

**Little Rock Board of Directors Meeting
January 8, 2013
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; Hurst; Cazort; Hines; Wright; Wyrick; Fortson; Adcock; Vice-Mayor Kumpuris; and Mayor Stodola. Director Doris Wright delivered the invocation, which was followed by the Pledge of Allegiance.

CONSENT AGENDA (Items 1 – 4)

1. OATHS OF OFFICE: Acceptance of the Oaths of Office for the four (4) Little Rock City Board of Directors; Oaths of Office are filed in the City Clerk’s Office.

Little Rock City Board of Directors:

Ward 4	Brad Cazort
Position 8	Dean Kumpuris
Position 9	Gene Fortson
Position 10	Joan Adcock

Director Hurst made the motion, seconded by Director Wyrick, to accept the oaths of office. By unanimous voice vote of the Board Members present, **the oaths of office were accepted.**

Mayor Stodola asked that Item 5 be read separately as he had received a card from an individual that wished to speak on the item.

2. RESOLUTION NO. 13,624: To authorize the City Manager to enter into a contract with Redstone Construction Group, Inc., in the amount of \$88,583.00, for the 44th at Potter Streets Drainage Improvement Project; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax Project Funds) Staff recommends approval*
Synopsis: Authorizes the City Manager to execute an agreement with Redstone Construction Group, Inc., for the 44th at Potter Streets Drainage Improvement Projects, Bid No. 12-295.

3. RESOLUTION NO. 13,625: To amend Resolution No. 11,637 (December 31, 2003) pertaining to the establishment of an Advisory Board for the Midtown Redevelopment District No. 1 of the City of Little Rock, Arkansas; to modify the membership requirements; and for other purposes. *Staff recommends approval*
Synopsis: The proposed resolution modifies the membership requirements for the Midtown Redevelopment District No. 1 Advisory Board by changing the School Board position to an at-large position.

4. RESOLUTION NO. 13,626: To authorize the City Manager to enter into a contract with U.S. Lawns, Little Rock, in the amount of \$91,200, to provide mowing and grounds maintenance services at the Oakland & Fraternal Historic Cemetery Park; and for other purposes. *Staff recommends approval*

Synopsis: Authorizes the City Manager to enter into a contract, in a form acceptable to the City Attorney, in a maximum amount of \$91,200 per year for such services to U.S. Lawns, Little Rock, for lawn mowing and grounds maintenance services at the Oakland & Fraternal Historic Cemetery Park.

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

SEPARTE ITEM (Item 5)

5. RESOLUTION NO. 13,627: To state the disapproval of the Little Rock Board of Directors of the grant of bonuses to Little Rock Waste Water Employees made after fee increases were approved to support the issuance of bonds required to accomplish court-mandated changes to the Little Rock Sanitary Sewer System; to direct the Little Rock Sanitary Sewer Committee to investigate the manner in which the bonuses were approved and to report the findings of the investigation to the Board of Directors on January 22, 2013; and for other purposes.

Mayor Stodola stated that he had spoken with the Chair of the Sanitary Sewer Committee and that the Committee had initiated a review and investigation of the issue regarding the bonuses.

Director Hendrix asked if the Sanitary Sewer Committee was obligated to answer to the City Board of Directors. City Attorney Tom Carpenter stated that to some extent the answer was yes. City Attorney Carpenter stated that the Committee had authority in terms of the extension of sewer services within the City; however, other policies were set by the City Board and whether or not the Committee existed was a decision of the Board. City Attorney Carpenter stated that the Committee had been created by the Board pursuant to State Statute to address the operation and management of the sanitary sewer system within the City Limits and with the approval of the Board, the Committee could extend sewer services outside the City Limits. With the creation of the Committee, which was a semi-autonomous entity, the operation, maintenance and the revenues for the sanitary sewer system were under the purview of the Committee.

Reggie Corbitt, 17 Bent Tree Drive: Stated that he was the Executive Director of Little Rock Wastewater and that he was present to speak against the resolution. Mr. Corbitt stated that Little Rock Wastewater was an Enterprise Fund and that in April 2010, a presentation was made to the Board of Directors expressing the need for an increase in rates; however, they were told to wait on pursuing a rate increase until a vote could be taken on the One (1)-Cent Sales Tax increase, which did not occur until September 2011. As a result, Little Rock Wastewater Staff did not receive salary increases in 2011 or 2012, and fifty (50) employees were terminated. Mr. Corbitt stated that the rate increase was approved in June 12, 2012, and the original 2012 Budget and Revised 2012 Budget included salary increases for employees; however, due to the delay, which was approximately two (2) and one-half years after the original request, and because the rates approved were a significant reduction from the rates requested, raises were not possible until 2013. Mr. Corbitt stated that after reviewing the reduced funds provided by the rates, he discussed with the Sanitary Sewer Committee at the June 20, 2012, meeting, the idea of providing employees with a one (1)-time payment, similar to the City

of Little Rock Longevity Pay Plan. Funding for that option was included in the 2012 Revised Budget, which was approved on July 20, 2012. Mr. Corbitt stated that in order for payment to be made, \$3 Million in operating capital had to be reached and no salary increase for 2012. Mr. Corbitt stated that salary increases were only considered on an employee's anniversary date; there were no across the board increases and they opted for a one (1)-time accumulative payment. Mr. Corbitt stated that in November 2012, at the 2013 Budget Sub-Committee Review, the plan was discussed with two (2) members of the Little Rock Sanitary Sewer Committee, Ken Griffey and Marilyn Perryman, who participated in the budget review. A reserve, or working capital, of over \$3 Million was achieved in November 2012; however, had the reserve not been met, no salary increases or one (1)-time payments would have been made. Mr. Corbitt reported that a one (1)-time payment was made to employees on December 5, 2012, and had that payment been made based on the City's Longevity Pay Plan, the cost would have been \$43,000.00 more than what was provided. If a 3% salary increase had been implemented, the cost would have initially been \$85,000.00 higher and would have had an accumulative affect in the future.

Director Richardson asked how long after the rate increase was approved June 12, 2012, was the budget amended to include the one (1)-time payments. Mr. Corbitt replied that the budget was amended on July 20, 2012. Director Richardson asked why the information was not shared with the Board as a possible use for the additional funds. Mr. Corbitt stated that after the rate increase passed, which was significantly less than requested, the average winter rate calculation decreased 100 cubic-feet and the revenue received was less than anticipated and the rate model had suggested that they would receive, he knew that there would be no salary increase in 2012. Mr. Corbitt stated that he was looking for a way to compensate employees that had struggled through three (3) years with no salary increase and had assumed additional responsibility due to the fact that they were down fifty (50) employees. Director Richardson stated that he believed the increases were merited; however, the approached that was utilized was problematic.

Director Hurst stated that the City's Longevity Plan was based on an employee's longevity with the City; however, the one (1)-time payment was not based on longevity, it was a \$1,200.00 across the board increase to all employees; including top-level executives. Director Hurst stated that it was unsettling to her that the Board was not aware of the plan when the rate increases were approved.

City Manager Bruce Moore stated that he had explained to Mr. Corbitt that to compare the City's Longevity Plan to Little Rock Wastewater's one (1)-time payment to employees was unfair and in no way similar to the City's Longevity Plan. City Manager Moore stated that Mr. Corbitt had referred to an increase of \$43,000.00 if the City's Longevity Plan had been utilized; however, if the City utilized the LRWW plan, it would have cost the City over \$1 Million.

Director Hines made the motion, seconded by Director Wright, to approve the resolution. By roll call vote, the vote was as follows: Ayes: Hurst; Cazort; Hines; Wright; Wyrick; Fortson; Adcock; and Vice Mayor Kumpuris. Nays: Hendrix. Present: Richardson. When asked if he wanted to change his vote, Director Richardson stated that he wanted to change his vote to Aye. By a vote of nine (9) ayes and one (1) nay, **the resolution was approved.**

SEPARTE ITEMS (Items 6 - 7)

6. ORDINANCE: To assess the value of benefits to be received by the owners of each of the several blocks, lots and parcels of land within Pecan Lake Municipal Recreational District No. 4; and for other purposes. *Staff recommends approval. (First & Second Readings held on December 18, 2012)*

The ordinance was read a third time.

Mayor Stodola stated that he had received cards from three (3) individuals that were present and wanted to speak to the item. City Attorney Carpenter stated that he had received a letter from Mr. Henry Gilmore that raised some serious questions and that legal counsel for the District was not present; however, the Board should hear from the attorney before a final decision was made. City Attorney Carpenter stated that a part of the problem stemmed from the fact that there was a Property Owner's Association and an Improvement District and that they are not the same. City Attorney Carpenter stated that he had spoken with David Menz, legal counsel for the District, who had been approached to put into effect the rate increase that had improperly been put into effect prior. City Attorney Carpenter asked the Board to consider deferring the item until the January 22, 2013, meeting so that Mr. Menz could be present to answer any questions.

Director Hendrix made the motion, seconded by Director Wright, to defer Item 6 until the January 22, 2013, Board of Directors Meeting.

Director Wyrick stated that she had read Mr. Gilmore's letter and that there would probably be more individual's that would like to speak should the item be deferred; however, she would like to hear from the three (3) individuals present.

Mayor Stodola asked each of the individuals present, if they would like to speak, or would they prefer to wait until the January 22, 2013, meeting, should the item be deferred.

Henry Gilmore, 5912 Forestview Road: Stated that he would prefer to wait until the January 22, 2013, Board Meeting.

Ed Bullington, 9214 Timber Valley Road: Stated that he would prefer to wait until the January 22, 2013, Board Meeting.

Rob Warren, 6001 Tall Pine Boulevard: Stated that he would prefer to wait until the January 22, 2013, Board Meeting.

By unanimous voice vote of the Board Members present, **Item 6 was deferred until the January 22, 2013, Board Meeting.**

7. ORDINANCE: To prohibit the use of capital improvement sales tax monies to be transferred to the Central Arkansas Technology Park Authority or other City assets, to purchase residential housing through the power of eminent domain; and for other purposes. *(Deferred from June 19, 2012)*

Director Richardson made the motion to suspend the rules and place the ordinance on second reading; however, **the motion failed due to the lack of a second.** Mayor Stodola stated that the item would be placed on the January 22, 2013, meeting agenda for second reading.

REPORTS (Item 8)

8. REPORT: 2012 Winter Storm Update

City Manager Moore gave an overview regarding the City's efforts during the recent ice storm. City Manager Moore reported that from December 25, 2012 – January 5, 2013, the 311 Center received 1,412 calls for service. The 311 Center was currently operating from 9:00 AM – 5:00 PM, seven (7) days a week in order to provide assistance to residents and would maintain that schedule until the call load diminished. Citizens were also encouraged to submit their 311 request via the City's website at www.littlerock.org. City Manager Moore stated that the City/State had applied for disaster recognition and the documentation regarding the number of calls for service received would be critical in obtaining the designation; therefore, residents were encouraged to call in or log a request.

City Manager Moore reported that on Christmas Day, Public Works Crews started working twelve (12) hours rotating shifts plowing snow, spreading sand & salt and removing trees from City Streets. Beginning December 30, 2012, crews worked twelve (12) hour shifts removing debris from the rights-of-way, and then on January 6, 2013, crews began working ten (10) hour days, six (6) days a week to address damage from the storm. Currently there were eighteen (18) crews working to remove debris from the right-of-way and hauling it to the landfill where it would be converted to mulch. As of January 3, 2013, the landfill had received 723.28 tons of storm debris (458 trucks). According to City Manager Moore, FEMA estimated that there were approximately 22,000 tons of storm debris in Little Rock. Crews could remove approximately 110 tons of debris each day and it would take approximately 200 days to remove it all. As of January 5, 2013, Public Works had received over 1,150 requests to remove debris throughout the City. City Manager Moore stated that if the declaration was received which should be within the next two (2) weeks, he would recommend that the work be bid out for storm debris removal.

For the period from December 25, 2012 – January 1, 2013, Public Works Crews had worked a total of 7,873 hours (3,032, regular hours and 4,841 overtime hours). For the same period, 4,720 equipment hours had been utilized and approximately \$39,515.00 had been spent on sand and salt. Crews were caught up on the weekly garbage pick-up and would continue picking up storm debris from residents until the job was completed.

City Manager Moore reported that the Little Rock Fire Department responded to 925 calls (an average of 185 per day) between December 25, 2012 – December 30, 2012. The Little Rock Police Department was able to maintain regular patrols and assist citizens when necessary. The Fleet Services Department had installed 160 sets of chains, thirty (30) sets of studded tires, delivered fuel to fuel sites and generators and made twenty-three (23) service trips to other City Departments. The Little Rock Animal

Village offered to take in pets that owners were unable to take care of during the power outage. Little Rock Parks & Recreation opened the Southwest Community Center as a warming center and the Dunbar Community Center as an overnight shelter. Over 100 residents took advantage of the facilities. Emergency Management Staff made numerous welfare checks and assisted the American Red Cross with the shelter set-up.

City Manager Moore reported that key Management Staff met daily during the storm recovery to coordinate services between the Departments and with other agencies and utilities. The City's Public Relations Team utilized the media and social media to keep Little Rock residents informed of the various updates related to the storm recovery. The Planning & Development Department waived fees and inspections so that Entergy Corporation could immediately restore service to residential structures.

Entergy reported that the first power outages began on Christmas Day and peaked at over 194,000 customers losing services; 90,000 of those customers were Little Rock residents. On December 26, 2012, Entergy began assessing the damage and restoring the transmission lines and substations, and by that evening, 31% of customers had their service restored. By December 28, 2012, Entergy had 1,000 linemen (many from other states) and 500 vegetation crews working to restore service and by that evening, 60% of customers had their service restored. By December 29, 2012, 82% of customers had their service restored. By December 30, 2012, 94% of customers had their service restored and by December 31, 2012, over 99% of customers who could take power had their service restored. All total, over 5,000 linemen and other workers from fifteen (15) states assisted in restoring power to Entergy customers.

City Manager Moore reported that FEMA Representatives had been in Little Rock the past weekend to view the damage from the storm and to determine whether the community would qualify for Federal public assistance. FEMA would determine if the City qualified for a Presidential Disaster Declaration within the next seven (7) to ten (10) days. City Manager Moore stated that starting on Christmas Day, each Department had been keeping detailed records regarding Departmental expenditures related to the storm recovery, such as hours worked and funds expended.

City Manager Moore stated that City Staff would continue to work with other agencies and utilities to ensure that all Little Rock residents had their services returned to normal and that staff would convene in the following days to conduct an overall assessment of the event in order to prepare for any future events.

Director Wright thanked City Manager Moore and City Staff for getting the City up and running so quickly and stated that she had received very positive feedback from her constituents regarding how quickly staff addressed clearing the City streets. Director Fortson stated that he had heard very positive feedback and urged staff to continue to utilize social media and e-mails to continue to put the word out that the City was working on getting the large amounts of debris removed. Vice-Mayor Kumpuris asked if the City received disaster declaration, how long it would be before there would be crews on the ground working on the debris removal and what would be the contingency plan if the declaration was not received. City Manager Moore stated that the bid documents were already in place and if the declaration was received, the bids would be out on the street fairly quickly. Emergency Management Administrator Matt Burks stated that the Federal

Government was currently reimbursing at a rate of \$150.00 per ton, and that FEMA paid 75% with the State of Arkansas paying 12.5%, for a total of 87.5%. City Manager Moore stated that if the declaration was not received, there would have to be a budget adjustment made to cover expenses and overtime hours for the Street Fund.

CITIZEN'S COMMUNICATION

Reggie Corbitt, 17 Bent Tree Drive: Comments in newspaper.

Director Adcock made the motion, seconded by Director Cazort, to go into Executive Session for the purpose of electing a Vice-Mayor and appointments of Board Members to serve as liaisons on the various Boards and Commission of the City of Little Rock. By unanimous voice vote of the Board Members present, **the Board went into Executive Session.**

EXECUTIVE SESSION (Item 9)

9. EXECUTIVE SESSION: Election of the Vice Mayor and appointments of Little Rock City Board of Directors to represent Boards and Commissions of the City of Little Rock, Arkansas.

Director Hurst made the motion, seconded by Director Adcock, to appoint Director Doris Wright as Vice-Mayor. By unanimous voice vote of the Board Members present, **Director Doris Wright was appointed as Vice-Mayor.**

Mayor Stodola stated that a resolution would be drafted to name the Board Members to serve as liaisons on the various City Boards and Commissions.

Director Adcock 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