

**Little Rock Board of Directors Meeting
May 7, 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 Wright; and Mayor Stodola. Director Gene Fortson delivered the invocation, which was followed by the Pledge of Allegiance.

PRESENTATIONS

CAFR Award Presentation
City of Little Rock Departmental Employees of the Year Presentation
Neighborhood Leadership Institute Graduation

MODIFICATIONS

M-1 RESOLUTION: To authorize the City Manager to enter into a contract with River City Hydraulics, Inc., in the amount of \$132,067.80, for the purchase of one (1), thirteen (13) cubic-yard Diesel Refuse Truck, for the Parks and Recreation Department, utilizing the National Joint Power Alliance Contract; and for other purposes. *(Funding from the 2012 3/8-Cent Capital & 5/8-Cent Operational Improvements Sales Tax Funding) Staff recommends approval.*

Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with River City Hydraulics, Inc., in the amount of \$132,067.80 for the purchase of one (1), thirteen (13) cubic-yard Diesel Refuse Truck for the Parks and Recreation Department.

M-2 RESOLUTION: To authorize the Mayor and City Clerk to execute the appropriate documents to acquire residential property located at 5019 West 10th Street, for a purchase price of \$59,300.00, for use as park property in War Memorial Park; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution authorizing Mayor and City Clerk to execute the appropriate documents to acquire property at 5019 West 10th Street for use as park property in War Memorial Park.

M-3 RESOLUTION: To authorize the Mayor and City Clerk to execute the appropriate documents to acquire residential property located at 823 Van Buren Street, for a purchase price of \$59,300.00, for use as park property in War Memorial Park; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution authorizing Mayor and City Clerk to execute the appropriate documents to acquire property at 823 Van Buren Street for use as park property in War Memorial Park.

M-4 RESOLUTION: To authorize the lease of property owned by ACTS, Inc., located at 4200 John Barrow Road, Suites C and D, in the City of Little Rock, Arkansas, to provide an alert center for one (1)-year, with an option to renew the lease for one (1) additional year, for an annual rental fee of \$15,600.00; and for other purposes. *Staff recommends approval.*

Synopsis: The resolution would authorize the lease of property owned by ACTS, Inc., located at 4200 John Barrow Road, Suites C and D to continue providing an Alert Center for one (1)-year with option to renew the lease one time for an additional one (1)-year term.

M-5 RESOLUTION: To authorize the City Manager to renew the Annual Software Maintenance Agreement with Infor (US), Inc., formerly Lawson Software, Inc., in the amount of \$116,543.78; and for other purposes. *Staff recommends approval.*

Synopsis: The City adopted a sole-source ordinance (# 20,582) for a five (5)-year agreement for software maintenance services with Lawson Software, Inc., on May 1, 2012. Lawson's name changed to Infor (US), Inc. on July 1, 2012. The ordinance states that upon certification by the City Manager, the named company is the only one authorized to provide service pursuant to the Lawson (now Infor) software license, a resolution is sufficient for renewal of the Annual Maintenance Agreement. It is time to renew the annual agreement for maintenance of the City's accounting and human resources/payroll software in the amount of \$116,543.78.

M-6 RESOLUTION: To appoint the firm of Friday Eldredge & Clark, LLP, to serve as bond counsel for an issue of City of Little Rock Hotel and Restaurant Gross Receipts Tax Bonds; and for other purposes. *Staff recommends approval.*

Director Adcock made the motion, seconded by Director Cazort, to add Items M-1 – M-6 to the Consent Agenda. By unanimous voice vote of the Board Members present, **Items M-1 – M-6 were added to the Consent Agenda.**

WITHDRAWALS

9. ORDINANCE; Z-8829: To reclassify property located in the City of Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 6 ayes; 3 nays; 1 abstention; and 1 open position. Staff recommends denial.*

Synopsis: The owner of the 3.62-acre property located at 8220-8300 Cantrell Road is requesting that the zoning be reclassified from R-2, Single-Family District, to C-3, General Commercial District, and OS, Open Space District (with conditions).

10. ORDINANCE; LU13-03-01: To amend the Land Use Plan in the 8200 – 8300 block of Cantrell Road; and for other purposes. *Planning Commission: 6 ayes; 3 nays; 1 abstention; and 1 open position. Staff recommends denial.*

Synopsis: To approve Land Use Plan changes in the 8200-8300 block of Cantrell Road.

Vice Mayor Wright made the motion, seconded by Director Hines, to withdraw Item 10 from the agenda. By unanimous voice vote of the Board Members present, **Item 10 was withdrawn from the agenda.**

Director Hines stated that he would like to add to the agenda an override of the Mayor's veto of the Highway 300 project. City Attorney Tom Carpenter stated that the override would need to be made in the form of a motion and a second would be needed.

CONSENT AGENDA (Items 1 – 6 and Items M-1 – M-6)

1. RESOLUTION NO. 13,677: To authorize the Mayor to issue a letter of support to the Arkansas Department Finance Authority for HOME Funds, for the construction of ten (10) homes in the Greenwood Acres Subdivision, in the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the Mayor to sign a letter of support for the applicant to apply for HOME Funds from the Arkansas Development Finance Authority.

2. RESOLUTION NO. 13,678: To authorize the City Manager to enter into a lease agreement with Ben Nelson Golf and Utility Vehicles for the leasing of golf carts and related equipment for the period of one (1)-year, with an option to extend for two (2) additional years, in the amount of \$155,994.00, or a total of \$467,982.00 for the three (3)-year period; 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 additional years, with Ben Nelson Golf and Utility Vehicles in the amount of \$155,994.00 per year, totaling \$467,982.00 for three (3) years for ninety-five (95) electric golf carts, fifty-two (52) electric golf carts w/permanent built-in tow bars, fifteen (15) gas golf carts w/permanent built-in tow bars, six (6) gas utility carts, one (1) concession/refreshment utility cart and one (1) ball picker gas utility cart with a protective cage.

3. RESOLUTION NO. 13,679: To transfer Land Bank property to the Metropolitan Housing Alliance by Warranty Deed for Neighborhood Stabilization Program 2 development; to be used for Neighborhood Revitalization Programs; and for other purposes. *Staff recommends approval.*

Synopsis: In an effort to maximize the City's revitalization efforts, Staff would like to transfer the Land Bank property located at 1513 South Valmar Street to the Metropolitan Housing Alliance for NSP2 Development. **Property Details:** The parcel is a 6,440 square-foot vacant lot with no structure.

4. RESOLUTION NO. 13,680; Z-3689-K: To set May 21, 2013, as the date of public hearing on the petition to rescind the Planning Commission's denial of a Zoning Site Plan Review request to allow an increase in the student population from 600 to 800 students for LISA Academy Charter School, located at 21 and 23 Corporate Hill Drive in the City of Little Rock, Arkansas; and for other purposes.

5. RESOLUTION NO. 13,681; Z-8837: To set May 21, 2013, as the date of public hearing on the petition to rescind the Planning Commission's action in the denial of a request for a Conditional Use Permit to allow a food store under 5,000 square-feet with sales of beer, located at 314 East 6th Street in the City of Little Rock, Arkansas; and other purposes.

6. RESOLUTION NO. 13,682: To authorize the City Manager to enter into a contract with North Point Ford for the purchase of four (4) Ford Pick-Up Trucks, for use by the Parks and Recreation Department, in the total amount of \$69,923.00, utilizing the Arkansas State Purchasing Contract; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvements Sales Tax Funding)* *Staff recommends approval.*

Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with North Point Ford for the purchase of one (1) F-150 Pick-Up Truck at a price of \$17,717.00, and three (3) F-250 Pick-Up Trucks at a price of \$17,402.00 each, for a total amount of \$69,923.00, for the Parks & Recreation Department.

M-1 RESOLUTION NO. 13,683: To authorize the City Manager to enter into a contract with River City Hydraulics, Inc., in the amount of \$132,067.80, for the purchase of one (1), thirteen (13) cubic-yard Diesel Refuse Truck, for the Parks and Recreation Department, utilizing the National Joint Power Alliance Contact; and for other purposes. *(Funding from the 2012 3/8-Cent Capital & 5/8-Cent Operational Improvements Sales Tax Funding)*
Staff recommends approval.

Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with River City Hydraulics, Inc., in the amount of \$132,067.80 for the purchase of one (1), thirteen (13) cubic-yard Diesel Refuse Truck for the Parks and Recreation Department.

M-2 RESOLUTION NO. 13,684: To authorize the Mayor and City Clerk to execute the appropriate documents to acquire residential property located at 5019 West 10th Street, for a purchase price of \$59,300.00, for use as park property in War Memorial Park; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution authorizing Mayor and City Clerk to execute the appropriate documents to acquire property at 5019 West 10th Street for use as park property in War Memorial Park.

M-3 RESOLUTION NO. 13,685: To authorize the Mayor and City Clerk to execute the appropriate documents to acquire residential property located at 823 Van Buren Street, for a purchase price of \$59,300.00, for use as park property in War Memorial Park; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution authorizing Mayor and City Clerk to execute the appropriate documents to acquire property at 823 Van Buren Street for use as park property in War Memorial Park.

M-4 RESOLUTION NO. 13,686: To authorize the lease of property owned by ACTS, Inc., located at 4200 John Barrow Road, Suites C and D, in the City of Little Rock, Arkansas, to provide an alert center for one (1)-year, with an option to renew the lease for one (1) additional year, for an annual rental fee of \$15,600.00; and for other purposes. *Staff recommends approval.*

Synopsis: The resolution would authorize the lease of property owned by ACTS, Inc., located at 4200 John Barrow Road, Suites C and D to continue providing an Alert Center for one (1)-year with option to renew the lease one time for an additional one (1)-year term.

M-5 RESOLUTION NO. 13,687: To authorize the City Manager to renew the Annual Software Maintenance Agreement with Infor (US), Inc., formerly Lawson Software, Inc., in the amount of \$116,543.78; and for other purposes. *Staff recommends approval.*

Synopsis: The City adopted a sole-source ordinance (# 20,582) for a five (5)-year agreement for software maintenance services with Lawson Software, Inc., on May 1, 2012. Lawson's name changed to Infor (US), Inc. on July 1, 2012. The ordinance states that upon certification by the City Manager, the named company is the only one authorized to provide service pursuant to the Lawson (now Infor) software license, a resolution is sufficient for renewal of the Annual Maintenance Agreement. It is time to renew the annual agreement for maintenance of the City's accounting and human resources/payroll software in the amount of \$116,543.78.

M-6 RESOLUTION NO. 13,688: To appoint the firm of Friday Eldredge & Clark, LLP, to serve as bond counsel for an issue of City of Little Rock Hotel and Restaurant Gross Receipts Tax Bonds; and for other purposes. *Staff recommends approval.*

Director Adcock made the motion, seconded by Director Cazort, to approve the Consent Agenda. By voice vote of the Board Members present, with Director Wyrick voting in opposition to Item #1, **the Consent Agenda was approved.**

GROUPED ITEMS (Items 7 - 8)

Mayor Stodola stated that he had received cards from individuals that wanted to address the Board regarding Item 7; therefore, Item 7 should be read separately.

7. ORDINANCE NO. 20,717: To condemn certain structures in the City of Little Rock, Arkansas, as structural, fire and health hazards; providing for summary abatement procedures; to direct the City Manager 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: **The five (5) commercial structures have become run-down, dilapidated, unsightly, dangerous and detrimental to the public welfare of the citizens of the City of Little Rock.**

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

Lori McGhee: Stated that she represented Moses-Tucker Real Estate, the company that managed the property located at 1114 West Markham Street. Ms. McGhee stated that the owner lived out of state and due to the fact that the property was part of a trust, it took longer to obtain an approval of the bid to have the structure demolished. According to Ms. McGhee, the owner had approved the bid for demolition and was in the process of negotiating the contract language with the contractor.

Director Cazort asked how long it would take for the demolition to occur. Ms. McGhee stated that within the next fourteen (14) days, the structure would be removed. Mayor Stodola stated that the structure would remain on the demolition list and that staff would work with the owner to ensure that they were able to remove the structure before the City put the demolition contract out for bid.

Chris Locke, 2800 Cantrell Road: Stated that he represented Bancorp South and they had granted a loan for the property located at 1101 Jefferson Street to the Calvary Bread of Life Ministries and the contractor took a large portion of the money and left town. Mr. Locke stated that in 2010, that the bank had been put in the position of foreclosing on a church and had spent approximately \$50,000.00 to board and secure the property and make necessary improvements to the interior. Mr. Locke stated that the bank had received a contract to sell the property the previous day and that the buyer wanted to purchase the property as-is for use as a church. Mr. Locke stated that the contract was a thirty (30)-day all cash offer and he asked for an extension in order to give the buyer time to purchase the property and make the improvements.

Director Richardson stated that the property was located in the heart of the 12th Street revitalization efforts and in close proximity to the new 12th Street Station and Central Arkansas Library System's Children's Library. Director Richardson stated that for over five (5) years, the property had been an eyesore and that he was opposed to removing the structure from the condemnation ordinance.

Ms. Blood: Stated that she wanted to purchase the property for utilization as a church.

Director Cazort asked Ms. Blood if she had spoken with a contractor or engineer to determine the cost in rehabilitating the structure and to bring it up to code. Ms. Blood stated that she had obtained a contractor and had received an estimate. Ms. Blood stated that the contractor had estimated completion of the rehabilitation within seven (7) months, and that the structure would be up to code within four (4) months.

Director Hurst asked for a history of action regarding the property. Planning & Development Department Director Tony Bozynski stated that a Planned Commercial Development had been approved in 2004 to allow the church on the property to incorporate the corner lot to provide necessary parking and that the contractor began the work without pulling any of the required permits. Mr. Bozynski stated that in 2007, there was action taken to allow the church to amend their request to allow for the construction of a new building on the site. Mr. Bozynski stated that in 2012, an individual made application to utilize the property as office and storage space; however, it was deferred a number of times and finally withdrawn. Mr. Bozynski stated that the property did not have adequate parking and that in order for the property to be developed, the owner would have to negotiate a Cross Parking Agreement with the owner of the property located on the corner.

Director Cazort made the motion, seconded by Vice-Mayor Wright, that the property at 1101 Jefferson Street be deferred from the condemnation ordinance for a period of three (3) months, conditioned on the applicant providing staff with a rehabilitation plan, finance plan and parking plan and pulling the necessary permits within thirty (30) days.

Danny Lewis: Stated that he was assisting Ms. Blood and that his cousin, Carl Lewis, was the general contractor. Mr. Lewis stated that within ninety (90) days they could have a rough plan ready. Director Cazort stated that Ms. Blood had said she could have the property brought up to code within four (4) months and completed in seven (7) months.

Vice-Mayor Wright stated that she would like to remove her second. **The motion failed due to the lack of a second.**

Director Cazort made the motion, seconded by Director Richardson, to defer the property from the condemnation ordinance and that during the first thirty (30) days, the applicant must provide evidence of closing on the property, a rehabilitation plan, finance plan & parking plan and the property must be brought to code within 120 days of closing.

Carl Lewis: Stated that he was the contractor and that he had estimated that it would cost \$120,000.00 to rehabilitate the building. Mr. Lewis stated that he would like to start on the outside of the building to make it pleasing to the eye and then work on the inside of the structure to bring it up to code.

Planning & Development Building Codes Manager Chuck Givens stated that he had been inside the building several times and that there were several structural issues associated with the building. Mr. Givens stated that it was his opinion that the work

needed to begin on the inside to make the building structurally sound before the outside work was started.

By voice vote of the Board Members present, with Director Adcock voting in opposition, **the motion was approved.**

Director Cazort called the question on the vote on the ordinance.

By unanimous voice vote of the Board Members present, **the ordinance as amended was approved.** By unanimous voice vote of the Board Members present, **the emergency clause was approved.**

Director Hendrix stated that she had wanted to be recognized to speak regarding the property located at 1801 Wright Avenue. Director Hendrix stated that she had spoken with the owner and he wanted additional time to rehabilitate the building. Mayor Stodola stated that the ordinance had already been voted on and she would have to make a motion to reconsider and expunge the vote in order to discuss the property.

Director Hendrix made the motion, seconded by Director Kumpuris, to reconsider the ordinance. By voice vote of the Board Members present with Vice-Mayor Wright and Directors Adcock and Wyrick voting in opposition, **the motion to reconsider the ordinance was approved.**

Director Hendrix asked that the Board grant the owner additional time to complete the rehabilitation work.

Micah Jackson, 1717 North Mississippi Avenue: Apologized for not previously submitting a card to address the Board. Mr. Jackson stated that he represented Highland Baptist Church, which owned the property located at 1717 North Mississippi Avenue and that they took responsibility for the appearance of the building. Mr. Jackson stated that over that past several years, they had entered into contracts with two (2) other churches to purchase the property; however, negotiations had all fallen through. Mr. Jackson stated the church was working aggressively with The Hathaway Group to attempt to sell the property and asked that the Board grant them at least ninety (90) days to market and sell the property.

Mr. Bozynski stated that the structure had been damaged by a tornado and that two (2) permits had been pulled for work on the property; however, no progress had been made. Mr. Bozynski stated that over the past few years, several church congregations had utilized the property and the agreement was that those congregations would be responsible for making the improvements; however, none had been made. Mr. Bozynski reported that the property had been in Environmental Court for the past six (6) months; however, it had been dismissed so that staff could move forward with condemnation. Mr. Givens stated that the building was structurally sound and had continued to deteriorate.

Director Hendrix made the motion, seconded by Director Richardson, to defer the property located at 1801 Wright Avenue for thirty (30) days. By voice of the Board

Members present, with Directors Hurst, Hines, Cazort, Wyrick, Kumpuris, Fortson, and Adcock and Vice-Mayor Wright voting in opposition, **the motion failed.**

Director Kumpuris made the motion, seconded by Vice-Mayor Wright, to grant the church a ninety (90)-day extension to sell the property, subject to the new owner agreeing to rehabilitate the property.

Director Cazort stated that the discussion had only occurred regarding the selling of the property; not the rehabilitation. Director Cazort stated that even if the property were sold within ninety (90) days, the new owner would have to develop a rehabilitation plan.

Director Kumpuris amended his motion to include the provision that the new owner must submit a rehabilitation plan and have the property brought up to code within six (6) months from the date of sale.

By roll call vote, the vote was as follows: Ayes: Richardson; Hurst; Hines; Wyrick; Kumpuris; Fortson; Adcock and Vice Mayor Wright. Nays: Hendrix and Cazort. By a vote eight (8) ayes and two (2) nays, **the motion was approved.**

Director Richardson made the motion, seconded by Director Hendrix, to reconsider the vote on 1801 Wright Avenue to grant and extension of thirty (30) days to secure the building and to submit a rehabilitation plan. By voice vote of the Board Members present, with Directors Cazort and Wyrick voting in opposition, **the motion was approved.**

Director Cazort called the question on the vote. By unanimous voice vote of the Board Members present, **the question to vote was called.** By unanimous voice vote of the Board Members present, **the ordinance as amended was approved.** By unanimous voice vote of the Board Members present, **the emergency clause was approved.**

Director Hines made the motion, seconded by Director Cazort, for the Board to recess into Executive Session for the purpose of appointments. By unanimous voice vote of the Board Members present, **the Board recessed into Executive Session.**

RESOLUTION NO. 13,689: To make appointments to the Little Rock Civil Service Commission; and for other purposes. *Staff recommends approval.*

Synopsis: Appointment of James Hudson to serve his first six (6)-year, said term to expire on April 1, 2019. Appointment of Paula Gray Stitz to serve her first six (6)-year term, said term to expires on April 1, 2019.

Director Cazort made the motion, seconded by Director Richardson, to appoint James Hudson to serve his first six (6)-year term, said term to expire on April 1, 2013, and to appoint Paula Gray Stitz to serve her first six (6)-year term, said term to expire on April 1, 2019. By unanimous voice vote of the Board Members present, **the appointments were approved.**

8. ORDINANCE NO. 20,718: To dispense with the requirement of competitive bidding and to authorize the City Manager to enter into a contract in the amount of \$80,500.00, with Remotec, Inc., as the sole source provider for the purchase of equipment to be used in connection with the bomb response robots currently in use by the Little Rock Fire Department Bomb Squad and manufactured by Remotec, Inc.; and for other purposes. *Staff recommends approval.*

Synopsis: The Little Rock City Manager's Office/Emergency Management Division and the Little Rock Fire Department Bomb Squad is committed to improving bomb response and explosive device disposal (EOD) throughout the City. In order to accomplish this goal, the City Manager's Office/Emergency Management Division proposes the purchase of the following items: one (1) robot puncture tool with camera; one (1) digital hybrid radio controller assembly; and one (1) Powerhawk cutting assembly in the amount of \$80,500.00 from Remotec, Inc. Remotec, Inc., is the manufacturer of the bomb response robots currently in use by the Little Rock Fire Department Bomb Squad and therefore a sole source purchase.

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

SEPARATE ITEMS (Items 11 - 12)

11. ORDINANCE; LU13-18-02: To amend the Land Use Plan on the east side of Hugh Taylor Road along Lawson Road; and for other purposes. *Staff recommends approval. Planning Commission: 10 ayes; 0 nays; and 1 open position.*

Synopsis: To approve Land Use Plan changes on the east side of Hugh Taylor Road along Lawson Road.

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

Elaine Burks, 76 Plantation Acres Drive: Stated that she lived in Plantation Acres and she urged the Board to reconsider amending the Land Use Plan in this area. Ms. Burks stated that the several developments had occurred in the area, which had increased traffic, and that in two (2) weeks a zoning request was going to be heard at the Planning Commission for an asphalt plant. Ms. Burks asked the Board to reconsider amending the Land Use Plan.

Mr. Bozynski stated that there was a Planned Development application (asphalt plant) that had been filed and would be heard before the Planning Commission on May 30,

2013. Mr. Bozynski stated that staff had just began their review of the application and had not completed their analysis.

Director Adcock made the motion, seconded by Director Wyrick, to defer the item until the application for the Planned Development appeared before the Planning Commission on May 30, 2013, so that the Board could deal with the area as a whole.

Vice-Mayor Wright stated that she understood that the traffic in the area was congested; however, she had an issue with telling a property owner how they could utilize their property based on traffic and the condition of the road.

Director Hines asked if the Board should be discussing an item that might potentially be before the Planning Commission and was it relevant to the discussion regarding the Land Use Plan item that was on the agenda. City Attorney Tom Carpenter stated that the whole concept of planning and zoning was to do what was in the best interest of the City to make the various uses compatible. In that instance, the Board had been made aware of a situation that could have an even greater impact and the motion was to delay for a relatively short period of time so that it all could be considered at the same time. City Attorney Carpenter stated that he did not think it would be improper; however, he cautioned the Board that he didn't think it was appropriate that every time a zoning question was made to look for everything that may be filled with the Planning Commission in the future. Director Hines stated that it was his understanding that when extraterritorial areas were brought into the City, there were brought in as R-2, Single-Family, unless it was already zoned otherwise. City Attorney Carpenter stated that his understanding was correct.

By voice vote of the Board Members present, with Directors Hendrix and Richardson, and Vice-Mayor Wright voting in opposition, **the motion was approved.**

12. ORDINANCE; Z-8846: To reclassify property located in the City of 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 open position. Staff recommends approval.*

Synopsis: The owner of the 18.85-acre property located approximately 1,000 feet north of Lawson Road and 1,600 feet east of Hugh Taylor Road is requesting that the zoning be reclassified from R-2, Single-Family District, to M, Mining District.

Director Adcock made the motion, seconded by Director Wyrick, to defer the item until the application for the asphalt mine appeared before the Planning Commission on May 30, 2013. By voice vote of the Board Members present, with Directors Hendrix and Richardson, and Vice-Mayor Wright voting in opposition, **the motion was approved.**

Director Hines Motion to Override the Mayor's Veto:

Director Hines made the motion, seconded by Vice-Mayor Wright, to overturn the Mayor's veto of the Highway 300 issue from the April 16, 2013, Board of Directors Meeting.

Director Hines stated he disagreed with the Mayor's veto and would like to put it to a vote before the Board. Director Richardson stated that staff had recommended denial

and asked if their position had changed. City Manager Bruce Moore stated that staff's recommendation had not changed. Mayor Stodola stated that the original Board vote that approved the application was divided and his decision to veto was not about the future use of the project, it was about the fact that he felt that a C-4, Open Display Commercial District, designation for a storage unit was an inappropriate use for the area in that there was a residential area located across the street.

By roll call vote, the vote was as follows: Ayes: Cazort; Hines; Wyrick; Kumpuris; Adcock; and Vice-Mayor Wright. Nays: Richardson; Hurst; and Fortson. Present: Hendrix. When asked if she would like to change her vote, Director Hendrix responded that she would like to change her vote to Nay. By a vote six (6) ayes and four (4) nays, **the motion failed due to the fact that a veto override took a 2/3's vote of the Board, which would be eight (8) Aye votes.**

CITIZEN'S COMMUNICATION

Ruth Presley, 11806 Garrison Road: Highway 300

Ester Jackson, 1203 Liberty Drive, Jacksonville, AR: Renovation of Building. Stated that his property at 10500 Chicot Road had been condemned and had received the notice after the Board action. Mr. Jackson asked that the Board grant him 120 days to bring the property up to code. Mr. Bozynski stated that the Board condemned the property at the February 16, 2013, meeting. Mr. Bozynski stated that Mr. Jackson had received the initial notice; however, due to the fact that his mailbox was stolen and the post office was holding his mail, he did not receive the condemnation notice. Mr. Bozynski stated that once staff was made aware, they told him that he would need to address the Board during Citizen Communication to ask for a deferral. City Attorney Carpenter stated that a motion to expunge a previous vote could occur at any time, provided that there had not been a change in circumstances. Director Cazort made the motion, seconded by Director Adcock, that staff provide an overview of the property so that the Board could consider a motion to expunge the vote at the May 21, 2013, meeting. By unanimous voice vote of the Board Members present, **the motion was approved.**

Darrell Baker, 15 Sologne Circle: Highway 300

Director Cazort made the motion, seconded by Director Richardson, 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