AND TO SELL PROPERTY LOCATED ON SIXTH STREET BEHIND THE TROLLEY BARN TO FIRST ORION CORP., AND FOR OTHER PURPOSES, was read.

Mayor Smith said First Orion's new building is full. This resolution will allow a two (2) year option to purchase this property for \$729,368.64. On the motion of Council Member White and seconded by Council Member Ross, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-19-188 (RESOLUTION NO. 9766 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LEASE AGREEMENT WITH 10TH STREET WAREHOUSE ASSOCIATES, LLC FOR WAREHOUSE SPACE LOCATED AT 10TH STREET, SUITES 417 & 425; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Council Member Baxter and seconded by Council Member Taylor. Mayor Smith said the city needs to move property stored in a warehouse at Buckeye by November 1. The city has an option to purchase this property. He also said Oakley's has their property at Buckeye subleased. Both are waiting on Union Pacific to release an easement (at Buckeye) before the city can close on the property (sale). Council Member Ross asked if the option to purchase was on the suites or the entire warehouse. Mayor Smith said it is the whole warehouse. Council Member Ross said the amount of this lease would be \$600,000.00 over 10 years. Mayor Smith said one end of the warehouse (10th Street) may be sold to the (State) Highway Department for future freeway project(s). On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-19-189 (RESOLUTION NO. 9767 – COUNCIL MEMBERS ROSS AND WHITE)

A RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH REDSTONE CONSTRUCTION GROUP, INC.

FOR MARION STREET IMPROVEMENTS – PHASE 2 FROM 16TH TO 15TH STREET, IN THE AMOUNT OF \$197,366.45; 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).

Mayor Smith convened a public hearing regarding R-19-190 and R-19-191 regarding clean up liens on 1220 West 18th Street and 5509 Chiquito Road. There being no one present wishing to be heard, the public hearing was adjourned.

R-19-190 (RESOLUTION NO. 9768 – 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 1220 WEST 18TH STREET 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 Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0). (*amount - \$4,510.85*)

R-19-191 (RESOLUTION NO. 9769 – 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 5509 CHIQUITO ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS;

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 resolution was unanimously adopted (8/0). (*amount - \$5,493.41*)

Mayor Smith convened a public hearing regarding R-19-192 and R-19-193 condemning 2305 East 2nd Street and 507 Clara Street. Mr. Austin Taylor said he pulled a permit for repairs on R-19-193 (507 Clara Street). He learned there was history with regard to the property. He had employees look at the property after getting a permit on the 10th. Mayor Smith advised Mr. Taylor of the process to put up a (cash) Bond. There being no one else wishing to be heard, the public hearing was adjourned.

R-19-192 (RESOLUTION NO. 9770 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES

LOCATED AT 2305 EAST 2ND 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 Robinson and seconded by Council Member Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Gerome Jefferson*)

R-19-193 (RESOLUTION NO. 9771 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 507 CLARA 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 White, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Taylor Team Investments*).

R-19-194 (RESOLUTION NO. 9772 – 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 Taylor 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-19-121 (ORDINANCE NO. 9181 – MAYOR SMITH)

AN ORDINANCE AMENDING THE ENERGY RISK MANAGEMENT POLICY FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (8/0). Mr. C. Jason Carter, Attorney at Law commended the North Little Rock City Council for their efficiency. The current Hedge Plan is based on annual limits. Mr. Carter reviewed the need for revisions to the policy. He also provided examples of potential events that could affect Risk Management. On the motion of Council Member Robinson and seconded by Council Member White, 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-19-122 (ORDINANCE NO. 9182 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 1413 WEST 25TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R-2 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 Taylor and seconded by Council Member Robinson, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Hight and seconded by Council Member Robinson, 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). (*applicant: Sean Miller dba Smiller Properties*)

O-19-123 (ORDINANCE NO. 9183 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE ALLOWING A SPECIAL USE TO ALLOW A DAYCARE CENTER IN A C-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 723 NORTH BEECH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council Member Robinson, 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 Robinson, 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). (*applicant: Stevie Brewer*)

O-19-124 (ORDINANCE NO. 9184 – COUNCIL MEMBERS ROSS AND WHITE)

AN ORDINANCE ALLOWING A SPECIAL USE TO ALLOW A DAYCARE CENTER IN A R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 200 WEST 20TH STREET 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 White, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Baxter 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). (*applicant: Beverly Hall*)

O-19-125 (ORDINANCE NO. 9185 – COUNCIL MEMBER HIGHT)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 3 PERIN ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R-2 ZONING CLASSIFICATION TO THE ~~I-1~~ C-4 ZONING CLASSIFICATION BY AMENDING ORDINANCE NO. 7697; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; GRANTING A CONDITIONAL USE; 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 (8/0). A motion to adopt was made by Council Member Hight and seconded by Council Member Baxter. City Attorney Fields reviewed a proposed amendment changing the rezoning from I-1 to C-4, to amend the Land Use Plan to Trade Fair, and a new Section 3 with conditions. On the motion of Council Member Hight and seconded by Council Member Ross, and by consent of all members present, the ordinance was amended as follows: *see above and amendment presented by City Attorney this date* (8/0). On the motion of Council Member Hight and seconded by Council Member Baxter, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted as previously amended (8/0). Emergency clause unanimously adopted (8/0). (*applicant: JKA Group*)

O-19-126 (ORDINANCE NO. 9186 – COUNCIL MEMBER BAXTER)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A TIRE STORE IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1 MAUMELLE CURVE COURT IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Members Baxter and seconded by Council Member Harris, and by consent of all members present, the readings were suspended (8/0).

On the motion of Council Member Baxter and seconded by Council Member Robinson, 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). (*applicant: Sergio Mucuil*)

PUBLIC COMMENT

Mr. James Ard thanked Council Member Ginn for getting safety signs put up on Perin Road. Mayor Smith said the draft of the (2020) Budget was distributed this date. A meeting will be held prior to the next City Council Meeting, which will be held on Tuesday, November 12, 2019, (due to Monday, November 11, 2019 being Veteran’s Day and holiday). The budget meeting will convene at 5:00 p.m., prior to the council meeting. City Department Heads will be present to answer any questions.

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 6:37 p.m. (8/0), until the next regularly scheduled meeting to be held on *Tuesday*, November 12, 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