

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
October 02, 2012**

A meeting of the Fayetteville City Council will be held on October 02, 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 September 18, 2012 City Council meeting minutes.

2. **Callie’s Prairie:** A resolution naming the Lake Fayetteville Prairie Restoration Area “Callie’s Prairie” in honor of Callie Henson, an early pioneer and land owner.

3. Garver, LLC: A resolution approving an amendment to the contract with Garver, LLC for additional professional engineering services associated with the extension of Frisco Trail in an additional amount not to exceed \$26,500.00.

4. Arkansas Forestry Commission Urban and Community Forestry Program Grant: A resolution authorizing acceptance of an Arkansas Forestry Commission Urban and Community Forestry Program 50/50 matching grant in the amount of \$7,500.00 to provide for construction of parking lot improvements north of the City's Development Services Building, and approving a budget adjustment recognizing the revenue.

5. CDBG Public Facility Program: A resolution to approve a contract with _____ in the amount of \$ _____ to use Community Development Block Grant Funds to rehabilitate a city building at 1932 S. Garland for charitable services for Fayetteville citizens.

B. Unfinished Business:

1. §92.01 Definitions of the Animals Chapter & §92.35 Managed Care of Feral Cats: An ordinance to enact new definitions into §92.01 **Definitions** of the **Animals** Chapter of the Fayetteville Code and enact §92.35 **Managed Care of Feral Cats**. *This ordinance was left on the Second Reading at the September 18, 2012 City Council meeting.*

Left on the Second Reading.

2. 2012 Millage Levy: An ordinance levying a tax on the real and personal property within the City of Fayetteville, Arkansas for the year 2012 fixing the rate thereof at 1.3 mills for General Fund operations, 0.4 mills for the Firemen's Pension and Relief Fund, 0.4 mills for the Policemen's Pension and Relief Fund and 1.0 mill for the Fayetteville Public Library; and certifying the same to the County Clerk of Washington County, Arkansas. *This ordinance was left on the First Reading at the September 18, 2012 City Council meeting.*

Left on the First Reading.

C. New Business:

1. Bid #12-60 Advance Tire, Inc.: A resolution to award Bid #12-60 to Advance Tire, Inc. for the purchase of four solid tire and wheel assemblies for the solid waste wheel loader in the total amount of \$21,100.00.

2. Amend §97.086 Vending and Peddling: An ordinance to amend §97.086 Vending and Peddling of the Code of Fayetteville to expand the number of days per week that the Farmers' Market can operate at the Botanical Gardens.

3. **REO Holdings 1, LLC:** An ordinance waiving the requirements of formal competitive bidding and approving a cost-share agreement with REO Holdings 1, LLC in the amount of \$31,712.00 for the construction of an eight-inch water main near Bridgewater Lane.
4. **Neal Hefner Construction Company, Inc.:** An ordinance waiving the requirements of formal competitive bidding and approving a cost-share agreement with Neal Hefner Construction Company, Inc. in the amount of \$41,072.69 for the construction of extra-wide sidewalk to accommodate a future trail extension.
5. **VAC 12-4198 (5439 Maywood Dr./Win):** An ordinance approving VAC 12-4198 submitted by Alan Reid and Associates for property located at 5439 Maywood Drive to vacate a portion of a utility easement, a total of 477 square feet.
6. **VAC 12-4199 (2864 N. Prince William Dr./Cooper):** An ordinance approving VAC 12-4199 submitted by Alan Reid and Associates for property located at 2864 North Prince William Drive to vacate a portion of a utility easement, a total of 9.26 square feet.
7. **VAC 12-4205 (21st Amendment/Dickson St.):** An ordinance approving VAC 12-4205 submitted by John Starnes, AIA for property located at 404 & 406 West Dickson Street to vacate a landscape easement, a total of 0.10 acres.

City Council Tour: October 15, 2012 at 4:30 pm - RZN 12-4166 (South of Brookbury Crossing & East of Candlewood Developments/Riggins)

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.