

**Little Rock Board of Directors Meeting
April 21, 2015
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a regular meeting with Mayor Mark Stodola presiding. City Clerk Susan Langley called the roll with the following Directors present: Hendrix; Webb; Cazort; Wright; Wyrick (enrolled at 6:15 PM); Kumpuris; Fortson; Adcock; Vice-Mayor Hines; and Mayor Stodola. Directors Absent: Richardson. Director Joan Adcock delivered the invocation, which was followed by the Pledge of Allegiance.

PRESENTATIONS

Jack & Jill Chapter Presentation
Sculpture at the River Market

DEFERRAL:

7. RESOLUTION: To authorize the City Manager to enter into a contract in the total amount of \$69,588.00, for the purchase of four (4) Dodge Ram 1500 Regular Cab Pick-up Trucks from Landers Chrysler Dodge Jeep for the Housing & Neighborhood Programs Department, utilizing the State Purchasing Contract; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax) Staff recommends approval. (Deferred at staff's request until May 5, 2015)*
Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with Landers Chrysler Dodge Jeep in the total amount of \$69,588.00 to purchase four (4) Dodge Ram 1500 Pick-up Regular Cab Trucks for the Housing and Neighborhood Programs Department.

Director Cazort made the motion, seconded by Vice-Mayor Hines, to defer Item 7 until May 5, 2015. By unanimous voice vote of the Board Members present, **Item 7 was deferred until May 5, 2015.**

CONSENT AGENDA (Items 1 – 6 and 8 - 12)

1. MOTION: To approve the minutes of the November 18, 2014, Little Rock City Board of Directors Meeting; and the November 25, 2014, Little Rock City Board of Directors Reconvened Meeting.

2. RESOLUTION NO. 14,107: To authorize the City Manager to enter into a contract with Landers Harley-Davidson in the total amount of \$80,082.00 for the purchase of four (4) Police Pursuit Motorcycles for the Little Rock Police Department; 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 Harley Davidson in the total amount of \$80,082.00 to purchase four (4) motorcycles for the Little Rock Police Department.

3. RESOLUTION NO. 14,108: To authorize the City Manager to initiate a contract with Lincoln Financial Group to provide Long-Term Disability Insurance Coverage for Non-Uniform City Employees for a twenty-four (24)-month period effective May 1, 2015; and for other purposes. *Staff recommends approval.*

Synopsis: A Request for Proposal (RFP) for this coverage was issued with a deadline of March 25, 2015. Two (2) responses were received and the incumbent provider of Long-Term Disability Coverage (Lincoln Financial) has offered the lowest premium rate.

4. RESOLUTION NO. 14,109: To certify local government endorsement of Fidelity National Information Services, Inc., located at 4001 North Rodney Parham Road, Little Rock, Arkansas, to participate in the Arkansas Tax Back Program (as authorized by Section 15-4-2706(D) of the Consolidated Incentive Act of 2003)

5. RESOLUTION NO. 14,110: To authorize the City Manager to award a contract to Construction Management and Maintenance, Inc., in the amount of \$221,738.10, for the Scott Hamilton Drive at 65th Street Traffic Signal Replacement Project; and for other purposes. *(Funding from the 2013 Limited Tax General Obligation Capital Improvement Bonds)* *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with Construction Management & Maintenance Co., Inc., for the Scott Hamilton Drive (Interstate 30 to 65th Street) to replace the Traffic Signal at 65th Street, Bid No. 15003. (Located in Ward 2)

6. RESOLUTION NO. 14,111: To express the willingness of the City of Little Rock, Arkansas, in partnership with IRD-Matrix, Inc., to utilize Federal-Aid Transportation Alternatives Program Funds for the construction of Dunbar Magnet Middle and Gibbs Magnet Elementary School Sidewalk Improvements; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to apply for a grant and to execute agreements with the Arkansas Highway & Transportation Department (AHTD) for funding sidewalk improvements at Dunbar Magnet Middle and Gibbs Magnet Elementary Schools. (Located in Ward 1)

8. RESOLUTION NO. 14,112: To authorize the Mayor to enter into an amended and restated Interlocal Agreement with the City of Little Rock, the City of North Little Rock, Pulaski County, Central Arkansas Water, Little Rock Wastewater Utility, North Little Rock Wastewater Utility, the City of Jacksonville and the City of Sherwood, pertaining to the Pulaski Area Geographic Information System; and for other purposes. *Staff recommends approval.*

Synopsis: To amend the Interlocal Agreement forming PAGis (Pulaski Area Geographic Information System) to add the City of Sherwood, Arkansas, to the agreement.

9. RESOLUTION NO. 14,113: To authorize the City Manager to renew the Annual Software Maintenance Agreement with Infor (US), Inc., formerly Lawson Software, Inc., in the amount of \$130,948.59; and for other purposes. *Staff recommends approval.*

Synopsis: The City adopted a sole-source ordinance (Ordinance No. 20,582) on May 1, 2012, for a five (5)-year agreement for software maintenance services with Lawson. On July 1, 2012, Lawson's name changed to Infor (US). The ordinance states that a resolution upon recommendation of the City Manager is sufficient for renewal of the annual maintenance agreement. It is time to renew the annual agreement for maintenance of the City's accounting and human resources/payroll software in the amount of \$130,948.59 plus any applicable tax.

10. RESOLUTION NO. 14,114: To authorize the City Manager to expense \$350,000.00 from the Economic Development Fund for appropriate public purposes to cooperate with

the State of Arkansas on behalf of Martial Arts Services, Inc.; and for other purposes.
Staff recommends approval.

Synopsis: Authorizes the City Manager to award City of Little Rock matching funds in the amount of \$350,000.00 to Marital Arts Services, Inc., for the construction of infrastructure for a new corporate headquarters facility on Riverfront Drive. This \$11 million dollar economic development project includes the creation of new jobs.

11. RESOLUTION NO. 14,115: To express willingness of the City of Little Rock, Arkansas, in cooperation with the MacPark Group, to execute agreements with the Arkansas Highway and Transportation Department to utilize grant funds for work around MacArthur Park and surrounding neighborhoods to provide safe routes to schools; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to apply for a grant and to execute agreements with the Arkansas Highway & Transportation Department for funding sidewalk improvements around MacArthur Park and surrounding neighborhood to provide safe routes to schools. (Located in Ward 1)

12. RESOLUTION NO. 14,116: To authorize the City Manager to enter into a contact with Fleming Electric, Inc., to provide electrical repairs on an as-needed basis; and for other purposes. *Staff recommends approval.*

Synopsis: Authorize the City Manager to enter into a contract with Fleming Electric, Inc., to supply electricians to perform overflow electrical repairs on an hourly basis when the limited City Electrical Staff cannot respond in a timely manner. Bid #C15006

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

GROUPED ITEMS (Items 13 - 19)

13. ORDINANCE NO. 21,022; MSP15-01: To amend the Master Street Plan (Ordinance No 20,117) to remove a proposed Collector in the northeast corner of Bowman Road and 36th Street; and for other purposes. *Planning Commission: 8 ayes; 0 nays; 1 absent; and 2 open positions. Staff recommends approval.*

Synopsis: To approve Master Street Plan changes in the northeast quadrant of Bowman Road and 36th Street to remove a Proposed Collector Street. (Located in Ward 6)

14. ORDINANCE NO. 21,023; Z-6199-E: To approve a Planned Zoning Development and establish a Planned Commercial District titled Target/Zoe's Kitchen Revised Long-Form PCD, located at 12900 Chenal Parkway, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*

Synopsis: The request is to amend the previously-approved PCD, Planned Commercial District, to allow for the creation of an outparcel and the construction of a restaurant on the newly created lot. (Located in Ward 5)

15. ORDINANCE NO. 21,024; Z-7854-D: To approve a Planned Zoning Development and establish a Planned Industrial District titled JLM, Inc., Child Health Management Revised Short-Form PID, located at 5 Remington Cove, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*

Synopsis: The request is to amend the previously-approved PID, Planned Industrial District, to allow for a 5,212 square-foot addition on the existing facility located at 5 Remington Cove. (Located in Ward 7)

16. ORDINANCE NO. 21,025; Z-8817-A: To approve a Planned Zoning Development and establish a Planned Commercial District titled Stone's Throw Brewery Revised Short-Form PD-C, located at 402 East 9th Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*

Synopsis: The request is to amend the days and hours of operation and to increase the seating capacity within the currently approved PD-C, Planned Development - Commercial. (Located in Ward 1)

17. ORDINANCE NO. 21,026; Z-9015: To approve a Planned Zoning Development and establish a Planned Commercial District titled Treasure Hills Short-Form PCD, located at 9301 Treasure Hills Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*

Synopsis: The request is to rezone the site from C-3, General Commercial District, to PCD, Planned Commercial District, to add a kennel as an allowable use for the property. (Located in Ward 4)

18. ORDINANCE NO. 21,027: To condemn certain structure 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: Six (6) residential structures and two (2) Mobile Homes 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.

19. ORDINANCE NO. 21,028: To amend Little Rock, Ark., Rev., Code § 2-242(a) (1988) to declare that certain commodities do not have to be the subject of competitive bidding; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

Synopsis: This ordinance exempts certain commodities for use or resale by City Departments from the requirements of competitive bidding.

The ordinances were read a first time. Director Adcock made the motion, seconded by Director Cazort, 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 Cazort, 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 18 was approved.** By unanimous voice vote of the Board Members present, **the emergency clause for Item 19 was approved.**

SEPARATE ITEMS (Items 20 - 22)

Mayor Stodola stated that Items 20 & 21 could be read together and that any individuals that filled out cards to speak on either item would be heard after the three (3) readings of the ordinances.

20. ORDINANCE NO. 21,029: To adopt a Complete Streets Policy for the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval. (Deferred from January 20, 2015)*

Synopsis: Adoption of a Complete Streets Policy for Little Rock – to work such that all streets are safe for all modes of transportation.

21. ORDINANCE NO. 21,030: To amend the Master Street Plan (Ordinance No. 20,117) to revise the requirements for dedication, construction and marking of bicycle paths and routes in the Master Street Plan text; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval. (Deferred from January 20, 2015)*

Synopsis: Adoption of a Complete Streets Policy for Little Rock – to work such that all streets are safe for all modes of transportation.

The ordinances were read a first time. Director Adcock made the motion, seconded by Director Cazort, 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 Cazort, 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.

Henry Droughter, 1608 South Taylor Street: Stated that he was opposed to Item 20 based on the fact that he felt that the Complete Streets Policy was in violation of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Mr. Droughter stated that he felt that the Policy was developed without input from disability advocates and service providers and it made no clear distinction between construction and how the facilities would be constructed.

City Attorney Tom Carpenter stated that the Rehabilitation Act of 1973 applied to projects solely funded with Federal monies and the Americans with Disabilities Act of 1990 dealt with projects that were funded with local government monies. City Attorney Carpenter stated that the Policy had been reviewed by staff to ensure compliance with the Americans with Disabilities Act.

Chris Franke, 1507 Cumberland Street: Stated that he was speaking on behalf the Little Rock Sustainability Commission and asked that the Board support the ordinances.

Lynn Rockenbach, 2801 West 6th Street: Stated that he was a volunteer of AARP of Arkansas and he felt approving these ordinances would be age-friendly to the citizens of Little Rock.

Mason Ellis, 820 North Street: Stated that he represented the Bicycle Advocates of Central Arkansas and that they were supportive of the Complete Streets Policy. Mr. Ellis asked that the Board support the adoption of the Complete Streets Policy.

Judy Lansky, 11140 Rivercrest Drive: Stated that the adoption of the Complete Streets Policy would enhance the image of Little Rock as a wonderful place to live.

Christ East, 315 Rock Street: Stated that he was in support of the adoption of the Complete Streets Policy.

Director Kumpuris made the motion, seconded by Director Wright, to call the question on the vote. By voice vote of the Board Members present, with Director Hendrix voting in opposition, **the question on the vote was called.**

By voice vote of the Board Members present, with Director Hendrix voting in opposition, **the ordinance for Item 20 was approved.** By voice vote of the Board Members present, with Director Hendrix voting in opposition, **the ordinance for Item 21 was approved.**

22. ORDINANCE NO. 21.031: To declare the policy of the City of Little Rock, Arkansas, on issues not to be considered in hiring; to declare the policy on companies with which the City contracts; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

Synopsis: This ordinance codifies the practice of the City in terms of hiring discrimination, It also incorporates these practices in terms of vendors that the City selects for various contracts.

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

Director Hendrix stated that she felt that every Board Member should participate in the discussion and that she felt that Director Richardson should be present so that each Board Member would be accountable.

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

Director Adcock made the motion, seconded by Director Wright, to call the question on the vote. By voice vote of the Board Members present, with Director Hendrix voting Present, **the question to vote was called.**

Director Hendrix stated that she would like to change her vote on the suspension of rules from Nay to Present. City Attorney Carpenter stated that if there were no objection, Director Hendrix could change her vote. Mayor Stodola asked if there was any opposition to Director Hendrix changing her vote from Nay to Present on the suspension of rules. Due to the objection of several Board Members, the vote remained recorded as Nay.

Mayor Stodola stated that many individuals had filled out cards indicating that they would like to speak in regards to the issue; however, due to the fact that the question to vote was called, there would be no additional discussion. Mayor Stodola read into record the names of the following individuals that had filled out cards:

Annie Robinson, 9 Allyson Circle

Rabbi Eugene Levy, 11204 Yosemite Valley Drive
Bishop Felton May, 4 Jacob Place
Jay Chesshir
Joyce Elliott
Maxine Allen, 2912 Dorchester Drive
Grant Tennille, 20 River Valley Road
Karen Suen, 2 Ridgeview Drive
Richard More, 621 Cumberland Street
David Robinson, 1906 South Springs Street
Rev. Wendell Griffen
Ty Stacey, 2721 West Capitol Avenue

By roll call vote, the vote was as follows: Ayes: Webb; Cazort; Wright; Kumpuris; Fortson; Adcock and Vice-Mayor Hines. Nays: Hendrix and Wyrick. Absent: Richardson. By a vote of seven (7) ayes, two (2) nays and one (1) absent, **the ordinance was approved.** By voice vote of the Board Members present, **the emergency clause was approved.**

PUBLIC HEARINGS (Items 23 – 25)

23. ORDINANCE NO. 21,032; G-23-455: To abandon the south 150 feet of the alley right-of-way located within Block 30, Original City of Little Rock, Arkansas, bounded by East 4th Street, East Capitol Avenue; Scott Street and Cumberland Street; and for other purposes. *Planning Commission: 8 ayes; 0 nays; 1 absent; and 2 open positions. Staff recommends approval.*

Synopsis: The adjacent property owners propose to abandon the south 150 feet of the alley right-of-way located within Block 30, Original City of Little Rock. The block is bounded by East 4th Street, East Capitol Avenue, Scott Street and Cumberland Street. (Located in Ward 1)

Mayor Stodola opened the Public Hearing.

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Cazort, 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 Cazort, 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.**

24. MOTION: To remove Mr. Jeter Krippendorf as Commissioner of the Pecan Lakes Municipal Recreational Improvement District.

Director Hendrix asked if the Board had the right to remove a Commissioner from an Improvement District. City Attorney Carpenter stated that not only did the Board have

the right to do so, they had the responsibility to do so under State Statute. Director Cazort asked for an overview regarding the information that had been received from the Legislative Audit. City Attorney Carpenter reported that in 2014, a complaint was made to Legislative Audit that dealt with the affairs of the District. City Attorney Carpenter stated that Legislative Audit investigated and a report was issued which found several discrepancies.

Kim Williams: Stated that she was with Legislative Audit and that they had been asked by a representative of the Pecan Lake Improvement District to check for compliance and to review the financial records. Ms. Williams stated that it was found that the Commissioners were not in compliance with the State Codes or City Ordinances to which they operated under. Ms. Williams reported that not only did the District not hold their meetings properly, they did not notify the involved parties properly, the quarterly reports were not filed with the City Clerk's Office in a timely manner and in some cases they were not complete. In addition, Ms. Williams stated that there were several improper disbursements and that the District had utilized some of their monies to pay for several Pecan Lakes Neighborhood Association activities, and the recommendation had been made to the District to obtain those funds back, as they had not been utilized in accordance with the ordinance.

Jeter Krippendorf: Stated the he was a Commissioner of the Pecan Lakes Municipal Recreational Improvement District No. 4 and that he was currently the only member, as the other two (2) individuals had resigned. Mr. Krippendorf stated that the District had tried to do everything they could to comply with the State and City requirements.

Director Wyrick asked if Mr. Krippendorf if he would like to speak to any of the findings that were found by Legislative Audit. Mr. Krippendorf stated that he had been unaware that District funds could not be utilized for a Back-to-School Party for the neighborhood children and that as soon as he was made aware, they stopped the practice. Director Cazort asked if any attempt had been made to retrieve any of the funds from the neighborhood association that had been illegally spent. Mr. Krippendorf stated that to-date, the funds had not been returned, nor had the attempt been made to retrieve those funds.

Director Wright made the motion, seconded by Vice-Mayor Hines, for the Board to go into Executive Session for the purpose of addressing the removal of Mr. Jeter Krippendorf as Commissioner of the Pecan Lakes Municipal Recreational Improvement District. By voice vote of the Board Members present, with Director Hendrix voting in opposition, **the Board went into Executive Session.**

Director Cazort made the motion, seconded by Director Wright, to approve the removal of Mr. Jeter Krippendorf as the Commissioner of the Pecan Lakes Municipal Recreational Improvement District. By unanimous voice vote of the Board Members present, **the motion was approved.**

25. RESOLUTION: To appoint two (2) Commissioners to fill vacancies on the Board of Commissioners of the Pecan Municipal Recreational Improvement District No. 4 of the City of Little Rock, Arkansas; and for other purposes.

Director Cazort made the motion, seconded by Vice-Mayor Hines, to defer the appointments to the Pecan Municipal Recreational Improvement District No. 4 until May 5, 2015. By unanimous voice vote of the Board Members present, **the motion was approved.**

CITIZEN COMMUNICATION

Khianissa Lovelace, 5524 Parker Avenue: A healthy City protects kids from second-hand smoke in Parks.

Kelse Kirklin, 16128 Prairie Lane: A healthy City protects kids from second-hand smoke in Parks.

Katherine Donald, 4 Shadywood Court: Compliance with Little Rock No Smoking in Parks Policy.

Veodis Allmon, 5601 Water Road: Houses on Wolfe Street.

Joe Arnold, 1401 Napolean Road: Tobacco-Free Parks.

Genine Latrice Perez, #7 Purdue Circle: Tobacco-Free Parks.

Director Cazort 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