

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  
March 18, 2014**

A meeting of the Fayetteville City Council will be held on March 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:**

**1. Nominating Committee Report**

**Agenda Additions:**

**A. Consent:**

1. Approval of the March 04, 2014 City Council meeting minutes.

**2. 2013 Internet Crimes Against Children Task Force Program Grant:** A resolution to authorize acceptance of a non-matching continuation subgrant for 2013 from the Internet

Crimes Against Children Task Force Program Grant in the amount of \$13,507.53, and to approve a budget adjustment.

**3. Gulf Coast High Intensity Drug Trafficking Area:** A resolution to approve a budget adjustment in the amount of \$115,952.00 recognizing revenue from the Office of National Drug Control Policy Gulf Coast High Intensity Drug Trafficking Area.

**4. State Drug Crime Enforcement and Prosecution Fund Grant:** A resolution to approve a \$56,250.00 grant from the State Drug Crime Enforcement and Prosecution Fund to be matched by \$14,062.50 from City funds to be used by the 4<sup>th</sup> Judicial District Drug Task Force, and to approve a budget adjustment.

**5. Insituform Technologies, Inc.:** A resolution to approve a contract extension with Insituform Technologies, Inc. in an amount not to exceed \$330,000.00 for sanitary sewer lining services for cured-in-place sanitary sewer linings.

**6. Arkansas State Highway Commission:** A resolution authorizing the sale of approximately 4.28 acres of right-of-way and a temporary construction easement to the Arkansas State Highway Commission for the total amount of \$15,050.00 to facilitate the replacement of the Highway 16 bridge across the Middle Fork of the White River.

**7. Arkansas State Highway and Transportation Department:** A resolution to approve the payment of \$580,000.00 to the Arkansas State Highway and Transportation Department representing the City's portion of construction costs related to the widening of Razorback Road, to approve a project contingency in the amount of \$50,000.00, and to approve a budget adjustment.

**8. Fayetteville Alert System:** A resolution to approve a budget adjustment in the amount of \$66,500.00 to provide funding for a marketing and communication campaign for the Fayetteville Alert System.

**9. Sourcegas Arkansas, Inc.:** A resolution to approve a cost-share utility work agreement with Sourcegas Arkansas, Inc. in the amount of \$72,277.19 for the relocation of gas mains and facilities necessary for the Van Asche Drive Project, and to approve a project contingency of \$14,455.00.

## **B. Unfinished Business:**

**1. Amend Chapter 178:** An ordinance to repeal §178.04 Outdoor Mobile Vendors Located on Private Property and enact a replacement §178.04 Outdoor Mobile Vendors Located on Private Property, to enact §178.05 Food Truck Limited Time Permit, to change the section number of Transient Merchants from §178.05 to §178.06 and to amend §97.086 Vending and Peddling. *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. This ordinance was left on the First Reading at the February 18, 2014 City Council meeting and Tabled to the March 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. This ordinance was Tabled Indefinitely at the February 18, 2014 City Council meeting.*

**Left on the Second Reading.**

- 3.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. *This ordinance was left on the First Reading at the February 18, 2014 City Council meeting. This ordinance was left on the Third Reading at the March 4, 2014 City Council meeting and Tabled to the March 18, 2014 City Council meeting.*

**Left on the Third Reading.**

- 4. Amend §92.01 Definitions, §92.23 Impoundment and §92.24 Redemption of Animals:** An ordinance to Amend §92.01 **Definitions**, §92.23 **Impoundment** and §92.24 **Redemption of Animals** of the Fayetteville Code to authorize the Animal Shelter to accept livestock and set the redemption fee for their release. *This ordinance was left on the First Reading at the February 18, 2014 City Council meeting. This ordinance was left on the Second Reading at the March 04, 2014 City Council meeting.*

**Left on the Second Reading.**

**C. New Business:**

- 1. VAC 14-4617 (1144 N. Futrall Dr./Cornerstone):** An ordinance approving VAC 14-4617 submitted by Blew and Associates for property located at 1114 N. Futrall Drive to vacate portions of utility easements, a total of 967.3 square feet.

2. **VAC 14-4621 (East of Beechwood/South of Railroad Tracks/Specialized Real Estate):** An ordinance approving VAC 14-4621 submitted by Jorgensen & Associates for property located east of Beechwood Avenue to vacate 20' utility easements throughout the property.
3. **Northwest Arkansas Regional Planning Commission Contract:** An ordinance waiving the requirements of formal competitive bidding and approving a one-year contract with the Northwest Arkansas Regional Planning Commission in the amount of \$46,766.73 for a Stormwater Education Program.
4. **U.S. Geological Survey:** An ordinance waiving the requirements of formal competitive bidding and approving an agreement with the U.S. Geological Survey (U.S. Department of the Interior) in the amount of \$21,528.00 for the operation and maintenance of three (3) urban stream gauging stations in the City for calendar year 2014.
5. **Rupple Road Cross Section:** A resolution to reaffirm the cross section of Rupple Road from Martin Luther King Boulevard to Wedington Drive as a four lane boulevard.
6. **ADM 13-4602 (UDC Amendment Chapter 161.32 and Chapter 166.06):** An ordinance to Amend §161.32 Planned Zoning District and §166.06 Planned Zoning District of the Unified Development Code to clearly separate the zoning and development approvals for Planned Zoning Districts and to simplify and reduce current regulations.
7. **Street Name Change:** A resolution to change the name of Arbuckle Lane to Woodward Lane.

**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.