

May 14, 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, May 14, 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 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, April 23, 2012, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the blanket motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, communications #1, 2, 3, 4, and 5 were not read, accepted and filed (8/0).

1. Robert Voyles – letter to Mayor Hays from Patti Erwin, Urban Forestry Coordinator Arkansas Forestry Commission re: Urban Tree Canopy.
2. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer On Premises – NEW* for Guanacos, 3405 Pike Avenue, by Alvaro E. Duran.
3. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Beer and Wine – NEW* for NEWK'S, 4317 Warden Road, by Corey Irwin.
4. Christopher J. Knipp, Hostess Brands, Inc. letter to Mayor Hays Conditional Notice Pursuant to Worker Adjustment and Retraining Notification Act re: Hostess, 3809 MacArthur Drive.
5. Bob Bidewell, photos of cars parked in yard and on street on Pontiac causing traffic concerns.

On the motion of Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, communication #6 was read by title only, accepted and filed (8/0).

6. Bob Rhoads, Director Parks and Recreation memorandum to Mayor Hays and City Council members re: Notice of a Public Hearing for the Parks and Recreation Department, May 21, 2012, at 5:15 p.m. at the North Little Rock Community Center, 2700 Willow Street.

Mayor Hays advised the next regular scheduled meeting of the City Council is Monday, May 28, 2012, which is the date Memorial Day will be observed. Without objection, the next meeting will be moved to Tuesday, May 29, 2012, at 7:00 p.m.

Mayor Hays asked Bernadette Rhodes, Fit 2 Live Coordinator to come forward. Mrs. Rhodes announced two upcoming events: 1-Tuesday, May 15, 2012, at 5:30 p.m., a Strong Families/Strong Communities Community Discussion (including dinner) at North Heights Elementary School. The purpose is to see what resources the neighbors are aware of and what food resources they would like to see. 2-Friday is Bike To Work Day. Convoys will deploy from various locations around the city. A Bike To Lunch Convoy will depart from City Hall at noon and head to Lindsey's Bar-b-que. Everyone is invited to participate. Mayor Hays said a lot of participants will also ride their bikes home at the end of the work day. Other upcoming bicycling opportunities include the Big Dam 100 and Tour de Rock. Pulaski County Judge Buddy Villines contacted Mayor Hays recently and advised that due to some procedural issues, the county has \$150,000.00 in project funds that are available and asked if the city could use the funds. Mayor Hays said this money will be used on the Levy Spur Trail (which was a qualifying project).

Mayor Hays invited candidates on the upcoming ballot to come forward and speak. Mr. Phynaus Wilson is a candidate for State Representative District 37 (which includes the downtown area, a small part of Jacksonville and a small part of Maumelle). Mr. Wilson has visited with a lot of people in these areas. One of the things his constituents want to see is more educational opportunities and economic growth. Mr. Wilson grew up in Arkansas and attended Arkansas Tech. He spent six (6) years working with Congressman Vic Snyder. Mr. Eddie Armstrong is also a candidate for State Representative District 37. He is a life-time North Little Rock resident. Mr. Armstrong said his desire has been to serve other people. There are 33,000 residents in the District. Many want to see more constructive youth engagement for young people, support for seniors and assistance in distressed areas of the community. Early voting is underway. The election is May 22, 2012. North Little Rock District Court Judge Jim Hamilton is running for re-election. Judge Hamilton served as City Attorney for 15 years before being elected Judge. He has treated everyone with respect and fairly. He said this election is important and encouraged everyone to vote. Early voting at Laman Library runs through this week from 10:00 a.m. until 6:00 p.m. There are a lot of races on this ballot (including Judicial seats) that will not be on the November ballot.

The North Little Rock Citywide Cleanup which will be this Saturday, May 19, 2012. Ms. Dalphine Trenholm said the cleanup will be from 8:00 a.m. until noon. Over 150 volunteers signed up. Volunteers can still sign up by going to [Facebook.com/KNLRB](https://www.facebook.com/KNLRB) and clicking the link to team registration. At noon, a volunteer appreciation luncheon will be held at the pavilion in the Lakewood Village Shopping Center. A limited number of Red Oak and Hickory seedlings will be given away during the event.

Alderman Taylor advised a presentation regarding the Boot Campaign will be held at the next meeting (May 29, 2012).

Without objection, O-12-48 was called.

O-12-48 (ORDINANCE NO. 8442 – ALDERMAN WHITE)

AN ORDINANCE AMENDING ORDINANCE NO. 8180 (ANIMAL CONTROL REGULATIONS) (re: Transportation and Confinement Conditions); DECLARING AN EMERGENCY; 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 rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderwoman White 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 White said Mayor's Youth Council members approached her regarding the need for this legislation. The cities of Maumelle and Little Rock have legislation regarding dogs riding in the back of pickup trucks. Youth Council members present were Maha Madani, Madison Foster, Justin Klucher and Patrick Serven. Miss Foster advised the group has a Community Action Program called A Cause for Paws. They raise money and awareness about spaying and neutering pets and animal cancer research. They have also volunteer at the Pulaski County Humane Society's dog wash, local animal rescue groups and the North Little Rock Animal Shelter. The group has met with Alderwoman White, Animal Shelter Director Billy Grace and Eddie Armstrong to create legislation for animal safety. Three public opinion surveys have been conducted within the last two (2) years regarding the dangers of transporting animals in open pickup truck beds. Many dogs are injured or killed each year as a result of falling out of the truck. Mayor Hays acknowledged Ms. Jan Scholl, Director of the Mayor's Youth Council. Alderwoman White commended the youth on their presentation. This legislation provides not only for the safety of the dogs, but also people who may be walking by. Alderwoman Robinson asked if the public would be notified about the new law. Mayor Hays asked about penalties (or fines). Mr. Carter said they could be up to \$500.00 based on existing (State) legislation. If the Emergency clause is not adopted, the legislation would go into effect in 60 days. On the motion of Alderwoman White and seconded by Alderman Foutch, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

Alderman Witcher said Mr. Charley Ball who was present graduated from college (Arkansas Tech) this past weekend at the age of 89. Mr. Ball said his Major was Professional Studies. Mayor Hays commended his accomplishment and thanked him for being a part of the community.

Mayor Hays asked Mr. Mike Russ, General Manager, North Little Rock Electric Department to come forward. In 2006, North Little Rock purchased more than 85% of its power once every 3-5 years. In 2006, costs increased by two-and-half times. North Little Rock felt the full impact of being at market rates. This resulted in a 38% rate increase (to customers) and the establishment of a \$15 million revenue bond to provide operating capital for the Electric Department. The actual increase was 52%. A plan was needed and developed in 2009. It was adopted by the City Council in January, 2010. The plan called for bundling generation, acquiring new skill sets, building and implementing a Smart Grid system, and develop the ability to manage risks. The city has to take on risk itself. This allows anticipating a risk before it occurs and avoiding unforeseen circumstances. Entergy is joining an

organized power market. Power is bought and sold hourly, around the clock, year-round in an organized power market. Previously, payments were made monthly. In an organized market, payments will be required weekly. North Little Rock has to demonstrate it can pay for power and follow through on time to be a market participant. We have to have reliable and available power when we need it. The system has to be operated efficiently. The city has to have financial stability in order to provide a competitive price for its customers. Mr. Russ referenced a person's credit rating when purchasing a car and how it affects their interest rate. The year 2014 will be the first full year the city participates as an organized market participant. The current NRG Contract expires in December, 2013. A \$13.3 million balloon payment is due in 2014.

Mayor Hays paused Mr. Russ's presentation to recognize a Boy Scout Troop in the audience. Mr. Keith Phiefer said the young men recently transferred to Troop 18 from Cub Scout Pack 87. They are attending the meeting in order to get their Merit Badges. Mayor Hays asked the boys to introduce themselves. Troop 18 is chartered by First United Methodist Church in Indian Hills. Mr. Phiefer is a North Little Rock Police Officer.

Mr. Russ resumed his presentation. In the early 1990's, the City of North Little Rock was able to get a fixed price for purchased power. Prior to that, the rate fluctuated monthly. The Arkansas Public Service Commission allows utilities to pass on fuel adjustments. Because North Little Rock rates were fixed, they did not fluctuate. In 2011, low water on the Arkansas River affected Hydro production and resulted in the third lowest year of generation for the plant. The Plum Point Coal Fired Plant lost production due to high water and flooding of the Mississippi River. The Electric Department had to purchase approximately \$8 million in power at Market Rate. That depleted the departments liquidity. To ensure market participation, the department needs a stable debt structure, the ability to recover variable fuel fluctuations, and liquidity of \$10 - \$14 million. Interest rates are at a historic low. This allows the city to restructure the debt and leverage assets to attain a stable debt structure. Mr. Russ said the city's Standard & Poor's Rating (as of May 11, 2012) was an A- and referenced several reasons for the rating. The primary weakness was liquidity.

Mayor Hays advised a public hearing was scheduled on this item for this date, and appeared on the council agenda. No one signed in to speak.

Without objection, the legislation was called.

O-12-47 (ORDINANCE NO. 8443 – MAYOR HAYS)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$60,000,000 ELECTRIC SYSTEM REVENUE BONDS BY THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AUTHORIZING A TRUST INDENTURE SECURING THE BONDS; AUTHORIZING THE SALE OF THE BONDS AND THE EXECUTION OF A BOND PURCHASE AGREEMENT; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY, was read. On the motion of Alderman Witcher and seconded by

Alderman Foutch, 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). Mayor Hays said this legislation affects the Electric Department only. Nothing in the legislation has anything to do with (other) city obligations or desires. Alderman Witcher asked the range of the bonds. Mr. Russ said some are taxable and some are not. Mr. Bob Sisson, Finance Director reviewed the taxable and tax exempt bonds and percentage rates regarding the same which averaged 3% (*estimate: Hydro – taxable 3.45%; Tax exempt 3.236%; Working Capital – taxable 2.948%; Capital Improvement – tax exempt 2.833%, (new) 10 year Working Capital – 3.035%*). Alderman Witcher asked the amount of the ideal cash carryover. Mr. Russ said \$10 to \$14 million. Alderman Hight reiterated this legislation does not have anything to do with other city departments. He asked what effect this will have on paying off the Hydro Electric Plant. Mr. Russ said under the current structure, the Hydro bonds would be paid off in 2015. This will extend it to 2025. The annual payment will go from \$12.5 million to \$2.4 million. Debt service reserves will reduce, too. Alderman Foutch asked why the Hydro bonds are being included. Mr. Russ said the department cannot build liquidity by 2013 with the current debt service on the Hydro bonds. Alderman Foutch asked how this will affect individual rate payers. Mr. Russ said there should be no impact. Alderman Foutch asked about the Standard & Poor report rating. Mr. Russ said the rating will not be improved for the next two (2) years. An A- rating versus an A rating would have a difference of 20 basis points for non-taxable and 10 points for taxable. This results in higher interest rates. Mr. Russ said the city has been working on this proposal for eight (8) months. Alderwoman Ross provided the following analogy: if a person wanted to refinance their home, and pay off credit card debt, car loans, have some extra cash, etc., they could roll everything together into one loan and end up with a lower payment while building their savings. Mayor Hays referenced improvements at the Hydro Plant. The ordinance was read a third and final time. 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). Mayor Hays congratulated Mr. Russ on the birth of his grandson, Jon Michael Russ, II, who is a week old. Mayor Hays commended Mr. Russ on his leadership at the Electric Department. He has seen the department through challenges and continues to lead the department to new opportunities.

UNFINISHED BUSINESS

O-12-42

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AUTO SALES IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4108 MacARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PUPROSES, was read three time April 23, 2012, was called and held by the sponsor, Alderman Baxter. (*applicant: Mike Clayton*)

O-12-45 (ORDINANCE NO. 8444 – ALDERMAN TAYLOR)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A TIRE SHOP, CAR SALES AND TRUCK RENTALS IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4017 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 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 Taylor and seconded by Alderman Baxter, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. A motion to amend was made by Alderwoman Ross and seconded by Alderwoman White as follows:: *Section 2: add cc) REMOVE CANOPY AT OLD FUEL MAN STATION. dd) REMOVE GAS PUMPS. ee) PAVE ALL GRASS AND GRAVEL AREAS. ff) MOVE DUMPSTER TO REAR OF BUILDING. gg) INSTALL PLANTER WITH SHRUBS AT FRONT OF BUILDING.* Alderman Foutch asked if the fuel storage tanks had been removed from the site. Mr. Taylor advised they have not. Mr. Robert Voyles, Planning Director said the applicant wants to keep the storage tanks for possible future use. The tanks are not old. The applicant, Mr. Jim Butler was present with one of the owners, Mr. Hussien. Mr. Butler advised the tanks are paved over. Alderman Foutch said he had concerns regarding any future property owner’s responsibility. Mr. Carter said the State Department of Environmental Quality would be the governing authority. Ground contamination runs with the owner of the “ground” but goes back to the person who created the contamination. On the previous motion to amend (see above), and by consent of all members present, the ordinance was unanimously amended (8/0). Alderwoman Robinson drives by the property daily and noticed tires stored behind the building. The tires are used and unsightly. Mr. Butler said the tires will be behind the new building and wooden privacy fence. Alderman Taylor said the tires are stacked on the outside of the fence. Alderwoman Ross asked the applicant if he understood he is not allowed to work on vehicles outside of the building. Alderman Hight has observed other tire stores with vehicles jacked up outside. This is not allowed. He referenced a previous discussions regarding stagnant water and mosquitoes breeding in old tires. Mr. Hussien said they plan on keeping used tires (for resale) inside. Waste tires will be outside and removed weekly. Alderman Hight asked if they could be covered. Mr. Carter said a state statute has been in place for years pertaining to mosquitoes as a public nuisance. On the motion of Alderwoman Robinson, and seconded by Alderman Hight, and by consent of all members present, the ordinance was again amended as follows:: *Section 2: c) add , BENEATH A STRUCTURALLY SOUND ROOF* (8/0). 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 as amended (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Jim Butler*)

O-12-46

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN ICE VENDING MACHINE STAND IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4607 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held by the sponsor, Mayor

Hays who indicated there have been concerns regarding to free-standing ice machines. (*applicant: Bill Looper*)

NEW BUSINESS

R-12-73 (RESOLUTION NO. 8059 – MAYOR HAYS)

A RESOLUTION APPOINTING BECKY HIGHT TO THE POSITION PREVIOUSLY HELD BY CHARLIE HIGHT ON THE NORTH LITTLE ROCK CITY BEAUTIFUL COMMISSION; 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 resolution was unanimously adopted (8/0).

R-12-74 (RESOLUTION NO. 8060 – MAYOR HAYS)

A RESOLUTION APPROVING AMOUNTS OF LIENS TO BE CERTIFIED TO THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTIES IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS AS A RESULT OF GRASS CUTTING EXPENSES AND ABATEMENT OF OTHER NUISANCES; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman White. 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).

R-12-75 (RESOLUTION NO. 8061 – MAYOR HAYS)

A RESOLUTION RATIFYING THE CONVEYANCE OF RIGHTS OF WAY TO THE PUBLIC BUILDING AUTHORITY OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS (“PBA”) AND SUBSEQUENT ASSIGNMENT OF SAME BY PBA TO ENTERGY ARKANSAS, INC.; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, with the exception of Alderman Witcher who passed, the resolution was adopted (7/1).

R-12-76 (RESOLUTION NO. 8062 – MAYOR HAYS)

A RESOLUTION AUTHORIZING NORTH LITTLE ROCK EMERGENCY SERVICES TO DONATE CERTAIN USED EQUIPMENT TO THE ARKANSAS LAW ENFORCEMENT TRAINING ACADEMY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderwoman Ross, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-12-77 (RESOLUTION NO. 8063 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO REHABILITATE PROPERTY LOCATED AT 708 NORTH MAGNOLIA 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 Alderwoman Robinson. Mr. Andrew McCauley referenced rehabilitation plans for the property. Alderman Hight asked the period

of time (for the rehab). Mr. McCauley said six (6) months. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0). (*owner: Andrew F. McCauley and Melissa E. McCauley*)

R-12-78 (RESOLUTION NO. 8064 – MAYOR HAYS AND ALDERMAN WHITE)

A RESOLUTION ACCEPTING LICENSES AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO COMMUNITY GARDEN LICENSE AGREEMENTS WITH EIGHTH STREET MISSIONARY BAPTIST CHURCH AND FIRST PRESBYTERIAN CHURCH; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-12-79 (RESOLUTION NO. 8065 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CUSTOMER FUEL SUPPLY AGREEMENT WITH FLEETCOR TECHNOLOGIES OPERATING COMPANY, LLC; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-12-80 (RESOLUTION NO. 8066 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A RESTRICTIVE COVENANT ON PROPERTY OWNED BY THE CITY OF NORTH LITTLE ROCK AND LOCATED SOUTH OF HIGHWAY 165 AND EAST OF I-440 NEAR THE ARKANSAS RIVER; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman Robinson. Mr. Voyles advised the city agreed with Arkansas Department of Environmental Quality (ADEQ) prohibiting groundwater use (wells) and limiting use of the property to outdoor recreation purposes only. On the previous motion and by consent of all members present, the resolution was unanimously adopted (8/0).

R-12-81 (RESOLUTION NO. 8067 – ALDERMEN TAYLOR AND ROBINSON)

A RESOLUTION AUTHORIZING THE DONATION OF CERTAIN REAL PROPERTY LOCATED AT ~~226~~ (2210) EAST WASHINGTON AVENUE TO ARGENTA COMMUNITY DEVELOPMENT COPRORATION; AND FOR OTHER PURPOSES, was read. Alderwoman Robinson was added as a cosponsor. Alderwoman Robinson said the address needed to be corrected. Mr. Voyles will provide the correct address. A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Robinson. Alderman Witcher asked if this transaction was allowed. Mr. Carter referenced Community Garden Grants as an example of something where the city and community benefit from the use of funds. He also referred to a Consortium Agreement (authorized April 12, 2012). On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-12-82 (RESOLUTION NO. 8068 – MAYOR HAYS)

A RESOLUTION APPOINTING NEIL BRYANT TO THE POSITION PREVIOUSLY HELD BY JEANNE HYDE ON THE PARKS AND RECREATION COMMISSION; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor, and seconded by Alderman Baxter. On the motion of Alderman Taylor, and seconded by Alderman Foutch, and by consent of all members present, the resolution was amended as follows:: *attach personal information sheet provided this date* (8/0). On the motion of Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, the resolution was unanimously adopted as amended (8/0). Alderman Witcher made a motion to reconsider the previous motion, and the roll having been called and all members present having voted in the affirmative, the previous motion was recalled (8/0). On the motion of Alderman Hight, and seconded by Alderman Baxter, and by consent of all members present, the resolution was unanimously adopted as amended (8/0). Mayor Hays thanked Mr. Bryant for his service to the city.

R-12-83 (RESOLUTION NO. 8069 – MAYOR HAYS)

A RESOLUTION APPOINTING AVON “JUNIOR” PHILLIPS TO THE POSITION PREVIOUSLY HELD BY JOHN PARKER ON THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight. On the motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, the resolution was amended as follows:: *attach personal information sheet provided this date* (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). Mayor Hays thanked Mr. Phillips who was present for his service to the city.

O-12-47 *was called earlier in meeting.*

O-12-48 *was called earlier in meeting.*

O-12-49 (ORDINANCE NO. 8445 – ALDERMAN ROSS)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 3307 AND 3301 HIGHWAY 161 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM I-2 TO R-2 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.

Alderwoman Ross said this property was annexed into the city. On the motion of Alderwoman Ross 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 Alderwoman Ross and seconded by Alderwoman White, 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 Hight asked why two addresses are being combined in one piece of legislation. Mr. Voyles said when the property was annexed, the houses could continue as residential,

unless they are discontinued. The applicants are trying to get a Mortgage on the properties, therefore, the reclassification is needed. 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 resolution was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

(applicants: Terry Isbell and Cindy Voss)

O-12-50 (ORDINANCE NO. 8446 – ALDERMAN TAYLOR)

AN ORDINANCE APPROVING VACANCIES FOR A POLE SIGN ON CERTAIN REAL PROPERTY LOCATED AT 12100 VALENTINE ROAD, SOUTH OF INTERSTATE 40, 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 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 Taylor 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. Alderman Taylor said the business is across from Loves Truck Stop. Other businesses in the area have pole signs. The applicant needs a pole sign to promote business. On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). *(applicant: Austin Morgan, Southern Tire Company)*

O-12-51 (ORDINANCE NO. 8447 – ALDERMAN TAYLOR)
AN ORDINANCE APPROVING A REQUEST TO DEFER REQUIREMENTS OF THE MASTER STREET PLAN TO PROVIDE HALF STREET IMPROVEMENTS AND EXTENSION OF PROGRESS STREET 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: Rubber Gasket of America)*

O-12-51 (ORDINANCE NO. 8447 – ALDERMAN TAYLOR)

AN ORDINANCE APPROVING A REQUEST TO DEFER REQUIREMENTS OF THE MASTER STREET PLAN TO PROVIDE HALF STREET IMPROVEMENTS AND EXTENSION OF PROGRESS STREET 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: Rubber Gasket of America)*

PUBLIC COMMENT

Alderman Taylor has been contacted by several residents asking that their recycling carts be picked up. They have asked if they will have to pay the monthly fee. Mayor Hays said they will have to pay the fee as that is how the contract was negotiated. A resident told Alderman Taylor he will not pay the fee. Mayor Hays said North Little Rock residents haven't paid Sanitation fees for a number of years. Alderwoman Ross said if a resident has difficulties with the cart, they can call either Waste Management or North Little Rock Sanitation for assistance. Alderwoman Ross said people are selling animals in parking lots and on the side of the road. This is a violation of North Little Rock law. If anyone sees someone doing this, they should call the non-emergency Police Department Number 501-

758-1234. Alderman Baxter announced a ceremony honoring Veterans to be held at the Arkansas Veterans Cemetery on Maryland on Monday, May 28, 2012. Parking is available at Woody's Sherwood Forest. Alderman Witcher referenced Communication #5 and photo's illustrating at least eight (8) cars parked in front of the house (on the lawn). He and Alderman Hight will bring legislation to ban parking in front yards for discussion. He continues to receive complaints about Friction, a church located on Locust. The loud music and noise is bothering the neighbors. Alderman Hight has visited with Chief Bradley regarding the same. Chief Bradley said he only found one complaint call from that location. Officers in the area have listened and didn't think it was in violation of the Noise Ordinance. Mr. Carter has talked with Officer Sorrels regarding the same. The people at the church have been advised of the issue and want to be good neighbors. Alderman Witcher advised someone was selling produce at the corner of 53rd and Camp Robinson Road without a city license. Mr. Carter will research the issue and report to the council. Chief Bradley said Wednesday at 11:00 a.m., a Police Memorial Ceremony will be held on the front lawn of the North Little Rock Police and Courts Building on Pershing Boulevard. The public is invited to attend. Mayor Hays met with two Arkansas Highway Commissioners (Mr. John Burkhalter and Mr. Tom Schueck) regarding the Broadway Bridge. Discussion included building a new Broadway Bridge west of the existing bridge. The Highway Department has mentioned turning over the existing bridge to the cities of North Little Rock and Little Rock. Each city would then be responsible for upgrades and maintenance. Relocating the bridge could take part of the parking area at Dickey-Stephens Park. There are benefits and possible liabilities. Mayor Hays said an article with more details should be in the Democrat-Gazette newspaper on May 15. Alderman Hight said three-months of traffic disruption is better than the previously discussed two-years. Mr. Harry Weissenstein asked why a camper-trailer is parked in Riverfront Park and not the designated RV Park area and referenced pictures he provided. Mayor Hays said he was aware of the trailer and thought it is parked on private property within the park. He will have someone check the location.

There being no further business to come before the Council, and on the motion of Alderwoman Robinson and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 9:30 p.m. (8/0), until the next regularly scheduled meeting to be held on Tuesday, May 29, 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