

September 17, 2009  
Five-thirty o'clock P.M.  
North Little Rock City Hall Council Chambers  
300 Main Street  
North Little Rock, Arkansas

A Special Call meeting of the North Little Rock City Council scheduled for Thursday, September 17, 2009, was called to order at 5:30 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. Deputy City Clerk Amber Hodge and City Attorney, C. Jason Carter were also present.

The invocation was given by Alderman Taylor, followed by the pledge of allegiance to the flag which was led by Mayor Ross.

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

September 15, 2009 (via email)

Subject: Special Call Meeting for 5:30 p.m. on September 17, 2009

Honorable Members of the North Little Rock City Council:

The purpose of this e-mail is to advise you that a special meeting has been called by eight Aldermen of the North Little Rock City Council for 5:30 p.m., on Thursday, September 17, 2009, at City Hall, Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1) A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ENTER INTO A SETTLEMENT AGREEMENT IN THE CASE OF TWO TENNESSEE, LLC, ET AL. VS. CITY OF NORTH LITTLE ROCK, USDC CASE NO. 3:06-00063; APPROPRIATING FUNES; AND FOR OTHER PURPOSES.  
Sponsors: Aldermen Ross, White, Taylor, Robinson, Gaines, Baggett, Hight and Witcher.

Pursuant to Section 2-48(2) of the North Little Rock Municipal Code, you are entitled to 72 hours' *electronic* notice of this meeting. **This email is being sent within 72 hours.** I ask that you waive this requirement to avoid re-scheduling of the special meeting. Please acknowledge receipt of this email before noon on Wednesday, September 16, 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. 7526 – ALDERMEN ROSS, WHITE, TAYLOR, ROBINSON, GAINES, BAGGETT, HIGHT AND WITCHER)

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ENTER INTO A SETTLEMENT AGREEMENT IN THE CASE OF TWO TENNESSEE, LLC, ET AL. VS. CITY OF NORTH LITTLE ROCK, USDC CASE NO. 3:06-00063;

APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Robinson. Mr. Carter advised a mapping error led to the conflict. There was a lot of contention surrounding this property. The settlement agreement includes the city acquiring the property which consists of approximately 18 acres, for the amount of \$912,500.00 (Sales Tax Capital Improvements Fund). Arkansas Municipal League Attorney Rob Beard said the lawsuit was initially filed for \$1.7 million, plus attorney's fees, and the concrete plant going at the location. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0). Mr. Ron Campbell said he sold the property to Razorback Concrete. The city would not recognize the property as Industrial zoning. He was dissatisfied and said he is owed \$75,000.00.

There being no further business to come before the Council, and on the motion of Alderman and seconded by Alderman , and by consent of all members present, the meeting was adjourned at 5:42 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