1	RESOLUTION NO		
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3	A RESOLUTION TO EXPRESS OPPOSITION TO THE CREATION OF A		
4	NEW MUNICIPALITY IN AN AREA CALLED LITTLE ITALY; TO		
5	DIRECT THE MAYOR TO SEND NOTICE OF THIS OPPOSITION TO		
6	THE PULASKI COUNTY JUDGE; AND FOR OTHER PURPOSES.		
7	THE FORMAL COUNTY GOODS, MIND FOR OTHER FORM COLOR		
8	WHEREAS, pursuant to Ark. Code Ann. § 14-38-101 (West Supp. Pamph. 2015) residents of an area		
9	commonly referred to as Little Italy filed a petition for incorporation as a municipality; and,		
10	WHEREAS, a small portion of the 8.8 square-mile area within the corporate limits of the propose		
11	town of Little Italy his area was originally settled in 1915 as Alta Villa; and,		
12	WHEREAS, approximately 400 residents reside within the corporate limits of the proposed town of		
13	Little Italy, 220 of whom signed the petition for incorporation; and,		
14	WHEREAS, Pulaski County has passed an ordinance which sets certain restrictions within the		
15	watershed area in order to safeguard drinking water for more than 400,000 persons who reside within the		
16	service area of Central Arkansas Water; and,		
17	WHEREAS, the City of North Little Rock, and Central Arkansas Water, have stated objections to this		
18	incorporation, particularly because removal of that area from Pulaski County's land use and planning		
19	jurisdiction could have a negative impact upon the Lake Maumelle Watershed; and,		
20	WHEREAS, one of the reasons stated in the objectives for Little Italy to incorporate is expressly to		
21	prevent "controls leveraged by another city government," but the Arkansas Supreme Court has stated that		
22	the avoidance of municipal regulation is not a reason to permit an incorporation; and,		
23	WHEREAS, a hearing is currently scheduled on the petition for incorporation on July 13, 2015, before		
24	Pulaski County Judge Barry Hyde;		
25	NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY		
26	OF LITTLE ROCK, ARKANSAS:		
27	Section 1. The City of Little Rock opposes the incorporation of Little Italy as a town located within		
28	Pulaski County, and in the Lake Maumelle Watershed area.		
29	Section 2. The Mayor and City Manager are authorized to attend any public hearing on the issue of		
30	incorporation of Little Italy and, on behalf of the City of Little Rock, express such opposition, and further,		
31	to bring with them such witnesses and materials as deemed necessary to support this opposition.		
32	<b>Section 3.</b> The City believes that the incorporation of this town creates the possibility of damage to		
33	the Lake Maumelle Watershed, and that such damage could impact the public health and safety of the more		

1	than 400,000 persons who rely upon the watershed to supply potable drinking water on a daily basis, so this		
2	opposition shall remain unless and until Little Italy and Central Arkansas Water are able to reach an		
3	agreement that would protect the watershed.		
4	Section 4. The Mayor and City Manager may withdraw the City of Little Rock's objection to the		
5	incorporation of Little Italy as a town within Pulaski County and the Lake Maumelle Watershed if Central		
6	Arkansas Water receives binding commitments, acceptable to Central Arkansas Water and with a		
7	demonstrated intent to be filed of record with the Circuit Clerk and Ex-Officio Recorder of Pulaski County		
8	Arkansas, that the property owners within the proposed Little Italy area will provide long-term protections		
9	for the preservation of water quality in Lake Maumelle.		
10	Section 5. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with		
11	the provisions of this resolution, are hereby repealed to the extent of such inconsistency.		
12	Section 6. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or		
13	word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or		
14	adjudication shall not affect the remaining portions of the resolution which shall remain in full force and		
15	effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the		
16	resolution.		
17	PASSED: July 7, 2015		
18	ATTEST:	APPROVED:	
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21	Susan Langley, City Clerk	Mark Stodola, Mayor	
22	APPROVED AS TO LEGAL FORM:		
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<ul><li>25</li><li>26</li></ul>	Thomas M. Carpenter, City Attorney //		
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