

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
May 15, 2012**

A meeting of the Fayetteville City Council will be held on May 15, 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:

Agenda Additions:

A. Consent:

1. Approval of the May 1, 2012 City Council meeting minutes.

2. Bid #12-33 Center Point Contractors, Inc.: A resolution awarding Bid #12-33 and authorizing a contract with Center Point Contractors, Inc. in the amount of \$37,410.00 for the construction of St. Joseph Park, approving a ten percent (10%) project contingency, and approving a budget adjustment of \$14,361.00.

- 3. Fayetteville Police Department Donation Revenue:** A resolution approving a budget adjustment in the amount of \$2,900.00 representing donation revenue to the Fayetteville Police Department in support of officer service awards.
- 4. State and Federal Law Enforcement Forfeiture Revenue:** A resolution approving a budget adjustment in the amount of \$43,366.00 representing state and federal law enforcement forfeiture revenue received during the first quarter of 2012 and authorizing expenditures therefrom.
- 5. McClelland Consulting Engineers, Inc. Task Order No. 9:** A resolution to approve Task Order No. 9 with McClelland Consulting Engineers, Inc. in the amount of \$32,504.00 for plans and specifications, construction administration and record drawings of the Executive Hangar Office Addition Project and to approve a budget adjustment of \$32,504.00.
- 6. 2012 Community Development Block Grant Award:** A resolution approving a budget adjustment recognizing the actual amount of the 2012 Community Development Block Grant award from the U.S. Department of Housing and Urban Development.
- 7. The Spirits Shop, Inc.:** A resolution approving a settlement agreement with The Spirits Shop, Inc., concerning condemnation litigation filed as part of the N. Garland Avenue Improvement Project, in the total amount of \$16,900.00.
- 8. Bid #12-34 David's Fire Equipment:** A resolution to award Bid #12-34 to purchase two thermal imagers from David's Fire Equipment in the amount of \$20,400.00 plus sales tax for the Fayetteville Fire Department.
- 9. Bid #12-39 Benchmark Construction of NWA, Inc.:** A resolution awarding Bid #12-39 and authorizing a contract with Benchmark Construction of NWA, Inc. in the amount of \$407,560.07 for the construction and installation of a concrete pad at the solid waste and recycling facility, approving a ten percent (10%) project contingency, and approving a budget adjustment.
- 10. Water and Sewer Relocation AHTD Utility Agreement:** A resolution approving a cost-share agreement with the Arkansas State Highway and Transportation Commission for the construction of water and sewer relocations related to the widening of Crossover Road (Highway 265) from Joyce Boulevard to Albright Road.
- 11. University of Arkansas (Razorback Transit) Contract:** A resolution approving a contract with the University of Arkansas (Razorback Transit) in an annual amount of \$50,000.00 regarding public transit services within the City of Fayetteville.
- 12. Gallagher Benefits Services, Inc.:** A resolution approving a contract with Gallagher Benefits Services, Inc. in an amount not to exceed \$79,100.00 for the provision of employee benefits brokerage services, and approving a budget adjustment.
- 13. Windstream Communications, Inc.:** A resolution to approve the Telecommunications Franchise application of Windstream Communications, Inc. and to approve the Non-

Exclusive Telecommunications Franchise Agreement with Windstream Communications, Inc.

14. Fayetteville Municipal Property Owners' Improvement District No. 19 - Oakbrooke Appointment: A resolution to appoint Jason Taylor and Alan Harrison as successor commissioners for Fayetteville Municipal Property Owners' Improvement District No. 19 - Oakbrooke, Phase 1 Subdivision Infrastructure Project.

15. Donald and Brenda Johnston Settlement Agreement: A resolution approving a settlement agreement with Donald and Brenda Johnston, trustees of the Don and Brenda Johnston joint revocable trust U/D/T August 12, 2000, concerning condemnation litigation filed as part of the N. Garland Avenue Improvement Project, in the total amount of \$13,250.00.

B. Unfinished Business: None

C. Public Hearing:

- 1. A to Z Taxi:** A resolution granting a Certificate of Public Convenience and Necessity to A to Z Taxi for the operation of up to four (4) taxicabs in the City of Fayetteville.
- 2. 1609 S. Duncan Avenue Raze and Removal:** A resolution ordering the razing and removal of a dilapidated and unsafe structure owned by Adam P. Dyess, Perry J. Dyess and Carolyn A. Dyess located at 1609 S. Duncan Avenue in the City of Fayetteville, Arkansas, and approving a budget adjustment in the amount of \$3,495.00.

D. New Business:

- 1. RJN Group:** A resolution approving an engineering services agreement with RJN Group in the amount of \$499,595.00 to update the wastewater collection system model and master plan.
- 2. VAC 12-4064 Rochier St./Park Green:** An ordinance approving VAC 12-4064 submitted by Crafton Tull and Associates, Inc. for property located at 1001 West Rochier Street to vacate undeveloped streets and alley ways in the Rochier Heights Subdivision.
- 3. Amend §33.250 Composition; Membership:** An ordinance to amend §33.250 Composition; Membership of the Board of Adjustment to reduce the number of members from seven to five and the term from five to three years.
- 4. RZN 12-4077 Halsell Road/Pratt Place Inn Appeal:** An ordinance rezoning that property described in rezoning petition RZN 12-4077, for approximately 2.37 acres, located on Halsell Road from C-PZD, Commercial Planned Zoning District, to RSF-4, Residential Single-Family, 4 units per acre, subject to the offered Bill of Assurance.

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.