

**Little Rock Board of Directors Meeting
April 5, 2016
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; Wyrick; Fortson; Kumpuris (enrolled at 6:15 PM); Adcock; Vice-Mayor Hines; and Mayor Stodola. Director Kathy Webb delivered the invocation, which was followed by the Pledge of Allegiance.

PRESENTATIONS

City of Little Rock Retirement Recognition
Officer Willie Thomas, III, Little Rock Police Department
Baptist Health System Bolo Bash Tennis Tournament

CONSENT AGENDA (Items 1 – 9)

Mayor Stodola stated that a card had been turned in from an individual that wanted to speak regarding Item 9 and that it would be read separately.

1. **MOTION:** To approve the minutes of the October 5, 2015, Little Rock City Board of Directors Meeting.

2. **RESOLUTION NO. 14,311; G-23-461:** To set April 19, 2016, as the date of hearing on the request to abandon an alley located at 717 South Woodrow Street, in the Ferndale Addition to the City of Little Rock, Pulaski County, Arkansas; and for other purposes. *Staff recommends approval.*

3. **RESOLUTION NO. 14,312:** To authorize the City Manager to enter into a lease agreement with Golf Cars of Arkansas, a distributor of Club Car, which is a Division of Ingersol Rand/DLL Group, in an annual amount of \$155,880.00, for the leasing Golf Carts, Utility Vehicles, Ball Picker Cart and a Concession/Refreshment Cart for the Rebsamen, Hindman and War Memorial Golf Courses; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution authorizing the City Manager to enter into a one (1)-year lease, with the option to extend for two (2) additional years, with Golf Cars of Arkansas, a distributor of Club Car, which is a Division of Ingersol Rand/DLL Group, in the amount of \$155,880.00 per year for: 146 Electric Golf Carts; fifteen (15) Gas Golf Carts; one (1), four (4)-person Electric Golf Cart; one (1) Electric Utility Cart; two (2) Gas Utility Carts; three (3) Heavy-Duty Diesel Utility Carts; one (1) Ball Picker Gas Utility Cart; and one (1) Concession/Refreshment Utility Cart.

4. **RESOLUTION NO. 14,313:** To authorize the use of eminent domain on the Ellis Stevens Drainage Improvement Project; and for other purposes. *(Funding from the 2013 Limited Tax General Obligation Capital Improvement Bonds)* *Staff recommends approval.*

Synopsis: Authorizes the City Attorney to use eminent domain to complete acquisition of right-of-way, temporary construction easements and land for Ellis Stevens Drainage Improvements, Project No. B-4b. (Located in Ward 4)

5. RESOLUTION NO. 14,314: To authorize the use of eminent domain on the McAdoo Street Improvement Project; and for other purposes. *(Funding from the 2013 Limited Tax General Obligation Capital Improvement Bonds) Staff recommends approval.*

Synopsis: Authorizes the City Attorney to use eminent domain to complete acquisition of right-of-way, permanent and temporary construction easements for the McAdoo Street Improvements, Project No. B-3g. (Located in Ward 3)

6. RESOLUTION NO. 14,315: To authorize the City Manager to award a contract to Redstone Construction Group, Inc., in an amount not to exceed \$108,958.80, for the Romine Road Sidewalk Project; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax & the 2013 Limited Tax General Obligation Capital Improvement Bonds) Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with Redstone Construction Group, Inc., for improvements to Romine Road Sidewalk, Project No. 13-6-8A, Bid No. 16007. (Located in Ward 6)

7. RESOLUTION NO. 14,316: To authorize the City Manager to award a contract to Township Builders, Inc., in an amount not to exceed \$1,381,366.80, for the Wright Avenue Bridge Repair Improvements; and for other purposes. *(Funding from the 2013 Limited Tax General Obligation Capital Improvement Bonds) Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with Township Builders, Inc., for Wright Avenue Bridge Repairs, Project No. B-01B, Bid No. 16006. (Located in Ward 1)

8. RESOLUTION NO. 14,317: To authorize the City Manager to enter into a contract with The Field Shop, in an amount not to exceed \$222,884.00, for the purchase of equipment and services for the upgrade of the Little Rock Television System, Cameras and Studio; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of a resolution to authorize the City Manager to enter into a contract with The Field Shop for the upgrade of Little Rock Television System, cameras and studio.

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.**

9. RESOLUTION NO. 14,318: Of the support of the Board of Directors of the City of Little Rock, Arkansas, in support of the Wright Avenue Neighborhood Action Plan; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

Synopsis: To approve a resolution in support of the Wright Avenue Neighborhood Action Plan goals as described in the plan.

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

Sheila Miles, 2209 Battery Street: Stated that she was the President of the Wright Avenue Neighborhood Association and thanked City Manager Bruce Moore for providing the resources and City Staff during the development of the Neighborhood Action Plan.

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

CITIZEN COMMUNICATION

There were no cards received from individuals wanting to speak during Citizen Communication.

GROUPED ITEMS (Items 10 - 20)

10. ORDINANCE NO. 21,198; Z-2496-A: To approve a Planned Zoning Development and establish a Planned Office Development, titled Fletcher Library Short-Form PD-O, located at 823 North Buchanan Street, 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 request is a rezoning from O-3, General Office District, and R-3, Single-Family District, to PD-O, Planned Development - Office, to allow Central Arkansas Library to construct a new building to be used for library functions and as public meeting space. (Located in Ward 3)

11. ORDINANCE NO. 21,199; Z-4343-GG: To approve a Planned Zoning Development and establish a Planned Commercial District, titled The Ranch Long-Form PCD and Right-of-Way Abandonment for Patrick Country Road, located at 18020 Cantrell Road, 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 requesting a rezoning of 33.5 acres from R-2, Single-Family District, O-3, General Office District, and C-3, General Commercial District, to allow for the development of this site as the Bank of the Ozarks corporate headquarters and campus. (Located in Ward 5)

12. ORDINANCE NO. 21,200; Z-4807-O: To approve a Planned Zoning Development and establish a Planned Office District, titled Primrose School Short-Form PD-O, located on the northeast corner of Wellington Village Drive and Kirk Road, 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 request is to revise the previously-approved site plan and the POD, Planned Office District, zoning for a portion of the site allowing the construction of a single building on the western portion of the site to be used as a daycare facility. (Located in Ward 5)

13. ORDINANCE NO. 21,201; Z-5152-B: To approve a Planned Zoning Development and establish a Planned Commercial District, titled Holiday Inn Revised Short-Form PCD, located at 10920 Financial Center Parkway, 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 request is to revise the previously-approved PCD, Planned Commercial Development, to allow for the placement of a sign identifying the hotel on an adjacent lot located on Financial Center Parkway. (Located in Ward 6)

14. ORDINANCE NO. 21,202; Z-5157-G: To approve a Planned Zoning Development and establish a Planned Industrial District, titled 1901 Kellett Road Long-Form PID, located at 1901 Kellett Road, 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 request is a rezoning from O-3, General Office District, to PID, Planned Industrial District, to allow for the use of this existing building as a pharmaceutical manufacturing facility. (Located in Ward 1)

15. ORDINANCE NO. 21,203; Z-6883-E: To approve a Planned Zoning Development and establish a Planned Residential District, titled Harkins Revised Short-Form PD-R, located at 5213 I Street, 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 request is to revise the previously-approved PD-R, Planned Development - Residential, to allow for the construction of a covering over an existing deck. (Located in Ward 3)

16. ORDINANCE NO. 21,204; Z-7626-B: To approve a Planned Zoning Development and establish a Planned Office District, titled Joe T. Robinson Revised Long-Form POD, located at 21001 – 21501 Highway 10, 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 request is to revise the previously-approved POD, Planned Office Development, to allow for a multi-phased construction plan for the Pulaski County School District, including the construction of a new middle school, baseball and softball fields and additions to the existing middle and high school buildings. (Located in the City's Extraterritorial Jurisdiction)

17. ORDINANCE NO. 21,205; Z-9104: To approve a Planned Zoning Development and establish a Planned Commercial District, titled Coulson Broadway Short-Form PCD, located at 800 South Broadway Street, 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 request is to rezone the site from UU, Urban Use District, to PCD, Planned Commercial Development, to allow for the removal of an existing convenience store and construction of a new convenience store on this site. (Located in Ward 1)

18. ORDINANCE NO. 21,206; Z-9106: To approve a Planned Zoning Development and establish a Planned Commercial District, titled 9021 Geyer Springs Road Short-Form PCD, located 9021 Geyer Springs Road, 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 request is to rezone the site from R-2, Single-Family District, to PCD, Planned Commercial Development, to allow for the use of the existing commercial buildings with uses as allowed within the C-3, General Commercial Zoning District. (Located in Ward 2)

19. ORDINANCE NO. 21,207; Z-9107: To approve a Planned Zoning Development and establish a Planned Industrial District, titled Bethel Temple COGIC Short-Form PID, located on the northeast corner of West 33rd and Mary Streets, 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 request is to rezone the site from I-2, Light Industrial District, to PID, Planned Industrial District, to add a church as an allowed use for the site. (Located in Ward 1)

20. ORDINANCE NO. 21,208: To authorize the City Manager to dispense with the requirement of competitive bidding and to designate Taser International as a sole-source provider for the purchase of thirty-one (31) Less-Than-Lethal Electronic Devices, at a total cost of \$76,440.41, including use taxes, 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 Taser International as the sole manufacturer for Less-Than-Lethal Electronic Control Devices and to purchase thirty-one (31) Taser Less-Than-Lethal Electronic Control Devices. 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 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.**

SEPARATE ITEMS (Items 21 – 23)

21. RESOLUTION: To seek analysis by the Arkansas State Highway and Transportation Commission of issues for the proposed 30 Crossing Project; and for other purposes. *(Deferred from November 17, 2015)(Deferred from January 19, 2016)*

Director Webb made the motion, seconded by Director Wright, to defer the item until April 19, 2016. By unanimous voice vote of the Board Members present, **the item was deferred until April 19, 2016.**

22. ORDINANCE NO. 21,211: To amend Chapter 36 of the Code of Ordinances of the City of Little Rock, Arkansas, to allow for the alteration of a limited number of existing billboards currently located on scenic corridors, the removal of existing billboards currently located in the City and the corresponding reduction in the existing cap ration of allowable billboard sites; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*

Synopsis: A proposal has been submitted whereby one (1) billboard on Kanis Road and up to three (3) billboards on Interstate 630 may be altered subject to the removal of several billboards currently located in the City. In addition, once the billboards are removed, the cap of 198 allowed billboards will be reduced correspondingly.

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

Tom Gibbens, 163 Pebble Beach Drive: Stated that he represented Lamar Advertising and that the plan benefited the City, the advertisers and the community. Mr. Gibbens stated that the plan would remove up to twelve (12) – thirteen (13) billboards throughout the City at no expense and it was a voluntary surrender of the permits by Lamar Advertising. Mr. Gibbens stated that the locations to be removed would improve the aesthetics, value and operational issues for both the City and Lamar, as removals would be done near parks, schools, day cares and major points of interest. Mr. Gibbens stated there would be up alterations at the following three (3) locations: 1) south side of Interstate 630 at the Fairway Medical Building; 2) north side of Interstate 630 at

Woodrow Street; and 3) the corner of Kanis Road & Shackelford Road. Mr. Gibbens stated that before any removals or alterations were made, they would work with Planning & Development Staff.

Director Webb stated that she had been contacted by several of her constituents regarding the safety risk of the digital billboards. Mr. Gibbens stated that the Federal Highway Administration conducted a study which concluded that individuals that drive only glance at digital billboards for an average of 1.3 seconds. Mr. Gibbens stated that since 2007, Lamar had operated seven (7) – eleven (11) digital billboards within the City with no evidence of safety risks.

Bob Lanaux, 16 Powder Horn Court: Stated that he represented Lamar Advertising and that they were proposing to decrease the cap on the number of billboards allowed and as a result, once they removed billboards, they could not be replaced.

Bruce McMath, 822 Beechwood Street: Stated that he was concerned with the safety risk of the digital billboards. Mr. McMath stated that there had been numerous other studies conducted that contradicted the Federal Highway Administration's results.

Director Wright asked if the City could legally prohibit digital billboards. City Attorney Tom Carpenter stated that commercial speech was provided protection under the First Amendment. City Attorney Carpenter stated that the City could regulate more what was done on the scenic corridors as it was set up and limited; however, it could not ban the use of digital billboards.

Director Webb asked if the issue of safety was discussed at the Planning Commission. Planning & Development Zoning & Subdivision Manager Dana Carney stated that there were no specific questions asked at the Planning Commission regarding safety risks and that the focus was on the scenic corridors.

Vice-Mayor Hines made the motion, seconded by Director Hendrix, 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: Hendrix; Richardson; Cazort; Wright; Kumpuris; Fortson; Adcock; and Vice-Mayor Hines. Nays: Webb and Wyrick. By a vote of eight (8) ayes and two (2) nays, **the ordinance was approved.**

23. ORDINANCE; Z-9105: To approve a Planned Zoning Development and establish a Planned Residential District, titled Stone Crest Apartments Short-Form PD-R, located at 9700 Baseline 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 request is a rezoning from R-2, Single-Family District, to PD-R, Planned Development - Residential, to allow for the existing vacant apartment complex to be remodeled. (Located in Ward 7)

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

Jim Martin: Stated that he was the General Contractor for Stone Crest, LLC, and asked that the Board support the rezoning of the rezoning application. Mr. Martin stated that the project was a complete renovation and they were putting approximately \$1 Million Dollars into the project.

Director Wyrick stated that the apartment complex had a bad history and had been shut down by the City. Director Wyrick stated she had read through the application and had noted that the applicant stated that they were installing a gate and would be tracking individuals utilizing the gate to determine if there was excessive use. Mr. Martin stated that each tenant would be provided individual pass codes and if there was high traffic, it would raise suspicion. Director Wyrick asked about the additional parking across the street and if those individuals would enter through a key-coded gate, as well. Mr. Martin stated there would be a walk-in gate that an individual would have to have key code to gain access.

Director Adcock asked about the lot where the structure was removed. Mr. Martin stated that they removed the structure to accommodate for additional parking. Director Adcock stated that the lot was located next to an adjacent residence and asked what type of landscaping would be installed as a buffer. Mr. Martin stated that there would be a five (5)-foot buffer installed to assist in screening. Director Adcock asked about the rent structure for the apartments. City Attorney Carpenter stated that what the applicant wanted to charge for the apartments was not relevant to the zoning issue. City Attorney Carpenter stated that if the application were approved to open up as a multi-family facility and at some point a Special Use Permit were triggered, then those type of questions would be relevant.

John Hugglen, 9906 Baseline Road: Stated that he had lived in the area for sixty (60) years and his residence was located directly adjacent to the proposed apartment facility. Mr. Hugglen asked that the Board not support the application.

Director Adcock asked why there would only be a five (5)-foot buffer between the development and Mr. Hugglen's residence. Mr. Carney stated that the buffer would actually be nine (9)-foot, which was required by Code, in addition to a six (6)-foot wood screening fence installed on the north perimeter of the site. Mr. Carney stated that the parking lot located across the street would be landscaped with perimeter landscaping and interior islands and where it was adjacent to a residence, there would be a wood screening fence installed, as well.

Director Fortson made the motion, seconded by Director Adcock, to defer the item for two (2) weeks. By roll call vote, the vote was as follows: Ayes: Webb; Cazort; Wright; Wyrick; Kumpuris; Fortson; Adcock; and Vice-Mayor Hines. Nays: Hendrix and Richardson. By a vote of eight (8) ayes and two (2) nays, **the item was deferred for two (2) weeks.**

PUBLIC HEARINGS (Items 24 - 25)

24. ORDINANCE NO. 21,209; G-23-462: To abandon Patrick Country Road as a public right-of-way, located north of Cantrell Road, in the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

Synopsis: The applicant is requesting abandonment of Patrick Country Road as a public right-of-way extending north from Cantrell Road to the "bridge". The area north of the bridge was previously abandoned. (Located in Ward 5)

25. ORDINANCE NO. 21,210: To annex property to the City of Little Rock Municipal Property Owners' Multipurpose Improvement District No. 2011-32 (Wildwood Ridge Project); and for other purposes.

Mayor Stodola opened the public hearings on Items 24 and 25.

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.

Mayor Stodola asked if there were individuals present that wished to speak for or against Items 24 or 25. There being none present, Mayor Stodola closed the public hearing.

By unanimous voice vote of the Board Members present, **the ordinances were approved.**

Director Richardson made the motion, seconded by Director Wright, 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