

January 24, 2022
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, January 24, 2022, was called to order at 6:07 p.m. by the Honorable Mayor Terry C. Hartwick. The meeting was delayed in starting due to technical difficulties.

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 Member NATHAN HAMILTON was not present during the roll call, but joined the meeting electronically at 6:11 p.m. Council Member CHARLIE HIGHT was absent. Note: Council Members Taylor and Ginn were present in the council chambers. The remaining members participating virtually. City Clerk/Treasurer Diane Whitbey and City Attorney Amy Fields were also present.

The prayer was led by Council Member Baxter.

On the motion of Council Member Ginn 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, January 10, 2022, 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 Ross, and by consent of all members present, communications #1 and 2, were accepted and filed (6/0).

1. Anita Paul, Mayor's Office memorandum re: *application for restaurant mixed drink minimum permit* for Waldo's Chicken and Beer, 4221 Warden Road, by J. Thomas Keet.
2. Captain Dustin Ivey, Maumelle Patrol Commander letter to North Little Rock Fire Chief Gerald Tucker re: thank you for NLRFD Water Rescue Team's assistance during recent victim recovery.

Mayor Hartwick announced a Special Call meeting.

January 21, 2022

Special Meeting of the North Little Rock City Council

Honorable Members of the North Little Rock City Council:

The purpose of this e-mail is to advise you that Mayor Hartwick has called a special meeting of the North Little Rock City Council at 6:00 p.m. on Monday, January 24, 2022, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-22-25 – Waiving formal bidding requirements and authorizing payment to Seal Solar for the purchase of Electric Charging Stations for the City of North Little Rock. Sponsor: Mayor Terry C. Hartwick.

Pursuant to North Little Rock Ordinance No. 9079, you are entitled to 72 hours' *electronic* notice of this meeting. Please acknowledge receipt of this e-mail as soon as possible by replying to the same. A copy of your reply will automatically be sent to City Clerk Diane Whitbey.

Amy Beckman Fields
City Attorney

Special Call R-22-25 (RESOLUTION NO. 10194 – MAYOR HARTWICK)
A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO SEAL SOLAR FOR THE PURCHASE OF ELECTRIC CHARGING STATIONS FOR THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Taylor and seconded by Council Member Ginn. Mayor Hartwick asked Mr. Josh Davenport, CEO and one of the founders of Seal Solar to come forward. Mr. Davenport advised their company is located in North Little Rock. Last year, Seal Solar installed six (6) EV (Electric Vehicle Chargers) in the city (four for Tropical Smoothie and two for L'oreal). Tropical Smoothie was able to apply for and receive an Arkansas Energy Office Grant that covered about 90% of the costs for the fourth EV. The City of North Little Rock can apply for and could receive a similar grant for two (2) different types of EV chargers. The first is a Level 2 Charger which takes about 5 to 8 hours to complete a charge. The other is a DC Fast Charger which can charge an EV in 30 to 40 minutes. Both are eligible for grant funds. These funds were made available through a settlement with Volkswagen. North Little Rock is strategically located along Interstates 30 and 40. This provides a wonderful opportunity for those travelers shopping or dining in our city. There is also a "First Mover" opportunity for Level 2 chargers. However, these funds are first come-first serve. Mr. Davenport said one of the grant requirements is the application must be made prior to construction. Council Member Ross asked what the cost would be for the city long-term as far as electric usage. Mr. Davenport said the city could charge a fee to the user which the city would determine. The city could also offer it free of charge. There are a lot of programming options. Initially, they are looking at the area of the (Argenta) Plaza and CVB (Convention and Visitors Bureau) as one location. Mr. Chris

Flores is the EV Product Manager at Seal Solar. Mr. Flores said the software is \$120.00 per year, per station. It is required that the software be in place for a minimum of five (5) years to monitor activity on the charge. That fee is built into the cost of the charger for the five (5) year required period. Council Member Ginn referenced Amazon and said they are switching to electric vans. She asked if there would there be chargers available for business use? Mr. Davenport said in order to apply for the rebate, the use has to be open to the public. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (\$300,000.00) Mayor Hartwick said the application period opens in February.

PRESENTATIONS

There were no presentations for this meeting.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

On the motion of Council Member Ginn and seconded by Council Member Taylor, and by voice vote, consent agenda items R-22-09, R-22-11, R-22-12, R-22-13, R-22-14, R-22-15, and R-22-16 were adopted (7/0). R-22-08 and R-22-17 were held. R-22-10 was pulled to be called under new business.

R-22-9 (RESOLUTION NO. 10195 – 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-22-11 (RESOLUTION NO. 10196 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PROGRAM AGREEMENT WITH THE NORTH LITTLE ROCK POLICE ATHLETIC LEAGUE (PAL); AND FOR OTHER PURPOSES, was adopted (7/0). (\$70,000.00)

R-22-12 (RESOLUTION NO. 10197 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PROGRAM AGREEMENT WITH THEA FOUNDATION; AND FOR OTHER PURPOSES, was adopted (7/0). (\$70,000.00)

R-22-13 (RESOLUTION NO. 10198 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN ENHANCED COMMUNITY SERVICES AGREEMENT WITH ARGENTA ARTS FOUNDATION D/B/A ARGENTA DOWNTOWN COUNCIL; AND FOR OTHER PURPOSES, was adopted (7/0). (\$230,000.00)

R-22-14 (RESOLUTION NO. 10199 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 1415 WEST 20TH STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted (7/0).

R-22-15 (RESOLUTION NO. 10200 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING THE RENEWAL OF ANNUAL SOFTWARE SUPPORT AGREEMENTS WITH SOUTHERN SOFTWARE INC., A SOLE SOURCE VENDOR; AND FOR OTHER PURPOSES, was adopted (7/0). (\$69,196.00)

R-22-16 (RESOLUTION NO. 10201 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO RUSSELL CHEVROLET FOR THE PURCHASE OF A 2022 CHEVROLET SILVERADO FOR THE NORTH LITTLE ROCK TRAFFIC AND SAFETY DEPARTMENTS; AND FOR OTHER PURPOSES, was adopted (7/0). (\$44,234.00)

Note: the following consent items (R-22-8 and R-22-17) were held and will be called under Unfinished Business at the next City Council meeting scheduled for Monday, February 14, 2022.

R-22-8

A RESOLUTION CONFIRMING THE APPOINTMENT OF MICHAEL MARION TO THE AT-LARGE POSITION ON THE NORTH LITTLE ROCK ADVERTISING AND PROMOTION COMMISSION; AND FOR OTHER PURPOSES, was held by the sponsor, Mayor Hartwick.

R-22-17

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE LEASE AGREEMENT TO LEASE CERTAIN REAL PROPERTY LOCATED AT 800 MAIN STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO HAYBAR PROPERTIES, LLC; AMENDING THE FY2022 BUDGET (RESOLUTION NO. 10174) AND FOR OTHER PURPOSES, was held by the sponsor, Mayor Hartwick.

NEW BUSINESS

R-22-10 (RESOLUTION NO. 10202 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN ENHANCED COMMUNITY SERVICES AGREEMENT WITH THE ARKANSAS REGIONAL INNOVATION HUB, INC; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Baxter and seconded by Council Member Hamilton. On the motion of Council

Member Taylor and seconded by Council Member Hamilton, and by consent of all members present, with the exception of Council Member Robinson who lost virtual connection, the resolution was amended as follows: *Section 2: strike through \$325,000.00 and insert \$225,000.00 and Agreement item 3. strike through \$325,000.00 and insert \$225,000.00 (6/1)*. On the motion of Council Member Baxter and seconded by Council Member Hamilton, and by consent of all members present, with the exception of Council Member Robinson who was unable to provide a voice vote electronically, the resolution was adopted as previously amended (6/1). (*\$225,000.00*)

Mayor Hartwick convened a public hearing on the following condemnations: R-22-18 – 1400 West 10th Street, R-22-19 – 1901 Frank Street, R-22-20 – 1720 West Long 17th Street, R-22-21 – 306 Hemlock, R-22-22 – 4209 Coral Street, R-22-23 – 3816 Mellene Drive, and R-22-24 – 4502 Lynch Drive. There being no one present either in person or by telephone, the public hearing was adjourned.

R-22-18 (RESOLUTION NO. 10203 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1400 WEST 10TH 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 adopted (7/0). (*owner: Marker Hunter*)

R-22-19 (RESOLUTION NO. 10204 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1901 FRANK 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 Ginn, and by consent of all members present, the resolution was adopted (7/0). (*owner: Marcel Witkowski*)

R-22-20 (RESOLUTION NO. 10205 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1720 WEST LONG 17TH 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 Ginn, and by consent of all members present, the resolution was adopted (7/0). (*owner: 1720 West Long 17th Street Trust*)

R-22-21 (RESOLUTION NO. 10206 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 306 HEMLOCK 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 Robinson, and by consent of all members present, the resolution was adopted (7/0). (*owner: Jerry Brockinton Revocable Trust c/o Jerry Brockinton*)

R-22-22 (RESOLUTION NO. 10207 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4209 CORAL 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 Ginn, and by consent of all members present, the resolution was adopted (7/0) (*owner: Jerry Brockinton Revocable Trust*)

R-22-23 (RESOLUTION NO. 10208 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 3816 MELLENE 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 Ginn and by consent of all members present, the resolution was adopted (7/0). (*owner: Annie Corocoran*)

R-22-24 (RESOLUTION NO. 10209 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4502 LYNCH 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 Ginn, and by consent of all members present, the resolution was adopted (7/0). (*owner: BM Developers LLC*)

O-22-03 (ORDINANCE NO. 9425 – MAYOR HARTWICK)

AN ORDINANCE VACATING AND ABANDONING AN UNUSED PORTION OF A RIGHT-OF-WAY LOCATED AT 1600 PIKE AVENUE, IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; 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 readings were suspended (7/0). On the motion of Council Member Taylor and seconded by Council Member Ginn, 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). (*requested by: Mark Redder – Holloway Engineering*)

O-22-04

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW LARGE VEHICLE AND IMPLEMENT OUTDOOR STORAGE IN A C4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1101 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Council Member Taylor (*applicant: Ester Jackson*)

O-22-05 (ORDINANCE NO. 9426 – COUNCIL MEMBER HARRIS)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 8701 KIM DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R1 TO C4 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; GRANTING A CONDITIONAL USE TO ALLOW MINI-STORAGE WITH OUTDOOR STORAGE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Harris and seconded by Council Member Ginn, 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 Taylor. Council Member Ross asked if the outdoor storage could be seen from the street. She added there are a lot of new residential homes in the area which is growing. Council Member Baxter said the outdoor storage would be at the rear of the property where there will be a buffer between the residential areas. Mr. Tim Reavis, Assistant Planning Director said the buffer and screening requirements between these properties requires a wooden privacy fence. Council Member Harris asked about the view from the road. Mr. Reavis said you would see storage buildings from Kim Drive. The outdoor storage would be at the back of the property to the far west side according to the plan submitted by the applicant. Council Member Ross said people could bring in motor homes and other items and her concern is that these items would be close to the residential properties and added she would not want it behind her home. Council Member Hamilton asked Mr. Reavis if there were any concerns stated by neighbors. Mr. Reavis said there were none when the item went before the Planning Commission. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, with the exception of Council Members Ross and Robinson, who voted no, the ordinance was adopted (5/2). Emergency clause adopted (7/0). (*applicant: Holloway Engineering*)

O-22-06 (ORDINANCE NO. 9427 – COUNCIL MEMBER HARRIS)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED IN COUNTRY CLUB OF ARKANSAS PHASE XXV-C IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R1

TO R0 AND C3 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 Harris and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (7/0). On the motion of council Member Taylor and seconded by Council Member Ginn, 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). (*applicant: Holloway Engineering*)

O-22-07 (ORDINANCE NO. 9428 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE WAIVING SECTION 9.11 OF THE SUBDIVISION ORDINANCE (ORDINANCE NO. 7946) AND CERTAIN SECTIONS OF THE ZONING ORDINANCE (ORDINANCE NO. 9263) FOR PROPERTY LOCATED AT 8013 AND 8105 HIGHWAY 70 TO ALLOW THE WAIVER OF LANDSCAPE IMPROVEMENTS AND PARKING LOT REQUIREMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PRUPOSES, 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 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. Council Member Ross said she is on the Tree Board and had concerns that all of the trees were being waived. Sidewalks and paving were also being waived. She said we (the city) are picking and choosing who has to meet the (subdivision) requirements and who doesn't. The city has Drainage Impact Funds someone can pay a fee in lieu of drainage. This may be something the city should look at with regard to the tree requirement. This could also be implemented for sidewalks. Funds could be used within the ward where the project is located. Regarding trees, the (city) Tree Board could make recommendations on where to plant them. Council Member Robinson said the applicant had provided an email message as to why they wanted these waivers. Council Member Ross asked if the proposed waivers would stay with the property or this applicant. Mr. Reavis said they would apply to just this project. Council Member Robinson asked if the property is sold, do the waivers go to the new owner. Mr. Reavis was unable to answer if these waivers were just for this owner/applicant. Council Member Taylor asked if this could be a Special Use. Mr. Norman Clifton is the owner/developer of the property. He said he needs the waivers to proceed with development. If he were to sell the property, the new owner would have to make their own application. Mr. Clifton said the property is zoned I3. Mr. Bear Davidson, Davidson Engineering said there were two (2) dilapidated homes on the properties and the lots were overgrown. Mr. Clifton advised Mr. Davidson he would select some existing trees in lieu of planting new saplings. There are 14 mature trees on site that range from 12 to 36 inches in diameter. He said they would like to pave from the front building line to the gate. The city engineer had requested paving to the right-of-way line. Planning staff asked them to pave at least to their gate. The areas behind the gate will not be open to the public. City Attorney Fields advised a Special Use is for the "use" of the property. The use is consistent with zoning. This location is just past Central Airport Road and Rogers Road. On the previous motion, and the roll having been called, and all members

present having voted in the affirmative, with the exception of Council Member Ross who voted no, the ordinance was adopted (6/1). Emergency clause adopted (7/0). (*applicant: Bear Davidson of Davidson Engineering / owner: Norman Clifton*)

PUBLIC COMMENT

Council Member Ginn advised she and Ward 1 Council Member Ross have been working on a joint project for the Beautification of McCain Boulevard median areas. This project will be going out for bids this month.

Mayor Hartwick announced the following upcoming events:

Unsheltered Community Winter Gear Collection underway through February 11, 2022. Items needed include coats, jackets, gloves, “hot hands” warmers, insulated long socks, sweater hats (toboggans), thermal tops and bottoms and sleeping bags. For more information, contact North Little Rock Police Officer Jhailan Rathey at 501-975-8780 or email nlrunsheltered@nlrunsheltered@nlr.ar.gov.

There being no further business to come before the Council, and on the motion of Council Member Taylor and seconded by Council Member Ginn, and by consent of all members present, with the exception of Council Member Robinson who lost virtual connection, the meeting was adjourned at 6:53 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, February 14, 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