

**Little Rock Board of Directors Meeting
January 30, 2018
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; Peck; Hines; Wright; Wyrick; Kumpuris; Fortson; Adcock; Vice-Mayor Webb; and Mayor Stodola. Director Lance Hines delivered the invocation followed by the Pledge of Allegiance.

Director Kumpuris stated that he would like for the City to consider filing, along with other municipalities in the State, an Amicus Brief to the United States Supreme Court regarding Internet Sales. Director Kumpuris stated that he would like for City Attorney Tom Carpenter to provide specific examples regarding what it would mean to the City of Little Rock if they were able to utilize the over \$3 million dollars that had been estimated to have been lost due to Internet Sales. Director Kumpuris made the motion, seconded by Director Peck, to direct the City Attorney to draft an Amicus Brief. By unanimous voice vote of the Board Members present, **the motion was approved.**

ADDITIONS:

M-1 RESOLUTION: To authorize the City Manager to enter into a contract with Ad-Wear & Specialty of Texas, Inc., in the amount of \$54,774.84, for the purchase of the 2018 Little Rock Marathon Participant and Volunteer Shirts; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with Ad-Wear & Specialty of Texas, Inc., for the 2018 Little Rock Marathon Participant and Volunteer Shirts.

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

DEFERRALS:

14. ORDINANCE; Z-7517-B: To approve a Planned Zoning Development and establish a Planned Commercial District titled Highway 10 Storage Center Revised Long-Form PCD, located at 9300 Ferndale Cut-Off, Pulaski County, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *(Deferred from November 7, 2017) (Deferred until February 6, 2018, at the applicant's request) Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

Synopsis: The request is to amend the previously-approved PCD, Planned Commercial Development, to allow for the seasonal sales of fireworks. (Located in the City's Extraterritorial Jurisdiction)

Director Adcock made the motion, seconded by Director Hines, to defer Item 14 until February 6, 2018. By unanimous voice vote of the Board Members present, **Item 14 was deferred until February 6, 2018.**

CONSENT AGENDA (Items 1 – 10 and Item M-1)

1. MOTION: To approve the minutes of the August 1, 2017, August 15, 2017, and September 5, 2017, September 19, 2017, October 2, 2017, and October 17, 2017, Little Rock City Board of Directors Meetings; and for other purposes.

2 RESOLUTION NO. 14,703; G-24-053: To set February 6, 2018, as the date of public hearing on the petition to abandon both a Utility Easement and a Drainage Easement, for Lot 1, Kanis Commercial Addition, in the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

3. RESOLUTION NO. 14,704: To authorize the City Manager to enter into a contract increase for Burkhalter Technologies, Inc., in the amount of \$5,515.44, for additional improvements to P Street from Pierce Street to Taylor Street; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute a change order with Burkhalter Technologies Inc., for P Street Improvements from Pierce Street to Taylor Street, Project No. 13-3-16A, Bid No. 15-011. (Located in Ward 3)

4. RESOLUTION NO. 14,705: To authorize the City Manager to enter into a Technology for Public Safety (TIPS) Research Partner Contract with the University of Arkansas at Little Rock, in an amount not to exceed \$62,800.00, to aid in the investigation of shooting incidents within the City of Little Rock, Arkansas; for services as a Research Partner for the 2017 Technology Innovation for Public Safety Grant; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to enter into a contract with the University of Arkansas at Little Rock for services as a Research Partner for the 2017 Technology Innovation for Public Safety (TIPS) Grant.

5. RESOLUTION NO. 14,706: To accept title to property donated to the City of Little Rock by Quitclaim Deed, to be used for Neighborhood Revitalization Programs; and for other purposes. *Staff recommends approval.*

Synopsis: In an effort maximize the Land Bank's revitalization efforts, the Land Bank Commission and staff would like to accept the donation of the ten (10) properties located at West 35th Street. All ten (10) parcels are 7,000 square-foot undeveloped lots, and sewer is present.

6. RESOLUTION NO. 14,707: To authorize the City Manager to enter into a contract with Rex White Plumbing, LLC, to provide plumbing repairs on an as-needed basis; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with Rex White Plumbing, LLC, to provide plumbing repairs on an as-needed hourly basis, Bid No. 17171R-C.

7. RESOLUTION NO. 14,708: To authorize the City Manager to enter into a contract with Royal Overhead Door, Inc., on an as-needed basis; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with Royal Overhead Door, Inc., to provide Overhead Door repairs on an as-needed hourly basis, Bid No. 17185-C.

8. RESOLUTION NO. 14,709: To authorize the City Manager to enter into an agreement with Morris Beck Construction Services, Inc., in an amount not to exceed

\$61,000.00, to perform an interior remodel of the existing Education Building at the Little Rock Zoo; and for other purposes.

Synopsis: Authorizes the City Manager to execute a contract with Morris Beck Construction Services, Inc., to perform the interior remodel of the existing Education Building at the Little Rock Zoo, including lighting, cabinets, countertops, flooring, walls, etc.

9. RESOLUTION NO. 14,710: To certify local government endorsement of NLR Energy Logistics, LLC, located at 10000 Industrial Harbor Drive, Little Rock, Arkansas, to participate in the Arkansas Tax Back Program (as authorized by Ark. Code. Ann. § 15-4-2706(D) of the Consolidated Incentive Act of 2003); and for other purposes.

10. RESOLUTION NO. 14,711: To authorize the City Manager to enter into an agreement with one (1) organization to provide Community-Based Intervention Services; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to enter into contract with Dedicating Resources to Excel All Minds d/b/a DREAM, a non-profit organization to provide Community-Based Intervention Services.

Director Richardson asked how the Intervention Services would be different from the services that the City was currently providing. Community Programs Director Dana Dossett stated that the service would be to coordinate all the various other intervention programs. Ms. Dossett stated that the program would place the intervention programs on the street, to assist in locating disconnected youth. In addition, they would provide training for the other programs and coordinate all of the other efforts.

Kareem Moody: Stated that he was with Dedicating Resources to Excel All Minds d/b/a DREAM and their goal would be to connect people already working in the community with the resources that were available.

M-1 RESOLUTION NO. 14,712: To authorize the City Manager to enter into a contract with Ad-Wear & Specialty of Texas, Inc., in the amount of \$54,774.84, for the purchase of the 2018 Little Rock Marathon Participant and Volunteer Shirts; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with Ad-Wear & Specialty of Texas, Inc., for the 2018 Little Rock Marathon Participant and Volunteer Shirts.

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 11 – 13 and 15 - 19)

11. ORDINANCE NO. 21,525; A-331: To accept the Copper Run Annexation, to add certain lands to the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

Synopsis: The annexation of some 104 acres, plus or minus, along the south side of Pride Valley Road, west of Zanzibar Street (16000-17000 Blocks of Pride Valley Road) to the City of Little Rock. (Located in Ward 5)

12. ORDINANCE NO. 21,526; Z-1791-F: To approve a Planned Zoning Development and establish a Planned Commercial District titled 10 Candlewood Drive Long-Form

PCD, located at 10 Candlewood Drive, Little Rock, Arkansas, 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 applicant is requesting a rezoning of the site from MF-12, Multifamily District, and R-5, Urban Residence District, to PCD, Planned Commercial Development, to allow for the development of a retail center. (Located in Ward 4)

13. ORDINANCE NO. 21,527; Z-6406-B: To approve a Planned Zoning Development and establish a Planned Commercial District titled T-Mobile Short-Form PD-C, located at 12211 West Markham Street, Little Rock, Arkansas, 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 applicant is proposing to amend the previously-approved PD-C, Planned Development - Commercial, zoning to allow for the placement of a new sign with height and area as allowed in commercial zones. (Located in Ward 5)

15. ORDINANCE NO. 21,528; Z-7783-D: To approve a Planned Zoning Development and establish a Planned Commercial District titled T-Mobile Short-Form PD-C, located at 12211 West Markham Street, Little Rock, Arkansas, 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 applicant is proposing to amend the previously-approved PD-C, Planned Development - Commercial, zoning to allow for the placement of a new sign with height and area as allowed in commercial zones. (Located in Ward 5)

16. ORDINANCE NO. 21,529; Z-8559-C: To approve a Planned Zoning Development and establish a Planned Residential District titled Wildwood Place Subdivision Revised Long-Form PD-R, located south of Denny Road on Wildcreek Circle, Little Rock, Arkansas, 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 applicant is proposing to amend the previously-approved PD-R, Planned Development – Residential, for Phases 6 and 7 of the Wildwood Place Subdivision to add additional land area and additional lots to the previously-approved plat area. (Located in Ward 5)

17. ORDINANCE NO. 21,530; Z-9270: To approve a Planned Zoning Development and establish a Planned Residential District titled Gardner Short-Form PD-R, located at 900 North Polk Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 7 ayes; 1 nay; and 3 absent. Staff recommends approval.*

Synopsis: The applicant is proposing the rezoning of the property located at 900 North Polk Street from R-3, Single-Family District, to PD-R, Planned Development - Residential, to allow for the placement of two (2) homes on this single parcel. (Located in Ward 3)

18. ORDINANCE NO. 21,531; Z-9271: To approve a Planned Zoning Development and establish a Planned Office District titled Rick's Short-Form POD, located on the south side of Cantrell Road in the 16900 Block of Cantrell Road, Little Rock, Arkansas, 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 applicant is proposing to construct a new two (2)-story office building on an existing 1.31-acre parcel. The uses are proposed as O-1, Quiet Office District, uses, and the building is proposed containing 13,400 square-feet of floor area. (Located in Ward 5)

19. ORDINANCE NO. 21,532: To declare it impractical and unfeasible to bid; to authorize the City Manager to enter into an agreement with GlaxoSmithKline (GSK) for a twelve month term effective February 1, 2018, in an amount not to exceed \$40,000.00, to purchase vaccines pursuant to a program of the Centers for Disease Control; **to declare and emergency**; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of a sole-source ordinance authorizing the City Manager to use the Federal Center for Disease Control Program and Contract with GlaxoSmithKline (GSK) as a sole-source to purchase vaccines needed to protect City employees from communicable diseases. The terms of the agreement are from February 1, 2018, to January 31, 2019, with the inclusion of the option to extend for four (4) additional years.

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 19 was approved.**

SEPARATE ITEMS (Items 20 - 24)

20. ORDINANCE; Z-3808-B: To approve a Planned Zoning Development and establish a Planned Residential District titled Davis Short-Form PRD, located at 5210 Mabelvale Pike, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 7 ayes; 1 nay; and 3 absent. Staff recommends approval.*

Synopsis: The applicant is requesting a rezoning of the site from C-1, Neighborhood Commercial District, and R-2, Single-Family District, to PD-R, Planned Development - Residential, to allow for the development of the site with multi-family housing. (Located in Ward 2)

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.

Dino Davis: Stated that he was the applicant and that his plan was to develop a twelve (12)-unit apartment complex for affordable housing at the location.

Pam Adcock, 6205 Hinkson Road: Stated that she represented Southwest United for Progress and that they were opposed to the application. Ms. Adcock stated that the applicant had presented the project to the neighborhood associations in the area and had assured them that onsite management would be present 24/7. Ms. Adcock stated that Southwest United for Progress members voted to not support the project due to: the potential of the one (1)-room apartments reverting to rehabilitation housing; close proximity to an Geyer Springs Elementary School; the fact that there were already enough apartments in the area; and that the current apartments located in close

proximity were already creating enough of a disturbance. Ms. Adcock stated that Southwest United for Progress requested that the Board deny the application.

City Attorney Carpenter stated that the concern of a location potentially becoming a rehabilitation center could not be considered by the Board due to the Fair Housing Act.

Stephen Mann, 2 South Meadowcliff Drive: Stated that he lived in close proximity and there were already too many apartments in the area. Mr. Mann asked that the Board deny the application.

Rohn Muse, 822 Lewis Street: Stated that he was against the development and asked that the Board deny the application.

Director Adcock stated that the surrounding area was made up of single-family homes and it was not fair to locate apartments in the rear of those residential homes. Director Kumpuris asked why Planning & Development Staff had recommended approval. Planning & Development Director Jamie Collins stated that the zoning of the property was currently split, with a portion of the property zoned as C-1, General Commercial District, and the remaining portion zoned as R-2, Single-Family District. Mr. Collins stated that the request was to change both zoning classifications to a Planned Development. Mr. Collins stated that an auto repair shop was located across the street from the property and anytime there was commercial located near residential, a buffer was preferred and the property in question, which was a less dense, would serve as that buffer.

Mr. Collins stated that the applicant had indicated that the development would be completed in phases, with the first phase being the construction of the main building, the second phase being the rehabilitation and use of the house on the property and the third phase would be the future development of an additional building.

Director Adcock stated that many of the properties in the area experienced flooding due to inadequate drainage and asked if Public Works had reviewed and approved the plans. Public Works Director Jon Honeywell stated that that type of information would be reviewed when the plans were submitted for the actual Building Permit.

Kwendeche: Stated that he was the Architect for the project and the plans were developed and submitted to the Planning Commission and approved. Kwendeche stated that there were trees located behind the property that served as a sufficient natural buffer between the development and the existing neighbors.

Mr. Davis stated that he had owned the current structure on the property, which housed five (5), one (1)-bedroom apartments, since 2009 and during that time, neither the Police nor any other Emergency Responder, was ever called to the property for any type of disturbance.

By roll call vote, the vote was as follows: Ayes: Hendrix; Hines; and Kumpuris. Nays: Peck; Wright; Wyrick; Fortson; Adcock; and Vice-Mayor Webb. Present: Richardson. When asked if he would like to change his vote, Director Richardson indicated that he did not want to change his vote. By a vote of three (3) ayes, six (6) nays and one (1) present, **the ordinance failed.**

21. ORDINANCE; Z-9264: 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 nay; and 1 absent. Staff recommends approval.*
Synopsis: The owner of the 0.38-acre property located at 3500 Coffey Lane is requesting that the property be reclassified from R-2, Single-Family District, to R-7A, Manufactured Home District. (Located in Ward 2)

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.

Maria Elena Almanza Perez: Stated that she wanted to move an existing mobile home, was currently located elsewhere, to the property located at 3500 Coffey Lane. Ms. Perez stated that the location where the mobile home was currently located was dangerous and the lot rental was too high.

Stephen Mann, 2 South Meadowcliff Drive: Stated that he was against any type of mobile home and/or manufactured home being located in the City.

Pamela Bingham, 9200 Ricky Lane: Stated that she was the President of the Upper Baseline Neighborhood Association and that they voted to oppose the relocation of the mobile home. Ms. Bingham stated that the proposed location for the mobile home was located between two (2) single-family homes, and they did not feel that the location was appropriate.

Nan Howard, 2 Hogan Drive: Stated that she lived in the neighborhood and objected to the mobile home being placed between two (2) single-family residences.

Pam Adcock, 6205 Hinkson Road: Stated that she represented Southwest United for Progress and that they supported the vote taken by the Upper Baseline Neighborhood Association opposing the relocation of the mobile home.

Director Adcock stated that of the twenty-five (25) mobile home parks located within the City, twenty-two (22) of those parks were located in Southwest Little Rock. Director Adcock stated that she felt that the relocation of the mobile home would be better suited for a mobile home park and not a single-family residential area.

Ms. Perez stated that they had already purchased the property, and asked that the Board approve their request to relocate the mobile home. Ms. Perez stated that as soon as they had saved enough money, they would like to build a single-family home on the property.

Director Richardson made the motion, seconded by Director Wright, 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: Kumpuris and Vice-Mayor Webb. Nays: Peck; Hines; Wright; Wyrick; Fortson; and Adcock. Present: Hendrix and Richardson. When asked if she would like to change her vote, Director Hendrix indicated that she would like to change her vote from Present to Aye. When asked if he would like to

change his vote, Director Richardson indicated that he did not want to change his vote. The final roll call vote was as follows: Ayes: Hendrix; Kumpuris; and Vice-Mayor Webb. Nays: Peck; Hines; Wright; Wyrick; Fortson; and Adcock. Present: Richardson. By a vote of three (3) ayes, six (6) nays and one (1) present, **the ordinance failed.**

22. ORDINANCE NO. 21,533: To condemn a certain structure, located at 2521 Wolfe Street, in the City of Little Rock, Arkansas, as a structural, fire and health hazard; to provide for Summary Abatement Procedures; to direct City Staff to take such action as is necessary to raze and remove said structure; **to declare an emergency**, and for other purposes. *(Deferred from October 18, 2016)(Deferred from April 18, 2017)(Deferred from September 19, 2017) Staff recommends approval.*

Synopsis: Structure is a severely dilapidated, deteriorated and in a burned condition causing a negative environmental impact on the residential neighborhood 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 unanimous voice vote of the Board Members present, the rules were suspended and the ordinance was read a third time. By unanimous voice vote of the Board Members present, **the ordinance was approved.** By unanimous voice vote of the Board Members present, **the emergency clause was approved.**

23. ORDINANCE NO. 21,534: To declare it impossible and impractical to bid; to authorize the purchase of Wetland Mitigation Credits from the DRI Group (Cadron Creek Mitigation Bank), in an amount not to exceed \$39,940.65, for Plantation Pickett Drainage Improvements; and for other purposes. *Staff recommends approval.*

Synopsis: An ordinance authorizing the purchase of Wetland Mitigation Credits from the NRI Group Cadron Creek for the Plantation Pickett Drainage Project and to waive competitive bidding requirements of formal bids and to allow for the acceptance of quotes.

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

24. ORDINANCE NO. 21,535: To declare it impractical and unfeasible to bid; to ratify the issuance of an emergency Sole-Source Purchase Order to Sunbelt Fire, Inc., in an amount not to exceed \$81,507.25, to repair Engine 15, for use by the Little Rock Fire Department; **to declare an emergency**; and for other purposes. *Staff recommends approval.*
Synopsis: Approval of an ordinance ratifying the issuance of a Purchase Order to Sunbelt Fire, Inc., located in Fairhope, Alabama, for the repairs to Engine 15 (13D138), Vehicle Identification Dumber 4ENLAAA87D1008102.

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

CITIZEN COMMUNICATION

Russ Racop: LRPD/Turmoil

Benny Johnson: LRPD

Ean Bordeaux: LRPD

Chris Burks, 1404 Pine Valley Drive: City of Little Rock versus Frank Scott

Director Wright 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