

**Little Rock Board of Directors Meeting  
June 20, 2017  
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a meeting with Vice-Mayor Kathy Webb presiding. Deputy City Clerk Allison Segars called the roll with the following Directors present: Hendrix; Richardson; Peck; Hines; Wright; Wyrick; Kumpuris; Fortson; Adcock; and Vice-Mayor Webb. Director absent: Mayor Stodola. Director Erma Hendrix delivered the invocation, which was followed by the Pledge of Allegiance.

**ADDITIONS:**

**M-1 ORDINANCE:** To dispense with the requirement of competitive bidding as impractical and unfeasible; to award a Contract to Risk Management Resources to provide Third-Party Administration Services for the City's Self-Funded Workers' Compensation Program for a nine (9)-month period from July 1, 2017, to March 31, 2018; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

**Synopsis:** This ordinance waives competitive bidding as impractical and unfeasible regarding an extension of the existing contract to provide Third-Party Administration Services for the City's Self-Funded Workers' Compensation Program.

City Manager Bruce Moore stated that in working with the City Attorney's Office, it was determined that the City's third-party administration for the City's Self-Funded Workers' Compensation Program had expired at the end of June; therefore, the competitive process needed to be waived in order to get the bid put out.

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

**DEFERRALS:**

**10. ORDINANCE; LU17-24-01:** To amend the Land Use Plan in two (2) areas between Granite Mountain, College Station and Sweet Home, from Residential Low Density and Industrial to Park/Open Space and Mining; and for other purposes. *Planning Commission: 8 ayes; 0 nays; and 3 absent. Staff recommends approval. (Deferred at the applicant's request until July 18, 2017)*

**Synopsis:** A Land Use Plan amendment in the College Station-Granite Mountain Area, changing Residential Low Density, northwest of the intersection of 38<sup>th</sup> Street & West Line Street, to Park/Open Space and Industrial to Mining, east of State Highway 365 at King Road. (Located in Ward 1)

**11. ORDINANCE; Z-9202:** 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: 8 ayes; 0 nays; and 3 absent. Staff recommends approval. (Deferred at the applicant's request until July 18, 2017)*

**Synopsis:** The owner of 97.25 acres of property located generally south of Interstate 440 and east and north of Springer Boulevard is requesting that the zoning for 29.71 acres be reclassified from R-2, Single-Family District, and R-3, Single-Family District, to OS, Open Space District, and the zoning for 67.54 acres be reclassified from R-2 and R-3 to M, Mining District. (Located in Ward 1)

**14. ORDINANCE; G-23-465:** To abandon various rights-of-way and plats in the Chamber of Commerce Addition, the Granite Park Addition and the Frisby Addition, located south of Interstate 440 and east & north of Springer Boulevard, in the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 8 ayes; 0 nays; and 3 absent. Staff recommends approval. (Deferred at the applicant's request until July 18, 2017)*

**Synopsis:** 3M Company, the property owner/abutting property owner, requests to abandon parts of The Chamber of Commerce Addition, Granite Park Addition and Frisby Addition to include lots and rights-of-way, located generally south of Interstate 440, and east and north of Springer Boulevard. (Located in Ward 1)

Director Adcock made the motion, seconded by Director Wyrick, to defer Items 10, 11 & 14 until July 18, 2017. By unanimous voice vote of the Board Members present, **Items and Items 10, 11 & 14 were deferred until July 18, 2017.**

#### **CONSENT AGENDA (Items 1 – 4)**

**1. MOTION:** To approve the minutes of the January 17, 2017, February 7, 2017, and February 21, 2017, Little Rock City Board of Directors Meetings.

**2. RESOLUTION NO. 14,589:** To amend Little Rock Ark., Resolution No. 14,540 (April 8, 2017), to authorize the City Manager to lease up to an additional nine (9) cars for the Little Rock Police Department, in an amount not to exceed \$67,748.00, pursuant to entering into a Lease Agreement with Enterprise FM Trust, by Enterprise Fleet Management, Inc., its attorney in fact; and for other purposes. *Staff recommends approval.*

**Synopsis:** The Little Rock Police Department has a lease agreement with Enterprise Fleet Management, Inc., for leasing Undercover Vehicles. Additional leased vehicles are necessary, resulting in a need to increase the annual not to exceed amount.

Director Hines asked why the cars were not included in the previous contract the Board had recently approved and why the cost was higher. City Manager Moore stated that additional units were needed as a result of the expansion of several of the existing Divisions. Captain Ty Terrell stated that three (3) of the vehicles would be assigned to the Violent Crimes Apprehension Team (VCAT), two (2) would be assigned to Major Crimes, two (2) would be assigned to Headquarters/Emergency Management and two (2) would be assigned to Special Investigations. Captain Tyrell stated that the higher cost was due to the type of vehicles needed.

**3. RESOLUTION NO. 14,590:** To authorize the City Manager to enter into a contract with Sunbelt Fire, in the amount of \$1,145,421.00, for the purchase of two (2) E-One Custom Pumpers on Cyclone II Chassis, for the Little Rock Fire Department, utilizing the Houston-Galveston Area Cooperative Purchasing Agreement; and for other purposes. *Staff recommends approval.*

**Synopsis:** The Little Rock Police Department has a lease agreement with Enterprise Fleet Management, Inc., for leasing Undercover Vehicles. Additional leased vehicles are necessary, resulting in a need to increase the annual not to exceed amount.

**4. RESOLUTION NO. 14,591:** To authorize the City Manager to enter into a contract with FTN Associates, Ltd., in an amount not to exceed \$230,000.00, to provide Technical Consulting Services for the 2017 GIS Storm Water System Mapping and Data Collection; and for other purposes. *Staff recommends approval.*

**Synopsis:** Authorizes the City Manager to execute an agreement with FTN Associates, Ltd., to provide Technical Consulting Services for GIS Storm Water Mapping and Data Collection Improvements, Bid No. 17104.

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.**

#### **GROUPED ITEMS (Items 5 – 8 and Item M-1)**

**5. ORDINANCE NO. 21,426; Z-6860-E:** To approve a Planned Zoning Development and establish a Planned Office District, titled Markham Harrison Properties Short-Form PD-O, located at 5307 A Street, 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 O-3, General Office District, to PD-O, Planned Development - Office, to allow for the development of a parking lot to serve the office building located at the northwest corner of West Markham and Harrison Streets. (Located in Ward 3)

**6. ORDINANCE NO. 21,427:** 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:** Nine (9) residential structures in a severely dilapidated, deteriorated and/or burned condition causing a negative environmental impact on the residential neighborhoods in which they are located in. All Notices have been mailed in accordance with Arkansas State Law.

**7. ORDINANCE NO. 21,428:** To authorize the issuance of a promissory note to provide short-term financing under Amendment No. 78 to the Arkansas Constitution for the acquisition and installation of tangible personal property; prescribing other matters pertaining thereto; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

**Synopsis:** The City has a need to fund the first phase of a Computer -Aided Dispatch System for quicker emergency response time for Police and Fire, an online performance portal to enable performance management and analysis associated with City's open data initiative, and other major software upgrades to new and existing systems, and to acquire and equip vehicles for the Little Rock Police Department.

**8. ORDINANCE NO. 21,429:** To dispense with the requirement of competitive bidding as impractical and unfeasible; to award a contract to Safety National to provide Workers' Compensation Stop-Loss Coverage to the City of Little Rock, Arkansas, for a one (1)-year period from July 1, 2017, to June 30, 2018; **to declare an emergency**; and for other purposes. *Staff recommends approval.*

**M-1 ORDINANCE NO. 21,434:** To dispense with the requirement of competitive bidding as impractical and unfeasible; to award a Contract to Risk Management Resources to provide Third-Party Administration Services for the City's Self-Funded Workers'

Compensation Program for a nine (9)-month period from July 1, 2017, to March 31, 2018; **to declare an emergency**; and for other purposes. *Staff recommends approval.*  
**Synopsis: This ordinance waives competitive bidding as impractical and unfeasible regarding an extension of the existing contract to provide Third-Party Administration Services for the City's Self-Funded Workers' Compensation Program.**

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.** By unanimous voice vote of the Board Members present, **the emergency clause for Item 6 was approved.** By unanimous voice vote of the Board Members present, **the emergency clause for Item 7 was 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 M-1 was approved.**

#### **SEPARATE ITEMS (Item 9 and Items 12 - 13)**

**9. ORDINANCE NO. 21,433; Z-5442-F:** To approve a Planned Zoning Development and establish a Planned Commercial District, titled James Mitchell School Revised Short-Form PCD, located at 2410 South Battery Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *(Tabled from the June 6, 2017, Meeting) Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*  
**Synopsis: The applicant proposes to amend the previously-approved PCD, Planned Commercial Development, to review the development plan for a Public Charter School which will occupy the site. (Located in Ward 1)**

The ordinance was read a first time. Director Adcock 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 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.

Chad Young, 400 West Capitol Avenue: Stated that he was with Wittenberg, Delony & Davidson Architects and that they represented the applicant and were in charge of the renovation of the facility.

Director Wright asked for the name of the applicant. Mr. Young stated that the one of the applicants was Dr. Phillis Nichols-Anderson

Dr. Phillis Nichols-Anderson: Stated that she was the Director of ScholarMade Educational Services.

Barbara Smith, P.O. Box 166052: Asked if the school would be open to the children in the neighborhood.

Dr. Anderson stated that State Law required that a Charter School have open enrollment, which meant that students from any part of the City could apply to attend. Dr. Anderson stated that there would be a lottery system utilized; however, the Charter application contained language to provide preference to the students in the community.

Senator Joyce Elliott: Stated that she was not anti-Charter School; however, she was pro-Little Rock School District and she felt like the Charter Schools were pulling the District apart. Senator Elliott asked that the Board take a stand and vote to deny the application for the Charter School.

Director Wright stated that the property had already been utilized as a school and asked why it needed to be rezoned to a Planned Commercial District. City Manager Moore stated that Charter Schools did not have bussing; therefore, the traffic pattern to move traffic in and out of the neighborhood was a public purpose to review. Planning & Development Director Tony Bozynski stated that in addition the site plan was different. Director Wyrick asked how many students were expected. Mr. Young stated that 290 students were expected the first year. Director Wyrick asked how the traffic pattern would work and how many parking spaces would be designated. Mr. Young stated that there was an existing parking lot with twenty (20) spaces and an additional parking lot would be added with twenty-two (22) spaces. Dr. Anderson stated that the school would be providing bus transportation; however, because the school would have open enrollment, at that point it was hard to determine the number of students that would utilize the bus transportation. Dr. Anderson stated that based on her professional experience with establishing Charter Schools, she estimated that approximately 50% of the students might utilize the bus transportation.

Ernie Peters: Stated that he was with Peter & Associates and reported that there was an existing traffic signal at Roosevelt Road & Battery Street. Mr. Peters stated that the single-point of access for drop-off and pick-up of students would be off Summit Street on the west side of the school. Mr. Peters stated that Summit Street would be widened to accommodate vehicle queuing. In addition, Mr. Peters stated that widening would occur along Battery Street to provide for some queuing and to still provide two (2) full lanes of vehicle movements north and south.

By voice vote of the Board Members present, with Director Peck and Vice-Mayor Webb voting in opposition, **the ordinance was approved.**

**12. ORDINANCE NO. 21,430; Z-9210**: To approve a Planned Zoning Development and establish a Planned Residential District, titled Lawson Short-Form PD-R, located at 324 Walnut Street, 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 rezone the site from R-3, Single-Family District, to PD-R, Planned Development - Residential, to allow an existing fifty (50)-foot by 140-foot lot to be subdivided and allow for the development of the newly created lot with a single-family home. (Located in Ward 3)**

The ordinance was read a first time. Director Adcock 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 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. By unanimous voice vote of the Board Members present, **the ordinance was approved.**

**13. ORDINANCE NO. 21,435; Z-9211:** To approve a Planned Zoning Development and establish a Planned Residential District, titled The Crest at Chenal Long-Form PD-R, located on the west side of Chenal Parkway, approximately 1/7-mile south of Northfield Drive, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 8 ayes; 2 nays; and 1 absent. Staff recommends denial.*

**Synopsis: The request is a rezoning from R-2, Single-Family District, to PD-R, Planned Development - Residential to allow for the development of this ten (10)-acre site with a Senior Living Facility. (Located in Ward 5)**

The ordinance was read a first time. Director Adcock 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 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.

Director Adcock asked for a staff presentation. Mr. Bozynski stated that the request was to change the rezoning from R-2, Single-Family District, to PD-R, Planned Development – Residential, to allow for the development of an age-restricted multi-family project on a ten (10)-acres site with a total of 221 units in two (2) buildings. Mr. Bozynski stated that staff was not in support of the application in that they were concerned about the substantial increase that the density proposed for the site. Mr. Bozynski stated that the current Land Use Plan showed the area as Residential Low Density, which was typically six (6) units per acre, and the project proposed twenty-two (22) units per acre.

Director Adcock asked which Neighborhood Associations were notified. Mr. Bozynski stated that staff had notified Aberdeen Court Property Owners Association and DuQuesne Place Property Owners Association. Director Adcock asked what the age restrictions were. Mr. Bozynski stated that the age restriction was that each individual had to be fifty-five (55) years of age or older. Director Adcock asked how many parking spaces were designated. Mr. Bozynski stated that the application designated 304 parking spaces. Director Adcock asked about the size of the buffer between the development and the adjacent single-family homes. Mr. Bozynski stated that a 100-foot buffer was planned between the development and the adjacent neighborhood.

Larry Crain: Stated that he was one of the Developers for the project, which was a luxury senior living community. Mr. Crain stated that of the 221 units, 120 units would be for independent living with eighty-one (81) designated for active adults, and there would be a mixture of studio, one (1), two (2) and three (3)-bedroom units. Mr. Crain stated that the proposed development would serve as a good buffer between the adjacent neighborhoods and the adjacent C-3, General Commercial District; C-2, Shopping

Center District; and O-2, Office & Institutional District Zoning. Mr. Crain reported that on average a retirement community consisted of 3.3 trips per day per unit as compared to ten (10) trips per day in a single-family home development and 6.1 trips per day in a typical apartment complex. Mr. Crain stated that according to the site line review, there would be no direct view of the proposed development from any of the neighbor's property.

Director Kumpuris asked if the property would be rental or a for sale condominium. Mr. Crain stated that all the units were rental and would be managed through a professional on-site Property Manager.

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

### **PUBLIC HEARINGS (Items 15 - 16)**

**15. ORDINANCE NO. 21,431; G-23-466:** To abandon the public right-of-way for an easement that is a portion of C Street, located west of Walnut Street, in 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 abandonment of five (5) feet of right-of-way along C Street, west of Walnut Street for 150 feet. (Located in Ward 3)**

Vice-Mayor Webb opened the public hearing.

The ordinance was read a first time. Director Adcock 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 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.

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

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

**16. ORDINANCE NO. 21,432; G-24-052:** To abandon an Access Easement, located at 324 Walnut Street, in the Glendale Subdivision, in the City of Little Rock, Pulaski County, Arkansas; and for other purposes. *Planning Commission: 11 ayes; 0 nays; and 0 absent. Staff recommends approval.*

**Synopsis: The applicant is requesting abandonment of a platted access easement located along the western property line of Lot 1; Block 3 Glendale Subdivision. (Located in Ward 3)**

Vice-Mayor Webb opened the public hearing.

The ordinance was read a first time. Director Adcock 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 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.

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

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

### **CITIZEN COMMUNICATION**

Barbara Smith, P.O. Box 166052: Rock Region Metro Bus.

Gloria Springs, 6A Harris Circle: Lack of Communication.

Stephany Ricks Fields, 1621 East 38<sup>th</sup> Street: Missed Communication.

Karen Brooks, 1811 East 38<sup>th</sup> Street: Missed Communication.

Delores Floyd, 1520 East 38<sup>th</sup> Street: Miscommunication.

Kenyon Lowe, 3024 Ringo Street: South End.

Director Kumpuris stated that the 3M items had been deferred earlier in the evening until July 18, 2017; however, he would like to see the applicant and the neighborhood have further discussion. City Attorney Tom Carpenter stated that since the items had already been deferred, the motion needed to be amended to change the deferral date from July 18, 2017, to August 1, 2017. Director Kumpuris made the motion, seconded by Director Richardson, to amend the original motion and to defer the items dealing with the 3M proposal for six (6) weeks until August 1, 2017. By unanimous voice vote of the Board Members present, **the original motion was amended and the items were deferred for six (6) weeks until August 1, 2017.**

Director Wyrick 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:**

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**Allison Segars, Deputy City Clerk**

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**Kathy Webb, Vice-Mayor**