

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith



Aldermen

Ward 1 Position 1 – Adella Gray
Ward 1 Position 2 – Sarah Marsh
Ward 2 Position 1 – Mark Kinion
Ward 2 Position 2 – Matthew Petty
Ward 3 Position 1 – Justin Tennant
Ward 3 Position 2 – Martin W. Schoppmeyer, Jr.
Ward 4 Position 1 – Rhonda Adams
Ward 4 Position 2 – Alan T. Long

**Tentative Agenda
City of Fayetteville Arkansas
City Council Meeting
August 20, 2013**

A meeting of the Fayetteville City Council will be held on August 20, 2013 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 6, 2013 City Council meeting minutes.

2. **Mitchell, Williams, Selig, Gates & Woodyard, PLLC Amendment No. 1:** A resolution approving Amendment No. 1 to the contract with Mitchell, Williams, Selig, Gates & Woodyard, PLLC in the amount of \$15,000.00 for additional legal services related to the White River Water quality standards petition to the Arkansas Pollution Control and Ecology Commission.

3. Bid 13-41 Jack Tyler Engineering of Arkansas: A resolution awarding Bid #13-41 and authorizing a contract with Jack Tyler Engineering of Arkansas in the total amount of \$58,760.15 for the purchase of four (4) return activated sludge pumps for the Noland Wastewater Treatment Plant.

4. Bid #13-44 Fiser Kubota: A resolution awarding Bid #13-44 and authorizing a contract with Fiser Kubota in the total amount of \$165,173.75 for the purchase of four (4) irrigation reels for the City biosolids management site.

5. Bill and Doris Kisor Settlement Agreement: A resolution approving a settlement agreement with Bill and Doris Kisor concerning condemnation litigation filed as part of the N. Crossover Road Utilities Improvement Project in a total amount of \$13,950.00.

B. Unfinished Business:

1. RZN 13-4410 (2468 N. Crossover Rd./Lynnwood Estates): An ordinance rezoning that property described in rezoning petition RZN 13-4410, for approximately 4.66 acres located at 2468 North Crossover Road from RSF-2, Residential Single-Family, 2 units per acre, to R-O, Residential Office, subject to a Bill of Assurance. *This ordinance was left on the First Reading at the August 6, 2013 City Council meeting.*

Left on the First Reading

C. New Business:

1. John Bess Claim Settlement: A resolution pursuant to Fayetteville Code of Ordinances subsection 39.10 (C)(4) authorizing the Mayor to pay \$11,000.00 to John Bess in settlement of a damage claim arising at 830 E. Trust Street, and approving a budget adjustment.

2. VAC 13-4428 (4291 Black Canyon St./Hamptons Lot 18): An ordinance approving VAC 13-4428 submitted by Engineering Services, Inc. for property located at 4291 Black Canyon Street, to vacate a portion of a pedestrian access easement, a total of 0.03 acres.

3. MarshallGIS: An ordinance waiving the requirements of formal competitive bidding and approving a contract with MarshallGIS in the total amount of \$26,975.00 to purchase five (5) software seats of GeoKNX mobile implementation software for usage by the Water and Sewer Division, and approving a project contingency of \$4,000.00.

4. 2014 Employee Benefits Package: A resolution approving a 2014 Employee Benefits package.

D. City Council Agenda Session Presentations:

1. Quarterly Contract Update of Economic Development Services provided by the Fayetteville Chamber of Commerce – Presenters Chung Tan and Steve Clark
2. "Entertainment District/Spring Street Parking Deck Update" – David Jurgens, Utilities Director

E. City Council Tour:

1. **August 12, 2013 at 5:00 pm - RZN 13-4410 (2468 N. Crossover Rd./Lynnwood Estates**

F. 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 aids 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.