

March 11, 2024
Six o'clock p.m.
North Little Rock City Hall Council Chamber
300 Main Street
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council scheduled for Monday, March 11, 2024, was called to order at 5:58 p.m. by the Honorable Mayor Terry C. Hartwick.

Council members had the option to attend the council meeting in person or participate virtually. The Council Chambers were open to the public.

The roll was 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). Deputy City Clerk and Treasurer Talor Shinn, Deputy City Clerk/Enforcement Officer Jim Scott and City Attorney Amy Fields 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 Hamilton, and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, February 26, 2024, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (8/0).

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

1. Anita Paul, Mayor's Office memorandum re: *application for a Native Beer, Restaurant Mixed Drink Minimum permit – additional permits #42336*, for The Filling Station, 3623 John F. Kennedy Boulevard, by Joe Evans.
2. Derrell Hartwick, President/CEO North Little Rock Chamber of Commerce – Economic Development Activity Report – Q1 – 2024.

PRESENTATIONS

Mayor Hartwick asked North Little Rock Tourism Director Karen Trevino to come forward and recognized her for recently being inducted into the Arkansas Tourism Hall of Fame at the Governor's Conference on Tourism.

Mayor Hartwick asked Chief of Staff Mike Davis and Office of Emergency Services/911 (OES/911) Director Kim Francisco to come forward to provide information regarding the

upcoming 2024 Total Eclipse. Mr. Davis advised April 8 is the date of the eclipse which is estimated to last 2 minutes and 37 seconds in our city. A partial eclipse will begin at 12:34 p.m. and end at 3:12 p.m. and will take place during a 3-hour time-frame. A lot of people are expected to visit North Little Rock on the days leading up to and during the eclipse. The city reviewed “after-action” reports from the 2017 eclipse which were useful. City Communications Director Shara Hutchcraft has been sharing information with the public through social media. The next Eclipse meeting will be Monday, March 18, 2024 at 10:30 a.m. City Department Heads, MEMS representatives, Arkansas State Police representatives and Arkansas Game and Fish Officials will attend. All agencies have collaborated together to come up with the best way to be ready for the event. There will be a lot of traffic in the area, with an expected additional 250,000 visitors in the state on April 8th. Weather will determine where people stop along the path of totality during the viewing. If it is cloudy in our area, people will move to another area. Our city’s Emergency Operation Center (EOC) will be ready to go by Thursday, April 4 and operational Monday, April 8, 2024. City officials will be able to view traffic cameras. Police, fire and other city personnel will be present in the EOC and ready to respond if needed, which will ensure the city is able to get the best (current) information out to the public. North Little Rock Animal Services will have their Mobile Unit available in the City Services Building parking lot in case of an emergency. An employee from North Little Rock OES/911 will be at the Pulaski County EOC. ADEM (Arkansas Department of Emergency Management) will have their EOC at Camp Robinson operational. Schools (city and county) will be out and some businesses will close. North Little Rock city offices will be open. There are a lot of Eclipse related events going on leading up to the event. A few are: Saturday, Sunday and Monday – events at Argenta Plaza including a Moon Block Party, Dickey Stephens Ball Park will open that weekend with games Friday, Saturday and Sunday – the Ball Park will open Monday for people to come in and view the event, USS Razorback, Eclipse Escape at Faulkner Lake, and Eclipse on the Water at Rockwater to name a few. Chief Davis said Arkansas State Police will have every Trooper working on the 8th to keep the state highway traffic moving. There could be communication issues with internet, telephones and radio equipment. The North Little Rock Sanitation Department will begin their Monday route at 6:00 a.m. so they will be off the roadways when the influx of traffic begins. OES/911 Director Francisco said the city has backup plans in place for police and fire in the event the AWIN System goes down. City employees (with city cell phones) have been signed up through a wireless service which will help with making calls if the system is congested. IT has been working on the data flow as well. Council Member Baxter asked about the City Council Meeting scheduled for Monday, April 8, 2024. Mayor Hartwick said the meeting will be moved to Tuesday, April 9, 2024.

UNFINISHED BUSINESS

R-24-03 (RESOLUTION NO. 10779 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 4807 MASSIE STREET IN THE CITY OF NORTH LITTLE

ROCK; AND FOR OTHER PURPOSES, was read. (*Note: a public hearing was held during a previous meeting*) A motion to adopt was made by Council Member Hamilton and seconded by Council Member Robinson. Council Member Hamilton said he had been working with the applicant for a couple of months to make sure the owner is putting in a good-faith effort. Mr. Hamilton referenced pictures filed with the legislation and current photos. Reframing has been done, plumbing, electric and HVAC have been installed. He visited with Code Enforcement Director Felicia McHenry and Planning Director Shawn Spencer and verified permits had been retained for the work. The owner is a first time remodeler but he has put in the work. The owner Mr. Perez was present with an interpreter. Council Member Ross said this would give the owner an additional six (6) months. She said the additional time would make it one (1) year. Mayor Hartwick said the condemnation was in June, 2022. Council Member Hamilton said the rehabilitation agreement was signed in April, 2023. On the previous motion, and the all members present having voted in the affirmative, with the exception of Council Members Ross and Baxter, the resolution was adopted (6/2). City Attorney Fields advised her office will keep up with the timeline within the agreement. (*owners: Pablo Perez Andres and Juan Reyes Perez*)

O-24-09

AN ORDINANCE AMENDING THE ZONING ORDINANCE (ORDINANCE NO. 9263) TO INCLUDE DEFINITIONS, USES, AND RESTRICTIONS REGARDING METAL SHIPPING CONTAINERS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, the

readings were suspended on Monday, February 12, 2024. The ordinance was read again this date. Council Member Baxter said there have been concerns regarding the proposed use. Any accessory structure can be used for storage. The city cannot legislate beauty. There are houses in neighborhoods that are purple, pink which could affect property value. A residence with accessory structure like this could extend the value of a property as the unit would not require the same maintenance as a stick-framed structure would. Currently, an accessory structure could be in disrepair without any screening requirement. Regarding placement or proliferation of these type accessory structures, neighborhood design will preclude a lot of areas from placing containers in a back or side yard. Many homes are too close together or there are trees blocking access to a back or side yard. The intent of this legislation was for a replacement structure, although a new set up would be allowed. Council Member Baxter said a structure could be made out of concrete blocks, wood, etc. and be the same size as a metal shipping container. On the motion of Council Member Baxter and seconded by Council Member Hamilton, and by consent of all members present, the ordinance was amended as follows: *Section 4.1.10 – D. strike through 400 square feet and insert 200 SQUARE FEET (8/0)*. A motion to adopt as amended was made by Council Member Baxter and seconded by Council Member Hamilton. Council Member Ross asked who will check to make sure the containers are vented. She said several have exploded in the past because the container had an air-tight seal. If a fuel tank or lawn mower is stored inside it could be a safety hazard. Mr. Spencer said there would need to be a standard of what a vent is and the size. A city inspector would have to go look at the vent. If the vent is too big it would change the structure of the container which might require an engineer to

look at it. The owner would have to call the city when they get a permit and request an inspection. Council Member Hight said his neighborhood (Overbrook) has a Property Owners Association and a Bill of Assurance which prohibit these types of buildings. On the previous motion, and the following members having voted in the affirmative: Hamilton, Baxter and Harris; and the following members having voted no: Ross, Taylor, Robinson, Insalaco and Hight, the motion to adopt as amended failed (3/5).

CONSENT AGENDA

None filed.

NEW BUSINESS

R-24-60 (RESOLUTION NO. 10780 – MAYOR HARTWICK)

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF CARMEN SMITH TO THE BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Taylor, and by consent of a members present, the resolution was unanimously adopted (8/0).

Mayor Hartwick convened a public hearing on the following condemnations:

| <u>Call #</u> | <u>Address</u> | <u>Owner</u> |
|---------------|---------------------|--|
| R-24-61 | 13 Baker Circle | IRemodel Properties LLC (<i>IRemodel Holdings LLC</i> <i>c/o Jet Lending LLC</i>) |
| R-24-62 | 15 Oakview Drive | Deborah Kay Owen |
| R-24-63 | 5617 Shamrock Drive | Cherri A. Wilson c/o Deutshe Bank National Trust Company |

Mr. John Lamparski lives next to 13 Baker Circle. Since the tornado hit, the house has been vacant. He had to call the North Little Rock Police Department multiple times because people and/or children were entering the property. He had to have his exterminator come out more often as there is an increase in bugs at his residence. He has encountered real estate agents and other investors going into the property to see what they can do with the property. IHome has done nothing. When he bought his home a tree fell on it and it took IHome a couple of months to take care of it. There being no one else wishing to be heard the public hearing was adjourned.

R-24-61 (RESOLUTION NO. 10781 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 13 BAKER CIRCLE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, 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: IRemodel Holdings LLC c/o Jet Lending LLC*)

R-24-62 (RESOLUTION NO. 10782 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 15 OAKVIEW DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, 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: Deborah Kay Owen*)

R-24-63 (RESOLUTION NO. 10783 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5617 SHAMROCK DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, 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: Cherri A. Wilson c/o Deutsche Bank National Trust Company*)

R-24-64 (RESOLUTION NO. 10784 – 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 1823 FRANKLIN STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 Taylor and seconded by Council Member Ross, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-24-65 (RESOLUTION NO. 10785 – 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 16 TOLBERT LOOP IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 Taylor and seconded by Council Member Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

O-24-15 (ORDINANCE NO. 9654 – COUNCIL MEMBER HARRIS)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW MEDICAL SPA SERVICES, AN OFFICE AND A SALON IN AN I2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 9000 COMMERCE COVE 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 Insalaco, III, 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). (*applicant: Phil Forrester*)

PUBLIC COMMENT

Mayor Hartwick reminded everyone the City Council Meeting scheduled for Monday, April 8, 2024 will be moved to Tuesday, April 9, 2024 due to the Eclipse scheduled to take place Monday (and concerns regarding traffic congestion).

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Hamilton, and by consent of all member present, the meeting adjourned at 6:32 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, March 25, 2024, 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