

Tuesday, April 9, 2024
Six o'clock p.m.
North Little Rock City Hall Council Chamber
300 Main Street
North Little Rock, Arkansas

The City Council meeting was preceded by a Public Meeting which convened at 5:00 p.m. The purpose of the meeting was to discuss proposed rate increases by Waste Management for residential Recycling pickup in North Little Rock.

Mayor Terry C. Hartwick convened a public hearing at 5:00 p.m. this date. Mr. Jamie Vernon, Public Sector Area Representative advised Waste Management (WM) served close to 21,000 customers in North Little Rock in 2023. In 2023, over 1,600 tons of recyclables were picked up/recycled from North Little Rock. The amount picked up so far this year is over 300 tons. In 2023, WM began performing contamination audits in each city. The audit included an inbound WM truck from a city; 200 pounds of material was removed from the truck. The materials were sorted and weighed based on the type of material. Contaminants were weighed separately. The rate of contamination in April (2023) was 30%; December it was 26.4%. The current average (2024) is at 25% which indicates residents are doing a lot better. WM facilities are upgraded annually which continues to lower contamination rates and increase efficiencies. Optical sorters which are AI (Artificial Intelligence) based have been added. These include a camera that monitors the material as it moves across a screen. Air jets blow different materials into the appropriate section. A high efficiency Air Compressor and Higher Output Electrical Components have also been included. A Fire Rover was added, which is an infrared foam fire suppression system. The equipment uses infrared technology to find hot spots on the sorting floor that could potentially result in a fire. A glass breaker and vacuum system will be added this year which will automate glass processing equipment by being able to sort, separate and clean all of the material and will be a safer way to process the glass. A PowerPoint video was shown which highlighted material recovery at the facility (aka MRF). Trucks are weighed, materials are sorted, processed and bailed. The process includes materials being unloaded onto the factory floor and moved to a conveyor belt which moves them to a presort where they are hand sorted to remove objects that are not recyclable such as water hoses, electrical wiring, food waste and plastic bags. Materials go through a cardboard screen and pass over a set of whirling disks, the rest of the material falls below and is carried to an elliptical sorter called a besner screen. This pulls out small pieces of rock or gravel that may be left behind. After the material leaves that area it goes through a paper screen which is a smaller set of disks. Remaining material is dropped to a conveyor belt where a steel magnet pulls out tin cans. An optical sorter blows drink bottles to another belt. A final process is a reverse magnet that blows away aluminum cans. Once completed all materials are separated into their own bunkers where the materials are pushed into bales that can weigh up to 1,500 pounds. Bales are shipped out to be made into new products. Aluminum and cardboard are made back into the same product. Steel can be made into new materials. Drink bottles can

be recycled into carpet or thread to make safety vests. Mr. Vernon said on December 22, 2023, a truck had backed into the MRF. When the driver opened the hopper an unknown hot spot ignited and the Fire Rover was activated. There was no danger to the MRF or delay in operations. The Fire Department put out the fire in the parking lot. In 2023, there were 21 tours of the MRF (local schools, civic groups and other parties). WM provides several public events to raise recycling awareness by attending neighborhood meetings, senior centers, etc. The current North Little Rock Single Stream Recycle Contract expired March 31, 2024. The current monthly rate for North Little Rock is \$5.79 which includes glass processing. The proposed rates to extend the contract another three years would be \$5.99 for 2024; \$6.31 for 2025; and \$6.64 for 2026. This would include the addition of PET (polyethylene terephthalate is a type of clear, durable, versatile plastic like fruit/salad containers). Currently, #1 (water bottles) are accepted. WM provides \$5,000.00 per month for ongoing recycling education. WM works with Sanitation Departments and the Recycle District. Funds are used for an annual recycling calendar and other residential mail outs. Content will be provided for North Little Rock's Social Media channels. There is also a Glass Outreach Project with the Pulaski County Recycle District. Expansion will allow (glass) materials to stay in central Arkansas and go to a local glass processing facility (ACE Glass located in North Little Rock). Mayor Hartwick said the total increase over three (3) years would be \$.85 cents. City Attorney Amy Fields has been working with Mr. Vernon on a three (3) year extension to the existing contract which will be revised to include new accepted materials, an updated chart on recyclables, and the increased rate. A resolution will be presented at the April 22, 2024, City Council meeting. Council Member Hamilton asked about the \$5,000.00 (per month) education funds. Mr. Vernon said the funds can be used in any of the participating cities and are usually discussed in the Recycling District Meetings. Mayor Hartwick asked about weather-related delays. Mr. Vernon said it was and will be a challenge. Customer service options include calling a 1-800 number. WM has been working closely with Ms. Stacia Chastain in the Mayor's Office on how to handle complaints coming through City Hall. Council Member Baxter said there was an occasion when a section of his Ward (3) was missed but he didn't know about it. He asked if WM could contact Council Members in the future if there was going to be a delay. Mr. Vernon said he could create an email chain in addition to a call to the city. Mr. Vernon provided examples of glass (as it comes through the facility now) and how it will look once the new process is in place, which results in a much cleaner product. Mr. Vernon ended by showing a couple of types of (milk) carton-type containers. He said containers should be rinsed before being put in the recycling bin. There being no one else wishing to be heard, the public hearing was adjourned at 5:20 p.m.

The regular meeting of the North Little Rock City Council scheduled for Monday, April 8, 2024, was moved to *Tuesday*, April 9, 2024 (due to the 2024 Total Eclipse) was called to order at 6:00 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, STEVE BAXTER, RON HARRIS, VINCE INSALACO, III and CHARLIE HIGHT (7/0). *Note: Council Member Ross participated by telephone.* Council Member LINDA ROBINSON was absent. 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 Hight and seconded by Council Member Baxter, and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, March 25, 2024, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (7/0).

PRESENTATIONS

Mayor Hartwick invited Mr. Steve Bierenowski to come forward to provide an update on the National League of Cities (NLC) Service Line (Warranty). Mr. Bierenowski provided a packet and refresher on the Service Line Program which works with utilities and municipalities across the United States to educate residents on their waterline/sewer line responsibilities. Most residents do not know they are responsible for both the water and sewer lines on their property. When they have an issue they usually reach out to the city. The program offers options including education about the benefits of the same. North Little Rock has been a partner in the program since 2012. As of the end of February 2024 there were 2,529 covered repairs which saved North Little Rock residents \$2,252,290.00. The average claim was \$890.00. There is no service charge or deductible. A member would contact the company when they have an issue, a program representative would then contact an approved local contractor to resolve the issue. The contractor will invoice the NLC directly. Following a claim, a customer satisfaction survey is provided; out of over 2,500 claims serviced the approval rating was 4.7 out of 5. Residents have been happy with the program. The packet included information regarding Water, Sewer and Interior Plumbing and Drainage. Council Member Harris said he is a residential builder and is aware of the costs of installing water and sewer lines. The cost of future repairs is higher since materials have to be dug up to be repaired. He saw the program demonstrated at the Home Builders Association and said it is a great and legitimate program.

Mayor Hartwick invited Mr. Kevin Newsom, North Little Rock Public Library Communications Specialist to come forward to introduce their new Virtual Job Skills Training program. Mr. Newsom thanked Union Pacific Railroad for a \$10,000.00 Grant which made the Transfr Virtual Reality Program possible. He compared the program to (video) gaming and referenced visual rides such as those at Disney (parks) where the rider is fully immersed. Through the Transfr Program, participants can learn how to change the oil in their vehicle, make a meal, break down a diesel engine, start plumbing or learn to be an electrician or lineman. There is also aviation technology. Other career exploration and training included: Construction and Manufacturing, Health Science, Painting, Hospitality and Tourism, Robotics and Information Technology, to name a few. The equipment would allow the participant the opportunity to try something before committing to it. Council Members Hamilton and Baxter were offered the opportunity to try a virtual headset. Mr. Newsom referenced a handout and invited Council Members and the public to stop by and try it out. He said North Little Rock Public Libraries are the first in the state to offer this service.

On the blanket motion of Council Member Hamilton and seconded by Council Member Insalaco, III, and by consent of all members present, communications #2 and 3 were accepted and filed (7/0).

2. Anita Paul, Mayor's Office memorandum re: *Restaurant Mixed Drink Permit – New Application #42520* for KHP Little Rock LLC aka Kpot Korean BBQ and Hot Pot.
3. Anita Paul, Mayor's Office memorandum re: *Min Wholesale Liquor, Small Farm Winery – Wholesale, Wholesale Beer* for Glazer's Beer and Beverage of Arkansas – Change of Manager Application #42623, 11101 Smitty Lane (B), by William Neal.

On the motion of Council Member Ross and seconded by Council Member Insalaco, III, and by consent of all members present, communication #1 was read, accepted and filed (7/0).

1. Arbor Day Foundation Chief Executive – letter re: North Little Rock named 2023 Tree City USA.

Council Member Ross thanked the members of the North Little Rock Tree Board for their service and Chairman Ian Hope, North Little Rock Park Police and Certified Arborist for submitting the city's annual application.

UNFINISHED BUSINESS

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 March 25, 2024 and the readings were suspended. The item was called this date and held by the sponsor, Council Member Taylor.

CONSENT AGENDA

By voice vote and all members present having voted “aye”, consent agenda items R-24-85, R-24-86, R-24-87, and R-24-88 were adopted (7/0).

R-24-85 (RESOLUTION NO. 10805 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO MARK MCLARTY FORD FOR THE PURCHASE OF A VEHICLE FOR THE NORTH LITTLE ROCK ENGINEERING DEPARTMENT; AND FOR OTHER PURPOSES, was adopted (7/0). (*amount: \$54,987.00*)

R-24-86 (RESOLUTION NO. 10806 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO MCLARTY FORD FOR THE PURCHASE OF A VEHICLE FOR THE NORTH LITTLE ROCK ADMINISTRATION DEPARTMENT; AND FOR OTHER PURPOSES, was adopted (7/0). (*NLR Construction Manager - amount: \$38,495.00*)

R-24-87 (RESOLUTION NO. 10807 – MAYOR HARTWICK)

A RESOLUTION AMENDING RESOLUTION NO. 10495, WHICH WAIVED FORMAL BIDDING REQUIREMENTS AND AUTHORIZED PAYMENT TO DANA SAFETY SUPPLY, INC. FOR THE PURCHASE OF TEN VEHICLES FOR THE NORTH LITTLE ROCK POLICE DEPARTMENT; AUTHORIZING PAYMENT TO DUVAL MOTORS; AND FOR OTHER PURPOSES, was adopted (7/0). (*amount: \$662,325.84*)

R-24-88 (RESOLUTION NO. 10808 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AERIAL EASEMENT AGREEMENT WITH ARGENTA HOSPITALITY, LLC; AND FOR OTHER PURPOSES, was adopted (7/0).

NEW BUSINESS

O-24-23 (ORDINANCE NO. 9661 – MAYOR HARTWICK)

AN ORDINANCE AMENDING THE NORTH LITTLE ROCK MUNICIPAL CODE CHAPTER 2, ANIMAL CONTROL; 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 (7/0). Council Member Hight asked Animal Control/Services Director Adam Tindall how the city would enforce the program (Community Cats). Mr. Tindall said the city will partner with Best Friends Animal Society. They are currently working on a grant to fund spay and neuter of the cats brought in through the program. They (Animal Shelter) have a good idea of where most of the (feral cat) colonies are located in the city. There would be a focused effort to catch the existing cats, spay/neuter, and return to the location where they are found. Non-feral cats would

be put up for adoption if possible. The general public would have the opportunity to participate in the program as well. Council Member Hight asked if he had a neighbor caring for a “neighborhood cat” would the neighbor be able to take advantage of the program. Mr. Tindall said they would. He advised a non-spayed cat can have an average of three (3) litters of kittens per year with anywhere from four (4) to eight (8) kittens per litter. Council Member Baxter said this is a way to address a (feral cat) colony. He saw nine (9) on one porch in his neighborhood that did not belong to anyone. This is a way to address reproduction. Mr. Tindall said cats are territorial and usually stay in the same area their entire life. The life expectancy for a feral cat is three (3) to five (5) years. Mr. Tindall said the focus of the Community Cat Program is to trap, spay/neuter, vaccinate and return/release. Over the next few years, this could reduce the (feral) population through sterilization. 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 (7/0). Emergency clause adopted (7/0).
(Community Cat; add microchip to pit bull breeds)

O-24-24 (ORDINANCE NO. 9662 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A HOTEL IN A C6 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 118 EAST WASHINGTON AVENUE 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 (7/0). Mayor Hartwick convened a public hearing. Mr. Kal Makan is bringing the (hotel) project to the city. He said the closing date is Thursday, April 11, 2024. He asked if the council would grant a second extension in case there was an issue with closing this week so he remains under contract. Ms. Fields said she contacted the Title Company and did not anticipate a delay and Mr. Makan has 30 days to close after April 15, 2024. An extension would cover him if something did come up. She recommended a Voice Vote after the legislation was adopted to allow the extension. Mr. Makan said the intent is to utilize both lots and explore the option to build above the street and possibly connect to the pedestrian bridge. There being no one else wishing to be heard, the public hearing was adjourned. On the motion of Council Member Hamilton 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 (7/0). Emergency clause adopted (7/0). *(applicant: Thomas Pownall of Thomas Engineering)*

VOICE VOTE: On the motion of Council Member Hamilton and seconded by Council Member Harris, and by consent of all members present, the council voted to extend the existing contract referenced above (O-24-24) a second time. (7/0).

O-24-25 (ORDINANCE NO. 9663 – COUNCIL MEMBER HIGHT)

AN ORDINANCE VACATING AND ABANDONING A CERTAIN UNUSED EASEMENT ON PROPERTY LOCATED AT 7612 YUMA COURT 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 (7/0). On the motion of Council Member Hight and seconded by Council Member Insalaco, III, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). City Attorney Fields advised a public hearing was not held and the previous motion needed to be rescinded. On the motion of Council Member Hamilton and seconded by Council Member Taylor, and by consent of all members present, the previous motion (to adopt) was rescinded (7/0). 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 Hamilton and seconded by Council Member Harris, and the roll having been called and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause (again) adopted (7/0). (*applicant: Ian M. and Rosemarie Snyder*)

PUBLIC COMMENT

Mrs. Wendy McCloud lives in Indian Hills and represents residents opposed to an Urban Service District (USD) which is being proposed. Mrs. McCloud said the support of 25% of the registered electors living in Indian Hills is required (by state law) to bring the USD before the City Council. (If approved by the council) 50% of registered electors living in Indian Hills would have to sign a petition to repeal the ordinance. She said majority rule is the cornerstone of the democratic process. She is not opposed to the idea of a USD. The issue is the 25% signature threshold included in state law. Mrs. McCloud said there is a USD in Heritage Park in the city which includes 41 households. Petitions contained 27 in support and 15 against. Indian Hills has 1,300.00. In February 2023, a meeting was held in Indian Hills at which time 103 people voted for a USD, 33 lived on or within one (1) block of the lake and six (6) were board members (Indian Hills Community Club). In March 2023, the Democrat-Gazette published an article that included a quote from a board member indicating elected (city) officials would not accept the 25% threshold and would require a higher number of supporters. Mrs. McCloud said 25% of the voters should not dictate something for 100% of the residences in the area and asked the council to require 50% support for approval. Council Member Taylor asked if the percentage of registered voters was set by state statute. City Attorney Fields indicated (once) a petition containing 25% of the registered voter's signatures within the proposed USD the City Council may approve it, however, it was not mandatory. Mr. Charles McCloud said those in support of a USD have an unlimited time to obtain 25% of the signatures required. Those opposed would only have 30 days to acquire 50% of the signatures from registered electors (who are residents of the area) to repeal the USD. City Attorney Fields said 25% would get the issue before the council. If established a fee would be added to each (monthly) residential water bill. Those opposing the issue may file a petition or written protest opposing the USD. Mrs. McCloud said the current proposal is for a period of ten (10) years. The initial fee would be \$8.50 per month per residential address. Eligible registered voters would include property owners and current renters with addresses within Indian Hills. City Attorney Fields said she had contact with

members of the Indian Hills Community Club (IHCC) and other residents of the area. Mrs. McCloud said IHCC is actively obtaining signatures and plan to submit their petitions to the city in July if they have the required number. Council Member Taylor asked what the funds would be used for. Mrs. McCloud said it would be used to renovate the (existing) park owned by the IHCC. There is a public park, two lakes and some acreage. However, there is no money coming in from residents to cover expenses. IHCC is a non-profit and membership is voluntary. Membership fees had been collected in the past for the upkeep of the swimming pool but not the upkeep of the dams/levees. If USD passed, funds would be used to possibly turn the park into a Pickle Ball Court, put a walkway around the lakes and add a Gazebo. The main item would be the maintenance of the lakes and dams. These would benefit those residents with property on the lakes but not the people who live on the other side of North Hills (Boulevard) or JFK (John F. Kennedy Boulevard). Most of the information about the USD had been communicated through social media (Facebook). Council Member Hamilton said the lakes are used for water runoff/retention in the city. Mayor Hartwick said he had City Engineer David Cook check the levees recently and they were okay. Council Member Taylor said the fee is less than \$100.00 per year per household. He asked if opposition was the amount or how the funds would be used. Mrs. McCloud said opposition is to the process and the 25% number. She said there are 2,271 registered voters living within the area. City Attorney Fields said USDs are different from other Improvement Districts which require property owners to sign petitions. In a USD electors sign petitions. Mayor Hartwick said the Eclipse was a great event and thanked our city and all those who came to North Little Rock to share the experience.

There being no further business to come before the Council, and on the motion of Council Member Baxter and seconded by Council Member Hamilton, and by consent of all members present, the meeting adjourned at 6:52 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, April 22, 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