

**Little Rock Board of Directors Meeting  
November 15, 2016  
6:00 PM**

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

**PRESENTATIONS**

Shawn Bakr, Central Arkansas Officer of the Year and Officer of the Year for the State of Arkansas

**ADDITIONS**

**M-1 ORDINANCE; Z-8472-C:** To approve a Planned Zoning Development and establish a Planned Commercial District, titled Mid-Town at Fair Park Boulevard Revised Short-Form PCD, located on the southwest corner of Interstate 630 and Fair Park Boulevard, 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; 2 absent; and 1 open position. Staff recommends approval.*

**Synopsis:** The request is to revise the previously-approved PCD, Planned Commercial Development, to allow for the development of the site with a Medical Office Building. (Located in Ward 2)

Director Cazort made the motion, seconded by Director Adcock, to add Item M-1 to the Separate Items. By voice vote of the Board Members present, with Director Hendrix voting in opposition, **Item M-1 was added to the Separate Items.**

**CONSENT AGENDA (Items 1 – 11)**

**1. MOTION:** To approve the minutes of the June 7, 2016, June 21, 2016, July 5, 2016, Little Rock City Board of Directors Meetings and the minutes of the June 28, 2016, and July 12, 2016 Little Rock City Board of Directors Reconvened Meetings.

**2. RESOLUTION NO. 14,447; Z-8170-C:** To set December 6, 2016, as the date of public hearing on an appeal of the Planning Commission's action in denying a Conditional Use Permit to allow a Wastewater Treatment Plant on the property located at 25616 Highway 10; and for other purposes.

**3. RESOLUTION NO. 14,448:** To authorize the City Manager to enter into a contract with Scott Equipment, in the amount of \$162,017.00, for the purchase of a Wheel Loader 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 Scott Equipment for the purchase of a Wheel Loader for the Public Works Department.**

**4. RESOLUTION NO. 14,449:** To authorize the City Manager to extend the contract with the Arkansas Municipal League – Municipal Vehicle Program, in the amount of \$329,144.33, to administer a Self-Insurance Program for the City of Little Rock’s Motor Vehicle Liability Insurance, including compensation and collision for current vehicles; and for other purposes. *Staff recommends approval.*

**Synopsis: Approval of a resolution authorizing the City Manager to extend a contract with Arkansas Municipal League - Municipal Vehicle Program to administer a Self-Insurance Program for the City of Little Rock’s Motor Vehicle Liability Insurance including Compensation and Collision Insurance for current vehicles.**

**5. RESOLUTION NO. 14,450:** To authorize the Mayor, City Clerk and City Manager to execute a Temporary Construction Easement located at Kanis Park, to the Arkansas Highway and Transportation Department as a part of the project to widen Interstate 630 from Baptist Health Drive to University Avenue; and for other purposes. *Staff recommends approval.*

**Synopsis: Authorizes the Mayor, City Clerk and City Manager to convey a Temporary Construction Easement to the Arkansas Highway and Transportation Department for a project to widen Interstate 630 from Baptist Health Drive to University Avenue.**

**6. RESOLUTION NO. 14,451:** To authorize the Mayor and the Board of Directors of the City of Little Rock, Arkansas, to certify City Liens attached on private property for work performed on private property and to forward to the Pulaski County Treasurer’s Office for inclusion in the property owners’ annual tax bill; and for other purposes. *Staff recommends approval.*

**Synopsis: On occasion, the City attaches liens for work it performs on private property. This lien information must then be compiled and sent to the Pulaski County Treasurer’s Office for inclusion in the annual owner’s tax bill. This is an effort to recoup some of the costs for that work which the City performs. The City is seeking to certify 393 liens for a total amount of \$114,151.75.**

**7. RESOLUTION NO. 14,452:** To authorize the City Manager to enter into a contract with Joe Selz, Trustee for the Thibault Land Agreement, in the amount of \$1,346,691, for the purchase of approximately 152 acres of land for use by the Little Rock Port Authority; and for other purposes. *(Funding from the 2012 3/8-Cent Capital Improvement Sales Tax)*

**8. RESOLUTION NO. 14,453:** To approve submission of the 2017 Annual Action Plan for CDBG, HOME and HOPWA Entitlement Funds to the U.S. Department of Housing & Urban Development; to authorize the City Manager to submit the Annual Action Plan for consideration by the U.S. Department of Housing & Urban Development; and for other purposes. *Staff recommends approval.*

**Synopsis: The Annual Action Plan delineates the uses of the CDBG, HOME and HOPWA Entitlement Funds for the 2017 Program Year (January 1, 2017 - December 31, 2017). This Board action approves the submission of the Action Plan to the Department of Housing and Urban Development.**

**9. RESOLUTION NO. 14,454:** To approve the use of HOME CHDO Set-Aside and HOME Program Income Funds to choose the University District Development Corporation to provide three (3) affordable housing units within the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

**Synopsis: Staff proposes utilizing HOME Investment Partnership Program Community Housing Development Organization (CHDO) Set-Aside and HOME Program Income Funds to produce affordable housing units. The University Development District Corp. (UDDC) was one of three (3)**

CHDO's that returned proposals and that were qualified to receive 15% Set-aside HOME Funds under the Federal requirement. UDDC will receive \$400,000. The funds will be used to develop three (3) affordable housing units in the City of Little Rock. These costs include acquisition, developer's fees and construction costs.

**10. RESOLUTION NO. 14,455:** To approve the use of HOME CHDO Set-Aside and HOME Program Income Funds to choose the Better Community Development, Inc., to provide four (4) affordable housing units within the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

**Synopsis:** Staff proposes utilizing HOME Investment Partnership Program Community Housing Development Organization (CHDO) Set-Aside and HOME Program Income Funds to produce affordable housing units. Better Community Development, Inc., (BCD) was one of three (3) CHDO's that returned proposals and that were qualified to receive 15% Set-Aside HOME Funds under the Federal requirement. BCD will receive \$400,000. The funds will be used to develop four (4) affordable housing units in the City of Little Rock. These costs include acquisition, developer's fees and construction costs.

**11. RESOLUTION NO. 14,456:** To approve the use of HOME CHDO Set-Aside and HOME Program Income Funds to choose the IN Affordable Housing, Inc., to provide three (3) affordable housing units within the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

**Synopsis:** Staff proposes utilizing HOME Investment Partnership Program Community Housing Development Organization (CHDO) Set-Aside and HOME Program Income Funds to produce affordable housing units. IN Affordable Housing, Inc., (IAH) was one of three (3) CHDO's that returned proposals and that were qualified to receive 15% Set-aside HOME Funds under the Federal requirement. IAH will receive \$400,000. The funds will be used to develop three (3) affordable housing units in the City of Little Rock. These costs include acquisition, developer's fees and construction costs.

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.**

#### **GROUPED ITEMS (Items 12 - 17)**

**12. ORDINANCE NO. 21,324; Z-8738-A:** 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; 0 absent; and 1 open position. Staff recommends approval.*

**Synopsis:** The applicant is requesting to rezone the site from UU, Urban Use District, to PCD, Planned Commercial Development, to allow the use of the "top" floor of the building as a private club with a closing time of 2:00 AM. (Located in Ward 1)

**13. ORDINANCE NO. 21,325; Z-9167:** 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; 0 absent; and 1 open position. Staff recommends approval.*

**Synopsis:** The owner of the 0.320-acre property located at 2007-2009 Wilson Road is requesting that the zoning be reclassified from R-2, Single-Family District, to R-4, Two-Family District. (Located in Ward 6)

**14. ORDINANCE NO. 21,326:** To dispense with the requirement of a competitive selection process and authorize the City Manager to enter into a Sole-Source

Professional Services Agreement with Nelson/Nygaard Consulting Associates, Inc., for Technical and Consulting Services related to the 30 Crossing Project; and for other purposes. *Staff recommends approval.*

**Synopsis: To authorize the City Manager to dispense with a competitive selection process and to enter into a sole source Professional Services Agreement with Nelson/Nygaard Consulting Associates, Inc., for Technical and Consulting Services related to the 30 Crossing Project.**

**15. ORDINANCE NO. 21,327:** To authorize the issuance of a Promissory Note to provide short-term financing under Amendment No. 78 to the Arkansas Constitution for the acquisition, construction and installation of real property and 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 construction of the Southwest Little Rock Fire Station and vehicles and equipment for the Fire Department as identified during the 2016 Budget process.**

**16. ORDINANCE NO. 21,328:** To amend Little Rock, Ark. Ordinance No. 21,156 (December 15, 2015), to adjust the Fiscal Year 2016 Budget Ordinance to reflect revenue and expenditure adjustments for the General, Street and Waste Disposal Funds; and for other purposes. *Staff recommends approval.*

**Synopsis: Eight (8) adjustments need to be made to the 2016 Budget to adjust for changes in anticipated revenues and expenditures.**

**17. ORDINANCE NO. 21,329:** To prohibit the withdrawal and use of groundwater on certain lands in Little Rock, Arkansas, so long as the City retains the ability to provide adequate safe water supplies to these properties; **to declare an emergency;** and for other purposes.

The ordinance were read a first time. Director Adcock made the motion, seconded by Director Cazort, 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 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 15 was approved.** By unanimous voice vote of the Board Members present, **the emergency clause for Item 17 was approved.**

#### **SEPARATE ITEMS (Items 18 and M-1)**

**18. ORDINANCE NO. 21,331; Z-4441-A:** To approve a Planned Zoning Development and establish a Planned Commercial District, titled Student Housing Campus, Washington Barber College, Short-Form PCD, located at 6400 Lancaster Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 9 ayes; 1 nay; 0 absent; and 1 open position. Staff recommends approval.*

**Synopsis: The request is a rezoning of the site from R-2, Single-Family District, to PCD, Planned Commercial Development, to allow for the development of the site with student housing associated with the adjacent barber college. (Located in Ward 2)**

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

Director Adcock stated that the application included the request for a child care facility; however, within two (2) or three (3) blocks of the location, there were several childcare facilities. Director Adcock asked why a childcare facility was needed at the barber college if the application was for student housing.

Arlo Washington: Stated that he was the applicant, and that several of the students that attended the school, did not have childcare for their children and it would be convenient to have childcare on campus.

Director Adcock asked how many students would be housed in each of the dormitories. Mr. Washington stated that twenty-four (24) students would be housed in each dormitory. Director Kumpuris asked for an explanation on how the shipping canisters would function as dormitories.

Kwendeche: Stated that he was the architect of the project and stated that the typical floor had three (3) beds with a common bathroom, along with portable wardrobe units and computer desks for the units. In addition, there would be a separate cafeteria for the campus.

Director Webb asked if there were long-term plans for the school college to grow much larger. Mr. Washington stated that the college had a Strategic Growth Plan and that the plan was to keep the enrollment at around fifty (50) students.

Annie Roberson, 9 Allyson Circle: Stated that she lived in the neighborhood and was opposed to the addition of the dormitories in the area.

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

**M-1 ORDINANCE NO. 21,330; Z-8472-C**: To approve a Planned Zoning Development and establish a Planned Commercial District, titled Mid-Town at Fair Park Boulevard Revised Short-Form PCD, located on the southwest corner of Interstate 630 and Fair Park Boulevard, 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; 2 absent; and 1 open position. Staff recommends approval.*

**Synopsis:** The request is to revise the previously-approved PCD, Planned Commercial Development, to allow for the development of the site with a Medical Office Building. (Located in Ward 2)

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

Director Adcock asked for a presentation regarding the proposed project. Planning & Development Director Tony Bozynski stated that the original approval for the property was for a hotel and two (2) restaurants, and the current revision was for a four (4)-story medical office building with parking.

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

### **PUBLIC HEARINGS (Items 19 – 20)**

**19. ORDINANCE; Z-5151-B:** To approve a Planned Zoning Development and establish a Planned Commercial District, titled West Markham-North Monroe Short-Form PCD, located at 4908 West Markham Street, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *Planning Commission: 5 ayes; 5 nays; 0 absent; and 1 open position. Staff recommends denial.*  
**Synopsis: The applicant is appealing the Planning Commission's denial of a request to rezone the site O-3, General Office District, and C-3, General Commercial District, to PCD, Planned Commercial District, to allow for the redevelopment of the site as a restaurant with drive-through service. (Located in Ward 3)**

City Manager Bruce Moore stated that he had been made aware by the applicant they would like to defer the item until the December 6, 2016, meeting.

Director Cazort made the motion, seconded by Director Richardson, to defer the item until the December 6, 2016, meeting. By unanimous voice vote of the Board Members present, **the item was deferred until the December 6, 2016, meeting.**

**20. RESOLUTION; Z-8629-B:** To rescind the Little Rock Planning Commission's action in approving a Conditional Use Permit to allow a Conditioned Mini-Warehouse facility on the C-3, General Commercial District, zoned property, located at 102 South Rodney Parham Road; and for other purposes. *Planning Commission: 8 ayes; 1 nays; and 2 absent. Staff recommends denial of the resolution to rescind.*  
**Synopsis: A record objector is appealing the Planning Commission's approval of a conditional use permit to allow a three (3)-story, conditioned mini-warehouse facility on the C-3, General Commercial District, zoned property located at 102 South Rodney Parham Road. (Located in Ward 6)**

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

Robert Brown: Stated that he was with Development Consultants, representing Platinum Construction, who was the proposed buyer and developer of the property. Mr. Brown stated that the property had been vacant for several years and had been kept in poor condition, and the project would be a good infill for the area. Mr. Brown stated that the three (3)-story conditioned storage facility was originally proposed with exterior

access doors to tenant spaces; however, after visiting with the surrounding neighborhood, the decision was made to have all access to tenant spaces on the interior. In addition, Mr. Brown stated that as a concession to the neighborhood, the windows from the south and southeastern portion of the buildings had been removed. In addition, the developer agreed to install a gate to the driveway connecting to Sunnymead Drive. Mr. Brown stated that low-level lighting would be utilized and that the landscaping would increase by 56% over what was currently at the location. Mr. Brown stated that the building setbacks were greater than what was required in C-3, General Commercial District, zoning, with the building located approximately sixty-five (65) feet from the rear property line.

Director Kumpuris asked about the surface area and drainage. Mr. Brown stated that the previous site had approximately 11,691 square-feet of landscape area where the rainwater could be absorbed, and the current site plan incorporated approximately 17,862 square-feet, which was a 56% increase. Director Kumpuris asked where the run-off would flow. Public Works Department Director Jon Honeywell stated that the run-off would drain into a pipe that would flow into an open concrete drainage channel. Mr. Honeywell stated that staff had requested that the developer revisit the existing pipe system to ensure that it was adequate to provide enough capacity to carry the water off the site into the channel.

Ruth Bell: Stated that she represented the League of Women Voters of Pulaski County and that they were in support of the proposed project.

Kathy O'Connor, 2000 Topf Road, North Little Rock: Stated that her mother lived in the adjacent neighborhood and was against the proposed development. Ms. O'Connor stated that she was pleased with the changes that the developer had agreed to make; however, she was opposed to that type of development on the property.

Roberto Aqui, 320 Carpenter Drive: Stated that he had lived in the neighborhood for eight (8) years and his property backed-up to the proposed project and he was against the development.

Tracy Crain, 324 Carpenter Drive: Stated that she lived behind the proposed project and was opposed to the development. Ms. Crain stated that she believed that the project would cause a negative impact on the area and felt that there was an undersized drainage system in the area that would cause problems for the neighborhood.

Brooks McRae, 18 Overlook Drive: Stated that he was in support of the proposed project.

Tom Cole, P.O. Box 7300, Little Rock: Stated that he was in support of the proposed project.

Mayor Stodola closed the public hearing.

By roll call vote, the vote was as follows: Ayes: Wright. Nays: Richardson; Webb; Cazort; Wyrick; Kumpuris; Adcock; and Vice-Mayor Hines. Absent: Fortson. Present: Hendrix. When asked if she would like to change her Present vote, Director Hendrix indicated that she would like to change her vote from Present to Nay. The final roll call vote was as follows: Ayes: Wright. Nays: Hendrix; Richardson; Webb; Cazort; Wyrick; Kumpuris; Adcock; and Vice-Mayor Hines. Absent: By a vote of one (1) aye; eight (8) nays; and one (1) absent, **the resolution failed.**

## CITIZEN COMMUNICATION

Eugene Shell, Cabot, AR: Fishnet Homeless Mission  
Autumn Kimble: Fishnet Missions

Director Hendrix stated that she would like to change her vote again on Item 20 from Nay to Aye due to the fact that she wanted to support staff's recommendation. City Manager Moore stated that staff's recommendation was to deny the repeal of the Planning Commission's vote and by changing her vote to Aye, she would no longer be supporting staff. Director Hendrix stated that she would like for her vote to remain counted as a Nay.

## EXECUTIVE SESSION (Item 21)

Director Cazort made the motion, seconded by Director Richardson, for the Board to go into Executive Session for the purpose of appointments to various City Boards and Commissions. By unanimous voice vote of the Board Members present, **the Board went into Executive Session for the purpose of appointments to various City Boards and Commissions.**

Little Rock Cent Committee: appointment of June Matheny to serve her first three (3)-year term, said term to February 7, 2020. Director Cazort made the motion, seconded by Vice-Mayor Hines, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

City Beautiful Commission: Appointment of Robert Cushman to serve his first three (3)-year At-Large term, said term to expire on October 19, 2019. Appointment of Melissa Henshaw to serve her first three (3)-year At-Large term, said term to expire on October 19, 2019. Re-Appointment of Janet Wilson to serve her first three (3)-year At-Large term, said term to expire on October 19, 2019. Director Cazort made the motion, seconded by Director Adcock, to approve the appointments. By unanimous voice vote of the Board Members present, **the appointments were approved.**

Historic District Commission: Changed Richard Kelley from an At-Large term to fill the unexpired Owner of Property located in the MacArthur Park Historic District term of Rebecca Pekar, said term to expire on June 15, 2018. Appointment of Lauren Frederick to fill the unexpired At-Large term of Richard Kelley, said term to expire on June 15, 2018. Director Cazort made the motion, seconded by Director Adcock, to approve the appointments. By unanimous voice vote of the Board Members present, **the appointments were approved.**

Land Bank Commission: Appointment of Angela McCloyen to fill the unexpired At-Large term of Hollie Hutchison, said term to expire on March 19, 2020. Director Cazort made the motion, seconded by Director Adcock, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

Little Rock Planning Commission: Re-Appointment of Buelah Bynum to serve her second three (3)-year term, said term to expire on November 1, 2019. Appointment of Gloria Todd-Rousseau to serve her first three (3)-year term, said term to expire on November 1, 2019. Appointment of Robert Stebbins to serve his first three (3)-year term, said term to expire on November 1, 2019. Director Cazort made the motion,



seconded by Director Adcock, to approve the appointments. By unanimous voice vote of the Board Members present, **the appointments were approved.**

MacArthur Military History Museum Commission: Appointment of Jeffrey D. Thatcher to serve his first three (3)-year term, said term to expire on February 21, 2019. Director Cazort made the motion, seconded by Director Richardson, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

Sister Cities Commission: Appointment of Jamie Fugitt to fill the unexpired term of Forest Boles, said term to expire on January 5, 2018. Director Cazort made the motion, seconded by Director Adcock, to approve the appointment. By unanimous voice vote of the Board Members present, **the appointment was approved.**

Director Cazort, 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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**Susan Langley, City Clerk**

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**Mark Stodola, Mayor**