

Mayor Lioneld Jordan  
City Attorney Kit Williams  
City Clerk Sondra Smith



**Aldermen**

Ward 1 Position 1 – Adella Gray  
Ward 1 Position 2 – Sarah Marsh  
Ward 2 Position 1 – Mark Kinion  
Ward 2 Position 2 – Matthew Petty  
Ward 3 Position 1 – Justin Tennant  
Ward 3 Position 2 – Martin W. Schoppmeyer, Jr.  
Ward 4 Position 1 – Rhonda Adams  
Ward 4 Position 2 – Alan T. Long

**Final Agenda  
City of Fayetteville Arkansas  
City Council Meeting  
October 01, 2013**

A meeting of the Fayetteville City Council will be held on October 01, 2013 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:**

**Agenda Additions:**

**A. Consent:**

1. Approval of the September 3, 2013 and September 17, 2013 City Council meeting minutes.
2. **Selective Traffic Enforcement Program Grant:** A resolution authorizing acceptance of a 2013-2014 Selective Traffic Enforcement Program (STEP) Grant award in the amount of \$100,500.00, and approving a budget adjustment.

**3. Equipment Resource Management, Inc.:** A resolution authorizing the purchase of one (1) Wirtgen W35DC mini milling machine from Equipment Resource Management, Inc. of Little Rock, pursuant to National Joint Powers Alliance Cooperative purchasing agreement, in the amount of \$132,134.00, and approving a budget adjustment.

**4. Community Services Division Budget Adjustment:** A resolution approving a budget adjustment in the total amount of \$5,103.00 representing CDBG program income received through a housing program lien payoff.

**5. Trail Naming:** A resolution naming Clear Creek Trail and an extension of Scull Creek Trail.

**B. Unfinished Business:**

**1. Fayetteville Government Channel’s Mission Statement Amendment:** A resolution amending the Fayetteville Government Channel’s Mission Statement, Goals Statement and Operating Policies, as approved by Resolution No. 180-10, to prohibit the recording or televising of meetings of the Nominating Committee of the City Council by the Fayetteville Government Channel. *This resolution was Tabled at the September 03, 2013 City Council meeting to the October 01, 2013 City Council meeting.*

**2. 2013 Millage Levy:** An ordinance levying a tax on the real and personal property within the City of Fayetteville, Arkansas, for the year 2013 fixing the rate thereof at 1.3 mills for General Fund operations, 0.4 mills for the Firemen’s Pension and Relief Fund, 0.4 mills for the Policemen’s Pension and Relief Fund and 1.0 mill for the Fayetteville Public Library; and certifying the same to the County Clerk of Washington County, Arkansas. *This ordinance was left on the Second Reading at the September 17, 2013 City Council meeting.*

**Left on the Second Reading**

**3. Amend §164.11 Height and Setback Regulations; Exceptions:** An ordinance to Amend §164.11 Height and Setback Regulations; Exceptions to enhance livability through appropriate transitions in building scale and to protect access to air and sunlight and to enact an emergency clause. *This ordinance was left on the First Reading at the September 17, 2013 City Council meeting.*

**Left on the First Reading**

**C. New Business:**

**1. City of Johnson Rezoning:** A resolution pursuant to Arkansas Code Annotated § 14-56-306(b) agreeing to a change in zoning from Planned Unit Development to C-1,

Light Commercial/Office for property located in the City of Johnson that adjoins the City of Fayetteville.

2. **PPL 13-4404 (Persimmon Street Master Street Plan Right-of-Way/Legacy IV Subdivision):** A resolution to approve the dedication of 70 feet of right of way for Persimmon Street along most of the owner's property as recommended by the Planning Commission.
3. **RZN 13-4467 (Mount Comfort and Shiloh/Kum & Go):** An ordinance rezoning that property described in rezoning petition RZN 13-4467, for approximately 1.65 acres located at the northwest corner of Mount Comfort Road and Shiloh Drive from R-A, Residential Agricultural and RSF-4, Residential Single-Family, 4 units per acre, to C-1, Neighborhood Commercial.

**D. City Council Agenda Session Presentations:**

**E. City Council Tour:**

**F. 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 aids 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](http://accessfayetteville.org) or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.