

**Little Rock Board of Directors Meeting
November 5, 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: Richardson; Peck; Hines; Wright; Kumpuris; Fortson (enrolled at 7:05 PM); Adcock; Vice-Mayor Webb; and Mayor Stodola. Directors Absent: Hendrix and Wyrick. Vice-Mayor Kathy Webb delivered the invocation followed by the Pledge of Allegiance.

Mayor Stodola apologized for the delay in starting the meeting and explained at the present time, there was not a quorum in attendance; however, Director Fortson was in route to the meeting.

PRESENTATIONS

Recognition of Caxias do Sul, Brazil Delegation

ADDITIONS:

M-1 RESOLUTION: To make appointments to the Little Rock Housing Authority Board of Commissioners; and for other purposes. *Staff recommends approval*
Synopsis: Appointment of H. Lee Lindsey to serve his first five (5)-year term. Appointment of Monique L. Sanders to serve her first five (5)-year term.

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

DEFERRALS:

13. RESOLUTION: To appropriate \$160,000.00 for the operation of the First Tee Program until December 31, 2018, to ratify previous agreements between the City of Little Rock, Arkansas, and the First Tee of Central Arkansas; to accept at this point an agreement between the World Golf Foundation, Inc., and The First Tee of Central Arkansas for the operation of The First Tee Program within in the City of Little Rock, Arkansas; to direct completion of contractual relations between the City and The First Tee of Central Arkansas during the first quarter of 2019; and for other purposes. *(Deferred until November 20, 2018, at staff's request) Staff recommends approval.*
Synopsis: To authorize an agreement with The First Tee of Central Arkansas and to appropriate sufficient operational and maintenance funds for the last four (4) months of 2018.

Director Adcock made the motion, seconded by Director Wright, to defer Item 13 until November 20, 2018. By voice vote of the Board Members present, with Director Hines recusing and Director Richardson voting in opposition, **the motion failed.** Mayor

Stodola stated that as the Chair he would vote in favor of the deferral; therefore, the item would be deferred until November 20, 2018.

CONSENT AGENDA (Items 1 – 6 and Item M-1)

1. RESOLUTION NO. 14,886: To amend Little Rock, Ark., Resolution No. 14,869 (October 1, 2018), to establish that the correct perimeters for the Street and Drainage Improvements on Mabelvale West Road to be completed by James A Rogers Excavating, Inc., is from Otter Creek East Road to South Loop Road; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax) Staff recommends approval.*

Synopsis: A resolution to amend Resolution No. 14,869 authorizing the City Manager to execute an agreement with James A. Rogers Excavating, Inc., for street and drainage improvements on Mabelvale West Road from Otter Creek East Road to South Loop Road, Bid No. 18032. (Located in Ward 7)

2. RESOLUTION NO. 14,887: To authorize the City Manager to enter into a contract with Summit Truck Group for a total purchase price of \$120,080.00, for the purchase of one (1), Twelve (12)-Yard Dump 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 Summit Truck Group for the purchase of one (1), Twelve (12)-Yard Dump Truck for the Public Works Department.

3. RESOLUTION NO. 14,888: To authorize the City Manager to enter into a contract with River City Hydraulics, for a total purchase price of \$168,491.00, for the purchase of one (1) Freightliner Roll-Off 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 River City Hydraulics for the purchase of one (1) Freightliner Roll-Off Truck for the Public Works Department.

4. RESOLUTION NO. 14,889: Approval of a resolution authorizing one (1) Operator Permit and 100 Taxicab Permits for Greater Little Rock Transportation Service, LLC, and approval of one (1) Operator Permit and five (5) Taxicab Permits for Ken's Cab, LLC, for the period of January 1, 2019 to December 31, 2019; and for other purposes. *Staff recommends approval.*

Synopsis: Approval of a resolution authorizing one (1) Operator Permit and 100 Taxicab Permits for Greater Little Rock Transportation Service, LLC, and approval of one (1) Operator Permit and five (5) Taxicab Permits for Ken's Cab, LLC, for 2019.

5. RESOLUTION NO. 14,890: To adopt a new Investment Policy for the City of Little Rock, Arkansas; repealing Resolution No. 12,520 (May 15, 2007); and for other purposes. *Staff recommends approval.*

Synopsis: A resolution revising the current Investment Policy to make technical corrections to reference State Statutes governing municipal investments and to include updated accounting standards as they relate to investments.

6. RESOLUTION NO. 14,891: To authorize the Mayor to enter into an agreement with Thrash Law Firm, P.A., and others, to represent the interests of the City of Little Rock, Arkansas, in litigation regarding Gross Receipts Taxes for the Internet rental of hotel rooms; and for other purposes. *Staff recommends approval.*

Synopsis: To authorize an agreement between the City and Thrash Law Offices on collection efforts of Internet Hotel Booking Tax Receipts.

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.**

SEPARATE ITEMS (Item M-1)

M-1 RESOLUTION NO. 14,892: To make appointments to the Little Rock Housing Authority Board of Commissioners; and for other purposes. *Staff recommends approval*
Synopsis: Appointment of H. Lee Lindsey to serve his first five (5)-year term. Appointment of Monique L. Sanders to serve her first five (5)-year term.

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

Regarding the earlier Board action to defer Item 13, Mayor Stodola stated that City Attorney Tom Carpenter had passed him a note that he in fact could not be the sixth vote on the motion to defer. Mayor Stodola asked if Director Richardson would like to reconsider his vote. Director Richardson stated that he would reconsider his Nay vote and change it to Aye. As a result of the change of Director Richardson's vote, **the motion to defer for Item 13 was approved.**

CITIZEN COMMUNICATION

Russ Racop, 301 Alamo Drive: Selection of a new Police Chief.
Ryan D. Davis, 1900 Summit Street: Police Violence.

PUBLIC HEARINGS (Item 14)

14. RESOLUTION; S-1809-A: To rescind the Little Rock Planning Commission's action in denying a variance request for The Breeding Addition Preliminary Plat, located at 7718 Henderson Road, Pulaski County, Arkansas; and for other purposes. *Planning Commission: 5 ayes; 5 nays; and 1 absent. Staff recommends approval.*
Synopsis: Debbie Breeding, the property owner, is appealing the Planning Commission's denial of a variance request from the Subdivision Ordinance to allow the creation of two (2) lots which includes a variance from the Subdivision Ordinance to allow an increased lot depth to width ratio. (Located in the City's Extraterritorial Jurisdiction)

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

Harrison Kemp, 221 West 2nd Street: Stated that he represented the owners, Gary & Debbie Breeding, and they were seeking approval to subdivide their five (5)-acre lot on Henderson Road into two (2) equal lots. Mr. Kemp stated that due to the fact that the

lots were three (3) times deeper than they were wide, the owners were seeking a variance from the restrictions of lots that size. Mr. Kemp stated that there were several people that spoke in opposition at the Planning Commission regarding the proposed variance; however, most of the concerns raised were not due to the substance of the proposed variance. Mr. Kemp stated that the tract of land was unique in shape with the short side fronting on Henderson Road. Mr. Kemp stated that both lots were in excess of 150 feet wide and 100,000 square-feet, and as a result, the strict width-to-depth ratio deprived the owners of reasonable use of the property.

Karen Goss, 5608 Mandan Road: Stated that her parents lived on Henderson Road and if the owners were allowed to split their property, most likely everyone else in the area would decide to split their property, leading to a traffic neighborhood.

Steve Harrison, 7824 Henderson Road: Stated that the lot in question was located very close to the road and recently there had been gunfire/target practice on the property and he did not think it was safe.

Donna McHenry, 8100 Henderson Lane: Stated that the neighborhood was rural setting; however, there were approximately twenty (20) homes. Ms. McHenry stated that there had been a target range set up on the property and the owners used the range for target practice. Ms. McHenry stated that the neighbors tried to talk to the owner's children regarding their concerns and they were told that they could fire their guns whenever they wanted.

Ray Hawley, 7413 Henderson Road: Stated that he had lived on Henderson Road for thirty-one (31) years and over the years they neighbors had relied on the zoning to protect their neighborhood.

Heide Theroux, 7722 Henderson Road: Stated that she agreed with everything that the previous speakers had mentioned and asked that the Board deny the appeal.

Michael Craig, 8200 Henderson Lane: Stated that he was a hunter; however, he had issues with the owner's utilizing the property as a target range.

Mr. Kemp stated that the width-to-depth ratio was the only thing that was to be considered and asked that the Board vote to approve the appeal of the Planning Commission's vote.

Mayor Stodola closed the public hearing.

Due to the fact that there was not a motion made, **the resolution failed.**

GROUPED ITEMS (Items 7 - 12)

7. ORDINANCE NO. 21,642; Z-9359: 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: 10 ayes; 0 nays; and 1 absent. Staff recommends approval*

Synopsis: The owner of the 1.60-acre property located at the northeast corner of Ranch Boulevard, at the 8800 block, is requesting that the property be reclassified from R-2, Single-Family District, to OS, Open Space District. (Located in Ward 5)

8. ORDINANCE NO. 21,643: To establish the Rate of Taxation of property for the City of Little Rock, Arkansas, to be collected in the year 2019 for various funds of the City of Little Rock; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

Synopsis: Adoption of an ordinance levying Property Taxes to be paid on real and personal property located within the City of Little Rock.

9. ORDINANCE NO. 21,644: To amend Little Rock, Ark., Ordinance No. 21,564 (March 20, 2018) to establish the maturity schedule for the City's Hotel Gross Receipt Tax Bonds, Series 2018; to ratify and confirm the sale of the Bonds; **to declare an emergency**; and for other purposes.

10. ORDINANCE NO. 21,645: To declare it impractical and unfeasible to bid; to authorize the City Manager to dispense with the requirement of competitive bids for the purchase of forty (40) Less-Than-Lethal Electronic Control Devices from Axon Enterprise, Inc., in an amount not to exceed \$102,211.48, for the Little Rock Police Department; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

Synopsis: The Little Rock Police Department is requesting approval to award a Sole-Source Purchase Order to Axon Enterprise, Inc., as the sole manufacturer for Less-Than-Lethal Electronic Control Devices and to purchase forty (40) devices and the related holsters, cameras and warranties.

11. ORDINANCE NO. 21,646: To declare it impractical and unfeasible to bid; to authorize the City Manager to enter into a Sole-Source Agreement with Columbus, in an amount not to exceed \$14,426.00, for the Little Rock Zoo's Point-of-Sale Software Improvements and Upgrades; and for other purposes. *Staff recommends approval.*

Synopsis: The Little Rock Zoo is requesting approval to waive competitive bidding and authorize the City Manager to enter into a Sole-Source Contract with Columbus, for the Little Rock Zoo's Point-of-Sale Software Improvements and Upgrades.

12. ORDINANCE NO. 21,647: To declare it impractical and unfeasible to bid; to authorize participation of the City of Little Rock, Arkansas, in an insurance pool administered by the Arkansas Municipal League for certain litigation costs, expenses and coverage, in an amount not to exceed \$572,871.04; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

Synopsis: Request for a Sole-Source Ordinance to approve participation in an insurance pool administered by the Arkansas Municipal League for certain litigation costs, expenses and coverage.

The ordinances were read the 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 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 8 was approved.** By unanimous voice vote of the Board Members present, **the emergency clause for Item 9 was approved.** By unanimous voice vote of the Board Members present, **the emergency clause for Item 10 was approved.** By unanimous voice vote of the Board Members present, **the emergency clause for Item 12 was approved.**

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Director Hines made the motion, seconded by Director Wright, 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