February 24, 2020
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 24, 2020, 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/Treasurer 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 Mayor Smith.

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, February 10, 2020, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the blanket motion of Council Member Baxter and seconded by Council Member Hight, and by consent of all members present, communications #1, and 2, were not read, but were accepted and filed (8/0).

1. Anita Paul, Mayor's Office memorandum re: *Restaurant Mixed Drink – Maximum – NEW* for The Mighty Crab, 2703 Lakewood Village Drive, by Cheng Zhen.
2. Mayor Joe A. Smith, letter to City Council Member re: City Auditor - BKD, LLP, Dallas, Texas.

Mayor Smith invited Mr. Steve Shields, Director of Special Projects/Census to come forward. Mr. Shields shared information with the public regarding the importance of the upcoming Census count and the value to the city of North Little Rock, which is $3,300.00 per person, per year for 10 years. Mr. Shields said information is confidential for 72 years. Requested information includes the resident's name, type of abode (house, apartment, mobile home, homeless, etc.), race, and sex. In 2010, the Census count for North Little Rock was 62,304. The first mailer will go out in March. April 1is 2020 Census Day.

**UNFINISHED BUSINESS**

O-20-10

AN ORDINANCE PROHIBITING SIGNS IN THE PUBLIC RIGHT-OF-WAY; AMENDING AND REPEALING CERTAIN PROVISIONS OF THE NORTH LITTLE ROCK CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time February, 10, 2020, was called

and held by the sponsor, Council Member Robinson. Council Member Robinson said this legislation is about all signs (yard sale, campaign, etc.) The purpose is to clean up the (city) right-of-way.

**CONSENT AGENDA**

*None filed.*

**NEW BUSINESS**

R-20-32 (RESOLUTION NO. 9835 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT FOR ELECTRIC CUSTOMER ASSISTANCE WITH CENTRAL ARKANSAS DEVELOPMENT COUNCIL; 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 resolution was unanimously adopted (8/0).

R-20-33 (RESOLUTION NO. 9836 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDMENT TO THE LEASE AGREEMENT WITH 10TH STREET WAREHOUSE ASSOCIATES, LLC FOR WAREHOUSE SPACE LOCATED AT 10TH STREET, SUITES 417 & 425; 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 resolution was unanimously adopted (8/0).

R-20-34 (RESOLUTION NO. 9837 – MAYOR SMITH)
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 200 MOSLEY 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. A motion to adopt was made by Council Member Robinson 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 unanimously adopted (8/0). (*owner: Roy Lee Lairry and all heirs*)

R-20-35
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1603 CHANDLER 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 pulled by the sponsor, Mayor Smith. The property sold per Felicia McHenry, Code Enforcement. (*owner: Keith Simmons*)

O-20-15 (ORDINANCE NO. 9215 – MAYOR SMITH)
AN ORDINANCE AMENDING THE 2020 QUOTA ORDINANCE (ORDINANCE NO. 9197) FOR THE NORTH LITTLE ROCK PARKS AND RECREATION AND PUBLIC WORKS DEPARTMENTS; 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 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 unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-20-16 (ORDINANCE NO. 9216 – MAYOR SMITH)
AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE PURCHASE OF A SWITCHGEAR FROM FEDERAL PACIFIC FOR THE JUSTICE BUILDING; DECLARING AN EMEGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter and seconded by Council Member Hight, 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 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). (*$25,000 + tax*)

O-20-17 (ORDINANCE NO. 9217 – MAYOR SMITH)
AN ORDINANCE APPROVING A CHANGE ORDER IN THE AMOUNT OF $67,870.50 FOR THE FUNLAND DRIVE DRAINAGE PIPE REPLACEMENT PROJECT; WAIVING FORMAL BIDDING REQUIREMENTS; APPROPRIATING FUNDS; 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). 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).

O-20-18 (ORDINANCE NO. 9218 – COUNCIL MEMBER ROSS)
AN ORDINANCE AMENDING ORDINANCE NO. 7934 WHICH VACATED AND ABANDONED A STREET RIGHT-OF-WAY AT THE INTERSECTION OF NORTH OLIVE STREET AND WEST 47TH STREET AND AUTHORIZED THE SALE OF THE SAME TO RUDOLPH FRAZIER; 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 (8/0). A motion to adopt was made by Council Member Robinson and seconded by Council Member Taylor. Council Member Ross said this transaction goes back to April, 2009 when roadway was widened. The property is at the corner of Locust and 47th Street, near the school. The city sold Mr. Frasier a portion of the property because he has maintained it for several years. A clause in the ordinance authorizing the city to repurchase the property could be a deterrent if he (Mr. Frazier) sells the property in the future, therefore, that section is being removed.

On the previous motion, 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-20-19 (ORDINANCE NO. 9219 – COUNCIL MEMBER TAYLOR)
AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 2524 GRIBBLE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM CONSERVATION ZONING CLASSIFICATION TO THE R-4 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 Hight, 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 Baxter, 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: Jack King Custom Homes*) Council Member Taylor said he thought the applicant was planning to build a single family home.

O-20-20 (ORDINANCE NO. 9220 – COUNCIL MEMBER HARRIS)
AN ORDINANCE GRANTING A WAIVER OF THE SIDEWALK REQUIREMENTS OF SECTION 12.21 OF THE ZONING ORDINANCE FOR CERTAIN REAL PROPERTY LOCATED ALONG WHITE OAK DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Harris and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Council Member Baxter and seconded by Council Member Taylor. Council Member White asked why the sidewalk waiver was requested. Council Member Harris said the landscape is steep. Council Member White asked if there was future potential to building on that side of the road. Council Member Harris said something could be built on the first two lots in the curve. The other area is too steep. Mayor Smith said once you go past the two lots referenced, it's too steep going up the hill. Council Member Ross asked if there were any other sidewalks in the area. Council Member Harris said there are sidewalks on White Oak. The other issue would require bringing in dirt (fill) to bring it to grade. Council Member Ross referenced "Snake Hill" and asked if sidewalks would be allowed under ADA (Americans with Disabilities Act). Planning Director Shawn Spencer said there would be ADA requirements. Most likely a sidewalk as described would not be ADA assessable. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, with the exception of Council Member Ross who passed, and Council Member White, who voted no, the ordinance was adopted (6/1/1). Emergency clause unanimously adopted (8/0). Council Member Ross asked if the city allows sidewalks to be built that are not ADA (compliant) now. Mayor Smith said he would ask City Engineer Chris Wilbourn to answer the question. (*applicant: Holloway Engineering*)

O-20-21 (ORDINANCE NO. 9221 – COUNCIL MEMBER BAXTER)
AN ORDINANCE ALLOWING A SPECIAL USE TO ALLOW A FOOD TRAILER IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 10401 MAUMELLE BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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). 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 (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Wesley Wibachman*)

O-20-22 (ORDINANCE NO. 9222 – COUNCIL MEMBER WHITE)
AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A FOOD TRUCK COURT IN A C-PH ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3623 JOHN F. KENNEDY BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member White, 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 Robinson 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: Joy Evans*) Council Member Robinson asked how many trucks would be allowed. Mayor Smith indicated the amount was four (4). Council Member Hight said a lot of his friends who live in Ward 1 think this is a great idea and look forward to dining at the food trucks.

**PUBLIC COMMENT**

Council Member Harris said he was at the Levy Jump Start Program where residents brought in letters regarding a Service Line Warranty (program through National League of Cities). He said the city should provide information to residents about this program. Mayor Smith said about 4,000 residents are members of the program. Council Member Taylor said the program is about to be expanded to include additional home warranties. Contractors are local business owners. Mr. Allen Coleman lives at 13 Bradburn Road. He in a cul-de-sac with five houses. The resident at 21 Bradburn Road has a lot of cars. Most of them are parked in the street. These vehicles are an obstruction and have been in the neighborhood for some time. There is mud and grass growing under the vehicles. He said when he lived in Little Rock their Code Enforcement took care of issues like this. He asked that the city look into the issue. Mr. Coleman has talked with Code Enforcement and the Police Department. Council Member Taylor said "no parking" signs have been installed. Mayor Smith asked if the vehicles start. Mr. Coleman said they do now, but did not always. (Mr. Coleman spoke with Assistant North Little Rock Police Chief Tracy Roulston after the meeting.) Council Member Ross said she has received a lot of emails regarding the first Food Truck Court in the city and looks forward to it opening. Council Member White approached the podium where she announced that she would not seek reelection to City Council. She referenced a quote from her pastor and said her time serving on the council is

complete. She said she was grateful for the opportunity to serve and will continue to do so until the end of her term in December. She thanked her family and supporters.

Mayor Smith said the stock and bond markets were effected by drops during the past couple of days. In talking to Stephens, Inc. about the possibility of refinancing an existing bond debt, the city could save over $750,000.00 over the next five (5) years, which is about $175,000.00 per year. Everything is volatile. The bank that will give this price said if they had a verbal commitment, they would hold the price until the next council meeting. Therefore, Mayor Smith proposed a voice vote on a resolution *authorizing the offering of bonds by the City of North Little Rock, Arkansas to refund certain outstanding Electric System Revenue Bonds; and prescribing other matters pertaining thereto.* Council Member Ross asked if this extended the length of the bonds. Mayor Smith said there is no extension. It would still pay out in 2025. Mayor Smith then asked for a voice vote, at which time all members present voted "aye". There were no negative votes.

Mayor Smith recognized North Little Rock Police Chief Mike Davis who is retiring from the Police Department. A reception will be held for him Thursday, February 27, 2020, at the Patrick Henry Hays Senior Citizens Center at 2:00 p.m. Mayor Smith said he has done a great job and will be missed.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Hight, and by consent of all members present, the meeting was adjourned at 6:41 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, March 9, 2020, 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