

**Little Rock Board of Directors Meeting
August 4, 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; Richardson; Webb; Cazort; Wright; Wyrick; Adcock; Vice-Mayor Hines and Mayor Stodola. Directors Absent: Kumpuris and Fortson. Director B.J. Wyrick delivered the invocation, which was followed by the Pledge of Allegiance.

Mayor Stodola recognized members from Boy Scout Troop 12 from Pulaski Heights United Methodist Church who were present in the audience working on their Citizenship in the Community Merit Badges.

Mayor Stodola recognized members from Boy Scout Troop 59 from First Christian Church who were present in the audience working on their Citizenship in the Community Merit Badges.

CONSENT AGENDA (Items 1 – 6)

1. **RESOLUTION NO. 14,167:** To set August 18, 2015, as the date of hearing on the projected uses of the 2016 CDBG, HOME and HOPWA Funding; and for other purposes.

2. **RESOLUTION NO. 14,168:** To authorize the City Manager to enter into an Annual Purchasing Contract with Summit Truck Group, for the purchase of batteries for use in all City of Little Rock Fleet Units, with an option to renew annually for two (2) additional years, with an annual budget not to exceed \$60,000.00; 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 batteries for City's vehicle and equipment fleet. This Annual Purchase Order is for one (1)-year, with an option to renew each year up to two (2) additional years with an annual budget not to exceed of \$60,000.00.

3. **RESOLUTION NO. 14,169:** To declare the intent of the City of Little Rock, Arkansas, to make certain expenditures toward capital improvements for the City's public libraries and to refund one (1) or more prior bond issues for the library and to reimburse itself for such expenditures from the proceeds of Library Bonds of the City; and for other purposes.

4. **RESOLUTION NO. 14,170:** To authorize the City Manager to enter into a grant agreement with the Arkansas Development Finance Authority for \$230,000.00, from the Arkansas Housing Trust Fund to be used for the City of Little Rock's Elderly Home Repair Program; and for other purposes. *Staff recommends approval.*

Synopsis: Approval to allow the City Manager to enter in a grant agreement with Arkansas Development Finance Authority (ADFA) for Housing Trust Fund Dollars to be used for Elderly Housing Repair in the amount of \$230,000 to assist not less than ten (10) applicants.

5. RESOLUTION NO. 14,171: To authorize the City Manager to enter into a contract with OPTIV Security, in the amount of \$83,547.54, for licenses renewal and support for next generation firewalls to support the security of the City's network locations; and for other purposes. *Staff recommends approval.*

Synopsis: To purchase from OPTIV Security Licenses renewal and support for Next Generation firewalls to support the security of the City's network locations.

6. RESOLUTION NO. 14,172: To authorize the City Manager to award a contract to Construction Management and Maintenance, Inc., in an amount not to exceed \$225,528.00, for the Citywide Traffic Signal Loop Program; and for other purposes. *Staff recommends approval.*

Synopsis: Authorizes the City Manager to execute an agreement with Construction Management & Maintenance, Inc., for the 2015 Citywide Signal Loop Program, Bid #15-147.

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.**

CITIZEN COMMUNICATION

Henry Draughter, 1608 South Taylor Street: Complaint – Complete Streets Policy.

Sylvia Delsa, 100 Holland Lane: Traffic – Ward 5.

Richard Morehead, 210 South Gaines Street: Employee Raises.

Cheryl Warden: Federal Bureau of Prisons.

Patricia Oliver, # Chateaus Lane: Chateaus POA.

Charles Neely, 311 East 8th Street: Renaming of Springer Boulevard.

John Gilchrist, 63 Springridge Court: Employee Raises.

GROUPED ITEMS (Items 7 - 9)

7. ORDINANCE NO. 21,077: 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 remove said structure; **to declare an emergency**; and for other purposes. *Staff recommends approval. (Deferred from June 16, 2015)*

Synopsis: One (1) commercial structure in a severely dilapidated, deteriorated and/or burned condition causing a negative environmental impact on residential and commercial properties in which it is located. All notices have been mailed in accordance with Arkansas State Law. (Located in Ward 1)

8. ORDINANCE NO. 21,078: To allow the use of Low Impact Development Techniques as an option for Stormwater Management when developing commercial, industrial and multi-family greater than MF-6 units per acre projects, without having to seek a variance from the City of Little Rock Planning Commission; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

Synopsis: Permissive, voluntary Low Impact Development (LID) ordinance will allow developers to incorporate environmentally-friendly water quality/quantity techniques into non-residential developments: commercial, industrial, and multi-family greater than MF-6, Multi-Family District, units per acre.

9. ORDINANCE NO. 21,079: To amend various provisions of Chapter 36 of the Code of Ordinances of the City of Little Rock, Arkansas, to allow the use of Low Impact Development; and for other purposes. *Planning Commission: 10 ayes; 0 nays; and 1 absent. Staff recommends approval.*

Synopsis: Permissive, voluntary Low Impact Development (LID) ordinance will allow developers to incorporate environmentally-friendly water quality/quantity techniques into non-residential developments.

The ordinances were read a first time. Director Adcock made the motion, seconded by Director Cazort, 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 Cazort, 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 7 was approved.**

SEPARATE ITEMS (Items 10 - 11)

10. ORDINANCE NO. 21,083; Z-5665-A: To approve a Planned Zoning Development and establish a Planned Residential District titled First Deliverance Temple Short-Form PD-R, located at 6213 – 6223 Lancaster Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 8 ayes; 0 nays; and 3 absent. Staff recommends approval. (1st Reading held on July 7, 2015) (Deferred from July 14, 2015)*

Synopsis: The request is to amend the previously-approved PD-R, Planned Development – Residential, to allow the use of one (1) of the buildings for church services. (Located in Ward 2)

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

Director Adcock asked for an update regarding the condition of the church, as well as the condition of the rental property associated with the development. Planning & Development Department Director Tony Bozynski stated that there were a number of items that needed to be addressed which would allow the structure to be utilized for non-residential occupancy as a church. Mr. Bozynski stated that some of the items that needed to be addressed included: making the bathrooms accessible for those with disabilities; installation of battery-powered emergency lighting fixtures on the interior and exterior adjacent to the door; modification of the handicapped ramp; installation of a fire extinguisher; repairs to the exterior fascia of the building; and roof decking work. Mr. Bozynski stated that staff had met onsite with the applicant and had made the suggestion that he not take on any of the major work until the Board voted on whether or not to revise the Planned Development.

Housing & Neighborhood Programs Code Enforcement Supervisor Greg Massanelli reported that approximately seventeen (17) life safety violations were identified in the structure located at 6213 Lancaster Road; however, due to the fact that there were no utilities connected at 6223 Lancaster Road, staff was unable to identify any life safety violations at that structure. Mr. Massanelli stated that a Certificate of Compliance would not be issued until the utilities were turned on and staff was able to verify whether or not there were any existing life safety violations. Director Adcock asked if the life safety violations at 6213 Lancaster Road had been addressed. Mr. Massanelli stated that the property had not yet been re-inspected. Director Richardson stated that it was his understanding that the issue before the Board was the structure that was to be used as a church, not the other structures on the property. Mr. Bozynski stated that the property was currently Planned Development – Residential and that the request before the Board was to amend the Planned Development to allow one (1) of the structures on the property to be utilized as a church.

Elsie Williams, 7 Allyson Circle: Mr. Williams stated that he had had worked hard to clean-up the property up and that it now looked like a totally different area. Mr. Williams stated that his request was only for the one (1) building that would house the church and that he had met with Code Enforcement Staff and they had given him a list of items that needed to be corrected in order to bring the other two (2) structures up to code. Mr. Williams stated that the electric company was supposed to come the following day to hook up the electricity so that he could begin repairs on those two (2) structures.

By voice vote of the Board Members present, with Director Adcock and Wyrick voting in opposition, **the ordinance was approved.**

11. ORDINANCE NO. 21,080: To establish a schedule of sewer rates and charges for Little Rock Wastewater, repealing Ordinance No. 20,594 (June 12, 2012); and for other purposes.

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.

Daniel Hopwood, 4317 Maryland Avenue: Stated that he represented that Forest Hills Neighborhood Area and that he was against the rate increase. Mr. Hopwood stated that no matter how many rate increases were approved and how much money was given to Little Rock Wastewater, they always wanted more. Mr. Hopwood stated that there were many individuals in his neighborhood that couldn't afford to keep paying increased rates to Wastewater.

Scott Gordon, 10 Eagle Crest Court: Stated that he was in support of the rate increase and urged the Board to support the increase for the health of the citizens of Little Rock.

Director Wright stated that she understood infrastructure that needed to be maintained and that the sewer system was an asset; however, rate increases were a hardship for many of citizens the citizens in her Ward.

Vice-Mayor Hines made the motion, seconded by Director Cazort, to call the question on the vote. By unanimous voice vote of the Board Members present, **the question to vote was called.**

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

PUBLIC HEARINGS (Items 12 – 13)

12. ORDINANCE NO. 21,081: To form the City of Little Rock Property Owners' Multipurpose Improvement District No. 2015-318 of Little Rock, Arkansas (The Villages at Ison Creek); and for other purposes.

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 Cazort, 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.

Mayor Stodola opened the public hearing and 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.**

13. ORDINANCE NO. 21,082: To establish and lay off the Center Street Multipurpose Improvement District No. 2015-319 of the City of Little Rock, Arkansas; ***to declare an emergency;*** and for other purposes.

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 Cazort, 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.

Mayor Stodola opened the public hearing and 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.**
By unanimous voice vote of the Board Members present, **the emergency clause was approved.**

DISCUSSION (Item 14)

14. DISCUSSION: Parking in the Yard Update

City Manager Bruce Moore stated that when the Parking in the Yards Ordinance passed, the Board had made the decision that the fine would be \$50.00, plus any applicable court costs. City Manager Moore stated that recently a citizen had been issued a citation, sent in her \$50.00 payment to avoid going to court and her payment was returned with a letter indicating that she owed an additional \$65.00, which included the fee for court costs. City Manager Moore stated that the discussion needed to be held to determine if an individual that mails their payment in ahead of an assigned court date should be charged for court costs.

Finance Treasury Management Manager Scott Massanelli provided the following information regarding the distribution of the \$50.00 violation from February 7, 2012 through January 31, 2015:

Court Costs	\$25.00
County Jail	10.00
City Jail	10.00
Fines (General Fund)	4.50
Police Pension (10% of Fine)	<u>.50</u>
Total	\$50.00

Mr. Massanelli reported that the Administrative Office of the Courts (AOC) had recently implemented Contexte, a new Case Management Software, in an effort to streamline all the District Courts. Mr. Massanelli stated that Contexte had researched all the State Statutes and City Ordinances to ensure that all court costs were paid first. Mr. Massanelli reported that when they examined the Parking in the Yard Ordinance, it was determined that \$20.00 should have been going to both the County Jail and the City Jail and that the minimum should be \$65.00, making the distribution as follows:

Court Costs	\$25.00
County Jail	20.00
City Jail	20.00
Fines (General Fund)	.00
Police Pension (10% of Fine)	<u>.00</u>
Total	\$65.00

Mr. Massanelli stated that as a result, the \$50.00 Parking in the Yard violation was automatically adjusted by Context to \$65.00, even though the tickets that are distributed by Code Enforcement state the violation amount to be \$50.00.

Mr. Massanelli stated that AOC issued an opinion based on their reading of the current ordinance that the distribution should be as follows:

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Court Costs	\$25.00
County Jail	20.00
City Jail	20.00
Fines (General Fund)	45.00
Police Pension (10% of Fine)	<u>5.00</u>
Total	\$115.00

Mr. Massanelli stated that if the Board opted to change the fee to \$65.00, there would be no funds distributed to the General Fund or the Police Pension Fund.

Mayor Stodola asked if the opinion had been given as to whether an individual should pay the court costs if they paid the ticket ahead of time and avoided going to court. Chief Deputy City Attorney Bill Mann stated that he would need to research the issue and report back at a later date.

Director Richardson made the motion, seconded by Director Cazort, 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