

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
September 04, 2012**

A meeting of the Fayetteville City Council will be held on September 04, 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 August 21, 2012 City Council meeting minutes.

2. Lifesource International Lease Agreement: A resolution approving a lease agreement with Lifesource International for premises located at 1932 S. Garland Avenue in exchange for services to the citizens of Fayetteville.

- 3.Fayetteville Police Department Policies:** A resolution approving Fayetteville Police Department policies 12.2.1 Policies, Procedures and Rules Development and Review Procedures, 41.1.1 Patrol, 41.2.8 Vehicular Pursuit, 41.3.5 Grooming and Uniform Requirements, 54.1.1 Public Information Policy, and 46.1.1 Critical Incidents.
- 4.Allied Waste Services of Bella Vista:** A resolution approving one (1) year extension agreement with Allied Waste Services of Bella Vista to haul and dispose of solid waste and recycling in the City.
- 5.Bid #12-65 Benchmark Construction of NWA, Inc.:** A resolution awarding Bid #12-65 and authorizing a contract with Benchmark Construction of NWA, Inc. in the amount of \$335,230.42 for installation of a concrete pad and associated work at the City solid waste and recycling facility, approving a project contingency of \$33,523.04, and approving a budget adjustment.
- 6.Solid Waste Hauling and Disposal Fees:** A resolution approving a budget adjustment in the amount of \$303,598.00 to provide funding for solid waste hauling and disposal fees.
- 7.Keep Fayetteville Beautiful Committee:** A resolution authorizing the Mayor to appoint up to seven (7) persons to serve at the pleasure of the Mayor as a Keep Fayetteville Beautiful Committee to facilitate creation of a Keep Fayetteville Beautiful affiliate to work in coordination with Keep Arkansas Beautiful and Keep America Beautiful, and sunsetting the authorization for this committee upon incorporation of a private non-profit organization.
- 8.SWEPSCO Energy Block Grant Rebate:** A resolution approving a budget adjustment in the amount of \$14,561.00 recognizing revenue from the SWEPSCO Energy Block Grant Rebate and allocating the revenue to the LED Trail Lighting Program.

B. Unfinished Business:

- 1.ADM 12-4144 3078 N. College Ave. Siebert Appeal:** A resolution to reverse the Planning Commission's decision to grant and thereby to deny the variance to Eric Siebert to operate his Shave the Planet business longer than 90 days as an outdoor mobile vendor. *This resolution was Tabled at the July 03, 2012 City Council meeting to the September 04, 2012 City Council meeting.*
- 2.Amerlux Exterior, LLC:** An ordinance waiving the requirements of formal competitive bidding and approving an agreement with for the purchase of seventeen (17) streetlight poles and fixtures manufactured by Dynamic Lighting, Inc. in the total amount of \$28,415.93 for installation on downtown improvement projects along Mountain Street, College Avenue, Center Street, East Avenue and Meadow Street. *This ordinance was left on the First reading at the August 21, 2012 City Council meeting.*

Left on the First Reading.

3. 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. *This ordinance was left on the First reading at the July 17, 2012 City Council meeting. This ordinance was left on the Second reading at the August 7, 2012 City Council meeting. This ordinance was left on the Second reading and Tabled until an Attorney General opinion is received.*

Left on the Second Reading.

C. Public Hearing:

1. Fayetteville Taxi LC, Public Convenience Necessity: A resolution granting a Certificate of Public Convenience and Necessity to Fayetteville Taxi LC for the operation of one (1) to four (4) taxicabs in the City of Fayetteville.

D. New Business:

1. 2012 Arkansas Department of Environmental Quality E-Waste Grant: A resolution approving application for a 2012 Arkansas Department of Environmental Quality E-Waste Grant of \$25,000.00 for an E-Waste coupon redemption program.

2. Enact Article XXIV Audit Committee and Internal Auditor: An ordinance to enact Article XXIV Audit Committee and Internal Auditor into Chapter 33 Departments, Boards, Commission and Authorities of the Code of Fayetteville.

3. Amend Chapter 166.04 Required Infrastructure Improvements – Development in City Limits: An ordinance amending subsection 166.04(l)(ii)(g) of Chapter 166 Development of the Unified Development Code to change the fee-in-lieu formulas related to parkland dedications.

4. Hughmount Village Development Sewer Extension: A resolution to approve the extension of the City’s sewerage system beyond the city limits to the proposed Hughmount Village Development.

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.