

July 10, 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, July 10, 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, RON HARRIS, VINCE INSALACO, III, and CHARLIE HIGHT (6/0). Council Members MAURICE TAYLOR and NATHAN HAMILTON arrived after the meeting was convened. City Clerk/Treasurer Diane Whitbey, Deputy City Clerk Talor Shinn, Deputy City Clerk/Revenue Enforcement Officer Jim Scott, and City Attorney Amy Fields were also present.

The prayer and pledge of allegiance were led by John Barber, North Little Rock IT Director.

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 held Monday, June 26, 2023, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (6/0).

Note: Council Member Taylor entered the Council Chambers at 6:01 p.m.

On the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all members present, communications #1 and 2, were accepted and filed (6/0).

1. Anita Paul, Mayor's Office memorandum re: new Retail Beer off Premises – Replacement #40856, for Locust Food Mart, 1424 N. Locust, by Matt Bonaminio.
2. Ricky and Pam Mills email re: Recognition to North Little Rock Electric Department Linemen and thank you.

Note: Council Member Hamilton enter the Council Chambers at 6:02 p.m.

PRESENTATIONS

Mayor Hartwick asked Chief Financial Officer Ember Strange to come forward. Mrs. Strange introduced Ms. Rachel Ormsby with Forvis, LLP (fka BKD) to present the 2022 City of North Little Rock Audit report. Ms. Ormsby said the city received a clean and unmodified opinion for the year

ending December 31, 2022, which is the result every city should strive for. As part of the audit they look at internal controls and segregation of duties. North Little Rock receives a significant amount of Federal funding annually. A separate Compliance Audit for those funds was also performed. Two major programs included the 2019 flood and ARPA funds. GASB has been busy issuing accounting standards which the city follows. Ms. Ormsby suggested council members read the Management's Discussion and Analysis. Mrs. Strange said the Finance Department strives to receive the Government Finance Officers Association Certificate of Excellence in financial reporting. The city has received the recognition the past three years.

Mayor Hartwick invited Mrs. Stephanie Slagel, North Little Rock Tourism Department Director of Marketing to come forward to announce an upcoming event – Christmas in July, to be held July 21, 2023. This event is free to the public. The purpose of the event is to highlight the entire holiday season by bringing visitors and residents together to celebrate the holidays. There will be activities for children including photos with Santa to name a few. The times will be 5 p.m. to 8 p.m.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

By voice vote and all members present having voted “aye”, consent agenda items R-23-134 and R-23-135 were adopted (8/0).

R-23-134 (RESOLUTION NO. 10589 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING SUSAN MARKMAN TO THE NORTH LITTLE ROCK HISTORIC DISTRICT COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-23-135 (RESOLUTION NO. 10590 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING THE PAYMENT TO NEW VENTURE TELECOMMUNICATION SERVICES, INC. FOR THE PURCHASE OF A REPLACEMENT BATTERY BANK FOR THE MURRAY HYDROELECTRIC PLANT; AND FOR OTHER PURPOSES, was adopted (8/0). (\$63,200.00)

NEW BUSINESS

R-23-136 (RESOLUTION NO. 10591 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 4513 ATKINS STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Baxter. Council Member Ross asked if the owner was present. Mr. Chris Lacy and Austin Patton were present. Mr. Lacy said they understood the terms to the agreement. City Attorney

Fields advised Mr. Lacy and Mr. Patton to contact the City Clerk's Office to obtain a business license. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0). (*AP Rentals LLC or AP Properties Rentals LLC*)

R-23-137 (RESOLUTION NO. 10592 – 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 ACE GLASS AND PLASTIC RECYCLING, LLC, NABHOLZ CONSTRUCTION COMPANY OR AN AFFILIATE OF EITHER; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Baxter. Mr. Robert Birch, North Little Rock Director of Economic Development said this is an opportunity to bring a new business to our city. He then introduced Michelle Allgood, Mitchell Williams Law Firm. Mrs. Allgood said their firm is assisting the city and Ace Glass to bring tax abatement to this project. This is an incentive for both Ace Glass and Nabholtz to come together. The intent is to issue bonds in an amount not to exceed \$60 million and would allow tax abatement for a period of 30 years at 65% which is the standard the city has used in the past. The bond ordinance should be on the agenda for the next council meeting at which time a public hearing will be held to formalize the approval. Mr. Courtney Little owns Ace Glass and Ace Glass and Plastic Recycling LLC. Ace Glass has been in business since 1986. They began evolving into manufacturing and recycling five years ago. They have the opportunity to build a facility to process glass and do something with it. Mr. Little thanked the council and Mr. Birch. In early May they located a piece of property and needed to move quickly. In the past, glass had to be shipped out of state to be recycled which included money and jobs. Ace has operations in both Central and Northwest Arkansas. There are several municipalities that can now begin glass recycling. They will also take excess architectural glass from surrounding states. The glass will transition to an ultra-lightweight glass foam aggregate. He referenced the I-30 crossing towards Jacksonville and said this material can be used in road construction which will save both the state and cities money. It was also used in retaining walls along the scenic bypass going into Hot Springs. A lightweight fill material was needed. The applications are endless. Their location in North Little Rock will give them access to rail transportation and state highways. Mr. Little said everyone wants to recycle and it is a shame to throw it away. The company will have 60 employees. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-23-138 (RESOLUTION NO. 10593 – 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 812 VINE STREET IN 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 Hamilton. Mayor Hartwick convened a public hearing. There being no

one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0). (*\$5,158.47*)

R-23-139 (RESOLUTION NO. 10594 – 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. A motion to adopt was made by Council Member Taylor and seconded by Council Member Baxter. Mayor Hartwick convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

O-23-45 (ORDINANCE NO. 9579 – MAYOR HARTWICK)

AN ORDINANCE AMENDING THE 2023 QUOTA ORDINANCE (ORDINANCE NO. 9550) 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 Robinson, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Council Member Baxter and seconded by Council Member Hight. Council Member Ross asked if the Electric Department was hiring new people due to recent storms. Mrs. Strange said they were already working on positions in the department. On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of all members present, the ordinance was amended as follows: *page 3 line 5 strike through Data Quality Analyst and line 7 strike through Director of Metering* (8/0). On the motion of Council Member Taylor 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 as amended (8/0). Emergency clause unanimously adopted (8/0). (*Electric, Emergency Services, Finance, Human Resources and Parks and Recreation*)

O-23-46 (ORDINANCE NO. 9580 – COUNCIL MEMBERS ROSS AND BAXTER)

AN ORDINANCE AMENDING ORDINANCE NO. 9518, WHICH GRANTED 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 Baxter and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Council Member Baxter and seconded by Council Member Hamilton. Council Member Ross said the cell tower was approved by the council a few months ago. When the tower was installed it did not affect any surrounding properties (near base). However, it did affect residents who live above it on Scenic Hill. The FAA (Federal Aviation Administration) did not require the light but city regulations did. In the future,

surrounding area elevation needs to be considered as well. Council Member Baxter said there is also a white strobe light that blinks throughout the day. This legislation will eliminate any illumination on the top of the tower. On the previous motion, 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). *(remove or turn off lights on top of tower)*

O-23-47 (ORDINANCE NO. 9581 – MAYOR HARTWICK)

AN ORDINANCE AMENDING ORDINANCE NO. 9567, WHICH GRANTED A SPECIAL USE FOR WATER AND WASTEWATER TREATMENT OPERATIONS IN AN I1 (I-1) ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 7100 COLONEL MAYNARD ROAD 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 Taylor, 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).

O-23-48

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A TYPE 1 SHORT TERM RENTAL (STR) IN AN R2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 309 WEST 7TH 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 Robinson, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Council Member Taylor and seconded by Council Member Robinson. Council Member Ross asked if this was an owner occupied property. City Attorney Fields said the property is a duplex. The owner will need to get a homestead exemption (from the county). Council Member Ross said (an owner occupied STR) could not be approved without the exemption. Council Member Ross said Type 1 Short Term Rentals did not require a Special Use. She asked the applicant Mr. Stroth if he lived in one of the units. He said he did. Mr. Stroth purchased the property in 2022. Council Member Taylor asked why the homestead credit was needed. He said most people don't know they can get the exemption. The homestead exemption is a way to ensure the STR owner lives at the location. Planning Director Shawn Spencer said this property is a duplex which is two separate units. After additional discussion the legislation was held by the sponsor, Council Member Taylor. *(applicant: Britt Tucker Stroth)*

O-23-49 (ORDINANCE NO. 9582 – MAYOR HARTWICK)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW THE PLACEMENT OF A TEMPORARY OFFICE BUILDING IN A C3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 14 REMOUNT 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 Baxter, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Council Member Taylor and seconded by Council Member Robinson. City Attorney Fields said a public hearing needs to be convened as the item did not go before the Planning Commission. Mayor Hartwick convened a public hearing. Mayor Hartwick said the business at this location was destroyed by the March 31, 2023 tornado. He is moving two (2) trailers in to work from. The trailers will be on site until March 31, 2024 to allow time to rebuild the business. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, 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 C. Keeton of Keeton Properties LLC*)

PUBLIC COMMENT

There were no public comments.

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 6:49 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, July 24, 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