

**Little Rock Board of Directors Meeting
September 19, 2017
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a meeting with Mayor Mark Stodola presiding. City Clerk Susan Langley called the roll with the following Directors present: Hendrix; Richardson; Peck; Hines; Wright; Wyrick; Kumpuris; Fortson; Adcock; Vice-Mayor Webb; and Mayor Stodola. Director B.J. Wyrick delivered the invocation, which was followed by the Pledge of Allegiance.

CONSENT AGENDA (Items 1 – 6)

1. **MOTION:** To approve the minutes of the July 5, 2017, and July 18, 2017, Little Rock City Board of Directors Meetings.
2. **RESOLUTION NO. 14,638:** To authorize the City Manager to enter into a contract with Motorola Solutions, in the amount of \$255,365.40, for the purchase of sixty (60) Motorola Radios for the Little Rock Police Department; and for other purposes. *Staff recommends approval.*
Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with Motorola Solutions for the purchase of a sixty (60) Motorola Radios for the Little Rock Police Department.
3. **RESOLUTION NO. 14,639:** To authorize the City Manager to enter into a contract with Watch Guard Video, in the amount of \$273,259.41, for the purchase of sixty (60) Watch Guard Cameras for the Little Rock Police Department; and for other purposes. *Staff recommends approval.*
Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with Watch Guard Video for the purchase of a sixty (60) Watch Guard Cameras for the Little Rock Police Department.
4. **RESOLUTION NO. 14,640:** To authorize the City Manager to enter into a contract with Dell Computer Sales, in the amount of \$189,071.40, for the purchase of sixty (60) Dell Laptops for the Little Rock Police Department; and for other purposes. *Staff recommends approval.*
Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with Dell Computer Sales for the purchase of a (60) Dell Laptops for the Little Rock Police Department.
5. **RESOLUTION NO. 14,641:** To correct misprints by Amendment to Little Rock, Ark., Resolution No. 14,624 (August 15, 2017) and Little Rock, Ark., Resolution No. 14,622 (August 15, 2017); and for other purposes. *Staff recommends approval.*
Synopsis: To amend Little Rock, Ark., Resolution 14,621 (August 15, 2017) and Little Rock, Ark., Resolution No. 14,622 (August 15, 2017) to accurately name the vendor and the source of the contract for the purchase of vehicles by Fleet Services Department.
6. **RESOLUTION NO. 14,642:** To authorize the Mayor and City Clerk to execute a Historic Preservation Easement for the Oakland and Fraternal Historic Cemetery Park, located in Little Rock, Arkansas, to the State of Arkansas, acting by and through the Arkansas Historic Preservation Program; and for other purposes. *Staff recommends approval.*

Synopsis: The resolution will authorize the Mayor and City Clerk to execute a Historic Preservation Easement on a portion of the Oakland & Fraternal Historic Cemetery Park premises for the repair of stone masonry and wrought iron gates at the College and Barber Street entrances to the Cemetery, to the State of Arkansas, acting by and through the Arkansas Historic Preservation Program.

Director Adcock made the motion, seconded by Director Hines, to approve the Consent Agenda. By unanimous voice vote of the Board Members present, **the Consent Agenda was approved.**

GROUPED ITEMS (Items 7 - 9)

Director Hines asked that Item 9 be read separately.

7. ORDINANCE NO. 21,478: To declare it impractical and unfeasible to bid; to authorize the City Manager to enter into a contract with Utility Associates, in the amount of \$120,180.00, for the purchase of sixty (60) Modems for the Little Rock Police Department; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of a sole-source ordinance authorizing the City Manager to enter into a contract with Utility Associates for the purchase of a (60) Modems for the Little Rock Police Department.

8. ORDINANCE NO. 21,479: To authorize the issuance and sale of Water Reclamation System Revenue Bonds; to provide for the payment of the Principal of and Interest on the Bonds; to prescribe other matters relating to the Revenue Bonds; **to declare an emergency;** and for other purposes.

The ordinances were read a first time. Director Adcock made the motion, seconded by Director Wright, to read the ordinances a second time. By unanimous voice vote of the Board Members present, the ordinances were read a second time. Director Adcock made the motion, seconded by Director Wright, to suspend the rules and place the ordinances on third reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinances were read a third time. By unanimous voice vote of the Board Members present, **the ordinances were approved.** By unanimous voice vote of the Board Members present, **the emergency clause for Item 8 was approved.**

SEPARATE ITEMS (Items 9 – 10)

9. ORDINANCE: To amend Little Rock, Ark., Revised Code of Ordinances (1988) Chapter 6, Article 1, to clarify the circumstances under which confinement of an animal in an unattended vehicle shall be considered a violation of the City's Animal Cruelty Provision; and for other purposes.

City Attorney Tom Carpenter stated that there was amendatory language that had been distributed that more carefully described the words 'stress and animal under distress'. City Attorney Carpenter stated that since the three (3) readings had not occurred, if the amendment were made at that time, the readings could be made with just the title that had been given. Mayor Stodola asked for clarification of the proposed amended

language. City Attorney Carpenter stated that the language dealt with the characteristics that an Enforcement Officer would observe as to whether an animal was in distress due to extreme cold or hot weather.

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Wright, to read the ordinance a second time. By unanimous voice vote of the Board Members present, the ordinance was read a second time. Director Adcock made the motion, seconded by Director Wright, to suspend the rules and place the ordinance on third reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a third time.

Director Kumpuris stated that the proposed ordinance was laudable; however, he was worried that the City would be creating problem with hunting season approaching. Director Kumpuris stated that there were many individuals (hunters in particular) that transported their hunting dogs in kennels in the beds of Pick-Up Trucks and he was worried that the ordinance would create an undue burden on the Police and Animal Services Enforcement Staff to determine if the dog was actually in transport for hunting. Director Kumpuris stated that he would like to see the wording '*... left or confined in an open truck bed*' from Section 1; Subsection (c)(1) removed from the proposed ordinance. Animal Services Manager Tracy Roark stated that Code Enforcement Officers were trained to determine if an animal was in fact in distress. Mr. Roark stated that the language applied to animals that were left in the back of trucks for long periods of time in extreme temperatures; hot or cold. Director Kumpuris asked who would enforce the ordinance. Mr. Roark stated that any Enforcement Officer, such as Animal Services, Police, etc., would be responsible for enforcement. City Attorney Carpenter stated that Officers had the discretion to deal with any complaints. Director Hines stated that he was supportive of removing the language '*... left or confined in an open truck bed*' due to the fact that there were many individuals that did not agree with hunting and that might have the tendency to see an animal in the bed of a truck and call an Enforcement Officer out of spite.

Director Peck asked if the reference to 'cold weather' could be removed as distress occurred mostly extreme heat situations.

Director Kumpuris made the motion, seconded by Director Hines, to remove the wording '*... left or confined in an open truck bed*' from the proposed ordinance.

Director Adcock stated that she didn't have an issue with removing hunting dogs from the ordinance; however, there were other animals that needed to be protected that might be transported in an open truck bed. Director Wyrick stated she transported livestock, such as horses and cows, in trailers which were not air conditioned and there needed to be clarification in the language that eliminated livestock. City Attorney Carpenter stated that current law provided Enforcement Officers with the authority to remove an animal due to extreme weather; however, the purpose of the proposed ordinance was to limit the scope of the phrase 'extreme weather conditions.'

City Manager Bruce Moore stated that based on the discussion, he would like to defer the proposed ordinance to give staff time to review the wording to address some of the concerns that had been voiced that evening.

Director Kumpuris stated that he would withdraw his motion, and Director Hines stated that he would withdraw his second of the motion.

Director Kumpuris made the motion, seconded by Director Adcock, to defer the proposed ordinance for thirty (30) days. By unanimous voice vote of the Board Members present, **the motion was approved.**

10. ORDINANCE NO. 21,480: To condemn certain structures in the City of Little Rock, Arkansas, as structural, fire and health hazards; to provide for summary abatement procedures; to direct City Staff to take such action as is necessary to raze and remove said structures; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

Synopsis: Seven (7) residential structures are in a severely dilapidated, deteriorated and/or burned condition causing a negative environmental impact on the residential neighborhoods in which it is located. All Notices have been mailed in accordance with Arkansas State Law.

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Wright, to read the ordinance a second time. By unanimous voice vote of the Board Members present, the ordinance was read a second time. Director Adcock made the motion, seconded by Director Wright, to suspend the rules and place the ordinance on third reading. By voice vote of the Board Members present, with Director Richardson voting in opposition, the rules were suspended and the ordinance was read a third time.

Patrick Nahlen, 3311 Anna Street: Stated that he was the owner of the property located at 5121 West 33rd Street and the property had been before the Board before; however, he had received additional time to work on the structure. Mr. Nahlen stated that he had tried to demolish the structure; however, he could not get Code Enforcement Staff to release the 'hold' on the property. Mr. Nahlen stated that he had developed a timetable for rehabilitation; however, staff had estimated the cost to be between \$30,000 - \$40,000 dollars, which was over his estimate of \$3,936.45. Mr. Nahlen stated that he already had many of the materials and would be doing most of the work himself; therefore, the cost wouldn't be as great. Mr. Nahlen stated that if the Board would refer the property back to Environmental Court, he could have the rehabilitation completed with 140 days.

Code Enforcement Manager Ed Garland stated that the structure had been removed from the August 8, 2015, Demolition Ordinance by the Board due to the fact that the staff was working with a potential heir of the property. The owner appeared before the Board during Citizen Communication on May 16, 2017, to provide an update regarding his rehabilitation timeline. Mr. Garland stated that he, along with Code Enforcement Officer Rick Purifoy, had met with Mr. Nahlen on May 30, 2017, during which time they had been provided a timeline, as well as his projected estimates. Mr. Garland stated that the structure had been declared Unsafe/Vacant and staff was not of the opinion that \$3,936.45 would bring it up to Code. Mr. Garland stated that at that meeting, Mr. Nahlen stated that he would provide staff with additional information regarding his financial capacity to complete the renovations. In addition, Mr. Garland stated that at no time did staff deny Mr. Nahlen's request to demolish his own structure.

Director Adcock stated that Mr. Nahlen had called her and indicated that he wanted to rehabilitate the property to utilize as storage and she had told him that the property was not zoned for storage. Director Wyrick asked how referring the property back to

Environmental Court would enable Mr. Nahlen the ability to rehabilitate the structure. Mr. Nahlen stated that every month he would have to appear in Environmental Court to show progress and a Code Enforcement Officer would conduct an inspection of everything he had accomplished.

City Manager Moore stated that the property had been declare Unsafe on August 12, 2009, and the case had lingered in Environmental Court since that time.

Lisa TwoRivers, 2521 Wolfe Street: Stated that she was requesting an extension on her Building Permit. Ms. TwoRivers stated that her Contractor had made substantial progress on the property and that she needed additional time. Ms. TwoRivers stated that she had called 311 to obtain a rolloff dumpster to remove the debris from the interior of the structure; however, she was told that Code Enforcement had stated that she could not have a dumpster delivered to the property.

Wendell Griffen, 13901 Pleasant Forest Drive: Stated that Ms. TwoRivers was a Probation Officer in his Court and he was requesting that the Board grant her an extension so that she could rehabilitate the structure.

Housing & Neighborhood Programs Director Victor Turner stated that the property was originally declared Unsafe on July 22, 2014, and that on October 18, 2016, the Board deferred it from Condemnation Ordinance for 120 days, and on April 18, 2017, it was again deferred for ninety (90) days. Mr. Garland stated that on September 19, 2017, Ms. Two Rivers appeared before the Board and a ninety (90)-day extension granted. Mr. Turner stated that a ninety (90)-day permit had been issued in April 2017, which expired in July 2017. Mr. Turner stated that staff had not received any communication from Ms. TwoRivers from April 2017 until he personally sent her an e-mail on August 23, 2017, asking for an update regarding progress. Mr. Turner stated that Ms. Two Rivers had responded with an update and stated that work was ongoing. Mr. Turner stated that he questioned her as to how work was ongoing if her permit expired at the end of July. Mr. Turner stated that Ms. TwoRivers responded by saying that her Contractor had experienced a death in his family and she needed an additional ninety (90)-day permit.

Director Hendrix stated that the structure had been in the current condition for far too long and it was fair to the residents in the to have this structure located in their neighborhood.

Mr. Turner stated that on July 23, 2014, notice was first sent addressed to Ms. TwoRivers and her deceased husband, at her current address, 2505 Wolfe Street. Mr. Turner stated that the reason the delivery of a dumpster was denied is due to the fact that per City Ordinance, building materials cannot be disposed of in a City dumpster; she would have to rent a dumpster from a private company. Director Kumpuris asked if any progress had been made since April 18, 2017. Mr. Turner stated that according to Code Enforcement Officers, minimal progress had been made.

Director Kumpuris made the motion, seconded by Director Adcock, to defer action on 2521 Wolfe Street for ninety (90) days.

City Attorney Carpenter asked if Director Kumpuris would consider adding a condition to his motion for a ninety (90)-day extension that the City could inspect as needed and as wanted.

Director Kumpuris stated that he would amend his motion to include unlimited inspections by the City regarding progress. Director Adcock stated that she would amend her second to include the language.

By voice vote of the Board Members present, with Directors Hendrix and Adcock voting in opposition, **action on 2521 Wolfe Street was deferred for ninety (90) days.**

By voice vote of the Board Members present, with Director Hendrix voting in opposition, **the ordinance as amended was approved.** By voice vote of the Board Members present, with Director Hendrix voting in opposition, **the emergency clause for Item 8 was approved.**

PUBLIC HEARINGS (Item 11)

11. ORDINANCE NO. 21,481; G-23-467: To abandon approximately 1.29 acres of excess right-of-way, located at the southeast corner of Wellington Village Road and Wellington Hills Road; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: Winrock Development Company, abutting property owner, requests to abandon approximately 1.29 acres of excess Wellington Village Road right-of-way, located at the southeast corner of Wellington Village Road and Wellington Hills Road. (Located in Ward 5)

Mayor Stodola opened the public hearing.

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Wright, to read the ordinance a second time. By unanimous voice vote of the Board Members present, the ordinance was read a second time. Director Adcock made the motion, seconded by Director Wright, to suspend the rules and place the ordinance on third reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a third time.

Mayor Stodola asked if there were individuals present that wished to speak for or against the item. There being none present, Mayor Stodola closed the public hearing.

By unanimous voice vote of the Board Members present, **the ordinance was approved.**

CITIZEN COMMUNICATION

There were no cards received from individuals wanting to speak during Citizen Communication.

Director Richardson made the motion, seconded by Director Wright, to adjourn the meeting. By unanimous voice vote of the Board Members present, **the meeting was adjourned.**

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ATTEST:

APPROVED:

Susan Langley, City Clerk

Mark Stodola, Mayor