

September 27, 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, September 27, 2021, was called to order at 6:00 p.m. by the Honorable Mayor Terry C. Hartwick.

Due to the rise in COVID-19 cases and Arkansas Governor Asa Hutchinson reinstating a state-wide public health emergency, council members had the option of attending the council meeting in person or participate virtually. The Council Chambers were open to the public and social distancing and the use of masks were requested for those attending the meeting in person.

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). *Note: Council Members Hamilton, Taylor, Ginn and Hight were present in the Council Chambers.* City Clerk/Treasurer Diane Whitbey and Deputy City Attorney Marie Bernard-Miller were also present.

The prayer and pledge of allegiance were led by Council Member Baxter.

On the motion of Council Member Ross and seconded by Council Member Ginn, and by consent of all members present, the minutes from the North Little Rock City Council meeting scheduled for Monday, September 13, 2021, were approved, accepted and filed as prepared by the City Clerk, Diane Whitbey (8/0).

Mayor Hartwick asked Chief Financial Officer Ember Strange to come forward and review the August 2021 Financial Report (see communication #4).

On the motion of Council Member Hight and seconded by Council Member Hamilton, and by consent of all members present, with the exception of Council Members Ross and Ginn, who passed, communications #1, 2, 3, 4, and 5, were accepted and filed (6/2).

1. Petition requesting Speed Hump Study at 519 Pollock (*11 signatures – for*).
2. Amy Beckman Fields, City Attorney memorandum to City Council Members re: Risk Management Committee Quarterly Report (Q2, FY 2021).
3. John Owens, President/CEO North Little Rock Chamber of Commerce Q3 2021 Economic Development Activity Report.
4. Ember Strange, Chief Financial Officer (CFO) memorandum re: August 2021 Financial Updated.

5. Ember Strange, CFO, Chair Energy Risk Management Committee memorandum to City Clerk Diane Whitbey re: Power Cost Adjustment (PCA) rate for October, 2021 – (.0024/kwh) negative.

### **PRESENTATIONS**

Mayor Hartwick invited Raul Fernandez with Seis Puentes and Maria Touchstone with the North Little Rock School District to come forward. He then read and presented a Proclamation declaring September 15 through October 15, 2021, as National Hispanic Heritage Month. Ms. Touchstone said she is a Mexican immigrant and has been an American (citizen) for about 50 years. She said it is important to celebrate diversity and promote education and family values in all communities. When she began working at the North Little Rock School District in 1998, there were 24 student English learners. This year there are over 600. She thanked Mayor Hartwick and the city. Mr. Fernandez also thanked everyone for the recognition.

### **UNFINISHED BUSINESS**

None.

### **CONSENT AGENDA**

On the motion of Council Member Ross, and seconded by Council Member Ginn, and by voice vote and all members present having voted “aye”, the following consent items were adopted: R-21-136, R-21-139, R-21-140, R-21-141, R-21-142, R-21-143, and R-21-144 (8/0). R-21-137 and R-21-138 were pulled and called under New Business.

R-21-135 (RESOLUTION NO. 10109 – MAYOR HARTWICK)

A RESOLUTION APPOINTING JEFF CRONE AS SUCCESSOR COMMISSIONER OF THE ARGENTA DOWNTOWN CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 31; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-136 (RESOLUTION NO. 10110 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING BRAD HUGHES TO THE NORTH LITTLE ROCK AIRPORT COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-21-139 (RESOLUTION NO. 10111 – 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-21-140 (RESOLUTION NO. 10112 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN OFFER AND ACCEPTANCE TO PURCHASE CERTAIN REAL PROPERTY LOCATED ON PARK

PLACE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM VETERAN VILLAGES OF AMERICA, INC.; AND FOR OTHER PURPOSES, was adopted (8/0). (\$10,000.00)

R-21-141 (RESOLUTION NO. 10113 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN EXCLUSIVE LISTING CONTRACT WITH KELLEY COMMERCIAL PARTNERS TO SELL APPROXIMATELY 0.68 ACRES OF PUBLIC LAND LOCATED AT 1419 NORTH OLIVE STREET AND 1422 NORTH MAGNOLIA STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted (8/0). (\$148,000.00)

R-21-142 (RESOLUTION NO. 10114 – COUNCIL MEMBERS BAXTER AND HARRIS)

A RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH REDSTONE CONSTRUCTION GROUP, INC. FOR 49<sup>TH</sup> STREET IMPROVEMENTS FROM PARKER STREET TO PIKE AVENUE; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was adopted (8/0). (\$507,596.00)

R-21-143 (RESOLUTION NO. 10115 – COUNCIL MEMBERS ROBINSON AND TAYLOR)

A RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH GENE SUMMERS CONSTRUCTION, INC. FOR PARK PLACE STREET IMPROVEMENTS; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was adopted (8/0). (\$501,940.00)

R-21-144 (RESOLUTION NO. 10116 – COUNCIL MEMBERS ROSS AND HAMILTON)

A RESOLUTION ACCEPTING THE BID OF AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH GENE SUMMERS CONSTRUCTION, INC. FOR DRAINAGE IMPROVEMENTS FOR MARION STREET FROM 34<sup>TH</sup> STREET TO 35<sup>TH</sup> STREET; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was adopted (8/0). (\$170,575.00)

### **NEW BUSINESS**

R-21-137 (RESOLUTION NO. 10117 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 521 WEST 14<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. Council Member Hight asked if the council had voted on rehabilitation agreements in the past. Ms. Whitbey advised they had. Deputy City Attorney Bernard-Miller said agreements are worked out (following condemnation). Council Member Hight asked about the bond. Ms. Whitbey said the bond is usually in an amount sufficient to cover demolition of the nuisance (if the owner failed to meet the terms of the agreement). Council Member Hight stated there were concerns from residents on the street pertaining to the next item (Candlewick). Mayor Hartwick read Section 2 of the resolution regarding the escrow bond and the use of the same. He also referenced item

4 d. (Certificate of Occupancy) in the agreement. Council Member Hamilton said Code Enforcement writes a ticket and tries to resolve issues with the property. If that doesn't happen, the item is referred to the City Council which then has the option to condemn the property. The property owner then has 30 days to enter into a Rehabilitation Agreement with the City Attorney. Council Member Hight asked what would happen if the legislation entering into an agreement failed. Council Member Hamilton said the council could lose credibility. A motion to adopt was made by Council Member Taylor and seconded by Council Member Hamilton. Council Member Ross agreed with Council Member Hamilton's previous comment. The property remains condemned. If it is rehabilitated, the council would then vote to uncondemn the property. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0). (*Arkansas Homes and Rentals*)

R-21-138 (RESOLUTION NO. 10118 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 4619 CANDLEWICK LANE IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hight and seconded by Council Member Hamilton, and by consent of all members present, the resolution was unanimously adopted (8/0). (*Sheila S. Chenault*)

Mayor Hartwick convened a public hearing on the following: R-21-145 – 1509 ½ West 20<sup>th</sup> Street, R-21-146 – 2304 North Schaer Street, R-21-147 – 5621 MacArthur Drive (aka 5623 MacArthur Drive), and R-21-148 – 5625 MacArthur Drive (aka 5623 MacArthur Drive). There being no one present wishing to be heard, the public hearing was adjourned.

R-21-145 (RESOLUTION NO. 10119 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1509 ½ WEST 20<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 Taylor and seconded by Council Member Hamilton, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: IREMODEL Properties, LLC*)

R-21-146 (RESOLUTION NO. 10120 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2304 NORTH SCHAER 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 Hamilton, and by consent of all members present, the resolution was unanimously adopted (8/0). (owner: OCHI Investments LLC)

R-21-147 (RESOLUTION NO. 10121 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5621 MACARTHUR DRIVE 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 Hamilton, and by consent of all members present, the resolution was unanimously adopted (8/0). (owner: E-Steps Investors LLC/BSTW Properties LLC)

R-21-148 (RESOLUTION NO. 10122 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5625 MACARTHUR DRIVE 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 Hamilton, and by consent of all members present, the resolution was unanimously adopted (8/0). (owner: E-Steps Investors LLC/BSTW Properties LLC)

R-149 (RESOLUTION NO. 10123 – 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. Mayor Hartwick 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 Ginn, and by consent of all members present, the resolution was unanimously adopted (8/0).

O-21-85 (ORDINANCE NO. 9396 – MAYOR HARTWICK)

AN ORDINANCE AMENDING SECTION 2-700 OF THE NORTH LITTLE ROCK MUNICIPAL CODE REGARDING COMPETITIVE BIDS TO RAISE THE AMOUNT OF EXPENDITURES REQUIRED FOR COMPETITIVE BIDDING TO CONFORM WITH STATE LAW; DECLARING AN EMERGENCY; 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 readings were suspended (8/0). On the motion of Council Member Taylor and seconded by Council Member Hamilton, and the roll having been called, and all members having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (increase from \$20,000.00 to \$35,000.00)

O-21-86 (ORDINANCE NO. 9397 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 2501 GRIBBLE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R4 TO I3 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; 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 Hamilton, and the roll having been called, and all members having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Halff Associates, Inc.*)

O-21-87 (ORDINANCE NO. 9398 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE WAIVING CERTAIN SECTIONS OF ARTICLE 15 OF THE SUBDIVISION ORDINANCE (ORDINANCE NO. 7946) AND SECTION 6.2.4.D OF THE ZONING ORDINANCE (ORDINANCE NO. 9263) FOR PROPERTY LOCATED AT 2501 GRIBBLE STREET TO ALLOW THE WAIVER OF HALF STREET IMPROVEMENTS AND PARKING LOT REQUIREMENTS; 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). On the motion of Council Member Hamilton and seconded by Council Member Ross, 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: Halff Associates, Inc.*)

O-21-88 (ORDINANCE NO. 9399 – COUNCIL MEMBER ROSS AND HAMILTON)

AN ORDINANCE GRANTING WAIVERS OF THE ZONING ORDINANCE TO ALLOW VARIANCES OF BUILDING REQUIREMENTS AND GRANTING A CONDITIONAL USE TO ALLOW AN ACCESSORY DWELLING UNIT IN AN R2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3123 NORTH OLIVE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Hamilton, and by consent of all members present, the readings were suspended (8/0). Council Member Ross said this is an accessory dwelling unit. Planning Director Shawn Spencer said an ordinance was adopted about three (3) years ago to allow this type of request. The structure will be a second residence on the parcel. Council Member Hight asked if there was any opposition. Mr. Spencer said there were only questions at the Planning Commission level regarding if the property could be used as rental property, which the city does not regulate. Council Member Ross said the applicant has letters from neighbors indicating their support of the request. On the motion of Council Member Hamilton and seconded by Council Member Ross, 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: Peggy J. Grenard*)

O-21-89 (ORDINANCE NO. 9400 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A WAREHOUSE WITH OUTDOOR STORAGE IN A C4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 901 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 Robinson and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Hamilton and seconded by Council Member Hight, 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 Engineering*)

**PUBLIC COMMENT**

Mayor Hartwick announced the following upcoming events:

September 29 – October 3: Pulaski County Fair, North Little Rock Riverfront Park

October 2: Hispanic Heritage Event, The Plaza, time: to be announced

October 5: National Night Out (various communities)

October 15: Unsheltered Outreach Fair, 11 am – 3 pm, North Little Rock Riverfront Park

November 9: Christmas Tree Lighting, 6 pm at The Plaza

November 20: Northern Lights & Holiday Market, time: to be determined, at The Plaza

December 5: 2021 Christmas Parade

December 9: Justice Building Open House, 2 pm

There being no further business to come before the Council, and on the motion of Council Member Hamilton and seconded by Council Member Taylor, 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, October 11, 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