

**Little Rock Board of Directors Meeting
July 20, 2021
6:00 PM**

The Board of Directors of the City of Little Rock, Arkansas, met in a regular meeting with Mayor Frank Scott, Jr., presiding. City Clerk Susan Langley called the roll with the following Directors present: Hendrix; Richardson (via WebEx Teleconferencing); Webb; Peck; Wright; Wyrick (via WebEx Teleconferencing); Kumpuris; Phillips; Adcock; Vice-Mayor Hines; and Mayor Scott. Director Erma Hendrix delivered the invocation followed by the Pledge of Allegiance.

ADDITIONS:

M-1 RESOLUTION: To authorize the City Manager to enter into a contract with Bridge 2 Success/Ministry of Intercession, in an amount not to exceed \$200,000.00, for the purpose of providing community-based programming for a one (1)-year period starting July 1, 2021, as endorsed by the Commission on Children Youth and Families; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a contract with the Bridge 2 Success/Ministry of Intercession, to develop solutions, coping skills, and related services targeting Little Rock youth and adults ages thirteen (13) – thirty (30) for the purpose of equipping these target youth to handle conflict situations, improve mental health, and reducing youth-related incidents of violence.

M-2 ORDINANCE: To grant a Franchise for the use of City right-of-way for the placement of sidewalks, curbs, drive-thru lanes, paving and customer ingress/egress over the Franchise area for the exclusive use of Chick-fil-A, located at 701 Broadway Street; to require the creation of a passageway consistent with the Americans with Disabilities Act and acceptable to the City as a part of this Franchise Agreement; to accept the other terms and conditions of the Franchise for the Franchisee and the adjacent property owners; **to declare an emergency;** and for other purposes.

Director Adcock made the motion, seconded by Vice-Mayor Hines, to add Item M-1 to the Consent Agenda and Item M-2 to Separate Items. By unanimous voice vote of the Board Members present, **Item M-1 was added to the Consent Agenda and Item M-2 was added to Separate Items.**

CONSENT AGENDA (Items 1 – 8 and Item M-1)

1. **MOTION:** To accept the 2020 Audit.

2. **RESOLUTION NO. 15,498:** To transfer title of the property located at 2001 South Abigail Street, from the City of Little Rock, Arkansas, to the University District Development Corporation, to be used for Neighborhood Revitalization Programs; and for other purposes. *(Land Bank Commission: 7 ayes; 0 nays; 1 abstention; 2 absent; and 1 open position)* *Staff recommends approval.*

Synopsis: In an effort by the Land Bank to maximize the City's revitalization efforts, staff would like to transfer the properties located at 2001 South Abigail Street, Little Rock, Arkansas, to the University District Development Corporation. The 7,280 square-foot vacant residential lot purchased with Federal Funds in September 2011. (Located in Ward 1)

3. RESOLUTION NO. 15,499: To authorize the City Manager to enter into a contract with North American Fire Equipment Company, Inc., in an amount not to exceed \$206,904.30, plus applicable taxes and fees, for the purchase of Firefighting Protective Coats and Pants, for the Little Rock Fire Department; and for other purposes. *(Funding from the 3/8-Cent Capital Improvement Sales Tax) Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a contract with North American Fire Equipment Company, Inc., for the purchase of Firefighting Protective Coats and Pants for The Little Rock Fire Department.

4. RESOLUTION NO. 15,500: To authorize the City Manager to enter into a contract with Harris Construction Management, Inc., in an amount not to exceed \$498,553.20, for Ward 1 Sidewalks; and for other purposes. *(Funding from the 3/8-Cent Capital Improvement Sales Tax and the Limited Tax General Obligation Capital Improvement Bonds) Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to execute an agreement with Harris Construction Management, Inc., for Ward 1 Sidewalks, Project No. 1-17-SW-401, Bid No. 1275. (Located in Ward 1)

5. RESOLUTION NO. 15,501: To authorize the Mayor of the City of Little Rock, Arkansas, to accept for municipal purposes, Permanent Construction Easements, Right-of-Way Dedications and Fee Simple Acquisitions, to authorize the City Manager to acquire Temporary Construction Easement as needed to complete the construction of the Southeast Trail Project; and for other purposes. *(Funding from the 3/8-Cent Capital Improvement Sales Tax and the Limited Tax General Obligation Capital Improvement Bonds) Staff recommends approval.*

Synopsis: A resolution to authorize the Mayor to accept for municipal purposes, Permanent Construction Easements, Right-of-Way Dedications and Fee Acquisitions; and the City Manager to acquire Temporary Construction Easements as needed to complete the Southeast Trail Project. (Located in Ward 1)

6. RESOLUTION NO. 15,502: To authorize the City Manager to enter into a contract with Terracon Consultants, Inc., in the amount of \$222,128.00, for the final cover of the Landfill Cell 4 Project Redesign and Construction Quality Assurance; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to increase the contract amount with Terracon Consultants, Inc., for Final Cover of Cell 4 Project Redesign and Construction Quality Assurance. (Located in Ward 2)

7. RESOLUTION NO. 15,503: To authorize the City Manager to enter into a contract with Janitorial Doctors, in an annual amount of \$67,600.00, plus applicable taxes and fees, to provide Lawn Mowing and Grounds Maintenance Services at the Oakland & Fraternal Historic Cemetery Park; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to award a contract to Janitorial Doctors to provide Lawn Mowing and Grounds Maintenance Services at the Oakland & Fraternal Historic Cemetery Park. (Located in Ward 1)

8. RESOLUTION NO. 15,504: To authorize the offering of Bonds to refund a portion of the City's outstanding Sewer Refunding Revenue Bonds, Series 2015; and for other purposes. *Staff recommends approval.*

M-1 RESOLUTION NO. 15,506: To authorize the City Manager to enter into a contract with Bridge 2 Success/Ministry of Intercession, in an amount not to exceed \$200,000.00, for the purpose of providing community-based programming for a one (1)-year period starting July 1, 2021, as endorsed by the Commission on Children Youth and Families; and for other purposes. *Staff recommends approval.*

Synopsis: A resolution to authorize the City Manager to enter into a contract with the Bridge 2 Success/Ministry of Intercession, to develop solutions, coping skills, and related services targeting Little Rock youth and adults ages thirteen (13) – thirty (30) for the purpose of equipping these target youth to handle conflict situations, improve mental health, and reducing youth-related incidents of violence.

Director Adcock made the motion, seconded by Vice-Mayor Hines, to approve the Consent Agenda. By voice vote of the Board Members present, with Director Richardson voting in opposition on Item M-1, **the Consent Agenda was approved.**

SEPARATE ITEMS (Item 9 and Item M-2)

9. RESOLUTION NO. 15,505: To transfer title of the property located at 7909 Mann Road, from the City of Little Rock, Arkansas, to Lashawnda Adams, to be used for Neighborhood Revitalization Programs; and for other purposes. *(Land Bank Commission: 8 ayes; 0 nays; 1 abstention; 1 absent; and 1 open position) (Deferred from June 15, 2021) Staff recommends approval.*

Synopsis: In an effort by the Land Bank to maximize the City's revitalization efforts, staff would like to transfer the property located at 7909 Mann Road, Little Rock, Arkansas, to Lashawnda Adams. The property is a 16,240 square-foot commercial building with seven (7) units. (Located in Ward 7)

Director Wyrick stated that there had been a meeting with area residents, and a vote was taken of those in attendance to support the proposed development.

Tashan O'Neal: Stated that she was in opposition to the proposed development. Ms. O'Neal stated that she was at the meeting and was disappointed that the applicant, Ms. Adams, was not in attendance in person, but on a cell phone.

Ruthie Childs: Stated that she was in support of the proposed development and was supportive of Ms. Adams proposal.

Lashawnda Adams: Stated that she was the CEO of In Blessed Hands and had worked with foster care for many years. Ms. Adams stated that she felt that the organization would be a great addition to Southwest Little Rock.

Melody Floyd: Stated that she was in support of the In Blessed Hand organization.

Valerie Tatum: Stated that she had met with Ms. Adams many times regarding her proposal and that she was supportive of what her organization was trying to accomplish.

Leta Anthony: Stated that she was the Chairman of the Little Rock Land Bank Commission and that the proposed development had been properly vetted and they were supportive of the application.

Director Hendrix made the motion, seconded by Director Richardson, to approve the resolution. By roll call vote, the vote was as follows: Ayes: Hendrix; Richardson; Webb; Peck; Wright; and Phillips. Nays: Wyrick; Kumpuris; and Adcock. Present: Vice-Mayor Hines. By a vote of seven (6) ayes, three (3) nays and one (1) Present, **the resolution was approved.**

M-2 ORDINANCE NO. 22,016: To grant a Franchise for the use of City right-of-way for the placement of sidewalks, curbs, drive-thru lanes, paving and customer ingress/egress over the Franchise area for the exclusive use of Chick-fil-A, located at 701 Broadway Street; to require the creation of a passageway consistent with the Americans with Disabilities Act and acceptable to the City as a part of this Franchise Agreement; to accept the other terms and conditions of the Franchise for the Franchisee and the adjacent property owners; **to declare an emergency;** and for other purposes.

The ordinance was read the 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 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 Webb stated that the proposed development was located close to the First United Methodist Church Child Development Center (CDC) and asked for a report of the Traffic Study that was completed for the proposed development. Planning & Development Director Jamie Collins stated that he did not currently have a copy of the Traffic Study; however, it was required to be submitted before the release of the Building Permit. Mr. Collins stated that there would be two (2) access points to the property; one on Broadway Street and the other on Spring Street. Mr. Collins stated that the Arkansas Department of Transportation had reviewed the access and had released the Driveway Permit for Broadway Street. Director Webb stated that she understood that the Landscaping Plans that had been submitted had not met the minimum requirements. Mr. Collins stated that there was a zoning buffer for a landscape buffer variance request that had been approved by the Board of Adjustment.

Stephen Giles: Stated that the applicant had met several times with the CDC Board of Trustees and they had negotiated several safety issues regarding ingress and egress to the property. Mr. Giles stated that they had received a letter from the Chair of the CDC Board of Trustees that they agreed with the proposed Traffic Plan. In addition, Mr. Giles stated that Chick-fil-A had agreed to pay the CDC for the loss of several parking spaces.

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

PUBLIC HEARINGS (Items 10 - 12)

10. RESOLUTION NO. 15,507: To approve the issuance of the Arizona Industrial Development Authority Charter School Revenue Bonds; and for other purposes.
Synopsis: A resolution to satisfy Federal Tax Rules in connection with Charter School Revenue Bonds benefitting LISA Academy facilities located within the City of Little Rock, Arkansas, the Board is asked to approve the use by LISA Academy of the sale proceeds of the Bonds in the City, and the issuance of the Bonds.

Mayor Scott opened the public hearing.

The resolution was read. Director Adcock made the motion, seconded by Vice-Mayor Hines, to approve the resolution.

Mayor Scott asked if there were individuals present that wished to speak for or against the item. There being none present, Mayor Scott closed the public hearing. By unanimous voice vote of the Board Members present, **the resolution was approved.**

11. ORDINANCE NO. 22,014; G-23-478: To abandon that portion of the West 11th Street Right-of-Way, located between South Monroe and Jonesboro Drive in the City of Little Rock, Arkansas; and for other purposes. *Staff recommends approval.*

Synopsis: The City of Little Rock proposes to abandon the fifty (50)-foot wide West 11th Street right-of-way, located between South Monroe Street and Jonesboro Drive. (Located in Ward 2)

Mayor Scott opened the public hearing.

The ordinance was read the 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 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 Scott asked if there were individuals present that wished to speak for or against the item. There being none present, Mayor Scott closed the public hearing.

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

12. ORDINANCE NO. 22,015; Z-1528-A: To approve a Planned Zoning Development and establish a Planned Commercial District titled Bark Avenue, LLC, PCD, located at 7820 Cantrell Road, Little Rock, Arkansas, amending the Official Zoning Map of the City of Little Rock, Arkansas; and for other purposes. *(Deferred from June 1, 2021) (Deferred from July 6, 2021) (Planning Commission: 5 ayes; 6 nays; and 0 absent) Staff recommends approval.*

Synopsis: The applicant, Regan Ellis, is appealing the Planning Commission's recommendation of denial of the Bark Avenue, LLC, PCD, located at 7820 Cantrell Road. (Located in Ward 3)

Mayor Scott opened the public hearing.

The ordinance was read the first time. Director Adcock 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 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.

Mayor Scott asked if there were individuals present that wished to speak for or against the item.

Bandon Bradley: Stated that he lived in the Foxcroft Neighborhood, which was adjacent to the proposed development. Mr. Bradley stated that the outdoor play area could have up to fifty (50) dogs, which would be very disruptive to the neighborhood. Mr. Bradley asked that the Board put into effect some measurable and enforceable Sound Codes around like businesses before they were opened.

Regan Ellis: Stated that she was the applicant and that it was a needed business in the area. Ms. Ellis stated that she began looking for property three (3) years prior and was pleasantly surprised to find the property in question, which was conveniently located next to a Veterinarian Clinic. Ms. Ellis stated that she had met with many of the

neighbors in the area and passed out over 500 flyers in an effort to address any of their concerns.

Robbi Rosenbaum: Stated that she was legal counsel for the applicant and had studied the data points from different neighborhood within Little Rock that had doggie daycares located nearby, and there was no information to substantiate the claim that the placement of the development would have impact on adjacent property values.

Oz Richie: Stated that he was the Sound Engineer for the proposed development and that the previous afternoon, he had taken sound pressure levels outside the Exxon on Cantrell Road and Keightly Drive, Little Rock Fire Department Station 12 and Casa Manana; all of which are located near the proposed development. Mr. Richie stated that at the time of the readings, the decibel levels read 78.6, 74.6 and 74.8 decibels. Mr. Richie stated that at the same time, he measured 60 decibels at the rear of the proposed development and 54.6 decibels in the front. In addition, Mr. Richie stated that he had measured the sound levels outside of Hounds Lounge, which is located on Bowman Road and the sound level read 72.3 decibels. Mr. Richie stated that based on all of his testing, he was confident that the sound could be contained.

Randy Tolbert: Stated that he was a Traffic Engineer and that a Traffic Assessment had been completed and it was determined that most of the trips would be in the morning as individuals transitioned from home to work and again in the evening as they transition from work back to home, which would have minimal impact. Mr. Tolbert stated that the City had conducted their own Traffic Assessment and that the results were almost identical.

Daniel Bryant: Stated that he lived in the area and that he was supportive of the proposed development.

Alexis Leightly: Stated that she was an active member of the Human Society of Pulaski County for many years and was supportive of the application.

Chad Murry: Stated that he both lived and worked in close proximity to the proposed development. Mr. Murry stated that his office was approximately sixty (60) feet from the outdoor play area, and his house was located approximately 750 feet from the property. Mr. Murry stated that he was concerned about the noise level so close to his property. Mr. Murry stated that he thought the applicant had a great business plan; however, he felt that it was not appropriate at that location.

Robin Reynolds: Stated that her concern regarding the application was that it had no restrictions or regulations that would protect the neighborhood.

John Mallory: Stated that he lived near the proposed development and had dogs himself. Mr. Mallory stated that the residential property located adjacent to the property was limited by City Code to having a maximum of four (4) dogs; however, if the variance were approved, it would be giving approval to the applicant to have up to fifty (50) dogs.

Mayor Scott closed the public hearing.

By roll call vote, the vote was as follows: Ayes: Hendrix; Richardson; Peck; Wright; Wyrick; Kumpuris; Phillips; and Vice-Mayor Hines. Nays: Webb and Adcock. By a vote of eight (8) ayes and two (2) nays, **the ordinance was approved.**

CITIZEN COMMUNICATION

Luke Skrable: Neighborhood Programs Tax.

Tony Davila: Youth Development.

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Director Wright made the motion, seconded by Director Hendrix, to adjourn the meeting. By unanimous voice vote of the Board Members present, **the meeting was adjourned.**

ATTEST:

APPROVED:

Susan Langley, City Clerk

Frank Scott, Jr., Mayor