

August 8, 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, August 8, 2022, was called to order at 6:00 p.m. by the Honorable Mayor Terry C. Hartwick.

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). Council Members Ross and Hight participated electronically via RingCentral. City Clerk/Treasurer Diane Whitbey, Deputy City Clerk/Treasurer Enforcement Officer Jim Scott, and City Attorney Amy Beckman Fields were also present.

The prayer and pledge of allegiance were led by IT Director John Barber.

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, July 25, 2022, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (8/0).

On the blanket motion of Council Member Baxter and seconded by Council Member Robinson, 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 Factor (PCA) rate for August, 2022 - .0051/kwh (positive).

## **PRESENTATIONS**

*None.*

## **UNFINISHED BUSINESS**

R-22-141

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A 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 called and held by the sponsor, Mayor Hartwick.

O-22-71 (ORDINANCE NO. 9493 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN AUTO SALES LOT IN C4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1815 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read and the readings suspended July 25, 2022. The item was read again this date. A motion to adopt was made by Council Member Taylor and seconded by Council Member Hamilton. The applicant Ms. Veronica Edwards was present. Council Member Robinson asked about hours of operation. Ms. Edwards said the business would be open from 9 a.m. until 5 p.m. Cars sales will be from 10 a.m. until 5 p.m. The business will be open weekly, Monday through Saturday. On the motion of Council Member Taylor and seconded by Council Member Baxter, and by consent of all members present, the ordinance was unanimously amended as follows:: *new subsection: HOURS OF OPERATION MONDAY THROUGH SATURDAY, 9:00 A.M. UNTIL 5:00 P.M. CAR SALES WILL BE FROM 10 A.M. UNTIL 5:00 P.M. (8/0)*. A motion to adopt as amended was made by Council Member Taylor and seconded by Council Member Hamilton. Council Member Ross asked if the applicant understood there was a limit on the total number of vehicles on the lot at any one time which was 25. This number includes customers, employees, etc. Ms. Edwards said she understood. On the previous motion, 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). (*applicant: Veronica Edwards of Brooks Autoplex Corporation*)

CONSENT AGENDA

By voice vote, and all members present having voted in the affirmative, consent agenda items R-22-153, R-22-154, R-22-155, and R-22-156 were adopted (7/0). Without objection, Council Member Ginn was added as a cosponsor to R-22-155.

Mayor Hartwick invited Mrs. Ashley Mobley to come forward and receive the Oath of Office from City Clerk Whitbey.

R-22-153 (RESOLUTION NO. 10333 – MAYOR HARTWICK)

A RESOLUTION APPOINTING ASHLEY MOBLEY TO THE NORTH LITTLE ROCK TREE BOARD; AND FOR OTHER PURPOSES, was adopted (8/0).

R-22-154 (RESOLUTION NO. 10334 – MAYOR HATWICK)

A RESOLUTION APPOINTING KRISTEN KENNON TO THE CITY OF NORTH LITTLE ROCK PARKS AND RECREATION COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-22-155 (RESOLUTION NO. 10335 – COUNCIL MEMBERS HAMILTON AND GINN)

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF THOMAS W. ROY III TO THE NORTH LITTLE ROCK ADVERTISING AND PROMOTION COMMISSION; AND FOR OTHER

PURPOSES, was adopted (8/0). *Note:* without objection, Council Member Ginn was added as a cosponsor.

R-22-156 (RESOLUTION NO. 10336 – 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).

### **NEW BUSINESS**

R-22-157 (RESOLUTION NO. 10337 – MAYOR HARTWICK)

A RESOLUTION APPROVING THE FY2022 ANNUAL ACTION PLAN FOR THE CITY OF NORTH LITTLE ROCK, INCLUDING THE 48<sup>TH</sup> YEAR (2022) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND THE 2022 HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) PROJECTS AND BUDGETS; AND FOR OTHER PURPOSES; was read. Mayor Hartwick convened a public hearing. Community Development Director Bailey Noland summarized the plan which included public improvements in areas of infrastructure and facilities, drainage projects in Wards 1, 2, and 3, and funds for rehab / development in the area of affordable housing. There would also be funds set aside for public services and non-homeless special needs. Council Member Robinson asked about funding for homeless individuals. Ms. Noland advised there are funds for River City Ministry and the HOME ARP allocation plan. There being no one else wishing to be heard, the public hearing was adjourned. On the motion of Council Member Taylor and seconded by Council Member Hamilton, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-22-158 (RESOLUTION NO. 10338 – MAYOR HARTWICK)

A RESOLUTION APPROVING AND CERTIFYING THE AMOUNT 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 Taylor and seconded by Council Member Hamilton, and by consent of all members present, the resolution was unanimously adopted (8/0).

### **ORDINANCES**

O-22-75

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 read. 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 voted no, the readings were suspended (7/1). A motion to adopt was made by Council Member Baxter and seconded by Council Member Taylor. Planning Director Shawn Spencer said the applicant requested to store his (construction) company's large equipment (vehicles) on the property. Council Member Robinson said there had been military equipment stored at this location in the past. If this use is allowed it will set a precedent for other car lots in the future. For years, the goal has been to clean up East Broadway. Mayor Hartwick asked where the vehicles will go if the Special Use request fails. Mr. Ester Jackson said he does not have another location at this time. Mr. Spencer said this was brought to his attention (Planning Department) as the result of a complaint. The applicant went before the Planning Commission and requested a fence. Mr. Spencer said if the ordinance fails, Mr. Jackson will be given a period of time to remove the vehicles. He said the proposed fence would be an 8-foot high wooden privacy fence. Council Member Robinson said an 8-foot fence would not conceal construction equipment. Council Member Taylor asked if the vehicles on the lot run. Mr. Jackson said they do and referenced a military vehicle used to level dirt. Council Member Taylor said he did not recall seeing the vehicles moved. Council Member Robinson asked Mr. Jackson if he owned property in other cities. He advised he did (Jacksonville and Little Rock). Mayor Hartwick asked the nature of the business at the location at 1101 East Broadway. Mr. Jackson said calls for Pacman Bail Bonds go through that location. Mr. Jackson said the vehicles are stored for his construction company, 1811 Construction. Ms. Whitbey said there is not a current business license at the location at this time. Mr. Jackson said calls for bonding service run through the telephone number associated with 1101 E. Broadway and he writes bonds for this area. Mr. Jackson has owned the property since 1995. Council Member Ross asked why the equipment was not stored at the construction office location. Mr. Jackson said the office is in Pine Bluff, but they work jobs in a lot of areas. On the previous motion, and the roll having been called, and all members present having voted no, the motion to adopt failed (0/8). City Attorney Fields advised Mr. Jackson he will need to remove the equipment and obtain a business license for the bail bond office. Mr. Spencer said Mr. Jackson would have 30 days to remove the equipment. (*applicant: Ester Jackson*)

O-22-76 (ORDINANCE NO. 9494 – COUNCIL MEMBER HIGHT)

AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED EASEMENT ON PROPERTY LOCATED AT 3917 McCAIN BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read.

On the motion of Council Member Hight and seconded by Council Member Ginn, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Hight 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: Timothy Daters on behalf of McCain Mall Company Limited Partnership and McCain Mall GP, LLC*)

O-22-77 (ORDINANCE NO. 9495 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED EASEMENT ON PROPERTY LOCATED AT 7910 INDUSTRY DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 Taylor asked by the easement was being abandoned if it was unused. Mr. Spencer said they are also moving the property line. On the motion of Council Member Robinson 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: Andrew Rike – Mida Group II LLC*)

O-22-78 (ORDINANCE NO. 9496 – MAYOR HARTWICK)

AN ORDINANCE ESTABLISHING THE CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 50 (GARDENS AT ROCKWATER RECREATION DISTRICT); 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). A motion to adopt was made by Council Member Taylor and seconded by Council Member Hamilton. Mayor Hartwick convened a public hearing. Applicant and District Commissioner Lisa Ferrell advised the Improvement District had been set up by the HOA (Home Owners Association), residents of The Gardens. All property owners signed and agreed to the formation of the district. There being no one else wishing to be heard, the public hearing was adjourned. Lisa Ferrell, Alan Abston, and Jim Jackson will be Commissioners and constitute the Board for the District. On the previous motion, and by 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). (*Lisa Ferrell and Jim Jackson*)

O-22-79

AN ORDINANCE WAIVING CERTAIN PROVISIONS OF SECTION 14.19 OF THE ZONING ORDINANCE (ORDINANCE NO. 9263) TO ALLOW AN ELECTRONIC CHANGEABLE COPY SIGN ON CERTAIN REAL PROPERTY LOCATED AT 3401 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 Hamilton and seconded by Council Member Baxter, and the following members having voted yes: Hamilton, Taylor, Baxter, and Harris; the following members having voted no, Ross, Ginn and Hight; Council Member Robinson passed, and Mayor Hartwick voted no, the motion failed (5/4). Council Member Hamilton asked if the previous vote could be rescinded. On the motion of Council Member Ross and seconded by Council Member Hamilton, and by consent of all members present, the previous vote was rescinded. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all

members present, the readings were suspended (8/0). A motion to adopt was made by Council Member Hamilton and seconded by Council Member Baxter. Mayor Hartwick convened a public hearing. Mr. Ron Kuhn spoke against the request and advised an electronic sign goes against what they are trying to do in Park Hill which is make it a neighborhood environment with sidewalk upgrades and more. Council Member Hamilton said he was asked to sponsor the legislation to allow the applicant the opportunity to address the council however, he does not support the request. Mr. Jasper Burton, President Cuerden Sign Company was contacted and asked to request a variance for a small sign. He described the size and location of the proposed sign that would go on the existing pole. Mayor Hartwick said monument signs are required in the area. Council Member Ross was involved with and worked through the process the city uses for electronic changeable copy signs. In residential and historic districts, these type signs are discouraged. Council Member Ginn spoke with the store manager who did not know about the proposal. She added the issue may be the electronic changeable copy sign. Mr. Burton said it would be a static display of fuel prices. Council Member Ross said there is a Sign Overlay District on JFK (John F. Kennedy) which regulates monument signs. However, it does not include electronic signs. Council Member Hight recalled a few areas where monument signs with electronic changeable copy signs have gone in. He recalled that other applicants have been denied. He said he would not support this legislation unless it required a monument sign. 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 no, the motion to adopt failed (0/8).  
*(applicant: Cuerden Sign Company)*

**PUBLIC COMMENT**

Mayor Hartwick reminded everyone to vote tomorrow (August 9, 2022) in the Special Election extending a ½ cent sales tax.

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 6:42 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, August 22, 2022, at six o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas. *Note:* The upcoming meeting will be preceded by a presentation from Rock Region Metro at 5:30 p.m.

APPROVED: \_\_\_\_\_  
MAYOR TERRY C. HARTWICK

ATTEST: \_\_\_\_\_  
DIANE WHITBEY, CITY CLERK