

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

**Tentative Agenda
City of Fayetteville Arkansas
City Council Meeting
October 15, 2013**

A meeting of the Fayetteville City Council will be held on October 15, 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 October 01, 2013 City Council meeting minutes.

2. **Bid #13-52 Time Striping, Inc.:** A resolution awarding Bid #13-52 and authorizing the purchase from Time Striping, Inc. of thermal striping, in variable amounts, for the Transportation Division as needed through the end of calendar year 2014.

3.Solid Waste Hauling and Disposal Fees: A resolution approving a budget adjustment in the total amount of \$269,000.00 to provide funding for solid waste hauling and disposal fees.

B. Unfinished Business:

1. 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. This ordinance was left on the Second Reading at the October 01, 2013 City Council meeting.*

Left on the Second Reading

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. *This resolution was tabled at the October 1, 2013 City Council meeting to the October 15, 2013 City Council meeting.*

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. *This ordinance was left on the First Reading at the October 01, 2013 City Council meeting.*

Left on the First Reading

C. New Business:

1. VAC 13-4478 (Twin Creeks Village Lot 19B4): An ordinance approving VAC 13-4478 submitted by McClelland Engineering Consulting for property located at 163 Van Ashe Loop, to vacate a portion of a drainage easement, a total of 0.03 acres.

2. ADM 13-4487 (Links at Fayetteville PZD Modification #3): An ordinance amending a Residential Planned Zoning District entitled R-PZD 07-2452 Links at Fayetteville to revise the zoning criteria for Planning Area One, to include Use Unit 18, Gasoline Service Stations and Drive-in/Drive Through Restaurants, as a permitted use, and to revise the architectural design standards at the northeast corner of Wedington Drive and Golf Club Drive.

3. Dickson Street Crossing Safety Improvements: A resolution expressing the intent of the City of Fayetteville to enter into a cost-share agreement with Arkansas & Missouri Railroad Co. for crossing safety improvements at the Dickson Street Railroad Crossing,

contingent upon approval by Arkansas & Missouri Railroad Co. of Amendment No. 1 to the 2008 trail license agreement and not unreasonably withholding assent to future trail easements for the City.

- 4. Fayetteville Energy Improvement District:** An ordinance creating a Property Assessed Energy Improvement District coextensive with the City of Fayetteville named “Energy Improvement District No. 1” to facilitate a PACE program and adopting certain provisions related thereto.
- 5. Amend Chapter §71.052 “U” Turns:** An ordinance to repeal §71.052 “U” Turns and to enact a new §71.052 “U” Turns into the Fayetteville Code to permit “U” Turns on streets with medians.
- 6. Amend Chapter 115 Pawnbrokers:** An ordinance amending Chapter 115: Pawnbrokers of the Code of Fayetteville, renaming it to Chapter 115: Pawnbrokers and Secondhand Dealers, requiring licensure of secondhand dealers and requiring electronic reporting of certain items purchased by secondhand dealers.
- 7. Boston Mountain Solid Waste District:** An ordinance waiving the requirements of formal competitive bidding and approving a contract with the Boston Mountain Solid Waste District in the amount of \$25,000.00 for an environmental and recycling education program.
- 8. Amend Rules of Order and Procedure:** A resolution to amend the Rules of Order and Procedure of the Fayetteville City Council A. City Council meetings 7. Presentation of Agenda Items by adding a new subsection a. Agenda items not included within the Tentative Agenda packet.

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 or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.