

April 24, 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, April 24, 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, Deputy Clerk/Treasurer Talor Shinn, and Assistant City Attorney Rick Hogan 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, April 10, 2023, 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 Hamilton, and by consent of all members present, communication #1 was accepted and filed (8/0).

1. Arthur Harris – Petition for Speed Hump Evaluation Study – West 52nd Street – Division to Pike.
(16 signatures – for)

PRESENTATIONS

Kal Makan, COO/Director of Operations for Makan Hospitality Management, presented a slideshow regarding the development of a new hotel in North Little Rock by their company. Makan Hospitality has built and managed several hotels in Little Rock, Russellville, and North Little Rock. The location of the new hotel would be the old Greyhound bus station that was previously torn down. The hotel would consist of fourteen floors including condo space, a restaurant, and office areas. There would potentially be an area accessible for bicyclist to store their bicycles. The city had been looking into building a convention center at the City Services Building, 120 Main Street. The hotel would be within 100 yards from where the conference center would be. Mr. Makan said the name would be tied into the history of North Little Rock. At this time the name was presented as The Argenta.

SCHEDULED PUBLIC HEARING

Bailey Noland, Director of Community Development, advised the thirty (30) day public comment period was coming to an end. This scheduled public hearing would be the last opportunity for those who had intentions to add a public comment to the record. The annual action plan had been posted to the city website during the public comment period, as well as a physical copy in City Hall for viewing. Mayor Hartwick asked Ms. Noland if she had received any comments. She said no. Mayor Hartwick convened a public hearing later in the meeting when R-23-87 was called.

UNFINISHED BUSINESS

R-23-60

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5800 BAUCUM PIKE 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 held by the sponsor, Mayor Hartwick. (*owner: Wayne M. Ball*)

R-23-84

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 4209 CORAL STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was held by the sponsor, Council Member Hamilton.

CONSENT AGENDA

On the voice vote of all members present, and all members having voted “aye”, consent items R-23-85 and R-23-86 were adopted (8/0).

R-23-85 (RESOLUTION NO. 10541 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (8/0).

R-23-86 (RESOLUTION NO. 10542 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY OF NORTH LITTLE ROCK FOR 2022 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT FUNDS FOR THE RECYCLE BIKES FOR KIDS PROGRAM; AND FOR OTHER PURPOSES, was adopted (8/0).

NEW BUSINESS

R-23-87 (RESOLUTION NO. 10543 – MAYOR HARTWICK)

A RESOLUTION APPROVING THE FY2023 ANNUAL ACTION PLAN FOR THE CITY OF NORTH LITTLE ROCK, INCLUDING THE 49TH YEAR (2023) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND THE 2023 HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) PROJECTS AND BUDGETS; AND FOR OTHER PURPOSES, was read. Mayor Hartwick convened a public hearing. There being no one wishing to be heard, the public hearing was adjourned. On the motion of Council Member Hight and seconded by Council Member Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

Mayor Hartwick convened a public hearing on the following clean up liens: R-23-88 – 1108 North F Street, R-23-89 – 1406 West 10th Street, R-23-90 – 1903 Augusta Street, R-23-91 – 2305 Washington Avenue, R-23-92 – 4208 Coral Street, R-23-93 – 1408 North Magnolia Street, R-23-94 – 2506 East Washington Avenue, and R-23-95 – 4706 Atkins Street. There being no one present wishing to be heard, the public hearing was adjourned (8/0).

R-23-88 (RESOLUTION NO. 10544 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1108 NORTH F 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 Ross, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Monie Townsend c/o Renita and Jimmy Vasser*).

R-23-89 (RESOLUTION NO. 10545 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1406 WEST 10TH 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. Mayor Hartwick confirmed with audience that no individuals had intent to come to the mic to speak before moving forward. 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). (*owner: Albernice Frazier c/o Ardary Taylor and Carl Frazier*)

R-23-90 (RESOLUTION NO. 10546 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1903 AUGUSTA 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 unanimously adopted (8/0). (*owner: Debbie L. Smith*)

R-23-91 (RESOLUTION NO. 10547 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2305 WASHINGTON AVENUE 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 unanimously adopted (8/0). (*owners: Matthew and Ruthie J. Thomas c/o Ruthie Thomas*)

R-23-92 (RESOLUTION NO. 10548 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4209 CORAL 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 unanimously adopted (8/0). (*owner: MidArk Houses LLC*)

R-23-93 (RESOLUTION NO. 10549 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1408 NORTH MAGNOLIA 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 unanimously adopted (8/0). (*owner: Susie Matthews c/o Angela Mosley-Monts*)

R-23-94 (RESOLUTION NO. 10550 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2506 EAST WASHINGTON AVENUE 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 unanimously adopted (8/0). (*owners: Darren Gray and Karen Jeneen Henderson*)

R-23-95

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4706 ATKINS 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 held by the sponsor, Mayor Hartwick.

Ms. Florise Blood advised their Church, Stewards of Christ Outreach Inc., bought the property in March of 2019. COVID arose not long after the purchase. The Church is a small membership, however they worked to give justice to the building and paid a contractor fifteen-thousand dollars (\$15,000.00) up front to start renovating the building. The total charge was close to thirty-thousand dollars (\$30,000.00). The Contractor gutted the building and city Code Enforcement advised the debris had to be moved. There was a dispute amongst the Contractor and they left the job unfinished as well as taking the upfront funds paid with them. The Church incurred a six-thousand dollar (\$6,000.00) bill from Waste Management to move the debris. Ms. Blood expressed her sentimental value of the building and her intent to bring the community together through the Church. There are items within the building that could be donated to those in need as well as insulation in order to complete the roof repair. A majority of the items were donated to the Church through a partnership with Cityserve. Mayor Hartwick asked Felecia McHenry, Code Enforcement Director, how long the building had been in disrepair. He also asked Ms. Blood if her contractor was present and she said yes. Ms. McHenry advised the building had been in that condition since 2019. She had not spoken to Ms. Blood and remained unaware of their intent with the building; however, the timeframe was a reasonable amount of time to have made improvements. Council Member Robinson recommended the legislation be held until the Council heard from the contractor. Mr. Fernando Burkette identified himself at the podium and stated he would be assisting the Pastor of the Church in finding contractors and the right type of licenses before permits are pulled. He reiterated that Ms. Blood had been a victim of fraud in the past. Mr. Burkette said there had been an attempt for Ms. Blood to obtain more funds she did not previously have in order to get the building in operation. There is some materials on hand and he stated the structure of the building is good. The first item they want to work on was securing and fixing the roof then the windows and doors. Mr. Burkette advised he needed additional time as he recently came onboard to the situation and was made aware of the condemnation the previous Friday. He will be exploring options for materials, funds and other necessary items to complete the job, as well as getting other contractors around to help. He asked the City Council for an additional six months in order to formulate a plan and show progress made. Council Member Taylor asked if Mr. Burkette was a contractor. He said no. He has a listing of contractors and he acts more like a broker by helping the contractors find jobs. He would assign a contractor to help work on the building. Ms. Patricia Harris came to the mic to speak. She is on the Board of the Church and also a member. She stated she has a personal interest in the situation as she spent personal funds to help after they went to Court over the debris left at the location from the contractor. She said she paid the six-thousand dollar (\$6,000.00) bill from Waste Management. She would not have spent the money if she did not believe in what the church was working towards. Ms. Exie Blood came to the mic to speak. She is the daughter of Pastor Blood. She stated she had also

invested personal funds in the building and does not want to see it torn down. Their church often feeds the homeless. They believe in helping others. Mayor Hartwick advised the reason behind condemnations is to protect people. As shown in the photos the building is not up to code. It could be dangerous to others. He said if the Council was to grant additional time they would need to show progress every month. If no progress was made by the last Council meeting in May, the Council would move forward with the condemnation. Council Member Ross asked the date of when the contractor defrauded the Church. Mr. Burkette advised it was 2019 when the contractor was hired, took the fifteen-thousand dollars (\$15,000.00) and did not complete the job. Since that time they have attempted to get loans to renovate the building. Council Member Ross asked how the church planned to get the money within a month if the funds were not available the last two and a half years. Mr. Burkette advised he currently had a remodeling business. There is sweat equity in the building. He has friends who are contractors and intends to ask for a letter of intent to help get the building in compliance. He said he could show progress with additional time. Council Member Ross stated the letter of intent would not guarantee the work would happen. Ms. Harris asked what kind of progress the city would like to see. Mayor Hartwick advised that Mr. Burkette stated there was sweat equity in the building and if Mr. Burkette could show a list of items that had been completed within a month then the legislation could potentially be pulled. The Council needs to see progress every month. Photos were suggested in order to show the Council the improvements. Council Member Ross said the city needs to see permits pulled within the next thirty (30) days. She stated the situation is not the normal process for condemnations. Mayor Hartwick brought up holding the legislation one more month. Council Member Taylor asked why there was not going to be a rehabilitation agreement on the legislation. Rick Hogan, Assistant City Attorney advised in order for a rehab agreement the city would have to condemn the property. His understanding of the situation was that the property owners were requesting to forego the condemnation for one month in order to show the Council they could bring the building up to a degree of compliance. Council Member Hamilton said he didn't think the Mayor needed permission in order to hold the legislation; however it was appreciated. Council Members Taylor and Robinson reiterated that progress would need to be shown in thirty (30) days as a courtesy was extended to them. Mayor Hartwick asked Ms. McHenry to provide photos that progress has been made at the end of the thirty (30) days. Council Member Robinson stated the building would be voted to be condemned and torn down if no progress is shown at the end of the timeframe. Council Member Taylor stated he was not aware of what a contractor's broker was, which Mr. Fernando Burkette previously referred to himself as. Mr. Fernando advised by example he could be hired by roofers to find jobs for them. Electricians could also hire him and he could receive a stipend or fee. He said he used the word broker, but the service is to essentially find jobs for contractors. Council Member Taylor asked again if Mr. Burkette was a contractor. Mr. Burkette said no, but he did have a remodeling business. Mayor Hartwick reiterated he would hold the legislation for one month and if no progress was made the Council would move forward. Mr. Burkette stated he appreciated the courtesy. (owner: Stewards of Christ Outreach Inc. c/o Floris H. Blood, Patricia D. Harris and Aprea Harris)

O-23-28 (ORDINANCE NO. 9563 – MAYOR HARTWICK)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN EVENT CENTER IN A CPH ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 104 WEST F STREET 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 Robinson, and by consent of all members present, the readings were suspended (8/0).

Council Member Ross said the property was not quite an event center. She called Brandon Toley, owner of Renown Music, to the mic to advise how the business was operating. She said there was a maximum of sixty-five people allowed at the business for events. The occupancy could be approved from the Fire Marshall for a higher number of people, however the number was regulated to keep it smaller. They plan to hold baby showers and other like-minded events to help with the costs of the business. Mr. Toley advised the business was currently located in the Indian Hills Shopping Center. His residence growing up was in Sherwood, but spent the majority of the time within North Little Rock. He became familiar with music from working with local music stores which led to him opening a store within the city limits. Their store focuses mainly on services such as instrument repair, guitar lessons, and piano lessons. The store was looking to expand into a bigger space. The business had been renting space across the street in a local church for recitals. Mr. Toley said due to the debt of purchasing property at 104 West F Street and the cost of renovation to the building, the events would help recover some of those expenses. Mayor Hartwick stated there was a question regarding the request being a conditional use and not a special use. Council Member Ross said special uses are not allowed in Park Hill. Council Member Taylor asked why special uses were not allowed. Council Member Ross stated the zoning was changed during the Jump Start Program. There is an L1 and PH zone. Mr. Toley is the first to apply since the changes. Council Member Ross said the sixty-five (65) occupancy limit is part of the conditions since a special use cannot be done. Council Member Taylor asked if a condition can be added that the conditional use would go away if the business sold the property. Shawn Spencer, Planning Director, said the condition was like a zoning category. If it were taken away, it would take away rights. A special use is not a zoning category. The conditional use in this area would be giving rights to the property. The City could potentially be sued if the use was revoked after passing legislation. On the motion of Council Member Ross and seconded by Council Member Baxter, 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: Brandon Toney of Renown Music*)

PUBLIC COMMENT

Mayor Hartwick said Chief Mike Davis continues to meet with FEMA and the Red Cross regarding the tornado damage on March 31, 2023. Overall around ninety-one streets were affected. The city plans to go into the neighborhoods and get information from the residents to better help them. He said he is proud of our city. The next project is to get Burns Park operating. The baseball fields were opening back up and the tennis courts will be open within the week. They are trying to get the bike paths opened up; however due to the FEMA trucks blocking them by going through the area, it has not been

fully accomplished. There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Robinson, and by consent of all members present, the meeting was adjourned at 6:47 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, May 8, 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