

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
December 17, 2013**

A meeting of the Fayetteville City Council will be held on December 17, 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. City Board of Health** – Appointments must be made by the mayor and approved by the City Council to serve during the term of the appointing mayor.
- 2. Public Facilities Board** - Members must be nominated by a majority of the board and appointed by the mayor subject to confirmation of the governing body of the City.
- 3. Nominating Committee Report**

Agenda Additions:

A. Consent:

1. Approval of the December 03, 2013 City Council meeting minutes.
2. **Police Department Policy:** A resolution approving Fayetteville Police Department policy 41.2.9 Foot Pursuit.
3. **Cruse Uniform and Equipment, Inc.:** A resolution awarding RFP #13-17 and approving a contract with Cruse Uniform and Equipment, Inc. to serve as quartermaster for the Police Department.
4. **Fayetteville Police Department Donation Revenue:** A resolution approving a budget adjustment in the total amount of \$3,050.00 recognizing donation revenue to the Fayetteville Police Department in support of officer service awards, general recognition and repair of the vandalized police memorial monument.
5. **Safeware:** A resolution approving the purchase of a hazardous materials decontamination tent from Safeware through a cooperative purchasing agreement, in the amount of \$42,060.74, and approving a budget adjustment.
6. **Bid #13-54 College Shoe Shop:** A resolution awarding Bid #13-54 and approving an agreement with College Shoe Shop in the amount of \$22,000.00 for the purchase of wildland firefighting boots for the Fire Department.
7. **General Construction Solutions, Inc. Change Order No. 3:** A resolution approving Change Order No. 3 to the contract with General Construction Solutions, Inc. in the amount of \$7,009.00, and approving an additional project contingency in the amount of \$700.00, for the construction of improvements to Mount Sequoyah Gardens.
8. **CDBG Public Facility Lease Program:** A resolution approving an amendment to the lease agreement with Prism Education Center for 2190 S. Razorback Road which is part of the CDBG Public Facility Lease Program.
9. **A&P Bond Special Election:** A resolution approving a budget adjustment in the amount of \$14,000.00 to provide funding for payment of costs related to the A&P Bond Special Election.

B. Public Hearing:

1. **Razing and Removal Costs for 515 E. Township Street:** A resolution certifying to the Tax Collector of Washington County, Arkansas the costs of razing and removal of a dilapidated and unsafe structure upon the property owned by Marshall Aaron Mahan located at 515 E. Township Street in the City of Fayetteville, Arkansas.
2. **Razing and Removal Costs for 1717 S. Stirman Avenue:** A resolution certifying to the Tax Collector of Washington County, Arkansas the costs of razing and removal of a

dilapidated and unsafe structure upon the property owned by Mary Lou Guthery located at 1717 S. Stirman Avenue in the City of Fayetteville, Arkansas.

- 3.VAC 13-4516 (Brenda Drive, Court and Walton Street/University of Arkansas):** Public hearing on the petition of the University of Arkansas to vacate Brenda Drive, Court and Walton Street and alley.

C. Unfinished Business:

- 1.VAC 13-4516 (Brenda Drive, Court and Walton Street/University of Arkansas):** An ordinance to approve the University of Arkansas' petition to vacate Brenda Drive, Court Street, Walton Street and a thirty foot wide alley all within property owned by the University of Arkansas. *This ordinance was left on the Second Reading at the November 19, 2013 City Council meeting. This was left on the Second Reading and Tabled to the December 17, 2013 City Council meeting.*

Left on the Second Reading

- 2.Amend Chapter 178:** An ordinance to repeal §178.03 Sidewalk Vendors and enact a replacement §178.03 Sidewalk Vendors and Food Trucks and to repeal §178.04 Outdoor Mobile Vendors Located on Private Property and enact a replacement §178.04 Outdoor Mobile Vendors Located on Private Property. *This ordinance was left on the First Reading at the November 19, 2013 City Council meeting and tabled to the December 17, 2013 City Council meeting.*

Left on the First Reading

- 3.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. This ordinance was left on the Second Reading at the December 3, 2013 City Council meeting.*

Left on the Second Reading

D. New Business:

- 1. Bid #13-56 APAC-Central, Inc.:** A resolution awarding Bid #13-56 and approving a contract with APAC-Central, Inc. in the amount of \$4,587,250.02 for construction of Van Asche Drive, approving a ten percent (10%) project contingency, and approving a budget adjustment.
- 2. VAC 13-4533 (2732 & 2734 Wildwood/Legacy):** An ordinance approving VAC 13-4533 submitted by Bates and Associates for property located at 2732 and 2734 Wildwood to vacate a utility and drainage easement.

3. **RZN 13-4538 (Razorback Road/Victory Commons):** An ordinance rezoning that property described in rezoning petition RZN 13-4538, for approximately 5.09 acres, located at 731 S Razorback Road from I-1, Heavy Commercial and Light Industrial, to UT, Urban Thoroughfare.
4. **Solid Waste Services:** A resolution to develop a Request For Qualifications or Proposals for the planning of a 10-year expansion of solid waste services to attain a diversion rate of 80% and to delay the scheduled rate study of solid waste services until its completion and adoption or rejection.

E. City Council Agenda Session Presentations:

1. Animal Services Presentation – Justine Lentz, Animal Services Superintendent

F. City Council Tour:

G. 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.