

**Little Rock Board of Directors Meeting  
April 3, 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 Joan Adcock delivered the invocation followed by the Pledge of Allegiance.

**PRESENTATIONS:**

Jazz in the Park Presentation

**CONSENT AGENDA (Items 1 - 10)**

**1. RESOLUTION NO. 14,759:** To authorize the City Manager to execute a Professional Services Agreement with Global Perspective Consulting, LLC, in an additional amount of \$8,800.00, for a total annual amount not to exceed \$61,780.00, plus any applicable taxes, to add a Cultural Intelligence Basic Assessment and to continue to provide and conduct a Comprehensive Diversity and Cultural Competency Training Program for the Little Rock Police Department; and for other purposes. *Staff recommends approval*

**Synopsis:** The Little Rock Police Department is requesting approval to enter into a one (1)-year Professional Services Agreement with Global Perspectives Consulting, LLC, to provide Cultural Diversity and Cultural Competency Training, as well as a Cultural Intelligence Basic Assessment.

**2. RESOLUTION NO. 14,750:** To authorize the City Manager to execute a Contract with Enterprise Fleet Management, in an amount not to exceed \$244,171.00, to lease forty-eight (48) Undercover Vehicles for the Little Rock Police Department; and for other purposes. *Staff recommends approval*

**Synopsis:** The Little Rock Police Department is requesting approval to award an Annual Purchase Order to Enterprise Fleet Management, Inc., for the leasing of forty-eight (48) Undercover Vehicles.

**3. RESOLUTION NO. 14,751:** To authorize the City Manager to enter into a contract with International Business Machines Corporation, in an amount not to exceed \$169,042.67, for the purchase of database software licensing and supporting elements to conduct link analysis for Little Rock Police Department Gun Crimes Intelligence Unit; and for other purposes. *Staff recommends approval*

**Synopsis:** Authorizes City Manager to execute an agreement with IBM (International Business Machines Corporation) to provide i-Base and Analyst Notebook Software to support the activities of the Little Rock Police Department's Gun Crimes Intelligence Unit. This purchase consists of software licenses, installation and design, training and maintenance to successfully deploy the system.

**4. RESOLUTION NO. 14,752:** To authorize the City Manager to enter into a contract with Burkhalter Technologies, Inc., in an amount not to exceed \$67,790.40, for 9<sup>th</sup> Street at College Street Widening Project; 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 Burkhalter Technologies, Inc., for the 9<sup>th</sup> Street at College Street Widening Project No. 16-1-ST-23, Bid No. 18004. (Located in Ward 1)

**5. RESOLUTION NO. 14,753:** To authorize the City Manager to enter into a contract with Burkhalter Technologies, Inc., in an amount not to exceed \$565,137.60, for Kavanaugh Boulevard at Jackson Street Drainage Improvements; 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 Burkhalter Technologies, Inc., for Kavanaugh Boulevard at Jackson Street Drainage Improvements, Project No. 16-3-ST-64, Bid No. 18001. (Located in Ward 3)

**6. RESOLUTION NO. 14,754:** To authorize the City Manager to enter into a contract with Redstone Construction Group, Inc., in an amount not to exceed \$169,245.24, for the Markham Street Sidewalk and Bowman Road at Markham Street Right-Turn Lane Project; 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 Redstone Construction Group, Inc., for the Markham Street Sidewalk and the Bowman Road at Markham Street Right-Turn Lane Project No. 5-25H, Bid No. 18002. (Located in Ward 5)

**7. RESOLUTION NO. 14,755:** To authorize the City Manager to enter into a contract with Burkhalter Technologies, Inc., in an amount not to exceed \$193,476.48, for the Pennbrook Cloverhill Drainage Improvement Project; 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 Burkhalter Technologies, Inc., for the Pennbrook Cloverhill Drainage Improvement Project No. 16-6-DR-34, Bid No. 18005. (Located in Ward 6)

**8. RESOLUTION NO. 14,756:** To authorize the City Manager to enter into a contract with Junkin Construction Company, Inc., in an amount not to exceed \$229,590.00 for sidewalk construction within the City of Little Rock, Arkansas; 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 the low bidder, Junkin Construction Company, Inc., for sidewalk construction within the City of Little Rock.

**9. RESOLUTION NO. 14,757:** To authorize the City Manager to enter into a contract with Professional Account Management, LLC, for a Parking Management System for the City of Little Rock, Arkansas; for devices and services for Parking Citations and Management System; and for other purposes. *Staff recommends approval*

**Synopsis:** Approval of resolution authorizing the City Manager to execute a contract for Parking Management Agreement with Professional Account Management, LLC, for a three (3)-year initial term with the possibility of four (4), one (1)-year extensions by mutual agreement.

**10. RESOLUTION NO. 14,758:** A resolution to make an appointment to the Little Rock Advertising & Promotion Commission; and for other purposes.

**Synopsis:** Appointment of Nick Roye, to fulfill the unexpired Industry Position term of Andy Agar, to expire on May 1, 2020.

In regards to Item 1, Director Hendrix asked if the Racial & Cultural Diversity Commission (RCDC) was a part of the group. Little Rock Police Chief Kenton Buckner stated that there was a Selection Committee comprised of approximately seven (7)

individuals that were City Employees diverse in gender and race. Director Hendrix stated that she would like to see the group go back and work with representatives from RCDC. Chief Buckner stated that he was concerned about pausing what was currently in place and that the bid selection had been through the City's vetting process and purchasing procedures. Chief Buckner stated that the work was already being conducted for 2018 and a pause in the training would affect those Officers that were in the process of completing their forty (40) hours of in-service.

Director Hendrix made the motion, seconded by Director Richardson, to pull Item 1 from the agenda. By voice vote of the Board Members present, **the motion failed.**

Director Adcock made the motion, seconded by Director Hines, to approve Items 2 – 10 of the Consent Agenda. By unanimous voice vote of the Board Members present, **Items 2 – 10 of the Consent Agenda were approved.** By unanimous voice vote of the Board Members present, **Item 1 was approved.**

## **CITIZEN COMMUNICATION**

Danny Lewis, 2100 South IZard Street: Announcement – Launch of Non-Profit.

## **GROUPED ITEMS (Items 11 - 14)**

**11. ORDINANCE NO. 21,572; Z-4746-E:** To approve a Planned Zoning Development and establish a Planned Office District titled Little Rock Funeral Home Short-Form POD, located at 8801 Knoedl Court, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 1 nay; and 0 absent. Staff recommends approval*

**Synopsis: The applicant is requesting a rezoning of the site from O-3, General Office District to POD, Planned Office Development, to add a crematorium as an allowable use for the property. (Located in Ward 6)**

**12. ORDINANCE NO. 21,573; Z-5239-H:** To approve a Planned Zoning Development and establish a Planned Commercial District titled Paradise Heights Revised Short-Form PCD, located at 300 East Roosevelt 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 to amend the previously-approved PCD, Planned Commercial Development, to allow a mixed use development to occur on the site including residential, office and commercial uses. (Located in Ward 1)**

Director Adcock stated that the Little Rock Police Department currently utilized the first floor and asked if the development would displace those employees. Assistant City Manager James Jones stated that LRPD would remain at the location. Director Adcock asked how many apartments would be developed and if there was a timeframe for completion. Planning & Development Department Director Jamie Collins stated that the apartments would vary in number and that Floors 3 – 11 were being proposed as residential with approximately 217 units. Mr. Collins stated that mixed uses would be located on the other floors.

Ron Woods: Stated that he was one of the owners and would be the architect of record.

Director Adcock asked if there was a time frame for completion. Mr. Woods stated that they were in the process of working through a Buy/Sell Agreement.

A.J. Gilbert: Stated that he was also one of the owners and that they anticipated that the development would be completed within twenty-four (24) months.

**13. ORDINANCE NO. 21,574; Z-6900-B**: To approve a Planned Zoning Development and establish a Planned Office District titled The House of Bethesda Short-Form PD-C, located at 6900 Pecan 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; and 1 absent. Staff recommends approval*  
**Synopsis: The applicant is proposing a rezoning of the site from R-2, Single-Family District, to PD-C, Planned Development - Commercial, to allow the reuse of the property with a daycare, after school care, a food pantry, community center, church and an events center. (Located in Ward 1)**

**14. ORDINANCE NO. 21,575**: To authorize the City Manager to dispense with the requirement of competitive bidding for the purchase of up to forty-three (43) months of Software Maintenance Service and Support and thirty-six (36) months of Hardware Maintenance and Support for the City's Computer-Aided 911 Dispatch System in the amount of \$956,695.00, plus applicable taxes; **to declare an emergency**; and for other purposes. *Staff recommends approval*  
**Synopsis: This ordinance waives competitive bidding for the purchase of up to forty-three (43) months of Software Maintenance and Support and thirty-Six (36) months of Hardware Maintenance and Support for the NGIT Altaris Application for the City's Computer-Aided 911 Dispatch System.**

The ordinancea 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 14 was approved**.

#### **SEPARATE ITEMS (Items 15 – 16)**

**15. ORDINANCE NO. 21,576**: 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: Six (6) residential structures are 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.**

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.

Itaya Walls, 8610 Nancy Place: Stated that she owned the property located at 4701 West 31<sup>st</sup> Street and it was the first time that she had ever received notification or that she had been made aware that she had a certain time frame to bring the property up to Code. Ms. Walls stated that since purchased the property she had made several improvements; however, when she attempted to obtain a Building Permit, she was told that the property had been declared unsafe. Ms. Walls stated that she contacted staff and asked that they remove the property from the Condemnation List. Ms. Walls stated that she thought the property had been removed; however, it had only been deferred. Ms. Walls asked that the Board remove the property from the Condemnation Ordinance and that she be provided with a list of required improvements, along with a timeframe. Mayor Stodola asked if she was aware that there were \$5,143.39 worth of liens against the property. City Attorney Tom Carpenter stated that the property had been certified to the State as a result of the unpaid taxes. Ms. Walls stated that the liens were made against the property before she made the purchase in 2015, and that one of the liens, in the amount of \$2,556.78, was for cutting and cleaning the property. Ms. Walls asked for six (6) months to acquire the Quiet Title and then time to make the improvements.

Code Enforcement Manager Ed Garland stated that staff had contacted the owner in January 2018 as they were preparing the property for condemnation. Mr. Garland reported that there had not been any significant improvements made since Ms. Walls had owned the property. Mr. Garland stated that the owner had obtained the appropriate permits when she purchased the property; however, both the Building & Plumbing Permits expired on December 1, 2015. Mr. Garland stated that there was a repair estimate of approximately \$20,000 that staff felt was needed to bring the property up to full Code. Mr. Garland reported that staff had met with the owner on March 15, 2018, and a buyer was presented at that meeting; however, a rehabilitation plan, budget or proof of financial capacity was not presented. As a result of the meeting, staff recommended that the owner appear before the Board to request additional time. Director Wright stated that she would be willing to support a deferral for six (6) months to provide the owner time to get her legal issues taken care of; however, she would need to provide monthly updates to staff regarding any progress made.

Director Wright made the motion, seconded by Director Kumpuris, to remove 3701 West 31<sup>st</sup> Street from the Commendation Ordinance and to defer action for an additional six (6) months. By roll call vote, the vote was as follows: Ayes: Richardson; Peck; Wright; Kumpuris; and Vice-Mayor Webb. Nays: Hendrix; Hines; Wyrick; Fortson; and Adcock. As a result of a tie, Mayor Stodola as the Chair voted Aye. By a vote of six (6) ayes and five (5) nays, **the motion was approved**. By unanimous voice vote of the Board Members present, **the ordinance was approved as amended**.

**16. ORDINANCE NO. 21,576**: To amend Chapter 8 of the Little Rock Code of Ordinance (1988), to adopt standards for duct testing and other standards for energy conservation, for new residential structures with amendments herein; and for other purposes. *(Deferred from March 20, 2018) Staff recommends approval*

**Synopsis: The State of Arkansas adopted the 2009 International Energy Conservation Code also known as the 2014 AR Energy Code but deleted the standards for testing residential structures. This ordinance would put some of those standards back in place.**

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.

Richard Costello, 815 Technology Drive: Stated that he worked in the building industry and was supportive of the proposed ordinance.

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

### **PUBLIC HEARINGS (Item 17)**

**17. ORDINANCE NO. 21,578; Z-4093-A:** To approve a Planned Zoning Development and establish a Planned Commercial District titled The 8409 Geyer Springs Road Short-Form PCD, located at 8409 Geyer Springs Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *(Deferred from May 20, 2018) Planning Commission: 5 ayes; 6 nays; and 0 absent. Staff recommends approval*  
**Synopsis: The applicant, Margarita Gutierrez, is appealing the Planning Commission's recommendation of denial for a Planned Commercial Development located at 8409 Geyer Springs Road. (Located in Ward 2)**

Mayor Stodola opened the public hearing.

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.

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

The applicant's sister (whose name was not voiced) stated that she was there to represent her sister, Margarita Gutierrez, and that they had a business; however, they would like to be able to have retail and to offer their customers the ability to send money to Mexico and other countries. In addition to the 'small store' that was located inside the residence, the applicant was requesting to place a food truck on a graveled parking pad in front of the house.

Mr. Collins stated that there was currently retail sales inside the home and a Moneygram system to send money. Director Adcock stated that the street was made up of single-family homes and that a day care was located across the street from the residence. Director Adcock stated that there were currently two (2) picnic tables located at the food

truck which should not be allowed. Director Adcock asked how long the business had been located at the address. Mr. Collins stated that it had been brought to staff's attention a year ago as a result of an enforcement action.

Pam Adcock, 6205 Hinkson Road: Stated that in October 2017, the applicant had given a presentation to the membership of Southwest United for Progress. Ms. Adcock stated that the organization voted unanimously to not support the application. Ms. Adcock asked that the Board deny the application.

Sharon Thompson, 5914 Carlyle Street: Stated that she had submitted a letter outlining her concerns and asked that the Board deny the application. Ms. Thomason stated that there were small children that lived in the area and with the added traffic, she felt that it would be a safety hazard.

Nell Johnson, 5808 Windamere Drive: Stated that she was concerned about children's safety in the area and asked that the Board deny the application.

Ethel Johnson, 5400 Dickens Lane: Stated that the neighbors in the Windamere Neighborhood had signed a petition requesting that the Board deny the application.

Stephen Mann, 2 South Meadowcliff Drive: Stated that he opposed to the proposal and asked that the Board deny the application.

Troy Laha, 6601 Baseline Road: Stated that he was Vice-President for the Southwest United for Progress and felt that the applicant had changed the proposed uses many times and that the Board should deny the application.

The applicant's sister stated that she had never seen cars parked on the street; they normally parked parallel to the side of the residence. She said that everyone that worked at the store/food truck were either her sister or her parents.

Pamela Bingham: Stated that she was the President of the are neighborhood association and the neighbors in the area had noticed an increase in traffic due to the store. Ms. Bingham asked that the Board deny the application.

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

Mayor Stodola closed the public hearing.

By voice vote of the Board Members present, **the ordinance failed.**

Director Hines asked if there would be further discussion regarding the possible appeal of Judge Tim Fox's decision regarding campaign fundraising. City Attorney Carpenter stated that the timeline to appeal began on March 26, 2018, which meant the appeal had to be filed by April 25, 2018. City Attorney Carpenter stated that unless he was directed by the Board to file the appeal; he would not.

Director Adcock made the motion, seconded by Director Wyrick, to add the discussion regarding whether or not to appeal Judge Fox's action to the April 17, 2018, Board of Directors Agenda. By roll call vote, the vote was as follows: Ayes: Richardson; Peck; Hines; Wright; Wyrick; Kumpuris; Fortson; Adcock; and Vice-Mayor Webb. Present:

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Hendrix. When asked if she would like to change her Present vote, Director Hendrix indicated that she did not want to change her vote. The final roll call vote was as follows: Ayes: Richardson; Peck; Hines; Wright; Wyrick; Kumpuris; Fortson; Adcock; and Vice-Mayor Webb. Present: Hendrix. By a vote of nine (9) ayes and one (1) Present, **the motion approved.**

Director Fortson made the motion, seconded by Director Hendrix, 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**