

October 25, 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, October 25, 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, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, JANE GINN, and CHARLIE HIGHT (6/0). Council Members NATHAN HAMILTON and MAURICE TAYLOR were absent. *Note: all Council Members were present in the Council Chambers, with the exception of Council Member Hamilton who joined the meeting via ZOOM following communications.* City Clerk/Treasurer Diane Whitbey and City Attorney Amy Fields were also present.

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

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, October 11, 2021, were approved, accepted and filed as prepared by the City Clerk, Diane Whitbey (6/0).

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

1. Anita Paul, Mayor's Office, memorandum re: Application for a Restaurant Mixed-Drink Minimum Permit - New Application for Count Porkula BBQ at 10840 Maumelle Boulevard by Kelly Lovell.
2. Kenny Stephens, Safety Director, Traffic Analysis Report for Speed Hump Petition on Cheryl Street following study, no hump needed at this location.
3. DeJuana Lindsey, Program Director for Governor's Dislocated Worker Taskforce, email recognizing (North Little Rock Police) Officer Jhailan Rathey in organizing the Unsheltered Community Fest and dedication to the project.
4. Ember Strange, North Little Rock Chief Financial Officer - September 2021 Financial Update.

5. Ember Strange, Chairman Energy Risk Management Committee/Chief Financial Officer memorandum to City Clerk Diane Whitbey re: Power Cost Adjustment (PCA) rate for November, 2021 (.0002/kwh) negative.

PRESENTATIONS

Mayor Hartwick invited members of the Ozark Mission Project to come forward. He then presented them a symbolic check in the amount of \$100,000.00. Ms. Bailey Faulkner, Executive Director Ozark Mission Project thanked Mayor Hartwick and the City of North Little Rock on behalf of all the families they are able to serve. Their main focus will be roof repairs for families in need.

UNFINISHED BUSINESS

None.

Council Member Hamilton joined the council meeting via Zoom.

CONSENT AGENDA

By voice vote and all members present having voted “aye”, the following consent items were adopted: R-21-154, R-21-155, R-21-156, R-21-157, R-21-158, R-21-159, R-21-160, R-21-161, R-21-162, and R-21-163 (7/0).

R-21-154 (RESOLUTION NO. 10128 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING THOMAS MARR TO THE NORTH LITTLE ROCK HISTORIC DISTRICT COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-21-155 (RESOLUTION NO. 10129 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING JOYCE BREWER TO THE NORTH LITTLE ROCK LIBRARY COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-21-156 (RESOLUTION NO. 10130 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING ESTHER CRAWFORD TO THE NORTH LITTLE ROCK PUBLIC LIBRARY COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-21-157 (RESOLUTION NO. 10131 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 1724 PARKER STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted (7/0). (*Germon Gates - \$5,000.00*).

R-21-158 (RESOLUTION NO. 10132 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN EXCLUSIVE LISTING CONTRACT WITH COLLIERS ARKANSAS, INC. TO SELL PUBLIC LAND LOCATED AT 800 EAST MAIN STREET AND 101 WEST 8TH STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted (7/0). (*\$1,690,000.00*)

R-21-159 (RESOLUTION NO. 10133 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (7/0).

R-21-160 (RESOLUTION NO. 10134 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO SKYCOPI, INC., A SOLE SOURCE VENDOR, FOR THE PURCHASE OF LICENSE PLATE READER CAMERAS FOR THE NORTH LITTLE ROCK POLICE DEPARTMENT; AND FOR OTHER PURPOSES, was adopted (7/0) (*\$99,834.62*)

R-21-161 (RESOLUTION NO. 10135 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE REAL ESTATE CONTRACT TO SELL CERTAIN REAL PROPERTY LOCATED ON EAST BROADWAY STREET BETWEEN REDWOOD STREET AND NORTH CLOVER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO JAMES YOUNG; AND FOR OTHER PURPOSES, was adopted (7/0). (*\$48,000.00*)

R-21-162 (RESOLUTION NO. 10136 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE REAL ESTATE CONTRACT TO SELL CERTAIN REAL PROPERTY LOCATED NEAR RIVERFRONT DRIVE AND SMARHOUSE WAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO JCDD, LLC; AND FOR OTHER PURPOSES, was adopted (7/0). (*\$450,000.00*)

R-21-163 (RESOLUTION NO. 10137 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE SETTLEMENT PARTICIPATION FORMS RELATED TO THE NATIONWIDE OPIOID CLASS ACTION LITIGATION; AND FOR OTHER PURPOSES, was adopted (7/0).

NEW BUSINESS

Mayor Hartwick convened a public hearing on the following condemnations: R-21-165 – 17 Sandlefoot Cove, R-21-166 – 1723 North Magnolia Street, and R-21-167 – 4518 Marion Street. There being no one present wishing to be heard, the public hearing was adjourned.

R-21-164 (RESOLUTION NO. 10138 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 17 SANDLEFOOT COVE 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 Baxter and seconded by Council Member Ross, and by consent of all members present, the resolution was adopted (7/0). (owner: *Thomas Lee Givens*)

R-21-165 (RESOLUTION NO. 10139 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1723 NORTH MAGNOLIA 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 Hight, and by consent of all members present, the resolution was adopted (7/0). (owner: *Paul Wirges*)

R-21-166 (RESOLUTION NO. 10140 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4518 MARION 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 Ginn, and by consent of all members present, the resolution was adopted (7/0). (owner: *Grace Realty LLC*)

R-21-167 (RESOLUTION NO. 10141 – 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 Ginn and seconded by Council Member Hight, and by consent of all members present, the resolution was adopted (7/0).

O-21-91 (ORDINANCE NO. 10142 – MAYOR HARTWICK)

AN ORDINANCE LEVYING A TAX ON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY OF NORTH LITTLE ROCK FOR THE POLICE PENSION AND RELIEF FUND, THE FIRE PENSION AND RELIEF FUND, THE MUNICIPAL LIBRARY FUND, AND THE NORTH

LITTLE ROCK GENERAL FUND; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hight and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (7/0). A motion to adopt was made by Council Member Hight and seconded by Council Member Baxter. City Attorney Fields said this is an annual filing for ongoing tax revenue. (The ordinance is required to be approved by the City Council, certified and filed with the Pulaski County Clerk.) On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (1.0 Police Pension and Relief Fund, 1.0 Fire Pension and Relief Fund, 3.0 Library Fund and 5.0 General Fund = 10.0 total)

O-21-92 (ORDINANCE NO. 9403 – MAYOR HARTWICK *for consideration only*)
AN ORDINANCE AMENDING CHAPTER 8 OF THE NORTH LITTLE ROCK MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR RESIDENTIAL SALES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Hight, and by consent of all members present, the readings were suspended (7/0). City Attorney Fields advised the Code Enforcement Department had received a call from a resident regarding someone who held frequent sales at their home. The regulation regarding residential sales was previously included in the Zoning Code. However, when the most recent version was adopted, the provision was left out. This legislation is adding the language back into the Property Maintenance Code. Several Council Members discussed the definition of a week. Council Member Hamilton asked if this included Estate Sales. Estates Sales require the operator to have a business license, and are not considered yard/carport/garage sales. Following discussion, and on the motion of Council Member Ross and seconded by Council Member Ginn, and by consent of all members present, the ordinance was amended as follows: *Section 1: 8.1.3 (X) strike through 1 week and insert FIVE CONSECUTIVE/CONTINUOUS DAYS* (7/0). On the motion of Council Member Harris and seconded by Council Member Ross, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted as amended (7/0). (*Garage, Yard and Carport Sales*)

O-21-93 (ORDINANCE NO. 9404 – COUNCIL MEMBERS ROSS AND HAMILTON)
AN ORDINANCE REZONING CERTAIN REAL PROPERTY LOCATED AT 1420 NORTH MAGNOLIA STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C3 TO R3 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Hight, and by consent of all members present, the readings were suspended (7/0). A motion to adopt was made by Council Member Ginn and seconded by Council Member Harris. Without objection, Council Member Hamilton was added as a cosponsor. Council Member Hight said other properties in the area are zoned as single family dwellings. Planning Director Shawn Spencer said the applicant had requested R3 Zoning Classification which would allow either a duplex or single family structure. Council Member Ross said during the (19)60's or 70's this area was zoned C3. At that time, the area was considered as a site for a Mall. Mr. Spencer said the

council has to rezone property several times a year because mortgage companies will not loan money without proper zoning. The applicant was present by telephone. He has another lot in the area he will request rezoning on. On the previous motion, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: Brandon Eason*)

PUBLIC COMMENT

Mayor Hartwick announced the following upcoming events:

November 1: Leaf Vacuums resume curbside pickup

November 4: The Sound of Music begins at ACT

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

November 11: City Offices closed for Veterans Day (Sanitation and Recycling Routes will run one-day delayed the remainder of the week

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

November 25 & 26: City Offices closed for Thanksgiving Holidays (Sanitation and Recycling Routes will run one-day delayed the remainder of the week (*Thursday's pickup Friday and Friday's pickup Saturday*))

December 5: 2021 Christmas Parade

December 9: Justice Building Open House

Council Member Ross reminded residents the leaf vacuum routes are divided into zones. Leaves will be picked up in Zone 1 first and so on. Residents are encouraged not to rake their leaves to the curb until they know the vacuums will move to their area. Leaves that are blown or washed into the storm drains can stop them up and cause flooding issues.

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 6:25 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, November 8, 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