

**Little Rock Board of Directors Reconvened Meeting  
December 11, 2018  
4:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a reconvened meeting with Mayor Mark Stodola presiding. City Clerk Susan Langley called the roll with the following Directors present: Richardson; Peck; Hines; Wright; Wyrick; Kumpuris; Fortson; Adcock; Vice-Mayor Webb; and Mayor Stodola. Directors Absent: Hendrix. Director Lance Hines delivered the invocation followed by the Pledge of Allegiance.

**PRESENTATIONS**

Foster Rogers, Pulaski Academy  
4A Boys Tennis Singles Champion  
Foster Rogers, Pulaski Academy  
Boys Tennis Overall Singles Champion  
Tyler Angtuaco and Jack Lewis, Pulaski Academy  
4A Boys Tennis Doubles Champions

**AGENDA (Items 1 – 6)**

Mayor Stodola stated that Items 1 – 6 could be grouped and read together

**1. ORDINANCE NO. 21,672:** 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.

**2. ORDINANCE NO. 21,673:** 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.

**3. ORDINANCE NO. 21,674:** 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 2019.

**4. ORDINANCE NO. 21,675:** 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.

**5. ORDINANCE NO. 21,676:** To amend Chapter 23, Article I, § 23-3 (Fees) of the Little Rock Revised Code of Ordinances (1988), to provide for the modification of various filing fees and permits; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

**Synopsis:** The Planning & Development Department is proposing to increase various filing fees and permit fees as specified in Chapter 23 of the Code of Ordinances.

**6. ORDINANCE NO. 21,677:** To amend Chapter 8, Article II, § 8-31 (Building Permits and Permit Fees) of the Little Rock Revised Code of Ordinances (1988), to revise permit fee schedules for building, electrical plumbing, mechanical, fire and related work performed in the City of Little Rock, Arkansas, **to declare an emergency;** and for other purposes. *Staff recommends approval.*

**Synopsis:** The Planning & Development Department is proposing fee increases for building and related construction activity. Fee increases are necessary in order to offset increased costs associated with permitting and inspection services.

The ordinances were read a first time. Director Adcock made the motion, seconded by Director Wright, to read the ordinances a second time. By unanimous voice vote of the Board Members present, the ordinances were read a second time. Director Adcock made the motion, seconded by Director Wright, 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 5 was approved.** By unanimous voice vote of the Board Members present, **the emergency clause for item 6 was approved.**

**7. ORDINANCE:** To provide for and to adopt the 2019 Budget for the City of Little Rock, Arkansas, for the period beginning January 1, 2019, and ending December 31, 2019; to appropriate resources and uses for every expenditure item and fund; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

Director Adcock asked why the Budget Ordinance was included on the Reconvened Meeting Agenda and not at a scheduled Board Meeting where the public had been notified. City Manager Bruce Moore stated that there were only two (2) meetings left before the end of the year and he wanted to go ahead and place the item on the agenda to determine if there were any outstanding issues. City Manager Moore stated that the question had been raised regarding if it were feasible to provide a lump sum salary bonus for non-uniform and AFSCME employees. City Manager Moore stated that he had included a recommendation to provide those individuals with the salary range of \$40,000 or below, a \$500 bonus; those with a salary range of \$40,001 - \$60,000, a \$375 bonus; and those with a salary range of \$60,000 and above, a \$250 bonus. City Manager Moore stated that the proposed bonus would cost an estimated \$464,036.

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Wright, to read the ordinance a second time. By voice vote of the Board Members present, with Director Wyrick voting in opposition, the ordinance was read a second time. There was not a motion or second to move the ordinance to the third reading; therefore, **the ordinance remained on second reading.**

**8. ORDINANCE:** To establish parameters for the Retirement Benefits for the Mayor of the City of Little Rock, Arkansas; to provide Spousal Benefits for the widow of a Little Rock Mayor; **to declare an emergency;** and for other purposes. *Staff recommends approval.*

**Synopsis:** To establish that the retirement program for the Mayor will be the 2014 Defined Benefit Plan.

Mayor Stodola turned the gavel over to Vice-Mayor Webb and left the Board Chambers.

City Attorney Tom Carpenter stated that the question for providing a retirement benefit was decided by electors in the 2007 Special Election and at the time, a retirement plan was set up privately for Mayor Mark Stodola. City Attorney Carpenter stated that in 2014, the Board adopted a Defined Benefit Plan for all City Employees and in the past few months, there had been discussions with the City and the Consultant for the Defined Benefit Plan and the decision was made that it would be to the benefit of the City if the Mayor's Retirement Plan were administered through the Defined Benefit Plan. City Attorney Carpenter stated that the ordinance was drafted to not only include Mayor Stodola, but all future Mayors of the City of Little Rock. City Attorney Carpenter stated that there was a State Statute that applied to Mayor Stodola, that mandated that anyone sixty (60) years of age or older and had served least ten (10) years as Mayor, would receive a half-salary retirement. City Attorney Carpenter stated that there were not sufficient monies available in the program that was set up for Mayor Stodola in 2007 to make that payment; therefore, the City would end up having to make a differential payment.

The ordinance was read a first time. Director Hines made the motion, seconded by Director Fortson, to read the ordinance a second time. By roll call vote, the vote was as follows: Ayes: Hines; Wright; Kumpuris; and Fortson. Nays: Richardson; Peck; Wyrick; Adcock; and Vice Mayor Webb. Absent: Hendrix. By a vote of four (4) ayes, five (5) nays and one (1) absent, **the motion failed and the ordinance remained on first reading.**

Director Adcock asked what the cost would be to the City. Jodi Carreiro, the Actuary for the Pension Trust that provided the Defined Benefit Plan for all non-uniform employees, stated that the City's Retirement Trustees had met several times to discuss how to address the issue with Mayor Stodola's retirement. Mr. Carreiro stated that there was a section in the Code that stated if a City provided a retirement plan, the eligible Elected Official could choose which plan to receive. Mr. Carreiro stated that at that time, Mayor Stodola's balance was less than the value of the 50% pay benefit as stated in the State Statute. Mr. Carreiro stated that it was his recommendation to handle the Mayor's retirement benefit as part of the Defined Benefit that was adopted in 2014 (DB14); which would be most efficient for the City and would provide the right benefits for Mayor Stodola according to Arkansas State Law. Mr. Carreiro stated that the total liability for Mayor Stodola to be included in DB14 with the Cost of Living Adjustment (COLA)

included in the pension plan for all other employees was \$890,000. Mr. Carreiro stated that if the Mayor chose to participate in DB14, then the net pension liability of \$490,000 would increase on the City's books. Mr. Carreiro stated that as noted in the ordinance, the Board had other choices that could be made. Mr. Carreiro stated that the ordinance proposed using the COLA and the law stated that the Board could chose anywhere from 0% to 4%. Mr. Carreiro stated that the COLA designated for all other employees was 2/3 of the increase in the Consumer Price Index (CPI) in the preceding twelve (12) months.

Mr. Carreiro stated that the Statute also allowed for the Board to add a benefit for surviving spouse, under certain conditions, of a Mayor that was no longer with the City. Mr. Carreiro stated that the benefit was available; however, the Mayor would have to take a reduced benefit in order to pay for spousal coverage. Mr. Carreiro stated that the cost would have to be developed and if the difference in liability was paid off in ten (10) years, the City would need to contribute approximately \$60,000 a year, in addition to the regular contribution, to fund the plan.

Director Hines made the motion, seconded by Director Kumpuris, for the Board to go into Executive Session for the purpose of conducting the Annual Evaluation for the City Manager and City Attorney and for the purpose of making appointments and reappointments to the various City of Little Rock Boards and Commissions. By unanimous voice vote of the Board Member present, **the Board went into Executive Session.**

#### **EXECUTIVE SESSION (Items 9 – 10)**

##### **9. Annual Evaluation of the City Manager & City Attorney.**

Mayor Stodola stated that the Board was very complementary of the performance of City Manager Moore for the past year, and thanked him for his service.

Director Kumpuris made the motion, seconded by Director Fortson, to bring the City Manager's Benefit Package into accordance with City Attorney's Benefit Package.

Director Kumpuris stated that the City Manager's Benefit Package would include: accrual of all PTO to be paid in severance or incrementally, along with short-term disability payments; six (6) months severance if dismissed for any reason other than just-cause; upon retirement, six (6) months of healthcare; and upon retirement, he would be allowed to stay in paid status until all PTO and short-term disability was exhausted.

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

Mayor Stodola stated that the Board appreciated the hard work of City Attorney Carpenter, and thanked him for his service.

Director Kumpuris made the motion, seconded by Director Richardson, to provide City Attorney Carpenter with a 1.5% salary increase retroactive to January 2018. By unanimous voice vote of the Board Members present, **the motion was approved.**

Director Adcock made the motion, seconded by Director Wright, that pursuant to budget approval, the City Manager and City Attorney should receive a bonus as given to other City Employees. By unanimous voice vote of the Board Members present, **the motion was approved.**

**10. RESOLUTION NO. 14,905:** A resolution to make appointments and reappointments to various City of Little Rock Boards and Commissions; and for other purposes.

**Synopsis:** Americans with Disabilities Act Citizen's Grievance Committee (2 positions); Animal Services Advisory Board (2 positions); City Beautiful Commission (3 positions); Central Arkansas Library System Board of Trustees (2 positions); Community Housing Advisory Board (4 positions); Little Rock Municipal Airport Commission (1 position); Little Rock Planning Commission (5 positions); and River Market District Design Review Committee (2 positions)

Americans with Disabilities Act Citizen Grievance Committee: Appointment of Ron Bara to serve his first four (4)-year Individual with Disability term, said term to expire on July 6, 2022. Director Adcock made the motion, seconded by Director Peck, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

Animal Services Advisory Board: Appointment of Betsy Robb to serve her second three (3)-year Ward 2 Representative term, said term to expire on November 28, 2021. Director Kumpuris made the motion, seconded by Director Vice-Mayor Webb, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

City Beautiful Commission: Change the Professional Urban Planner term of Billie Sanders-Wood to an At-Large term, said term to expire October 19, 2020. Director Adcock made the motion, seconded by Director Wyrick, to approve the change of term. By unanimous voice vote of the Board Members present, **the change of term was approved.** Appointment of Robert Walker to serve his first three (3)-year At-Large term, said term to expire on October 19, 2021. Director Wyrick made the motion, seconded by Director Wright, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

Community Housing Advisory Board: Appointment of Rabih Aboukheir to serve his first three (3)-year Landlord of Property term, said term to expire on June 2, 2021. Appointment of Dwight Stroud to serve his first three (3)-year Community Development Corporation Representative term, said term to expire on June 2, 2021. Director Adcock made the motion, seconded by Director Wright, to approve the appointments. By unanimous voice vote of the Board Members present, **the appointments were approved.**

Little Rock Municipal Airport Commission: Appointment of Stacy Hurst to serve her second five (5)-year Qualified Elector of Municipality term, said term to expire on December 31, 2023. Director Adcock made the motion, seconded by Director Fortson, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

Little Rock Planning Commission: Appointment of Craig Berry to serve his second three (3)-year term, said term to expire on November 1, 2021. Appointment of Thomas Brock to serve his first three (3)-year term, said term to expire on November 1, 2021. Appointment of Robbin S. Rahman to serve his first three (3)-year term, said term to expire on November 1, 2021. Appointment of Robby Vogel to serve his first three (3)-year term, said term to expire on November 1, 2021. Director Fortson made the motion, seconded by Director Adcock, to approve the appointments. By unanimous voice vote

of the Board Members present, **the appointments were approved.** Reappointment of Scott Hamilton to serve his second (3)-year term, said term to expire on November 1, 2021. Director Wright made the motion, seconded by Director Adcock, to approve the reappointment. By unanimous voice vote of the Board Members present, **the reappointment was approved.**

River Market District Design Review Committee: Appointment of Lance Ivy to fill the unexpired Property Owner Representative term of Adam Bearden, said term to expire on August 16, 2019. Director Adcock made the motion, seconded by Director Wright, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

Director Fortson made the motion, seconded by Director Wright, to adjourn the reconvened meeting. By unanimous voice vote of the Board Members present, **the reconvened meeting was adjourned.**

**ATTEST:**

**APPROVED:**

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**Susan Langley, City Clerk**

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**Frank Scott, Jr., Mayor**