

January 11, 2021  
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 11, 2021, was called to order at 6:02 p.m. by the Honorable Mayor Terry C. Hartwick.

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, JANE GINN and CHARLIE HIGHT (8/0). 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 Hartwick, City Clerk Whitbey, City Attorney Fields, and Council Members Hamilton and Ginn were present in the council chambers.*

The prayer was led by Council Member Hight.

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

1. Mary Wagley via fax – Petition with 16 signatures from residents of Meadow Park, opposing Metro Scrap Metals, Inc. being granted a Special Use, and letter to City Council from Mary and Bill Wagley regarding the same. *Note: this was refiled from the December 28, 2020, meeting communications.*
2. Linda Giles, via email re: Dixie Addition Community Development Corporation.
3. Filed by Shirley Abel, Neighborhood Services re: Indian Hills Community Club 2020 Financial Report.
5. Zack Griffin, Fort Roots Foundation email re: directors, website and announcing city event – Healthy Lifestyles.
6. Amy Fields, City Attorney email re: Procedural Rules of City Council.
7. Marie Hollowell, email re: Faulkner Lake Road – Stonelinks subdivision flooding issues.

On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, communication #4 was read, accepted and filed (8/0).

4. Communications re: O-21-01, from Tiffanie Nelson and Kevin Nelson, reclassifying property located at 3000 North Hills Boulevard from R4 to PUD and Greenbelt, included online survey (38 signatures for legislation).

Council Member Hight asked if there would be any changes to the council's "Procedural Rules". City Attorney Fields said State Law required the council assemble and review its rules. These rules are set by ordinance. Ms. Fields suggested including a section regarding emergency situations like the COVID-19 Pandemic and council members participating remotely. Council Member Hight asked if the meeting time would remain the same. Mayor Hartwick said it would.

On the motion of Council Member Hamilton and seconded by Council Member Ginn, and by consent of all members present, the minutes from the North Little Rock City Council meeting and Special Call meeting scheduled for Monday, December 28, 2020, were approved, accepted and filed as prepared by the City Clerk (8/0).

Mayor Hartwick asked Mr. Zach Griffin to speak (via telephone) regarding Communication #5. Mr. Griffin sent an email (Communication #5) regarding the Fort Roots Foundation, a non-profit 501C3 organization. They are in the process of obtaining an event permit from the city for a 5K and Half Marathon on the Parade Grounds at Fort Roots at the VA. Their focus is on Veteran integration and positive living in our community along with healthy lifestyles. Mr. Brian Fleckenstine was also present on the call. Other Directors are Tony Smith and Sam Vogel. Mayor Hartwick asked Mr. Griffin to send him a promotional packet. Council Member Ross asked Mr. Griffin to email the council members their information as well so they can get involved.

Mayor Hartwick announced a Special Call meeting.

January 8, 2021

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 11, 2021, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

**R O-21-03 - Granting expanded Sick Leave Benefits for employees of the City of North Little Rock in response to the COVID-19 Pandemic. 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.

Amy Beckman Fields  
City Attorney

### **SPECIAL CALL**

O-21-03 (ORDINANCE NO. 9319 – MAYOR HARTWICK)

AN ORDINANCE GRANTING EXPANDED SICK LEAVE BENEFITS FOR EMPLOYEES OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS IN RESPONSE TO THE COVID-19 PANDEMIC; 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 the readings were suspended (8/0). A motion to adopt was made by Council Member Ross and seconded by Council Member Baxter. Mayor Hartwick asked Chief of Staff Danny Bradley to come forward and summarize the legislation. In April (2020) Federal Legislation (the Families First Coronavirus Response Act) went into effect. This granted additional sick leave to employees affected by the Corona Virus. This legislation expired December 31, 2020. The City (of North Little Rock) has more cases of the virus among employees now than throughout the entire episode. It is important to provide something to keep sick employees out of the workplace. Five employees working at the same location were diagnosed with COVID today. This could reach the point where it effects the city's ability to provide services. This would allow up to two (2) weeks (or 80 hours) to employees who were either diagnosed or exposed. Employees who can show that they contracted the virus while on duty will be treated as "injured on duty". Council Member Ross said this also includes the ability for the employee to work remotely if the job duties allow it. Council Member Hight asked about employees who contract the virus off duty. Chief Bradley said if the virus is contracted on duty, it falls under Workers Comp. If contracted off duty, a second provision has been provided. The goal is for employees not come to work when they are sick and potentially expose other employees to the virus. Council Member Taylor asked how it will be known where the individual contracted the virus. Chief Bradley said it depends on the situation. An example would be if a Fire Fighter had to treat a COVID positive patient it would be presumed that the virus was contracted from that patient. Chief Bradley referenced an incident where a number of Police Investigators contracted the disease. It was shown the virus was brought in by one person who works in the division but also works with outside agencies. City Attorney Fields said this also applies to employees who are exposed to someone in the workplace (with the virus) and have to quarantine. On the motion to adopt, and all members present having voting in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

### **PRESENTATIONS**

*None.*

### **UNFINISHED BUSINESS**

*None.*

## **CONSENT AGENDA**

On the motion of Council Member Ginn and seconded by Council Member Taylor, and all members present having voted “aye”, consent items R-21-01, R-21-02, and R-21-03 were adopted (8/0).

R-21-01 (RESOLUTION NO. 9979 – MAYOR HARTWICK)

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF CHRIS DUNKUM TO THE NORTH LITTLE ROCK HOUSING AUTHORITY BOARD OF COMMISSIONERS; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-02 (RESOLUTION NO. 9980 – MAYOR HARTWICK)

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

R-21-03 (RESOLUTION NO. 9981 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING CHARLES R. HART TO THE NORTH LITTLE ROCK HISTORIC DISTRICT COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

## **NEW BUSINESS**

R-21-04 (RESOLUTION NO. 9982 – MAYOR HARTWICK)

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 Ross and seconded by Council Member Taylor. Mayor Hartwick 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-21-01 (ORDINANCE NO. 9320 – MAYOR HARTWICK)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 3000 NORTH HILLS BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R4 ZONING CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (PUD) ZONING CLASSIFICATION AND GREENBELT ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; 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). A motion to adopt was made by Council Member Hight and seconded by Council Member Ginn. Mr. Thomas Lites spoke against storage units at this location. The units would be the first thing people see when they drive into this area. The developer has said they will build more apartments if this request is denied. There are zoning ordinances for a reason.

Mr. Tim Daters and Mr. Keith Richardson are the developers. Mr. Richardson has met extensively with the neighborhood groups and made numerous concessions including additional landscaping and further restrictions on the areas to be preserved. Council Member Ross spoke with Mr. Richardson previously. There will be a six (6) foot monument sign. She was assured by Mr. Richardson he would not request an electronic changeable copy sign. Mr. Richardson said the project will be built in two (2) phases. The first one will be a building which will include an office area and another would include climate controlled storage. Once complete and fully leased, they would begin construction on the second building. Council Member Hamilton asked Mr. Richardson about the changes (concessions) that have been made. Mr. Richardson said these included restricting the front part along North Hills Boulevard as a greenbelt and planting additional trees. The exterior surface on the building that faces the residential neighborhood will be Hardy (board) that will be painted giving it more of a residential appearance. No additional trees will be removed. All lighting will be down lighting. There will be no red lighting on the building. There will be a six (6) foot privacy fence on the East side and a six (6) foot opaque fence on the West side of the project. There will also be no outside parking for RVs, cars, etc. Mrs. Tiffanie Nelson said she and Mark Abernathy brought their concerns to Mr. Richardson. She represents (38) individuals who have asked them to advocate for this issue as presented. Changes also included removing red lighting from the tower which will be southern facing (signage will face the Interstate, not the lake or residential area), a 50% reduction in lighting after 10:00 p.m., an additional 150 trees to be planted (these are in addition to previously approved trees), the exterior finish will match the apartments for continuity, hours of operation were reduced to 6:00 a.m. to 10:00 p.m. instead of 24 hours. Zoning was also changed to PUD and Greenbelt to protect the area. Council Member Harris said this group has done a great job working with the developer. Council Member Ross referenced the additional trees and asked if evergreens could be planted to provide some screening during the winter months. Mr. Richardson said they are planning to plant pine seedlings in the conservation area which has some limitations on what can be planted. They can work on filling in the buffer. Council Member Ross asked what the developer could build under current zoning. Mr. Richardson said (according to the city), they could build 4 or 5 story multi-family structures. For each addition in height the setback would be reduced. Council Member Ross said the residents don't want the storage units or apartments, but chose the storage units over additional apartments. 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: White-Daters & Associates*)

O-21-02

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A SECURITY STRUCTURE CONSISTING OF SHIPPING CONTAINERS AROUND THE PERIMETER OF CERTAIN REAL PROPERTY LOCATED AT 6915 HIGHWAY 70 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and withdrawn by the sponsor, Mayor Hartwick. (*applicant: Thomas Engineering*)

**PUBLIC COMMENT**

City Attorney Fields advised the Governor and Arkansas Department of Health passed a more restrictive order regarding gathers during the COVID 19 Pandemic for indoor venues which requires a plan be submitted to the Arkansas Department of Health for attendance of 10 or more persons. The city has submitted a plan for the Council Chambers which includes that attendees have to be at least six (6) feet apart. If more than two (2) council members plan to attend a meeting, they will need to notify staff as soon as possible since arrangements will need to be made to comply with the plan. Anyone attending the meeting must wear a mask when not speaking. This applies to everyone attending the meeting. Council Member Hight received a call from a resident on Sagamore (Drive) who had concerns about residents leaving their garbage cans out. Mayor Hartwick has a staff meeting this week and will bring up this issue.

There being no further business to come before the Council, and on the motion of Council Member Hamilton and seconded by Council Member Ross, and by consent of all members present, the meeting was adjourned at 6:50 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, January 25, 2021, 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