

**Little Rock Board of Directors Meeting
March 3, 2015
6:00 PM**

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

PRESENTATIONS

Arkansas Business City of Distinction Award Presentation

MODIFICATIONS

M-1 RESOLUTION: To amend Little Rock, Ark., Resolution No. 13,998 (November 3, 2014) to authorize the City Manager to enter into a contract with Oakley Fertilizer, Inc., for the purchase of treated rock salt in bulk for the Public Works Department Operations Division; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of resolution authorizing City Manager to modify not to exceed amount of contract with Oakley Fertilizer, Inc., for the purchase of treated rock salt at \$120.00 per ton as needed, for the Public Works Department - Operations Division.

M-2 ORDINANCE; Z-4175-I: To repeal Ordinance No. 18,497 (June 5, 2001) titled Arkansas Hospice Long-Form POD and revoke a Planned Zoning District; and for other purposes. *Planning Commission: 7 ayes; 1 nay; 1 absent and 2 open positions. Staff recommends approval.*

Synopsis: The owner of the 9.69± acre tract located at the north end of Dover Drive is requesting that the current zoning of Arkansas Hospice Long-Form POD be revoked and the property returned to its underlying zoning of MF-18, Multi-Family. (Located in Ward 6)

Director Adcock made the motion, seconded by Director Hines, to add Item M-1 to the Consent Agenda and Item M-2 to the Separate Items. By unanimous voice vote of the Board Members present, **Item M-1 was added to the Consent Agenda and Item M-2 was added to Separate Items.**

CONSENT AGENDA (Items 1 – 8 and Item M-1)

1. RESOLUTION NO. 14,076: To authorize the City Manager to apply for a Transportation Alternatives Programs Grant and Recreational Trails Program Grant from the Arkansas Highway and Transportation Department for work along Riverfront Drive to assist in closing the loop on the Arkansas River Trail; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution authorizing the City Manager to apply for a Transportation Alternatives Program Grant and Recreational Trails Program Grant from the Arkansas Highway and Transportation Department.

2. RESOLUTION NO. 14,077: To approve an annual contract with Cranford Construction Company, primary vendor, and Atlas Asphalt, Inc., secondary vendor, for the purchase of asphaltic materials for the Operations Street Division of the Public Works Department; and for other purposes. *Staff recommends approval.*

Synopsis: Request for approval to enter into an annual contract with Cranford Construction Company and Atlas Asphalt, Inc., to provide the Public Works Department with asphaltic materials for use in street repairs. The contract will be for one (1)-year from date of award, with possible extensions yearly for two (2) additional years, if agreed by all parties.

3. RESOLUTION NO. 14,078: To authorize the Mayor and City Clerk to execute the documents required for the acquisition of property located at 4425 John Barrow Road, in the amount of \$48,500.00, for use as a primary entrance to the proposed West Central Community Center; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax) Staff recommends approval.*

Synopsis: A resolution authorizing Mayor and City Clerk to execute appropriate documents to acquire property at 4425 John Barrow Road for use as a primary entrance to proposed West Central Community Center in the amount of \$48,500.

4. RESOLUTION NO. 14,079: To authorize the City Manager to enter into a contract with Landers Ford, in the total amount of \$759,263.10, for the purchase of thirty Police Cars, utilizing the Arkansas State Purchasing Contract; and for other purposes. *(Funding from the 2012 5/8-Cent Operational Improvements Sales Tax) Staff recommends approval.*

Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with Landers Ford in the amount of \$759,263.10 for the purchase of thirty (30) police cars. These units will be utilized within the Little Rock Police Department.

5. RESOLUTION NO. 14,080: To authorize the City Manager to allow an expenditure increase of 10% of contingency on the contracts for six (6) new constructions with the use of Homes Investment Partnership Programs Funds; and for other purposes. *Staff recommends approval.*

Synopsis: Approval to authorize the City Manager to allow an expenditure increase of 10% contingency on the contracts to develop the Home Investment Partnerships Program (HOME) units.

6. RESOLUTION NO. 14,081: To set March 17, 2015, as the date of public hearing to consider the issuance of Capital Improvement Revenue Bonds, as that term is defined by Statute, by the City of Little Rock, Arkansas, Emergency Medical Health Care Facilities Board (MEMS), in order to finance certain facilities; and for other purposes. *Staff recommends approval.*

Synopsis: This resolution sets a date for a public hearing to permit the Little Rock Ambulance Authority (MEMS) to financing instruments, referred to in the statute as Capital Improvement Revenue Bonds, to fund \$6 million in improvements to its facilities.

7. RESOLUTION NO. 14,082: To award a contract to Romero Lawn Service to provide mowing and grounds maintenance services at the Oakland & Fraternal Historic Cemetery Park; to authorize the City Manager to enter into a contract with Romero Lawn Service for such services; and for other purposes. *Staff recommends approval.*

Synopsis: The resolution awards a contract to Romero Lawn Service for mowing and grounds maintenance services for the Oakland & Fraternal Historic Cemetery Park, and it authorizes the City Manager to execute an agreement with such firm in a form approved by the City Attorney.

8. RESOLUTION NO. 14,083: To encourage the Arkansas General Assembly to take steps to permit the appropriate collection of Sales and Compensating Use Tax revenue

for Internet sales to Arkansas consumers; to help assure the continued local funding of vital public services; and for other purposes.

M-1 RESOLUTION NO. 14,084: To amend Little Rock, Ark., Resolution No. 13,998 (November 3, 2014) to authorize the City Manager to enter into a contract with Oakley Fertilizer, Inc., for the purchase of treated rock salt in bulk for the Public Works Department Operations Division; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of resolution authorizing City Manager to modify not to exceed amount of contract with Oakley Fertilizer, Inc., for the purchase of treated rock salt at \$120.00 per ton as needed, for the Public Works Department - Operations Division.

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

CITIZEN COMMUNICATION

Ed Bullington, 9214 Timber Valley Road: Pecan Lakes Improvement District.

Phillip Bryant, 1868 Summit Street: High salary – more pay to Board Members.

Pat Gee, 8409 Dowan Drive: Willie Hinton Tribute

GROUPED ITEMS (Items 9 – 23)

9. ORDINANCE: To condemn a certain structure in the City of Little Rock, Arkansas, as structural, fire and health hazards; providing for summary abatement procedures; directing the City Manager to take such action as is necessary to raze and remove said structure; **to declare an emergency;** and for other purposes. *(Deferred from September 16, 2014) Staff recommends deferral for an additional six (6) months.*

Synopsis: The commercial structure located at 1924 Commerce Street has become run-down, dilapidated, unsightly, dangerous and detrimental to the public welfare of the citizens of the City of Little Rock. (Located in Ward 1)

City Manager Bruce Moore stated that Item 9 had been deferred on September 16, 2014, for six (6) months, and that was the reason the item was on the agenda that evening. City Manager Moore stated that staff was requesting an additional six (6) months to work with the owner.

Director Hendrix stated that the owner had already been given a six (6)-month extension and had not completed any work. Director Wright asked why an additional six (6)-month extension was being recommended. City Manager Moore stated that the building was structurally intact and that he felt it could be saved. City Manager Moore stated that staff had been in contact with the owner and there were several of organizations with interest in the building.

Stuart Yancey, P.O. Box 1468, Little Rock: Stated that he was the owner of the building that he had not received any written offers on the building; however, he continued to market the structure in hopes of finding someone that would want to rehabilitate the building.

Tony Curtis, 1221 Louisiana Street: Stated that he sold real estate in the area and he felt that rehabilitation of the building could be a catalyst for redevelopment in the area. Mr. Curtis asked that the Board support the six (6)-month deferral for condemnation.

Rhea Roberts: Stated that she represented the Quapaw Quarter Association and asked the Board to defer demolition on the structure. Ms. Roberts stated that the building had been surveyed and was eligible for the National Register of Historic Places, which would make it eligible for tax credits.

Director Kumpuris made the motion, seconded by Director Adcock, to defer the item for six (6) months. By voice vote of the Board Members present, with Director Hendrix voting in opposition, **the item was deferred for six (6) months.**

10. ORDINANCE NO. 20,996; Z-6323-T: To approve a Planned Zoning Development and establish a Planned Commercial District titled The Village at Rahling Road Lot 6 Revised PCD, located at 16 Rahling Circle, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; 0 absent; and 1 open position. Staff recommends approval.*

Synopsis: The applicant is requesting to amend the previously-approved PCD, Planned Commercial Development, for Lot 6, the Village at Rahling Road to allow for the development of an 8,000 square-foot retail building on the site. (Located in Ward 5)

11. ORDINANCE NO. 20,997; Z-6622-B: To approve a Planned Zoning Development and establish a Planned Office District titled Independent Case Management Revised Short-Form PD-O, located at 13310 Kanis Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; 0 absent; and 1 open position. Staff recommends approval.*

Synopsis: The applicant is proposing a revision to the existing PD-O, Planned Development – Office, zoning to allow the addition of assisted living as an allowable use for the site. (Located in Ward 5)

12. ORDINANCE NO. 20,998; Z-6660: To approve a Planned Zoning Development and establish a Planned Residential District titled Woodland Heights LLC Long-Form PD-R, located at 8700 Riley Drive, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; 0 absent; and 1 open position. Staff recommends approval.*

Synopsis: The applicant is proposing rezoning of the site from R-6, High-Rise Apartment District, to PD-R, Planned Development – Residential, to add assisted living as an allowable use within the existing building. (Located in Ward 6)

13. ORDINANCE NO. 20,999; Z-6883-D: To approve a Planned Zoning Development and establish a Planned Residential District titled 5212 'I' Street Revised Short-Form PD-R, located at 5212 'I' Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; 0 absent; and 1 open position. Staff recommends approval.*

Synopsis: The applicant is proposing a revision to the previously-approved PD-R, Planned Development – Residential, to allow an increase in the allowable floor area ratio for the new home. (Located in Ward 3)

14. ORDINANCE NO. 21,000; Z-7969-C: To approve a Planned Zoning Development and establish a Planned Commercial District titled Layla's Revised Short-Form PCD, located at 6100 Stones Road, Little Rock, Arkansas, amending the Official Zoning Map

of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; 0 absent; and 1 open position. Staff recommends approval.*

Synopsis: The request is an amendment to the previously-approved PCD, Planned Commercial Development, for the property located at 6100 Stones Road to add a monument style ground sign within the front-yard area of this existing business. (Located in Ward 5)

15. ORDINANCE NO. 21,001; Z-8292-A: To approve a Planned Zoning Development and establish a Planned Office District titled The House of Vision Revised Short-Form POD, located at 1921 Wright Avenue, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; 0 absent; and 1 open position. Staff recommends approval.*

Synopsis: The applicant is requesting to revise the previously-approved POD, Planned Office Development, to allow the use of a portion of the structure as residential. (Located in Ward 1)

Director Adcock asked what type of residential the property would include and how many individuals would be housed at the facility. Planning & Development Director Tony Bozynski stated that the property was constructed as a duplex and in 2008 it was reclassified to Planned Office Development for the entire structure to be utilized as non-residential. Mr. Bozynski stated that the current proposal was to add residential as an allowable use for one (1) of the units. Director Adcock asked if the unit was for any type of re-entry use. Mr. Bozynski stated that the residential unit was to be utilized by a family member.

16. ORDINANCE NO. 21,002; Z-8989: To reclassify property located in the City of Little Rock's Zoning Jurisdiction, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 8 ayes; 0 nays; and 3 absent. Staff recommends approval.*

Synopsis: The owner of the 0.78-acre property located at 17911 Colonel Glenn Road is requesting that the zoning be reclassified from R-2, Single-Family District, to R-7A, Manufactured Home District. (Located outside the City Limits, but within the City's zoning jurisdiction)

17. ORDINANCE NO. 21,003; Z-9003: To approve a Planned Zoning Development and establish a Planned Industrial District titled McGrew Short-Form PID, located at 7600 Enmar Drive, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; 0 absent; and 1 open position. Staff recommends approval.*

Synopsis: The applicant is proposing the rezoning of this site from I-2, Light Industrial District, to PID, Planned Industrial District, to add a medical detoxification clinic as an allowable use for the site. (Located in Ward 2)

18. ORDINANCE NO. 21,004; Z-9005: To approve a Planned Zoning Development and establish a Planned Residential District titled Roberts Short-Form PD-R, located at 3501 Hill Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; 0 absent; and 1 open position. Staff recommends approval.*

Synopsis: The applicant is proposing a rezoning of this site from R-2, Single-Family District, to PD-R, Planned Development – Residential, to allow an increase in the floor area ratio and allow the eastern side-yard setback to be reduced, both inconsistent with the Hillcrest Design Overlay District. (Located in Ward 3)

19. ORDINANCE NO. 21,005; Z-9006: To approve a Planned Zoning Development and establish a Planned Commercial District titled JEA Investments LP Short-Form PCD, located at 1711 Rebsamen Park Road, Little Rock, Arkansas, amending the

Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; 0 absent; and 1 open position. Staff recommends approval.*

Synopsis: The applicant is requesting a rezoning from R-3, Single-Family District, to PCD, Planned Commercial Development, to allow a specific listing of allowable uses for this existing developed property. (Located in Ward 3)

20. ORDINANCE NO. 21,006: To amend Little Rock, Ark., Rev. Code § 32-546 (1988) to clarify the definition of the term public assembly in the City Code provisions that address the permit process for parades and public assemblies; and for other purposes.

Staff recommends approval.

Synopsis: On September 18, 2001, the Board of Directors passed Little Rock Ordinance No. 18,569, which provided for, among other things, a permitting process for parades and public assemblies. The definition of public assembly did not contain a specified number of persons required to meet the definition of the term consistent with court decisions in existence at the time of the passage of the ordinance. This amendment clarifies the definition of public assembly.

Director Webb stated that she had received correspondence from several of her constituents asking if this ordinance would impact the cost/fee for a parade permit. City Attorney Tom Carpenter stated that it would not impact any fees, it was merely codifying the practice and increasing the number of participants before a permit was required. City Attorney Carpenter stated that when the ordinance was originally passed, the City of Little Rock was the target for a protest from a group of individuals that were going to protest at Stephens Incorporated due to investments involving organizations that conducted animal-testing. City Attorney Carpenter stated that at that time, the City's ordinance had not been changed since the 1960s and due to changes in the law, it was unconstitutional. City Attorney Carpenter stated that a model ordinance was located that had withstood constitutional challenges and contained a provision that stated that anybody that was going to hold a public assembly was required to obtain a permit and pay a modest fee. City Attorney Carpenter stated that at the time, the City changed the provision that required public assemblies with more than ten (10) individuals to obtain a permit. City Attorney Carpenter stated that the proposed change would increase the number of individuals to twenty (20) before a permit was required.

Gloria Smith, 1712 Tulane Street: Stated that she was opposed to the ordinance and asked the Board to vote in opposition.

21. ORDINANCE NO. 21,007: To grant a franchise for the installation of self-opening and self-closing gates on Chateaus Lanes on Stagecoach Subdivision; and for other purposes. *Staff recommends approval.*

Synopsis: The ordinance authorizes a franchise for self-opening and closing gates across Chateaus Lane in the Chateaus on Stagecoach Subdivision, with certain conditions. (Located in Ward 7)

22. ORDINANCE NO. 21,008: To dispense with the requirement of competitive bidding for the purchase of up to twelve (12) months of software maintenance services and support for the NGIT Altaris application for the City's Computer-Aided 911 Dispatch System in the amount of \$153,195.53, plus taxes; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

Synopsis: This ordinance waives competitive bidding for the purchase of up to twelve (12) months of software maintenance and support for the NGIT Altaris application for the City's Computer-Aided 911 Dispatch System.

23. ORDINANCE NO. 21,009: To dispense with competitive bids and to authorize the City Manager to enter into a sole-source contract with Motorola Solutions, Inc. for upgrades and security improvements to the City's Motorola Customer Service Reporting (311) System, in the amount of \$654,081.75, including taxes; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax) Staff recommends approval.*
Synopsis: The Little Rock Police Department is requesting approval to waive competitive bidding and authorize the City Manager to enter into a sole-source contract with Motorola Solutions, Inc., for upgrades and security improvements to the City's Motorola Customer Service Reporting (311) system in the amount of \$654,081.75, which includes applicable taxes.

The ordinances were read a first time. Director Adcock made the motion, seconded by Vice-Mayor Hines, to suspend the rules and place the ordinances on second reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinances were read a second time. Director Adcock made the motion, seconded by Director Webb, 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 22 was approved.**

SEPARATE ITEMS (Items 24 & M-2)

24. ORDINANCE NO. 21,010: To establish guidelines for Citizen Communication; **to declare an emergency;** and for other purposes.

The ordinance was read a first time. Director Hendrix made the motion, seconded by Director Wyrick, to suspend the rules and place the ordinance on second reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a second time. Director Hendrix made the motion, seconded by Director Wyrick, 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 Adcock made the motion, seconded by Director Hendrix, to remove the language that stated an item could only be brought before the Board one (1) time. By unanimous voice vote of the Board Members present, **the motion was approved.**

Director Wyrick asked if the thirty (30) minutes allotted for Citizen Communication would include the time the Board asked questions. Mayor Stodola stated that his interpretation of the ordinance was that the thirty (30) minutes would only include the citizen comments.

Pat Gee, 8409 Dowan Drive: Stated that she was in support of the change and encouraged the Board to vote for the ordinance.

Donna Massey, 1410 South Tyler Street: Stated that she was in support of the ordinance.

Robert Webb: Stated that he was in support of the ordinance and asked that Citizen Communication always be placed after the Consent Agenda.

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

M-2 ORDINANCE; Z-4175-I: To repeal Ordinance No. 18,497 (June 5, 2001) titled Arkansas Hospice Long-Form Planned Office District and revoke a Planned Zoning District; and for other purposes. *Planning Commission: 7 ayes; 1 nay; 1 absent and 2 open positions. Staff recommends approval.*
Synopsis: The owner of the 9.69± acre tract located at the north end of Dover Drive is requesting that the current zoning of Arkansas Hospice Long-Form Planned Office District be revoked and the property returned to its underlying zoning of MF-18, Multi-Family. (Located in Ward 6)

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

Tim Daters, 300 East 3rd Street: Stated that he was a Consultant Engineer with White Daters & Associates and was representing the applicant, Richardson Holdings. Mr. Daters reported that the Planned Office Development (POD), which was last renewed in 2004 on this property, expired in 2006. Mr. Daters stated that the development would not be constructed and the applicant was requesting the expired POD be revoked.

Director Wright stated that she understood that the applicant purchased the property with the understanding that the property was already zoned multi-family and did not have any restrictions. Planning & Development Department Director Tony Bozynski stated that in 1986, the property was zoned MF-18, Multifamily, and in 1995, it was reclassified from MF-18 to POD for a hospice home care facility. Mr. Bozynski reported that the initial POD expired and in 2001, the applicant requested that it be reestablished. In 2004, a two (2)-year extension was granted, which then expired in 2006. Mr. Bozynski stated that the POD was established by ordinance and had to be revoked by ordinance. Mr. Bozynski stated that once the designation was revoked, the property would revert to MF-18.

Director Adcock stated that the only way to access the property was through the neighborhood and asked if staff had reviewed the area. Mr. Bozynski stated that staff had not looked at access, as they only item before them was the issue of revoking the expired POD. Mr. Bozynski stated that if the Board did not revoke the POD, the applicant would have to go before the Planning Commission for any type of development application and rezoning. Director Wright stated that the applicant had indicated that he would restrict the development to senior living and asked if that agreement had been put in writing. Mr. Daters stated that the applicant made the commitment that if the project that was currently under consideration through the Arkansas Development Finance Authority (ADFA), which was fifty-one (51) units of senior housing, was constructed, then the balance of the property would be constructed as elderly housing.

Jennifer Bartlett: Stated that an application had been submitted to ADFA for fifty-one (51) units of senior housing and for consideration, the zoning would have to be changed to MF-18.

Larry Bledsoe, 9907 Suffolk Drive: Stated that represented the Kensington Place Property Owner's Association and they were opposed to any additional traffic in the Dover Drive area.

Londell White, 7 Dover Drive: Stated that the neighborhood had enough problems without additional traffic being added to the area, and asked that the Board deny the revocation.

City Attorney Carpenter stated that concerns had been raised regarding the revocation and stated that the Board could defer the item for two (2) weeks to address their concerns.

Director Wright made the motion, seconded by Director Adcock, to defer the item for two (2) weeks. By unanimous voice vote of the Board Members present, **the item was deferred for two (2) weeks.**

REPORTS (Item 25)

25. REPORT: November 2014 Financial Report – Sara Lenehan, Finance Department Director.

City Manager Moore stated that he would like to defer the November 2014 Financial Report until the March 10, 2015, Agenda Meeting

Director Kumpuris made the motion, seconded by Vice-Mayor Hines, to adjourn the meeting. By unanimous voice vote of the Board Members present, **the meeting was adjourned.**

ATTEST:

APPROVED:

Susan Langley, City Clerk

Mark Stodola, Mayor