

April 12, 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, April 12, 2021, was called to order at 6:05 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: four of the Council Members participated in the meeting electronically. Mayor Hartwick, City Clerk Whitbey, City Attorney Fields, Council Members Ross, Hamilton, Taylor and Ginn were present in the council chambers.

The prayer was led by Council Member Hamilton.

On the motion of Council Member Ross and seconded by Council Member Hamilton and by consent of all members present, the minutes from the North Little Rock City Council meeting scheduled for Monday, March 22, 2021, were approved, accepted and filed as prepared by the City Clerk (8/0).

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

1. Anita Paul, Mayor's Office memorandum re: *Retail Beer on Premises – Replacement/New Owner for Taqueria Guadalajara*, 3811 Camp Robinson Road, by Ramon Hernandez.
2. Council Member Hight – email from Marilyn Haggard re: message from One Click Politics re: Making Sure Covid-19 Vaccine Is Voluntary.
3. Kenny Stephens, Sr., Traffic Services/Safety Director re: Traffic Speed Study at Eureka Garden and recommendation Speed Hump not needed at location based on the study and Percentile.
4. Anita Paul, Mayor's Office memorandum re: *Grocery Store Wine, Retail Beer off Premises, Small Farm Winery – Retail Permit – Change of Manager for Kum & Go #152*, 3220 Springhill Drive by Tanner Krause.
5. Anita Paul, Mayor's Office memorandum re: *Grocery Store Wine, Retail Beer off Premises, Small Farm Winery – Retail Permit – Change of Manager for Kum & Go #144*, 5216 John F. Kennedy Boulevard by Tanner Krause.
7. Bob Hardin, Attorney at Law, Petition for Finding Vacancy of Commissioner and Appointment of

Successor (Brett DeCoursey) of Municipal Improvement District.

8. Julie Fisher, Mayor's Office – memorandum re: Proclamation proclaiming April 11 – 17, 2021 as Public Safety Telecommunicators Week.

On the motion of Council Member Ross and seconded by Council Member Hamilton, communication #6 was read by title only and accepted and filed (8/0).

6. Todd Larson, State of the City of North Little Rock – A Report to the City Council.

Council Member Ross said there were a few items left out that she would like included in the future: construction of renovated and new Fire Stations and street and drainage projects which were completed as a result of Sales Tax funds. Mayor Hartwick referenced the 1/2 cent sales tax that was passed three (3) years ago and funding provided by the same. He commended Mr. Todd Larson and Robert Birch for working on the report.

PRESENTATIONS

Mayor Hartwick referenced a Proclamation proclaiming the week of April 11 – 17, 2021, as Public Safety Telecommunicators Week in North Little Rock and thanked our city 911 employees and their efforts day and night.

UNFINISHED BUSINESS

O-21-25

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A MODULAR HOME IN A R3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 504 WEST 25TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time March 22, 2021 and the readings were suspended. The item was called and withdrawn by the sponsor, Council Member Hamilton, at the request of the applicant. Council Member Hamilton said the applicant has no intention to bring this request back. Council Member Hamilton visited with residents in the neighborhood. Ms. Brenda Hampton participated in the meeting by telephone. She advised she spoke with Council Member Hamilton and since the application was withdrawn she didn't have any additional comments. Ms. Whitbey referenced a public comment provided by Ms. Juanita Henderson from the Military Heights Outreach Association expressing their opposition to the proposal. Also attached were petitions signed by 65 residents of the area rejecting the proposal. Mayor Hartwick suggested some of the vacant lots in the city could be used by Habitat For Humanity to build family homes. Council Member Ross said the residents of Military Heights are faced with many issues and commended them for speaking up on this one. (*applicant: Melissa Bedford-Guidry*)

CONSENT AGENDA

All members present having voted "aye", consent items R-21-32, R-21-33, R-21-34, R-21-35, R-21-36, R-21-37, R-21-38, R-21-39, R-21-40, R-21-41, R-21-42, R-21-43, R-21-44, R-21-45, R-21-46, R-21-47, R-21-48, R-21-49, and R-21-50 were adopted (8/0).

Council Member Robinson asked questions regarding Community Garden legislation. She referenced a garden that sells produce (St. Joseph's) and asked if the public is allowed access to the same. Mr. Isaac Henry, Fit 2 Live Coordinator said they do rent beds to the public. Council Member Robinson asked if (other members of) the public have access to the garden. Mr. Henry said the city has had a long-standing relationship with this location and there is some public access. Council Member Robinson asked why the amounts requested for different gardens varied. Mr. Henry said some of the gardens are established and need less assistance. New gardens require more funds to get started. Council Member Robinson asked how members of the community know they have access to the gardens. Mr. Henry said each garden has signage. He added a lot of people want to pick the produce, but not everyone wants to put in the labor (planting, maintaining, etc.) to grow the garden. Participation is expected. Council Member Robinson asked about the "community" gardens on school properties, etc. She said Ward 2 gave the school district \$25,000.00 to put in a public walking trail. However, the public only has limited access. She included the Hays Center in the comments. Mr. Henry reiterated these are community gardens. The gardens at the schools are for the children attending the school. The general public is not allowed on school property. Council Member Robinson asked reports on any funds provided by the city for Community Gardens. Mr. Henry said the garden program has been in existence for about eight (8) years. Funds are not distributed until receipts are produced. Reports are submitted to him bi-annually. Council Member Robinson asked Mr. Henry to provide a report to the City Council in the future (summarizing the garden reports). Council Member Ginn asked what happens to excess produce. Mr. Henry said it is harvested and distributed within the community. Mayor Hartwick asked Ms. Shara Brazear Communications Director to share community garden information with the public. Council Member Hamilton said he participated in the process to review Community Garden funding applications. He reiterated Mr. Henry's comments with regard to the reports, etc. Mayor Hartwick asked Mr. Henry to include Dr. Arnessa Bennett in sharing information as well. Mr. Henry said the Community Garden bylaws, etc. can be found on the city's website under the Fit 2 Live tab. Council Member Baxter said the grant process is similar to a City Beautiful Grant request. Funds have been used to build the beds, acquire the wood, dirt, etc. A core group preps the bed then rents space to cover expenses (like water). Council Member Robinson said the city has to be accountable for tax payer funds. Regarding R-21-45, a scrivener's error in the final *Whereas*, was corrected. Council Member Ross referenced R-21-49 regarding the extension to the Interlocal Agreement with Metropolitan Emergency Medical Services (MEMS) and commended their efforts during the Coronavirus Pandemic.

R-21-32 (RESOLUTION NO. 10010 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING TOM BROWN TO THE NORTH LITTLE ROCK BOARD OF ZONING ADJUSTMENT; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-33 (RESOLUTION NO. 10011 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING LAURA JUELS TO THE NORTH LITTLE ROCK PARKS AND RECREATION COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-34 (RESOLUTION NO. 10012 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING KENNETH “BUCK” MATTHEWS TO THE NORTH LITTLE ROCK WASTEWATER TREATMENT COMMITTEE; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-35 (RESOLUTION NO. 10013 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING CHARLEY BAXTER TO THE NORTH LITTLE ROCK LIBRARY COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-36 (RESOLUTION NO. 10014 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING IAN HOPE TO THE NORTH LITTLE ROCK TREE BOARD; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-37 (RESOLUTION NO. 10015 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING PAUL SHELL TO THE NORTH LITTLE ROCK TREE BOARD; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-38 (RESOLUTION NO. 10016 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING BERT TURNER TO THE NORTH LITTLE ROCK TREE BOARD; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-39 (RESOLUTION NO. 10017 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING DIANE WHITBEY TO THE NORTH LITTLE ROCK TREE BOARD; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-40 (RESOLUTION NO. 10018 – COUNCIL MEMBER HAMILTON)

A RESOLUTION RENEWING 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 adopted (8/0). (201 West 22nd/amount - \$3,800.00)

R-21-41 (RESOLUTION NO. 10019 – COUNCIL MEMBER HAMILTON)

A RESOLUTION RENEWING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A COMMUNITY GARDEN LICENSE AGREEMENT WITH ST. JOSEPH CENTER OF ARKANSAS; AND FOR OTHER PURPOSES, was adopted (8/0). (6800 Camp Robinson/amount - \$3,100.00)

R-21-42 (RESOLUTION NO. 10020 – COUNCIL MEMBER HAMILTON)
A RESOLUTION RENEWING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A COMMUNITY GARDEN LICENSE AGREEMENT WITH BAILEY CHAPEL; AND FOR OTHER PURPOSES, was adopted (8/0). (*1921 East 2nd/amount - \$2,150.00*)

R-21-43 (RESOLUTION NO. 10021 – COUNCIL MEMBER HAMILTON)
A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH NORTH LITTLE ROCK ACADEMY; AND FOR OTHER PURPOSES, was adopted (8/0). (*5500 Lynch Drive/amount - \$3,500.00*)

R-21-44 (RESOLUTION NO. 10022 – COUNCIL MEMBER HAMILTON)
A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH NORTH HEIGHTS COMMUNITY CENTER; AND FOR OTHER PURPOSES, was adopted (8/0). (*4801 Allen St/amount - \$460.00*)

R-21-45 (RESOLUTION NO. 10023 – COUNCIL MEMBER HAMILTON)
A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH HAYS CENTER COMMUNITY GARDEN; AND FOR OTHER PURPOSES, was adopted (8/0). (*401 W Pershing Blvd/amount – \$5,000.00*) *Note: a corrected resolution was provided to the City Clerk which included correction of a scrivener’s error in the final whereas.*

R-21-46 (RESOLUTION NO. 10024 – COUNCIL MEMBER HAMILTON)
A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH IRIS PARK COMMUNITY LICENSE AGREEMENT WITH IRIS PARK COMMUNITY GARDEN; AND FOR OTHER PURPOSES, was adopted (8/0). (*903 W 45th St/amount - \$1,300.00*)

R-21-47 (RESOLUTION NO. 10025 – COUNCIL MEMBER HAMILTON)
A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH HISTORIC PARK HILL COMMUNITY GARDEN; AND FOR OTHER PURPOSES, was adopted (8/0). (*3406 Idlewild Ave/amount - \$1,500.00*)

R-21-48 (RESOLUTION NO. 10026 – MAYOR HARTWICK)
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-21-49 (RESOLUTION NO. 10027 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A FIVE-YEAR EXTENSION OF THE INTERLOCAL AGREEMENT BETWEEN THE CITIES OF NORTH LITTLE ROCK AND LITTLE ROCK, ARKANSAS ALLOWING METROPOLITAN EMERGENCY MEDICAL SERVICES (“MEMS”) TO CONTINUE PROVIDING EMERGENCY MEDICAL SERVICES AND NON-EMERGENCY ROUTINE TRANSPORTS IN NORTH LITTLE ROCK PURSUANT TO AN EXCLUSIVE FRANCHISE; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-50 (RESOLUTION NO. 10028 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT FOR ELECTRIC CUSTOMER ASSISTANCE WITH CENTRAL ARKANSAS DEVELOPMENT COUNCIL (“CADC”) FOR 2021; AND FOR OTHER PURPOSES, was adopted (8/0).

NEW BUSINESS

RESOLUTIONS

R-21-51 (RESOLUTION NO. 10029 – MAYOR HARTWICK)

A RESOLUTION ADOPTING THE 2021-2025 CONSOLIDATED PLAN AND THE 2021 ANNUAL ACTION PLAN (CDBG); AMENDING THE CITIZEN PARTICIPATION PLAN FOR THE CITY OF NORTH LITTLE ROCK; 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).

ORDINANCES

O-21-27

AN ORDINANCE AMENDING ARTICLE FOURTEEN (“THE SIGN ORDINANCE”) OF ORDINANCE NO. 7697 TO INCLUDE THE SPRINGHILL DRIVE/SMOKEY LANE SIGN OVERLAY DISTRICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hamilton and seconded by Council Member Ginn, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Council Member Hamilton and seconded by Council Member Taylor. Council Member Hamilton said he was asked to present legislation to allow changeable copy signs in this area. Council Member Hamilton said there are no residential homes in the area which is off of McCain. Council Member Taylor said an (Overlay District) amendment is usually for a specific business/sign. He asked who had made this request. Council Member Hamilton advised it was the vendor for Fast Signs. Council Member Hight said the council has made exceptions for changeable copy signs, but those have been on a case by case basis. This legislation goes against previous considerations. Council Member Ross

recalled the procedure by which these districts were determined. She advised Smokey Lane is not a major thoroughfare. The city receives calls from vendors requesting the city change legislation so they can sell their product(s). She is opposed to this proposal. Council Member Harris questioned how many signs would be within (a) district. Council Member Hamilton said Chris Blackhall is the vendor who made the request. Mayor Hartwick convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. Council Member Hamilton asked Planning Director Shawn Spencer if Changeable Copy (signs) were allowed on North Hills from Crestwood to McCain. Mr. Spencer wasn't sure without consulting a map. Council Member Baxter asked if the legislation failed, and cannot be brought back to the council for one-year, would an individual making a (separate) request be allowed to do so within that period of time. The answer was yes. On the previous motion, and the roll having been called, and all members present having voted no, the ordinance unanimously failed (0/8).

O-21-28 (ORDINANCE NO. 9342 – COUNCIL MEMBER HIGHT)

AN ORDINANCE GRANTING WAIVERS TO ALLOW VARIANCES OF HALF-STREET IMPROVEMENTS ON CERTAIN REAL PROPERTY LOCATED AT 807 MISSION ROAD 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 Ginn, 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 Taylor. Council Member Ginn asked about sidewalks along Mission Road and the distance covered by the waiver. Council Member Hight said it is on one piece of property. There is an extended area on both sides of the road with an open ditch and no sidewalks. Mr. Spencer said the Planning Commission did not have any concerns regarding this request. The length is about 120 feet. 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: Thomas R. Pownall, Thomas Engineering Co*)

O-21-29 (ORDINANCE NO. 9343 – COUNCIL MEMBER ROSS)

AN ORDINANCE WAIVING SECTION 14.102(E)(1) OF ORDINANCE NO. 7697 FOR PROPERTY LOCATED AT 3217 JOHN F. KENNEDY BOULEVARD TO ALLOW THE FACES OF AN EXISTING POLE SIGN TO BE REPLACED; 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). A motion to adopt was made by Council Member Taylor and seconded by Council Member Ross. Mayor Hartwick convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. Council Member Ross said there is a sign overlay district in this area requiring businesses to switch to monument type signs. The city has a Jump Start project on John F. Kennedy Boulevard. The applicant would have to spend thousands of dollars to comply with the monument sign requirement. This sign is not on the street but in front of the building. Approving this request will

help this small business. 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: Angry Dave's Bicycles*)

PUBLIC COMMENT

Mayor Hartwick announced a Prescription Drug Take Back Program event, Saturday, April 24, 2021, at 4000 McCain Boulevard (Target Shopping Center parking lot). Non-prescription drugs (over the counter) will also be accepted. Mayor Hartwick asked Ms. Brazear to come forward with an update on the combined COVID-19 Vaccination Clinic held at Simmons Bank Arena Saturday (April 10, 2021). Ms. Brazear said approximately 700 people received their first shot of the COVID-19 vaccine. The next event will be Saturday, May 1, 2021, at the same location. This is a great partnership between the Cities of North Little Rock and Sherwood, Pulaski County and the University of Arkansas for Medical Sciences (UAMS). Mayor Hartwick encouraged everyone to get the vaccine. About 20 percent of people have been vaccinated.

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 6:53 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, April 26, 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 TERRY C. HARTWICK

ATTEST: _____
DIANE WHITBEY, CITY CLERK