

August 22, 2022
Five thirty o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

Note: a public meeting was held at 5:30 p.m. this date. The public meeting was not part of the regular scheduled City Council meeting.

A public meeting was convened at 5:30 p.m. by the Honorable Mayor Terry C. Hartwick. The following Council Members were also present: NATHAN HAMILTON, LINDA ROBINSON, JANE GINN and CHARLIE HIGHT (*note: Council Member Hight participated virtually*)

Mr. Justin Avery, Rock Region Metro Chief Executive Officer advised this is a follow up to a meeting in July. Council Members had a few questions that will be answered this date. Mr. Avery said their Mission Statement is to provide safe, reliable, convenient and cost-effective transit services.

Mr. Avery began with a Service Overview of various routes, beginning with Ward 2. Fixed routes include: Route 4 – Levy/Amboy, Route 10 – McCain, Route 13 – Pulaski (University of Arkansas) Technical College and Route 18 – McAlmont. Microtransit Zones include: Shorter College/Dixie Zone and Levy/Amboy Zone. Areas of Need: Rose City Proper and East North Little Rock. Mr. Avery referenced accessibility within zones. Landmarks within zones include: Shorter College/Dixie Zone – Shorter College, Sherman Park Recreation Center and Hemlock Courts. Levy/Amboy Zone – Bowker House. Areas of Need – Rose City and East North Little Rock.

Mr. Avery referenced Google Map illustrations of Fixed Route lines. Mayor Hartwick provided a scenario from outside a route and zone and asked about the options for a resident to get from one point to another. Mr. Avery reviewed the route and the length of time to get from one point to another. Council Member Robinson asked about Route 18 (McAlmont). Mr. Avery said they are streamlined to make it faster. Council Member Robinson confirmed that routes for residents of the Meadow Park area would remain the same. Mr. Avery said any route changes would come before the City Council for public input.

The proposed Rose City Microtransit Route would include 1 dedicated vehicle, 16 hours of service – weekday, 12 hours of service – weekend. Total 5,408 service hours at a cost of \$38.73 per hour. Annual cost would be \$214,095.00. Potential start date is mid-2023. This route would extend to Faulkner Lake Road and other areas to the east. Mr. Avery referenced the new Health Clinic in Rose City as a possible Point of Interest.

Council Member Ginn asked about a possible route on Osage. Mr. Avery said it is being referred to as the Indian Hills Microtransit Service. They do not have a proposal (numbers) for that route yet, but it could provide access to (Indian Hills) Kroger and other areas of Ward 4 north of McCain (Boulevard). There being no other discussion, Mayor Hartwick adjourned the public meeting.

August 22, 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 22, 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, LINDA ROBINSON, STEVE BAXTER, JANE GINN and CHARLIE HIGHT (6/0). Note: Council Member Hight participated virtually. Council Members MAURICE TAYLOR and RON HARRIS entered the council chambers after the meeting convened. City Clerk/Treasurer Diane Whitbey, Deputy City Clerk Talor Shinn, and Assistant City Attorneys Marie Bernard-Miller and Rick Hogan were also present.

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

On the motion of Council Member Ross and seconded by Council Member Hight, and by consent of all members present, the minutes from the North Little Rock City Council meeting scheduled for Monday, August 8, 2022, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (6/0).

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

1. Petition for Speed Hump Evaluation Study for Broken Arrow Drive between Cochise and Lynn Lane submitted by Anita Powell.
2. Anita Paul, Mayor's Office memorandum re: *application for retail beer off premises – new application for MacArthur Station, 4123 MacArthur Drive*, by Jon Abdo.

3. Anita Paul, Mayor's Office memorandum re: *application for restaurant mixed drink maximum permit – change of manager* for The Purple Cow, 4201 Warden Road, by Holden Raines.
4. Becca Green, Rock Region Metro, APR/Director of Public Engagement – Recap of the City of North Little Rock's Fiscal Commitment to (RRM) and Service Provided by Rock Region METRO. (5:30 p.m. public meeting).

PRESENTATIONS

Mayor Hartwick invited Mr. Randy Naylor to come forward. Mr. Naylor is with Keep North Little Rock Beautiful. He announced September 10, 2022, they will set up a (volunteer) station on River Road at the boat ramp and in Burns Park where volunteers can check in. The cleanup will include the north shore of the Arkansas River. There will also be boats on the river with a focus between the two dams (David D. Terry and Cooks Landing). Little Rock and Keep Arkansas Beautiful have also scheduled events for the same date this year. When the cleanup in North Little Rock is done, volunteers will meet at Murray Park for entertainment and food. Mr. Naylor invited the public to join them. He also referenced their website at knlr.org for more information. Supplies will be provided for the cleanup. Mr. Naylor said this will be the 10th year for this event. He commended Mayor Hartwick for the addition of Unit 50 (Litter Patrol).

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.

Note: Council Member Taylor entered the Council Chambers at 6:04 p.m.

CONSENT AGENDA

By voice vote, and all members present having voted in the affirmative, consent agenda items R-22-159, R-22-160, R-22-161, R-22-162, R-22-163, R-22-164 and R-22-165 were adopted (7/0).

R-22-159 (RESOLUTION NO. 10339 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING DICK BLANKENBEKER TO THE NORTH LITTLE ROCK SENIOR CITIZENS COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-22-160 (RESOLUTION NO. 10340 – COUNCIL MEMBER HIGHT)

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF MELODY WILLIFORD TO THE NORTH LITTLE ROCK ADVERTISING & PROMOTION COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-22-161 (RESOLUTION NO. 10341 – 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-22-162 (RESOLUTION NO. 10342 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO GENESIS DATACOM, LLC FOR SECURITY AND ACCESS SOFTWARE AND EQUIPMENT; AND FOR OTHER PURPOSES, was adopted (7/0). (*not to exceed \$85,000.00.*)

R-22-163 (RESOLUTION NO. 10343 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO MARK MCLARTY FORD FOR THE PURCHASE OF TWO VEHICLES FOR THE NORTH LITTLE ROCK POLICE DEPARTMENT; AND FOR OTHER PURPOSES, was adopted (7/0). (*\$86,200.00*)

R-22-164 (RESOLUTION NO. 10344 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE NORTH LITTLE ROCK FINANCE DEPARTMENT TO SUBMIT AN APPLICATION ON BEHALF OF THE CITY OF NORTH LITTLE ROCK FOR 2022 BRIDGE INVESTMENT PROGRAM GRANT FUNDS TO ASSIST IN REBUILDING THE MAIN STREET VIADUCT BRIDGE; AND FOR OTHER PURPOSES, was adopted (7/0). (*20% local match*)

R-22-165 (RESOLUTION NO. 10345 – 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 adopted (7/0). (*Code Enforcement - \$130,000.00 for Demolition of Buildings*)

NEW BUSINESS

R-22-166 (RESOLUTION NO. 10346 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING APPLICATION BY THE NORTH LITTLE ROCK POLICE DEPARTMENT FOR FUNDS UNDER THE 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM; AND FOR OTHER PURPOSES; 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 Baxter and seconded by Council Member Hamilton, and by consent of all members present, the resolution was unanimously adopted (7/0).

Mayor Hartwick convened a public hearing on the following items:

R-22-167 – 1424 West 18th Street, R-22-168 – 129 College Park Circle, R-22-169 – 4724 Gum Street, R-22-171 – 229 Mosley, R-22-172 – 615 West 33rd Street, R-22-173 – 816 West 34th Street, and R-22-174 – 2416 East 2nd Street. Mr. Chris Gamet owns 129 College Park Circle. He said it is a block building and is structurally sound and not a danger to anyone. All entry points have been boarded up and a lot of the work is cosmetic. He has an agreement with a contractor to work on the property and his intent is to rehabilitate it. Mr. Gamet said he could begin work in October. Mr. Ward Reese, Deputy Director Code Enforcement said letters were sent to Mr. Gamet March 31. City Attorney Hogan advised the process to enter into a Rehabilitation Agreement, which would include a bond in an amount to cover the cost of remove the structure. A feasible construction plan is also required. The owner would have 180 days to complete rehabilitation or forfeit the bond. Council Member Ross asked Mr. Gamet how long he has owned this property. He advised two (2) years. Council Member Ross said cleaning up the property only required “elbow-grease”. Mr. Gamet said he had problems with “squatters” in vacant properties. Council Member Ross had received a lot of calls about the condition of properties in this area. Ms. Donna Gilliam spoke regarding 615 West 33rd Street and advised she has been in touch with a contractor. She wants to try to get it up to par. Mr. Reese said notices were sent in May 2022. To date, no work has taken place. Code Enforcement has received calls/complaints about the condition of the property. There have also been issues with homeless people using the house. Mr. Reese said part of the damage to the property was the result of a fire. Ms. Gilliam said the contractor said it would need a lot of work. Mr. Reese said the structure may need to be razed due to the damage caused by the fire. Mr. Hogan advised Ms. Gilliam of the process to enter into a Rehabilitation Agreement. There being no one else present wishing to be heard, the public hearing was adjourned.

Note: Council Member Harris entered the Council Chambers at 6:08 p.m., during the above public hearing.

R-22-167 (RESOLUTION NO. 10347 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1424 WEST 18TH STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; 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 resolution was unanimously adopted (8/0).
(owner: Parks Rentals c/o Harold Parks)

R-22-168 (RESOLUTION NO. 10348 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 129 COLLEGE PARK CIRCLE 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 Hamilton, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Chris Gamet*)

R-22-169 (RESOLUTION NO. 10349 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4724 GUM 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 unanimously adopted (8/0). (*owner: Harry C. Wickles*)

R-22-170

A RESOLUTION DECLARING THE GARAGE ON CERTAIN REAL PROPERTY LOCATED AT 1112 WEST 23RD 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 called and held by the sponsor. The garage has been torn down, however, debris still has to be removed.

R-22-171 (RESOLUTION NO. 10350 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 229 MOSLEY 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 Hamilton, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Herberteen Johnson-Mitchell*)

R-22-172 (RESOLUTION NO. 10351- MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 615 WEST 33RD STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. 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). (*owners: Donna Gilliam and Sharon Gilliam*)

R-22-173 (RESOLUTION NO. 10352 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 816 WEST 34TH 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 unanimously adopted (8/0).
(owner: *Christina Burgueno*)

R-22-174 (RESOLUTION NO. 10353 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2416 EAST 2ND STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING PROPERTY OWNER A PERIOD OF TIME TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. 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).
(owners: *Hattie Mae Hicks Wallace, Randolph C. Hicks, Uretha F. Hicks Rosby, and Vickie L Hicks Butler*)

R-22-175 (RESOLUTION NO. 10354 – 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 3816 MELLENE DRIVE 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 Ross. 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 unanimously adopted (8/0). (\$4,896.91)

R-22-176 (RESOLUTION NO. 10355 – MAYOR HARTWICK)

A RESOLUTION APPROVING AND CERTIFYING AMOUNTS 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. A motion to adopt was made by Council Member Baxter and seconded by Council Member Hamilton. 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 unanimously adopted (8/0).

ORDINANCES

O-22-80 (ORDINANCE NO. 9497 - COUNCIL MEMBER TAYLOR)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 200 CEDAR STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R4 TO C4 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; GRANTING A CONDITIONAL USE TO ALLOW WAREHOUSING IN A C4 ZONE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council Member Harris, and by consent of all members present, the readings were suspended (8/0). Council Member Taylor asked if everything would be stored inside. The applicant, Mr. Elisei (Eli) Cojocararu advised it would. On the motion of Council Member Taylor 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: Elisei (Eli) Cojocararu*)

O-22-81 (ORDINANCE NO. 9498 – COUNCIL MEMBER HIGHT)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN AFTER SCHOOL PROGRAM IN A C4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5301 MCCLANAHAN DRIVE 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 Ross, 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 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: Walter Sims*)

O-22-82 (ORDINANCE NO. 9499 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE AMENDING ORDINANCE NO. 9493, WHICH GRANTED A CONDITIONAL USE TO ALLOW AN AUTO SALES LOT IN A 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. On the motion of Council Member Taylor and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (8/0). Council Member Taylor said the fence needs to stay to reduce lost property (due to theft). On the motion of Council Member Taylor 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: Veronica Edwards – Brooks Autoplex Corporation*)

O-22-83 (ORDINANCE NO. 9500 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE WAIVING CERTAIN SECTIONS OF THE ZONING ORDINANCE (ORDINANCE NO. 9263) REGARDING LANDSCAPING AND PARKING LOT

REQUIREMENTS FOR CERTAIN REAL PROPERTY LOCATED AT 3310 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, 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). A motion to adopt was made by Council Member Hight and seconded by Council Member Hamilton. Council Member Ross said legislation was recently adopted allowing applicants to request a Waiver In-Lieu of Planting Trees and pay a fee through the North Little Rock Tree Board. This item was not referred for a recommendation which an option currently in place. Council Member Robinson said the area is asphalt and concrete and said if the applicant has to dig up the concrete and asphalt to plant trees they may not live. Council Member Hamilton said the In-Lieu of Fee was so the applicant would not have to plant trees and in exchange would pay a fee to a designated (Ward) fund. The city could use those funds to plant a tree in another (public) area within that Ward. Council Member Ross advised three (3) applications had already gone through and waivers were granted through the Tree Board. Those were then referred to the City Council for approval. Planning Director Shawn Spencer said applicants have the option to go before the Tree Board to request a Fee In-Lieu of planting waiver or go to City Council to request a waiver of trees (with no fee). He said the Planning Commission met on August 9, 2022, and voted to have the trees planted as required by (zoning) ordinance (Section 3.1). Ms. Whitbey (Tree Board secretary) advised if recommended by the Tree Board, the In-Lieu of Fee is \$400.00 per tree. Council Member Harris asked about Planning Commission Member Don Chambers and if he had a recommendation for the number of trees. Mr. Spencer said it is what is required in the zoning ordinance. The current required number is seven (7) trees (4 streets trees and 3 parking lot trees). When an item is referred to the Tree Board, those members review the request and make a recommendation which is referred to the City Council for a final decision. Council Member Ross said the Tree Board is an Advisory Board only and added that one of the Tree Board members is an Arborist and provides expert knowledge in that regard. Council Member Robinson referenced an illustration of the site. Mr. Spencer said the asphalt area would have to be adjusted to plant trees. Council Member Hamilton agreed with Council Member Robinson comments about the location. He supported the legislation that allowed an In-Lieu of Fee (for trees). Council Member Ginn asked the applicant, Mr. Norman Clifton how long he owned the property. Mr. Clifton said two (2) years. Council Member Ginn said there was a structure there previously that was damaged by a storm. The request is to build a new structure on the existing site. Council Member Ginn asked about the requirement of 17 parking spaces and said the applicant only needed six (6). Mr. Spencer said that is part of the zoning ordinance based on the use of the location. Mr. Clifton said the previous structure was built in 1985. At that time, the building requirements were different. Mr. Clifton said the intent is to build a warehouse (and rent) to a tenant. Mr. Clifton provided some history on the property beginning with when East Broadway was widened. He submitted an application (to the Planning Department) to build on the existing concrete slab at which time he learned the right-of-way changed from 70 feet to 80 feet. He was then required to go before the Planning Commission and present a site plan for the location. This requires consideration of current ordinances/restrictions. He said the buildings were built over an existing easement and was

required to go through the process to remove (abandon) the easement. Council Member Baxter said a lot of projects require trees. Currently, there is no requirement if an existing (or planted tree) be replaced. He referenced new overlay districts in the city and new requirements if an existing building is destroyed/removed. Mr. Clifton said the ordinance (building/zoning) requires 17 parking spaces for a building of this size. He only needs six (6). If he puts in 17 parking spaces there will not be enough space for the parking lot trees. Mr. Clifton said this process has been ongoing for nine (9) weeks. Mr. Clifton added he will have to go back through the process to get a waiver for the additional parking spaces. Council Member Hamilton commended Mr. Clifton for the work he has done in purchasing and rehabilitating property in Rose City. He did not feel like trees needed to be required on this property. The Fee In-Lieu for this site would be \$2,800.00. Council Member Ross asked if the requirements for this applicant are any different than they would be for any other. Mr. Spencer said any new construction, other than a single-family home goes through the Planning Commission. This has nothing to do with what happened to the previous structure. These are the conditions for all new structures under the (zoning) ordinance that is in place at this time. Mr. Spencer added that 22 easements have been abandoned since 2000. Mr. Spencer also said the widening of East Broadway has nothing to do with a building permit. Council Member Taylor referenced Hum's Hardware on East Broadway where street trees were required during construction. Those now mature trees block equipment stored on the site. Council Member Taylor also commended Mr. Clifton on his rehabilitation efforts in the area. Council Member Hight agreed with Council Member Hamilton Trees should not be required on this property. Assistant City Attorney Rick Hogan said the discussion had moved from objective to subjective. He reminded the council to be objective. Council Member Robinson referenced the parking spaces and trees and asked Mr. Clifton if he would mind going before the tree board. He reiterated he has been working on this project for a while. He then proposed paying an In-Lieu of Fee for four (4) trees. His parking lot is not big enough for all of the required trees. Council Member Hamilton asked if Mr. Clifton would be amenable to reducing the number of parking spaces, which he said he would if it was done now so he does not have to go back and start the process over. Council Member Harris suggested holding the item and referring it to the Tree Board for a recommendation. Council Member Hamilton proposed amending the parking requirements to 10 instead of 17 spaces. Mayor Hartwick asked how many trees would be required for six (6) parking spaces, which Mr. Spencer said one (1) tree for every six (6) spaces. Council Member Ross asked the City Attorney if parking spaces could be addressed since there is no reference to the same within the body of the legislation before the council. Assistant City Attorney Miller said the legislation could be amended as referenced. Mr. Spencer said there was no legal ad on this item so the council should be able to amend. Mr. Hogan agreed. Ms. Whitbey asked that the amendment include in the title and body the reference (to the parking spaces) as the proposed legislation references landscaping and trees. Mayor Hartwick said the council has the authority to amend ordinances (legislation). Mr. Hogan reiterated there is no requirement to advertise. Mr. Spencer said the Planning Commission voted for 17 parking spaces. It was suggested that the legislation be held until the next meeting to allow the City Attorney time to clean up the language in the legislation. Mr. Clifton said he has a contractor on standby and needs to get started. On the motion of Council Member Hamilton and seconded by

Council Member Ross, and by consent of all members present, the legislation was amended as follows:: *new* SECTION 1: SECTION 6.2.3 – PARKING SPACES. WAIVING FIVE (5) PARKING SPACES *and renumber remaining sections* (8/0). On the motion of Council Member Hamilton and seconded by Council Member Taylor, and by consent of all members present, the legislation was again amended as follows:: *new Section* ~~(3)~~ 4: Section 7.2.3 – Street Trees A., *strike through* ~~sixty (60)~~ and *insert* THIRTY (30) (8/0). Ms. Whitbey asked about the referral to the Tree Board. Council Member Ross said only if requested by the applicant. Council Member Robinson said this had been settled. 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). (*applicant: Norman Clifton*)

O-22-84

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 8004 MACARTHUR DRIVE IN THE PLANNING JURISDICTION OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C3 TO R6 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and withdrawn by the sponsor, Mayor Hartwick. (*applicant: Brenda Mendoza*)

PUBLIC COMMENT

Council Member Harris asked about the area of Lee Marques Apartments and Broken Arrow where there is a lot of trash. Council Member Baxter has talked with Code Enforcement and Sanitation regarding the issue. Council Member Baxter asked for an update on the new (garbage) trucks. Mayor Hartwick said they are delayed until the end of the year or first of next year.

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 7:16 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, September 12, 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