

April 27, 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, April 27, 2009, was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: DEBI ROSS, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, SAM BAGGETT, CHARLIE HIGHT, and MURRY WITCHER (7/0), a quorum was declared. Alderman CARY GAINES was out of town. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

The invocation was given by Mayor Hays, followed by the pledge of allegiance to the flag which was also led by Mayor Hays.

On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, the minutes of a regular council meeting held on Monday, April 13, 2009, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the blanket motion of Alderwoman Robinson and seconded by Alderwoman White, and by consent of all members present, communications #1, and 2 were accepted and filed (7/0).

1. Sharon Tedford, Mayor's Office memorandum re: *application for Restaurant Mixed Drink – NEW* for Santo Coyote, Inc., 2513 McCain, Suite 1 - 5, by Gonzalo Garcia.
2. Sharon Tedford, Mayor's Office memorandum re: *application for Retail Liquor, Retail Beer and Small Farm Winery - Retail - Change of Manager from Robert James*, First & Last Chance Liquor, 11810 Maybelline Road (72117), by Marty James.

On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, communication #3, the second paragraph was read, and the communication was accepted and filed (7/0).

3. Dominic Flis, Flis Enterprises, Burger King Franchises, email to Alderman Witcher (and city council members) re: Moratorium on LED Electronic Signs in North Little Rock.

Mayor Hays read a proclamation proclaiming May 3 - 9, 2009, as Municipal Clerk Week in North Little Rock and thanked City Clerks Whitbey, Linda Marshall, Amber Hodge and Bobbie Dudley, along with City Treasurer Mary Ruth Morgan for their service to the city of North Little Rock.

Mayor Hays announced a public hearing regarding R-09-70, declaring a Moratorium on issuance of permits for Electronic Changeable Signs through December 31, 2010. He and the cosponsors (Ross and Witcher) agreed to amend the legislation to August 31, 2009 (or four months). The City of Conway has a strong ban on these type signs. Alderman Witcher said the changeable copy signs have been referred to as LED signs. Alderwoman Ross has received a lot of calls and emails regarding these signs and the majority have requested a ban of the signs city-wide. Alderwoman Robinson asked if the date on the moratorium could be extended if needed. Mayor

Hays said an outright ban on electronic signs in the city would be a strong step. City Attorney Carter clarified the definition of changeable copy signs. LED should be stricken from the legislation. Mayor Hays convened the public hearing at 7:20 p.m. Jason Offutt, ACE Outdoor Advertising described the size of signs already allowed in the city and asked if a moratorium was necessary. He mentioned several safety reports from the State of Arkansas. The city should support local businesses and churches. Pastor Donny Copeland's church is on Lander's Road in North Little Rock. He said people should be allowed to do what they need to. His church priced a sign at \$125,000.00. Because of costs, not all businesses or churches will be able to afford them. Jerry Hodge, Signs First is against the moratorium. He recently attended an International Sign Association meeting. Sixty to seventy percent of the booths were exhibiting electronic signs. Inhibiting small businesses is a mistake. The price of electronic signs could "self" regulate their use. Presley Melton recently met with Conway Planning Department staff. Their city leaders enacted controls on signs, but it did not inhibit growth. Small business owners had said new codes would be detrimental to them. However, this hasn't happened. Mr. Melton read from a list of businesses which have opened in Conway since 2006. LED signs are now a non-issue there. Dominic Flis operates four (4) Burger King stores in North Little Rock. Businesses will find a way to advertise. LED signage is visibly more attractive (and correct) than a manually changed sign. North Little Rock has been pro-business. Business owners make a significant investment in the community. LED signs use less electricity. They are also a "greener" option. He said there are billboards which are changeable copy, too. Charlie Knott is president of the North East Lakewood Neighborhood Association. He asked the council to support the moratorium. Consideration needs to be given to location, size, height and animation. Brent Ferguson asked the council to not pass a moratorium. There are billboards which have changeable signs. Those should be considered and included. Loyd Stanley, Stanley Jewelers, moved to Park Hill in 1939. He has worked in Park Hill since 1960. This area has a "special feel" with landscaped medians and more. People want to shop in a pleasant neighborhood. Flashy signs do not blend with this area. Pete Laven, General Manager Arkansas Travelers Baseball Club - Dickey Stephens Park, said their LED changeable copy sign has been a great advertising tool for them. Not all people use the internet or look at the newspaper to see what's going on. The sign is a classy way to advertise and make announcements to the public. Scott Miller lives on 5<sup>th</sup> Street. He owns three (3) businesses in the area. LED signs do impact neighborhoods. Bigger may not be better. He encouraged the council to take their time and study this matter. Changing the time from 15 seconds to 5 seconds should be looked at on a case-by-case basis. Cary Tyson, President of the Park Hill Neighborhood Association said they support a moratorium and the current 15 second rate for changeable signs. Robert Fureigh, Indian Hills Neighborhood Association said the city should start over. He provided examples of why small business owners have a hard time competing. He mentioned the sign at the First Pentecostal Church and the request at Levy Baptist. Effective zoning and use of variances are needed. We don't want to see North Little Rock looking like Times Square or Asher Avenue. Patrick Stair said electronic signs are expensive to purchase and operate. No city is anti-business. If we are really pro-business, then remove all restrictions. Rose Bryant lives in Park Hill and is a minister. She finds electronic signs useful in getting her message out to the public. She is against the moratorium. Jo Melton has been before the council before on several sign related issues. She encouraged the council to take their time looking into this matter. Jim Ard said a moratorium is needed. He has seen the sign at a Jacksonville car lot (mentioned at the last meeting) and did not find it distracting. He said the sign at the North Little Rock Chamber of

Commerce has distracted drivers. Craig Shackelford is in the sign industry. He has been working with Planning Director Robert Voyles regarding this matter. He is against a ban. It's not necessary. The council and code enforcement have addressed these issues previously. There being no one else wishing to be heard, Mayor Hays adjourned the public hearing at 8:00 p.m. Without objection, the legislation was then called.

R-09-70 (Special Call #2 - April 13, 2009) (RESOLUTION NO. 7453 - MAYOR HAYS, ALDERMEN ROSS AND WITCHER)

A RESOLUTION DECLARING A MORATORIUM ON ISSUANCE OF PERMITS FOR ELECTRONIC CHANGEABLE COPY SIGNS THROUGH ~~DECEMBER 31, 2010~~ (August 31, 2009); AND FOR OTHER PURPOSES, was read. A public hearing was held this date (see above). A motion to adopt was made by Alderwoman Robinson and seconded by Alderwoman Ross. On the motion of Alderwoman Ross and seconded by Alderman Witcher, and by consent of all members present, with the exception of Aldermen Baggett and Hight, who voted no, the resolution was amended as follows:: *in the title and Section 1: strike ~~December 31, 2010~~, insert AUGUST 31, 2009, and in the first recital clause, third recital clause and Section 1: strike ~~LED~~, and in the third recital clause strike ~~end of the year 2010~~, and insert AUGUST, 2009 (5/2)*. Alderman Hight said he voted no because he is opposed to a ban and moratorium. He supports a study of electronic changeable copy signs while using existing codes. He said LED signs are useful in providing information when he travels. On the motion of Alderman Witcher and seconded by Alderwoman Robinson, and by consent of all members present, with the exception of Aldermen Baggett and Hight who voted no, the resolution was adopted as amended (5/2).

Mayor Hays recessed the council meeting at 8:12 p.m. The meeting was reconvened at 8:15 p.m. Mayor Hays advised Democrat-Gazette Reporter Jake Sandlin's mother died last Friday. He issued condolences to Jake and his family.

Mayor Hays announced a public hearing regarding O-09-26, establishing zoning for real property in Extra-Territorial areas adjacent to the City of North Little Rock located southeast near Scott and east near I-40 and I-440 Interchange. Without objection, the ordinance was read (see below). Mayor Hays convened a public hearing at 8:18 p.m. Merrill Parks lives on Old River Drive. Initially, people in the area were opposed when they thought this was an annexation and do not want to be annexed into North Little Rock at this time. They do not oppose the proposal as is. There being no one else wishing to be heard, the public hearing was adjourned at 8:19 p.m.

O-09-26 (ORDINANCE NO. 8167 - MAYOR HAYS)

AN ORDINANCE ESTABLISHING ZONING FOR REAL PROPERTY IN EXTRA-TERRITORIAL AREAS ADJACENT TO THE CITY OF NORTH LITTLE ROCK LOCATED SOUTHEAST NEAR SCOTT AND EAST NEAR THE I-40 AND I-440 INTERCHANGE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read three times on April 13, 2009. The ordinance was read and a public hearing was held this date (see above). On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and the roll having been called and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

Mayor Hays asked if anyone had signed up to speak on any agenda item. There being no one to indicate they had, the next item was called.

### **UNFINISHED BUSINESS**

O-09-11

AN ORDINANCE AMENDING ORDINANCE NO. 7697 (THE ZONING ORDINANCE) REGARDING ELECTRONIC CHANGEABLE COPY SIGNS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read February 9, 2009, February 23, 2009 and a third and final time March 23, 2009. At the request of sponsor, Alderman Baggett, the ordinance was held (*Note: sixth and final time on agenda - will be removed this date*).

O-09-20

AN ORDINANCE AMENDING ORDINANCE NO. 7697 (THE NORTH LITTLE ROCK ZONING ORDINANCE); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, the ordinance was read two times on March 23, 2009, and was read a third and final time April 13, 2009, and was read again this date. Mr. Melton spoke regarding signs located at businesses which faced residential areas of the city and cited several locations. Mr. Fureigh opposed (W) Section 14.19.A.2. regarding intervals of electronic activated changes from 15 to 5 seconds. Mrs. Melton spoke again regarding signage and said she had talked with someone at the state highway department regarding the electronic signs they use on the interstate. Mayor Hays then recessed the public hearing until Monday, May 11, 2009, at 7:05 p.m. Alderman Witcher opposed (E) Sections 14.22.D, 14.23.D, 14.24.D and 14.24.D-Signs permitted increasing the height of monument signs from 6' to 10'. Alderwoman Robinson and Alderman Taylor are also opposed to 10'. Mayor Hays suggested excluding any item having to do with signs. Alderwoman Robinson said she is opposed to (M) Article 21 - Table of Permitted Uses. Council members were asked to contact Mr. Carter with proposed amendments before the next council meeting. After further discussion, the legislation was then held by the sponsor, Mayor Hays.

O-09-31 (*for consideration only*)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW AN AUTO DETAILING AND AUTO SALES BUSINESS IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4314 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times April 13, 2009, was called and withdrawn by the sponsor, Alderman Taylor. (*applicant: Eric Watkins*)

### **NEW BUSINESS**

R-09-71 (RESOLUTION NO. 7454 - MAYOR HAYS)

A RESOLUTION APPROVING THE SELECTION OF TUNNEL-SPANGLER-WALSH & ASSOCIATES TO PREPARE A MASTER DEVELOPMENT PLAN FOR THE ARGENTA DOWNTOWN DISTRICT; 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 Alderwoman White who voted present, and Alderman Hight who voted no, the resolution was adopted (5/2). *See below - recalled.*

R-09-72 (RESOLUTION NO. 7455 - MAYOR HAYS)

A RESOLUTION AUTHORIZING AN EXTENSION OF THE REAL ESTATE AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK AND NORTH BLUFFS DEVELOPMENT CORPORATION; 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 resolution was adopted (7/0).

R-09-73 (RESOLUTION NO. 7456 - MAYOR HAYS)

A RESOLUTION SUPPORTING PROPOSED ORDINANCES BY THE PULASKI COUNTY QUORUM COURT TO PROTECT THE LAKE MAUMELLE WATERSHED; AND FOR OTHER PURPOSES, was read. Mayor Hays briefly reviewed a proposal which will be on the Quorum Courts agenda tomorrow night. On the motion of Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, with the exception of Alderwomen Ross and White, who passed, the resolution was adopted (5/2).

*See R-09-71 above.* A motion to reconsider was made by Alderman Witcher and seconded by Alderwoman Robinson, all members present having voted in the affirmative, the motion passed (7/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, with the exception of Alderwoman White, who voted present, the resolution was adopted (6/1).

R-09-74 (RESOLUTION NO. 7457 - MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 306 WEST 22<sup>ND</sup> STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman Robinson. Mayor Hays convened a public hearing this date. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and all members present having voted in the affirmative, the resolution was adopted (7/0). \$2,286.95 - *owner: Naketrius and Tamara Haney*)

R-09-75 (RESOLUTION NO. 7458 - MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 4624 SCHAER STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Robinson. Mayor Hays convened a public hearing this date. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and all members present having voted in the affirmative, the resolution was adopted (7/0). (\$2,915.97 - *owner: Rosie Tijerina*)

R-09-76 (RESOLUTION NO. 7459 - MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 212 COLLEGE PARK CIRCLE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt

was made by Alderman Taylor and seconded by Alderwoman Robinson. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and all members present having voted in the affirmative, the resolution was adopted (7/0). (\$3,037.63 - *Ida Mae Hardin*)

R-09-77 (RESOLUTION NO. 7460 - MAYOR HAYS)

A RESOLUTION CERTIFYING THE AMOUNT OF A CLEAN UP LIEN TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTY LOCATED AT 6605 MEDFORD STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderwoman Robinson. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and all members present, the resolution was adopted (7/0). (\$2,668.88 - *owner: Sandra L. Smith*)

O-09-33 (ORDINANCE NO. 8168 - MAYOR HAYS)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR REPLACEMENT OF THE ENGINE ROOM OVERHEAD DOOR AT THE CENTRAL FIRE STATION; APPROPRIATING \$20,903.59 FROM ACT 833 FUNDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

Alderman Witcher asked about the architectural plans for the new fire station. Fire Chief Robert Mauldin said they are waiting. Mayor Hays said something should be in by mid-year. Alderwoman White recently visited a fire station with geo-thermal technology.

O-09-34 (ORDINANCE NO. 8169 - MAYOR HAYS, ALDERMEN HIGHT, ROBINSON AND TAYLOR)

AN ORDINANCE AMENDING THE BIKE PLAN IN THE ROSE CITY AREA OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Alderman Hight, Robinson and Taylor were added as cosponsors. On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, with the exception of Alderman Baggett who passed, the rules were suspended and the ordinance was placed on its second reading (6/1). On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, with the exception of Alderman Baggett who passed, the rules were again suspended and the ordinance was placed on its third and final reading (6/1). The ordinance was read a third and final time. Alderman Hight said this path will allow bikers to avoid one of the most dangerous intersections in central Arkansas. Mayor Hays has rode this path twice recently. A motion to adopt was made by Alderman Hight and seconded by Alderman Taylor, and the roll having been called and all members present having voted in the affirmative, with the exception of Alderman

Baggett who passed, the ordinance was adopted (6/1). Emergency clause adopted (6/1), Alderman Baggett passed.

O-09-35 (ORDINANCE NO. 8170 - MAYOR HAYS)

AN ORDINANCE AMENDING THE MASTER STREET PLAN (ORDINANCE NO. 7932) TO REMOVE THE TWO PROPOSED ALTERNATE PATHS OF THE NORTH BELT FREEWAY; ACCEPTING THE PATH CHOSEN BY THE ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Mr. Shawn Spencer, Planning Department said this is a “cleanup” ordinance. On the motion of Alderman Witcher 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 (7/0). On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the rules were suspended and the ordinance was placed on its third and final reading (7/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

O-09-36 (ORDINANCE NO. 8171 - MAYOR HAYS, ALDERMEN HIGHT, ROBINSON AND TAYLOR)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW SAND AND GRAVEL MINING AND PROCESSING IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 220 SAND RIVER ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Aldermen Hight, Robinson and Taylor were added as cosponsors. On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderwoman Robinson and seconded by Alderman Baggett, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The ordinance was read a third and final time. Alderwoman Ross asked if the trucks would be covered. Mr. Stuart Vess, Attorney at Law advised all of the trucks will be covered. Access to this facility will be adjacent to Faulkner Lake Road. On the motion of Alderman Hight and seconded by Alderwoman Ross, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: Desoto Sand*)

O-09-37 (ORDINANCE NO. 8172 - ALDERWOMAN WHITE)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A DAYCARE CENTER IN A C-4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2730 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson 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 (7/0). On the motion of Alderwoman Robinson and seconded by Alderwoman Ross and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: April Wade*)

O-09-38 (ORDINANCE NO. 8173 - ALDERMAN TAYLOR)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED SOUTH OF THE INTERSECTION OF HIGHWAY 165 AND BLAZE DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM R-2 TO C-3 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 Robinson 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 (7/0). On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: David Jones*) Mr. Mike Marlar said a grocery store is interested in going in at this location.

O-09-39 (ORDINANCE NO. 8174 - ALDERWOMAN WHITE) (*for consideration only*)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW TIRE SALES IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2424 PIKE AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by

Alderwoman White, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The ordinance was read a third and final time. The applicant, John Tolliver runs Discount Muffler Shop. Mr. Tolliver said he has paid \$1,070.00 in taxes to the city during the first quarter of 2009. His business will be an improvement in the area. Alderman Baggett asked if Mr. Tolliver would keep the tires behind the fence. Alderwoman White said she has visited this property. So far improvements have not been made. She had concerns about tires and standing water. Mr. Tolliver said he could get everything cleaned up in three weeks. Alderwoman White said she was concerned with a trailer which has scrap metal on it. Mr. Tolliver said he lets his employees have the scrap metal to sell. Sometimes it is a few weeks before there's enough to haul off. Alderwoman White asked if the trailer could be parked behind the business. Mr. Tolliver said he would try. He keeps the trailer chained to a utility pole to keep people from stealing it. On the motion of Alderwoman Ross and seconded by Alderwoman White, and by consent of all members present, the ordinance was amended as follows: *add to Section 2: (9) REASONABLE EFFORTS WILL BE EXERCISED TO ENHANCE THE APPEARANCE OF THE SCRAP TRAILER OPERATION AT THE SITE (7/0)*. On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and by consent of all members present, the ordinance was again amended as follows: *strike (3) Allow outdoor display of tires behind fence during open hours; and, then renumber subsequent items, and former (7) now (6) strike through during business hours and insert AT ALL TIMES (7/0)*. On the motion of Alderwoman Ross and seconded by Alderwoman Robinson, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted as amended (7/0). Emergency clause adopted (7/0). (*applicant: John Tolliver*)

**PUBLIC COMMENTS-----**

Alderman Hight thanked Willie Elizandro for helping the Master Gardeners at the Old Mill.

Alderman Hight said he read an article about Dillard's suing a mall in Texas. The parking lot at McCain Mall has a lot of pot holes. He asked if the city has contacted Simon Properties about the condition of the area. Alderman Hight referenced University Mall in Little Rock.

Alderwoman Robinson has received requests from Ward 2 residents to relocate the traffic light in front of the old Fort Thompson's location to the area of the shopping center. Alderman Baggett said he passed on a vote on the bike trail because there are already a lot of bike trails in the city. He would like to see grant funds used for things like drainage, handicapped ramps, etc. Mayor Hays said no money was spent related to that legislation. Alderman Baggett said a lot of people like to shot and suggested looking into a shooting range in the city. Alderwoman Ross said the North Little Rock PAL Program is signing up youth ages 4 - 11 for a kickball team.

Alderwoman Ross asked if there was a place on the city's website to provide current maps of trails in the city. Mayor Hays is working with the police department to come up with something regarding sharing the trails. Alderman Hight said there is a link to a map of the trails on the North Little Rock Visitors website. The citywide cleanup is this Saturday, May 2, 2009 and everyone is invited to participate. Mr. Bill Yeates had lunch with Nick Bacon who is a Congressional Medal of Honor recipient. He read a letter from Mr. Bacon regarding support of erecting a statue of an American Soldier in battle dress uniform at 5501 MacArthur Drive. Mr. Greg Zonner provided an update on the North Little Rock Veterans' Memorial Advisory Committee. Meetings will be held in each ward of the city and are open to the public. The committee is seeking input from citizens regarding a possible location and design of a memorial. The next meeting will be at the Lakewood United Methodist Church May 21, 2009, at 7:00 p.m. This is in conjunction with the Lakewood Neighborhood Group meeting. Mr. Ferguson spoke regarding the brightness of electronic signs. Mr. Ferguson goes to a shooting range at Camp Robinson.

There being no further business to come before the Council, and on the motion of Alderwoman Robinson and seconded by Alderman Witcher, and by consent of all members present, the meeting adjourned at 9:50 p.m. (7/0), until the next regularly scheduled meeting to be held on May 11, 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**