

February 27, 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 27, 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, LINDA ROBINSON, STEVE BAXTER, VINCE INSALACO, III and CHARLIE HIGHT (5/0). Note: Council Member Hight participated virtually. Council Members NATHAN HAMILTON and RON HARRIS were 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 Mayor Hartwick.

Council Member MAURICE TAYLOR entered the council chambers at 6:02 p.m.

On the motion of Council Member Ross and seconded by Council Member Insalaco, and by consent of all members present, the minutes from the North Little Rock City Council meeting scheduled for Monday, February 13, 2023, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (/0).

On the blanket motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, communications #1, 3, 4, and 5 were accepted and filed (6/0).

1. Sarah Brown, email re: Council Member Nathan Hamilton.
3. C. Tad Bohannon, Chief Executive Officer – Central Arkansas Water letter to Mayor Terry C. Hartwick re: Proposed Issuance of Water Revenue Bonds.
4. Anita Paul, Mayor's Office memorandum re: *Retail Beer Off-Premises & Small Farm Winery – Retail – NEW for Circle K* at 1604 Pike Avenue by Tyler Pierce.
5. Ember Strange, Chairman Energy Risk Management Committee re: Power Cost Adjustment (PCA) rate for March, 2023 - \$0.0144/kwh (positive).

On the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, communication #2 was pulled and a related video was shown. The communication was then accepted and filed (6/0).

2. Lake Maumelle Fire Chief M. E. Shoemaker – email commending North Little Rock Fire Department on recent successful rescue operations.

Mayor Hartwick asked North Little Rock Fire Chief Gerald Tucker to come forward. On February 19, 2023 at approximately 3:40 p.m., Lake Maumelle Fire Chief Mark Shoemaker (who is also a North Little Rock Fire Battalion Chief) called the North Little Rock Fire Department Special Operations Team. A man and two children (5 year old and 7 year old) were stuck on Pinnacle Mountain after they got off of the (marked) trail and found themselves in a hazardous area. The man called 911 for assistance. Chief Shoemaker is the chief of a smaller combination department around Highway 300/Pinnacle area. He said their department responds to a lot of calls at Pinnacle, especially during the spring season. The family referenced above got off the main path and it was starting to get dark. Chief Shoemaker called the best department he knew, North Little Rock Fire Department. He said the total time from him being dispatched until completion of the rescue was three (3) hours. He said Pinnacle (Mountain) is described in levels and the family was at level nine (9). A short video was shown which included the location and elevation of the hikers and the efforts to rescue them. Rescuers included three (3) Arkansas State Parks Rangers. North Little Rock Fire Department had eight (8) firefighters deployed.

PRESENTATIONS

Mayor Hartwick introduced the State of the City in the form of a video presentation. In summary, the City broke ground on a new health care clinic in Rose City, began construction on a new fire station in Burns Park, opened a new pump track, started a new Municipal Identification Program to equip citizens, purchase automated sanitation trucks and new garbage containers for all residents in the city, demolished the old Greyhound Bus station to allow for downtown growth, began street and drainage work on Faulkner Lake Road and many other parts of our city. The city also purchased land for a new Central Fire Station in Mid City. North Little Rock continues to be a leader in economic development in our state. A hard copy was also provided to the council members.

SCHEDULED PUBLIC HEARING

None.

UNFINISHED BUSINESS

R-23-24 (RESOLUTION NO. 10491 – MAYOR HARTWWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PREPURCHASED FOOD AGREEMENT WITH ARKANSAS FOODBANK; AND FOR OTHER PURPOSES, was read. Mr. Dan Scott, Neighborhood Services Director provided a spreadsheet which included a list of agencies currently receiving funding. Mr. Scott said the list will be put on the City's website. He said the North Little Rock Community Garden program partnered with other agencies and has provided "food boxes" in various areas of the city. The Community Garden also works with Potluck Incorporated and a couple of other food banks by providing fresh produce. Council Member Ross asked about the performance of the 12 participants in 2022 and asked how the distribution

formula worked. Some of the participants serve hundreds of people while others serve thousands. Mr. Scott said those on the list last year each received \$4,250.00. The 19 participants for 2023 will each receive \$4,473.00. A few participants said they would have served more people, but needed more money to do so. Pulaski County Technical College is the smallest participant and served 167 households in 2022. When this number was divided into the number of pounds of food provided it equaled 44 pounds per household. Over a period of 12 months, that is 4 pounds per household per month. Some of those who receive food must go to more than one food pantry to be able to provide for their families. Council Member Ross asked for a (2023) performance report at the end of the year. She also advised the same amount of funding may not be available next year. Mr. Scott said Pot Luck Incorporated wanted to be considered a food bank and will visit with them to find out who they support and how. They already received support from Community Gardens. Council Member Baxter said we (the city) need to know the location of the small pantries within the city. Council Member Ross said one of those listed does not have a physical location but does provide food delivery to North Little Rock residents from a van. On the motion of Council Member Ross and seconded by Council Member Hight, and by consent of all members present, the resolution was adopted (6/0). (\$85,000.00)

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 February 13, 2023, was called and read a second time this date, then held by the sponsor, Council Member Ross. Council Member Ross asked if anyone signed in to speak on the item. No one did. Mayor Hartwick said there is a bill under consideration at the State Legislature at this time.

CONSENT AGENDA

By voice vote and members present having voted in the affirmative, consent items R-23-35, R-23-36, R-23-37, R-23-38, and R-23-39 were adopted (6/0).

R-23-35 (RESOLUTION NO. 10492 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (6/0).

R-23-36 (RESOLUTION NO. 10493 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 1014 EAST 13TH STREET IN THE CITY OF NORTH LITTLE ROCK, AND FOR OTHER PURPOSES, was adopted (6/0). (owner: *Dora M. Lopez*)

R-23-37 (RESOLUTION NO. 10494 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO EVERETT FORD FOR THE PURCHASE OF A VEHICLE FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; AND FOR OTHER PURPOSES, was adopted (6/0). (\$47,107.00)

R-23-38 (RESOLUTION NO. 10495 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO DANA SAFETY SUPPLY, INC. FOR THE PURCHASE OF TEN VEHICLES FOR THE NORTH LITTLE ROCK POLICE DEPARTMENT; AND FOR OTHER PURPOSES, was adopted (6/0). (\$662,325.84)

R-23-39 (RESOLUTION NO. 10496 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH OZARK MISSION PROJECT; AND FOR OTHER PURPOSES, was adopted (6/0). (\$115,000.00)

NEW BUSINESS

R-23-40

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4302 DICK JETER ROAD 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 withdrawn by the sponsor, Mayor Hartwick. The structure was removed by the owner per Felicia McHenry, Code Enforcement Director. (*owner: Antoinette Duckworth and Gabriel Turnage*)

Mayor Hartwick convened a public hearing on the following items:

R-23-41 – 1524 Schaer Street, R-23-42 – 1724 Maple Street, R-23-43 – 611 Pollock Street, R-23-44 – 812 Vine Street, and R-23-45 – 1709 Chandler Street. Mr. Steve Harrelson, Attorney at Law spoke on behalf of his client, Roni Arevalo-Diaz on R-23-41 at 1524 Schaer Street. There was a fire at the address July 6, 2022. The owner is in a dispute with the insurance carrier regarding a settlement from the insurance company. His client understands the property has to be cleaned up, regardless of the settlement. City Attorney Fields advised Mr. Harrelson of the process to enter into a rehabilitation agreement. The property owner has 30 days to enter into an agreement with the city and post a bond in an amount sufficient to demolish the nuisance if the property is not rehabilitated. The property owner would have 180 days to bring the property up to code. Ms. Fields said he would need to contact Mr. Rick Hogan, Deputy City Attorney. Mr. Harrelson will contact Mr. Hogan.

R-23-41 (RESOLUTION NO. 10497 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1524 SCHAER 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 Taylor and seconded by Council Member Ross, and by consent of all members present, the resolution was adopted (6/0). (*owner: Roni Arevalo-Diaz*)

R-23-42 (RESOLUTION NO. 10498 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1724 MAPLE 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 Taylor and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (6/0). (*owner: Veterans Villages of America*)

R-23-43 (RESOLUTION NO. 10499 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 611 POLLOCK 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 Taylor and seconded by Council Member Ross, and by consent of all members present, the resolution was adopted (6/0). (*owners: Mucio Antonio Ramirez and Marisela Gray*)

R-23-44 (RESOLUTION NO. 10500 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 812 VINE 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 Taylor and seconded by Council Member Robinson, and by consent of all members present, the resolution was adopted (6/0). (*owner: 812 Vine Street Trust*)

R-23-45 (RESOLUTION NO. 10501 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1709 CHANDLER 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 Taylor and seconded by Council Member Insalaco, the resolution was adopted (6/0). (*owner: Felicia Hatcher*)

Mayor Hartwick convened a public hearing on the following items:

R-23-46 – 321 East 18th Street, R-23-47 – 2304 North Schaer Street, R-23-48 – 2600 East Washington Avenue, and R-23-49 – 229 Mosley Street. There being no one present wishing to be heard, the public hearing was adjourned.

R-23-46 (RESOLUTION NO. 10502 – 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 321 EAST 18TH 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 adopted (6/0). (*\$21,189.17*)

R-23-47 (RESOLUTION NO. 10503 – 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 2304 NORTH SCHAEER 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 Robinson, and by consent of all members present, the resolution was adopted (6/0). (*\$4,771.37*)

R-23-48 (RESOLUTION NO. 10504 – 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 2600 EAST WASHINGTON AVENUE 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 adopted (6/0). (*\$7,775.38*)

R-23-49 (RESOLUTION NO. 10505 – 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 229 MOSLEY 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 adopted (6/0). (*\$6,252.99*)

O-23-14 (ORDINANCE NO. 9550 – MAYOR HARTWICK)

AN ORDINANCE ESTABLISHING JOB CLASSIFICATIONS AND NUMBERS OF EMPLOYEES FOR EACH DEPARTMENT OF THE CITY GOVERNMENT OF NORTH LITTLE ROCK FOR 2023; DECLARING AN EMERGENCY; 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 readings were suspended (6/0). 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 adopted (6/0). Emergency clause adopted (6/0). (*aka 2023 Quota Ordinance*)

O-23-15 (ORDINANCE NO. 9551 – MAYOR HARTWICK)

AN ORDINANCE AMENDING THE NON-UNIFORMED EMPLOYEES' POLICY AND PROCEDURE MANUAL TO UPDATE POLICIES REGARDING LONGEVITY PAY AND PROBATIONARY PERIODS; 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 (6/0). On the motion of Council Member Taylor and seconded by Council Member Insalaco, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (6/0). Emergency clause adopted (6/0).

O-23-16

AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED EASEMENT ON PROPERTY LOCATED AT 20 SMOKEY LANE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held due to the sponsor being absent. Mr. Bear Davidson, the applicant was present and said he would be at the next meeting. He advised a preliminary plat approved last year relocated one lot line. This ordinance would abandon a utility easement adjacent to the lot line. (*requested by Bear Davidson of Davidson Engineering on behalf of Woodcrest Company*)

O-23-17 (ORDINANCE NO. 9552 – COUNCIL MEMBERS ROBINSON AND TAYLOR)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 4200 EAST WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM I2 TO C4 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; 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 (6/0). On the motion of Council Member Robinson and seconded by Council Member Taylor, and by consent of all members present, the ordinance was adopted (6/0). Emergency clause adopted (6/0). (*applicant: Thomas Pownall of Thomas Engineering*)

O-23-18

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A SINGLE FAMILY HOUSE AS AN OFFICE FOR AUTO SALES WITHOUT INVENTORY IN AN R4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2721 GRIBBLE STREET 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 Baxter, and by consent of all members, the readings were suspended (6/0). Council Member Taylor said this property is located in a unique area in the city. He went by the location and said it looks like the applicant may already be doing business. Mr. Shawn Spencer, North Little Rock Planning Director said this request went before the Planning Commission recently. At the time, staff and commission members thought the applicants lived at this address and the request was for a home office. Mr. Spencer read from a letter from Mrs. Smith which advised "my husband and I would like to use our home to operate an office to transport wholesale cars to auctions." The Planning Commission approved the house for the Special Use. It was his understanding the request was to turn the house into an office. To do so, the building would have to be brought up to code by adding handicap accessibility. Mr. Spencer referred to photos shown during the meeting which included the house, a fence, a carport cover and a metal building. Excluding the house, the others items have not been permitted by the city. Council Member Taylor asked the intent of the request. The applicants, Mr. Joseph Lee Smith and Mrs. Morronica Smith came forward. Mr. Smith said the shop (metal building) in the back was approved by a State Trooper because it had electricity. This was so the Smiths could receive an (automobile) dealer's license. The State Trooper (Arkansas State Police) did not inspect the house. Council Member Robinson said she thought the request was for a home office. Mr. Smith said the building would be used for their auto auction (business) with one or two vehicles in the back. There would not be any cars elsewhere on the lot. Their business would be wholesale only, not retail. Council Member Robinson referenced a sign on the fence. She asked how people know about their business (how would they advertise). Mr. Smith said they are in the yellow pages (phone book) and they have a business number (Arkansas State Police Dealers number). They also have access to all of the auctions. Mr. Smith said they may have "put the cart before the horse". They needed to find out what the State would approve before they came to the city. Council Member Robinson said she has an issue with a car lot in a neighborhood. She also had concerns with the portable building without permits in a residential area. Council Member Taylor said the requirements from the state for a dealers permit may be minimal: a building, utilities and telephone number. Mr. Smith said applicants also have to be bonded and insured. Council Member Ross asked about vehicles in the back. Mr. Smith said he would run a diagnostic system on vehicles he picked up at an auction and brought back. Council Member Ross reiterated Section 2: 1. ...no inventory, sales and or transfers. Council Member Taylor asked why the applicants want the business on Gribble when they live on a different street. Mr. Smith said there are a lot of businesses located in the area on Gribble (Jeffrey Sand, Oil Company and others). He said there are people staying in campers on the street as well. City Attorney Fields said the current legislation is a request for a Special Use for the house on the property. The house would then be considered a commercial business and be required to meet commercial building code. Ms. Whitbey suggested Mr. Smith

contact the State Police with regard to which structure they have licensed as that could affect obtaining a city business license. Council Member Hight said there should be no inventory at that address. A commercial business should not be in a residential area. Mr. Spencer said the building behind the house will not meet code requirements. Council Member Taylor suggested withdrawing the legislation. If a vote is called this date, and fails, the applicant would have to wait one year to refile the request. Council Member Robinson said she has issues with this application and had concerns with vehicles being stored at the location. Council Member Taylor then withdrew the legislation. Mr. Smith asked how many vehicles an individual can sell without a state dealer's license. City Attorney Fields recommended he check with the state. *(applicant: Joseph Lee and Morronica Smith)*

PUBLIC COMMENT

Council Member Baxter asked about an update on existing rehabilitation agreements. Council Member Taylor referenced the upcoming National League of Cities Conference to be held in Washington, DC in March.

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 7:03 p.m. (6/0), until the next regularly scheduled meeting to be held on Monday, March 13, 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