

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 17, 2012**

A meeting of the Fayetteville City Council will be held on April 17, 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:

- 1. Arkansas Recreation and Parks Association Awards Presentation**

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions:

A. Consent:

- 1.Approval of the April 3, 2012 City Council meeting minutes.
- 2.Crain Ford of Little Rock:** A resolution approving an agreement with the Crain Ford of Little Rock in the total amount of \$51,390.00 for the purchase of two (2) Ford Fusion

hybrid-electric sedans for use by the Police Department pursuant to the state procurement agreement.

3.J.A. Riggs Cat of Springdale: A resolution approving an agreement with J.A. Riggs Cat of Springdale in the total amount of \$266,109.00 for the purchase of three (3) backhoe loaders for use by the Water and Sewer Division pursuant to the National Joint Powers Association procurement agreement, and approving a budget adjustment.

4.Bid #12-23 Prime Contracting, Inc.: A resolution awarding Bid #12-23 and authorizing a contract with Prime Contracting, Inc. in a total amount of \$168,772.75 for the repair of flood damage to a section of Frisco Trail, approving a ten percent (10%) project contingency, and approving a budget adjustment.

5.Bid #12-26 WasteTech, Division of Kusters Zima Corp.: A resolution awarding Bid #12-26 and authorizing a contract with WasteTech, Division of Kusters Zima Corp. in the amount of \$197,487.00 for the purchase of a fine band screen with associated controls and accessories for the Noland Wastewater Treatment Facility.

6.NWA Regional Planning Commission Agreement: A resolution approving an agreement with the Northwest Arkansas Regional Planning Commission for services related to cooperative regional efforts to monitor, evaluate and report likely effects that future proposed changes to stream standards and wastewater discharge requirements may have on Northwest Arkansas in the amount of \$40,000.00, and approving a \$5,000.00 project contingency.

7.CDBG Funds Remaining From 2011 Grant: A resolution approving a budget adjustment in the amount of \$37,247.00 to the Community Development Block Grant program to accurately reflect funds remaining from the 2011 grant.

8.CDBG Habitat for Humanity Property Purchase Reimbursement: A resolution approving a budget adjustment in the amount of \$92,333.00 to Community Development Block Grant program income related to a housing program lien payoff and a reimbursement from the Habitat for Humanity property purchase.

9.2012 Interlocal Animal Sheltering Agreements: A resolution approving 2012 interlocal animal sheltering agreements with the cities of Elm Springs, Elkins, Goshen, Tontitown, Winslow, Farmington, Greenland and West Fork.

10.Southwest Solutions Group: A resolution approving an agreement with Southwest Solutions Group in an amount not to exceed \$34,216.00 for the purchase and installation of a Spacesaver High Density Evidence Storage System for use by the Police Department, pursuant to the National Joint Powers Alliance procurement agreement.

11.Cruse Uniforms and Equipment: A resolution approving a contract amendment with Cruse Uniforms and Equipment as the Police Department's authorized quartermaster to approve requested price increases.

12. Amend Resolution 183-11 Botanical Garden of the Ozarks: A resolution amending Resolution 183-11 approving a participation and unsecured loan agreement with the Botanical Garden of the Ozarks to install ten (10) LED lights and poles in the amount of \$30,519.90 as part of the City of Fayetteville Community Revolving Loan Fund for Energy Efficiency.

13. Butterfield Overland Mail Stage Route National Trail: A resolution to express the City Council's support of the Butterfield Overland Mail Stage Route National Trail to become a national historic trail.

B. Unfinished Business:

1. 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. *This ordinance was left on the Second Reading at the April 3, 2012 City Council meeting.*

Left on the Second Reading

2. 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. *This ordinance was left on the Second Reading at the April 3, 2012 City Council meeting.*

Left on the Second Reading

C. New Business:

1. APGR Green, Inc.: A resolution to certify the City of Fayetteville's endorsement of APGR Green, Inc., located in Fayetteville, Arkansas, to participate in the Arkansas Equity Investment Tax Credit Program.

2. Bid #12-11 Sweetser Construction: A resolution awarding Bid #12-11 and approving a contract with Sweetser Construction in the amount of \$1,759,900.15 for the construction of a roundabout at the Fulbright Expressway and Futrall Drive, approving a project contingency of \$90,000.00, and approving a budget adjustment.

3. Amend §34.27 Sale of Municipally Owned Real Property: An ordinance to repeal §34.27 of the Code of Fayetteville and to enact a replacement §34.27 Sale of Municipally Owned Real Property of the Code of Fayetteville.

4. AOS, LLC - Cisco IP Telephony System: A resolution approving an agreement with AOS, LLC in the amount of \$619,978.90 for the purchase of a Cisco IP Telephony

System pursuant to a State procurement contract, approving a project contingency of \$25,000.00, and approving a budget adjustment of \$248,750.00.

- 5. Water and Sewer System Refunding Revenue Bonds, Series 2012:** An ordinance authorizing the issuance and sale of not to exceed \$3,800,000 of Water and Sewer System Refunding Revenue Bonds, Series 2012, by the City of Fayetteville, Arkansas for the purpose of refunding the City's outstanding Water and Sewer System Refunding Revenue Bonds, Series 2002B; authorizing the execution and delivery of a third supplemental trust indenture pursuant to which the Series 2012 Bonds will be issued and secured; authorizing the execution and delivery of an official statement pursuant to which the Series 2012 Bonds will be offered; authorizing the execution and delivery of a bond purchase agreement providing for the sale of the Series 2012 Bonds; authorizing the execution and delivery of an escrow deposit agreement providing for the redemption of the Series 2002B Bonds; authorizing the execution and delivery of a continuing disclosure agreement; and prescribing other matters relating thereto.

City Council Tour: Prospective Downtown Parking Deck Tour - Thursday, April 19, 2012 at 4:30 p.m.

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.