

March 25, 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 25, 2024, was called to order at 5:59 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). *Note: Council Member Ross participated by telephone.* City Clerk Diane Whitbey, 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 and seconded by Council Member, and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, March 11, 2024, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (8/0).

On the blanket motion of Council Member Hight and seconded by Council Member Insalaco, III, and by consent of all members present, communications #1, 2, 3, 4 and 5 were accepted and filed (8/0).

1. Anita Paul, Mayor's Office, memorandum re: *Application for Retail Beer Off Premises Permit – New Application* for D & J Mini Mart, 1802 Main Street, by Zarintaj Noorani.
2. Council Member Hamilton email re: Rehabilitation Agreement Procedures.
3. Annual Financial Report for the Year End December 31, 2023 for Argenta Downtown Central Business Improvement District No. 31 of North Little Rock, Arkansas.
4. Ember Strange, Energy Risk Management Committee Chairman, PCA Rate for April 2024 (\$0.0059 kWh – positive).
5. Ember Strange, North Little Rock Chief Financial Officer – City of North Little Rock Statement of Revenues, Expenditures and Changes in Fund Balance – General Fund for the period ended December 31, 2023.

Council Member Hamilton referenced Communication #2 regarding suggestions regarding future rehabilitation agreements.

### **PRESENTATIONS**

*None.*

### **UNFINISHED BUSINESS**

*None.*

### **CONSENT AGENDA**

By voice vote and all members present having voted “aye”, consent agenda items R-24-66, R-24-68, R-24-69, R-24-70, R-24-71, R-24-72, R-24-73, R-24-74, R-24-75, R-24-76 and R-24-77 were adopted (8/0). R-24-67 was pulled and called under new business.

R-24-66 (RESOLUTION NO. 10786 – MAYOR HARTWICK)  
A RESOLUTION APPOINTING JERRY DOTSON TO THE NORTH LITTLE ROCK CIVIL SERVICE COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-24-68 (RESOLUTION NO. 10787 – MAYOR HARTWICK)  
A RESOLUTION AUTHORIZING AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS A.F.L.-C.I.O., LOCAL NO. 35; AND FOR OTHER PURPOSES, was adopted (8/0).

R-24-69 (RESOLUTION NO. 10788 – MAYOR HARTWICK)  
A RESOLUTION AMENDING THE 2024 BUDGET FOR THE CITY OF NORTH LITTLE ROCK, ARKANSAS, TO REAUTHORIZE AND INCLUDE ADDITIONAL EXPENDITURES FOR SPECIFIED DEPARTMENTAL BUDGETS; AND FOR OTHER PURPOSES, was adopted (8/0). (*Purchase Orders and Budget Rollover*)

R-24-70 (RESOLUTION NO. 10789 – MAYOR HARTWICK)  
A RESOLUTION AMENDING THE 2024 BUDGET FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT TO REAUTHORIZE AND INCLUDE ADDITIONAL EXPENDITURES FOR SPECIFIED DEPARTMENTAL BUDGETS, was adopted (8/0). (*\$254,853 – NLR Economic Development*)

R-24-71 (RESOLUTION NO. 10790 – COUNCIL MEMBER HAMILTON)  
A RESOLUTION RENEWING THE COMMUNITY GARDEN LICENSE FOR IDLEWILD COMMUNITY GARDEN; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LICENSE AGREEMENT; AND FOR OTHER PURPOSES, was adopted (8/0). (*\$5,000.00*)

R-24-72 (RESOLUTION NO. 10791 – COUNCIL MEMBER HAMILTON)  
A RESOLUTION RENEWING THE COMMUNITY GARDEN LICENSE FOR NORTH HEIGHTS COMMUNITY CENTER; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LICENSE AGREEMENT; AND FOR OTHER PURPOSES, was adopted (8/0).  
(\$1,950.00)

R-24-73 (RESOLUTION NO. 10792 – COUNCIL MEMBER HAMILTON)  
A RESOLUTION RENEWING THE COMMUNITY GARDEN LICENSE FOR GREATER SHILOH MISSIONARY BAPTIST CHURCH; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LICENSE AGREEMENT; AND FOR OTHER PURPOSES, was adopted (8/0). (\$3,000.00)

R-24-74 (RESOLUTION NO. 10793 – COUNCIL MEMBER HAMILTON)  
A RESOLUTION APPROVING A COMMUNITY GARDEN LICENSE FOR BOONE PARK ELEMENTARY SCHOOL GARDEN; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LICENSE AGREEMENT; AND FOR OTHER PURPOSES, was adopted (8/0).  
(\$1,500.00)

R-24-75 (RESOLUTION NO. 10794 – COUNCIL MEMBER HAMILTON)  
A RESOLUTION APPROVING A COMMUNITY GARDEN LICENSE FOR URBAN PATCHWORK (CALM & CONFIDENCE) APIARY GARDEN; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LICENSE AGREEMENT; AND FOR OTHER PURPOSES, was adopted (8/0). (\$5,000.00)

R-24-76 (RESOLUTION NO. 10795 – COUNCIL MEMBER HAMILTON)  
A RESOLUTION APPROVING A COMMUNITY GARDEN LICENSE FOR LAKEWOOD COMMUNITY GARDEN; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO LICENSE AGREEMENT; AND FOR OTHER PURPOSES, was adopted (8/0).  
(\$1,500.00)

R-24-77 (RESOLUTION NO. 10796 – MAYOR HARTWICK)  
A RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION OF THE CITY'S AGREEMENT WITH THE NORTH LITTLE ROCK CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT SERVICES; RATIFYING PRIOR ONE-YEAR EXTENSION; AND FOR OTHER PURPOSES, was adopted (8/0).

### **NEW BUSINESS**

R-24-67 (RESOLUTION NO. 10797 – MAYOR HARTWICK)  
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A QUITCLAIM (DEED) AND SELL CERTAIN REAL PROPERTY LOCATED ON 4<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, TO SHORTER COLLEGE; AND

FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Ross and seconded by Council Member Hamilton. On the motion of Council Member Hamilton and seconded by Council Member Baxter, and by consent of all members present, the resolution was amended as follows:: *attach two (2) maps provided this date (8/0)*. 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). (\$30,000.00)

R-24-78 (RESOLUTION NO. 10798 – MAYOR HARTWICK)

A RESOLUTION APPROVING A CHANGE ORDER AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDMENT FOR THE PARK HILL COMMUNITY JUMP START IMPROVEMENTS PROJECT IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AUTHORIZING PAYMENT TO SHEILDS & ASSOCIATES, INC.; 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 resolution was unanimously adopted (8/0). (\$850,426.76)

Mayor Hartwick convened a public hearing on the following condemnations:

<u>Call #</u>	<u>Address</u>	<u>Owner</u>
R-24-79	1000 West 52 <sup>nd</sup> Street	Alan Investments III LLC
R-24-80	2305 North Berkley Drive	Yvonda Horan
R-24-81	4413 Coral Street	C.M. Prather and Patricia Prather
R-24-82	4409 Coral Street	C.M. Prather and Patricia Prather
R-24-83	4801 Sycamore Street	Catherine Ann Crowe c/o Kimberly Skinner
R-24-84	2223 Railroad Avenue	RC1 AK LLC

There being no one present wishing to be heard, the public hearing was adjourned.

R-24-79 (RESOLUTION NO. 10799 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1000 WEST 52<sup>ND</sup> STREET 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 Hight and seconded by Council Member Hamilton, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Alan Investments III LLC*)

R-24-80 (RESOLUTION NO. 10780 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2305 NORTH BERKLEY 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: Yvonda Horan*)

R-24-81 (RESOLUTION NO. 10801 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4413 CORAL STREET 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 Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owners: C.M. Prather and Patricia Prather*)

R-24-82 (RESOLUTION NO. 10802 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4409 CORAL STREET 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 Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owners: C.M. Prather and Patricia Prather*)

R-24-83 (RESOLUTION NO. 10803 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4801 SYCAMORE STREET 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 Hight and seconded by Council Member Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Catherine Ann Crowe c/o Kimberly Skinner*)

R-24-84 (RESOLUTION NO. 10804 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2223 RAILROAD AVENUE 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 Baxter and seconded by Council Member Hight, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: RCI AK LLC*)

O-24-16

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED SOUTH OF HIGHWAY 165 AND WEST OF CYPRESS CROSSING SUBDIVISION IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM I2 TO RU, R1, R4 AND R5 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN EMERGENCY; AND

FOR OTHER PURPOSES, was read. On the motion of Council Member Taylor 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 Taylor and seconded by Council Member Robinson. Council Member Taylor had questions and asked if the developer was present. He referenced the illustration provided which had one ingress and one egress to the site (by Dollar General). The new subdivision (Stillwater) would have townhomes, apartments and single family homes. The existing subdivision, Cypress Crossing (east) and the proposed subdivision would connect at the rear of the two sites (Bodarc Lane). He advised there did not appear to be enough ingress and egress for the number of residences. Planning Director Shawn Spencer said the application went through the subdivision (committee) and meet required codes. The applicant Mr. Thomas Pownall referenced the access point to the new subdivision. Council Member Taylor said the residents of Cypress Crossing had issues getting in and out of their subdivision onto Highway 165. The proposed Stillwater subdivision would add an additional volume of approximately 200 vehicles. Mr. Pownall said there would be 63 lots, plus apartments that will be located in the northwest corner. The townhomes would operate as single family homes. Council Member Taylor advised there a school for grades K-12 has been proposed to the north of the property. There is also a church proposal in the same area. Council Member Hamilton asked if there was a standard for how many homes to access one street. Mr. Pownall said they could to a traffic count/study. Council Member Taylor asked if there would be adequate ways out of the neighborhoods if there was a huge fire in the adjacent fields. Council Member Hamilton said the City of Maumelle had two ways in and out for a community of 20,000 single family homes. Council Member Taylor said this relates to residents of both subdivisions. Council Member Insalaco, III asked if it was possible to put an access to the left of buildings on the northeast side of the illustrated map. Mr. Pownall said that is private property and access would have to be negotiated, if even possible. The only access point would be the road illustrated (south of Fiber Optic Drive). Mr. Pownall advised fire code required one entrance and one emergency entrance (Bodarc Lane). Mayor Hartwick referenced a ditch across from the access point of the road. Council Member Taylor said the plan included a bridge over the ditch. He said in an emergency, several hundred people could be routed from Stillwater through Cypress Crossing. North Little Rock Chief Fire Marshal Warren Almon said the fire code provides a development with more than 30 single family homes or a certain number of apartments in a multi-family development either have two ways in and out, or every house/unit had to have a fire sprinkler system. Emergency access if for fire apparatus vehicles. If there was a gate, emergency vehicles would have the ability to go through. Chief Almon said the proposal included a gated community on the (south) part of the development. These points are not

designed to get traffic flow in and out, but to be able to get emergency vehicles in and out if necessary. Council Member Hamilton asked about the second option for Cypress Crossing. Chief Almon said a previous Fire Marshal agreed future development would allow a second access to be added. Council Member Robinson said there will be a backlog of traffic from residents trying to get out of their neighborhood to go to work. The residents of Cypress Crossing will not want the new residents of Stillwater to cut through their neighborhood. Another entrance is needed. Council Member Hamilton said the fire code is the law for safety. Traffic is a market condition. If people want to move to a high-traffic area, they will. Council Member Ross asked who will make sure the referenced second access is added. Mr. Spencer said the city cannot control when the neighboring property is developed. In this case, the existing development (Cypress Crossing) plan included five (5) additional entrances/connections. The previous subdivision did not come before the City Council as it met all of the planning requirements. City Attorney Fields said traffic is a concern when making land-use decisions. Council Member Taylor said there is a lot of traffic on (Highway) 165. This and other proposed developments will bring a lot more vehicles to the area. These projects need to be done right from the beginning. Mr. Pownall said the developer wants the property rezoned so it can be developed. Council Member Baxter said there does not appear to be another access opportunity. Council Member Taylor said there could be an Access Easement. After additional discussion, the sponsor, Council Member Taylor held the legislation to allow time for the applicant to consider another way in and out of the site. *(applicant: Thomas Pownall of Thomas Engineering)*

O-24-17 (ORDINANCE NO. 9655 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED ON THE CORNER OF WEST 4<sup>TH</sup> STREET AND ORANGE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R5 TO C6 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 Hight, and seconded by Council Member Hamilton, and by consent of all members present, the readings were suspended (8/0). Mr. Patrick Stair spoke on O-24-17 and O-24-21. He and his wife moved to Argenta in 1998 and live on West 5<sup>th</sup> Street. Mr. (Allen) Engstrom was already in the Argenta neighborhood. At a recent neighborhood meeting Mr. Engstrom described the projects. The plans he presented were compatible with the neighborhood. The projects will help preserve the church and utilize a bare lot. Mr. Stair also referenced the (E.O.) Maness House which Mr. Engstrom owns and renovated. Deputy City Clerk Shinn said Mr. Engstrom advised a map attached to the legislation was incorrect and should indicate four (4) units, not five (5). He supports the Townhomes and Event Center applications. On the motion of Council Member Hamilton and seconded by Council Member Taylor, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). *(applicant: Thomas Pownall of Thomas Engineering for Allen Engstrom)*

O-24-18 (ORDINANCE NO. 9656 - COUNCIL MEMBER TAYLOR)

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 1001 WEST 4<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM P1 TO C6 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 (8/0). A motion to adopt was made by Council Member Hamilton and seconded by Council Member Taylor. Council Member Taylor asked about the development and parking. Mr. Pownall referenced C6 use with office space on the bottom and residential on the top. Mr. Spencer said C6 is also known as “downtown zoning” with zero setbacks on the front and sides and a small setback on the rear. Parking is not required unless the space will be used for residential which requires one space per unit. Regular apartment complexes usually have two cars per unit. Mr. Spencer said a map with parking was not included with this legislation since it is only rezoning the property. Council Member Ross said the property zoning would allow street parking in a C6 without residential. She then asked if there had been any calls for or against the rezone. Council Member Taylor said he had a couple of calls about the use: who owned it and if it was a city park. 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: Thomas Pownall of Thomas Engineering*)

O-24-19 (ORDINANCE NO. 9657 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW WAREHOUSING IN A C4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 810 MICHAELA DRIVE 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 Hight, 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 Taylor said this is near the area discussed earlier in the meeting on (Highway) 165. There will be parking at the site, but there will be added traffic to 165. On the previous motion and the roll having been called, and all member present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Thomas Pownall of Thomas Engineering*)

O-24-20 (ORDINANCE NO. 9658 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A DAYCARE CENTER IN A C6 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 201 WEST 4<sup>TH</sup> 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 Hamilton, and by consent of all members present, the readings were suspended (8/0). Council Member Baxter said he did not see where the playground would



be located in the attached maps. Mr. Allen Engstrom, owner, advised there is a small parcel (north of the alley) about the size of two parking spots that came with the church parcel. It would be an ideal place for the playground. Mr. Chris Kent lives on West 5<sup>th</sup> Street. His property borders the playground portion of the property. There is an alley between Orange and Maple Street. One of the (City) Planning recommendations was to limit vehicle access to daytime hours from 6:00 a.m. until 6:00 p.m. There are multiple residential properties. The residents use the alley daily to access their parking. This ordinance would allow a maximum 50 children at the daycare. The ordinance references the Conditional Use would be compatible with other uses in the area, which Mr. Kent disagreed with. His wife has an Acupuncture business on the ground floor of their property which she was required to apply for a PUD (Planned Use Development) for quiet business use. There are other income producing properties close by, which include a duplex owned by Judge Joe Volpe who sent Mr. Kent email from Judge Volpe advising he was opposed to the playground. Another property at the corner of Maple is owned by Curtis Arnold who has a tenant that parks off the alley. The tenant works at Draft & Table at night and sleeps during the day. Mr. Kent said the property is within the Quiet Commercial District of Argenta which included noise limitations. He said the proposed playground portion could hold five (5) vehicles and there is a row of trees that back up to another house. He said there are other opportunities at the property and did he support what had been proposed. There is an opportunity to have space on the opposite (church) side of the alley. There is a courtyard in the middle of the property. Mr. Kent also had concerns with 50 kids being picked up in the alley. The property would also include a restaurant and Event Center. Ms. Michelle Fincher has property on West 5<sup>th</sup> Street. She owns and operates Healing Points Acupuncture at 216 West 5<sup>th</sup> Street and is a resident on 5<sup>th</sup> Street. She is opposed to the playground. It is only a few feet away from her building where she operates her business. Ms. Fincher's parking is behind her business per the PUD mentioned earlier. There is not a plan for where children would be picked up and dropped off. Had there been a playground at the proposed daycare location five (5) years ago they would not have purchased their home and business property as it would not have been a quiet space. This proposed Special Use would not be compatible with her business. Council Member Ross asked if the playground could be relocated. She said there are daycare centers where children cross alleys and streets and blocking the alley would not be necessary in this instance. Mr. Engstrom said there is no other place to locate the playground. Council Member Robinson recalled the legislation Ms. Fincher referenced and said at the time it was stressed the area was a quiet zone. Mr. Engstrom said he understood a quiet zone could prohibit amplified external speakers and restrict noise after certain hours but not prohibit children playing. The ordinance allows up to 50 children, Mr. Engstrom said the intent is 35. He added he is proposing to live here as well. He said the proposed (daycare) operator operates several facilities and he has worked with her on the proposed traffic flow. The kids would only have access to the playground area a couple of times a day. Council Member Taylor asked if the courtyard was an option. Mr. Engstrom said it is very valuable real estate and would be used by the restaurant and for events. Mr. Engstrom said he understood the concerns and would be willing to explore options to fence around the area to help mitigate the noise. Mr. Engstrom advised again he

would live there. There is a need for a daycare in the area and this business would create jobs. Council Member Harris asked if the item could be held to allow time to look at the site. Mr. Engstrom said he had been working on the project for a year and had to move forward. Council Member Hamilton said the market for daycares is tight and his children's daycare and playground are in a residential area. Children are part of residential areas. Council Member Ross asked the ages of the children who will attend the daycare. Mr. Engstrom said they would be toddlers through pre-school. Council Member Ross said not all of the children would be on the playground at the same time. Council Member Robinson did not have a problem with children playing. The issue is that quiet business restrictions were placed on Ms. Fincher's Special Use which she has complied with. Council Member Taylor said the city has daycares in all areas. Council Member Insalaco, III asked Mr. Kent and Ms. Fincher if the addition of a fence would be helpful to them. Mr. Kent said the fence was a requirement from the Planning Department. He (Mr. Kent) asked what times the kids would be on the playground and for the definition of "limited access" to the alley. Council Member Baxter asked about "twice" a day as it was not in the legislation. Without it, there was nothing to preclude recess as many as four (4) times a day. Council Member Ross asked if the alley was a public alley/owned by the city. She said she did not see how use of the alley could be limited for a private business and recommended removing Section 2: 3. Council Member Hamilton suggested a crossing guard. Mr. Pownall said item 3. was not meant for cars but when they (children) cross the alley. Council Member Ross expressed concern if a future daycare operator came in regarding the wording in item 3. City Attorney Fields recommended an amendment to require the daycare to provide safety measures when children are crossing the alley. On the motion of Council Member Taylor and seconded by Council Member Hamilton, and by consent of all members present, the ordinance was amended as follows:: *Section 2: 3. Strike through existing language and insert THE DAYCARE WILL PROVIDE SAFETY MEASURES BY USING A CROSSING GUARD WHEN CHILDREN ARE CROSSING THE ALLEY (8/0).* On the motion of Council Member Hight and seconded by Council Member Hamilton, and the roll having been called, and all members present having voted in the affirmative, with the exception of Council Member Robinson who voted no, and Council Members Harris and Insalaco, III who passed, the ordinance was adopted (5/1/2). Emergency clause unanimously adopted (8/0). (*applicant: Thomas Pownall of Thomas Engineering*)

O-24-21 (ORDINANCE NO. 9659 – COUNCIL MEMBER TAYLOR)  
AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW AN EVENT CENTER IN A C6 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 201 WEST 4<sup>TH</sup> 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 Hamilton, 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 Hamilton. Council Member Baxter ask about the occupancy (number allowed). Chief Fire Marshal Almon said he had not measured the site for occupant capacity at this time. It

is a large building broken into sections which will require measurements of the sections (Event Center, Daycare, Restaurant). Mr. Engstrom said the Event Center would be in the Chapel area with groups of around 250. Council Member Hamilton asked if the church held events there in the past like potlucks or weddings. Council Member Baxter asked if this property was within the Quiet District referenced earlier. Council Member Hamilton said the hours of operation would be between 6:00 a.m. and 10:00 p.m. and outdoor noise would be limited. Mr. Engstrom said events would be indoors. Council Member Ross asked about parking. Mr. Engstrom said he owns the block to the south which includes 42 spaces, and another 70 spaces to the south of that. There are will also be 11 spaces on the property. Council Member Ross asked if a sprinkler system would be required. Mr. Engstrom said it would. Chief Almon confirmed Mr. Engstrom's intent was to install a sprinkler system in the building. 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: Thomas Pownall of Thomas Engineering*)

O-24-22 (ORDINANCE NO. 9660 – COUNCIL MEMBER BAXTER)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW MINOR AUTO REPAIRS IN A C3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 12601 MAUMELLE BOULEVARD 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 Taylor, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Harris 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: John Pownall of Thomas Engineering*)

**PUBLIC COMMENT**

Mr. Harlan Hunter is President of the Baring Cross (Neighborhood Association). He said there are issues with the Urban Garden Finances. Funds were allocated for grants which they have not received. Funds have been going different places using Baring Cross's name. People have been saying they are partners but it is not true. Mr. Hunter referenced food dessert issues and said things are not getting done. He said over \$400,000.00 has been spent in the past five (5) years in Baring Cross. There is no evidence and produce isn't being produced. Only greens have been grown in the tunnels for two (2) years. Mr. Hunter referenced diversity on Boards and congratulated Mr. Dotson on being a board member. Ms. Darlene Worthen spoke regarding the Rose City Community. She said she was raised there and left 30 years ago. She said the area is the same if not worse. Ms. Worthen said she is an entrepreneur and business owner. She is also a minister. She has a project called "Life Up Rose City" to bring life to the area. She said there is no community help or help for the children. Mayor Hartwick asked for a "voice vote" to

approve moving the April 8 scheduled Council Meeting to Tuesday, April 9, 2024. All members present having voted “aye”, the meeting was rescheduled.

There being no further business to come before the Council, and on the motion of Council Member Baxter and seconded by Council Member Ross, and by consent of all member present, the meeting adjourned at 7:23 p.m. (8/0), until the next regularly scheduled meeting to be held on *Tuesday, April 9, 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