

September 26, 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, September 26, 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, RON HARRIS, JANE GINN and CHARLIE HIGHT (7/0). Council Member MAURICE TAYLOR was absent. City Clerk/Treasurer Diane Whitbey, Deputy City Clerk/Treasurer Talor Shinn, and City Attorney Amy Fields were also present.

Council Member Hamilton introduced Deacon Ed Sweeden, Immaculate Conception Catholic Church, North Little Rock, who led the prayer and pledge of allegiance.

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, September 12, 2022, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (7/0).

On the motion of Council Member Hight and seconded by Council Member Ross, and all members present having voted no, with the exception of Council Member Hight, who voted yes, communication #1 was not accepted and filed (1/6).

1. Council Member Hight - North Little Rock citizen, email to Council Member Hight re:
Maintenance of public property around the City of North Little Rock.

Council Member Hamilton advised the email had been submitted by an anonymous individual and should not be admitted in to the official record of the meeting.

On the motion of Council Member Ross and seconded by Council Member Hamilton, and by consent of all members present, communication #2 was read by title, accepted and filed (7/0). Discussion prior to the vote was presented. Council Member Ross said the application is unclear. Mayor Hartwick reviewed the distance from the following schools/churches: Ridge Road Elementary School - .5 miles, Parkview Elementary Childhood Center - .3 miles, Crestwood Elementary - .6 miles, Lakewood Elementary - .5 miles, Fellowship North Church - .4 miles, Church of Christ, Levy - .6 miles,

Lakewood United Methodist - .6 miles, Park Hill Baptist - .9 miles. Ms. Whitbey advised the application was incomplete and the information regarding distance from a school and church were inaccurate. Council Member Ross also questioned the type of food to be served. Council Member Hamilton recommended accepting and filing the communication and refer it back to ABC. At the recommendation of the City Council, and by acceptance of this item, Mayor Hartwick will complete the Comments of Public Officials form referring the application back to ABC for additional/corrected information pertaining to reasons listed above. City Clerk Whitbey will send the signed form to the Arkansas Alcohol Beverage Control Board, September 27, 2022.

2. Anita Paul, Mayor's Office memorandum re: On Premises Wine Permit – NEW for The Island, 4812 John F. Kennedy Boulevard, by Herbert Montgomery.

PRESENTATIONS

North Little Rock Fire Department Captain Dustin Free spoke regarding the recent Firefighter Challenge held at Dickey Stephens Ball Park. A Kids Challenge competition was held that included fifth grade students from the North Little Rock School District. Students from across the district came to cheer on their friends. Mayor Hartwick invited Seventh Street Elementary School Principal Marques Collins and student Essence Shepherd and Ridge Road Elementary School Principal Matthew How and student Danny Smith to come forward. He presented each student with a proclamation and gift bag from the city in recognition of being the fastest girl and fastest boy in the School District. The fastest girl was Essence Shepherd (7th Street) and the fastest boy was Danny Smith (Ridge Road). Mayor Hartwick presented each principal with a trophy for their school to display. The trophies will be returned to the North Little Rock Fire Department at the end of the school year and names will be added each year in the future. Captain Free said this would not have been possible without the support of North Little Rock Fire Chief Gerald Tucker and Mayor Hartwick. He said he hopes the Kids Challenge will become a part of future events.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

By voice vote and all members present having voted in the affirmative, consent items R-22-196, R-22-197, R-22-198, R-22-199, R-22-200, and R-22-202 were adopted (7/0). R-22-201 was pulled and called under new business.

R-22-196 (RESOLUTION NO. 10377 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING MARK BENTLEY TO THE NORTH LITTLE ROCK AIRPORT COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-22-197 (RESOLUTION NO. 10378 – MAYOR HARTWICK)
A RESOLUTION REAPPOINTING TIM CUMMINS TO THE NORTH LITTLE ROCK AIRPORT COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-22-198 (RESOLUTION NO. 10379 – 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-22-199 (RESOLUTION NO. 10380 – MAYOR HARTWICK)
A RESOLUTION WAIVING FORMAL BIDDING REQUIRMENTS AND AUTHORIZING PAYMENT TO SKYCOP, INC. FOR THE PURCHASE OF LICENSE PLATE READER CAMERAS FOR THE NORTH LITTLE ROCK POLICE DEPARTMENT; AND FOR OTHER PURPOSES, was adopted (7/0). (\$42,925.00)

R-22-200 (RESOLUTION NO. 10381 – MAYOR HARTWICK)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 1600 ORANGE STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted (7/0).

R-22-202 (RESOLUTION NO. 10382 – MAYOR HARTWICK)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL ESTATE CONTRACT AND SELL CERTAIN REAL PROPERTY LOCATED AT 5828 ALTA VISTA IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO JOSE RODRIGUEZ; AND FOR OTHER PURPOSES, was adopted (7/0). (\$3,000.00)

NEW BUSINESS

R-22-201 (RESOLUTION NO. 10383 – MAYOR HARTWICK)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL ESTATE CONTRACT AND SELL CERTAIN REAL PROPERTY LOCATED ON SYCAMORE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO JOSE RODRIGUEZ; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Hamilton. Council Member Ross said the city has been mowing and cleaning this area. The new owner needs to maintain the property. Mr. Robert Birch, Economic Development Director said the buyer is aware he will have to maintain the property. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (\$3,000.00)

R-22-203 (RESOLUTION NO. 10384 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL ESTATE CONTRACT AND TO PURCHASE CERTAIN REAL PROPERTY LOCATED AT 1301 MAIN STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM TERRAFORMA, LLC; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Hight and seconded by Council Member Hamilton. Mr. Birch said this property is known as the old Argenta School. A new Central Fire Station would be built on the site. The property was listed for less than \$1 million. It was appraised at \$1.1 million. The city does not want the building, just the land which is 1.9 acres. Their current location on Maple is 1.3 acres. There is also room for growth to the west. Chief Tucker said the main feature the site offers is a traffic signal at 13th and Main Street. Council Member Hamilton asked if the UAPB (University of Arkansas at Pine Bluff) building was part of this project or if there might be interest in the future. Mr. Birch said that property along with the two (2) houses behind it could be considered in the future, but were not needed at this time. Council Member Hamilton asked if there were any concerns regarding the history of the location. Mayor Hartwick said that school was known as Clendenin before it was Argenta. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (\$775,000.00)

R-22-204 (RESOLUTION NO. 10385 – MAYOR HARTWICK)

A RESOLUTION CONFIRMING THE CITY'S INTENT TO ISSUE BONDS FOR THE PURPOSES OF ASSISTING IN THE FINANCING OF FACILITIES THAT WILL BE USEFUL IN SECURING OR DEVELOPING INDUSTRY WITHIN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, TO BE LEASED TO LOWE'S COMPANIES, INC., THE CUBES AT LITTLE ROCK LLC OR AN AFFILIATE OF EITHER; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Baxter and seconded by Council Member Ross. Ms. Michelle Allgood, Attorney with Mitchell Williams Law Firm, said this project is a warehouse facility located near the Amazon and Dollar General developments. These bonds would support the Lowe's project. Ms. Allgood said the landlord will build the facility and Lowe's will bring in the equipment. This will include two (2) abatement agreements for a single project. If this legislation is adopted, an authorizing ordinance will be presented at the next meeting. Council Member Ross said there would not be any long-term liability for the city. Ms. Allgood agreed. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (\$150,000,000.00)

Ms. Whitbey read the addresses on the following condemnations:

R-22-205 - 204 Healy Street, R-22-206 - 1109 Curtis Sykes Drive, R-22-207 - 321 East 18th Street, R-22-208 - 2001 Pershing Circle, R-22-209 - 2600 East Washington Avenue, and R-22-210 - 5109 Alpha Street.

Mayor Hartwick convened a public hearing. Mr. Jeffery Jenkins and Mr. Ray Bowen spoke regarding R-22-210 – 5109 Alpha Street. Mr. Bowen said they purchased the property for \$5,000.00 in June after seeing photos of the exterior. They did not enter the property until July. The previous owner did

not tell them there was anything going on with the city or the condition of the interior. Mr. Bowen said he is from California. City Attorney Fields said this item is on the agenda to be condemned. The owner(s) have 30 days from the passage of the resolution to demolish and remove the structure or enter into a rehabilitation agreement with the city. The City Attorney's staff will work with the owner(s) if they want to enter into an agreement, which would require an escrow bond in an amount to cover the cost of demolition if the property was not rehabilitated within 6 months (180 days). Mr. Bowen said they want to restore the property and move in for a while. Mr. Bowen asked if there was a possibility to get an extension since they will be working with other contractors. City Attorney Fields said it would be up to the city council. Generally, if people have made progress, that could make a difference. There being no one else wishing to be heard, the public hearing was adjourned.

R-22-205 (RESOLUTION NO. 10387 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 204 HEALY 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 Baxter and seconded by Council Member Ross, and by consent of all members present, the resolution was adopted (7/0). (*owner: Carthal Jones*)

R-22-206 (RESOLUTION NO. 10387 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1109 CURTIS SYKES DRIVE 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 Hamilton and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (7/0). (*owners: Henrietta Sharp-Brumfield, and Sheritta Rogers and Siblings*)

R-22-207 (RESOLUTION NO. 10388 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED 321 EAST 18TH 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 Ginn and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (7/0). (*owner: Helen M. Mitchell*)

R-22-208 (RESOLUTION NO. 10389 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2001 PERSHING 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 Ross and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (7/0). (*owner: 2001 West Pershing Circle LLC*)

R-22-209 (RESOLUTION NO. 10390 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2600 EAST WASHINGTON AVENUE 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 Ginn and seconded by Council Member Ross, and by consent of all members present, the resolution was adopted (7/0). (*owner: Wilbur Coleman, Jr.*)

R-22-210 (RESOLUTION NO. 10391 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5109 ALPHA 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 Hamilton and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (7/0). (*owners: Jeffery Jenkins and Raymond Bowen*)

R-22-211 (RESOLUTION NO. 10392 – 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 Ross and seconded by Council Member Robinson. 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 as adopted (7/0).

ORDINANCES

O-22-89 (ORDINANCE NO. 9504 – COUNCIL MEMBER HIGHT)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A COMMUNICATION TOWER IN A C3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4500 WEST COMMERCIAL 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 Hamilton, and by consent of all members present, the readings were suspended (7/0). 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 adopted (7/0). Emergency clause adopted (7/0). (*applicant: Wayne Barnett of Integrisite*)

O-22-90 (ORDINANCE NO. 9505 – COUNCIL MEMBER HIGHT)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW AN AFTERSCHOOL PROGRAM AND DAYCARE IN AN R2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5301 SUMMERTREE 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 Hamilton, and by consent of all members present, the readings were suspended (7/0). 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 adopted (7/0). Emergency clause adopted (7/0). (*applicant: Saqusia Millbrooks*)

O-22-91 (ORDINANCE NO. 9506 - COUNCIL MEMBER HIGHT)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 401 KELLOGG ACRES ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C3 TO R1 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 Hight and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Hight and seconded by Council Member Robinson, 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: Caleb Mayden*)

O-22-92 (ORDINANCE NO. 9507 – MAYOR HARTWICK)

AN ORDINANCE AMENDING SECTION 1.1.1. OF THE NORTH LITTLE ROCK MUNICIPAL CODE CHAPTER 4, BUILDINGS AND BUILDING REGULATIONS; 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, the readings were suspended (7/0). Mayor Hartwick convened a public hearing. Planning Director Shawn Spencer said this ordinance would adopt the

2020 National Electrical Code. Council Member Harris asked if there were any changes. Mr. Spencer said there were a few and he could provide a list. There being no one else wishing to be heard, the public hearing was adjourned. On the motion of Council Member Hamilton and seconded by Council Member Baxter, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). There was no emergency clause. The ordinance will be in effect November 28, 2022. Mr. Spencer will share the changes with Council Member Harris and anyone else who requests information.

O-22-93 (ORDINANCE NO. 9508 – COUNCIL MEMBER ROSS)

AN ORDINANCE AMENDING ARTICLE FOURTEEN (“THE SIGN ORDINANCE”) OF ORDINANCE NO. 7697 TO INCLUDE THE SOUTH LANDERS SIGN OVERLAY DISTRICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (7/0). Mayor Hartwick convened a public hearing. Ms. Tracy Bird is with Ortho Arkansas and is requesting the change. Council Member Hamilton asked what kind of sign will be installed. Ms. Bird said an electronic sign so they can update their message around 5:00 p.m. daily to advertise they are open from 5:00 p.m. until 8:00 p.m. Neighboring businesses have stationary signs. Council Member Hamilton asked if a business in the district were to change their business, would they be able switch to a changeable copy sign. Ms. Fields said they would. Council Member Ross said the other businesses have the large pole signs that are visible from the interstate. The (Zoning Ordinance) would only allow one (1) sign. Mr. Spencer agreed and referenced the 30-foot tall sign at Hooters. It is unlikely that current businesses in the area would want to get rid of their pole signs. Mayor Hartwick adjourned the public hearing. 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, with the exception of Council Members Hamilton and Hight who voted no, the ordinance was adopted (5/2). Emergency clause adopted (7/0).

PUBLIC COMMENT

Council Member Ross asked if signage could be put up so everyone will know where there is public parking available in the downtown Argenta area. Mayor Hartwick said work has begun on Parklets on Main Street as well. Council Member Ross added there are some public parking spaces behind the First Orion building. Each of these will take up four (4) parking spaces when completed. Mayor Hartwick said there will be a discussion regarding a parking lot behind City Hall. A parking deck is being considered. Mr. Bobby Taylor recently attended the Rose City Crime Watch meeting. Members have concerns with flooding in Rose City and Code Enforcement. Grass clippings are being blown in the street. The clippings and other debris end up in the storm drain system, which also results in flooding. Mr. Taylor said he has lived in Rose City 65 years. He also referenced garbage and recycling containers. He added that he had two (2) antique cars that code enforcement had him remove. He then asked about a (law) suit between the City of North Little Rock and Billy Brock. The property looks worse now than it did before. Council Member Ginn asked the status of the demolition

of the house on Candlewick. Mrs. Felicia McHenry, Code Enforcement Director, said the contractor was given a notice to proceed. He has to go through the process of disconnecting utilities (water, gas, electric). Council Member Baxter asked about the pool hazard at the house on Cache River. Mrs. McHenry said there was no water in the pool so it is not required to be covered.

There being no further business to come before the Council, and on the motion of Council Member Hamilton and seconded by Council Member Ross, and by consent of all members present, the meeting was adjourned at 6:59 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, October 10, 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