

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith



Aldermen

Ward 1 Position 1 – Adella Gray
Ward 1 Position 2 – Brenda Boudreaux
Ward 2 Position 1 – Mark Kinion
Ward 2 Position 2 – Matthew Petty
Ward 3 Position 1 – Justin Tennant
Ward 3 Position 2 – Robert Ferrell
Ward 4 Position 1 – Rhonda Adams
Ward 4 Position 2 – Sarah E. Lewis

**Final Agenda
City of Fayetteville Arkansas
City Council Meeting
August 7, 2012**

A meeting of the Fayetteville City Council will be held on August 7, 2012 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

City Council Meeting Presentations, Reports and Discussion Items:

1. 2nd Quarter Financial Report 2012

Agenda Additions:

A. Consent:

1. Approval of the July 17, 2012 City Council meeting minutes.

2. Drake Field Pavement Rehab & Re-Marking Phase II Project: A resolution approving a budget adjustment in the amount of \$7,012.00 to reflect modifications to the Drake

Field Pavement Rehab & Re-Marking Phase II Project necessitated by grant program changes.

- 3.Pavement Maintenance Unlimited, LLC Change Order No. 2:** A resolution approving Change Order No. 2 to a contract with Pavement Maintenance Unlimited, LLC reducing the contract by \$22,050.00 for the Pavement Rehab & Remarking Phase II Project at Drake Field, and approving a budget adjustment.
- 4.Bid #12-51 Truck Centers of Arkansas:** A resolution awarding Bid #12-51 and authorizing the purchase of two (2) Freightliner M2 trucks with Kann Versa Haul recycle bodies in the total amount of \$314,366.00 from Truck Centers of Arkansas for use by the Solid Waste Division.
- 5.Preferred Office Products, Inc.:** A resolution authorizing the purchase of five (5) Canon copiers in a total amount of \$63,723.00, pursuant to a state procurement contract, from Preferred Office Products, Inc.
- 6.Federal and State Law Enforcement Forfeiture Revenue:** A resolution approving a budget adjustment in the amount of \$28,558.00 representing federal and state law enforcement forfeiture revenue received during 2012 and establishing a corresponding expense budget.
- 7.Arkansas Department of Parks and Tourism's Outdoor Recreation Grant:** A resolution authorizing an application for a 50/50 matching grant, through the Arkansas Department of Parks and Tourism's Outdoor Recreation Grant Program, in the amount of \$50,000.00 for improvements at Mount Sequoyah Gardens.
- 8.Arkansas Recreational Trails Program:** A resolution expressing the willingness of the City of Fayetteville to utilize Federal-Aid Recreational Trails funds and authorizing application for a 20% local match grant through the Arkansas Recreational Trails Program in an amount up to \$100,000.00 for construction of a section of Lake Fayetteville Trail.
- 9.2012 Arkansas Department of Environmental Quality Recycling Grant:** A resolution authorizing application for a 2012 Arkansas Department of Environmental Quality Recycling Grant through the Boston Mountain Solid Waste District in the amount of \$25,000.00 to fund apartment recycling containers.
- 10.McClelland Consulting Engineers:** A resolution approving an engineering contract with McClelland Consulting Engineers in the amount of \$131,328.00, plus a \$20,000.00 project contingency, for design services for the State Highway 16 Water and Sewer Relocation Project at the West Fork of the White River.

B. Unfinished Business:

1. **Amend §154.03 Private Parties/Zoning Amendment:** An ordinance to amend §154.03 Private Parties/Zoning Amendment to clarify the powers of the Planning Commission and City Council when a property owner seeks rezoning. *This ordinance was left on the First reading at the July 17, 2012 City Council meeting.*

Left on the First Reading

C. New Business:

1. **United States Tennis Association:** A resolution authorizing acceptance of renovation services to tennis courts at Wilson Park by the United States Tennis Association as part of its Two Court Renovation Grant Program at no cost to the City of Fayetteville.
2. **RZN 12-4135 (521 N. College Ave./Roddey):** An ordinance rezoning that property described in rezoning petition RZN 12-4135, for approximately 0.34 acres, located at 521 North College Avenue from C-2, thoroughfare commercial to DG, Downtown General.
3. **VAC 12-4147 (510 W. 11th St. & 989 S. School Ave./The Grove):** An ordinance approving VAC 12-4147 submitted by Morrison Shipley Engineers, Inc. for property located at 510 West 11th Street and 989 South School Avenue to vacate a portion of right-of-way, a total of 0.01 acres.
4. **ADM 12-4136 (2768 E. Shagbark Bend/Zweig):** An ordinance amending a Residential Planned Zoning District entitled R-PZD 04-05.00, Hickory Park Subdivision, located north of 2730 East Township Street, containing approximately 4.4 acres, to reflect revised building setbacks for Lot 14.
5. **ADM 12-4174 (Complete Neighborhood Plan):** A resolution to authorize City Staff to prepare a complete Neighborhood Plan for the Wedington Drive Corridor.
6. **Petition for Writ of Certiorari and Appeal to United States Supreme Court:** A resolution to authorize the City Attorney to file a petition for Writ of Certiorari to the United States Supreme Court and appeal the awarding of attorneys fees in the Rock Quarry Case.

City Council Tour:

Announcements:

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

All cell phones must be silenced and may not be used within the City Council Chambers.

Below is a portion of the **Rules of Order and Procedure of the Fayetteville City Council** pertaining to City Council meetings:

Agenda additions. A new item which is requested to be added to the agenda at a City Council meeting should only be considered if it requires immediate City Council consideration and if the normal agenda setting process is not practical. The City Council may only place such new item on the City Council meeting's agenda by suspending the rules by two-thirds vote. Such agenda addition shall be heard prior to the Consent Agenda.

Consent Agenda. Consent Agenda items shall be read by the Mayor and voted upon as a group without discussion by the City Council. If an Alderman wishes to comment upon or discuss a Consent Agenda item, that item shall be removed and considered immediately after the Consent Agenda has been voted upon.

Old business and new business.

Presentations by staff and applicants. Agenda items shall be introduced by the Mayor and, if an ordinance, read by the City Attorney. City staff shall then present a report. An agenda applicant (city contractor, rezoning or development applicant, etc.) may present its proposal only during this presentation period, but may be recalled by an alderman later to answer questions. Staff and applicants may use electronic visual aides in a City Council meeting as part of their presentation.

Public comments. Public comment shall be allowed for all members of the audience on all items of old and new business and subjects of public hearings. No electronic visual aid presentations shall be allowed, but the public may submit photos, petitions, etc. to be distributed to the City Council. If a member of the public wishes for the City Clerk to distribute materials to the City Council before its meeting, such materials should be supplied to the City Clerk office no later than 9:00 a.m. on the day of the City Council meeting. Any member of the public shall first state his or her name and address, followed by a concise statement of the person's position on the question under discussion. Repetitive comments should be avoided; this applies to comments made previously either to the City Council or to the Planning Commission when those Planning Commission minutes have been provided to the Aldermen. All remarks shall be addressed to the Mayor or the City Council as a whole and not to any particular member of the City Council. No person other than the Aldermen and the person having the floor shall be permitted to enter into any discussions without permission of the Mayor. No questions shall be directed to an Alderman or city staff member except through the Mayor.

Courtesy and respect. All members of the public, all city staff and elected officials shall accord the utmost courtesy and respect to each other at all times. All shall refrain from rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives or personalities. Any member of the public who violates these standards shall be ruled out of order by the Mayor, must immediately cease speaking and shall leave the podium.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 575-8330.

A copy of the complete City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.