

**Little Rock Board of Directors Meeting  
December 1, 2020  
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a regular meeting with Mayor Frank Scott, Jr., presiding. City Clerk Susan Langley called the roll with the following Directors present: Hendrix (via WebEx Teleconferencing); Richardson; Webb (via WebEx Teleconferencing); Peck (enrolled at 6:45 PM via WebEx Teleconferencing); Hines; Wright; Kumpuris; Fortson (via WebEx Teleconferencing); Adcock; Vice-Mayor Wyrick; and Mayor Scott. Director Kathy Webb delivered the invocation followed by the Pledge of Allegiance.

**PRESENTATIONS**

ROCK Academy Graduates

**CONSENT AGENDA (Items 1 – 11)**

**1. RESOLUTION NO. 15,357:** To set December 15, 2020, as the date of public hearing to establish and layoff Little Rock, Arkansas, Municipal Property Owners' Multipurpose Improvement District No. 2020-002 (Bear Den Mountain Project); and for other purposes.

**2. RESOLUTION NO. 15,358:** To approve one (1) Operator Permit and seventy-five (75) Taxicab Permits for Greater Little Rock Transportation, LLC, for the period of January 1, 2021, to December 31, 2021; and for other purposes. *Staff recommends approval.*

**Synopsis:** Approval of a resolution authorizing one (1) Operator Permit and seventy-five (75) Taxicab Permits for Greater Little Rock Transportation Service, LLC.

**3. RESOLUTION NO. 15,359:** To transfer title of the properties located at 3515 West 11<sup>th</sup> Street, 3519 West 11<sup>th</sup> Street and 3911 West 11<sup>th</sup> Street, from the City of Little Rock, Arkansas, to Myron R. Jackson, to be used for Neighborhood Revitalization Programs; and for other purposes. *(Land Bank Commission: 5 ayes, 0 nays and 3 absent) Staff recommends approval.*

**Synopsis:** In an effort by the land bank to maximize the City's revitalization efforts, staff would like to transfer the properties located at 3515 West 11<sup>th</sup> Street, a 9,800 square-foot residential lot, 3519 West 11<sup>th</sup> Street, a 4,795 square-foot residential lot, and 3911 West 11<sup>th</sup> Street, a 5,980 square-foot residential lot, to Myron R. Jackson, for the construction of multi-family duplexes.

Director Webb stated that she understood that there were some procedural issues that occurred at the Land Bank Commission Meeting when the transfer of the properties was approved and asked City Attorney Tom Carpenter for an explanation. City Attorney Carpenter stated that his staff had reviewed the issues, and while it was not the neatest example of parliamentary procedure, in the final analysis, a motion was made to accept the bid to purchase the three (3) properties. City Attorney Carpenter stated that

following a lengthy discussion, a second to the motion was made and there was no challenge; therefore, it was final.

**4. RESOLUTION NO. 15,360:** To express the willingness of the City of Little Rock, Arkansas, to partner with the Arkansas Department of Transportation for Job No.061706, Interstate 440 and Fourche Dam Pike Interchange Improvements; and for other purposes. *(A portion of the funding is from the 3/8-Cent Capital Improvement Sales Tax)* *Staff recommends approval.*

**Synopsis:** A resolution to authorize the Mayor, or his designated representative, to execute agreements with the Arkansas Department of Transportation for improvements to the Fourche Dam Pike and Interstate 440 Interchange.

**5. RESOLUTION NO. 15,361:** To authorize the City Manager to enter into a contract with Smart Ford, for a total purchase price of \$167,220.00, for the purchase of five (5) Ford F-250 4x4 Crew Cab Trucks for the Little Rock Fire Department; and for other purposes. *Staff recommends approval.*

**Synopsis:** A resolution to authorize the City Manager to enter into a contract with Smart Ford for the purchase of five (5) 2021 Ford F-250 4x4 Crew Cab Trucks for use as Quick Response Vehicles by the Little Rock Fire Department.

**6. RESOLUTION NO. 15,362:** To authorize the City Manager to enter into a contract with Redstone Construction Group, Inc., in an amount not to exceed \$218,110.00, for the Fleet Maintenance Facility and Impound Storage Lot Asphalt Overlay Project; and for other purposes. *Staff recommends approval.*

**Synopsis:** A resolution to authorize the City Manager to enter into a contract enter into an agreement with Redstone Construction Group, Inc., for the Fleet Maintenance Facility and Impound Storage Lot Fleet Services Department Asphalt Overlay Project.

**7. RESOLUTION NO. 15,363:** To authorize the City Manager to enter increase the contract amount with American Structure, Inc., in the amount \$18,352.60, for completion of work on the Colobus/Serval Habitat at the Little Rock Zoo; and for other purposes. *(Funding from the 3/8-Cent Capital Improvement Sales Tax)* *Staff recommends approval.*

**Synopsis:** A resolution to authorize the City Manager to increase the contract amount for American Structure, Inc., to complete work on the Colobus/Serval Habitat at the Little Rock Zoo.

**8. RESOLUTION NO. 15,364:** To authorize entry into a contract with The First Tee of Central Arkansas to maintain and operate a Youth Golf Program for the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

**9. RESOLUTION NO. 15,365:** To authorize the Mayor and City Clerk to enter into a Memorandum of Agreement with Pulaski County, Arkansas, concerning the operation of the Pulaski County Regional Detention Facility; and for other purposes.

**10. RESOLUTION NO. 15,366:** To require the 2020 Audit be performed in accordance with the Guidelines and Format prescribed by the Governmental Accounting Standards Board, the American Institute of Certified Public Accountants and the United States Government Accountability Office; and for other purposes. *Staff recommends approval.*

**Synopsis:** The resolution requires that the 2020 Audit be performed in accordance with guidelines and formats prescribed by the Governmental Accounting Standards Board, the American Institute of Certified Public Accountants and the United States Government Accountability Office.

**11. RESOLUTION NO. 15,367:** To express the willingness of the City of Little Rock, Arkansas, to partner with the City of North Little Rock and the Arkansas Department of

Transportation to relocate portions of the Rock Region Metro Streetcar Infrastructure; and for other purposes. *Staff recommends approval.*

**Synopsis:** A resolution to authorize the City of Little Rock to form a partnership with the Arkansas Department of Transportation, Pulaski County and the City of North Little Rock in order to assist with the required costs associated with relocating the infrastructure for the Rock Region Metro Streetcar System.

Director Hendrix asked for a clarification regarding the resolution. City Manager Bruce Moore stated that due to the I-30 Crossing Project, Rock Region Metro would be moving the streetcar lines. City Manager Moore stated that the cost for Rock Region, and ultimately the local governments, would be several million dollars to move the lines. City Manager Moore stated that an agreement was drafted between the Arkansas Department of Transportation, the City of Little Rock, the City of North Little Rock and Pulaski County, that in exchange for the cost, each entity would assume responsibility for various streets and roadways located in their respective jurisdictions that were actually State Highways. City Manager Moore stated that in the case of Little Rock, the City would be assuming responsibility for the maintenance of South University Avenue from Colonel Glenn Road to Interstate 30.

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

## CITIZEN COMMUNICATION

Shayla Hooks: Doing Business with the City.

## GROUPED ITEMS (Items 12 - 18)

**12. ORDINANCE NO. 21,923:** To amend portions of provisions of Little Rock, Ark., Rev. Code Chapter 13, Article II, § 13-51 (E)(5) (1988), to provide for the adoption by reference of the February 26, 2021, Flood Insurance Study and Flood Insurance Rate Maps to be administered by the City of Little Rock as the effective maps; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

**Synopsis:** An ordinance to adopt the February 26, 2021, Flood Insurance Rate Maps and Flood Insurance Study prepared by the Federal Emergency Management Agency for Coleman Creek in Little Rock, Arkansas.

**13. ORDINANCE NO. 21,924:** To declare it impractical and unfeasible to bid; to authorize the City Manager to enter into a contract with MidSouth Railroad Service, in an amount not to exceed \$247,983.00, for Railroad Equipment and Services for the Fourche Dam Pike Widening Project; and for other purposes. *(A portion of the funding is from the 3/8-Cent Capital Improvement Sales Tax)* *Staff recommends approval.*

**Synopsis:** An ordinance to authorize the City Manager to waive competitive bidding and award a contract to MidSouth Railroad Service for the Fourche Dam Pike Widening Project.

**14. ORDINANCE NO. 21,925:** To condemn certain structures in the City of Little Rock, Arkansas, as structural, fire and health hazards; to provide for summary abatement procedures; to direct City Staff 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:** Four (4) residential structures are in a severely dilapidated, deteriorated and/or burned condition causing a negative environmental impact on the residential neighborhoods in which they are located. All Notices have been mailed in accordance with Arkansas State Law.

**15. ORDINANCE NO. 21,926:** To fix and impose the aggregate amount of fees and charges to be paid to the City of Little Rock, Arkansas, by Entergy Corporation and the method of payment thereof; to amend Section 9 of Little Rock, Ark., Ordinance No. 11,683 (December 6, 1965); and for other purposes. *Staff recommends approval.*

**Synopsis:** Approval of an ordinance levying a Franchise Fee to be paid by Entergy Corporation. This Franchise Fee should remain in effect until otherwise amended by the Board of Directors.

**16. ORDINANCE NO. 21,927:** To amend Little Rock, Ark., Ordinance No. 11,366 (March 4, 1963) as amended, to provide for levying a Franchise Fee to be paid by CenterPoint Energy ARKLA; to provide for the payment thereof; and for other purposes. *Staff recommends approval.*

**Synopsis:** Approval of an ordinance levying a Franchise Fee to be paid by CenterPoint Energy ARKLA. This Franchise Fee should remain in effect until otherwise amended by the Board of Directors.

**17. ORDINANCE NO. 21,928:** To levy Franchise Fees to be paid by all carriers providing Local Access Telephone Services; to provide for the payment thereof; and for other purposes. *Staff recommends approval.*

**Synopsis:** Approval of an ordinance levying a Franchise Fee to be paid by all carriers providing local access telephone service. This Franchise Fee should remain in effect until otherwise amended by the Board of Directors.

**18. ORDINANCE NO. 21,929:** To fix and impose the amount of fees and charges to be paid to the City of Little Rock, Arkansas, by all companies that provide interstate or intrastate Long Distance Telecommunication Services, and all business incidental to, or connected with, the conducting of such telephone business in the City of Little Rock, Arkansas; to amend Section 3 of Little Rock, Ark., Ordinance No. 15,706 (July 5, 1989); and for other purposes. *Staff recommends approval.*

**Synopsis:** Approval of an ordinance levying a Franchise Fee for companies providing Long Distance Telephone Service in Little Rock for 2021.

The ordinances were read the first time. Director Adcock made the motion, seconded by Director Hines, 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 Hines, 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 12 was approved.** By unanimous voice vote of the Board Members present, **the emergency clause for Item 14 was approved.**

#### **SEPARATE ITEMS (Items 19 - 20)**

**19. RESOLUTION NO. 15,339:** To support a Targeted Community Development Initiative to address the lack of development in strategic sections of the City; and for other purposes. *(Tabled from October 6, 2020) (Sponsored by Directors Richardson and Wright)*

Director Wright stated that she and Director Richardson had collaborated on the drafting of the resolution in an attempt to improve the conditions, overall appearance, housing stock and infrastructure in the neighborhoods of the designated areas outlined in the resolution. Director Adcock asked which City Department would oversee the implementation of the resolution. Mayor Scott stated that based on how the resolution was written, infrastructure would be handled within Public Works and housing issues would be handled within Housing & Neighborhood Programs. Director Adcock asked if the proposed \$5,000,000.00 had been included in the 2021 Budget. Mayor Scott stated that the wording in the resolution stated that 'as funds were available'. Director Webb asked if the bulk of the money that was received from the United States Department of Housing and Urban Development was currently being spent in the designated areas that were outlined in the resolution. Housing & Neighborhood Programs Director Kevin Howard stated that he could confirm that to be true for Ward 1 and Ward 2 and portions of Ward 6.

Dawn Jeffries: Stated that she was a resident of Ward 6 and that she was in favor of the proposed resolution and asked that the Board approve the use of funds to assist in improving the designated areas.

Matthew Ramsey: Stated that he was in support of the resolution and its intent; however, he felt that it would be more effective as an ordinance.

Max Campbell (via e-mail): Stated that he was in support of the resolution, which was an encouraging step to addressing the underlying causes of generational poverty and crime that hindered many of the City's communities that had been historically marginalized.

Director Hendrix stated that she was not in support of the issue as a resolution and it should have been written as an ordinance. Vice-Mayor Wyrick stated that she understood that the money was not currently available for the implementation of the resolution; however, the Board would be voting to begin the strategic planning process to start making the needed improvements in the designated areas.

Director Wright made the motion, seconded by Director Richardson, to approve the resolution. By roll call vote, the vote was as follows: Ayes: Richardson; Webb; Wright; and Vice-Mayor Wyrick. Nays: Hendrix; Peck; Hines; Kumpuris; Fortson; and Adcock. By a vote of four (4) ayes and six (6) nays, **the resolution failed**.

**20. ORDINANCE NO. 21,930**: To permit Dockless Mobility Technology within the City of Little Rock, Arkansas; to amend Little Rock, Ark., Rev Code §§ 32-463; 32-494; 32-496 (1988); to permit the use of Dockless Mobility Units on public streets in Central Business Districts, or other designated areas; to establish certain standards for the use of such technology; to establish a Business Licenses Fee and Franchise Fee for use of the City right-of-way; and for other purposes. *Staff recommends approval. (Deferred from November 17, 2020) (1<sup>st</sup> & 2<sup>nd</sup> Reading held on November 17, 2020)*

The ordinance was read the third time.

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

After the discussion regarding whether the previous vote had been to call the question or to vote on the ordinance, Director Wright stated that she thought that she had seconded the motion to call the question. Director Richardson stated that his motion was to actually vote on the item. Director Hines made the motion, seconded by Director Adcock, to take a ten (10) minute recess to review the video tape for confirmation. By voice vote of the Board Members present, with Director Richardson voting in opposition, **the motion passed and the Board took a ten (10) minute recess.**

After reviewing the tape, it was determined that Director Richardson's motion was in fact to call the question on the vote.

Director Kumpuris stated that he would like for the Board to consider the following three (3) amendments to the proposed ordinance: 1) only one (1) individual could ride on the scooter at a time; 2) limit the operation of the scooters to one (1)-hour after sunrise to one (1)-hour before sunset; and 3) individuals under the age of sixteen (16) must wear a helmet. City Attorney Carpenter stated that he had spoken with Director Adcock, who had indicated that she wanted to add an amendment that would restrict the shared-scooters from the R-2, Single-Family District, areas.

Gabe Holmstrom, Downtown Little Rock Partnership: Stated that he was in support of Director Kumpuris' amendments, with the exception of the time of operation limitation. Mr. Holmstrom stated that the scooters had been great for the downtown area and asked that the Board not limit the times of operation.

City Director-Elect Antwan Phillips: Stated that he was in support of the original version of the ordinance without any amendments. Director-Elect Phillips stated that he utilized the scooters quite often during the business day to move around the downtown area. Director-Elect Phillips urged the Board to support the original ordinance.

Nico Probst, Director of Government Relations for Lime (via WebEx Teleconferencing): Mr. Probst stated that it was part of the User Agreement, and on the App Messaging, that only one (1) individual could ride a scooter at a time. Mr. Probst stated that once they were made aware that an individual had violated the agreement, they had the ability to 'flag' them on the App and kick the user off. In response to requiring users under the age of sixteen (16) to wear a helmet, Mr. Probst stated that according to the User Agreement, individuals had to be at least eighteen (18) to operate a scooter. Mr. Probst stated that they had the ability of requiring a licensed ID scan before an individual could operate a scooter; however, there was an equity concern for individuals that would not have State Licenses or IDs. Mr. Probst stated that a curfew would be well outside the regulatory norm for municipalities across the Country, as those individuals working late-night shifts and those in the restaurant and bar industries utilized the scooters on a regular basis. Mr. Probst stated that the scooters were certified and were equipped with lights on the front and back to ensure that they met visibility standards. Mr. Probst stated that recently they hosted an online First Ride Training Course and invited all registered users within the City of Little Rock. Mr. Probst stated that the plan is to host additional online courses and once the COVID-19 concerns decrease, in-person classes will be hosted.

City Attorney Carpenter stated that in speaking with Director Kumpuris, the indication was that the amendment needed to include that the front light needed to be a white lamp, while the rear light needed to be red with turn signals. Director Kumpuris stated that he agreed with that, and that if an individual could not signal the direction they were

going, they didn't need to be on City streets at night. Mr. Probst stated that the technology and hardware for turn signals did not exist on any scooter; however, they were working on that potential for technology of second-generation scooters. Director Kumpuris stated that if turn signals were not part of the technology, then there needed to be a curfew.

Lt. Cody Miller: Stated that he was the Commander of the Little Rock Police Department River Market Unit. Lt. Miller stated that parking had been an issue in the River Market District and the scooters were convenient for individuals to move around the District. Lt. Miller stated that he was a proponent of engagement, education and enforcement; unfortunately, at the moment, they could not enforce the User Agreement between Lime and the users.

Mayor Scott reminded the Board that the proposed ordinance was to establish a Business Licenses Fee and Franchise Fee for the use of the scooters within the City.

Director Kumpuris made the motion, seconded by Director Hines, to include the amendment that a shared scooter shall not be operated by more than one (1) individual, nor shall a shared scooter carry more than one (1) individual at a time. By voice vote of the Board Members present, with Directors Richardson and Wright voting in opposition, **the motion was approved.**

Director Kumpuris made the motion, seconded by Director Adcock, to include the amendment that a shared scooter shall not be operated by an individual under the age of eighteen (18), unless the individual is wearing an appropriate helmet available by the operator or approved by the operator in advance of the operation of the shared scooter. By voice vote of the Board Members present, with Directors Richardson and Wright voting in opposition, **the motion was approved.**

Director Adcock made the motion, seconded by Director Wright, to include the amendment that a shared scooter shall not be operated in an area zoned R-1, Single-Family District, or R-2, Single-Family District. By roll call vote, the vote was as follows: Ayes: Webb; Wright; Kumpuris; Fortson; Adcock; and Vice-Mayor Wyrick. Nays: Hendrix; Richardson; and Hines. Absent: Peck. By a vote of six (6) ayes, three (3) nays and one (1) absent, **the motion was approved.**

Director Hines made the motion, seconded by Director Kumpuris, to call 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 was approved as amended.**

## **PUBLIC HEARINGS (Items 21 - 22)**

**21. ORDINANCE: Z-9500:** To approve a Planned Zoning Development and establish a Planned Commercial District, titled Goodwin Manor Long-Form PCD, located at 3708 Garrison Road, Little Rock, Pulaski County, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. (*Planning Commission: 4 ayes; 5 nays; and 2 absent*) *Staff recommends approval.*

**Synopsis:** The applicants, Gary and Andrea Goodwin, are appealing the Planning Commission's recommendation of denial of the Goodwin Manor Long-Form PCD located at 3708 Garrison Road.

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

Mayor Scott opened the public hearing, and asked if there were individuals present that wished to speak for or against the item.

Mayor Scott recognized former City of Little Rock Mayor Mark Stodola who was in attendance representing the applicant.

Mark Stodola: Stated that he was legal counsel for the applicants, Gary and Andrea Goodwin. Mr. Stodola stated that when the item was presented at the Planning Commission, it received a divided vote. Mr. Stodola stated that the applicants purchased the eighty-two (82)-acre tract in 1995, and in 2015, they began to occasionally host special events, and were not aware that they were located within the Extraterritorial Jurisdiction (ETJ) of the City. Mr. Stodola stated that the opponents to the application cited noise as one of their concerns; however, the applicants had always been in full compliance with the Pulaski County Noise Ordinance and had strict requirements that all events end by 10:00 PM. Mr. Stodola stated that the property was located near the Kanis Road and Garrison Road intersection, which were both typical County Roads. Mr. Stodola stated that issues had been raised regarding the narrowness of the road to access the property. Mr. Stodola stated that the applicants had installed lighting to ensure the safety of attendees as they arrived and departed the property and parking attendants had been utilized, as well. In addition, emergency vehicles were able to access the property without any issues. Mr. Stodola reported that should the application be approved, the applicants had committed to widening the roadway.

Steve Giles: Stated that he was legal counsel for Dr. Michael and Christie Spann, whose property was located adjacent to the property in question. Mr. Giles stated that the Spanns had a gated drive that was off of Kanis Road and had allowed the applicants to utilize the drive; however, they felt that the drive was becoming overused for special events. Mr. Giles stated that the applicants were asking the Board to pass a law to continue, and to expand, their high-intensity commercial use to host up to 200 guests, at any time, seven (7) days a week, with no notice to the neighbors. Mr. Giles stated that the property in question was surrounded by single-family homes and there were no barriers for sound. Mr. Giles stated that the residents in the area believed that the venue created a public threat, in that there was no public transit, nor taxis readily available, and the potential for drunk driving existed. Mr. Giles stated that law enforcement was not routinely provided, and the Pulaski County Sheriff's Office had only a finite number of Officers assigned to the area. In addition, Mr. Giles stated that the neighbors felt that their property values were being reduced as a result of the commercial activity. Mr. Giles stated that a change to commercial entity was inconsistent with the comprehensive plan of the City and was incompatible with the family environment of the Ferndale area.

Deborah Reynolds: Stated that she had lived in the area for approximately thirty (30) years and owned five (5) acres to the east of the property in question. Ms. Reynolds



stated that she had a home site cleared and electricity run to the property with the hope of building her retirement home on the property. Ms. Reynolds stated that the applicant's property was located approximately 400 feet from her property, and if the applicants were allowed to build the proposed outbuilding, it would be located 150 feet from her property. Ms. Reynolds stated that the noise from the bands and the people, along with the traffic, had become a nuisance. Ms. Reynolds asked that the Board deny the application.

Marieda Fletcher-Priest: Stated that her family had owned property in the neighborhood since approximately 1921, and the current property, which they had owned since the early 1980s, was located adjacent to Ms. Reynolds' property. Ms. Fletcher-Priest stated that the applicant's property was located within a residential area and the original owner of the property never intended for it to be utilized for commercial uses. Ms. Fletcher-Priest stated that by allowing the application to advance, it would create disruption to the area and would set a precedent and open the door to other commercial activity in the area. Ms. Fletcher-Priest asked the Board to help keep their neighborhood residential only.

Judd Tolson: Stated that he had sold the property in question to the applicant, and that the sale included a strict Bill of Assurance stating that there could be no commercial activity allowed, in addition to any activities which could disturb the neighbors. Mr. Tolson stated that on July 24, 2016, the applicant's property was brought into the City with an R-2, Single-Family District. Mr. Tolson stated that on October 14, 2019, the applicants received a letter from the City to stop the operation of an special events center, which they had continue to operate despite received the notification. Mr. Tolson stated that he and the area residents strongly opposed the rezoning of the property.

Director Wright asked why the property was not 'grandfathered' in if it was being operated as a special events center prior to being included in the ETJ of the City. Planning & Development Director Jamie Collins stated that typically in the ETJ, property was generally 'brought in' as R-2. In addition, staff will look at the future land use of the area to determine if property needed to be zoned differently. Mr. Collins stated that if something was operating when it was brought into the ETJ, it was designated as legally non-conforming until there was a change of the property. Director Wright asked why the property could not continue to operate as a special events center. Mr. Collins stated that it had started operating as a special events center after it was brought into the ETJ. Director Wright asked if the Board would address the Bill of Assurance issue. City Attorney Carpenter stated that the Bill of Assurance was a private contract between the property owners that was entered into at the time of purchase. The City had an ordinance that allowed the Planning Commission to consider the Bill of Assurance; however, the City could not mandate compliance.

Andrea Goodwin: Stated that she was the applicant and that this was her personal home and the request was not to operate seven (7) days a week. Ms. Goodwin stated that if the Board deemed it necessary, she would be willing to reduce the number of events per year. Ms. Goodwin stated that to-date, she had not seen any Police Reports or Property Damage Reports that occurred as a result from of one of their events. Ms. Goodwin stated that any time alcohol was served at an event, the presence of an off-duty Police Officer was required.

Mr. Stodola stated that the applicant was voluntarily willing to amend the application to remove the proposed barn that had been discussed. In addition, Mr. Stodola stated that the applicant had already purchased a thirty (30)-foot easement in order to make the

necessary improvements to the road. Mr. Stodola stated that the PCD, Planned Commercial District, only applied to the applicant and if they were to ever move, the designation would cease.

Mayor Scott closed the public hearing.

By roll call vote, the vote was as follows: Ayes: Hines; Wright; Kumpuris; and Fortson. Nays: Webb; Adcock; and Vice-Mayor Wyrick. Absent: Richardson and Peck. Present: Hendrix. When asked if she would like to change her Present vote, Director Hendrix indicated that she would like to change her vote to remain as Present. The final roll call vote was as follows: By a vote of four (4) ayes, three (3) nays, two (2) absent; and one (1) Present, **the ordinance failed.**

**22. ORDINANCE; Z-9525:** To approve a Planned Zoning Development and establish a Planned Residential District, titled Mountain Park PRD, located at the northeast and northwest corners of North Taylor Street and P Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *(Planning Commission: 4 ayes; 4 nays; and 3 absent) Staff recommends approval.*  
**Synopsis: The applicant, Forest Park Partners, LLC, is appealing the Planning Commission's recommendation of denial of the Mountain Park Addition PRD, located at the northeast and northwest corners of North Taylor Street and P Street.**

The ordinance was read the first time. Director Adcock made the motion, seconded by Director Hines, 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 Vice-Mayor Wyrick, 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.

Mayor Scott opened the public hearing, and asked if there were individuals present that wished to speak for or against the item.

Tom Herring: Stated that he lived across the alley from the proposed housing development. Mr. Herring stated that the developer proposed to build three (3) houses on two (2), fifty (50)-foot lots on each side of Taylor Street. Mr. Herring asked that the Board deny the application.

Melody Brown: Stated that she had lived in the area most of her entire life and was opposed to the proposed development. Ms. Brown stated that the rezoning of the four (4) lots to six (6) lots, with zero (0) lot lines was not in character, nor did it preserve the natural features of the Mountain Park Subdivision. Ms. Brown stated that clearing the lots would present a drainage problem for those residents that lived downhill. Ms. Brown stated that she supported new construction, remodeling and improvements to the Mountain Park Subdivision; however, the improvement needed to be completed responsibly with the future in mind. Ms. Brown stated that single-family home construction needed to be made for the existing lot sizes and not reduced lot sized, with consideration for drainage, ground coverage and tree preservation. Ms. Brown asked that the Board deny the application.

Hunter East: Stated that he, along with his partner Billy Collins, had purchased the properties with the concept to slowly building homes that fit in nicely with the traditional aesthetics of the area. Mr. East stated that over the past three (3) years, prices per square-foot had increased considerably, and he believed that they had contributed

significantly to that fact. Mr. East stated that the target audience of young families, ages twenty-five (25) to thirty-five (35), that desired to live in the neighborhood were largely priced out from being able to afford the larger 3,000+ square-foot homes.

Billy Collins: Stated that he had been an owner in the Forest Park community for approximately eleven (11) years. Mr. Collins stated that the opportunity had presented itself for him to purchase nine (9) rental properties, all within 200 feet of his home, so he developed a plan to revitalize the area.

Carol Brizzolara (via e-mail): Stated that she strongly disagreed with the proposal to make two (2) lots into three (3). Ms. Brizzolara stated that she lived close to the proposed development and felt that it would not fit the neighborhood to cram three (3) new construction homes into such a small space. Ms. Brizzolara asked that the Board vote against the application.

Aristo Brizzolara (via e-mail): Stated that he was opposed to the proposed change. Mr. Brizzolara stated that the construction of the homes would be a detrimental change to the fabric and scale of the neighborhood and would hurt property values in the area. Mr. Brizzolara asked that the Board oppose the application.

Neil & Beverly McMillen (via e-mail): Stated that they opposed the applicant's request to change the lots lines and that jamming three (3) houses onto two (2) lots would create an urban density that would jeopardize the value of other property in the vicinity.

Mayor Scott closed the public hearing.

By roll call vote, the vote was as follows: Ayes: Hendrix; Hines; and Wright. Nays: Webb; Peck; Kumpuris; Fortson; Adcock; and Vice-Mayor Wyrick. Absent: Richardson. By a vote of three (3) ayes, six (6) nays and one (1) absent, **the ordinance failed.**

### **SEPARATE ITEMS (Item 23)**

**23. ORDINANCE:** To provide for and to adopt the 2021 Budget for the City of Little Rock, Arkansas, for the period beginning January 1, 2021, and ending December 31, 2021; to appropriate resources and uses for every expenditure item and fund; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

The ordinance was read the first time. Director Hines made the motion to suspend the rules and place the ordinance on second reading; however, the motion failed due to the lack of a second.

Mayor Scott adjourned the meeting.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**Susan Langley, City Clerk**

\_\_\_\_\_  
**Frank Scott, Jr., Mayor**