

June 24, 2013
Six-thirty 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, June 24, 2013, was called to order at 6:32 p.m. by the honorable acting Mayor MURRY WITCHER. 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 JOE A. SMITH and Alderman CHARLIE HIGHT were absent. City Clerk Diane Whitbey and Assistant City Attorney Matt Fleming were also present.

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

On the motion of Alderman Foutch and seconded by Alderman Baxter and by consent of all members present, the minutes of a regular council meeting held on Monday, June 10, 2013, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the motion of Alderman Baxter and seconded by Alderman Taylor, and by consent of all members present, communication #10 was read, accepted and filed (7/0).

10. Mayor Smith memorandum to City Council members re: absent from City Council Meeting June 24, 2013 – Alderman Witcher to preside.

On the motion of Alderwoman Ross and seconded by Alderman Foutch, and by consent of all members present, communication #8 was read, accepted and filed (7/0).

8. Bob Rhoads, CPRP, Director of Parks and Recreation letter to Mayor Smith and City Council members re: US Army Corps of Engineers remedial investigation to search for ordnances in Burns Park and two other properties near North Little Rock.

On the blanket motion of Alderwoman White and seconded by Alderman Taylor, and by consent of all members present, communications #1, 2, 3, 4, 5, 6, 7, 9, and 11 were accepted and filed (7/0).

1. Alderman Witcher email re: Ward 4 Trash Study Committee Representative – Robert Iriana.
2. Alderman Ross email from Randy Naylor – Chairman Keep North Little Rock Beautiful – Outdoor Storage Task Force – Dauphne Trenholm.
3. Alderman Robinson email re: Ward 2 Outside Storage Committee representative – Dennis Fisk.
4. Bob Hardin – Petition for Dissolution of Smarthouse Way Central Business Improvement District No. 27 of North Little Rock.

5. Glinda Craigmyle, Mayor's Office memorandum re: *Hotel / Motel / Restaurant Mixed Drink Maximum – Change of Manager from Charles Jamison* for Wyndham Riverfront, 2 Riverfront, by Thomas W. Roy.
6. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – Change of Manager from Mahbubur Rahman*, for Doublebee's #112, 2623 N. Main, by Yoland M. Mitchell.
7. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Beer & Wine – NEW* for the Catfish Hole, 603 East Spriggs Road, by Brenda K. McKinnon.
9. Graham W. Rich, P.E., BCEE, Chief Executive Officer Central Arkansas Water, letter to Mayor Smith and City Council members re: Appointment to Board of Commissioners – Mr. John Braune.
11. Belinda Snow, Executive Director North Little Rock Housing Authority letter to Mayor Smith re: appointment of Shunika Johnson to serve as commissioner North Little Rock Housing Authority.

Without objection, Acting Mayor Witcher called R-13-115

R-13-115 (RESOLUTION NO. 8343 – MAYOR SMITH)

A RESOLUTION CONFIRMING THE APPOINTMENT OF JOHN BRAUNE TO THE BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman White. On the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the resolution was amended as follows: *insert JOHN BRAUNE in all blanks (7/0)*. On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was adopted as amended (7/0).

Acting Mayor Witcher convened a public hearing scheduled for 6:30 p.m. regarding O-13-52, an ordinance establishing the Young Road Multi-Purpose Municipal Improvement District No. 33. Mr. Bob Hardin reviewed the contents of the legislation and supported of the same. Mr. Gene Pheifer, who was one of the petitioners, also spoke in support of the legislation. There being no one else wishing to be heard, the public hearing was adjourned.

Without objection, O-13-52 was called.

O-13-52 (ORDINANCE NO. 8540 – MAYOR SMITH)

AN ORDINANCE ESTABLISHING THE YOUNG ROAD MULTI-PURPOSE MUNICIPAL IMPROVEMENT DISTRICT NO. 33 OF 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 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 Taylor and seconded by Alderwoman Robinson, 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).

Acting Mayor Witcher convened a public hearing scheduled for 6:30 p.m. regarding O-13-62, an ordinance establishing the Indian Hills Restricted Parking District. The legislation was read. Mr. Steve Whiting (who filed the paperwork requesting the same) spoke in support of the parking district. Alderwoman Ross asked if all residents in the area (illustrated on map attached to legislation) had been notified. Mr. Whiting advised Neighborhood Services had sent out notices. He advised he had spoke before the council previously regarding the same issue. Alderwoman White asked about pocket areas not included on the map and if they could be added. She referenced Stanwood Loop as an example. Mr. Whiting said he was relying on the map provided by the North Little Rock Planning Department. Mr. Whiting said residents can ask to be included or excluded from the proposed parking district. Alderman Foutch asked about the condition regarding commercial or large recreational vehicles and if there was something defining length. Alderwoman White asked if a resident placed pavers in the front yard, would be sufficient for a driveway. Mr. Robert Voyles, Planning Director, advised they would and that a resident can pave up to one-half of their front yard. Alderwoman Ross suggested if the legislation passed, that the Legal Department send a letter to all residents (in the parking district) advising them of the law or provide some other form of notification.

O-13-62

AN ORDINANCE ESTABLISHING THE INDIAN HILLS RESTRICTED PARKING DISTRICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read during the public hearing. 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). The ordinance was read a second time and held by Acting Mayor Witcher. The public hearing was recessed until Monday, July 8, 2013, at 6:30 p.m.

Acting Mayor Witcher announced citizen comment on legislation. Mr. Joe Reynolds spoke against O-13-61. He has lived in the Ward 3 area for over 30 years. There are seven used car lots and three pawn shops in the area now. He is opposed to reclassifying the property as C-4.

UNFINISHED BUSINESS

None

CONSENT AGENDA

On the motion of Alderman Taylor, and seconded by Alderwoman Robinson, and by voice vote and all members present having voted aye, consent agenda items R-13-107, R-13-108, R-13-109, R-13-110, R-13-111, R-13-112, R-13-113, and R-13-114 were adopted (7/0).

R-13-107 (RESOLUTION NO. 8344 – MAYOR SMITH)

A RESOLUTION APPROVING AND RATIFYING ADJUSTMENTS TO THE 2013 ANNUAL ACTION PLAN TO INCREASE AND DECREASE PROJECT FUNDING AMOUNTS IN ACCORDANCE WITH THE INCREASE IN THE 2013 CDBG FUNDING AND A REDUCTION IN

THE 2013 HOME FUNDING TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was adopted.

R-13-108 (RESOLUTION NO. 8345 – MAYOR SMITH)

A RESOLUTION APPROPRIATING \$30,420.00 FROM ACT 833 FUNDS FOR THE 20% LOCAL SHARE OF A FEMA GRANT AWARDED TO THE NORTH LITTLE ROCK FIRE DEPARTMENT FOR ITS ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM; AND FOR OTHER PURPOSES, was adopted.

R-13-109 (RESOLUTION NO. 8346 – MAYOR SMITH)

A RESOLUTION APPROPRIATING \$563.60 FROM ACT 833 FUNDS FOR THE PURCHASE OF INVESTIGATION TOOLS AND MATERIALS FOR THE NORTH LITTLE ROCK FIRE DEPARTMENT; AND FOR OTHER PURPOSES, was adopted.

R-13-110 (RESOLUTION NO. 8347 – MAYOR SMITH)

A RESOLUTION APPROPRIATING \$1,022.76 FROM ACT 833 FUNDS FOR THE PURCHASE OF RESPIRATOR CARTRIDGES AND ADAPTORS FOR THE NORTH LITTLE ROCK FIRE DEPARTMENT; AND FOR OTHE PURPOSES, was adopted.

R-13-111 (RESOLUTION NO. 8348 – MAYOR SMITH)

A RESOLUITON EXTENDING THE CURRENT AGREEMENT WITH CHANGE CENTER FOR HEALTH & VITALITY FOR THE PROVISION OF EMPLOYEE HEALTH AND WELLNESS SERVICES (*Argenta Employee Wellness Clinic*); AND FOR OTHER PURPOSES, was adopted.

R-13-112 (RESOLUTION ON. 8349 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE DOCUMENTS TO EXCHANGE CERTAIN REAL PROPERTY OWNED BY THE CITY FOR OTHER REAL PROPERTY OWNED BY THE ARKANSAS GAME AND FISH COMMISSION IN NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was adopted.

R-13-113 (RESOLUTION NO. 8350 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE PETITIONS TO REDEEM CERTAIN PARCELS OF LAND LOCATED AT DOUGLAS AVENUE AND RANGE LINE AVENUE; APPROPRIATING PAYMENT OF \$1,065.89 TO THE STATE COMMISSIONER OF LANDS FOR DELINQUENT TAXES ON SAID PARCELS; AND FOR OTHER PURPOSES, was adopted.

R-13-114 (RESOLUTION NO. 8351 – ALDERMAN HIGHT)

A RESOLUTION APPROVING A BIKE RACK PROGRAM AND FORM OF JOINT USE AGREEMENT IN CONNECTION THEREWITH, AND FOR OTHER PURPOSES, was adopted.

Mr. Voyles said the city acquired 88 bike racks through the Fit 2 Live Program. People are asked to submit requested locations to the city.

Acting Mayor Witcher recognized Finance Director, Bob Sisson, who is retiring. Last week, Mr. Sisson was presented the John Woodruff Award during the Arkansas Municipal League's Summer Convention in Hot Springs in recognition of his contributions to the City of North Little Rock and the Arkansas Municipal League. Mr. Sisson said he appreciates the mayors and council members who have worked with him over the last 34 years. Fourteen years ago he almost died. His wife, Connie was by his side during the three months he was in Intensive Care. He expressed his appreciation to Connie and to the city through the years. Acting Mayor Witcher said a Retirement Reception honoring Mr. Sisson will be held Thursday, June 27, 2013, at the North Little Rock Chamber of Commerce from 1 p.m. until 3:00 p.m. Everyone is invited to attend.

NEW BUSINESS

R-13-115 *called earlier in meeting.*

R-13-116 (RESOLUTION NO. 8352 – 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 704 GRAHAM AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. Acting Mayor Witcher 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 adopted (7/0). (*owner: Cheteer Farrar – amount \$3,266.80*)

R-13-117 (RESOLUTION NO. 8353 – 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 1304 EAST 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 Foutch. Acting Mayor Witcher 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: Mary E. Smith – amount \$2,474.50*)

R-13-118 (RESOLUTION NO. 8354 – 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 2713 GRIBBLE STREET 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 Alderwoman Ross. Acting Mayor Witcher 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: Jessie and Lewis Ford – amount \$2,145.60*)

R-13-119 (RESOLUTION NO. 8355 – MAYOR SMITH)

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 Alderman Taylor and seconded by Alderwoman Robinson. Acting Mayor Witcher 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-13-120 (RESOLUTION NO. 8356 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 710 WEST 21ST 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 Robinson. Acting Mayor Witcher 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: Ronald and Vernadean Webb*)

R-13-121 (RESOLUTION 8357 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 821 NORTH CYPRESS 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 Robinson and seconded by Alderman Taylor. Acting Mayor Witcher 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: Irene McCoy c/o William Young*)

O-13-51 (ORDINANCE NO. 8541 – MAYOR SMITH)

AN ORDINANCE DISSOLVING THE SMARTHOUSE WAY CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 27 OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and

seconded by Alderwoman Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Taylor and seconded by Alderwoman Robinson, 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).

O-13-52 *called earlier in meeting.*

O-13-53 (ORDINANCE NO. 8542 – MAYOR SMITH)

AN ORDINANCE WAIVING COMPETITIVE BIDDING REQUIREMENTS, APPROPRIATING FUNDS (\$56,660.00 – Carry Forward Sales Tax Capital Improvement Fund), AND AUTHORIZING THE NORTH LITTLE ROCK ENGINEERING DEPARTMENT TO ACCEPT THE PROPOSAL OF TCI, TANKERSLEY, INC. FOR CERTAIN REPAIRS TO COLONEL MAYNARD ROAD; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (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).

O-13-54

AN ORDINANCE ACCEPTING THE ANNEXATION OF LANDS COMMONLY DESCRIBED AS LANDS TO BE TITLED THE “LILE SCOTT ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING LILE SCOTT ANNEXATION A PART OF THE CITY OF NORTH LITTLE ROCK; 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). The ordinance was read a second time and then held by Acting Mayor Witcher.

O-13-55 (ORDINANCE NO. 8543 – MAYOR SMITH)

AN ORDINANCE ACCEPTING THE ANNEXATION OF LANDS COMMONLY DESCRIBED AS LANDS TO BE TITLED THE “OTT PARK ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING OTT PARK ANNEXATION A PART OF THE CITY OF NORTH LITTLE ROCK; 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, all readings were suspended (7/0). On the motion of Alderman Taylor and seconded by Alderwoman Robinson, 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-13-56 (ORDINANCE NO. 8544 – MAYOR SMITH)

AN ORDINANCE ACCEPTING THE ANNEXATION OF LANDS COMMONLY DESCRIBED AS LANDS TO BE TITLED THE “SIMONS ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING SIMONS ANNEXATION A PART OF THE CITY OF NORTH LITTLE ROCK; 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, all readings were suspended (7/0). 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 adopted (7/0). Emergency clause adopted (7/0).

O-13-57 (ORDINANCE NO. 8545 – MAYOR SMITH)

AN ORDINANCE ACCEPTING THE ANNEXATION OF LANDS COMMONLY DESCRIBED AS LANDS TO BE TITLED THE “UTILITY TRI STATE ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND MAKING UTILITY TRI STATE ANNEXATION A PART OF THE CITY OF NORTH LITTLE ROCK; 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, all readings were suspended (7/0). 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-13-58 (ORDINANCE NO. 8546 – MAYOR SMITH)

AN ORDINANCE APPROVING A BUILDING ENCROACHMENT ONTO PUBLIC RIGHT-OF-WAY FOR CENTURYLINK AT 423 EAST 20TH STREET; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. A motion to suspend the rules was made by Alderwoman Ross and seconded by Alderman Taylor. On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, the ordinance was amended as follows:: *3rd Whereas and Section 1: strike 4’ and insert 13’* (7/0). On the previous motion, 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 Baxter, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading as amended (7/0). 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).

O-13-59 (ORDINANCE NO. 8547 – ALDERMEN TAYLOR AND ROBINSON)

AN ORDINANCE APPROVING A REQUEST TO WAIVE REQUIREMENTS OF THE MASTER STREET PLAN FOR STREET WIDENING ON EUREKA GARDENS ROAD ADJACENT TO MEADOW PARK ELEMENTARY SCHOOL IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read.

Alderman Taylor made a motion to suspend all readings. Mr. Voyles advised Meadow Park School is being reconstructed which required widening on Eureka Gardens. There will be sidewalks on Eureka

Gardens and East Bethany. Alderwoman Ross asked if there would be increased traffic on Eureka Gardens Road. Mr. Voyles said it will depend on other (future) developments. Mr. Voyles said there is parking on the site. Alderwoman Robinson was added as a cosponsor. On the previous motion which was seconded by Alderman Foutch, and by consent of all members present, all readings were suspended (7/0). On the motion of Alderman Taylor and seconded by Alderwoman Robinson, 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: John R. Pownall*)

O-13-60

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A FOOD VEHICLE AS A WALK UP RESTAURANT IN AN R-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1013 WEST 24TH STREET 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 (7/0). On the motion of Alderman Taylor and seconded by Alderwoman Robinson, 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. Voyles advised the applicant did not speak English. Mr. Antonio Dominguez was present and spoke through his interpreter. The vehicle will be beside the house and is (like) a mobile home. He would sell tacos, quesadillas and tamales. Alderman Taylor said the applicant was before the council several years ago at which time the council approved him to sell from his truck while renovating his restaurant (see Ordinance No. 8154 Special Use for 915 W. 22nd by Rosio Dominquez). The restaurant never opened. The interpreter said he has a food truck he sells from. Alderwoman White referenced event driven food trucks and expressed concerns regarding this as a long term (food truck) location. Acting Mayor Witcher asked about skirting around the trailer. Alderman Taylor said he is not a proponent of mobile food trucks and sponsored the legislation for consideration to provide Mr. Dominquez an opportunity to address the council. Alderwoman Ross said her concern was the location on residential property and that if one is allowed, then more would be requested. Alderman Foutch asked about traffic and parking. Mr. Voyles said the location is off of Pike Avenue on an alley. Parking in the area is low volume. The city owns grass right-of-way in the area. Alderman Baxter asked if there was any opposition to this request when it came before the Planning Commission. Mr. Voyles advised there was not. On the motion of Alderman Taylor and seconded by Alderman Foutch, and the roll having been called, and all members present having voted no, with the exception of Acting Mayor Witcher who voted yes, the motion to adopt failed (1/6). (*applicant: Antonio Dominquez*) Acting Mayor Witcher suggested Mr. Dominquez visit with Mr. Voyles to see if there was another option.

O-13-61

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 5806 MACARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM C-3 TO C-4, BY

AMENDING ORDINANCE NO. 7697 AND GRANTING A CONDITIONAL USE TO ALLOW AUTO SALES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Foutch and seconded by Alderman Taylor, and by consent of all members present, with the exception of Alderwoman Robinson who voted no, the rules were suspended and the ordinance was placed on its second reading (6/1). The ordinance was read a second time and held by the sponsor, Alderman Foutch and a public hearing was scheduled for Monday, July 8, 2013, at 6:30 p.m. regarding the same. (*applicant: Todd Armstrong*)

O-13-62 *called earlier in meeting.*

PUBLIC COMMENT

Alderman Foutch advised military retirees who shop at the Little Rock Air Force Base Commissary that effective, July 8, 2013, it will be closed on Mondays and Tuesdays (due to furloughs). Alderwoman White reminded everyone that fireworks are illegal in North Little Rock. It is illegal to set them off and/or possess them. Alderwoman Ross announced on Saturday, June 29, 2013, there will be a Family Fun Day at the North Little Rock Airport from 10:00 a.m. until 2:00 p.m. Everyone is invited to attend. On Tuesday, July 2, 2013, Park Hill Fire Station #5 will celebrate 75 years. The Park Hill Neighborhood Association is hosting a Birthday party and all residents of Park Hill are invited to attend. The event will be at the Fire Station from 5:00 p.m. until 7:30 p.m. Thursday, June 27, 2013, the Outdoor Storage Task Force will meet at 6:30 p.m. at the North Little Rock Community Center. The public is invited to attend. Alderman Foutch asked for an update regarding the (street) resurfacing program. Mr. Mike Smith, City Engineer, advised the program has progressed better than expected and anticipates the program wrapping up soon. Percy Machin is being milled for overlay now. The project is under budget (approximately \$15,000.00). Acting Mayor Witcher asked them to look at the area 100 feet north of Five Mile Creek on North Hills Boulevard. Alderwoman White asked when the next round of State Road Funds would be available. Mr. Smith had heard the city has been selected (through State Aid For Roads) for the overlay of McCain from North Hills to (Highway) 67. Ms. Pamela Reed lives at 722 Poe Street. When the street was fixed a trench was dug around her house. Now her yard floods. Water has saturated it and now it is deteriorating. The stucco on her house is messed up too. She said there was a temporary fix and she is tired of it. She has neighbor who has a business at his home and won't cut his grass. There's a lot of junk around and he has trees encroaching on her property. Acting Mayor Witcher asked Chief of Staff Danny Bradley to look into her concerns and let Aldermen Taylor and Robinson know of his findings.

There being no further business to come before the Council, and on the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the meeting was adjourned at 7:44 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, July 8, 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