

Monday, April 22, 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, April 22, 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, and VINCE INSALACO, III (7/0). Council Member CHARLIE HIGHT was absent. Chief Deputy City Clerk Katelyn Thomas, Deputy City Clerk/Enforcement Officer Jim Scott and City Attorney Amy Fields were also present.

The prayer and pledge of allegiance were led by Council Member Baxter.

On the motion of Council Member Ross and seconded by Council Member Insalaco, III, and by consent of all members present, the minutes from the North Little Rock City Council meeting held on *Tuesday*, April 9, 2024, were approved, accepted and filed as prepared by City Clerk Diane Whitbey (7/0).

### **PRESENTATIONS**

Mayor Hartwick asked Mr. Jonah Pulliam and his parents to come forward. Mayor Hartwick read a proclamation proclaiming this date as Jonah Pulliam day in honor of his perfect ACT and P-Sat Scores and for being an outstanding North Little Rock High School Student. Mayor Hartwick asked Mr. Pulliam where he planned to attend college, but he wasn't sure at the time. He is considering a career in Finance or Applied Math.

Mayor Hartwick said (Electric) Lineman Day was last week. He introduced a video highlighting North Little Rock Electric Department Linemen. Lineman Ragan Jones was featured and recalled the day his home was damaged in 2023 by a tornado. North Little Rock residents and Council Member Insalaco, III also spoke during the video presentation.

On the blanket motion of Council Member Ross and seconded by Council Member Hamilton, and by consent of all members present, communications #1 and 2 were accepted and filed (7/0).

1. Anita Paul, Mayor's Office memorandum re: *Large Attendance Facility Permit Replacement/New Owner application #42659* for Dickey-Stephens Park, 400 West Broadway, North Little Rock, by Brandon Crosby.
2. Anita Paul, Mayor's Office memorandum re: *Retail Beer Off Premises and Small Farm Winery – Retail – New Application* for Rose City Junction, 4404 East Broadway, by Amandeep Singh.

### **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-24-89, R-24-90, R-24-91, and R-24-94 were adopted (7/0). R-24-92 and R-24-93 were pulled and called under new business.

R-24-89 (RESOLUTION NO. 10809 – MAYOR HARTWICK)

A RESOLUTION APPOINTING KENNY STEPHENS TO THE NORTH LITTLE ROCK NON-UNIFORMED EMPLOYEES RETIREMENT BOARD (PENSION BOARD); AND FOR OTHER PURPOSES, was adopted (7/0).

R-24-90 (RESOLUTION NO. 10810 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO HENDERSON SPECIALITES, INC. FOR THE PURCHASE OF REPLACEMENT TRASH RACKS FOR THE MURRAY HYDROELECTRIC PLANT; AND FOR OTHER PURPOSES, was adopted (7/0). (\$1,129,290.53)

R-24-91 (RESOLUTION NO. 10811 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO CUSTOM TRUCK ONE SOURCE FOR THE PURCHASE OF A BACKYARD DIGGER FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; AND FOR OTHER PURPOSES, was adopted (7/0). (\$199,500.00)

R-24-94 (RESOLUTION NO. 10812 – MAYOR HARTWICK)

A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDMENT OF THE EXISTING PURCHASE POWER AGREEMENT WITH TODAY’S POWER, INC. FOR AN ADDITIONAL 2.0 MW AC OF RENEWABLE ENERGY; AND FOR OTHER PURPOSES, was adopted (7/0).

**NEW BUSINESS**

R-24-92 (RESOLUTION NO. 10813 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A THIRD AMENDMENT TO RESIDENTIAL RECYCLABLE MATERIALS COLLECTION AND PROCESSING AGREEMENT WITH WASTE MANAGEMENT OF ARKANSAS, INC., THE CITY OF NORTH LITTLE ROCK, THE CITY OF SHERWOOD, AND THE REGIONAL RECYCLING AND WASTE REDUCTION DISTRICT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Baxter and seconded by Council Member Hamilton. Mr. Bailey Maul said he is a consultant with Waste Management (WM). Council Member Ross asked about \$5,000.00 per month (used for recycling education). Mr. Maul said a yearly recycling calendar is mailed to all customers annually at a cost of approximately \$30,000.00 (which included postage). Other (educational) projects included TV commercials and other types of mailers. Mailers are sent to residents in North Little Rock, Sherwood and Little Rock. Council Member Ross said residents continued to pay for pickup following the (March 2023) tornado. She asked how WM would reimburse residents (since there was no pickup in those areas during that time). Mr. Maul said the biggest challenges WM has had are weather related (snow/ice days). If an event goes past two (2) or three (3) days the whole week is lost. (When possible) the pickup will be the next day. Public safety has to be taken into consideration. Council Member Ross said residents were allowed to put recyclable material in a box beside their container following the last snow day which was a first. Mr. Maul said they (WM) will do a better job communicating that in the future. He has been working with Stacia Chastain in the Mayor’s Office to improve communications. An example would be if a truck were down and would cause a route delay. Council Member Ross asked if WM set up a truck where residents could take recyclables (following the tornado). The city had Sanitation trucks located around the city where residents could take their household trash/waste. Mr. Maul said he would look into the possibility. It had been done with their solid waste customers in the past. Council Member Ross said when WM does not pick up a route, residents put their recyclables in their garbage can which ends up costing the city money. City Attorney Fields said there is a section in the contract that includes if WM misses a pick up and (NLR) Sanitation has to pick up the materials a \$50.00 fee - per container can be assessed to WM as the materials will go to the landfill. Council Member Ross asked if this would apply following a snow event. City Attorney Fields said there is a Force Majeure provision which would be considered an “act of God” in the event of a tornado or snow storm. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-24-93 (RESOLUTION NO. 10814 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL ESTATE CONTRACT TO PURCHASE CERTAIN REAL PROPERTY LOCATED AT 122 EAST 4<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM ARGENTCO, LLC; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Council Member Taylor and seconded by Council Member Baxter. City Attorney Fields asked the Council to amend Section 1 to include Mr. Harold Tennenbaum's name (for personal financial reasons) which would save making an assignment change later. 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: *Section 1 following Argentco LLC insert HAROLD TENNENBAUM (7/0).* On the motion of Council Member Baxter and seconded by Council Member Hamilton, and by consent of all members present, the resolution was adopted as amended (7/0). (\$630,000.00) Mayor Hartwick acknowledged Mr. Chris Kent who was present and added he and City Attorney Fields would get with Mr. Clay Smith, Main Entrance Parking to update their contract with the city (management of event parking at city owned parking lots).

R-24-95 (RESOLUTION NO. 10815 – COUNCIL MEMBER TAYLOR)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED AGREEMENT TO REHABILITATE PROPERTY FOR CERTAIN REAL PROPERTY LOCATED AT 2206 EAST WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Council Member Taylor and seconded by Council Member Hamilton. Council Member Ross asked if the applicant was present. Ms. Fields said the owner is elderly and in poor health. She had multiple conversations with the contractor and his wife who were advised to attend this meeting. Council Member Hamilton asked Council Member Taylor if the amended agreement should be granted. Council Member Taylor said it should be and the owner understood if the rehabilitation is not completed this time, the city will move forward (with the condemnation). Council Member Ross said the agreement began in December, 2022. Council Member Baxter said this would make two (2) years the owner had to rehabilitate the property. Situations do arise, however, the Council has not been made aware of any with regard to this property. He referenced a letter Council Member Hamilton submitted recommending reconsideration of the city's rehabilitation agreement. He would agree to additional time, but not six (6) months. Council Member Ross asked about the escrow amount which was \$7,500.00 in December 2022. The amount included in this amendment is \$12,500.00. She asked if an additional amount was paid. City Attorney Fields said there might be a typo on the amount which she will look into and correct before this legislation is signed. Council Member Hamilton referred the letter mentioned by Council Member Baxter. Many cities would not consider a rehabilitation agreement unless the person had experience in rehabilitation (of property), not just the homeowner. Certain qualifications must be met before an agreement is considered, including being a licensed contractor. In this case, it is best to allow some (additional) time instead of

tearing down work that had already been completed and create waste. City Attorney Fields recently met with Code Enforcement and the City Building Inspector (regarding these agreements). Only a licensed contractor can pull a permit to work on these properties. These properties are not owner occupied. A feasible construction plan needed to include an estimate from a licensed contractor. Council Member Ross said an extension does require extra work from Legal, Code Enforcement and other departments. She recommended including an additional cost if an extension is granted. City Attorney Fields said a reasonable administrative fee could be included. On the previous motion, and by consent of all members present, with the exception of Council Members Ross and Baxter who voted no, the resolution as adopted (5/2). (owner: *Elvin Williams, Jr. - \$12,500.00*).

R-24-96 (RESOLUTION NO. 10816 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 29 SOMERSET 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. 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 Baxter and seconded by Council Member Ross, and by consent of all members present, the resolution was adopted (7/0). (owner: *Shawanna Walker*)

R-24-97 (RESOLUTION NO. 10817 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5624 SONORA 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 OWNERS TO ABATE SAID NUISANCE; 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 Baxter and seconded by Council Member Taylor, and by consent of all members present, the resolution was adopted (7/0). (owners: *Clark Williams, Jr. and Bobbie Jean Williams*)

R-24-98 (RESOLUTION NO. 10818 – 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 1601 JULIAN 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 Baxter,

and by consent of all members present, the resolution was adopted (7/0). (*IRemodel Properties, LLC - \$4,863.83 + costs*)

O-24-26 (ORDINANCE NO. 9664 – MAYOR HARTWICK)

AN ORDINANCE AMENDING THE NON-UNIFORMED EMPLOYEES’ POLICY AND PROCEDURE MANUAL REGARDING MILITARY LEAVE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hamilton and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (7/0). A motion to adopt was made by Council Member Hamilton and seconded by Council Member Taylor. Human Resources Director Betty Anderson said the law (for Military Leave) was changed (last) summer by the (Arkansas) State Legislature. Six (6) days were added to the previous 15 days and 12 days were added to the previous 30 days. Employees cannot take Military Leave without proper documentation (orders). On the previous motion, 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).

O-24-27 (ORDINANCE NO. 9665 – MAYOR HARTWICK)

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF ZONAL RESOURCE CREDITS FROM PRAIRIE MIST SOLAR PROJECT, LLC; PROVIDING A RATE COVENANT; WAIVING COMPETITIVE BIDS; DECLARING AN EMERGENCY; 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 readings were suspended (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 Baxter and seconded by Council Member Ross, 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).

O-24-28 (ORDINANCE NO. 9666 – COUNCIL MEMBER TAYLOR)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A DAYCARE CENTER AND AFTER SCHOOL PROGRAM IN AN R5 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1821 EDMOND 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 Council Member Ross, and by consent of all members present, the readings were suspended (7/0). Mayor Hartwick convened a public hearing. Council Member Robinson complimented the applicant, Iesha Green who attended the Glenview Neighborhood meeting and discussed her plans. Residents of Glenview did not want to see this become a Charter School as there is a public school (Glenview Elementary) across the street. She said Ms. Green assured the neighbors the intent was for a daycare and after school program. There being no one present wishing to be heard, the public hearing as adjourned. On the motion of Council Member Taylor and seconded by Council Member Ross, 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: Iesha Green*)

**PUBLIC COMMENT**

Mr. Randy Naylor announced the 2024 Great NLR (North Little Rock) Cleanup scheduled for May 4, 2024 from 8:30 a.m. until 11:00 a.m. Ten (10) teams have signed up and more are needed. For information visit facebook.com/KNLRB or knlrb.org or contact green@knlrb.org or call 501-350-8775. Volunteers can sign up through the website. The cleanup will be followed by a celebration with Pizza at the John Irving Pavilion on Funland Drive in Burns Park. Mr. Naylor said KNLRB would be signing up teams at St. Joseph’s Farm this weekend during an Earth Day event. Council Member Hamilton said he signed up a team and asked if teams could pick where they pick up trash. Mr. Naylor said most teams will cleanup within their neighborhood. If they do not have a location, he can provide them with one. Mr. Naylor advised there is still a lot of tornado debris to be picked up. Ms. Hattie Temple shared information about an upcoming Town Hall meeting she is hosting May 9, 2024 from 6:30 p.m. until 8:00 p.m. at 601 West 4<sup>th</sup> Street in North Little Rock. The purpose of the meeting is for residents to be able to discuss local issues, solutions and community goals. For more information residents can call 501-371-7151, Arkansas Community Organizations: NLR Chapter. Mayor Hartwick advised the May 27, 2024 City Council Meeting is scheduled to fall on the Memorial Day holiday. He asked for a voice vote from the council to move the meeting to the following date, Tuesday, May 28, 2024. By voice vote, all members present agreed to reschedule the meeting.

There being no further business to come before the Council, and on the motion of Council Member Hamilton and seconded by Council Member Baxter, and by consent of all members present, the meeting adjourned at 6:39 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, May 13, 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