

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 16, 2012**

A meeting of the Fayetteville City Council will be held on October 16, 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:

1. America in Bloom Award – Cindi Cope

Agenda Additions:

A. Consent:

1. Approval of the October 2, 2012 City Council meeting minutes.
2. **Bid #12-62 B&H Foto & Electronics Corp.:** A resolution awarding Bid #12-62 and authorizing the purchase of two (2) television studio camera systems from B&H Foto &

Electronics Corp. of New York, New York in the amount of \$75,578.00, plus applicable taxes.

3.Community Development Block Grant Program: A resolution awarding bid and authorizing the purchase of 1500 energy efficiency/weatherization kits from _____ in the amount of _____ for use by the Community Development Block Grant Program.

4.Zara L. Thomas Revocable Trust Settlement: A resolution approving a settlement agreement with Zara L. Thomas, Trustee of the Zara L. Thomas Revocable Trust U/D/T November 20, 1998 and of the Mary C. Thomas Revocable Trust U/D/T November 20, 1998, concerning condemnation litigation filed regarding the extension of Meadow Valley Trail (U of A Farm Trail).

5.Arkansas State Highway and Transportation Department: A resolution approving payment of \$4,019,094.00 to the Arkansas State Highway and Transportation Department representing the City's portion of construction costs related to improvements to State Highway 16, and approving a budget adjustment.

B. Unfinished Business:

1. RZN 12-4166 (South of Brookbury Crossing & East of Candlewood Developments/Riggins): An ordinance rezoning that property described in rezoning petition RZN 12-4166, for approximately 20.99 acres, located to the south of Skillern Road from R-A, Residential Agricultural to RSF-0.5, One Half Single-Family Units Per Acre. *This ordinance was left on the First Reading at the August 21, 2012 City Council meeting and Tabled to the September 18, 2012 City Council meeting. This ordinance was left on the First Reading at the September 18, 2012 City Council meeting and Tabled to the October 16, 2012 City Council meeting.*

Left on the First Reading

2. 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. *This ordinance was left on the Third Reading at the October 2, 2012 City Council meeting and Tabled to the October 16, 2012 City Council meeting.*

Left on the Third Reading

C. Public Hearing:

1. **Dynasty Taxi:** A resolution granting a Certificate of Public Convenience and Necessity to Dynasty Taxi Service, Inc. for the operation of a total of fifteen (15) to thirty (30) taxicabs in the City of Fayetteville.

D. New Business:

1. **VAC 12-4221 (2111 Martin Luther King Blvd./Panda Express):** An ordinance approving VAC 12-4221 submitted by Lorel Hoffman for property located at 2111 Martin Luther King Boulevard to vacate a portion of a water and sewer easement, a total of 2,039 square feet.
2. **Arkansas Forestry Commission Memorandum of Agreement:** An ordinance to waive formal competitive bidding and approve a Memorandum of Agreement between the Arkansas Forestry Commission and the City of Fayetteville to pay \$20,000.00 and \$24,995.00 respectively to Plan-It GEO to conduct a tree canopy analysis for Fayetteville.
3. **2013 Residential Trash Rates:** An ordinance waiving the requirements of Fayetteville Code of Ordinances Section 50.40 (A)(4) for an automatic annual price adjustment of residential trash rates for fiscal year 2013.
4. **Amend Chapter 33:** An ordinance amending Article XVI: City Council Street Committee of Chapter 33: Departments, Boards, Commission, and Authorities of the Code of Fayetteville to amend the Purposes, Powers and Duties of the City Council Street Committee.
5. **Amend Standing City Council Committees:** A resolution to amend Rule E.1.a. Standing City Council Committees of the Rules of Order and Procedure of the Fayetteville City Council to clarify the advisory status of all committees.

E.City Council Tour:

1. **October 15, 2012 at 4:30 pm – RZN 12-4166 (South of Brookbury Crossing & East of Candlewood Developments/Riggins)**
2. **October 23, 2012 at 4:30 pm – Wedington Drive Corridor**

F. Announcements:

1. **Reminder:** The regular scheduled City Council meeting of November 6, 2012 has been changed to November 8, 2012. The City Council Rules of Order and Procedure state: *The City Council shall meet in regular session on the first and*

third Tuesday of each month at 6:00 P.M. When a holiday or general election occurs on any such Tuesday, the regular meeting shall be held on the following Thursday at the same hour unless otherwise provided for by motion.

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.