

June 28, 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, June 28, 2021, was called to order at 6:00 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, 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 Taylor.

On the motion of Council Member Hight and seconded by Council Member Baxter, and by consent of all members present, the minutes from the North Little Rock City Council meeting scheduled for Monday, June 14, 2021, were approved, accepted and filed as prepared by the City Clerk, Diane Whitbey (8/0).

On the motion of Council Member Taylor and seconded by Council Member Baxter, and by consent of all members present, communications #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, were accepted and filed (8/0).

1. Kenny Stephens, Traffic Services Director re: Petition for Speed Hump on (6009) Allen Street. Following Study, no hump needed at this location.
2. Ember Strange, Finance Director/Chair Energy Risk Management Committee memorandum re: Power Cost Adjustment (PCA) rate for July, 2021 (.0023/kwh) negative.
3. Ember Strange, Finance Director – May 2021 Financial Update.
4. Anita Paul, Mayor's Office memorandum re: Retail Beer Off Premises Permit – Replacement/New Owner for IGA Food Mart at 124 Eureka Garden Road for Alim Hemani.
5. Anita Paul, Mayor's Office memorandum re: Grocery Store Wine, Retail Beer Off Premises, Small Farm Winery – Retail – Change of Manager for Family Dollar Store #21921 at 4149 East Broadway, for Peter Barnett.
6. Anita Paul, Mayor's Office memorandum re: Grocery Store Wine, Retail Beer Off Premises, Small Farm Winery – Retail – Change of Manager for Family Dollar Store #32112 at 45609 MacArthur Drive for Peter Barnett.
7. Anita Paul, Mayor's Office memorandum re: Grocery Store Wine, Retail Beer Off Premises, Small Farm Winery – Retail – Change of Manager for Family Dollar Store #20741 at 2633 Pike Avenue for Peter Barnett.

8. Anita Paul, Mayor's Office memorandum re: Grocery Store Wine, Retail Beer Off Premises, Small Farm Winery – Retail – Change of Manager for Family Dollar Store #23614 at 4204 Camp Robinson Road for Peter Barnett.
9. Anita Paul, Mayor's Office memorandum re: Grocery Store Wine, Retail Beer Off Premises, Small Farm Winery – Retail – Change of Manager for Family Dollar Store #30170 at 2115 Highway 161 for Peter Barnett.
10. John Owens, President, CEO North Little Rock Chamber of Commerce Economic Development Activity Report Q2 2021.
11. Anita Paul, Mayor's Office memorandum re: Replacement/New Owner – Restaurant Mixed Drink Minimum (note: application indicates Beer and Wine) for The Nut House Comedy Lounge, 303 Phillips Road, North Little Rock, by Earl Brown.
12. Proclamation proclaiming July 1, 2021 as Central Arkansas Water Day in observance of the 20 Year anniversary of the merger of the Little Rock and North Little Rock Water Utilities.

### **PRESENTATIONS**

Mayor Hartwick presented Communication #12, a Proclamation proclaiming July 1, 2021, as Central Arkansas Water Day. Mayor Hartwick said our water has been ranked among the top five public water utilities for taste in the United States.

2020 Audit Presentation – David Coleman, BKD, LLP. Mr. Coleman said the city's audit was clean, modified and compliant. The General Fund had a positive change in the fund balance. The fund currently contains \$42 million. Expenditures of the year are at about 50% which is more than the recommended amount by the Government Finance Officers Association (GFOA). The Electric Fund generated positive funds. Mr. Coleman reminded everyone the (city-owned) Department is designed to run itself and not be subsidized. The Department has to make money to cover repairs, capital expenditures, etc. The city has several Pension Funds with about \$140 million in liabilities which include LOPFI (Local Police and Fire Retirement System) and the Non-Uniformed Employee Pension Fund. Pension Funds are the largest liability over all. Mr. Coleman said the GFOA grades Financial Statements. The City of North Little Rock received an award last year for Excellent Financial Reporting and should receive the same this year.

Mayor Hartwick referenced the American Rescue Plan Funding. A list of proposed expenditures has been provided to Council Members for review. Mayor Hartwick indicated this would be considered at the July 26, 2021 City Council Meeting.

### **UNFINISHED BUSINESS**

R-21-75

**A RESOLUTION AMENDING THE 2021 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO INCLUDE ADDITIONAL REVENUES AND EXPENSES IN CERTAIN DEPARTMENTAL**

BUDGETS; AND FOR OTHER PURPOSES, was called and withdrawn by the sponsor, Mayor Hartwick.

O-21-45

AN ORDINANCE AMENDING THE 2021 QUOTA ORDINANCE (ORDINANCE NO. 9323) FOR CERTAIN DEPARTMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and withdrawn by the sponsor, Mayor Hartwick.

**CONSENT AGENDA**

*None filed.*

**NEW BUSINESS**

R-21-77 (RESOLUTION NO. 10054 – MAYOR HARTWICK)

A RESOLUTION REPEALING RESOLUTION NO. 8295 WHICH CONDEMNED PROPERTY LOCATED AT 3310 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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).

R-21-78 (RESOLUTION NO. 10055 – MAYOR HARTWICK)

A RESOLUTION AMENDING THE 2021 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO INCLUDE ADDITIONAL REVENUES AND EXPENSES IN CERTAIN DEPARTMENTAL BUDGETS FOR EQUIPMENT AND MAINTENANCE; 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).

R-21-79 (RESOLUTION NO. 10056 – MAYOR HARTWICK)

A RESOLUTION AMENDING THE 2021 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO INCLUDE ADDITIONAL FIRE STATION EXPENSES IN CERTAIN DEPARTMENTAL BUDGETS FOR THE 2017 SALES TAX CAPITAL IMPROVEMENT FUND; 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 resolution was unanimously adopted (8/0).

R-21-80 (RESOLUTION NO. 10057 – MAYOR HARTWICK)

A RESOLUTION AMENDING THE 2021 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO INCLUDE ADDITIONAL REVENUES AND EXPENSES IN CERTAIN DEPARTMENTAL BUDGETS FOR INSURANCE AND MAINTENANCE; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter and seconded by Council Member Taylor, and by consent of all members present, the readings were suspended (8/0).

R-21-81 (RESOLUTION NO. 10058 – MAYOR HARTWICK)  
A RESOLUTION ACCEPTING A GRANT FOR \$30,030.00 AWARDED BY THE ARKANSAS HISTORIC PRESERVATION PROGRAM FOR THE PURCHASE OF CUSTOM WINDOW REPLACEMENTS FOR THE PARK HILL FIRE STATION (FIRE STATION NO. 5); AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT: 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 resolution was unanimously adopted (8/0).

Mayor Hartwick convened a public hearing on the following items: R-21-82 (521 West 14<sup>th</sup> Street), R-21-83 (4801 Atkins Street), R-21-84 (410 Prothro Street), R-21-85 (322 West 21<sup>st</sup> Street), R-21-86 (612 Pollock Street). There being no one present wishing to be heard, the public hearing was adjourned. All items were then called and adopted individually.

R-21-82 (RESOLUTION NO. 10059 – MAYOR HARTWICK)  
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 521 WEST 14<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; 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 resolution was unanimously adopted (8/0).  
(owner: Rock City Houses LLC)

R-21-83 (RESOLUTION NO. 10060 – MAYOR HARTWICK)  
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4801 ATKINS STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER 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: Larry and Brittney Moorhead)

R-21-84 (RESOLUTION NO. 10061 – MAYOR HARTWICK)  
A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 410 PROTHRO STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER 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: Larry and Brittney Moorhead)

R-21-85 (RESOLUTION NO. 10062 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 322 WEST 21<sup>ST</sup> STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter and seconded by Council Member Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0). Council Member Hight asked what happens to any property at the location. Code Enforcement Director Felicia McHenry said the contractor who demolishes the site will haul it away. Council Member Hight the asked if the contractor could donate the bicycle(s) in one of the photos to Recycle Bikes for Kids (a non-profit in the city). City Attorney Fields said the property owner has 30 days to pick up their property or abate the nuisance. If the property is left there past the 30 days, the contractor who demolishes the structure would also be the one to remove any personal property. (owner: *Erma Lane c/o Sharon Roby*)

R-21-86 (RESOLUTION NO. 10063 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUIDLINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 612 POLLOCK STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCUTRES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER 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: *Carolyn Geneva Reese*)

R-21-87 (RESOLUTION NO. 10064 – MAYOR HARTWICK)

A RESOLUTION APPROVING AND CERTIFYING 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 Taylor and seconded by Council Member Ginn. 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-21-55 (ORDINANCE NO. 9367 – MAYOR HARTWICK)

AN ORDINANCE AMENDING THE 2021 QUOTA ORDINANCE (ORDINANCE NO. 9323) FOR CERTAIN DEPARTMENTS; 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). A motion to adopt was made by Council Member Taylor and seconded by Council Member Baxter. Council Member Robinson asked

why the Finance Director's title was being changed to Chief Financial Officer. Finance Director Ember Strange said it would make it consistent with other cities in the state: Fayetteville, Bentonville, Conway and Rogers. She said this is also how the mayor has referred to her position. Council Member Robinson asked if this would include an increase in pay and if the duties would remain the same. Mrs. Strange said nothing would change at this time. Council Member Robinson asked about the addition of three (3) positions (transfer from Police Department to Finance Department). Mrs. Strange said the city recently upgraded the court system software to Context through the Administrative Office of the Courts. Arkansas State Law reads that employees collecting cash for criminal tickets must be court clerks. There is another law that reads that court clerks cannot be the personnel of a law enforcement agency. In order to get the access the employees needed, these changes had to be made. After discussion with Judge Randy Morley and Mr. John Breckon at the Police Department it was decided the positions would be moved to Finance. Council Member Robinson then clarified that no one will lose a job. Mrs. Strange said if the city was audited, Legislative Audit could take back the city's share of State Turn back Funds if (the city) was found to be out of compliance. Council Member Robinson asked when the law changed. Mrs. Strange said the city has always had mitigating control of these employees. Council Member Hight asked about the Fit 2 Live position. Mayor Hartwick said nothing has changed. 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-21-56 (ORDINANCE NO. 9368 – COUNCIL MEMBERS BAXTER AND HARRIS)  
AN ORDINANCE AMENDING THE MASTER STREET PLAN (ORDINANCE NO. 8601) TO  
ADD A MINOR ARTERIAL AND A MINOR COLLECTOR CONNECTING WHITE OAK  
CROSSING, MAUMELLE BOULEVARD, AND BRIDGEWAY ROAD; DECLARING AN  
EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter and seconded by Council Member Hight, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Baxter 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). Emergency clause unanimously adopted (8/0). (*proposed by Eric Holloway of Holloway Engineering*)

O-21-57 (ORDINANCE NO. 9368 – COUNCIL MEMBER HARRIS)  
AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED EASEMENT ON  
PROPERTY LOCATED ON NORTHSORE DRIVE IN THE CITY OF NORTH LITTLE ROCK;  
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Harris 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 Baxter and seconded by Council Member Taylor, 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). (*requested by Samuel Piazza of Gill Ragon Owen P.A.*)

O-21-58 (ORDINANCE NO. 9369 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A HOME DAYCARE IN AN R3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 312 WATER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read.

On the motion of Council Member Robinson 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 Hamilton. Council Member Robinson asked the applicant, Ms. Ricarol Rockins about the number of children permitted by the Department of Human Services. Ms. Rockins said she could have up to 15 children. Council Member Robinson asked why Planning said it could only be 10. Mr. Shawn Spencer, Planning Director said the (city's) Zoning Ordinance classifies a home daycare as 10 children or less. A Day Care Center is classified as having more than 10. City Attorney Fields said this is a special use. The conditions included apply to this special use, therefore the council could amend the number. The applicant agreed to an amendment and said it would give another person an opportunity at a job and a place for 5 additional children. On the motion of Council Member Taylor and seconded by Council Member Robinson, the ordinance was amended as follows: *Section 2: 9. strike through 10 and insert 15* (8/0). 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, the ordinance was unanimously adopted as amended (8/0). Emergency clause unanimously adopted (8/0). Ms. Rockins said she plans to include ages 3 to 12. (*applicant: Ricarol Rockins*)

O-21-59 (ORDINANCE NO. 9371 – COUNCIL MEMBER BAXTER)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN AUTO DETAIL SHOP IN A C3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2655G PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read.

On the motion of Council Member Baxter and seconded by Council Member Hamilton, and by consent of all members present, the readings were suspended (8/0). Council Member Ross asked if the applicant was present. Council Member Baxter said the applicant has been in this type of business and is now opening his own location. He will have four (4) additional employees. Council Member Ross asked the applicant if he would be able to do all work inside the building, as the ordinance includes a section regarding the same. On the motion of Council Member Baxter and seconded by Council Member Hamilton, 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: Corey Williams*)

O-21-60 (ORDINANCE NO. 9372 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A WAREHOUSE WITH OFFICE SPACE IN A C4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 775 JUDI DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; 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 readings were suspended (8/0). 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, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Heritage Engineering PLLC*)

**PUBLIC COMMENT**

Mayor Hartwick said the July 4<sup>th</sup> Holiday is approaching. He asked Chief of Staff Tracy Roulston to come forward and review the contents of an Ordinance which prohibits fireworks within the city limits. Specifically: It is unlawful for any person to possess, store, offer for sale, sell at retail, set off, ignite, or otherwise explode any firecrackers or other fireworks within the city limits. Pops On The River will be Sunday, July 4, 2021, along the Arkansas River (this is a free event open to the public). Chief Roulston also asked residents to be mindful of people who may be effected by the sound: elderly, disabled, veterans, and also pets. Fireworks are also a fire hazard. Lastly, fireworks can cause serious injuries from misuse. The North Little Rock Police Department will be enforcing the Ordinance. Council Member Robinson asked if residents should call 911 or the Police Departments non-emergency number (501-758-1234) to report violations. Chief Roulston encouraged residents to call the non-emergency number. However, if the situation is an emergency like bottle rockets being shot at people (or pets), that would be considered an emergency and 911 should be called. City Department were encouraged to remind the public of the same. Council Member Ross asked if the portable signs could be used at the entrances to the city limits. Mayor Hartwick advised city offices will be closed Monday, July 5, 2021. Sanitation, Trash and Recycling Routes will run one-day delayed all week. Mayor Hartwick also advised Arkansas Democrat Gazette Report Stephen Simpson will no longer be covering our meetings or events as he will be taking over the State Capital news.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the meeting was adjourned at 6:40 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, July 12, 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