



LITTLE ITALY INCORPORATION TASK FORCE
LITTLE ITALY, ARKANSAS
littleitalyarkansas@yahoo.com

August 11, 2015

Mr. Graham Rich
Chief Executive Officer
Central Arkansas Water
221 East Capitol Avenue
Little Rock, Arkansas 72203

RE: Little Italy Incorporation Task Force response to CAW Letter dated June 26, 2015

Dear Mr. Rich:

On behalf of the Little Italy Incorporation Task Force (the "Task Force"), thank you for meeting with our representative on June 18th to discuss the Little Italy Incorporation effort as it relates to the Lake Maumelle Watershed Zoning Code (the "Zoning Code"). We appreciate CAW's time and the careful evaluation of measures that sought to balance our goals of incorporation with our mutual goal of preserving Lake Maumelle as our region's water source as was enumerated in the letter dated June 26, 2015.

The Little Italy Incorporation petition signers, (your "Customers") who are also included in the 400,000 and benefit from the clean water coming from Lake Maumelle, clearly recognize and appreciate the value of clean water and thus respect and support the work of CAW whose "core priority" is water quality protection. Given this, the Task Force understands that in CAW's view the incorporation and watershed protections are "intimately intertwined."

The purpose of this letter is to respond to each solution offered by CAW as a compromise in order for you to consider removing your objections to the incorporation and to offer alternate compromises that we think will not only show our good faith but also go one step further in the protection of the clean, healthy water your Customers in Little Italy also enjoy.

CAW Compromise Solution #1

CAW offered for the first solution a suggestion for the Task Force to withdraw its petition for incorporation and in turn CAW would work "hand-in-hand with the Task Force to adopt a historic and rural community overlay district for the Little Italy community" and "will work with the Task Force to submit an application for Little Italy's listing on both the State and National Register of Historic Places" and "will work to try and improve services to the community."

While a historic and rural community overlay district modification to the Zoning Code sounds attractive, once Lake Maumelle is no longer a watershed it is uncertain what will happen to the current Zoning Code, which was designed specifically for the watershed. We appreciate that the current code limits large-scale development of the area, which includes the proposed Little Italy boundary. Looking longer term, this solution may be obsolete when CAW no longer has need of watershed protections of Lake Maumelle, which could potentially open up the area for large-scale development. This is something your Customers in Little Italy would like to prevent and incorporation would give us this ability.

Before the Task Force pursued incorporation as a solution to preserving our rich history and rural identity, improving services, and having local representation, we researched the benefits of becoming a historic district vs. incorporation. Incorporation benefits far outweigh what could be achieved only through historic status. For example, as a historic district we would not have the grants available to us to improve roads as we would by becoming a municipality. Further, we would not have any better local representation than we do now, but as a municipality we could elect our own officials who would act in our best interest. For a historical perspective, in the midst of international concern, questions regarding the viability of an infant government, and the mounting financial strain of providing services to the populace, then-President Thomas Jefferson wrote in 1807 that, “We are a people capable of self-government, and worthy of it.” So too are the people of Little Italy worthy of self-government.

The Task Force appreciates the good faith effort by CAW to help try and improve services collaboratively with the area’s residents; however we realize that your company has higher priorities, and we fear our service needs may rank towards the lower part of the list. As a town, we are certain improved services would be a first priority for a newly elected town council. Even CAW has limits to what it can do. As a town, Little Italy would be eligible for municipal aid in the form of state turnback funds, sales/use tax turnback, and opportunities to apply for municipal grants - all without having to tax the residents any more than they already are. The beauty of township is that some of their money comes directly back to them to serve them directly.

Lastly, the will of Little Italy’s people, so clearly manifested in the 220 verified signatures on the petition for incorporation, is not something that can be dropped without the realization of the chief concerns that prompted them to sign: preserving our rich history and rural identity, improving services, and local representation. These reasons are best achieved by becoming a municipality and Little Italy deserves this elevated status after 100 years.

CAW Compromise Solution #2

CAW offered for the second solution, if withdrawing the petition was not possible, a suggestion that the Task Force obtain on at least 75% of the acreage in the proposed boundary a “Declaration of Historic and Rural Character Covenants” (the “Declaration”) executed for each parcel.

When it was briefly discussed in person at the June 18th meeting, the suggestion seemed reasonable. Upon receiving the seven-page Declaration; however, it seems much less likely that in a reasonable amount of time the required number of property owners would feel comfortable signing this document until it could be fully explained. As your letter states, your Customers who signed only represent “28% of the acreage” within the boundary and “additional property owners will likely need to be contacted to pursue this option.” Given that it took the Task Force one (1) year to obtain the 28% by hosting five town halls and canvassing door-to-door, it seems this process would push out the incorporation to perhaps years. Further, it is possible that those who do sign may move requiring us to get replacement signatures from the new property owners causing more delays. Some property owners do not live in the area but own land and would have to be located. This solution is not practical based upon our time constraints. Additionally, a tremendous amount of money and manpower would be necessary as CAW did not pledge any resources to aid the Task Force in efforts to obtain these covenant agreements as understandably you have other priorities.

Little Italy Incorporation Task Force Compromises

As representatives of your Customers, the Task Force will offer these compromise solutions in order to assure CAW and their supporters of our commitment in protecting the water quality of Lake Maumelle, our shared drinking water source:

1. Encourage the new town council to adopt an ordinance that exactly mirrors the language (germane to the proposed area of incorporated Little Italy) of Pulaski County’s current Lake Maumelle Watershed Zoning Code, and if not adopted within 90 days after the election of new town officials, the Judge could rescind the incorporation.

2. Encourage the new town council to exempt CAW from any franchise fees for as long as Lake Maumelle remains a watershed.
3. Encourage the new town council to invite CAW to share their input on the mirrored zoning code as we go forward together in a collaborative manner.

In your letter, it was stated that “CAW continues to have significant concerns regarding the likelihood of such ordinances ever being adopted” and further “residents in the proposed area of Little Italy stated numerous times that they view zoning and land use planning efforts as infringing on their individual property rights.” The democratic process is designed to allow all citizens the right to voice their opinions in matters that concern them. Being present at most all the public hearings, debates, and as participants on the Zoning Code Taskforce, zoning as a tool to prevent development of the watershed was never at issue for many of your Customers and in fact a welcomed idea. Further you stated that “many publically stated that the specific reason they live in the unincorporated areas of western Pulaski County is to avoid additional government regulation and restrictions.” If this statement was accurate for all your Customers, then an incorporation effort would never have been successful.

Given these facts, we put forth these compromises confident in their expected outcome which would ensure the protection of the Lake Maumelle Watershed and give CAW not a mere 75% of the acreage, but 100% of the acreage which would be under the watershed protections as covered by the current Zoning Code.

Our effort to protect the cultural heritage of Little Italy began almost fifteen years ago. Because 2015 is our centennial, we believed that this would be the perfect opportunity to mark Little Italy’s place in Arkansas history and to finally achieve for our residents the fullness of guaranteed American Democracy: local governance. The residents of Little Italy have been good stewards of the lake for decades; there is no reason to believe that the incorporation of Little Italy would otherwise change that good stewardship. Living naturally and preserving the rural identity of our surroundings would not change with an incorporated Little Italy, but rather cement it. This is good for water quality.

We appreciate the opportunity to work together. To say we support CAW’s efforts to ensure the clean drinking water of 400,000 residents which includes Little Italy goes without saying. Please let us know if you have any questions about these compromises and we will be happy to discuss them with you.

We look forward to hearing from you.

Sincerely,



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