

May 9, 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, May 9, 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.

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). City Clerk/Treasurer Diane Whitbey, Deputy City Clerk/Treasurer Jim Scott and City Attorney Amy Fields were also present.

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

On the motion of Council Member Hight and seconded by Council Member Ross, and by consent of all members present, the minutes from the North Little Rock City Council meeting scheduled for Monday, April 25, 2022, were approved, accepted and filed as prepared by the City Clerk, Diane Whitbey (8/0).

On the blanket motion of Council Member Ross and seconded by Council Member Ginn, and by consent of all members present, communication #1 was accepted and filed (8/0).

1. Ember Strange, Chief Financial Officer – Chair Energy Risk Management Committee memorandum re: Power Cost Adjustment rate (PCA) for May, - .0036/kwh (positive).

### **PRESENTATIONS**

*None.*

### **UNFINISHED BUSINESS**

*None.*

### **CONSENT AGENDA**

On the motion of Council Member Harris and seconded by Council Member Taylor, and by voice vote, consent agenda items R-22-90, R-22-91, R-22-92 and R-22-93 were adopted (8/0).

R-22-90 (RESOLUTION NO. 10274 – MAYOR HARTWICK)  
A RESOLUTION REAPPOINTING NEIL BRYANT TO THE PARKS & RECREATION  
COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-22-91 (RESOLUTION NO. 10275 – MAYOR HARTWICK)  
A RESOLUTION REAPPOINTING OTISTENE SMITH TO THE PARKS AND RECREATION  
COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-22-92 (RESOLUTION NO. 10276 – MAYOR HARTWICK)  
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN  
AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED  
AT 4209 CORAL STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER  
PURPOSES, was adopted (8/0).

R-22-93 (RESOLUTION NO. 10277 – MAYOR HARTWICK)  
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL  
ESTATE CONTRACT TO SELL CERTAIN REAL PROPERTY LOCATED AT FREEMAN  
CIRCLE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO HULON WAYNE BARKER  
AND CINDY A. BARKER; AND FOR OTHER PURPOSES, was adopted (8/0).

### **NEW BUSINESS**

O-22-33 (ORDINANCE NO. 9454 – MAYOR HARTWICK)  
AN ORDINANCE PROVIDING FOR THE LEVY OF A ONE-HALF PERCENT (1/2%) SALES  
AND USE TAX WITHIN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, WHICH SHALL  
ONLY BE LEVIED UNTIL DECEMBER 31, 2027, AND SHALL ONLY BE USED TO ACQUIRE,  
CONSTRUCT, REPAIR, EQUIP AND/OR IMPROVE STREETS, SIDEWALKS AND DRAINAGE  
STRUCTURES AND FACILITIES FOR PUBLIC SAFETY DEPARTMENTS (POLICE, FIRE AND  
EMERGENCY SERVICES DEPARTMENTS) AND THE PARKS AND RECREATION  
DEPARTMENT, AND FOR THE ACQUISITION OF VEHICLES AND/OR EQUIPMENT FOR  
PUBLIC SAFETY DEPARTMENTS; AND PRESCRIBING OTHER MATTERS PERTAINING  
THERE TO, was read. On the motion of Council Member Hight and seconded by Council Member Hamilton, and by consent of all members present, the readings were suspended (8/0). Mr. Steven Hart President of the Cypress Crossing Homeowners Association thanked Mayor Hartwick and Council Members Taylor and Robinson for their work in the community and areas to the east. The original ½ cent sales tax was passed when Mayor Joe A. Smith was in office. Mr. Hart supported it because the majority of the funds come from people traveling through our city. If this continuation is not approved, residents will have to provide funding in another way. Mr. Hart supports the continued improvements in our city. He said we need people to want to continue to come to our city to shop, vacation and visit. Mr. Ira Buford is President of the Ashley Downs Property Owners Association. Mr. Buford said their association has been in existence since 2006. Currently there are 115 homes.

Infrastructure and a new fire station are needed. Mr. Buford referenced the new Fire Station in Levy which was paid for with revenue from an existing half cent tax. Their neighborhood is quiet and one of the best kept secrets in the city. A lot of people have retired from other areas across the United States and returned here. Mr. Buford thanked Council Members Taylor and Robinson for their efforts. Mayor Hartwick asked other neighborhood association representatives to stand and be recognized (20). There was one person who had received comments against the ½ cent tax. Council Member Ross said money was earmarked for specific needs/improvements under the previous tax. Mayor Hartwick said he would like to see a new Central Fire Station built north of the (Main Street) viaduct in the Midtown neighborhood. The current station was built in the 1960's. He would also like to improve/redo all of the city's Community (Recreation) Centers and propose building a Community Center in Ward 4. He added that streets, drainage and sidewalks will always be a high priority. Chief Financial Officer Ember Strange estimated the continuation of the tax will bring in approximately \$45 million over a five (5) year period. Funds will be dedicated (for specific uses) as they were under previous tax legislation. Mrs. Strange estimated Fire Department Facility Upgrades - \$15 million, Public Safety Vehicle and Equipment Upgrades - \$2 million, Each Ward would receive \$2.5 million (\$500,000.00 per year for a period of 5 years) for Streets, Drainage and Sidewalks (total \$10 million). Parks and Recreation Community Centers - \$18 million (this could include an Aquatic Center). Mayor Hartwick said our community centers were built in the late 60's and early 70's. Some are barely ADA (Americans with Disabilities Act) accessible. These improvements are needed for residents of all ages in every ward in the city. Mayor Hartwick referenced several projects that are about to get underway thanks to the previous ½ cent tax. Council Member Ross said Community Centers are more than just a place for activities like exercise. They have been used for winter warming centers and other uses. Improvements could include showers and kitchen preparation space. Mayor Hartwick said the Chamber of Commerce is supportive of this proposal and will oversee the campaign. He recognized Darrell Hartwick, North Little Rock Chamber President who was in attendance. Council Member Hamilton said he worked in the mayor's office when the original tax was approved. He participated in multiple presentations to civic groups and others. He doesn't like sales taxes and believes they are regressive. However, he supports this tax. Cities cannot raise property taxes to do what they want. Cities cannot pass an income tax. Municipalities are limited on ways to increase revenue. Council Member Hamilton said estimates show about 40 percent of the existing tax has been collected from people outside the city. He added this is not an emergency and if the tax does not pass, the city will be okay. This tax is an investment toward the future. Northwest Arkansas cities have a 2 percent tax. The cities of Benton and Bryant are at 2.5 percent. Council Member Ginn asked what the revenue was for the previous five (5) years. Mrs. Strange said about \$42 million. Council Member Ginn said the cost of many things are increasing. Mrs. Strange confirmed this is a continuation of an existing tax. Mrs. Strange said sale tax is collected two (2) months in arrears which means the tax election needs to be held by August (9<sup>th</sup>) to prevent the existing tax from expiring. Council Member Ginn said she has seen a lot of improvements made with funds from the existing tax revenue. Council Member Ross asked if everything will come back to the council for approval. Mayor Hartwick said it would. He also said prices are going up on many things so estimated amounts for improvements/ developments

may change. Council Member Harris said North Little Rock has moved forward with the revenue from the previous tax. He referenced the new Justice Center and streets and drainage improvements. Council Member Baxter said Ward 3 has been able to utilize CDBG (Community Development Block Grant) funds along with their portion of the previous sales tax to complete several large projects. He said they would not have been able to complete their projects without the additional funds. 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). There was no emergency clause. (This ordinance shall not take effect until after an election is held on the question and a majority of the electors vote to approve the same.)

O-22-34 (ORDINANCE NO. 9455 – MAYOR HARTWICK)

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, ON THE QUESTION OF LEVYING A ONE-HALF PERCENT (1/2%) LOCAL SALES AND USE TAX WITHIN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, WHICH SHALL ONLY BE LEVIED UNTIL DECEMBER 31, 2027, AND SHALL ONLY BE USED TO ACQUIRE, CONSTRUCT, REPAIR, EQUIP AND/OR IMPROVE STREETS, SIDEWALKS AND DRAINAGE STRUCTURES AND FACILITIES FOR PUBLIC SAFETY DEPARTMENTS (POLICE, FIRE AND EMERGENCY SERVICES DEPARTMENTS) AND THE PARKS AND RECREATION DEPARTMENT, AND FOR THE ACQUISITION OF VEHICLES AND/OR EQUIPMENT FOR PUBLIC SAFETY DEPARTMENT, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hight and seconded by Council Member Harris, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Ross and seconded by Council Member Hamilton, and by consent of all members present, the ordinance was amended as follows: *add* DECLARING AN EMERGENCY AND FOR OTHER PURPOSES *to the title* (8/0). On the motion of Council Member Hamilton 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 as amended (8/0). Emergency clause unanimously adopted (8/0). Mayor Hartwick thanked the neighborhood associations for being involved and their efforts.

O-22-35 (ORDINANCE NO. 9456 – COUNCIL MEMBERS ROSS AND HAMILTON)

AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED EASEMENT ON PROPERTY LOCATED AT 4240 STOCKTON DRIVE; 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). On the motion of Council Member Ross and seconded by Council Member Hamilton, 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: John R. Pownall, Thomas Engineering*)

O-22-36 (ORDINANCE NO. 9457 – COUNCIL MEMBERS HARRIS AND BAXTER)  
AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED IN WHITE OAK CROSSING PHASE II IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM I2 TO RU ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Without objection, Council Member Baxter was added as a cosponsor. On the motion of Council Member Harris and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (8/0). Council Member Taylor asked what an RU Zoning Classification was. Planning Director Shawn Spencer said it is Urban Residential and used for smaller lot size. It also includes lot line distance. On the motion of Council Member Baxter and seconded by Council Member Harris, 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: Joe White and Associates*)

O-22-37 (ORDINANCE NO. 9458 – COUNCIL MEMBER ROBINSON)  
AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 2700 RIVER ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM CONSERVATION TO R4 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 Robinson and seconded by Council Member Taylor, and by consent of all members present, the readings were suspended (8/0). Council Member Hight asked if this development will affect the River Trail. Mr. Spencer said the applicant is asking to rezone the property. They do not have a development plan at this time. Mr. Spencer said the developer will come up with a plan after the property is rezoned and go before the Planning Commission. Council Member Hight said the city just spent \$120,000.00 on the River (bike) Trail. Council Member Robinson said there were concerns about the property being zoned Conservation. However, that was over 20 years ago. She referenced a report as to why the property was zoned conservation. She said approximately 10 years ago the city paid for a study along the river. The results suggested a multi-family use. Mr. Spencer said there was a study of the downtown area, but it did not include River Road. Council Member Taylor asked about the R4 zoning. Mr. Spencer said all of the units (duplexes) will be on one property and reminded everyone this is the initial phase of development only. Mr. Doug Meyer with Terra Forma said they recently completed another project on the river, The Vue which is a 244 unit apartment complex which received an Award of Excellence from the Central Arkansas Realtors Association. Mr. Meyer said they just finished Phase I of a Pulaski County Brownfield Study on this property, which passed and Phase II is underway. Fill (dirt) will be brought in to elevate above the 100 year flood plain. The development would be family orientated and include duplexes and four-plexes, not high-rise apartments. Council Member Hight made a motion to amend to include wording that the developer would not touch the River Trail. City Attorney Fields said this ordinance is for zoning classification and land use only. Council Member Taylor said the development would have to go through the (Planning) Subdivision Committee and the Planning Commission before returning to the City Council. There was no second on the previous motion, which

died for lack of a second. Council Member Taylor commended Mr. Meyer for their work on previous projects. Council Member Baxter said the illustration attached to the ordinance included 200 parking spots. There have been issues with speeding in the area. He asked about plans to mitigate the additional traffic along River Road. Council Member Ross said in the past, the council has approved rezoning a property which then sold. She asked Mr. Spencer if this item will come back before the council. Mr. Spencer said it would not, unless they request waivers. Mr. Meyer said Joshua Ministry signed an Easement Grant to the City of North Little Rock in April, 1999 for the Bike Trail. Mr. Meyer said this property is also in an Opportunity Zone. On the motion of Council Member Taylor and seconded by Council Member Robinson, and the roll having been called, and all members present having voted in the affirmative, with the exception of Council Member Hight, who voted no, the ordinance was adopted (7/1). Emergency clause unanimously adopted (8/0). (*applicant: Thomas Engineering*)

### **PUBLIC COMMENT**

Mayor Hartwick referenced the following upcoming events:

May 13 - Annual Police Memorial Ceremony at Justice Center Way at 10:00 a.m.

May 13 & 14 – Argenta Outdoor Dining – Downtown Argenta

May 14 - Becky Witcher Memorial Golf Scramble

May 29 – Pulaski County Fair – North Shore Park.

Mayor Hartwick invited Economic Development Director Robert Birch to come forward. Mr. Birch announced the city will proceed with a Health Clinic to be located in Rose City. Mayor Hartwick said there has been a need for this (in the eastern part of the city) for some time. The city will partner with Baptist Health Hospital on this project which will be located on East Broadway at Highway 165 (former Thomas Scrap Metal property). Mr. Birch said funds to purchase the property were available as the result of sales of other (city-owned) properties/lots around the city. Mayor Hartwick announced an upcoming conference the City Clerk is cohosting. Ms. Whitbey said the Arkansas City Clerks, Recorders and Treasurers Association Host Committee will be hosting International Institute Municipal Clerks 76<sup>th</sup> Annual Conference May 22 – 25, 2022. Delegates from 50 states and 11 counties will be attending. Mayor Hartwick announced City Council Member Robinson received an Honorary Doctorate Degree from Shorter College on May 7, 2022.

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, May 23, 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