

June 25, 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, June 25, 2012, was called to order at 7:00 p.m. by the honorable acting Mayor LINDA ROBINSON. 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, and MURRY WITCHER (7/0), a quorum was declared. Mayor PATRICK HENRY HAYS and Alderman CHARLIE HIGHT were absent. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

The invocation was given by Alderwoman White, followed by the pledge of allegiance to the flag which was led by Alderwoman Ross.

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 and a Special Call meeting held on Monday, June 11, 2012, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, communication #3 was read, accepted and filed (7/0).

3. Mayor Hays, letter to Ms. Whitbey and City Council members re: out of town June 25, 2012. Alderwoman Robinson will preside over City Council meeting.

On the blanket motion of Alderman Foutch and seconded by Alderman Baxter, and by consent of all members present, communications #1, and 2 were not read, accepted and filed (7/0).

1. Mr. Frank Vozel, Deputy Director and Chief Engineer, Arkansas State Highway and Transportation Department letter to Pulaski County Judge Buddy Villines re: Job 061326 and request to transfer Federal Aid Funds for use on Levy Spur Multi-Use Trail Project (in North Little Rock).
2. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink – Change of Manager from Ygnacio Hernandez* for Arre Mi Burrito, Inc., 11608 Maumelle Boulevard, by Rosa Villegas.

Acting Mayor Robinson announced a Special Call scheduled for this date.

June 20, 2012 (via email)

Subject: Special Call for Monday June 25, 2012

Honorable Members of the North Little Rock City Council:

The purpose of this e-mail is to advise you that Mayor Hays has called a special meeting of the North Little Rock City Council at 7:05 p.m. on Monday, June 25, 2012, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1) R-12-107 – A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO UTILIZE ADDITIONAL FEDERAL AID FUNDS FOR THE LEVY SPUR MULTI-USE TRAIL; AND FOR OTHER PURPOSES.
Sponsor: Mayor Hays.

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

Respectfully,
C. Jason Carter,
City Attorney

SPECIAL CALL R-12-107 (RESOLUTION NO. 8082 – MAYOR HAYS)

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO UTILIZE ADDITIONAL FEDERAL AID FUNDS FOR THE LEVY SPUR MULTI-USE TRAIL PROJECT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderman Witcher. Alderwoman Ross had questions regarding “*and for other purposes*” in the title of the resolution. Mr. Carter then cited the constitution and state law regarding the same. The title of the item needs to be clear to the public and read as if it were on a ballot. The phrase appears on all North Little Rock legislation. Alderman Foutch asked where matching funds would come from. Mr. Bob Sisson, Finance Director said this resolution does not appropriate matching funds. Separate legislation would be required to appropriate matching funds. Mr. Mike Smith, City Engineer advised funds are available for use on trails. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

Acting Mayor Robinson announced Citizen Public Comment on numbered legislation. Ms. Chandra Martin spoke regarding O-12-60. She advised she had petitions opposing the legislation which would allow double-dwelling homes in an area designated for single-family homes. The area is located at the southeast corner of Faulkner Lake Road and Highway 171. She asked that a representative for the applicant and Alderman Taylor attend their next association meeting July 17, 2012, at 7:00 p.m. or a date that is agreeable with both the applicant and Alderman Taylor. She then asked that those in the audience from the Stone Links Neighborhood Association to stand. Mr. Michael Hervey represents the residents of Faulkner Crossing who are also opposed to O-12-60. He asked that those present from

Faulkner Crossing to stand. Mr. Bob Thompson is the General Manager at Stone Links Golf Course and has been there 12 years. They have worked hard to enhance property values in the community. Duplexes are not going to benefit the community. Houses across the street are valued at \$300,000.00. The value of a duplex would be \$60,000.00. There has been criminal mischief on the golf course. Mrs. Nicole Hart and her husband are raising their family in a community they choose. She asked that those present from the community who are opposed to O-12-60 to stand. Mr. John Turner lives in Faulkner Crossing. He purchased the first home built there. He was told future homes would be single-family. He asked that the council vote against O-12-60. Ms. Gwyn Watson purchased her home last summer. She is opposed to the legislation. Ms. Rosyna Stewart purchased her home in 2010 following military deployment. She has lived in multi-family housing previously and it was not what she wanted. She is a single parent of two teen-aged boys and a young daughter. She also had concerns regarding Section 8 Housing. Apartments and multi-family housing is to make money. She is opposed to O-12-60. Mr. Michael Archdeacon is 100 percent disabled. They are trying to improve their neighborhood for the people who live there. He is also opposed to the legislation. Ms. Billie Sanders has lived in her home on Faulkner Lake Road since 1976. There have been lots of improvements in the area, however this is one they do not want. Mr. Billy Moore has lived on Faulkner Lake Road since 1961. It is a nice community. They do not want crime and other such things in their neighborhood. He is opposed to this ordinance. Mr. Robert Fureigh is a candidate for Alderman in Ward 4. He spoke against O-12-62 regarding parking in front and side yards. There is legislation which was adopted in 2009 that provides residents a way to deal with parking in yards. Citizens can form a parking district in an area as small as a city block or as large as a subdivision. A lot of people are not aware of the existing legislation.

Alderwoman Robinson had concerns with O-12-60 and asked if the applicant was present. Mr. Bill Gabbard said the request was brought in as a reclassification for duplexes because of zoning, but the homes would actually be attached patio homes. Larger homes will be built on the north side, valued at \$150,000.00 - \$170,000.00. This would provide a buffer between commercial and residential properties. A playground and trail system have been started.

Without objection, O-12-60 was read.

O-12-60

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT THE SOUTHEAST CORNER OF THE FAULKNER LAKE ROAD AND HIGHWAY 391 INTERSECTION IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM R-2 / C-2 TO R-3 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 one time and held by the sponsor, Alderman Taylor to allow time to meet with neighborhood groups. (*applicant: Brett Watts*)

A presentation on the agenda regarding the Boot Camp Campaign will be presented at the next council meeting.

UNFINISHED BUSINESS

O-12-52

AN ORDINANCE AMENDING ARTICLE NINETEEN (BOARDS) AND ADDING ARTICLE TWENTY-THREE (SMART CODE ZONING DISTRICT) TO ORDINANCE NO. 7697 (THE ZONING ORDINANCE); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read three times May 29, 2012, and amended. The item was held by sponsor, Alderman Taylor.

NEW BUSINESS

R-12-96 (RESOLUTION NO. 8083 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 307 EAST 8TH STREET (AKA 800/802 NORTH MAGNOLIA) 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 NUISANCES; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Taylor. Acting Mayor Robinson 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 adopted (7/0). (*owner: Willie Whitehead*)

R-12-97 (RESOLUTION NO. 8084 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 705 WEST 37TH 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. Acting Mayor Robinson convened a public hearing. Mr. Kevin Kelley bought the property 30 years ago. He has made repairs to the exterior of the building. He said Code entered the building with a search warrant and destroyed his locks. He has used the building for storage. Juveniles entered the building and damaged ceiling tiles. They also painted graffiti on the walls. Police officers told him not to paint over the graffiti as that would encourage kids to repaint it. He is waiting for restitution for the damages. Mr. Kelley said the pictures were deceiving. He has valuable items stored there including kitchen cabinets, sewing machines, etc. Ms. Felicia McHenry, Code Enforcement advised the pictures presented at the council meeting were taken on May 22, 2012. The work Mr. Kelley referenced were pieces of plywood. Ms. McHenry advised the owner was notified and asked to contact Code Enforcement, but did not. Code then obtained a search warrant. The building is located in an R-3 zone which does not allow storage. Mr. Kelley does not have a current city business license. Mr. Kelley wants time to remove items and work on the building. Alderwoman Ross said code has received several calls regarding this structure. She has also attended neighborhood

meetings where complaints were made. Unpainted wood is not allowed in the city. Mr. Kelley said the building has never been painted. It wasn't painted when he bought it. Mr. Carter said some items are grand-fathered due to when they were built, etc., however painting requirements in the property management/nuisance abatement code are not. Those items pertain to public safety. Mr. Carter referenced exposed wood as unpainted or untreated. There being no one else 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 adopted (7/0). (*owner: Kelley's Upholstery*)

R-12-98 (RESOLUTION NO. 8085 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1409 WEST SHORT 17TH 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 Alderman Taylor. Acting Mayor Robinson 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 adopted (7/0). (*owner: Henry R. and Monteen Purify (deceased)*)

R-12-99

A RESOLUTION DECLARING CERTAIN BUILDING, HOUSES AND OTHER STRUCTURES LOCATED AT 1017 ½ PARKER 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 withdrawn at the request of Mr. Tom Wadley, Code Enforcement Director (*owner: Baring Cross Restoration, LLC*)

R-12-100 (RESOLUTION NO. 8086 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 601 WEST 34TH 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 Taylor and seconded by Alderwoman Ross. Acting Mayor Robinson 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 adopted (7/0). (*owners Richard and Debra Nelson*)

R-12-101 (RESOLUTION NO. 8087 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1215 ½ WEST 10TH 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 Taylor and seconded by Alderman Baxter. Acting Mayor Robinson 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 adopted (7/0). (*owner: Shelby Finnegan*)

R-12-102 (RESOLUTION NO. 8088 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1506 CRUTCHER 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 Alderman Taylor. Acting Mayor Robinson 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 adopted (7/0). (*owner: Pamela McQuaid*)

R-12-103 (RESOLUTION NO. 8089 – MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1105 VESTAL 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 Alderman Taylor. Acting Mayor Robinson convened a public hearing. Mr. Manuel Robertson advised he has been in and out of the hospital. The property burned last fall (October 2011). He is trying to work with Code Enforcement and has tried to get some help tearing down the building. He tried to sell the property to the CDC (Community Development Corporation). His ex-wife had a loan on the property, so CDC cannot purchase it. There being no one else wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*owners: Manuel and Leeta Robertson*)

R-12-104 (RESOLUTION NO. 8090 – MAYOR HAYS)

A RESOLUTION ACCEPTING THE LOW BID OF SYNDER ENVIRONMENTAL, INC. FOR ASBESTOS REMOVAL AT 122 EAST 4TH STREET, NORTH LITTLE ROCK, ARKANSAS (FORMER CHECKMATE BUILDING); AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderman Witcher. Mr. Joe Smith, Purchasing Director advised ADEQ (Arkansas Department of Environmental Quality) has required steps with regard to asbestos removal. Alderwoman Ross asked what would happen if R-12-105 is not approved (resolution to tear down the building) or if the History Commission does not allow removal of the building. Mr. Smith said the asbestos still has to be removed. Alderman Fouch compared this to the old Baptist Hospital sell where the purchaser took care of demolition and asbestos removal. Mr. Smith said the low bid is below \$5,000.00. Developers often avoid properties with abatement issues. Alderwoman Ross asked the value of the lot if it were vacant. Mr. Smith estimated \$400,000.00 to

\$500,000.00. Mayor Hays is working on a development plan for the property. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

R-12-105

A RESOLUTION ACCEPTING THE LOW BID OF JIMMY A. PATTON CONTRACTING FOR DEMOLITION AND SITE CLEARANCE AT 122 EAST 4TH STREET, NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was called and held.

R-12-106 (RESOLUTION NO. 8091 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH CENTRAL ARKANSAS CHRISTIAN FOR A PEDESTRIAN AND RECREATIONAL EASEMENT; 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 adopted (7/0).

O-12-55 (ORDINANCE NO. 8452 – ALDERMAN TAYLOR)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW AN ETHANOL PRODUCTION FACILITY IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 11911 FAULKNER LAKE ROAD 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 Ross, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: Bob Hardin*)

O-12-56 (ORDINANCE NO. 8453 – ALDERMEN ROSS AND WHITE)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW AN APARTMENT RESIDENCE IN A BUSINESS IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3517 JOHN F. KENNEDY BOULEVARD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). The ordinance was read a second time. The applicant Mrs. Webb has a couple who wants to open an upscale photography studio and with a small apartment in the back. Alderman Foutch asked if there were other buildings in the area with a similar use. Mrs. Webb said there were. Her property has been vandalized before. Someone living there might be a deterrent. On the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members present the rules were suspended and the ordinance was placed on its third and final reading (7/0). The roll having been called and all members present

having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).
(*applicant: Pat Webb*)

O-12-57 (ORDINANCE NO. 8454 – ALDERMEN BAXTER AND FOUTCH)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A WAREHOUSE/OFFICE IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT THE NORTHWEST CORNER OF CRYSTAL HILL AND WHITE OAK IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter 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 (7/0). 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 (7/0). The ordinance was read a third and final time. Without objection, Alderman Foutch was added as a cosponsor. On the motion of Alderman Baxter and seconded by Alderman Foutch, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: Mark Redder*)

O-12-58 (ORDINANCE NO. 8455 – ALDERMAN BAXTER)

AN ORDINANCE ACCEPTING THE DEDICATION OF RICHARDSON DRIVE IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter 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 (7/0). On the motion of Alderman Baxter 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 (7/0). The ordinance was read a third and final time. Acting Mayor Robinson referenced a letter (Exhibit “B”) from Mr. Charles Cullen, North Little Rock Public Works Department who indicated the street was in adequate condition for acceptance by the city. Alderwoman Ross asked if a bond was posted on this property. The applicant, Mr. Mark Redder, Holloway Engineering advised the developer who built the road did not do all of the things required. The road was built about 12 years ago and is in great shape. Mr. Mike Smith, City Engineer agreed with the condition of the road. Alderman Baxter referenced the second *Whereas* in the ordinance which recommended waiving a two-year maintenance bond. On the motion of Alderman Taylor and seconded by Alderman Foutch, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

O-12-59

AN ORDINANCE AMENDING ORDINANCE NO. 7697 (“THE ZONING ORDINANCE”) TO ADD SECTION 12.29 (ICE VENDING MACHINES); 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 (7/0). The ordinance was read a second time. Alderman Taylor advised he had

changes to the legislation and then held it. Alderman Baxter referenced a photograph Alderman Taylor had provided of an Ice Vending Machine in Texas. It was a sturdy, nice looking building.

O-12-60 was called earlier in meeting.

O-12-61 (ORDINANCE NO. 8456 – MAYOR HAYS)

AN ORDINANCE AMENDING ORDINANCE NO. 8242 BY MODIFYING THE ENERGY COST RECOVERY RIDER; 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 (7/0). 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 (7/0). The ordinance was read a third and final time. Mr. Mike Russ, General Manager, North Little Rock Electric Department advised this is a continuation of a (previous) debt restructure presentation. Mr. Russ reviewed the scenario from 2011 pertaining to the Murray Hydro Plant, Plum Point, higher NRG purchases and \$8.2 million energy cost under-recovery. He then reviewed the Department's Standard's & Poor's Evaluation which indicated financial risk profile of weak for "A" category and liquidity being the primary emphasis. He then reviewed a Comparative Ratings Chart (2012 Fitch Ratings). Mr. Brent Saylor, GDS Consultants reviewed what an Energy Cost Recovery Rider is (ECR). ECR's were adopted by most utilities in early 1970's. The scope is usually very broad and provides a true-up mechanism for fluctuating costs. An ECE is a least cost alternative for allocating costs incurred by customers. North Little Rock Electric adopted AP&L (Arkansas Power and Light) ECR in 1970's. In late 1990's the ECR was made constant to match Entergy's. Constant factor of 2.48 cents/kWh (before 3% or 5% reductions), applied to all customers. Current factor still based on Entergy's rates. Mr. Saylor provided an illustration of a sample electric bill and reviewed the "Energy Charge". He reviewed other charts and graphs and implementation which would be effective in September. Alderman Foutch referenced the 2011 Power Cost Under-Recovery Chart which indicated a \$7.2 million gap. 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 adopted (7/0). Emergency clause adopted (7/0).

O-12-62

AN ORDINANCE AMENDING ORDINANCE NO. 8128 TO PROHIBIT PARKING IN FRONT OR SIDE YARDS OF RESIDENTIAL PROPERTY; 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 (7/0). The ordinance was read a second time. Alderman Witcher then held the legislation and scheduled a public hearing to be held on Monday, July 9, 2012, at 7:05 p.m. Alderman Witcher said the difference in this legislation to the Parking Ordinance passed previously is that this one applies to all areas of the city. Residents who do not care about their property adversely affect their neighbors.

PUBLIC COMMENT

Alderman Ross said a Hillside Cut meeting will be held Thursday, June 28, 2012, at 5:30 p.m. in the council chambers in City Hall. The meeting will last about one hour. Mr. Smith, City Engineer announced a public meeting on the proposed East McCain bridge on July 10, 2012. Mr. Harry Wiesenstien thanked Mayor Hays, staff and the city council for bringing the Farrell family and “The Joint” to North Little Rock. It is an amazing addition to downtown Argenta. On the weekends they have a comedy routine about North Little Rock and Little Rock that is very funny. They have something every night. He encouraged people to support local businesses. Mr. Leo Gilliam said he learned a lot by attending this meeting. He had a home that was condemned and was told by Code Enforcement he did not have to attend the City Council meeting when it came before the council. The property was condemned and torn down. He has received a bill for \$2,200.00. He has tried to talk to various people in the city and has not been able to. He can’t get any answers. He didn’t know he could address the council before his property was condemned. The referenced property is at 509 West 16th Street. Mr. Fureigh spoke regarding Richardson Drive and supported Alderwoman Ross’s question regarding a bond. He is familiar with asphalt and the material it is made of. Over time, asphalt will degrade without traffic on it. He referenced vacant parking lots that are not used as an example. Ms. Whitbey reminded everyone that fireworks are illegal in the city. Fireworks will be confiscated. If fireworks are confiscated from a minor, the parent or guardian could be fined up to \$500.00. Alderwoman Robinson said discharging firearms is also illegal in the city limits.

There being no further business to come before the Council, and on the motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, the meeting was adjourned at 8:45 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, July 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