

February 28, 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, February 28, 2022, 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, NATHAN HAMILTON, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, JANE GINN and CHARLIE HIGHT (7/0). Council Member MAURICE TAYLOR entered the council chambers following roll call. Note: Council Member Hight participated virtually. City Clerk/Treasurer Diane Whitbey and City Attorney Amy Fields were also present.

The prayer and pledge of allegiance were led by North Little Rock City Employee (Mayor's staff) Charlotte Thomas.

(Note: All council members were present in chambers, with the exception of Council Member Hight who was present electronically, via Ring Central. Several members present were also present via Ring Central to provide visual to those in chambers and Council Member Hight).

Council Member Taylor entered the council chambers at 6:03 p.m.

On the motion of Council Member Ross and seconded by Council Member Hamilton, and by consent of all members present, the minutes from the North Little Rock City Council meeting scheduled for Monday, February 14, 2022, were approved, accepted and filed as prepared by the City Clerk, Diane Whitbey (8/0).

### **PRESENTATIONS**

Mayor Hartwick asked Mrs. Thomas to remain at the podium. He then read and presented her with a proclamation and congratulated her for 48 years of service to the City of North Little Rock (in the Mayor's Office). Mrs. Thomas has been a valued member of the city team. Mayor Hartwick invited the elected officials to join him for a group photo. Council Member Baxter then presented Mrs. Thomas with a Council Member Challenge Coin. Mrs. Thomas thanked everyone. She has worked

with eight (8) different administrations and said with each change, it has been like starting a new job. Mrs. Thomas thanked her family and friends who were also present. Mrs. Thomas thanked Mayor Hartwick for his support of both her and her family over the years.

Mayor Hartwick invited Mr. John Gaudin to come forward. Mr. Gaudin is chair of ACANSA Arts Festival of the South. The festival begins next week and will last for two weeks. Events will be held in both North Little Rock and Little Rock. Mr. Gaudin said Acansa is a Quapaw word meaning a “southern place”. About eight years ago, Ms. Charlotte Gadberry attended a festival in South Carolina. When she returned to Arkansas, she recruited volunteers on both sides of the river to create the event. Mr. Gaudin said the last festival was held in 2019 with over 10,000 in attendance (prior to the COVID 19 Pandemic). Mr. Dillion Hupp is the Executive Director and a native of Little Rock. He has a degree in American Studies with a focus on Race and Ethnicity. Mr. Hupp said events opening next week in North Little Rock include Our Town, a joint production with the Argenta Community Theatre (ACT). Events also include Pierre Bensusan at The Joint, Bonnie Montgomery at The Argenta Plaza, and The Ten-Minute Play Showcase. Our Town Show times at ACT will be March 9 – 13, March 15 – 19. There will also be a third Friday Art night. Some events are free. Children 18 years and under get in free at events which include a fee for admission. Mr. Hupp thanked the city for its ongoing support.

On the blanket motion of Council Member Ross and seconded by Council Member Ginn, and by consent of all members present, communications #1, 2, 3, and 4, were accepted and filed (8/0).

1. Anita Paul, Mayor’s Office memorandum re: *Retail Beer Off Premises, Small Farm Winery – Retail – New Application* for Circle K, 4300 East Broadway Street, by Tyler Pierce.
2. Anita Paul, Mayor’s Office memorandum re: *Retail Beer Off Premises Permit – Replacement / New Owner*, for Camp C-Stop, 4622 Camp Robinson Road, by Monica Hann.
3. Government Finance Officers Association – News Release Certificate of Achievement for Excellence in Financial Reporting awarded by to the City of North Little Rock.
4. Ember Strange – Chief Financial Officer memorandum to City Clerk Diane Whitbey re: Energy Risk Management Committee Power Cost Adjustment (PCA) rate for March, 2022 - .0057/kwh (positive).

### **UNFINISHED BUSINESS**

**R-22-37 (RESOLUTION NO. 10228 – MAYOR HARTWICK, COUNCIL MEMBERS ROBINSON AND TAYLOR)**

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL ESTATE CONTRACT TO PURCHASE CERTAIN REAL PROPERTY LOCATED AT 4112 AND 4120 BAUCUM PIKE AND 4132 EAST WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM WAYNE THOMAS RENTAL, LLC; AND FOR OTHER PURPOSES,** was read. Without objection, Council Members Robinson and Taylor were added as

cosponsors. City Attorney Fields said there is a 60 day contingency period to allow time for an environmental assessment. Mr. Robert Birch, Economic Development Director said Phase I should be completed any day. On the motion of Council Member Taylor and seconded by Council Member

*North Little Rock City Council Meeting Monday, February 28, 2022*

*DRAFT COPY - not approved by council*

*Page 2 of 7*

Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).  
(\$475,000.00)

R-22-42 (RESOLUTION NO. 10229 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1724 NORTH POPLAR 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. Mayor Hartwick convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. Mrs. Felicia McHenry, Code Enforcement Director said the property was damaged by fire in September, 2021. Notifications have been sent to the property owners (which were signed for), however, there has been no response. 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). (*owner: Tracy Bailey*)

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 at the request of the sponsor, Council Member Taylor. (*applicant: Ester Jackson*)

**CONSENT AGENDA**

On the motion of Council Member Ross and seconded by Council Member Hamilton, and by voice vote, consent agenda items R-22-44, R-22-45, R-22-46, R-22-47, and R-22-49 were adopted (8/0). R-22-48 and R-22-50 were pulled and called under new business.

R-22-44 (RESOLUTION NO. 10230 – 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-22-45 (RESOLUTION NO. 10231 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE NORTH LITTLE ROCK CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT SERVICES; AND FOR OTHER PURPOSES, was adopted (8/0).  
(\$100,000.00)

R-22-46 (RESOLUTION NO. 10232 – MAYOR HARTWICK)  
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT PARTICIPATION FORM RELATED TO THE NATIONWIDE OPIOID CLASS ACTION LITIGATION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-22-47 (RESOLUTION NO. 10233 – 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 PARKS DEPARTMENT; AND FOR OTHER PURPOSES, (\$42,315.00)

R-22-49 (RESOLUTION NO. 10234 – MAYOR HARTWICK)  
A RESOLUTION AUTHORIZING PAYMENT TO UNIFORMED POLICE OFFICERS WITH UNUSED VACATION TIME IN EXCESS OF 480 HOURS; AND FOR OTHER PURPOSES, was adopted (8/0). (\$31,248.79)

**NEW BUSINESS**

R-22-48 (RESOLUTION NO. 10235 – MAYOR HARTWICK)  
A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS FOR COMPREHENSIVE LOSS AND BUSINESS INTERRUPTION INSURANCE FOR THE MURRAY HYDROELECTRIC PLANT; AUTHORIZING THE MAYOR TO EXECUTE AN INSURANCE AGREEMENT; 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 Hamilton and seconded by Council Member Ross, and by consent of all members present, the resolution (and attachment) were unanimously amended as follows: *page 4 of Exhibit strike through \$329,737.00 and insert \$316,396.00 and substitute copy provided this date; and, 5<sup>th</sup> Whereas and Section 2: strike through \$329,737.00 and insert \$316,396.00* (8/0). On the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, the resolution was unanimously adopted as amended.

R-22-50 (RESOLUTION NO. 10236 – MAYOR HARTWICK)  
A RESOLUTION AMENDING THE 2022 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO INCLUDE ADDITIONAL EXPENSES IN CERTAIN BUDGETS; AND FOR OTHER PURPOSES, was read. Council Member Ross said the council previously approved \$2.6 million for the Airport Project. At that time, the council discussed no additional funds would be provided for the project. She asked for an explanation of additional expenses. Chief Financial Officer Strange said the initial approval was at the end of 2016. The original site was going to require substantial work due to the location being over an old landfill in order to meet environmental standards. It would have cost much more than this request. The Experimental Aircraft Agency has a better location and a ground lease with 15 years remaining. A hangar exchange was negotiated. The fee to do this is \$150,000.00.

The Airport has received three (3) grants that total \$600,000.00. Ms. Strange and Chief of Staff Mike Davis met with Airport Director Clay Rogers. Another issue included some damage to utility lines. There have been several factors that preceded this increase. At the time the council allocated \$2.6 million, a contract had not been negotiated. The COVID-19 Pandemic caused cost increases. The proposed amount (\$200,000.00) will get the project to completion. There is still ground work to be completed. Council Member Ross asked if there was a contingency (fund). Mrs. Strange said it was \$61,000.00 and about \$12,000.00 had been used. Council Member Ross asked how they plan to pay for furnishing. Mrs. Strange said they will have to use the Airport's funds. Furnishings were not included in the \$2.6 million or the \$600,000.00 in Airport Grants. Cosmetic items cannot be included. Council Member Ross suggested the commission consider selling naming rights to hangars or rooms in the facility. Mrs. Strange said donations had been discussed. On the motion of Council Member Harris and seconded by Council Member Taylor, and all members present having voted in the affirmative, with the exception of Council Members Ross and Ginn, the resolution was adopted (6/2). (\$200,000.00 – Airport)

O-22-13 (ORDINANCE NO. 9434 – MAYOR HARTWICK)

AN ORDINANCE AMENDING THE 2022 QUOTA ORDINANCE (ORDINANCE NO. 9423) FOR CERTAIN DEPARTMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council Member Hight, 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 Ross. Council Member Baxter asked about the pay grade change in the Police Department under Fleet Maintenance/Inventory Manager. Human Resources Director Betty Anderson said the position had been vacant and previously titled clerical. The need is for a technician with necessary skills to keep up with inventory, drive vehicles, etc. 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-22-14 (ORDINANCE NO. 9435 – MAYOR HARTWICK)

AN ORDINANCE AMENDING THE NON-UNIFORMED EMPLOYEES' POLICY AND PROCEDURE MANUAL TO UPDATE POLICIES REGARDING THE NON-UNIFORMED EMPLOYEES RETIREMENT PLAN AND INCLEMENT WEATHER; DECLARING AN EMERGENCY; 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 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).

O-22-15 (ORDINANCE NO. 9436 – COUNCIL MEMBER ROSS)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 1516 NORTH POPLAR STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C3 TO R2 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 Ross and seconded by Council Member Hamilton, and by consent of all members present, the readings were suspended (8/0). Council Member Ross said new homes will be built on these lots. On the motion of Council Member Taylor 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: Staci Medlock*)

### **PUBLIC COMMENT**

Mr. Charles and Mrs. Joyce Burns spoke in support of extending sewer service to rental property owned by Mr. James Humphrey. Mrs. Burns said she also supports the sewer project which is needed for household to get rid of waste in the best and safest way. A sewer line would create a safe environment for the residents of the area. Ms. Veranda York spoke in support of the sewer project. Mr. J. W. Moore spoke in support of extending sewer services to the property. Mr. James Humphrey asked the City Council to extend the sewer line on Holt Road 950' to 6601 Holt Road. This address is within the city limits. Mr. Humphrey said this is the only location on Holt Road that does not have access to city sewer services and would be a Capital Improvement project. Mr. Humphrey asked for an itemized estimate of the cost for this project and the assessment fee cost. Extending the sewer line would eliminate the threat of toxic waste build up and will enable the tenant to get rid of sewer waste in the best and safest way possible. Mr. Humphrey read information he found on the North Little Rock website regarding services provided to residents. Council Member Taylor said estimates have been provided and he has talked with Wastewater regarding the request. The first estimate was \$180,000.00. An estimate a few years later was \$350,000.00. Council Member Taylor said there are 860 households in the city that are on a septic system. Mr. Humphrey said the estimate from 2014 included Neely Road. He is only requesting the service on Holt Road. Council Member Ross said it was a developer's responsibility to put in infrastructure (including sewer lines). Council Member Taylor asked if the property was vacant. Mr. Humphrey said it was and that it does not have utilities. The property has only had one utility service which is electric. Mr. Humphrey said he wants to know what it would cost to extend the line. Council Member Ross asked if there was gas service at the property. Council Member Taylor asked about water. Mr. Humphrey said Council Member Taylor helped him get water in 2014. Council Member Taylor said the city paid for water to the address. Mr. Humphrey said he paid for it. Council Member Taylor said Mr. Humphrey paid to connect to the city line. Ms. Whitbey will send a message (via email) to Mr. Michael Clayton, Wastewater Director regarding the requested information.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Hamilton, and by consent of all members present, the meeting was adjourned at 6:55 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, March 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