

November 28, 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, MAURICE TAYLOR, STEVE BAXTER, RON HARRIS, JANE GINN and CHARLIE HIGHT (7/0). Council Member LINDA ROBINSON was absent. City Clerk/Treasurer Diane Whitbey, Deputy City Clerk/Treasurer Talor Shinn, and City Attorney Amy Fields were also present.

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

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, November 14, 2022, were approved, accepted and filed as prepared by Chief Deputy City Clerk Katelyn Thomas (7/0).

### **SCHEDULED PUBLIC HEARING**

Mayor Hartwick reconvened a public hearing requesting a Restricted Parking District in the area of West 55th Street from Maple Street to Crescent Street by Mariana B Dinkings/Armstrong. (Original hearing scheduled for 6:00 p.m., Monday, November 14, 2022, North Little Rock City Hall, reconvened for November 28, 2022). There being no one present wishing to be heard, the public hearing was adjourned. The City Attorney will prepare legislation for the next council meeting (Monday, December 12, 2022).

On the blanket motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, communications #1, 2, 3, and 4, were accepted and filed (7/0).

1. Anita Paul, Mayor's Office memorandum re: application for Retail Beer Off Premises, Small Farm Winery - Additional permits, for Smoker Friendly, 4604 John F. Kennedy Boulevard, Suite 10, by Elizabeth Potts.
2. Anita Paul, Mayor's Office memorandum re: Retail Beer off Premises, Retail Liquor Permit – replacement/new owner for Gigi's Remount Liquor, 24 Remount Road, by James Stacy.

3. Ember Strange, Chief Financial Officer/Energy Risk Management Committee Chair memorandum to City Clerk Whitbey re: Power Cost Adjustment (PCA) Rate for December 2022 - \$0.0125/kwh (positive).
4. Pablo Perez (Hand Delivered) copy of letter to Deputy City Attorney Rick Hogan re: property at 4807 Massie Street.

### **PRESENTATIONS**

*None.*

### **UNFINISHED BUSINESS**

*None.*

### **CONSENT AGENDA**

By voice vote and all members present having voted in the affirmative, consent items R-22-249, R-22-250, R-22-251, and R-22-252 were adopted (7/0).

R-22-249 (RESOLUTION NO. 10429 – 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-22-250 (RESOLUTION NO. 10430 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 1332 VAN STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted (7/0). (*owner: Brandi Thomas*)

R-22-251 (RESOLUTION NO. 10431 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO CRIME POINT, INC., A SOLE SOURCE VENDOR, FOR THE PURCHASE OF SURVEILLANCE CAMERAS FOR THE NORTH LITTLE ROCK POLICE DEPARTMENT; AND FOR OTHER PURPOSES, was adopted (7/0). (*amount: \$57,200.00*)

R-22-252 (RESOLUTION NO. 10432 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO LOU FUSZ AUTOMOTIVE NETWORK FOR THE PURCHASE OF A VEHICLE FOR THE NORTH LITTLE ROCK POLICE DEPARTMENT; AND FOR OTHER PURPOSES, was adopted (*amount - \$48,935.00*)

**NEW BUSINESS**

**R-22-253 (RESOLUTION NO. 10433 – MAYOR HARTWICK)**

**A RESOLUTION CONFIRMING THE CITY’S INTENT TO ISSUE BONDS FOR THE PURPOSE 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 CENTRAL ARKANSAS LOGISTICS CENTER LLC, ITS TENANTS, ITS BUSINESS PARTNERS, OR AFFILIATES OF ANY OF THE SAME; AND FOR OTHER**

**PURPOSES**, was read. Mayor Hartwick convened a public hearing. Ms. Michelle Allgood, Attorney with Mitchell Williams Law Firm came forward and advised Central Arkansas Logistics Center LLC is set to purchase property (which is currently being replatted) near the Amazon and Lowes facilities. This is the final piece of the Tulip Farms development. The purchaser builds property for their tenants. The current plan is for one to three warehouses (based on demand). They have asked that the city express intent to provide tax abatement to these facilities (as previously provided). The purchaser may own the property and lease to someone else. Council Member Hamilton asked if these would be Industrial Revenue Bonds. Ms. Allgood will provide specifics once the purchase is complete. Mr. Robert Birch, Economic Development Director said two of the buildings are projected to be connected. The three warehouses could hold 1,000 employees. Council Member Ross asked if the city would be responsible for any portion of the bond. Ms. Allgood advised the city would have no financial or operational obligations. Mr. Birch said the area was previously a corn farm. The investment in these properties will be close to \$600 million and provide jobs for 3,500 people. There being no one else wishing to be heard, the public hearing was adjourned. On the motion of Council Member Baxter and seconded by Council Member Taylor, and by consent of all members present, the resolution was adopted (7/0). (*amount estimated not to exceed \$150 million*)

Mayor Hartwick convened a public hearing on the following items: R-22-254 – 512 Dorothy Drive, R-22-255 – 214 South Laurel Street, and R-22-256 – 4808 (4804) Haywood Street. There being no one present wishing to be heard, the public hearing was adjourned.

**R-22-254 (RESOLUTION NO. 10434 – 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 512 DOROTHY DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS;**

**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). (*amount - \$7,526.71*)

**R-22-255 (RESOLUTION NO. 10435 – 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 214 SOUTH LAUREL STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 adopted (7/0). (*amount - \$4,962.76*)

R-22-256 (RESOLUTION NO. 10436 – 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 4808 (4804) HAYWOOD STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSE, was read. On the motion of Council Member Ginn and seconded by Council Member Taylor, and by consent of all members present, the resolution was adopted (7/0). (*amount - \$5,908.20*)

R-22-257

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 1304 NORTH WALNUT STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was withdrawn by the sponsor, Mayor Hartwick. The owner reimbursed the city for the cost of demolition and other expenses (\$4,766.73).

R-22-258 (RESOLUTION NO. 10437 – 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 Baxter and seconded by Council Member Hight, and by consent of all members present, the resolution was adopted (7/0).

O-22-105 (ORDINANCE NO. 9519 – MAYOR HARTWICK)

AN ORDINANCE CALLING FOR A SPECIAL ELECTION IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, ON THE QUESTION OF INCREASING THE ANNUAL AD VALOREM PROPERTY TAX LEVIED FOR THE PURPOSE OF PAYING FOR THE MAINTENANCE AND OPERATION OF THE CITY'S PUBLIC LIBRARIES OPERATED BY THE NORTH LITTLE ROCK PUBLIC LIBRARY SYSTEM FROM THE EXISTING RATE OF THREE (3) MILLS TO THE NEW RATE OF FIVE (5) MILLS ON THE DOLLAR OF ASSESSED VALUATION OF TAXABLE PROPERTY IN THE CITY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Baxter, the readings were suspended (7/0). Mrs. Crystal Gates, Library Director said the tax increase for a home valued at \$150,000.00 will be about \$60.00 per year (or \$5.00 per month). Council

Member Ginn asked why a Special Election was being called, instead of (waiting) until the next regular election. Mrs. Gates said there are a lot of delayed infrastructure needs that won't wait. The library was previously closed for a couple of days due to plumbing and sewage issues. There are some stop-gap roof issues that have to be replaced. Landscaping plans are on hold. Council Member Ross said tax elections haven't passed without specifics in the past. Mrs. Gates went over a prepared statement. For the \$3.895 million the North Little Rock Library receives in property taxes, they return more than \$31.739 million in value. Regular library visitors save on average more than \$350.00 every month. The library also provides free copies, printing, Notary Services, Passports, Computer use and more. Mrs. Gates said the two properties they operate are over 60 and 90 years old. Repairs / upgrades are needed for flooring, plumbing, roofing, security, technology equipment and more. Other needs include specialized skills rooms, quiet rooms and meeting rooms and equipment, youtube, recording and editing software, and audio-visual. Equipment for hybrid meetings, conferences, emergency lights and security cameras need to be added and/or updated. Seating needs to be replaced with options that do not include fabric; hospital grade is desired. Painting and drywall is needed in multiple areas, but can't be done until the roof is repaired. Accessibility needs will also be addressed. The doors to the Children's library need to be updated for accessibility as well. There are multiple records that need to be digitized for public access online. Mayor Hartwick asked the Library Commissioners who were present to stand and be recognized. Council Member Ross asked how needs will be prioritized. Mrs. Gates said a list would be reviewed annually. Accessibility needs would be the first, followed by roofing. She said they would like to increase hours of operation, too. Council Member Ross asked what will happen if the millage tax increase does not pass. Mrs. Gates said they would be fine. However, they would not be able to address all of the needs or maintain the current. A pre-pandemic quote for replacing flooring was over \$.5 million. The quote did not include moving their collections. Council Member Ross asked the cost of a Special Election and who would pay for it. Mrs. Gates said it would be about \$50,000.00. Council Member Ginn asked if there was a charge to use the library. Mrs. Gates said there was not, nor do they plan to charge a fee. She said public libraries are publicly funded, therefore they do not charge the public for their use. Users in the region and state who do not reside in North Little Rock also use the facilities. She referred to several online programs the Laman Library system participates in. She said they do not charge fines for delinquent items, allow 20 free copies a day, free facsimile services, free access to displays/galleries or live events. Council Member Baxter asked about the hours of operation. Mrs. Gates said they would like to be open full days on Fridays and Saturdays. Council Member Taylor said the request is for a Special Election to increase property (North Little Rock) tax. He asked why the library allowed free copies. Mrs. Gates said the cost to the library is about one penny. After 20 copies the cost is \$.25 (25 cents). Mayor Hartwick asked if services are provided free of charge to North Little Rock residents only. Mrs. Gates said services are free to anyone who has a library card (whether they live in the city or not). Council Member Ross asked about the Library Bonds. Mrs. Gates said the balance is \$417,000.00 which will be paid off in three (3) years). Mayor Hartwick said the library is asking permission to call for a special election, not necessarily an endorsement. Council Member Hamilton asked if this would allow for an expansion of selections in the Children's library. He would like to see

Sunday added to the additional dates open to the public. On the motion of Council Member Hamilton and seconded by Council Member Ginn, and the roll having been called and all members present having voted in the affirmative, with the exception of Council Member Taylor, who passed, the ordinance was adopted (6/1). Emergency clause adopted (7/0). (*Requested by the Laman Library Commission*)

O-22-106

AN ORDINANCE APPROVING THE APPLICATION OF THE ARGENTA COMMUNITY THEATER FOR A PRIVATE CLUB TO BE LOCATED AT 315 MAIN STREET, SUITE B, NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one (1) time and held by the sponsor Mayor Hartwick. (*Requested by Argenta Community Theatre – ACT II – Vincent Insalaco*)

O-22-107 (ORDINANCE NO. 9520 – COUNCIL MEMBER HARRIS)

AN ORDINANCE VACATING AND ABANDONING A CERTAIN UTILITY EASEMENT ON PROPERTY LOCATED AT 4800 NORTHSORE LANE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Harris and seconded by Council Member Baxter, and by consent of all members present, the readings were suspended (7/0). On the motion of Council Member Harris 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). Emergency clause adopted (7/0). (*applicant: Gene Pfeifer*)

O-22-108 (ORDINANCE NO. 9521 – COUNCIL MEMBER HAMILTON)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 816 WEST 24<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R3 TO R4 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; DECLARING AN EMERGENCY; 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 readings were suspended (7/0). On the motion of Council Member Ginn 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: Chris Lacy for Metro Rental Group, LLC*)

O-22-109 (ORDINANCE NO. 9522 – MAYOR HARTWICK)

AN ORDINANCE AMENDING ARTICLE 3 OF THE ZONING ORDINANCE (ORDINANCE NO. 9263) TO INCLUDE ADDITIONAL REGULATIONS REGARDING HEIGHT VARIANCES WITHIN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Baxter and seconded by Council Member Hamilton, and by consent of all members present, 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 Ross 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).

### **PUBLIC COMMENT**

Mr. Freddie Davis, Real Estate Broker spoke on behalf of Mr. Pablo Perez Andres (who was also present). Mr. Davis said Mr. Andres purchased two houses on one lot at 4807 Massie Street. They closed at Mid-Ark Properties and Investments in Little Rock on September 30, 2022. Two weeks ago, the secretary brought Mr. Andres a copy of a condemnation adopted by the City Council on October 24, 2022. Mr. Davis said there were no signs, the gate was down, etc. Mr. Davis contacted the City Attorney and Code Enforcement and was advised \$12,500.00 needs to be placed in escrow with the city until the repairs are done. Mr. Davis said that wasn't fair because the condemnation was against Mid-Ark Properties. He then asked the council to set aside (waive) the escrow amount so Mr. Andres can use the funds to rehabilitate the property. He referenced copies (which included contracts and photos) provided to council members. Mr. Andres made a \$5,000.00 down-payment on the property and a monthly payment in November. City Attorney Fields advised the contract provided shows a purchase agreement. The deed will not be transferred until the property is paid for. On June 26, 2022, Mid-Ark Properties was notified by Certified Mail of a pending condemnation. Mid-Ark Properties should have relayed that information to Mr. Andres. The city does not allow a rehabilitation agreement unless the owner provides the required escrow amount or escrow bond. Mr. Davis said Mid-Ark Properties did not tell them about the condemnation. The structure is now subject to demolition. City Attorney Fields advised Mr. Perez has been in contact with Deputy City Attorney Rick Hogan regarding the property. Mr. Hogan said the city will be flexible in allowing time to provide escrow and enter into a contract. Council Member Taylor said this looks like a Contract for Deed. Mr. Davis said he will ask Mid-Ark to finish processing Title Work and obtain the deed which he will produce in 30 days. Council Member Taylor said Mid-Ark properties is the owner of the property. City Attorney Fields said the Circuit Clerk's online Real Estate Records indicate a contract has been recorded which has not been notarized. A contract is not a deed. Mayor Hartwick recommended Mr. Davis find a resolution within the next two weeks. It was also suggested that Mr. Perez consider consulting an attorney.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Ginn, 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, December 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