

April 22, 2013
Six-thirty o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

Mayor JOE A. SMITH announced a SPECIAL PRESENTATION of the North Little Rock City Council scheduled for Monday, April 22, 2013, at 6:00 p.m. to order.

April 17, 2013 (via email)

Subject: Special Presentation to the North Little Rock City Council

Honorable Members of the North Little Rock City Council:

The purpose of this e-mail is to advise you that Mayor Smith has called a special meeting of the North Little Rock Council at 6:00 p.m. on Monday, April 22, 2013, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

1. NLR Parks and Recreation Youth Cheerleading Squad, 'Cheer Starz' will be recognized by Mayor Smith for its participation in the JAMfest Cheer and Dance National Championship Competition held April 6-7, 2013 in Hot Springs, Arkansas. The NLRPR Cheer Starz competed on both days and won first place in the Level 1 Youth Recreation Division. The recreation division is a category assigned to cheer squads who cheer for a sports team as a part of their program. The NLRPR Cheer Starz received a 2013 team national championship trophy and a championship gym banner. Each athletic received a JAMFest National Champion medal and each athletic also received JAMfest National Champions jackets. Twelve members of the Silver Cheer Starz attended the competition: Iyauna Jones, SaMiya Bryant, Treneice Blakely, Tanyia Turner, Malaysia Sims, Armani Woods, Heaven Conley, Shaniaa Seldon, Ashlyn Kimble, Daphne Workman, DeNia Workman and India Duckett. The NLRPR Cheer Starz is presently coached by Trinity Johnson. Miss Johnson is a Senior attending North Little Rock High School where she is a four year member of the NLR Charging Wildcats Cheer Team. Trinity participated in the NLRPR Cheerleading program beginning at age nine. Upon entering high school Trinity became a volunteer coach for the youth basketball cheerleading program and for the NLRPR Tiny Tot Cheer Program.

2. The NLR Land Task Force will present a program to the City Council. Connie Phillips, chair of the City Council appointed Public Land Development Task Force, will give a 15-minute presentation of the task force's review of large parcels of public land owned by the City of North Little Rock and the task force's final recommendations for their use. Main parcels reviewed included property along Pike Avenue, acreage east and west of the Baring Cross Bridge, Smart House Way, Southern Cotton Property, Young Road Parcel, the Big Rock Quarry, and Burns Park.

All NLR City Council members are asked to attend. The public is invited.

For the Mayor,

By: Matthew W. Fleming
Deputy City Attorney

Mayor Smith invited members of the North Little Rock Parks and Recreation Youth Cheerleading Squad, "Cheer Starz" and their coach, Miss Trinity Johnson to come forward. He then introduced each member of the squad before presenting them with a proclamation recognizing their achievement.

Mayor Smith invited the following members of the North Little Rock Mayor's Youth Council to come forward: Grant Strobel, Sam Scott and Lauren Rainbolt. Mr. Strobel was appointed to the United States Coast Guard Academy. Mr. Scott and Miss Rainbolt were both appointed to the United States Air Force Academy.

Mayor Smith invited Mrs. Connie Phillips to come forward. Mrs. Phillips served as Chairman of the North Little Rock Public Land Taskforce. Other members of the Task Force were: Joel Buckner, Thomas Pownall, Aldermen Steve Baxter and Charlie Hight, Kathleen Rea, Roger Marlin, Vicki Stephens, Debbie Strobel, John Crow, Evelyn Creal, Kevin Newsom, and David Holsted. The Task Force was established in 2012 to review parcels of public land owned by the City of North Little Rock and provide recommendations to the City Council. A map was shown illustrating 140 city-owned parcels. The Task Force held a public meeting to which residents were invited to attend and provide input on the use of city owned land. In addition, the Task Force worked closely with the Planning and Parks Departments, and Alderman Baxter and Hight. Criteria included: which property must remain in public use (i.e. City Hall, Library, Airport, etc.); which property seemed best suited for development as park, green space, neighborhood garden, conservation or other public use; and, which property should be sold for economic development and income. Land to remain in its current use included the airport, city and community buildings, trails, utility easements and right-of-way, railroad easements and right-of-way and parks and community gardens. Recommendations were made for certain large parcels including Pike Avenue open space, east and west of the Baring Cross Bridge, Smart House Way, Southern Cotton Tract, Young Road, the Big Rock Quarry, Burns Park (Lodge), and various vacant residential tracts. A report on remaining parcels will be submitted to Mayor Smith. Task Force members suggested establishing a board to review use of public land in the future prior to sale, designating as a park or for public use on an as-needed basis. Mayor Smith thanked those who served on the Task Force for their time and efforts and asked if legislation was needed to accept the recommendations. Aldermen Hight and Baxter will sponsor a resolution supporting the recommendations. Mayor Smith adjourned the Special Meeting.

The regular meeting of the North Little Rock City Council scheduled for Monday, April 22, 2013, was called to order at 6:40 p.m. by the honorable Mayor JOE A. SMITH. 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. Alderman CHARLIE HIGHT was in the hallway. City Clerk Diane Whitbey, City Attorney C. Jason Carter, and Assistant City Attorney Matt Fleming were also present.

The invocation was given by Alderman Foutch, followed by the pledge of allegiance to the flag which was also led by Alderman Foutch.

On the motion of Alderman Witcher and seconded by Alderman Foutch and by consent of all members present, the minutes of a regular council meeting and Special meeting held on Monday, April 8, 2013, were approved, accepted and filed as prepared by the City Clerk (7/0).

Alderman Hight entered the council chambers at 6:42 p.m.

Mayor Smith asked Mr. Randy Naylor to come forward. Mr. Naylor said the Great North Little Rock Cleanup will be May 18, 2013. Last year there were 128 volunteers who contributed 640 volunteer hours. There were 15 clean up teams which cleaned 15 miles of streets. Volunteers can sign up on the KNLRB Facebook page. A volunteer celebration will take place at Lakewood Village Shopping Center.

On the blanket motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, communications #1, 2, 3, and 4 were accepted and filed (8/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: *Application Private Club and Restaurant Beer and Wine (on Premises only)* – NEW for Sandbar On Riverfront, 100 Riverfront Park (B), by Anita M. Ward.
2. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises and Small Farm Wine – Change of Manager from Rose Green* for Wal-Mart Supercenter #1105, 4450 E. McCain Boulevard, by Elvis C. Small.
3. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off premises – Replacement from Yeong H. Lee* for Shell Hope Mart, 2522 Jacksonville Hwy, by Randall D. Carter.
4. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink – Change of Manager from Leslie Sandberg* for The Olive Garden, 2943 Lakewood Village Drive, by Allen R. Doakes.

On the motion of Alderman Witcher and seconded by Alderman Foutch, and by consent of all members present, Communication #5 was read, accepted and filed (8/0).

5. Charlotte Thomas, Mayor's Office memorandum re: *On Premises Wine & Beer – NEW* for McCain Mall Stadium 12, 3929 McCain Boulevard, by Michael W. Gonzales.

Alderman Witcher said the theatre in the mall is great. However, serving alcohol there doesn't seem like a good fit. The applicant, Mr. Gonzales said this is something they do at other locations (Miami, Florida, and Houston and San Antonio, Texas). There would be a designated register where beer and wine would be sold and served in a clear cup. The company wants to offer an extended service to their

patrons. Patrons would be able to take their drink into any of the 12 theatres. Alderwoman White said the Police Department should be included in discussions. Mr. Fleming said the council needed a voice vote to direct the mayor to oppose the application. Alderman Taylor asked what the difference was between a movie theatre and a restaurant where families visit. Alderman Foutch asked if there were controls in place to prevent an adult from purchasing alcohol and then giving it to a minor in the theatre. Alderman Hight made a motion directing the Mayor (City) to send a letter to the Arkansas State Alcohol Beverage and Control Board opposing the application, which was seconded by Alderman Witcher, and the roll having been called, the following members voted yes: Aldermen White, Hight and Witcher; the following members voted no: Aldermen Taylor and Foutch; and the following members passed: Aldermen Ross, Robinson and Baxter (3/2/3).

On the motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, Communication #6 was read, accepted and filed (8/0).

6. Ray Tucker, Executive Director, Arkansas Sports Hall of Fame, re: check for \$100,000.00 refund to city.

Alderman Baxter said the funds came out of the Special Projects line item. Mayor Smith said other options are being considered.

On the motion of Alderwoman White and seconded by Alderwoman Ross, and by consent of all members present, Communication #7 was read by title only, accepted and filed (8/0).

7. Betty Wineland, Executive Director Central Arkansas Transit Authority (CATA) re: status of CATA's Jobs Access/Reverse Community Grant (JARC) (50/50 Grant): Sunday service on 3 routes, additional peak-hour bus on Levy route and later p.m. service.

Alderwoman White said the additional routes have benefited a lot of residents.

On the motion of Alderman Witcher and seconded by Alderwoman White, and by consent of all members present, Communication #8 was read, accepted and filed (8/0).

8. Alderman Beth White – letter to Mayor Joe A. Smith re: requesting Executive Order to allow mobile food vendor for Quapaw Quarter Association Spring Tour of Homes in Park Hill.

On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, communication #9 was read by title only, accepted and filed (8/0).

9. Donna Hardcastle (via Alderman Ross) email re: Argenta Downtown Council Annual Report.

On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, communication #10 was read by title only, accepted and filed (8/0).

10. Donna Hardcastle (via Alderman Ross) email re: Art Connection Report.

At the request of Mayor Smith, a packet distributed to council members prior to the meeting was accepted as communication #11.

11. Cindy Doramus, Chief Executive Officer Boys & Girls Club of Central Arkansas Report to City Council.

Mayor Smith convened a scheduled public hearing regarding O-13-36 – Amending the Master Street Plan (Ordinance No. 7932) to update the North Little Rock Bicycle Plan. Mrs. Judy McDowall spoke in support of the proposed amendment. The city will apply to be a Bicycle Community again and part of the application includes adopting an updated Bicycle Plan. Mrs. McDowall spoke of the many benefits of bicycling and educational opportunities including Safe Routes to Schools. There being no one else wishing to be heard, the public hearing was adjourned. Alderman Hight spoke about requirements from the League of American Bicyclists. North Little Rock is working to make riding a bike safe for all ages.

Without objection, O-13-36 was called.

O-13-36 (ORDINANCE NO. 8527 – ALDERMAN HIGHT)

AN ORDINANCE AMENDING THE MASTER STREET PLAN (ORDINANCE NO. 7932) TO UPDATE THE NORTH LITTLE ROCK BICYCLE PLAN; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time April 8, 2013. A public hearing was held this date. The legislation was read a second time. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the rules were suspended and the ordinance was placed on its third and final reading (8/0). On the motion of Alderman Taylor and seconded by Alderman Hight, and by consent of all members present, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

Mayor Smith announced citizen comment on legislation. Mr. James Ard spoke regarding O-13-34 and O-13-43 regarding snow cone trucks running after hours. He asked the council to look out for the children who run into the street. Mr. Ard said background checks should be required for snow cone truck drivers. There being no one else wishing to be heard, citizen comment was closed.

UNFINISHED BUSINESS

O-13-34

AN ORDINANCE AMENDING CHAPTER 74 OF THE NORTH LITTLE ROCK MUNICIPAL CODE TO ADD REGULATIONS FOR “MOBILE VENDORS”; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held.

O-13-36 was called following a public hearing (see above).

CONSENT AGENDA

On the motion of Alderman Hight, and seconded by Alderman Taylor, and by voice vote and all members present having voted aye, consent agenda items R-13-66, R-13-67, R-13-68, and R-13-69 were approved.

R-13-66 (RESOLUTION NO. 8303 – MAYOR SMITH)

A RESOLUTION APPROVING THE FINANCIAL MANAGEMENT PLAN FOR TRANSFERRING FUNDS AND ADJUSTING BUDGET AMOUNTS IN THE 2006, 2008 AND 2012 HOME PROGRAMS; AND FOR OTHER PURPOSES.

R-13-67 (RESOLUTION NO. 8304 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN ENHANCED COMMUNITY SERVICES AGREEMENT WITH ARGENTA DOWNTOWN COUNCIL; AND FOR OTHER PURPOSES.

R-13-68 (RESOLUTION NO. 8305 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE NORTH LITTLE ROCK UNITS OF THE BOYS AND GIRLS CLUB OF CENTRAL ARKANSAS; AND FOR OTHER PURPOSES. *Per Mayor Smith, a packet left for council members was accepted as Communication #11.*

R-13-69 (RESOLUTION NO. 8306 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE ARGENTA ART CONNECTION, INC.; AND FOR OTHER PURPOSES.

NEW BUSINESS

R-13-70 (RESOLUTION NO. 8307 – MAYOR SMITH)

A RESOLUTION APPROPRIATING ADDITIONAL FUNDS FOR SMART METERS; AND FOR OTHER PURPOSES, was read. Mr. Carter said the city wants to continue to install Smart Meters. Unless additional funding is allocated, the department will run out of meters. There was also a question as to the type of meter: one with remote connect and disconnect or one without. Meters with remote connect and disconnect cost approximately \$50.00 more per meter. Funds would be reallocated, which would result in 26,000 meters deployed by the end of the year (out of a total of 37,000). Remotely connecting or disconnecting a meter one time for any reason will pay for it. A lot of testing has been done. Both types of meters have been installed. These meters have a life span of approximately 15 years. Mayor Smith suggested setting money aside now for future meter replacements. Eventually, man-power will be reduced. Compatible vendors and equipment are being used. Mr. Carter said the majority of smart meters are deployed at rental units. On the motion of

Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-13-71 (RESOLUTION NO. 8308 – MAYOR SMITH)

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 308 SHORT STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS;

AND FOR OTHER PURPOSES, was read. Mayor Smith convened a public hearing. There being no one wishing to be heard, the public hearing was adjourned. On the motion of Alderman Taylor and seconded by Alderman Baxter, and by consent of all members present, the resolution was unanimously adopted (8/0). (*amount - \$6,298.70*)

R-13-72 (RESOLUTION No. 8309 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 503 NORTH OLIVE STREET (A/K/A 321/323 WEST 5TH) 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. Mayor Smith convened a public hearing.

There being no one present wishing to be heard, the public hearing was adjourned. On the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Pamela McQuaid*)

R-13-73 (RESOLUTION NO. 8310 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 401 WEST 20TH 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. Mayor Smith convened a public hearing. There being no one present

wishing to be heard, the public hearing was adjourned. On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Demetrus Goforth*)

R-13-74 (RESOLUTION NO. 8311 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1310 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. Mayor Smith convened a public hearing. There being no one present

wishing to be heard, the public hearing was adjourned. On the motion of Alderman Taylor and

seconded by Alderman Foutch, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Paul Eller*)

R-13-75 (RESOLUTION NO. 8312 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1308 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. Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the motion of Alderman Taylor and seconded by Alderman Baxter, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Patricia Eller c/o Paul Eller*)

R-13-76 (RESOLUTION NO. 8313 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1708 BEECH 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. Mayor Smith convened a public hearing. Mrs. Helen Lee was told she could fix the property, then told to tear it down. Now she is trying to find out what to do. She was trying to save the area where the fireplace is located for homeless people. Mayor Smith said would have 30 days to get with Code Enforcement and the City Attorney to put up a bond. There being no one else wishing to be heard, the public hearing was adjourned. On the motion of Alderman Taylor and seconded by Alderman Foutch, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Ralph and Helen Lee*)

R-13-77

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4500 GUM 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 called and withdrawn at the request of Felicia McHenry, Code Enforcement (the structure was demolished). (*owner: Ralph W. Robinett*)

R-13-78 (RESOLUTION NO. 8314 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 202 CORNISH 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. Mayor Smith convened a public hearing. There being no one present

wishing to be heard, the public hearing was adjourned. On the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Michael Sears*)

R-13-79 (RESOLUTION NO. 8315 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 202 CORNISH STREET (A/K/A/ 200 CORNISH 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. Mayor Smith convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the motion of Alderman Taylor and seconded by Alderman Baxter, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owner: Michael Sears*)

R-13-80 (RESOLUTION NO. 8316 – MAYOR SMITH)

A RESOLUTION REGARDING THE PROVISION OF SCHOOL RESOURCE OFFICERS FROM THE NORTH LITTLE ROCK POLICE DEPARTMENT TO THE NORTH LITTLE ROCK SCHOOL DISTRICT; AND FOR OTHER PURPOSES, was read. Alderwoman Robinson said the purpose of this legislation is not to get rid of Resource Officers in Schools. The City of North Little Rock has funded 100% of the costs for the Resource Officers for the past 20 years at an average of \$400,000.00 per year. Due to rising costs, reduced city revenue and lack of Federal Funding, the intent is for the Mayor and School District to reassess the program and if possible negotiate an agreement with the School District. Currently, North Little Rock is the only city in the state funding 100% of the costs of Resource Officers provided to the School District. She has received calls for and against. One constituent said if the city could increase resource officers in the schools then they should provide more patrolmen on the streets as neighborhoods are declining. She has had calls from residents of other wards in the city who want the program left as is and increase the number of resource officers in the schools. In October, during budget discussions, over 60% of the city's annual budget goes towards uniformed employees, with the remaining 30% going to other operations, departments and services. To increase the number of uniformed officers, funds would have to be moved from other areas and could result in layoffs of other city employees. The program needs to be reassessed and see if the school district can assist with costs. When this program began in the 1990's, we were part of a nationwide trend which included Los Angeles, California and Houston, Texas. A motion to adopt was made by Alderwoman Robinson and seconded by Alderwoman Ross. Alderwoman Ross does not want to do away with any Resource Officer. It is the council's job to oversee tax payer funds and the budget. Alderman Foutch said this does not obligate any changes at this time. On the previous motion, and by consent of all members present, with the exception of Alderman Hight who passed, the resolution was adopted (7/1).

O-13-38 (ORDINANCE NO. 8528 – ALDERWOMEN WHITE AND ROSS)

AN ORDINANCE AMENDING ORDINANCE NO. 8515 WHICH GRANTED A CONDITIONAL USE TO ALLOW A SELF-SERVE ICE VENDING UNIT FOR PROPERTY LOCATED AT 4032 JFK (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 Witcher, and by consent of all members present, all readings were suspended (8/0). Exhibit “C” represents the final design of the structure. Alderman Baxter asked about the font on the sign. Mr. Hal Matthews advised it will be similar. On the motion of Alderman Hight and seconded by Alderman Witcher, and the roll having been called and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted. (*previous applicant: Clint Davis*)

O-13-39 (ORDINANCE NO. 8529 – ALDERMAN HIGHT)

AN ORDINANCE APPROVING A REQUEST TO WAIVE RIGHT-OF-WAY REQUIREMENTS OF THE MASTER STREET PLAN FOR PROPERTY LOCATED ALONG KIERRE DRIVE, OVERBROOK APARTMENTS PHASE 6, IN THE CITY OF NORTH LITTLE ROCK,

ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, all readings were suspended (8/0). On the motion of Alderman Hight and seconded by Alderman Witcher, and the roll having been called and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: John R. Pownall*)

O-13-40 (ORDINANCE NO. 8530 – ALDERMAN HIGHT)

AN ORDINANCE APPROVING A WAIVER REQUEST FOR CERTAIN REAL PROPERTY LOCATED AT 5901 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 Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, all readings were suspended (8/0). On the motion of Alderman Hight and seconded by Alderman Witcher, and the roll having been called, and all members present, having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: John R. Pownall*)

O-13-41 (ORDINANCE NO. 8531 – ALDERMEN TAYLOR AND ROBINSON)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AUTO SALES IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1500 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 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 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 (8/0). 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 unanimously adopted (8/0). (*applicant: Jim Butler*)

O-13-42 (ORDINANCE NO. 8532 – ALDERMEN BAXTER AND FOUTCH)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A WAREHOUSE / OFFICE WITH OVERHEAD DOORS IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT THE NORTHEAST END OF RICHARDSON DRIVE 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, all readings were suspended (8/0). 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 unanimously adopted (8/0). Emergency clause unanimously adopted (8/0) (*applicant: Mark Redder*)

O-13-43

AN ORDINANCE AMENDING SECTIONS 74-1 AND 74-37 OF THE NORTH LITTLE ROCK MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called. Alderwoman White said this legislation would correct previous legislation. The ordinance was read one time. A motion to suspend the rules was made by Alderman Taylor and seconded by Alderwoman White. Alderman Taylor asked for clarification. Alderwoman White said currently Section 74-37 does not allow any person to *offer or sell any item or service* on or within 10 feet of a public street. This means that mobile ice cream vendors are not allowed. Alderman Witcher said in the past, there have been issues with individuals standing in the street soliciting donations. Alderman Hight said the intent was not to eliminate ice cream vendors. Alderwoman Ross asked about yard sales within 10 feet of the street. Alderman Foutch asked if this would allow people to stand on the street corner to sell oranges. After further discussion, the legislation was held by the sponsor, Alderwoman White.

O-14-44 (ORDINANCE NO. 8533 – ALDERMAN WHITE)

AN ORDINANCE AMENDING SECTION 12.3 OF ORDINANCE NO. 7697 (THE ZONING ORDINANCE) REGARDING THE REGULATION OF DAYCARE CENTERS AND HOME DAYCARES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman White and seconded by Alderman Foutch, 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 Foutch, 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 adopt was made by Alderwoman Robinson and seconded by Alderwoman White. Alderman Taylor asked about the distance. Mr. Carter said once a daycare is established, a level 3 or level 4 registered sex offender

would not be allowed to reside within 2,000 feet of the facility. Alderwoman White said the Planning Department needs documentation for their check list and this legislation would provide additional information. Alderwoman Ross said she has seen instances where the Arkansas Crime Information Center (ACIC) was not current. North Little Rock Interim Police Chief Mike Davis said another alternative is to contact the North Little Rock Police Department Detective Division. Mr. Robert Voyles, Planning Director said the burden would be on the applicant. Alderwoman Ross said she would prefer staff check the information. Mr. Carter said the council could direct the owner or staff to check the information. He said the city does not want to be between the applicant and the neighbors in a matter like this requiring notice. This allows the city to be impartial. On the motion of Alderwoman White and seconded by Alderwoman Ross, and by consent of all members present, the ordinance was amended as follows: *Section 1: M. strike through by accessing the website of Arkansas Crime Information Center (acic.org) and going to the "sex Offender Registry Search" link, and insert* THROUGH THE NORTH LITTLE ROCK POLICE DEPARTMENT ACCORDING TO THEIR RULES AND PROCEDURES, (8/0). 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 unanimously adopted as amended (8/0). Emergency clause unanimously adopted (8/0).

PUBLIC COMMENT

Mayor Smith advised the Memorial Day Holiday will be observed Monday, May 27, 2013, and suggested moving the City Council meeting scheduled for that date to the following day, Tuesday, May 28, 2013. After discussion, it was agreed the meeting would change to the 28th. Alderwoman Robinson said the month of April is Child Abuse Prevention Awareness Month. Alderman Taylor said April is also Fair Housing Month. Alderwoman Ross said door-to-door peddlers are not allowed after dark and told people to call the police department. Peddlers are required to have a peddler's permit (and Identification Badge). Alderman Baxter asked how recycling has affected or reduced the amount of rubbish going to the landfill. Mayor Smith said recycling is going great. Alderman Taylor asked if overflow would be picked up. Alderman Hight said he has seen a Waste Management garbage type truck. Alderman Baxter asked about the Recycling (trailers) at the old Harvest Food Grocery store in Sherwood and if there were any in North Little Rock. Ms. Kalpana Sharma said people are using a ditch behind 2520 Parker as a dump site for old mattresses, commodes, couches, tires, etc. She has contacted Code Enforcement. Helen (last name unknown) said she has contacted several council members regarding the issue. The property is behind Pike Plaza Shopping Center. Helen has a house at 812 West 20th where the copper was stolen yesterday and the police won't come down there. She said people are living in the Gloryland (Church) property which is condemned. It needs to be torn down so the people will leave. Alderwoman Ross said it will take a lot of money to tear down the structure. Helen said the property needs to be boarded up. Ms. Sharma asked what she can do to prevent people from stealing copper wire from her air conditioner. Mayor Smith said the State Legislature passed a law regarding the sell of copper that may help. Ms. Sharma asked if she could install razor wire. Alderwoman Ross said Gardner Memorial installed bars around their air conditioner units. Mr. Ard said Mayor Smith earned the title "mayor" and should be addressed that way.

There being no further business to come before the Council, and on the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, the meeting was adjourned at 8:30 p.m. (8/0), until the next regularly scheduled meeting scheduled for Monday, May 13, 2013, at six thirty o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: _____
MAYOR JOE A. SMITH

ATTEST: _____
DIANE WHITBEY, CITY CLERK