

May 26, 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, May 25, 2020, and held on Tuesday, May 26, 2020, (due to Memorial Day Holiday) 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, and City Attorney Amy Fields were also present.

Note: Council Members participated in the meeting electronically. Mayor Smith, City Clerk Whitbey and City Attorney Fields were present in the council chambers.

The prayer was led by Council Member Harris.

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

1. Anita Paul, Mayor's Office memorandum re: *Change of Manager* – Wal-Mart Supercenter #1105, 4450 E. McCain Boulevard, by Mark Fortner.
2. Anita Paul, Mayor's Office memorandum re: *Replacement / New Owner* – Circle K fka In & Out Mega, 5051 Warden Road, by Todd Solomon.
3. Ember Strange, Finance Director/Chair Energy Risk Management Committee re: Power Cost Adjustment rate (PCA) for June 2020, (.0013/kwh) negative.

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 scheduled for Monday, May 11, 2020, were approved, accepted and filed as prepared by the City Clerk (8/0).

Note: those wishing to speak during public comment were allowed to call into the meeting and placed in a call-waiting room. They will be called upon as or if needed as legislation is called.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

On the motion of Council Member Robinson and seconded by Council Member White, and by voice vote and all members present having voted “aye”, consent items R-20-61, R-20-62, R-20-63, and R-20-64, were adopted (8/0).

R-20-69 (RESOLUTION NO. 9858 – MAYOR SMITH)

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

R-20-70 (RESOLUTION NO. 9859 – COUNCIL MEMBER WHITE)

A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH GREATER SHILOH MISSIONARY BAPTIST CHURCH; AND FOR OTHER PURPOSES, was unanimously adopted (8/0). (\$3,000.00)

R-20-71 (RESOLUTION NO. 9860 – COUNCIL MEMBER WHITE)

A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH THE NORTH LITTLE ROCK HIGH SCHOOL; AND FOR OTHER PURPOSES, was unanimously adopted (8/0). (\$500.00)

R-20-72 (RESOLUTION NO. 9862 – COUNCIL MEMBER WHITE)

A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH BAILEY CHAPEL; AND FOR OTHER PURPOSES, was unanimously adopted (8/0). (\$900.00)

NEW BUSINESS

R-20-73 (RESOLUTION NO. 9862 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A FIRST AMENDMENT TO LEASE WITH OPTION TO PURCHASE WITH THE NORTH LITTLE ROCK ADVERTISING AND PROMOTION COMMISSION FOR PROPERTY LOCATED AT 600 NORTH MAIN STREET; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Robinson. Council Member Ross asked for an explanation of the amendment. Mayor Smith advised the (North Little Rock) Convention and Visitors Bureau is funded by Restaurant and Hotel receipts (taxes). Due to the (COVID-19) Pandemic, their funding could be down 75%. They do have a reserve fund, however, the Pandemic has put them behind. The city was asked to extend the lease. This would mean the first payment which was due in April (2020) will be due in January, 2021. Mayor Smith said the situation (Pandemic) will lessen and 2021 should be a great year. Council Member Ross said this is a nine (9) month delay, however,

payment will be made in full. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-20-74 (RESOLUTION NO. 9863 – MAYOR SMITH)

A RESOLUTION AMENDING THE 2016-2020 CONSOLIDATED PLAN, THE 2019 ANNUAL ACTION PLAN, AND THE CITIZEN PARTICIPATION PLAN OF THE CITY OF NORTH LITTLE ROCK IN REGARD TO THE INCLUSION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT – CORONAVIRUS (CDBG-CV) PROGRAM ALLOCATION AND PROJECT AND OTHER PROVISIONS OF THE CARES ACT; AND FOR OTHER PURPOSES, was read. A

motion to adopt was made by Council Member Hight and seconded by Council Member Taylor. Mayor Smith asked Mr. Robert Birch, Director of Workforce Development to come forward. Mr. Birch has been working with Community Development Director Melissa Ervin on this program. Mr. Birch said the Mayor set up a Small Business Council about three (3) weeks ago. The purpose was to guide and direct small businesses located in North Little Rock regarding funding options and guidance on returning to work. The group is very diverse and included assistance from the North Little Rock Chamber of Commerce. Parameters were developed for the COVID-19 Small Business Economic Support Fund which will be geared towards businesses with 1 – 20 employees. The funds will be designated for those businesses that are (currently) licensed with the City of North Little Rock. The state recommended funding is 15% to minorities, women-owned businesses, and disabled veterans. North Little Rock will provide 20%. Mr. Birch provided the rules (some of which were developed by HUD – Housing and Urban Development) to City Council Members via email. The intent is to begin receiving applications this Friday (May 29, 2020). Rules will be posted to the city’s website and Facebook page. Council Member Ross asked if Non-Profit (Organizations) would be included. Mr. Birch said they are not. She asked how the funds would be prioritized. Mr. Birch said this is designed to provide funding to those who have not been able to get any assistance from any other programs like PPE (Personal Protection Equipment) or Arkansas State Grants. Council Member Ross said the \$406,000.00 includes some administration fees. She asked the length of time a business had to operate to be considered. Mr. Birch said two (2) years. Council Member Ross asked if funds would be released in a lump sum. Mr. Birch said half would be disbursed in the beginning. Once the receipts needed for HUD are returned, the second half of funds would be disbursed. Funds can be used for rent, utilities, payroll and PPE. These funds are not for on-going projects or expansion. Mr. Birch commended Mrs. Ervin for her work on this project. Council Member Robinson asked if the length of operation of the business was a North Little Rock or HUD requirement. Mr. Birch said that is a city requirement. The City of Little Rock is requiring the same. A history of operation in the city is needed and recommended. 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-20-50 (ORDINANCE NO. 9251 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR THE PURCHASE OF UNDERGROUND UTILITY INSTALLATION SERVICES FOR THE JUSTICE BUILDING;

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, with the exception of Council Member Ginn who was present, but having technical difficulties and was recorded as a pass, the readings were suspended (7/1). On the motion of Council Member Hight and seconded by Council Member Ross, and the roll having been called, and all members present having voted in the affirmative, with the exception of Council Member Ginn who was recorded as a pass, the ordinance was adopted (7/1). Emergency clause adopted (7/1). (Council Member Ginn was recorded as a pass.)

O-20-51 (ORDINANCE NO. 9252 – COUNCIL MEMBERS HIGHT AND GINN)

AN ORDINANCE GRANTING A WAIVER OF SIDEWALK REQUIREMENTS OF SECTION 12.21 OF THE ZONING ORDINANCE AND SECTION 9.11 OF THE SUBDIVISION ORDINANCE FOR CERTAIN REAL PROPERTY LOCATED AT 4600 AND 4620 WEST COMMERCIAL DRIVE 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, with the exception of Council Member Ginn who was present, but having technical difficulties and was recorded as a pass, the readings were suspended (7/1). A motion to adopt was made by Council Member Hight and seconded by Council Member Harris. Council Member Ross said this property is in a commercial area and there are no other sidewalks in the area. Council Member Hight said there is a sidewalk across the street. This property is the only one in the area that isn't a parking lot. 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 Ginn who was recorded as a pass, the ordinance was adopted (7/1). Emergency clause adopted (7/1). (Council Member Ginn was recorded as a pass.) (*applicant: Brad Peterson, Crafton Tull*)

O-20-52 (ORDINANCE NO. 9253 – COUNCIL MEMBERS HIGHT AND GINN)

AN ORDINANCE ALLOWING A SPECIAL USE TO ALLOW AN EVENT CENTER IN A I-1 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5301 WARDEN ROAD #H1 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 Ross, and by consent of all members present, with the exception of Council Member Ginn who was present, but having technical difficulties and was recorded as a pass, the readings were suspended (7/1). A motion to adopt was made by Council Member Hight and seconded by Council Member Ross. Mayor Smith said the applicant was on standby via telephone and available to answer questions. Council Member White referenced Section 2. #2, regarding who the security service would be. Mr. Shawn Spencer, Planning Director advised the way the ordinance is written would allow for a

private security company or off-duty (North Little Rock) Police. She then asked if that was standard for other event centers. Mr. Spencer said it was. On the motion of Council Member Ross and seconded by Council Member White, and by consent of all members present with the exception of Council Member Ginn, who was recorded as a pass, the ordinance was amended as follows: *Section 2. 2. insert LICENSED in front of security (7/1)*. 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 Ginn who was recorded as a pass, the ordinance was adopted (7/1). Emergency clause adopted (7/1). (Council Member Ginn was recorded as a pass.) (*applicant: Nobel Events – Renita Nobel*)

PUBLIC COMMENT

Mayor Smith asked Ms. Whitbey to read a public comment submitted May 22, 2020, by Cummins Mabry asking when playgrounds will reopen and why no one has addressed reopening play equipment in the parks. Mayor Smith said plans are to open June 1, 2020. Pools will open June 5, 2020. There will be a meeting next week to consider reopening the (Patrick Henry) Hays (Senior) Center. Ballfields will open if each of the managers agree with strict guidelines (protocol) as referenced by the Governor (Asa Hutchinson). Mayor Smith will decide tomorrow regarding Funland which could open mid-June. Council Member Hight asked when libraries would reopen. Mayor Smith said North Little Rock's Director is talking with the Central Arkansas Library System (CALs) regarding their plans. CALs is not ready to reopen at this time and could delay until August 1 (2020). Council Member Hight said the Little Rock Library System does not allow North Little Rock residents to use their facility. Mayor Smith asked Council Member Hight to contact Mrs. Crystal Gates, Laman Library Director regarding his questions. Council Member Ross said CALs no longer offers free library cards to North Little Rock residents. Council Member Harris said the Amboy Neighborhood Association has had an issue with Republic Services Dumpster Company operating at 4:30 a.m. City Attorney Fields said there is an ordinance which restricts the time of operation if the location is adjacent to residential property and suggested reporting the issue to Mr. Condo Breedlove, Sanitation Director. Council Member Baxter asked about the holiday delay for the week. Mayor Smith confirmed all routes will run one day delayed all week. Mayor Smith said it is likely the council will continue Zoom meetings through the month of June. Council Member Ross complimented the IT department for their efforts with the Zoom meetings. Council Member White said she attended the (North Little Rock) Senior Citizens Commission meeting which was held outdoors. She commended Mrs. Bernadette Rhodes and her team at the Hays Center for their efforts in preparing to reopen and for the measures they are taking to keep their members safe.

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 6:37 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, June 8, 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