

September 14, 2009  
Seven 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 14, 2009, was called to order at 7:00 p.m. by the honorable Alderwoman DEBI ROSS, acting Mayor. The roll having been called, and the following Aldermen answered to their names: DEBI ROSS, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, CARY GAINES, SAM BAGGETT, CHARLIE HIGHT and MURRY WITCHER (8/0), a quorum was declared. Assistant City Clerk Linda Marshall and City Attorney, C. Jason Carter were also present.

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

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, August 24, 2009, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the blanket motion of Alderman Witcher and seconded by Alderman Hight, communications #1, 3, 4, 5, 7, 8, and 10 were accepted and filed (8/0).

1. Robert Sisson, Finance Director memorandum to Mayor Hays, City Council members, City Clerk Diane Whitbey, and City Treasurer Mary Ruth Morgan re: copy of the North Little Rock Electric Department and Utilities Accounting Department Audit Reports for the year ended December 31, 2008.
3. Marshall Hampton, Petition requesting Speed Hump at Hickory and Walnut (*14 signatures*).
4. Sharon Tedford, memorandum re: application for *Retail Beer On Premises – NEW* for China Inn, 2629 Lakewood Village, by Allen Chung.
5. Mike Hain, Petition requesting Speed Hump (location left blank) (*18 signatures – note: majority live on Cornwallis*).
7. Bob Hardin, Attorney at Law, addition to Petition for Formation of Central Business Improvement District (Argenta Downtown Central Business Improvement District #31).
8. Phyllis Haley, Petition requesting Speed Hump on Willow Beach Road (*27 signatures*).
10. James Ard, resolution expressing the will of the City of North Little Rock to comply with State and City construction requirements.

On the motion of Alderwoman Robinson and seconded by Alderman Gaines and by consent of all members present, communication #2 was read, accepted and filed (8/0).

2. Terry Eslick, President Rose City Neighborhood Association letter to Bill Yeates, re: appreciation for attending their meeting and supporting him in his endeavors regarding the Veteran's Memorial at 5501 MacArthur Drive.

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

6. Alderman Hight via email from Al Ostedgaard re: RV Parking.

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

9. Mayor Hays letter re: out of town, Monday, September 14, 2009, advising Alderwoman Ross will preside over City Council meeting.

Mayor Ross announced citizen public comment regarding numbered agenda items. A public hearing was scheduled for O-09-57, an ordinance declaring a moratorium on the issuance of permits for electronic changeable copy signs. Mr. James Ard referenced a sign for the North Little Rock Wildcats. Mr. Bill Yeates owns and operates My Friends Place. He said his electronic sign has increased business. He is able to advertise food specials, entertainment, etc. Electronic signs are the way of the future. Mr. Patrick Stair is in favor of the moratorium. He said more research needs to be done. Issues including safety need to be considered. Mr. Robert Fureigh doesn't disagree with any of the previous speakers. He doesn't think a moratorium is needed until April 2011. He likes some electronic signs and dislikes others. (*Note: the public hearing was neither adjourned or recessed and will remain on the agenda for the next meeting*).

Acting Mayor Ross announced a Special Call scheduled for this date.

September 10, 2009 (via email)

Subject: Special Call Meeting for 7:05 p.m. on September 14, 2009

Honorable Members of the North Little Rock City Council:

The purpose of this e-mail is to advise you that Mayor Hays has called a special meeting of the North Little Rock City Council for 7:05 p.m., on September 14, 2009, at City Hall, Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1) A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE NORTH LITTLE ROCK MUNICIPAL AIRPORT; AND FOR OTHER PURPOSES.

Sponsor: Mayor Patrick H. Hays

Pursuant to Section 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 email before noon on Friday, September 11, 2009, by replying to the same. A copy of your reply will automatically be sent to City Clerk Diane Whitbey.

Respectfully submitted,

C. Jason Carter  
City Attorney

Special Call 1) (RESOLUTION NO. 7524 – MAYOR HAYS)  
A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE NORTH LITTLE ROCK MUNICIPAL AIRPORT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. Mr. Skipper Polk, acting Director of the North Little Rock Airport briefly reviewed the grant. On the previous motion, and by consent of all members present, the resolution was unanimously adopted (8/0).

Mayor Ross resumed citizen public comment and convened a public hearing regarding O-09-58, amending Ordinance No. 8128 (the Parking Ordinance). Mr. Fureigh said he had concerns about RV's affecting property values. The public hearing was then recessed until September 28, 2009, at 7:05 p.m.

Mayor Ross convened a public hearing regarding O-09-60, establishing the Lakewood Recreational District #4 Application for a Restricted Parking District. Mr. Fureigh restated his concerns pertaining to RV's. The public hearing was then recessed until September 28, 2009, at 7:05 p.m.

Mayor Ross asked if anyone had signed up to speak on a numbered agenda item. Mr. Yeates spoke regarding R-09-141. He said city officials drew up a deed for his property to be used for a memorial. He did not file anything with Pulaski County regarding this property. Mr. Yeates said Mayor Hays has stated publicly that he does not favor this location. At the last meeting of the Veterans Advisory Committee, they voted unanimously for the location at 5501 MacArthur to be considered a viable site for the memorial. This legislation will send a message to the committee that the memorial is not to be built at his location. Mr. Yeates said there is documented proof from every Neighborhood Crime Association, Sheriff "Doc" Holladay and others who want the memorial at his location. He said the land should not be given back prematurely. Mr. Stair spoke regarding O-09-64. This request has not been reviewed by the Sign Board or the Planning Commission. Mr. Ard spoke on R-09-141. He said the council should wait to vote on this item until after the committee votes on a location. He said we should support those who protect our country. Mr. Fureigh spoke regarding O-09-64. He asked how an electronic sign could be allowed if there is an existing moratorium through September 30, 2009.

### **UNFINISHED BUSINESS**

R-09-118

A RESOLUTION AUTHORIZING THE PURCHASE OF ADDITIONAL TEMPORARY SPEED HUMPS FOR ALLOCATION TO EACH WARD IN THE CITY OF NORTH LITTLE ROCK; APPROPRIATING FUNDS; (\$33,000.00 – Street Department Fund); AND FOR OTHER PURPOSES, was called and held by sponsor, Alderman Baggett.

O-09-57

AN ORDINANCE DECLARING A MORATORIUM ON THE ISSUANCE OF PERMITS FOR ELECTRONIC CHANGEABLE COPY SIGNS IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on August 24, 2009, was called and read a second time this date. A public hearing was held and recessed this date (see above). Alderwoman White reviewed a proposed amendment. On the motion of Alderman Witcher and seconded by Alderwoman White, and by consent of all members present, the ordinance was amended as follows:: *see substituted copy provided this date (8/0)*. The legislation was then held by sponsor, Alderwoman Ross.

O-09-58

AN ORDINANCE AMENDING ORDINANCE NO. 8128 (THE PARKING ORDINANCE); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on August 24, 2009. A public hearing was held and recessed this date (see above). The legislation was then called. Alderman Hight said legislation regarding RV parking applies only to parking districts in the city. It is not citywide. Mr. Carter reviewed the parking in parking and historic districts. Recreational and commercial vehicles are not allowed in parking districts. He also discussed parking on front and side lawns. On the motion of Alderman Hight and seconded by Alderwoman Ross, and by consent of all members present, the ordinance was amended as follows:: *see substituted copy provided this date (8/0)*. A motion to suspend the rules was made by Alderman Hight and seconded by Alderwoman Ross. The roll was called to suspend the rules. The ordinance was then read (a second time as amended). The ordinance was then held by sponsor, Alderman Hight.

O-09-60

AN ORDINANCE ESTABLISHING THE LAKEWOOD RESTRICTED PARKING DISTRICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on August 24, 2009, and held. A public hearing was convened this date (see above) and recessed. The public hearing will reconvene on Monday, September 28, 2009. The ordinance was read a second time and held by the sponsor, Alderwoman Ross.

### **NEW BUSINESS**

R-09-140 (RESOLUTION NO. 7525 – MAYOR HAYS)

A RESOLUTION APPROVING FINANCIAL MANAGEMENT PLAN FOR TRANSFERRING FUNDS AND ADJUSTING BUDGET AMOUNTS IN THE 2004-2009 CDBG PROGRAMS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Mary Beth Bowman, Community Development Director briefly reviewed the financial plan. On the previous motion and by consent of all members present, the resolution was unanimously adopted (8/0).

R-09-141

A RESOLUTION DISCLAIMING THE TRANSFER OF CERTAIN PROPERTY LOCATED ON WEST MILITARY DRIVE; AND FOR OTHER PURPOSES, was read. Alderman Witcher recommended holding the legislation until the Veteran's Memorial Committee decides on a location. Mr. Carter was not aware if anything was ever recorded at the county. The property has been offered to the city by Mr. Yeates as a memorial site. The legislation was then held.

O-09-63

AN ORDINANCE ESTABLISHING ARGENTA DOWNTOWN CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 31 OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held. A public hearing will be held on Monday, September 28, 2009, at 7:05 p.m.

O-09-64 (ORDINANCE NO. 8193 – ALDERMAN TAYLOR)

AN ORDINANCE ALLOWING AN ELECTRONIC CHANGEABLE COPY MONUMENT SIGN AT 4105 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Alderman Taylor said the applicant filled out an application correctly, however, the electronic changeable copy sign was overlooked. The purpose of this ordinance is to correct a mistake which was made by the city. Alderwoman Robinson said it would be unfair to the applicant to ask them to remove the sign when the error was made by the city. A motion to suspend the rules was made by Alderman Hight and seconded by Alderman Taylor. Mr. Voyles and the owner both spoke regarding the matter. On the previous motion, and all members present having voted in the affirmative, 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 Hight and seconded by Alderman Taylor, 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. On the motion of Alderman Taylor and seconded by Alderman Baggett, and all members present, with the exception of Alderman Witcher, who voted no, the ordinance was adopted (7/1). On the emergency clause, all members present voted in the affirmative, with the exception of Alderman Witcher, who voted no, the emergency clause was adopted (7/1).

#### **PUBLIC COMMENTS-----**

Alderwoman White thanked the people from Gardner Methodist Church and others for organizing a cleanup of several alleys located in the area of Schaer Street, Chandler Street and Marion Street. This was done in association with City Fest. Alderman Baggett reminded everyone of the School Board Election on Tuesday. Alderman Gaines spoke briefly regarding communication #10. Mr. Scott Miller reviewed the areas covered in the election tomorrow. Mr. Miller is a candidate and is inspired by young people. He said that you can't have good schools without the city; and, you can't have a good city without the schools. Mr. Ard thanked Alderman Witcher for speaking for My Friends Place. He asked why the city doesn't have to comply with state and city laws and why

don't city employees do what they are supposed to. Mr. Harry Weissenstein is a new resident of the city. He sees lots of good things going on. However, homeless people are becoming a problem in the downtown area. He would like to see a study done and shelters to get them off the streets. Mayor Ross said Police Chief Danny Bradley and the city are aware of the issue and working on it.

There being no further business to come before the Council, and on the motion of Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, the meeting was adjourned at 8:35 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, September 28, 2009, at seven o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: \_\_\_\_\_  
MAYOR PATRICK HENRY HAYS

ATTEST: \_\_\_\_\_  
DIANE WHITBEY, CITY CLERK