

June 8, 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, June 8, 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, 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 Ginn.

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

1. Anita Paul, Mayor's Office memorandum re: New Application for Family Mart at 5800 MacArthur Drive, by Chul Kim.
3. Anita Paul, Mayor's Office memorandum re: Replacement/New Owner for JMT One-Stop, Inc. fka MacArthur Shell, 4800 MacArthur Drive, by Jacqueline Covey.
4. Pat Barner, Petition requesting Speed Hump on W 13th Street and Nannette Street (on 7345) (34 signatures for).

Ms. Whitbey said the referenced public meeting in communication #2 had been postponed (rescheduled) due to lack of a regular Parks and Recreation meeting this month. Mayor Smith asked Chief of Staff Danny Bradley to contact Parks and Recreation Director Terry Hartwick to confirm the public hearing will be rescheduled.

2. Via Email – Memorandum to Mayor Joe A. Smith and City Clerk Diane Whitbey from Terry Hartwick, Director Parks and Recreation re: Notice of Public Hearing for the Parks and Recreation Department – June 15, 2020, at 5:15 p.m., at the North Little Rock Community Center, 2700 Willow Street.

On the motion of Council Member Ross and seconded by Council Member White and by consent of all members present, the minutes from the North Little Rock City Council meeting scheduled for Monday,

May 25, 2020, and held on Tuesday, May 26, 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**

*None filed.*

**NEW BUSINESS**

R-20-75 (RESOLUTION NO. 9864 – 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 321 N. ELM STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member White. Mayor Smith convened a public hearing on R-20-75 (321 N. Elm Street) and R-20-76 (808 E. 17<sup>th</sup> Street). 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 (R-20-75) was unanimously adopted (8/0). (\$5,968.22)

R-20-76 (RESOLUTION NO. 9865 – 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 808 E. 17<sup>TH</sup> 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 Robinson. (Note: a public hearing was held with previous item). On the previous motion, and by consent of all members present, with the exception of Council Member Taylor who was having technical difficulties and was recorded as a pass, the resolution was adopted (7/1). (\$3,435.46)

R-20-77 (RESOLUTION NO. 9866 – MAYOR SMITH)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN 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 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, with the exception of Council Member Taylor who was having technical difficulties and was recorded as a pass, the resolution was adopted (7/1).

O-20-53 (ORDINANCE NO. 9254 – MAYOR SMITH)

AN ORDINANCE AUTHORIZING THE PURCHASE OF ELECTRIC POWER FROM NEXTERA ENERGY POWER MARKETING, LLC; WAIVING COMPETITIVE BIDDING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Ginn, and by consent of all members present, with the exception of Council Member Taylor who was 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. North Little Rock Electric Department Attorney C. Jason Carter said the purpose of the ordinance is for the purchase of (electric) power. The city either owns assets, such as Plum Point, Murray Hydro, or Two Pine. These combined assets account for about 60 percent of the city’s power supply. The city contracts for about 30 percent of its power needs. The last 10 percent is purchased off the market which is often times a good price, but can also be a volatile rate as well. The city works to have good contracts in place for future needs. Some contracts may be for one month, some may be for a year or more. This contract is a long-term. Mr. Carter went on to explain the mega-watts and time frame. This is basically an extension of the current contract structures. 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-20-54 (ORDINANCE NO. 9255 – MAYOR SMITH)

AN ORDINANCE AMENDING THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT NET METERING AND DISTRIBUTED GENERATION RULES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Hight, and by consent of all members present, the readings were suspended (8/0). Mr. Carter said this is not in response to “net metering” and referenced Act 464 of 2019 which amended the Arkansas Renewable Energy Development Act. The City of North Little Rock has had net metering rules since 2010, which have been amended to stay current. Under the 2015 rules, “meter aggregate”, is taking two or more meters which are owned by the same customer and combining the data for billing purposes. An example would be a customer who is located downtown that purchases property on the edge of town to install solar facilities since those facilities are not allowed in town. Mr. Carter then provided some examples and the effect on the bulk system and unknown financial risks. On the motion of Council Member Taylor 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).

O-20-55 (ORDINANCE NO. 9256 – MAYOR SMITH)

AN ORDINANCE AMENDING THE 2020 QUOTA ORDINANCE (ORDINANCE NO. 9197) FOR THE NORTH LITTLE ROCK FINANCE DEPARTMENT; DECLARING AN EMERGENCY; 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 readings were suspended (8/0).

On the motion of Council Member Taylor 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).

O-20-56 (ORDINANCE NO. 9257 - MAYOR SMITH)

AN ORDINANCE ESTABLISHING AN ENTERTAINMENT DISTRICT TO BE KNOWN AS THE ARGENTA OUTDOOR DINING DISTRICT; 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 Ross and seconded by Council Member Hight, and by consent of all members present, Exhibit “A” was amended as follows:: *substitute revised map provided this date* (8/0). Mayor Smith said the map was revised to include not only the building touching the street, but also the (entire) building. 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, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

Mayor Smith said the city is allowing all restaurants operating within the City of North Little Rock to offer outdoor dining without any additional regulation or zoning. This is an effort to help restaurant owners make a living and will be readdressed this fall. Council Member Ross said there may be ABC (Alcohol Beverage Control Board) regulations that require the city’s (written) approval. City Attorney Fields will contact them (ABC). She said businesses located outside the Entertainment District will need to check with ABC on serving liquor outdoors.

O-20-57 (ORDINANCE NO. 9258 – COUNCIL MEMBERS ROSS AND WHITE)

AN ORDINANCE GRANTING A WAIVER OF SIDEWALK REQUIREMENTS OF APPENDIX A, TABLE 6.1 AND APPENDIX A, SECTION 4.1.C.3.VI OF THE ZONING ORDINANCE FOR CERTAIN REAL PROPERTY LOCATED AT 3901 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 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 Ross 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: John Pownall, Thomas Engineering Company*) Council Member Ross said Hogg’s Meat Market will be moving to this location in Park Hill.

Mayor Smith referenced communication #2 which was held at the beginning of the meeting. Chief of Staff Bradley verified the meeting had been canceled. Mayor Smith then withdrew the communication.

**PUBLIC COMMENT**

Ms. Whitbey read a communication received via email from Ms. Kristina “KG” Gulley re: Free COVID-19 testing event, July 18, 2020, from 10:00 a.m. until 2:00 p.m., at the Glenview Recreation Center, 4800 E. 19<sup>th</sup> Street. Tests will be conducted by licensed medical professionals from the Arkansas Health Department. Council Member Robinson said the testing is open to the public. This will be a drive-thru event. Mayor Smith congratulated Council Member Baxter on his retirement from the Arkansas Air National Guard and thanked him for his service. Council Member Hight thanked Mayor Smith for contacting the Laman Library which is allowing people to check out books from a table outside the facility. Mayor Smith said he continues to provide a weekly update via Facebook regarding city facilities openings as a result of COVID-19.

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 6:34 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, June 22, 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