

Monday, September 23, 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, September 23, 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, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, VINCE INSALACO, III and CHARLIE HIGHT (7/0). Council Member MAURICE TAYLOR was absent. City Clerk/Treasurer Diane Whitbey, 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 Monday, September 9, 2024, were approved, accepted, and filed as prepared by City Clerk Diane Whitbey (7/0).

On the motion of Council Member Baxter and seconded by Council Member Hamilton, and by consent of all members present, communications #1, 2, 3, 4 and 5 were accepted and filed (7/0).

1. Anita Paul, Mayor's Office memorandum re: *Retail Beer Off Premises, Small Farm Winery – Retail Permits – Change of Manager* for Smoker Friendly, 4604 John F. Kennedy Boulevard, Suite 10, by Brittany Campbell.
2. Anita Paul, Mayor's Office memorandum re: *Restaurant Mixed Drink Maximum Permit – Change of Manager* for Outback Steakhouse, 4401 Warden Road, by Cassidy Cooper.
3. Anita Paul, Mayor's Office memorandum re: *New Retail Beer On Premises and On-Premises Wine*, for Spark by Hilton, 4306 East McCain Boulevard, by Chetan Patel.
4. Anita Paul, Mayor's Office memorandum re: *Retail Beer On Premises – Change of Manager* for Margo's Catfish Diner, 807 Willow Street, by James Tenner.
5. Anita Paul, Mayor's Office memorandum re: *Replacement/New Owner Retail Beer Off-Premises* for A to Z Hess (fka Sisi Mart), 2400 Old Jacksonville Highway, by Young Kim.

PRESENTATIONS

Mayor Hartwick announced a new Community Garden Video and invited Neighborhood Services Director Dan Scott, and Community Gardens member Jeff Titus to come forward. Mr. Titus said their purpose was to help with areas of food insecurity within the city by having multiple satellite gardens throughout the city. Volunteers included residents in those areas who also participate with the gardens. The video provided information about the gardens and where the produce is distributed (within the community). To date, approximately 3,800 pounds of produce had been harvested from the Baring Cross Community Garden this year. Mr. Titus delivers fresh food to 8 – 9 residents of the area a couple of times a week. Food security in Arkansas is an issue. Multiple small gardens have helped curb the issue in North Little Rock. Ms. Belinda Burney spoke about the Dark Hollow Community Garden, located on property owned by the Dark Hollow Community Development Corporation (CDC). The group was one of the first gardens to join the Fit 2 Live Community Garden program. Their garden started with three (3) raised beds and has grown to planting in-ground, tires and more. The goal has been to make the garden more appealing and encourage more participants. Ms. Burney commended Mr. Titus for his knowledge and guidance. Council Member Harris asked how someone could request a garden in their area. Council Member Hamilton said the city provides annual grants funded through Federal Grants and the North Little Rock Fit 2 Live Program to get a garden going (buy shovels, irrigation, seeds, etc.). Mr. Titus brought a bag of fresh produce from the Baring Cross Community Garden to illustrate produce currently being grown and shared in that community. Items included cherry tomatoes, green tomatoes, a variety of peppers, and egg plants. Mr. Titus said there are families who volunteer in exchange for produce.

Mayor Hartwick invited Mr. Raul Fernandez, Seis Puentes, Executive Director to come forward. He then presented Mr. Fernandez with a proclamation proclaiming the month of September as Hispanic Heritage Month in the City of North Little Rock. Mr. Fernandez spoke about the program and all they have been able to do in the community. He was joined by three (3) ladies dressed in traditional Hispanic attire.

SCHEDULED PUBLIC HEARING

None scheduled.

UNFINISHED BUSINESS

O-24-67

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 14501, 14503 AND 14505 BAUCUM DRIVE WITHIN THE PLANNING JURISDICTION OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R1 TO R2 ZONING CLASSIFICATION, BY AMENDING ORDINANCE NO. 9263; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Mayor Hartwick convened a public hearing. Mr. Chris Lacey spoke on behalf of the application, Arkansas Homes and Rentals. The request is to build new single family homes on three (3) lots. The homes would be similar to three (3) homes built to the north

of this location. The property was zoned R+T – Mobile Homes only. The request is to amend the zoning to either R1 or R2. The property is not in the Flood Plain. Mr. Darrell Gaines lives on Baucum Drive. The property is low swamp land. His concern was where the water will go when it is displaced by fill. He shared multiple photos of standing water illustrating water backed up in the street and other areas. Mr. Gaines said the northeast corner of the neighborhood drains to the area referenced. Mr. Carroll Crouch lives next to the property. He has been at his home 21 years. The area has been dry this year due to lack of rain. When it rains the area will flood again. This has been an ongoing issue for 21 years. Council Member Harris asked if Mr. Lacey was familiar with concerns mentioned by the neighbors. Mr. Lacey referenced engineering diagrams and said they have never caused flooding on any property. He said they would not build a house where it would flood the property or the street. He shared photos of grading that was done. Council Member Robinson asked Mr. Lacey about the Planning Commission Hearing. Mr. Lacey said the application was denied. He said mobile homes could go on the site under the current zoning. Council Member Robinson asked about the water. Mr. Lacey said they will build to grade and follow the plans provided by the engineers. Council Member Ross asked Ms. Donna James, Assistant Planning Director about the zoning. Ms. James said the current zoning was Rt1. The request is to rezone to R2. Council Member Ross advised water should not be deliberately diverted onto a neighboring property. Mr. Lacey agreed. Council Member Robinson asked if the lots backed up to the river. Council Member Hight asked if structures built under R1 would have the same issues as a R2. Mr. Lacey said present zoning doesn't require doing anything about the water. Council Member Harris asked the neighbor where the water should go. Mr. Gaines referenced an illustration and a couple of alternatives. Mr. Gaines said the fill (dirt) is above road level. Prior to the fill being put in the elevation was about two (2) feet below the road level. He said sewer lines were installed in the fill dirt and there are three (3) septic tanks at the site. Mayor Hartwick suggested the applicant's engineer meet with neighbors. Council Member Hamilton asked Ms. James if a property owner can build up their property and force the water on someone else. Ms. James advised the question would be for engineering and/or legal. Council Member Hamilton said once the property is rezoned, the applicant will have to submit a site plan. Ms. James said the property is in the county (Territorial Jurisdiction). The builder will need to provide a plot plan for review (to be sure it complies with the zoning ordinance). The applicant does not have to go to City Engineering for a Stormwater or driveway permit which would be required if the property were within the city limits. Mr. Lacey said as legal counsel he would not advise the applicant to intentionally or unintentionally divert water on another property. There being no one else wishing to be heard, Mayor Hartwick adjourned the public hearing. Mayor Hartwick then held the legislation until the next meeting (Monday, October 14, 2024). (*applicant: Jarod Puckett – Arkansas Homes and Rentals Investments*)

CONSENT AGENDA

By voice vote and all members present having voted “aye”, consent agenda items R-24-198 thru R-24-202 were adopted (7/0). R-24-203 and R-24-204 were held until the next meeting.

R-24-198 (RESOLUTION NO. 10917 – MAYOR HARTWICK)
A RESOLUTION REAPPOINTING ROBERT BARNES TO THE NORTH LITTLE ROCK SENIOR CITIZENS COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-24-199 (RESOLUTION NO. 10918 – MAYOR HARTWICK)
A RESOLUTION REAPPOINTING NANCY WHITE TO THE NORTH LITTLE ROCK SENIOR CITIZENS COMMISSION; AND FOR OTHER PURPOSES, was adopted (7/0).

R-24-200 (RESOLUTION NO. 10919 – MAYOR HARTWICK)
A RESOLUTION REPEALING RESOLUTION NO. 9612, WHICH CONDEMNED PROPERTY LOCATED AT 2200 EAST WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was adopted (7/0).

R-24-201 (RESOLUTION NO. 10920 – MAYOR HARTWICK)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN OFFER AND ACCEPTANCE TO SELL CERTAIN REAL PROPERTY LOCATED AT 100 AUBURN DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO LUIS A MEDINA; AND FOR OTHER PURPOSES, was adopted (7/0). (\$19,000.00)

R-24-202 (RESOLUTION NO. 10921 – MAYOR HARTWICK)
A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO SUPERIOR CHEVROLET FOR THE PURCHASE OF ONE VEHICLE FOR THE NORTH LITTLE ROCK POLICE DEPARTMENT; AND FOR OTHER PURPOSES, was adopted (7/0). (\$55,167.00)

R-24-203
A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO BUSINESS IMAGES & GRAPHICS INC. FOR THE PRODUCTION OF CUSTOM DISPLAYS FOR THE NORTH LITTLE ROCK HERITAGE CENTER; AND FOR OTHER PURPOSES, was held by the sponsor, Mayor Hartwick. (\$66,179.05)

R-24-204
A RESOLUTION WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING PAYMENT TO ADAMS SIGNS, INC. FOR THE PRODUCTION OF CUSTOM DISPLAYS FOR THE NORTH LITTLE ROCK HERITAGE CENTER; AND FOR OTHER PURPOSES, was held by the sponsor, Mayor Hartwick. (\$70,792.69)

NEW BUSINESS

R-24-205
A RESOLUTION EXPRESSING THE CITY'S INTENT TO CREATE A MASTER PLAN FOR THE DEVELOPMENT OF THE AREA OF THE CITY OF NORTH LITTLE ROCK

ENCOMPASSING HIGHWAY 391, COLONEL MAYNARD ROAD, AND HIGHWAY 165 TO THE BORDER OF THE CITY'S TERRITORIAL PLANNING JURISDICTION; AND FOR OTHER PURPOSES, was called and held by sponsor Council Member Robinson. Mayor Hartwick acknowledged several people who signed up to speak on this item. Mr. Rodney Cotton is the Property Owner's Association President for Ashley Downs. Mr. Cotton said he had a meeting about rezoning and providing a map to the Mayor which he said residents have worked on and are ready to present it to the city. Mayor Hartwick agreed he had provided the residents with nine (9) maps to consider and return to him. Mayor Hartwick said he spoke with Council Member Taylor who agreed to hold the legislation to see what residents would submit.

Note: Council Member Hight left the Council Chambers at 6:34 p.m.

Pastor Mark Melton, New Life Ministries said he understood the legislation was for a Master Plan to rezone the area. Mayor Hartwick advised that was not what was proposed. Pastor Melton asked if the discussion related to this legislation included rezoning. Mayor Hartwick said it did not. City Attorney Fields clarified a Master Plan for development is not rezoning and that rezoning would be a different matter. Pastor Melton said a Master Plan would have a lot of leverage over (residents). He said Master Plans can be manipulated by the people who request them.

Note: Council Member Hight reentered the Council Chambers at 6:37 p. m.

Council Member Hamilton said Council Members Robinson and Taylor were very involved in the community. Pastor Melton said the Council Members have represented them (the residents) well. Council Member Hamilton advised an appropriation had not been made for a Master Plan at this time. Planning for the area was important and the residents should want to be a part of it. Council Member Robinson said residents have maps and were encouraged to meet with their neighbors to discuss what they would like to see in the area. Joint meetings will be planned and include residents, developers, city staff, etc. The council will receive input from the people who live in the area and the developers who own the land. She said this is not a quick process. Pastor Melton referenced the financial benefit to the developer and city. He advised the quality of life of residents should be above the other interests. Council Member Ross referenced the Argenta are Master Plans. She then read Section 2 of the proposed resolution.

Note: Council Member Robinson left the Council Chambers at 6:44 p.m.

Mr. John King questioned why a Master Plan wasn't created when the area was annexed into the city. Mr. King said it appeared the purpose of the Master Plan was because a group of people bought a lot of property in the area. Residents in the area still have a Scott address and many don't know if they are within the city limits or outside it. The only services provided by the city include Police presence once in a while and trash pickup. He said Council Members speak to

small groups of people. It is their (Council Members) responsibility to communicate with the community as a whole to provide a clear understanding of what is going on. Mr. John Williams agreed with Mr. King's comments. He said residents were asked to meet with an investment firm and McKimney Realty prior to the item (rezoning recently purchased acreage) being before the Planning Commission. The map provided at that meeting was the same one previously submitted to City Council. Mr. Williams said farm land in the area produced about 1.5 million pounds of food per year. The farmland would be developed for industry and wealth.

Note: Council Member Robinson reentered the Council Chambers at 6:48 p.m.

Mr. Joshua Pevarnik lives in the area. He brought one of the maps referenced and asked those present who had concerns about a proposed rezone of the area to raise their hand (the majority of those present in the Council Chambers raised their hand – approximately 40). He said everything in green had been proposed to be rezoned to Industrial which residents do not want. Mayor Hartwick asked Mr. Cotton and other residents to reach out to each other regarding the maps. Mayor reminded everyone the process will take time.

R-24-206 (RESOLUTION NO. 10922 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 213 CROCKETT 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. Mayor Hartwick convened a public hearing. Rabbi Yosef Kramer bought the property about a year ago with four (4) houses on it. He renovated one of the structures. The tenant of this house was a hoarder and finally moved out. After she moved out she reported the property to city Code Enforcement. Rabbi Kramer advised he was out of state for six (6) weeks. Upon his return, he started trying to hire a contractor. He referenced Vince with APEX who was present at the meeting with him and advised APEX was working on a proposal. He said it would be a few months before work could begin and asked the council to table the legislation. Code Enforcement Director Felecia McHenry said the property was in the same condition as it was the first time it was inspected. Code personnel talked to a couple of contractors who refused to enter the property because of the condition. Code Enforcement had not been advised when or what will be done to fix the property. She advised the owner could enter into a Rehabilitation Agreement and post a bond with the city. City Attorney Fields advised Rabbi Kramer of the process to enter into an agreement. Council Member Hamilton said there were multiple dwellings at the same address. He asked which building was being condemned. There being no one else wishing to be heard, the public hearing was adjourned. On the motion of Council Member Ross and seconded by Council Member Baxter and by consent of all members present the resolution was adopted (7/0).
(owner: *Unkolus Investments LLC c/o Yosef Kramer and Chaya M. Cimet-Kramer*)

R-24-207 (RESOLUTION NO. 10923 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1306 NORTH MAGNOLIA 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. 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 Ross and seconded by Council Member Hamilton, and by consent of all members present, the resolution was adopted (7/0). (*owner: Susie Matthews c/o Mosley Monts*)

R-24-208 (RESOLUTION NO. 10924 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1304 NORTH MAGNOLIA STREET (ALSO KNOWN AS 1306 NORTH MAGNOLIA 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. 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 Ross and seconded by Council Member Hamilton, and by consent of all members present, the resolution was adopted (7/0). (*owner: Susie Matthews c/o Angela Mosley Monts*)

R-24-209 (RESOLUTION NO. 10925 – MAYOR HARTWICK)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1405 WEST 21ST 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. 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 Ross and seconded by Council Member Hamilton, and by consent of all members present, the resolution was adopted (7/0). (*owner: Kenneth Hurt c/o Kenneth Hurt, Jr. and Judith Hurt*)

R-24-210 (RESOLUTION NO. 10926 – 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 13 BAKER CIRCLE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. Mayor Hartwick convened a public hearing. There being no present wishing to be heard, the public hearing was adjourned. On the

motion of Council Member Baxter and seconded by Council Member Hamilton, and by consent of all members present, the resolution was adopted (7/0). (*amount - \$5959.51*)

R-24-211 (RESOLUTION NO. 10927 – MAYOR HARTWICK)

A RESOLUTION APPROVING AND 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 Hamilton and seconded by Council Member Baxter, and by consent of all members present, the resolution was adopted (7/0).

O-24-68

AN ORDINANCE AMENDING THE NORTH LITTLE ROCK MUNICIPAL CODE CHAPTER ANIMAL CONTROL; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Council Member Insalaco, III. (*reduce 75' to 25' and minimum of 12 fowl*)

O-24-69 (ORDINANCE NO. 9703 – COUNCIL MEMBERS ROSS AND HAMILTON)

AN ORDINANCE ESTABLISHING AN ENTERTAINMENT DISTRICT TO BE KNOWN AS THE PARK HILL ENTERTAINMENT DISTRICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Council Member Hight, and seconded by Council Member Baxter, and the roll having been called and all members present having voted in the affirmative, the readings were suspended (7/0). A motion to adopt was made by Council Member Baxter and seconded by Council Member Ross. Council Member Ross said Mrs. Hogg's property is the only location included in the proposed district at this time. In the future the area could expand. A district on a property across the (state) highway may be coming before the council in the future. Mrs. Hogg said their plan would include a lot of activities for families like Baggo games and more. Council Member Ross said Mrs. Hogg has a license for On-premise alcohol consumption. This would allow consumption outside on the property. Council Member Hight commended Mrs. Hogg for their efforts. On the previous motion, and the roll having been called, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*Encompass area currently known as Hogg's Meat Market – Peggy Hogg*)

PUBLIC COMMENT

Ms. Jennifer Phillips lives in the Dixie Community. She had been to several city council meetings with concerns in her area. Residents in the community are tax payers. The city has spent hundreds of thousands of dollars on a back road and sign. Beyond that area is overgrown. Ms. Phillips referenced a ditch in the area that had sold (since the 2019 flood). She asked who to contact to clear the debris from the ditch. She said trees are growing in the ditch. She asked for

scheduled maintenance and said there are issues when it rains as all of the runoff water from Park Hill, I-40, 13th Street, and other areas run into the (main) ditch. Mayor Hartwick announced National Night Out Events will take place in various neighborhoods across the city October 1, 2024.

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Baxter, and by consent of all members present, the meeting adjourned at 7:19 p.m. (7/0), until the next regularly scheduled meeting scheduled for Monday, October 14, 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