

October 26, 2015  
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, October 26, 2015, was called to order at 6:02 p.m. by the Honorable Mayor Joe A. Smith.

The roll having been called and the following Aldermen answered to their names: DEBI ROSS, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT and MURRY WITCHER (8/0). City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

The prayer and pledge of allegiance were led by Alderman Foutch.

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, October 12, 2015, were approved, accepted and filed as prepared by the City Clerk (8/0).

Mayor Smith asked Mr. Bill Barling to come forward. He then read a proclamation proclaiming November as Adoption Awareness Month in the City of North Little Rock. Mr. Barling thanked Mayor Smith and encouraged people to consider providing a child a future and permanent family through adoption.

Mayor Smith invited Ms. Shelley Jones, North Little Rock School District to come forward. Ms. Jones said the Dogtown Derby was a successful event with a big turnout. Students saw the project as a way to bring the community together. Fourteen cars were sponsored for the event. Mentors and children then built and painted the cars. Mentors, children who built the cars, and the drivers were all presented certificates by Mayor Smith. Event CEO (North Little Rock EAST Initiative student) Mariah Rockins presided over the presentations. Certificates were then presented to Mayor Smith, Alderwoman Ross, Police Chief Mike Davis and Fire Chief James Murphy. The soapbox derby will be an annual event.

Mayor Smith asked for a brief recess. The meeting reconvened at 6:28 p.m.

On the motion of Alderman Witcher and seconded by Alderman Foutch, and by consent of all members present, communications #1, 2, and 3 were accepted and filed (8/0).

1. C. Jason Carter, City Attorney, letter from Mayor Joe A. Smith to Alderman Steve Baxter re: appointment as Trustee for North Little Rock Library System (*Library Board*)
2. C. Jason Carter, City Attorney, letter from Mayor Joe A. Smith to Mrs. Bernadette Rhodes, Fit 2

- Live Coordinator re: appointment as Trustee for North Little Rock Library System (*Library Board*).
3. C. Jason Carter, City Attorney memorandum to Members of the City Council re: O-15-77 (*amendment*).

Mayor announced a Special Call scheduled for 6:05 p.m. this date.

October 23, 2015

Honorable Members of the North Little Rock City Council:

The purpose of this email is to advise you that Mayor Smith has called a special meeting of the North Little Rock City Council at 6:00 p.m. on Monday, October 26, 2015, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

R-15-153 – A RESOLUTION APPROVING AND CERTIFYING THE 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. Sponsor: Mayor Joe A. Smith  
Convene a Public Hearing on R-15-153.

R-15-154 – AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH REDSTONE CONSTRUCTION GROUP, INC. FOR OVERLAY WORK FOR EAST BETHANY STREET AND ALLEN STREET UNDER THE 2015 ASPHALT OVERLAY PROGRAM; AND FOR OTHER PURPOSES. Sponsor: Mayor Joe A. Smith

O-15-86 – AMENDING THE NON-UNIFORMED EMPLOYEES’ POLICY AND PROCEDURE MANUAL REGARDING SICK LEAVE BENEFITS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES. Sponsor: Mayor Joe A. Smith

Pursuant to Sec. 2-48(2) of the North Little Rock Municipal Code, you are entitled to 72 hours’ *electronic* notice of this meeting. Please acknowledge receipt of this e-mail as soon as possible by replying to the same. A copy of your reply will automatically be sent to City Clerk Diane Whitbey.

C. Jason Carter  
City Attorney

Special Call (1) R-15-153 (RESOLUTION NO. 8875 – MAYOR SMITH)  
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. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

Special Call (2) R-15-154 (RESOLUTION NO. 8876 – MAYOR SMITH)  
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH REDSTONE CONSTRUCTION GROUP, INC. FOR OVERLAY WORK FOR EAST BETHANY STREET AND ALLEN STREET UNDER THE 2015 ASPHALT OVERLAY PROGRAM; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

Special Call (3) O-15-86 (ORDINANCE NO. 8767 – MAYOR SMITH)  
AN ORDINANCE AMENDING THE NON-UNIFORMED EMPLOYEES' POLICY AND PROCEDURE MANUAL REGARDING SICK LEAVE BENEFITS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. A motion to suspend all readings was made by Alderman Witcher and seconded by Alderman Foutch. Ms. Betty Anderson, Human Resources Director said leave will now accumulate on a bi-weekly basis. On the previous motion and by consent of all members present, the readings were suspended (8/0). On the motion of Alderman Witcher and seconded by Alderman Taylor, 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).

Mayor Smith announced public comment on legislation. Ms. Juanita Henderson spoke regarding O-15-77. She is a resident of Military Heights and a retired teacher. Her community is quiet and settled. Ms. Henderson said they want to maintain the physical and social environment. They also want to coincide with the North Little Rock High School. Ms. Henderson referenced Ordinance No. 7697 (The Zoning Ordinance) pertaining to Adult Education. Art, Dance, Martial Arts, Music and Real Estate Schools are not Adult Education. It is GED or the equivalent of a high school diploma. There should be a facility to provide such training, but they do not want it in their neighborhood. Such a school would increase pedestrian and vehicle traffic and bring unwanted activities to the neighborhood. Current zoning should remain in order to protect small neighborhoods. Mr. Danny Sweere spoke regarding R-15-151. This item has been on the agenda before. At that time, Mr. Sweere said he emailed council members expressing his interest in participating in the process. He said he did not hear back from anyone. He asked Ms. Mary Beth Bowman, Purchasing Director to be listed on the city list for bids. There are a lot of questions to be considered. This is a significant amount of the tax payer money. There are a lot of things that are unanswered. Mr. Sweere said a three year agreement is

a long time. There is no specific listing of where costs are coming from. Mr. Sweere also referenced the on-site employee provided by NAPA and the costs to the city. He wants to be sure the most qualified vendor is selected. Mr. Sweere said TriState is a local business with 30 employees. He asked the council to put out a competitive bid.

### **UNFINISHED BUSINESS**

O-15-65

AN ORDINANCE ESTABLISHING THE NORTHSHORE LANE MULTI-PURPOSE MUNICIPAL IMPROVEMENT DISTRICT NO. 36 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PUPROSES, was called and held by the sponsor, Mayor Joe A. Smith.

Mayor Smith convened a scheduled public hearing regarding O-15-75. There being no one present wishing to be heard, the public hearing was adjourned.

O-15-75

AN ORDINANCE FIXING RATES FOR SERVICES FURNISHED BY THE SEWER SYSTEM OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times October 12, 2015, was read a third and final time this date. Mayor Smith convened a scheduled public hearing (see above). A motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. Alderman Baxter asked about the City of Maumelle's decision regarding Wastewater services. Mr. Marc Wilkins, Director North Little Rock Wastewater said the City of Maumelle entered into a consolidation agreement with Central Arkansas Water (CAW). Maumelle Water Management ran both water and wastewater services for the City of Maumelle. The agreement provides that the City of Maumelle could provide an entity to run the wastewater system or CAW could negotiate with North Little Rock Wastewater on their behalf. The need for a rate increase is not related to the above issue but related to a Consent Order and Rate Study. The current proposal (including Maumelle customers) should be sufficient. Maumelle will pay the same rate as North Little Rock residents. Maumelle customers would have a surcharge to cover the cost of removing solids. On the previous motion, 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). The rates will go into effect January 1<sup>st</sup> and appear on February bills.

O-15-77

AN ORDINANCE AMENDING ARTICLE 21 (TABLE OF PERMITTED USES) OF ORDINANCE NO. 7697 (THE NORTH LITTLE ROCK ZONING ORDINANCE) TO ALLOW "SCHOOL, ADULT EDUCATION" IN CERTAIN ZONES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderman Fouch, and by consent of all members present, the rules were suspended and the ordinance was placed

on its second reading (8/0). On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). A motion to adopt was made by Alderman Hight and seconded by Alderman Taylor. A motion to amend as follows: *strike max 20 students* was made by Alderman Witcher and seconded by Alderman Taylor, and the roll having been called, and the following members having voted yes: Taylor, Robinson and Witcher; and the following members having voted no: Ross, White, Baxter, Foutch and Hight, the motion to amend failed (3/5). A motion to adopt was made by Alderman Taylor and seconded by Alderman Foutch. Alderwoman Ross asked the definition of "Adult Education." Does it include bar tending school, welding, etc.? This seems to be a big catch-all. Alderwoman White is familiar with GED Programs, however, this neighborhood is not a good fit. Alderwoman Ross referenced the various classifications included. Mayor Smith asked if the preference would be to identify the type of education provided. Alderman Foutch asked if this should be handled on a case-by-case situation through Special Use requests. Mayor Smith asked about the Shorter College GED Program. Following discussion and Mayor Smith's commitment to assist Shorter College, Alderman Taylor withdrew the legislation.

#### **CONSENT AGENDA**

*None filed.*

#### **NEW BUSINESS**

##### **R-15-149 (RESOLUTION NO 8877 – MAYOR SMITH)**

**A RESOLUTION EXPRESSING APPRECIATION TO THE GLOVER FAMILY FOR THE DONATION OF THEIR INTEREST IN THE ROCK ISLAND BRIDGE MADE FOR THE BENEFIT OF THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES,** was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Foutch. Mayor Smith said the Glover family has been a part of the city for a long time and always willing to help the city in anyway. Alderwoman Ross asked who would maintain the monument. Mayor Smith said the Street Department will take care of the area around it. Alderman Taylor said we want to recognize prominent citizens and said there will probably be similar requests in the future. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

##### **R-15-150 (RESOLUTION NO. 8878 – MAYOR SMITH)**

**A RESOLUTION GUIDING THE DEVELOPMENT OF SOLAR POWER FOR CUSTOMERS OF THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; AND FOR OTHER PURPOSES,** was read. A motion to adopt was made by Alderman Taylor and seconded by Alderman Baxter. Mr. Carter said solar power has been discussed previously. Entities have expressed the desire to support the environment through solar power. The city wants to provide this opportunity without jeopardizing the distribution system. Mr. Carter said there are ordinances in place that need to be updated. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

**\*\*R-15-151 (RESOLUTION NO. 8880 – MAYOR SMITH)**

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH GENUINE PARTS COMPANY DBA NAPA AUTO PARTS, TO SUPPLY AUTOMOBILE REPLACEMENT PARTS AND OTHER SUPPLIES AND SERVICES TO THE CITY; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderman Foutch. Mayor Smith asked Ms. Bowman to come forward and advised the city has been working on this for some time. Mr. Kenny Brock, City Garage Director has been in the department for 24 years. He is working on making necessary improvements in the department with regard to the parts room. Currently, there are a lot of outdated, unneeded parts in stock. Inventory is basically in an open area with no security. He has reached out to various vendors to compare costs on specific, frequently used parts. Ms. Bowman referenced NJPA (National Joint Powers Alliance) which is where they sought bids (at the national level). She and Mr. Brock discussed the proposal which would include a NAPA Parts Store on city property, with NAPA owning all parts until purchase. Items available would also include lawnmower parts and other equipment. The store would be staffed by a NAPA employee. Merchandise would be purchased at the cost of the item + 10% (profit) and 17% (operating cost). The city would purchase approximately 60% of parts from NAPA. The city would still be able to purchase elsewhere. New computer software would provide efficiency by being able to keep up with warranty information, when parts need to be replaced, etc. Alderwoman White asked about the parts the city owns now. Ms. Bowman said some would be sold by the vendor. Other parts would be sold on GovDeals.com. Some of the parts in stock are over 30 years old. Alderman Taylor asked the amount of current inventory. Mr. Brock said it has been hard to track inventory with the current system. Mr. Brock provided price comparisons on various parts including brake pads and tires. Alderman Foutch asked if bidding requirements have been met. Mr. Carter referenced the State Cooperative Purchasing law that allows participation in state and out-of-state purchases. Aldermen Taylor and Robinson said NAPA would be operating on city property with the city paying expenses (utilities, etc.). Alderwoman Ross advised she spoke with Mr. Sweere (Tri State Enterprises) by telephone. Based on that conversation she asked if NAPA will pass along discounts (rebates) to the city. Alderwoman Ross said she called several cities using NAPA's in house store and the majority were happy with the service. Alderwoman Robinson said this didn't appear to be a good deal. NAPA will operate in a city building where the city provides utilities, etc. Ms. Bowman said the city won't have the expense of an employee or benefits for said employee. The city will keep NAPA up to date on existing vehicles and NAPA will keep up with parts needed for the same which will be a benefit to the city. Money won't be tied up in inventory. Alderwoman Ross asked about (snow) chains. Ms. Bowman said they would be in stock. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

Mayor Smith took a brief recess. Mayor Smith reconvened the meeting and tabled R-15-151.

R-15-152 was then called.

R-15-152 (RESOLUTION NO. 8879 – ALDERWOMAN ROBINSON)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY LOCATED AT 300 PHILLIPS ROAD IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Alderwoman Ross said the city has never uncondemned a commercial property. Bonds are required on residential properties. She asked Mr. Carter if a bond was needed. Mr. Norman Clifton spoke with Deputy City Attorney Bill Brown regarding the property. The building on this property is larger than most. Mr. Clifton said the cost to remove asbestos, etc. from the building would cost over \$100,000.00. Mr. Clifton said the only part that needs to be removed would only cost \$10,500.00. The remainder of the building would be renovated. The amount to obtain a bond would be \$11,000.00. Mr. Clifton said his family has done business in the city for 78 years. Alderwoman Robinson said Mr. Clifton was in negotiations to purchase the property prior to a portion burning. Businesses in the area support Mr. Clifton's plans to rehabilitate the building and provide needed storage. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

Mayor Smith recalled R-15-151. \*\*See R-15-151 above.

O-15-79 (ORDINANCE NO. 8769 – MAYOR SMITH)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS AND ACCEPTING THE PROPOSAL OF UNITED HEALTHCARE-RIVER VALLEY AS THE MAJOR MEDICAL PROVIDER FOR CITY EMPLOYEE HEALTH BENEFITS, WITH STEPHENS INSURANCE, LLC ACTING AS THE BROKER; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read. On the motion of Alderman Taylor and seconded by Alderman Baxter, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Taylor and seconded by Alderman Baxter, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). A motion to adopt was made by Alderman Taylor and seconded by Alderman Hight. Mr. Bobby Whitfield, Stephens Insurance, LLC said the first question was how does a broker go from an increase to a decrease in rates. River Valley was purchased by United Healthcare 10-12 years ago to help review claims. Changes include discontinuing a Wellness Program which most employees were not aware of. Network providers will remain the same. Billing will be paper versus electronic. Alderman Foutch asked if this would impact employees' primary care provider. Mr. Whitfield said it would not (in state). Mayor Smith said out-of-state would have changes. Mr. Whitfield said if River Valley did not provide services within a certain state, the insured would call an 800 number and ask for an in-network provider in that state. The first deductible is \$1,000.00 per individual and \$2,000.00 per family and can be met by any combination. Out-of-pocket expense in network is \$6,600.00 per individual and \$13,200 per family which includes the deductible, copay, co-insurance and out-of-pocket prescription over and above allowed. There will be a reduction in prescriptions available through mail order. Technology will be less, therefore, some reporting the city has been provided will

not be available. New ID cards will be issued. The front of the card will have United Healthcare on it. However, the River Valley logo is on the back. Employees will need to tell their providers they have an insurance change so claims can be properly submitted to River Valley. Alderwoman Ross said she spoke with the Garland County Clerk who said they have had River Valley coverage for the past two years and are pleased with the service. Goodwill Industries also uses River Valley. Mr. Whitfield said educating employees on changes will be key. On the previous motion, 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).

O-15-80 (ORDINANCE NO. 8770 – MAYOR SMITH)

AN ORDINANCE AMENDING THE NON-UNIFORMED EMPLOYEES’ POLICY AND PROCEDURE MANUAL; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Foutch and seconded by Alderman Baxter, and by consent of all members present, the readings were suspended (8/0). Ms. Anderson said this was similar to the previous legislation regarding sick leave. The city has a new time-keeping system (Executime). By tracking leave as it is earned will ensure that employees know how much leave they have. This policy will also prevent employees from taking leave if they have not accrued it. Alderman Taylor asked how the city was keeping up with time previously. Mrs. Karen Scott, Finance Director said it was being reported through existing outdated software. On the motion of Alderman Foutch and seconded by Alderman Hight, 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).

O-15-81 (ORDINANCE NO. 8771 – MAYOR SMITH)

AN ORDINANCE ADOPTING AN ENERGY RISK MANAGEMENT POLICY FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter and seconded by Alderman Taylor, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Alderman Baxter and seconded by Alderman Foutch. Alderwoman Ross asked about the Mayor’s representative. Mr. Carter said the Investment Committee includes the Mayor’s representative, Finance Director and Electric Department General Manager. These are the voting members of the committee. It is important when acquiring power that the committee be aware of the current financial condition of the department. Mr. Carter said the mission of the Electric Department is to provide reliable power at affordable costs to its customers. The chairman could add more members by submitting names to the City Council. A Power Manager is a third party expert. The city has a Cost Accountant and Power Supply Director who are employees of the city who coordinate with the Power Manager. Alderwoman Ross asked about Exhibit “E”. Mr. Carter said they were not ready to submit that at this time. The current contract with NRG will end in 2016. The city needs to be looking for power for 2017 now. On the previous motion, 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).

O-15-82 (ORDINANCE NO. 8772 – MAYOR SMITH *for consideration only*)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A MODULAR HOME IN AN R-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 13419 OLD RIVER DRIVE IN PULASKI COUNTY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER

PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderman Baxter, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. Alderman Taylor said the city, by ordinance, does not allow modular homes. Mr. Jimmy Pritchard, Planning Department advised the location is in Scott. The modular would replace a mobile home at the location. The Planning Commission voted in favor of the request. Mayor Smith said neighbors had also written letters in support of the request. Alderman Taylor said the property is in the city's extra-territorial jurisdiction. The city has had issues with mobile and modular homes in areas (within) the city. Alderman Hight asked if there were any comments at the Planning Commission meeting. A motion to adopt was made by Alderman Hight and seconded by Alderman Foutch. Alderwoman Ross asked the difference between a modular home and a mobile home. Alderman Taylor said a modular home is constructed in a factory then assembled on site. A mobile home is on wheels and towed to the site. Alderwoman Taylor said there was a modular home approved on Boyer Street. However, due to issues, it was removed. Alderman Foutch said the council denied a similar request on Military. Alderman Taylor said some modular homes are well built. Alderwoman White asked what type of homes were on adjacent properties. The applicant's daughter (Kathy Raper) said there is a modular home on one side and a small house on the other side. There are run down trailers and campers in the area also. Her mother who is 82 years old purchased the property not knowing she couldn't remove the mobile home and replace it with a modular home. They then went through the proper channels. On the previous motion, 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: Holly Persons*)

O-15-83 (ORDINANCE NO. 8773 – ALDERMEN WHITE AND ROSS)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A DAYCARE CENTER IN A C-L ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3501 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER

PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the readings were suspended (8/0). On the motion of Alderwoman Ross and seconded by Alderman Taylor, and the roll having been called, and all members present having voted in the affirmative, with the exception of Alderman Baxter who abstained due to this

being the location where he attends church, the ordinance was adopted (7/1). Emergency clause unanimously adopted (8/0). (*applicant: Tanya Ward*)

O-15-84 (ORDINANCE NO. 8774 – ALDERMAN WHITE)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A DAYCARE CENTER IN AN R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 200 WEST 20<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderwoman White, and by consent of all members present, the readings were suspended (8/0). On the motion of Alderman Taylor and seconded by Alderman Foutch, 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: Carmell Boyd*)

O-15-85 (ORDINANCE NO. 8775 – ALDERMEN TAYLOR AND ROBINSON)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 5800 ALPHA STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM O-1 TO C-1 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; GRANTING A SPECIAL USE TO ALLOW A DAYCARE CENTER IN A C-1 ZONE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, the readings were suspended (8/0). On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). (*applicant: Henry Rainey*)

**PUBLIC COMMENT**

Mr. John Douglas Richards, XI spoke regarding the closing of the road to Richards Cemetery. This was his fifth time to attend the council meeting. The cemetery has been in his family since the 1800's. He has a plat of the apartment complex (in the area) dated 2013 which clarifies the street at 46<sup>th</sup> and Smokey Lane. The North Little Rock Funeral Home has the address of 4405 East 46<sup>th</sup> Street for the cemetery. Mr. Richards said he didn't understand why this wasn't placed on the agenda. Alderwoman Ross listened to the audio from the City Council meeting held on August 23, 2010. The council did not abandon the street, but did approve a grass street with a gravel base. Cars are sinking. There seems to be a problem with the gravel. People should be able to drive on the grass street. Mayor Smith said the city has had Fire trucks on it. Alderwoman Robinson said the council was never advised that there was a cemetery behind the location. Alderman Witcher said Mayor Smith and the City of North Little Rock were recently featured in the Arkansas Municipal League's City and Town Magazine. Alderwoman Ross said there will be a Patio in Park Hill event sponsored by the Park Hill Business Owners Association this Thursday night. Space has doubled and there will be more food trucks. Admission will be \$1.00. Alderwoman Robinson thanked the council for their support of O-

15-85. There will now be a clinic including in the Rose City area providing Speech, PT, OT and more at the former Lynch Drive Elementary School. Alderman Taylor reminded the public that Saturday is Halloween. There will be a lot of children running around. Everyone was encouraged to be careful. Mr. Carter advised the council regarding prayer at council meetings and the city's policy. He is confident in the policy in place. Invocation before the council meeting is intended for the council. Members were cautioned to not invite the public to stand and bow their heads as some might think that that implies they must participate in the process. He then offered suggestions regarding types of prayer, observance of silence, etc.

There being no further business to come before the Council, and on the motion of Alderman Foutch and seconded by Alderwoman Robinson, and by consent of all members present, the meeting was adjourned at 7:28 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, November 9, 2015, 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 JOE A. SMITH

ATTEST: \_\_\_\_\_  
DIANE WHITBEY, CITY CLERK