

Monday, June 24, 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, June 24, 2024, 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, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, VINCE INSALACO, III and CHARLIE HIGHT (8/0). Note: Council Member Taylor participated via telephone. City Clerk Diane Whitbey, Deputy City Clerk/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 Ross, and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Tuesday, June 10, 2024, were approved, accepted, and filed as prepared by City Clerk Diane Whitbey (8/0).

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

1. Anita Paul, Mayor's Office memorandum re: *New Restaurant Beer Off Premises Permit – New Application #43021* for JNJ's Grocery #2, 2324 East Broadway, by Jesse Williams.
2. Mr. Greg Nation, Section Head Arkansas Department of Transportation email to Mayor Hartwick re: DOT 433918X near Percy Machin Drive and College Park Circle. Official inquiry made to evaluate crossing for closure or repair.
3. Estella Morris, PhD, LCSW; Leadership VA '98, Program Manager, Comprehensive Homeless Center email to North Little Rock Police Officer Shana Cobbs re: assistance provided to local Veteran.
4. Anita Paul, Mayor's Office memorandum re: *Grocery Store Wine, Retail Beer Off-premises & Small Farm Winery – Retail Permit – Replacement/New Owner Application #43061* for White Oak One Stop, 9340 White Oak Crossing by Mohammad Rahman.

PRESENTATIONS

None.

SCHEDULED PUBLIC HEARING

Mayor Hartwick convened a public hearing R-24-134, Annual Action Plan for 50th Year (2024) Community Development Block Grant (CDBG) and 2024 Home Investment Partnership (HOME) program funding. Community Development Director Bailey Noland reviewed the purpose of the public hearing. There being no one present wishing to be heard, the public hearing was adjourned.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

By voice vote and all members present having voted “aye”, consent agenda items R-24-129, R-24-130, R-24-131, R-24-132 and R-24-133 were adopted (8/0).

R-24-129 (RESOLUTION NO. 10849 – MAYOR HARTWICK)

A RESOLUTION REAPPOINTING LAURA JUELS TO THE NORTH LITTLE ROCK PARKS & RECREATION COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-24-130 (RESOLUTION NO. 10850 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN EXTENSION OF LICENSE AGREEMENT WITH SPRINT COMMUNICATIONS COMPANY FOR THE MAINTENANCE OF FIBER OPTIC LINES IN THE PUBLIC RIGHT OF WAY; AND FOR OTHER PURPOSES, was adopted (8/0).

R-24-131 (RESOLUTION NO. 10851 – MAYOR HARTWICK)

A RESOLUTION AUTHORIZING PAYMENT TO JCON INC., FOR EMERGENCY REPAIRS ON WEST 35TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was adopted (8/0). (*amount: \$101,671.76*)

R-24-132 (RESOLUTION NO. 10852 – MAYOR HARTWICK)

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF NORTH LITTLE ROCK TO UTILIZE FEDERAL AID TRANSPORTATION ALTERNATIVES PROGRAM (TAP) OR RECREATIONAL TRAILS PROGRAM (RTS) FUNDS FOR THE 2024 CYPRESS CROSSING TRAIL PROJECT; AND FOR OTHER PURPOSES, was adopted (8/0).

R-24-133 (RESOLUTION NO. 10853 – MAYOR HARTWICK)

A RESOLUTION SETTING DATE FOR PUBLIC HEARING REGARDING THE PETITION FOR THE FORMATION OF THE HERITAGE PARK CIRCLE URBAN SERVICE DISTRICT; AND FOR OTHER PURPOSES, was adopted (8/0).

NEW BUSINESS

R-24-134 (RESOLUTION NO. 10854 – MAYOR HARTWICK)

A RESOLUTION APPROVING THE FY2024 ANNUAL ACTION PLAN FOR THE CITY OF NORTH LITTLE ROCK, INCLUDING THE 50TH YEAR (2024) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND THE 2024 HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) PROJECTS AND BUDGETS; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the resolution was unanimously adopted (8/0).

Mayor Hartwick convened a public hearing on the following items:

Call #	Address	Owner:
R-24-135	614 West 22 nd St	John L. Lovette
R-24-136	1516 Harold St	Oscar Aquino
R-24-137	1812 Crutcher St	Ray R. Curtis
R-24-138	2211 West Short 17 th	Circle C Sales, Inc.
R-24-139	2517 Franklin St	Linda Angeles
R-24-140	2524 Division St	Larry D. Davis and Mae Malon
R-24-141	1605 North Chandler	First Commercial Mortgage Co.

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

R-24-135 (RESOLUTION NO. 10855 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 614 WEST 22ND 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 Ross and seconded by Council Member Hamilton, and by consent all members present, the resolution was unanimously adopted (8/0). (*owner: John L. Lovette*)

R-24-136 (RESOLUTION NO. 10856 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1516 HAROLD 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 Ross and seconded by Council Member Baxter, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Oscar Aquino*)

R-24-137 (RESOLUTION NO. 10857 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1812 CRUTCHER 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 Ross and seconded by Council Member Hight, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Ray R. Curtis*)

R-24-138 (RESOLUTION NO. 10858 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2211 WEST SHORT 17TH 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 Baxter and seconded by Council Member Hight, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Circle C Sales, Inc.*)

R-24-139 (RESOLUTION NO. 10859 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2517 FRANKLIN 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 Ross and seconded by Council Member Baxter, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Linda Angeles*)

R-24-140 (RESOLUTION NO. 10860 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2524 DIVISION 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 Baxter and seconded by Council Member Ross, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owners: Larry D. Davis and Mae Malon*)

R-14-141 (RESOLUTION NO. 10861 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1605 NORTH CHANDLER STREET IN THE CITY OF NORTH LITTLE ROCK 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 Baxter, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: First Commercial Mortgage Co.*)

R-24-142 (RESOLUTION NO. 10862 – MAYOR HARTWICK)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX AGAINST CERTAIN REAL PROPERTY LOCATED AT 1724 MAPLE 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 Hamilton and seconded by Council Member Ross, and by consent of all members present, the resolution was unanimously adopted (8/0). (*amount: \$8,493.25*)

R-24-143 (RESOLUTION NO. 10863 – MAYOR HARTWICK)

A RESOLUTION 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. 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 unanimously adopted (8/0).

O-24-43 (ORDINANCE NO. 9680 – MAYOR HARTWICK)

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; ASSIGNING SAID TERRITORY TO WARD 2; DECLARING AN EMERGENCY; 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 readings were suspended (8/0). On the motion of Council Member Ross 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 (8/0). Emergency clause unanimously adopted (8/0). (*applicant: American Composting, Inc. property owner*)

O-24-44 (ORDINANCE NO. 9681 – COUNCIL MEMBERS HIGHT AND INSALACO, III) AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A COLUMBARIUM GARDEN IN AN R5 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 6701 JOHN F. KENNEDY BOULEVARD IN 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 Baxter, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Council Member Hight and seconded by Council Member Insalaco, III. Mr. Kevin Newton, CBM Construction was present to answer questions. Council Member Baxter asked what would happen to the Columbarium if the church closed. First United Methodist Church Reverend Sara Bayles Charlton serves as an ordained elder in the Annual Arkansas Conference of the United Methodist Church. Per the church discipline, all church property is held in a church trust. On the previous motion, and by consent of all members present, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-24-45 (ORDINANCE NO. 9682 – COUNCIL MEMBERS ROBINSON AND TAYLOR) AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 8102 HIGHWAY 70 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R2 TO I2 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Robinson and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Hamilton and seconded by Council Member Ross, 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: The Clifton Family LLLP*)

O-24-46

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 3811 MCCAIN BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C3 TO C4 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hight and seconded by Council Member Insalaco, III, and by consent of all members present, with the exception of Council Member Hamilton who passed, the readings were suspended (7/1). A motion to adopt was made by Council Member Insalaco, III and seconded by Council Member Hight. Council Member Ross said this was the old Sears building (McCain Mall). The request is for indoor storage. She asked if there would be outdoor storage and how much. Planning Director Shawn Spencer said there would be no outdoor storage. Mayor Hartwick asked about trucks. Mr. Spencer said nothing had been discussed regarding trucks. Mr. Spencer said if the location would offer truck (like U Haul) rentals in the future, the application would have to bring the request back to the city. Mr. Mark Rickett - Rickett, Moore, Coney Engineers said the

proposal does not include outdoor storage. Council Member Ross asked where loading/unloading would take place. Mr. Rickett said it would be at the existing loading area which is in the back. Part of the building would be storage and part of it would be retail. Mr. Spencer advised there are no assurances on a rezoning. Current code does not allow outdoor storage. Council Member Hamilton asked why the item was for consideration only. Council Member Insalaco, III said there had been past opposition to storage at the location. It was his understanding storage would be a small percentage of the (interior) area. The remainder (of the property) could be restaurants, retail, etc. Council Member Hamilton asked if the whole property was being rezoned. Mr. Spencer referenced illustrations attached to the legislation and an area in red which included the property to be rezoned. He said buildings are not rezoned. Mr. Rickett said the red represented the entire parcel. A replat application was recently approved by the (North Little Rock) Planning Commission. The approved replat split the parcel into 1A and 1B. The request was for C4 on the eastern side which included the building and parking to the North and South. City Attorney Fields asked if the illustration filed with the legislation was correct. Mr. Spencer said the description in the legislation is for the East half of the building and parking lot to the North. Ms. Fields recommended the Council amend the legislation to include a corrected property map (illustration). Council Member Hight said there is a stack of pallets behind the building and asked those be cleaned up. Council Member Ross referenced a Conditional Use and asked if the property had to be rezoned because of the indoor storage. Mr. Spencer said the city cannot create something as a Conditional Use. The option (for this property) was to rezone from C3 to C4 to allow indoor storage. Mayor Hartwick asked if the item could be held to get a plat of the actual rezoning. Mr. Spencer said there is a parcel to be rezoned and a replat that had not been filed (with Pulaski County Clerk). Mr. Alan Bubbus asked the council for their comments. Council Member Hamilton said he does not support the item filed for consideration only and needed more assurances. Mr. Bubbus said the goal is for retail in the front of the Sears building. He said there are very few retailers who want a space 400 feet deep. There are two issues: 1. the depth of the building, and 2. upstairs space. If the upstairs and back half of the building could be used for mini-storage it would provide better terms to entice retailers to the front portion. Mr. Bubbus reviewed some of their plan options and referenced infrastructure costs. The western portion could be used for additional retail or restaurants. Mr. Bubbus said there is a restrictive use covenant on the property and said the property sold cheap. City Attorney Fields said the council cannot rezone property with a legal description that does not exist because the plat has not been recorded. Council Member Baxter referenced the third attachment to the ordinance. Mr. Bubbus asked about zoning approval before the lot was split. Mayor Hartwick asked Mr. Bubbus if the item could be held for two weeks to clear up the property status. Council Member Ross said a clear plan wasn't been presented. Mr. Spencer reminded the council half a building cannot be rezoned. Mr. Bubbus said he has been negotiating with a trampoline company which requires a specific height for use which would require contracting an engineer. Council Member Insalaco asked if the building itself could be rezoned. City Attorney Fields advised no. Council Member Insalaco, III then held the item. Mr. Bubbus asked if there was a way to zone the property so a percentage could

be used for retail use and proposed a couple of options. Council Member Ross asked if a representative from Simon Properties could be present when the item is called again. (*applicant: David Alan Bubbus of Anchor Realty Investments, LLC*)

O-24-47 (ORDINANCE NO. 9683 – COUNCIL MEMBER TAYLOR)

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 Ross, and seconded by Council Member Ross, and by consent of all members present, the readings were suspended (8/0). On the motion of Council Member Ross and seconded by Council Member Hamilton, 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*)

PUBLIC COMMENT

Ms. Hattie Temple said public transportation buses in North Little Rock stop running at 6:30 p.m. She said if a person goes to the hospital, they have to get a cab to get back (home) after 6:30 p.m. In Little Rock buses run until 8:30 p.m. Ms. Temple said she was told buses do not come to North Little Rock because the city did not pay \$10,000.00 to keep the buses running until 10:45 p.m. She said buses don't go to Eastgate where she lives. She has to walk eight blocks to catch a small bus which requires several transfers. Council Member Robinson said (Rock Region Metro) discontinued bus service the way it used to be which also affected residents in Sherman Park (and Dark Hollow). Residents were not told the big bus would stop running. Now, riders have to call the company and reserve a bus at a set time to make a connection. A lot of residents are upset with the change and lack of awareness. It had nothing to do with funding from the city but was something Rock Region Metro decided to do. Mayor Hartwick said he would provide the numbers of the (North Little Rock) representatives. Ms. Wendy Armstrong lives on Lynch Drive. She said she was scolded by a Code Enforcement Officer for attending a recent council meeting. Ms. Armstrong said she had to be in court several times. She said her dogs were poisoned. She had been harassed by a contractor working for the individual. Ms. Norma Huffman is the Vice President of the Southwest Chapter of the Arkansas Community Organization. She received a call from her sister who had a lady and her kids move in to her home. The lady experienced bad sanitary conditions in her apartment. The manager does not want to fix anything. The apartment is located at 4905 Hickory Avenue. Ms. Huffman said there are multiple apartments in the complex with the same conditions. Exterior doors are not secure either. Mayor Hartwick asked if the individual had reached out to Code Enforcement. Mayor

Hartwick reminded everyone of the upcoming holiday on July 4. City offices will be closed Thursday. Garbage and trash pickup will be delayed one day the remainder of the week.

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 members present, the meeting adjourned at 6:57 p.m. (7/0), until the next regularly scheduled meeting scheduled for Monday, July 8, 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