

August 10, 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, August 10, 2020, was called to order at 6:03 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). *Note: Council Member Baxter was visibly present through the ZOOM meeting application, however due to technical difficulties was unable to verbally respond to roll call.* City Clerk/Treasurer Diane Whitbey, and City Attorney Amy Fields were also present.

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

The prayer was led by Council Member Ginn.

On the blanket motion of Council Member Hight and seconded by Council Member Ross, and by consent of all members present, communications #1, 2, 3, 4, 5, 6, 7, and 8, were accepted and filed (8/0).

1. Anita Paul, Mayor's Office memorandum re: Retail Beer Off Premises & Small Farm Wine – Retail Permit – New for Circle K, 4601 Northshore Drive, by Todd Solomon.
2. Anita Paul, Mayor's Office, memorandum re: Retail Beer Off Premises & Small Farm Winery – Retail Permit – New for Circle K, 3320 John F. Kennedy Boulevard, by Todd Solomon.
3. Anita Paul, Mayor's Office, memorandum re: Grocery Store Wine, Retail Beer Off Premises, and Small Farm Winery – Retail Permit – Change of Manager, for Family Dollar Store #30170, 2115 Highway 161, by Irfan Badibanga (on site Tiara Scott).
4. Anita Paul, Mayor's Office memorandum re: Grocery Store Wine, Retail Beer Off Premises, and Small Farm Winery – Retail Permit – Change of Manager, for Family Dollar Store #32112, 5613 MacArthur Drive, by Irfan Badibanga (Linda Tanner).
5. Anita Paul, Mayor's Office memorandum re: Grocery Store Wine, Retail Beer Off Premises, and Small Farm Winery – Retail Permit – Change of Manager, for Family Dollar Store #21921, 4149 E. Broadway Street, by Irfan Badibanga (on site Sylvia Watson).

6. Anita Paul, Mayor's Office memorandum re: Grocery Store Wine, Retail Beer Off Premises, and Small Farm Winery – Retail Permit – Change of Manager, for Family Dollar Store #20741, 2633 Pike Avenue, by Irfan Badibanga (on site Shardell Smith).
7. Anita Paul, Mayor's Office memorandum re: New Restaurant Mixed Drink – Minimum for My Friend's Place, 5501 MacArthur Drive, by Stanley Fraser.
8. Anita Paul, Mayor's Office memorandum re: New Restaurant Mixed Drink – Minimum for The Hangout Grill & Bar, 10840 Maumelle Boulevard, by Alvin Watkins, Jr.

On the motion of Council Member Ginn 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, July 27, 2020, were approved, accepted and filed as prepared by the City Clerk (8/0).

Mayor Smith announced a Special Call meeting.

August 7, 2020

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 6:05 p.m. on Monday, August 10, 2020, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-20-118 Authorizing application by the North Little Rock Police Department for funds under the 2020 Edward Byrne Justice Assistance Grant (JAG) Program. 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 (RESOLUTION NO. 9897 – MAYOR SMITH)

A RESOLUTION AUTHORIZING APPLICATION BY THE NORTH LITTLE ROCK POLICE DEPARTMENT FOR FUNDS UNDER THE 2020 EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM; AND FOR OTHER PURPOSES, was read. A motion to adopt was made

by Council Member Ginn, and seconded by Council Member Ross. Council Member Ross asked what

a non-lethal weapon was and why it was needed. Interim Police Chief Tracy Roulston said it is a weapon not intended to cause serious injury or death and is an alternative to the use of deadly force. The department would like to have more available to officers for use in the field (patrol). This is a newer weapon that has been shown to be effective. The second part of the request is for first responder first aid kits that would be issued to every officer. If the officer is injured, he or she would have a personal first aid kit that could be utilized by someone providing assistance. Mayor Smith said the city has 184 officers and approximately 50-60 non-lethal weapons at this time. Council Member Ross asked about the cost of sponge bullets. Chief Roulston said the weapon shoots a 40 millimeter compact sponge inside of a shell casing. The casing is discharged at a high speed and can temporarily incapacitate an individual for a period of time. The cost is approximately \$24.00 per round. Each officer will have a total of four (4) rounds. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (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 Hight and seconded by Council Member White and by voice vote and all members present having voted “aye”, consent items R-20-109, R-20-110, R-20-111, and R-20-112, were adopted (8/0).

R-20-109 (RESOLUTION NO. 9898 – MAYOR SMITH)

A RESOLUTION REAPPOINTING MELANIE HOGGARD TO THE NORTH LITTLE ROCK ADVERTISING AND PROMOTION COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-20-110 (RESOLUTION NO. 9899 – MAYOR SMITH)

A RESOLUTION REAPPOINTING DOROTHY ROMES TO THE NORTH LITTLE ROCK SENIOR CITIZENS COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

Mayor Smith thanked Mrs. Hoggard and Ms. Romes for their past and future service to the city by serving on these commissions.

R-20-111 (RESOLUTION NO. 9900 – MAYOR SMITH)

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

R-20-112 (RESOLUTION NO. 9901 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH JCON, INC. FOR THE RIVERFRONT DRIVE IMPROVEMENTS PROJECT, IN THE AMOUNT OF \$68,720.00; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was adopted (8/0).

Mayor Smith said the above legislation is in regard to cuts in the median for a new apartment complex under construction in the area.

NEW BUSINESS

R-20-113 (RESOLUTION NO. 9902 – MAYOR SMITH)

A RESOLUTION APPROVING SALARY INCREASES TO ALL FULL-TIME EMPLOYEES (EXCLUDING ELECTED OFFICIALS AND UNIFORMED EMPLOYEES COVERED UNDER AGREEMENTS BETWEEN THE CITY OF NORTH LITTLE ROCK AND THE FOP, IAFF, AND THE NLRPD SUPERVISORS ASSOCIATION) OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS, EFFECTIVE AUGUST 8, 2020; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Taylor. On the motion of Council Member Robinson and seconded by Council Member Ginn, and by consent of all members present, the resolution was amended as follows: *include AND A 25 CENT PER HOUR INCREASE FOR ALL PART-TIME EMPLOYEES in the title, and in a new second whereas, WHEREAS, THE CITY COUNCIL WISHES TO PROVIDE A 25 CENT (\$0.25) PER HOUR INCREASE FOR ALL PART-TIME EMPLOYEES OF THE CITY, EFFECTIVE AUGUST 8, 2020; AND, and a new SECTION 2: THAT ALL PART-TIME EMPLOYEES OF THE CITY ARE HEREBY GRANTED AN INCREASE OF 25 CENTS (\$0.25 PER HOUR TO THEIR HOURLY RATE OF PAY, and renumber subsequent sections.* (8/0). On the motion of Council Member Hight and seconded by Council Member Robinson, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

R-20-114 (RESOLUTION NO. 9903 – MAYOR SMITH)

A RESOLUTION APPROVING SALARY INCREASES FOR ELECTED OFFICIALS AND CITY COUNCIL MEMBERS OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS, EFFECTIVE AUGUST 8, 2020; 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-20-115 (RESOLUTION NO. 9904 – MAYOR SMITH)

A RESOLUTION ADOPTING REVISED PAY SCHEDULES FOR GRADE/STEP NON-UNIFORM EMPLOYEES AND NORTH LITTLE ROCK ELECTRIC DEPARTMENT EMPLOYEES IN THE CITY OF NORTH LITTLE ROCK TO REFLECT PAY INCREASE; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ginn and seconded by Council Member Ross, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-20-116 (RESOLUTION NO. 9905 – MAYOR SMITH)

A RESOLUTION AMENDING RESOLUTION NO. 9782 (2020 BUDGET) TO AMEND THE FY20 BUDGET FOR A 2.0% PAY INCREASE TO FULL-TIME EMPLOYEES (EXCLUDING UNIFORMED EMPLOYEES COVERED UNDER AGREEMENTS BETWEEN THE CITY OF NORTH LITTLE ROCK AND THE FOP, IAFF, AND THE NLRPD SUPERVISORS ASSOCIATION), ELECTED OFFICIALS, AND CITY COUNCIL MEMBERS OF THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ginn and seconded by Council Member Taylor. On the motion of Council Member Robinson, and seconded by Council Member White, and by consent of all members present, the resolution was amended as follows: *insert in title AND A 25 CENT PER HOUR INCREASE FOR ALL PART-TIME EMPLOYEES, and second whereas add AND A 25 CENT (\$0.25) PER HOUR INCREASE FOR ALL PART-TIME EMPLOYEES, and Section 1: insert AND A 25 CENT (\$0.25) PER HOUR INCREASE FOR ALL PART-TIME EMPLOYEES, and attached new EXHIBIT “A”*(8/0). On the motion of Council Member Hight and seconded by Council Member Baxter, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

R-20-117 (RESOLUTION NO. 9906 – 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 Robinson 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 unanimously adopted (8/0).

O-20-68 (ORDINANCE NO. 9269 – MAYOR SMITH)

AN ORDINANCE AMENDING THE 2020 QUOTA (ORDINANCE NO. 9197) FOR THE NORTH LITTLE ROCK PATRICK HENRY HAYS SENIOR CITIZENS DEPARTMENT; 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). 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).

O-20-69 (ORDINANCE NO. 9270 – MAYOR SMITH, COUNCIL MEMBERS TAYLOR AND HARRIS)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN ELECTRIC FENCE IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 8300 INDUSTRY DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; GRANTING WAIVER OF THE ELECTRIC

FENCE REQUIREMENTS OF SECTION 5.11.10.F OF THE ZONING ORDINANCE;

DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. A motion to suspend the readings was made by of Council Member Taylor and seconded by Council Member Harris. Ms. Whitbey read a public comment submitted by telephone by James Ard “More information is needed. What is the wattage, voltage and type of equipment? Every time 110 volts is doubled, it cuts the amps in half.” Council Member Baxter said he had to reach out to the applicants to get information needed regarding electricity, etc. and asked that in the future, the resources be provided to council members in advance. He spoke with Mr. Lucas Hargraves (applicant), and was able to obtain what he needed. Council Member Ross asked why electric fences were not allowed. Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the motion of Council Member Taylor and seconded by Council Member Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Amarok, LLC*)

O-20-70 (ORDINANCE NO. 9271 – MAYOR SMITH, COUNCIL MEMBERS TAYLOR AND HARRIS)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN ELECTRIC FENCE IN AN I-1 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1200 E. WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; GRANTING WAIVERS OF THE ELECTRIC FENCE REQUIREMENTS OF SECTION 5.11.10.D AND SECTION 5.11.10.J OF THE ZONING ORDINANCE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ginn and seconded by Council Taylor, the readings were suspended (8/0). A motion to adopt was made by Council Member Taylor and seconded by Council Member Robinson. Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. Council Member Ross asked why the (electric) fence had to be higher than the (regular) eight (8) foot fence. Mr. Michael Tate (applicant) was in the meeting by telephone. He said the height is critical when two fences are next to each other (100 to 200 millimeters apart). If the fences are equal in height, a burglar or criminal could stand on the perimeter fence and step over the (electric) fence and step into the yard. The extra three (3) strands of wire which are visible above the eight (8) foot perimeter fence, create a total of ten (10) feet. The wire is also an alarm so if cut, an alarm will go off. 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). (*applicant: Amarok, LLC*)

O-20-71 (ORDINANCE NO. 9272 – MAYOR SMITH, COUNCIL MEMBERS TAYLOR AND HARRIS)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN ELECTRIC FENCE IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 117 S. SMOTHERS STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; GRANTING WAIVERS OF THE ELECTRIC FENCE REQUIREMENTS OF SECTIONS 5.11.10.D, 5.11.10.F, AND SECTION

5.11.10.J OF THE ZONING ORDINANCE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ginn, and seconded by Council Member Taylor, and by consent of all members present, the readings were suspended (8/0). Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. 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, with the exception of Council Member Baxter who was having technical difficulties, the ordinance was adopted (7/1). Emergency clause adopted (7/1), Council Member Baxter continued to have technical difficulties. (*applicant: Amarok, LLC*)

PUBLIC COMMENT

None.

There being no further business to come before the Council, and on the motion of Council Member Ginn and seconded by Council Member Ross, and by consent of all members present, the meeting was adjourned at 6:49 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, August 24, 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