

May 10, 2010  
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, May 10, 2010, 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, JIMMY PHILLIPS, and MURRY WITCHER (7/0), a quorum was declared. Alderman CHARLIE HIGHT was absent due to surgery. 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 Alderman Phillips, and by consent of all members present, the minutes of a regular council meeting held on Monday, April 26, 2010, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the motion of Alderman Witcher and seconded by Alderwoman Robinson, and by consent of all members present, communications #1, 2, and 4 were accepted and filed (7/0).

1. (Attached to memorandum from Wade Dunlap, Planning Department) Petition to Rename Street - Atkinson Street to Mt. Olive Boulevard (*note: no indication as to who circulated the petition and all residents were not notified, petition filed as communication only. Once the remaining petitions are file, the process set up by ordinance will be followed*).
2. D. McDowall, Neighborhood Wine & Spirits (via email) article re: *Stores Named in Sales Tax Arrests*.
4. Charlie Knott, Northeast Lakewood Association Neighborhoods email re: O-10-35, Electronic Changeable Copy Signs.

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 (7/0).

3. Bob Rhoads, Parks and Recreation Director memorandum re: Public Hearing for public input on Parks and Recreation issues. (The date is June 21, 2010).

Mayor Hays invited Crestwood Elementary School 5<sup>th</sup> Grade QUEST Teachers Mauri Douglass and Mary Carolyn East to come forward. The QUEST students wrote and illustrated a history book titled "*Our North Little Rock*." The students worked in pairs and took specific time periods in our city's history. Eight of the students were present and introduced themselves and told us what part of the project they worked on. The price of the books is \$22.90 which includes shipping.

Mayor Hays invited State Representative Barry Hyde, Todd Larson - Economic Development Director and Rodney Larson - Central Planning Development District to come forward. Representative Hyde asked Alderman Witcher to join them at the podium and then reviewed several projects which will be funded by a grant totaling \$30,000.00. Mayor Hays thanked Representative Hyde and his colleagues for their work at the State Capitol.

Mayor Hays recognized Alderwoman Ross who chaired the North Little Rock Veteran's Memorial Committee. Alderwoman Ross introduced the committee members who were present: Bert Turner, Deborah Collins, Willie Elizandro, Mike Ross, Greg Zonner and Jeff Baskin - Laman Library. Mayor Hays commended all of the members for their work, time and efforts in this matter. He said North Little Rock has strong ties to all branches of the military and encouraged everyone to be involved. Mrs. Collins provided an update on the project, which included the final location, which is at the intersection of Orange and Pershing Boulevard in the Laman Library Plaza. This site has also been approved by the Library Commission. Mr. Turner referenced a model of the memorial which will include red and black granite. A Fallen Soldiers Memorial will be in the center on top of an octagon. Currently, the committee has approximately 200 names for the memorial. Additional granite panels will be installed for future names. A ground breaking is scheduled for tomorrow and a dedication ceremony will be held on November 11, 2010 (Veteran's Day). Donations are needed and can be made through the North Little Rock Chamber of Commerce. Alderwoman Ross said the benches are designed so that they can be replaced with granite panels if necessary. The part of the monument facing the street will include "*All gave some - some gave all.*" Mayor Hays then asked for a motion for a voice vote. On the motion of Alderwoman Ross and seconded by Alderman Phillips, and by consent of all members present, the Veterans Memorial Committee Design was approved, the committee will continue until the memorial is formally dedicated and the council by way of this vote supports fund raising efforts (7/0). Mayor Hays commended Alderwoman Ross for her leadership in chairing the committee. Everyone was invited to the ground breaking ceremony (May 11, 2010) at 11:30 a.m. in the Laman Plaza.

Mayor Hays invited North Little Rock Police Captain Mike Davis to come forward. Captain Davis said May 17, 2010, Special Olympics Arkansas' Annual Torch Run will kick off from all four corners of the state and meet in front of North Little Rock City Hall for the final leg and a press conference (May 20, 2010 at 9:00 a.m.). A Hero Walk will include Special Olympics Athletes, Police Officers and supporters. The city council was invited to participate. Special Olympics has already raised \$473,000 for 2010, and anticipated exceeding \$500,000.

Mayor Hays invited any candidates in the upcoming election to come forward. Pulaski County Justice of the Peace Charles Roberson is running for reelection. He asked for continued support from citizens. He said he uses a common sense approach in all issues. Mr. Roberson said all contracts go through the county purchasing department. The Quorum Court approves the budget. Mr. Mike Berg is a candidate for Arkansas State Land Commissioner. If elected, he would make it possible to access properties online with the ability to pay by credit card. He would set up online auctions to get property back on the tax rolls. He would also seek a grant to acquire a mobile unit to tour schools and county fairs around the state to provide information about the State Land Commissioner's Office. His office would be open, fair and friendly. Mr. Bruce

Foutch is a candidate for Justice of the Peace District 14. He reminded everyone that early voting runs through May 15, 2010 and asked for their vote.

Mayor Hays announced a Special Call scheduled for this date.

May 7, 2010 (via email)

Subject: Special Call Meeting for 7:05 p.m. on May 10, 2010

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 Monday, May 10, 2010, at City Hall, Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1) A RESOLUTION AUTHORIZING ACCEPTANCE OF A PROPOSAL FOR APPRAISAL SERVICES ON THE UNION PACIFIC SPUR TRACK PARALLEL TO CAMP ROBINSON ROAD; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES.  
Sponsor: Mayor Hays
  
- 2) A RESOLUTION REPEALING RESOLUTION NO. 7276 WHICH DECLARED 4015 GLENMERE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO BE A PUBLIC NUISANCE AND CONDEMNED IT; AND FOR OTHER PURPOSES.  
Sponsor: Mayor 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. **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 as soon as possible 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. 7638 - MAYOR HAYS AND ALDERWOMAN ROSS) A RESOLUTION AUTHORIZING ACCEPTANCE OF A PROPOSAL FOR APPRAISAL SERVICES ON THE UNION PACIFIC SPUR TRACK PARALLEL TO CAMP ROBINSON ROAD; APPROPRIATING FUNDS; AND FOR OTHER PURPOSES, was read. Without objection, Alderwoman Ross was added as a cosponsor. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Ross. Mayor Hays said the city has been working with Union Pacific Railroad in regard to this opportunity. This will provide direct access to Camp Robinson, the North Little Rock Airport and City of Sherwood. On the previous

motion, and by consent of all members present, the resolution was adopted (7/0). Mayor Hays said North Little Rock has been designated as a bicycle community.

Special Call #2 (RESOLUTION NO. 7639 - MAYOR HAYS)

A RESOLUTION REPEALING RESOLUTION NO. 7276 WHICH DECLARED 4015 GLENMERE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS TO BE A PUBLIC NUISANCE AND CONDEMNED IT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Baggett. Mr. Carter advised this property was condemned last year. Photos illustrated renovations and improvements made to the structure. A bond was posted with the city to cover the cost of removing the structure if it was not repaired. Mr. Tom Wadley, Code Enforcement Director said the structure has been brought up to code. He said exterior maintenance has been an issue. Mr. Carter said overgrown weeds, standing water, trash, etc. can be considered a nuisance. When the structure was condemned, it was unfit for habitation. On the previous motion, and by consent of all members present, with the exception of Alderwoman White who voted present, the resolution was adopted (6/1).

Mayor Hays announced Citizen Public Comment on agenda items. Mr. Robert Fureigh spoke regarding O-10-35. Electronic changeable sign technology is rapidly changing. Small business owners are limited on resources for advertising. There being no one else who wished to speak during citizen public comment on numbered agenda items, Mayor Hays called for unfinished business.

**UNFINISHED BUSINESS**

R-10-26

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5110 VELVET RIDGE 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 and withdrawn by the sponsor, Mayor Hays. (*owner: Velvet Ridge Ltd. Partnership*)

R-10-57

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 1508 EAST 2<sup>ND</sup> STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was called and withdrawn by the sponsor, Mayor Hays. (*owner: Andrew Beavers - \$695.68*)

**NEW BUSINESS**

R-10-63 (RESOLUTION NO. 7640 - MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHERS STRUCTURES LOCATED AT 4420 ATKINS STREET 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 read. A motion to adopt was made by Alderwoman Robinson and seconded by Alderman Baggett. 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 by consent of all members present, the resolution was adopted (7/0).  
(owner: G. T. Hearne)

R-10-64 (RESOLUTION NO. 7641 - MAYOR HAYS)

A RESOLUTION TRANSFERRING FUNDS AND ADJUSTING BUDGET AMOUNTS IN THE 2004 - 2007 CDBG PROGRAMS; APPROVING FINANCIAL MANAGEMENT PLAN; 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 resolution was adopted (7/0).

R-10-65 (RESOLUTION NO. 7642 - MAYOR HAYS)

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF NORTH LITTLE ROCK TO UTILIZE FEDERAL AID RECREATIONAL FUNDS FOR REPLACEMENT OF OR IMPROVEMENTS TO THE SHILCUTT BAYOU RIVER TRAIL BRIDGE THE ARKANSAS MIDLAND BYPASS; AND FOR OTHER PURPOSES, was read. Mr. Robert Voyles, Planning Director advised this would include a bike trail in Rose City, drainage and a bypass (trail) of Highway 70 and Highway 165. On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the resolution was amended as follows: *substitute copy provided this date* (7/0). On the motion of Alderman Taylor and seconded by Alderman Baggett, and by consent of all members present, the resolution was adopted as amended (7/0).

R-10-66 (RESOLUTION NO. 7643 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A QUITCLAIM DEED TO RETURN CERTAIN PROPERTY TO FLOYD H. AND BRENDA M. FULKERSON; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Robinson and seconded by Alderwoman Ross. Mayor Hays said this property was donated to the city to be a fire station site. The cost to build on the property would be costly, therefore, the city is returning the property to the Fulkerson's. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

O-10-34 (ORDINANCE NO. 8258 - MAYOR HAYS)

AN ORDINANCE AMENDING SECTION 7-003 OF THE NON-UNIFORMED EMPLOYEES' POLICY AND PROCEDURE MANUAL REGARDING SICK LEAVE BONUS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Ross and seconded by Alderman Baggett, 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 Alderwoman Robinson, 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).

O-10-35

AN ORDINANCE AMENDING ORDINANCE NO. 7697 (“THE ZONING ORDINANCE”) TO RESTRICT THE PLACEMENT OF NEW ELECTRONIC CHANGEABLE COPY SIGNS TO CERTAIN DISTRICTS WITHIN THE CITY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baggett 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 Alderman Baggett and seconded by Alderman Witcher, 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. Mayor Hays reviewed the proposed amendments (provided in writing this date). Mr. Carter reviewed some of the items in more detail. On the motion of Alderman Witcher and seconded by Alderman Phillips, and by consent of all members present, the ordinance was amended as follows: *see amendments provided this date* (7/0). The ordinance was then held as amended. A revised ordinance will be distributed to council members including changes made this date. Alderwoman Ross referenced an accident summary and said the top three accident locations in the city are on McCain.

O-10-36

AN ORDINANCE ESTABLISHING THE OVERBROOK RESTRICTED PARKING DISTRICT; 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 rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Witcher 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). A public hearing will be held on Monday, May 24, 2010, at 7:05 p.m. Alderwoman Ross requested a map. Mayor Hays said Mr. Voyles will provide one which will be circulated with the council agenda.

O-10-37 (ORDINANCE NO. 8259 - ALDERMAN PHILLIPS)

AN ORDINANCE AMENDING THE CONDITIONS OF A SPECIAL USE PERMIT AS ESTABLISHED BY ORDINANCE NO. 8257; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Phillips 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 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).

**PUBLIC COMMENTS-----**

Mayor Hays said Mr. Mike Russ, General Manager, North Little Rock Electric will schedule a meeting regarding a Risk Management Policy for the Electric Department. Council members were asked to attend a day-long workshop regarding the same. The proposed dates are either Friday July 16, or Saturday July 17, 2010. Mr. Russ asked council members to email him regarding the date. Mayor Hays said Census workers are going door-to-door collecting data for the 2010 Census. Early voting is under way and continues through Saturday May 15, 2010. Precinct voting will be Tuesday, May 18, 2010. Alderwoman Ross invited everyone to the

Veteran's Memorial Ground Breaking Ceremony tomorrow at Laman Plaza. Alderman Baggett said he and Alderman Phillips attended the Amboy Crime Watch meeting. Sidewalk construction is underway in their area. He thanked Aldermen Witcher and Hight for their attention to a ditch at 48<sup>th</sup> Street and Camp Robinson. Representative Hyde attended the Neighbors United for Levy meeting recently and presented an award to the gentleman who rescued someone during a flood last year. Alderman Baggett said an Elvis Impersonator will be in town at VIP Auto Group, 2006 Highway 161, May 22, 2010, and encouraged everyone to attend. The event is free and begins at 4:30 p.m. Mr. James Ard wished Alderman Hight a speedy recovery. Police Chief Danny Bradley said this is National Police Week. A ceremony will be held tomorrow at 10:30 a.m. in front of the Police and Courts Building on Pershing Boulevard to remember our fallen officers. Everyone is invited. Mayor Hays said a presentation of the final draft of the Downtown Master Plan will be at the North Little Rock Chamber of Commerce Wednesday, May 12, 2010, at 9:00 a.m. Alderman Baggett said a woman on Texas Street had a problem with flooding recently. Engineers from Camp Robinson will look at the location.

There being no further business to come before the Council, and on the motion of Alderwoman Ross and seconded by Alderman Phillips, and by consent of all members present, the meeting was adjourned at 8:45 p.m. (7/0), until the next regularly scheduled meeting to be held on Monday, May 24, 2010, 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