

December 27, 2011
Seven 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, December 26, 2011, was held on *Tuesday, December 27, 2011*, was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. 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), a quorum was declared. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

The invocation was given by Alderman Hight, followed by the pledge of allegiance to the flag which was led by Alderman Witcher.

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the minutes of a regular council meeting held on Monday, December 12, 2011, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, communication #1, was read, accepted and filed (8/0).

1. Thelma L. Fairfax letter to Marlar Engineers and City of North Little Rock re: AHTD Job No. 061294, McCain Rail Grade Separation Project and concerns regarding the same.

Mayor Hays invited Mr. Edward Hurst, with Crews & Associates to come forward. Mr. Hurst advised the firm, along with the Arkansas Municipal League sponsored the inaugural Arkansas Business City of Distinction Award. A panel of independent judges reviewed applications from around the state. North Little Rock won the Green and Energy Conservation Initiatives category. This award acknowledges the city's work encouraging residents to participate in the same. Mr. Hurst then presented the award to Mayor Hays.

Mayor Hays invited Mr. Eddie Armstrong to come forward. Mr. Armstrong works for the city with youth programs. He is a Boys and Girls Club of America Youth of the Year. He introduced Mr. DeShaun Bennett, of North Little Rock who was the 1st Runner Up for Boys and Girls Clubs Youth of the Year 2011. Mayor Hays then read a proclamation recognizing Mr. Bennett's many achievements. Mr. Bennett thanked everyone for the recognition and support. He praised city leaders for their accomplishments benefiting all citizens.

Mayor Hays invited Mrs. Bernadette Rhodes, Fit 2 Live Coordinator to come forward. Mrs. Rhodes announced a free Bike Adventures Safety and Maintenance Workshop to be held on Saturday, January 21, 2012, from 9:00 a.m. until noon. Hundreds of children received bicycles this Christmas. The city along with Bicycle Advocacy of Central Arkansas (BACA), and the League of American Bicyclists want to ensure that children are safe and know how to properly care for their bikes. Stations will be set up teaching a variety of skills and there will be giveaways. The public is invited to attend. Alderman Hight commended the bicycle community for supporting this event. Mrs. Rhodes said volunteers are needed.

Mayor Hays advised plans were reviewed with regard to reducing the Canada Geese population in Burns Park. Three of the recommendations included one which would cost \$24,000.00 and include the use of a service (\$10,000.00) which would provide trained dogs for two months (January and February 2012), lights and acquisition of a dog for the city along with addling eggs (in March); another option would cost \$12,000.00 and include the use of dogs; and one would be significantly less and included going forward with a controlled hunt. Mayor Hays met with Mr. Scott White, a representative of the Coalition to Save the Geese in Burns Park. The Coalition plans to raise at least \$12,000.00 to offset half of the costs to the city. Volunteers would also be provided for egg addling. Legislation will be presented at the next city council meeting authorizing the Mayor to proceed with a hunt if the other options do not work. Mayor Hays said the health and safety of people who use the park are a consideration. Mr. Bob Rhoads, Parks and Recreation Director said lighting (approximately \$6,000.00) would be similar to a caution light and would be placed near the water where the geese would normally nest. The flashing lights would interrupt their sleeping patterns. Mayor Hays said the additional funding (city) could come from the Parks and Recreation Department, Administration or the General Fund. Alderwoman Ross asked if the geese would leave the park and move into residential areas such as the Lakewood lakes and if those locations would receive help. Mayor Hays said the dog would go to areas as needed. Mr. Rhoads said he had been advised more than one dog will be necessary (initially) due to the number of geese in the park. Remote controlled boats which will have a siren will be used to deter the geese from water. Mayor Hays said addling may not be necessary if the geese do not nest. Alderman Hight asked what attracted the geese to Burns Park. Mr. Rhoads said a number of things including a source of food, access to water, open space, etc. Geese born in the park will tend to stay there. Alderman Hight said Little Rock's dog may have chased geese to North Little Rock. Mr. Rhoads said signs are up prohibiting feeding animals in the park. Alderman White asked how long it would take to condition the geese not to return to the area. The contractor indicated a couple of months, followed up with the city's acquisition of a dog. Alderman Foutch asked about altering the landscape on the golf course. Mr. Rhoads said this would be around the smaller lakes. Mr. White said the coalition is excited to see their suggestions being implemented in Burns Park and thanked Mayor Hays and Mr. Rhoads for their work on this matter. The coalition is fully committed to raising the funds and providing volunteers mentioned earlier. If the plan is successful, North Little Rock will be one of the most forward-thinking cities in the country with regard to balancing natural environment with growth and enjoyment of natural spaces. The annual expense to care for the city's dog would be about \$700.00. The initial purchase and transport of the trained dog will be about

\$8,000.00. Ms. Kate Finefield, Park Ranger Parks and Recreation Department would house the dog. Several employees will work with the dog. Mr. Rhoads said the first efforts will include Burns Park and the River Trail. People who continue to feed the geese could be issued citations or banned from the park. Feeding the geese defeats the efforts of the city and the coalition. Mr. White said cutting off the artificial food supply is essential to any plan. A fund for the Coalition to Save the Geese of Burns Park (or the Goose Fund) has been set up at Centennial Bank on Broadway. Donations can be mailed to 304 Main Street, North Little Rock, Arkansas 72114, in care of Galaxy Furniture. Mr. White has already received a donation from Columbus, Ohio.

Mayor Hays announced citizen public comment on numbered legislation. Mr. Jeff Watson spoke against O-11-82 regarding a proposed hillside cut. He asked for a compromise between the developers and the residents along Skyline Drive and encouraged the council to vote against the legislation. Mrs. Nedra (Dumas) Wood was born on Skyline Drive. Justin Matthews was her great uncle and her father worked with him. The residents of Parkhill have made it a wonderful neighborhood and want to continue to live there. When the first church was built, trees were cut down on her friend's property. She is opposed to the parking lot after seeing how many trees would have to be removed.

Mr. Mark Warford, North Little Rock Firefighters Local #35 thanked everyone for their donations to the bicycle program.

UNFINISHED BUSINESS

R-11-200 (RESOLUTION NO. 7977 – MAYOR HAYS)

A RESOLUTION ADOPTING A BUDGET FOR THE 2012 FISCAL YEAR FOR THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. Mayor Hays reconvened a public hearing. Mr. Bob Fleckenstine said he attended the budget meeting last week and distributed information to council members regarding a submarine (the Batfish) in Muskogee, Oklahoma. Operating expenses were funded by \$15,000.00 from a city trust fund, \$17,700.00 from gift shop sales, and \$45,000.00 from admission. Total revenue was \$77,700.00. Expenses included \$22,000.00 for a manager, \$43,650.00 in other expenses (approximately \$800.00 per month for electricity). Total expenses were \$75,650.00 and net income was \$2,250.00. Mr. Fleckenstine asked if any council member had seen a yearly balance sheet showing where funds had been spent regarding North Little Rock's submarine the U.S.S. Razorback. The budget for the Arkansas Inland Museum (AIMM) increased from \$50,000.00 to \$200,000.00 yearly. He asked about revenue and said if there is revenue, then the budget could be cut by that same amount. He wanted to know about salaries, too. Mayor Hays said those figures will be made available to him. He then asked if there was a business plan. The U.S.S. Razorback has to shut down tours if the river is too high, resulting in lost revenue. The submarine in Oklahoma is on dry land allowing it to be open year round. There being no one else who signed in to speak, the public hearing was adjourned. Mayor Hays asked Mr. Bob Sisson, Finance Director to come forward. Alderman Foutch asked about Medicare adjustments from the previous year. Mr. Sisson referenced Cafeteria Plan deductions. Alderman Foutch said it appears to be underfunded. Alderwoman Robinson said City Year is not active in North Little Rock Schools.

Mayor Hays spoke with City Year representatives. They were active during the Spring semester, but not during the past Fall semester. Funding issues, including funds from fund raising and the Federal Government have affected the program and positions had to be cut. City Year is working on a program for the upcoming year. Positions might be added for the Fall semester. Based on this information Mayor Hays suggested cutting the city's allocation from \$50,000.00 to \$25,000.00. Alderman Taylor is on the City Year Board. Cutting funding would have a serious impact on the program. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Witcher. Mr. Sisson said other allocations from 5998 include the Mayor's Youth Program Director, Post Prom, and Police Athletic League (PAL). On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, with the exception of Alderman Taylor who passed, the resolution was amended as follows: *Exhibit "B" Special Appropriations 2012, line item 5998 - \$110,000.00 – Youth Program allocation to City Year reduced to \$25,000.00 from \$50,000.00, remaining \$25,000.00 would not be allocated without prior authorization from the City Council (7/1).* On the motion of Alderwoman Robinson and seconded by Alderwoman Ross, and by consent of all members present, the resolution was amended as follows: *Sales Tax Capital Improvement Funds set aside for Sidewalks will be reallocated to each ward in the amount of \$12,500.00 each, to be used for drainage (8/0).* Alderwoman Ross said the city does not have a longtime commitment with the City of Sherwood with regarding Franchise Fees in the amount of \$470,000.00 (annually). The Electric Department needs to know the number of customers it services when shopping for electricity rates. She then asked if the line item could be held until a commitment is received from the City of Sherwood. Mayor Hays said the City of Sherwood is working on their 2012 budget and will be relying on these funds as revenue. Sherwood residents make up about 16% of North Little Rock Electric's Customer base. A proposal has been sent to Sherwood for review which would extend the agreement. Alderwoman Robinson asked if a deadline was given. Mr. Carter advised it was not. The contract was sent within the past 30 days. The proposal is for 40 years. Mayor Hays said an agreement needs to be in place by this time next year. Two payments are made, one in July and one in December. Alderman Foutch asked if Sherwood were serviced by another provider, would they demand a Franchise Fee. Mr. Carter said such things are governed by State Law. Alderman Baxter asked if there were any severability clauses in the contract. Mayor Hays said if Sherwood went with another company, they would most likely have to acquire North Little Rock's poles, transformers, etc. A motion to amend was made by Alderwoman Ross and seconded by Alderman Foutch as follows: *to remove the franchise payment of \$470,000.00 to the City of Sherwood.* Alderman Taylor said he is not for the motion. Alderman Hight said this should have been discussed a year ago if the city was not going to make the payment. Alderwoman Robinson said more discussion is needed if the city intends to withhold this funding. A lot of time went into the contract and Sherwood needs time to consider it. Alderman Witcher said the council should consider how this would affect North Little Rock if this were the other way around (i.e. Sherwood payment to North Little Rock). As director's of the city's business, the consideration has to be what's in the best interest of the city overall. Mayor Hays reiterated the motion is to exclude the payment to Sherwood. On the previous motion (to amend), and the following member having voted yes: Alderwoman Ross, and the remaining members having voted no, the motion failed (1/7). Alderwoman Ross said city departments have cut back and the allocation

of \$40,000.00 to the Arts Center should be reduced. She has checked with surrounding cities and they do not provide funding to the Arts Center. A motion to amend was made by Alderwoman Ross and seconded by Alderman Taylor as follows: *reduce funding to the Arts Center from \$40,000.00 to \$20,000.00*. Mayor Hays referenced a handout which outlined services provided to North Little Rock and encouraged keeping the amount the same. Services provided exceed the amount of the contribution. Alderman Hight said a North Little Rock Catering Company provides weekly catering services to the Arts Center. This impacts the city because the company pays a North Little Rock Privilege Tax fee, etc. On the previous motion (to amend), and the following member having voted yes: Alderwoman Ross, and the remaining members having voted no, the motion failed (1/7). Alderman Foutch asked about carryover funds in the Street Department budget in the amount of \$107,000.00 and could those have be used for an overlay project before the end of the year. Mr. Sisson said it is late in the year to request bids, etc. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the resolution was unanimously adopted as amended (8/0). Mr. Carter advised this is the first time in 100-plus years that the City has adopted a budget by Resolution and not Ordinance. This is due to a change in state law.

O-11-82

AN ORDINANCE APPROVING A HILLSIDE CUT FOR DEVELOPMENT OF A PARKING LOT ON PROPERTY LOCATED ON CALVARY ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on Monday, November 28, 2011, was read a second time December 12, 2011, was read a third and final time this date and held by the sponsor, Mayor Hays. (*applicant: Thomas Engineering Company*)

O-11-83

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A CAR SALES LOT IN A C-5 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 701 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held at the request of the sponsor, Alderman Taylor. (*applicant: Wanda Brainard*)

O-11-89

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A TRANSITIONAL HOME IN AN R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1418 WEST 20TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read three times on December 12, 2011, was read again this date. A motion to adopt was made by Alderman Taylor and seconded by Alderman Foutch. Alderwoman Robinson said she did not have a problem with a landlord renting a house to several people. However, this is a business operating in a residential neighborhood that has challenges. She referenced a similar request by a local church for a transitional home/halfway house for men who had been in prison, which was denied. Putting people who have challenges in a neighborhood with challenges is not good. Alderman Foutch said people in a recovery program need to be in a positive environment. This location may

prove to be a challenge. Alderwoman White said the people in this area are working hard to improve it. Alderwoman Ross said this would be more than a transitional home, as there would be individuals coming in for meetings which would increase the number of vehicles in the neighborhood. Alderman Baxter toured the facility. It was in good shape and there were four garden plots in the back yard. Other residences in the neighborhood had challenges. He is not opposed to this request. Alderman Taylor said the facility is nice and it is clean and they are doing a good job. As elected officials, they have to do what's best for the city as a whole. The women need a place to go, but this residential neighborhood is not a good fit. On the previous motion, and the roll having been called, and the following members having voted yes, Aldermen Baxter and Alderman Hight, and the remaining members having voted no, the motion to adopt failed (2/6). (*applicant: Daphany Ragland*)

NEW BUSINESS

R-11-203 (RESOLUTION NO. 7978 – MAYOR HAYS)

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO REIMBURSE EXPENDITURES FOR CAPITAL IMPROVEMENTS TO THE SEWER SYSTEM FROM REVENUE BONDS TO BE ISSUED BY THE CITY; AUTHORIZING THE MAYOR TO PROCEED WITH MATTERS PRELIMINARY TO THE ISSUANCE OF THE BONDS IN ONE OR MORE SERIES; APPROVING THE PREPERATION AND DELIVERY OF A PRELIMINARY OFFICIAL STATEMENT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Robinson. Mr. Marc Wilkins, Wastewater Director, advised the department entered into a Consent Order with the objective of preventing sanitary sewer overflows. These fall into two groups. Dry weather overflows which are caused by stopped up sewer lines and wet weather overflows which are a result of overcapacity on the system. Dry weather overflows can be significantly reduced by cleaning grease and roots from the line and by educating the public. Additional equipment and reorganizing existing crews as well as adding personnel will help with upgrades and cleaning. He anticipated the number of lines cleaned per year to double. Mr. Wilkins provided pamphlets regarding the proper disposal of oil, grease and pharmaceuticals. (An educational presentation will be made at the next council meeting on Monday, January 9, 2012). Once a line is stopped up, the only remedy is cleaning it. Prevention through education will help. Wet weather overflows are related to capacity and are hard to detect. Such overflows are difficult to repair and always require some type of construction. This legislation allows for capital improvements. Alderman Foutch asked if Wastewater had the revenue to cover the payments. Mr. Wilkins said a rate increase would be necessary. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-11-204 (RESOLUTION NO. 7979 – MAYOR HAYS)

A RESOLUTION DESIGNATING AND AUTHORIZING THE DIRECTOR OF NORTH LITTLE ROCK WASTEWATER TO EXECUTE CERTAIN DOCUMENTS IN CONNECTION WITH THE ARKANSAS CLEAN WATER REVOLVING LOAN PROGRAM ADMINISTERED BY THE ARKANSAS NATURAL RESOURCES COMMISSION; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Alderman

Witcher asked about terms and rates. Mr. Wilkins said the rate is 3.75% for 20 years (on the bonds). Wastewater is currently nearing the completion of a five year step increase. A similar rate structure will be considered. The average home owner rate would increase \$3.67. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

R-11-205 (RESOLUTION NO. 7980 – MAYOR HAYS)

A RESOLUTION APPROVING SETTELEMENT AND RELEASE OF THE REMAINING PARTIES IN THE BURNS PARK BASEBALL FIELD CONSTRUCTION PROJECT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Baxter. Mr. Carter advised the project ran into problems and delays due to soil conditions. After mediation an agreement was reached. Mr. Rhoads said the two major items to complete are the parking lot (\$170,000.00), and likewise, shade canopies for spectator bleachers. Mr. Rhoads also mentioned a large pavilion (\$250,000.00) on the backside of the building. Alderman Foutch has talked with several residents who live behind the park that have had extensive drainage issues related to this. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

R-11-206

A RESOLUTION ACCEPTING THE LOW BID AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH BURKHALTER TECHNOLOGIES, INC. FOR 7TH STREET (BISHOP LINDSEY AVENUE) DRAINAGE AND STREET IMPROVEMENTS IN THE AMOUNT OF \$778,807.98, FUNDED FROM AEDC DISASTER FUNDS; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Hays. Alderwoman Robinson said property owners in the area are excited about this project.

R-11-207 (RESOLUTION NO. 7981 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH ARKANSAS STATE GAME AND FISH COMMISSION FOR THE CONSTRUCTION OF FISHING PIERS AT THE ARKANSAS RIVER AND CAMPBELL LAKE; AND FOR OTHER PURPOSES, was read. Alderman Baxter wanted to ensure the material the piers are made of will withstand high water in the area. Mr. Rhoads said they will be concrete. Alderwoman Ross asked about dredging at the Burns Park launch. Mr. Rhoads will talk to City Engineer Mike Smith. There are other options. Mayor Hays asked Fire Chief Bob Mauldin if there were any access issues for the Fire Department. He said there were not, and that they have several access points. Alderman Foutch asked if the piers would be ADA compliant. Mr. Rhoads advised they would be. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

R-11-208 (RESOLUTION NO. 7982 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A REAL ESTATE CONTRACT FOR THE PURCHASE OF CERTAIN REAL PROPERTY LOCATED

SOUTH OF HWY. 165 AND EAST OF I-440 NEAR THE ARKANSAS RIVER IN PULASKI COUNTY, ARKANSAS; APPROPRIATING FUNDS (\$327,000.00); AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Mayor Hays said this will be paid for with grant funds. The area is for a 4-wheeler park. Alderman Foutch asked who would pay the closing costs. Mr. Carter advised the city will. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

R-11-209 (RESOLUTION NO. 7983 – MAYOR HAYS)

A RESOLUTION WAIVING CERTAIN CONFLICTS OF INTEREST RELATED TO LITIGATION INVOLVING THE CITY; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Mr. Carter advised the City Council authorized the City Attorney to advance the city's interest with regard to out of state sales tax collected by online booking agencies. A Class Action litigation was filed by the City of Pine Bluff. North Little Rock intervened on behalf of all cities and towns in the state. The Rose Law Firm represents the other side. Mrs. Jane Dickey who is with the Rose Law Firm has represented the city on various matters. Therefore, consent is needed as the city has nothing to do with the defense of online booking agencies. On the motion of Alderman Foutch and seconded by Alderwoman Ross, and by consent of all members present, the resolution was amended as follows: *change 7201 to 7102 in the legislation* (8/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

O-11-94 (ORDINANCE NO. 8402 – MAYOR HAYS)

AN ORDINANCE AMENDING THE CURRENT CITY OF NORTH LITTLE ROCK, ARKANSAS PENSION PLAN RESTATED AND ADOPTED BY ORDINANCE NO. 8144, ATTACHING AN ADDENDUM TO INCORPORATE REQUIRED CHANGES FROM THE PENSION PROTECTION ACT OF 2006; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderwoman Robinson, 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 Witcher and seconded by Alderman Hight, 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 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-11-95 (ORDINANCE NO. 8403 – MAYOR HAYS)

AN ORDINANCE DESIGNATING POSITIONS FOR NORTH LITTLE ROCK ALDERMEN; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Mayor Hays advised the Pulaski County Election Commission contacted Mr. Carter and asked that the city assign position numbers for the purpose of running for Alderman. Alderman Hight said the Pulaski County Clerk's Office asked him what position he is in each time he has ran for Alderman. Ms. Whitbey advised she contacted the Election Commission after taking office and was told the position numbering applied to

cities and towns on a two year election schedule where the entire body would be running at the same time. North Little Rock has staggered terms so that wasn't an issue. Mr. Carter researched North Little Rock's ordinances and could not find anything regarding position numbers. On the motion of Alderman Witcher and seconded by Alderwoman White, 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 Witcher 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). The ordinance was read a third and final time. Ms. Whitbey said candidates for Alderman in 2012 will be position 1 (this will coincide with Presidential Elections in the future). On the motion of Alderman Hight 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).

O-11-96 (ORDINANCE NO. 8404 – ALDERMAN BAXTER)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED SOUTH OF FRENCHMAN'S WOODS ON COUNTS MASSIE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM I-2 TO R-4 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter and seconded by Alderwoman Robinson, 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 Baxter 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. Alderwoman Ross asked if the City of Maumelle had been notified of this legislation. Ms. Whitbey sent the council agenda (*to the Maumelle Mayor and City Clerk*). The property is catty-corner to Maumelle city limits. All of the neighbors were notified prior to the Planning Commission meeting. There will be 432 market rate units. Alderwoman Ross asked about traffic congestion. Mayor Hays is working with Maumelle Mayor Mike Watson with regard to a third entrance. On the motion of Alderman Foutch and seconded by Alderman Baxter, and the roll having been called, and all members present having voted in the affirmative (with the exception of Alderman Witcher who was not in the chambers at that time), the ordinance was adopted (7/1). On the emergency clause, and all members present having voted in the affirmative (with the exception of Alderman Witcher who was not in the chambers at that time), the emergency clause was adopted (7/1). (*applicant: Eric Holloway*)

PUBLIC COMMENT

Alderwoman White asked if the city will be sending out notices to residents affected by the recent Census which resulted in changes in some Ward boundaries. Mr. Shawn Spencer, Planning Department advised the Pulaski County Election Commission will send out updated voter information to residents in those areas. Alderwoman Robinson said flyers distributed by Wastewater asking that residents pay attention to what is put down the drain should be shared with the public via television

and other avenues and translated for Spanish speaking residents. Mr. Carter advised the three items held on the agenda will remain as there was no change in council representation. Alderman Baxter complimented the Christmas lights along Camp Robinson Road. On January 13, 2012, the Amboy Food Pantry will hold a Beans and Cornbread supper from 5:00 p.m. to 8:00 p.m. at the Levy Baptist Church. There will also be a silent auction. All proceeds will help feed needy families. The cost is \$5.00 for adults and \$2.50 children. Take out will be available. Alderman Hight advised a bicycle service station was donated and installed on the bike trail. He also announced a New Year's Day bike ride commencing at the McCain Kroger parking lot at 9:30 a.m. The ride is sponsored by the Arkansas Bicycle Club. Alderman Foutch thanked uniformed city employees for the efforts. The Fire Department collected bicycles for the Salvation Army and the Police Department held the annual Shop With A Cop program. Alderwoman White said the city received a grant from the National League of Cities which will end at the end of this year. The value was approximately \$61,800.00. It helped launch North Little Rock as a leading city in the country with regard to health initiatives. Mayor Hays thanked all city employees (uniformed and non-uniformed) for the contributions and service to the city. He also reminded everyone city offices will be closed Monday, January 2, 2012, in observance of New Year's Day. There will be no delay in garbage, trash and recycling routes.

There being no further business to come before the Council, and on the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the meeting was adjourned at 10:06 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, January 9, 2012, at seven o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: _____
MAYOR PATRICK HENRY HAYS

ATTEST: _____
DIANE WHITBEY, CITY CLERK