

Monday, May 12, 2025
Six o'clock p.m.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council scheduled for Monday, May 12, 2025, 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, NICOLE HART, STEVE BAXTER, SCOTT FOWLER and VINCE INSALACO, III (6/0). Council Members LINDA ROBINSON and RON HARRIS were absent. City Clerk/Treasurer Diane Whitbey, Deputy City Clerk/Treasurer Sheila Mendez Quiriz, Deputy City Clerk/Enforcement Officer David Pettit 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 Ross 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, April 28, 2025, and minutes from a Special Call meeting held on Friday, May 9, 2025, were approved, accepted, and filed as prepared by City Clerk Diane Whitbey (6/0).

On the motion of Council Member Insalaco, III and seconded by Council Member Fowler, and by consent of all members present, communications #1, 2 and 3 were accepted and filed (6/0).

1. Anita Paul, Mayor's Office memorandum re: *Application for Replacement / New Owner Restaurant Mixed Drink Maximum* for Foxden USP OPCO aka US Pizza Company, Inc., 4001 McCain Park Drive, by Drew Weber.
2. Ember Strange, North Little Rock Chief Financial Officer report re: City of North Little Rock Statement of Revenues, Expenditures, and Change in Fund Balance for General Fund for the period ending January 31, 2025.
3. Ember Strange, North Little Rock Chief Financial Officer report re: 2025 Financial Update.

PRESENTATIONS

Mayor Hartwick presented the 2025 North Little Rock Public Safety Awards Video that was shown during an awards ceremony last week. Council Member Ross commended North Little Rock Police Department employee Rusty Gartrell for putting it together.

Mayor Hartwick presented a proclamation declaring the month of May as USTA - National Tennis Month. During a recent Arkansas Tournament, One Tennis Center Group swept the girl's senior division and boys division. Winners present were Caroline Jones, Stella Johansen, and Sophia Hubbard. Mayor Hartwick invited Ms. Lee Tackett and others present to come forward and presented the proclamation to the group. Ms. Tackett reviewed the careers of those present and thanked the North Little Rock coaches for their role. Ms. Tackett thanked the city for their continued support.

Mayor Hartwick invited members of the Daughters of the American Revolution (DAR) to come forward. Ms. Jacque Armstrong, Chapter Regent, Prudence Hall Chapter DAR introduced other members of the chapter. She advised DAR is a service organization whose mission is to promote historical preservation, education and patriotism. Their chapter works in North Little Rock. They adopted Thomas Cemetery for their Day of Service in October. Assist Boone Park Elementary School when needs arise. Provide volunteers at Fort Roots and Patriot Guard flag lines among other veteran related activities. July 4, 2025 will begin Arkansas's yearlong emphasis on the 250th anniversary of the American Independence, which will include a free celebration at the Clinton Presidential Library. Through a grant, the chapter donated a bench, which had been placed in Funland in Burns Park. The inscription includes *In honor of the American Revolution 1776-2026 Prudence Hall Chapter NSDAR*. Mayor Hartwick then presented a proclamation to the group in honor of their donation and service.

Mayor Hartwick invited City Clerk/Treasurer Whitbey to come forward. Mayor Hartwick then read from a proclamation, which he presented, to Ms. Whitbey and the City Clerk's Office team. He thanked them for their continued service. Ms. Whitbey introduced the remaining team members: Sheila Mendez Quiroz, and David Pettit who were present, along with Talor Shinn, Shelley Ussery and Katelyn Thomas who were not present. She thanked the City and constituents for the opportunity to continue to serve.

SCHEDULED PUBLIC HEARING

None.

UNFINISHED BUSINESS

O-25-31

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A TYPE 2 SHORT TERM RENTAL IN AN R1 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 27 CORONADO CIRCLE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time April 28, 2025, was called and held by the sponsor, Council Member Insalaco, III.

CONSENT AGENDA

None filed.

NEW BUSINESS

Without objection, O-25-34 was called.

O-25-34 (ORDINANCE NO. 9767 – COUNCIL MEMBER HART)

AN ORDINANCE REZONING CERTAIN REAL PROPERTY LOCATED AT 12209 HIGHWAY 70 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C2 TO I2 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 Hart and seconded by Council Member Insalaco, III, the readings were suspended (6/0). A motion to adopt was made by Council Member Hamilton and seconded by Council Member Insalaco, III. Ms. Stephanie Tutt was present representing the applicant. Council Member Ross asked if the company was from Texas and if they would have a local contact. Ms. Tutt indicated it was out of state, but wasn't sure about a local contact. She added she thought they would hire a local management company for the individual location. Council Member Ross said in 2018, the city abandoned some easements and changed the land use. She said this was a different company. Ms. Tutt agreed that was correct, they are not associated with the original development. Council Member Ross asked for the name of a local contact which Ms. Tutt advised she would provide. Council Member Ross asked if there had been any public input. Which there had not. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (6/0). Emergency clause adopted (6/0). (*applicant: Kimberly Horn & Cred Commercial Development LLC*)

R-25-84

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT THE DONATION OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM THE INDIAN HILLS COMMUNITY CLUB; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Council Member Hamilton and seconded by Council Member Insalaco, III. Mayor Hartwick advised several people had signed up to speak on the legislation. Mrs. Bernadette Rhodes is the Secretary for the Indian Hills Community Club Board (IHCC). She yielded her time to Elizabeth Dussex. Ms. Dussex advised she had lived in the Indian Hills Subdivision since 2022. Indian Hills was established in the 1960s, and included certain community amenities that were maintained and supported by volunteers and voluntary yearly dues. As the neighborhood aged, interest in the amenities and funding waned. Time, inconsistent maintenance and lack of funds have resulted in a buildup of remediation work. IHCC needs cannot be sustained by voluntary dues and leadership alone. The (IHCC) board took steps in 2022 to find a long-term solution. Residents were approached with an option to consider establishing an Urban Service District for a \$20.00 per month fee, which

included maintaining the pool facilities. Another option was to donate the (pool) facility to the City of North Little Rock. Not all neighbors responded to the poll, those who did indicated the fee was too high and the amenities needed to serve a larger percentage of the neighborhood. A majority wanted to keep the IHCC property under private ownership. During research, IHCC learned the lakes were in worse condition than they thought. This required shifting the focus away from the pool facilities to bringing the lakes and dams up to code. The yearly cost to maintain the property has been estimated to be approximately \$50,000.00. Following additional research, IHCC held informational meetings and proposed an Urban Service District (USD) with a fee of \$8.50 per household for 10 years. Lake property owners donated funds to mow the property, pay liability insurance and repair the intake cap on the upper lakes. The board canvassed neighborhoods and collected signatures for the USD. Opposition did not oppose the service district but the process (number of signatures) required. Ms. Dussex said the neighborhood was apathetic and did not care enough to respond. IHCC collected 570 signatures, which were submitted to the City Clerk. IHCC was informed the signatures did not include an affidavit from the individual who collected the signatures. The board was forced to consider donating the property to the city. The property includes 30 acres of privately owned neighborhood property. There are 17 acres of lakes that run into Five Mile Creek and retain water (from a large part of the neighborhood), two (2) dams, five (5) acres of land along Five-Mile Creek (with room to walk along a natural creek/trail), boat ramp access the upper lake and access to a dam on the lower lake trails, Tennis courts, and a pool facility. This donation would give the city a public amenity in Ward 4. There is potential to develop the pool area into a pavilion and clubhouse. Ms. Gloria Goran lives on one of the lakes and said lakefront property owners had concerns with what would happen to the lakes and their property values. The IHCC did not notify many of the property owners on the lake about their decision and vote held regarding the donation. In a meeting with Mayor Hartwick she was told the lakes were wastewater retention lakes, which the city has to maintain, regardless of who owns the property. The city has been responsible for preventing flooding in other parts of the city, which includes an intricate drainage system. The city would continue to provide that safety feature. City Engineer David Cook looked at the levee. He referenced the Lakewood Property Owners Association (LPOA), which is privately owned. The city reserves the right to monitor the area beginning at the North Little Rock Airport from which water flows through both dams to Five-mile Creek. Council Member Hart asked about the difference between having the right versus required maintenance. Mr. Cook said it would be up to the elected officials. Since the property is privately owned, the city would not bear full responsibility for it. Council Member Hamilton said the city could use "police powers" to protect life and safety on privately owned property. He asked if the property was publicly owned could the city drain the lakes and sell the property for development. City Attorney Fields concurred with the city's ability to protect property and life. If the property is publicly owned, it could be sold if approved by the City Council. Mr. Dave Ross said IHCC currently restricts use of the lake to daylight hours and does not allow outboard motors, jet skis, trot line, yo-yos, or alcoholic beverages, swimming or wading, requires children wear life vests and boaters to have one life vest per passenger in their boat. These are

common sense safety rules. The prohibition of outboard motors and jet skis preserves the serenity and quiet enjoyment of the lakes. It also protects the nesting areas of waterfowl and reduces bank and dam erosion. He asked the city to adopt the same rules of use if it accepts the property. Ms. Wendy McCloud said there was apathy in the neighborhood with regard to this topic. She spoke before the council about a year before. Her opposition was 25% of the neighborhood (electors) telling 100% how to spend the money. Her proposal was for 50% of the neighborhood to agree. She said (at the time) there were 2,142 registered voters in the neighborhood. Ms. McCloud said she had collected 677 signatures from those opposed to the Urban Service District. She supports the city taking the property and would like to see a Community Garden in the area. While going door-to-door she discovered there was a lot of food insecurity among a large number of elderly, low-income residents in the neighborhood. Mr. David McCormick moved to the area less than a year ago. He said he was excited about the city taking over the property but had reservations about the extended use. Working together could support the area and entice new residents. Mrs. Elizabeth McCormick said it (Indian Hills) is a wonderful community. She has been impressed by the ecological importance of the area. It is not only a watershed but also keeps homes along Five Mile Creek from flooding. A lot of wildlife live in the area along with the people. She referenced the importance of insects, birds, etc. and the overall impact on the environment. Ms. Alisa Dixon served as president of IHCC and helped spearhead the USD proposal. She said everyone worked hard on both sides. IHCC will dissolve if the city takes over the property. Council Member Fowler referenced conversations he had with Ms. Dixon. He asked what IHCC's option would be if the city does not accept the (land) donation. She advised she had not heard of another viable option. The people around the lake (about 40 houses) might form something small. The cost and liability would be high. IHCC is a non-profit organization, which does not currently pay property taxes. If they can't pay the taxes, the property would be sold at a public auction. Council Member Ross said the area is beautiful. There is also a lot of opportunity in the area. She asked if (North Little Rock) Parks and Recreation would have to accept the property as a park. City Attorney Fields said the City Council decides what is dedicated as a city park. Council Member Ross asked about security, who would monitor the water, boats, lifejackets, algae bloom etc. She said you could walk through the woods by the pool. There was also an area between two houses with a gate. Ms. Dixon said you can walk through an IHCC access between two houses to the dam. The upper dam had an access but it was gated years ago. The upper lake also has a boat launch. Council Member Ross said the boat launch was in poor condition and asked if the city would be able to pave these surfaces. She asked if the city would have funds to maintain the lakes (and additional property). Council Member Hamilton said he spoke to two (2) members of the Parks and Recreation Commission who advised him they had not heard about this legislation nor discussed it during their meetings. Indian Hills has priorities with their lakes and property. Residents in other areas may have a vested interest in this property. He said he had asked the City Attorney if the city could be forced to take the property and was advised no. If the city takes it, Indian Hills will lose control of the property. He went on to mention different priorities. Council Member Fowler advised he spoke to Parks and Recreation Director Kenny Stephens and

Parks and Recreation Commission Chair Vicki Stephens last week about this legislation. Council Member Hart asked if the decision could be made later. She had experience with other areas of the city like Ashley Downs and wanted the city to do its due diligence before accepting the property. Council Member Baxter visited the area. He asked who would (immediately) maintain the property. He spoke about water in the pool and mosquitoes. He also mentioned the number of things the Street Department has on their schedule. *Note: Council Member Hart left the council chambers at 6:55 p.m.* Council Member Baxter said as soon as it becomes city property, the public would be fishing there. He asked how people would know which areas were public property versus private property. He said the city did not include funds in any city departmental budget for the maintenance of this property. Council Member Fowler said he and Council Member Insalaco, III visited with the IHCC prior to their petition efforts and committed to bringing the item before the council for discussion and input. Council Member Insalaco, III has lived in the area 40 years. There is a lot of potential in the area. Ward 4 does not have a (public) park. If the city does not take over the lakes and a dam or levee fails, what type of damage would it cause? He said if the city does accept the property, the neighborhood would organize some kind of group that he would plan to communicate with on a regular basis. Council Member Ross said Ward 4 has never had a city park or neighborhood park. If the city does take the property, nothing will happen overnight. Council Member Baxter asked about the docks around the lakes and if they were on individually owned property (parcels). According to PAGis a few could be on IHCC property. Council Member Ross said she was not able to locate a survey of the property. She offered that some of the property owners might be able to provide theirs for reference. *Note: Council Member Hart returned to the council chambers at 7:01 p.m.* City Attorney Fields asked IHCC if there was a survey. Mrs. Rhodes said they (IHCC) did not have a survey, but did have a legal description. Council Member Hamilton said there are parks in Ward 4 but none of them are public parks. Lakewood Property Owners Association (LPOA) has McGee Park. IHCC property is privately owned. This was done during a time when developers did not want public spaces. Council Member Ross referenced offsetting income by renting out the building at the pool area and added there is a lot of potential. There being no additional discussion, Council Member Insalaco, III held the legislation. Mayor Hartwick said this item will be on the City Council agenda again, Tuesday, May 27, 2025.

PUBLIC COMMENT

Mayor Hartwick announced City Offices will be closed Monday, May 26, 2025, in observance of Memorial Day. Garbage and trash routes will run one-day delayed all week. The City Council meeting scheduled for Monday, May 26, 2025 will be held on *Tuesday* May 27, 2025 (in accordance with City Council Rules and Procedures).

There being no further business to come before the Council, and on the motion of Council Member Ross and seconded by Council Member Insalaco, III, and by consent of all members present, the meeting adjourned at 7:03 p.m. (6/0), until the next regularly scheduled meeting

scheduled for Monday, May 12, 2025, 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