

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
July 17, 2012**

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

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions:

A. Consent:

1. Approval of the June 19, 2012 and July 3, 2012 City Council meeting minutes.

2. Parkland Dedication Fees: A resolution approving a budget adjustment in the total amount of \$38,426.00 recognizing parkland dedication fees from the Northeast and Northwest Quadrants to be applied for additions to Gulley Park and insurance proceeds related to the destruction of the Red Oak Park playground.

- 3. Bid #12-40 Luber Bros, Inc.:** A resolution awarding Bid #12-40 and authorizing the purchase of one (1) Deweze ATM72LG slope mower from Luber Bros., Inc. of Tulsa, Oklahoma in the total amount of \$41,209.40, for use by the Transportation Division, and approving a budget adjustment.
- 4. Bid #12-48 Williams Tractor:** A resolution awarding Bid #12-48 and authorizing the purchase of one (1) large square baler from Williams Tractor of Fayetteville in the total amount of \$81,488.00, for use by wastewater treatment, and approving a budget adjustment.
- 5. Bid #12-49 Sellers Trading Post:** A resolution awarding Bid #12-49 and authorizing the purchase of two (2) Rhino FR180 batwing cutters from Sellers Trading Post of Siloam Springs in the total amount of \$30,192.00, for use by the Parks Department and wastewater treatment.
- 6. Bid #12-50 Countryside Farm & Lawn:** A resolution awarding Bid #12-50 and authorizing the purchase of one (1) mower conditioner from Countryside Farm & Lawn of Springdale in the total amount of \$20,916.08, for use by wastewater treatment.
- 7. Bid #12-42 Endless Power Corp.:** A resolution awarding Bid #12-42 and authorizing the purchase of one (1) power generator from Endless Power Corp. in the amount of \$61,330.00, plus applicable sales tax, for use at the Owl Creek lift station, and approving a budget adjustment.
- 8. Bid #12-54 Instrument & Supply, Inc.:** A resolution awarding Bid #12-54 and authorizing the purchase of three (3) large water pumps from Instrument & Supply, Inc. in the amount of \$88,800.00, plus applicable sales tax, for use at the South Mountain pump station.
- 9. John David Brown Settlement Agreement:** A resolution approving a settlement agreement with John David Brown, concerning condemnation litigation filed as part of the Highway 265 Water and Sewer Relocation and Improvement Project, in the total amount of \$46,666.50.
- 10. Richard and Caren Hanna Settlement Agreement:** A resolution approving a settlement agreement with Richard and Caren Hanna, concerning condemnation litigation filed as part of the N. Garland Avenue Improvement Project, in the total amount of \$1,600.00.
- 11. Street Name Change – N. Chrysler Drive:** A resolution renaming Frazier Street between Vantage Drive and Mountain View Drive to N. Chrysler Drive.

B. Unfinished Business:

- 1. Amend §173.08 Arkansas Energy Code:** An ordinance to amend §173.08 Arkansas Energy Code of the Building Regulations chapter of the U.D.C. to adopt the 2009 International Energy Conservation Code, for residential structures, with amendments herein. *This ordinance was left on the First Reading at the June 05, 2012 City Council meeting. This ordinance was left on the First Reading at the June 19, 2012 City Council meeting and Tabled to the July 17, 2012 City Council meeting.*
Left of the First Reading

C. New Business:

- 1. Amend §154.03 Private Parties/Zoning Amendment:** An ordinance to amend §154.03 Private Parties/Zoning Amendment to clarify the powers of the Planning Commission and City Council when a property owner seeks rezoning.
- 2. Amend §167.04 Tree Preservation and Protection During Development and §177.05 Street Tree Planting Standards:** An ordinance amending §167.04 Tree Preservation and Protection During Development and §177.05 Street Tree Planting Standards of the Code of Fayetteville to provide a fixed amount to be paid into the tree escrow account rather than reasonable maintenance cost estimates.

City Council Tour: July 16, 2012 – Hughmount Village- Wedington Drive

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.