

**Little Rock Board of Directors Meeting
July 5, 2017
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a meeting with Mayor Mark Stodola presiding. City Clerk Susan Langley called the roll with the following Directors present: Hendrix; Richardson; Hines; Wright; Wyrick; Kumpuris; Fortson; Adcock; Vice-Mayor Webb; and Mayor Stodola. Director absent: Peck. Director Ken Richardson delivered the invocation, which was followed by the Pledge of Allegiance.

PRESENTATIONS

City of Little Rock Employee Retirement Recognition
Lt. Scott Timmons, Little Rock Police Department

WITHDRAWAL:

5. RESOLUTION: To authorize the City Manager to enter into a contract with Baptist Health, to conduct all the City's Pre-Employment Screenings, as well as Random and Post-Accident Drug and Alcohol Testing; and for other purposes. *Staff recommends approval.*

Synopsis: Approval to allow Baptist Health to conduct all Pre-Employment Screenings (Medical and Drug/Alcohol Screenings), as well as Random and Post-Accident Drug/Alcohol Testing for all City positions, uniform and non-uniform. The terms of the agreement are from August 1, 2017 – July 31, 2018, with the option to renew for six (6) additional years.

Director Adcock made the motion, seconded by Director Fortson, to withdraw Item 5 from the Agenda. By unanimous voice vote of the Board Members present, **Item 5 was withdrawn from the Agenda.**

ADDITION:

M-1 ORDINANCE: To dispense with the requirement of competitive bids as impractical and unfeasible; to allow the City Manager to enter into a contract for a period of ninety (90) days with Baptist Health – Occupational Health, in an amount not to exceed \$125,000.00, to provide Pre-Employment Screenings, random Drug or Alcohol Testing and Post-Accident Drug or Alcohol Testing; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

Synopsis: Approval to allow Baptist Health to conduct all Pre-Employment Screenings (Medical and Drug/Alcohol Screenings), on an interim basis as well as Random and Post-Accident Drug/Alcohol Testing for all City positions, uniform and non-uniform. The terms of the agreement are from July 5, 2017, to perhaps October 17, 2017.

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

CONSENT AGENDA (Items 1 – 4)

1. **MOTION**: To approve the minutes of the March 7, 2017, March 21, 2017, and April 4, 2017, Little Rock City Board of Directors Meetings.

2. **RESOLUTION NO. 14,593**: To authorize the City Manager to execute a contract with McClelland Engineers, Inc., in an amount not to exceed \$48,250.00, for Engineering Services relative to the Riverfront Drive Trail Project; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvements Sales Tax) Staff recommends approval.*
Synopsis: A resolution authorizing the City Manager to execute a contract with McClelland Engineers, Inc., for Engineering Services relative to the Riverfront Drive Trail Project.

3. **RESOLUTION NO. 14,594**: To authorize the City Manager to award a contract to Burkhalter Technologies, Inc., in an amount not to exceed \$180,327.00, for the 13th at Cedar Street Parking Lot at the 12th Street Station; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvements Sales Tax) Staff recommends approval.*
Synopsis: Authorizes the City Manager to execute an agreement with Burkhalter Technologies, Inc., for construction of the 13th at Cedar Street Parking Lot at the 12th Street Station, Bid No. 17011. (Located in Ward 2)

4. **RESOLUTION NO. 14,595**: To make appointment to the Arkansas Arts Center Board of Trustees; and for other purposes. *Staff recommends approval.*
Synopsis: Appointment of Jim Hugg to fill the unexpired term of J. Shepherd Russell, said term to expire on June 30, 2020.

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

CITIZEN COMMUNICATION

Antonio Davila, 10275 Layton Lane: Gang Prevention.

Shanelle Smith, 15 Pontalba Drive: The Resignation of All of You with Exception of a Few.

Brother Larry, 3234 West 21st Street: The Hell Whole on 12th Street.

Rev. Benny Johnson, 6414 Baseline Road: Shootings.

GROUPED ITEMS (Items 6 – 13, Item 15 and Item M-1)

City Manager Bruce Moore stated that after further investigation, staff was recommending approval for Item 15 and that the neighborhood was now supportive. Mayor Stodola stated that since there was no longer any opposition, it would be read with the Grouped Items.

6. **ORDINANCE NO. 21,436; Z-1412-C**: To approve a Planned Zoning Development and establish a Planned Industrial District, titled LBPC Short-Form PID, located at 1637 East 15th 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 a rezoning from I-2, Light Industrial District, and PID, Planned Industrial Development, to PID, to allow the use of the site as a brewery. (Located in Ward 1)

7. ORDINANCE NO. 21,437; Z-4470-I: To approve a Planned Zoning Development and establish a Planned Commercial District, titled Lot 2 Chenal Commercial Park Short-Form PCD, located on the west side of Wellington Hills Road, in the 100 Block of Wellington 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 applicant is requesting a rezoning of the site from O-3, General Office District, to PCD, Planned Commercial Development District, to allow for the development of the site with two (2) buildings; a ninety-eight (98)-room hotel and a 6,000 square-foot retail building. (Located in Ward 5)

8. ORDINANCE NO. 21,438; Z-5099-G: To approve a Planned Zoning Development and establish a Planned Commercial District, titled Lots 9B – 9E Northwest Territory Short-Form PCD reinstatement, located on the south side of the Chenal Parkway and north of Cantrell Road, just west of the Chenal Parkway and Cantrell Road intersection, 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 reinstate a previously-approved PCD, Planned Commercial Development, to allow for the creation of four (4) commercial lots served by a private driveway connecting Highway 10 and Chenal Parkway. (Located in Ward 5)

9. ORDINANCE NO. 21,439; Z-5773-B: To approve a Planned Zoning Development and establish a Planned Residential District, titled St. Margaret's Episcopal Church Long-Form PD-R, located at 20900 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 applicant is requesting a rezoning of the site from R-2, Single-Family District, with a Conditional Use Permit, for a church to PD-R, Planned Development - Residential District, to allow the church to develop the site with multiple buildings in a multi-phased development plan. (Located in Ward 5)

10. ORDINANCE NO. 21,440; Z-6698-D: To approve a Planned Zoning Development and establish a Planned Commercial District, titled Norris Furniture Revised Short-Form PCD, located at 3900 John Barrow 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 proposing to amend the previously-approved PCD, Planned Commercial Development, to add C-1, Neighborhood Commercial District, uses as the allowable uses for the site. (Located in Ward 6)

11. ORDINANCE NO. 21,441; Z-9220: To approve a Planned Zoning Development and establish a Planned Residential District, titled The Parks Long-Form PD-R, located on the east side of Mann Road, just south of Wilderness Road, in the 9500-9700 Block of Mann 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 rezone the property from R-2, Single-Family District, to PD-R, Planned Development – Residential. (Located in Ward 7)

12. ORDINANCE NO. 21,442: To amend Little Rock, Ark., Rev. Code § 2-243 (1988) to define the duties of an Insurance Broker selected as a Professional Service for Property and Casualty Insurance Consultant; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

13. ORDINANCE NO. 21,443: To dispense with the requirement of competitive bidding as impractical and unfeasible; to award a contract to Lincoln Financial Services, to provide Long-Term Disability Insurance for Non-Uniform City Employees for a three (3)-month period from May 1, 2017, to July 31, 2017, **to declare an emergency**; and for other purposes. *Staff recommends approval.*

Synopsis: This ordinance waives competitive bidding as impractical and unfeasible regarding an extension of the existing contract with Lincoln Financial Services to provide Long-Term Disability Insurance Coverage for Non-Uniform City Employees.

15. ORDINANCE NO. 21,445; Z-9218: To approve a Planned Zoning Development and establish a Planned Commercial District, titled 716-724 Woodrow Street Short-Form PCD, located at 716-724 South Woodrow Street, 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 R-3, Single-Family District, to PCD, Planned Commercial Development, to allow for the development of the site with an Electric Vehicle Charging Station and a restaurant. (Located in Ward 3)

M-1 ORDINANCE NO. 21,444: To dispense with the requirement of competitive bids as impractical and unfeasible; to allow the City Manager to enter into a contract for a period of ninety (90) days with Baptist Health – Occupational Health, in an amount not to exceed \$125,000.00, to provide Pre-Employment Screenings, random Drug or Alcohol Testing and Post-Accident Drug or Alcohol Testing; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

Synopsis: Approval to allow Baptist Health to conduct all Pre-Employment Screenings (Medical and Drug/Alcohol Screenings), on an interim basis as well as Random and Post-Accident Drug/Alcohol Testing for all City positions, uniform and non-uniform. The terms of the agreement are from July 5, 2017, to perhaps October 17, 2017.

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 12 was 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; Z-2502-C: To repeal Ordinance No. 20,911 (August 5, 2014), titled Islamic Center Long-Form PCD, located between 40th Street and Colonel Glenn Road,

on the west side of Whitfield Street, in the City of Little Rock, Arkansas, and revoking a Planned Zoning District; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*

Synopsis: The request is a revocation of the existing PCD, Planned Commercial Development, zoning and the restoration of the previously held MF-12, Multifamily District, and C-3, General Commercial District, Zoning. (Located in Ward 6)

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.

Director Wright asked why it was necessary to change the zoning.

Mr. Hougland: Stated that he was the son of Carolyn Houglan, who was the owner of the property and was present that evening to represent her on the appeal. Mr. Houglan stated that the property had been under contract to sell; however, the Islamic Center Group did not obtain their grant funding and the property was now back on the market. Mr. Houglan stated that they had received an offer and they wanted to restore the original zoning.

Director Wright stated that she was not supportive of the rezoning and that the neighborhood did not want additional multifamily housing in the area. Mr. Houglan stated that they currently had a contract with a church. Director Wright stated that she had questions regarding the different phases of the proposed project and that the neighborhood felt that they had been misled. Planning & Development Director Jamie Collins stated that the only portion of the project that had been presented to the City was the church itself and it had been approved by the Planning Commission as a Conditional Use Permit. Mr. Collins stated that the Pastor of the church had spoken about future development; however, an application had not been submitted to the City. Director Wright asked why the owner was attempting to rezone the property back to multifamily. Mr. Collins stated that the property would revert to the underlying multifamily zoning due to the revocation of the Planned Development (PD). Director Wright asked why the church could not just obtain the zoning they desired without the property being reverted to multifamily. Mr. Collins stated that they could have submitted an application for another PD for the entire parcel of property; however, the application before the Board was what they had submitted. Director Wright stated that she was not in support and felt that by reverting the property back to multifamily zoning, it would open the door for the owner to build apartments, which the neighborhood did not want. City Manager Bruce Moore stated that if the application were approved as presented, the owners by right could build multifamily housing and it would not have to come back before the Board.

Director Adcock stated that when the applicant presented the proposed project to the John Barrow Neighborhood, it was divided up into four (4) phases which included: apartments; a church; family life center; and parking. Director Adcock stated that she felt that it was too much for the area and that there were too many versions being talked about regarding what was actually going to be on the property.

Planning & Development Zoning and Subdivision Manager Dana Carney stated that when a PD was approved by the Board, the applicant had three (3) years to obtain the permits and/or initiate construction to place the PD into effect. Mr. Carney stated that once the PD was in effect, the applicant could continue to build-out on the property. Mr. Carney stated that the original PD for the property included single-family homes that had been built on the south side of the property along 40th Street; therefore, the PD was in effect and would remain in effect. Mr. Carney stated that the previous applicant had decided that they were not going to proceed with the remainder of their proposed development, which was why the application to revoke a portion of the PD was before the Board that evening. City Attorney Tom Carpenter stated that the PD did not automatically expire and the Board would have to take affirmative action.

Director Kumpuris made the motion, seconded by Director Hines, to table the item for one (1) month until August 1, 2017, so that the Board could better understand the various aspects of the project. By voice vote of the Board Members present, with Director Richardson voting in opposition, **the item was tabled for one (1) month until August 1, 2017.** Director Richardson stated that he would like to change his vote from Aye to Nay; thereby making the vote unanimous.

UPDATE (Item 16)

16. UPDATE: Chief Kenton Buckner, Little Rock Police Department.

Chief Buckner provided an update to the Board regarding enforcement action currently being taken by the Little Rock Police Department.

Director Fortson made the motion, seconded by Director 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