

October 10, 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, October 10, 2022, was called to order at 6:01 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). City Clerk/Treasurer Diane Whitbey, Deputy City Clerk/Enforcement Officer Jim Scott, and City Attorney Amy Fields were also present.

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

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 26, 2022, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (8/0).

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

1. Ember Strange, Chief Financial Officer – Chair Energy Risk Management Committee Power Cost Adjustment Rate for October, 2022 - \$0.0106/kwh (positive).
2. Anita Paul, Mayor's Office memorandum re: *Retail Beer Off Premises & Small Farm Winery – Retail – New Application*, for Crystal Hill Food Mart, 6116 Crystal Hill Road, by Khalid Jat.
3. Anita Paul, Mayor's Office memorandum re: *New Application – Retail Beer Off Premises*, for 2511 Highway 161, 2511 Highway 161, by Adnan Dervesh.

Mayor Hartwick announced a Special Call.

October 7, 2022

Special Meeting of the North Little Rock City Council

Honorable Members of the North Little Rock City Council:

The purpose of this e-mail is to advise you that Mayor Hartwick has called a special meeting of the North Little Rock City Council at 6:05 p.m. on Monday, October 10, 2022, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-22-216 Waiving formal bidding requirements and authorizing payment to MetalPol for the purchase of metal poles for the North Little Rock Electric Department. Sponsor: Mayor Terry C. Hartwick

R-22-217 Waiving formal bidding requirements and authorizing payment to Russell Chevrolet for the purchase of a vehicle for the North Little Rock Electric Department. Sponsor: Mayor Terry C. Hartwick.

Pursuant to North Little Rock Ordinance No. 9079, you are entitled to 72 hours' electronic notice of this meeting. Please acknowledge receipt of this e-mail as soon as possible by replying to the same. A copy of your reply will automatically be sent to City Clerk Diane Whitbey.

Respectfully,

Amy Beckman Fields
City Attorney

Mayor Hartwick introduced Mr. Ryan Wilson, North Little Rock Electric Department General Manager.

SPECIAL CALL

R-22-216 (RESOLUTION NO. 10393 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO METALPOL FOR THE PURCHASE OF METAL POLES FOR THE CITY OF NORTH LITTLE ROCK ELECTRIC; 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). (\$41,760.00)

R-22-217 (RESOLUTION NO. 10394 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO RUSSELL CHEVROLET FOR THE PURCHASE OF A VEHICLE FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; AND FOR OTHER PURPOSES, was read.

On the motion of Council Member Baxter and seconded by Council Member Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0). (\$59,905.00)

PRESENTATIONS

None.

SCHEDULED PUBLIC HEARING

Mayor Hartwick convened a public hearing on the question of the issuance of not to exceed \$150,000,000.00 in principal amount of City of North Little Rock, Arkansas Taxable Industrial Development Revenue Bonds ([Lowe's][Cube's at Little Rock] Project), in multiple series as are designated. Bond Council Attorney Michelle Allgood, Mitchell Williams Law Firm is working with Lowe's and their landlord on the development of this project. A public hearing is required regarding the issuance of bonds. Legislation will be filed for an upcoming meeting. There being no one present wishing to be heard, the public hearing was recessed until the next meeting. Council Member Baxter asked Mr. Robert Birch, Economic Development Director if they were encouraging restaurant type businesses to locate in this area to serve all of the new employees coming in. Mr. Birch said they are working to provide food options, including a grocery store in the area. Mr. Birch said the area under development is a former 400 acre corn farm that will house 3,500 employees and bring in a \$500 million development to the city.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

By voice vote and all members present having voted in the affirmative, consent item R-22-212 was unanimously adopted (8/0). R-22-213 was pulled and called under new business.

R-22-212 (RESOLUTION NO. 10395 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 129 COLLEGE PARK CIRCLE IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted (8/0). (*Chris Gamet - \$3,500.00*)

NEW BUSINESS

R-22-213 (RESOLUTION NO. 10396 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A SECOND AMENDMENT TO THE OPTION AGREEMENT WITH FIRST ORION CORP.; AND FOR OTHER PURPOSES, was read. Prior to the reading and motion, Council Member Ross asked Mr. Birch when construction will begin. Mr. Birch said they are close. The company is working on getting people back in their offices (following the pandemic). The addition of the site would grow their campus. Ms. Susan Nichols is General Counsel for First Orion. The company is in a growth mode and additional space may be needed. Council Member Hamilton said the city owns the property which has been under option for several years. Mayor Hartwick met with Mr. Charles Morgan, Chief Executive Officer and Chairman of the Board of First Orion. He understood from the meeting the company is in the process of moving staff from Seattle, Washington to North Little Rock. Council

Member Ross is excited for the company and their growth. She asked about the timeline for purchase/construction. Mr. Birch said they do want to move forward. First Orion has been a great partner for the city and community and has first right of refusal to purchase. If this legislation is adopted, the period of time would be extended one (1) year). On the motion of Council Member Taylor and seconded by Council Member Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

Council Member Hight referred back to R-22-212 and asked if the City Attorney could add into their Rehabilitation Agreement periodic updates to the council. Mayor Hartwick asked Mr. Ward Reese, Deputy Code Enforcement Director to come forward. Mr. Reese said he could send an (Code Enforcement) officer by to take photos for updates. Council Member Ross suggested a list of addresses. The timeline is included in the agreement. Code Enforcement could send a monthly update to the Mayor (or designee) to be shared with council members if desired. Mr. Reese will talk with the Planning Department regarding permits. Council Member Baxter said there is usually only one going at a time. Now there seem to be several being rehabilitated at the same time. Mr. Shawn Spencer, Planning Director said the owner has six (6) months within the agreement to comply. The Planning Department issues those as the owners come in and apply. Mayor Hartwick asked for a current list of all active rehab agreements which he will share with council members.

R-22-214

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 1415 WEST 20TH STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was called and withdrawn by the sponsor. (*CDC Real Estate Holdings LLC - \$5,000.00*)

R-22-215 (RESOLUTION NO. 10397 – 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 Taylor and seconded by Council Member Baxter. 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-22-94

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A LIQUOR STORE IN A C2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4900 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 Hight 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 Taylor. The applicant, Mr. Jaskaran Singh said the intent is to bring an upscale liquor store to the area. There are no liquor stores on John F. Kennedy Boulevard. Customers have to drive to Sherwood, McCain or Camp Robinson. Ms. Karyl Wood spoke against the application. She said she has no problem with a liquor store in the area. Driving to one of the locations referenced is not an issue. Grocery stores also sell wine and beer. Her concern is the noise from traffic (trucks, motorcycles and cars) on John F. Kennedy. The addition of this business will cause traffic to continue in the area until midnight, six (6) days a week. The area is also a dangerous intersection. Getting in and out of the property is dangerous. Council Member Ginn said traffic at Starbucks backs up at the intersection. A new vacation rental property was built just up the street overlooking this site. She wants to keep Lakewood in good condition. The intersection has very few homeless people asking for money at the intersection. Council Member Taylor said he does not have any issues with the site being a liquor store. Provisions could be included regarding traffic ingress and egress. This item has been through the Planning Commission and appears to be well thought out. The previous business was a bank and there is adequate parking. The bank did not have any traffic issues. Traffic backing up to access a business is a good thing. He presented Chik-fil-a on McCain as an example. Liquor stores don't effect property values. He added if this location was on Broadway, Pike Avenue or Camp Robinson, it would most likely be approved. Ms. Wood reiterated her concern with the noise. The location is difficult to get in and out of so patrons may cut through the neighborhoods. Council Member Hamilton said he doesn't have an issue with a liquor store. His issue is with the drive-thru lanes. The bank did fine with the ingress and egress. He did not think noise from this business would be an issue either. Council Member Ross asked about the traffic pattern. Mr. Chris Wilbourn, City Engineer said John F. Kennedy Boulevard is a busy state highway. He said patrons of the business would use the same entrance and exits used by the previous business. He said there would be four (4) drive-thru lanes to serve the drive-thru patrons. Customers would also be able to park and go inside. He did not see there being a traffic issue with the amount of staging on the site. Council Member Ross asked if both of the entrance points were also exits. Mr. Wilbourn said they are. He added that drive-thru orders would be placed with an individual and delivered to the customer vehicles. Council Member Hight said he sponsored the legislation for consideration only. He does not support the application but wanted the applicant to be able to present to the City Council. He has been contacted by a lot of people who do not want a liquor store in the area. There are no liquor stores on John F. Kennedy Boulevard. Council Member Hamilton said he likes the proposal, but not the drive-thru lanes. Council Member Baxter said drivers are not supposed to turn left across a double yellow line, however they do. He was at the site today and observed three (3) drive-thru lanes. He referenced the large distribution trucks making deliveries as well. Mr. Singh said the ATM will be removed to make room for deliveries. Council Member Ginn said she spoke with a Vet who is interested in going into that location. She added that the location is within one (1) block of a residence. On the previous motion, and the roll having been

called, and the following member having voted in the affirmative, Council Member Taylor, the following member having passed, Council Member Ross, and the remaining members having voted no, the ordinance failed (1/1/6). (*applicant: Jaskaran Singh, JFK Wine and Spirits*)

O-22-95 (ORDINANCE NO. 9509 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE WAIVING SECTION 6.2.4.E OF THE ZONING ORDINANCE (ORDINANCE NO. 9263) FRO CERTAIN REAL PROEPRTY LOCATED AT 13401 VALENTINE ROAD 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 Taylor 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 Taylor and seconded by Council Member Ross, and the roll having been called, and all members present having voted in the affirmate, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Robert Brown, Development Consultants Inc.*)

O-22-96

AN ORDINANCE WAIVING SECTION 14.14.G OF THE ZONING ORDINANCE (ORDINANCE NO. 9263) TO ALLOW A ROOF SIGN ON CERTAIN REAL PROPERTY LOCATED AT 2505 HIGHWAY 161 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor (due to lack of required notification). (*applicant: Faysal Ahmed of Louisiana Famous Chicken*)

PUBLIC COMMENT

Ms. Marie Hollowell thanked Mayor Hartwick, the following city departments North Little Rock Parks and Recreation, Street Department, and Neighborhood Services and Council Member Robinson for their assistance with the Stone Links National Night Out event held last week. Mr. Jeffrey Jenkins and Mr. Ray Bowen spoke regarding 5109 Alpha Street which he acquired in July, 2022. He got a condemnation notice in the mail. City Attorney Fields said Mr. Jenkins had been in contact with the City Attorney’s Office. They were advised of the process to apply for a Rehabilitation Agreement. Once an agreement is entered into and a bond is posted, they would have six (6) months to rehabilitate the property. Otherwise, it has been condemned and will be demolished after 30 days from the date of the condemnation. Mr. Bowen said he doesn’t have the money since he purchased the property. He was not aware of the condition of the property. Mr. Jenkins has been to the City Attorney’s Office. He asked if the \$5,000.00 rehabilitation bond could be waived. Council Member Taylor called for a Point of Order. Public comment is for comment only. Mr. Jenkins and Mr. Bowen need to contact the City Attorney’s Office. Mr. Bobby Taylor said he is going to keep up with recycling bins that are being misused in his area. He advised the house next to him is still in deplorable condition. Code Enforcement has been involved and it has been through Code Court and is now in Circuit Court. The neighbor brings in rotten lumber which has caused issues with rats. He said he contacted the Health

Department and was advised it was his issue. The City has rules to keep property up, but many do not follow them.

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 6:48 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, October 24, 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