

January 23, 2023
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, January 23, 2023, at 6:00 p.m. was called to order at that time by the Honorable Mayor Terry C. Hartwick.

Council members had the option of attending the council meeting in person or participate virtually. The Council Chambers were open to the public.

The roll having been called and the following Council Members answered to their names: DEBI ROSS, NATHAN HAMILTON, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, VINCE INSALACO, III 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 Council Member Baxter.

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 Tuesday, January 9, 2023, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (8/0).

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

1. Ember Strange, Chair Energy Risk Management Committee/Chief Financial Officer, memorandum re: Power Cost Adjustment (PCA) Rate February 2023 (\$0.0125/kwh – positive).

PRESENTATIONS

Mayor Hartwick invited Ms. Sherry Bruno with the North Little Rock Sertoma Club and Council Member Hight to come forward to present trophies to the winners of various categories in the 2022 Annual North Little Rock (City) and Sertoma Club Christmas Parade.

<i>Mayor's Cup</i>	Shorter College	<i>Chairman's Choice</i>	North Little Rock Elks Club
<i>Best Beauty Entry</i>	Ms. Senior America Margaret Pace	<i>Best Club Entry</i>	Central Arkansas Antique Machinery Society
<i>Best Decorated</i>		<i>Best Non-profit</i>	North Little Rock Animal Shelter
<i>Commercial/Business</i>	Custom Iron Craft	<i>Best Dance/Performing</i>	Meadow Park Elementary

Best Fire Truck

North Little Rock
Fire Department

Best Marching Group

North Little Rock High School

North Little Rock Sertoma Club President's Award

Studio 501 Golden Royalty Dance Team

Mayor Hartwick invited Mr. Vernon McNully, Summit Utilities Director of Operations for Central Arkansas to come forward. Mayor Hartwick said Council Member Hight had contacted him regarding complaints with Summit Utility (natural gas) bills. He contacted the company and requested a representative attend the council meeting and provide answers to some of the questions residents have been asking. Mr. McNully advised several representatives from Summit Utilities were present. Mr. Kelly Lassiter is with Summit Utilities Customer Relations. He worked for the previous (natural gas) company for 40 years. Mr. Lassiter shared a mockup of a customer bill. He said customers are experiencing all time high bills. There are three main components to the bill which include delivery and service charges (the price the utility charged to deliver the gas from the pipe line to customer locations) and gas supply rate (the cost the utility pays for the commodity (natural gas)). The charge to the customer is the same fee that is paid by the utility. Summit Energy makes no profit/revenue from this fee. Every natural gas company has experienced high prices. Since February 2021, the GSR (Gas Supply Rate) has continued to increase. This is (in part) based on demand. In December 2020, the rate was .38 cents per CCF (hundreds of cubic feet). The rate increased to .90 cents in December 2021. That rate was based largely on extremely cold weather earlier that year. In December 2022, the rate increased to \$1.22. Customers are paying three times more for the gas supply rate (now) than they were in 2020. The bill discussed was from a North Little Rock customer. The total was \$273.27. Of that amount Summit Utilities received \$69.28. The gas supply rate was \$170.11 (which was the amount Summit paid for the gas for the customer). Taxes and other fees totaled \$33.88. Approximately 70% of the bill was for flow-thru charges which go back to either the supplier or city/state/county taxes. Summit purchased Centerpoint in January 2022. They used the Centerpoint (billing) platform until the end of October (2022). Mayor Hartwick asked Ms. Whitbey to read some of the questions asked by the public. Karl – gas bill went from \$20.00 in July/August 2022 to \$239.00 for December/January. The only gas appliance in his home is his hot water heater. Mr. Lassiter asked if Karl used gas for heat as well. Karl said he did not. Mr. Lassiter said the fee sounded like a heating usage pattern. He will visit with Karl to review the bill. Mayor Hartwick said the biggest complaint his office has received is residents who have called the utility but never speak to a representative. He then asked for a direct line for the public to use. Mr. Lassiter said the number for Arkansas is 1-800-992-7552. Mr. Lassiter said there were issues with wait times in November. Ms. Whitbey read questions from Jason – in cases where GSR went unchanged (month to month) why were increases not commiserate with usage increases? How can customers get answers about billing when calls to customer support are not helpful? Mr. Lassiter said the gas supply rate changes daily. He said they true-up rates twice each year (usually March/April and November). The Utility goes before the Public Service Commission (PSC) for a review of their records. Ms. Whitbey read a message from Mr. Layland who held for 45 minutes and never spoke to an agent. Mr. Lassiter said the average hold time is less. Mr. Moore lives outside the city limits but does not live in the city. Mr. Lassiter said an

North Little Rock City Council Meeting, January 23, 2023

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Page 2 of 8

outside service (company) provides locations based on zip codes. Ms. Whitbey said a zip code is assigned to a city but could include locations in the county. Mr. Moore lives in the county. Mr. Lassiter said they will look into this. Council Member Hamilton said the city (North Little Rock) owns its Electric Department. As such, we understand pass through rates, etc. He said the utility (Summit) had investors and asked how the company makes money. Mr. Lassiter said their proceeds/profits are made from delivery and service charges. Council Member Hamilton asked if the investors received money when expenses were reduced. Mr. Lassiter said the only way to change the delivery and service charges is to go before the PSC. He then discussed the process of purchasing fuel in advance. If they do not contract enough gas in advance they have to purchase from the open market. Council Member Ross asked why prices seem to increase when it is cold. Mr. Lassiter said rates have gone down and prices are based on the market. Council Member Hight thanked the Summit representatives for taking the time to attend the meeting and answer questions.

Mayor Hartwick announced a Special Call.

January 20, 2023

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 Hartwick has called a special meeting of the North Little Rock City Council at 6:05 p.m. on Monday, January 23, 2023, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

O-23-06 Extending the temporary moratorium on new short term rentals in residential properties in the City of North Little Rock. Sponsor: Mayor Terry C. Hartwick.

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.

Respectfully,

Amy Beckman Fields
City Attorney

SPECIAL CALL

O-23-06 (ORDINANCE NO. 9543 – MAYOR HARTWICK)

AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON NEW SHORT TERM RENTALS IN RESIDENTIAL PROPERTIES IN THE CITY OF NORTH LITTLE ROCK;

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 Hamilton, who voted no, the readings were suspended (7/1). Council Member Ross said a proposed ordinance has been provided to the City Attorney for review and hoped it will be ready by the next council meeting (February 13, 2023). Anyone who was licensed to operate a Vacation Rental in 2022 can renew their business license for 2023. Anyone who is operating without a (business) license is operating illegally. Mayor Hartwick said once the ordinance is filed, the council can review the pros and cons. Council Member Hamilton asked the protocol if someone is operating a business without a license. Ms. Whitbey said staff contacts the business representative/person and advises them of the process to obtain a business license. Council Member Hamilton said he has talked to at least five (5) individuals who did not know they needed a business license for this type of business. They are unable to obtain a license at this time due to the moratorium. Council Member Hamilton asked if the city is shutting down businesses without a license. Ms. Whitbey said they are not writing citations at this time for Vacation Rental business codes. Council Member Hamilton asked if the city was enforcing violations of this business type. Ms. Whitbey said her staff is unable to issue new licenses during the moratorium and has not been enforcing operating a Vacation Rental without a license. City Attorney Fields said the moratorium ordinance adopted in October allows that if someone is operating a short-term rental without a business license they may be subject to fines. A short-term rental is still a business. The purpose of the moratorium was to put a hold on new short-term rentals opening in the city. City Attorney Fields said the clerk's office could issue a citation and her office would defend the case. Council Member Ross said the city has to have proof a vacation rental is operating, which is hard to find since the companies do not list addresses. There are companies that can obtain information regarding operating vacation rentals which indicate around 130 in operation. Council Member Hamilton said instituting the moratorium has created confusion and left people in limbo. Council Member Taylor said a person starting a business should know they have to have a business license. Council Member Hamilton said government regulations are difficult for lay people to understand. On the motion of Council Member Ross 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 Hamilton, who voted no, the ordinance was adopted (7/1). Emergency clause unanimously adopted (8/0).

SCHEDULED PUBLIC HEARING

None.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

By voice vote and members present having voted in the affirmative, consent items R-23-05, R-23-06, R-23-07 and R-23-08 were adopted (7/1). Council Member Insalaco did not vote due to a conflict.

R-23-05 (RESOLUTION NO. 10464 – MAYOR HARTWICK)

A RESOLUTION APPOINTING NANCY WHITE TO THE NORTH LITTLE ROCK SENIOR CITIZENS COMMISSION/ AND FOR OTHER PURPOSES, was adopted (7/1). Council Member Hight said Mrs. Nancy White agreed to be secretary to the commission.

R-23-06 (RESOLUTION NO. 10465 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH ARGENTA COMMUNITY THEATER; AND FOR OTHER PURPOSES, was adopted (7/1). (\$195,000.00)

R-23-07 (RESOLUTION NO. 10466 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH BUTTERFLY COMMUNITY (SEIS PUENTES PROJECT); AND FOR OTHER PURPOSES, was adopted (7/1). (\$75,000.00)

R-23-08 (RESOLUTION NO. 10467 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE NORTH LITTLE ROCK FINANCE DEPARTMENT TO SUBMIT AN APPLICATION ON BEHALF OF THE CITY FOR 2022 BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC) GRANT FUNDS TO ASSIST IN REPAIRING FLOODING ISSUES IN THE DIXIE ADDITION TO THE CITY; AND FOR OTHER PURPOSES, was adopted (7/1).

NEW BUSINESS

Ms. Whitbey advised R-23-13 and R-23-14 were sold and needed to be withdrawn. Mayor Hartwick invited Mr. Kenneth P. Taylor, one of the owners to come forward. Mr. Taylor said the properties belonged to his 95 year old mother who is a retired Army Colonel. She had declining health which resulted in issues with the properties referenced above. Mr. Taylor thanked the North Little Rock Code Enforcement Department for their efforts and said staff went above and beyond in assisting his family in working on the properties. He was especially thankful of the assistance of Officer Ward Reese. All of the staff were very professional and he wanted to bring that to the council's attention.

Mayor Hartwick convened a public hearing on the following items: R-23-9 - 906 North G Street, R-23-10 – 806 North G Street, R-23-11 – 812 West 53rd Street, and R-23-12 – 1014 East 13th Street. There being no one present wishing to be heard, the public hearing was adjourned.

R-23-09 (RESOLUTION NO. 10469 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 906 NORTH G STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; 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 resolution was unanimously adopted (8/0). (*owners: Ernest Bruton, Betty Bruton, and Paulette Bruton*)

R-23-10 (RESOLUTION NO. 10469 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 806 NORTH G STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; 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 resolution was unanimously adopted (8/0). (*owners: Michael Jerome Baker and Eugenia Renee Baker*)

R-23-11 (RESOLUTION NO. 10470 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 812 WEST 53RD STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; 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 resolution was unanimously adopted (8/0). (*owners: Kenneth Corbin and Helen Corbin*)

R-23-12 (RESOLUTION NO. 10471 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1014 EAST 13TH STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; 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 resolution was unanimously adopted (8/0). (*owner: Dora M. Lopez*)

R-23-13

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4700 HAMPTON ROAD IN THE CITY OF NORTH LITTLE ROCK TO

CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was withdrawn. Per Code Enforcement Director Felicia McHenry, this property has sold. (*owners: Rose Marie Taylor and Kenneth P. Taylor*)

R-23-14

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1917 TOPF ROAD IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was withdrawn. Per Code Enforcement Director McHenry, this property has sold. (*owners: Rose Marie Taylor and Kenneth P. Taylor*)

R-23-15 (RESOLUTION NO. 10472 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A GENERAL ADDENDUM TO THE REAL ESTATE CONTRACT WITH ARGENTA ENTERTAINMENT DEVELOPMENT MANAGEMENT LLC; 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 resolution was unanimously adopted (8/0).

O-23-05 (ORDINANCE NO. 9544 – COUNCIL MEMBER HARRIS)

AN ORDINANCE DEFERRING CERTAIN SECTIONS OF ARTICLE 15 OF THE SUBDIVISION ORDINANCE (ORDINANCE NO. 7946) FOR PROPERTY LOCATED NORTH OF 4800 NORTHSORE LANE TO ALLOW THE DEFERRAL OF HALF STREET IMPROVEMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Harris and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (8/0). Planning Director Shawn Spencer said the request was for a deferral only. This will allow signing the plat. The owner prefers to build a longer street in the future. On the motion of Council Member Hight and seconded by Council Member Harris, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). (*applicant: Eugene Pfeifer*)

PUBLIC COMMENT

Ms. Whitbey reminded all business owners in the city they are required to have a business license. All existing licenses are currently being renewed. Renewal invoices should be in by January 31. If anyone has any issues they can call the City Clerk's Office. Council Member Robinson said if a person wants to operate a business in the city, they must have a business license. (She provided several examples like consultant, strategist, lemonade stand, etc.)

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, the meeting was adjourned at 6:51 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, February 13, 2023, 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 TERRY C. HARTWICK

ATTEST: _____
DIANE WHITBEY, CITY CLERK