

December 4, 2012  
Five o'clock P.M.  
North Little Rock City Hall Council Chambers  
300 Main Street  
North Little Rock, Arkansas

The Special Call meeting of the North Little Rock City Council scheduled for Tuesday, December 4, 2012, was called to order at 5:00 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, LINDA ROBINSON, STEVE BAXTER, CHARLIE HIGHT and MURRY WITCHER (6/0), a quorum was declared. Aldermen MAURICE TAYLOR and BRUCE FOUTCH were absent. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

Mayor Hays announced a Special Call scheduled for this date.

December 3, 2012 (via email)

Subject: Special Call for Tuesday, December 4, 2012

Honorable Members of the 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 5:00 p.m. on Tuesday, December 4, 2012, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1) R-12-223 – AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A FRANCHISE AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK, D/B/A NORTH LITTLE ROCK ELECTRIC DEPARTMENT, AND THE CITY OF SHERWOOD, ARKANSAS; AND FOR OTHER PURPOSES. Sponsor: Mayor Hays.

Also attached separately are Exhibits "A" (Sherwood Ordinance No. 1953) and "B" (Franchise Agreement).

Pursuant to Sec. 2-48(2) of the North Little Rock Municipal Code, you are entitled to 72 hours' *electronic* notice of this meeting. Given the close-scheduling of this meeting, I have attempted to contact each member of City Council in order to verbally request waiver of notice. Thus far, all members contacted have agreed to waive notice; however, I have not received affirmative consent from everyone at this time. 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

R-12-223 (RESOLUTION NO. 8208 – MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A FRANCHISE AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK D/B/A NORTH LITTLE ROCK ELECTRIC DEPARTMENT, AND THE CITY OF SHERWOOD, ARKANSAS; AND FOR OTHER PURPOSES, was read. Mayor Hays acknowledged Mayor elect Joe A. Smith who

was present. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Mr. Mike Russ, General Manager North Little Rock Electric Department advised this process took about three months. Mr. Russ said their new location on Maryland helped with the decision (as it is in close proximity to Sherwood City limits). The additional Franchise Fee was also beneficial. Previous issues were addressed. The Sherwood City Council had five (5) yes votes (for North Little Rock Electric), and three (3) no votes (or against). Mr. Carter said the additional Franchise payment or tariff is now based on rates. Franchise payments will now be made quarterly instead of biannually. The length of the agreement is 22 years. The initial proposal included 20 – 40 years. The previous agreement expires in 2015. (*added to 20 years for a total of 22 years.*) On the previous motion, and all members present having voted in the affirmative, the resolution was adopted (6/0).

Alderwoman Ross asked if a Budget Hearing with Council Members and Department Heads could be scheduled. After discussion, a meeting was scheduled for Tuesday, December 11, 2012, at 7:00 p.m. in the City Council chambers in City Hall. Alderwoman Robinson said council members have received the same pay since she has been serving. Alderman Hight recalled council pay was increased to the current amount in January 2001, during his first council meeting. Alderman Witcher said he would rather take care of full time employees first. Alderman Hight said he had suggested in lieu of a pay increase, an increase in council members expense allotment (\$100.00 per month before taxes – vehicle allowance). Mayor Hays commended Mr. Russ and Mr. Carter for their work on the (Electric) Franchise Agreement.

There being no further business to come before the Council, and on the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the meeting was adjourned at 5:20 p.m. (6/0), until the next regularly scheduled meeting to be held on Monday, December 10, 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