

March 26, 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 meeting scheduled for Monday, March 26, 2012, 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 Mayor Hays, followed by the pledge of allegiance to the flag which was also led by Mayor Hays.

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, March 12, 2012, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, communications #1, and 2, were not read, accepted and filed (8/0).

1. D. Michael Moyers, Attorney, Friday Law Firm, email re: Report to City Council re: City of North Little Rock, Arkansas Health Facilities Board (Baptist Health) Proposed Hospital Revenue Refunding Bonds and Proof of Notice of Public Hearing.
2. Rodney Larsen, Executing Director Central Arkansas Planning and Development District, Inc. letter to State Representative Barry Hyde re: approved funding for CARTI (\$14,750.00), Arkansas Enterprises for the Developmentally Disabled, Inc. (\$10,000.00) and Pulaski Technical College Foundation (\$9,228.00).

Mayor Hays invited Mr. Keith Dover, Public Relations/Flag Alliance Chairman American Legion Department of Arkansas to come forward. On Saturday, March 10, 2012, the 14th Annual Arkansas Junior Three Position Air Rifle Championships were held at Fisher National Guard Armory in North Little Rock. This year had the largest group of junior shooters to participate with 134 shooters from 15 organizations from across the state. The North Little Rock Junior ROTC Team won the competition, making it their 10th consecutive win. The team has met the minimum scoring requirements to be invited to the 2012 National Junior Olympic Three Position Air Rifle Championships in Aniston, Alabama in July. Mr. Dover encouraged people to visit their website at www.arlegion.org. Mr. Dover introduced JRROTC Senior Instructor and Rifle Team Coach, Lt. Colonel (retired) Artis Lofton who introduced team members. Mayor Hays presented Certificates of Appreciation to the following: North Little Rock HS JRROTC State 3P Air Rifle Marksmanship Champions: Team Captain - Cadet/2LT

Alexander Watkins, Cadet/MSG Timothy Turner, Cadet/SSG Jared Durst, Cadet/CPL Robert Sims; and, NLRHS JRROTC 3rd Place Team Members: Cadet/SSG Maria Montoya, Cadet/SSG Juhyung Lee. Cadet/SSG Demone Jones, and Cadet/SFC Pedro Torres were out of town and unable to attend. Mayor Hays also presented a Certificate to Lt. Colonel Loftin. Mr. Dover presented a Certificate of Appreciation to Mayor Hays for his support of American Legion Youth Programs.

Mayor Hays convened a public hearing scheduled for 7:05 p.m. this date regarding O-12-22, Fixing Rates for Services Furnished by the Sewer System of the City of North Little Rock. Mr. Patrick Stair spoke in favor of the rate increase to pay for improvements to the aged sewer system in the city. He cited 284 reported incidents of sanitary sewer overflows during a four year period. A sanitary sewer overflow can be a geyser of raw, untreated sewage. Broken sewer lines, insufficient capacity and malfunctions can cause these. Sewage contains e-coli and other diseases which are a danger to the public. This is our responsibility and we shouldn't wait for someone else to pay for it. The health issue alone is reason enough to increase rates. There being no one else wishing to speak, Mayor Hays adjourned the public hearing.

Mayor Hays announced citizen public comment on agenda legislation. He requested that Mr. Carter and Mr. Voyles to research the history regarding O-12-17. The church filed a preliminary plat on June 2, 2010. Mayor Hays said 10 public hearings have been held regarding the same. At the request of Alderman Witcher, the legislation was called.

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 February 27, 2012, was read a second time March 12, 2012, and amended, was read a third and final time this date. On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, Exhibit "B" was amended as follows:: *Substitute "Amended" Exhibit B (provided this date) (8/0)*. Mr. Carter reviewed the amendment which removed previous Sections (a), (b), and (c) and replaced those with new conditions. The conditions were provided to Park Hill resident Larry McGrew. Mr. Cary Tyson, Chairman of the Park Hill Neighborhood Association close to 900 people signed petitions opposing this hillside cut. The value of homes in the area will decline if there is a cut. First Pentecostal Church Assistant Pastor and Park Hill resident Nathan Holmes said the church desires to help the community. They have helped the hungry, hurt and lost. They built their church to be aesthetically pleasing to the community. He spoke of Justin Matthews' vision for development in North Little Rock. The fear is mutual that something will be developed on this property that would have a negative effect on the church and neighbors. Ms. Rita Ritchie has lived on Skyline Drive all her life. The church has been a nuisance in the neighborhood. The city has not enforced existing ordinances regarding the property. They cut the hillside over property lines. They put up a steeple higher than allowed by ordinance. They are running a school, which was against the zoning ordinance in that area. The church has been granted waivers in all of these cases after the fact.

The flashing sign violated the sign ordinance. This is the first time neighbors have had a chance to fight for their homes. The proposal is for a parking lot that would be used four times a year. If they clear cut trees on the hillside it will damage their neighborhood. Mr. Mike Phillips said he appreciated that the church moved the location of the hillside cut further down. However, it will still mean a cut. The residents don't know how this will affect their property foundations. Questions have been asked but not answered. Mrs. Rachael McGrew said they moved to North Little Rock in the early 1970's for the older established neighborhood, beautiful streets, variety of homes and trees. Neighborhoods like Park Hill should be protected and promoted and are an asset to the city. Destruction of acres of trees would cause an increase in noise, pollution, and damage from rainwater runoff. Hillside stability is also a consideration. Ms. Beth Seward has lived in Park Hill for 30 years. She is concerned the cut will have a negative effect on her home value and the neighborhood. Any hillside cut will affect structural integrity. A parking lot could be built without a hillside cut. The 40 year old hillside cut by North Park Mall has resulted in deterioration and erosion. The proposed ordinance appears to be in conflict with the city's comprehensive land use plan which is to maintain and protect residential property values and encourage the protection and restoration of historic homes. The occasional needs of the church for a parking lot should not override the legitimate concerns for the residents regarding their homes. Mr. Tim Zimmerman lives on Skyline Drive. He is also a member of the First Pentecostal Church. He understands both sides. He is in the excavation business and is familiar with moving dirt. The same arguments were discussed 21 years ago when the church was built. The proposed hillside cut is much less severe than the previous one. As far as he knows, the previous cut has not had a negative effect in the neighborhood. The property is for sale and is zoned C-3 / heavy commercial. The property will eventually be developed. He would rather have a parking lot that complements the adjoining church property. He asked if the opposition would prefer a 4-story hotel. Mrs. Nedra Wood lives in Park Hill. When she was growing up she had a horse on the church property. The hillside of trees is beautiful. She doesn't want the hillside cut or a parking lot. Mr. Mike Rose has talked to a lot of people about this issue and suggested a parking deck instead of cutting into the woods (and hillside). Mr. Blake Lazenby lives on Skyline Drive. He has a commercial real estate business and is not anti-development. Developers are required to be sensitive to the needs of the residents. He is not opposed to a parking lot or any other development that does not require a hillside cut. He has visited with a realtor specializing in listings in the Park Hill neighborhood. She has had buyers who are concerned with property values if a cut is made. Mr. Kenny Wallis said people have had to make sacrifices due to the economy. He then referenced several city expenditures including certain employee salaries and grants. He asked the council not to pass tax increases or rules that effect property rights and asked the council to vote against this item and O-12-22. Mr. Chris Parker represents the seller, Metropolitan Realty Development. He distributed copies of the old and new plan (together), a site plan, and the proposal. He referenced denial of the permit. The residents want the area to remain natural. However, no one should expect a property owner to not develop their property. There are two cuts; the only one that needs to be considered is the one that would extend the cut to a 3 to 1 ratio. It is a minimal cut. Mr. John Pownall, Thomas Engineering said the previously proposed cut would have been 12 to 14 feet deep. Engineers studied this and determined there were stable conditions. This current proposed cut would be 3 to 4 feet deep and extend up at a 3 to 1 slope to

natural ground (which would match the existing slope). The site is stable and will be safe. The cut referenced behind North Park Mall was 12 to 15 feet deep with rocks sloping the wrong direction. Ms. Susan Gunter is a resident and attorney. She referenced the Grubbs report (which was attached to the previous legislation) which indicated preliminary observational assessments and that a Geotechnical Survey needed to be done. City ordinances go to great lengths to protect residential neighborhoods. Ms. Gunter then said a moratorium may be necessary. Mr. Mike Gerfen is involved with Economic Development. He referenced the process of site selection to determine if a site is viable for development. Traffic volume is a consideration and is extremely high at this location. However, you can only access the property from one direction. He has encountered several people in his neighborhood trying to figure out how to reach the church property. He asked why 16 acres is insufficient to meet the parking needs of the church. He said seven acres would be developed and require a hillside cut, while nine acres would remain undeveloped. The church has indicated no other plans for development on the remaining acres. Ms. Susan Cooper lives on Skyline Drive. She has been involved with this issue since the beginning. There are too many unanswered questions and concerns. Mr. Larry McGrew opposes the hillside cut. He thanked the council members for taking the time to learn about the issue and listen to the concerns of the residents along Skyline Drive and encouraged them to oppose the legislation. Mr. James Gilson doesn't oppose the hillside cut. He advocates responsible development. Exceptions to development rules degrade the entire city. Lots in Park Hill are about 100 feet wide. A 96 foot buffer is small. Mr. Gilson visited the church's website and encouraged others to do the same. Ms. Deanna Montgomery has lived on Skyline Drive since 1977. She is opposed to the hillside cut. She and other neighbors looked at revisions and continue to oppose a hillside cut. She referenced the city's Comprehensive Land Use Plan. There being no one else wishing to be heard, Mayor Hays adjourned public comment on this item. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Taylor. Alderman Baxter has not had answers to questions asked at the last meeting. Alderman Hight said council members don't just represent the residents of their individual wards, but all residents of the city. Exceptions to the rules sometimes have to be considered. Alderwoman Ross has had numerous communications regarding this issue. Perception is important. Churches and businesses would not be in the city if it weren't for residents. Mayor Hays thanked everyone for their efforts and commitment. Alderwoman Ross reminded everyone the church can still build on the property and cut the hillside within the allowable limit. On the previous motion to adopt as amended, and the roll having been called, and all members present having voted no, the motion to adopt failed (0/8).

Mayor Hays recessed the meeting to allow those who wanted to leave to do so. The meeting was then reconvened. (*Note: Alderwoman White was not present when the meeting was reconvened.*)

Without objection, R-12-40 was called.

R-12-40 (RESOLUTION NO. 8026 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1100 VESTAL 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 Taylor 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, (*with the exception of Alderwoman White who was not present*), the resolution was adopted (7/0). (*owners: Donald and Elizabeth Qualls*).

(*Note: Alderwoman White reentered the council chambers*).

R-12-41 (RESOLUTION NO. 8027 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 319 SHORT 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). (*owners: John and Gwendolyn Brown*)

R-12-42

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1001 EAST WASHINGTON (AVENUE) IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING PROPERTY OWNER A PERIOD OF TIME TO ABATE SAID NUISANCE, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Mr. Carter has visited with the owner's attorney regarding this location which includes several buildings (*see also R-12-43, and R-12-44*). Mayor Hays convened a public hearing regarding R-12-42, R-12-43, and R-12-44 / 1001 East Washington, 1005 East Washington, and 108 North Walnut. Ms. Dejuana Dennis lives in Texas and advised Robert Dennis is her (deceased) father and Audra Dennis is her step-mother. The property has been in Probate since 2005. The public hearing was then adjourned and the legislation was held (including R-12-43 and R-12-44). (*owner: Robert Dennis c/o Audra Dennis*).

UNFINISHED BUSINESS

O-12-17 (*see above*)

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 three times February 27, 2012, was read. Alderman Taylor said the

existing building does not meet ADA (Americans with Disabilities Act) requirements and to bring it up to code would cost approximately \$30,000.00+. The property owner's son, Mr. Mike Waters said he plans to replace the building which will take about two months. He will try to sell the old building, and if he cannot, he will have it hauled off. Mr. Robert Voyles, Planning Director advised the property is not in the Main Street Overlay District and a site plan would be required. Mayor Hays asked if the property could be used for a used car lot as is. Mr. Voyles advised it cannot without council approval. An option would be to convert the property to a Planned Unit Development (PUD) and attach a design plan to legislation. Alderwoman Ross referenced the number of vehicles allowed on the lot. Alderwoman Robinson asked if the legislation should be amended or refiled; and, if it is refiled could Mr. Waters make the application on his own. Mr. Voyles said the property owner has the right to be present. After discussion, the legislation was withdrawn by Alderman Taylor. (*applicant: Wanda Brainard*)

O-12-22 (ORDINANCE NO. 8423 – MAYOR HAYS)

AN ORDINANCE FIXING RATES FOR SERVICES FURNISHED BY THE SEWER SYSTEM OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; PRESCRIBING OTHER MATTERS PERTAINING THERETO; DECLARING AN EMERGENCY; AND FOR OTHER PUROSES, was read two times March 12, 2012, and a public hearing was held this date (*see above*). The ordinance was read a third and final time. Alderman Foutch asked about the annual dates for reports. Mr. Marc Wilkins, Interim Director North Little Rock Waste Water Director advised it would be from the date the legislation is enacted. Alderman Foutch asked about commercial customers who use water as part of their processing (i.e: a bottling plant) which takes in more gallons than discharged. Mr. Wilkins said commercial enterprises can put in wastewater flow meters to monitor the return or discharge into the system. This type meter is expensive to install after the fact. Residential rates are based on winter average usage (October through March). On the motion of Alderman Witcher 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). Mr. Wilkins advised North Little Rock Waste Water was awarded a Grant for improvements at the Five Mile Creek Wastewater Treatment Plant in the amount of \$750,000.00 through IKE2 Disaster Relief Funds.

NEW BUSINESS

R-12-40 (*see above*).

R-12-41 (*see above*).

R-12-42 (*see above*).

R-12-43

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1001 EAST WASHINGTON (AVENUE), AKA 1005 E. WASHINGTON

(AVENUE), IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING PROPERTY OWNER A TIME TO ABATE SAID NUISANCE, was held at the request of the sponsor, Mayor Hays (*see R-12-42 and R-12-44*). (*owner: Robert Dennis c/o Audra Dennis*).

R-12-44

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1001 EAST WASHINGTON (AVENUE) AKA 108 NORTH WALNUT, IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME TO ABATE SAID NUISANCE, was held at the request of the sponsor, Mayor Hays (*see R-12-42 and R-12-43*) (*owner: Robert Dennis c/o Audra Dennis*).

R-12-45 (RESOLUTION NO. 8028 – ALDERMEN TAYLOR AND ROBINSON)

A RESOLUTION ENDORSING A PROGRAM FOR CONSUMER UTILITY SERVICE LINE WARRANTIES OFFERED BY UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. DBA SERVICE LINE WARRANTIES OF AMERCIA; AUTHORIZING THE MAYOR TO ENTER INTO A MARKETING AGREEMENT; AND FOR OTHER PURPOSES, was read. Alderwoman Robinson was added as a cosponsor. Alderman Foutch asked which utilities this would effect. Alderman Taylor said this would include the lateral sewer line and the lateral water line from the foundation to where the line connects to the main sewer or water line (meter) which is the portion of the line the homeowner is responsible for. The homeowner will be billed by the service provider. Mayor Hays said this is essentially an insurance policy (or warranty) on the lines. Alderwoman Ross asked if there was a grace period before the policy becomes effective and about preexisting conditions. Mr. Oscar Arras, Utility Service Partners Private Label, Inc. said the average cost for a lateral sewer line is \$5.95 per month. The water lateral line average is \$4.50 per month. They will contact local contracted plumbers to find out how much they charge for lateral line repairs, inspections, hourly rates, etc. The resident will be covered as soon as they enroll in the program. There is no deductible or trip charge. To enroll residents can call an 800 telephone number or signup online. The homeowner can pay monthly, pay online or prepay up to 12 months in advance. Alderman Witcher asked about stopped up sewer lines. Mr. Arras said they are covered. North Little Rock can be included in their Spring Campaign (next 3 to 4 weeks). The mail out will include the city's logo, however this is not the city's program, but a private company. On the motion of Alderman Witcher and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-12-46 (RESOLUTION NO. 8029 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 818 PARKER STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman White and seconded by Alderman Foutch, and by consent of all members present, the resolution was unanimously adopted (8/0). (*to Sandra K. Young - \$98,000.00*)

R-12-47 (RESOLUTION NO. 8030 – MAYOR HAYS)

A RESOLUTION APPROPRIATING ADDITIONAL FUNDS (\$200,000.00 – 2005 Short Term Financing Bond Issue) FOR EXPENSES RELATED TO THE NORTH LITTLE ROCK EMERGENCY OPERATIONS CENTER AND 9-1-1 (911) CALL CENTER; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by

Alderwoman Robinson. Alderman Baxter asked if there were any additional funds remaining aafter this \$200,000.00. Mr. Bob Sisson, Finance Director said approximately \$270,000.00. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

R-12-48 (RESOLUTION NO. 8031 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A VOLUME DISCOUNT AGREEMENT WITH THE CITY OF LITTLE ROCK FOR CLASS I AND CLASS IV SOLID WASTE LANDFILL SERVICES; AND FOR OTHER PURPOSES, was read. A

motion to adopt was made by Alderman Taylor and seconded by Alderwoman Ross. Alderwoman Ross asked about the total savings. Mayor Hays said initially it won't be much. Savings will be seen by reducing the number of employees on the trucks going to and from the landfill, fuel and possibly increasing the size (capacity) of trucks. Alderman Foutch asked if there were plans for the additional savings. Mayor Hays said investments could be made into CNG powered vehicles, larger vehicles, better scheduling, etc. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

O-12-25 (ORDINANCE NO. 8424 – MAYOR HAYS, ALDERMEN TAYLOR AND WITCHER)
AN ORDINANCE AMENDING ORDINANCE NO. 7697 (“THE ZONING ORDINANCE”) BY REPEALING THE PREVIOUS SECTION ON THE MAIN STREET OVERLAY DISTRICT AND REPLACING IT WITH A NEW SECTION 11.4 ET SEQ.; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher 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 Witcher 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. Alderwoman Robinson asked if a public hearing was needed. Mr. Carter said there is no legal mandate to do so. Alderwoman Ross said two trash receptacles are required per block (*see Section 11.4.3 E. 4*), but there is nothing regarding ashtrays. People will put their cigarette butts in an ashtray if it is available. Alderman Baxter suggested a combined trash / ash receptacle. Alderwoman Ross said another option is a clip-on ashtray. Alderwoman Ross then referenced a new type of banner that is on a tall stick with the banner running (vertically) along it, and should this be included. If these are allowed, will a permit be required. Alderman Witcher said the business owners in the district suggested these revisions. Alderwoman Ross asked who was on the DRC Committee (Main Street Design Review Committee). Mr. Voyles advised members are from the Planning Commission or a subset of the Commission. Aldermen Witcher and Hight said people should not be encouraged to smoke. Alderman Taylor said

people won't necessarily use ashtrays if they are provided. Alderwoman White said cigarette butts are a main source of trash that end up in waterways. One butt will kill everything in two gallons of water. On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, with the exception of Aldermen Taylor, Hight and Witcher, who voted no, Exhibit A of the resolution was amended as follows:: *Section 11.4.3 – E.4 add AN EQUAL NUMBER OF ASH TRAYS OF COMPLIMENTARY DESIGN WILL BE MADE AVAILABLE WITH TRASH RECEPTACLES (5/3)*. On the motion of Alderman Taylor and seconded by Alderwoman Ross, 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-12-26

AN ORDINANCE PROHIBITING LOGOS, COLORS (OTHER THAN BLACK AND WHITE) OR ANY TYPE OF DECORATIVE/DESIGNER CURB SIGNS OR MARKINGS FOR STREET NUMBERS IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held by the sponsor, Alderman Witcher.

O-12-27 (ORDINANCE NO. 8425 – ALDERMEN HIGHT AND WITCHER)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AUTO SALES IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5045 WARDEN ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Alderman Witcher was added as a cosponsor. On the motion of Alderman Witcher and seconded by Alderman Hight, 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 seconded by Alderman Witcher, 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 Alderman Witcher 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). (*applicant: James Saxton*)

O-12-28 (ORDINANCE NO. 8426 – ALDERMEN WITCHER AND HIGHT)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF REMOUNT AND MISSION ROADS IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM C-3 / R-4 TO R-0 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. Alderman Hight was added as a cosponsor. On the motion of Alderman Hight 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 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).
(*applicant: Basil Shoptaw*)

O-12-29 (ORDINANCE NO. 8427 – ALDERMAN TAYLOR)

AN ORDINANCE GRANTING A SPECIAL USE TO RECOGNIZE A DUPLEX AND A SINGLE RESIDENCE ON A LOT IN AN R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2004 FRANKLIN IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 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: Judith White*)

O-12-30 (ORDINANCE NO. 8428 – ALDERMEN WITCHER AND HIGHT)

AN ORDINANCE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 6101 JFK (JOHN F. KENNEDY) BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM R-4 / R-1 TO O-1, TO ALLOW A PRIMARY SCHOOL, BY AMENDING ORDINANCE NO. 7697; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Alderman Hight was added as a cosponsor. On the motion of Alderman Witcher 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 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 ordinance was read a third and final time. Dr. Carter Lambert, President Central Arkansas Christian Schools advised classes would be Pre-K, 3 through 6th Grade. Alderman Baxter asked about traffic flow. Mr. Mike Marlar said traffic flow, ingress and egress have been considered. Alderman Witcher said the school will be putting in a wheelchair accessible ramp to the trail. Alderwoman Robinson asked when enrollment will begin. Dr. Lambert advised the current campus in Sherwood will relocate to this location. Mr. Marlar introduced Mr. Doug Freeman, the original founder of CAC in the late 1960's. On the motion of Alderman Hight and seconded by Alderman Witcher, 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: Mike Marlar*)

PUBLIC COMMENT

Alderman Witcher reminded residents that curbside recycling using the new wheeled carts does not begin until Monday, April 9, 2012. Mayor Hays said banners will be put up this week to remind the public of the date. Recycling pickup will be on the same day of the week that it is now, however, pickup will go to bi-weekly, beginning the week of April 9, 2012. Alderwoman Ross said students at

the East Lab, North Little Rock High School East Campus will be collecting old recycling bins for use in classrooms. The dates are Saturday, April 7 and Saturday, April 14, from 9:00 a.m. until 12:00 noon each day. The old (damaged) bins can be placed inside the new carts to be recycled. Alderman Hight said Dickey Stephens Park begins its sixth season on Thursday, April 5, 2012, at 7:00 p.m. Mrs. Bernadette Rhodes, Fit 2 Live Coordinator said Community Garden Grants are available through April 5, 2012. Alderman Baxter asked the status of the ATV Park. Mr. Voyles said the city has acquired the property and is working with Mr. Ron Osborne (North Little Rock Electric Department) on the development. Alderwoman Ross asked what the name of park will be. There will be legislation to propose the name Ott Park. Alderman Witcher said some of the School District sites may not be properly zoned. Mr. Voyles said schools (in the city) were rezoned about five years ago. Mayor Hays announced tickets were still available for the North Little Rock Woman's Club 22nd Annual Carousel Ball Saturday, March 31, 2012, at the Hays Center. The North Little Rock Lion's Club Annual Fish (and Chicken) Fry will be Friday, April 13, 2012 at the Burns Park Hospitality House. The North Shore Animal League Annual Tour for Life will stop at Lakewood Village Shopping Center, North Little Rock on Tuesday, April 17, 2012. North Little Rock is the smallest city they visit during their annual tour. Mayor Hays encouraged everyone to stop by. Ms. Whitbey advised North Little Rock is the only stop they make in Arkansas. A press conference will be held at noon that day and funds collected through the Arkansas Specialty Spay or Neuter License Plate will be awarded.

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 9:45 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, April 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