MINUTES OF A MEETING
OF THE
FAYETTEVILLE CITY COUNCIL
JULY 6, 1999

A meeting of the Fayetteville City Council was held on July 6, 1999 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

PRESENT: Mayor Hanna; Aldermen Reynolds, Austin, Davis, Trumbo, Daniel, Santos, and Young; City Attorney Jerry Rose; City Clerk Heather Woodruff; Staff; Press; and Audience.

ABSENT: Alderman Russell.

ITEM	ACTION TAKEN	
Nominating Report	Approved	
Approval of the Minutes	Approved	
Arkansas Avenue Sidewalk Reconstruction	Approved	Res. 84-99
Land Purchase for Extension of Sixth Street	Approved	Res. 85-99
Easement Acquisition for placement of sign on Hwy. 45	Approved	Res. 86-99
Sanitary Sewer Rehabilitation	Approved	Res. 87-99
Telephone Upgrade/Y2K Compliance	Approved	Res. 88-99
Steele Boulevard/Van Asche: Cost-Share Increase	Approved	Res. 89-99
Steele Boulevard Bridge	Approved	Res. 90-99
Washington School Gym	No action	
RZ 98-22	Moved to 7/20/99 agenda	
Water/Sewer Relocation Hwy 265	Passed	Ord. 4172
Poplar Street Improvements / Construction	Approved	Res. 91-99
Poplar Street Improvements / Engineering	Approved	Res. 92-99
Fayetteville Youth Center Funding	Approved	Res. 93-99
Fox Hunter Road Paving	Approved	Res. 94-99
Wastewater Treatment Plant Discussion	No Action	

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NOMINATING REPORT

Alderman Daniel moved to appoint David Bruce Hawkins to the Cable Board. Alderman Trumbo seconded the motion. Upon roll call the motion carried unanimously.

CONSENT AGENDA

APPROVAL OF THE MINUTES

Approval of the minutes from the June 15, 1999 meeting. Minutes were approved with corrections.

ARKANSAS AVENUE SIDEWALK

A resolution approving a construction contract with APAC-Arkansas, Inc., McClinton-Anchor Division for Arkansas Avenue Sidewalk Reconstruction in the amount of $54,654.35; a project contingency in the amount of $13,488.15; materials testing funding in the amount of $2,000.00; and a budget adjustment to fully fund the project.

RESOLUTION 84-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

LAND PURCHASE

A resolution authorizing the city to purchase 0.22 acres of land, including an improvement (old service station) from Jerry L. Sciacca for $46,565.00 plus closing costs in association with the extension of Sixth Street from Wood Avenue to East Huntsville Road.

RESOLUTION 85-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

EASEMENT ACQUISITION

A resolution approving the acquisition of an easement from Mr. Jerry Sweetser for the placement of a city sign on Hwy 45. Further, approving the conveyance of a portion of right-of-way (old 24th Street curve) to Mr. Sweetser as consideration for the above acquisition.

RESOLUTION 86-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

SANITARY SEWER REHABILITATION
A resolution approving an engineering agreement with The RJN Group, Inc., in the amount of $498,879, and a 10% contingency of $49,888, for engineering design and construction inspection for Sanitary Sewer Rehabilitation, Illinois River Basins 6-9 and 16, and White River Minisystem 9.

RESOLUTION 87-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

TELEPHONE UPGRADE / Y2K COMPLIANCE
A resolution approving Bid Award 99-56 for the telephone upgrade/ Y2K compliance project to Midwestern Telephone, Inc. in the amount of $53,228.13, plus a project contingency of $29,000.00 for a total project cost of $82,228.13.

RESOLUTION 88-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

STEELE BOULEVARD / VAN ASCHE
A resolution approving a proposed cost-share increase with NANCHAR, INC. and Marjorie S. Brooks (CMN) in the amount of $116,291.00 for the earthwork, grading and subgrade work on the sections of Steele Boulevard and Van Asche for which the City has previously agreed to cost-share.

RESOLUTION 89-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

STEELE BOULEVARD BRIDGE
A resolution approving a 50/50 cost share for the actual construction costs of the Steele Boulevard Bridge over Mud Creek with NANCHAR, Inc. and Marjorie S. Brooks (CMN); and approval of a budget adjustment in the amount of $48,217.

RESOLUTION 90-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

Alderman Austin moved to approve the consent agenda. Alderman Davis seconded the motion. Upon roll call the motion carried by a vote of 6-1-0, Young abstaining.

OLD BUSINESS

WASHINGTON SCHOOL GYM
A discussion of additional funding for a brick facade for the Washington School Gymnasium. No representative from the school was present. Item was moved to the next agenda.

NEW BUSINESS

RZ 98-22
An ordinance for RZ 98-22 submitted by Richard Osborne on behalf of Littlefield Investment Company for property located at 1798 East Huntsville Road. This item was postponed until the July 20, 1999 City Council meeting at the request of the applicant.

WATER / SEWER RELOCATION - HIGHWAY 265
An ordinance approving a bid waiver for a local company, Field Services Company, to provide immediate easement preparation and field negotiations assistance to city staff for water / sewer relocation on Highway 265; upset cost limit of $23,100.00.

Mr. Rose read the ordinance for the first time.

Alderman Trumbo moved to suspend the rules and go to the second reading. Alderman Young seconded the motion. Upon roll call the motion carried unanimously.

Mr. Rose read the ordinance for the second time.

Alderman Davis moved to suspend the rules and move to the third and final reading. Alderman Trumbo seconded the motion. Upon roll call the motion carried unanimously.

Mr. Rose read the ordinance for the third and final time.

Mayor Hanna called for the vote. Upon roll call the ordinance passed unanimously.

ORDINANCE 4172 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

POPLAR STREET IMPROVEMENTS - CONSTRUCTION
A resolution approving:

- A. A construction contract with Sweetser Construction in the amount of $845,815.50 for the Poplar Street project.
- B. A project contingency in the amount of $126,872.33 (15%) for use as needed for testing, quantity variations, utility relocations, changes.
- C. Approval for the Mayor to expend the full project contingency as the mayor deems necessary for the completion of the Poplar Street project.
- D. Budget adjustment for the project in the amount of $160,142.83

Alderman Davis asked if there was a possibility of a future stop light.

Mr. Venable replied they could add a conduit at Gregg Street while the contract was going on. He thought it could be done and that it was a good idea.

Alderman Daniel moved to approve the resolution. Alderman Austin seconded the motion. Upon roll call the motion carried unanimously.

RESOLUTION 91-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

POPLAR STREET IMPROVEMENTS - ENGINEERING
A resolution approving a contract amendment for engineering services with Milholland Company to add bidding and construction management for the Poplar Street Improvements in the amount of $71,601.00.

Alderman Austin moved to approve the resolution. Alderman Reynolds seconded the motion. Upon roll call the motion carried unanimously.

RESOLUTION 92-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

FAYETTEVILLE YOUTH CENTER FUNDING
A resolution approving a supplemental transfer to the Fayetteville Youth Center to provide funding for facility repairs and a budget adjustment.

Alderman Trumbo stated Mr. Kevin Renner had been working on the capital improvements and the proposed facility if the council had any questions. He added the money would be used for repairs on the roof and other things.

Alderman Daniel asked if there was a budget for repairs at the Youth Center.

Mr. Renner replied they did have some capital improvement funds for things like this, but those monies came from an endowment which was set aside. The endowment was a key part of their grant application. To have money drawn from the endowment might affect their chances in receiving the grant.

Alderman Daniel asked how long they would be in their current building.

Mr. Renner replied if everything went as planned, they would be in the building for another three to four years.

Alderman Trumbo moved to approve the resolution. Alderman Daniel seconded the

motion. Upon roll call the motion carried unanimously.

RESOLUTION 93-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

FOX HUNTER ROAD

A resolution approving the expenditure of $25,000 toward the cost of paving a portion of Fox Hunter Road and a budget adjustment.

Mayor Hanna explained this was the portion of the road in front of the wastewater treatment plant. The county had already done most of the work. What they were asking for was to help pave the road.

Alderman Trumbo added the road was mostly used by the city.

In response to questions, Mayor Hanna stated the county would be doing the paving. It would only be a transfer of funds.

Alderman Daniel asked how many residents were in the area.

Mr. Venable replied there were very few houses out in that area. He stated this would be a big help in getting in and out of our facility.

Alderman Austin moved to approve the resolution. Alderman Reynolds seconded the motion. Upon roll call the motion carried unanimously.

RESOLUTION 94-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

WASTEWATER TREATMENT PLANT

Discussion of current status report on the wastewater treatment plant.

Mr. Don Bunn reported the land purchases had been approved. He felt all the property would be acquired by September. The permit applications had been applied for both discharge in the White River and in the Goose Creek Illinois River Area. They expected the application to be submitted to the Department of Environmental Quality sometime during the first two weeks of August. They were in the process of getting statements of qualifications from engineering firms to do the engineering work for the new plant and the line work. They had advertised in the *Engineering News Record,* the *Arkansas Democrat Gazette, Morning News*, and the *Northwest Arkansas Times.* They should receive the statements of the qualifications on July 16, 1999. They were expecting between fifteen and twenty statements to be submitted. They would ask the firms on their short list to submit detailed proposals to them for the engineering work. They were expecting to divide the work into three to four individual contracts. The new plant, work at the old plant, and the line work and pump stations would be two contracts. They were planning to negotiate contracts this fall and to have a contract for approval in January of 2000. A new plant would not be on line until 2004 or 2005.

Alderman Young asked if the permit was submitted in August when they would receive approval.

Mr. Bunn replied they thought it would take six to eight months to get a permit approved. There would be a public hearing in connection with the permit.

Alderman Young asked when the design would begin.

Mr. Bunn replied they were hoping to get the engineering contracts approved at the same time the permit was issued. The permit would determine the amount of treatment that would be required at each location. If the permit was delayed they would continue with the work they could do without knowing what the limits of the permit was. The delay would limit the amount of work they could do.

Alderman Young questioned the amount of design work that would be done before the bonds were voted on.

Mr. Bunn replied there would have to be enough design work done to get a handle on how much the cost was going to be. They will have to know what the cost would be before they could vote on the bonds.

Alderman Young asked if the people voted down the bonds, would there be a clause in the contract which would stop the engineering work and payment.

Mr. Venable replied there would be a termination clause in the contract.

The meeting adjourned at 7:00 p.m.