

February 27, 2012
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, February 27, 2012, was called to order at 7:00 p.m. by the honorable Alderman CHARLIE HIGHT. Mayor PATRICK HENRY HAYS entered the council chambers during the North Little Rock Animal Shelter's presentation. 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 Baxter, followed by the pledge of allegiance to the flag which was led by Alderman Foutch.

On the motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, the minutes of a regular council meeting held on Monday, February 13, 2012, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, communication #1 , was not read, accepted and filed (8/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink – NEW for All American Wings*, 9201 Maumelle Boulevard, by Rodney W. Cummings.

Alderman Hight advised Mayor Hays was in the building with a delegation from Samsun, Turkey.

Alderman Hight invited Ms. Patty Jones, North Little Rock Animal Control to come forward. Ms. Jones said she had been with the city 17 years. During that time, the shelter went from having 22 dog kennels to 93; and from one cat room to 33 individual cages. At full capacity, they can now house 128 animals. Ms. Jones was joined by volunteers from North Little Rock Friends of Animals to announce a new program called *Medipaws* which will help pets of low income elderly residents in four apartment complexes in North Little Rock. Medipaws will provide an onsite clinic up to two times each year where a veterinarian will inspect the general health of resident's pets and give the pet it's basic yearly shots. This is possible due to the efforts of the Volunteer non-profit Friends of Animals Program. (Mayor Hays entered the council chambers.) Ms. Jones said the area of the city she covers included the Willow House, Bowker House, Heritage House, and Campus Towers which are all high-rises for elderly residents. Many of the resident owners have no way to transport their pets to the veterinarian and they are very excited about this program. The program is funded by donations raised through Friends of Animals. An upcoming fundraiser is a photo opportunity. Participants can have their

family photo, child's photo or pet's photo taken by a professional photographer and made into a custom Mother's Day card. Ms. Jones reminded everyone about the Mobile Adoption Unit in Lakewood Village where over 4,000 animals have been adopted. Mayor Hays commended them for their efforts.

Mayor Hays thanked Alderman Hight for convening the meeting. Samsun, Turkey (one of North Little Rock's Sister Cities) has a large business delegation in town, which included the Canik Municipality Assistant Mayor, Mr. Selcuk Kemeröz. The group will be visiting members of the North Little Rock Chamber of Commerce, Little Rock Chamber of Commerce, and Educational leaders. Mayor Hays invited Dr. Mehmet Ulupinar, from the Raindrop Turkish House in Little Rock to come forward and assist with presentations to the delegation. Dr. Ulupinar said the Raindrop Turkish House is a cultural center located in Little Rock. They provide a variety of activities in the community. Each member of the group was then presented Honorary Citizen certificates. Members included: Assistant Mayor Kemeröz, Mr. Yunus Bekdemir, President Canik Basari University, Mr. Bilal Karaduman, CEO of Sakarya Education Company, Mr. Abdurrahman Hacikerimoğlu, Chairman of Black Sea Industrialists and Business Chamber, Mr. Muharrem Durmusoğlu, President of Basari Foundation, Mr. Ahmet Kesici, Jeweler, Mr. Recap Asal, Samsun Auto Dealers Association Board Member, Mr. Hakan Öziç, Samsun Soccer Team Board Member, Mr. Ahmet Giritli, Agricultural Products, Mr. Vedat Daştan, Construction, Mr. Mustafa Büyükkiraz, Furniture Dealer, Mr. Faith Temiz, Gas Station and Applicances, Mr. Mehmet Karabacak, Home Applicances, Mr. Orhan Çakir, Textile and Clothing, Mr. Ahmet Sürmen, Office Products, Mr. Selmai TARIM, Construction and Textile, Mr. Harun Akin, Rubber Products, Mr. Adil Eldemir, PVC Shoes, Mr Ali TOPÇU, Construction, Mr. Hakan UYSAL, Administrator Black Sea Regional Chamber, Sahih Demirayak, Education Administrator, Sami Coban, Mugla City Chamber Board President, and Bulent Karakus, Mugla Industrialists and Businessmen Association President. Mayor Hays visited Samsun during their National Holiday Celebration, which is May 19. He was involved in events which included an Internet Hookup with Pulaski Technical College and the North Little Rock Mayor's Youth Council (a live internet broadcast on the town square of Samsun included 8,000 to 10,000 citizens).

Mayor Hays asked Alderwoman White to introduce legislation regarding "Keep North Little Rock Beautiful". Members of the local and state committees were present. Mr. Randy Naylor said the group went through the certification process and now joins over 1,200 local affiliates and participating communities nationwide. The group conducted a litter survey and has plans for a city-wide cleanup in May. He thanked the Mayor and council members for their support. Mr. Naylor said Alderwoman White instigated the program. Mayor Hays thanked them for their efforts and encouraged people to not litter. Without objection, R-12-37, the related legislation was called.

R-12-37 (RESOLUTION NO. 8007 – ALDERMEN WHITE, ROSS, TAYLOR, ROBINSON, BAXTER, FOUTCH, HIGHT, WITCHER, AND MAYOR HAYS)
A RESOLUTION RECOGNIZING "KEEP NORTH LITTLE ROCK BEAUTIFUL" (KNLB); SUPPORTING ITS MISSION FOR IMPROVING THE LOCAL ENVIRONMENT: AND FOR

OTHER PURPOSES, was read. On the motion of Alderwoman White and seconded by Alderman Taylor, and by consent of all members present the resolution was unanimously adopted (8/0). Without objection, all council members and Mayor Hays were added as cosponsors.

Mayor Hays asked Mr. Harold Ford, Sanitation Director to come forward. Mr. Ford said delivery of 65 gallon wheeled recycling containers began today. A letter regarding the program was mailed to residents. Pickup in North Little Rock using the new (65 gallon) containers will begin April 9, 2012. Recycling will be picked up bi-weekly instead of weekly. Materials that will be collected has increased. Items will include newspapers, mixed paper, catalogs, plastic bottles, hard plastics (like toys), aerosol cans and household cookware. Recycling will be singled-streamed, meaning residents will no longer have to separate paper, etc. from other items. This information is available on the city's website at www.northlittlerock.ar.gov. Residents need to continue to use their existing bin containers until April 9. Several North Little Rock Schools will be collecting old containers for use in classroom recycling. Alderman Baxter asked if additional plastics would include food storage containers like Glad and Tupperware. Mr. Ford said yes and then reminded the public that the recycling containers are not for household garbage. Residents with broken or damaged bins can put them inside the new containers and they will be picked up and recycled, too.

Mayor Hays convened a public hearing regarding O-12-13, an ordinance approving a waiver request for property located at the Northwest corner of Virginia Drive and MacArthur Drive. Without objection, the legislation was read.

O-12-13

AN ORDINANCE APPROVING A WAIVER REQUEST FOR CERTAIN PROPERTY LOCATED AT THE NORTHWEST CORNER OF VIRGINIA DRIVE AND MACARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times February 13, 2012, was read a third and final time this date and held. Mayor Hays then convened a public hearing. Mr. Joe Reynolds spoke with the property owner. He doesn't like the way it looks, it is unsightly. It has been in this condition for some time. He doesn't have a problem with the fence waiver request. There being no one else present wishing to be heard, the public hearing was recessed until Monday, March 12, 2012 at 7:05 p.m. (*applicant: Thomas Pownall*)

Mayor Hays announced citizen public comment on numbered legislation. Regarding O-12-17, Mayor Hays advised the legislation filed was incomplete. A new proposal offered by the church is under consideration and has been reviewed by several residents. Some have indicated they are considering it. Mayor Hays advised he will hold the legislation until the next meeting. Without objection, the legislation was read.

O-12-17

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. Alderwoman Ross advised she, Aldermen Witcher, and Taylor will be out of town on March 12, 2012 and asked if the legislation could be held until the following meeting, March 26, 2012. Mayor Hays said if an agreement can be reached, it could move forward. If not, it would be held. The legislation was then held until the next meeting by the sponsor, Mayor Hays. Alderwoman Ross said nothing had been amended in illustrating the proposed plan. Copies of the plan will be available to the public in the City Clerk's Office. The cut went from 10 to 12 feet and 400+ parking spots down to a 3 to 4 foot cut and 300+. This change would significantly reduce the size of the cut. The buffer would also be extended an additional 10, 20 or 30 feet. Testing has not begun due to the scar it would create and to try to reach an accommodation with the neighbors. If an agreement is reached, testing would have to be done and indicate there were no problems with the topography of the site before the city would issue any permit. Alderwoman Ross asked if the plans could be posted to the city's website. Ms. Laura Mitchell lives on Skyline Drive. She said there isn't going to be an agreement. They do not have a Homeowners Association, every resident speaks for themselves. The city already has a hillside cut ordinance. If the church would follow the current city requirements council approval would not be needed. She said the legislation shouldn't have been read because it is incomplete. Mr. Carey Tyson is Chairman of the Parkhill Neighborhood Association. He asked about the need for additional parking. Residents have observed two of the large parking lots at the church empty during Sunday services. Ms. Susan Gunter lives on Skyline Drive. She said the ordinance should not have been read and recited the procedure regarding filing information in the City Attorney's Office. Mayor Hays said the legislation would be read three times. Ms. Gunter said the attachments should have been given to the City Attorney before filing. Ms. Nancy Baxter reminded everyone that once the hillside is cut, it cannot be undone. The church does not pay taxes. A sense of perspective needs to be kept. This is a parking lot, not a church. Cutting into the hill for a parking lot is absurd. Mr. Mike Gerfen asked about the need or hardship regarding this request. Mr. Carter advised hillside cuts with a ratio greater than one-percent have to come before the council. Mr. Gerfen said data should be provided to support the council's decision. There being no one else wishing to be heard, public comment on O-12-17 was adjourned.

Without objection, R-12-24 was called.

R-12-24 (RESOLUTION NO. 8008 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 708 NORTH MAGNOLIA STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Taylor. Mayor Hays convened a public hearing. Mr. Andrew McCauley purchased the

property in February 2011, with the intent of restoring the house and making it his primary residence. He engaged a contractor within the last two weeks to fix the porch and exterior windows. On the 30th of January, 2012, he received a permit for that work. He has another contractor to do the interior work. His next step is to get an alarm system and have security lighting installed. Every time he moves forward, the house has been broken into. Mr. McCauley referenced some of the damage illustrated in photographs. He installed a security door which has been broken into. Mr. McCauley said if the house is condemned and he is required to put up a cash bond, it would affect his ability to restore the house. He might have to tear it down. He lives and works in North Little Rock and has restored three projects on Main Street. North Little Rock Police Officer Karl Sorrels had numerous reports of homeless people staying at the house. Over a two-week period of time, 15 people were arrested for criminal trespass. During cleanup efforts in the area, people indicated they were staying in the house. Even though attempts were made to keep people out, they were still getting in. Mr. Tom Wadley, Director of Code Enforcement advised there have been no utilities at this location since 2005. This item was on the council agenda last year for condemnation. This is a nice structure and code would try to work with Mr. McCauley. There being no one else wishing to be heard, Mayor Hays adjourned the public hearing. On the previous motion, and all members present having voted in the affirmative, with the exception of Alderman Witcher, who voted no, the resolution was adopted (7/1). (*owner: Andrew F. and Melissa E. McCauley*)

UNFINISHED BUSINESS

O-12-13 (*see above*)

NEW BUSINESS

Note: call numbers for R-12-21 and R-12-22 are followed with a letter due to the use of those numbers previously – this does not affect permanent numbers.

R-12-21 (b) (**RESOLUTION NO. 8009 – MAYOR HAYS**)

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 1101 WEST 23RD STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Taylor. Mayor Hays 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). (*owner: Danny Jones - \$3,617.75*)

R-12-22 (b) (**RESOLUTION NO. 8010 – MAYOR HAYS**)

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 6405 BLACKSTONE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Taylor. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and all members

present having voted in the affirmative, the resolution was unanimously adopted (8/0). (*owner: Kristopher Adam Deaton - \$4,922.75*)

R-12-23 (RESOLUTION NO. 8011 – MAYOR HAYS)

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 6109 WHITBY ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderman Baxter and seconded by Alderman Taylor. Mayor Hays 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). (*owner: Derek Glover - \$2,787.36*)

R-12-24 *called earlier in meeting.*

R-12-25 (RESOLUTION NO. 8012 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 817 WEST 23RD STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Ross. Mayor Hays 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). (*owner: Bryan Wickliffe*)

R-12-26 (RESOLUTION NO. 8013 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 918 NORTH “F” STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderwoman Ross and seconded by Alderman Taylor. Mayor Hays 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). (*owner: Louis Alexander*)

R-12-27 (RESOLUTION NO. 8014 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1319 EAST 2ND STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderwoman Ross and seconded by Alderman Baxter. Mayor Hays 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). (*owner: Charles Hale*)

R-12-28 (RESOLUTION NO. 8015 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4300 CORAL IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES,

was read. A motion to adopt was made by Alderwoman Robinson and seconded by Alderman Taylor. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0). (*owner: Dorothy Thomas*)

R-12-29 (RESOLUTION NO. 8016 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES, AND OTHER STRUCTURES LOCATED AT 2308 RAILROAD AVENUE IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR

OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Taylor. Mayor Hays 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). (*owner: Benjamin H. Murray c/o Doug Murray*)

R-12-30 (RESOLUTION NO. 8017 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 710 NORTH OLIVE STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR

OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Robinson and seconded by Alderman Taylor. Mayor Hays 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). (*owner: Pamela McQuaid*)

R-12-31 (RESOLUTION NO. 8018 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 900 – 902 WEST 23RD STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER ABATE SAID NUISANCE; AND FOR OTHER

PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Baxter. Mayor Hays 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). (*owner: Dennis Chudy*)

R-12-32 (RESOLUTION NO. 8019 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 918 WEST 23RD STREET 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. A motion to

adopt was made by Alderwoman Ross and seconded by Alderman Taylor. Mayor Hays 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). (*owner: Carol J. Nash*)

R-12-33 (RESOLUTION NO. 8020 – MAYOR HAYS)

A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT AWARDED TO THE CITY OF NORTH LITTLE ROCK THROUGH THE ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT’S “SAFE ROUTES TO SCHOOL PROGRAM”; APPROVING EXPENDITURES (\$44,740.00 – General Fund) TO BE REIMBURSED FROM GRANT PROCEEDS; 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 resolution was unanimously adopted (8/0). Mayor Hays advised this is 100% funded.

R-12-34 (RESOLUTION NO. 8021 – MAYOR HAYS)

A RESOLUTION ACCEPTING FUNDS AWARDED THROUGH THE COOPERATIVE WILDLIFE OBSERVATION TRAIL PILOT PROGRAM OF THE ARKANSAS GAME AND FISH COMMISSION AND THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM;

AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A GRANT AGREEMENT; APPROVING IN-KIND CONTRIBUTIONS BY THE CITY (\$9,640.00); AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson and seconded by Alderwoman Ross, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-12-35 (RESOLUTION NO. 8022 – MAYOR HAYS)

A RESOLUTION APPROPRIATING THE CITY OF NORTH LITTLE ROCK’S 20% MATCHING SHARE (\$47,930.00 – Sales Tax Capital Improvement Fund) FOR RIGHT-OF-WAY ACQUISITION COSTS ON THE FIVE MILE CREEK PROJECT ON REMOUNT ROAD; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman

Hight. Mr. Mike Smith, City Engineer said the original price for land acquisition was \$1.2 million. Mayor Hays requested a review from the State Highway Department regarding the same. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-12-36

A RESOLUTION APPROPRIATING \$73,731.00 (Street Fund) FOR PRELIMINARY DESIGN WORK BY GARVER, LLC ON THE MAIN STREET VIADUCT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Taylor. Mayor Hays said this may qualify for a 80/20 match. Pulaski County has agreed to pay for one-half of the project (up to \$1 million). If the city acquires real estate from the railroad, it would allow for construction of a short bridge instead of rebuilding the existing bridge. The legislation was then held by the sponsor, Mayor Hays. Alderman Witcher advised Congress introduced legislation having to do with condemnation rights of municipalities in the state with regard to private developmental use. Alderman Foutch asked about the availability of the funds. Mr. Smith said the process began a year ago, and everything complies with Federal requirements.

R-12-37 *called earlier in meeting.*

O-12-14

AN ORDINANCE ADOPTING A CHAPTER ON PARKS AND RECREATION AS PART OF THE NORTH LITTLE ROCK MUNICIPAL CODE; REPEALING CERTAIN CODE SECTIONS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. The legislation was then held by the sponsor, Mayor Hays and a public hearing was scheduled for March 12, 2012, at 7:05 p.m. Mr. Bob Rhoads, Parks and Recreation Director advised this has been in the works for six to eight months. The Parks and Recreation Commission have reviewed the same. Some of the policies would give the city more enforcement power. North Little Rock is unique because we have a Park Ranger. This legislation authorizes the ranger to enforce the code. Alderwoman Ross asked if an executive summary was available. Mr. Carter said there were a lot of changes and he would work on providing a summary. Alderwoman White advised she will have amendments. A citywide ordinance requires that if you are walking your dog, you carry something to scoop poop if needed. Alderman Hight asked if the Park Ranger was authorized to carry a weapon. She is not. Alderwoman White asked about horses. Ms. Whitbey said when people trailer their horses to trail rides, they often cleanup the site where trucks and trailers are parked, however, they do not clean up poop along the trail as that would require stopping each time the animal defecated. Mr. Rhoads said riders would be required to kick the poop to the side on natural trails and remove it from bike trails. Alderwoman Ross asked the status on acquiring a Goose Dog for the city. Mr. Rhoads said the best trained dogs are on the East Coast. Once acquired, additional training would be required. Mr. Rhoads had asked for a short term extension of the current contract using dogs. The numbers have gone down significantly. In the beginning there were approximately 140 geese which were being moved between Cooks Landing and the North Shore. Those numbers are down to 31. Four geese on Victory Lake have to be moved constantly. There is a group 15 to 20 geese that may be tame as they do not react immediately to the dogs. Alderman Witcher asked about the flashing lights. Mr. Rhoads said they are in and are not bright enough to disturb people across the river. The lights are solar powered and have sensors so they come on when it gets dark. Alderman Foutch said a group of about 40 geese were at Emerald Park this past weekend.

O-12-15 (ORDINANCE NO. 8415 – MAYOR HAYS)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR COMPREHENSIVE LOSS AND BUSINESS INTERRUPTION INSURANCE FOR THE MURRAY HYDROELECTRIC PLANT; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT PROPOSALS WITH LOCKTON COMPANIES, LLC; 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 rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Hight and Alderman Taylor, 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. On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the ordinance was amended as follows: *3rd Whereas, strike through \$284,500 and insert \$279,400; and Section 2: strike through \$284,500.00 and insert \$279,400.00* (8/0). A motion to adopt as amended was made by Alderman Taylor and seconded by Alderwoman Ross. Alderwoman Ross asked Mr. Mike Russ, General Manager North Little Rock Electric Department to explain the reduction in price. Mr. Russ said the council recently passed legislation declaring Insurance as a Professional Service. Mr. Eric Herget, with the provider said additional flood coverage didn't have to be purchased. The price last year \$279,213. On the previous motion and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted as amended (8/0). Emergency clause unanimously adopted (8/0).

O-12-16 (ORDINANCE NO. 8416 – MAYOR HAYS)

AN ORDINANCE CHANGING THE NAME OF A PORTION OF WASHINGTON AVENUE TO RIVERFRONT PLACE IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Taylor, 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 Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, the rules were again suspended and the ordinance placed on its third and final reading (8/0). The ordinance was read a third and final time. Alderwoman Robinson said the street had been named Riverfront Place for some time. Mayor Hays said after searching through city records there was no evidence of the change. This is clarifying or correcting an oversight. 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). Emergency clause unanimously adopted (8/0).

O-12-17 *called earlier in meeting.*

O-12-18 (ORDINANCE NO. 8417 – ALDERMAN BAXTER)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A DAY CARE CENTER IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 12 MAUMELLE CURVE COURT IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND

FOR OTHER PURPOSES; was read. On the motion of Alderman Witcher 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 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. Alderman Baxter said hours of operation would be 6:00 a.m. until 6:30 p.m. Alderwoman Ross asked if there were any concerns due to the proximity of the quarry. Alderman Baxter said there were not. On the motion of Alderwoman Robinson and seconded by Alderman Baxter, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Kissha Easterling*)

O-12-19 (ORDINANCE NO. 8418 – ALDERMEN TAYLOR AND ROBINSON)

AN ORDINANCE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 800 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C-4/R-4 TO C-5, TO ALLOW RETAIL/HOTEL, BY AMENDING ORDINANCE NO. 7697; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson and seconded by Alderman Taylor, 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 Alderwoman Robinson and seconded by Alderman Taylor, 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 advised an Independent Hotel is planned for this location. 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, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Thomas Pownall*)

O-12-20 (ORDINANCE NO. 8419 – ALDERMAN TAYLOR)

AN ORDINANCE ACCEPTING STREETS AND DRAINAGE INFRASTRUCTURE WITHIN FAULKNER CROSSING PHASE FOUR IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderman Witcher, 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 Alderwoman Robinson and seconded by Alderman Taylor, 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-12-21

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 read. On the motion of Alderman Taylor and seconded by Alderman

Foutch, and by consent of all members present, with the exception of Aldermen Robinson and Baxter, who voted no, the rules were suspended and the ordinance was placed on its second reading (6/2). On the motion of Alderman Taylor and seconded by Alderman Hight, and by consent of all members present, with the exception of Aldermen Robinson and Baxter, who voted no, the rules were again suspended and the ordinance was placed on its third and final reading (6/2). The ordinance was read a third and final time. Alderwoman Robinson said this item was on the agenda previously. The applicant owns a small green building on the front of the property and not the larger building behind it. Alderman Taylor thought they owned both, too. Alderwoman Robinson had concerns pertaining to the green building meeting city code requirements and the number of cars allowed on the lot. Mr. Voyles said the area had been used most recently for (auto) detail work. He did not believe the structure would meet ADA (Americans with Disabilities Act) requirements. Mr. Wadley said code does not normally do commercial building inspections. Alderman Taylor referenced Section 2: e) which reflects a total of 11 vehicles on the site at any one time. Alderwoman Robinson said there are million dollar businesses (McDonalds) across the street and in the area. These are all very nice buildings. The small green building does not enhance the community or business area. Mrs. Wanda Brainard and her son Mike Waters were present. Alderwoman Ross asked if they understood the 11 cars included those of employees. She also asked how many employees would be at the site. Ms. Brainard advised they understood and there would be only one employee. Alderman Taylor said he agreed with Alderwoman Robinson, there is a lot of opportunity to improve the area. The green building is in poor condition and suggested adding a condition to the legislation requiring the building be replaced. Mrs. Brainard said they intend to modernize the building with the addition of siding. They do not plan to replace it. The legislation was then held at the request of the sponsor Alderman Taylor (*for consideration only*).
(*applicant: Wanda Brainard*)

PUBLIC COMMENT

Alderman Foutch advised the Annual Police and Fire Awards Ceremony was held on Friday, February 25, 2012. He commended all of those who received recognition and thanked them and all other city employees for their service to the city. Mr. Charley Baxter, Director, Hays Senior Citizens Center. Last year, over 202,400 visits were made to the center. As of December 31, 2011, there were 17,200 members of the center. Numerous volunteers are deployed at the Hays Center and other sites around the city. Writer Harry Getzov from New York City came to Arkansas to do research for his book "*Wealth of Knowledge and Ability That the Older Generation Possessed*". During his research, Mr. Getzov visited the Hays Center and acquired names of members to interview for his book. He chose three members to include in his book "*Gold, The Extraordinary Side of Aging Revealed Through Inspiring Conversations*". Those members were Emily Sudderth, Jack Hubbard and Vesta Farmer. (Dignitaries in the book include Dr. Maya Angelou, Hugh Downs, Dick Vaitale and Len Dawson). Three volunteers were added to the 2,000 Hour Club – Doris Kressee, Bea Williford and Delbert Brewer. Mayor Hays thanked Mr. Baxter and his staff. Alderman Baxter said the Little Rock Marathon will be Sunday, March 4, 2012. Runners will cross over into North Little Rock during the event. Alderwoman White said a group of women in North Little Rock called *Women Can Run 5-K* practices are Monday's and Thursday's at the North Little Rock East Campus track. Mayor Hays

congratulated Alderwoman White on her work in the community and receiving a recent national award from *Communities Putting Prevention to Work*. Mr. Terry Eslick, Rose City Neighborhood Association said members of the group were present to discuss the lack of police service in their area. They work for the residents and are not cooperating. Their neighborhood is overrun with drug dealers, burglars, thugs, and juveniles. They need help from the city. Ms. Ethel Jackson also lives in the Rose City area. She lives on Parkdale. They've had a lot of home invasions and breakins. They need more patrols in the area and additional lighting. Their pets are being stolen. Ms. Jo Marshall has lived on Haywood for 20 years. She is involved with the Neighborhood Watch Association. She sees a lot of things. City employees own property in the area. A lot of original homeowners have died and the houses have become shacks. She had a flyer on her door advising 20 known convicts (pedophiles and drug addicts) have been placed in the area. There are a lot of homeless people down the street on Washington. The police have done all they can. Landlords are renting homes to thugs. The homeowners are being bullied, they're having their life possessions stolen and fear for their lives. Mr. Eslick asked people from the Rose City neighborhood who were present to stand.

There being no further business to come before the Council, and on the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 9:43 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, March 12, 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