

**Little Rock Board of Directors Meeting  
March 17, 2015  
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a special called meeting with Mayor Mark Stodola presiding. City Clerk Susan Langley called the roll with the following Directors present: Hendrix; Richardson; Webb; Wright; Wyrick; Kumpuris (enrolled at 6:15 PM); Fortson; Adcock; Vice-Mayor Hines; and Mayor Stodola. Directors Absent: Cazort. Director Dean Kumpuris delivered the invocation, which was followed by the Pledge of Allegiance.

**CONSENT AGENDA (Items 1 – 9)**

**1. RESOLUTION NO. 14,085:** To authorize the City Manager to enter into a contract with Landers Ford, in the amount of \$62,718.00, to purchase three (3) Ford F150 Trucks for the Public Works Department Building Services Division, through the State Purchasing Contract; and for other purposes. *(Funding from the 2012 5/8-Cent Operational Improvement Sales Tax) Staff recommends approval.*

**Synopsis:** Approval of a resolution authorizing the City Manager to enter into a contract with Landers Ford in the amount of \$62,718.00 to purchase three (3) Ford F150 Trucks for the Public Works Department Building Services Division.

**2. RESOLUTION NO. 14,086:** To authorize the City Manager to award an Engineering Inspection Contract to McClelland Consulting Engineers, in an amount not to exceed \$300,000.00, for the 2015 Street Asphalt Overlay Program; and for other purposes. *(Funding from the 2013 Limited Tax General Obligation Capital Improvement Bonds) Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute an agreement with McClelland Consulting Engineers, Inc., for inspection services of asphalt resurfacing in all seven (7) Wards within the City of Little Rock.

**3. RESOLUTION NO. 14,087:** To authorize the City Manager to award a contract to Redstone Construction Group, Inc., in the amount of \$6,251,035.76, for the 2015 Street Asphalt Overlay Program; and for other purposes. *(Funding from the 2013 Limited Tax General Obligation Capital Improvement Bonds) Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute an agreement with the low bidder, Redstone Construction Group, Inc., for asphalt resurfacing in all seven (7) Wards within the City of Little Rock.

**4. RESOLUTION NO. 14,088:** To transfer property to Jazmir Arkansas, LLC, for development, to be used for Neighborhood Revitalization Programs; and for other purposes. *Staff recommends approval. (Deferred from February 24, 2015)*

**Synopsis:** In an effort to maximize the Land Bank's revitalization efforts, the Land Bank Commission would like to transfer the unsafe/vacant structure located at 3115 West 11<sup>th</sup> Street to Jazmir Arkansas, LLC, for rehabilitation. (Located in Ward 1)

**5. RESOLUTION NO. 14,089:** To transfer property by Quitclaim Deed under the Land Bank Side Lot Program; and for other purposes. *Staff recommends approval. (Deferred from February 24, 2015)*

**Synopsis:** In an effort to convey underutilized parcels of property held in the City's Land Bank, Staff would like to transfer the property located at 2606 West 13<sup>th</sup> Street to the neighboring homeowner at

**2600 West 13<sup>th</sup> Street under the Land Bank Side Lot Program. Property Details:** The property at 2606 West 13<sup>th</sup> Street is a 7,200 square-foot unimproved parcel with no structure that shares a common boundary line on the east with the property at 2600 West 13<sup>th</sup> Street. (Located in Ward 1)

**6. RESOLUTION NO. 14,090:** To authorize the City Manager to enter into a contract with Blue Water Pools, in the amount of \$70,960.00, for replacing the sand filters and installing an Acutrol Chlorine Feeder at the Jim Dailey Fitness and Aquatic Center; and for other purposes. *Staff recommends approval.*

**Synopsis:** A resolution to authorize the City Manager to enter into an contract with Blue Water Pools for replacing the sand filters and putting in an Acutrol Automated Chlorine Feeder at the Jim Dailey Fitness and Aquatic Center in the amount of \$70,960.00.

**7. RESOLUTION NO. 14,091:** To authorize the use of eminent domain on the Florida Street Improvement Project; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax) Staff recommends approval*

**Synopsis:** Authorizes the City Attorney to use eminent domain to complete acquisition of right-of-way, temporary construction easements and land for the Florida Street Improvement Project, Project No. 13-3-18. (Located in Ward 3)

**8. RESOLUTION NO. 14,092:** To authorize the use of eminent domain on the Asher Avenue Improvement Project; and for other purposes. *(Funding from the 2013 Limited Tax General Obligation Capital Improvement Bonds) Staff recommends approval.*

**Synopsis:** Authorizes the City Attorney to use eminent domain to complete acquisition of right-of-way, temporary construction easements and land for the Asher Avenue Improvement Project, Project No. 13-B-1A. (Located in Ward 1)

**9. RESOLUTION NO. 14,093:** To express the willingness of the City of Little Rock to utilize Federal Emergency Management Aid Funds for flood studies of selected stream reaches within the City of Little Rock, Arkansas ; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax) Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to apply for a grant and to execute agreements with the Arkansas Natural Resources Commission for funding of the Federal Emergency Management Agency (FEMA) Grant Study Project along Rock Creek, Grassy Flat North Creek, Colony West Creek and State Capitol Drain.

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

#### **GROUPED ITEMS (Items 10 – 12)**

Mayor Stodola stated that cards had been turned in from individuals that wanted to speak on several of the items; therefore, each item would be read separately.

**10. ORDINANCE NO. 21,011; LU14-02:** To amend the Land Use Plan in the area east of Union Pacific Rail Line/Interstate 530; and for other purposes. *Planning Commission: 8 ayes; 1 absent; and 2 open positions. Staff recommends approval.*

**Synopsis:** A Land Use package of amendments in the area west of the Union Pacific Rail Line/Interstate 530. (Areas located in in Ward 1 and outside the City Limits, but within the City's zoning jurisdiction)

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

**11. ORDINANCE NO. 21,012; Z-4175-I:** To repeal Ordinance No. 18,497 (June 5, 2001) titled Arkansas Hospice Long-Form POD and revoke a Planned Zoning District; and for other purposes. *Planning Commission: 7 ayes; 1 nay; 1 absent; and 2 open positions. Staff recommends approval. (Deferred from March 3, 2015)*  
**Synopsis: The owner of the 9.69± acre tract located at the north end of Dover Drive is requesting that the current zoning of Arkansas Hospice Long-Form POD be revoked and the property returned to its underlying zoning of MF-18, Multi-Family. (Located in Ward 6)**

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

Keith Richardson: Stated that he was with the applicant and they were requesting to revoke the POD, Planned Office Development, which had been approved in 2001. Mr. Richardson stated that they had met with several of the homeowners and the homeowners association, along with Director Wright, in an attempt to address any concerns that had been expressed. Mr. Richardson stated that if the first phase of the proposed project that was being reviewed by the Arkansas Development Finance Authority (ADFA) was approved, they would forever restrict the remainder of the property to elderly housing (fifty-five (55) years of age or older). In addition, Mr. Richardson stated that should ADFA not approve the project, then he would restrict the entire property to elderly housing for a period of five (5) years to assist in alleviating some of the concerns expressed by the adjacent neighborhoods.

Larry Bledsoe, 9907 Suffolk Drive: Stated that he was the President of the Kensington Place Property Owners' Association (POA) and their neighborhood was located adjacent to the property in question. Mr. Bledsoe stated that the POA had met with the developer, along with Director Wright and Planning & Development Department Director Tony Bozynski to express their concerns. Mr. Bledsoe reported that most of their concerns had been addressed in regards to the development being restricted to elderly housing; however, the concern regarding the ingress/egress of the property through the neighborhood remained. Mr. Bledsoe stated that he didn't feel that they had adequate time to address the issue and asked that the Board defer action on the item.

Mr. Richardson stated that he had met with the POA regarding alternate routes; however, the chances of that were slim due to the cost involved. Mr. Richardson stated

that he told the POA that they would be willing to consider different areas to enter the property; however, he wasn't willing to pay for the cost of the road.

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

By roll call vote, the vote was as follows: Ayes: Wyrick; Kumpuris; Fortson; Adcock; and Vice Mayor Hines. Nays: Richardson; Webb; and Wright. Present: Hendrix. Absent: Cazort. When asked if she would like to change her vote, Director Hendrix stated that she would like to change her vote from Present to Nay. Mayor Stodola stated that as the Chair he would cast an Aye vote. By a vote of six (6) ayes, four (4) nays and one (1) absent, **the ordinance was approved.**

**12. ORDINANCE NO. 21,013:** To amend Little Rock, Ark., Rev. Code § 2-243 (a)((2)(w) (1988) to allow greater flexibility for the purchase of broadband equipment and services; and for other purposes. *Staff recommends approval.*

**Synopsis:** This ordinance permits the City Manager, in appropriate situations, to allow bids for a City broadband package to consist of both professional service bids, and price bids.

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

**13. ORDINANCE NO. 21,014:** To condemn certain structures in the City of Little Rock, Arkansas, as structural, fire and health hazards; to provide for summary abatement procedures; to direct City Staff 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:** Five (5) 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.

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.

Dr. Narcissus Tyler, 1922 South Battery Street: Stated that she was the owner of the property located at 1325 West 12<sup>th</sup> Street and that she had ideas on how to preserve the building. Dr. Tyler stated that she had submitted the paperwork to the Department of Arkansas Heritage to determine if the building was eligible for the National Register of

Historic Places. Dr. Tyler stated that determination would be made in April and asked that the Board defer action on the property until she received notification.

Director Wright asked Dr. Tyler if she had the funds to rehabilitate the building. Dr. Tyler stated that she did not currently have the funds; however, she was seeking private funding. Director Hendrix asked how long the structure had been vacant. Housing & Neighborhood Programs Department Director Andre Bernard stated that he did not have record of how long it had been vacant; however, staff had been dealing with the property since 2010, and that the first notice was sent to the owner on August 30, 2010. Director Hendrix asked if staff had received any response from the owner regarding the notice and any proposed repairs to the property. Mr. Bernard reported that the notice was returned unclaimed; however, he had met with Dr. Tyler on several occasions since that time. Director Hendrix stated that the property had been vacant for at least fifteen (15) to twenty (20) years and that the residence in the area were very concerned about the structure.

Director Webb asked Dr. Tyler if she had alternate funding should the property not received the National Register of Historic Places designation. Dr. Tyler stated that she did not have alternate funding available. Mayor Stodola asked if the designation was received, would there be funding. Dr. Tyler stated that she had not yet begun seeking funding; however, she was planning to do so soon.

Director Richardson made the motion, seconded by Director Wright, to defer action on 1325 West 12<sup>th</sup> Street for forty-five (45) days. By roll call vote, the vote was as follows: Ayes: Richardson; Wright; Wyrick; Kumpuris; Fortson; and Vice-Mayor Hines. Nays: Hendrix; Webb; and Adcock. Absent: Cazort. By a vote of six (6) ayes, three (3) nays and one (1) absent, **the motion was approved.**

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

#### **PUBLIC HEARINGS (Items 14 – 16)**

**14. ORDINANCE NO. 21,015; G-23-453:** To abandon the east 133 feet of the alley right-of-way, located within Block 7, Pfeifer's Addition, which is adjacent to Lots 6 through 11, Block 7, Pfeifer's Addition, in the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 8 ayes; 0 nays; and 3 absent. Staff recommends approval.*  
**Synopsis:** The adjacent property owners propose to abandon the east 133 feet of the alley right-of-way located within Block 7, Pfeifer's Addition. The portion of the alley requested to be abandoned is adjacent to Lots 6 through 11, Block 7, Pfeifer's Addition. The west portion of the alley was previously abandoned. The block is bounded by West Markham, 'A', Van Buren and Harrison Streets. (Located in Ward 3)

Mayor Stodola opened the public hearing.

The ordinance was read a first time. Director Richardson made the motion, seconded by Vice-Mayor Hines, 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 Richardson made the motion, seconded by Vice-Mayor Hines, 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 asked if there were individuals present that wished to speak for or against the item.

Morris Harper: Stated he was the applicant and that the western half of the alley had been abandoned in 2003, and this was simply a follow-up to abandon the eastern end. Mr. Harper stated that they had contacted all the adjacent property owners and there were no objections to the proposed abandonment.

Mayor Stodola closed the public hearing.

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

**15. ORDINANCE NO. 21,016; G-23-454**: To abandon approximately 413 linear-feet of the undeveloped 31.74-foot wide Kirk Road right-of-way, located west of the current dedicated Kirk Road, in the City of Little Rock, Arkansas; and for other purposes.

*Planning Commission: 8 ayes; 0 nays; and 3 absent. Staff recommends approval.*

**Synopsis: The adjacent property owners propose to abandon approximately 413 linear-feet of the undeveloped 31.74-foot wide Kirk Road right-of-way. The area of abandonment is located west of the current dedicated Kirk Road (across Kirk Road from the Fellowship Bible Church development). (Located in Ward 5)**

Mayor Stodola opened the public hearing.

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.

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.**

**16. RESOLUTION NO. 14,094**: To authorize the issuance of a Capital Improvement Revenue Bond by the City of Little Rock, Arkansas, Emergency Medical Health Care Facilities Board (Little Rock Ambulance Authority); and for other purposes.

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.

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

**CITIZEN COMMUNICATION**

There were no individuals present that filled out a card to speak during Citizen Communication.

Director Richardson 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**