

**Little Rock Board of Directors Meeting
August 18, 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; Richardson; Webb; Cazort; Wright; Fortson; Kumpuris; Adcock; Vice-Mayor Hines and Mayor Stodola. Directors Absent: Wyrick. Director Dean Kumpuris delivered the invocation, which was followed by the Pledge of Allegiance.

CONSENT AGENDA (Items 1 – 5)

1. RESOLUTION NO. 14,173: To certify local government endorsement of Beaudet Aviation, Inc., to be located at 6001 Lindsey 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); and for other purposes.

2. RESOLUTION NO. 14,174: To authorize the City Manager to apply for a grant from the Arkansas Department of Parks & Tourism's Outdoor Recreation Grants Program to construct a permanent restroom facility at the Little Rock Zoo; and for other purposes.

Staff recommends approval.

Synopsis: A resolution to authorize the City Manager to apply for a grant from Arkansas Department of Parks and Tourism in the amount of \$197,500 to build a permanent restroom facility along with shaded rest stations in the entry plaza of the Little Rock Zoo.

3. RESOLUTION NO. 14,175: To authorize the City Manager to modify and extend a contract with Advocacy and Communication Solutions, LLC, to facilitate the planning process and create a Comprehensive Youth Master Plan for an amount not to exceed \$185,000.00; and for other purposes. *Staff recommends approval.*

Synopsis: To effectively, and thoroughly formulate the work involved in the development of a three (3)-year Youth Master Plan, a contract extension is being requested that will reflect the additional time, meetings, data analysis, community focus groups and additional funding needed to produce the three (3)-year plan.

4. RESOLUTION NO. 14,176: To appoint new Commissioners to the Board of Improvement for Twin Lakes Recreation Improvement District No. 1 of the City of Little Rock, Arkansas; and for other purposes.

5. RESOLUTION NO. 14,177: To approve a Construction Contract with Moser Construction to remodel the Josephine Pankey Community Center at 13700 Cantrell Road to accommodate a Police presence in the area; and for other purposes. *Staff recommends approval.*

Synopsis: The Little Rock Police Department is requesting approval to enter into a construction contract with Moser Construction to remodel the Josephine Pankey Community Center located at 13700 Cantrell Road to accommodate a police presence for the area, to approve Wali Caradine Architects as the project manager per Ordinance 20,862 approved April 1, 2014, and to identify funding sources for the project. Bids were received from four (4) bidders and Moser Construction was the low bidder approved by the Architectural firm supervising the project.

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.**

Mayor Stodola stated that he had received a card from an individual that wanted to speak on Item 13 and that it would be read separately.

GROUPED ITEMS (Items 6 – 12 & Item 14)

6. ORDINANCE NO. 21,084; Z-3371-ZZ: To repeal Ordinance No. 20,696 (February 19, 2013) and revoke a Planned Zoning District titled Interstate 430 Shoppers Mall Long-Form PCD, located at 11900 Colonel Glenn Road, Little Rock, Arkansas, and an ordinance reclassifying property located at 11900 Colonel Glenn Road, 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: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*

Synopsis: Baptist School of Nursing is requesting a revocation of a previously-approved PCD, Planned Commercial District, and a rezoning of the property from the underlying C-2, Shopping Center District, zoning to C-3, General Commercial District. (Located in Ward 6)

7. ORDINANCE NO. 21,085; Z-6238-A: To approve a Planned Zoning Development and establish a Planned Commercial District titled Bowman Road Retail Development Short-Form PCD, located at 1400 and 1404 South Bowman 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 applicant is requesting a rezoning of the site from R-2, Single-Family, to PCD, Planned Commercial District, to allow for the development of the site with three (3) commercial uses including a market, hair salon and fitness center. (Located in Ward 6)

8. ORDINANCE NO. 21,086; Z-6610-A: To approve a Planned Zoning Development and establish a Planned Office District titled Fitness for Life Short-Form PD-O, located at 9414 Colonel Glenn 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 applicant is requesting a revision to the previously-approved PD-O, Planned Development – Office, to allow for the redevelopment of the site with a new fitness center. (Located in Ward 6)

9. ORDINANCE NO. 21,087; Z-8809-A: To approve a Planned Zoning Development and establish a Planned Industrial District titled ALR Ark Properties, LLC, Short-Form PD-I, located at 5000 South Shackleford 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 applicant is requesting a rezoning of the site from I-1, Industrial Park District, to PD-I, Planned Development Industrial, to allow for the construction of a new auto paint or body rebuilding shop. (Located in Ward 7)

10. ORDINANCE NO. 21,088; Z-8646-A: To approve a Planned Zoning Development and establish a Planned Residential District titled Van Short-Form PD-R, located north of 13th Street between Park and Dennison Streets, 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 applicant is requesting approval of an ordinance to reinstate the previously-approved PD-R, Planned Development - Residential. No modifications to the site plan or the previous approval are proposed. (Located in Ward 1)

11. ORDINANCE NO. 21,089; Z-9047: To approve a Planned Zoning Development and establish a Planned Commercial District titled Windermere Corner Shopping Center Short-Form PCD, located at 5412 Baseline Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 1 nays; and 1 absent. Staff recommends approval.*

Synopsis: The request is a rezoning from R-2, Single-Family, to PCD, Planned Commercial Development, to recognize an existing non-conforming retail shopping center and allow for the sale of beer by a grocery store less than 5,000 square-feet. (Located in Ward 2)

12. ORDINANCE NO. 21,090: To dispense with the requirement of competitive bidding and to award a Sole Source Purchase Order to Teeco Safety, Inc., as the sole distributor for Less-Than-Lethal Electronic Control Devices for the Little Rock Police Department; and for other purposes. *Staff recommends approval.*

Synopsis: The Little Rock Police Department is requesting approval to award a sole source purchase order to Teeco Safety, Inc., as the sole distributor for Less-Than-Lethal electronic control devices manufactured by Taser International and to purchase 100 Taser Less-Than-Lethal Electronic Control Devices.

14. ORDINANCE NO. 21,092: To authorize the issuance of Industrial Development Revenue Bonds under the Municipalities and Counties Industrial Development Revenue Bond Law for the purpose of refunding bonds previously issued thereunder (the particular industrial project is described in the ordinance); to authorize the sale of the bonds and the approval of a Bond Purchase Agreement in connection therewith; to authorize the execution and delivery of a fourth supplemental trust indenture securing the bonds; to authorize the execution and delivery of a seventh amendment to the lease agreement relating to this project; **to declare an emergency;** and for other purposes.

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 14 was approved.**

SEPARATE ITEMS (Item 13)

13. ORDINANCE NO. 21,091: 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: Eight (8) 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.

City Manager Bruce Moore stated that Housing & Neighborhood Programs Staff was working with a potential heir for the property located at 5121 West 33rd Street and asked that it be removed from the ordinance. Director Cazort made the motion, seconded by Director Richardson, to remove 5121 West 33rd Street from the Condemnation Ordinance. By unanimous voice vote of the Board Members present, **5121 West 33rd Street was removed from the ordinance.**

Director Adcock stated that the property had been vacant for quite a while and asked why the property was being removed. City Manager Moore stated that one of the heirs had been located and contacted staff, allowing them to enter the structure and take photographs. City Manager Moore stated that the individual had asked for additional time to meet with staff and develop a Renovation Plan. City Manager Moore stated if progress was not made, he would bring the property back to the Board for consideration.

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

Director Hendrix stated that the structure located at 2100 South Cross Street was a wonderful house and would like for the Board to remove it from the ordinance for thirty (30) days. Director Cazort asked if the owner was present or had a renovation plan. Director Hendrix stated that the owner was deceased. Director Cazort stated that if the owner, or anyone on their behalf, was not able to made renovations then he would not be supportive of removing the structure from the ordinance. Director Hendrix made the motion, seconded by Director Wright, to remove 2100 South Cross Street from the ordinance for thirty (30) days.

Director Adcock asked when the last time staff had contact with the owners, or their heirs. Housing & Neighborhood Programs Code Enforcement Manager Ed Garland stated that staff had had no contact with the owner or any heirs and that the structure had been declared Unsafe and Vacant on November 21, 2011.

By voice vote of the Board Members present, with Directors Cazort and Adcock voting in opposition, **2100 South Cross Street was removed from the ordinance.**

Mayor Stodola stated that the structure located at 2911 Gaines Street appeared to be in decent condition in that it was boarded up and the siding on the house was intact. Mayor Stodola asked how that particular structure ended up being placed on the condemnation list. Director Hendrix made the motion, seconded by Director Wright, to remove 2911 Gaines Street from the ordinance for thirty (30) days.

Director Adcock stated that the structure had been on the Unsafe and Vacant list since 2007 and asked if staff had had any contact with the owner. Mr. Garland stated that they had not had any contact with the owner and that they had sent a letter via U.S. Mail and Certified Mail and had not received any response. Mr. Garland stated that they had sent an inspection request to the mortgage company on July 7, 2016, and had not received a response.

By voice vote of the Board Members present, with Directors Richardson, Cazort, and Adcock voting in opposition, **2911 Gaines Street was removed from the ordinance.**

Walter Camp, 1860 South Park Street: Stated that he was the owner of the property located at 43 South Wakefield Drive and was in the process of obtaining a loan to rehabilitate the structure. Mr. Camp stated that he had spoken with the Loan Officer that morning and that he had been told that everything was a go to refinance the home that he currently lived in, which would provide him with the funds to rehabilitate the structure on South Wakefield Drive. Mr. Camp stated that he had already received an estimate to replace the roof and had cleaned the interior of the structure. Mr. Camp estimated that it would take approximately sixty (60) to ninety (90) days to renovate the property and asked that the Board remove the structure from the condemnation list.

Director Richardson made the motion, seconded by Director Hendrix, to remove 43 South Wakefield Drive from the ordinance for sixty (60) days.

Director Adcock asked for a timeline regarding contact with the owner. Mr. Garland stated that Mr. Camp contacted staff the previous week and promised that he would have a commitment for financing from Iberia Bank by noon on the previous day (August 17, 2015), which did not happen. Mr. Garland stated that in his conversation with Mr. Camp that morning, he was told that the bank was several days away from approving financing for the rehabilitation of the structure. Director Adcock asked if staff had inspected any of the work that Mr. Camp stated he had completed. Mr. Garland stated that any work that had been completed was several years old and not current. Director Adcock asked when the electrical and plumbing work was completed. Mr. Camp stated that the work had been completed in 2007. Mr. Camp stated that he had spoken with staff and that he had been told that if the Board removed his property from the ordinance, a Building Permit would be issued and they would work with his builder to ensure that everything was brought up to code.

Director Hendrix made the motion, seconded by Director Wright, to call the question on the vote. By roll call vote, the vote was as follows: Ayes: Hendrix; Richardson; Wright; Kumpuris; and Vice-Mayor Hines. Nays: Webb; Cazort; Fortson; and Adcock. Absent: Wyrick. By a vote of five (5) ayes, four (4) nays and one (1) absent, **the motion failed.**

Director Cazort asked if Director Richardson would be willing to amend his motion to remove the property for sixty (60) days and to add a requirement that stated that the owner must provide a Rehabilitation Plan to staff within three (3) weeks and obtain the necessary permits for construction. Director Richardson stated that he would be willing to accept the recommendation to amend his motion and Director Hendrix, who seconded the original motion, stated that she would be willing to accept the amendment.

Director Adcock asked what would happen if Mr. Camp did not submit the plan and obtain the permits within the three (3)-week time period. City Attorney Tom Carpenter stated that the motion needed to be contingent upon Mr. Camp accepting the current notice for demolition; otherwise, the Board would have to wait sixty (60) days and then go through the process again, which would take an additional forty-five (45) days. City Attorney Carpenter stated that if Mr. Camp consented to the motion and did not follow through with submitting the plan and obtaining the permits, then the property could be brought immediately back to the Board for further action. Director Richardson stated that he would be willing to accept the recommendation to amend his motion and Director Hendrix, who seconded the original motion, stated that she would be willing to accept the amendment.

By voice vote of the Board Members present, with Director Adcock voting in opposition, **43 South Wakefield Drive was removed from the ordinance.**

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

PUBLIC HEARINGS (Item 15)

15. RESOLUTION NO. 14,178: To approve the sources and used of the projected 2016 CDBG, HOME and HOPWA Funds for inclusion in the City's Annual Plan; and for other purposes. *Staff recommends approval.*

Director Adcock made the motion, seconded by Director Cazort, to approve the resolution.

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

Barbara Smith: Stated that only \$10,000.00 was designated for John Barrow Senior Activity Center and she would like to see additional funds added.

City Manager Moore stated that the Center had was approximately \$15,000.00 remaining in 2015 funding and the \$10,000.00 would be added to that amount. Ms. Smith stated that she would also like to see additional funds added for the construction of more wheelchair ramps. Director Wright asked what the average cost of a wheelchair ramp was and how many were constructed in a year's time. Housing & Neighborhood Programs Department Director Andre Bernard stated that with the funds from the previous year, eighteen (18) ramps had been constructed. Mr. Bernard stated that the dollar amount set aside only covered materials, not construction, and that the City had a partnership with Mainstream to provide the labor.

Mayor Stodola closed the public hearing.

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

CITIZEN COMMUNICATION

Mary A. Cotton, 2401 South Cedar Street: Wiring & Heater Stove
Sherman Tate, 13701 Edgemon Drive: Hinson/Pebble Beach Project
Talisha Porter, 7208A Indiana Avenue: Law Enforcement Handling
TaQuane McFee, 7802A Indiana Avenue: Law Enforcement Handling
Delores Collier, 3302 Spring Street: Streets & Alleys Asphalt

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:

Susan Langley, City Clerk

Mark Stodola, Mayor