

**Little Rock Board of Directors Meeting
July 16, 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; Hines; Wyrick; Fortson; Adcock; Vice-Mayor Wright; and Mayor Stodola. Directors Absent: Cazort and Kumpuris. Director Ken Richardson delivered the invocation, which was followed by the Pledge of Allegiance.

Mayor Stodola recognized Thomas Chandler from Boy Scout Pack 55 who was present in the audience working on his Communications Merit Badge.

ADDITIONS:

M-1 RESOLUTION: To amend Little Rock, AR., Resolution No. 10,677 (October 26, 1999) to authorize the Mayor and City Clerk to execute an addendum for the lease term of The First Tee Golf Course for another fifteen (15) years; and for other purposes. *Staff recommends approval.*

Synopsis: This resolution allows a fifteen (15)-year addendum to the current lease agreement for the Little Rock First Tee.

M-2 ORDINANCE: To grant a franchise to occupy public rights-of-way and provide telecommunications and data services by and for PerfectVision Manufacturing, Inc.; to set forth the terms and conditions for the use and rental of such right-of-way; and for other purposes. *Staff recommends approval.*

Synopsis: The ordinance authorizes a franchise for PerfectVision Manufacturing, Inc., to use public rights-of-way to install fiber optics to link its facilities.

Director Adcock made the motion, seconded by Director Hines, to add Item M-1 to the Consent Agenda and Item M-2 to the Grouped Items. By unanimous voice vote of the Board Members present, **Items M-1 was added to the Consent Agenda and Item M-2 was added to the Grouped Items.**

CONSENT AGENDA (Items 1 – 10 and M-1)

1. RESOLUTION NO. 13,731: To award a contract to Cromwell Architects Engineers, Inc., for an Architectural Services Contract for the City of Little Rock; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to enter into a contract with Cromwell Architects Engineers, Inc., to perform architectural/engineering work on an as-needed basis. Most projects will be small in nature and will be performed on a predetermined hourly basis for a one (1)-year period of time with the option for two (2), one (1)-year extensions.

2. RESOLUTION NO. 13,732: To award a contract for fifteen (15) Traffic Signal Video Detection Systems needed for the 2013 Asphalt Resurfacing Program; 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 Econolite, Inc., for fifteen (15) Traffic Signal Video Detection Systems, Bid No. 2013-130.

3. RESOLUTION NO. 13,733: To authorize the City Manager to approve a one (1)-year extension of the Annual Software Maintenance Agreement with IBM, in the amount of \$147,888.00; and for other purposes. *Staff recommends approval.*

Synopsis: This resolution authorizes an additional year of software maintenance services for the City of Little Rock IBM mainframe computer pursuant to sole-source Ordinance No. 20,220 (February 16, 2010).

4. RESOLUTION NO. 13,734: To authorize the City Manager to enter into a contract with EVS Midsouth for the purchase of firefighting protective coats and pants for the Little Rock Fire Department; and for other purposes. *Staff recommends approval*

Synopsis: Authorizes the City Manager to enter into a contact with EVS Midsouth for the purchase of firefighting protective coats and pants for the Little Rock Fire Department.

5. RESOLUTION NO. 13,735: To certify Local Government Endorsement of Fidelity National Information Services, Inc., located at 4001 North Rodney Parham Road, #3, Little Rock, Arkansas, to participate in the Arkansas Tax Back Program (as authorized by Section 15-4-2706(D) of the Consolidated Incentive Act of 2003); and for other purposes. *Staff recommends approval.*

6. RESOLUTION NO. 13,736: To authorize the City Manager to enter into a contract with Stryker Medical in the amount of \$98,640.00, for the purchase of eight (8) Power Ambulance Cots for use by Metropolitan Emergency Medical Services; and for other purposes. *Staff recommends approval.*

Synopsis: The Little Rock City Manager's Office/Emergency Management Division is committed to improving emergency medical response throughout the City. In order to accomplish this goal, the City Manager's Office/Emergency Management Division proposes the purchase of eight (8) powered ambulance cots for use by Metropolitan Emergency Medical Services. This equipment is being purchased in accordance with Bid #13131.

7. RESOLUTION NO. 13,737: To authorize the City Manager to enter into an agreement with the Arkansas State Highway and Transportation Department to incorporate lighting into the plans for Job 061277, Union Pacific Railroad Structures & Approaches (Roosevelt Road); and for other purposes. *Staff recommends approval.*

Synopsis: The resolution authorizes the City Manager to enter into an agreement with Arkansas State Highway and Transportation Department (AHTD) to install lighting on the new Roosevelt Road (Highway 70) Bridge.

8. RESOLUTION NO. 13,738: To authorize the City Manager to enter into a Volume Discount Agreement with Waste Management of Arkansas for disposal of Class I and Class IV solid waste; and for other purposes. *Staff recommends approval.*

Synopsis: The resolution authorizes the City Manager to enter into a volume discount agreement with Waste Management of Arkansas for disposal of Class I and Class IV solid waste into the City's landfill.

9. RESOLUTION NO. 13,739: To authorize the City Manager to enter into a Volume Discount Agreement with Waste Corporation of Arkansas for disposal of Class I and Class IV solid waste; and for other purposes. *Staff recommends approval.*

Synopsis: The resolution authorizes the City Manager to enter into a volume discount agreement with Waste Corporation of Arkansas for disposal of Class I and Class IV solid waste into the City's landfill.

10. RESOLUTION NO. 13,740: To certify various liens to the Pulaski County Treasurer's Office for inclusion in the appropriate annual tax bill; and for other purposes. *Staff recommends approval.*

Synopsis: On occasion, the City attaches liens for work it performs on private property. This lien information must then be compiled and sent to the Pulaski County Treasurer's office for inclusion in the annual owner's tax bill. This is an effort to recoup some of the costs for that work which the City performs. The City is seeking to certify 178 liens for a total amount of \$37,423.65.

M-1 RESOLUTION NO. 13,741: To amend Little Rock, AR., Resolution No. 10,677 (October 26, 1999) to authorize the Mayor and City Clerk to execute an addendum for the lease term of The First Tee Golf Course for another fifteen (15) years; and for other purposes. *Staff recommends approval.*

Synopsis: This resolution allows a fifteen (15)-year addendum to the current lease agreement for the Little Rock First Tee.

Director Richardson asked for an update regarding the lien certifications. Housing & Neighborhood Programs Department Assistant Director Victor Turner stated that Item 10 included liens that were those placed on property primarily for cutting and cleaning. Mr. Turner stated that staff had followed all the Statutes by allowing the individuals to pay outstanding liens and the remaining unpaid liens were being certified to the Pulaski County Treasurer's Office. Director Adcock stated that a number of the liens on the list were for Little Rock Homes. Housing & Neighborhood Programs Department Legal Services Administrator Shawn Overton stated that Little Rock Homes owned a number of properties and that they purchased homes from the Land Commissioner. Mr. Overton stated that they had contacted the owner of the company to work with them; however, they continued to have a number a liens on the list. Mr. Overton stated that the Land Bank Commission had reviewed each of the properties to determine if any of the properties were appropriate for the redevelopment efforts.

City Attorney Carpenter stated that under the Statute, anyone that wanted to challenge the amount of the lien was allowed to do so at the meeting and if there had been no cards received, the Mayor would need to state that fact for the record. Mayor Stodola stated that he had only received one (1) card from an individual that wanted to speak regarding Item 10.

Luke Skrable: Stated that he had questions concerning the records regarding the liens.

Mayor Stodola stated that if he had question regarding other properties that had liens attached and the status of those liens, he would need to visit with City Staff.

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.**

GROUPED ITEMS (Items 11 – 13 and M-2)

11. ORDINANCE NO. 20,748: To grant a franchise to occupy public rights-of-way and provide telecommunications services by Unite Private Networks, LLC; to set forth the terms and conditions for the use and rental of such rights-of-way; and for other purposes. *Staff recommends approval. (First & Second Reading held on July 9, 2013).*

Synopsis: The ordinance authorizes a franchise for Unite Private Networks, LLC, to use public rights-of-way to install fiber optics to link various schools in the Little Rock School District.

12. ORDINANCE NO. 20,749; Z-5803-B: To approve a Planned Zoning Development and establish a Planned Commercial District titled Mini of Little Rock Short-Form PCD, located at 12601 West Markham Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 8 ayes; 0 nays; 2 absent and 1 open position. Staff recommends approval.*

Synopsis: The request is to amend the previously-approved PCD, Planned Commercial Development, to add a carwash to the site plan.

13. ORDINANCE NO. 20,750; Z-8860: To approve a Planned Zoning Development and establish a Planned Office District titled Hansen Short-Form PD-O, located at 400 North Van Buren Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 8 ayes; 0 nays; 2 absent and 1 open position. Staff recommends approval.*

Synopsis: The applicant is requesting rezoning of the existing non-residential structure located on this site from non-conforming R-3, Single-Family, to PD-O, Planned Development - Office.

M-2 ORDINANCE NO. 20,752: To grant a franchise to occupy public rights-of-way and provide telecommunications and data services by and for PerfectVision Manufacturing, Inc.; to set forth the terms and conditions for the use and rental of such right-of-way; and for other purposes. *Staff recommends approval.*

Synopsis: The ordinance authorizes a franchise for PerfectVision Manufacturing, Inc., to use public rights-of-way to install fiber optics to link its facilities.

The ordinances were read a first time. Director Adcock made the motion, seconded by Director Richardson, 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, along with Item 11, on third reading. By unanimous voice vote of the Board Members present, the rules were suspended and the ordinances, along with Item 11, were read a third time. By unanimous voice vote of the Board Members present, **the ordinance were approved.**

SEPARATE ITEMS (Item 14 - 17)

14. ORDINANCE NO. 20,753; Z-8851: To approve a Planned Zoning Development and establish a Planned Commercial District titled Pleasant Ridge Lot 3C Short-Form PCD, located at 11701 Pleasant Ridge Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 8 ayes; 0 nays; 2 absent and 1 open position. Staff recommends denial.*

Synopsis: The developer is proposing a rezoning from O-3, General Office District, to PCD, Planned Commercial District, to allow for the construction of a four (4)-story hotel with 130 guest rooms.

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 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.

Lucas Hargraves: Stated that he represented the applicant and that they had met with the majority of the residents that lived in the area and that they were supportive of the proposed project. Mr. Hargraves stated that only recently had they been made aware of opposition from the Pleasant Forest Property Owner's Association and that they had attempted to visit with them to address their concerns.

Director Adcock stated that the majority of complaints she had received was in regards to the fact that the brand name of the hotel had not been released. Mr. Hargraves stated that the applicant was currently visiting with representatives from the Hilton, Marriott and Starwood hotel chains and hoped to have a contract soon. Director Adcock asked if it was normal for a hotel to not be named before the development was approved. Mr. Hargraves stated that hotel chains preferred to have the appropriate zoning in place before an agreement was formalized.

Ruth Bell, 7611 Briarwood Drive: Stated that she represented the League of Women Voters from Pulaski County and they were opposed to the rezoning. Ms. Bell stated that the traffic was already bad in the area and by adding additional vehicles, it would only get worse.

Dana Kovaleski, 12212 Pleasant Forest Drive: Stated that she was the President of the Pleasant Forest Property Owner's Association and that they were opposed to the rezoning. Ms. Kovaleski stated that for years, Pleasant Forest Drive, the main thoroughfare for the neighborhood, ended at the intersection with Sam Peck Road; however, several years ago, the street was extended west to intersect with Hinson Road. Ms. Kovaleski stated that as a result of the extension, there had been a tremendous increase in traffic and the recent traffic counts estimated approximately 4,300 vehicles per day. Ms. Kovaleski stated that the goal was to keep the neighborhoods and property safe and protect the integrity of the property values.

Roy Rodgers, 12219 Pleasant Forest Drive: Stated that he lived in the Pleasant Forest Neighborhood and he was opposed to the rezoning. Mr. Rodgers stated that traffic was already terrible and the addition of a hotel with a restaurant/lounge would make it even more intolerable.

Craig Williams, 11902 Pleasant Forest Drive: Stated that he lived in the Pleasant Forest Neighborhood and the statement had been made by the applicant at the Planning Commission Hearing that the Logue property, which was adjacent to the property in question, had a higher value and better use and that someone would come along a develop that property at a later date. Mr. Williams stated that the Logue property provided a transition buffer the same as Office zoning provided; however, if the Logue property was ever sold and rezoned commercial, it would bring the higher density

development into the neighborhood. Mr. Williams asked that the Board deny the rezoning request.

Scott Schallhorn, 425 West Capitol Avenue: Stated that he represented the Logue Family, whose property was adjacent to the property being considered for rezoning. Mr. Schallhorn stated that a commercial development was not compatible with the residential uses that were currently in place. Mr. Schallhorn stated that currently there were single-family homes and four (4) apartment complexes along Pleasant Ridge Road and that the traffic was already intense. Mr. Schallhorn stated that light and noise pollution from a commercial development would affect the Logue property more so than an office development.

Keith Wingfield, 3000 Montrose Drive: Stated that he represented Christ the King Catholic Church and that they were in support of the development.

Mr. Hargraves stated that he understood that traffic was the main concern and that the applicant had retained Ernie Peters to conduct a traffic study in the area. Mr. Hargraves stated that according to the traffic study, an office building would generate 213 vehicles per day during AM and PM peak hours; however, the hotel development was estimated to generate 101 vehicles per day in the AM and PM peak hours.

Vice-Mayor Wright asked why staff recommended denial of the rezoning request. Planning & Development Director Tony Bozynski stated that the proposal was an intense commercial development and staff felt that the Land Use Plan needed to be maintained and the property remain zoned as O-3, Office. Mr. Bozynski stated that the current zoning provided a good transition from the commercial development to the east to the residential properties located to the west and south of the proposed site.

By unanimous voice vote of the Board of Directors, **the ordinance was approved.**

15. RESOLUTION NO. 13,742: To authorize an agreement with the Arkansas State Highway and Transportation Department for grant match funding of the Main Street Overlay Project; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with Arkansas State Highway and Transportation Department for matching of funding through the State Aid for Cities program to asphalt resurface Main Street from Interstate 630 to Roosevelt Road. Total project cost is estimated at \$460,000.00.

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

Director Hendrix stated she was notified of the project and that she did not feel that the public meetings that were held was all encompassing of the residents that lived in the surrounding neighborhoods. Director Hendrix stated that she would like to see the item deferred to the first meeting in August and wanted the bike lane to be from Interstate 630 to 17th Street and not to Roosevelt Road.

Director Hendrix made the motion, seconded by Vice-Mayor Wright, to defer the item until the August 6, 2013, Board of Directors Meeting.

Vice-Mayor Wright asked why Director Hendrix was not notified. City Manager Bruce Moore stated there had been three (3) public meetings held and asked staff to describe

the process that was utilized for the application process. Public Works Department Interim Director Jon Honeywell stated that several months prior, a demonstration project had occurred on Main Street for one (1)-week from 12th Street to 15th Street to emulate a 'road diet' and show how the traffic flow would be affected with the addition of bicycle lanes. Mr. Honeywell stated that the Arkansas Highway and Transportation Department (AHTD) had started a program called State Aid for Cities, which was a portion of the recent ½-cent sales tax increase for highway funding that had passed earlier in the year. Mr. Honeywell reported that the City had submitted an application and was approved for a grant to overlay Main Street from Interstate 630 to Roosevelt Road. Mr. Honeywell stated that as a result of the overlay project, the road would have to re-striped and based on the results and feedback of the demonstration project, the information regarding the 'road diet' was included as part of the proposal to AHTD. Mr. Honeywell stated that the proposal was to take the existing four (4)-lane road with parallel parking on both sides and make the conversion to a three (3)-lane road with a continuous center-turn lane, bike lanes and continued parallel parking. Mr. Honeywell stated that the purpose of the 'road diet' was traffic calming in the area so slow down the traffic and increased pedestrian and bicycle traffic. Mr. Honeywell stated that three (3) public meetings were held at the following locations: May 9, 2013, at 3:30 PM at Studio Main; May 9, 2013, at 6:30 PM at the Rufus K. Young Christian Church; and June 20, 2013, at the Rufus K. Young Christian Church. Mr. Honeywell stated that all three (3) meeting were well attended and that staff had only received two (2) negative comments on the cards that were turned in at the meetings.

Director Richardson asked if the project was time-sensitive. Mr. Honeywell stated that AHTD currently had the project scheduled and that once the bids had been let, the proposals would be open on September 11, 2013. City Manager Moore stated that staff was given parameters regarding AHTD's program and they had looked a several potential projects throughout the City. City Manager Moore stated that AHTD wanted projects they could go to bid fairly quickly and because the demonstration project had received such positive feedback, staff felt like it was a project that was ready to go. City Manager Moore stated that there had been no guarantee that the funding would be received and that various grants throughout the City were applied for on a regular basis with no idea if they would be awarded or not. Director Hurst stated that she was not in support of a deferral based on the fact that as a Board Member, she had been aware of the project and that there had been adequate discussion held.

Director Richardson made the motion, seconded by Director Hurst, to call the question on the vote regarding the motion to defer Item 15 for two (2) weeks. By voice vote of the Board Members present, with Director Hendrix voting in opposition, **the question to vote was called.**

By roll call vote, the vote to defer Item 15 for two (2) weeks was as follows: Ayes: Hendrix. Nays: Richardson; Hurst; Hines; Wyrick; Fortson; Adcock; and Vice-Mayor Wright. Absent: Cazort and Kumpuris. By a vote of one (1) aye, seven (7) nays and two (2) absent, **the motion failed.**

Tom Davis, 2310 South Main Street: Stated that he lived on Main Street and that he didn't object to bicycle lanes; however, he did not want them located in front of his property.

Warwick Sabin, P.O. Box 250508: Stated that he had business located on Main Street and was in support of resurfacing of the street. Mr. Sabin stated that when the demonstration was held, there was a tremendous decrease in the speed of traffic.

Shelley Green, 1423 Main Street: Stated that she had a business located on Main Street and had participated in the demonstration that was held. Ms. Green stated that she was in support of the project and for making the area safer for pedestrians and bicyclists.

Andrea Ingalsbe, 2224 Main Street: Stated that she felt that the current traffic speeds on Main Street were dangerous and was in support of making the area safer.

Ed Sergeant, 1858 South Arch Street: Stated that he had participated in the demonstration and had met with all the businesses and neighborhood associations in the area to address any concerns that anyone may have had regarding the project.

Rachel Walsh: Stated that she lived in the neighborhood and that she was in support of the project.

Hillis Schild, 1222 Center Street: Stated that she represented the Southside Main Street Project and that they had reached out to many residents and businesses in the area to garner support, answer questions and address concerns.

Chris East, 315 Rock Street: Stated that he had lived in the area for four (4) years and had a business located on Main Street. Mr. East stated that he had organized the demonstration and was in support of the overall project.

J. Denham Turner, 3709 West 8th Street: Stated that she was in support of the project and asked the Board for their support.

Ken Gould, 11140 Rivercrest Drive: Stated that he was in support of the project and asked that the Board for their support. Mr. Gould stated that he did not think that the project would increase the number of bicycles in the area; however, it would make it safer for those bicyclist that already utilized the area.

Director Adcock made the motion, seconded by Director Richardson, for the Board to take a fifteen (15)-minute recess. By unanimous voice vote of the Board Members present, **the Board took a fifteen (15)-minute recess.**

Director Hendrix made the motion, seconded by Director Fortson, to call the question on the vote.

Mayor Stodola stated that before he asked for the vote to call the question, he wanted to acknowledge the following individuals that had filled out cards to speak in support of the project:

Tim McKuin, 1423 South Summit Street
Judy Lansk, 11140 Rivercrest Drive
Ron Hughes, 4 Ken Circle
Carol Worley, 1300 West 3rd Street
Tyler Morgan, 301 East 19th Street
Vincent Ferguson, 411 West 16th Street
Vaness McKuin, 1423 South Summit Street
Jack Sundell, 1500 Main Street
Bud Larmer, 13320 Beckenham Driver
Tony Curtis, 1221 South Louisiana Street
Sally Mengel, 1614 Cumberland Street

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 resolution was approved.**

16. ORDINANCE NO. 20,751: To condemn certain structures 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 structures; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

Synopsis: To condemn a commercial structure located at 1101 Jefferson Street due to the fact that certain actions did not occur within specified time frames per the Board of Directors.

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 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 of Directors, **the ordinance was approved.** By unanimous voice vote of the Board of Directors, **the emergency clause was approved.**

CITIZEN'S COMMUNICATION

Rachel Walsh, 1811 Louisiana Street: Bike Lanes

Michael Peoples, 3804 West 22nd Street: Codes

Luke Skrable: CC Format

Director Richardson made the motion, seconded by Director Adcock, 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