

**Little Rock Board of Directors Meeting  
August 19, 2014  
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; Cazort; Hines; Wyrick; Kumpuris; Adcock; Vice-Mayor Wright; and Mayor Stodola. Directors Absent: Hurst and Fortson. Director B.J. Wyrick delivered the invocation, which was followed by the Pledge of Allegiance.

**DEFERRALS:**

**7. RESOLUTION:** To amend Little Rock, Ark., Resolution No. 11,369 (September 3, 2002) to permit the Junior League of Little Rock to make changes to the windows in the Women's City Club that would otherwise be prohibited by a Historic Façade Grant from the City; and for other purposes. *Staff recommends approval. (Deferred at staff's request)*  
**Synopsis:** A resolution to allow modification of the windows at the Women's City Club.

**11. ORDINANCE:** To condemn a certain structure in the City of Little Rock, Arkansas, as structural, fire and health hazards; providing for summary abatement procedures; directing the City Manager to take such action as is necessary to raze and remove said structure **to declare an emergency**; and for other purposes. *Staff recommends approval.*  
**Synopsis:** The commercial structure located at 3523 Asher Avenue has become run-down, dilapidated, unsightly, dangerous and detrimental to the public welfare of the citizens of the City of Little Rock.

Director Adcock made the motion, seconded by Director Hines, to defer Items 7 and 11. By unanimous voice vote of the Board Members present, **Items 7 and 11 were deferred.**

Director Kumpuris stated that he was giving notice that at the September 2, 2014, Board of Directors Meeting, he would be making a motion to rescind the vote on Ordinance No. 20,919 (Z-1500-B – Murphy USA Short-Form PD-C), which was approved at the August 5, 2014, Board of Directors Meeting.

**CONSENT AGENDA (Items 1 – 6 and 8 - 10)**

**1. RESOLUTION NO. 13,945; G-23-446:** To set September 2, 2014, as the date of hearing on the request to abandon the north ninety-nine (99) feet of the twenty (20)-foot (north/south) alley right-of-way, located within the block bounded by West 26<sup>th</sup> Street, West 27<sup>th</sup> Street, Allis Street and Brown Street, in the City of Little Rock, Arkansas; and for other purposes.

**2. RESOLUTION NO. 13,946; G-23-448:** To set September 2, 2014, as the date of hearing on the request to abandon the east 184 feet of the fifty-five (55)-foot wide West

13<sup>th</sup> Street right-of-way, located between Pine and Cedar Streets, in the City of Little Rock, Arkansas; and for other purposes.

**3. RESOLUTION NO. 13,947:** To authorize the Mayor and City Clerk to execute Supplemental Agreement No. 2 to the lease between the City of Little Rock and the U.S. Army Corps of Engineers regarding the leasing of land and water at Murray Lock and Dam, McClellan-Kerr Arkansas River Navigation System, in order to extend the lease for an additional five (5) years to end on December 23, 2039; and for other purposes. *Staff recommends approval.*

**Synopsis:** Approval of a resolution to authorize the Mayor and City Clerk to execute the Supplemental Agreement No. 2 to Lease No. DACW03-1-85-245 between the City and the U. S. Army Corps of Engineers for Public Park and Recreational Purposes regarding the leasing of land and water at Murray Lock and Dam, McClellan-Kerr Arkansas River Navigation System, in order to extend the Lease for an additional five (5) years to end on December 23, 2039.

**4. RESOLUTION NO. 13,948:** To authorize the City Manager to enter into a contract with Shields & Associates, Inc., in the amount of \$322,168.32 for the West 10<sup>th</sup> Street Improvements, Abigail Street to Washington Street, Project No. 13-B-2D; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax Funding) Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute an agreement with Shields & Associates, Inc., for the West 10<sup>th</sup> Street Improvements, Abigail Street - Washington Street. Project No. 13-B-2D, Bid No. 14-141.

**5. RESOLUTION NO. 13,949:** To authorize the City Manager to apply to the Arkansas Department of Parks & Tourism for a State Outdoor Grant for improvements at the Big Dam Bridge, located in Murray Park; and for other purposes. *Staff recommends approval.*

**Synopsis:** A resolution to authorize the City Manager to partner with the Big Dam Bridge Foundation to apply for a grant from Arkansas Department of Parks and Tourism to build a \$240,000 restroom facility at the foot of the Big Dam Bridge.

**6. RESOLUTION NO. 13,950:** To amend Little Rock, Ark., Resolution No. 13,883 (May 6, 2014) to increase the maximum expenditure for the repair of fire damage at the Jim Dailey Fitness and Aquatic Center to an amount not to exceed \$380,000.00; and for other purposes. *Staff recommends approval.*

**Synopsis:** A resolution to allow modify the maximum expenditure for repair of the Jim Dailey Fitness and Aquatic Center.

**8. RESOLUTION NO. 13,951:** To authorize the City Manager to enter into a contract with Dougan Asphalt Paving Company, Inc., in the amount of \$175,900.00 to contract a trail in War Memorial Park as part of the War Memorial Park Master Plan; and for other purposes. *Staff recommends approval.*

**Synopsis:** A resolution to authorize the City Manager to enter into a contract with Dougan Asphalt Paving Company, Inc., in the amount of \$175,900.00 to construct a trail in War Memorial Park.

**9. RESOLUTION NO. 13,952:** To authorize the City Manager to enter into a contract with Evo Business Environments, a State Contract Vendor, for the purchase of office furniture for the second floor of the 12<sup>th</sup> Street Station, in the total amount of \$119,389.77; and for other purposes. *Staff recommends approval.*

**Synopsis:** The Little Rock Police Department is requesting approval to purchase office furniture from EVO Business Environments, a State Contract Vendor, for office furniture for the second floor of the 12<sup>th</sup> Street Station.

**10. RESOLUTION NO. 13,953:** To authorize the City Manager to enter into a contract with Today's Office, a State Contract Vendor, for the purchase of office furniture for the second floor of the 12<sup>th</sup> Street Station, in the total amount of \$60,121.38; and for other purposes. *Staff recommends approval.*

**Synopsis:** The Little Rock Police Department is requesting approval to purchase office furniture from Today's Office, a State Contract Vendor, for office furniture, for the second floor of the 12<sup>th</sup> Street Station.

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.**

### **GROUPED ITEMS (Items 12 - 15)**

**12. ORDINANCE NO. 20,921:** To amend Chapter 36 of the Code of Ordinances of the City of Little Rock, Arkansas, to provide for modification of the definition of Manufactured Home; and for other purposes. *Staff recommends approval.*

**Synopsis:** In response to a request from the Board of Directors, Staff is bringing forward a proposed amendment to the current definition of "Manufactured Home" in the Zoning Ordinance to include modular homes.

**13. ORDINANCE NO. 20,922; LU14-01:** To amend the Land Use Plan in the area west of Interstate 430, north of Chenal Parkway/Kanis Road; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

**Synopsis:** A Land Use package of amendments in the area west of Interstate 430 and north of Chenal Parkway/Kanis Road to make the Plan more consistent with the likely future development pattern in the area.

**14. ORDINANCE NO. 20,923; Z-8952:** To approve a Planned Zoning Development and establish a Planned Office District titled Associates Physical Therapy and Pain Short-Form PD-O, located at 1601 Aldersgate 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 R-2, Single-Family, to PD-O, Planned Development – Office, to allow for the construction of a new 3,500 square-foot medical office for an outpatient physical therapy clinic.

**15. ORDINANCE NO. 20,924:** To amend Little Rock, Ark., Ordinance No. 20,829 (December 17, 2013), to adjust the Fiscal Year 2014 Budget Ordinance to reflect revenue and expenditure adjustments for the General Fund and Fleet Funds; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

**Synopsis:** Nine (9) adjustments need to be made to the 2014 Budget to adjust for changes in anticipated revenues and expenditures.

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 Richardson, 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 15 was approved.**

### **SEPARATE ITEMS (Items 16 - 17)**

Mayor Stodola stated that with Directors Fortson and Hurst absent, and due to the fact that her son-in-law worked for the law firm that represented several of the private clubs, Director Wyrick would have to recuse from the conversation and vote for Items 16 & 17, there would not be enough votes to suspend the rules and place the ordinances on second and/or third readings.

**16. ORDINANCE:** To amend Little Rock, Arkansas, Code of Ordinance to require certain security measures by private clubs that intend to stay open past certain hours; **to declare an emergency;** and for other purposes.

The ordinance was read the first time.

**17. ORDINANCE:** To amend Little Rock, Ark., Rev. Code §4-51 (1988) to set the hours of operation for private clubs; **to declare an emergency;** and for other purposes.

The ordinance was read the first time.

Due to the fact that discussion ensued, Director Wyrick left the Board Chambers.

Director Kumpuris stated that would like for the City Attorney, the City Manager and Directors Cazort & to determine if the two (2) separate ordinances could be made complementary.

Director Wyrick returned to the Board Chambers

### **PUBLIC HEARINGS (Items 18 – 20)**

**18. ORDINANCE NO. 20,925; G-23-449:** To abandon a twenty (20)-foot wide alley adjacent to Lots 11 and 12 and Lots 13 and 14, Block 16 of the Hicks Interurban Subdivision, in the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

**Synopsis:** The adjacent property owner proposes to abandon a twenty (20)-foot wide alley adjacent to Lots 11 and 12 and Lots 13 and 14 Block 16 of the Hicks Interurban Subdivision.

**19. ORDINANCE NO. 20,926; G-24-045:** To abandon a ten (10)-foot wide drainage and utility easement located on Lot 1 Love Addition and a fifteen (15)-foot utility easement located on Lot 1R Campbell Replat Number 2, in the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval. (Deferred from April 1, 2014)(Deferred from April 15, 2014)(Deferred from May 6, 2014)*

**Synopsis:** The request is to abandon a ten (10)-foot wide drainage and utility easement located on Lot 1 Love Addition and a fifteen (15)-foot utility easement located on Lot 1R Campbell Replat Number 2.

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 opened the public hearings and asked if there were individuals present that wished to speak for or against either items. There being none present, Mayor Stodola closed the public hearings.

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

**20. RESOLUTION NO. 13,954:** To approve the sources and uses of projected 2015 CDBG, HOME and HOPWA Funds for inclusion in the City's Annual Plan; and for other purposes. *Staff recommends approval.*

**Synopsis: Approval of the sources and uses of projected 2015 CDBG, HOME, and HOPWA Funds is required prior to completion of the City's Annual Plan, which must be submitted to HUD by November 15, 2014.**

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

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

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

## **DISCUSSION (Item 21)**

### **21. DISCUSSION:** Uber/Lyft

Mayor Stodola stated that he had been contacted by representatives from Uber and that they had forwarded him a report (which he distributed to the Board) that addressed several of the questions that the Board had voiced in the past regarding Uber/Lyft.

City Attorney Tom Carpenter stated that he had sent a letter to the Uber/Lyft representatives to inform them that the City had received information that they were going to begin operating within the City of Little Rock and that under the City's Transportation Ordinance, they were considered a transportation service. In addition, City Attorney Carpenter stated that due to the fact that they were considered a transportation service, there were certain requirements that had to be met, they would have to go through the application process and that they were not to do any business within the City until all requirements had been met. City Attorney Carpenter stated that the requirements included Dispatch Insurance, Hours of Operation, Scope of Operation,

Rates, etc. City Attorney Carpenter reported that to-date, he had not received a response from representatives of either Uber or Lyft. Mayor Stodola stated that he had visited with Uber representatives regarding the City's Transportation Ordinance and that they had indicated that they had worked with other municipalities and believed that there would need to be several amendments to the current ordinance. Director Hines stated that he would be in favor of making the necessary changes to the Transportation Code to allow Uber/Lyft to operate. In addition, Director Hines stated that he favored any needed changes that would make it easier for the current taxi cab service to operate within the City.

### **CITIZEN'S COMMUNICATION**

Mike Childers, 400 West Capitol Avenue: Motion to Rescind Murphy USA PD-C.  
Leola Sabb, 3315 Dr. Martin Luther King, Jr., Drive: Condemned House at 3309 Dr. Martin Luther King, Jr., Drive.

Director Richardson made the motion, seconded by Director Cazort, 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**