

September 22, 2014
Six 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, September 22, 2014, was called to order at 6:00 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). City Clerk Diane Whitbey and Assistant City Attorney Matt Fleming were also present.

The invocation and pledge of allegiance were led by Alderwoman Robinson.

A motion to approve the minutes from September 8, 2014, North Little Rock City Council meeting and Special Call meeting was made by Alderman Witcher and seconded by Alderman Foutch. On the motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, the minutes were amended as follows: *page 6, item R-14-157 add ON THE PREVIOUS MOTION, AND BY CONSENT OF ALL MEMBERS PRESENT, THE RESOLUTION WAS ADOPTED (7/0) (8/0).* On the motion of Alderman Witcher and seconded by Alderman Baxter, and by consent of all members present, the minutes were approved, accepted and filed as prepared by the City Clerk and amended this date (8/0).

On the blanket motion of Alderman Baxter and seconded by Alderman Taylor, and by voice vote and all members present having said aye, communications #1 and 2 were accepted and filed (8/0).

1. City Engineer Mike Smith memorandum to Mayor Smith and City Council re: Acceptance of Street and Drainage Improvements: Young Road Multi Purpose Improvement District #33 (and Maintenance Bond \$153,000.00).
2. Pam Bourguin - Petition requesting Speed Hump on Bluebell Drive (*18 signatures for - 1 for and against*).

On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, communication #3 was read, accepted and filed (8/0).

3. Ms. Elinor Ferguson, letter to City Clerk Diane Whitbey re: Bid for west half of Lot 10, South of River Road (\$21,250.00).

Mayor Smith announced a Special Call scheduled for Monday, September 22, 2014, at 6:05 p.m.

September 19, 2014 (via email)

Subject: Special Call Meeting September 22, 2014

Honorable Members of the North Little Rock City Council:

The purpose of this email is to advise you that Mayor Smith has called a special meeting of the North Little Rock City Council at 6:05 p.m. on Monday, September 22, 2014, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1) R-14-174 - AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN EASEMENT AGREEMENT WITH FLOYD FULKERSON AND BRENDA FULKERSON TO ALLOW EXTENSION OF ELECTRIC SERVICE FOR THE MARION BERRY PUMP STATION OWNED BY BAYOU METO WATER MANAGEMENT DISTRICT; AND FOR OTHER PURPOSES. Sponsor: Mayor Smith.

Pursuant to Sec. 2-48(2) of the North Little Rock Municipal Code, you are entitled to 72 hours' *electronic* notice of this meeting. Please acknowledge receipt of this e-mail as soon as possible by replying to the same. A copy of your reply will automatically be sent to City Clerk Diane Whitbey.

Respectfully,
Matthew W. Fleming
Deputy City Attorney

R-14-174 (RESOLUTION NO. 8631 - MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN EASEMENT AGREEMENT WITH FLOYD FULKERSON AND BRENDA FULKERSON TO ALLOW EXTENSION OF ELECTRIC SERVICE FOR THE MARION BERRY PUMP STATION OWNED BY BAYOU METO WATER MANAGEMENT DISTRICT; AND FOR OTHER PURPOSES, was read (above). A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Ross. Mr. C. Jason Carter, Interim General Manager North Little Rock Electric Department (and City Attorney) advised the city council authorized imminent domain proceedings at the previous council meeting. Mr. Carter has since negotiated with Mr. and Mrs. Fulkerson. He referenced a paragraph in the agreement regarding relocating lines. Alderman Foutch asked the estimated cost of moving the lines. Mr. Carter did not have that at this time. The work would be done by North Little Rock Electric and use materials already there. Alderman Witcher asked about the voltage on the lines. Mr. Carter said the upper voltage is 69 and the lower line voltage is 13.8 distribution level. On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, the resolution was amended as follows:: *attache Exhibits "C" and "D"*

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Approved by council 10/13/2014

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provided this date (8/0). On the motion of Alderman Foutch and seconded by Alderman Taylor, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

Mayor Smith invited Mrs. Karen Scott, Finance Director to come forward. Mrs. Scott said the city has been working on a web-based tool for North Little Rock Utility Customers to utilize to look up their accounts and pay bills. (Customer Connect) will be branded "My Account". Ms. Jill Ponder, North Little Rock Electric Department said the Electric Department and Utility Accounting Departments have worked together to streamline the way services are provided. Customers will be able to review usage, make payments, etc. Council members and department heads were asked to test the product during the next month and provide feedback. Ms. Ponder then provided a PowerPoint Presentation regarding use of the service. This program should be available to the public early in November. Customers on levelized billing or bank draft will see no change. Alderman Taylor asked if there was a fee to pay online. Ms. Ponder said there was (\$3.25). Mayor Smith said none of online convenience fee goes to the city.

Mayor Smith invited Mrs. Bernadette Rhoads, Fit 2 Live Coordinator to come forward. Mrs. Rhoads introduced Arkansas GardenCorps members, Beau Cooper and Sharice Loftin. Mr. Cooper and Ms. Loftin presented and narrated a PowerPoint Presentation which illustrated the value and status of North Little Rock's Community Gardens. Arkansas ranks #1 in low food security which is defined as adults and children who skip meals on a regular basis due to lack of food. Community gardens help address hunger issues. Multiple examples of community garden projects were provided. Learning to grow and prepare food is important too. Cooking Matters is a program where youth are taught these skills and more. There are 18 community gardens in the city at this time. Mayor Smith said North Little Rock has one of the premier garden programs in the United States.

Mayor Smith asked Fire Marshal John Pflasterer to come forward. Captain Pflasterer advised fire hydrant testing will be conducted during the month of October. The increased flow of water can result in discolored water. However, it is still safe to drink. He advised against washing clothes in discolored water as it could stain them. A flyer was recently mailed with water bills. Alderman Taylor said the hydrant at the intersection of Poplar and 4th was leaking.

Mayor Smith announced citizen public comment on agenda items. Mr. Garland Ferguson spoke for his sister Elinor Ferguson who was unable to attend due to health reasons. Ms. Ferguson made a bid of \$21,250.00 for property referenced in R-14-168 on River Road. This property was part of the family's old home place. This is the first chance the family has had to try and buy back the property. They do not plan to develop the property and want to maintain the tranquil state of the area. They would not be opposed to future development. Mayor Smith said he would not call the legislation this date and advised Alderwoman Robinson wanted to be removed as a cosponsor. Mayor Smith said the proposal of the developer was to pay to extend the sewer line under Rockwater Boulevard. Mr. Wayne Burke lives on River Road. He learned of the proposed sell of the property 10 weeks ago. He called the

Mayor's Office and spoke with (Chief of Staff) Danny Bradley. Mr. Burke said he was not opposed to development. The city has made some good decisions and some bad ones. Mr. Burke was told the proposed development would be a two-story, high quality, brick office building. He learned on September 10, 2014, that the property was going to be rezoned and sold. He then met Alderman Taylor at the site. He, his brother and other property owners met with Mr. Bradley again on September 11, 2014. Mr. Robert Voyles (Planning Department) and (inaudible) Eason were also present. Mr. Eason provided an illustration of a one-story prefabricated metal building. Mr. Burke said he was told the property was for sale for \$17,000.00 which was more than the city paid for it (\$16,500.00). Mr. Burke said Mr. Eason told him lots at Riverview and Rockwater were selling for \$160,000.00 each. This property has a river view and river frontage. Mr. Burke asked the council to vote against the legislation. Mrs. Stephanie Burke agreed with the previous comments of her husband (Wayne Burke). The adjacent property they own will be inherited by their children and grandchildren and it is their duty to keep their interests in mind. They have taken care of their property and the property next to it. The proposed development will hurt the value of their property. Mr. Steve Morley spoke for O-14-90. His client Diane Holitik owns Pat's Beverage Shop. They are asking for approval of this ordinance to be able to install an electronic changeable copy sign. Mr. Gene Pfeifer spoke for O-14-87. The applicant bought a piece of property on Young Road when it was a blighted area. A lot of improvements have been made in the area.

Mayor Smith then called R-14-168 and held the legislation.

*R-14-168

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SELL PROPERTY LOCATED ON RIVER ROAD IN THE CITY OF NORTH LITTLE ROCK TO EASON LAROCHE HOLDINGS, INC.; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith. *(Note: Alderwoman Robinson was removed as co-sponsor this date).*

UNFINISHED BUSINESS

R-14-142

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LICENSE AGREEMENT WITH E. RITTER COMMUNICATIONS HOLDINGS, INC., D/B/A RITTER COMMUNICATIONS; AND FOR OTHER PURPOSES, was called and held by the sponsor, Mayor Smith. *(for fiber optic cable telecommunications)*

O-14-70

AN ORDINANCE AMENDING SECTION 3.1 (REGULATIONS APPLYING TO ALL DISTRICTS) AND ARTICLE 21 (TABLE OF PERMITTED USES) OF ORDINANCE NO. 7697 (THE NORTH LITTLE ROCK ZONING ORDINANCE) REGARDING SMALL FARMING OR RANCH PLOTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Alderman Taylor.

CONSENT AGENDA

On the motion of Alderwoman White and seconded by Alderman Taylor, and by voice vote and all members present having voted aye, R-14-162, R-14-163, R-14-164, and R-14-165 were adopted (8/0). R-14-166 was pulled and placed under new business.

R-14-162 (RESOLUTION NO. 8632 - MAYOR SMITH)

A RESOLUTION RENEWING COMMUNITY GARDEN LICENSE AGREEMENT WITH ST. JOSEPH CENTER OF ARKANSAS AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH ST. JOSEPH CENTER OF ARKANSAS; AND FOR OTHER PURPOSES, was adopted (8/0).

R-14-163 (RESOLUTION NO. 8633 - MAYOR SMITH)

A RESOLUTION RENEWING COMMUNITY GARDEN LICENSE AGREEMENT WITH AARON REDDIN FOR "THE ONE, INC.", AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH AARON REDDIN FOR "THE ONE, INC."; AND FOR OTHER PURPOSES, was adopted (8/0).

R-14-164 (RESOLUTION NO. 8634 - MAYOR SMITH)

A RESOLUTION RENEWING COMMUNITY GARDEN LICENSE AGREEMENT WITH BAILEY CHAPEL BAPTIST CHURCH AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH BAILEY CHAPEL BAPTIST CHURCH; AND FOR OTHER PURPOSES, was adopted (8/0).

R-14-165 (RESOLUTION NO. 8635 - MAYOR SMITH)

A RESOLUTION ACCEPTING A LICENSE AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COMMUNITY GARDEN LICENSE AGREEMENT WITH LARRY WESTMORELAND ON BEHALF OF 4 THE YOUTH COMMUNITY GARDEN; AND FOR OTHER PURPOSES, was adopted (8/0).

R-14-166 was pulled and placed under new business.

NEW BUSINESS

R-14-166 (RESOLUTION NO. 8636 - MAYOR SMITH)

A RESOLUTION APPROVING THE 2015 ANNUAL ACTION PLAN FOR THE CITY OF NORTH LITTLE ROCK, INCLUDING THE 41ST YEAR (2015) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PROGRAM PROJECTS AND BUDGETS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Robinson and seconded by Alderman Taylor. 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).

R-14-167 (RESOLUTION NO. 8637 - MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A RESTRICTIVE COVENANT ON PROPERTY OWNED BY THE CITY OF NORTH LITTLE ROCK LOCATED SOUTH OF HIGHWAY 165 AND BORDERING THE EAST BOUNDARY OF I-440; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Foutch. Mr. Voyles advised this property is part of Ott Park. This legislation will protect the city from liability if pollution is found on the property. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

*R-14-168 (*called earlier in meeting*).

R-14-169 (RESOLUTION NO. 8638 - MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5020 ALPHA IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING PROPERTY OWNER A PERIOD OF TIME TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Taylor. 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). (*owners: Bobbie J. and Carlos Lantrip*)

R-14-170 (RESOLUTION NO. 8639 - MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT #8 RHODES AVENUE IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING PROPERTY OWNER A PERIOD OF TIME TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. 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). (*owner: Kenneth M. Giles*)

R-14-171

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2225 FENDLEY DRIVE 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. Mr. Fleming said he and Tom Wadley, Director of Code Enforcement have discussed this legislation with the attorney for the owner who was present. He then requested R-14-171 and R-14-172 be held. Mr. Keith Billingsly represents Dr. DeCastro. He is negotiating with the

mortgage holder and other parties. Alderwoman Ross asked why this was being held. Mayor Smith said they are trying to work through the legal issues between the mortgage holder and insurance company. Alderman Taylor had the same question. R-14-171 and R-14-172 were then held by the sponsor, Mayor Smith. (*owner: Rafael Guarionex DeCastro*)

R-14-172

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2800 JOHN ASHLEY DRIVE 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 held by the sponsor, Mayor Smith (see above). (*owner: Rafael Guarionex DeCastro*)

R-14-173 (RESOLUTION NO. 8640 - 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 Witcher and seconded by Alderman Taylor. On the motion of Alderman Taylor and seconded by Alderman Baxter, and by consent of all members present, the resolution was amended as follows: *Exhibit "A" remove 33N2560001200, 722 W. 22nd, Elvis Allen, Lot 1 Block 3, Schaer Addition (8/0)*. A motion to adopt as amended was made by Alderman Taylor 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. Alderwoman Ross referenced a typo in the description of item E. *"A" Judy/Elton Morgan, Lot A Block 19, Dixie Addition (33N04600037600)*. On the previous motion, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

O-14-85 (ORDINANCE NO. 8676 - MAYOR SMITH)

AN ORDINANCE LEVYING A TAX ON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY OF NORTH LITTLE ROCK FOR THE POLICE PENSION AND RELIEF FUND, THE FIRE PENSION AND RELIEF FUND, THE MUNICIPAL LIBRARY FUND, AND THE NORTH LITTLE ROCK GENERAL FUND; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. A motion to suspend the readings was made by Alderman Hight and seconded by Alderman Witcher. Mr. Carter said each municipality in the county has to levy property taxes and provide the same to the county. Alderman Foutch asked if the 3 mills for the Library was in perpetuity. On the previous motion, and by consent of all members present, the readings were suspended (8/0). On the motion of Alderman Baxter 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-14-86 (ORDINANCE NO. 8677 - ALDERMAN HIGHT)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW THE SALE OF BEER FOR OFF-SITE CONSUMPTION IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 3941 McCAIN BOULEVARD 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 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). A motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. Alderman Taylor asked about the off-site beer consumption. Alderman Hight said Growlers will be sold from the location. (A growler is a container the customer can have filled at microbrewery and take home with them). Mr. Jerry Taylor said BJ's Restaurant is a full-service sit-down dine-in restaurant. BJ's has their own house-brewed beer which is only available at the restaurant. If the customer likes it, then they can purchase beer to take home for off-site consumption. Mr. (Jerry) Taylor said the beer will not be brewed at this location. The restaurant will serve Chicago style pizza and other items and be located in the corner of the McCain Mall parking lot in a prominent location. This location will bring 200 jobs to the area. Mr. Taylor said the zip code in the ordinance should be 95678. 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: BJ's Restaurant c/o Golden Property Development, LLC*)

Mayor Smith said he attended a Ribbon Cutting this date for a new restaurant in McCain Mall, Tazeki's. That area of the city is becoming a food and entertainment destination. A restaurant is also going in at the old Luby's location in McCain Mall.

O-14-87 (ORDINANCE NO. 8678 - ALDERMAN FOUTCH)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW AN AUTO SALES LOT IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 7525 YOUNG 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 Alderwoman Ross, and by consent of all members present, the readings were suspended (8/0). On the motion of Alderman Foutch 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: Michael Zweifler*)

O-14-88 (ORDINANCE NO. 8679 - ALDERWOMAN WHITE)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 1307 MAPLE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM R-3 TO C-1 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE

ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman White 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 (8/0). On the motion of Alderwoman White 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 (8/0). A motion to adopt was made by Alderwoman Ross and seconded by Alderman Baxter. Alderman Taylor asked about the planned use. The office manager said it will be a service business. 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 adopted (8/0).
(*applicant: John Hayre*)

O-14-89 (ORDINANCE NO. 8680 - ALDERMAN TAYLOR)
AN ORDINANCE ACCEPTING STREETS AND DRAINAGE INFRASTRUCTURE WITHIN FAULKNER CROSSING PHASE FIVE AND PHASE SIX IN 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 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: Arkansas Developers, LLC*)

O-14-90 (ORDINANCE NO. 8681 - ALDERMEN WITCHER AND HIGHT)
AN ORDINANCE AMENDING ORDINANCE NO. 7697 ("THE ZONING ORDINANCE") TO ESTABLISH NORTH HILLS II SIGN OVERLAY DISTRICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Without objection, Alderman Hight was added as a cosponsor. 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). A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Alderwoman Ross said the sign can be no bigger than a six foot (6') monument sign. Alderman Witcher said future legislation will be proposed to change that. Alderman Witcher said there is a (pole) sign at the location. The sign installer (name not provided) said the sign (Pat's Beverage Shop) will go into an existing space. It will be upgraded to an Electronic sign which will be "neighborhood friendly." Features include a photocell and still images. Alderman Foutch asked what made this sign different from one requested previously by Wild River Country which was denied by the council. The sign installer said there are new features on the signs that weren't available a year ago. Alderman Baxter said this legislation will create the Sign Overlay District only and does not deal with the sign itself. Alderwoman Ross asked if the intent of the Overlay District was to allow the sign previously

mentioned. On the previous motion, and the roll having been called, and all members present having voted in the affirmative, with the exception of Alderwomen Ross and White who voted no, the ordinance was adopted (6/2). On the emergency clause all members voted in the affirmative, with the exception of Alderwoman Ross, who voted no. Emergency clause adopted (7/1). (*requested by Diane Holitik - Pat's Beverage Shop/Steve Morley*)

O-14-91 (ORDINANCE NO. 8682 - ALDERMAN WITCHER)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A COMMUNITY CENTER FOR YOUTH IN AN R-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5301

SUMMERTREE DRIVE - #B 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). A motion to adopt was made by Alderman Witcher and seconded by Alderman Taylor. Alderwoman Ross asked if the applicant was present. She was not. Alderman Witcher said this is connected with a church. Alderwoman Ross wanted to be sure the applicant understood the days and hours of operation (Monday - Friday, 3:00 p.m. - 6:00 p.m.) stipulated in the ordinance and asked who would enforce those dates and times. Alderwoman Ross said there had been complaints from this location in the past, however, none were recent. Mayor Smith asked Mr. Voyles to be sure the applicant understands the rules. Alderman Foutch was at the Planning Commission meeting and there were concerns from neighbors, including noise issues. 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: Debora Washington*)

PUBLIC COMMENT

Mr. James Ard thanked Alderwoman White for getting the handicapped spot changed so vans would fit. Mr. Ard said people are putting campaign signs in yards without permission. He said Aldermen should abide by the rules. Mayor Smith said he asked Code Enforcement to pick up any signs in the right-of-way. Candidates can retrieve them from Code Enforcement. Mr. Pfeifer said Conquer the Gauntlet was held last Saturday at Burns Park. 1,800 people participated in a Marine Corp style obstacle course. Alderwoman White asked if an event like this could be held for senior adults. Alderman Hight said he was riding his bike in the area and it looked like the participants were having a lot of fun. Alderwoman Ross provided an update from Brian Temple with Waste Management regarding a reports on tagged recycling bins. Currently, they do not have a report. They will step up their efforts and are prepared to place an additional employee in their trucks to tag carts that contain contaminants. Alderwoman White said a Zumba-thon fundraiser will be held at all 10 Fitness locations on October 3, 2014. National Night Out will be Tuesday, October 7, 2014. Alderman Foutch reminded the public to review their telephone and credit card statements. One of his credit card

numbers was recently used by someone who charged their car insurance, cable TV and cell phone payments along with other charges totaling several thousand dollars. Alderman Hight said people are in the neighborhoods painting curbs and asked if there were any that were licensed in the city at this time. Ms. Whitbey knew of one and encouraged the public to contact the City Clerk's Office to verify business licenses. Ms. Whitbey advised Fire Fest will be Tuesday, October 7, 2014, in the Kroger parking lot off McCain Boulevard. Alderwoman Ross said Dark Hollow Day is Saturday, September 27, 2014.

There being no further business to come before the Council, and on the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the meeting was adjourned at 7:25 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, October 13, 2014, at six 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