

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith



Aldermen

Ward 1 Position 1 – Adella Gray
Ward 1 Position 2 – Brenda Boudreaux
Ward 2 Position 1 – Mark Kinion
Ward 2 Position 2 – Matthew Petty
Ward 3 Position 1 – Justin Tennant
Ward 3 Position 2 – Robert Ferrell
Ward 4 Position 1 – Rhonda Adams
Ward 4 Position 2 – Sarah E. Lewis

**Final Agenda
City of Fayetteville Arkansas
City Council Meeting
April 3, 2012**

A meeting of the Fayetteville City Council will be held on April 3, 2012 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 20, 2012 City Council meeting minutes.

2. McClelland Consulting Engineers, Inc. Amendment No. 1: A resolution approving Amendment No. 1 to the agreement with the McClelland Consulting Engineers, Inc. for airport engineering services.

- 3.Keeling Company:** A resolution authorizing purchase of an additional two (2) irrigation wheels from Keeling Company in the amount of \$77,333.34, pursuant to Bid #11-71, for effluent irrigation to hay fields.
- 4.Crafton Tull & Associates:** A resolution approving a contract with Crafton Tull & Associates in an amount not to exceed \$120,000.00 for engineering services to design water and sewer creek crossing repairs related to Spring 2011 floods, approving a project contingency of \$6,000.00, and approving a budget adjustment.
- 5.Bid #12-14 Heckathorn Construction Company:** A resolution awarding Bid #12-14 and approving a contract with Heckathorn Construction Company in the amount of \$42,421.00 for the structural repair of three storm damaged structures at the biosolids management site.
- 6.Environmental Consulting Operations, Inc. Amendment No. 6:** A resolution approving Amendment No. 6 to the Engineering Contract with Environmental Consulting Operations, Inc. in the amount of \$42,660.00 for pipeline stormwater, wetlands, and environmental issues and 2012 wetland site maintenance and reporting.
- 7.IES Interactive Training USA:** A resolution approving an agreement with IES Interactive Training USA in the amount of \$28,462.90, pursuant to a federal procurement agreement with the General Services Administration, for the purchase of a Use of Force Simulator for the Police Department.

B. Unfinished Business:

- 1. Amend Chapter 151 Definition of “Family”:** An ordinance to amend the definition of “Family” found in Chapter 151 Definitions of the Unified Development Code to allow the City Council to authorize up to five (5) unrelated persons in some units of a Planned Zoning District. *This ordinance was left on the First Reading at the February 7, 2012 City Council meeting. This ordinance was left on the Second Reading at the February 21, 2012 City Council meeting. This ordinance was left on the Third Reading and tabled at the March 6, 2012 City Council meeting. This item was removed from the table at the March 20, 2012 City Council meeting and placed on the April 3, 2012 City Council agenda.*

Left on the Third Reading

- 2. RZN 12-4028 (1400 and 1500 Blocks of N. Desoto Pl./Abshier Heights):** An ordinance rezoning that property described in rezoning petition RZN 12-4028, for approximately 2.18 acres, located at 1400 and 1500 Block of North Desoto Place (Track “A” of Abshier Heights) from R-PZD, Residential Planned Zoning District R-PZD 06-1883 to RSF-8, Residential Single-Family, 8 units per acre. *This ordinance was left on the First Reading at the March 20, 2012 City Council meeting.*

Left on the First Reading

- 3. ADM 12-4029 (Abshier Heights R-PZD Modification No. 4):** An ordinance amending a residential planned zoning district entitled R-PZD 06-1883, Abshier Heights, located at the northwest corner of Abshier Drive and Hillcrest Avenue, containing approximately 4.11 acres, to reflect revised architectural standards as described and depicted herein. *This ordinance was left on the First Reading at the March 20, 2012 City Council meeting.*

Left on the First Reading

C. New Business:

- 1. Regional Urban Stormwater Education Program:** An ordinance waiving the requirements of formal competitive bidding and approving a memorandum of Understanding with the MS4 Jurisdictions and the Northwest Arkansas Regional Planning Commission in the amount of \$45,969.00 for the Regional Urban Stormwater Education Program to be provided by the University of Arkansas Cooperative Extension Service to satisfy portions of the NPDES Phase II Stormwater Permit requirements.
- 2. RZN 12-4042 (1700 Old Wire Road/Cooper and Williams):** An ordinance rezoning that property described in rezoning petition RZN 12-4042, for approximately 4.90 acres, located at 1700 Old Wire Road from RSF-4, Residential Single Family, 4 units per acre to NC, Neighborhood Conservation, subject to a Bill of Assurance.
- 3. Amend Chapter 161 (ADM 12-4085 Zoning Regulations/RMF-24 Setbacks):** An ordinance to Amend §161.14 District RMF-24 by repealing the separate setbacks for multi-family structures built within the Hillside/Hilltop Overlay District.
- 4. Kum & Go, L.C.:** A resolution to grant the appeal of Kum & Go, L.C. and to amend and approve its large scale development to agree with the plat submitted with its appeal letter.

City Council Tour:

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 aides 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.