



The City Beautiful Commission held its regular meeting Thursday, January 09, 2009, at 11:30 a.m. in the Sister Cities Conference Room on the second floor of City Hall. Chair Homeyer called the meeting to order.

MEMBERS PRESENT: Bill Wiedower
Jennie Cole
Kay Tatum
Steve Homeyer
Ben Jackson

MEMBERS ABSENT: Debra Redding
Lee Ann Overall
vacancy
vacancy

ALSO PRESENT: Christy Marvel, Plans Development Administrator, Department of Planning & Development, City of Little Rock
Beth Blevins Carpenter, Deputy City Attorney, City of Little Rock
Lynn Warren, Landscape Architect, Arkansas State Parks
Walter Jennings, KLRB representative

AGENDA AMENDMENT:

Motion: Vice-chair Weidower made a motion to remove the introduction of new CBC members from the agenda.

Second: Commissioner Jackson seconded the motion and it passed unanimously.

CBC APPOINTMENT(S): Letter per Deputy City Attorney, Beth Blevins
Carpenter



OFFICE OF THE CITY ATTORNEY
Little Rock, Arkansas

MEMORANDUM

TO: Mayor Mark Stodola and Members of the Board of Directors

FROM: Thomas M. Carpenter

City Attorney

**BY: Beth Blevins Carpenter
Deputy City Attorney**

RE: Appointment of Commissioners to the City Beautiful Commission

DATE: 07 January 2009

This memorandum addresses problems with appointments to the City Beautiful Commission. As noted below, an improper appointment has been made. The Mayor and Board of Directors will need to resolve this problem.

On December 22, 2008, the Board of Directors adopted Resolution No. 12,809 making appointments and re-appointments to various City boards and commissions. Two open positions were advertised for the City Beautiful Commission. These positions were an at-large position and the registered architect position. On that date, the Board re-appointed Walter Jennings to a second term for the at-large position and re-appointed Lynn Mittelstaedt Warren to a first term for the registered architect position. The Board also appointed Betsy Luten to a first term on the Commission as an at-large member. Thus, the Board inadvertently appointed three Commissioners to the City Beautiful Commission where only two positions were open.

Additionally, Ms. Warren's appointment to a first term on December 22, 2008 was not accurate. Mr. Warren had previously served two full terms on the City Beautiful Commission and had filled two unexpired terms. Therefore, a re-appointment of Ms. Warren to the Commission would be for a third full term. However, the terms of Little Rock, Ark., Resolution No. 12,313 (July 11, 2006) were not met.

On February 1, 1989, in order to ensure broad community participation on City boards and commissions, the Board adopted Resolution No. 8,096 limiting an individual's participation on boards and commissions to two complete terms of service. However, on July 11, 2006, the Board adopted Resolution No. 12,313, amending Resolution No. 8096, to permit an additional term on City boards and commissions in certain special circumstances. In this resolution, the Board restated its policy to limit an individual's participation on boards and commissions to two complete terms of service, *provided* that in extraordinary circumstances and upon a public statement of the reason for such circumstances, the Board, by a two-thirds (2/3) vote, could permit a sitting commissioner to serve one additional term.

The Board has appointed three individuals to the City Beautiful Commission where only two positions were open. The Board will need to determine which individuals will be appointed to this Commission, and which person's appointment will be voided.

Pursuant to Resolution No. 12,313, the Board may permit Ms. Warren to serve one additional term on the Commission for the architect position. Should the Board not find

exceptional circumstances for Ms. Warren's re-appointment, this architect position will need to be re-advertised because Ms. Luten is not a registered architect and, therefore, cannot be appointed to this position.

Please let me know if you have any questions.

TMC:BBC:bb

cc: Bruce T. Moore, City Manager
Tony Bozynski, Director, Planning and Development
Dana Carney, Zoning and Subdivision Manager, Planning and Development
Nancy Wood, City Clerk
Steve Homeyer, Chair, City Beautiful Commission
William C, Mann, III, Chief Deputy City Attorney
Shayla Beebe, Operations Administrator

APPROVAL OF THE NOVEMBER MINUTES:

Motion: Commissioner Cole made a motion to accept the minutes as submitted.

Second: Commissioner Jackson seconded the motion and it passed unanimously.

LANDSCAPE ORDINANCE PROPOSED CHANGES:

City staff reported to the CBC the following information:

Previously the CBC had requested city staff inquire other comparable cities throughout the U.S. two issues; the fee charged for variance requests and the amount of interior landscaping being required. City staff distributed an excel document of the data results. Also, distributed was a letter that breaks down the proposed changes. City staff is continuing to work with various groups and citizens on feedback of the proposed changes. Mrs. Warren suggested the subject be shelved and discussed at the annual retreat next month.

Chair Homeyer noted that he'd received some type of correspondence in opposition and inquired what the next step is in moving this forward.

Vice-chair Wiedower noted that opposition is to be expected. By comparing cities such as Fayetteville and Rogers the difference in the amount required for landscaping is obvious. As a city we have to ask do we want to look more like Fayetteville or more like Rogers. The City of Conway just passed a number of changes that requires much more of the developer; including impact fees. Mrs. Warren suggested it be tabled until the retreat. Vice-chair Wiedower noted that he wouldn't be in attendance due to another obligation; however, will get his comments to the proposed landscape ordinance to Chair Homeyer prior to the retreat.

TREASURER'S REPORT: no report

Commissioner Redding noted that he'd speak with Mrs. Venita Young regarding the payment of the Aristotle account.

COMMITTEE REPORTS: UPDATES:

OLD BUSINESS:

Landscape Awards(Jennie)- no report.

Eye of the Beholder (Debra) - no report.

Future Projects

City Hall Rear Entry Garden – Chair Homeyer noted that the trees are now planted in the garden. In the spring, annuals can be added and the ribbon cutting can commence.

I-630 Trees-no report.

PR-Website-(Lynn)-Mrs. Warren noted that she had spoken with Ms. Gayle Owen in the parks department recently regarding the archives of the CBC. Ms. Owen noted that she had boxed up all the archives and they were ready to be moved to the Planning & Development Department. Staff noted they'd work with the Parks Department on getting those archives transferred. Mrs. Warren also noted that she'd been contacted from a lady requesting a photo of her mother. According to the caller, her mother was the first winner of the CBC beauty pageant. It was noted that the downtown library should also have some of the CBC archives and scrapbooks within their facility. Mrs. Warren suggested this subject be discussed further at the annual retreat next month.

KLRB- (Walter)-The City of Little Rock has hired a recycling coordinator, Melinda Glasgow. The KLRB is having their annual planning retreat tonight at Lamar Advertising. Ms. Glasgow is scheduled to be at the retreat for introductions. Mr. Jennings noted he foreseen positive results from having city staff to help. However, recycling in general has taken a downturn. For example, aluminum cans went from \$.75 to \$.25 recently. Mr. Jennings noted he planned to be in attendance at the KLRB retreat and will report the retreat outcome at the retreat.

Adopt-A-Street-(Bill)- Pick up of Bowman Curve is this weekend. Vice-chair Wiedower noted the CBC was supposed to pick up all the way to Kanis Road. Prior CBC Chair, Tim Heiple would like to see the CBC adopt the next portion of street along Bowman. It was noted the CBC has quite a stretch already. Mr. Jennings elaborated on the subject; KLRB had the results from the Litter Index and this section of street was one of the ten (10) worst corridors. It was unclear exactly who owned what in this area and Mr. Jennings agreed to speak with Mr. David Hathcock about the issue. Mr. Hathcock may also have a map that the CBC could use at the 2009 Garden Show. Commissioner Cole noted she wanted to go on record that the stretch CBC has adopted is plenty long. Mr. Jennings noted the key is to partner more with KLRB and perhaps maybe find sponsors to adopt the various areas. More detail was wanted on the litter index and Mr. Jennings noted that he had a copy of the results and can send it to anyone interested; however, he noted it was quite extensive. In general, the worst areas are the most traveled and busy areas of the city. Mr. Jennings suggested the CBC push for sponsorship at the Garden Show. Mrs. Warren noted the reason CBC adopted the area was because it too, was one of the worst areas. Mrs. Warren

suggested the CBC investigate maybe giving that area away and moving to one of the other areas found in the study. Mrs. Carpenter noted that she was near Circuit City and Wal-mart and notice there was extensive amounts of trash. Mr. Jennings noted that if reappointed he would like to take an active role and go directly to companies, encouraging the adoption of their local streets. Mrs. Warren noted that she had already uploaded the Adopt-A-Street brochure to the CBC website.

Garden Show 2009-Chair Homeyer noted he planned to visit all of the businesses that donated last year and see if they are on board again. The Adopt-A-Street map should be hung at the CBC booth so adoption is more likely. Vice-chair Wiedower noted he liked the “fight dirty” stickers produced a few years ago and if there are any left. Mrs. Warren noted that she’d check.

2009 CBC Retreat: Chair Homeyer noted the Retreat was scheduled for 3:00 on Wednesday January the 21st at Mangan Rainwater Culpepper which is located above the Brave New Restaurant. Brave New Restaurant maybe able to cater.

Appointments of CBC members by the Board:

Ms. Warren inquired on when the appointments would be resolved. Mrs. Carpenter noted she would check on that and will let the CBC know just as soon as a decision is made. Calling the city clerk, Mrs. Nancy Wood is also an option. It was unanimously clear that the input from both Mrs. Warren and Mr. Jennings would be very helpful and appreciated; they are encouraged to attend. Chair Homeyer noted that he would check on the issue and get back with the status of the appointments.

Interstate Buffer Letter to the AR Highway Department:

Commissioner Cole inquired about the AR Highway Department letter and whether it was being sent soon. Commissioner Cole had a few minor grammatical changes she’d like to see and will get with Mrs. Lynn Warren on those changes. Commissioner Cole also had an additional individual for a contact at the AR Highway Department that should also be given a copy of the letter. Commissioner Cole will get the name and number to Mrs. Warren.

NEW BUSINESS:

Mrs. Lynn Warren noted that the Belvedere Building has been recently repainted. Mrs. Warren noted that Ms. Priest mentioned it to Gayle Owen in City Parks her and thought that the CBC should be called and included on decisions regarding that building prior to the commencement of any work. It was noted that currently there is no plaque or information on the structure to inform visitors and parks whom to contact. It was discussed that perhaps a letter should be sent to the Parks Department regarding this issue.

Motion: Vice-chair Wiedower made a motion to adjourn.

Second: Commissioner Jackson seconded the motion and it passed unanimously.

Adjournment: 12:33 p.m.

