

December 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, December 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 encouraged for those attending the meeting in person.

The roll having been called and the following Council Members answered to their names: DEBI ROSS, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, and JANE GINN (6/0). Council Members NATHAN HAMILTON and CHARLIE HIGHT were absent. City Clerk/Treasurer Diane Whitbey and City Attorney Amy Fields were also present.

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

On the motion of Council Member Ross 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, December 13, 2021, were approved, accepted and filed as prepared by the City Clerk, Diane Whitbey (6/0).

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

1. Ember Strange, City of North Little Rock Chief Financial Officer memorandum re: November 2021 Financial Update.
2. Ember Strange, city of North Little Rock Chief Financial Officer and Chair Energy Risk Management Committee memorandum re: Power Cost Adjustment Rate (PCA) for January, 2022 -- .0012/kwh (positive).

PRESENTATIONS

Mayor Hartwick invited Mr. Chris Kent, Executive Director Argenta Downtown Council to come forward. Mr. Kent presented a PowerPoint Presentation which included Parklets. The purpose of these areas would be to slow down traffic and create more business and vibrancy downtown. One area would be located on Main Street in front of Crush Wine Bar, Skinny J's and Reno's. The other location would be in front of Brood and Barley, the Acansa Gallery, and Four Quarter Bar. Parklets

are a way to build out into parallel parking spaces to create additional outdoor dining space. Mr. Kent said they have partnered with Rock Region Metro on this project as they are able to obtain funding through Federal Transportation Grants. Illustrations indicated the Parklet would be built out to the trolley line and include bollards for protection. It included a rail with a high-top and outward facing seating. There would also be room for additional tables for dining. Both sections combined add about 2,000 square feet of space for these businesses. In front of the Argenta Community Theater a mid-street crosswalk could be added. Mr. Justin Avery, Chief Financial Officer and acting Chief Executive Officer for Rock Region Metro said the city's match would be 20% or about \$20,000.00. Council Member Harris asked what kind of material the platform would be made of. Mr. Kent said it is steel and bison wood tiles which is a product made of bamboo and other sustainable wood products. The Parklet would be manufactured in sections and easily duplicated. Council Member Taylor said parking is already at a premium downtown. Mr. Kent said the two Parklets would take up about 10 parking spots on Main Street. A recent count indicated there are approximately 1,100 (public) parking spots in the area including those in the parking lot behind the Trolley Barn and First Orion. Mr. Kent said he lives down town and has seen people parking in the neighborhood. Council Member Ross said this has been around for a while in larger cities and is needed. Council Member Ross suggested flashing lights where the crosswalk will be added. Mayor Hartwick suggested something artistic. Council Member Harris asked about a 3-D illustration. Mr. Kent said signage is needed to show visitors where existing parking is located. He spoke with several business owner/operators who support the proposal. Council Member Ginn asked if restaurants that would benefit from the additional seating had been asked to assist with funding. Mr. Kent said they would provide fixtures (tables, chairs, etc.). Council Member Ross said the city's share would not require additional infrastructure. Mr. Kent said the structure is designed to allow water to flow under it. The Downtown Council will take care of the plants. Mr. Kent said following the design, bids, etc. it is possible these could be installed by mid-April. Mayor Hartwick will present a resolution at the next meeting.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

On the motion of Council Member Ross and seconded by Council Member Baxter, and by voice vote, consent agenda items R-21-203, R-21-205, R-21-206, R-21-208, and R-21-209 were adopted (6/0). R-21-204 and R-21-207 were pulled and called under new business.

R-21-203 (RESOLUTION NO. 10177 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING THE RENEWAL OF PAYMENTWORKS SUBSCRIPTION, A SOLE SOURCE VENDOR; AND FOR OTHER PURPOSES, was adopted (6/0). (\$45,000.00)

R-21-205 (RESOLUTION NO. 10178 – MAYOR HARTWICK)

A RESOLUTION AMENDING THE STATEMENT OF AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK AND THE FRATERNAL ORDER OF POLICE, JOHN E. CHARLES LODGE NO. 5 TO GRANT ADDITIONAL CARRYOVER VACATION LEAVE; AND FOR OTHER PURPOSES, was adopted (6/0).

R-21-206 (RESOLUTION NO. 10179 – MAYOR HARTWICK)

A RESOLUTION AMENDING THE STATEMENT OF AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK AND THE NORTH LITTLE ROCK POLICE DEPARTMENT SUPERVISORS ASSOCIATION TO GRANT ADDITIONAL CARRYOVER VACATION LEAVE; AND FOR OTHER PURPOSES, was adopted (6/0).

R-21-208 (RESOLUTION NO. 10180 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN OFFER AND ACCEPTANCE TO SELL CERTAIN REAL PROPERTY LOCATED AT 4814 EAST MCCAIN BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO CROSS STREET SERVICE, INC.; AND FOR OTHER PURPOSES, was adopted (6/0). (\$1,600.00)

R-21-209 (RESOLUTION NO. 10181 – 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; AND FOR OTHER PURPOSES, was adopted (6/0). (*General, Parks, IT, Sales Tax Capital Improvement, 2017 Sales Tax Capital Improvement*)

NEW BUSINESS

R-21-204 (RESOLUTION NO. 10182 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LICENSE AGREEMENT WITH UNITI FIBER LLC; AND OTHER PURPOSES, was read. A motion to adopt was made by Council Member Baxter and seconded by Council Member Taylor. Council Member Ross spoke about existing poles utility companies put out to mark their lines and referenced an area off McCain where there are eight (8) white poles with orange caps. The poles end up knocked over. City Attorney Fields said there are alternatives and referenced a company that used a lot of poles in the past. Fiber (cables) are expensive so marking them to prevent them from being dug up or damaged is important. On the previous motion, and by consent of all members present, the resolution was adopted (6/0).

R-21-207 (RESOLUTION NO. 10183 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE REAL ESTATE CONTRACT TO SELL CERTAIN REAL PROPERTY LOCATED AT 3500 CAMP ROBINSON ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO LONOKE

PROPERTIES LLC; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Baxter and seconded by Council Member Taylor. Council Member Ross said a previous offer which had been accepted fell through. The new offer is at full listing price. The Neighbors United for Levy are concerned with the Welcome to Levy sign which is located on this site. Mr. Robert Birch, Economic Development Director said the sign is not part of the sale of this property. City Attorney Fields said the buyer plans to put a faith based program at this site to serve youth in the area. He also purchased a 1918 Fire Truck that has been restored and will be displayed on the property. Council Member Ross asked about parking. Mr. Birch said up to eight (8) additional spots could be added if they change the current parking area and the land in front of it. He added this would be more of a drop off area. This group tried to buy the property when it was previously listed. Council Member Taylor asked if the city of the neighborhood association could be granted an easement. After discussion, it was decided Mr. Birch would contact the buyer and ask if they would provide the city an easement which includes the sign. (\$149,900.00)

R-21-210 (RESOLUTION NO. 10184 – MAYOR HARTWICK)

A RESOLUTION CONFIRMING THE CITY’S INTENT TO ISSUE BONDS FOR THE PURPOSE OF ASSISTING IN THE FINANCING OF FACILITIES THAT WILL BE USEFUL IN SECURING OR DEVELOPING INDUSTRY WITHIN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, TO BE LEASED TO ~~[A COMPANY TO BE IDENTIFIED LATER]~~ DOLGENCORP, LLC OR ITS

AFFILIATE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Taylor. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the resolution was amended as follows: *insert DOLGENCORP, LLC OR ITS AFFILIATE in title and second whereas* (6/0). A motion to adopt was made by Council Member Baxter and seconded by Council Member Ginn. Council Member Ross said the city doesn’t get taxes on the property now. Ms. Michelle Allgood is an attorney with the Mitchell Williams Law Firm and represents Dolgencorp, LLC. The city is willing to consider incentives for this project if the company will come in and invest in the community. The city is considering offering tax abatement of 65%. Under Arkansas law, local communities can offer a company incentives to locate in the city. This project is a Warehouse Distribution Center for Dollar General (Store). Taxes will be based on the actual investment. The project is anticipated to be in phases. Mr. Birch said the city has been working on this project for about one year. It is one of three projects coming to the area. The company will begin with about 300 employees with the possibility of up to 600. Mr. Birch said Amazon indicated about 500 employees and now has 1,500, with a cap at 1,650. These companies bring opportunities for good jobs and benefits for our residents. Dollar General is working on a new Fresh Market design to provide fresh food options in their stores. On the previous motion, and by consent of all members present, the resolution was adopted (6/0).

(\$140 million)

R-21-211 (RESOLUTION NO. 10185 – MAYOR HARTWICK)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 4412 ROGERS STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Baxter 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 adopted (6/0). (\$9,167.38)

R-21-212 (RESOLUTION NO. 10186 – MAYOR HARTWICK)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 5505 CHIQUITO ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Taylor and seconded by Council Member Baxter. 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 adopted (6/0). (\$6,307.38)

O-21-106 (ORDINANCE NO. 9417 – COUNCIL MEMBERS ROSS, HAMILTON, TAYLOR, ROBINSON, BAXTER, HARRIS AND GINN)

AN ORDINANCE PROVIDING FOR AN ANNUAL COST-OF-LIVING INCREASE FOR RETIRED MAYORS AND CITY CLERK-TREASURERS; 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 (6/0). 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 adopted (6/0). Emergency clause adopted (6/0). (3%)

O-21-107 (ORDINANCE NO. 9418 – MAYOR HARTWICK)

AN ORDINANCE PROVIDING FOR THE COLLECTION OF A FRANCHISE FEE FROM UNITI FIBER LLC ON SERVICES PROVIDED WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; PROVIDING FOR THE METHOD OF PAYMENT THEREOF; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Taylor, and all members present having voted in the affirmative, the readings were suspended (6/0). On the motion of Council Member Taylor and seconded by Council Member Baxter, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (6/0). Emergency clause adopted (6/0). (4.25%)

O-21-108 (ORDINANCE NO. 9419 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE ACCEPTING THE DEDICATION OF PUBLIC STREET AND DRAINAGE FACILITIES CONSTRUCTED WITH THE DEVELOPMENT OF PHASE 11 OF FAULKNER CROSSING IN THE CITY OF NORTH LITTLE ROCK; 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 (7/0). A motion to adopt was made by Council Member Robinson and seconded by Council Member Taylor.

Mr. David Cook, North Little Rock City Engineer's Office said the city purchased a camera to use to video the city's underground storm water system. This is the first project where the equipment was used to look at the joints and installation. Contractors are being advised that all future storm lines going in will be video inspected and that inspection will be available to the public. On the previous motion, and the roll having been called and by consent of all members present, the ordinance was adopted (6/0). Emergency clause adopted (6/0). (*requested by Brad Peterson, P.E., CFM, Crafton Tull*)

O-21-109 (ORDINANCE NO. 9420 – COUNCIL MEMBERS ROSS AND HAMILTON)

AN ORDINANCE GRANTING A WAIVER OF SECTION 14.102(E)(1) OF ORDINANCE NO. 7697 TO ALLOW THE REPLACEMENT OF THE FACES OF AN EXISTING POLE SIGN IN A C2 SMALL SCALE COMMERCIAL DISTRICT FOR CERTAIN REAL PROPERTY LOCATED AT 4702 JOHN F. KENNEDY BOULEVARD 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 Robinson, and by consent of all members present, the readings were suspended (6/0). A motion to adopt was made by Council Member Ross and seconded by Council Member Baxter. Mayor Hartwick convened a public hearing.

Mr. Hal Matthews requested the waiver be considered as a new tenant would like to utilize an existing sign on the property. There being no one else wishing to be heard, the public hearing was adjourned. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the resolution as adopted (6/0). Emergency clause adopted (6/0). (*Hal C. Matthews – Matthews Properties*)

O-21-110 (ORDINANCE NO. 9421 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 1203 WEST 25TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C3 TO R2 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 Robinson, and by consent of all members present, the readings were suspended (6/0). A motion to adopt was made by Council Member Taylor and seconded by Council Member Baxter. 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 the roll having been called, and all

members present having voted in the affirmative, the ordinance was adopted (6/0). Emergency clause adopted (6/0). (*applicant: CBH Properties, LLC*)

O-21-111 (ORDINANCE NO. 9422 – COUNCIL MEMBER TAYLOR

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 2507 PARKER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C3 TO R2 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 Robinson, and by consent of all members present, the readings were suspended (6/0). A motion to adopt was made by Council Member Baxter and seconded by Council Member Taylor. Mayor Hartwick convened a public hearing. Ms. Stacy Medlock is with Remax and supports the legislation. The property is in a residential area. She said the property owner is purchasing lots and building new homes which is improving the area(s). There being no one else wishing to be heard, the public hearing was adjourned. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (6/0). Emergency clause adopted (6/0). (*applicant: CBH Properties, LLC*)

PUBLIC COMMENT

Mr. Bobby Taylor said residents in his area are leaving their recycling bins and garbage cans out (at the street/curb). Some people throw the garbage where the cans are. Animals get into the garbage and scatter it. Sanitation employees shouldn't have to clean it up. When the wind picks up, trash gets blown all over the neighborhood. Mr. Taylor has called the Sanitation Department and been referred to other departments. Mr. Taylor has lived in the neighborhood for 65 years. Mr. Taylor said there are people who are doing yard work that are bringing leaves in for the city to pick up. There is also an issue with people who are rehabilitating houses by leaving large piles of rubbish in front of the houses. Mayor Hartwick asked Mr. Taylor to provide addresses. Mr. Taylor said some of the locations do not have an address on them. Ms. Dena Green had a raccoon in her yard. Animal Control won't come bring out a trap. Ms. Whitbey said they are not setting traps due to being short on staff. Once a trap is set, it has to be checked so the animals are not left in them too long. Ms. Green said there has been a lot of discrimination in the last 30 years. She referenced Wal-Mart on McCain and Crestwood Elementary (School). She said the principal of the school asked her to leave. Mayor Hartwick asked if she had contacted the (North Little Rock) School Board. Ms. Green said she went to the office. Council Member Baxter said when the Arena (Simmons Bank) was built there were parking issues. He recalled they would provide a shuttle service from Little Rock to North Little Rock and back. Parking has not improved. Ms. Whitbey said Rock Region Metro (fka Central Arkansas Transit (CATA) provided the service. A charge was added to event tickets to cover the cost of providing buses. Mayor Hartwick will contact Rock Region Metro to find out the status.

Mayor Hartwick announced the following upcoming events:

December 31: City Offices close for New Year's Day. Sanitation routes will run as scheduled.

Mayor Hartwick commended the Sanitation Department employees who worked through the Christmas holidays. Leave pickup continues. Mayor Hartwick then wished everyone a Happy New Year.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member, and by consent of all members present, the meeting was adjourned at 6:54 p.m. (6/0), until the next regularly scheduled meeting to be held on Monday, January 10, 2022, 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