

February 13, 2023  
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, February 13, 2023, 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, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, VINCE INSALACO, III and CHARLIE HIGHT (8/0). Chief Deputy City Clerk/Treasurer Katelyn Thomas, Clerk/Treasurer/Enforcement Officer Jim Scott, and Deputy City Attorney Marie Bernard-Miller were also present.

The prayer and pledge of allegiance were led by IT Director John Barber.

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, January 23, 2023, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (8/0).

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

1. Anita Paul, Mayor's Office memorandum re: *Retail Beer Off Premises – Replacement / New Owner* for Broadway One Stop fka Stone Mart, 605 E. Broadway, by Rajbir Singh.
2. Sarah Brown, email re: Council Member Nathan Hamilton.
3. Council Member Nathan Hamilton re: communication #2.

### **PRESENTATIONS**

*None.*

### **SCHEDULED PUBLIC HEARING**

*None.*

### **UNFINISHED BUSINESS**

*None.*

## CONSENT AGENDA

By voice vote and members present having voted in the affirmative, consent items R-23-16, R-23-17, R-23-18, R-23-19, R-23-20, R-23-21, R-23-22, R-23-23, R-23-25, R-23-26, R-23-27, R-23-28 and R-23-29 were adopted (8/0). R-23-24 was pulled and called under new business.

R-23-16 (RESOLUTION NO. 10473 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 219 CROCKETT STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted (8/0). (*owner: Rabbi Yosef Kramer*)

R-23-17 (RESOLUTION NO. 10474 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN ELECTRIC CUSTOMER ASSISTANCE SERVICES AGREEMENT WITH CENTRAL ARKANSAS DEVELOPMENT COUNCIL (CADC) FOR 2023; AND FOR OTHER PURPOSES, was adopted (8/0).

R-23-18 (RESOLUTION NO. 10475 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL ESTATE CONTRACT TO SELL CERTAIN REAL PROPERTY LOCATED AT 1419 NORTH OLIVE STREET AND 1422 NORTH MAGNOLIA STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, TO HARD ROCK, LLC; AND FOR OTHER PURPOSES, was adopted (8/0). (*\$49,900.00*)

R-23-19 (RESOLUTION NO. 10476 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PROGRAM AGREEMENT WITH THE NORTH LITTLE ROCK POLICE ATHLETIC LEAGUE; AND FOR OTHER PURPOSES, was adopted (8/0). (*\$70,000.00*)

R-23-20 (RESOLUTION NO. 10477 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THEA FOUNDATION; AND FOR OTHER PURPOSES, was adopted (8/0). (*\$100,000.00*)

R-23-21 (RESOLUTUION NO. 10478 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN ENHANCED COMMUNITY SERVICES AGREEMENT WITH THE ARKANSAS REGIONAL INNOVATION HUB AT WINROCK SOLUTIONS; AND FOR OTHER PURPOSES, was adopted (8/0). (*\$225,000.00*)

R-23-22 (RESOLUTION NO. 10479 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH ARKANSAS MUSEUM OF FINE ARTS; AND FOR OTHER PURPOSES, was adopted (8/0). (\$50,000.00)

R-23-23 (RESOLUTION NO. 10480 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE NORTH LITTLE ROCK UNIT OF THE BOYS AND GIRLS CLUB OF CENTRAL ARKANSAS; AND FOR OTHER PURPOSES, was adopted (8/0). (\$60,000.00)

R-23-25 (RESOLUTION NO. 10481 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH ST. JOSEPH CENTER OF ARKANSAS; AND FOR OTHER PURPOSES, was adopted (8/0). (\$5,000.00)

R-23-26 (RESOLUTION NO. 10482 – COUNCIL MEMBER HAMILTON)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH URBAN PATCHWORK AT BOONE PARK ELEMENTARY; AND FOR OTHER PURPOSES, was adopted (8/0). (\$1,500.00)

R-23-27 (RESOLUTION NO. 10483 – COUNCIL MEMBER HAMILTON)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH IDLEWILD COMMUNITY GARDEN; AND FOR OTHER PURPOSES, was adopted (8/0). (\$4,400.00)

R-23-28 (RESOLUTION NO. 10484 – COUNCIL MEMBER HAMILTON)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH EDGEMONT IN PARK HILL, LLC FOR THE SKYLINE COMMUNITY GARDEN; AND FOR OTHER PURPOSES, was adopted (8/0). (\$3,803.20)

R-23-29 (RESOLUTION NO. 10485 – COUNCIL MEMBER HAMILTON)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH PIKE VIEW EARLY CHILDHOOD CENTER; AND FOR OTHER PURPOSES, was adopted (8/0). (\$3,550.00)

## **NEW BUSINESS**

R-23-24

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PREPURCHASED FOOD AGREEMENT WITH ARKANSAS FOODBANK; AND FOR OTHER

PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Hight. Council Member Ross asked about a list of Food Pantries. Chief Finance Officer Ember Strange said there should be an attached list which is currently being worked on and should be ready by the next council meeting. The resolution was then held by the sponsor, Mayor Hartwick. (\$85,000.00)

R-23-30 (RESOLUTION NO. 10486 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO JARRAFF INDUSTRIES LLC, A SOLE SOURCE VENDOR, FOR THE PURCHASE OF A TREE TRIMMING VEHICLE FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; AND FOR OTHER PURPOSES, was read. Mayor Hartwick said there is no other supplier who has this item at this time. 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). (\$279,977.00)

Mayor Hartwick convened a public hearing on the following clean up liens: R-23-31 – 129 College Park Circle, R-23-32 – 4724 Gum Street, R-23-33 – 2512 Highway 161, and R-23-34 – 324 East 21<sup>st</sup> Street. There being no one present wishing to be heard, the public hearing was adjourned (8/0).

R-23-31 (RESOLUTION NO. 10487 – 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 129 COLLEGE PARK CIRCLE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 resolution was unanimously adopted (8/0). (amount - \$8,770.50)

R-23-32 (RESOLUTION NO. 10488 – 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 4724 GUM STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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). (amount - \$7,014.23)

R-23-33 (RESOLUTION NO. 10489 – 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 2512 HIGHWAY 161 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. 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). (*amount - \$14,835.94*)

R-23-34 (RESOLUTION NO. 10490 – 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 324 EAST 21ST IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. 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). (*amount - \$6,834.37*)

O-23-07 (ORDINANCE NO. 9545 - MAYOR HARTWICK, COUNCIL MEMBERS ROSS, HAMILTON, TAYLOR, ROBINSON, BAXTER, HARRIS, INSALACO AND HIGHT)

AN ORDINANCE ESTABLISHING THE POSITION OF PARKS POLICE OFFICER, PRESCRIBING THEIR LAW ENFORCEMENT DUTIES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor and seconded by Council Member Robinson, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Baxter 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 (8/0). Emergency clause unanimously adopted (8/0). Mayor Hartwick said the Park Rangers are being transferred from Parks and Recreation to the North Little Rock Police Department, making the City of North Little Rock the first in the state to have Police Park Rangers.

O-23-08 (ORDINANCE NO. 9546 – MAYOR HARTWICK)

AN ORDINANCE AMENDING THE 2022 QUOTA ORDINANCE (ORDINANCE NO. 9243) FOR CERTAIN DEPARTMENTS OF 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 member present, the readings were suspended (8/0). On the motion of Council Member Baxter 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 (8/0). Emergency clause unanimously adopted (8/0).

O-23-09

AN ORDINANCE ESTABLISHING COMPREHENSIVE CODE TO REGULATE ISSUANCE OF, AND CONDITIONS ASSOCIATED WITH, SHORT-TERM RESIDENTIAL RENTAL BUSINESS LICENSES FOR THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time. Former Ward 1 Council Member Beth White spoke regarding the item. Mrs. White said there are six (6) short-term rentals within walking distance of her home on Glenmere. Legislation is needed to manage these types of rentals. Initially, the residents did

not know there were short-term rentals in the neighborhood. There was an increase in vehicles with out-of-state license plates. She then shared several situations. The first she referred to as “Millionaire Mike” who had a car on a box trailer. He parked it across the yard. He would start the car and loudly rev the engine. Other neighbors were intimidated by him. A neighbor had a video of young girls arriving at a short-term rental late at night. All were carrying sleeping bags and pillows. Another night, her husband (Tom) was walking their dog and observed flames from a large bonfire over the top of the house. The renters did not know the rules and regulations of the city and did not know this was not allowed. Vehicles are regularly parked in the yard in the grass in a Restricted Parking District. The renters did not know it was not allowed. There are issues with trash and recycling as well. Another concern is a lot of strangers in the neighborhood, including children. Mrs. White and her husband purchased their home in a residential area, not by a hotel. It is different if someone purchases a home next to or near a hotel. Their neighbors have homes in a residential neighborhood. The density is also a concern, Mrs. White has six (6) very near to her home. She then asked if any council members wanted a short-term rental next to their home. There is a lot of financial interest in this type business where the homeowners are making a lot of money. Council Member Ross has been working on this legislation for several years. Trash is being put out daily because the renters do not know there is a scheduled pick up day. There are no regulations and the host hasn’t provided instruction. These are in residential neighborhoods. The city regulates home based businesses. This type of business is not regulated and needs to be addressed. The city is unable to count residents under the census in these homes as well which effects federal and local funding the city could receive. Council Member Ross names some of the host platforms: Air BNB, Facebook, Picasa, Inclusive, Kidnhomes, Boutique Homes and Flip Key which is owned by Trip Advisor. We (the city) have no contacts and don’t know who to call when there are issues. A lot of the owners are from out-of-state. They are not on-site and do not know of the issues. Council Member Hamilton said he understands the issues. The vast majority of rentals (in our city) are Air BNB. There are a few VRBO’s in the area. He has received complaints about terrible immodest parties and terrible actions. Council Member Hamilton and his wife own an Air BNB and manage one. Every Air BNB located within the city is currently subject to all of the laws and codes as every other property in the city, including long-term rentals. Long-term rentals are the source of many more violations. Air BNB (the company) has outlawed parties and set community standards. He referenced a house near his home that has been shut down. Benefits include filing a need. There are realtors who have brought in potential clients and put them in a short-term rental in a neighborhood they might be interested in. Council Member Hamilton said there should be some regulation and he is in support of caps on the number. He does not support restricting this type of industry in all residential neighborhoods. Council Member Ross said she was contacted by Air BNB today. This ordinance includes items from Hot Springs and Fayetteville legislation which has been customized to North Little Rock. The company asked if the current license holders would be notified if the ordinance is adopted. They also asked about the density cap. Council Member Ross said there is no way to fairly do this within R1 and R2 zones. These are traditional neighborhoods with large homes and other amenities like pools. There was also a question about the revocation process.

And lastly, an objection to the restriction in R1 and R2 zones. Growth in the last year has been over 70 percent. The ordinance was then held by the sponsor, Council Member Ross.

O-23-10 (ORDINANCE NO. 9547 – COUNCIL MEMBER ROSS)

AN ORDINANCE APPROVING SALARY INCREASES FOR CITY CLERK-TREASURER AND THE CITY ATTORNEY OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Taylor, 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 Taylor, 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).

O-23-11 (ORDINANCE NO. 9548 – COUNCIL MEMBERS ROSS AND HAMILTON)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN ELECTRIC FENCE IN AN I2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4300 STOCKTON DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; 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 readings were suspended (8/0). A motion to adopt was made by Council Member Ross and seconded by Council Member Hamilton. Council Member Hamilton has researched electric fences which were outlawed in the past due to the dangers they imposed 70 years ago. These fences would be inside a perimeter fence. Mr. Michael Pate represented the applicant Amarok Ultimate Perimeter Security. Council Member Baxter asked Mr. Pate if he was aware a proposed bill (HB1406) had been filed with the State Legislature. Mr. Pate said he was. Council Member Baxter asked if the bill passed the State Legislature, how would it affect our city ordinances. Mr. Pate said it would not. It would speed everything up. Mayor Hartwick said he read that if the bill is adopted it would take the process out of the city jurisdiction. Mr. Pate said it would go to the Alarm Permitting process. Council Member Hamilton said if the state passes the bill it would override the city. Mayor Hartwick said we (the city) may still have the option to set new rules and regulations. On the previous motion, and by consent of all members present, and the roll having been called, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Amarok Ultimate Perimeter Security*)

O-23-12 (ORDINANCE NO. 9549 – COUNCIL MEMBER ROBINSON)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN ELECTRIC FENCE IN AN I2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 11700 VALENTINE ROAD 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 Robinson, 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 Robinson, 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: Amarok Ultimate Perimeter Security*) Council Member Taylor asked Mr. Pate if the fence was like a low voltage dog fence. Mr. Pate said it is completely different. The dog fence is a radio receiver that goes to a shock collar. This fence is similar to what you would see to contain livestock. It goes behind the existing perimeter fence. The fence has to be signed, tested and label the energizer to IEC standards. The fence uses a 12 volt battery with a solar array to provide power. It is never connected to the electrical infrastructure. The jolt would be similar to rubbing your feet on a carpet then grabbing a door handle which would be a 15,000 to 20,000 static shock. This runs about 7,000 to 9,000. The device pulses every 1.1 seconds for 3 ten thousandths of a second. Mayor Hartwick asked who would be liable if a person hit the fence and died. Mr. Pate said it would probably be him. He has \$6 million in insurance coverage. They have been in business since 1992 with no issues.

O-23-13

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A TOW COMPANY IN AN I1 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 6000 MACARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 (8/0). Council Member Baxter said the applicant reached out to him regarding the request. He then contacted members of the neighborhood. Everyone he talked to was opposed to the request. The neighbors want sustainable growth with repeat customers. There is a business at Parkway and MacArthur with wrecked vehicles on site which are unsightly. Further down MacArthur there are similar situations. Council Member Baxter asked those in the audience who were opposed to this legislation to stand (approximately 10 people stood to show their opposition). The applicant Ms. Stacy Turner is the owner of the company. She took it over after her father died. Her father started the business in 2005 and he is well known in the area. He started out at Arkansas Auto Salvage. She moved here after her father died. She picks up cars out of town from her father's previous customers. She said the neighbors have issues and she understood that. Council Member Baxter said the applicant had asked to be able to sell vehicles when this item went through the Planning Commission. Mr. Bubba Earnhart spoke on behalf of those who stood earlier. He has lived in the area for 30 years. Every business that has been there has failed. He referenced issues to a building at the back of the property where people hang around. The residents are tired of what the property looks like. Mr. Earnhart said this is nothing against the applicant. He said the right business would be welcome. Mr. Earnhart said he has lived in the city 71 years. Council Member Ross said she has received several email messages with concerns about the area. A motion to adopt was made by Council Member Ross and seconded by Council Member Hamilton, and the roll having been called, and all members present having voted no, the motion failed (0/8). (*applicant: Stacy Turner of Virgil's Hauling, Inc.*)



**PUBLIC COMMENT**

Mr. Tonya Ivory is a member of Christian Faith located at 5301 West Emily Street. She asked the city to pave West Emily Road, which is located in Ward 2. The church is the only building on the road, other than a salvage yard. She said the road is paved to the salvage yard, but only gravel and pot holes past that. A lot of large vehicles use the road even though there are signs posted regarding the allowed tonnage. A lot of drivers, including school buses use the road as a shortcut. Their vehicles are being damaged from the condition of the road. They have called the city and have been told supplies are not available or the road will be repaired.

Mayor Hartwick announced city offices will be closed Monday, February 2023.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Taylor, 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, February 27, 2023, 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