

**Little Rock Board of Directors Meeting  
August 16, 2016  
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; Richardson; Webb; Cazort; Wright; Wyrick; Kumpuris (enrolled at 6:20 PM); Fortson; Adcock; and Mayor Stodola. Directors absent: Vice-Mayor Hines. Director Ken Richardson delivered the invocation, which was followed by the Pledge of Allegiance.

**ADDITIONS:**

**M-1 ORDINANCE:** To dispense with the requirement of competitive bids as being impractical and unfeasible to allow the renewal of a Legal Research Agreement with Thompson Reuters; ***to declare an emergency***; and for other purposes. *Staff recommends approval.*

**Synopsis:** Authorization of the continuation of a Digital Research Platform with Thomson Reuters.

Director Adcock made the motion, seconded by Director Richardson, to add Item M-1 to the Grouped Items. By unanimous voice vote of the Board Members present, **Item M-1 added to the Grouped Items.**

**CONSENT AGENDA (Items 1 - 9)**

**1. RESOLUTION NO. 14,394; Z-8170-C:** To set September 6, 2016, as the date of public hearing on an appeal of the Planning Commission's action in denying a Conditional Use Permit to allow a Wastewater Treatment Plant on the property located at 25616 Highway 10; and for other purposes.

**2. RESOLUTION NO. 14,395:** To authorize a contract increase for Garrett Excavating Company., in the amount of \$210,500.00, for additional sewer improvements; and for other purposes. *Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute a change order with Garrett Excavating Company, Inc., for sewer line relocation work for the Adams Street Improvement Project. (Located in Ward 2)

**3. RESOLUTION NO. 14,396:** To authorize the City Manager to award a contract to Burkhalter Technologies, Inc., in an amount not to exceed \$564,883.20, for the Pine Valley Roundabout Improvement 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 Burkhalter Technologies, Inc., for the Pine Valley Roundabout Improvement Project, Project No. 13-B-3C, Bid No. 16021. (Located in Ward 3)

**4. RESOLUTION NO. 14,397:** To authorize the City Manager to award a contract to Burkhalter Technologies, Inc., in an amount not to exceed \$170,284.80, for the Windamere Phase 2B Drainage; and for other purposes. ***(Funding from the 2012 3/8-Cent***

**Capital Improvement Sales Tax and the 2013 Limited Tax General Obligation Capital Improvement Bonds)** *Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute an agreement with Burkhalter Technologies, Inc., for Windamere Drive Drainage Improvements, Phase 2b, Project No. 13-2-06B, Bid No. 16020. (Located in Ward 2)

**5. RESOLUTION NO. 14,398:** To authorize the City Manager to execute an agreement with Little Rock Wastewater Utility, in an amount not to exceed \$102,030.84, for rehabilitation of the City-owned Jim Dailey Fitness & Aquatic Center Sewerage Outfall; and for other purposes. (*Funding from the 2012 3/8-Cent Capital Improvement Sales Tax*) *Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute an agreement with Little Rock Wastewater Utility for rehabilitation of the City-owned Jim Dailey Fitness & Aquatic Center sewerage outfall. (Located in Ward 3)

**6. RESOLUTION NO. 14,399:** To authorize the City Manager to enter into a contract with North Point Ford, in the total purchase price of \$238,920.00, for the purchase of eleven (11) Ford F-150 Extended Cab Pick-Up Trucks for the Housing and Neighborhood Programs Department; and for other purposes. (*Funding from the 2012 5/8-Cent Operational Improvement Sales Tax*) *Staff recommends approval.*

**Synopsis:** Approval of a resolution authorizing the City Manager to enter into a contract with North Point Ford for the purchase of eleven (11) Ford F-150 Extended Cab Pick-Up Trucks for the Housing & Neighborhood Programs Department.

**7. RESOLUTION NO. 14,400:** To authorize the City Manager to enter into a contract with OPTIV Security, Inc., in the amount of \$93,667.80 plus tax, for the license renewal and support for Next Generation Firewalls to support the security of the City's network locations; and for other purposes. *Staff recommends approval.*

**Synopsis:** To purchase from OPTIV Security License Renewal and Support for Next Generation Firewalls to support the security of the City's network locations.

**8. RESOLUTION NO. 14,401:** To authorize the Mayor and City Clerk to execute a deed for certain property to the Central Arkansas Library System; to designate the parking deck of the Main Branch as a "Project" for purposes of the City of Little Rock, Arkansas Library Construction and Funding Bonds, Series 2015; and for other purposes. *Staff recommends approval.*

**9. RESOLUTION NO. 14,402:** To make appointments to various City of Little Rock Boards and Commissions; and for other purposes. *Staff recommends approval.*

**Synopsis:** Appointment of Dr. Frederick Fields to fill the Little Rock School Board Representative term on the Commission of Children Youth and Families. Appointment of Reginald Merritt to fill the Little Rock School Board Representative term on the Racial and Cultural Diversity Commission.

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 10 – 13 and Item M-1)**

**10. ORDINANCE NO. 21,277:** To correct Scrivener's errors in Ordinance No. 18,155 (1999), Ordinance No. 15,998 (1991) and Ordinance No. 17,515 (1997); and for other purposes. *Staff recommends approval.*

**Synopsis: To correct Scrivener's errors in three (3) Annexation Ordinances.**

**11. ORDINANCE NO. 21,278; Z-8227-A:** To reclassify property located in the City of 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; and 1 absent. Staff recommends approval.*

**Synopsis: The owners of the 1.531-acre property located at 12601 Interstate 30 are requesting that the zoning be reclassified from I-1, Industrial Park District, to C-3, General Commercial District. (Located in Ward 7)**

**12. ORDINANCE NO. 21,279; Z-9764-A:** To approve a Planned Zoning Development and establish a Planned Office District, titled Arkansas Children's Hospital Pediatric Clinic Short-Form POD, located on the east side of the 9000 Block of Dailey 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; and 1 absent. Staff recommends approval.*

**Synopsis: The applicant is requesting approval for a rezoning from R-2, Single-Family District, to POD, Planned Office Development, to allow Arkansas Children's Hospital to construct a new one (1)-story, 11,555 square-foot pediatric clinic on this site. (Located in Ward 2)**

Dr. Rob Still: Stated that he was the Chief Strategy Officer for Arkansas Children's Hospital and he provided an overview of the new Pediatric Clinic proposed for Southwest Little Rock.

**13. ORDINANCE NO. 21,280:** 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: Five (5) residential structures 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.**

**M-1 ORDINANCE NO. 21,281:** To dispense with the requirement of competitive bids as being impractical and unfeasible to allow the renewal of a Legal Research Agreement with Thompson Reuters; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

**Synopsis: Authorization of the continuation of a Digital Research Platform with Thomson Reuters.**

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 13 was approved.** By unanimous voice vote of the Board Members present, **the emergency clause for Item M-1 was approved.**

## SEPARATE ITEMS (Item 14)

**14. ORDINANCE NO. 21,282; Z-9094:** To approve a Planned Zoning Development and establish a Planned Commercial District, titled Neil Short-Form PD-C, located at 1215 Dennison Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 0 ayes; 10 nays; and 1 absent. Staff recommends denial. (Deferred from July 12, 2016) (1<sup>st</sup> Reading held on July 5, 2016) (2<sup>nd</sup> & 3<sup>rd</sup> Readings held on July 12, 2016) (Public Hearing opened & closed on July 5, 2016)*  
**Synopsis:** The applicant is appealing the Planning Commission's denial of a request to rezone the site from R-3, Single-Family District, to PD-C, Planned Development - Commercial, to allow for the use of the lot as a parking lot for a commercial business located along West 12<sup>th</sup> Street. (Located in Ward 1)

Director Adcock stated that City Manager Bruce Moore had sent out a memorandum, which included several options, along with cost estimates, for the changes that would have to be made in order to meet the requirements of the City's Landscaping Ordinance. Director Adcock asked if the applicant had received a copy of the estimates.

Shiela Neil, 1212 Dennison Street: Stated that she was the applicant and that she had received a copy of the options/estimates and was willing to make the necessary changes.

Director Hendrix asked if there would be a timeframe for completing the work. Planning & Development Zoning and Subdivision Manager Dana Carney stated that it would be at the Board's discretion to determine a feasible timeframe to make the necessary changes. Director Wright asked if the Board approved the ordinance, would it be setting a precedent on dealing with similar situations for individuals paving lots to accommodate parking. City Attorney Carpenter stated that if passed, a precedent would be set that would make it virtually impossible to distinguish one situation from the other. Director Fortson stated that he had concern for individuals that asked for forgiveness after violation of a law instead of asking for permission beforehand to ensure that they were in accordance with the law.

Director Richardson made the motion, seconded by Director Cazort, to call the question on the vote. By unanimous voice vote of the Board Members present, **the question to vote was called.**

By roll call vote, the vote was as follows: Ayes: Hendrix; Richardson; Webb; Wyrick; and; and Adcock. Nays: Cazort; Wright; Kumpuris; and Fortson. Absent: Vice-Mayor Hines. By a vote of five (5) ayes, four (4) nays and one (1) absent. Mayor Stodola explained that six (6) votes were needed in order for the ordinance to pass and as the Chair, he would not vote; therefore, **the ordinance failed.**

## PUBLIC HEARINGS (Items 15 - 16)

**15. ORDINANCE; LU16-03-01:** To amend the Land Use Plan at 6100/6108 Cantrell Road in the City of Little Rock, Arkansas, from RL, Residential Low Density, to NC, Neighborhood Commercial; and for other purposes. *Planning Commission: 0 ayes; 9 nays; 1 absent; 1 recusal. Staff recommends denial.*

**Synopsis:** The applicant, Quattlebaum, Grooms & Tull, PLLC, is appealing the Planning Commission's denial of a requested Land Use Plan changes from RL, Residential Low Density, to NC, Neighborhood Commercials. (Located in Ward 3)

**16. ORDINANCE; Z-4816-B:** To reclassify property located in the City of Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 0 ayes; 9 nays; 1 absent; and 1 recusal. Staff recommends denial.*

**Synopsis:** The applicant, Quattlebaum, Grooms & Tull, PLLC, is appealing the Planning Commission's denial for a requested rezoning from R-2, Single-Family District, to C-1, Neighborhood Commercial District. (Located in Ward 3)

Mayor Stodola opened the public hearing on Items 15 and 16 as they were related.

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.

Mayor Stodola asked if there were individuals present that wished to speak for or against the item.

Grant Cox, 111 Center Street: Stated that he represented the applicant, Casper Acquisitions, and they had the property in question under contract. Mr. Cox stated that part of the conditions of the contract was the rezoning of the property. Mr. Cox stated that the applicant had not made a determination on what would be built at the location; however, they had opted to rezone the property to the most neighborhood-friendly zoning designation.

Norman Hodges, 5123 Crestwood Drive: Stated that he was President of the Heights Neighborhood Association and they were strongly opposed to the rezoning of the property. Mr. Hodges asked that the Board deny the rezoning application.

Rohn Muse, 822 Lewis Street: Stated that he was President of the Forest Hills Neighborhood Association and was present to support the Heights Neighborhood Association.

Tonya Clayton, 57 Normandy Drive: Stated that she lived behind the Regions Bank that was located behind the property in question and asked that the Board vote to deny the application to stop future commercial growth into the neighborhood.

Ruth Bell, 7611 Briarwood Drive: Stated that she represented the League of Women Voters of Pulaski County and they were in opposition of the rezoning due to the fact that approval would encourage further requests for Commercial or Office uses along that stretch of Cantrell Road.

Joseph Smith, 1619 North University Avenue: Stated that he lived south of the property and was in opposition of the rezoning.

Lauren Ratley, 6112 Cantrell Road: Stated that her home was located directly west of the property and was in opposition to the rezoning of the property.

Director Cazort stated that by looking at the property in question, there could only be one (1)-point of ingress/egress. Mr. Carney stated that was his understanding. Director Cazort asked how far the proposed point of ingress/egress was from the Cantrell Road/University Avenue intersection. Mr. Carney stated that no plans had been submitted and that the request was only for a rezoning.

Mayor Stodola closed the public hearing on Items 15 and 16.

By unanimous voice vote of the Board Members present, **Item 15 failed.** By unanimous voice vote of the Board Members present, **Item 16 failed.**

### **CITIZEN COMMUNICATION**

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

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

**ATTEST:**

**APPROVED:**

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**Susan Langley, City Clerk**

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**Mark Stodola, Mayor**