

October 8, 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, October 8, 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, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT and MURRY WITCHER (7/0), a quorum was declared. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present. Alderwoman LINDA ROBINSON was out on medical leave.

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 Hight and by consent of all members present, the minutes of a regular council meeting held on Monday, September 24, 2012, were approved, accepted and filed as prepared by the City Clerk (7/0).

A blanket motion was made by Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, communications #1, 2, 3, 4, 5, 6, and 8 (see communication #8 Voice Vote) were not read, but were accepted and filed (7/0).

1. Mr. Ruben Carrion, Petition requesting Speed Hump on West 55th Street (*16 signatures for*).
2. Bob Sisson, Finance Director memorandum to City Clerk Diane Whitbey re: Energy Cost Recovery Rider (ECR) Adjustment Factor (.08 cents/kwh or \$.0008/kwh).
3. Glinda Craigmyle, Mayor's Office memorandum re: *Application for Retail Beer off Premises & Small Farm Wine – Change of Manager from Guldawood Sardar*, for Flash Market #131, 8701 Maumelle Boulevard, by Mansoor Malik.
4. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises & Small Farm Wine – NEW*, for KUM & Go #152, 3220 Spring Hill Drive, by Cory A. Boyd.
5. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink – NEW* for the Famous Old Top Hat Bar & Grill, 6523 Hwy 70, by Wilma J. Guenther.
6. Bob Sisson, Finance Director – memorandum re: 12/31/11 Audit of the City of North Little Rock (audited basic financial statements for year ended 12-31-11).
8. Evelyn Creal, President Meadow Park Neighborhood Association re: Opposition of Liquor License permits for: Old Top Hat Bar & Grill, 6523 Hwy 70.

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

7. Alderman Taylor, FHA Appraisal Guidelines re: examination of property for visible, obvious and/or permanent deficiencies that may affect the livability of that property in terms of basic needs, health and safety of the properties occupants. Overhead high voltage transmission towers and lines – that no home may be located within the designed fall distance of any pole, tower or support structure of a high-voltage transmission line, radio/TV transmission tower, microwave relay dish or tower or satellite dish (radio, TV cable, etc.).

On the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of members present, communication #8 was read, and a Voice Vote was taken opposing the issuance of this permit (7/0). The communication was previously accepted and filed under the blanket motion.

8. Evelyn Creal, President Meadow Park Neighborhood Association re: Opposition of Liquor License permits for: Old Top Hat Bar & Grill, 6523 Hwy 70.

North Little Rock Police Chief Danny Bradley introduced Colonel Jim Elmer USAF (retired), Past National Commander of the Military Order of World Wars (MOWW), Central Arkansas Chapter Commander Lieutenant Colonel Thomas A. Robertson, Jr. USAF (retired), and Colonel T. P. (Tom) Williams USAF (retired), Adjutant. All were invited to the podium and joined by North Little Rock Police Officer Tommy Norman. Last year, Officer Norman was the runner-up for the MOWW Individual Law and Order Distinguished Service Award. This year, Officer Norman's continued involvement with the School District, Shop With A Cop, Special Olympics, etc. have earned him the honor of being chosen the National Individual Law and Order Distinguished Service Award. Officer Norman is the first officer in Arkansas to win this award. Officer Norman was presented a framed certificate and statuette. Mayor Hays said Officer Norman is one of the best-of-the-best and the North Little Rock Police Department is one of the best in the country. Officer Norman said he was honored to receive this recognition. He said this award wasn't just about him, but the entire North Little Rock Police Department who work together as a team. He thanked Chief Bradley for allowing him the time to do charitable work in the community. Alderwoman Ross said Officer Norman is a Celebrity Dancer with Ronald's Dancing Night of Stars fundraiser on October 13, 2012. She encouraged everyone to attend the event and support Officer Norman. Chief Bradley said there are many things Officer Norman does that are not seen by the public. He builds relationships with people in the community. People who have had warrants for their arrest have called the department and requested to be able to turn themselves in to Officer Norman.

Mayor Hays invited candidates in the upcoming election to come forward and comment. Mr. Steve Walden is a candidate for Pulaski County Justice of the Peace, District 15. He has been in North Little Rock for 40 years. He wants to see more Economic Development. He is concerned about the quality of our drinking water and the watershed. Early voting starts October 22, 2012. Mrs. Patti James is candidate for Pulaski and Perry Counties Juvenile Judge. Her background is in family law. She is interested in families and has represented children in Juvenile Court. She has sat as special judge on numerous occasions and has the experience needed to help our youth. Funding could be used for prevention programs which could make a difference. Ward 4 Alderman Charlie Hight is a candidate

for reelection. He thanked all of the people he has encountered while campaigning for their support and said experience is important in this election. Mayor Hays thanked all candidates for their efforts.

Mayor Hays announced a Special Call scheduled for this date.

October 5, 2012 (via email)

Subject: Special Call for Monday, October 8, 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, October 8, 2012, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1) R-12-186 – APPROPRIATING \$14,500.00 FOR REPAIRS TO THE WOODEN BRIDGE LOCATED ON WEST 14TH STREET BETWEEN MAPLE AND WILLOW STREETS IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES. Sponsor:
Mayor Hays

Also attached is an amendment to O-12-86 (including Exhibit “A” attached thereto) (re: issuance of a Sewer Revenue Bond, Series 2012) to correct minor typographical errors and make a formatting change.

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 1) R-12-186 (RESOLUTION NO. 8154 – MAYOR HAYS)

A RESOLUTION APPROPRIATING ~~\$14,500.00~~ **\$19,500.00** FOR REPAIRS TO THE WOODEN BRIDGE LOCATED ON WEST 14TH STREET BETWEEN MAPLE AND WILLOW STREETS IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Taylor. Mayor Hays advised the Railroad will have a crew working at this site. Their contractor will be onsite around December 1st. City Engineer Mike Smith said the contractor will be doing major deck repair. The price he quoted the city includes some additional needs. By using their contractor, the city will save money on fees, etc. On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members

present, the resolution was amended as follows: *strike through \$14,500.00 in the title, fourth Whereas, and Section 1, and insert \$19,500.00 (7/0)*. On the motion of Alderman Witcher, and seconded by Alderman Taylor, and by consent of all members present, the resolution was adopted as amended (7/0).

UNFINISHED BUSINESS

R-12-167 (RESOLUTION NO. 8155 – MAYOR HAYS)

A RESOLUTION ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY LOCATED AT 4820 HAYWOOD IN THE CITY OF NORTH LITTLE ROCK FROM THE ESTATE OF JOE DAN CAMPBELL, SR., DECEASED; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the resolution was adopted (7/0).

O-12-83

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A DAY CARE CENTER IN A C-1 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 501 WEST 25TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time September 24, 2012, was read a second time this date. 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 third and final reading (7/0). The ordinance was read a third and final time. Mayor Hays announced citizen public comment on this item. Ms. Karen Alford is not in favor of this daycare or increased traffic. Most of the residents on the street are senior citizens. Sergeant Major (retired) Val Rideout is 75 years old and sick. He asked that the legislation be denied. A lot of older people live in the neighborhood. Ms. Alma Calhoun owns the building. She asked for the opportunity for her daughter and sister to start this business. They have been out \$1,000.00 in fees, certified mail, etc. Her mortgage is \$1,500.00 a month. Traffic would not increase that much. The children would be infants up to age five (5). The kids would be outside for one (1) hour a day. Alderman Taylor asked how many children they were approved for and the size of the building. She said the Department of Human Services would approve up to 12 children. The building is two-stories, however, the upper level would be blocked off. It is 63 feet by 32 feet. Ms. Delois Calhoun supports her niece's application. Ms. Calhoun works at the Division of Child Care and Early Childhood Development, (DHS). She works in the family support area. Every child deserves the best care and education as early as possible. (Unidentified woman) asked the council to vote with their hearts and consider if they wanted this daycare next to their home. She is an old woman and wants to spend her time in peace. Mayor Hays adjourned the public hearing at 7:45 p.m. Alderman Taylor said the property is 3,256 square feet. He asked Mr. Shawn Spencer, Planning Department how many children the city would allow based on this. Mr. Spencer said they would look at the number allowed by DHS for a daycare center. A home daycare is allowed up to 10 children. This request is for a daycare center. On the motion of Alderman Taylor and seconded by Alderwoman Ross, and the roll having been called, and all members present having voted no, the ordinance failed (0/7).
(*applicant: NaQuecia Calhoun Shorty*)

Mayor Hays declared a brief recess. Mayor Hays advised the Susan G. Komen Race for the Cure will be October 20, 2012. Council members and others wore pink to the council meeting to show support of the event. Mayor Hays reconvened the meeting.

Without objection, O-12-87 was called.

O-12-87

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A 195-FOOT MICROWAVE TOWER WITHIN 1200 FEET OF ANOTHER COMMUNICATION TOWER IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 912 NORTH PINE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Alderman Taylor asked Mr. Carter to research this special use further before council consideration. He had concerns about how this tower would affect residential property values in the area. There was no motion to suspend the rules, the item will remain on the agenda. Mayor Hays announced citizen public comment on this item. Ms. Nancy Littleton has looked at the proposed tower. There are 10 houses on the block. A relay station is behind them. Now there is a request for 195 foot tower. She does not want this in her neighborhood. Ms. Artis Boykin lives in the neighborhood. She is concerned about long-term health effects including cancer and birth defects. The property is not zoned for Microwave Towers. She is also concerned that real estate values will decrease. She objected to the tower being closer than 2,000 feet to an existing structure. She also objected to rezoning the property. Mr. James Lawson spoke against the proposed tower. The citizens want to have a voice and asked for a no vote on the 195 foot tower. Mrs. Eartha Dobbins brought her friend who is 96 years old to the meeting. She is concerned about her health and people with pacemakers. They also do not want their property devalued. She asked the council to vote against this item. Alderman Hight asked if a Special Use would be required if the distance (1,200 feet) was greater. Mr. Carter said the height of the tower is a concern. He would like time to research the issue. Alderman Witcher said the steeple of the Indian Hills Church is a cellular tower. He referenced another tower building at Indian Hills School. Mr. Kevin Harris is working with Alderman Taylor to set up a meeting with residents in the neighborhood. Mr. Spencer said the city's current zoning ordinance covers cell towers, but not microwave towers. Alderwoman Ross asked where another tower like this was in the area. Mr. Harris said there isn't one. The legislation was then held.
(applicant: Kevin Harris)

NEW BUSINESS

R-12-170 (RESOLUTION NO. 8156 – MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 319 SHORT STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS;

AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Baxter and seconded by Alderman Taylor. Mayor Hays convened a public hearing. There being no one present

wishing to be heard, the public hearing was adjourned. On the previous motion, and all members present having voted in the affirmative, the resolution was adopted (7/0). (*amount - \$2,882.85*)

R-12-171 (RESOLUTION NO. 8157 – MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULAKSI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 1001 EAST WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Ross. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and all members present having voted in the affirmative, the resolution was adopted (7/0). (*amount - \$5,754.85*)

R-12-172 (RESOLUTION NO. 8158 – MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULAKSI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 1001 EAST WASHINGTON AVENUE, A/K/A 1005 EAST WASHINGTON AVENUE, IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderman Baxter. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*amount - \$2,460.00*)

R-12-173 (RESOLUTION NO. 8159 – MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULAKSI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 1001 EAST WASHINGTON AVENUE, A/K/A/ 108 NORTH WALNUT IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher 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 adopted (7/0). (*amount - \$2,465.00*)

R-12-174 (RESOLUTION NO. 8160 - MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULAKSI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 1508 CHANDLER STREET, IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Baxter. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*amount - \$2,160.00*)

R-12-175 (RESOLUTION NO. 8161 – MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULAKSI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 1413 ½ WEST 16TH STREET, IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderwoman Ross and seconded by Alderman Taylor. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*amount - \$3,123.00*)

R-12-176 (RESOLUTION ON. 8162 – MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULAKSI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 1320 WEST 13TH IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderwoman Ross and seconded by Alderman Taylor. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*amount - \$3,024.08*)

R-12-177 (RESOLUTION NO. 8163 – MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULAKSI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 900-902 WEST 23RD STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderwoman Ross and seconded by Alderman Taylor. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*amount - \$6,745.54*)

R-12-178 (RESOLUTION NO. 8164 – MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULAKSI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 2009 MAGNOLIA STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read.

A motion to adopt was made by Alderman Witcher 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 adopted (7/0). (*amount - \$2,388.55*)

R-12-179 (RESOLUTION NO. 8165 – MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULAKSI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 4300 CORAL STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS;

AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Taylor. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*amount - \$3,006.79*)

R-12-180 (RESOLUTION NO. 8166 – MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 1215 ½ WEST 10TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by

Alderwoman Ross and seconded by Alderman Taylor. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*amount - \$2,889.14*)

R-12-181 (RESOLUTION NO. 8167 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A RIGHT-OF-WAY EASEMENT FROM THE CITY OF NORTH LITTLE ROCK TO ENTERGY ARKANSAS INC. FOR ACCESS TO THE CITY’S GALLOWAY SUBSTATION; AND FOR OTHER PUPROSES, was read. On the motion of Alderwoman Ross and seconded by Alderman

Taylor, and by consent of all members present, with the exception of Alderman Witcher who passed due to a conflict, the resolution was adopted (6/1).

R-12-182 (RESOLUTION NO. 8168 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND NORTH LITTLE ROCK FIRE CHIEF TO ENTER INTO AN INFORMAL AUTOMATIC AID AGREEMENT WITH THE EAST PULASKI FIRE DEPARTMENT; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman

Ross and seconded by Alderman Baxter, and by consent of all members present, the resolution was adopted (7/0).

R-12-183 (RESOLUTION NO. 8169 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND NORTH LITTLE ROCK FIRE CHIEF TO ENTER INTO AN INFORMAL AUTOMATIC AID AGREEMENT WITH THE SCOTT FIRE PROTECTION DISTRICT; AND FOR OTHER PURPOSES, was read. On the motion of

Alderwoman Ross and seconded by Alderman Foutch, and by consent of all members present, the resolution was adopted (7/0). Mayor Hays asked the difference between an informal and formal agreement. Mr. Carter referenced the Joint and Local Cooperation Act which authorizes informal agreements so there is not co-ownership of property, a separate governmental board or debt.

Alderwoman Ross referenced the distance outside city limits (5 miles). Mr. Carter also referenced Worker’s Compensation issues.

R-12-184 (RESOLUTION NO. 8170 – 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 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 adopted (7/0).

R-12-185 (RESOLUTION NO. 8171 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 808 PARKER IN THE CITY OF NORTH LITTLE ROCK; 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). (*to Charline Donalson for \$105,000.00*)

Mayor Hays took a moment to wish his grandson Harper a Happy 4th Birthday.

O-12-86 (ORDINANCE NO. 8480 – MAYOR HAYS)

AN ORDINANCE PROVIDING THE ISSUANCE OF A SEWER REVENUE BOND, SERIES 2012, BY THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FOR THE PURPOSE OF PAYING THE COST OF ACQUIRING, CONSTRUCTING, AND EQUIPPING CERTAIN EXTENSIONS, BETTERMENTS, AND IMPROVEMENTS TO THE SEWER SYSTEM OF THE CITY;

AUTHORIZING SALE OF THE BOND; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST AND FINANCING FEE ON THE BOND; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY, 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). On the motion of Alderman

Witcher and seconded by Alderman Baxter, and by consent of all members present, the rules were

again suspended and the ordinance was placed on its third and final reading (7/0). The ordinance was

read a third and final time. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the motion of Alderman Witcher and

seconded by Alderman Taylor, and by consent of all members present, the ordinance was amended as follows:: *substitute copy providing by City Attorney which corrected typos and grammatical errors*

(7/0). A motion to adopt as amended was made by Alderman Taylor and seconded by Alderman

Foutch. Mayor Hays advised a rate increase was previously adopted. The increase will be in three

stages. Mr. Marc Wilkins, Waste Water Director advised our rates are about 63% of the amount Little Rock residential customers pay and 57% of the amount their commercial/industrial customers pay.

After the three stages, our rates will be about 72% of the rate Little Rock residential customers pay.

On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, the ordinance was again amended as follows:: *attached revised Exhibit "A"*

provided this date (7/0). Alderman Witcher made a motion to adopt as amended, which was seconded by Alderman Foutch. Mr. Wilkins said the interest rate will be 2.5%. During the first three years, the payment will be interest only on the amount borrowed up to that point. At the end of three years, payments will cover principal and interest. From October 1, 2011, to September 30, 2012, Waste Water had cleaned 1,190,000 linear feet of sewer lines, which doubled their efforts. This equals close to half of the system. A lining project (inserting lining into some pipelines) has been underway in the Lakewood and Rose City areas. They have contracted the design of the Shillcutt Pump Station, (Phase III) and the Five Mile Creek Treatment Plant which serves a portion of Ward 4 and parts of Sherwood. The design of the Faulkner Lake Pump Station has been completed and the project is open for bids. A Sewer System Evaluation of Baring Cross was performed this year. The goal is to evaluate 1/8 of the system each year and follow-up with recommended rehabilitation projects. Alderman Foutch asked the duration of the Series 1991 Bonds. Mr. Wilkins said it was 20 years. The duration kicks in after three (3) years of interest only payments. The bond payments start when principal payments start. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted as amended (7/0). Emergency clause adopted (7/0).

Mrs. Paula Storeygard. Bond Counsel (see above) is Vice Chairman of the Board of Directors for Hearts & Hooves which is located on Kellogg Road. They provide therapeutic services to a lot of children and adults with disabilities from North Little Rock and the surrounding area. Their annual Hoedown Fundraiser is Saturday, October 13, 2012, at 6:00 p.m. The event includes food, live and silent auctions and more.

O-12-87 *called earlier in meeting.*

O-12-88

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW STORAGE OF PERSONAL ITEMS IN AN R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 705 WEST 37TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Mr. Spencer advised the vote of the Planning Commission was four to four with the chair casting a vote to recommend the Special Use. Mr. Carter advised Resolution 8084 condemned a structure on this property. An order has been issued that the building should be razed to the ground. Owners have the opportunity to enter into a Rehabilitation Agreement with the city. Mr. Carter said the lawful use of this structure was abandoned. The property is not zoned for commercial use and the building is dilapidated. On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the ordinance was amended as follows: *insert new Section 5: SECTION 5: EFFECTIVE DATE. THAT ON OR ABOUT THE 25TH DAY OF JUNE, 2012, THE CITY COUNCIL OF NORTH LITTLE ROCK ADOPTED RESOLUTION NO. 8084 CONDEMNING THE STRUCTURES LOCATED ON THE PROPERTY DESCRIBED IN SECTION 1 OF THIS ORDINANCE. THIS ORDINANCE SHALL NOT BE EFFECTIVE UNLESS AND UNTIL THE STRUCTURES ON THE PROPERTY HAVE BEEN RAZED OR ABATED PURSUANT TO A REHABILITATION AGREEMENT APPROVED BY*

THE CITY COUNCIL; *PROVIDED THAT*, IF THE STRUCTURES HAVE NOT BEEN RAZED AND NO REHABILITATION AGREEMENT HAS BEEN APPROVED WITHIN THIRTY (30) DAYS, THIS ORDINANCE SHALL BE VOID (7/0). 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 as amended (7/0). On the motion of Alderwoman Ross 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. Alderwoman Ross had a similar request a few months ago in the same area that she did not support. There are houses by that building, too. On the motion of Alderman Taylor and seconded by Alderwoman Ross, and the roll having been called, and all members present having voted no, the ordinance failed as amended (0/7). (*applicant: Kevin Kelley*)

O-12-89 (ORDINANCE NO. 8481 – MAYOR HAYS)

AN ORDINANCE LEVYING A TAX ON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY OF NORTH LITTLE ROCK FOR THE POLICE PENSION AND RELIEF FUND, THE FIRE PENSION AND RELIEF FUND, THE MUNICIPAL LIBRARY FUND, AND THE NORTH LITTLE ROCK GENERAL FUND; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter, 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 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 roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*City Millage Tax – total 10 mills*)

O-12-90 (ORDINANCE NO. 8482 – MAYOR HAYS)

AN ORDINANCE ACCEPTING THE ANNEXATION OF LANDS COMMONLY DESCRIBED AS LANDS TO BE TITLED THE “TWADDLE ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE TWADDLE ANNEXATION A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross 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 roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*5608 Southwind Drive – Steven and Cyd Twaddle*)

PUBLIC COMMENT

Alderwoman Ross said Restricted Parking Districts are still enforced. Alderman Foutch thanked members of Keep North Little Rock Beautiful, North Little Rock Teen Court and other volunteers who

participated in the Great Arkansas River Cleanup last Saturday. Alderman Foutch thanked the Police Department for their work and diligence in making an arrest in the recent Convenience Store murder on MacArthur. Alderman Witcher said the Indian Hills Neighborhood Association will meet tomorrow (October 9, 2012) at 6:30 p.m. A candidate forum will include candidates for Mayor, Alderman Ward 4, State Senate and Justice of the Peace. Mayor Hays reminded everyone Personal Property Taxes are due on or before October 15, 2012. Fire Fest will be Tuesday, October 9, 2012, in the Kroger (McCain) parking lot. The Junction Bridge Regatta was rescheduled due to rain last weekend. The event will be this Saturday, October 13, 2012, from 3:30 p.m. until 7:00 p.m. The Annual Brother Paul Fish Fry will be October 19, 2012 at Verizon Arena beginning at 5:00 p.m. The North Little Rock Woman's Club Annual Fall Follies will be Saturday, October 20, 2012, at the Hays Center. Alderman Hight said the Leaf Vacuums will begin pickup Monday, November 5, 2012, and run through January 2013. Mayor Hays reminded everyone not to rake their leaves into the street or cover up storm drains, not put them around gas or water meters, mail boxes or other objects such as newly planted sod or plantings that are sensitive to damage, behind parked cars, and do not mix rocks, masonry products, metal objects, limbs or other large objects in with loose leaves as these materials will damage the vacuum machine and cause delays in service. A flyer with this information and the holiday Sanitation schedule will be going out in water bills. The leaf vacuum is one of the most popular services the city offers.

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 8:58 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, October 22, 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