

November 14, 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 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. Chief Deputy City Clerk/Treasurer Katelyn Thomas and Deputy City Clerk/Revenue Officer 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, October 24, 2022, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (7/0).

On the blanket 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 (7/0).

1. Ember Strange, Chief Financial Officer/Chair Energy Risk Management Committee memorandum to City Clerk Diane Whitbey re: Power Cost Adjustment (PCA) Rate for November 2022 - \$0.0106/kwh (positive).
2. Herrson Justice – Petition For Speed Hump Evaluation Study on West 47th Street (9 *signatures – for*).
3. Ross Everett, North Little Rock Traffic Services – response to Speed Hump Study request for West 47th Street.

Chief Deputy Clerk/Treasurer Katelyn Thomas advised Mayor Hartwick that an item had failed to make it onto the City Council agenda in time for the meeting. It was regarding a parking district application on 55th Street from Crescent Drive to North Maple. The ad was published and appeared on the October 26th and November 2nd editions of The Leader. She asked the Mayor if anyone in the audience was present to speak on the item, could they come forward at this time. The item would be

reconvened and posted on the next scheduled Council Meeting for November 28, 2022. Mayor Hartwick stated he would hold the public hearing towards the end of the meeting. City Attorney Amy Fields reiterated the above information and added that after discussion between herself and Chief Deputy Clerk Katelyn Thomas, it was a mutual feeling that the public hearing should still be called for those present despite the oversight on the agenda and the item would be listed on the next scheduled Council Meeting. Mayor Hartwick asked to be reminded to call the notice before the end of the meeting.

PRESENTATIONS

Mayor Hartwick called Mrs. Phyllis Hodges forward to present to council -- "*8 Years of Unforgettable History*". Mrs. Hodges opened the first faith based wellness center in the Argenta district. She commended Mayor Hartwick for his passion to the City of North Little Rock and Arkansas. Mrs. Hodges began writing "*8 Years of Unforgettable History*" and "*Girl Power*" around 2000 when she opened Carousel Fit 4 Life in North Little Rock. She said the Mayor endorsed both of her books. "*8 Years of Unforgettable History*" is a living history book. Mayor Hartwick made it possible to provide a copy for each council member. Mrs. Phyllis Hodges presented the Mayor with a copy of each book that had been autographed. Individuals listed within "*8 Years of Unforgettable History*" are still alive. Mrs. Hodges commended the Council on their work for North Little Rock. Mrs. Hodges and her husband, Byron Hodges see a change in North Little Rock every year. When they first moved to Argenta there was a homeless issue. It has improved over the years. Mrs. Hodges thanked the Mayor and Council for their time. Mayor Hartwick stated he has known Byron Hodges since around the 1990's/2000 era.

Mr. Robert Birch and Ms. Errin Stranger came forward to present to Council Make48 event and spotlight two North Little Rock teams. Pulaski Tech and Boone Park participated in the event and were present at the meeting. The Mayor asked the individuals to stand and let their presence be known. There was a total of six teams during the event. Ms. Stranger thanked Council and those who attended the Make48 tour at the Innovation Hub prior to the meeting. An impact report was provided to the Council that details what impact the event had for the City of North Little Rock. Make48 is a forty-eight hour competition that gives all teams a challenge at the start to create a prototype around a theme. The theme for 2022 was the Trail of Tears. It is a historic site located in the North Little Rock Riverfront Park. The Make48 video presentation was shown at this time in the council chambers. Prototypes created from the teams were shown within the video. Mr. Robert Birch clarified the City of North Little Rock was the assisting sponsor for the program. The event showed the heart of the city as the ages ranged from ten years old to sixty-six years old. The six teams composed of three Little Rock teams, two North Little Rock teams, and a Hot Springs team. Mr. Birch encouraged those interested to stop by the Innovation Hub and view the prototypes built. He commended the contestants on their journey from Friday night to Sunday evening in bringing their designs to life. They are unable to announce the winner until the event goes to the national competition. The show will be aired on PBS and This Old House on Roku. The competition was hosted in eight states including Arkansas.

The Innovation Hub had the potential offer of being a future location and possibly hosting the national competition. It would bring people from all over the nation to North Little Rock. Mr. Birch asked the two teams present to stand up and identify themselves to the Council again. One of the prototypes was created from the design of a ten year old. There were tool techs onsite that provided scans and hand carving wood as well. He said the event showed that no one's idea should ever be overlooked. Ideas can come from just about anywhere. Mr. Birch thanked the Mayor and City Council for their support and looks forward to future events. Ms. Stranger also shared the same sentiment to the council.

SCHEDULED PUBLIC HEARING

Mayor Hartwick advised the public hearing would be held towards the end of the meeting.

UNFINISHED BUSINESS

O-22-96 (ORDINANCE NO. 9514 – COUNCIL MEMBER ROBINSON)

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 read. On the motion of Council Member Robinson 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. There being no one present wishing to be heard, the public hearing was adjourned. 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 adopted (7/0). Emergency clause adopted (7/0).

CONSENT AGENDA

By voice vote and all members present having voted in the affirmative, consent items R-22-231, R-22-232, R-22-233, R-22-234, R-22-235, R-22-236, R-22-237, R-22-238 and R-22-239 were adopted (7/0).

R-22-231 (RESOLUTION NO. 10411 – MAYOR HARTWICK)

A RESOLUTION APPOINTING TERRELL MILTON TO THE NORTH LITTLE ROCK NON-UNIFORMED EMPLOYEES RETIREMENT BOARD (PENSION BOARD); AND FOR OTHER PURPOSES, was adopted.

R-22-232 (RESOLUTION NO. 10412 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL ESTATE CONTRACT TO SELL CERTAIN REAL PROPERTY LOCATED ON ARKANSAS AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO STEPHEN E. WHITWELL; AND FOR OTHER PURPOSES, was adopted. (\$4,000.00)

R-22-233 (RESOLUTION NO. 10413 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL ESTATE CONTRACT TO SELL CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO STEPHEN E. WHITWELL; AND FOR OTHER PURPOSES, was adopted. (*\$4,000.00*)

R-22-234 (RESOLUTION NO. 10414 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL ESTATE CONTRACT TO SELL CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO CHB PROPERTIES, LLC; AND FOR OTHER PURPOSES, was adopted. (*\$27,500.00*)

R-22-235 (RESOLUTION NO. 10415 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 229 MOSLEY STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted. (*Benjamin Mitchell - \$5,800.00*)

R-22-236 (RESOLUTION NO. 10416 – MAYOR HARTWICK)

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF NORTH LITTLE ROCK TO UTILIZE FEDERAL-AID SURFACE TRANSPORTATION BLOCK GRANT (STBG) FUNDING FOR THE CRYSTAL HILL ROAD EXPANSION PROJECT; AND FOR OTHER PURPOSES, was adopted. (*80/20 match*)

R-22-237 (RESOLUTION NO. 10417 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A STATEMENT OF AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK AND THE FRATERNAL ORDER OF POLICE, JOHN E. CHARLES LODGE NO. 5; AND FOR OTHER PURPOSES, was adopted.

R-22-238 (RESOLUTION NO. 10418 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A STATEMENT OF AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK POLICE DEPARTMENT SUPERVISORS ASSOCIATION; AND FOR OTHER PURPOSES, was adopted.

R-22-239 (RESOLUTION NO. 10419 – MAYOR HARTWICK)

A RESOLUTION AMENDING THE 2022 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO INCLUDE ADDITIONAL REVENUES AND EXPENSES IN THE ARPA FUND; AND FOR OTHER PURPOSES, was adopted.

NEW BUSINESS

R-22-240 (RESOLUTION NO. 10420 – COUNCIL MEMBER HAMILTON)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN ENHANCED COMMUNITY SERVICES AGREEMENT WITH THE ONE, INC. D/B/A THE VAN; AND FOR OTHER PURPOSES, was read. Council Member Hamilton stated both representatives for The Van and River City Ministry were present if the council had any questions. 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). (\$50,000.00)

R-22-241 (RESOLUTION NO. 10421 – COUNCIL MEMBER HAMILTON)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN ENHANCED COMMUNITY SERVICES AGREEMENT WITH RIVER CITY MINISTRY OF PULASKI COUNTY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hamilton and seconded by Council Member Ross, and by consent of all members present, the resolution was adopted (7/0). (\$100,000.00)

R-22-242 (RESOLUTION NO. 10422 – MAYOR HARTWICK)

A RESOLUTION APPROVING SALARY INCREASES FOR ELECTED OFFICIALS AND CITY COUNCIL MEMBERS OF THE CITY OF NORTH LITTLE ROCK, EFFECTIVE JANUARY 7, 2023; 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 resolution was adopted (7/0). (2.5%)

R-22-243 (RESOLUTION NO. 10423 – MAYOR HARTWICK)

A RESOLUTION APPROVING SALARY INCREASES TO ALL FULL-TIME EMPLOYEES (EXCLUDING ELECTED OFFICIALS AND UNIFORMED EMPLOYEES COVERED UNDER AGREEMENTS BETWEEN THE CITY OF NORTH LITTLE ROCK AND THE FOP, IAFF, AND THE NLRPD SUPERVISORS ASSOCIATION, EFFECTIVE JANUARY 7, 2023; 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). (2.5%)

R-22-244 (RESOLUTION NO. 10424 – MAYOR HARTWICK)

A RESOLUTION APPROVING SALARY INCREASES FOR THE ASSISTANT FIRE CHIEF, THE FIRE BATTALION CHIEFS AND THE FIRE MARSHAL FOR THE CITY OF NORTH LITTLE ROCK, EFFECTIVE JANUARY 7, 2023; 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). (2.5%)

R-22-245 (RESOLUTION NO. 10425 – MAYOR HARTWICK)

A RESOLUTION ADOPTING A BUDGET FOR THE 2023 FISCAL YEAR FOR THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Ross. Council Member Ross asked if there were any changes made to the budget. She wanted to ensure the last budget is the same one that is before council to vote on. Ember Strange, Chief Financial Officer, stated the only changes made were ones that were previously brought to the Council’s attention. One-hundred and seven thousand was added to Rock Region Metro for micro-transit in Rose City. A typo in Animal Control’s budget was changed from one hundred dollars to ten thousand dollars. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-22-246 (RESOLUTION NO. 10426 – MAYOR HARTWICK)

A RESOLUTION ADOPTING A BUDGET FOR THE 2023 FISCAL YEAR FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; 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 resolution was adopted (7/0). Mayor Hartwick thanked Chief Financial Officer Ember Strange, Chief of Staff Mike Davis, and the Council for their hard work on the budget.

R-22-247 (RESOLUTION NO. 10427 – 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 5818 CRYSTAL HILL ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 Harris, and by consent of all members present, the resolution was adopted (7/0). (\$18,801.89)

R-22-248 (RESOLUTION NO. 10428 – 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. 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 Ross and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (7/0).

Mayor Hartwick advised that Council Member Taylor asked that the next piece of legislation be called in his absence.

O-22-104 (ORDINANCE NO. 9518 – MAYOR HARTWICK)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A COMMUNICATIONS TOWER IN A C4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3128 PIKE AVENUE 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 Baxter, and by consent of all members present, the readings were suspended (7/0). A motion to adopt was made by Council Member Hight and seconded by Council Member Baxter. Council Member Ross asked the applicant to come forward. She had questions regarding the legislation. Greg Farris is a representative for AT&T and Tillman Infrastructures. Council Member Ross stated the City had put over two-million dollars into that area. She had concerns over the fencing that would surround the base of the tower. There have been instances in the past where fencing and landscaping was not maintained by the applicants in Ward 1 and the applicants could not be located to correct the issue. Council Member Ross asked who would be taking care of the property. Mr. Farris said Tillman Infrastructures owns the tower and leases the property. As a condition of the special use the upkeep of the landscaping would be part of that condition. He said Tillman Infrastructures would be responsible for the upkeep. Council Member Ross asked how the City would contact them. Mr. Farris said the contact information should be in the application submitted for the special use. He put their information in that document. Mayor Hartwick stated he was pretty certain he knew the group. Council Member Ross said there is a location behind Ridge Road Elementary that is a constant issue. She made a comment that she did not know whether it is owned by the same company or not. Her concern continues to be the upkeep of the tower property. Mr. Farris said he understood the concern. He stated he would expect the City to notify the company if there was any issues at the property. Council Member Ross stated it is not the city's responsibility to notify the company. The company (Tillman Infrastructures) would be responsible for making sure the upkeep is there. Mr. Farris said AT&T typically goes onsite two or three times a month. If there were any issues, questions, or concerns then AT&T would notify Tillman Infrastructures. Mayor Hartwick said he goes down that road frequently and would contact the company should he see anything. He reiterated Council Member Ross' statement about keeping the area clean after all the work that has been done in the area. Council Member Ross clarified that any concerns should be sent to Tillman Infrastructures. Mayor Hartwick said for now, send it through AT&T. Council Member Ross used plants as an example of maintaining the property. If no one waters the plants they will die. Mr. Farris will provide the contact information of Tillman Infrastructures to the Mayor. The Mayor will provide it to Council Member Ross and any other Council Member who requests it. Council Member Hamilton stated a Planning Commissioner voted against the item citing that it was not necessary. A letter from Greg Farris was drafted stating the tower was not a replacement and was necessary. Council Member Hamilton advised he is not familiar with the technology, but he was under the impression old cell towers were going away and new 5G towers would be coming in. Mr. Farris said old towers are not going away. The radio equipment and antennas are replaced. The towers are not replaced. There are towers within three-quarters of a mile that were trying to offload capacity. Towers can only handle so much traffic. When a tower begins to get overloaded it does not wait until it's overloaded to start offloading. The tower on

this property would start to offload a couple other towers in the area. It would also provide additional coverage to I-40. Council Member Ross said it was her understand from the Planning Commission meeting the tower was mostly for I-40 and the traffic on the interstate. Mr. Farris said that is the coverage part of it. Council Member Ross asked what the radius was. The new City Services Building will be moved into that area with a large number of employees. She asked if it would reach out to that area. Mr. Farris said it would reach half-mile to three-quarters of a mile on a normal 5G tower. Mayor Hartwick commented that he loses service driving through that area. On the previous motion, and the roll having been called, and all members present having voted in the affirmative with the exception of Council Member Ross, the ordinance was adopted (6/1). Emergency clause adopted (7/0). (*applicant: Greg Farris of SCI Wireless for AT&T*)

PUBLIC COMMENT

Mr. Clay McDaniel came forward to advocate for electric vehicles on the River Trail. Mr. McDaniel had previously brought this issue before the council in October. He asked the council to consider revising the policy regarding use of motorized vehicles on the river trail system in the city. Council Member Ross asked if the law would be through the Parks and Rec Commission. City Attorney Amy Fields said it is a City Ordinance. Council Member Ross stated she did not realize how fast electronic unicycles go. Some can go up to thirty-five miles per hour or more. She recalls when the Ordinance was adopted. Motorized scooters and other vehicles were dangerously driving on the trails. Speed was part of the reasoning for the prohibition. Mr. McDaniel said electric bicycles are allowed on the trail. Council Member Ross said it was because they were pedal assist. As long as it had a pedal, it was considered a bicycle. Council Member Hamilton said he spent a lot of time in Northwest Arkansas on a bike tour. The landscape is changing. At this time, he probably would not vote for what Mr. McDaniel was advocating for. Council Member Harris asked about the scooter rentals and if those could be rode on the trails. Mayor Hartwick said no. Council Member Hight brought up a conversation from last year with Amy Fields, City Attorney. It was regarding a woman who had been run off the trail by a gentleman riding a motorized bike. Council Member Hight was under the impression Ms. Fields had stated the gentleman was able to ride on the trail. Ms. Fields did not recall the conversation or all the circumstances around the situation. ADA regulations may have been a factor as the City would have to accommodate that under federal law. She would have to look back at the ordinance to confirm what would be allowed. Mr. Bobby Taylor spoke regarding his neighbor. The old evidence gathered against his neighbor for being out of compliance is no longer usable in court. Mr. Taylor had been told that his neighbor is now in compliance, however he does not agree with that. Mayor Hartwick stated he took pictures of the neighbor trashcans, which had been a complaint from Mr. Taylor. He also asked Reese Ward, Code Enforcement, to have whichever employee who works that area to take a picture of the neighbor's house if out of compliance. Mr. Taylor said he has lived in Rose City for over sixty years and he always tries to make it a better and safer place to live. He tries to get along with everyone. He thanked the Council for their time. Mayor Hartwick reminded everyone Thanksgiving and Christmas is coming up. He thanked the Council and the City for their hard work. City Attorney Amy Fields reminded Mayor Hartwick about the public

hearing regarding the revenue bonds and the parking district. Mayor Hartwick convened a public hearing regarding the Taxable Industrial Development Revenue bond and parking district on 55th Street. There being no one present wishing to be heard, the public hearing was adjourned. Council Member Hight said he had several people ask about receiving a smaller container. Mayor Hartwick said as of right now no. The current containers took nine months to receive. A different size would take longer. Residents can use the number on the brochure to request a different container. Council Member Baxter stated he saw a can during the week that was full of trash. He wanted to remind everyone the new, blue containers will not be picked up until the week of December 12th. Mayor Hartwick advised they were supposed to start delivering them November 15th, however upon delivering early, it had become an issue. Council Member Hamilton encouraged patience on the public and city's side. Council Member Ginn asked if people could use the old can for real garbage. Mayor Hartwick asked if she received a brochure. She said yes. Mayor Hartwick explained there is an option to get rid of the can as everything will be picked up from the new, blue can. For a period of time the old trashcans and bags will be picked up and emptied, but it will phase out and no longer be collected after a certain time. Council Member Baxter asked if the Christmas tree lighting would be held the next day. Mayor Hartwick advised it would at 6:00pm. Northern Lights will also be held Saturday, November 19th at 2:00pm. There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the meeting was adjourned at 6:50 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, November 28, 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