

October 14, 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, October 14, 2013, was called to order at 6:32 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, CHARLIE HIGHT and MURRY WITCHER (8/0). A quorum was declared. City Clerk Diane Whitbey and Assistant City Attorney Matt Fleming were also present.

Alderman Hight led the invocation, followed by the pledge of allegiance to the flag which was led by Alderman Witcher.

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 23, 2013, and a Special Call Meeting held on Monday, September 30, 2013, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the blanket motion of Alderman Taylor and seconded by Alderman Baxter, and by consent of all members present, communications #1, 2, 3, 4, 5, 7, 8, 9, 11, 12, and 13, were accepted and filed (8/0).

1. Sonja Miller – Petition to Rename Street – 100 block of West 5th Street to Baker House Lane (from Main to Maple) (*I signature – for*).
2. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises Replacement from Nadeem Siddique* for G J NLR (fka) Nick's Super Stop 978, 11000 Highway 165, by Sandy Pool.
3. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink Replacement from Gene Parks* for Ton's Place Bar & Grill (fka) Ton's Place, 18814 MacArthur Drive, by Joseph C. Hemphill (*note: address is not in North Little Rock city limits*)
4. Karen Scott, Finance Director / Chairman Energy Risk Management Committee re: ECR Adjustment Factor – October 2013 - \$.0045/kwh.
5. C. Jason Carter, (City Attorney) Interim General Manager North Little Rock Electric Department – memorandum to City Council members re: Preparation for SERC Audit.
7. Jim McKenzie, Executive Director Metroplan letter to Mayor Smith re: Imagine Central Arkansas Jump Start Program – Riverfront Baring Cross Revitalization Project Assistance (Grant) denied.
8. Jim McKenzie, Executive Director Metroplan letter to Mayor Smith re: Placemaking in Park Hill Assistance (Grant) granted.
9. Jim McKenzie, Executive Director Metroplan letter to Mayor Smith re: Levy Revitalization Study Assistance (Grant) granted.

11. Alderwoman Ross (email) re: ROCAN Background Information (*see R-13-191*).
12. Diane Whitbey, Chairman Camp Robinson/Camp Pike Community Council – Press Release from Arkansas National Guard re: Partial Government Shutdown Impact on Guardsmen (and local community).
13. Mayor Smith letter to City Council members re: Special Election November 12, 2013 – cost between \$8,000.00 and \$10,000.00.

On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, communication #6 was read by title only, accepted and filed (8/0).

6. Amy Smith, Commerce and Governmental Affairs (Purchasing) memorandum to Mayor Smith re: 2014 (City Equipment) Auction (to be held October 24, 2013).

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

10. Alderwoman White (via email) re: Great Arkansas Cleanup Wrap-up Report 2013.

Mayor Smith said the city received two out of five Jump Start Grants from Metroplan (*see Communications 8 and 9*). The matching amount can be in-kind services.

Mayor Smith asked Mr. Jim Barnett, Seis Puentes to come forward. Mr. Barnett thanked the city for its support and said their goal is to advance education and lift-up the lives of people in the Levy Community. Ten percent of the population of North Little Rock is Hispanic. Sies Puentes has a partnership with Pulaski County Adult Education and offers English and GED Classes. They also partner with the THEA Foundation and provide Art Classes for both children and adults. Dance One Studio offers Folk Dance Classes. Seis Puentes recently assisted a family of six who were living in a car by painting, repairing and furnishing a home for them. They also offer tutoring and mentoring. Ms. Maria Touchstone was also present and serves on the Board of Directors. The center is one of two in the state.

Mayor Smith announced citizen comment on agenda legislation. Mr. John Pflasterer lives in Argenta and is the President of the Argenta Neighborhood Boosters Association. He spoke regarding O-13-85. Most people in the neighborhood do not favor changing the name of a portion of North Broadway to Diamond Bear Way. People in the area were not notified or asked their opinion(s) on the name change. There being no one else wishing to speak, Mayor Smith dismissed citizen comment.

Mayor Smith convened a public hearing at 6:45 p.m. regarding O-13-85, renaming a portion of North Broadway to Diamond Bear Way. The legislation was called and read a second time (*see below*). Mrs. Sonja Miller lives in Argenta and owns the Baker House at 109 West 5th Street (corner of 5th and Main Street). As a business owner, she supports the request to change the name of North Broadway. She gets calls daily from people trying to locate her business. She asked for the same support for a

future Street rename. Mr. Scott Miller said as a resident of the neighborhood he had objections to the requested street renaming. As a business owner he did not see this as an unreasonable request. However, this could open a “Pandora’s box” in that other businesses will want to change the name of the street in front of their locations. Mr. Miller provided examples including Municipal League Way, Junior League Way, etc. He suggested Diamond Bear consider platting a private drive on their property. The city would not be responsible for the drive and it would appear on Google maps. Mr. Todd Larson, Executive Director of North Little Rock Economic Development said Diamond Bear hosted an event recently at their new site for 3-Miles of Men (part of the Susan G. Komen Arkansas Race for the Cure). Multiple people had to call to ask for directions. North Little Rock is one of the few cities in the nation that has two streets that intersect and have the same name (Broadway and Broadway). Renaming the street will help the business and help promote the city. Mayor Smith asked if Mr. Larson was going to try to get signatures to rename North Broadway back to the Broadway Bridge. Mr. Larson said that was his intent. There being no one else wishing to be heard, Mayor Smith adjourned the public hearing at 6:51 p.m. Without objection the legislation was addressed (*see below*).

O-13-85

AN ORDINANCE CHANGING THE NAME OF A PORTION OF NORTH BROADWAY TO DIAMOND BEAR WAY IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read one time September 23, 2013, was called and read a second time this date. A public hearing was held this date (see above). Alderwoman Robinson asked about the distance of the street renaming. Mayor Smith said there was a concern with the renaming starting at 4th Street. Alderwoman Robinson said when streets were renamed before, side street property owners had to sign or agree to the petition also. She referred to the renaming of Bishop Lindsey. Alderwoman Robinson asked to be removed as a cosponsor to the legislation. 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 third and final reading. The ordinance was read a third and final time and held by sponsor, Mayor Smith.

Mayor Smith convened a public hearing at 6:55 p.m. regarding O-13-93, granting a Special Use to allow an Art and Educational Center in an R-4 zone for property located at 6800 Camp Robinson Road. The legislation was then read. There being no one present wishing to be heard the public hearing was adjourned at 6:56 p.m. Without objection, the legislation was addressed (*see below*).

O-13-93 (ORDINANCE NO. 8573 – ALDERMEN HIGHT AND WITCHER)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW AN ART AND EDUCATIONAL CENTER IN AN R-4 ZONE FOR PROPERTY LOCATED AT 6800 CAMP ROBINSON ROAD 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, the rules were suspended and the ordinance was placed

on its second reading (8/0). On the motion of Alderman Witcher and seconded by Alderman Hight, 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). The ordinance was read a third and final time. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Ross. Alderman Witcher said the building had good bones. Alderwoman Ross said there had been discussion regarding a farm and asked if a request would come back before the council. Mayor Smith said it would. Without objection, Alderman Witcher was added as a co-sponsor. On the previous motion, 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: Saint Joseph Center of Arkansas (Sandy DeCoursey and V. L. Lynette Cox)*)

UNFINISHED BUSINESS

R-13-185 (RESOLUTION NO. 8424 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 3003 EAST 4TH STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS 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 Witcher and seconded by Alderwoman Ross, and by consent of all members present, the resolution was unanimously adopted (8/0). (*owners: Freddy and Mary Sullivan*)

O-13-85 (*called earlier in meeting – see above*)

CONSENT AGENDA

R-13-190 – R-13-195

On the motion of Alderman Taylor and seconded by Alderwoman Ross, and by voice vote and all members present having voted aye, consent agenda items R-13-190, R-13-193, and R-13-194 were unanimously adopted (8/0).

R-13-190 (RESOLUTION NO. 8425 – MAYOR SMITH)

A RESOLUTION APPROPRIATING \$44,726.51 FROM ACT 833 FUNDS FOR THE PURCHASE OF ENGINE EXHAUST REMOVAL SYSTEMS AND KEY SECURE UNITS FOR THE NORTH LITTLE ROCK FIRE DEPARTMENT, AND FOR OTHER PURPOSES, was adopted (7/0).

R-13-193 (RESOLUTION NO. 8426 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED AT 1234 W. 8TH STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was adopted (7/0). (*Angela Critton - \$94,000.00*)

R-13-194 (RESOLUTION NO. 8427 – MAYOR SMITH)

A RESOLUTION APPROVING THE FINANCIAL MANAGEMENT PLAN FOR TRANSFERRING FUNDS AND ADJUSTING BUDGET AMOUNTS IN THE 2011, 2012 AND 2013 CDBG PROGRAMS; AND FOR OTHER PURPOSES, was adopted (8/0).

NEW BUSINESS

R-13-191 (RESOLUTION NO. 8428 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PROGRAM MANAGEMENT AND LEASE AGREEMENT (1201 East 4th Street) WITH REACHING OUR CHILDREN AND NEIGHBORHOODS (ROCAN); AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman Robinson. Alderwoman Ross asked if additional information included in Communication #11 could be attached to this legislation. On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, the resolution was amended as follows:: *attach a copy of Communication #11 filed this date to the legislation* (8/0). On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted as amended (8/0). (*\$10.00 – year*) (*Paul Myrick*)

R-13-192 (RESOLUTION NO. 8429 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE TEMPORARY CONSTRUCTION EASEMENTS AND PERMANENT MAINTENANCE EASEMENTS WITH THE ARKANSAS STATE HIGHWAY COMMISSION TO ALLOW FOR THE CONSTRUCTION OF THE BROADWAY BRIDGE PROJECT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Robinson. Alderman Foutch asked Mr. Robert Voyles, Planning Director to provide a verbal description of permanent and temporary areas. Mr. Voyles referred to a handout which included the information. The state has agreed to make it an all access easement and not right-of-way. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-13-195 (RESOLUTION NO. 8430 – MAYOR SMITH)

A RESOLUTION APPROVING A GROUND LEASE AGREEMENT BETWEEN ARGENTA CITY CLUB, INC. AND THE UNITED STATES POSTAL SERVICES FOR EMPLOYEE PARKING; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Robinson. Mayor Smith said Pershing Postal Service employees have been parking on (North Little Rock) School District property. Construction has taken away their employee parking. Mayor Smith and the Board of Directors of the Argenta City Club negotiated the use of the area behind the Argenta City Club site. There will be 25 parking spaces. The U. S. Postal Service will pay \$16,000.00 to the City of North Little Rock for improvements to the area which will be done by

city employees. The lease will be for a period of five years. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-13-196 (RESOLUTION NO. 8431 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL VACANT LAND LOCATED ON RIVER ROAD IN THE CITY OF NORTH LITTLE ROCK TO CENTER POINT TERMINAL COMPANY, LLC; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Robinson. Alderman Baxter said this property was not included in the list of properties provided to the Public Land Task Force. Mr. Voyles said the city has asked the Arkansas Game and Fish Commission to consider (putting in) a boat ramp in the area. On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, the legislation was unanimously amended as follows: *first Whereas and Section 1: strike through \$340,000.00 and insert \$390,000.00* (8/0). Alderman Hight asked how this will affect use of the River Trail long term. Mr. Voyles said this is a multi-use area and the road provides access for vehicles. The River Trail has some parallel paths. Alderman Hight asked if someone from the city would participate in planning with Game and Fish to ensure that users of the trail are not affected. Mayor Smith said traffic may include 6 – 10 vehicles a day. Alderman Hight said a Bass Tournament could have 200 vehicles, trailers and boats parked in the area which would create a problem. Alderman Hight asked if someone from Game and Fish (Commission) could visit with the council regarding this issue. Mayor Smith said the city will not accept a design plan without council approval. Alderman Foutch asked if any other development would occur on the property. Mr. Voyles said there are about two acres of high ground. Center Point Terminal Company, LLC is located next to the river landing. In order to purchase property the Game and Fish Commission needs to replace it with property in the city. Alderman Hight made a motion to amend approving the sale subject to design approval (by the City Council). Alderman Hight said he would also like to be able to approve any future large events at the site or be made aware of the same. Alderman Taylor did not agree with selling the property and then telling the buyer what they can do with it. Alderman Witcher has been involved in land trades with the Game and Fish Commission in the past. He disagreed with Alderman Hight's motion. Alderman Hight said there are limited access points on the River Trail. Alderwoman Robinson said the buyer should know if there are special stipulations before signing an agreement and purchasing the property. Mayor Smith said the ramp at Gribble will be closed. After further discussion, the motion died for lack of a second. On the motion of Alderman Taylor and seconded by Alderwoman White, and by consent of all members present, the resolution was unanimously adopted as amended (8/0). (*\$390,000.00*)

R-13-197 (RESOLUTION NO. 8432 – MAYOR SMITH)

A RESOLUTION APPROVING THE PURCHASE BY NORTH LITTLE ROCK WASTEWATER UTILITY OF PROPERTY LOCATED NEXT TO ITS FAULKNER LAKE TREATMENT PLANT IN PULASKI COUNTY; 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 unanimously adopted (8/0).

R-13-198

A RESOLUTION AUTHORIZING THE NORTH LITTLE ROCK PARKS AND RECREATION COMMISSION TO PROCEED TOWARD ATTAINING A LAND CONVERSION OF CERTAIN PROPERTY IN BURNS PARK FOR THE ROCK QUARRY PROPERTY OWNED BY THE CITY; AND FOR OTHER PURPOSES, was read. Mayor Smith scheduled a public hearing on October 28, 2013, at 6:35 p.m. Mr. Bob Rhoads, Parks and Recreation Director advised this would convert land in Burns Park (70 acres) with the Rock Quarry property (50 acres). Citizens were opposed to commercial development of the Quarry site. In the 2006 Parks and Recreation Master Plan, a Hotel/Motel or Lodge was included. The city has collected money for 30-40 years from the Federal Government for Recreation (at Burns Park). Mayor Smith said the city does not have a potential developer. The legislation was then held by the sponsor, Mayor Smith.

R-13-199 (RESOLUTION NO. 8433 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE RENEWAL OF 2014 HEALTH BENEFITS COVERAGE FOR CITY EMPLOYEES THRU STEPHENS INSURANCE, LLC WITH QUALCHOICE AS THE MAJOR MEDICAL PROVIDER; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Robinson. Mayor Smith said a committee has been reviewing proposals for several months. The committee included Finance Director Mrs. Karen Scott, Chief of Staff Danny Bradley, Assistant Finance Director Stephanie Thomas, Alderwoman Ross and Mayor Smith. Mayor Smith wanted to give employees time to review the new coverage and make decisions regarding the same. Mrs. Scott said the city currently has two plans: a Core Plan and an Enhanced Plan. Changes will affect both. Emergency Room changes are also included. The Pharmacy benefit improves. Mayor Smith said to continue our current coverage the premium increase is \$850,000.00. Alderwoman Ross said the out-of-pocket amount will be an adjustment for employees; however, it is still better than other plans. Mayor Smith said QualChoice will begin meeting with employees to review changes and current plans. Employees with Enhanced coverage need to look closely at the changes. Mrs. Scott advised the Exhibit that went out with legislation was incomplete. On the motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, the resolution was amended as follows: *substitute 2014 Medical Renewal and QualChoice Options (Exhibit A) with copy provided this date (8/0)*. A motion to adopt as amended was made by Alderman Witcher and seconded by Alderman Taylor. Alderman Foutch asked if the council needed to pick between Option 1 and Option 2, and where the \$84,000.00 increase would come from. On the previous motion, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

R-13-200 (RESOLUTION NO. 8434 – 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 Alderwoman Ross and seconded by Alderman Baxter. Mayor Smith 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 unanimously adopted (8/0).

O-13-90 (ORDINANCE NO. 8574 – MAYOR SMITH)

AN ORDINANCE LEVYING A (*Milage*) 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 (*total 10 mils*); 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 Witcher and seconded by Alderman Hight, 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).

O-13-91

AN ORDINANCE AMENDING THE NON-UNIFORMED EMPLOYEES' POLICY AND PROCEDURE MANUAL; DECLARING AN EMERGENCY; 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 rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderwoman Ross and seconded by Alderman Witcher, 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). The ordinance was read a third and final time. Ms. Betty Anderson, Human Resources Director said the change in the policy is necessary as many employees bring electronic devices to work (i.e. laptops, cell phones, thumb drives, etc.). These items can be used for online studies, etc. However, employees (at other agencies) have used these items to remove employee information (social security numbers, etc.). Another issue would be displaying inappropriate and/or offensive material such as pornography. Currently, a department head or manager cannot ask for personal devices if a report of an issue or misuse was made. With this change, the department head or manager would contact the Mayor's Office to request approval to seize (or inspect) the item(s). Mayor Smith said the Police Department has this policy. Ms. Anderson said this is a proactive approach. Alderwoman Robinson said she had a problem with the request. Examples of inappropriate material were discussed. Alderman Taylor asked if the city should require employees to leave their personal devices in their

vehicle or at home. Alderwoman Robinson asked about encrypting removable devices. There being no further discussion, the legislation was held by the sponsor, Mayor Smith.

O-13-92 (ORDINANCE NO. 8575 – ALDERMAN HIGHT)

AN ORDINANCE APPROVING A WAIVER REQUEST TO ALLOW A PRIVACY FENCE FOR CERTAIN REAL PROPERTY LOCATED AT 5107 WARDEN ROAD FOR CERTAIN REAL PROPERTY LOCATED AT 5107 WARDEN ROAD 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 Taylor, 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 Hight and seconded by Alderman Witcher, 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). The ordinance was read a third and final time. A motion to adopt was made by Alderman Witcher and seconded by Alderman Baxter. Alderwoman Ross asked if a metal fence could be installed instead and said it would look nicer than a wooden fence. Mr. Thomas Pownall, Thomas Engineering said there is a parking issue with an adjacent business using the lot. A solid fence will help resolve the issue. Alderman Taylor suggested a Wrought Iron fence and shrubs. Mr. Pownall said it would take a while for shrubs to fill in and provide screening. Alderwoman Ross suggested a decorative wooden fence. On the motion of Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, the ordinance was amended as follows: *insert DECORATIVE between 8' and fence in the first whereas, Section 1 and Section 4* (8/0). On the motion of Alderman Witcher and seconded by Alderman Hight, 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). Mayor Smith asked Mr. Pownall to send the design of the fence to council members. Alderwoman White asked what would happen to the fence if the business leaves. Mayor Smith said the fence would still be there. (*applicant: John R. Pownall, Thomas Engineering*)

O-13-93 *called earlier in meeting (see above).*

O-13-94 (ORDINANCE NO. 8576 – ALDERMAN TAYLOR)

AN ORDINANCE GRANTING A WAIVER TO ALLOW VARIANCES FOR A POLE SIGN ON CERTAIN REAL PROPERTY LOCATED AT 2511 HWY 161 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read.

On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, with the exception of Alderman Witcher, who voted no, the rules were suspended and the ordinance was placed on its second reading (7/1). On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, with the exception of Alderman Witcher who voted no, the rules were again suspended and the ordinance was placed on its third and final reading (7/1). The ordinance was read a third and final time. A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Robinson. Alderman Hight said this came

before the council recently. Alderman Taylor advised it did and at the council's request, the area was made into a district to allow the sign. On the previous motion, and the following members having voted no: Ross, White, Hight and Witcher; and the following members having voted yes: Taylor, Robinson, Baxter, and Foutch; and the mayor having voted yes, the legislation was adopted (5/4). The emergency clause failed (*Ross, White, Hight and Witcher voted no – Taylor, Robinson, Baxter and Foutch voted yes*) (4/4). (*applicant: Robert Mitcham*)

O-13-95 (ORDINANCE NO. 8577 – ALDERMAN FOUTCH)

AN ORDINANCE GRANTING A WAIVER TO ALLOW VARIANCES FOR AN EXISTING POLE SIGN ON CERTAIN REAL PROPERTY LOCATED AT 6109 CRYSTAL HILL ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; 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 Alderman Witcher, who voted no, the rules were suspended and the ordinance was placed on its second reading (7/1). On the motion of Alderman Foutch and seconded by Alderman Baxter, and by consent of all members present, with the exception of Alderman Witcher, who voted no, the rules were again suspended and the ordinance was placed on its third and final reading (7/1). The ordinance was read a third and final time. A motion to adopt was made by Alderman Foutch and seconded by Alderman Baxter. The applicant, Mr. Lightle said this is an LED gasoline price sign that will display the price of fuel. The only movement would be when fuel prices change (go up or down). Alderman Taylor asked if this was in a Sign District. Alderman Foutch said it was. On the previous motion, and the roll having been called, and the following members having voted no: Ross, White, Hight and Witcher; and the following members having voted yes: Taylor, Robinson, Baxter and Foutch, and the mayor having voted yes, the ordinance was adopted (5/4). The emergency clause failed (*Ross, White, Hight and Witcher voted no – Taylor, Robinson, Baxter and Foutch voted yes*) (4/4). (*applicant: Steve R. Lightle*)

O-13-96 (ORDINANCE NO. 8578 – ALDERMAN TAYLOR)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW TRUCK RENTALS AND SALES IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 11511 DIAMOND DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members, 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: Mike Marlar*)

PUBLIC COMMENT

Alderwoman Robinson requested a report from Chief of Staff (Danny Bradley) regarding (North Little Rock School District) Resource Officers at the next council meeting. Alderwoman White said November 1, 2013, is the date for the mass flu clinic at the North Little Rock High School Freshman

Campus. Alderman Witcher said signs had been installed at all entry points to the Indian Hills Restricted Parking District. Letters were mailed to residents last week regarding the same. The city will begin enforcing the ordinance December 1, 2013. Alderwoman Ross said the (Susan G. Komen) Race for the Cure will be Saturday, October 19, 2013. Alderman Baxter said this will be the first year that men can participate (run/walk) in the race. This year's theme is "All In". Mayor Smith said the first council meeting in November falls on a National Holiday (Monday, November 11, 2013 – Veteran's Day). After visiting with several council members, it was decided that the meeting will be held on that date as scheduled as several members will be out of state the remainder of the week attending the National League of Cities Conference in Seattle, Washington. Aldermen Taylor and Witcher will be out of town November 11. Mayor Smith said the columns in City Hall are beginning to crack and repairs will be expensive. There are only three locations world-wide with these columns, one being the Capital, The Capital Hotel in Little Rock and North Little Rock City Hall. Alderwoman Ross said the North Little Rock Veteran's Day Ceremony will be held at 2:00 p.m. at the Memorial in Laman Plaza. Former City Attorney Paul Suskie will be the Keynote Speaker. Everyone is invited. Mayor Smith said 2014 Budget requests are being reviewed by Chief of Staff Bradley and Finance Director Mrs. Scott. His intent is that a draft be available for council members the first part of next week. Alderwoman Ross asked if a workshop needs to be scheduled. Once the budget is out, a date will be set for discussion and the public will be notified. Mr. Fleming said a Special Call meeting will be held on Thursday, October 17, 2013, at 5:00 p.m. A notice was sent out today via email. Alderman Hight asked when the Leaf Vacuum Program will resume. Mr. Harold Ford, Sanitation Director said the (official) date is November 4, 2013. (Bagged leaves are picked up weekly).

There being no further business to come before the Council, and on the motion of Alderman Hight and seconded by Alderman Baxter, and by consent of all members present, the meeting was adjourned at 8:05 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, October 28, 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. *(Note: a Special Call meeting will be held on Thursday, October 17, 2013 at 5:00 p.m.)*

APPROVED: _____
MAYOR JOE A. SMITH

ATTEST: _____
DIANE WHITBEY, CITY CLERK