

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
December 03, 2013**

A meeting of the Fayetteville City Council will be held on December 03, 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:

1. **Quarterly Financial Report – 3rd Quarter of 2013**, Paul Becker, Finance Director

Agenda Additions:

A. Consent:

1. Approval of the November 19, 2013 City Council meeting minutes.
2. **General Construction Solutions, Inc.:** A resolution approving Change Order No. 1 to the contract with General Construction Solutions, Inc. in the amount of \$34,037.14 for the completion of construction on FEMA Project, Location 22 Sanitary Sewer near the

entrance to the Cliffs Apartments related to Spring 2011 flooding, and approving a budget adjustment.

3. **Grubbs, Hoskyn, Barton & Wyatt, Inc. Amendment No. 1:** A resolution approving Amendment No. 1 to the contract with Grubbs, Hoskyn, Barton & Wyatt, Inc. for the additional amount of \$8,000.00 for additional geotechnical evaluations of Tract 14 of the Fayetteville Industrial Park, approving a project contingency of \$2,000.00 and approving a budget adjustment.
4. **Continental Flooring Company:** A resolution authorizing the purchase and installation of vinyl plank flooring from Continental Flooring Company for the Transportation Division office in the amount of \$38,843.00 plus any applicable bonding fees and tax pursuant to an NJPA cooperative purchasing agreement.
5. **Landers Toyota of Little Rock:** A resolution authorizing the purchase of two (2) Toyota Tacoma pickup trucks in the total amount of \$55,910.00, pursuant to a state procurement contract, from Landers Toyota of Little Rock for use by the Transportation and Water & Sewer Division, and approving a budget adjustment in the amount of \$28,500.00.
6. **Bid #13-20 Shipley Motor Company of Lowell:** A resolution authorizing the purchase of one (1) Mack LE613 truck with Wayne Titan body in the amount of \$245,060.00, pursuant to Bid #13-20, from Shipley Motor Company of Lowell for use by the Solid Waste Division.
7. **Assistance to Firefighters Grant:** A resolution authorizing application for an 80/20 matching Assistance to Firefighters Grant through FEMA in the estimated amount of \$380,000.00 for the purchase of a front line fire pumper apparatus for the Fire Department.

B. Unfinished Business:

1. **Amend UDC Height and Setback Regulations:** An ordinance to Amend §§161.16, 161.18, 161.19, 161.20, 161.21, 161.22, 161.23, 161.24, and 161.25 to change setbacks and stepbacks for adjoining property and height limitations for several districts and to amend §164.11 Height and Setback Regulations; Exceptions to reduce or eliminate setbacks in certain circumstances, to require wider sidewalks for buildings higher than 36 feet and to provide a building height variance for buildings receiving LEED Gold Certification and meeting other requirements, and to amend §156.02 (F) to authorize a requirement for a height variance applicant to provide a Viewshed Analysis or Sun/Shadow Study. *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. This ordinance was left on the Third Reading, Tabled to the November 5, 2013 City Council meeting and referred to the Planning Commission at the October 15, 2013 City Council meeting. This ordinance was left on the Third Reading, Tabled to the December 3, 2013 City Council meeting and sent the Ordinance Review Committee for review.*

Left on the Third Reading

- 2. VAC 13-4516 (Brenda Drive, Court and Walton Street/University of Arkansas):** An ordinance approving VAC 13-4516 submitted by Development Consultants, Incorporated for property located west of Razorback Road and north of Center Street to vacate the right-of-way of Brenda Drive, Court Street, Walton Street, and a thirty foot wide alley off of Hotz Drive. *This ordinance was left on the Second Reading at the November 19, 2013 City Council meeting.*

Left on the Second Reading

- 3. ADM 13-4512 (Wedington Drive and Salem Road/Forest Hills PZD Modification to Planning Area 2):** An ordinance amending a Residential Planned Zoning District entitled R-PZD 07-2793 Forest Hills to revise the concept plan and zoning criteria for Planning Area Two, reducing the number of dwelling units from 100 units to 72 units and removing the requirement for vertical mixed-use buildings. *This ordinance was left on the Second Reading at the November 19, 2013 City Council meeting.*

Left on the Second Reading

- 4. ADM 13-4513 (Wedington Drive and Salem Road/Forest Hills PZD Modification to Planning Area 5):** An ordinance amending a Residential Planned Zoning District entitled R-PZD 07-2793 Forest Hills to revise the concept plan and zoning criteria for Planning Area Five, reducing the number of dwelling units from 60 units to 31 units and amending the housing type from townhouses to detached single-family houses. *This ordinance was left on the Second Reading at the November 19, 2013 City Council meeting.*

Left on the Second Reading

- 5. ADM 13-4450 (Pratt Place Inn):** An ordinance amending a Commercial Planned Zoning District entitled C-PZD 05-1670 Pratt Place Inn, to revise the hours of operation as listed in Section 1. *This ordinance was left on the First Reading at the November 19, 2013 City Council meeting.*

Left on the First Reading

C. New Business:

- 1. Fayetteville Youth Center, Inc.:** An ordinance waiving the requirements of formal competitive bidding and approving a contract between the City of Fayetteville, Arkansas and Fayetteville Youth Center, Inc. in the amount of \$215,175.00 to provide public

recreation services for the youth and citizens of Fayetteville for 2014 contingent on approval of the 2014 Annual City Budget and Work Program.

- 2. Northwest Arkansas Economic Development District:** An ordinance waiving the requirements of formal competitive bidding and approving a contract between the City of Fayetteville, Arkansas and the Northwest Arkansas Economic Development District in the amount of \$74,314.00 to provide public recreation services for the senior citizens of Fayetteville for 2014 contingent on approval of the 2014 Annual City Budget and Work Program.
- 3. RZN 13-4520 (S. of Martin Luther King Blvd. and East of S. Beechwood/Eaton):** An ordinance rezoning that property described in rezoning petition RZN 13-4520, for approximately 16.57 acres located south of Martin Luther King Boulevard and east of South Beechwood from I-1, Heavy Commercial and Light Industrial to CS, Community Services.
- 4. Amend §166.08 Street Design and Access Management Standards:** An ordinance to amend §166.08 Street Design and Access Management Standards of the Unified Development Code to clarify or alter several design regulations.
- 5. 2013 Sales and Use Tax Bond Issue Proceeds:** A resolution approving a budget adjustment in the total amount of \$22,750,000.00 to appropriate proceeds from the 2013 Sales and Use Tax Bonds for street projects.

D. City Council Agenda Session Presentations:

E. City Council Tour:

- 1. December 2, 2103 – 4:00 PM – Mt. Kessler**

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.