

**Little Rock Board of Directors Meeting
March 5, 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; Wyrick; Fortson; Adcock; Vice Mayor Wright; and Mayor Stodola. Directors Absent: Kumpuris. Director Adcock delivered the invocation, which was followed by the Pledge of Allegiance.

PRESENTATIONS

2013 Jeopardy Teen Tournament Winner Recognition - Leonard Cooper
City of Distinction Award Recognition - Crews & Associates

CONSENT AGENDA: (Items 1 – 5)

City Clerk Susan Langley stated that the applicant for Item 2 had requested that the date for the public hearing be held on April 2, 2013, instead of March 19, 2013. Director Adcock made the motion, seconded by Director Cazort, to change the date on the public hearing to April 2, 2013. By unanimous voice vote of the Board Members present, **the motion was approved.**

1. RESOLUTION NO. 13,653: To authorize the City Manager to amend the current contract with JCON, Inc., for the 13th Street to Gaines Street and Wright Avenue (State Street to Gaines Street) Drainage Improvements to increase the allowable contract amount by an additional \$20,000.00; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax Project Funds)* *Staff recommends approval.*
Synopsis: Authorizes an increase in the allowable contract amount for the construction contract with JCON, Inc., for the 13th at Gaines and Wright Avenue Drainage Improvements, Bid No. 2012-258.

2. RESOLUTION NO. 13,654; Z-8805: To set April 2, 2013, as the date of hearing on the petition to rescind the Planning Commission's action in approving a Special Use Permit to allow a group home on the R-2 zoned property located at 101 North Plaza Drive in the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

3. RESOLUTION NO. 13,655: To authorize the City Manager to enter into an annual purchase contract with Mid-South Sales, as primary vendor, and Knox Nelson Oil Company, as secondary vendor, for the purchase of gasoline and diesel fuel for the City's fleet; and for other purposes. *Staff recommends approval.*
Synopsis: Approval of a resolution authorizing the City Manager to enter into a contract with Mid-South Sales as the primary vendor, and Knox Nelson Oil Company as the secondary vendor, for the purchase of all gasoline and diesel fuel for use in City-owned equipment. Purchases under this APO are estimated at \$4,225,000 annually. This APO is for one (1)-year, with an option to renew each year, up to two (2) additional years.

4. RESOLUTION NO. 13,656: To approve, pursuant to Act 1736 of 2003, an option to continue to pay survivor benefits to spouses who remarry after they begin receiving benefits under the Policemen's Pension and Relief Fund Plan pursuant to Arkansas Code Annotated § 24-11-105; and for other purposes. *Staff recommends approval.*

5. RESOLUTION NO. 13,657: To award a contract for the Two Rivers Park – River Mountain Road Pipe Repair Project to Redstone Construction Group, Inc., in the total amount of \$346,802.40; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with Redstone Construction Group, Inc., for the Two Rivers Park - River Mountain Road Pipe Repair Project, Bid No. 13-108.

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

SEPARATE ITEMS (Items 6 - 8)

6. ORDINANCE: To amend Chapter 30 of the Code of Ordinances of the City of Little Rock, Arkansas; to provide for a variance from Master Street Plan construction requirements for Stagecoach Road; and for other purposes. *Staff recommends denial. (Vote of the January 22, 2013, Board of Directors was expunged at the February 19, 2013, Board of Directors Meeting)*

Synopsis: Authorizes a variance from street improvements required by the Master Street Plan on the south side of Stagecoach Road (Arkansas Highway 5) for Stagecoach Crossing Preliminary Plat located at the northeast corner of Stagecoach Road and Herndon Road.

City Attorney Tom Carpenter stated that the ordinance had already been read three (3) times at the January 22, 2013, meeting and did not need to be read again.

Tim Daters, 24 Rahling Road: Stated that he had worked with the developer and prepared a plan for the turn-lane, which had been submitted to the Arkansas Highway and Transportation Department (AHTD) for their approval. AHTD asked that a couple of changes be made, which were implemented. Mr. Daters stated that the proposed plan was a good proposal, it provided long-term benefits and minimized what AHTD would potentially have to remove should the road be widened in the future.

Director Adcock stated that she thought the improvements were to have been made during the first phase of the construction of the subdivision. Mr. Daters stated that the developer had received a deferral from the Planning Commission that stated that the improvements would need to be made prior to the final phase of the construction.

Chip Bosley, 9107 North Rodney Parham Road: Stated that he represented Stagecoach Crossing, LLC, and asked the Board to reconsider approving the variance as requested.

Director Wyrick asked if the proposed plan that was submitted by the developer was feasible and did it address the traffic concerns. Public Works Department Director Steve Beck stated that the improvements required by the Master Street Plan would adequately address all issues.

Director Hines asked if AHTD had approved the City's requirements for Master Street Plan improvements along that stretch of Highway 5/Stagecoach Road. Mr. Beck stated that he had not received official notification regarding their approval or denial. Director Hines asked what would happen if AHTD denied the Master Street Plan improvements along that stretch of road. Mr. Beck stated that Public Works Staff would meet with AHTD Staff to discuss any concerns and/or changes. Mayor Stodola asked if AHTD had indicated that they planned to widen that stretch of Highway 5/Stagecoach Road. City Manager Bruce Moore stated that AHTD had indicated that they had no plans to make any improvements on that stretch any time in the near future.

Director Hendrix made the motion to call the question on the vote. By unanimous voice vote of the Board Members present, **the question to vote was called.** By roll call vote, the vote was as follows: Ayes: Cazort; Hines; Fortson; and Vice Mayor Wright. Nays: Hendrix; Richardson; Hurst; Wyrick; and Adcock. Absent: Kumpuris. By a vote of four (4) ayes, five (5) nays and one (1) absent, **the ordinance failed.**

7. ORDINANCE: To condemn a certain structure in the City of Little Rock, Arkansas, as structural, fire and health hazard; providing for summary abatement procedures; directing the City Manager to take such action as is necessary to raze and remove said structure; **to declare an emergency;** and for other purposes. *Staff recommends approval. (Deferred from February 19, 2013)*

Synopsis: This commercial structure has 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 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.

Geoff Treece, 111 Center Street: Stated that he represented the owner and they had in-hand a signed offer; however, it was conditioned upon the building not being razed. Mr. Treece requested a seventy-five (75)-day deferral for the owner to bring the building up to code. Mr. Treece stated that he had met with Planning & Development Staff and they were satisfied with the request.

Henry Finely: Stated that he was in the process of relocating back to Little Rock and he had made an offer to purchase the building.

Planning & Development Department Director Tony Bozynski stated that Mr. Henry Treece, Geoff Treece's father who also represented the owner, had visited with staff earlier that morning regarding the offer and acceptance to purchase the building. Mr. Treece stated that his father had provided staff with pictures to document improvements made to the building in regards to securing the structure.

Director Fortson asked if Mr. Finley had personal resources to cover the remodeling and if he had any idea at this point regarding the cost for the work. Mr. Finley stated that he

did have the personal resources to complete the work; however, he had not obtained an estimate to remodel the structure.

Director Hurst made the motion, seconded by Director Cazort, to defer the item for seventy-five (75) days. City Attorney Tom Carpenter stated that administratively the property was under condemnation, and a building permit would not be issued. City Attorney Carpenter stated that the motion should include wording that a limited building permit could be issued. Director Hurst withdrew her motion and Director Cazort withdrew his second of the motion.

Director Cazort made the motion, seconded by Director Hurst, to defer the matter for seventy-five (75) days and during that time, the applicant would have fourteen (14) days to provide staff with a rehabilitation plan and obtain the necessary permits and seventy-five (75) days to be substantially complete the rehabilitation plan. By roll call vote, the vote was as follows: Ayes: Hurst; Cazort; Hines; Fortson; Vice-Mayor Wright; and Mayor Stodola. Nays: Hendrix; Richardson Wyrick; and Adcock. Absent: Kumpuris. By a vote of six (6) ayes, four (4) nays and one (1) absent, **the item was deferred for seventy-five (75) days.**

8. ORDINANCE NO. 20,705: 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 in dilapidated and/or burned condition causing a negative environmental impact on the residential neighborhoods in which they are located.

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.

Gloria Thomas: Asked that the Board grant her the time to have the property located at 1307/1309 Charles Bussey Boulevard demolished herself.

Mayor Stodola stated that the City process was to issue proposals for the demolition, and if an owner was able to demolish the structure(s) before a contractor was hired to complete the demolition, then that was okay. City Manager Moore stated that normally it took approximately thirty (30) days to process the proposals before the contract was given to a contractor.

Henry Thomas: Stated that he had someone that wanted to buy the property in a package and would like to tear the structures down himself.

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

DISCUSSIONS (Item 9)

9. DISCUSSION - Outside Agencies Travel Policies: City Manager Moore distributed copies of travel policies from several of the outside agencies. City Manager Moore stated there were several agencies that had not forwarded their policies and as soon as they were received, he would forward them to the Board.

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