

**Little Rock Board of Directors Meeting  
September 15, 2015  
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; Webb; Wright; Wyrick; Fortson; Kumpuris; Adcock; Vice-Mayor Hines and Mayor Stodola. Directors Absent: Richardson and Cazort. Director Joan Adcock delivered the invocation, which was followed by the Pledge of Allegiance.

**ADDITIONS:**

**M-1 RESOLUTION:** To appoint Nichetra MaGee as an At-Large Representative for the Little Rock Racial and Cultural Diversity Commission; and for other purposes.

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

**PRESENTATIONS**

City of Little Rock Employee Retirement Recognition  
George Brown, Housing & Neighborhood Programs

**CONSENT AGENDA (Items 1 – 17 and Item M-1)**

1. **MOTION:** To approve the minutes of the April 7, 2015, Little Rock City Board of Directors Meeting.

2. **RESOLUTION NO. 14,182; G-25-217:** To change the name of a portion of Mara Lynn Road, from the Mara Lynn Road/North Bowman Road intersection to where Mara Lynn Road becomes Napa Valley Drive, to Napa Valley Drive; and for other purposes.

*Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

**Synopsis:** The owners of the Bristol Park Apartments, located at 12201 Mara Lynn Road, are requesting that the name of Mara Lynn Road, from the Mara Lynn Road/North Bowman Road intersection to where Mara Lynn Road becomes Napa Valley Drive, be changed Napa Valley Drive. (Located in Ward 5).

3. **RESOLUTION NO. 14,183:** To appropriate \$500,000.00 from the Economic Development Fund of the 3/8-Cent Sales and Compensating Use Tax receipts for Dassault Falcon Jet to construct infrastructure on property controlled by the Little Rock Airport Commission; and for other purposes. *Staff recommends approval.*

**Synopsis:** The resolution authorizes the City Manager to commit \$500,000 from the City's 3/8-Cent Capital Project allocation for Job Recruitment/Economic Development to Dassault Falcon Jet to serve as match for a \$1,500,000 grant from the Arkansas Economic Development Commission's

**(AEDC's) Governor's Quick Action Closing Fund and for the construction of infrastructure at the Bill and Hillary Clinton National Airport. (Located in Ward 1)**

**4. RESOLUTION NO. 14,184:** To authorize the City Manager to enter into a contract with Dayco Construction, Inc., in an amount not to exceed \$90,240.00, for the construction of required upgrades for the Elephant Exhibit at the Little Rock Zoo; and for other purposes. *Staff recommends approval.*

**Synopsis:** The resolution authorizes the City Manager to execute a contract with Dayco Construction, Inc., in the amount of \$75,200 plus 20% for contingencies for a total amount not to exceed \$90,240. The improvements are required by the Association of Zoos and Aquariums (AZA) for the Elephant Exhibit protective contact. Construction will include extension of bollards, installation of a new gate, relocation of an existing gate and the addition of shade structures.

**5. RESOLUTION NO. 14,185:** To authorize the City Manager to purchase the 2016 Little Rock Marathon Finisher's Medals from Hasty Awards, in the amount of \$56,619.50; and for other purposes. *Staff recommends approval.*

**Synopsis:** A resolution to authorize the City Manager to purchase the 2016 Little Rock Marathon Finisher's Medals in the amount of \$56,619.50.

**6. RESOLUTION NO. 14,186:** To authorize a contract with Township Builders, Inc., in an amount not to exceed \$183,777.60, for the Oakland & Fraternal Historic Cemetery Park Bridge; and for other purposes. *Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute an agreement with Township Builders, Inc. Oakland & Fraternal Historic Cemetery Park Bridge Replacement, Project No. 14-004, Bid No. 15-018. (Located in Ward 1)

**7. RESOLUTION NO. 14,187:** To authorize a contract with Township Builders, Inc., in an amount not to exceed \$342,165.60, for North Pine Street Improvements; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax) Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute an agreement with Township Builders, Inc., for improvements to North Pine Street, Project No. 13-3-061, Bid No. 15-019. (Located in Ward 3)

**8. RESOLUTION NO. 14,188:** To authorize a contract with Township Builders, Inc., in an amount not to exceed \$852,804.00, for Malloy Street Improvements; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax) Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute an agreement with Township Builders, Inc., for improvements to Malloy Street from 42<sup>nd</sup> Street to Col. Glenn Road, Project No. 13-6-002, Bid No. 15-017. (Located in Ward 6)

**9. RESOLUTION NO. 14,189:** To authorize a contract with Burkhalter Technologies, Inc., in an amount not to exceed \$150,114.00, for Longlea Court Drainage Improvements; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax) Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute an agreement with Burkhalter Technologies, Inc., for improvements to Longlea Court Drainage, Project No. 13-3-103, Bid No. 15020. (Located in Ward 4)

**10. RESOLUTION NO. 14,190:** To authorize a contract with Jacobs Engineering Group, in an amount not to exceed \$252,662.30, for the Engineering Services for the North Cantrell Road at Gill Street Bridge Replacement Project; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax) Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to approve an Engineering Services Contract with Jacobs Engineering Group for the North Cantrell Road at Gill Street Bridge replacement project, AHTD No. 061121, Bid No. 14120. (Located in Ward 1)

**11. RESOLUTION NO. 14,191:** To authorize a contract with Burkhalter Technologies, Inc., in an amount not to exceed \$139,836.00, for Breckenridge Drive and Gristmill Road Drainage Improvements; and for other purposes. (*Funding from the 2012 3/8-Cent Capital Improvement Sales Tax*) *Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute an agreement with Burkhalter Technologies, Inc., for the Breckenridge Drive project, Project No. 13-4-108 and Gristmill Road Drainage, Project No. 13-4-102; Bid No. 15-012. (Located in Ward 4)

**12. RESOLUTION NO. 14,192:** To certify local government endorsement of Martial Arts Services, Inc., to be located at 1800 Riverfront Drive, 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.

**13. RESOLUTION NO. 14,193:** To authorize the City Manager to enter into a contract with Ross Sparks Builders, Inc., for the remodeling of the Little Rock Police Department helicopter hanger, crew quarters and surrounding area improvements; and for other purposes. *Staff recommends approval.*

**Synopsis:** The Little Rock Police Department is requesting approval to allow the City Manager to enter into a contract with Ross Sparks Builders, Inc., for the remodeling of the Police helicopter hanger, crew quarters and other improvements at 11400 Ironton Road.

**14. RESOLUTION NO. 14,194:** To express the willingness of the City of Little Rock, Arkansas, to utilize Federal-Aid Funds for the University Avenue Adaptive Signal Control Project; and for other purposes. *Staff recommends approval.*

**15. RESOLUTION NO. 14,195:** To authorize a transfer of \$127,147.29 to the Little Rock Airport Commission, in addition to other monies, for its share of the 3/8-Cent Capital Improvement Sales Tax Receipt not previously forwarded by the Arkansas Department of Finance and Administration on Aviation Fuel Taxes; and for other purposes. *Staff recommends approval.*

**Synopsis:** The resolution authorizes the reimbursement of 3/8-Cent Capital Sales and Compensating Use Tax receipts to the Little Rock Airport Commission that should have been sent to the Airport for Aviation Fuel Tax levies.

Director Adcock asked for an explanation regarding the transfer of funds. City Manager Bruce Moore stated that the monies were due to the airport and that when the sales tax was increased, the portion of the fuel tax was inadvertently sent to the City instead of the airport. City Manager Moore stated that once he became aware of the error, staff met with airport management to determine the amount owed.

**16. RESOLUTION NO. 14,196:** To authorize the purchase of a Wireless X-Ray Machine, X-Ray Panels and DR Processor for \$84,570.00, to be used by the Little Rock Zoo; and for other purposes. (*Funding from the 2012 3/8-Cent Capital Improvement Sales Tax*) *Staff recommends approval.*

**Synopsis:** A resolution to enter into a contract with Idexx Laboratories for the purchase of an Idexx Elitevision Wireless DR System (a wireless X-Ray Machine, X-Ray panels and DR processor) for use by the Little Rock Zoo.

**17. RESOLUTION NO. 14,197:** To amend Little Rock, Ark., Resolution No. 13,440 (February 7, 2012) to make appointment to the Little Rock Citizens Evaluation of New Tax (LR Cent) Committee; and for other purposes. *Staff recommends approval.*

**M-1 RESOLUTION NO. 14,199:** To appoint Nichetra MaGee as an At-Large Representative for the Little Rock Racial and Cultural Diversity Commission; and for other purposes.

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

Mayor Stodola stated that he had received a card from an individual that wanted to speak on Item 23 and it would be held separately.

#### **GROUPED ITEMS (Items 18 - 22)**

**18. ORDINANCE NO. 21,095; Z-5936-M:** To reclassify property located in the City of Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

**Synopsis:** The owner of the 2.75-acre property located west of 17901 Chenal Parkway is requesting that the zoning be reclassified from R-2, Single-Family District, (1.94 acres) and OS, Open Space District, (0.81 acres) to C-3, General Commercial District. (Located in Ward 5)

**19. ORDINANCE NO. 21,096; Z-9055:** To reclassify property located in the City of Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

**Synopsis:** The owner of the 0.55-acre property located at 2004 Junior Deputy Road is requesting that the zoning be reclassified from R-2, Single-Family District, to R-4, Two (2)-Family District. (Located in Ward 6)

**20. ORDINANCE NO. 21,097; Z-9056:** To reclassify property located in the City of Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

**Synopsis:** The owner of the 0.16-acre property located at 109 North Palm Street is requesting that the zoning be reclassified from O-3, General Office District, to R-3, Single-Family District. (Located in Ward 3)

**21. ORDINANCE NO. 21,098:** 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:** Three (3) residential structures in a severely dilapidated, deteriorated and/or burned condition causing a negative environmental impact on the residential neighborhoods in which it is located. All notices have been mailed in accordance with Arkansas State Law.

**22. ORDINANCE NO. 21,098:** To amend Chapter 2 of the Little Rock, Arkansas, Revised Code of Ordinances to extend the term of the Banking Services Contract; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

**Synopsis:** The ordinance would extend the banking services contract from every two (2) years with optional annual renewals, not to exceed two renewals to every two (2) years with the option to renew for five (5) additional one (1)-year terms under the same terms and conditions. The proposed ordinance would extend the maximum term of the banking services contract from four (4) to seven (7) years. The ordinance would also extend the termination clause of the banking service contract to 180 days to allow for sufficient time to rebid for services and for the conversion to the new financial institution.

The ordinances were read a first time. Director Adcock made the motion, seconded by Director Wright, 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 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 21 was approved.** By unanimous voice vote of the Board Members present, **the emergency clause for Item 22 was approved.**

#### **SEPARATE ITEMS (Items 23 – 25)**

**23. ORDINANCE NO. 21,100:** To condemn a certain structure at 3715 Elam Street in the City of Little Rock, Arkansas, as a structural, fire and health hazard; to provide for summary abatement procedures; to direct City Staff to take such action as is necessary to raze and remove said structure; including, but not limited to, a court order to remove the owner from the property while the demolition occurs; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

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

Mark Jones, 2715 Elam Street: Stated that he was the owner of the property and asked that the Board grant him more time to rehabilitate the structure.

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

**24. ORDINANCE:** To condemn a certain structure in the City of Little Rock, Arkansas, as a structural, fire and health hazard; providing for summary abatement procedures; directing the City Manager to take such action as is necessary to raze and removed said

structure; **to declare an emergency**, and for other purposes. (*Deferred from March 3, 2015*)  
*Staff recommends approval.*

**Synopsis: The commercial structure located at 1924 Commerce Street has become run-down, dilapidated, unsightly, dangerous and detrimental to the public welfare of the citizens of the City of Little Rock. (Located in Ward 1)**

City Manager Moore stated that the owner had made some improvements to the structure. City Manager Moore stated that the owner was out the country and had sent an e-mail asking for action to be deferred until October 20, 2015, so that he could be in attendance to answer any questions. Director Hendrix stated that there was no roof on the structure, the bricks were crumbling and it had been vacant for twenty-three (23) years. Director Hendrix asked that the Board approve the ordinance to have it demolished.

Director Adcock made the motion, seconded by Director Wright, to defer action on the item until October 20, 2016. By unanimous voice vote of the Board Members present, **the motion was approved.**

**25. RESOLUTION NO. 14,198:** To authorize the City Manager to enter into a Towing Service Contract with each company that responded successfully to the City's request for qualifications; and for other purposes. *Staff recommends approval.*

Kim Adams, 2724 Confederate Boulevard: Stated that he had submitted his bid and was initially accepted; however, he had since been told that there had been an issue in the bidding process. Mr. Adams stated that he had received a letter from the City Attorney's Office stating that there were some issues with the process from the State of Arkansas Towing & Recovery Board. Mr. Adams stated that he had received no further notice and that he wanted to know if the issue had been resolved.

City Attorney Tom Carpenter stated that one of the issues with Mr. Adams bid was that there was no proof of ownership of a Heavy-Duty Wrecker, which was a requirement. In addition, the bid had a proposed purchase agreement; however, the dealer had not signed it, and the agreement expressly said that the agreement would only be binding when accepted in writing by the seller's management. City Attorney Carpenter stated that they had contacted the seller to inquiry about the agreement and were not provided any information. City Attorney Carpenter stated that there were no required amounts of liability insurance for the wrecker when the bid was submitted. In addition, there was an indication that the Heavy-Duty Wrecker met the various State certifications standards; however, staff had received notice that the certification had been prematurely given and was being kept in suspense. City Attorney Carpenter stated that the certification notice had been given prematurely as the truck was not inspected, only photographs were inspected; which did not qualify. City Attorney Carpenter stated that based on that further finding, and a letter from the State of Arkansas Towing & Recovery Board, it was determined that Mr. Adam's bid was not a responsive bid.

Mr. Adams stated that he had a Bill of Sale and that the truck had been paid for and had been inspected by the Towing Board. City Attorney Carpenter read a paragraph from correspondence with the Towing Board which stated, "On August 12, 2015, Mr. Adams called the Board Office and Mr. Adams was told that the permit for the truck was not valid and should not have been issued." City Attorney Carpenter stated that Mr. Adams

did not have a valid permit from the State until after the bid was submitted. Mr. Adams stated that he had submitted everything appropriately and he felt that the Towing Board had made an error. City Attorney Carpenter stated that when the bids closed on August 7, 2016, Mr. Adams did not have a valid permit. City Attorney Carpenter asked where the truck was on August 7, 2016. Mr. Adams stated that it was in St. Louis, MO. City Attorney Carpenter stated that there was no way that the Towing Board could have physically inspected the truck in Arkansas on August 7, 2016, which they would have had to do in order to grant a permit.

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

### **CITIZEN COMMUNICATION**

There were no cards received from individuals wanting to speak during Citizen Communication.

Director Adcock made the motion, seconded by Vice-Mayor Hines, to adjourn the meeting. By unanimous voice vote of the Board Members present, **the meeting was adjourned.**

**ATTEST:**

**APPROVED:**

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**Susan Langley, City Clerk**

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**Mark Stodola, Mayor**