February 13, 2017
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, February 13, 2017, was called to order at 6:02 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, LINDA ROBINSON, STEVE BAXTER, RON HARRIS, CHARLIE HIGHT and MURRY WITCHER (7/0). Alderman MAURICE TAYLOR was absent. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

The prayer and pledge of allegiance were led by Alderwoman White.

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the minutes from the North Little Rock City Council meeting held on Monday, January 23, 2017, were approved, accepted and filed as prepared by the City Clerk (7/0).

Mayor Smith announced a Special Call meeting.

February 10, 2017

Special Meeting of 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 City Council at 6:00 p.m. on Monday, February 13, 2017, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

> **O-17-15 – AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR IRRIGATION SYSTEM AND ADDITIONAL DRAINAGE WORK AT DICKEY-STEPHENS BALLPARK; APPROPRIATING FUNDS; DECLARING AN EMERGENCY; AND FOR OTHER PUPROSES. Sponsor: Mayor Joe A. 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,
C. Jason Carter,
City Attorney

O-17-15 (ORDINANCE NO. 8884 – MAYOR SMITH)
AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR IRRIGATION SYSTEM AND ADDITIONAL DRAINAGE WORK AT DICKEY-STEPHENS BALLPARK; APPROPRIATING FUNDS (*$52,000.00*); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, the readings were suspended (7/0). 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, with the exception of Alderwoman White, who voted no, the ordinance was adopted (6/1). Emergency clause adopted (7/0).

On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, communications 1, 2, 4, 5, 6, 7, 8, 9, and 10, were accepted and filed (7/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – Replacement from Deshaun Taylar*, for NLR Corner Store, 1802 Pike Avenue, by Rajbeer Kaur.
2. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink – Replacement from Ira Mittelman*, for North Bar (former business Ira's Park Hill Grill), 3812 John F. Kennedy Boulevard, by Kyle R. Dismang. (*Note: the Business License for this business was issued to Eric Greer who is also the license holder for The Garden Bistro, 4801 North Hills Boulevard*.)
4. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – NEW* for Jacob's Store, 5200 John F. Kennedy Boulevard, by Ehab Alfarah.
5. Jeanette Flemister, North Little Rock Woman's Club Annual Performance Report – 2016.
6. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – Replacement from Grace Y. Chae*, for Cana One Stop fka Cana Food Store #2, 1524 Pike Avenue, by Rajbir Singh.
7. Karen Scott, Finance Director/Chair Energy Risk Management Committee, Energy Cost Recover (ECR) adjustment factor February 2017, ($.0017) Credit.
8. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – Replacement from Ashwini Gupta* for Maumelle Food Mart fka Maumelle Quick Mart, 10920 Maumelle Boulevard, by Raouf Kassissieh.
9. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises & Small Farm Wine – Change of Manager from Curtis Earp*, for MAPCO Express #7519, 3300 Springhill Drive, by Paul J. Titley.
10. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises – Change of Manager from Jacinda Ashley AND Small Farm Wine – NEW*, for Murphy Oil USA #7466, 13201 Crystal Hill Road, by William A. Grieb.

Note: Alderman Taylor entered the council chambers at 6:07 p.m.

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

3. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink – NEW* for Bucanas Billar and Taqueria, 3828 John F. Kennedy Boulevard, by Pedro E. Mercado. (*Note: the Business License for this business was issued to Rosa Flores, former business, 4716 Camp Robinson Road.*)

Alderwoman White said the name of the business indicated billiards, however, the application submitted to ABC (State Alcohol Beverage and Control Board) indicated T.V. sets as the only entertainment provided. Ms. Whitbey said the applicant for the city business license was Ms. Rosa Flores. Ms. Flores advised City Clerk staff that she had two pool tables. Ms. Flores did not include Mr. Mercado as an owner. On the State Health Department application, Ms. Flores listed a Juke Box, which was also not included on the ABC application. A business license has been issued for the restaurant and pool tables. The application (and other documents) have been sent to ABC Board. Mayor Smith asked if North Little Rock Police Chief Mike Davis had met with the applicant. He advised he had not but did have the same concern regarding the billiard tables. Mr. Carter said accepting the communication indicates that is being filed in the record, but no other action. He said if the council requests a letter (to the ABC Board), he will send one. Ms. Whitbey also advised Ms. Flores had another restaurant in the city located on Camp Robinson Road. Mayor Smith asked Chief Davis and City Attorney Carter to follow-up (with a letter).

Mayor Smith invited members of Cub Scout Pack 87 to come forward for introduction and a photograph. The group attended the council meeting as part of their attaining the Arrow of Light Rank (which is the highest Cub Scout rank). Mr. Thomas Wilkins is the Den Leader and North Little Rock Fire Captain Michael Holley is the Assistant Den Leader.

Mayor Smith announced Citizen Comment on legislation. Mr. Gene Levy lives at 400 Dortch Loop in the eastern part of the city. Their house is near 12602 Faulkner Lake Road which is being considered for a Special Use Permit to recycle and sale concrete ruble. It is his understanding that what would take place at the site would be grinding concrete slabs to make them into gravel which would be sold to the (State) Highway Department. The process would create a lot of dust and significant noise. It would be similar to having a (rock) quarry next door. Currently, (the owners) are digging a pond. The equipment makes a lot of noise and is very disturbing. It also creates a lot of dust. When the pond is completed, it would not be a problem. He and his wife are opposed to this use. Mr. Levy said this has not been before the City Planning Commission. The impact on all of the residents in the area should be considered. Mrs. Candy Levy also spoke against the legislation. There is constant noise at their home and a lot of dust. Residents bought their homes to live in a peaceful environment and raise their families. Many have 30 year mortgages. She referenced issues for people with asthma and chronic illnesses. There is a natural wet land that runs between the two properties. There are lots of animals in the area.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

Mayor Smith called for a voice vote on the consent agenda, and all members present having voted "aye", consent items R-17-11, R-17-12, R-17-13, R-17-14, R-17-15, R-17-16, R-17-18, R-17-19, R-17-20, R-17-21, R-17-24, R-17-25, and R-17-26, were adopted (8/0). Items R-17-17, R-17-22, and R-17-23, were pulled and called under "New Business".

R-17-11 (RESOLUTION NO. 9134 – MAYOR SMITH)
A RESOLUTION REAPPOINTING ESTHER CRAWFORD TO THE NORTH LITTLE ROCK LIBRARY COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

R-17-12 (RESOLUTION NO. 9135 – MAYOR SMITH)
A RESOLUTION CONFIRMING THE REAPPOINTMENT OF OLIVER W. DILLINGHAM TO THE NORTH LITTLE ROCK HOUSING AUTHORITY BOARD OF COMMISSIONERS; AND FOR OTHER PURPOSES, was adopted (8/0).

R-17-13 (RESOLUTION NO. 9136 – MAYOR SMITH)
A RESOLUTION REAPPOINTING CARL JACKSON TO THE NORTH LITTLE ROCK PLANNING COMMISSION BOARD OF ADJUSTMENT AND APPEALS, was adopted (8/0).

R-17-14 (RESOLUTION NO. 9137 – MAYOR SMITH)
A RESOLUTION REAPPOINTING MARK RUBLE TO THE LAKEWOOD RECREATIONAL AREA IMPROVEMENT DISTRICT NO. 4 BOARD OF ASSESSEMENT; AND FOR OTHER PURPOSES, was adopted (8/0).

R-17-15 (RESOLUTION NO. 9138 – MAYOR SMTIH)
A RESOLUTION REAPPOINTING DR. MICHAEL D. GROUNDS TO THE LAKEWOOD RECREATIONAL AREA IMPROVEMENT DISTRICT NO. 4 BOARD OF ASSESSMENT; AND FOR OTHER PURPOSES, was adopted (8/0).

R-17-16 (RESOLUTION NO. 9139 – MAYOR SMITH)
A RESOLUTION DECLARING CERTAIN CITY-OWNED ITEMS AND OTHER EQUIPMENT AS SURPLUS; PROVIDING FOR AUCTION THEREOF; AND FOR OTHER PURPOSES, was adopted (8/0).

R-17-18 (RESOLUTION NO. 9140 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH ARKANSAS ARTS CENTER; AND FOR OTHER PURPOSES, was adopted (8/0). (*$40,000.00*)

R-17-19 (RESOLUTION NO. 9141 – 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, was adopted (8/0). (*50,000.00*)

R-17-20 (RESOLUTION NO. 9142 – 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, was adopted (8/0). (*$95,000.00*)

R-17-21 (RESOLUTION NO. 9143 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK AND ARGENTA ARTS FOUNDATION; AND FOR OTHER PURPOSES, was adopted (8/0). (*$20,000.00*)

R-17-24 (RESOLUTION NO. 9144 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH ARGENTA COMMUNITY THEATER; AND FOR OTHER PURPOSES, was adopted (8/0). (*$50,000.00*)

R-17-25 (RESOLUTION NO. 9145 – MAYOR SMITH)
A RESOLUITON ACCEPTING FUNDING FROM AND AUTHORIZING A MEMORANDUM OF AGREEMENT WITH PULASKI AREA GEOGRAPHIC INFORMATION SYSTEM (PAgis) FOR STORMWATER GIS DATA DEVELOPMENT; APPROPRIATING MATCHING FUNDS (*$85,000.00*); AND FOR OTHER PURPOSES, was adopted (8/0).

R-17-26 (RESOLUTION NO. 9146 – MAYOR SMITH)
A RESOLUTION APPOINTING CARLTON M. "SONNY" RHODES TO THE POSITION PREVIOUSLY HELD TEMPORARILY BY BERNADETTE RHODES ON THE NORTH LITTLE ROCK LIBRARY COMMISSION; AND FOR OTHER PURPOSES, was adopted (8/0).

NEW BUSINESS

R-17-17 (RESOLUTION NO. 9147 – ALDERWOMAN WHITE)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PREPURCHASED FOOD AGREEMENT WITH ARKANSAS FOODBANK; AND FOR OTHER

PURPOSES, was read. On the motion of Alderwoman White and seconded Alderman Taylor, and by consent of all members present, the resolution was unanimously adopted (8/0). (*$20,000.00*)

R-17-22 (RESOLUTION NO. 9148 – MAYOR SMITH)
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CELRK TO ENTER INTO AN AGREEMENT WITH THEA FOUNDATION; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Witcher. Alderwoman Ross said organizations were asked in the past to reduce their requests for funding assistance from the city. The Thea Foundation was one of the few to reduce their request. On the motion of Alderwoman Ross and seconded by Alderman Hight, the resolution was amended as follows:: *add $20,000.00 to the amount included of $28,000.00 for a total of $48,000.00* (8/0). Alderman Witcher asked if the budget needed to be amended to add the appropriation. Alderwoman Ross said it could be included when R-17-28 is called. On the motion of Alderwoman Ross and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted as amended (8/0). (*$48,000.00*)

R-17-23
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE ARKANSAS REGIONAL INNOVATION HUB, INC.; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Baxter and seconded by Alderman Hight. Alderwoman Ross referenced funds for The Art Connection and said she recently learned it was no longer tied in with the Hub and asked if funds what The Art Connection funds were being used for. Mayor Smith said (an opinion was) that The Art Connection was for children. Other parts of the Hub have more participants. Mr. Joel Gordon said over 6,000 children used the Hub in 2016. They still have an art program. The program now accepts young children. They are working on a program that will involve older youth. Alderwoman Ross asked how many of the participants were North Little Rock residents. Mr. Gordon didn't have an exact number. They have an agreement with North Little Rock High School and have several students utilizing their Engineering Class. Alderman Taylor said council members want to know the number of North Little Rock residents participating and the areas of the city they live in. Alderwoman Ross asked if the legislation could be held until the information requested is provided. The legislation was then held by the sponsor, Mayor Smith. (*$150,000.00*)

Mayor Smith acknowledged those who were reappointed to city Boards and Commissions. He also acknowledged Mr. Rhodes who was appointed to the North Little Rock Library Commission.

R-17-27 (RESOLUTION NO. 9149 – MAYOR SMITH)
A RESOLUTION AMENDING THE 2017 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO INCLUDE ADDITIONAL EXPENSES FOR THE PARKS AND RECREATION DEPARTMENT; 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 resolution was unanimously adopted (8/0). (*$475,000.00 and $308,000.00*)

R-17-28 (RESOLUTION NO. 9150 – MAYOR SMITH)
A RESOLUTION AMENDING THE 2017 BUDGET FOR THE CITY OF NORTH LITTLE ROCK TO REAUTHORIZE AND INCLUDE ADDITIONAL EXPENDITURES FOR SPECIFIED DEPARTMENT BUDGETS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman Robinson. On the motion of Alderwoman Ross and seconded by Alderman Witcher, and by consent of all members present, the resolution was amended as follows:: *new Section 3:* APPROPRIATING AN ADDITIONAL $20,000.00 FOR THEA, *and renumber subsequent sections* (8/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was again amended as follows:: *substitute Exhibit "A" provided this date* (8/0). On the motion of Alderman Hight and seconded by Alderwoman Ross and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

O-17-09 (ORDINANCE NO. 8885 – MAYOR SMITH)
AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR CUSTOM-MADE AND OEM (*Original Equipment Manufacturer*) PARTS NEEDED FOR OVERHAUL WORK ON UNIT 1 AT THE MURRAY HYDROELECTRIC PLANT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderwoman Ross, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Alderman Taylor and seconded by Alderwoman Ross. Alderman Baxter asked about the shipping time. Ms. Jessica Stephens, North Little Rock Electric Department Systems Mechanical Engineer said most of the parts are large. It takes a while to set up the machinery and ship. Having the parts on site when the work begins will save time. 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). (*$188,978.36 – included in 2017 Department Budget*)

O-17-10 (ORDINANCE NO. 8886 – MAYOR SMITH)
AN ORDINANCE AMENDING THE 2017 QUOTA ORDINANCE (ORDINANCE NO. 8871) FOR THE NORTH LITTLE ROCK ELECTRIC AND PARKS AND RECREATION DEPARTMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, the readings were suspended (8/0). A motion to adopt was made by Alderman Hight and seconded by Alderwoman Ross. On the motion of Alderwoman Ross and seconded by Alderman Witcher, the ordinance was amended as follows:: *substitute copy provided this date* (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-17-11 (ORDINANCE NO. 8887 – ALDERMEN TAYLOR AND ROBINSON)
AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 303 PARKER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; FROM R-4 TO PLANNED USE DEVELOPMENT (PUD), TO ALLOW A RESIDENTIAL SUBDIVISION BY AMENDING ORDINANCE NO. 7697; 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, the 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). (*applicant: McClelland Engineering*)

Alderman Hight asked Mr. Shawn Spencer, Planning Director if there was any mention of Parker Street being designated a Bike Boulevard and referenced the (city's) Bike Plan.

O-17-12 (ORDINANCE NO. 8888 – ALDERMAN TAYLOR)
AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW SELLING OF TOP SOIL AND CONSTRUCTION OF A NEW POND IN AN R-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 12602 FAULKNER LAKE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. A motion to suspend the readings was made by Alderman Witcher and seconded by Alderwoman Robinson. Alderman Witcher said two of the three pieces (of related legislation) had not gone before the Planning Commission. Mayor Smith said two of the ordinances are related to highway construction in the area. The applicant needs to be able to let the highway department know whether or not they can proceed. Alderman Witcher said there are already piles of concrete at one of the sites. Alderman Hight said he had concerns that the request had not gone before the Planning Commission and that operations are already underway on the property, and that this is in a residential neighborhood. Mayor Smith said this ordinance is regarding digging a pond and selling the soil. Alderman Witcher said part of the land is considered wetlands and asked if the applicants had received their 404 Permit from the Arkansas Department of Environmental Quality (ADEQ). Ms. Kaye Lynn Tankersly (the applicant) said the permit is not needed because they are not filling in the pond, they are removing dirt. They are also not working in the wetlands. Alderman Taylor said the pond will help with drainage issues in the area and surrounding subdivision(s). Alderman Witcher asked if a Stormwater Plan had been filed. Ms. Tankersly said no. Ms. Tankersly said the ponds were initially built to provide water for cattle. This evolved into providing drainage for the Rauch Coleman Development. On the previous motion, and all members present having voted in the affirmative, with the exception of Alderman Witcher who voted no, the readings were suspended (7/1). Alderman Taylor made a motion to adopt. Alderwoman Robinson asked if a permit was required to dig a pond. City Engineer Chris

Wilbourn said a permit depends on the size of the pond (0 – 1 acres, 1 – 5 acres, or more than 5 acres). Mr. Wilbourn said a pond would help with drainage and provide a place for water storage. Alderman Taylor said future development in the area should be considered. A proposed amendment would make the ordinance effective for one (1) year from the date of passage. On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, with the exception of Alderman Witcher, who voted no, the ordinance was amended as follows:: *substitute copy provided this date* (7/1). 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, with the exception of Aldermen Hight and Witcher, who voted no, the ordinance was adopted (6/2). On the emergency clause, all members present voted in the affirmative, with the exception of Alderman Witcher, who vote no, emergency clause adopted (7/1). (*applicant: AR Trison Farms, LLC*)

O-17-13
AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW THE STORAGE, RECYCLING AND SALE OF CONCRETE RUBBLE IN AN R-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 12602 FAULKNER LAKE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. A motion to suspend the readings was made by Alderman Taylor and seconded by Alderman Baxter. Alderwoman Robinson asked if dust was an issue, how can the neighbors be protected. Mr. Spencer said that would be considered a nuisance and would be a Code Enforcement issue. Alderwoman Robinson said the legislation refers to hours of operation as 8:00 a.m. until 6:00 p.m. However, she has received calls that equipment is operating before 8:00 a.m. On the previous motion, and by consent of all members present, the readings were suspended (8/0). Alderman Witcher made a motion which was seconded by Alderman Hight to refer the legislation to the Planning Commission, and the roll having been called, and the following members have voted yes: Harris, Hight and Witcher; and the following members having voted no: Ross, White, Taylor, Robinson, and Baxter, the motion failed (3/5). A motion to adopt was again made by Alderman Taylor. On the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members present, with the exception of Alderman Witcher, who voted no, the ordinance was amended as follows:: *substitute copy provided this date* (7/1). Alderman Taylor made a motion to adopt as amended. The motion died for lack of a second. *Note:* this item will be removed from the agenda. (*applicant: Kaye Lynn Tankersley*)

Alderman Hight asked if this was the only property available in the county for this operation. Alderman Taylor said it was not, however, the property needs to be in close proximity to the project.

O-17-14 (ORDINANCE NO. 8889 – ALDERMAN TAYLOR)
AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A CONCRETE BATCH PLANT IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 9912 HIGHWAY 165 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Alderman Taylor asked the applicant, Ms. Tankersley if this property

is tied to the other legislation. Ms. Tankersley said they are separate properties at separate locations and separate operations. Mayor Smith said this property is next to the Fire Station (on Highway 165). The Wilcox family was instrumental in making that property available to the city. The fire station (employees) may not be concerned with the use (for 12 months) and the highway department would like to see this approved. On the motion of Alderman Taylor and seconded by Alderman Witcher, and by consent of all members present, the readings were suspended. 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 unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Kaye Lynn Tankersley*)

Ms. Tankersley said the location on Highway 165 is 10 acres. The other property is 425 acres. They keep the road watered and the dust down and have erosion control in place.

PUBLIC COMMENT

Mr. Bobby Taylor said there are still issues with recycling bins. He asked if the council could create an ordinance regarding the bins. Mr. Taylor also referenced a brush pile. Mayor Smith said there is a location where the property owner has used a tree as a way to block the road to keep people from going into the area. Mr. Taylor said the property at 4605 Boyer has a rehab permit. The property looks like a city dump. He said the man is also burning rubber inside his house. He is also bringing in treated posts (which are toxic) and burning them. Both smell bad. Mr. Carter said he will write a letter to ABC regarding Communication #3 indicating the council's concern that this location may not be a restaurant, but an Entertainment Venue. He will include concerns regarding the owner/operator of the business. Mr. James Ard congratulated Chief Davis on his recent Television appearance and how he represented the city. Alderman Hight praised Parks and Recreation and Waste Water employees for their work at the Old Mill over the past few weeks. Alderwoman White said she received a call from a neighbor last week regarding someone at another neighbor's house. When she went out to check, the person backed out of the driveway and left with her neighbor's lawn equipment. She asked if the city could look into purchasing License Plate Readers. Chief Davis said the initial price was $20,000.00. Prices have gone down to approximately $7,000.00. The department has added a few. Alderman Hight said there seem to be a lot of auto thefts and items being stolen from carports, etc. Chief Davis recommended removing valuables from vehicles and locking vehicles. Do not leave an unattended vehicle running. Do not leave key fobs in vehicles either. Alderman Harris asked about radar control devices and references one in Little Rock. The device attaches to a light pole. Mr. Wilbourn said the price runs up to $10,000.00. Mayor Smith addressed a rumor regarding sidewalks on Millcreek. Millcreek is not getting new sidewalks. Alderman Witcher said locations in the city will be included in History Walks between March and September. These sites include the old Water Building in Park Hill and the Heritage Center on Main Street. Mayor Smith advised Fire Chief James Murphy had surgery last week and is doing well. Mr. Dan Scott, Neighborhood Services Director advised a F.O.C.U.S. operation will take place in the Levy area of the city beginning February 21, 2017, through the first week of March. The target area is 33rd Street through 47th Street. The city has put out flyers in the

neighborhood. Ms. Whitbey advised Monday (February 20, 2017) is a holiday. There will be no delay in weekly pickup.

There being no further business to come before the Council, and on the motion of Alderwoman Ross and seconded by Alderman Baxter, and by consent of all members present, the meeting was adjourned at 7:36 p.m. (8/0), until the next regularly scheduled meeting which will be held on Monday, February 27, 2017, 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