

**Little Rock Board of Directors Meeting  
February 6, 2018  
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; Peck; Hines; Wright; Wyrick; Kumpuris; Adcock; Vice-Mayor Webb; and Mayor Stodola. Directors absent: Fortson. Director Doris Wright delivered the invocation followed by the Pledge of Allegiance.

**ADDITIONS:**

**M-1 RESOLUTION:** To set February 20, 2018, as the date of public hearing to consider the issuance of up to \$25,000,000.00, in City of Little Rock, Arkansas, Taxable Industrial Development Revenue Bonds (3M Project), Series 2018; and for other purposes. *Staff recommends approval.*

**Synopsis:** To set the date for a public hearing on whether to issue Act 9 Industrial Development Revenue Bonds to benefit a local business.

Director Wright made the motion, seconded by Director Hines, 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.**

**DEFERRAL:**

**8. RESOLUTION:** To ratify appointment to the Central Arkansas Water Board of Commissioners; and for other purposes.

Director Adcock made the motion, seconded by Director Hines, to defer Item 8 until February 20, 2018. By unanimous voice vote of the Board Members present, **Item 8 was deferred until February 20, 2018.**

**CONSENT AGENDA (Items 1 – 7 and Item M-1)**

**1. RESOLUTION NO. 14,713:** To authorize the City Manager to enter into a contract with Altec Industries, Inc., in an amount not to exceed \$197,159.00, for the purchase of one (1), forty-seven (47)-inch Digger Derrick Truck for the Public Works Department; and for other purposes. *Staff recommends approval.*

**Synopsis:** Approval of a resolution authorizing the City Manager to enter into a contract with Altec Industries, Inc., for the purchase of one (1), forty-seven (47)-Inch Digger Derrick Truck for the Public Works Department.

**2. RESOLUTION NO. 14,714:** To authorize the City Manager to accept the offer of a grant increase in the amount of \$50,000.00, from the Pulaski Area Geographic Information Systems (PAGIS) for Storm Water Map Data Development; and for other purposes. *Staff recommends approval.*

**Synopsis: Authorizes the City Manager to accept an offer of a grant increase and to execute agreements with the Pulaski Area Geographical Information System Agency for funding of Storm Water Mapping Improvements**

**3. RESOLUTION NO. 14,715:** To authorize the City Manager to approve a contract increase with FTN Associates, LTD, in an amount not to exceed \$50,000.00, to provide Technical Consulting Services for the 2017-2018 GIS Storm Water System Mapping and Data Collection; and for other purposes. *Staff recommends approval.*

**Synopsis: Authorizes the City Manager to execute a Change Order with FTN Associates, LTD, for GIS Storm Water Mapping and Data Collection improvements, Bid No. 17104.**

**4. RESOLUTION NO. 14,716:** To authorize the City Manager to enter into Agreement with the Arkansas Department of Transportation for studies to improve pedestrian safety on Cantrell Road, near Coolidge Street; and for other purposes. *Staff recommends approval.*

**Synopsis: Authorizes the City Manager, or his designated representative, to execute agreements with the Arkansas Department of Transportation (ArDOT) for studies to improve pedestrian safety on Cantrell Road near Coolidge Street. (Located in Ward 3)**

**5. RESOLUTION NO. 14,717:** To authorize the City Manager to transmit the second payment of the three (3)-year Renewal Agreement with SHI, Inc., in the amount of \$321,118.39, for Core Cal Client Access Licenses through a Microsoft Enterprise Agreement; and for other purposes. *Staff recommends approval.*

**Synopsis: To authorize the payment for the City's Core Client Access Licenses and all other software products through a Microsoft Enterprise Agreement to State Contract provider, SHI, Inc.**

**6. RESOLUTION NO. 14,718:** To set February 20, 2018, as the date of public hearing to consider the issuance of Water Reclamation System Revenue Bonds for the purpose of financing betterments and improvements to the City's Water Reclamation System; and for other purposes.

**7. RESOLUTION NO. 14,719:** Of intent regarding MacArthur Park Improvements to be financed in part by Hotel Gross Receipts Tax Bonds; and for other purposes.

**M-1 RESOLUTION NO. 14,720:** To set February 20, 2018, as the date of public hearing to consider the issuance of up to \$25,000,000.00, in City of Little Rock, Arkansas, Taxable Industrial Development Revenue Bonds (3M Project), Series 2018; and for other purposes. *Staff recommends approval.*

**Synopsis: To set the date for a public hearing on whether to issue Act 9 Industrial Development Revenue Bonds to benefit a local business.**

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.**

## **CITIZEN COMMUNICATION**

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

**GROUPED ITEMS (Items 9 – 14)**

**9. ORDINANCE NO. 21,536; Z-4451-F:** To approve a Planned Zoning Development and establish a Planned Residential District titled 71 Hunters Green Circle Revised Short-Form PD-R, located at 71 Hunters Green Circle, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*  
**Synopsis:** The Developer is proposing to revise the previously-approved PD-R, Planned Development - Residential, to allow for the construction of a sunroom within the previously-proposed building setback. (Located in Ward 5)

**10. ORDINANCE NO. 21,537; Z-7950-B:** To approve a Planned Zoning Development and establish a Planned Office District titled Pollack Realty Revised Short-Form PD-O, located at 4016 Stannus Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*  
**Synopsis:** The applicant is proposing to amend the previously-approved PD-O, Planned Development – Office, to add additional land area to the approved plan to be developed and used as parking. (Located in Ward 6)

**11. ORDINANCE NO. 21,538; Z-8741-A:** To approve a Planned Zoning Development and establish a Planned Commercial District titled ACE General Contractors Short-Form PID, located at 10819 Stagecoach Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*  
**Synopsis:** The applicant is requesting to amend the previously-approved PD-C, Planned Development - Commercial, to add Medical Office and General Professional Office as allowable uses for the site. (Located in Ward 7)

**12. ORDINANCE NO. 21,539; Z-8751-A:** To approve a Planned Zoning Development and establish a Planned Commercial District titled Mosaic Church of Little Rock Revised Long-Form PCD, located at 6221 Colonel Glenn Road, Pulaski County, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*  
**Synopsis:** The applicant is requesting to amend the previously-approved PCD, Planned Commercial Development, to allow the church to host a carnival in the parking lot along Colonel Glenn Road two (2) times per year. (Located in Ward 7)

Mayor Stodola stated that he understood that the Mosaic Church had agreed that in order to not conflict with the Arkansas State Fair, they would wait until two (2) weeks after the Fair was completed to hold their planned fall carnival. Planning & Development Department Director Jamie Collins stated that members of the Church had been in conversation with representatives from the Arkansas State Fair regarding the fact that the two (2) heir events would not conflict. Mayor Stodola asked if the details of that arrangement was included in the ordinance. City Attorney Tom Carpenter stated that a private agreement between individuals did not need to be part of a Zoning Ordinance for the City to enforce. Arkansas State Fair Executive Director Ralph Shoptaw stated that they had been in contact with Mosaic Church and they had a documented agreement that the carnival would not be held at the during the Arkansas State Fair. Mosaic Church Senior Pastor Harry Li verified that the proposed fall carnival would not conflict with the Arkansas State Fair.

**13. ORDINANCE NO. 21,540; Z-9078-A:** To repeal Ordinance No. 21,129 (November 3, 2015), titled Central Arkansas Urgent Care Short-Form PID, located in the 7400 Block of Lindsey Road, Little Rock, Arkansas, and revoke a Planned Zoning District; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*

**Synopsis:** The request is a revocation of the previously-approved PID, Planned Industrial Development, and the restoration of the underlying I-2, Light Industrial District. (Located in Ward 1)

**14. ORDINANCE NO. 21,541; Z-9286:** To approve a Planned Zoning Development and establish a Planned Residential District titled Rainwood Village Short-Form PD-R, located at 12115 Rainwood Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*

**Synopsis:** The applicant is requesting a rezoning of the site from R-2, Single-Family District, to PD-R, Planned Development - Residential, to allow for the development of the site with an attached single-family subdivision. (Located in Ward 5)

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.**

#### **SEPARATE ITEMS (Item 15 – 16)**

**15. ORDINANCE NO. 21,544; Z-7517-B:** To approve a Planned Zoning Development and establish a Planned Commercial District titled Highway 10 Storage Center Revised Long-Form PCD, located at 9300 Ferndale Cut-Off, Pulaski County, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *(Deferred from November 7, 2017)(Applicant requested deferral from January 16, 2018, which was rescheduled to January 30, 2018) Planning Commission: 9 ayes; 0 nays; and 2 absent. Staff recommends approval.*

**Synopsis:** The request is to amend the previously-approved PCD, Planned Commercial Development, to allow for the seasonal sales of fireworks. (Located in the City's Extraterritorial Jurisdiction)

The ordinance was read a first time. Director Adcock made the motion, seconded by Director Hines, to read the ordinance a second time. By unanimous voice vote of the Board Members present, 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.

Steve Giles, 425 West Capital Avenue: Stated that he was legal counsel representing the applicant and that they were wanting to amend the existing PCD, Planned Commercial District, to allow the sale of seasonal fireworks to continue. Mr. Giles stated that the applicant had voluntarily agreed to modify the request and only have one (1) sale season per year, which would be during the 4<sup>th</sup> of July holiday. Mr. Giles stated that

the applicant had agreed to limit the sale days to ten (10) with the hours of operation from 7:00 AM – 1:00 AM each of the ten (10) days.

Mayor Stodola asked if there was a requirement for agent representation for an individual that did not own the property and was requesting a rezoning action. City Attorney Carpenter stated that the Board's practice had been to not put into place a more restrictive condition on a zoning matter unless it was requested by the owner or the owner's designee. Mr. Giles stated that he had been given authority by the owner to indicate that he was willing to be bound by the condition. City Attorney Carpenter stated that if the amendment were accepted by the Board, it would be included in the ordinance as Section 5 and the subsequent Sections after would be renumbered.

Kevin Bailey, 381 Front Street, West Memphis, AR: Stated that he was with Miramax Specialty Company and they conducted business as Fireworks City, and had been located at the intersection of Highway 10 and Ferndale Cut-Off for eighteen (18) years and that they had already purchased the fireworks for the 4<sup>th</sup> of July holiday season.

Mayor Stodola asked when the first rezoning was implemented. Mr. Collins stated that it was rezoned C-3, General Commercial District, several years prior; however, the owner had rezoned the property to PCD in June 2016, which is what prompted the specification of uses.

Mr. Bailey stated that it was the intention of the owner to develop the property and that the fireworks business was an interim use that was used to generate income for the owner until the property was fully developed. Mr. Bailey stated that the owner had a five (5)-point plan and planned to have the property developed by the end of five (5) years.

Rohn Muse, 822 Lewis Street: Stated that his concern was that it would set a precedent to other business located in the extraterritorial jurisdiction.

Director Adcock stated that if firework sales were encouraged to move closer to the City, it encouraged more problems for the Police Department and the neighborhoods. Director Wright asked why staff had approved the application. Mr. Collins stated that the underlying zoning before the PCD, was C-3 and outside the City Limits, firework sales were allowed in C-3 zoning.

Director Hendrix made the motion, seconded by Director Richardson, to call the question on the vote. By voice vote of the Board Members present, **the question to call the vote failed.**

Director Wyrick asked why there was not an affidavit required in order for Mr. Giles to represent the owner. Mr. Collins stated that there was an affidavit on file that stated that a representative from White-Daters & Associates could represent the owner. Mr. Collins stated that staff had received an e-mail from Mr. Giles stating that he was Legal Counsel for the applicant. Director Wyrick stated that the PCD was approved in June 2016, and that if nothing was done to the property within three (3) years, the PCD would expire. Director Wyrick asked how that would affect the five (5)-year plan. Mr. Collins stated that the owner had already started Phase One of the project; therefore, the three (3)-year expiration date was no longer an issue.

By roll call vote, the vote was as follows: Ayes: Hendrix; Richardson; Peck; Hines; Wright; Kumpuris; and Vice-Mayor. Nays: Wyrick and Adcock. Absent: Fortson. By a vote of seven (7) ayes, two (2) nays and one (1) absent, **the ordinance was approved.**

**16. ORDINANCE NO. 21,542; Z-9287:** To approve a Planned Zoning Development and establish a Planned Commercial District titled AEDD Short-Form PCD, located at 105 East Roosevelt Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*

**Synopsis: The applicant proposes to rezone the site from C-3, General Commercial District, to PCD, Planned Commercial Development, to allow for the use of the existing multi-purpose building as an events center. (Located in Ward 1)**

The ordinance was read a first time. Director Richardson made the motion, seconded by Director Wright, to read the ordinance a second time. By unanimous voice vote of the Board Members present, 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 voice vote of the Board Members present, with Director Adcock voting in opposition, **the ordinance was approved.**

#### **PUBLIC HEARINGS (Item 17)**

**17. ORDINANCE NO. 21,543; G-24-053:** To abandon a Utility and Drainage Easement, located in Lot 1, Kanis Commercial Addition, located at 9101 Kanis Road, in the Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

**Synopsis: The applicants are requesting abandonment of a ten (10)-foot by 104-foot± Utility and Drainage Easement located in Lot 1, Kanis Commercial Addition located at 9101 Kanis Road. (Located in Ward 6)**

Mayor Stodola opened the public hearing.

The ordinance was read a first time. Director Richardson made the motion, seconded by Director Wright, to read the ordinance a second time. By unanimous voice vote of the Board Members present, 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.

Mayor Stodola asked if there were individuals present that wished to speak for or against the item. There being none present, Mayor Stodola closed the public hearing.

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

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

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February 6, 2018  
6:00 PM

**ATTEST:**

**APPROVED:**

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**Susan Langley, City Clerk**

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**Mark Stodola, Mayor**