

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. 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
February 18, 2014**

A meeting of the Fayetteville City Council will be held on February 18, 2014 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 February 04, 2014 City Council meeting minutes.
2. **McClelland Consulting Engineers, Inc. Task Order No. 10:** A resolution to approve Task Order No. 10 with McClelland Consulting Engineers, Inc. in the amount of \$36,050.00 for project design and bidding services associated with the Terminal Apron Rehabilitation Project and to approve a budget adjustment of \$36,050.00.

- 3. Garver Engineers, LLC:** A resolution approving a contract with Garver Engineers, LLC in an amount not to exceed \$352,879.00 for the design of Ruppel Road from Starry Night View to Mount Comfort Road, and to approve a budget adjustment of \$352,879.00.
- 4. Community Development Block Grant (CDBG) Agreement:** A resolution authorizing the Mayor to execute the Community Development Block Grant (CDBG) Agreement for 2014 when received in the estimated amount of \$540,700.00 and approving the 2014 Action Plan.
- 5. Amend Resolution No. 07-14:** A resolution amending Resolution No. 07-14 to change the awarding of Bid #14-04 for the purchase of hillside gravel from Leming & Son Trucking, Inc. to Les Rogers, Inc. for materials picked up in the amount of \$1.49 per ton and authorizing the use of other bidders based on price and availability as needed through the end of calendar year 2014.
- 6. Combs Park Tree Mitigation:** A resolution approving a budget adjustment in the total amount of \$4,250.00 to transfer a tree escrow balance for the planting of mitigation trees in Combs Park.
- 7. 2014 Keep America Beautiful/Dr. Pepper Snapple Group Grant:** A resolution authorizing application for a 2014 Keep America Beautiful/Dr. Pepper Snapple Group grant in the amount of \$6,800.00.
- 8. Rotochopper Go – Bagger:** A resolution approving a budget adjustment in the amount of \$18,500.00 to recognize revenue received from the auction and sale of Unit 479 - 2005 Rotochopper Go-Bagger 250.
- 9. Karcher North America, Inc.:** A resolution to approve and certify the participation of Karcher North America, Inc. in the Arkansas Tax Back Program and to agree to authorize DF&A to refund city sales tax back to Karcher North America, Inc.

B. Unfinished Business:

- 1. 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. This ordinance was left on the First Reading at the December 17, 2013 City Council meeting and Tabled to the January 21, 2014 City Council meeting. This ordinance was left on the First Reading at the January 21, 2014 City Council meeting and Tabled to the February 18, 2014 City Council meeting.*

Left on the First Reading.

2.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. *This ordinance was left on the First Reading at the December 17, 2013 City Council meeting. This ordinance was left on the Second Reading at the January 7, 2014 City Council meeting and Tabled to the February 4, 2014 City Council meeting. This ordinance was left on the Second Reading at the February 5, 2014 City Council meeting and Tabled to the February 18, 2014 City Council meeting.*

Left on the Second Reading.

C. New Business:

- 1. ADM 13-4331 Amend Chapters 151, 162, 163 and 164:** An ordinance to amend §164.10 Garage and/or Agricultural and Produce Sales; §161.10 (X) Unit 24 Home Occupation; §163.08 Home Occupations and §164.04 Urban Agriculture (fowl, bees, and goats) of the Unified Development Code.
- 2. Teeco Safety, Inc.:** An ordinance waiving the requirements of formal competitive bidding and approving a contract with Teeco Safety, Inc. in the amount of \$192,344.50 for the purchase of taser products.
- 3. Mt. Kessler Acquisition:** A resolution to authorize Mayor Jordan to apply for and accept a 50/50 matching grant from the Walton Family Foundation in the amount of \$1,500,000.00, to use this grant and \$1,600,000.00 out of reserves to purchase about 328 acres of Mt. Kessler from Chambers Bank and to build a trailhead, to approve a land swap with Chambers Bank, to support a parkland dedication of about 48 acres for future parkland credit and to approve the attached budget adjustment.
- 4. Kum & Go, L.C. Agreement:** A resolution to approve the fourth amendment to land sale agreement with Kum & Go, L.C. to extend the closing date to no later than April 21, 2014 and to agree to equally share the City's portion of the costs of a dedicated left turn lane.
- 5. Reappropriating Bonded, On-Going Capital Projects and Containing Obligations:** A resolution to amend the 2014 adopted budget by reappropriating \$75,497,000.00 in bonded or ongoing capital projects, outstanding obligations and grant funded items.
- 6. RZN 13-4536 (4310 Martin Luther King Blvd./Edwards):** An ordinance rezoning that property described in rezoning petition RZN 13-4536, for approximately 0.74 acres

located on the north side of west Martin Luther King Boulevard near the border of Farmington from R-A, Residential Agricultural to CS, Community Services.

- 7. ADM 13-4603: (UDC Amendment Chapter 161, Use Unit 44, Cottage Housing Development):** An ordinance to amend Chapter 161 of the Unified Development Code to authorize Cottage Housing Development (UU-44) into zoning districts in which it was originally approved by Ordinance No. 5462.

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.