

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

FINAL AGENDA FAYETTEVILLE CITY COUNCIL DECEMBER 21, 1999

A meeting of the Fayetteville City Council will be held on December 21, 1999 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

- **NOMINATING COMMITTEE REPORT**

- A. CONSENT AGENDA**

1. **APPROVAL OF THE MINUTES:** Approval of the minutes of the December 7, 1999 City Council meeting.
2. **PARK LAND WAIVER:** A resolution approving a waiver of Ordinance 3793 to accept money in lieu of the land dedication requirement. The developer for the proposed subdivision is Summit Development. The property is located south of Highway 16 West and west of Shiloh Drive.
3. **TROLLEY OPERATIONS:** A resolution accepting a renewal agreement with Jones Transportation Services for Trolley Operations for the period of January 1, 2000 through December 31, 2000.
4. **PAY PLAN ADJUSTMENT:** A resolution adopting a year 2000 pay plan for hourly, salaried, executive and civil service fire and police personnel.
5. **2000 COMPLETE COUNT:** A resolution approving an interlocal agreement between the County and incorporated cities within Washington County. The agreement authorizes the creation of a Washington County Complete Count Committee for the purpose of facilitating the Year 2000 Census.
6. **HIGHWAY 265 SIDEWALKS:** A resolution authorizing the payment of \$53,579.00 to the Arkansas Highway and Transportation Department for the City of Fayetteville's costs to install sidewalks along Highway 265, between Highway 16 East and Highway 45.

B. OLD BUSINESS

1. **VA 99-13:** An ordinance approving vacation request VA 99-13.00 submitted by Mike Roetzel on behalf of Buddy Peoples for property located at 28th Court. The request is to vacate the undeveloped street right-of-way located west of Club Oak Drive within Edge Hill Subdivision. This item was left on the first reading at the December 7, 1999 meeting.
2. **RZ 99-32:** An ordinance approving rezoning request RZ 99-32.00 submitted by Stephen Thetford for property located at 3351 W. Wedington Drive. The property is zoned R-O, Residential Office and contains approximately 0.69 acres. The request is to rezone the property to C-1, Neighborhood Commercial. This item was left on the second reading at the December 7, 1999 meeting.
3. **2000 ANNUAL BUDGET AND WORK PROGRAM:** A resolution adopting the 2000 City of Fayetteville Annual Budget and Work Program. This item was tabled at the December 7, 1999 meeting.

C. NEW BUSINESS

1. **WHEELER WATER ASSOCIATION:** A resolution approving a purchase agreement for the Wheeler Water system.
2. **INVESTMENT POLICY:** A resolution approving a new investment policy to replace Policy Acct. 2 (effective July 2, 1996) in the City of Fayetteville Policy and Procedures, as permitted by State of Arkansas Act 1341 of 1999.
3. **HIGHWAY 265 CONDEMNATION:** An ordinance authorizing the City Attorney to seek possession of certain lands located along Highway 265 in the City of Fayetteville, Arkansas by the Power of Eminent Domain, in association with the required easements for the Highway 265 Water and Sewer Relocations.

6:30-7:40.

CITY COUNCIL

December 21, 1999

ROLL	Roll			HD H. Nominations	
DANIEL	✓			✓	
SANTOS	✓			✓	
YOUNG	✓			✓	
RUSSELL	✓			✓	
REYNOLDS	✓			✓	
AUSTIN	✓			✓	
DAVIS	✓			✓	
TRUMBO	✓			✓	
MAYOR HANNA	✓				
	HD BD. CONSENT			7-0-	
DANIEL	✓				
SANTOS	✓				
YOUNG	✓				
RUSSELL	✓				
REYNOLDS	✓				
AUSTIN	✓				
DAVIS	✓				
TRUMBO	✓				
MAYOR HANNA					
	7-0-0. PR RA VA 99-13 to table. (withdrawn).				
DANIEL					
SANTOS					
YOUNG					
RUSSELL					
REYNOLDS					
AUSTIN					
DAVIS					
TRUMBO					
MAYOR HANNA					

CITY COUNCIL

December 21, 1999

ROLL	2299-32 PASS				
DANIEL	✓				
SANTOS					
YOUNG	✓				
RUSSELL	✓				
REYNOLDS	✓				
AUSTIN	✓				
DAVIS	✓				
TRUMBO	✓				
MAYOR HANNA					
	7-0-0. PA RP 2000 Budget.				
DANIEL	✓				
SANTOS	—				
YOUNG	✓				
RUSSELL	✓				
REYNOLDS	✓				
AUSTIN	✓				
DAVIS	✓				
TRUMBO	✓				
MAYOR HANNA					
	7-0-0. RP HD. Wheeler Water Assoc.				
DANIEL	✓				
SANTOS	—				
YOUNG	✓				
RUSSELL	✓				
REYNOLDS	✓				
AUSTIN	✓				
DAVIS	✓				
TRUMBO	✓				
MAYOR HANNA					
	7-0.				

CITY COUNCIL

December 21, 1999

ROLL	HD H INVEST. policy				
DANIEL	✓				
SANTOS	✓				
YOUNG	✓				
RUSSELL	✓				
REYNOLDS	✓				
AUSTIN	✓				
DAVIS	✓				
TRUMBO	✓				
MAYOR HANNA					
	7-0-0. KR HD Hanna 265	HD 3AD BD	PASS		
DANIEL	✓	✓	✓		
SANTOS	✓	✓	✓		
YOUNG	✓	✓	✓		
RUSSELL	✓	✓	✓		
REYNOLDS	✓	✓	✓		
AUSTIN	✓	✓	✓		
DAVIS	✓	✓	✓		
TRUMBO	✓	✓	✓		
MAYOR HANNA					
	7-0-0.		7-0.		
DANIEL					
SANTOS					
YOUNG					
RUSSELL					
REYNOLDS					
AUSTIN					
DAVIS					
TRUMBO					
MAYOR HANNA					

adj. 7:30.

**MINUTES OF A MEETING
OF THE
FAYETTEVILLE CITY COUNCIL
DECEMBER 7, 1999**

A meeting of the Fayetteville City Council was held on December 7, 1999 at 4:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Present: Mayor Fred Hanna; Aldermen Robert Reynolds, Ron Austin, Bob Davis, Trent Trumbo, Heather Daniel, Kevin Santos, Kyle Russell, and Cyrus Young; City Attorney Jerry Rose; City Clerk Heather Woodruff; Administrative Services Director John Maguire; Public Works Director Charles Venable; City Planner Tim Conklin; Staff; Press; and Audience.

CONSENT AGENDA

APPROVAL OF THE MINUTES: Approval of the minutes of the November 16, 1999 City Council meeting.

BID 99-81, ITEM #1: A resolution approving the acceptance of the lowest qualified bidder meeting specifications for the purchase of a Heavy Duty Truck Cab & Chassis with Mounted Sanitation Body, Bid 99-81, Item #1. The vendor for this purchase will be Shipley Motor Co. of Lowell, Arkansas.

RESOLUTION 150-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

BID 99-81, ITEM #3: A resolution approving the acceptance of the highest bidder for the sale of Item #3, Bid 99-81, a 1991 Mack RD-688-S with mounted Leach Sanitation Body from the City of Fayetteville for the sale price of \$35,000. The vendor for these purchases will be IGS of Fayetteville, Arkansas. Receipt of this amount will be credited to Shop Fund Gain/Loss Sale of Assets.

RESOLUTION 151-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

BID 99-82: A resolution approving the acceptance of the lowest qualified bidder meeting specifications for the purchase of three Heavy Duty Diesel-Powered Trailer Mounted Air Compressors, Bid 99-82, Item #1, with the trade allowance for Items #2, 3 and 4. The vendor for this purchase will be Scott Construction Equipment of Springdale, Arkansas.

RESOLUTION 152-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

BID 99-83: A resolution approving the acceptance of the lowest qualified bidder meeting specifications for the purchase of a Regular Cab Dual Rear Wheel 4x4 Pick-up Truck, Bid 99-83, Item #1. The vendor for this purchase will be Carthage Ford-Mercury of Carthage, Missouri.
RESOLUTION 153-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

BID 99-84: A resolution approving the acceptance of the lowest qualified bidder meeting specifications for the purchase of a Crew Cab Dual Rear Wheel 4x4 Cab & Chassis with mounted 3-Way Dump, Bid 99-84, Item #1. The vendor for this purchase will be Carthage Ford-Mercury of Carthage, Missouri.
RESOLUTION 154-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

14 POLICE SEDANS: A resolution approving the acceptance of the State of Arkansas Contract Award ST-00-0201, Item #9, 2000 Ford Crown Victoria Police Pursuit Sedan including Options "IO" and modifications to "ee." This will be for 14 units. The vendor for this purchase will be Landers Ford of Little Rock, Arkansas.
RESOLUTION 155-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

MULTI-USE TRAILS: A resolution approving an engineering agreement with Crafton, Tull and Associates of Fayetteville to furnish survey, preliminary and final design, and provide construction observation for a proposed multi-use trail located along a portion of an abandoned railroad line between Spring and Prairie Street, a distance of approximately 2600 feet.
RESOLUTION 156-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

BID 99-85: A resolution awarding Bid 99-85 in the amount of \$31,000 for the purchase of a "Video Vehicle Tracking and Detection System" for the traffic signal at the Joyce Boulevard and College Avenue (71B) intersection.
RESOLUTION 157-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

OFFER AND ACCEPTANCE: A resolution approving the offer and acceptance agreement dated November 5, 1999, between John D. and Rebecca M. Ginger and the City of Fayetteville, for the sale of 4.00 acres of land located at the water storage tank site on Gulley Road, Washington County, for the amount of \$80,000.
RESOLUTION 158-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

SEWER DAMAGES CLAIM: A resolution approving a claim for sewer damages at 2082 North Hailey Drive, Fayetteville, in the maximum amount of \$27,184.69, plus a budget adjustment to cover the cost.
RESOLUTION 159-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

RESEARCH AND TECHNOLOGY PARK: A resolution approving a real estate contract to sell Lot 1, Arkansas Research and Technology Park, consisting of 2.5 acres, to Cache

Investments and/or Assigns (Interface Computer Center, LLC). Grant of first right of refusal on Lot 2, Arkansas Research and Technology Park.

RESOLUTION 160-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

Alderman Young stated that the company for which he worked had an item on the Consent Agenda so he would be abstaining from the vote.

Alderman Austin moved to approve the Consent Agenda. Alderman Davis seconded the motion. Upon roll call the motion carried unanimously.

OLD BUSINESS

CITY OF CHARACTER: A resolution amending Resolution 149-99 establishing the City of Fayetteville as a City of Character with the International Association of Character Cities.

Alderman Trumbo moved to bring the item back to the table. Alderman Reynolds seconded the motion. Upon roll call the motion carried unanimously.

Mayor Hanna explained that Alderman Trumbo had a motion to make asking the Council to rescind the resolution because it had caused too much controversy.

Alderman Trumbo moved to rescind the resolution in its entirety. Alderman Reynolds seconded the motion. Upon roll call the motion carried unanimously.

There was no comment from the Council or the audience.

RESOLUTION 161-99 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

NEW BUSINESS

VA 99-13: An ordinance approving vacation request VA 99-13.00 submitted by Mike Roetzel on behalf of Buddy Peoples for property located at 28th Court. The request is to vacate the undeveloped street right of way for 28th Court located west of Club Oak Drive within Edge Hill Subdivision.

Mr. Rose read the ordinance for the first time.

Alderman Reynolds stated he had received several phone calls concerning this item. There were several people who were against the vacation. He thought Mr. Peoples was going to request the

item be pulled from the agenda.

Mr. Tim Conklin, City Planner, stated that Mr. Peoples had contacted the Planning Office. He had explained to Mr. Peoples that the vacation was an ordinance, and that it would take three readings by the City Council in order for it to be approved. However, the Council could leave the item on the first reading. Mr. Peoples indicated that he preferred that the item be left on the first reading.

Alderman Reynolds stated Mr. Peoples was going to have a meeting with the neighbors to explain his plans.

Ms. Sylvia Popejoy stated she owned the property adjacent to the right-of-way. She would like to see the vacation approved. She added she was not aware of the right-of-way before the request to vacate was brought forward.

Alderman Reynolds asked if there were plans for the street in the future.

Mr. Conklin stated the staff had recommended vacating the right-of-way due to the steep terrain, which was approximately 20%. The current City street standards did not allow for streets over 15%. The Planning Commission had also voted to recommend approval. In regards to Mr. Scott's property, there was a 278-foot right-of-way which adjoined the northeast corner of the property. Also, the City had not required that he construct the street in 1991 when the subdivision was platted. The City Engineer had also recommended that the street be vacated because it did not meet the City standards.

Mr. Charles Venable, Public Works Director, stated there were a few streets in the City that had a 20% slope, but they had been there for a long time.

Mr. Conklin stated the vacation would not hinder future development. Mr. Scott would be able to access his property by utilizing Ravenswood.

Mr. Scott gave a brief history of the development. 28th Street had been on the original plat because it was the most logical place to enter by way of the public access. There was no better place to put the road. Closing the street would deny him access to approximately 20 acres. Peach Street barely met City standards. It had a 14.5 % slope. He expressed concern about the accuracy of the elevations because the same firm had shot the elevations and had come up with two different elevations.

Alderman Russell asked how long Mr. Scott had owned the land.

Mr. Scott replied he had owned the property since 1945. The street had been platted since 1969

and was even shown as a completed street on the City map.

Mr. B.R. Peoples stated he had requested the vacation of the right-of-way because it was too steep to construct a street on. He would be giving up two lots towards the back of the property. They were planning on developing only the one lot in the front. The adjoining property owners approved of the vacation. He did not believe the street would ever be constructed because of the steep terrain.

Mr. Joe Fred Starr, an area resident, stated he had been the Mayor during 1969, and he had signed the original plat. At that time, he had been very knowledgeable about the hill. He had lived out there and his family had owned property there for over 60 years. When Mr. Peoples purchased the property in 1990, he knew the street that was platted there. In his opinion, after the street was platted it became the property of the City. He explained that when the right-of-way was abandoned it became the property of the adjoining property owner. He did not believe the actual elevations of the right-of-way had been shot to this day.

Mr. Conklin replied the City staff had relied on Jorgensen and Associates for the elevations. The City's Engineer had also looked at the GIS data that they had at the City. They had compared that data to what Jorgensen had submitted to the City. This vacation would cut off access to Mr. Scott's property. He lived on Ravenswood and he had purchased all of the land there. He thought someone needed to shoot the elevation. He asked the Council to put off the decision for several months.

Mr. Steve Skoat, 2903 Club Oak Drive, stated that his interest was not monetary. He would have no gain one way or the other. The thing he liked about their neighborhood and the reason he would be in favor of the street being vacated was that it provided a nice quiet neighborhood to live in. The other issue was egress. He thought the egress problem had been addressed with the reconstruction of 24th Street. It could provide access for all of the residences.

Mr. George Calyn, 2843 Club Oak Drive, stated he had retired to Fayetteville three years ago. One of the requirements they had wanted was that there would be no through streets. They had not been told by a real estate agent that there was a right-of-way there. Where he came from there would be stub-out or some indentation of a proposed street. He asked the Council to vacate the street right-of-way.

THE ITEM WAS LEFT ON THE FIRST READING.

RZ 99-32: An ordinance approving rezoning request RZ 99-32.00 submitted by Stephen Thetford for property located at 3351 W. Wedington Drive. The property is zoned R-O, Residential Office and contains approximately 0.69 acres. The request is to rezone the property

to C-1, Neighborhood Commercial.

Mr. Rose read the ordinance for the first time.

Alderman Davis noted this property adjoined property which was currently zoned C-1. The Planning Commission had voted unanimously to approve the rezoning. He suggested passing the rezoning.

Alderman Daniel stated she was not in favor of passing this ordinance on the first night.

Alderman Davis moved to suspend the rules and move to the second reading . Alderman Austin seconded the motion. Upon roll call the motion carried unanimously.

Mr. Rose read the ordinance for the second time.

There was no public comment.

THE ITEM WAS LEFT ON THE SECOND READING.

COUNCIL ON AGING: Discussion of a one mil tax for two years or a two mil tax for one year for the construction of a Senior Community Center.

Mayor Hanna stated he had received a lot of comments on this item.

Alderman Trumbo stated he thought they should put together a committee to look at all of these items. He thought it would be a good idea to discuss their plans and the pros and cons of having a millage. He noted the City had the statutory authority to impose up to five mils as the City Council or they could take the issue to the polls in the next election.

Alderman Austin asked where the City Council received the authority to levy a one to five mil tax.

Mr. Rose replied that Article 12, Section 4 of the Arkansas Constitution is the authority for it. There was also some statutory authority that allowed the City to levy up to five mils for property tax without a vote of the people. The Council could do that as a general revenue source. An election was not necessary, but one could be held. In reference to when they would receive the money, he explained that each year in November the County Quorum Court set the tax rates for the county. They would set the City rates per the Council's instructions. There was no hurry because the soonest they could get the rates to the county was November of next year in order to set the rate for the year 2000. It would be collected in the year 2001. The first time the money

would be realized would be October 2001 for the collection year of 2000. Money would be coming in from February to October.

Alderman Santos added they would not be speeding anything up by letting the Council raise the taxes rather than having a general election to decide if they wanted to raise the taxes.

Mr. Rose did not believe there would be enough time to get the election certified before the time the county needed the rates. There was nothing wrong with having a special election if they wished.

Alderman Reynolds stated these people had been paying taxes in this City all their lives. The City owed them this center. The project had been on the board for a long time. When the project began they were talking about \$83.00 per square foot. Today they were talking about \$200 per square foot. He was very interested in this project and he wanted to build it. He did not believe they needed to take it to a vote. Anything else that was new he thought the Council would need to take to the public, but this was something that had been promised since they received the property from the Walker Family. He thought they needed to study this and have Councilmen appointed to a committee to see if they could get the price reduced. He was in favor of building the center, but he was in favor of trying to find a better price for the center for the taxpayers.

Alderman Daniel stated she had been hearing pros and cons on this idea. She was in favor of the senior center, but she was not sure this was the way to go about it. She thought it would be a good idea to have a committee to study it. She would like to see some good fundraising effort. She would like to see how much the tax millage would affect differently priced homes. She expressed concern for retired people on a fixed income.

Mr. Rose stated that a previous City Council had considered whether or not to have a City sales tax after theirs was legally struck down. The Council had passed a resolution of intent not to have any millage other than the half mil for Police and the half mil for Fire as an enticement to have people vote for the City sales tax. That had been back in 1993.

Mayor Hanna stated he thought a committee was in order. He did not want to limit it to four people. He would not mind if the Council as a whole would be the committee if it was their desire. He thought everyone that was interested in participating in this should be on the committee.

Ms. Betty Turner, Executive Director of the Council on Aging, stated the four million dollars would be for a turnkey job for the furnishings, renovations to the existing building, the orchards, and the entire complex. It was a senior center and adult daycare facility. Everything would be in place. The one million dollars would allow them to build the senior center and the parking lot. They had taken on this project in 1991. One of the things they wanted to do tonight was to

explain the expected roles of seniors in the future to see what communities needed to do to capture the expertise and experience the seniors would bring.

Ms. Barbara Shaden, Co-Director of the Office for Studies on Aging at the University of Arkansas, stated that most of her service and teaching in the community had been on aging processes and the needs of the elders. The elderly population in Arkansas is much higher than in the rest of the country. The population of Northwest Arkansas is much higher than in other parts in the state. Arkansas rates sixth in the country in the number of elders under the poverty level. By the year 2030 there will be as many elders in the county as there will be children under the age of eighteen. They needed to planning ahead in terms of their resource allocation. That was a large part of the population. The baby boomer generation will soon be part of this population. Those baby boomers are different. They had longer life expectancies. They expect more and different kinds of quality of life. They had improved health and more political clout. They had different kinds of expectations. They were not talking about serving a less healthy or less independent portion of the population. A vision for a senior center should embrace all seniors and the whole community. Intergenerational programing is what the wave of the future should be for senior centers. The key to successful aging is mental stimulation, activities, social interaction, and normalization of daily life. A lot of that was set up in a senior center. No one agency can do all this, but they needed to have a starting point, a focal point for having services and bringing people together. Senior Centers are, historically, the oldest mechanism we have to provide services to the elderly. One of the things she hears from the elders are that they have needs for services. They were also wanting to give back to the community.

Mr. Jerry Mitchell, Executive Director for the Area Agency on Aging in Northwest Arkansas, said that they provided services for nine counties in Arkansas. They contracted through the Council on Aging to provide services to the senior centers. He had been disappointed in the effort involved to get this senior center up and going. He thought Fayetteville deserved an outstanding senior center. The senior center on Sang Avenue helped serve a large number of people, but they were not able to provide some of the services that were needed in Fayetteville. He stated he would be willing to lend people from his staff to help with this in any way they could. He asked the Council not to refer it to a committee where it might get lost. The Sang Avenue Center did not meet their needs. Those who are elderly now, in his opinion, were our country's greatest generation. They were the people that helped rebuild Japan and Germany. They had made a lot of sacrifices. There was another generation that was coming up that would not be satisfied with the current facilities. They were going to want to see financial management classes, seminars on how to handle retirement funds. They wanted to have other classes and services. His organization had already pledged \$350,000. That was all that his agency could come up with. It was a mixture of money from state, private and federal resources that they had received.

Dr. Rod Phillips addressed the issue of architecturaal feasibility. His background was in

architecture and psychology. He thought the residents were far more important than the building. If they only pursued economically viable projects, most parents would choose not to have kids. This project involved using a lot of money, but he thought the pay-off would be in spirit. He thought this could serve as a model nationally. The project was based on research-based design including state-of-the-art construction materials and methods.

Alderman Trumbo asked Ms. Webb how a million dollars would assist her in writing grants.

Ms. Cindy Webb, a fundraiser, replied that regarding the fundraising she had been working on, this Senior Center had been on the drawing board for so long that people were concerned that it would not happen. People wanted to support it but were not sure it would ever happen. She thought the City's involvement in the project would be a promise to the people of Fayetteville. She thought with this resolution they could show people it was going to happen. At that point, she thought the fundraising would become easier. It was hard to get people to contribute to something they could only see in cardboard. They had asked many people for large sums of money. They had asked the Walton Foundation for money and they would not fund them. They had asked many large sources of money for funding and had been told "no" by some. Some were waiting to see what the Council was going to do on this issue.

Dr. Joe Hall stated the group aged fifty-five to seventy-five was a section of the people that could be compared to fifteen to twenty-one year olds in the children's group. These people had great potential and they were not being utilized. Senior citizens can and will take care of other senior citizens if they were given the opportunity. He knew people who had retired from seven-figure annual jobs and they were carrying bedpans in hospitals because there was no other structure within which they could donate their services, time and expertise to the community. The Council needed to mobilize. There were people who were trying to live without social security payments and who had little income. There were people who could not buy their medication. This generation was such a proud people that they would personally not ask them for a thing. They would go hungry before they would ask for anything. What they needed was a facility with a structure to utilize and care for these people. They were not utilizing the education, talents, skills, nor the money of many of the senior citizens. This resulted in a period of depression for these individuals because they did not know what would occur after their retirement. They were always retiring from something. These people should not retire *from* something, they should retire *to* something. It was the wisdom of these people that could be transferred to our teenagers that may be the answer to the violence they were seeing in our schools and communities.

Alderman Austin thanked Mr. Hall for the personal letter he had written all the aldermen.

Ms. Martha Albright, volunteer, stated she had served on the Council on Aging Board for five years. She thought the entire community would be affected by the center. They wanted a

building that would last for years and not one they were going to have to do again in ten to fifteen years. They wanted one large enough to meet their needs and one they could grow into in the future. They needed an inviting place to go. They wanted to build something Fayetteville would be proud of. Some of the new buildings and renovations were making Fayetteville a really nice place to live.

Alderman Trumbo thought they would form a committee and move forward with the project.

Mayor Hanna stated they should plan to have the committee meet between now and the next meeting and to make a report on the progress. Mayor Hanna stated he would make Alderman Trumbo the chairman of the committee.

Alderman Russell stated he supported the idea of the community center. He had 100% positive response on supporting the millage increase. He expressed concern about the library, schools and the wastewater treatment plant. A lot of those would have to go before the public for a vote. He was going to support all of those increases.

Alderman Austin stated he supported the project. He had received 100% support for the center. He thought there was time to declare their intent.

Mayor Hanna suggested two mills for one year in order to get it over with, considering all the other things coming up.

Alderman Russell thought one of the pluses about the tax was that it was so temporary.

In response to questions, Ms. Webb explained the Senior Community Center itself had been budgeted about \$2.2 million. The tax would build the community part of the development. They would then continue their fund raising efforts to construct the adjacent adult daycare facility, and to renovate the offices and the current Sang Center.

Mr. Dan Coody, an area resident, stated the \$200 per square foot building included the cost of the paving, sewer, and so forth. The construction cost for the building was approximately what you would pay for a house. A lot of senior citizens were wanting to move to an area with this kind of climate and a university because it provided more stimulation. They needed to capitalize on the impact of senior citizens on our town.

Mr. Bill Ackerman stated he had been the president for the Council on Aging for the last two years. In addition to redesigning the project they had gone to the private sector and asked them to contribute to the project. The U.S. government did very little to support the aging group compared to what they did for other groups across the board. He thought this was a local problem and they needed to address it. It was going to take an effort on everyone's part to make

this happen.

NO ACTION WAS TAKEN.

NORTH HILLS VACATION: An ordinance approving the request by Crafton, Tull & Associates, Inc. on behalf of Washington Regional Medical Center for the vacation of the existing street right-of-way for a portion of North Hills Boulevard.

Mr. Rose read the ordinance for the first time.

Alderman Young stated the company he worked for was presenting this item, so he would be abstaining from the vote.

Alderman Davis moved to suspend the rules and move to the second reading. Alderman Daniel seconded the motion. Upon roll call the motion carried by a vote of 7-0-1, Young abstaining.

Alderman Santos explained they were vacating this street right-of-way because they had already constructed a street that would serve the same purpose right next to it. They no longer needed the right-of-way.

Mr. Rose read the ordinance for the second time.

Alderman Santos moved to suspend the rules and move to the third and final reading. Alderman Trumbo seconded the motion. Upon roll call the motion carried by a vote of 7-0-1, Young abstaining.

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

Mayor Hanna called for the vote, upon roll call the ordinance passed by a vote of 7-0-1, Young abstaining.

ORDINANCE 4204 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

SAGE HOUSE PROPERTY GRANT: A resolution approving the request on behalf of Sage House and Children's House for land owned by the City of Fayetteville.

Alderman Trumbo stated when they looked at this the last time they were considering a different site. He had visited with Ms. Bradberry, and with their connection with Children's House, they

wanted to see if the City could provide the land so they could be close to the house. He asked if the City had plans for the property.

Mr. Venable stated the City had planned to construct a new water and sewer maintenance operation area there. They were currently in the process of developing plans to use this entire area. This request came as a surprise to the staff. They had not had a chance to look at it. They would be glad to work with them in another area. He did not know what their requirements were, as far as this property was concerned.

Mayor Hanna stated he had met with the people making the request. He supported their request; however, this piece of property, when they first designated it, had been sold to a developer. If they had sold the property they would have moved their water and sewer operations. The sale fell through. They had returned the earnest money. They now did not have a choice but to leave the operation where it was. It may cause some problems with the Sage House facility. He thought the City needed to help them find a piece a property. He suggested forming a smaller committee to meet with the Public Works department to look over the land that was available.

Alderman Austin stated he had spoken with the president of their organization. They would like to have the property. Their main interest was in getting some property. This was not any different from what the City had done in the past by enabling an organization to exist. They were not funding the organization. He thought it was a good cause and he would be willing to work on the committee.

Mayor Hanna added if they were to construct Sage House in that location it would have to be screened extensively. They had a twenty-four hour operation. He thought the City would have property somewhere that would be suitable for this project.

Ms. April Rye, Sage House Board, explained they were interested in this property. She was an attorney for Washington County. She represented all the children in DHS Foster Care. Many of these children were involved in domestic violence situations. Many of the children she saw would benefit from some sort of transitional facility, just as their mothers would. The reason they were so interested in Sage House was because it was not a shelter. It was transitional housing that would help women when their shelter stay was up. The shelter here in Fayetteville only provided a thirty-day stay. It was difficult for women in these situations to get their life on track in thirty days. Transitional housing had been proving very successful in other cities. It would offer up to a two-year stay in this facility. They would be assigned a case worker and would be given all types of opportunities for more skills and services. The success rate on these facilities was much higher than at the thirty-day stay shelter. They were interested in the property next to Children's House because they viewed it as being one campus. There were many services that would not have to be duplicated. If they placed the housing further away, they were looking at either having transportation problems or having to duplicate the services at

Sage House. If they were on the same campus they would be able to use all of the Children's House services. Sage House would be for the single parent victim of the abuse and the children. The children were in as much need of services as the single parent.

Alderman Trumbo asked what the minimum amount of acreage would be needed for their facility.

Ms. Rye replied they were planning a fifteen unit complex. They would need a minimum of one acre.

Mr. Reynolds stated the property was going to be commercial and the water and sewer facility was a twenty-four hour operation. He thought this would be the wrong place for it.

Ms. Rye replied the transitional shelter was not like a shelter in that it did not need to be secluded. In transitional housing they were working with the women and the families on living and being in the community. There were certain security measures they would take, but seclusion was not something they needed.

Mayor Hanna thought the Council needed to look at the space available and what the City really needed for their operations. Their number one obligation was the infrastructure of the City. They were not going to be able to move the water and sewer maintenance facility.

Alderman Trumbo questioned if Children's House would be able to move.

Alderman Young stated this was the first place they had considered.

Mr. Rose stated there were some statutory prohibitions about giving City property away. He suggested long term leases, sale, or a number of other ways to go about this.

Ms. Kathleen Randall, Children's House, stated she had seen a real need for this, not only for the children and their other programs. They saw children all the time who had moved so often that they missed large chunks of their education because they were moving from school system to school system. She had no idea that there was a thought to move Children's House from that location. They were on a real low in their fundraising efforts to expand Children's House to include infants. They had toddlers now and they could see that it greatly benefitted children. They needed to start as early as possible with children that were abused. The expansion was to include younger children and to do some prevention education. If they expanded the building, they needed the additional property.

Mr. Venable stated the Children's House and Sage House would need to be separated from their maintenance operation. This expansion would get into where they were planning to expand. An

access to this area would also be difficult. There were some problems with trying to get this in. As far as the additional property for the children's home, it had fallen through when the developer didn't go through with the sale.

Ms. Randall stated they were to the point where they were going to have to expand or move. The money needed to construct a new facility was breathtaking. The other thing they were facing now was that when the house was constructed there were different requirements for child care and for development. Their facility had been constructed for child care and not for development. It was not a user-friendly building. The classrooms had been constructed at minimum requirements and they were having problems with the State of Arkansas because their rooms were so small. Fundraising was very difficult.

Alderman Daniel stated she would like to see them stay at this location rather than move the facility.

Ms. Randall stated one thing that was important for their current location was the corridor because it opened up access to jobs.

Mr. Venable thought they might be able to find another property close to this one.

Ms. Rye stated they had received a \$75,000 block grant for redevelopment. They were in the redevelopment stage. It was going to be very difficult for them to do much more until they got some land.

Mayor Hanna asked for anyone interested in being on that committee to call his office.

Ms. Andrea Minor, Sage House, stated the people that would be housed here were coming from a homeless situation. Having a roof over their head was a big deal. The fact that there was a 24-hour facility near them was not a big deal to them. She questioned how much of the current eight acres they were using.

Mr. Venable stated they planned to use most of the area because they were going to construct a new building with parking. What was currently there was inadequate. They were planning to utilize most of the property with parking, buildings, and covers. Most of the site was being used now. The new facility would be close to 20,000 square feet, plus parking for all of their equipment. The other thing was that the uses would have to be separated. It was a secure area where they were.

Ms. Minor stated that would not be a problem for them. They had dreamed of making this one campus so as to be able to utilize it, and cost them less money. They were trying to build and operate this on a cost-effective basis. She asked if the money was in place for the facility.

Mr. Venable replied the money was in place and came out of their operation money. It was currently in the budget to be constructed.

NO ACTION WAS TAKEN

2000 ANNUAL BUDGET AND WORK PROGRAM: A resolution adopting the 2000 City of Fayetteville Annual Budget and Work Program.

Mr. Steve Davis, Budget Coordinator, stated he was willing to answer any questions.

Alderman Trumbo questioned the Hay Report regarding the Police Department. He was glad they were able to find the extra money to finance the increase recommended by the Hay Plan.

Mr. Davis explained the percentage increases were greatly above what they had projected when they began the budget process. In the general fund budget, the increased percentage was about \$410,000 short. He explained where they had come up with the additional money to meet the need. They had projected that the range adjustment would be between 5% and 8%. The minimum that the study recommended was 7%- 19%.

Alderman Trumbo noted they had been losing good employees because of the salary.

Alderman Daniel noted the City had received another award for their budget.

Mr. Davis added the City had won the award since 1989.

Alderman Russell asked if the purpose of the study was to bring them in line with the surrounding area.

Mr. Davis explained it was a market survey of cities in the surrounding area that were comparable to Fayetteville. It was the same core group of cities that had survived in the past. They did the study every two years.

Mr. Jeff Erf, an area resident, questioned the improvements to the waste water treatment facility, the advertising and promotion fund, and the trolley funding.

Mayor Hanna replied the City was making up the difference in the amount funded by the A & P.

NO ACTION WAS TAKEN.

Meeting adjourned at 6:30 p.m.

VA 99-13.
C.C. 12/21/99

3-6 Minimum and Maximum Grades:

The minimum grades shall be that grade required to provide positive drainage for the street. The maximum allowable grade for local streets shall be 10 percent with a provision for a 15 percent grade for a maximum distance of 300 feet in the case of hilly terrain. For collector streets the maximum grade shall be 8 percent with a provision for 12 percent maximum grade for no more than 300 feet.

3-7 Sight Distance Requirements and Design Speeds:

Minimum sight distance for local and residential streets shall be 250 feet under ordinary conditions and 200 feet for hilly conditions. Collector streets shall have a minimum sight distance of 350 under ordinary and hilly conditions. The Arkansas Highway and Transportation Department definition of sight distance shall apply. The design speed shall be 20 to 30 mph for local streets and 35 to 45 mph for collector streets.

VA 99-13.
C.C. 12/21/99.

From: Jesse and Lee Ann Branch —
Re: Vacating easement on Club Oak Drive

When Jesse and I moved to Fayetteville, it had been his dream from the time he was a college student to live "On the Hill" at the Fayetteville Country Club. Because we met on a golf course, it seemed perfect! There were other lots and houses available on the hill, but we chose the home on Club Oak Drive because we liked the narrow street and the "no thru traffic". It would be a safe place for our grandkids to play without the danger of speeding cars cutting through the neighborhood in route to somewhere else. Because there was not a curb cut across the street indicating any kind of an access, it never occurred to us there would ever be any thing on that vacant lot except another home.....certainly not the possibility of a street intersecting basically at our driveway. But no matter how we feel personally or emotionally, the bottom line is still this.....the planning commission has already voted against the street being built due to the severe grade and already having two accesses in and out of the property in question. If that is their vote and you as a city council do not uphold it, that is the same as tying the commission's hands and not allowing it to do its work. I ask you to please re-consider and uphold the commission's findings to vacate the easement.

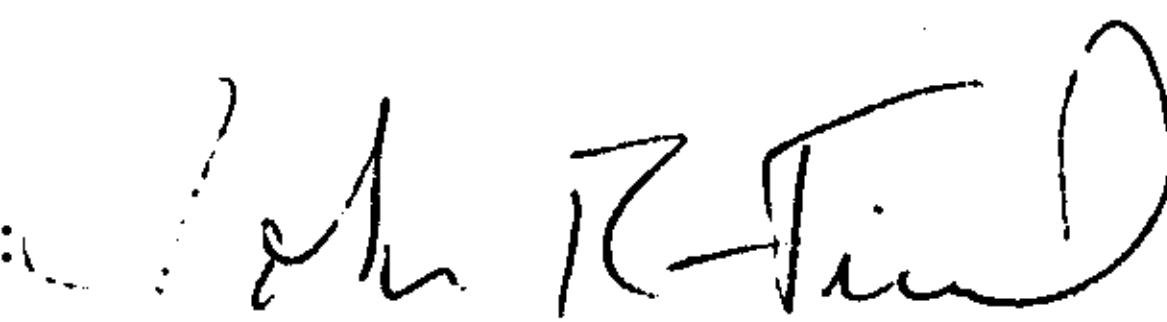
UA 99-3
C.C. 12/21/99

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:



2 E 28th Ct.

Fayetteville AR 72701

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

Mr. James Denton
2953 Sandtrap
Don Lyall
99 W 29th CT
Marge + Bill Myatt
2958 Country Club Dr.

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

Linda Jettison
47 West 29th Court

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

Janice Kay Moxhenge
125 W 29th St

John & Mal Krim
2970 Country Club Dr
Fayetteville AR 72701

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed: *Harry S. Mosherger*
125 W 29th Ct.

Jerry Yeargan
2821 S. College Drive

Jane Yeargan
2831 S. College Drive

John Opal Robinson

307 E. Fairway Lane

Tim Opal Robinson

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

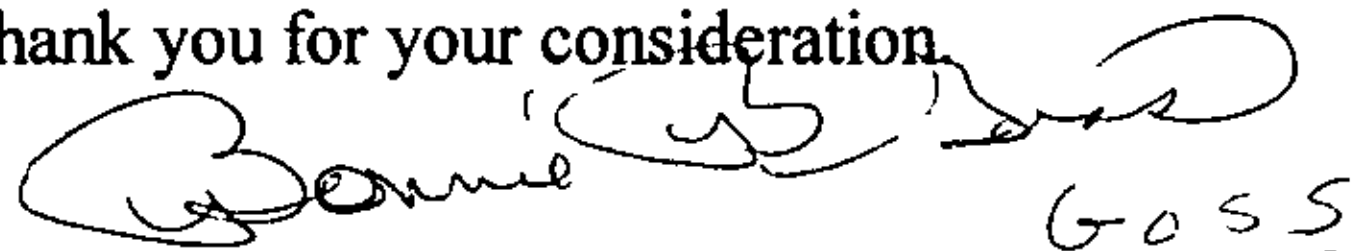
Signed:

Thomas L. Gray
159 West 29th Ct
Alameda, Ca 94601

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.


Bonnie Goss

2780 S. College Dr.
Fayetteville, Ar. 72701


Signed: Nancy Runksmeyer
227th W. 29th Court
Fayetteville AR 72701

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

Randy & Angela Rye
2927 Club Oak Dr.
Fayetteville AR
72701

Ron W. S. / C
193 W 29th Court
Ft. AR 72701

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:



George L. Lucas
194 W. 29th Court
Fayetteville, Ar.
72701

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

John & Lynn Rose
230 W. 29th Ct
Fay 72701

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

A handwritten signature in cursive script, appearing to read "C. Stovall".

CHARLES D. STOVALL
2806 CLUB OAK DRIVE

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed: *Sylvia L. Pappas*
2851 Club Oak Dr.
Fayetteville, Ar
72707

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Pauline Hellingworth
330 Fairway Ln
Fay, Ar

SHERLYN CALE
300 FAIRWAY LN
FAYETTEVILLE AR 72701

Wicki Jones
2834 S. College Dr
Fayetteville, AR 72701

Signed:

Doug & Jeanne Douglas
2817 S. College Dr. 72701

Margaret E. Thomas
326 Fairway Lane - 72701

Shanna Douglas
314 E Fairway Ln.
Fay Ar 72701

L J Anderson
2855 So. College Dr
Fayetteville

Wk Summers
2970 S. COLLEGE DR.

Terry Bellora

Frank & Joanne + Sandra
359 Fairway
Fay., Ar. 72701

Harold M. Louis
2979 S. COLLEGE DR.

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

12-18-99


Signed:

Tim WETWISKA

Jay Roeb

Chelsea Duncan

W. E. Higgins

Laney Higgins

Rose Marie Hagler

Joe D. Grison

Fredie Brinson

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed: *Donna McLean*

Donna McLean
2624 S. College Dr.

Charlie Brown
2613 S. College Dr.

Helen Hurley
Angelina Burnett
Jim Burnett
James Shirley
Frederick A. Arnold
Richard A. Arnold

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

D. J. Malone
2848 Club Oak Dr.

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed: Linda J. Salmons
Stan Salmons
L. A. Burch
Jim Brown

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.


Signed: Steven A. Skoch, D.D.S.
Martha J. Skoch
Martha J. Skoch

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

Brete Garland

BRETE GARLAND

Dennis Cowen
2840 Club Oak Dr.

Wendell Cowen
2840 Club Oak Dr

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

Joe Taylor
Ralph L. Taylor
Fathen Mullins
Charles F. Mullins
Janor Martin
Margaret Rodman
Dorothy Rodman
Brinda Stovall

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

A handwritten signature in cursive script, appearing to read "Ray Watkins".

Signed:

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

Lamin Scott Turley
Carol L. Furley
2910 Club Oak Dr.
Fayetteville, Ar. 72701

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Tom Rance
2928 Club Oak
Signed:

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

Robert A. Cooper
2957 S. College Dr.
Fayetteville, AK 72701

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

Mark Afongaro 12/19/99
51 E. 26th Cr.
Fayetteville AR 72701

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed:

Liane Dunn
65 27th Ct.
Michael Joy
49 27th Ct.

To: Fayetteville City Council Members

WE I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Amy Guthrie
Brenda Humpal
Brenda Humpal
Michael Phipps
2720 Country Club Dr.
Signed: Michael D. Cider
2851 Country Club Dr.
Barbara Cider
2851 Country Club Dr.
William S. Richards
2943 Country Club Dr.
Burt Richards
2943 Country Club Dr.

64 East 27th Circle
64 East 27th Circle
48 East 27th Circle
B. J. Humpal
2956 Country Club
Betty Taylor Walker
2962 Country Club
Sherry Watson
2883 Country Club
R. L. C. R.
2884 Country Club Dr.

To: Fayetteville City Council Members

I support the petition to vacate the easement known as 28th court adjoining Club Oak Drive.

Thank you for your consideration.

Signed: Carol Hawkins
12 E 28th Cr.
Donald Lee Coget
15 E. 28th Circle

STAFF REVIEW FORM

☒ Agenda Request
☐ Contract Review
☐ Grant Review

FOR THE FAYETTEVILLE CITY COUNCIL MEETING OF December 21, 1999
 FROM:

John Maguire		Water and Sewer
Name	Division	Department

ACTION REQUESTED: Approve purchase of Wheeler Water Association assets and provide funding for an amount not to exceed \$145,000.

COST TO THE CITY:

\$145,000 (not to exceed)	\$6,840,291	Wheeler Water Association
Cost of this request	Category/Project Budget	Category/Project Name
5400-5600-5808-00	\$6,840,291	Capital Water Mains.
Account Number	Funds used to date	Program Name
99084-1	\$-0-	Water & Sewer
Project Number	Remaining Balance	Fund

BUDGET REVIEW:

☐ Budgeted Item ☒ Budget Adjustment Attached

<u>Steph Davis</u> 12/20/99	<u>John Maguire</u>
Budget Coordinator	Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

<u>Marilyn J. Cramer</u>	<u>12-20-99</u>	<u>Yolanda G. Giddens</u>	<u>12-20-99</u>
Accounting Manager	Date	Internal Auditor	Date
<u>R. J. Smith</u>	<u>12-21-99</u>		
City Attorney	Date	ADA Coordinator	Date
<u>P. Vico</u>	<u>12-21-99</u>		
Purchasing Officer	Date		

STAFF RECOMMENDATION:

Division Head	Date
<u>Robert B. ...</u>	<u>12-21-99</u>
Department Director	Date
<u>John Maguire</u>	<u>12/21/99</u>
Administrative Services Director	Date
<u>Fred Penno</u>	<u>12/21/99</u>
Mayor	Date

Cross Reference

New Item: Yes No

Prev Ord/Res #: _____

Orig. Contract Date: _____

**City of Fayetteville, Arkansas
Budget Adjustment Form**

Budget Year 1999	Department:	Public Works	Date Requested 12/20/99	Adjustment #
	Division:	Water & Sewer Maintenance		
	Program:	Capital Water Mains		

Project or Item Requested:

\$145,000 is requested for water line improvements.

Project or Item Deleted:

None. Use of Fund Balance is proposed for this adjustment.

Justification of this Increase:

Purchase of the Wheeler Water District, Project #99084 1.

Justification of this Decrease:

Sufficient funds exist to fund this request and comply with City policy.

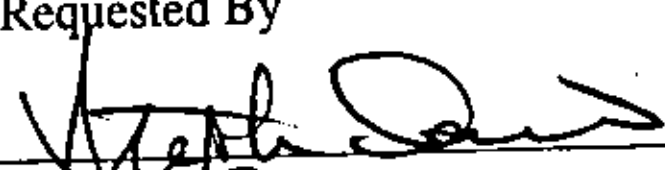
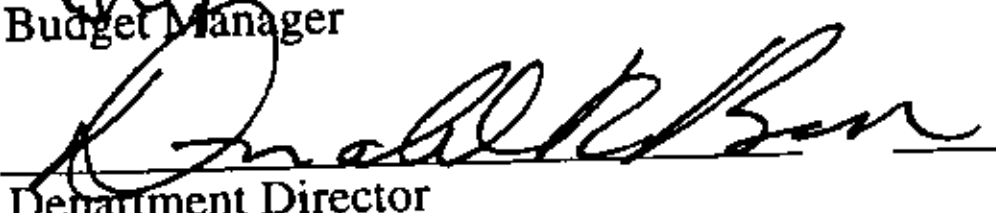
Increase Expense (Decrease Revenue)

Account Name	Amount	Account Number				Project Number	
Water Line Improvements	145,000	5400	5600	5808	00	99084	1

Decrease Expense (Increase Revenue)

Account Name	Amount	Account Number				Project Number	
Use of Fund Balance	145,000	5400	0940	4999	99		

Approval Signatures

Requested By	Date
	12/20/99
Budget Manager	Date
	12/20/99
Department Director	Date
Admin. Services Director	Date
Mayor	Date

Budget Office Use Only

Type: A B C D E

Date of Approval _____

Posted to General Ledger _____

Posted to Project Accounting _____

Entered in Category Log _____

DRAFT

AGREEMENT

DRAFT

THIS AGREEMENT is made and entered into this ____ day of _____, 1999, by and between the City of Fayetteville, ("City"), Wheeler Water Association, Inc., ("WWA"), and Washington County, Arkansas, ("County"),

WITNESSETH:

WHEREAS, on the 6th day of February, 1990, the parties entered into Interlocal Agreement between Washington County, City of Fayetteville, and Wheeler Water Association, Inc., as amended March 20, 1990, ("Interlocal Agreement"), for the construction and operation of a water supply distribution system; and,

WHEREAS, on the 22nd day of May, 1990, WWA entered into a Lease-Purchase Agreement with Arkansas Soil and Water Conservation Commission for the purchase and installation of three-way fire hydrants with valve and tee; and,

WHEREAS, on the 17th day of January, 1991, WWA executed a Promissory Note and Mortgage in favor of the U.S. Department of Agriculture, Farmers Home Administration, for the construction of water facilities for WWA; and,

WHEREAS, there are outstanding balances on both the Lease-Purchase with Arkansas Soil and Water Conservation Commission and the Promissory Note with Farmers Home Administration; and,

WHEREAS, the Interlocal Agreement provides that upon retirement of the loan with the Farmers Home Administration the system shall be vested in the City; and,

WHEREAS, the growth and changes in the areas being served by WWA make it advantageous to all parties for the City to retire the loans with Farmers Home Administration and Arkansas Soil and Water Commission, and have the water system vest in the City; and,

WHEREAS, the City, WWA and County desire to enter into this Agreement in order to promote the welfare of WWA's members and City's growth and planning area.

NOW, THEREFORE, in consideration of the covenants and agreements herein contained, the adequacy and receipt of which is acknowledged, it is mutually understood and agreed by and between the parties hereto as follows:

SECTION 1. WWA WATER SYSTEM.

The WWA Water System includes all personalty, tangible and intangible; cash and cash equivalent; accounts; real property and improvements to which legal title is vested in WWA; and interests in real property and improvements associated with the water system in an area of the county known as "Wheeler" to which legal title is vested in County as set forth in the Exhibits hereto..

Subject to the terms and conditions hereof, WWA and County covenant and agree to assign, transfer and convey all of their right, title and interest in and to the WWA Water System to City, and City covenants and agrees to accept from WWA and County the WWA Water System .

SECTION 2. EXHIBITS.

The following Exhibits are attached hereto and incorporated into this agreement by reference and deemed to be a part hereof:

Exhibit 1	WWA Financial Statements
Exhibit 2	Articles of Incorporation, as amended, of WWA
Exhibit 3	Resolution of WWA's Board of Directors
Exhibit 4	Certification of Election Results of vote of WWA's Membership
Exhibit 5	Resolution of Fayetteville City Council
Exhibit 6	Promissory Note from WWA to Farmers Home Administration
Exhibit 7	Mortgage from WWA to Farmers Home Administration
Exhibit 8	Lease-Purchase Agreement with Arkansas Soil and Water Conservation Commission
Exhibit 9	Assignments of property interests (including one for real estate interests, one for receivables, and one for bank accounts)
Exhibit 10	Description of the Real Property
Exhibit 11	Copies of Deeds and Easements
Exhibit 12	Receivables out for collection
Exhibit 13	Bank accounts, signing officers and powers of attorney
Exhibit 14	List of Customers
Exhibit 15	Map of water line and plotting the users

SECTION 3. CONSIDERATION.

For and in consideration of the assignment, transfer and conveyance of all of WWA's and County's right, title and interest in and to the WWA Water System, City shall satisfy and retire the Promissory Note from WWA to Farmers Home Administration and the Lease-Purchase Agreement with Arkansas Soil and Water Conservation Commission, in an amount not to exceed \$_____.

SECTION 4. PRE-CLOSING.

On the Pre-closing Date, _____, or as agreed otherwise by the parties, WWA and County shall make available to the City and their officers, auditors, counsel and other authorized representatives, all of its records and documents as well as computer media containing such records, including but not limited to, all accounting and financial records, accounts receivables, customer lists, leases, contracts, evidence of contracts, pending purchase order, correspondence, as-built plans and specifications of all facilities, deeds, easements, right of way grants, warranty documents relating to any personalty, bank account information and records, records of any investments records of certificate of deposits, records of membership

dues and deposits, and other documents in its possession or under its control of which it might obtain relating to the WWA Water System. WWA and County shall afford the City and their said authorized representatives every reasonable opportunity to have access to and to inspect the property and affairs of WWA, it being agreed that the exercise of any rights of access of inspection by or on behalf of the City shall not affect or mitigate the covenants, representations and warranties of WWA hereunder which shall continue in full force and effect. The City shall be permitted to copy any such records or otherwise submit such records to an examination or evaluation of any professional or professionals of their choosing.

City, having contracted with WWA to perform certain functions, shall provide for inspection and copy any documents and information regarding the WWA Water System including but not limited to billing and collecting of accounts, maintenance of system, and bookkeeping and accounting services in making note payments to Farmers Home Administration and Arkansas Soil and Water Conservation Commission.

SECTION 5. CLOSING.

The date of closing shall be January 1, 2000, or such other day as may be agreed to by the parties.

SECTION 6. DISSOLUTION OF WWA.

The parties agree that, as soon as practical after closing, Wheeler Water Association shall be dissolved and WWA shall provide copies bearing the file mark of the Secretary of the State of Arkansas reflecting the action taken.

SECTION 7. COVENANTS, REPRESENTATIONS AND WARRANTIES OF WWA.

WWA covenants, represents and warrants as follows and acknowledges that City is relying upon such covenants, representations and warranties in connection with the transfer and conveyance of the WWA Water System:

- 7.1 WWA has been duly incorporated and organized and is validly existing and in good standing under the laws of the State of Arkansas; it has the corporate power to own or lease their property and to carry on the business of WWA as now being conducted by it.
- 7.2 The records and minute books of WWA contain complete and accurate minutes of all meetings of the directors and members held since incorporation, all such meetings were duly called and held. The member certificate books, register of members, and register of directors are complete and accurate.
- 7.3 The business of WWA has been carried on in the ordinary and normal course of business since _____ and will be carried on in the ordinary course of business up to the date of closing.

- 7.4 There are no actions, suits or proceedings (whether or not purportedly on behalf of WWA), pending or threatened against or affecting WWA or the Shareholders, at law or in equity or before or by any federal, state, municipal or other governmental department, commission, board, bureau, agency or instrumentality, domestic or foreign; there are no existing grounds on which any such action, suit or proceeding might be commenced with any reasonable likelihood of success.
- 7.5 WWA is not in default or breach of any contracts, agreements, written or oral, indentures or other instruments of any kind to which it is a party and there exists no state of facts which after notice or lapse of time or both would constitute such a default or breach, and all such contracts, agreements, indentures or other instruments are now in good standing and WWA is entitled to all benefits thereunder.
- 7.6 WWA does not have any outstanding agreement (including employment agreements), contract or commitment, whether written or oral, or any nature or kind whatsoever, except as described in the Exhibits hereto.
- 7.8 WWA has no information or knowledge of any facts relating to the business of WWA which, if known to the City, might reasonably be expected to deter the City from completing the transaction herein contemplated.
- 7.9 No representation or warranty by WWA in this agreement, nor any statement or certificate furnished to the City pursuant hereto or in connection with the transactions contemplated hereby, contain any untrue statement of a material fact, or omit to state a material fact necessary to make the statements contained therein not misleading.
- 7.10 All land, together with improvements thereon, and all real property interests, which are included within the Exhibits hereto are in compliance with all federal, state, and local laws, ordinances, regulations and statutes imposing environmental or ecological protection restrictions on the site, and no such property has been used by the WWA for the storage or disposal of any toxic or hazardous substance.
- 7.11 Subsequent to the execution of this Agreement, WWA shall: continue its operations in substantially the same manner as before, not enter into any contract, agreement, or lease, nor shall it issue any purchase order or otherwise extend its credit, not effect any major purchases of supplies, equipment or rolling stock, not make any major expenditure of funds except for any loan payment as it become due, payment of existing, legitimate accounts payable as due, or payment of invoices to suppliers of water, not engage any professional for any purpose except its attorney for counsel services relating to this agreement, not discard any record, document or correspondence.

SECTION 8. COVENANTS, REPRESENTATIONS AND WARRANTIES OF CITY.

The City covenants and agrees with and represents and warrants as follows to WWA and acknowledges and confirms that WWA is relying on such representations and warranties in connection with the transfer, assignment and conveyance of the WWA Water Systems:

- 8.1 City is a municipal corporation duly organized and validly subsisting under the laws of the State of Arkansas and has full power and authority to purchase and own the WWA Water System and to enter into, execute and deliver and perform its obligations under this agreement and the documents contemplated hereunder.
- 8.2 City has full power and authority to enter into and perform its obligations under this Agreement and each agreement, instrument and document required to be executed by City in accordance herewith. This agreement has been duly authorized, executed and delivered by City and is a valid and binding obligation of the City enforceable in accordance with its terms, except as enforcement may be limited by general equitable principles.
- 8.3 To the best of City's knowledge, no representation or warranty by City in this Agreement, nor any statement or certificate furnished to WWA pursuant hereto or in connection with the transactions contemplated hereby, contains any untrue statement of a material fact, or omits to state a material fact necessary to make the statements contained therein not misleading.
- 8.4 The surcharge to present customers of WWA of \$9.50 per month will be reduced to \$3.50 per month for a period of ten (10) years. After ten years, the rates charged will be only those rates charged for customers outside the city limits of Fayetteville.
- 8.5 All future customers tying to the WWA line, defined by a "yellow" line in the Exhibits hereto, will pay a \$3.50 surcharge per month for the balance of the ten year period mentioned above.
- 8.6 Any area annexed into City's boundaries will not be charged the \$3.50 surcharge.

SECTION 9 . COVENANTS, REPRESENTATIONS AND WARRANTIES OF COUNTY.

The County covenants and agrees with and represents and warrants as follows to WWA and City and acknowledges and confirms that WWA and City are relying on such representations and warranties in connection with the transfer, assignment and conveyance of the WWA Water System:

- 9.1 County is duly organized and validly subsisting under the laws of the State of Arkansas and has full power and authority to hold title to interests in real property and improvements of the WWA Water System and to enter into, execute and

deliver and perform its obligations under this Agreement and the documents contemplated hereunder.

- 9.2 This agreement has been duly authorized, executed and delivered by County and is a valid and binding obligation of County enforceable in accordance with its terms, except as enforcement may be limited by general equitable principles.
- 9.3 To the best of County's knowledge, no representation or warranty by County in this Agreement, nor any statement or certificate furnished pursuant hereto or in connection with the transactions contemplated hereby, contains any untrue statement of a material fact, or omits to state a material fact necessary to make the statements contained therein not misleading.
- 9.4 County will execute and provide to the City instruments and documents required or considered necessary to convey, assign or transfer the interests in real property or improvements regarding the WWA Water System.

SECTION 10. INVALID PROVISIONS.

In the event that any sections, paragraphs, sentences, clauses or phrases of this Agreement shall be found invalid, void or unenforceable for any reason, neither this Agreement generally nor the remainder of this Agreement shall thereby be rendered invalid, void or unenforceable, but instead each such provision and (if necessary) other provisions hereof, shall be reformed by a court of competent jurisdiction so as to effect, insofar as is practicable, the intention of the parties set forth in this Agreement. Notwithstanding the preceding sentence, if such court is unable or unwilling to effect such reformation, the remainder of this Agreement shall be construed and given effect as if such invalid, void or unenforceable provisions had not been a part hereof.

SECTION 11. ADDITIONAL DOCUMENTS AND ACTIONS.

WWA, City and County agree, on the request^{by} the other, to execute and provide to the requesting party from time to time, any and all additional papers, instruments and documents reasonably required or considered necessary by the requesting party or its counsel to complete, record and perfect the transaction effected by this agreement.

SECTION 12. HEADINGS.

The headings of this agreement are for convenience of reference only and shall not define or limit any of the provisions hereof.

SECTION 13. EXECUTION OF COUNTERPART.

This agreement maybe executed in one or more counterparts, each of which so executed shall constitute an original and all of which together shall constitute one and the same Agreement.

SECTION 14. PROPERTY LAW OF CONTRACT.

This Agreement shall be construed and enforced in accordance with, and the right of the parties shall be governed by the laws of the State of Arkansas. All of the parties hereto hereby agree that the courts of the State of Arkansas shall have jurisdiction over any lawsuit between these parties due to any dispute arising out of this Agreement.

SECTION 15. BENEFIT AND BINDING NATURE OF THE AGREEMENT.

This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, legal personal representative, successors and assigns.

SECTION 16. ENTIRE AGREEMENT.

This Agreement, including the Exhibits hereto, once executed, constitutes the entire Agreement between the parties hereto. There are not and shall not be any verbal statements, representations, warranties, undertakings or agreements between the parties and this Agreement may not be amended or modified in any respect except by written instrument signed by the parties hereto.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto the date and year first above written.

WHEELER WATER ASSOCIATION, INC.

By: _____

Title

Attest:

By _____

Title

CITY OF FAYETTEVILLE

By: _____
Fred Hanna, Mayor

Attest:

By: _____
Heather Woodruff, City Clerk

WASHINGTON COUNTY, ARKANSAS.

By: _____

Title

Attest:

By _____

Title

☒ AGENDA REQUEST
☐ CONTRACT REVIEW
☐ GRANT REVIEW

STAFF REVIEW FORM
RECEIVED

DEC 21 1999

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

December 21, 1999

FOR THE FAYETTEVILLE CITY COUNCIL
FROM:

JOHN MAGUIRE

ADMINISTRATIVE SERVICES

NAME

DIVISION

DEPARTMENT

ACTION REQUIRED: REVIEW ATTACHED INVESTMENT POLICY

A resolution to approve a revised investment policy of the City of Fayetteville and repeal any portion of Resolution 86-96 in conflict.

COST TO CITY:

\$0.00

COST OF THIS REQUEST

CATEGORY/PROJECT BUDGET

CATEGORY/PROJECT NAME

ACCOUNT NUMBER

FUNDS USED TO DATE

PROGRAM NAME

PROJECT NUMBER

REMAINING BALANCE

FUND

BUDGET REVIEW:

☐ BUDGETED ITEM

☐ BUDGET ADJUSTMENT ATTACHED

[Signature]
BUDGET COORDINATOR

[Signature]
ADMINISTRATIVE SERVICES DIRECTOR

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY: _____

Marilyn J. Cramer
ACCOUNTING MANAGER

12-13-99
DATE

[Signature]
ADA COORDINATOR

DATE

[Signature]
CITY ATTORNEY

12-16-99
DATE

Yolanda Fields
INTERNAL AUDITOR

12-14-99
DATE

P. Vice
PURCHASING OFFICER

12-20-99
DATE

STAFF RECOMMENDATION:

DIVISION HEAD

DATE

CROSS REFERENCE

DEPARTMENT DIRECTOR

DATE

NEW ITEM: YES NO

[Signature]
ADMIN. SVCS DIRECTOR

12/9/99
DATE

PREV ORD/RES #: _____

[Signature]
MAYOR

12/21/99
DATE

ORIG CONTRACT DATE: _____

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

FINAL AGENDA FAYETTEVILLE CITY COUNCIL DECEMBER 21, 1999

A meeting of the Fayetteville City Council will be held on December 21, 1999 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Approved

- ✓ **NOMINATING COMMITTEE REPORT**

- A. **CONSENT AGENDA**

1. ✓ **APPROVAL OF THE MINUTES:** Approval of the minutes of the December 7, 1999 City Council meeting.
- 162-99 2. ✓ **PARK LAND WAIVER:** A resolution approving a waiver of Ordinance 3793 to accept money in lieu of the land dedication requirement. The developer for the proposed subdivision is Summit Development. The property is located south of Highway 16 West and west of Shiloh Drive.
- 162-99 3. ✓ **TROLLEY OPERATIONS:** A resolution accepting a renewal agreement with Jones Transportation Services for Trolley Operations for the period of January 1, 2000 through December 31, 2000.
- 164-99 4. ✓ **PAY PLAN ADJUSTMENT:** A resolution adopting a year 2000 pay plan for hourly, salaried, executive and civil service fire and police personnel.
- 164-99 5. ✓ **2000 COMPLETE COUNT:** A resolution approving an interlocal agreement between the County and incorporated cities within Washington County. The agreement authorizes the creation of a Washington County Complete Count Committee for the purpose of facilitating the Year 2000 Census.
- 165-99 6. ✓ **HIGHWAY 265 SIDEWALKS:** A resolution authorizing the payment of \$53,579.00 to the Arkansas Highway and Transportation Department for the City of Fayetteville's costs to install sidewalks along Highway 265, between Highway 16 East and Highway 45.

B. OLD BUSINESS

Need copy of petition in agenda.
1. ✓ **VA 99-13:** An ordinance approving vacation request VA 99-13.00 submitted by Mike Roetzel on behalf of Buddy Peoples for property located at 28th Court. The request is to vacate the undeveloped street right-of-way located west of Club Oak Drive within Edge Hill Subdivision. This item was left on the first reading at the December 7, 1999 meeting.

2. ✓ **RZ 99-32:** An ordinance approving rezoning request RZ 99-32.00 submitted by Stephen Thetford for property located at 3351 W. Wedington Drive. The property is zoned R-O, Residential Office and contains approximately 0.69 acres. The request is to rezone the property to C-1, Neighborhood Commercial. This item was left on the second reading at the December 7, 1999 meeting.

3. **2000 ANNUAL BUDGET AND WORK PROGRAM:** A resolution adopting the 2000 City of Fayetteville Annual Budget and Work Program. This item was tabled at the December 7, 1999 meeting.

C. NEW BUSINESS

1. **WHEELER WATER ASSOCIATION:** A resolution approving a purchase agreement for the Wheeler Water system.

2. **INVESTMENT POLICY:** A resolution approving a new investment policy to replace Policy Acct. 2 (effective July 2, 1996) in the City of Fayetteville Policy and Procedures, as permitted by State of Arkansas Act 1341 of 1999.

3. ✓✓ **HIGHWAY 265 CONDEMNATION:** An ordinance authorizing the City Attorney to seek possession of certain lands located along Highway 265 in the City of Fayetteville, Arkansas by the Power of Eminent Domain, in association with the required easements for the Highway 265 Water and Sewer Relocations.

- YZK report

- Rose - report from hearing on Town Center Summary Judgment.

Adjourned
7:40.

FAYETTEVILLE HOUSING AUTHORITY

#1 NORTH SCHOOL AVE.
FAYETTEVILLE, AR. 72701-5928
PH: (501) 521-3850 FAX (501) 442-6771

December 15, 1999

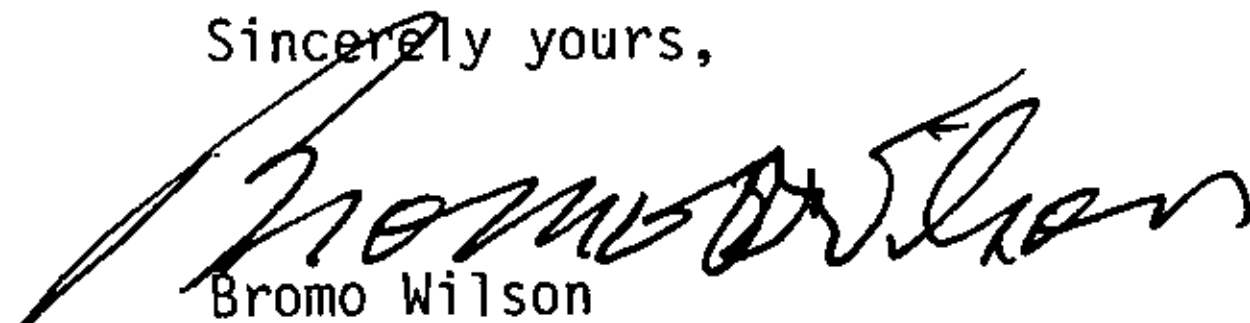
Honorable Mayor Fred Hanna
City of Fayetteville
113 West Mountain Street
Fayetteville, AR 72701

Dear Mayor Hanna,

The Fayetteville Housing Authority Board of Commissioners met in monthly meeting today and re-elected Dan Hudspeth to the board. His five year term will run to December 28, 2004.

We would appreciate the City Board's confirmation of this election at their next regular meeting.

Sincerely yours,



Bromo Wilson
Executive Director

RECEIVED

DEC 16 1999

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

RECEIVED

DEC 16 1999

CITY OF FAYETTEVILLE
MAYOR'S OFFICE



Fayetteville Youth Center

BOYS & GIRLS CLUBS

915 California Drive
Fayetteville, Arkansas 72701 • Phone 442-9242

RECEIVED

DEC 15 1999

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

To: Heather Woodruff
City Clerk

From: Dale Clark 
FYC Director

The Fayetteville Youth Center's Board of Directors request that O. E. Luttrell & Tom Stockland be re-appointed as FYC representatives to the Fayetteville Parks & Recreation Advisory Board for a two (2)-year term beginning January 1, 2000.

The above request was confirmed by FYC Board action on December 14, 1999.

CITY OF FAYETTEVILLE, ARKANSAS**INVESTMENT POLICY****I. Purpose:**

The purpose of this policy is to provide guidelines for investment of City of Fayetteville operating funds to preserve the safety of principal, to maintain adequate cash flow, and to maximize interest earnings.

II. Scope:

This policy applies to the investment of City of Fayetteville operating funds not needed for immediate expenditures. This policy does not govern the investment of employee retirement or pension funds or proceeds of bond issues.

III. Standards/Objectives:

Investments will be made within the constraints of applicable State laws and this policy, taking into consideration liquidity needs of the City.

Investment decisions will be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Investment of the funds of the City of Fayetteville shall be directed to the primary objective of safety of principal; the secondary objective shall be maintaining adequate cash flow; and the final objective shall be maximizing investment yield.

Except for cash in certain restricted and special funds, the City may consolidate moneys from individual funds to maximize interest earnings. Investment income will be allocated to the various funds based on each fund's participation.

IV. Delegation of Authority/Responsibility:

Management of the investment of City funds regulated by this policy shall be the responsibility of the Mayor and the Administrative Services Director. The Mayor and the Administrative Services Director may delegate authority for investment transactions. The Mayor and the Administrative Services Director may, by proper procurement procedures, contract for the services of an asset manager, an investment advisor, or other expert advisor(s) to invest all or a portion of City funds regulated by this policy. Selection of an independent asset manager or investment advisor will be limited to those candidates who have an office within the City of Fayetteville.

The Mayor and the Administrative Services Director and their designees are authorized to: open and close accounts with financial institutions in the name of the City; make wire transfers of funds for the City; make deposits of funds for the City; execute collateral, depository and investment agreements for the City; and take any other such actions needed to carry out their responsibilities for the depositing and investing of the City's funds as authorized by State Statutes and this policy.

The Mayor, the Administrative Services Director, and other City employees assigned to manage the investment portfolio, acting within the intent and scope of this Investment Policy, shall be relieved of personal responsibility for an individual security's credit risk or market risk. Officers and employees involved in the investment process shall refrain from personal business activities that conflict with proper execution of the investment program or impair their ability to make impartial investment decisions.

The Mayor and the Administrative Services Director shall establish operating procedures to implement this investment policy.

V. Authorized Investments:

- A. The City will invest only in book entry securities.
- B. The City may, without limitation, invest in the following instruments, provided, however, that at no time shall assets of the City be invested in any instrument or security not authorized for investment by Arkansas Code Annotated §§ 14-58-309 (Act 1341 of 1999), and further defined in Section 23-47-401 (Investment Powers and Limitations), copy attached or by the Local Government Joint Investment Trust Act, Arkansas Code Annotated §§ 19-8-301 et seq., (Local Government Trusts) as they may from time to time be amended:
 - 1. Direct obligations of the United States Government;
 - 2. Obligations of agencies and instrumentalities created by act of the United States Congress and authorized thereby to issue securities or evidences of indebtedness, regardless of guarantee of repayment by the United States Government;
 - 3. Obligations the principal and interest of which are fully guaranteed by the United States Government or an agency or an instrumentality created by an act of the United States Congress and authorized thereby to issue such guarantee.
 - 4. Obligations the principal and interest of which are fully secured, insured, or covered by commitments or agreements to purchase by the United States Government or an agency or instrumentality created by an act of the United States Congress and authorized thereby to issue such commitments or agreements.
 - 5. General obligations of the states of the United States and of the political

subdivisions, municipalities, commonwealths, territories or insular possessions thereof (general obligation bonds);

6. Obligations issued by the Arkansas State Board of Education under authority of the State Constitution or applicable statutes;
7. Prerefunded municipal bonds, the principal and interest of which are fully secured by the principal and interest of a direct obligation of the United States Government;
8. Certificates of deposit with banks authorized by State law to receive deposits of public funds, that have branches or main offices within the Fayetteville City limits, with which the City has both a depository agreement and a collateral agreement.
9. Repurchase agreements that are fully collateralized by direct obligations of the United States Government, provided that any such repurchase agreement shall provide for the taking of delivery of such collateral directly or through an authorized custodian;
10. Securities of, or other interest in, any open-end type investment company or investment trust registered under the Investment Company Act of 1940, and which is defined as a "money market fund" under 17 CFR § 270.2a-7, provided that the portfolio of such investment company or investment trust is limited principally to United States Government obligations and to repurchase agreements fully collateralized by United States Government obligations, and, provided further that any such investment company or investment trust shall take delivery of such collateral either directly or through an authorized custodian.

11. Local Government Trusts.

C. The City may invest no more than twenty percent (20%) of the pooled investments in the following investment types and in accord with certain limitations described in Section VII Investing Parameters:

1. Corporate debt obligations (including commercial paper) of any corporation, with the following credit ratings: investment of City funds in Corporate Bonds will be limited to those rated as Single A minus or better by both Moody's Investor Service and Standard and Poor's; investment of City funds in Commercial Paper will be rated A-1/P-1,
2. Securities of, or other interests in, an open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940, provided that the portfolio of such investment company

or investment trust is limited to United States Government obligations and to repurchase agreements collateralized by the same type of collateral used to collateralize other City deposits, and provided further that any such investment company or investment trust shall take the delivery of such collateral either directly or through an authorized custodian;

D. Other Provisions

1. The Administrative Services Director may establish an account with the Federal Reserve Bank to purchase U.S. Government Securities directly from the U.S. Treasury.
2. Any Arkansas state legislative action that provides for additional investment vehicles or further restricts investment vehicles will be incorporated into the City's investment policy and will supersede any previous language.
3. The City will be allowed to hold to maturity any investments existing at the time of enactment of this policy. Reinvestment of such funds will be in accordance with this policy.
4. The Mayor and the Administrative Services Director may set additional limitations on the parameters for various types and concentration of investments. Operating procedures will define requirements to implement this policy.

VI. Investments Not Authorized:

The following investment vehicles, authorized by Act 1341 of 1999, are not considered suitable investments for City of Fayetteville funds:

- A. Warrants of political subdivisions of the State of Arkansas and municipalities thereof having maturities not exceeding one (1) year.
- B. The sale of federal funds with a maturity of not more than one (1) business day.
- C. Industrial development bonds for corporate obligors issued through any state of the United States or any political subdivision thereof.
- D. Revenue bond issues of any state of the United States or any municipality or any political subdivision thereof.
- E. Securities or other interests issued, assumed or guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the European Bank for Reconstruction and Development, the Asian Development Bank, or the African Development Bank.

- F. Uninsured demand, savings, or time deposits or accounts of any depository institution chartered by the United States, any state of the United States, or the District of Columbia.

VII. Investing Parameters:

A. Diversification

The City investments regulated by this policy shall be diversified by:

- limiting investments to avoid over concentration in securities from a specific issuer to five percent (5%) of the cost basis of the city's portfolio at the time of purchase, a limit for fifteen percent (15%) of the cost basis of the City's portfolio will apply to each business sector as defined by any recognized rating agency (excluding U.S. Treasury securities), and collateralized certificates of deposit,
- investing in securities with varying maturities, and
- continuously investing a portion of the portfolio in readily available funds to ensure that appropriate liquidity is maintained.

B. Maximum Maturities

The City will attempt to match investment maturities with cash flow requirements and will utilize investments in readily available funds, when needed, to meet ongoing obligations. The City anticipates a range of maturities of ninety (90) days to five (5) years. The City will invest in securities maturing more than five (5) years from the date of purchase only when the funds are easily defined to be used after five (5) years.

VIII. Allowed Institutions:

Security transactions on behalf of the City by an asset manager, or the City itself, will be conducted only with financial institutions and broker/dealers who have offices within Washington County unless otherwise authorized in writing by the Mayor and Director of Administrative Services.

A list of authorized financial institutions and broker/dealers to be used by an asset manager, an investment advisor, or the City itself, will be maintained by the City and provided to such asset manager, or investment advisor on a mutually agreed upon basis. Security broker/dealers on the list will meet or exceed the capital adequacy standards set by the Federal Reserve Bank of New York and may include dealers designated as primary dealers by the Federal Reserve Bank of New York or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (Uniform Net Capital Rule).

IX. Safekeeping/Collateralization:

- A. Investment of City funds, including cash held for investment, managed under contract of services by an asset manager, investment advisor, or other expert advisor(s) will be placed with a third party custodian approved by the City. All trades, where applicable, will be executed by Delivery vs. Payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds.
- B. The custodian will make reports as requested by the City or advisor(s) and will be accountable for the assets held by the custodian for the City's account. The custodian will be required to maintain an office in Washington County, Arkansas.
- C. Collateralization will be maintained as required by State law and procedures established by the City. Demand deposits, time deposits, repurchase agreements, and any other investments requiring collateralization shall be collateralized at a level of 102 percent of the market value of principal and accrued interest, less the amount insured by the FDIC.

CITY OF FAYETTEVILLE, ARKANSAS
POLICY & PROCEDURE

INVESTMENT POLICY

Subject:	Investments
Number:	ACCT-2
Eff. Date:	July 2, 1996
Revision:	Replaces ACCT-2 issued May 16, 1995

Resolution No: 86-96

ACCT-2.0 PURPOSE

The purpose of this directive is to establish a policy and related procedures for investment of the City's idle cash (other than cash held by Investment Managers or Bond Trustees) in secured investments in order to protect principal, maintain adequate cash flow, and maximize interest earnings.

ACCT-2.1 POLICY

Investments will be made in compliance with applicable State laws and this policy.

Investment decisions will be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Investment of the funds of the City of Fayetteville shall be directed to the primary objective of safety of principal; the secondary objective shall be maintaining adequate cash flow; and the final objective shall be maximizing investment yield.

ACCT - 2.2 AUTHORITY

The Mayor and the Administrative Services Director and their designees are authorized to:

Open and close accounts with financial institutions in the name of the City; make wire transfers of funds for the City; make deposits of funds for the City; execute collateral, depository and investment agreements for the City; and any other such actions needed to carry out their responsibilities for the depositing and investing of the City's funds as authorized by State Statutes and this policy.

ACCT-2.3 RESPONSIBILITY

Management of the investment of City funds under authority granted by State Statute and the City Council by this policy shall be the responsibility of the Mayor and the Administrative Services Director. The Mayor and the Administrative Services Director may delegate authority for investment transactions.

The Mayor, the Administrative Services Director, and other individuals assigned to manage the investment portfolio, acting within the intent and scope of this Investment Policy, shall be relieved of personal responsibility for an individual security's credit risk or market risk. Officers and employees involved in the investment process shall refrain from personal business activities that conflict with proper execution of the investment program or impair their ability to make impartial investment decisions.

ACCT-2.4 PROCEDURES

Frequency: On a weekly basis, or more often if necessary, a review of available cash and maturing investments will be made by the Accounting Manager or his/her designee to determine the amount of funds available for investment and the maturity dates required to maintain an adequate cash flow. These decisions will be approved by the Administrative Services Director.

Investment Type: Investments must be limited to direct obligations of the United States of America and obligations, the principal and interest of which are fully guaranteed by the United States of America, as allowed by the Arkansas Code Annotated, Certificates of Deposit, and/or a trust for the joint investment of moneys as authorized by the Local Government Joint Investment Trust Act, Ark. Code Annotated §§ 19-8-301 et seq., which has been approved by the City Council ("Trust"). The Administrative Services Director may further limit Government Securities to U. S. Treasury Bonds or U. S. Treasury Bills. If bids are received for Government Securities other than bonds or bills, they will be considered on an individual basis and may be rejected by the Administrative Services Director. The bidding may also be limited to only Certificates of Deposit or only Government Securities for any particular amount and/or maturity date or dates. Moneys may be placed in the Trust without competitive bids.

Any Arkansas state legislative action that provides for additional investment vehicles or further restricts investment vehicles will be incorporated into the City's investment policy and will supersede any previous language.

Collateralization: Collateralization is required for investments other than investments in U. S. Government Securities or the Trust. To reduce market risk, the collateralization level will be 105% of the market value of the certificate of deposit and accrued interest. A collateral agreement between the City and the financial institution will be executed prior to the purchase or

delivery of the certificate of deposit.

Allowed Institutions: Investments, except investments in the Trust, will be purchased only from financial institutions which are authorized to do business in the State of Arkansas and which have offices located within the corporate city limits of the City of Fayetteville or directly from the U. S. Treasury through the Federal Reserve Bank. The City may require that institutions be members of the Security Investors Protection Corporation and be a National Association of Securities Dealers member firm to bid on Government Securities.

Certificates of Deposit will be purchased only from banks with which the City has depository and collateral agreements.

Government Securities will be purchased only through financial institutions with which the City has depository and/or investment agreements which include acceptable investor's insurance and safekeeping procedures or through the Federal Reserve Bank directly from the U. S. Treasury. The City may require that safekeeping procedures include third party custodial agreements.

Method: Verbal quotes for interest earnings on approximate investment amounts and maturity dates are requested from participating financial institutions. A bid sheet is prepared for each investment documenting the purchase date, type of investment, investment amount, maturity, and interest earnings bid by each participating financial institution. (A sample of the bid sheet is attached to this Policy as Exhibit A.) These bids are reviewed by the Accounting Manager or his/her designee. Bids are accepted, based on the highest effective yield. The effective yield calculation will include the amount, frequency of payment and reinvestment of interest to maturity. The reinvested interest calculation will assume a rate of interest equal to the interest rate of the security.

If the bid process results in a tie bid, the Administrative Services Director may award the bid on any reasonable basis.

The completed bid sheets are signed by the Administrative Services Director and copies are distributed to the City Clerk, and to each participating financial institution which submitted a bid on that investment.

The Administrative Services Director may direct that moneys be placed in the Trust as an alternative to the bid process.

Moneys from individual funds of the City may be pooled for investment purposes and interest earnings prorated to the individual funds on the basis of amounts invested by each fund.

Cashing of matured investments and purchases of new investments will be accomplished by wire transfer through an investment

Investment Policy

C. 2. Page 10

account. The wire transfers will be made by the Administrative
Services Director.

CITY OF FAYETTEVILLE
BID QUOTATIONS

01

Purchase Date _____

Investment Offered _____

Maturity Date Requested _____

Number of Days _____

	BOATMEN'S	MCILROY	BANK OF FAYE	CITIZENS
SETTLEMENT DATE	_____	_____	_____	_____
MATURITY DATE	_____	_____	_____	_____
DISCOUNT OR COUPON RATE	_____	_____	_____	_____
YIELD	_____	_____	_____	_____
DAYS BID	_____	_____	_____	_____
T-BILL BIDS				
CALCULATED YIELD	_____	_____	_____	_____
FACE VALUE	_____	_____	_____	_____
BOOK VALUE	_____	_____	_____	_____
HANDLING FEE	_____	_____	_____	_____
T-BILL INTEREST EARNINGS	_____	_____	_____	_____
T-NOTE/OTHER BIDS				
FACE VALUE	_____	_____	_____	_____
BOOK VALUE	_____	_____	_____	_____
HANDLING FEE	_____	_____	_____	_____
T-NOTE INTEREST EARNINGS	_____	_____	_____	_____
CALCULATED YIELD	_____	_____	_____	_____
DISCOUNT/(PREMIUM)	_____	_____	_____	_____
PURCHASE INTEREST	_____	_____	_____	_____
CD BID	_____	_____	_____	No Bid
CD INTEREST EARNINGS	_____	_____	_____	_____
INTEREST ON INTEREST BASIS	_____	_____	_____	_____
CD EFFECTIVE YIELD	_____	_____	_____	_____
T-BILL EFFECTIVE YIELD	_____	_____	_____	_____
T-NOTE/OTHER EFFECTIVE YIELD	_____	_____	_____	_____
INVESTMENT NUMBER	_____			
LOGGED ON COMPUTER	_____	BY	_____	
LOGGED OFF COMPUTER	_____	BY	_____	

ADMINISTRATIVE SERVICES DIRECTOR
OR DESIGNEE

Investment Policy

EXHIBIT A

C. 2. Page 12

Page 2 of 2

CITY OF FAYETTEVILLE
BID QUOTATIONS

#1

Purchase Date

Investment Offered

Maturity Date Requested

Number of Days

	<u>A. G. EDWARDS</u>	<u>DEAN WITTER</u>	<u>LLAMA CO.</u>	<u>MERRILL LYNCH</u>
SETTLEMENT DATE	_____	_____	_____	_____
MATURITY DATE	_____	_____	_____	_____
DISCOUNT OR COUPON RATE	_____	_____	_____	_____
YIELD	_____	_____	_____	_____
DAYS BID	_____	_____	_____	_____

T-BILL BIDS

CALCULATED YIELD

FACE VALUE

BOOK VALUE

HANDLING FEE

T-BILL INTEREST
EARNINGS**T-NOTE/OTHER BIDS**

FACE VALUE

BOOK VALUE

HANDLING FEE

T-NOTE INTEREST
EARNINGS

CALCULATED YIELD

DISCOUNT/(PREMIUM)

PURCHASE INTEREST

CD BIDCD INTEREST EARNINGS
INTEREST ON INTEREST
BASIS

CD EFFECTIVE YIELD

T-BILL EFFECTIVE YIELD

T-NOTE/OTHER
EFFECTIVE YIELD

INVESTMENT NUMBER

LOGGED ON COMPUTER

BY

LOGGED OFF COMPUTER

BY

ADMINISTRATIVE SERVICES DIRECTOR
OR DESIGNEE

RESOLUTION NO. 86-96

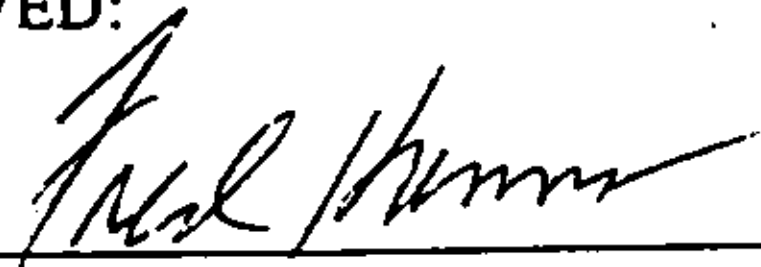
A RESOLUTION AUTHORIZING A REVISED INVESTMENT POLICY TO ALLOW PARTICIPATION IN THE ARKANSAS LOCAL GOVERNMENT CASH MANAGEMENT TRUST AS AN ADDITIONAL OPTION FOR THE INVESTMENT OF CITY MONIES.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council hereby approves a revised Investment Policy, No. ACCT-2, of the City of Fayetteville's Policy & Procedures, to allow participation in the Arkansas Local Government Cash Management Trust as an additional option for the investment of city monies. A copy of the revision is attached hereto marked Exhibit "A" and made a part hereof.

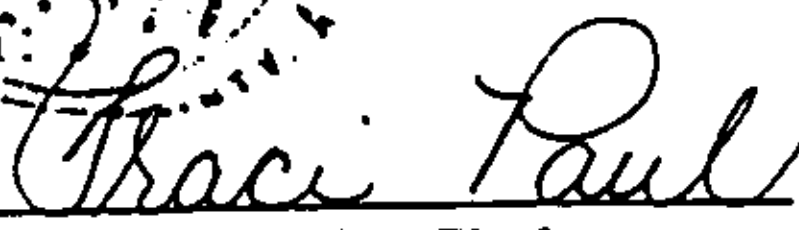
PASSED AND APPROVED this 16th day of July, 1996.

APPROVED:

By: 
Fred Hanna, Mayor



ATTEST:

By: 
Traci Paul, City Clerk



FAYETTEVILLE

*FILE
copy*

THE CITY OF FAYETTEVILLE, ARKANSAS

**CITY COUNCIL
AGENDA SESSION
~~November 14, 1999~~**

for
**December 21, 1999
CITY COUNCIL MEETING**

A. ADDITIONAL INFORMATION

1. Policy and Procedures: New Investment Policy
2. Wheeler Water Association: Proposed purchase of assets

A. NEW INFORMATION

1. Land Possession by Power of Eminent Domain: Property along Highway 265

CITY OF FAYETTEVILLE, ARKANSAS

INVESTMENT POLICY

I. Purpose:

The purpose of this policy is to provide guidelines for investment of City of Fayetteville operating funds to preserve the safety of principal, to maintain adequate cash flow, and to maximize interest earnings.

II. Scope:

This policy applies to the investment of City of Fayetteville operating funds not needed for immediate expenditures. This policy does not govern the investment of employee retirement or pension funds or proceeds of bond issues.

III. Standards/Objectives:

Investments will be made within the constraints of applicable State laws and this policy, taking into consideration liquidity needs of the City.

Investment decisions will be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Investment of the funds of the City of Fayetteville shall be directed to the primary objective of safety of principal; the secondary objective shall be maintaining adequate cash flow; and the final objective shall be maximizing investment yield.

Except for cash in certain restricted and special funds, the City may consolidate moneys from individual funds to maximize interest earnings. Investment income will be allocated to the various funds based on each fund's participation.

IV. Delegation of Authority/Responsibility:

Management of the investment of City funds regulated by this policy shall be the responsibility of the Mayor and the Administrative Services Director. The Mayor and the Administrative Services Director may delegate authority for investment transactions. The Mayor and the Administrative Services Director may, by proper procurement procedures, contract for the services of an asset manager, an investment advisor, or other expert advisor(s) to invest all or a portion of City funds regulated by this policy. Selection of an independent asset manager or investment advisor will be limited to those candidates who have an office within the City of Fayetteville.

The Mayor and the Administrative Services Director and their designees are authorized to: open and close accounts with financial institutions in the name of the City; make wire transfers of funds for the City; make deposits of funds for the City; execute collateral, depository and investment agreements for the City; and take any other such actions needed to carry out their responsibilities for the depositing and investing of the City's funds as authorized by State Statutes and this policy.

The Mayor, the Administrative Services Director, and other City employees assigned to manage the investment portfolio, acting within the intent and scope of this Investment Policy, shall be relieved of personal responsibility for an individual security's credit risk or market risk. Officers and employees involved in the investment process shall refrain from personal business activities that conflict with proper execution of the investment program or impair their ability to make impartial investment decisions.

The Mayor and the Administrative Services Director shall establish operating procedures to implement this investment policy.

V. Authorized Investments:

- A. The City will invest only in book entry securities.
- B. The City may, without limitation, invest in the following instruments, provided, however, that at no time shall assets of the City be invested in any instrument or security not authorized for investment by Arkansas Code Annotated §§ 14-58-309 (Act 1341 of 1999), and further defined in Section 23-47-401 (Investment Powers and Limitations), copy attached or by the Local Government Joint Investment Trust Act, Arkansas Code Annotated §§ 19-8-301 et seq., (Local Government Trusts) as they may from time to time be amended:
 - 1. Direct obligations of the United States Government;
 - 2. Obligations of agencies and instrumentalities created by act of the United States Congress and authorized thereby to issue securities or evidences of indebtedness, regardless of guarantee of repayment by the United States Government;
 - 3. Obligations the principal and interest of which are fully guaranteed by the United States Government or an agency or an instrumentality created by an act of the United States Congress and authorized thereby to issue such guarantee.
 - 4. Obligations the principal and interest of which are fully secured, insured, or covered by commitments or agreements to purchase by the United States Government or an agency or instrumentality created by an act of the United States Congress and authorized thereby to issue such commitments or agreements.
 - 5. General obligations of the states of the United States and of the political

subdivisions, municipalities, commonwealths, territories or insular possessions thereof (general obligation bonds);

6. Obligations issued by the Arkansas State Board of Education under authority of the State Constitution or applicable statutes;
7. Prerefunded municipal bonds, the principal and interest of which are fully secured by the principal and interest of a direct obligation of the United States Government;
8. Certificates of deposit with banks authorized by State law to receive deposits of public funds, that have branches or main offices within the Fayetteville City limits, with which the City has both a depository agreement and a collateral agreement.
9. Repurchase agreements that are fully collateralized by direct obligations of the United States Government, provided that any such repurchase agreement shall provide for the taking of delivery of such collateral directly or through an authorized custodian;
10. Securities of, or other interest in, any open-end type investment company or investment trust registered under the Investment Company Act of 1940, and which is defined as a "money market fund" under 17 CFR § 270.2a-7, provided that the portfolio of such investment company or investment trust is limited principally to United States Government obligations and to repurchase agreements fully collateralized by United States Government obligations, and, provided further that any such investment company or investment trust shall take delivery of such collateral either directly or through an authorized custodian.

11. Local Government Trusts.

C. The City may invest no more than twenty percent (20%) of the pooled investments in the following investment types and in accord with certain limitations described in Section VII Investing Parameters:

1. Corporate debt obligations (including commercial paper) of any corporation, with the following credit ratings: investment of City funds in Corporate Bonds will be limited to those rated as Single A minus or better by both Moody's Investor Service and Standard and Poor's; investment of City funds in Commercial Paper will be rated A-1/P-1,
2. Securities of, or other interests in, an open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940, provided that the portfolio of such investment company

or investment trust is limited to United States Government obligations and to repurchase agreements collateralized by the same type of collateral used to collateralize other City deposits, and provided further that any such investment company or investment trust shall take the delivery of such collateral either directly or through an authorized custodian;

D. Other Provisions

1. The Administrative Services Director may establish an account with the Federal Reserve Bank to purchase U.S. Government Securities directly from the U.S. Treasury.
2. Any Arkansas state legislative action that provides for additional investment vehicles or further restricts investment vehicles will be incorporated into the City's investment policy and will supersede any previous language.
3. The City will be allowed to hold to maturity any investments existing at the time of enactment of this policy. Reinvestment of such funds will be in accordance with this policy.
4. The Mayor and the Administrative Services Director may set additional limitations on the parameters for various types and concentration of investments. Operating procedures will define requirements to implement this policy.

VI. Investments Not Authorized:

The following investment vehicles, authorized by Act 1341 of 1999, are not considered suitable investments for City of Fayetteville funds:

- A. Warrants of political subdivisions of the State of Arkansas and municipalities thereof having maturities not exceeding one (1) year.
- B. The sale of federal funds with a maturity of not more than one (1) business day.
- C. Industrial development bonds for corporate obligors issued through any state of the United States or any political subdivision thereof.
- D. Revenue bond issues of any state of the United States or any municipality or any political subdivision thereof.
- E. Securities or other interests issued, assumed or guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the European Bank for Reconstruction and Development, the Asian Development Bank, or the African Development Bank.

- F. Uninsured demand, savings, or time deposits or accounts of any depository institution chartered by the United States, any state of the United States, or the District of Columbia.

VII. Investing Parameters:

A. Diversification

The City investments regulated by this policy shall be diversified by:

- limiting investments to avoid over concentration in securities from a specific issuer to five percent (5%) of the cost basis of the city's portfolio at the time of purchase, a limit for fifteen percent (15%) of the cost basis of the City's portfolio will apply to each business sector as defined by any recognized rating agency (excluding U.S. Treasury securities), and collateralized certificates of deposit,
- investing in securities with varying maturities, and
- continuously investing a portion of the portfolio in readily available funds to ensure that appropriate liquidity is maintained.

B. Maximum Maturities

The City will attempt to match investment maturities with cash flow requirements and will utilize investments in readily available funds, when needed, to meet ongoing obligations. The City anticipates a range of maturities of ninety (90) days to five (5) years. The City will invest in securities maturing more than five (5) years from the date of purchase only when the funds are easily defined to be used after five (5) years.

VIII. Allowed Institutions:

Security transactions on behalf of the City by an asset manager, or the City itself, will be conducted only with financial institutions and broker/dealers who have offices within Washington County unless otherwise authorized in writing by the Mayor and Director of Administrative Services.

A list of authorized financial institutions and broker/dealers to be used by an asset manager, an investment advisor, or the City itself, will be maintained by the City and provided to such asset manager, or investment advisor on a mutually agreed upon basis. Security broker/dealers on the list will meet or exceed the capital adequacy standards set by the Federal Reserve Bank of New York and may include dealers designated as primary dealers by the Federal Reserve Bank of New York or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (Uniform Net Capital Rule).

IX. Safekeeping/Collateralization:

- A. Investment of City funds, including cash held for investment, managed under contract of services by an asset manager, investment advisor, or other expert advisor(s) will be placed with a third party custodian approved by the City. All trades, where applicable, will be executed by Delivery vs. Payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds.
- B. The custodian will make reports as requested by the City or advisor(s) and will be accountable for the assets held by the custodian for the City's account. The custodian will be required to maintain an office in Washington County, Arkansas.
- C. Collateralization will be maintained as required by State law and procedures established by the City. Demand deposits, time deposits, repurchase agreements, and any other investments requiring collateralization shall be collateralized at a level of 102 percent of the market value of principal and accrued interest, less the amount insured by the FDIC.

14-58-309. Legislative findings.

(a) The State of Arkansas has investment policies which allow the Treasurer of State and others to prudently invest cash funds in low risk investments which outperform those investments currently permitted by law for municipalities. Larger municipalities and groups of municipalities having in excess of one billion dollars (\$1,000,000,000) in real property valuation have the ability to hire employees with expertise to direct investments pursuant to state investment policy, which is the same authority as investments authorized by state banks. If similar authority were given to larger municipalities or groups of municipalities having in excess of one billion dollars (\$1,000,000,000) in real property valuation, it would assist them to balance their budgets without a tax increase. It is hereby found and determined that larger municipalities or groups of municipalities having in excess of one billion dollars (\$1,000,000,000) in real property valuation should be given authority to invest pursuant to state laws governing permissible investments by the State of Arkansas, which would allow them to improve their rate of return over the return on investments currently authorized and would assist them in balancing their budgets without a tax increase.

(b)(1) Cities of the first class which have real property valuation in excess of four hundred million dollars (\$400,000,000) or groups of municipalities having in excess of one billion dollars (\$1,000,000,000) in real property valuation may invest cash funds in securities as outlined in § 23-47-401 pursuant to an investment policy adopted by its governing body.

(2)(A) Investments shall be made with the judgment and care under prevailing circumstances that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation but for investment, considering the probable safety of the capital and the probable income to be derived.

(B) Investment of funds shall be governed by the following investment objectives, in order of priority:

- (i) Preservation and safety of the principal;
- (ii) Liquidity; and
- (iii) Yield.

(3) In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

(A) The investment of all city funds or funds under the officer's control over which the officer had responsibility, rather than a consideration as to the prudence of a single investment; and

(B) Whether the investment decision was consistent with the city's or group's written investment policy.

History. Acts 1999, No. 1341, §§ 1, 2.

23-47-401. Investment powers and limitations.

(a) A state bank may invest its funds without limitation in the following:

- (1) Direct obligations of the United States Government;
- (2) Obligations of agencies and instrumentalities created by act of the United States Congress and authorized thereby to issue securities or evidences of indebtedness, regardless of guarantee of repayment by the United States Government;
- (3) Obligations the principal and interest of which are fully guaranteed by the United States Government or an agency or an instrumentality created by an act of the United States Congress and authorized thereby to issue such guarantee;
- (4) Obligations the principal and interest of which are fully secured, insured, or covered by commitments or agreements to purchase by the United States Government or an agency or instrumentality created by an act of the United States Congress and authorized thereby to issue such commitments or agreements;
- (5) General obligations of the states of the United States and of the political subdivisions, municipalities, commonwealths, territories or insular possessions thereof;
- (6) Obligations issued by the State Board of Education under authority of the State Constitution or applicable statutes;
- (7) Warrants of political subdivisions of the state of Arkansas and municipalities thereof having maturities not exceeding one (1) year;
- (8) Prerefunded municipal bonds, the principal and interest of which are fully secured by the principal and interest of a direct obligation of the United States Government;
- (9) The sale of federal funds with a maturity of not more than one (1) business day;
- (10) Demand, savings, or time deposits or accounts of any depository institution chartered by the United States, any state of the United States, or the District of Columbia, provided funds invested in such demand, savings, or time deposits or accounts are fully insured by a federal deposit insurance agency;
- (11) Repurchase agreements that are fully collateralized by direct obligations of the United States Government, and general obligations of any state of the United States or any political subdivision thereof, provided that any such repurchase agreement shall provide for the taking of delivery of such collateral, either directly or through an authorized custodian;
- (12) Securities of, or other interest in, any open-end type investment company or investment trust registered under the Investment Company Act of 1940, and which is defined as a "money market fund" under 17 CFR § 270.2a-7, provided that the portfolio of such investment company or investment trust is limited principally to United States Government obligations and to repurchase agreements fully collateralized by United States Government obligations, and

provided further that any such investment company or investment trust shall take delivery of such collateral either directly or through an authorized custodian.

(b) A state bank may invest no more than twenty percent (20%) of its capital base in any single investment of the following types:

(1) Corporate debt obligations (including commercial paper) of any corporation that is not an affiliate or subsidiary of the bank;

(2) Revenue bond issues of any state of the United States or any municipality or any political subdivision thereof;

(3) Industrial development bonds for corporate obligors issued through any state of the United States or any political subdivision thereof;

(4) Securities of, or other interests in, an open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940, provided that the portfolio of such investment company or investment trust is limited to United States Government obligations and to repurchase agreements fully collateralized by United States Government obligations, and provided further that any such investment company or investment trust shall take the delivery of such collateral either directly or through an authorized custodian;

(5) Securities or other interests issued, assumed or guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the European Bank for Reconstruction and Development, the Asian Development Bank or the African Development Bank;

(6) Uninsured demand, savings, or time deposits or accounts of any depository institution chartered by the United States, any state of the United States, or the District of Columbia.

(c) Subject to such additional restrictions and limitations as may be imposed by the Commissioner, a state bank may invest in any other investment securities which are not described in subsections (a) or (b) hereof to the extent that such investment securities are authorized for national banks.

(d) A state bank may invest in any investment not described in subsections (a) and (b) hereof as may be authorized by Department regulations.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

RECEIVED

DEC 14 1999

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

DEPARTMENTAL CORRESPONDENCE

DATE: December 14, 1999

TO: Mayor Hanna and Fayetteville City Council

FROM: John Maguire, Administrative Services Director



RE: Proposed Purchase of Wheeler Water Association Assets

1. City of Fayetteville purposes to purchase approximately 18 miles of 8 inch line and other assets for approximately \$140,000, less cash in bank of approximately \$20,000, effective January 1, 2000.
2. Letters of Offer and Acceptance are attached.
3. Contract reflecting the letter of intent will be presented signed by sellers by Monday, December 20, 1999.

JM:msm

November 29, 1999

Donald H. Johnson, President
Wheeler Water Association
2099 North Double Springs Road
Fayetteville, AR 72704

Dear Mr. Johnson:

This letter will confirm the City of Fayetteville's intent to acquire the assets of Wheeler Water Association effective January 1, 2000. The general conditions of our proposal are as follows:

1. The City will acquire all assets including cash that belongs to the association, assume debts of approximately \$140,000, plus any unpaid attorneys' fees will be paid from the cash account at closing.
2. Water rates to present customers of the association of \$9.50 per month will be reduced to \$3.50 for a period of ten (10) years. After ten years, the rates charged will be those rates charged for customers outside the City limits of Fayetteville.
3. All future customers tying to the association line, that was discussed at our November 29 meeting and defined as "yellow" line, will pay \$3.50 surcharge for the balance of the ten year period unless the area is annexed into the City.

We will ask this to be ready for approval at the December 14 City Council meeting. We will keep this confidential until you have agreed to the contract and it is ready for City Council approval. We prefer your committee also work in confidence. Upon your direction, we will furnish Curtis Hogue and you a copy of the contract. The contract will need your signatures before it goes to the Council.

WHEELER WATER ASSOCIATION

December 1, 1999

Mr. John Maguire
Administrative Services Director
City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

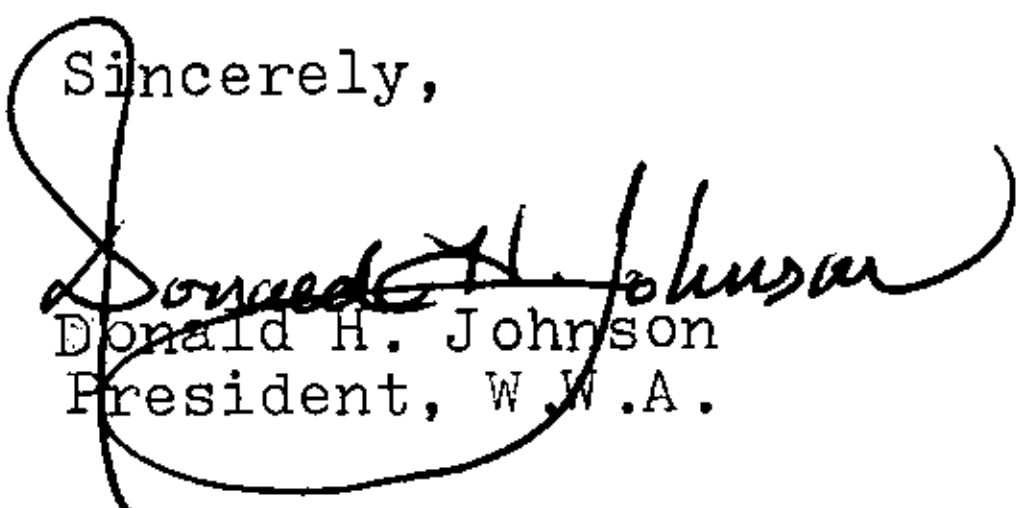
Dear Mr. Maguire:

The Wheeler Water Board has accepted all conditions of the November 29, 1999 proposed transfer of the Wheeler Water System to the Fayetteville Water System.

Your business like approach has been an excellent example of the Mayor's "City of Character Program" reflecting fairness to all.

Please advise when the next action is required.

Sincerely,



Donald H. Johnson
President, W.W.A.

STAFF REVIEW FORM

 X AGENDA REQUEST
 CONTRACT REVIEW
 GRANT REVIEW

For the Fayetteville City Council meeting of December 21, 1999

FROM:

Jill Goddard	Engineering	Public Works
Name	Division	Department

ACTION REQUIRED: Passage of an ordinance authorizing the City Attorney to seek possession of certain lands located along Highway 265 in the City of Fayetteville, Arkansas, by the Power of Eminent Domain, in association with the required easements for the Highway 265 Water and Sewer Relocations. Such property is owned by B. J. White (Parcel No. 765-14286-000).

COST TO CITY:

<u>\$ 1,400.00</u>	<u>\$ 3,999,559</u>	<u>Highway 265 - W/S Relocations</u>
Cost of this Request	Category/Project Budget	Category/Project Name

<u>5400-5600-5808-00</u>	<u>\$ 2,067,787</u>	<u>Water & Sewer Improvements</u>
Account Number	Funds Used To Date	Program Name

97043-30	\$ 1,931,772	Water + Sewer
Project Number	Remaining Balance	Fund

BUDGET REVIEW:

 X Budgeted Item

Budget Adjustment Attached

Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

<u>Maribon J. Cramer</u>	<u>12-13-99</u>
Accounting Manager	Date
<u>[Signature]</u>	<u>12-13-99</u>
City Attorney	Date
<u>[Signature]</u>	<u>12-13-99</u>
Vice	Date
<u>[Signature]</u>	<u>12-13-99</u>
Purchasing Officer	Date

GRANTING AGENCY:

Gloria Duld

Internal Auditor Date
Date

ADA Coordinator Date

STAFF RECOMMENDATION: Have been unable to reach agreement with property owners for reasons as explained in the following memorandum. Staff recommends condemnation approval, along with an emergency clause, on this property such that contractor will not be delayed in initiating this project.

<u><i>Dick Norbach</i></u>	<u>12-13-99</u>
Division Head	Date
<u><i>Richard Kneale</i></u>	<u>12-13-99</u>
Department Director	Date
<u><i>John W. Higgins</i></u>	<u>12/13/99</u>
Administrative Services Director	Date
<u><i>Fred Horne</i></u>	<u>12/13/99</u>
Mayor	Date

Cross Reference

New Item: Yes X No

Prev Ord/Res #: _____

Orig Contract Date: _____

STAFF REVIEW FORM

Description Condemnations--Highway 265 - Water/Sewer Relocations

Meeting Date December 21, 1999

Comments:

Budget Coordinator

Accounting Manager

City Attorney

Purchasing Officer

ADA Coordinator

Internal Auditor

Reference Comments:

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

DATE: December 10, 1999

TO: Fayetteville City Council

THRU: Fred Hanna, Mayor
Charles Venable, Public Works Director
Donald Bunn, Assistant Public Works Director
Jim Beavers, City Engineer

FROM: Jill Goddard, Land Agent *JG*

SUBJECT: Highway 265 Water/Sewer Relocations
Phase I
Project No. 97043
B. J. White/Bob & Kathy McDaniel (Parcel No. 765-14286-000)

The City has been acquiring easements along Highway 16 and Highway 265 for water and sewer relocations to be constructed prior to the Highway Department widening of Highway 265.

There is one property yet to grant an easement across which a sewer needs to be relocated. Given the extremely short time frame in which to do these relocations, it is necessary that the City initiate condemnation proceedings as soon as possible in order to obtain court possession of this land so as not to interfere with the construction schedule.

Initially, this sewer line was to terminate at the southwest corner of the Wilson property (immediately north of Deerpath Drive). However, it was discovered that the existing sewer extends north to two other properties and although these properties were not connected to the sewer system, service needs to continue to be provided. As there is not enough room in the right of way to place the sewer line, a twenty-five foot wide easement adjacent to the new east right of way line is needed.

As to the White/McDaniel property, there is some dispute as to ownership. In August 1999, the McDaniels quit claimed the property to Mr. White with the verbal agreement that he was to quit claim it back after certain conditions were met. County records list Mr. White as being the owner. There is no quit claim deed to the McDaniels on record, although they have a redemption deed for paying back taxes on the property which was filed in early September 1999. As of mid-November, telephone contact with the McDaniels was discontinued and mail is undeliverable. Packet was mailed to Mr. White, but have been unable to contact him by phone.

An independent appraisal was requested from Mark Risk, The Real Estate Consultants, to determine land value. The original offer amount was based on appraisal information prepared by the Highway Department for their right of way acquisition. The appraisal was received December 10, 1999. A revised offer will be mailed to Mr. White on December 13, 1999, along with notification of the council meeting.

HIGHWAY 265 WATER/SEWER RELOCATIONS

CASE HISTORY

B. J. White(Bob & Kathy McDaniel)

Parcel No. 765-14286-000

- Oct. 25, 1999 Determined by engineers that sewer line could not end with manhole in southwest corner of Wilson property. Existing sewer line extends north across White/McDaniel property. Although city sewer service was not used by property in past, service needs to continue to be provided. Residents have indicated they now want sewer service.
- Nov. 4, 1999 Packet prepared containing offer letter, side letter, drawings, and easement document.
- Nov. 5-16, 1999 Numerous attempts to contact White and/or the McDaniels made.
- Nov. 16, 1999 Holly Jones, contractual representative for the City contacted the McDaniels. Aug. 1999 Quit Claim Deed to B. J. White from Bob & Kathy McDaniel. County considers White owner. McDaniels insist they own property (they have redemption deed dated Sept. 1999 for paying back taxes), but White has yet to quit claim property back to them (as promised). We have no phone number or mailing address for B. J. White. May have to take through courts to acquire easement.
- Nov. 17, 1999 Appraisal requested from Mark Risk, the Real Estate Consultants to prepare for the possibility of condemnation.
- Nov. 17-23, 1999 Numerous messages left for McDaniels. Messages left for B. J. White in Pea Ridge (but unsure if this is same person we're looking for).
- Nov. 24, 1999 McDaniels' phone number has changed and is now unlisted.
- Nov. 29, 1999 Mailed packet to B.J. White at 156 N. Crossover.
- Dec. 1, 1999 Packet returned as undeliverable.
- Dec. 1, 1999 Packet mailed to B. J. White at Pea Ridge address. Message left on his answering machine. (Think this is right person--he is a house mover and the McDaniels had a house moved onto this property.)
- Dec. 10, 1999 Received appraisal from Mark Risk.
- Dec. 13, 1999 Sent (via certified mail) notification of council meeting set for December 21, 1999, to B. J. White, Pea Ridge.
- Sent revised offer letter and packet to B. J. White.

APPRAISAL REPORT
FOR
CITY OF FAYETTEVILLE

Limited Summary Appraisal Report

PROJECT Highway 265 Water/Sewer Relocation (Job No. 97043)
COUNTY Washington
PARCEL # 765-14286-000
LOCATION 156 N. Crossover Rd., Fayetteville, AR (PT SE/4 NE/4 0.57 A 14-16-30)
FEE OWNER BJ White/ Bob and Kathy McDaniel
ADDRESS 156 N. Crossover Rd., Fayetteville, AR 72701
ESTATE APPRAISED Fee Simple

AREA OF WHOLE 0.57 acres **AREA OF RESIDUAL** 0.51 acres

AREA OF PERMANENT ACQUISITION 2,510 Sq. Ft. or .06 acre
(Descriptions attached)

Permanent Utility Easement 2,510 Sq. Ft.

Temporary Construction and Grading Easement 2,008 Sq. Ft.

ESTIMATED FAIR MARKET VALUE OF THE PROPERTY:

	Before		
Land		\$ 17,000	
Improvements		\$ 0*	
Total			\$ 17,000
	After		
Land		\$ 16,650	
Improvements		\$ 0*	
Total			\$ 16,650

FAIR MARKET VALUE OF PERMANENT EASEMENT ACQUISITION \$ 350

As of 8th day of December, 1999

ALLOCATION OF F.M.V. OF TOTAL ACQUISITION

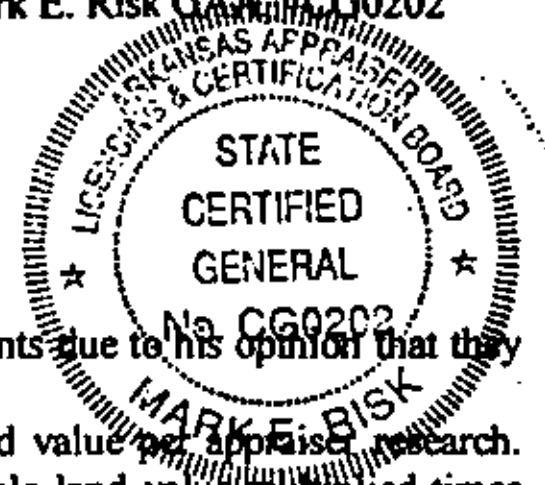
Utility Easement	2,510 SF @ \$.69/SF x 0.20	= \$ 347	Say	\$ 350
T.C.E.**	2,008 SF @ \$.69/SF x 0.10	= \$ 137	Say	\$ 150
Trees	(3) Trees @ \$300/each	= \$ 900	Say	\$ 900
Improvements:	None			\$ 0
Total	R-O-W, T.C.E., Trees, & Improvements			\$ 1,400
Damages or Benefits:				\$ 0
Total Compensation				\$ 1,400

Say \$1,400

ATTACHMENTS:

☒ Certificate of Appraiser
☒ Photographs
☒ Site, Improvement, H&B Use Narrative
☒ Legal Descriptions
☒ Market Data Approach
☒ Survey
☒ Tax Assessment Card

Appraiser, Mark E. Risk GAA#CG0202



- * The appraiser has not determined the value of the existing subject improvements due to his opinion that they are not significantly affected by the partial taking.
- ** Permanent Utility Easement Value is based upon 20% of the fee simple land value per appraiser research. Temporary Construction Easement (T.C.E.) value is based upon the fee simple land value multiplied times 10% to reflect a fair return plus a premium for inconvenience.

Mr. White
Revised Offer Letter, Page 2 of 2

If you do not elect to accept the amount deposited as just compensation, then you may withdraw the amount placed on deposit without prejudice to your rights to claim additional compensation. In this event, you will be entitled to a trial by jury in the Circuit Court to determine just compensation for your lands condemned. In either event, payment of the estimated just compensation will be made available to you.

We, however, ask that you accept the offer made herein by executing the attached *Water/Sewer Easement*. A reduced copy of the document is included for your records. We can provide a copy of the recorded document upon your request and at the appropriate time. We urge you to address this matter at your earliest convenience as the City has a very limited time frame in which to install these utilities. Please provide us with a Tax Identification Number (Corporation) or Social Security Number so that a check can be written. A Vendor Form is provided for this purpose.

A City Land Agent will be glad to meet with you at your convenience and discuss all phases of this project and the associated easements. Please contact Jill Goddard at (501) 444-3407, Ed Connell at 444-3415 or I can be reached at 575-8206.

Sincerely yours,


for Jim Beavers
City Engineer

JB/jsg

Attachments

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

November 4, 1999

B. J. White
156 N. Crossover
Fayetteville, AR 72701

RE: Highway 265 Water/Sewer Relocations
Job No. 97043
Tract No. 1X
Offer Letter

Dear Mr. White:

In conjunction with the widening of Highway 265 from Highway 16 north to Highway 45, the City of Fayetteville is required to relocate the majority of water and sewer lines that now service this area. These relocations are to be done just prior to the highway widening. It is therefore necessary to obtain permanent and temporary construction easements across a portion of your property for this project. The temporary construction easement will terminate upon completion and acceptance of the project by the City.

Included is a general map of the subject area, as well as a drawing of your specific property depicting the anticipated areas required for permanent and temporary easements. The City of Fayetteville hereby offers **\$260.00** for the conveyance of rights associated with the Permanent Easement (2,510 square feet), **\$110.00** as rental of the lands associated with the Temporary Construction Easement (2,008 square feet), and **\$900.00** in landscape damages; making the total offer amount **\$1,270.00**.

Should you elect to accept this offer, the *Water/Sewer Easement* (which contains both the Permanent and Temporary Construction Easements) contained herein should be executed by all parties with current ownership interest in the particular property. The document should be notarized and returned to the City of Fayetteville. A City Land Agent will be pleased to witness and notarize the execution of the document if you will advise our office accordingly. Upon receipt of this document, a check will be requested and you will be paid the amount indicated in this offer letter.

If you make a final rejection of this offer, you do have certain legal rights which are outlined hereafter. Upon your final rejection of this offer, and if the City of Fayetteville elects to do so, a suit of condemnation may be filed. The amount of just compensation for the use of your property will be determined by an independent appraisal and deposited with the Registry of the Circuit Court of Washington County. You may, at that time, elect to accept the amount deposited as just compensation and the amount will be paid to you thereby disposing of the condemnation suit.

Mr. White
Offer Letter, Page 2 of 2

If you do not elect to accept the amount deposited as just compensation, then you may withdraw the amount placed on deposit without prejudice to your rights to claim additional compensation. In this event, you will be entitled to a trial by jury in the Circuit Court to determine just compensation for your lands condemned. In either event, payment of the estimated just compensation will be made available to you.

We, however, ask that you accept the offer made herein by executing the attached *Water/Sewer Easement*. A reduced copy of the document is included for your records. We can provide a copy of the recorded document upon your request and at the appropriate time. We urge you to address this matter at your earliest convenience as the City has a very limited time frame in which to install these utilities. Please provide us with a Tax Identification Number (Corporation) or Social Security Number so that a check can be written. A Vendor Form is provided for this purpose.

A City Land Agent will be glad to meet with you at your convenience and discuss all phases of this project and the associated easements. Please contact Jill Goddard at (501) 444-3407, Ed Connell at 444-3415 or I can be reached at 575-8206.

Sincerely yours,


for Jim Beavers
City Engineer

JB/jsg

Attachments

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

November 4, 1999

B. J. White
156 N. Crossover
Fayetteville, AR 72701

RE: Highway 265 Water/Sewer Relocations
Job No. 97043
Tract No. 1X
Side Letter

Dear Mr. White:

In reviewing the plans for the above mentioned project, some special items need to be taken into consideration.

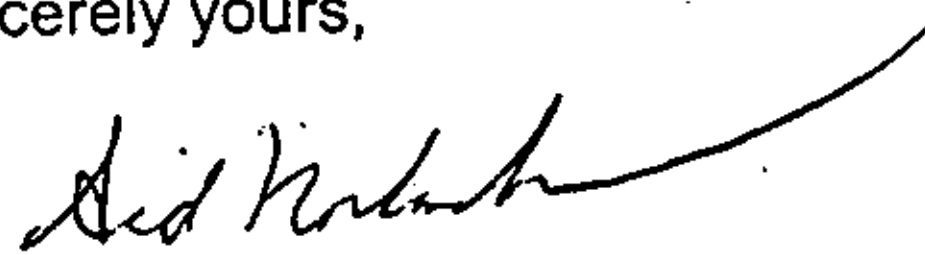
Construction of the water line will necessitate the removal of certain trees and shrubs within the permanent easement area. The City tries to avoid damage to and the loss of trees and other vegetation; however, there are times when circumstances leave no other choice. The City cannot adequately compensate you for the loss of any mature trees that are in landscaped areas; however, the following proposed compensation will allow you, at your discretion, to have a local nursery plant similar trees (2" diameter) as a substitute for the trees that will have to be removed (see attached drawing for detail):

1 - 7" elm \	= 2 @ \$150	\$ 300
1 - 4" elm /		
1 - 12" cedar	= 2 @ \$150	<u>\$ 300</u>
Subtotal		<u>\$ 600</u>
Nursery installation		<u>\$ 300</u>
Total Proposed Compensation for Landscape Damages		\$ 900

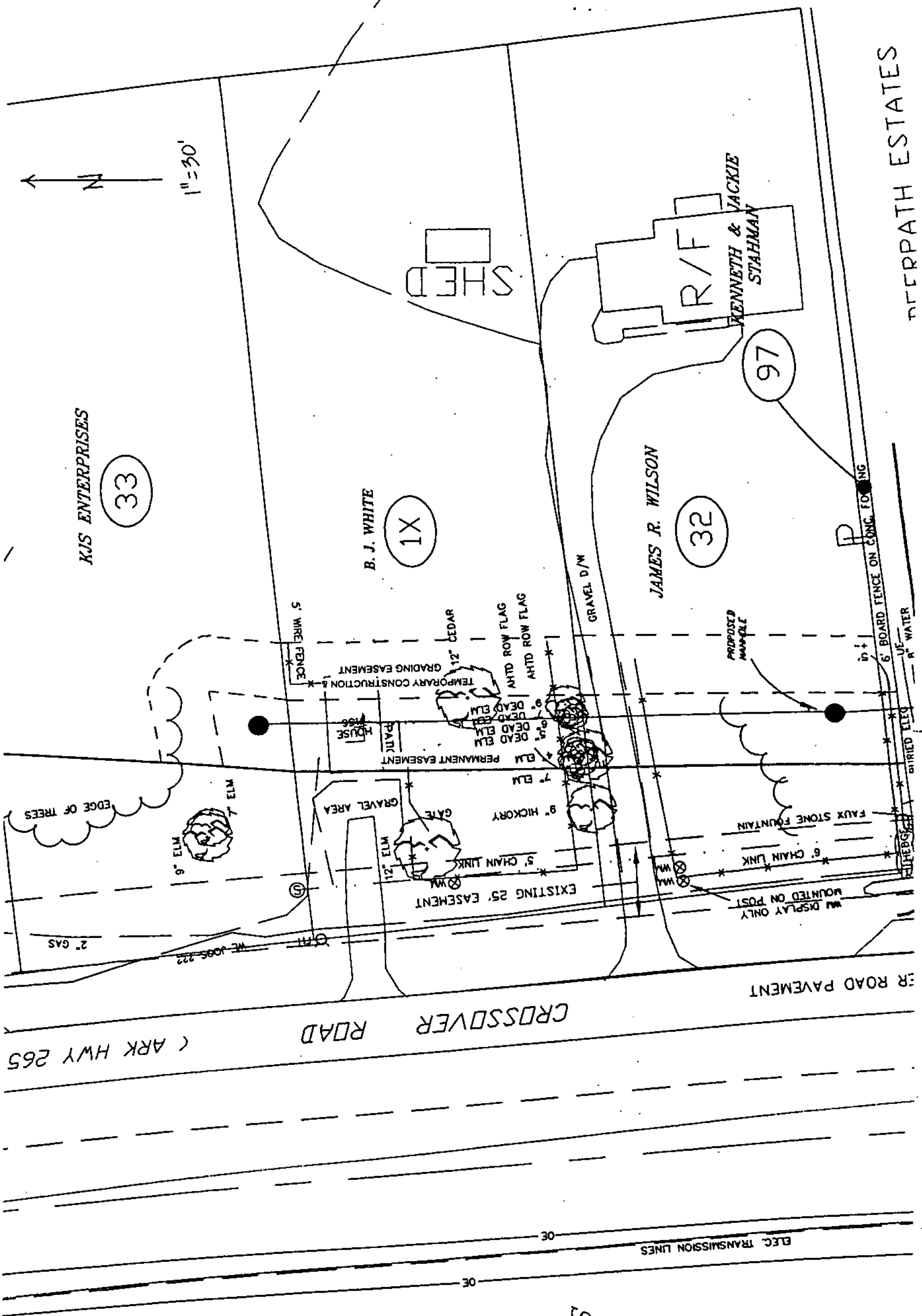
The City does not encourage the planting of new trees in the specified permanent easement area because such trees inhibit the future use of said easement area.

If you have any further concerns or comments, please feel free to call either Ed Connell at 444-3415 or Jill Goddard at 444-3407.

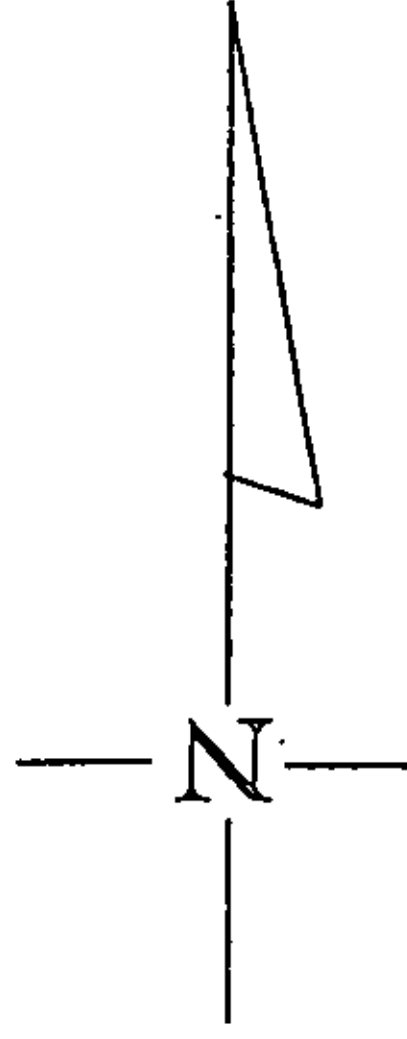
Sincerely yours,


Jim Beavers
City Engineer

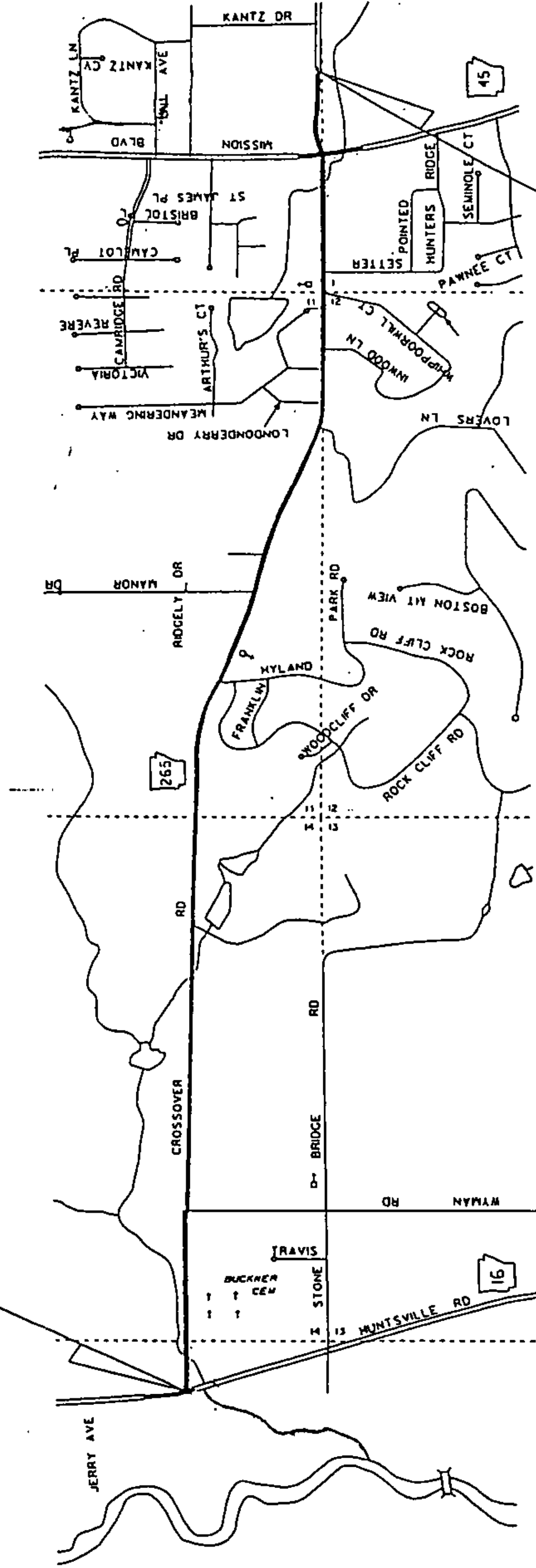
JB/jsjg



HIGHWAY 265 WATER/SEWER RELOCATIONS



BEGIN CONST JOB



END CONST JOB

Project No. 97043
Project: Highway 265 Water/Sewer Relocations
Parcel No. 765-14286-000
Tract No. 1X

WATER/SEWER EASEMENT

BE IT KNOWN BY THESE PRESENTS:

THAT B. J. White, hereinafter called GRANTOR, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby GRANT, SELL and CONVEY unto the City of Fayetteville, Arkansas, a municipal corporation, hereinafter called GRANTEE, and unto Grantee's successors and assigns, a permanent easement and a temporary construction and grading easement to construct, lay, remove, relay, inspect, enlarge and/or operate a water and/or sanitary sewer pipe line or lines, manholes, and appurtenances thereto, on, over, across, and under the following described land situated in the County of Washington, State of Arkansas, to-wit:

PROPERTY DESCRIPTION:

Part of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Section Fourteen (14) in Township Sixteen (16) North of Range Thirty (30) West, described as follows, to-wit: Beginning at a point 500 feet North and 82 feet East of the Southwest corner of said forty acre tract, and running thence East 300 feet, thence North 100 feet, thence West 300 feet, thence South 100 feet to the point of beginning.

LESS AND EXCEPT that portion conveyed to the Arkansas State Highway Commission under Job No. 004999 as road right of way in Deed Reference 98-091218 of the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, containing 0.12 acre, more or less.

PERMANENT EASEMENT DESCRIPTION:

A twenty-five (25) foot permanent easement of equal and uniform width located along the East side of the Arkansas Highway Right of Way line as referenced by State Highway Commission Job No. 004999. This easement is more particularly described as beginning at the Grantor's South property line and extending North 100 feet, more or less, to the Grantors' North property line, containing 2,510 square feet (0.06 acre), more or less.

The bearings used in the above description are referenced from bearings developed by the Arkansas State Highway Commission for the Highway Project No. 004999 Right of Way Plans and will be different than the bearing system previously used in describing the Owner's property.

TEMPORARY CONSTRUCTION AND GRADING EASEMENT DESCRIPTION:

A temporary construction and grading easement twenty (20) feet in width being parallel with and contiguous to the above described permanent easement and situated on the East side thereof. This temporary construction and grading easement contains 2,008 square feet (0.05 acre), more or less,

together with the rights, easements, and privileges in or to said lands which may be required for the full enjoyment of the rights herein granted.

This temporary construction and grading easement as conditioned above, shall terminate when the hereinabove referenced project has been completed by the contractor and accepted by the City of Fayetteville, Arkansas.

It is expressly understood that the above temporary construction and grading easement shall exclude any permanent structure presently located or under construction within said temporary construction and grading easement area during the construction of the hereinabove referenced project.

TO HAVE AND TO HOLD unto said Grantee, its successors and assigns, so long as such pipe line or lines, manholes and/or appurtenances thereto shall be maintained, together with free ingress to and egress from the real estate first hereinabove described for the uses and purposes hereinabove set forth.

The said Grantor is to fully use and enjoy the said premises except for the purposes hereinbefore granted to the said Grantee, which hereby agrees to bury all pipes, where feasible, to a sufficient depth so as not to interfere with cultivation of soil, and that manholes will be constructed flush with the surface of the ground except in bottom lands where they shall be at a height above high water, and to pay any damages which may arise to growing crops or fences from the construction, maintenance and operation as determined by three disinterested persons. One thereof to be appointed by the said Grantor; one by the said Grantee; and the third by the two so appointed as aforesaid, and the written award of such three persons shall be final and conclusive.

The Grantor agrees not to erect any buildings or structures in said permanent easement other than fences and said fences shall not exceed six (6) feet in height.

The Grantee shall have the right to construct additional pipe lines upon the above described easement at any time in the future and agrees to pay any damages as a result of such future construction as set out in this easement.

The consideration first above recited as being paid to Grantor by Grantee is in full satisfaction of every right hereby granted. All covenants and agreements herein contained shall extend to and be binding upon the respective heirs, legal representatives, successors and assigns of the parties hereto.

It is hereby understood and agreed that the party securing this document in behalf of the Grantee is without authority to make any covenant or agreement not herein expressed.

WITNESS the execution hereof on this the _____ day of _____, 1999.

B. J. White

(Spouse)

ACKNOWLEDGMENT

STATE OF ARKANSAS)

COUNTY OF WASHINGTON)

) ss.

BE IT REMEMBERED, that on this date, before the undersigned, a duly commissioned and acting Notary Public within and for said County and State, personally appeared B. J. White and _____, to me well known as the person(s) who executed the foregoing document, and who stated and acknowledged that he/she/they had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and seal on this _____ day of _____, 1999.

Notary Public

MY COMMISSION EXPIRES:

UTILITY EASEMENT MAP

SIZE OF EASEMENT

PERMANENT UTILITY EASEMENT
2,510 SQ.FT. (0.06 ACRES)

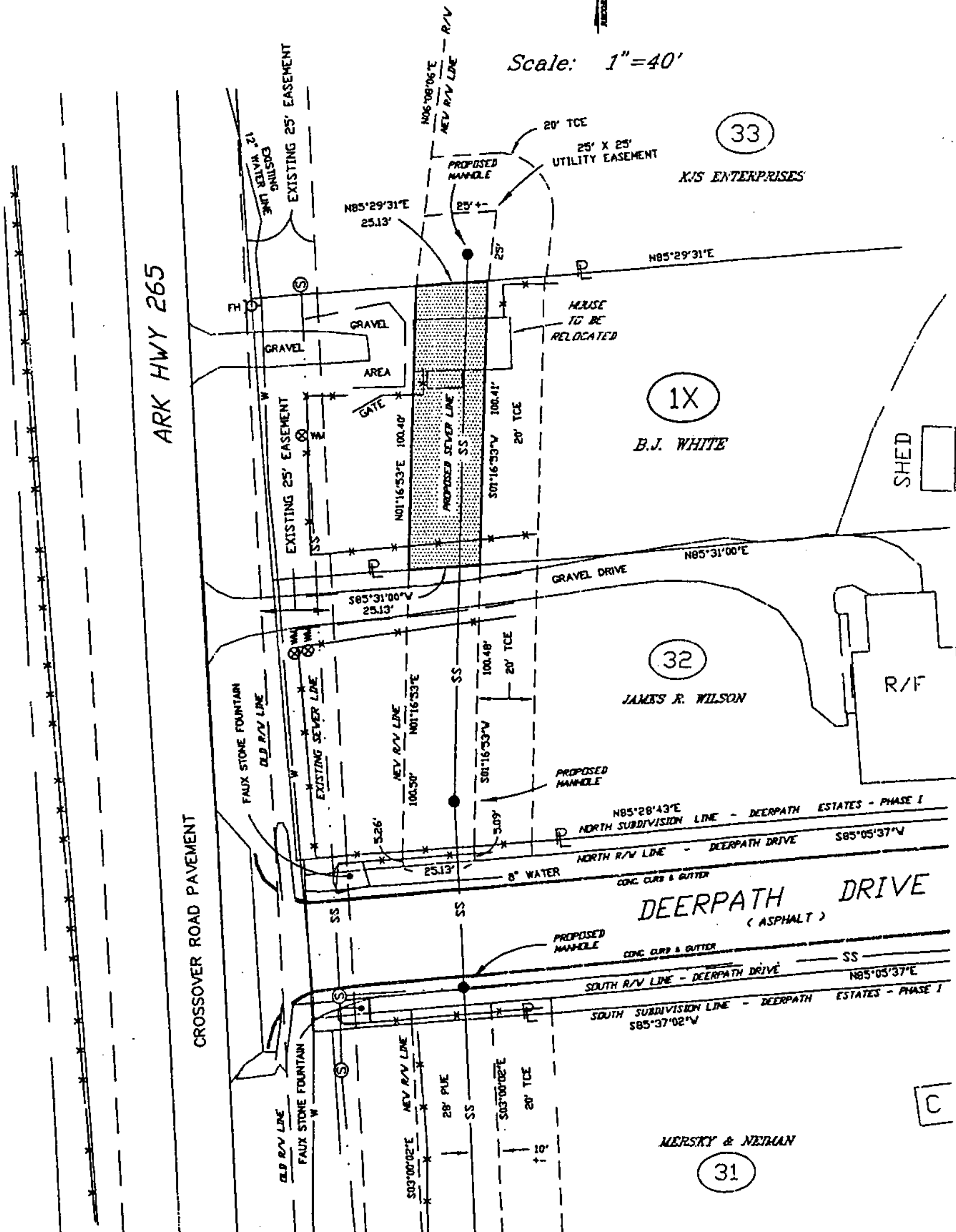
TEMPORARY CONSTRUCTION EASEMENT
2,008 SQ.FT. (0.05 ACRES)

EASEMENT TRACT NO. 1X

B.J. WHITE



Scale: 1"=40'



Washington County Real Estate Assessment Record

Parcel Number **765-14286-000**

Property Type **RI**

Location Address **156** **N** **CROSSOVER** **RD**

Owner **WHITE, B J**

Mailing Address **156 CROSSOVER**

FAYETTEVILLE **AR** **72701**

Value Information

Current year **1999**

	Appraised	Assessed
Land value	12,500	2,500
Imp. value	38,850	7,770
Total value	51,350	10,270

Legal Description

Lot Block

Section-Township-Range **14-16-30**

Addition **14-16-30 FAYETTEVILLE OUTLOTS**

Legal **PT SE NE 0.57A**

Deed **09/09/99** **99-84051** **RD** **0.00** **0**

School District **FAYETTEVILLE SCHOOLS** City description **FAYETTEVILLE**

ASSESSMENT RECORD

Washington County, Arkansas

NAME: STEVE & CINDY (COUNTY)

1199:508 1194:188 BOOK: PAGE:

DESCRIPTION: VETTEVILLE (OUTLOTS)

SE NE 14-16-30 .69A

000 100

GAL DESCRIPTION

S.D.#: 011

for 1999:

SE NE 14-16-30 0.57 A.

DATE BOOK PAGE

Nimmo	Steve & Cindy	5-17-88	1199	507
Ehrlich, L. J. & Ida		4-8-86	1328	098
Marta, Frank Bustillos & Rosalva Jacobo Andujo		6-16-86	1199	508
Ehrlich, Ida & L.J. aka Ida M. & Laubhan J. Ehrlich	1349-13899	8-4-86	1194	188
McDaniel Bob & Kathy	1365-470 99-84015	11-25-86	1218	451
White, B. J. no address		8/25/99	99	77321

YEAR	LAND	IMPVMT	TOTAL	EQUAL BOARD	REMARKS
1985	900	1310	2210		1199:508 Nimmo w/D Ehrlich to Vetteville
1986	900	1310	2210	86 Adj.	1199:188 Ida M. & Laubhan to Ehrlich
1987	900	1310	2210		1199:507 Nimmo w/D Ehrlich to Laubhan
1988	900	1310	2210		Steve & Cindy's income Clear Creek
1989	900	1310	2210		1218-451 WD \$17.60 rev Ehrlich to McDaniel
1990	900	1310	2210		1328-098 QCD Nimmo to Ehrlich to 5/25/92 4-25-86 - 5/1/92 8-1-89 - 8/25/92
1991	900	1310	2210		1349-479 QCD Ida Ehrlich to Laubhan J. Ehrlich
1992	900	1310	2210		1365-470 Redemption Deed #75388
1993	900	1310	2210		
1994					94-13899 QCD NO REV fr Laubhan J. Ehrlich to Ida M. Ehrlich
1995					0.12A to #001 ASHC
1996					98-110208 Corr Cert no rev 99-84015 Red Deed #135350
1997					99-77321 QCD No Rev

QUITCLAIM DEED

HUSBAND AND WIFE

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Bob & Kathy McDaniel

husband and wife, hereinafter called Grantors, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to us in hand paid by

B.J. White

hereinafter called Grantee, do hereby grant, sell and quitclaim unto the said Grantee and Grantee's heirs and assigns, the following described land, situate in

Washington County, State of Arkansas, to-wit:

FILED FOR RECORD

99 AUG 25 PM 2 17

WASHINGTON CO AR
K. HARNESS

Part of the Southeast quarter (SE 1/4) of the
Northeast quarter (NE 1/4) of Section Fourteen
(14) in Township Sixteen (16) North of Range
Thirty (30) West, described as follows to-wit:
Beginning at a point 500 feet North and 82 feet
East of the Southwest corner of said forty acre
tract, and running then East 300 feet, thence
North 100 feet, thence West 300 feet, thence
South 100 feet to the point of beginning.

To have and to hold the said lands and appurtenances thereunto belonging unto the said Grantee and Grantee's heirs and assigns, forever.

WITNESS our hands and seals on this 8/25 day of _____, 1999.
THIS INSTRUMENT PREPARED BY:

Bob McDaniel (Seal)
Kathy McDaniel (Seal)

ACKNOWLEDGMENT

STATE OF ARKANSAS

County of Washington

On this 25 day of August, 1999, before me, a notary public, personally appeared
and Bob McDaniel and Kathy McDaniel (known to me or satisfactorily proven) to be the persons whose names are subscribed to the
foregoing instrument and acknowledged that they had executed the same for the purposes therein set forth.
In witness whereof I hereunto set my hand and official seal.

My Commission Expires

9-1-2003

Notary Public

OD-H & W

99077321



REDEMPTION DEED NO. 135850

CHARLIE DANIELS
COMMISSIONER OF STATE LANDS
STATE OF ARKANSAS

Issued under the provisions of Act 151 of 1891, Act 626 of 1983 and Act 814 of 1987

THE STATE OF ARKANSAS:

To All Whom these Presents Shall Come — GREETINGS:

KNOW YE THAT, WHEREAS: The following described lands situated in the County of Washington in the State of Arkansas, to Wit:

Description: PT SE1/4 NE1/4

Section: 14

Township: 16N

Range: 30W

Acres: .57

Addition: (OUTLOTS)

City: FAYETTEVILLE

(100 X 300)

Parcel Number: 765-14286-000

Year Forfeited: 38-370 1995

Receipt #: 93050

were certified to the Commissioner of State Lands, by the County Collector for the non-payment of taxes for the years hereinbelow set forth; and that the taxes, penalties, interest and cost outline below have been paid to the Commissioner of State Lands;

AND WHEREAS **BOB & KATHY MCDANIEL**
156 CROSSOVER
FAYETTEVILLE, AR 72701

claiming to be the owner(s) of said real property, filed a petition to redeem duly verified according to the law, showing such ownership.

NOW THEREFORE, I, CHARLIE DANIELS, Commissioner of State Lands within the State of Arkansas, for and in consideration of \$1,128.78 so paid and by virtue of the authority in me vested by law, do hereby release and quitclaim unto the said **BOB & KATHY MCDANIEL** and their heirs and assigns forever all right, title and interest the State of Arkansas acquired under any forfeiture, sale or condemnation for taxes.

WITNESS MY HAND AND OFFICIAL SEAL September 9, 1999

Taxes	1995 - 1997	\$857.22
Imp. Tax Due		\$0.00
Interest		\$145.84
Penalty		\$85.72
County Costs		\$2.00
Recording Fee		\$8.00
Deed Fee		\$5.00
Commissioner Fee		\$25.00
Municipal Lien		\$0.00
Total Paid:		\$1,128.78

Charlie Daniels
Charlie Daniels
Commissioner of State Lands

Deputy Commissioner
Deputy Commissioner of State Lands

Deed
Mail to: **BOB & KATHY MCDANIEL**
14409 MCDANIEL ROAD

FAYETTEVILLE, AR 72701

99084051

WARRANTY DEED



Husband and Wife Conveying as Tenants by the Entirety,
Jointly or in Common

KNOW ALL MEN BY THESE PRESENTS:

That we, Ida Ehrlich and L. J. Ehrlich, a/k/a Ida Ehrlich and Laubhan J. Ehrlich, husband and wife, hereinafter called Grantors, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to us in hand paid by BOB MCDANIEL and KATHY MCDANIEL, husband and wife, hereinafter called Grantee, do hereby grant, bargain and sell unto the said Grantee and Grantee's heirs and assigns, the following described land, situate in Washington County, State of Arkansas, to-wit:

Part of the Southeast quarter (SE $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section Fourteen (14) in Township Sixteen (16) North of Range Thirty (30) West, described as follows, to-wit: Beginning at a point 500 feet North and 82 feet East of the Southwest corner of said forty acre tract, and running thence East 300 feet, thence North 100 feet, thence West 300 feet, thence South 100 feet to the point of beginning.

TO HAVE AND TO HOLD the said lands and appurtenances thereto belonging unto the said Grantee and Grantee's heirs and assigns forever. And we, the said Grantors, hereby covenant that the said land and premises, that the same is lawfully seized of said land and premises, that the same is unincumbered, and that we will forever warrant and defend the title to the said lands against all legal claims whatever.

And we, the respective Grantors, hereby release and relinquish unto the said Grantee our respective dower/curtesy and homestead in and to said lands.

WITNESS our hands and seals on this 25 day of Nov, 1986

This instrument prepared by:
James O. Strother
P.O. Box 726
Springdale, AR 72765

Laubhan J. Ehrlich (Seal)
Ida M. Ehrlich (Seal)

ACKNOWLEDGMENT

STATE OF ARKANSAS } ss.
COUNTY OF WASHINGTON }

On this the 1st day of December, 1986 before me, a notary public, personally appeared Ida Ehrlich, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and acknowledged that she had executed the same for the purpose therein set forth.

In witness whereof I hereunto set my hand and official seal.

My commission expires:
NOTARY PUBLIC
WASHINGTON COUNTY
ARKANSAS

ACKNOWLEDGMENT

STATE OF Ark. } ss.
COUNTY OF Washington }

On this the 25 day of Nov, 1986 before me, a notary public, personally appeared Laubhan J. Ehrlich, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and acknowledged that he had executed the same for the purpose therein set forth.

In witness whereof I hereunto set my hand and official seal.

My commission expires:
NOTARY PUBLIC
WASHINGTON COUNTY
ARKANSAS

James O. Strother
Notary Public
1218-451

I certify under penalty of law
swearing that at least the legally
correct amount of documentary stamp
has been paid on this instrument
Grantee Bob McDaniel
Assessor OT 2588

FILED FOR RECORD

'98 OCT 23 AM 11 44

Job No. 004999

Tract No. 1X

WASHINGTON CO AR
W A R K A N S A S D E E D

KNOW ALL MEN BY THESE PRESENTS:

THAT we, Bob McDaniel and Kathy McDaniel, husband and wife, for and in consideration of the sum of SIXTEEN THOUSAND FOUR HUNDRED AND NO/100 dollars (\$16,400.00), and other good and valuable consideration, cash in hand paid by the Arkansas State Highway Commission, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the Arkansas State Highway Commission and unto its successors and assigns forever the following lands, save and except such minerals therein and thereunder, as oil, gas, distillate, condensate, salt water and its component parts, and all other hydrocarbons which do not interfere with the surface use for highway purposes, lying and being situated in the County of Washington, State of Arkansas, to-wit:

Part of the Southeast Quarter of the Northeast Quarter of Section 14, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Southeast Quarter of the Northeast Quarter of Section 14; thence South 85° 53' 49" West along the North line thereof a distance of 1229.60 feet to a point on the Easterly existing right of way line of Arkansas State Highway 265; thence South 00° 49' 54" East along said existing right of way line a distance of 315.34 feet to a point; thence South 05° 52' 18" East along said existing right of way line a distance of 200.89 feet to a point; thence South 04° 29' 37" East along said existing right of way line a distance of 199.80 feet for the point of beginning; thence North 85° 29' 31" East a distance of 58.15 feet to a point on the Easterly proposed right of way line of Arkansas State Highway 265; thence South 01° 16' 53" West along said proposed right of way line a distance of 100.40 feet to a point; thence South 85° 31' 00" West a distance of 48.04 feet to a point on the Easterly existing right of way line of Arkansas State Highway 265; thence North 04° 29' 37" West along said existing right of way line a distance of 99.87 feet to the point of beginning and containing 0.12 acre more or less.

98091218

I certify under penalty of false swearing that at least the legally required number of documentary stamps have been placed on this instrument.

This instrument was prepared by
Calvin Gibson, Title Attorney
Arkansas State Highway and Transportation Dept.
P.O. Box 2261, Little Rock, Arkansas 72203
Arkansas State Highway Commission
P.O. Box 2261, Little Rock, Arkansas 72203

TO HAVE AND TO HOLD the same unto the said Arkansas State Highway Commission and unto its successors and assigns forever.

And we hereby covenant with the said Arkansas State Highway Commission that we will forever warrant and defend the title to said lands against all claims whatever.

WITNESS our hands on this 9th day of October, 1998.

Bob McDaniel
Bob McDaniel
Kathy McDaniel
Kathy McDaniel

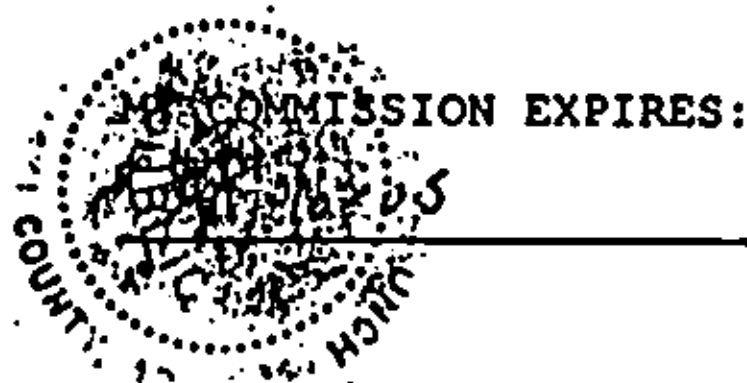
A C K N O W L E D G M E N T

STATE OF Arkansas)
COUNTY OF Washington) SS

BE IT REMEMBERED, that on this day before the undersigned, a Notary Public, within and for the County and State aforesaid, duly commissioned and acting, appeared in person Bob McDaniel and Kathy McDaniel to me well known as the Grantors in the foregoing instrument, and stated that they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public on this 9th day of October, 1998.

Anne Marie Clauer
NOTARY PUBLIC



98091219

STAFF REVIEW FORM

☒ Agenda Request
☐ Contract Review
☐ Grant Review

For the Fayetteville City Council meeting of December 7, 1999.

FROM:		
Tim Conklin	Planning	Public Works
Name	Division	Department

ACTION REQUESTED: To approve an ordinance for VA 99-13.00 submitted by Mike Roetzel on behalf of Buddy Peoples for property located at 28th Court. The request is to vacate the undeveloped street right of way for 28th Court located west of Club Oak Drive within Edge Hill Subdivision.

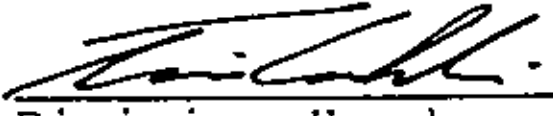
COST TO CITY:

\$0		
Cost of this request	Category/Project Budget	Category/Project Name
Account Number	Funds used to date	Program Name
Project Number	Remaining balance	Fund

BUDGET REVIEW:	Budgeted Item	Budget Adjustment Attached
Budget Coordinator	Administrative Services Director	

CONTRACT/GRANT/LEASE REVIEW:		GRANTING AGENCY:	
Accounting Manager	Date	ADA Coordinator	Date
City Attorney	Date	Internal Auditor	Date
Purchasing Officer	Date		

STAFF RECOMMENDATION: Staff recommended approval and the Planning Commission voted to approve the vacation request with a vote of 5-2-0. Commissioners Estes and Johnson voted against the motion.

	11-19-99	Cross Reference
Division Head	Date	
Department Director	Date	New Item: Yes No
Administrative Services Director	Date	Prev Ord/Res#: _____
Mayor	Date	Orig Contract Date: _____

B.R. Peoples and Geraldine Peoples
4257 Gable Drive
Fayetteville AR. 72703

Sylvia Ann Popejoy
2851 Club Oak Drive
Fayetteville AR. 72701

Frank H. Scott and Margaret C. Scott
P.O. Box 787
Fayetteville AR. 72702-0787

LEE ANN BRANCH TRUST
2876 CLUB OAK DR.
FAYETTEVILLE AR. 72701

GEORGE H. & WANDENE COWAN
2840 CLUB OAK DR.
FAYETTEVILLE AR 72701

DANIEL MARONE
%PHH MTG. SERVICE
6000 ATLANTIC WAY
MT. LAUREL, NJ. 08054

BUDDY R. PEOPLES
10457 ERVIN MCGARRAGH RD.
LOWELL AR. 72745

STAFF REVIEW FORM

CLERK'S COPY

☒ Agenda Request
☐ Contract Review
☐ Grant Review

For the Fayetteville City Council meeting of December 7, 1999.

FROM:

Tim Conklin

Planning

Public Works

Name

Division

Department

ACTION REQUESTED: To approve an ordinance RZ 99-32.00 submitted by Stephen Thetford for property located at 3351 W. Wedington Drive. The property is zoned R-0, Residential Office and contains approximately 0.69 acres. The request is to rezone the property to C-1, Neighborhood Commercial.

COST TO CITY:

\$0

Cost of this request

Category/Project Budget

Category/Project Name

Account Number

Funds used to date

Program Name

Project Number

Remaining balance

Fund

BUDGET REVIEW: _____ Budgeted Item _____ Budget Adjustment Attached

Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Accounting Manager

Date

ADA Coordinator

Date

City Attorney

Date

Internal Auditor

Date

Purchasing Officer

Date

STAFF RECOMMENDATION: Staff recommended approval of the rezoning request and the Planning Commission voted unanimously 7-0-0 to approved the rezoning.


 Division Head

11-19-99
 Date

Cross Reference

Department Director

Date

New Item: Yes No

Administrative Services Director

Date

Prev Ord/Res#: _____

Mayor

Date

Orig Contract Date: _____

Assem, Mohammad H.;
Khalilardestani Parvin
PO Box 516
Farmington, AR 72730

Bayyari Limited Liability Co
11249 W. reed Valley
Fayetteville, AR 72704

City of Fayetteville
PO Drawer F
Fayetteville, AR 72702

Holland, Tommy & Jodi; ~~Osborne,~~
~~Richard & Mary~~
PO Drawer T
Fayetteville, AR 72765
Springdale

McIlroy Center Joint Venture
Roy Stanley 1165 Joyce Cr
Fayetteville, AR 72703

White River School of Massage
Inc
48 Colt Square Ste. B
Fayetteville, AR 72703

Washington Co. Farm Bureau
PO Box 1030
Fayetteville, AR 72702

*Richard & Mary Osborne
PO Drawer T
Springdale AR 72765*

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

December 15, 1999

Mohammed H. Assem & Khaliliardestani Parvin
PO Box 516
Farmington AR 72730

Dear Misters Assem and Parvin:

This letter is meant to notify you of a rezoning request that is being considered by the Fayetteville City Council which may impact you. This request, RZ 99-32.00, was submitted by Stephen Thetford for property located at 3351 W. Wedington Drive. The property is zoned R-O, Residential Office, and contains approximately 0.69 acres. The request is to rezone the property to C-1, Neighborhood Commercial. This agenda item was left on the second reading at the December 7, 1999 City Council meeting. If you have any concerns, you are invited to attend the City Council meeting at **6:30 p.m. on December 21, 1999 in Room 219**, City Council Chambers, of the City Administration Building. Alternatively, you may contact your alderman to voice your concerns.

Sincerely,



Heather Woodruff
City Clerk/Treasurer

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

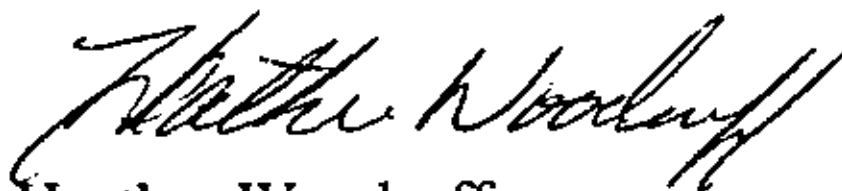
December 15, 1999

Lee Ann Branch Trust
2876 Club Oak Drive
Fayetteville AR 72701

Dear Sir or Madam:

This letter is meant to notify you of a vacation request that is being considered by the Fayetteville City Council which may impact you. This request, VA 99-13.00, was submitted by Mike Roetzel on behalf of Buddy Peoples for property located at 28th Court. The request is to vacate the undeveloped street right-of-way for 28th Court located west of Club Oak Drive within Edge Hill Subdivision. This agenda item was left on the first reading at the December 7, 1999 City Council meeting. If you have any concerns, you are invited to attend the City Council meeting at **6:30 p.m. on December 21, 1999 in Room 219**, City Council Chambers, of the City Administration Building. Alternatively, you may contact your alderman to voice your concerns.

Sincerely,



Heather Woodruff
City Clerk/Treasurer

CHECKLIST FOR CITY COUNCIL MEETING: 12/12/1999

AGENDA DUE:	Draft	Tentative	Agenda Session	Final
DATE:	12/6/99	12/10/99	12/14/99	12/17/99

DISTRIBUTION:	T	A	F	Staff:	T	A	F
Bob Reynolds	✓	✓	✓	Mayor Hanna	✓	✓	✓
Ron Austin	✓	✓	✓	John Maguire	✓	✓	✓
Cyrus Young	✓	✓	✓	Nancy Hendricks	✓		✓
Kyle Russell	✓	✓	✓	Charles Venable	✓	✓	✓
Trent Trumbo	✓	✓	✓	Don Bunn	✓	✓	✓
Bob Davis	✓	✓	✓	Marilyn Cramer	✓		✓
Kevin Santos	✓	✓	✓	Steve Davis	✓	✓	✓
Heather Daniel	✓	✓	✓	Yolanda Fields	✓	✓	✓
				Jerry Rose	✓	✓	✓
Northwest AR Times	✓	✓	✓	Tim Conklin	✓	✓	✓
Morning News	✓	✓	✓	Alett Little	✓	✓	✓
AR Democrat-Gazette	✓	✓	✓				

☐ **Draft Agenda**

- ☒ Check for Additional Items
- ☒ Mail Notification Letters to Applicants / Property Owners 12/15

☐ **Tentative Agenda**

- ☒ Include all contracts *NEED WHEELER WATER / HWY 265 WATER TANK.*
- ☒ Include budget adjustments
- ☐ All signatures on Staff Review Form *NEED SIGN FOR HWY 265 / WHEELER WATER TANK.*
- ☒ Page numbers correct
- ☒ 24 copies of agenda packet distributed to Distribution
- ☒ 34 copies of agenda cover distributed to general staff
- ☒ 10 copies of agenda cover placed in City Clerk's office agenda cubbybox
- ☒ Put minutes cover (items approved) on front of agenda

Continued: CHECKLIST FOR CITY COUNCIL MEETING: ____/____/2000

☐ **Agenda Session**

- ☒ Attendance
- ☒ Additional Information *need contract w/ wheeler / old policy & pro.*
- ☒ New Information
- ☒ Requested Information
- ☒ Distribute Agenda Session packet to anyone absent
- ☒ Make sure Lana / Marilyn have their copies

☐ **Final Agenda**

- ☒ Additional Information
- ☒ Minutes
- ☐ All signatures on Staff Review Form and executed contracts (other side)
- ☐ Include all contracts *NEED CONTRACT FOR WHEELER*
- ☒ Include budget adjustments
- ☒ 24 copies of agenda packet distributed to Distribution
- ☒ 34 copies of agenda cover distributed to general staff
- ☒ 15 copies of agenda cover placed in City Council entry box
- ☒ Advertisement
 - ☒ X Display ad faxed to NWAT, Friday, 11:00 a.m. *4:30*
 - ☒ X Fax proof checked / returned to NWAT by Friday afternoon *11A*
 - ☒ Cut out Final Agenda from Monday newspaper
- ☒ X Internet disk: approved minutes, agenda, public meetings to Kevin Springer

☐ **City Council**

- ☒ Roll tally
- ☒ Assemble and bring full agenda
- ☐ Resolutions / Ordinances:
 - ☒ Resolutions / Ordinances assembled and signed
 - ☐ Update Resolutions / Ordinances Book
 - ☐ Attach correspondence / conversations to Resolutions / Ordinances
 - ☐ Resolutions / Ordinances indexed and microfilmed
 - ☒ Publish ordinances *SENT 12/28/99 2:45*
 - ☐ File ordinances at Washington County Courthouse
 - ☐ Distribute originals and copies with cover letters
 - ☐ Send ordinances for codification
- ☐ Thank you letters to speakers
- ☐ Send notification letters to applicants
- ☒ Index City Council minutes *12/7/99*
- ☒ Distribute City Council minutes *12/7/99 minutes.*
 - ☒ Planning
 - ☒ Marilyn Cramer
 - ☒ Arthur Andersen
 - ☒ Public Library

*Wheeler contract
given out at C.C.*

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

FINAL AGENDA FAYETTEVILLE CITY COUNCIL DECEMBER 21, 1999

A meeting of the Fayetteville City Council will be held on December 21, 1999 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

- **NOMINATING COMMITTEE REPORT**

Approved.

- A. **CONSENT AGENDA**

1. **APPROVAL OF THE MINUTES:** Approval of the minutes of the December 7, 1999 City Council meeting.
2. **PARK LAND WAIVER:** A resolution approving a waiver of Ordinance 3793 to accept money in lieu of the land dedication requirement. The developer for the proposed subdivision is Summit Development. The property is located south of Highway 16 West and west of Shiloh Drive.
Res 161-99
3. **TROLLEY OPERATIONS:** A resolution accepting a renewal agreement with Jones Transportation Services for Trolley Operations for the period of January 1, 2000 through December 31, 2000.
162-99
4. **PAY PLAN ADJUSTMENT:** A resolution adopting a year 2000 pay plan for hourly, salaried, executive and civil service fire and police personnel.
163-99
5. **2000 COMPLETE COUNT:** A resolution approving an interlocal agreement between the County and incorporated cities within Washington County. The agreement authorizes the creation of a Washington County Complete Count Committee for the purpose of facilitating the Year 2000 Census.
164-99
6. **HIGHWAY 265 SIDEWALKS:** A resolution authorizing the payment of \$53,579.00 to the Arkansas Highway and Transportation Department for the City of Fayetteville's costs to install sidewalks along Highway 265, between Highway 16 East and Highway 45.
165-99

B. OLD BUSINESS

- left on
2ND*
1. **VA 99-13:** An ordinance approving vacation request VA 99-13.00 submitted by Mike Roetzel on behalf of Buddy Peoples for property located at 28th Court. The request is to vacate the undeveloped street right-of-way located west of Club Oak Drive within Edge Hill Subdivision. This item was left on the first reading at the December 7, 1999 meeting.
 2. **RZ 99-32:** An ordinance approving rezoning request RZ 99-32.00 submitted by Stephen Thetford for property located at 3351 W. Wedington Drive. The property is zoned R-O, Residential Office and contains approximately 0.69 acres. The request is to rezone the property to C-1, Neighborhood Commercial. This item was left on the second reading at the December 7, 1999 meeting.
 3. **2000 ANNUAL BUDGET AND WORK PROGRAM:** A resolution adopting the 2000 City of Fayetteville Annual Budget and Work Program. This item was tabled at the December 7, 1999 meeting.
- ORD
4205*
- Res
166-99*

C. NEW BUSINESS

- RES 167-99*
1. **WHEELER WATER ASSOCIATION:** A resolution approving a purchase agreement for the Wheeler Water system.
 2. **INVESTMENT POLICY:** A resolution approving a new investment policy to replace Policy Acct. 2 (effective July 2, 1996) in the City of Fayetteville Policy and Procedures, as permitted by State of Arkansas Act 1341 of 1999.
 3. **HIGHWAY 265 CONDEMNATION:** An ordinance authorizing the City Attorney to seek possession of certain lands located along Highway 265 in the City of Fayetteville, Arkansas by the Power of Eminent Domain, in association with the required easements for the Highway 265 Water and Sewer Relocations.
- ORD
4206*

**TENTATIVE AGENDA
FAYETTEVILLE CITY COUNCIL
DECEMBER 21, 1999**

A meeting of the Fayetteville City Council will be held on December 21, 1999 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

• **NOMINATING COMMITTEE REPORT**

A. CONSENT AGENDA

1. **APPROVAL OF THE MINUTES:** Approval of the December 7, 1999 City Council minutes.
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5. **✓2000 COMPLETE COUNT:** A resolution approving an interlocal agreement between the County and incorporated cities within Washington County. The agreement authorizes the creation of a Washington County Complete Count Committee for the purpose of facilitating the Year 2000 Census.
6. **✓HIGHWAY 265 SIDEWALKS:** A resolution authorizing the payment of \$53,579.00 to the Arkansas Highway and Transportation Department for the City of Fayetteville's costs to install sidewalks along Highway 265, between Highway 16 East and Highway 45.

B. OLD BUSINESS

1. **✓VA 99-13:** An ordinance approving vacation request VA 99-13.00 submitted by Mike Roetzel on behalf of Buddy Peoples for property located at 28th Court. The request is to vacate the undeveloped street right-of-way located west of Club Oak Drive within Edge Hill Subdivision. This item was left on the first reading at the December 7, 1999 meeting.
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3. **✓2000 ANNUAL BUDGET AND WORK PROGRAM:** A resolution adopting the 2000 City of Fayetteville Annual Budget and Work Program. This item was tabled at the December 7, 1999 meeting.

C. NEW BUSINESS

- Signed Contract due back Monday.*
1. **WHEELER WATER ASSOCIATION:** A resolution approving a purchase agreement for the Wheeler Water system. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*

- Remove from agenda.*
2. **INVESTMENT POLICY:** A resolution approving a new investment policy to replace Policy Acct. 2 (effective July 2, 1996) in the City of Fayetteville Policy and Procedures, as permitted by State of Arkansas Act 1341 of 1991. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*

WATER TANK LEASE: A resolution approving an amendment to the lease with Western Methodist Assembly. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*

3. *Condemnation. Hwy 265*

*Public hearing - Dickson St.
Thurs 4-7:30.*

*4th.
405 CEC.*

THE CITY OF FAYETTEVILLE, ARKANSAS

**TENTATIVE AGENDA
FAYETTEVILLE CITY COUNCIL
DECEMBER 21, 1999**

A meeting of the Fayetteville City Council will be held on December 21, 1999 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

- **NOMINATING COMMITTEE REPORT**

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C. NEW BUSINESS

1. **WHEELER WATER ASSOCIATION:** A resolution approving a purchase agreement for the Wheeler Water system. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*
2. **INVESTMENT POLICY:** A resolution approving a new investment policy to replace Policy Acct. 2 (effective July 2, 1996) in the City of Fayetteville Policy and Procedures, as permitted by State of Arkansas Act 1341 of 1991. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*
3. **WATER TANK LEASE:** A resolution approving an amendment to the lease with Western Methodist Assembly. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*

STAFF REVIEW FORM

X AGENDA REQUEST
____ CONTRACT REVIEW
____ GRANT REVIEW

For the Fayetteville City Council meeting of December 21, 1999
FROM:

Connie Edmonston	Parks and Recreation	Public Works
_____ Name	_____ Division	_____ Department

ACTION REQUIRED:

Waiver of Ordinance 3793 to accept money in lieu as the park land requirement of the subdivision located west of Shiloh Drive.

COST TO CITY:

\$ <u> n/a </u>	\$ _____	_____
Cost of this Request	Category/Project Budget	Category/Project Name
_____	\$ _____	_____
Account Number	Funds Used To Date	Program Name
_____	\$ _____	_____
Project Number	Remaining Balance	Fund

BUDGET REVIEW: _____ Budgeted Item _____ Budget Adjustment Attached

_____	_____
Budget Manager	Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW: _____ GRANTING AGENCY: _____

_____	_____	_____	_____
Accounting Manager	Date	Internal Auditor	Date
_____	_____	_____	_____
City Attorney	Date	ADA Coordinator	Date
_____	_____	_____	_____
Purchasing Officer	Date		

STAFF RECOMMENDATION:

Waiver of Ordinance 3793 and to accept money in lieu as the park land requirement of the new subdivision to be located west of Shiloh Drive.

Connie Edmonston
Division Head
Charles Plunkett
Department Director
Kim Maguire
Administrative Services Director
Paul Brown
Mayor

12-1-99
Date
12-1-99
Date
12/1/99
Date
12/2/99
Date

Cross Reference

New Item: Yes No

Prev Ord/Res #: _____

Orig Contract Date: _____

Orig Contract Number: _____

DEPARTMENTAL CORRESPONDENCE

TO: Mayor Fred Hanna and City Council

THRU: Charles Venable, Public Works Director

FROM: Connie Edmonston, Parks & Recreation Superintendent *C.E.*

DATE: December 1, 1999

SUBJECT: Waiver of the Park Land Dedication Ordinance 3793

A new subdivision that is not currently named, is proposed south of Highway 16 West and west of Shiloh Drive. The subdivision consists of 108 multi-family units that sits on 9.28 acres. The owner and developer is Summit Development and the engineer is Sand Creek Engineering and Landscape Architecture Incorporated.

The requirement for park land is 2.16 acres and money in lieu is \$40,500. The actual total amount of acres or money in lieu will be determined during the final plat process in which the total number of lots are determined. The formula base is updated every two years. A letter was received from Summit Development, Inc. requesting consideration of a cash payment in lieu of a land dedication. (See attached letter.) Park staff toured the site with the engineer Stephen Kramer and recommended money in lieu be accepted as the requirement.

The Parks and Recreation Advisory Board held a special meeting on December 1, 1999 at the proposed site. (See meeting minutes.) The board recommended to accept money in lieu as the park land requirement based on the reasons stated below:

1. It is in close proximity to Ozark View Park which was selected as the future site for the Youth Center. Plans of the Youth Center are to expand the acreage to about 20 acres.
2. It is a higher priority to use the money to develop a walking trail from the existing subdivisions to the future Youth Center in Ozark View Park.
3. There was limited access from existing roadways to the proposed park within the subdivision. The subdivision is also located in close proximity to the Interstate 540, which would be a safety concern.
4. The developer proposed to provide several park amenities including a swimming pool, basketball court, tennis court, recreation building, picnic tables and grills, and an open park area for their residents.

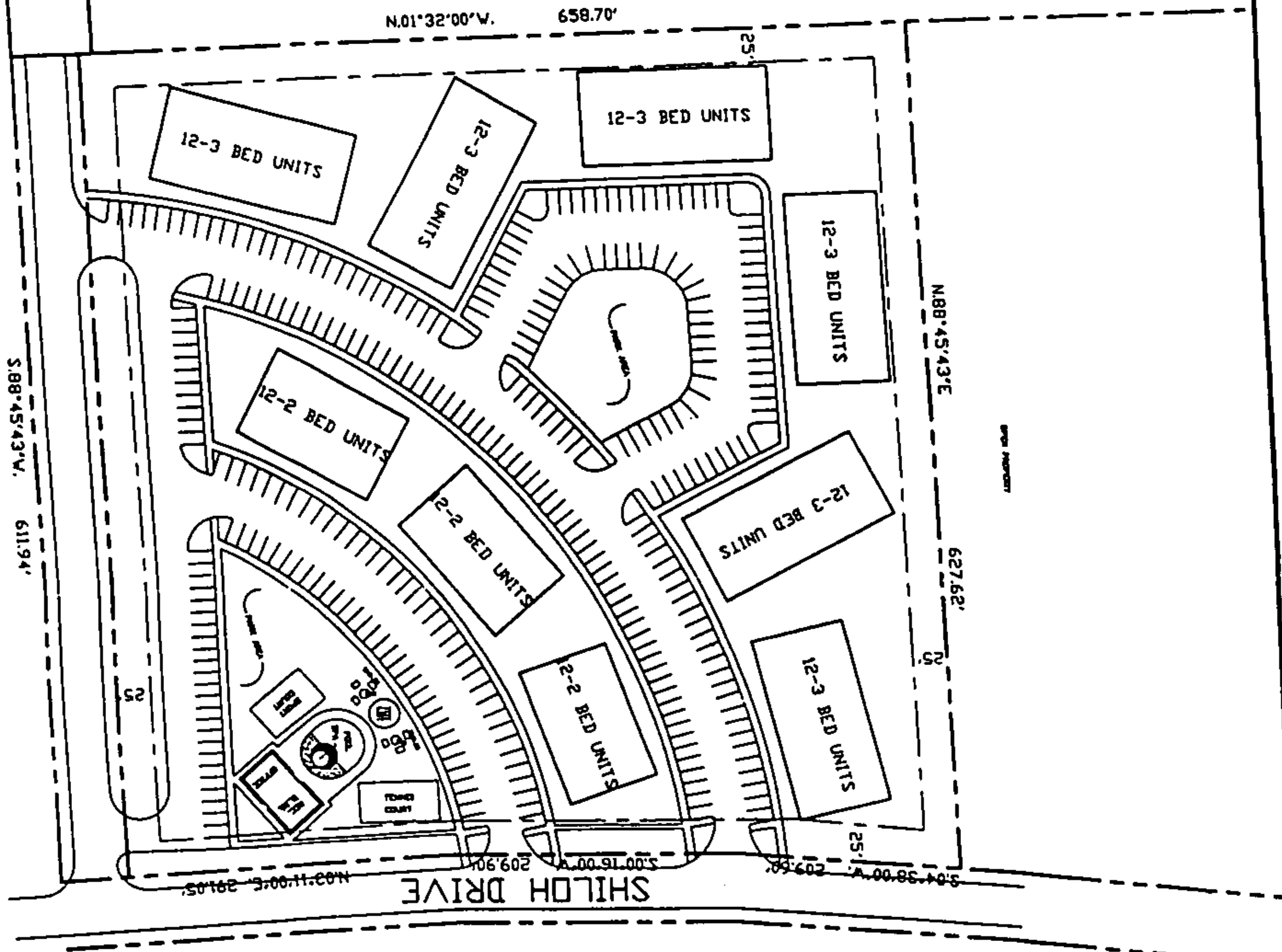
Because the proposed subdivision contains over 100 units, Ordinance 3793 regulates the Parks Division to accept a land dedication. The ordinance states:

However, if the Parks and Recreation Advisory Board determines that a neighborhood park is not feasible or advisable, it may recommend to the City Council that a cash contribution pursuant to our ordinance be accepted in lieu of land dedication. The City Council will either accept the recommendation for a cash contribution or return the subdivision plat to the Parks Board with instructions or for further study.

Please review this request to waive the park land dedication requirement and to accept money in lieu as the park land dedication requirement for this development. If you have questions, please call me at 444-3473.

Attachments:

Subdivision Conceptual Layout
Map
PRAB December 1, 1999 Minutes
Stephen Kramer Letter



9.28 ACRES
CURRENTLY ZONED R-2
WITHIN FAYETTEVILLE CITY LIMITS

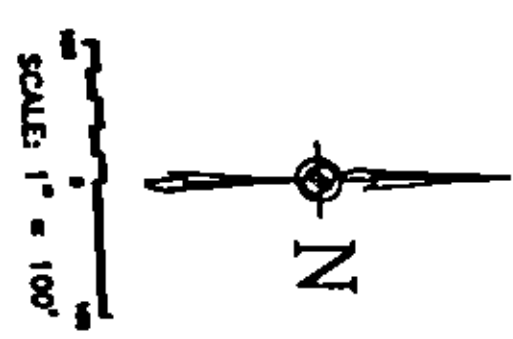
9 12-PLEX BUILDINGS WITH 108 UNITS TOTAL

REQUIRED PARKING 288
PROPOSED PARKING 310
22 SPACES OVER TO BE
APPLIED TO OFFICE/REC.
FACILITY AND AMENITIES.

NO DETENTION EXPECTED

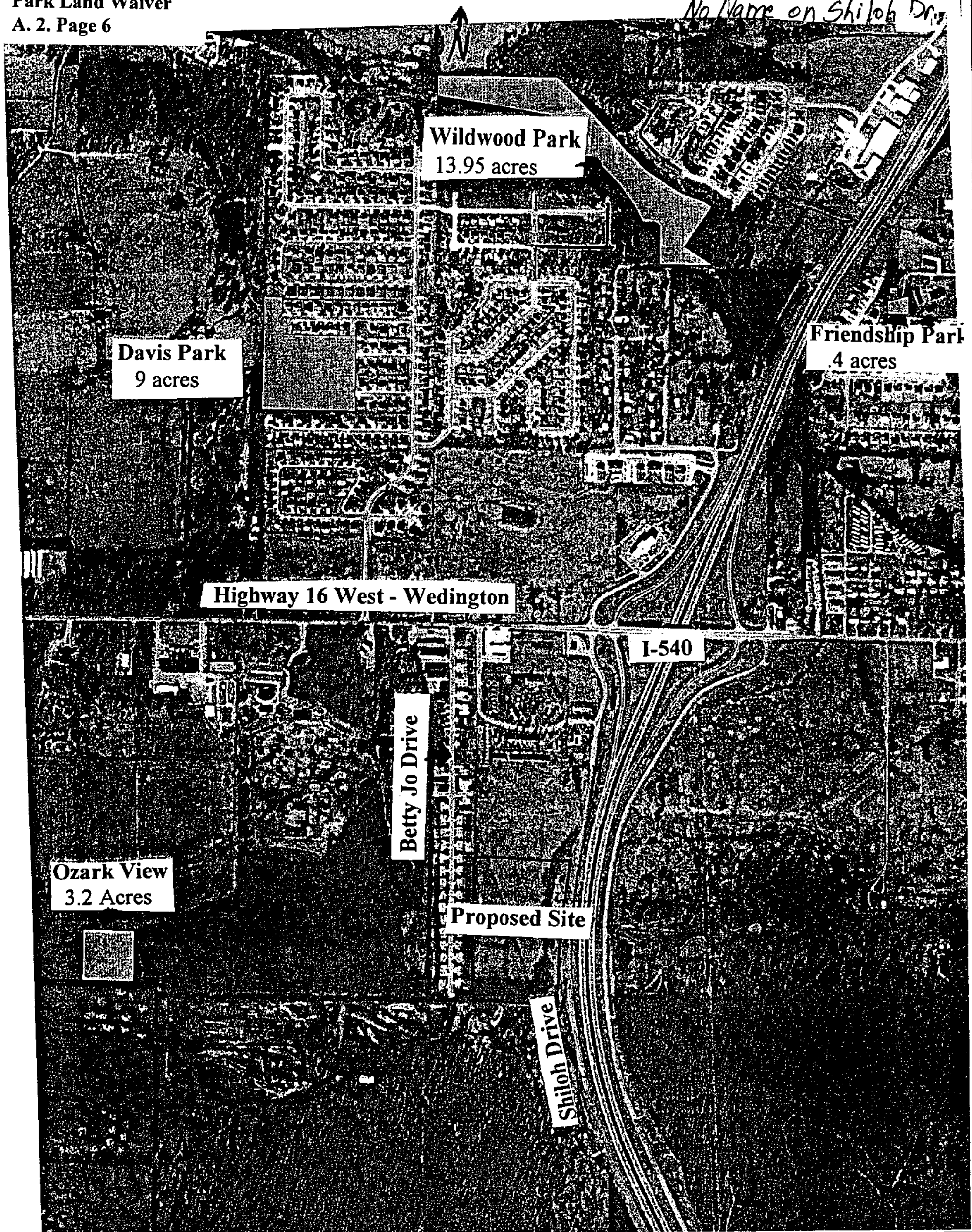
FLOOD STANDARD:
THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR
FLOOD ZONE ACCORDING TO THE FEMA FLOOD
INSURANCE RATE MAP, PANEL 40014X0005C &
001430005, REVISED AUGUST 18, 1991

OWNER/DEVELOPER
SUMMIT DEVELOPMENT
P.O. BOX 142
BENTONVILLE, AR. 72712



SAND CREEK L.L. SANDS ARCHITECTURE 1000 N. 10TH ST. SUITE 100 BENTONVILLE, AR 72712 (501) 330-0000	PRELIMINARY NOT FOR CONSTRUCTION	CONCEPTUAL LAYOUT LARGE SCALE DEVELOPMENT SHILOH DRIVE FAYETTEVILLE, ARKANSAS		REVISIONS <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	DESCRIPTION																											
		NO.	DATE		DESCRIPTION																													
SCALE: 1" = 100' DATE: 11/1/91 DRAWN BY: JLS CHECKED BY: JLS	PROJECT NO.: 91-01 SHEET NO.: 1 OF 1																																	

No Name on Shiloh Dr.



Wildwood Park
13.95 acres

Davis Park
9 acres

Friendship Park
4 acres

Highway 16 West - Wedington

I-540

Betty Jo Drive

Ozark View
3.2 Acres

Proposed Site

Shiloh Drive

MEMORANDUM

TO: Ms. Kim Rogers
City of Fayetteville

FROM: Stephen P. Kramer 
Summit Development, Inc.

SUBJECT: Proposed Multi-family Development

DATE: November 17, 1999

The attached drawing addresses items 1A, B, C, E and F of the "Developers Information on Park Requirements for Development".

Summit Development, Inc. is requesting a fee payment in lieu of land for this development.

Please let me know if you need additional information. I look forward to meeting with you regarding this proposed development.

PRAB
SPECIAL MEETING
DECEMBER 1, 1999

A special Parks and Recreation Advisory Board meeting was held December 1, 1999. The Parks and Recreation Advisory Board visited an unnamed development south of Highway 16 on Shiloh Drive. The purpose of the meeting was to visit the development to consider for park land or money in lieu of the Park Land Ordinance.

Members Present: Alexander, Colwell, Eads, Luttrell, Shoulders, Stockland

Members Absent: Ackerman

Staff Present: Edmonston, Evans, Gulley, Rogers, Schuldt

Media Present: Matt Wagner- NWA Times

Development:	No name. (Shiloh Drive)
Engineer:	Sand Creek
Owner/Developer:	Summit Development
Location:	South of Highway 16 on Shiloh Drive to the west
Park District:	Southwest
Units:	108 Multi-Units
Total Acres:	9.28 acres
Land Dedication Requirement:	2.16 acres
Money In Lieu:	\$40,500
Existing Parks:	Ozark View (3.2 acres); Davis (9); Finger (19)
Staff Recommendation:	Money in Lieu. This will require a waiver to the Park Land Dedication Ordinance since it contains over 100 units. It is in close proximity of Ozark View Park, which was selected as the site for the future Youth Center. The development has included a swimming pool, basketball court, tennis court, recreation building, picnic tables and grills, and an open park area.

Mrs. Theil stated that the apartment complex could prevent access to others not living in the apartments from using the amenities.

Mr. Schuldt stated that yes, the apartment could refuse access to the amenities for non residents.

Mrs. Theil stated that others in this area wouldn't have a park.

Mr. Schuldt stated that the Fayetteville Youth Center has a proposed site and there are other surrounding parks in the area.

Mr. Luttrell stated that Ozark Electric is discussing a road that would go through from Shiloh Drive towards Ozark Electric and beyond, thus, making easier access to Fayetteville Youth Centers proposed site.

Mr. Gulley said the new proposed Fayetteville Youth Center site would have many amenities.

PRAB Special Meeting

Mrs. Theil recommended to earmark money for a trail along the boundary that Mr. Luttrell had discussed.

Mr. Luttrell stated that there had been a discussion with Mr. Marinoni, the land owner to the south and he is receptive to the idea of the road.

Mr. Schuldt said if we do put in a park and the complex provides amenities it would be hard for people to distinguish which is an amenity and which is a park.

Mr. Alexander stated he didn't see the feasibility of placing a park in a apartment complex.

Mrs. Theil said that her concern was the neighbors in adjoining subdivisions, however if other parks are accessible that's okay.

Mr. Luttrell said he was concerned with people walking through residents yards to get to the park in the new subdivision.

Mrs. Edmonston complimented the developer for providing the various park amenities for the residents.

Motion: Mr. Alexander motioned to take money in lieu of land, based on its close proximity to Ozark View and possibly Fayetteville Youth Center.

Mr. Luttrell seconded the motion.

Motion passed 7-0.

Development:	Appleby Estates
Engineer:	Jorgensen & Associates
Owner/Developer:	Bleaux Barnes & Sam Mathias
Location:	South of Appleby Road and east of Gregg Street
Park District:	Northwest
Units:	17 Single Family
Total Acres:	8.08 acres
Land Dedication Requirement:	.425 acres
Money In Lieu:	\$7,990
Existing Parks:	Gordon Long (6.62 acres); Gregory (19.3)
Staff Recommendation:	Money in Lieu. It is located close to Gordon Long Park and the land dedication is only .425 acres. The development is not linked to the park and contains Skull creek which is in the flood way.

Mr. Schuldt stated staff visited the site to see it if Gordon Long could connect with the proposed land. Staff request money in lieu of land based on the fact that we cannot connect the land with Gordon Long. There is also a steep area and a creek running through the proposed land.

Mr. Gulley said the creek was Skull Creek.

Mrs. Theil said that Gordon Long is the only park in this area.

Mr. Gulley stated yes, but these apartments over here also have amenities. He also stated that Drake Road will be cutting through the park and area.

Mrs. Eads said we need more park land eventually, but not this land.

Mr. Alexander stated not .425 acres.

Mrs. Theil said this is a small amount of land. Greenspace wouldn't be good, not in this area, not this piece of land.

Mr. Gulley stated that the area near the creek would be in the floodway and that there is already a walking trail proposed in this area.

Mr. Shuldt stated he had visited with Chuck Rutherford and that a trail on the west side on the creek would be better.

Mr. Alexander said we have been discussing getting a large amount of land in the area.

Motion: Wade Colwell motioned for money in lieu of land.

Mr. Stockland seconded the motion.

Motion passed 7-0.

Parks and Recreation Advisory Board meeting for Monday, December 6, 1999 is at 5:30 p.m. Holiday snacks will be provided at 5:00 p.m.

Meeting dismissed at 12:35 p.m.

MINUTES APPROVED: _____

MINUTES TAKEN BY: _____

Tracie A. Evans

RECEIVED

STAFF REVIEW FORM

XX AGENDA REQUEST
____ CONTRACT REVIEW
____ GRANT REVIEW

DEC 06 1999

CITY OF FAYETTEVILLE
For the Fayetteville City Council's Office Meeting of December 21, 1999

FROM:

W.A. Oestreich
Name

Fleet Operations
Division

Administrative Services
Department

ACTION REQUIRED:

Acceptance of Renewal Agreement for Trolley Operations for the period of January 1, 2000 through December 31, 2000. This is in accordance with the provisions of Resolution 11-99, Item 13 dated February 2, 1999. The vendor for this Agreement will be Jones Transportation Service, Inc., 1617 Ramsey Ave., Fayetteville, AR 72703 (Vendor #2857)

COST TO CITY:

\$ NTE 45,000
Cost of this Request

\$ 15,000
30,000
Category/Project Budget

Category/Project Name

2120-9120-5315-01

A+P

1010-6000-5103-00

MISCELLANEOUS

Account Number

\$ -0-
Funds Used To Date

Program Name

Project Number

15,000
\$ 35,000
Remaining Balance

A+P
General Fund
Fund

BUDGET REVIEW: XX Budgeted Item _____ Budget Adjustment Attached

Steph Sand
Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY: _____

Marilyn J. Branner
Accounting Manager

12-2-99
Date

ADA Coordinator

Date

[Signature]
City Attorney

12-2-99
Date

Yolanda Dill
Internal Auditor

12-2-99
Date

Purchasing Officer

Date

STAFF RECOMMENDATION:

Acceptance of Attached Agreement

W.A. Oestreich
Division Head

11.30.99
Date

Cross Reference

Department Director

Date

New Item: Yes No

[Signature]
Administrative Services Director

12/6/99
Date

Prev Ord/Res #: _____

[Signature]
Mayor

12/6/99
Date

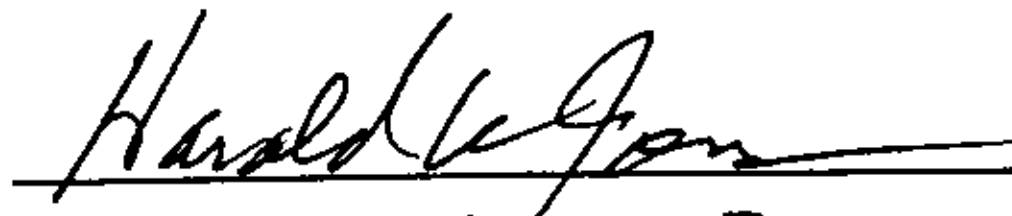
Orig Contract Date: _____

*JONES TRANSPORTATION SERVICE, INC.
1617 RAMSEY AVENUE
FAYETTEVILLE, AR 72703
501.443.6646*

FRED HANNA, MAYOR
CITY OF FAYETTEVILLE
113 WEST MOUNTAIN ST.
FAYETTEVILLE, AR 72701

REFERENCE: TROLLEY OPERATION AGREEMENT DATED FEBRUARY 2,
1999 - PROVISION #13

IN ACCORDANCE WITH ITEM #13 OF THE OPERATING AGREEMENT DATED
FEBRUARY 2, 1999, PLEASE BE ADVISED THAT THE JONES
TRANSPORTATION SERVICE INC. WILL PROVIDE CONTINUING SERVICE FOR
THE PERIOD OF JANUARY 1, 2000 THROUGH DECEMBER 31, 2000 AT
THE TERMS AND CONDITIONS OF THE ORIGINAL AGREEMENT. NO INCREASES
OR CHANGES ARE PLANNED FOR THIS TIME PERIOD.


HAROLD W. JONES, PRESIDENT
JONES TRANSPORTATION SERVICE, INC.

11-30-99
DATE

RESOLUTION NO. 11-99

MICROFILMED

A RESOLUTION APPROVING AN AGREEMENT WITH JONES TRANSPORTATION SERVICE, INC., FOR THE PROVISION OF TROLLEY OPERATIONS FOR THE PERIOD OF MARCH 1, 1999 THROUGH DECEMBER 31, 1999, WITH FOUR ONE YEAR RENEWAL OPTIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council hereby approves an agreement with Jones Transportation Service, Inc., for the provision of trolley operations for the period of March 1, 1999 through December 31, 1999, with four 1-year renewal options; and authorizes the Mayor and City Clerk to execute said agreement. A copy of the agreement is attached hereto marked Exhibit "A" and made a part hereof.

PASSED AND APPROVED this 2nd day of February, 1999.

APPROVED:

By: _____

Fred Hanna
Fred Hanna, Mayor



By: _____

Heather Woodruff
Heather Woodruff, City Clerk



EXHIBIT A**AGREEMENT**

THIS AGREEMENT, entered into as of this 2 day of February, 1997, by and between Jones Transportation Service, Inc., hereinafter referred to as "JTS" and The City of Fayetteville, Arkansas, hereinafter referred to as "the City".

WITNESSETH THAT:

JTS and the City will jointly provide transportation service for the City in accordance with guidelines contained herein:

1. TYPE OF SERVICE

The service shall be open to members of the general public and shall not be operated exclusively for any one group or organization.

2. ROUTE DEVELOPMENT

JTS will assist the City in developing the most time and mileage efficient routing and scheduling for the service.

3. VEHICLES & INSURANCE

JTS will operate vehicles owned by the City for service provided under this Agreement. Vehicles will be operated in accordance with routes approved by the City. In no instance will vehicles be operated by the City for services not provided under this Agreement, or outside the State of Arkansas, unless the City shall secure adequate insurance covering such operation and operate under its own authority. JTS's use of said vehicles shall be limited to service provided under this Agreement unless approved by the City.

Because it is not immune from tort liability, JTS agrees to maintain the following vehicle insurance coverage on all vehicles operated under this agreement:

Liability: \$1,000,000.00 combined single limit.
Medical: \$5,000.00.
Uninsured Motorist: \$500,000.00.
Underinsured Motorist: \$500,000.00.
Comprehensive: Deductible: \$25.00.
Collision: Deductible: \$500.00.

JTS will provide for insurance as specified above on the three (3) City owned vehicles in place at the time of initiation of this contract that are used for the provision of trolley services. During the term of this contract, should the City decide to replace equipment or expand the number of vehicles in service, the City and JTS will conduct an insurance cost review to determine if rate of payment adjustments should be made as defined in Section Nine (9) of this agreement.

4. MAINTENANCE & LICENSING

The City shall provide vehicle maintenance at the City Shop. The City will provide fuel, oil and other necessary operating supplies. Licensing and other operating costs will be provided by the City.

JTS shall comply with all scheduled maintenance as set by the City and is to notify the City of any maintenance or repair needs on the vehicles. Necessary movement of vehicles shall be coordinated with the City Shop. If necessary and approved by the City, JTS will provide maintenance or repair, and will subsequently bill the City at current rates charged to non-profits.

JTS shall not obligate the City to pay any cost pertaining to any aspect of this agreement without prior written authorization.

5. DISPATCH & OPERATIONS

Each vehicle will be equipped with proper communication equipment.

JTS will do all dispatching and scheduling. The City will use request forms signed by authorized agent for the City or use phone authorization by the City agent and JTS agent for scheduling.

JTS will provide spare vehicles to insure uninterrupted service to the City in the event of malfunction of the assigned vehicles. Spare vehicles will match the capacity of regularly assigned vehicles when possible.

6. DRIVERS

JTS shall provide all Drivers for service operated under this agreement who shall receive special orientation and training to prepare them to educate passengers, in addition to JTS's regular Driver training. Said training shall consist primarily of a set of written materials which shall be memorized by Drivers for repetition to passengers, and a set of guidelines for dress, behavior, and any other items designated by the City or JTS.

Adequate scheduling, supervision, and substitute Drivers shall be provided to assure uninterrupted service.

Drivers used to provide service to the City will:

- (a) Hold licenses required by federal and state law.
- (b) Have a satisfactory driving record based on information documented from the Arkansas Department of Motor Vehicles, and continue to demonstrate ability to drive the vehicle to JTS's satisfaction.
- (c) Successfully complete, and update as needed, training in accordance with JTS's training policy.

- (d) Be approved by JTS to drive based on the above criteria.

In addition, Drivers will adhere to guidelines provided by the City for dress, behavior, and other performance based items designated by the City. All policies in this area will be communicated to the authorized JTS representative.

7. PROMOTION & PUBLIC AWARENESS

JTS will work with the City to develop an on-going program of public awareness to assure that tourists and City residents know of the service and are able to access it. It is understood that JTS shall not pay for any promotion or advertising under this Agreement, other than minor in-house mailing.

8. INCLEMENT WEATHER

Either the City or JTS may, in case of inclement weather and/or hazardous road conditions, cancel or modify scheduled transportation service.

9. RATE OF PAYMENT

- (a) Normal Trolley route - \$17.50 per hour.
(1) Non profit group rate - same.
- (b) For supplemental rates - \$25.00 per hour for personal or private groups. City to receive \$7.50 credit per hour.
- (c) \$29.90 per hour when JTS unit used. City to receive no credit.

Rates may be subject to periodic adjustments upon written agreement of both parties, the City and JTS.

10. METHOD OF PAYMENT

JTS will bill the City monthly for transit service provided under this Agreement using a format designed to show the hours of services provided to the City.

Personal or Private groups will be billed direct. Copies of such billing shall be made available to the City.

11. RECORDS

JTS's responsibility for record-keeping, financial and record data computations shall be limited under this Agreement to number of riders, daily trip sheets, and records required by the Arkansas Highway and Transportation Department. Maintenance records shall be maintained by the City and shall be open to inspection by JTS and its agents, including representatives of the Arkansas Highway and

Transportation Department upon request.

12. REPRESENTATIVES AND NOTICE

The representatives of the respective parties who are authorized to administer this Agreement and to whom formal notices, demands, and communications shall be given are as follows:

The representative of JTS shall be:

Harold W. Jones, President/Owner
Jones Transportation Service, Inc.
1617 Ramsey Avenue
Fayetteville, AR 72703

The representative of the City shall be:

Fred Hanna, Mayor
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Notice as required by the terms of this agreement shall be effective upon hand delivery, in writing, to the appropriate representative listed above five (5) days after written notice is mailed First Class, U. S. Postage, to said representative.

13. TIME OF PERFORMANCE

The initial term of this Agreement shall be from March 1, 1999, until December 31, 1999. After the end of the initial term, the City shall have the option to renew this Agreement for four (4) additional one year terms. Exercise of optional renewals will be by written agreement of both parties, the City of Fayetteville and JTS.

14. AGREEMENT AMENDMENTS

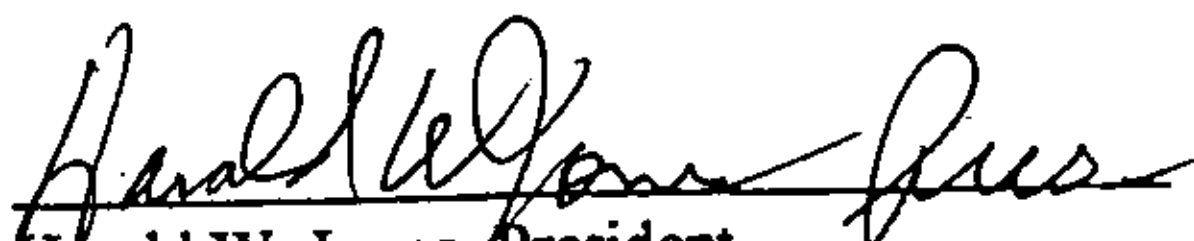
This Agreement may be modified at any time by a memorandum of understanding with the mutual agreement of both parties.

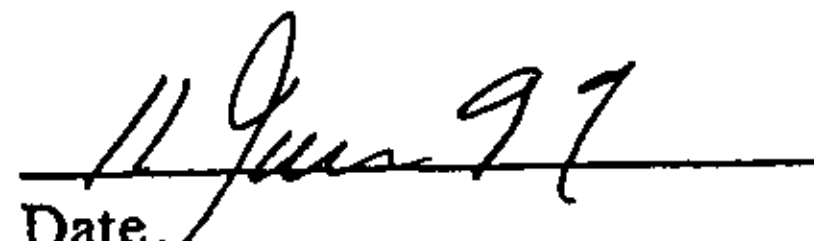
15. AGREEMENT TERMINATION

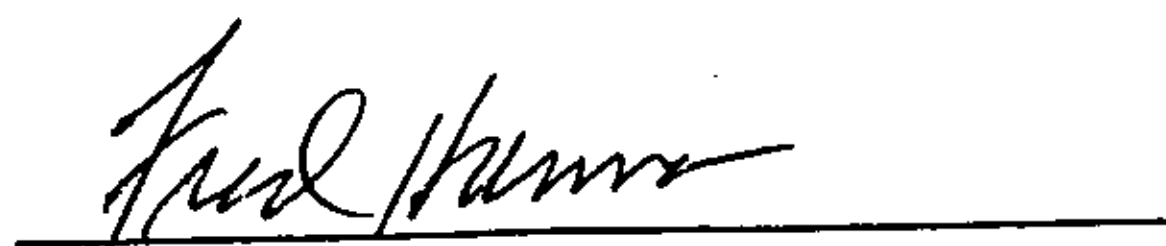
This Agreement may be terminated by one (1) of the following methods:

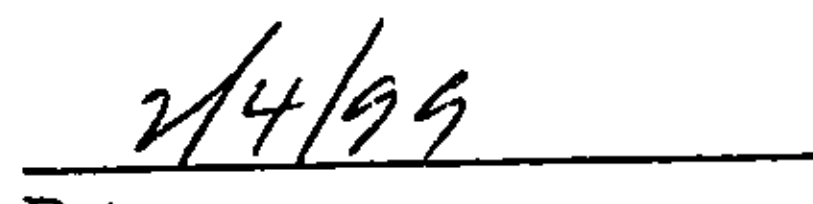
- (a) Either party may terminate this Agreement upon thirty (30) days' written notification, or
- (b) Both parties, by their mutual consent, may terminate this Agreement immediately.

IN WITNESS WHEREOF, this Agreement is signed and made effective by the following:


Harold W. Jones, President
Jones Transportation Service, Inc.


Date


Fred Hanna, Mayor
City of Fayetteville


Date

Pay Plan
A. 4. Page 1

xx Agenda Request DEC 08 1999
 _____ Contract Review CITY OF FAYETTEVILLE
 _____ Grant Review CITY CLERK'S OFFICE

FOR THE FAYETTEVILLE CITY COUNCIL MEETING OF DECEMBER 21, 1999

FROM:

<u>DON BAILEY</u>	<u>PERSONNEL</u>	<u>ADMIN. SERVICES</u>
Name	Division	Department

ACTION REQUESTED: ADOPT A YEAR 2000 PAY PLAN FOR HOURLY, SALARIED, EXECUTIVE AND CIVIL SERVICE FIRE AND POLICE PERSONNEL EFFECTIVE WITH YEAR 2000 PAYROLL NUMBER 1 BEGINNING ON 12-27-99, PAID ON 1-14-00.

COST TO THE CITY:

\$ 730,158	\$ SEE ATTACHMENT A	PERSONNEL SERVICES
Cost of this request VARIOUS	Category/Project Budget 0	Category/Project Name VARIOUS
Account Number N/A	Funds used to date SEE ATTACHMENT A	Program Name SEE ATTACHMENT A
Project Number	Remaining Balance	Fund

BUDGET REVIEW:

_____ Budgeted Item _____ Budget Adjustment Attached

Stephane Dore
Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

<u>Marilyn J. Cramer</u>	<u>12-6-99</u>
Accounting Manager	Date
<u>P. A. [Signature]</u>	<u>12-7-99</u>
City Attorney	Date
<u>Purchasing Officer</u>	<u>Date</u>

<u>Jolanda O. Tuls</u>	<u>12-7-99</u>
Internal Auditor	Date
<u>ADA Coordinator</u>	<u>Date</u>

STAFF RECOMMENDATION: ADOPT PAY PLAN FROM THE OPTIONS PRESENTED.

<u>Don Bailey</u>	<u>12-6-99</u>
Division Head	Date
<u>Don Magnus</u>	<u>12/6/99</u>
Department Director	Date
<u>John Magnus</u>	<u>12-6-99</u>
Administrative Services Director	Date
<u>Red Hume</u>	<u>12/6/99</u>
Mayor	Date

STAFF REVIEW FORM

Description _____ Meeting Date _____

Comments:

Budget Coordinator

Reference Comments:

Accounting Manager

City Attorney

Purchasing Officer

ADA Coordinator

Internal Auditor

THE CITY OF FAYETTEVILLE, ARKANSAS

TO: Mayor Fred Hanna and the City Council

FROM: John Maguire, Administrative Services Director
Don Bailey, Personnel Director *DB*

DATE: December 3, 1999

SUBJECT: **RECOMMENDATIONS FOR PAY PLAN REVISIONS**

The City's pay plan, developed with the assistance of Hay Management Consultants, was adopted January 1, 1990. Pay ranges adopted were based on public sector, private sector and civil service police and fire surveys. A primary objective of these surveys was to develop a pay practice that is competitive in the market place and internally equitable in relation to job content.

The standard adopted by our pay plan establishes the mid-point of the pay ranges as the average paid for jobs with similar levels of difficulty and required skills. This objective has been achieved. However, the market upon which pay is based is not static, and must be surveyed from time to time in order to maintain our competitive posture. A bi-annual wage survey is conducted as a means to determine if adjustments to pay ranges are needed.

Surveys were completed as scheduled in October, and Hay Management Consultants have prepared recommendations based on the survey data collected. The methodology utilized year to year to measure market change was again applied to analyze the raw survey data. The results of the survey indicate the below listed changes are needed to maintain a competitive market position.

1. Increase the step rates of Police and Fire as follows:

Firefighter	7%
Fire Captain	13%
Battalion Chief	17%
Police Officer	13%
Police Sergeant	15%
Police Lieutenant	19%

Mayor Fred Hanna
and the City Council

-2-

December 3, 1999

2. Increase the range midpoints of salaried and hourly jobs as follows:

Executive	4.7% (avg.)
Salaried Exempt	5% (avg.)
Hourly Non-Exempt	5%

3. Make these changes effective Payroll Number 1, 2000, beginning on December 27, 1999, and paid on January 14, 2000.

Staff recommends the following additional changes for incorporation in the Year 2000 Pay Plan.

1. Establish a Corporal position which individual Police Officers would achieve by completing five years of service and having received the Intermediate Certificate from the Commission on Law Enforcement Standards and Training.

A Corporal step rate will commence at Step F. This step will be set at a two step increase above the Police Officer Step E rate and will increase in tandem with the Police Officer steps through Year 20.

2. The incremental amount between Step G to Year 10, Step Year 10 to Year 15, and Step Year 15 to Year 20 will be changed to \$1000.00 from the current \$500.00 for both Police and Fire ranks.
3. Establish an FTO incentive bonus of \$1.50/hr for the time a rookie in training is assigned to the Officer. The bonus is to be paid in a lump sum at the time the training assignment is completed.
4. The City will amend its Section 401 and 457 Defined Contribution Plans to permit uniformed officers and firefighters to participate and elect to make either pre-tax or after tax contributions. Matching contribution will not be made by the City.

Staff, at the time of each previous pay adjustment, made an unqualified recommendation of adoption. We are, however, faced with the dilemma of insufficient budget to cover the unanticipated marked increases in the Police and Fire rates. We therefore respectfully request the Council to consider these alternatives in reaching a decision in this matter.

Mayor Fred Hanna
and the City Council

-3-

December 3, 1999

Option 1.

Approve intact the step increases as set forth in Chart 7, (pg 12-A), in the Hay Report (Attachment B). This action will create a \$400,000 shortfall as shown in the schedule of salary contingency funding - 2000 Proposed Budget (Attachment A). The 2000 Proposed Budget can be amended as reflected under funding options.

Option 2.

In the event a solution to the budget shortfall cannot be achieved, reduce the amount of Police and Fire step increases to 85% of the indicated market pay levels. Staff requests that City Council consider implementing the remaining pay range adjustment at mid year if revenues are sufficient to fund the request, or

Option 3.

Elect to utilize the General Fund Balance to fund the shortfall.

Also included with this cover letter are the Year 2000 Step Rates indicated by the market pay level (Attachment C), the step rates at 85% of the market pay level (Attachment D) and the general employees pay ranges by grade (Attachment E).

The public sector surveys for executive, police and fire, and the private sector surveys within Northwest Arkansas replicate the 1992, 1994, 1996 and 1998 surveys as closely as possible. We, and the Hay Consultant, are confident the results of the study are reliable. If any member of the Council desires additional detailed data, you are encouraged to discuss your questions with the Personnel Director.

Attachments

City of Fayetteville, Arkansas

Schedule of Salary Contingency Funding

- 2000 Proposed Budget

Fund	Total Salary Contingency Budget	Projected Annual Impact Of Pay Range Adjustments			Routine Annual Merit / Step Raises			Additional Funding For Salary Contingency
		Civil Service	Noncivil Service	Total	Civil Service	Noncivil Service	Total	
General	\$ 632,552	\$ 682,345	\$ 28,767	\$ 711,112	\$ 80,945	\$ 250,495	\$ 331,440	\$ (410,000)
Street	50,000		2,086	2,086		37,257	37,257	10,657
Community Development	4,600		0	0		3,783	3,783	817
Parks Development	10,000		0	0		2,597	2,597	7,403
Water & Sewer				0				
- Meter Operations	30,000		1,764	1,764		27,345	27,345	891
- Maintenance	60,000		4,329	4,329		37,465	37,465	18,206
Solid Waste	50,000		6,188	6,188		39,029	39,029	4,783
Airport	10,400		0	0		3,568	3,568	6,832
Shop	20,000		4,679	4,679		9,154	9,154	6,167
	\$ 867,552	\$ 682,345	\$ 47,813	\$ 730,158	\$ 80,945	\$ 410,693	\$ 491,638	\$ (354,244)

Staff proposes funding the General Fund shortfall in the following manner.

Funding Options	
Rollforward Remaining 1999 Salary Contingency	150,000
City Investment Changes	60,000
Fire Dept - Close Station 3 and Reduce Minimum Staffing	70,000
Police Department - Reduce OT	70,000
Parks & Recreation - Reallocate costs to Parks Dev. Fund	60,000
Dollars made available	410,000

City of Fayetteville, Arkansas

***Compensation Practices Update - Executive, Exempt, Police, Fire
& Nonexempt***

December 1999

HayGroup

ATT. B

Prepared by:

Paul Glogowski
Consultant

Roxann Hill
Technical Assistant

Hay Management Consultants
Dallas, Texas

for

City of Fayetteville, Arkansas

HayGroup

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<u>Section</u>	<u>Page</u>
I. Project Overview	1
II. Internal Pay Practice Analysis	2
III. Market Comparison Analysis	5
IV. Recommendations	13
Appendices	

I. Project Overview

Hay Management Consultants has completed an evaluation of the City of Fayetteville's compensation practices for Executive, Exempt, Nonexempt and Police and Fire positions.

Previously, Hay worked with the City on a comprehensive compensation project which was completed in December 1989. We further performed updates in November 1991, January 1994, December 1995 and October 1997.

The City has requested that the current study include an analysis of the Markets for each of the major employer categories.

Based on current market conditions, Hay Management Consultants was asked to provide recommendations for changes in the City of Fayetteville's pay policies. This report includes:

- Analysis of the City's Current Internal Pay Practices
- Market Comparison - Nonexempt
- Market Comparison - Exempt
- Market Comparison - Executive
- Market Comparison - Police and Fire
- Recommendations

II. Internal Pay Practice Analysis

The following summary statements describe the City of Fayetteville's current internal pay practice for each employee category as compared to the midpoint of the current pay ranges. The midpoint of each pay range is established as the average actual pay for like or comparable positions surveyed.

When the City conducted its original study in 1989, the Pay Plan Committee elected to establish a single salary range for nonexempt positions. ACEs (Additional Compensable Elements for working conditions and/or the work environment) were assigned to positions where warranted.

Nonexempt

Group A

Nonexempt Group A consists primarily of secretarial and clerical positions. These positions all function within a normal office environment and do not have ACEs assigned.

Current base rates for all Nonexempt A positions fall within established salary ranges. The base salary practice shows that positions in this employee group have an aggregate compa-ratio (salaries divided by midpoints) of 102.5%. This indicates that on average employees are paid slightly above the midpoint policy.

Group B

Nonexempt Group B jobs are those which have been classified as having occasional or moderate ACEs.

Pay for this group falls within established ranges for all positions with exception of one incumbent, Civilian Jailer. The base salary practice shows that positions in this employee group have an aggregate compa-ratio (salaries divided by midpoints) of 103.3%. Again, this indicates that on average employees are paid slightly above the midpoint policy.

II. Internal Pay Practice Analysis (cont'd)

Group C

Nonexempt Group C jobs are those which could be considered typical "blue collar" jobs and were judged to have considerable and continuous, or extreme but occasional ACEs.

Pay for this group falls within established ranges for all positions with exception of one incumbent, Maintenance Worker II. The base salary practice shows that positions in this employee group have an aggregate compa-ratio of 101.4%. Again, this indicates that on average employees are paid slightly above the midpoint policy.

Group D

Group D is the smallest of the City's nonexempt categories. Jobs in this category are those which were judged to have extreme and continuous ACEs and are primarily Sanitation/Refuse Workers. All of the incumbents in Group D are paid within the established salary range. The average compa-ratio for the group is 99.8%

II. Internal Pay Practice Analysis (cont'd)

Exempt

Pay for this group falls within established ranges for all positions with exception of two incumbents, both of which are programmer Analysts. The base salary practice shows that positions in this employee group have an aggregate compa-ratio of 107.8%. This indicates that on average employees are paid above the midpoint policy.

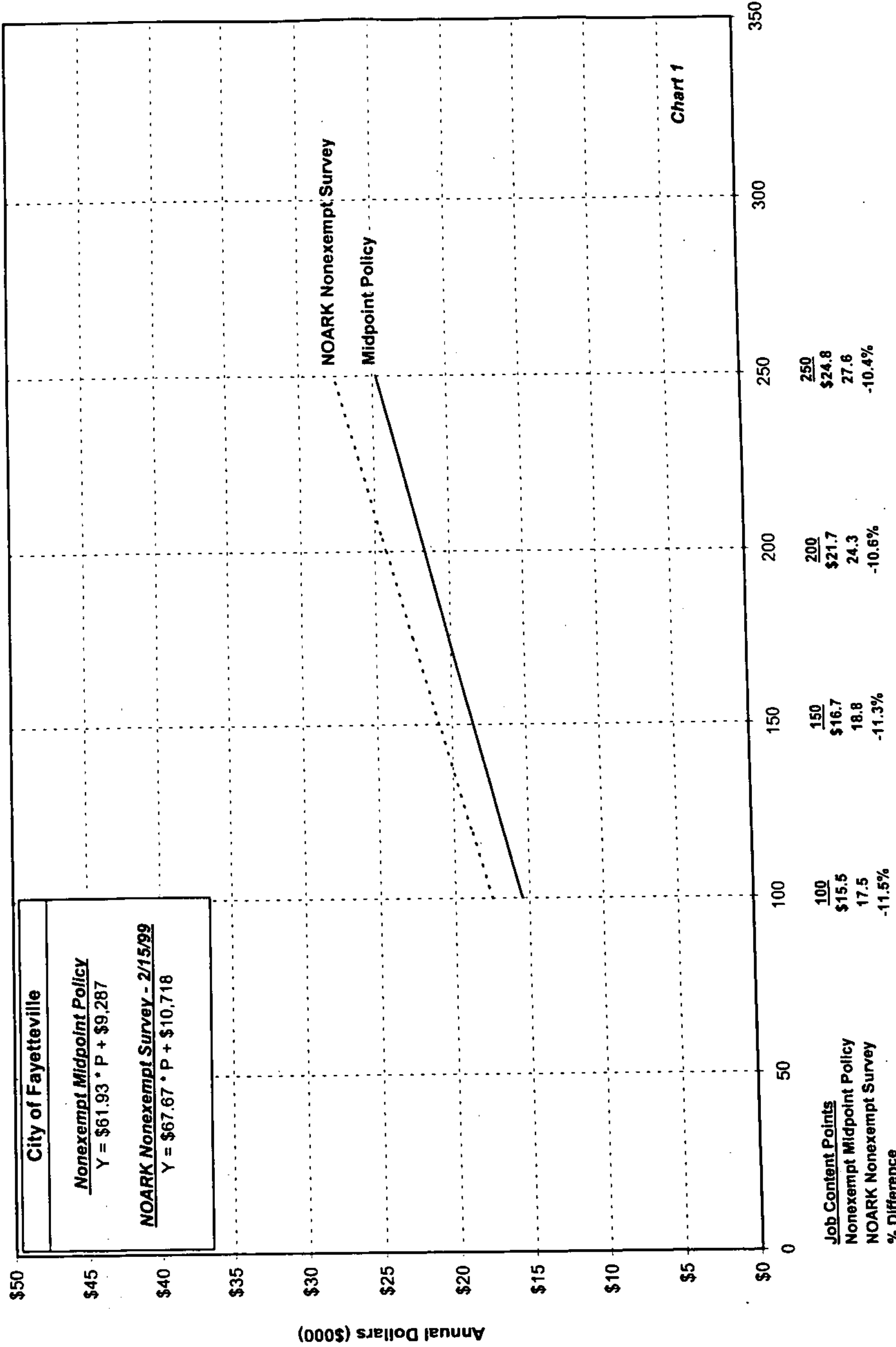
Executive

All incumbents in the Executive group are paid within the current salary range with the exception of the City Engineer who is paid slightly above the range maximum..

The base salary practice shows that positions in this employee group have an aggregate compa-ratio of 110.3%. This indicates that on average employees are paid well above the midpoint policy.

City of Fayetteville, Arkansas

Group A Midpoint Policy vs. NOARK Nonexempt Survey



III. Market Comparison Analysis

Each of the Nonexempt Groups has been compared separately in Charts 1 through 4 to the Nonexempt line generated from the 1999 NOARK Human Resource Association Compensation and Benefits Survey. A participant list is included in Appendix A.

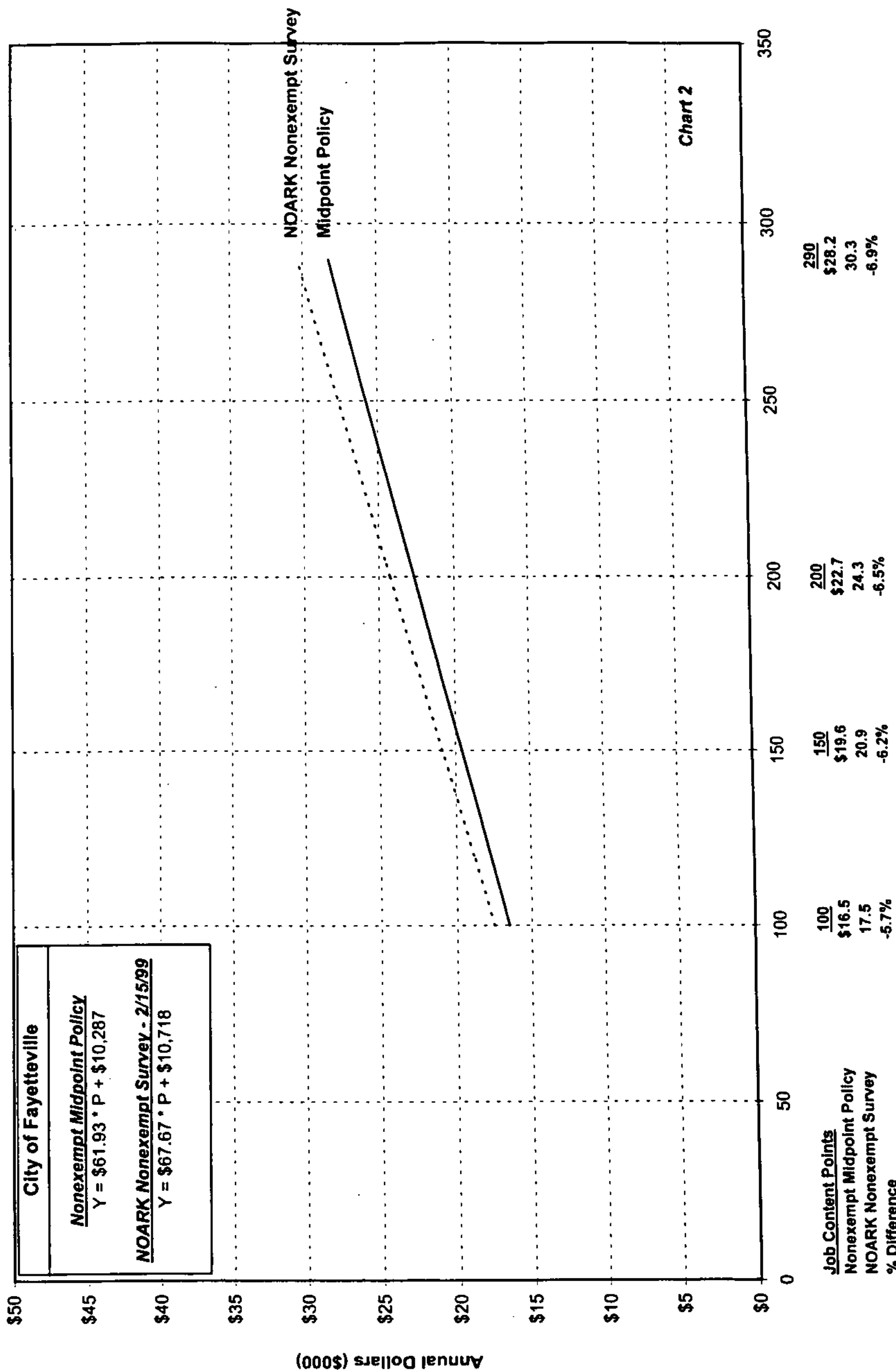
The City's policy for Nonexempt Group A (primarily Clerical and Secretarial jobs) is lower than the survey line, with the City's policy 11.5% lower at entry level and 10.4% lower at the highest levels of Nonexempt responsibility.

Nonexempt

Group A

City of Fayetteville, Arkansas

Group B Midpoint Policy vs. NOARK Nonexempt Survey



III. Market Comparison Analysis (cont'd)

The next three charts show each of the nonexempt groups which receive additional pay for ACEs. The current midpoint policies were established as part of the original study and are based on the Nonexempt A policy:

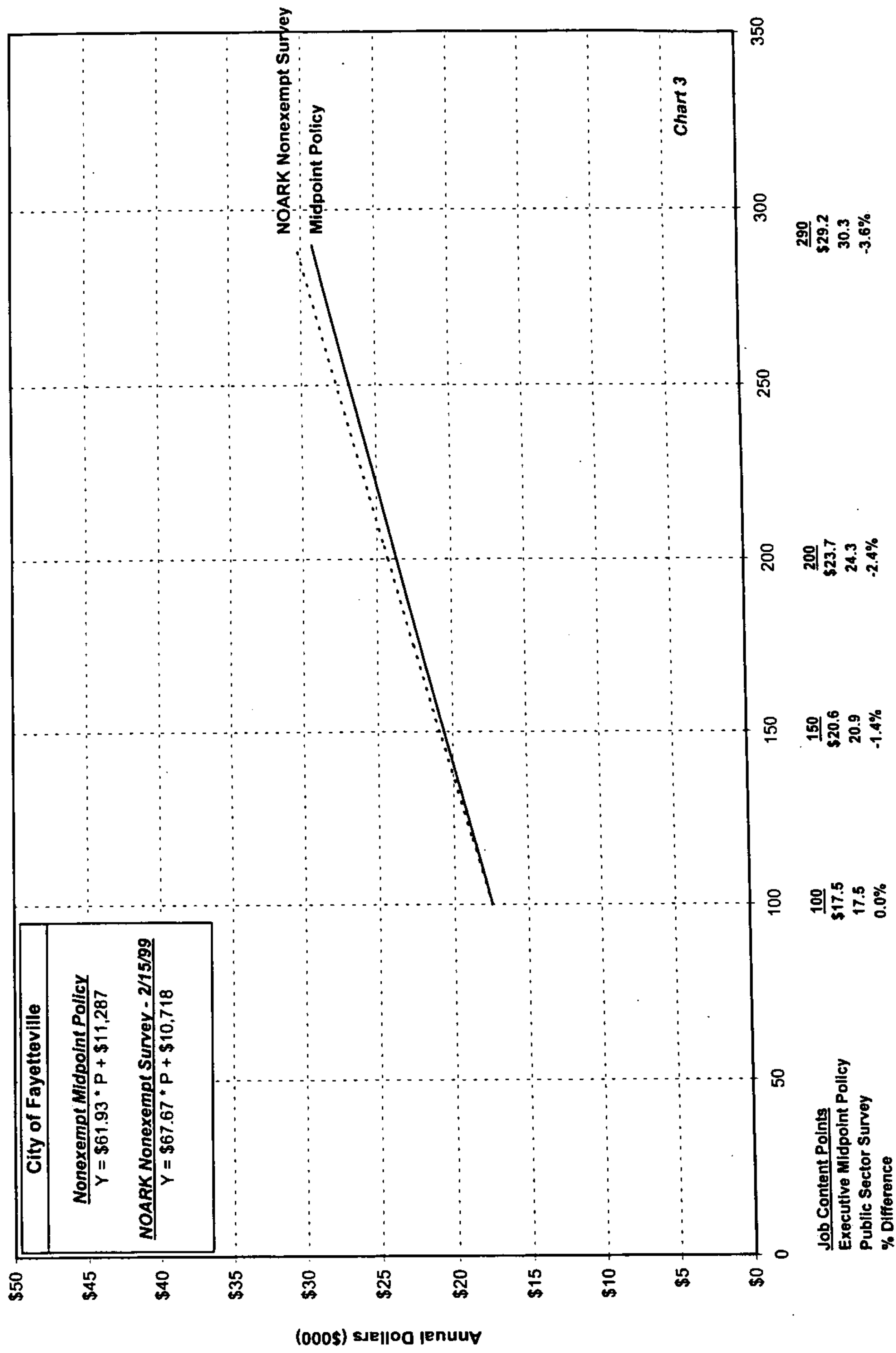
- Nonexempt B = Nonexempt A policy + \$1,000
- Nonexempt C = Nonexempt A policy + \$2,000
- Nonexempt D = Nonexempt A policy + \$3,000

Group B

The Chart facing (Group B) compares the same NOARK policy line to the Nonexempt A policy line including the \$1,000 premium. Lower level positions (at 100 grade points) have midpoints which are currently 5.7% below the survey line. Group B jobs which are at 290 grade points have midpoints 6.9% below the survey line.

City of Fayetteville, Arkansas

Group C Midpoint Policy vs. NOARK Nonexempt Survey



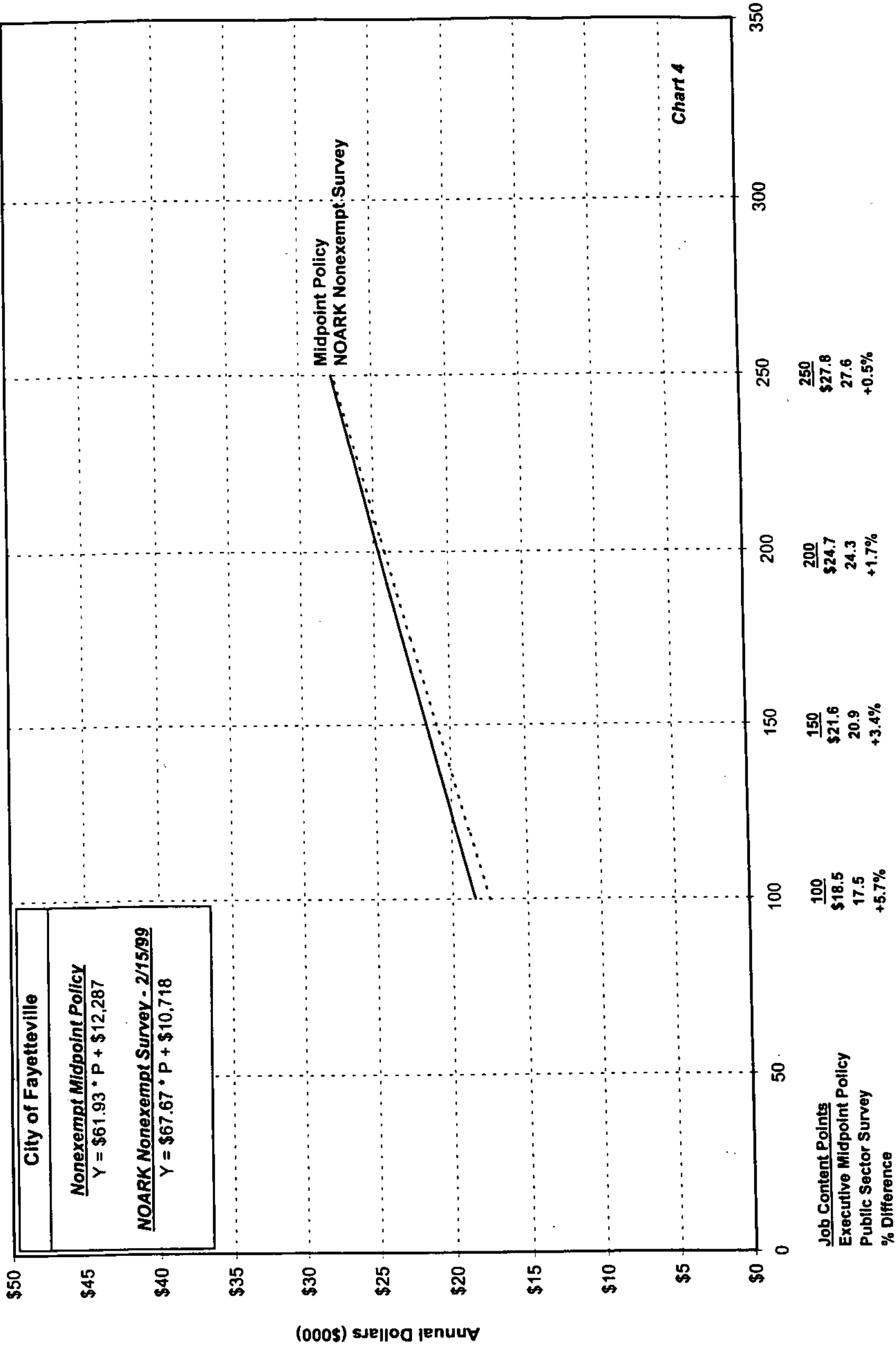
III. Market Comparison Analysis (cont'd)

Group C

Nonexempt Group C jobs (typical "blue collar" jobs, which receive a \$2,000 annual premium for ACEs) carry midpoints which are currently closer than any other Nonexempt group to the NOARK Nonexempt Survey. As can be seen on Chart 3, the differences between the City's midpoints and the NOARK Survey data ranges from: equal to the market at 100 grade points to 3.6% below the survey line at 290 grade points below the survey line.

City of Fayetteville, Arkansas

Group D Midpoint Policy vs. NOARK Nonexempt Survey



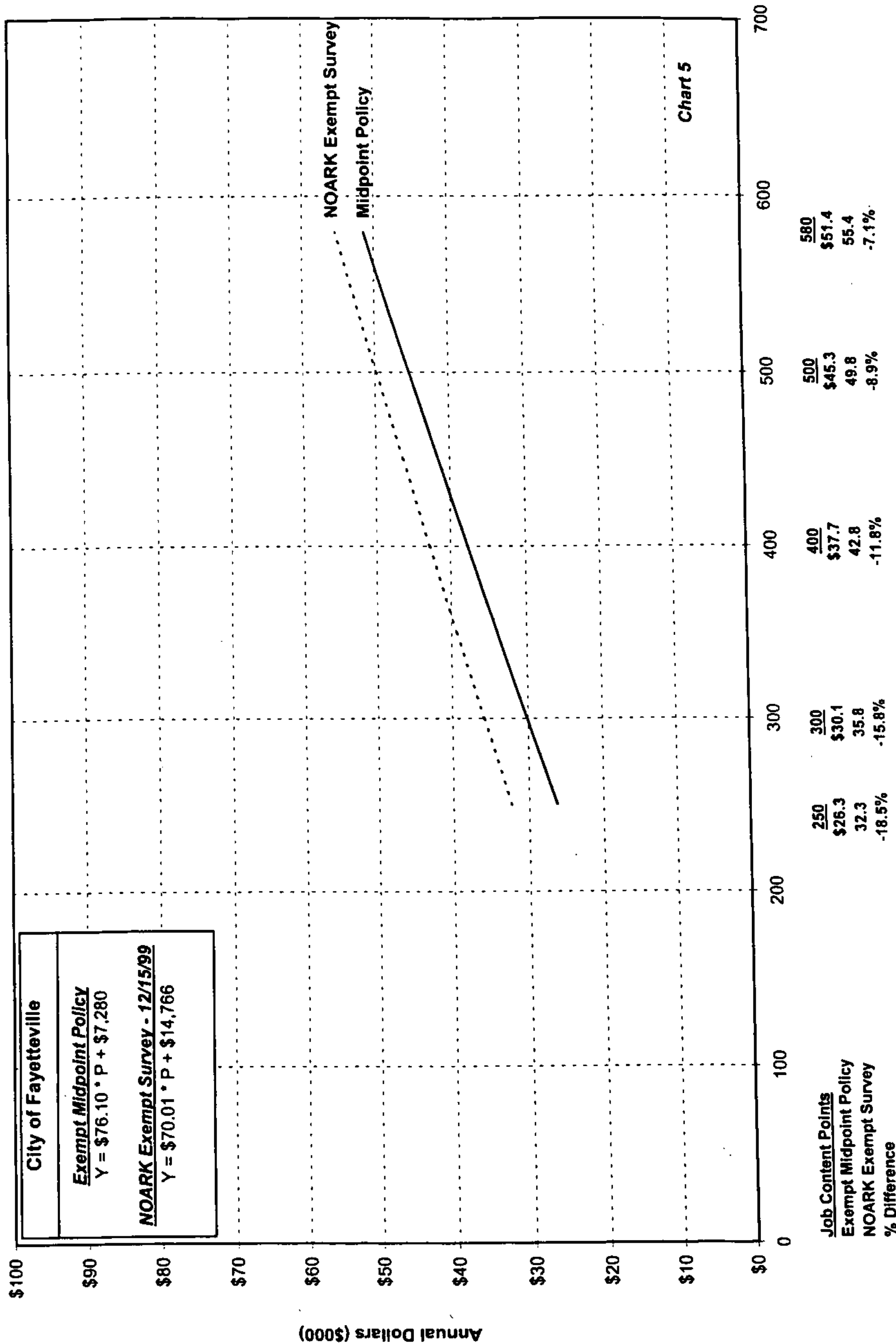
III. Market Comparison Analysis (cont'd)

The Nonexempt Group D positions (Chart 4) consist primarily of Refuse and Sanitation workers. Midpoints were established with a \$3,000 premium, above Group A jobs with the same evaluation points. These midpoints currently range from 5.7% above market (at 100 grade points) to 0.5% above market (at 250 grade points).

Group D

City of Fayetteville, Arkansas

Exempt Midpoint Policy vs. NOARK Exempt Survey



III. Market Comparison Analysis (cont'd)

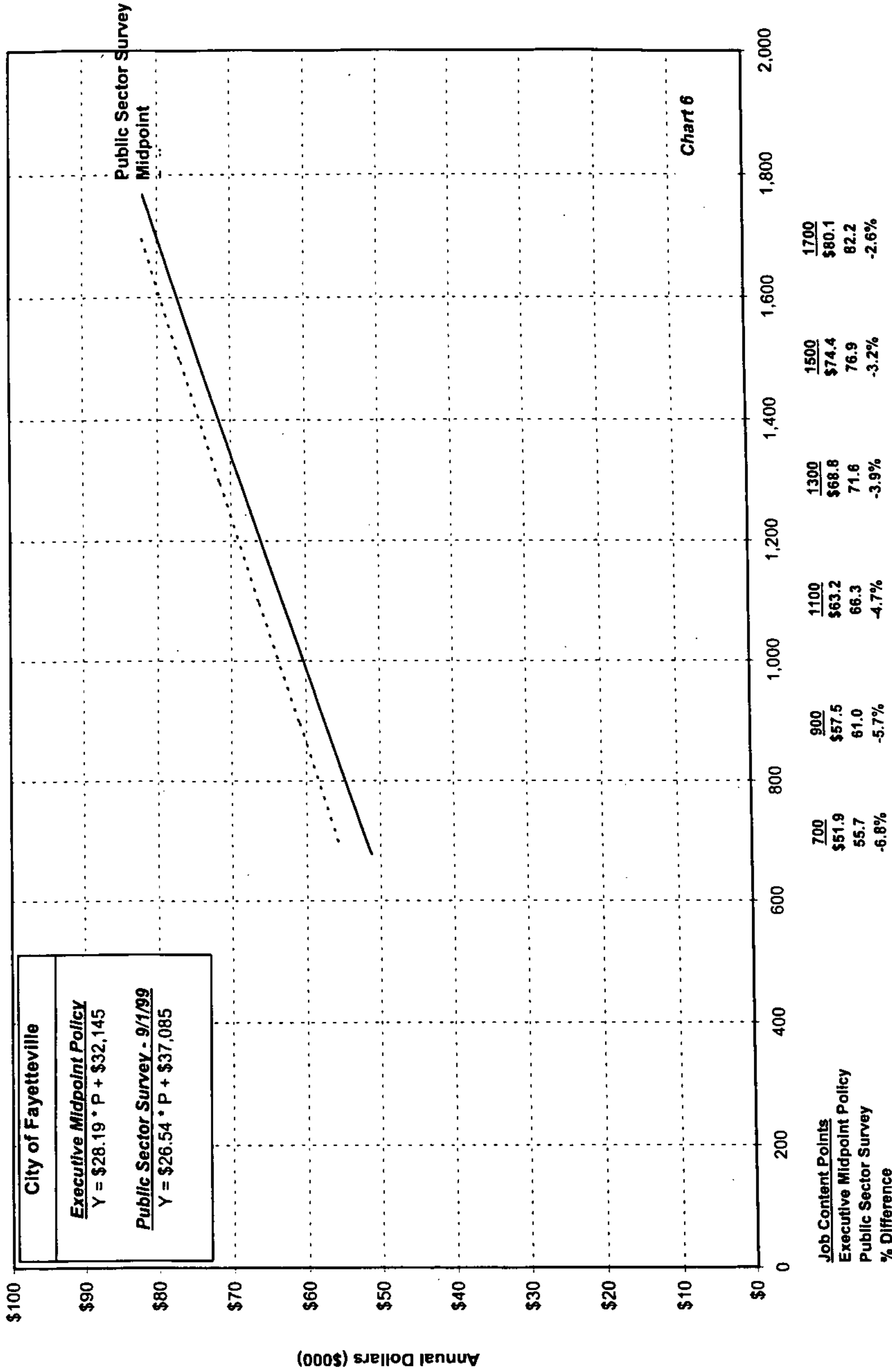
Exempt

Chart 5, facing, compares the City's Exempt policy with the exempt line generated from the 1999 NOARK Survey.

The current policy for Exempt Group ER currently ranges from 18.5% below market at 250 grade points to 7.1% below market at 580 grade points.

City of Fayetteville, Arkansas

Executive Midpoint Policy vs. Public Sector Survey



III. Market Comparison Analysis (cont'd)

Executive

In this section of the report, Chart 6 compares the City of Fayetteville's current executive policies to the appropriate external markets.

The City conducted a survey of Executive pay in comparable size cities and participants who responded are listed in Appendix B.

As shown on Chart 6, the City's current executive salary grade midpoints range from 6.8% below market at 700 points to 2.6% below market at 1700 points. The market comparisons for this employee group are the public sector market with similar levels of responsibility in other municipalities.

12/2/99

**RANGE
FIRE PAY COMPARISON**

FIREFIGHTER			FF/DRIVER OPERATOR			FIRE CAPTAIN			BATTALION CHIEF		
MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX
22,804	26,065			30,252	30,865	34,650	37,248	39,846	40,336	42,826	45,318
22,722	24,531			27,443	33,852	32,699	39,303	38,828	45,907	50,489	55,071
24,011	26,798			32,239	34,536	34,518	37,532	40,546	41,685	46,790	51,884
24,191	27,386			32,233	34,295	36,118	37,747	39,376	**	**	47,578
23,223		28,298			32,546	34,547	37,721	39,714	42,066	45,733	48,415

Survey A
Survey K
Survey M
Survey O
Total Survey *

21,995	25,282	31,165	32,796	36,548	33,674	38,706	45,238
6%	12%	4%	15%	3%	25%	18%	7%
	7%		13%			17%	

City of Fayetteville
% Diff. Over,(Under)
Avg. % Diff.

(*) Survey Midpoints of FF/Driver Operator Averaged

**RANGE
POLICE PAY COMPARISON**

POLICE OFFICER			POLICE SERGEANT			POLICE LIEUTENANT			POLICE CAPTAIN		
MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX
22,524	27,302	32,081	32,538	34,238	35,939	38,382	39,365	40,348	43,234	44,533	45,832
28,039	35,429	42,820	40,569	42,843	45,117	47,961	51,240	54,519	**	**	**
24,604	29,570	34,536	36,002	38,427	40,852	39,959	41,314	42,669	46,949	48,345	49,741
25,048	30,638	36,227	38,718	39,867	41,015	44,327	45,457	46,588	45,029	47,867	50,304
24,211	29,591	34,971	35,484	37,309	39,133	41,232	42,684	44,136	44,612	46,269	47,927

Survey A
Survey K
Survey M
Survey O
Total Survey

City of Fayetteville
% Diff. Over,(Under)
Avg. % Diff.

22,383	25,726	30,573	27,960	32,136	37,816	31,236	35,906	42,074	34,977	40,203	46,929
8%	15%	14%	27%	16%	3%	32%	19%	5%	28%	15%	2%
	13%			15%			19%			15%	

Survey A - State of Arkansas Fire and Police Departments
Survey K - State of Kansas Fire and Police Departments
Survey M - State of Missouri Fire and Police Departments
Survey O - State of Oklahoma Fire and Police Departments
Total Survey - The KMO Survey Average + Survey A

Chart 7

HayGroup

III. Market Comparison Analysis (cont'd)

Executive

In this section of the report, Chart 6 compares the City of Fayetteville's current executive policies to the appropriate external markets.

The City conducted a survey of Executive pay in comparable size cities and participants who responded are listed in Appendix B.

As shown on Chart 6, the City's current executive salary grade midpoints range from 6.8% below market at 700 points to 2.6% below market at 1700 points. The market comparisons for this employee group are the public sector market with similar levels of responsibility in other municipalities.

III. Market Comparison Analysis (cont'd)

Police and Fire

As the final portion of the 1999 Compensation Update, the City conducted a study of police and fire pay for comparable size municipalities in Arkansas, Kansas, Missouri, and Oklahoma. The 26 cities, whose data was included in this study, are listed in Appendix C. In support of this effort, the HayGroup contacted several of the municipalities to assist in the collection of market pay data when they did not respond to the original requests from the City for salary information. The facing Chart reflects the results of this survey, with data as of September 1999.

Fire Department

The City of Fayetteville has combined pay range for a Firefighter and Driver Operator. This structure is somewhat unique and precludes a direct comparison to Departments which maintain separate job pay ranges. For comparison to the City's position, the survey midpoints of the two separate job classifications have been averaged. The City's minimum is compared to the survey Firefighter minimum, while the City's maximum is compared to the survey cities maximum for the Fire Operator/Driver/Engineer position.

Using this basis of comparison, the City currently pays 6% less at the minimum for Firefighter and 4% less than maximum for the Firefighter Driver/Operator.

Comparisons for the Fire Captain and Shift Commander are more straight forward, with positions which are directly comparable to those in other municipalities.

The City of Fayetteville pay ranges for the Fire Captain range from 21% below the survey average at minimum to 3% below the survey average at maximum.

The position of Battalion Chief is also paid less; 25% at minimum and 7% at maximum.

III. Market Comparison Analysis (cont'd)

Police Department

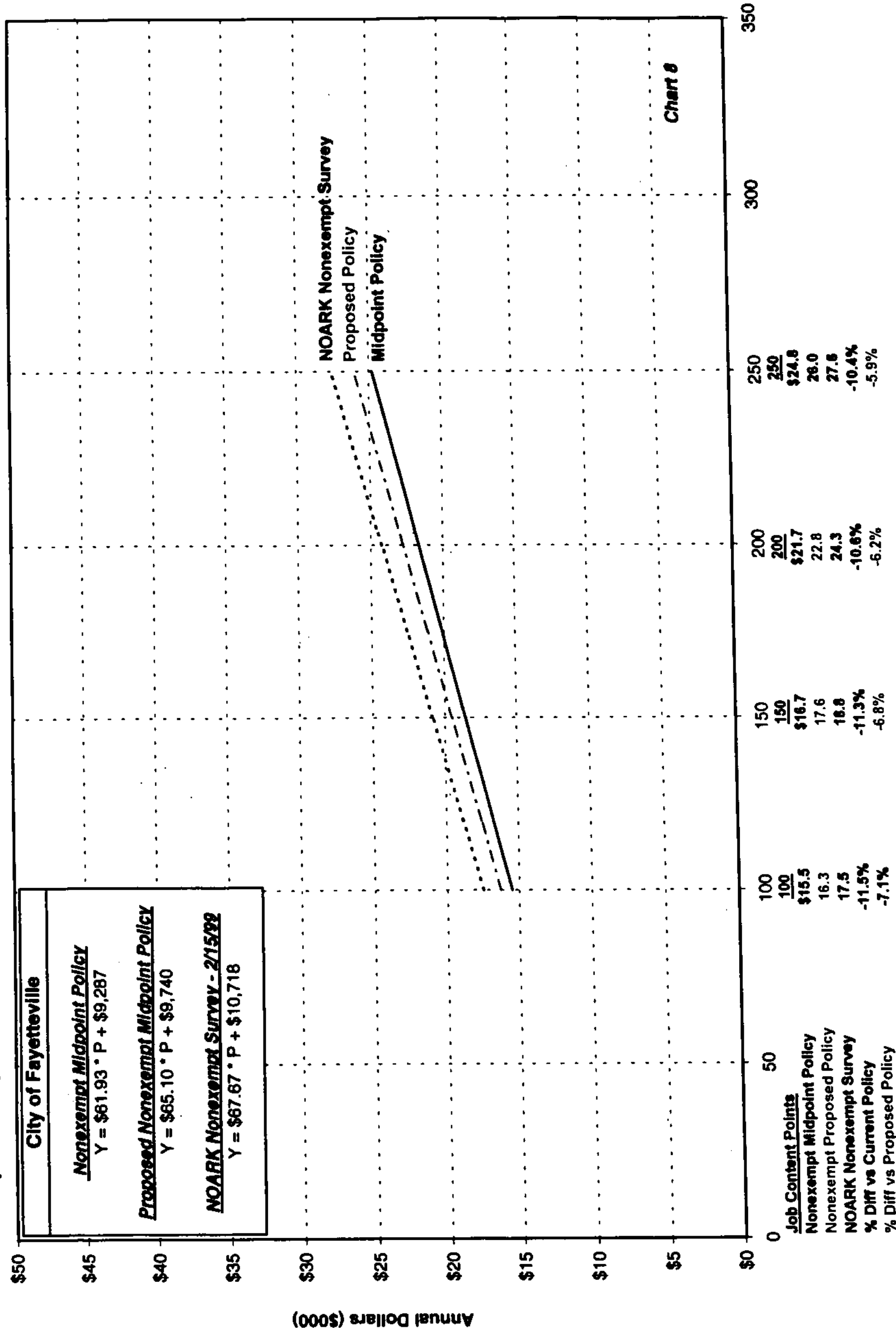
Comparison of the survey results to the four positions in the Police Department shows results which are somewhat similar to those for Fire. The results for all levels in the Police Department are less than the salaries reported in the 1999 survey.

The City of Fayetteville's entry level job, Police Officer, pays an average of 13% less than the survey. The next level, Police Sergeant, shows an average difference of 15%.

Police Lieutenant pay for the City has a 19% lower average pay. The highest level position surveyed, Police Captain, continues this trend with differentials averaging 15% less than that of comparator cities.

City of Fayetteville, Arkansas

Group A Midpoint Policy vs. NOARK Nonexempt Survey



IV. Recommendations

Nonexempt

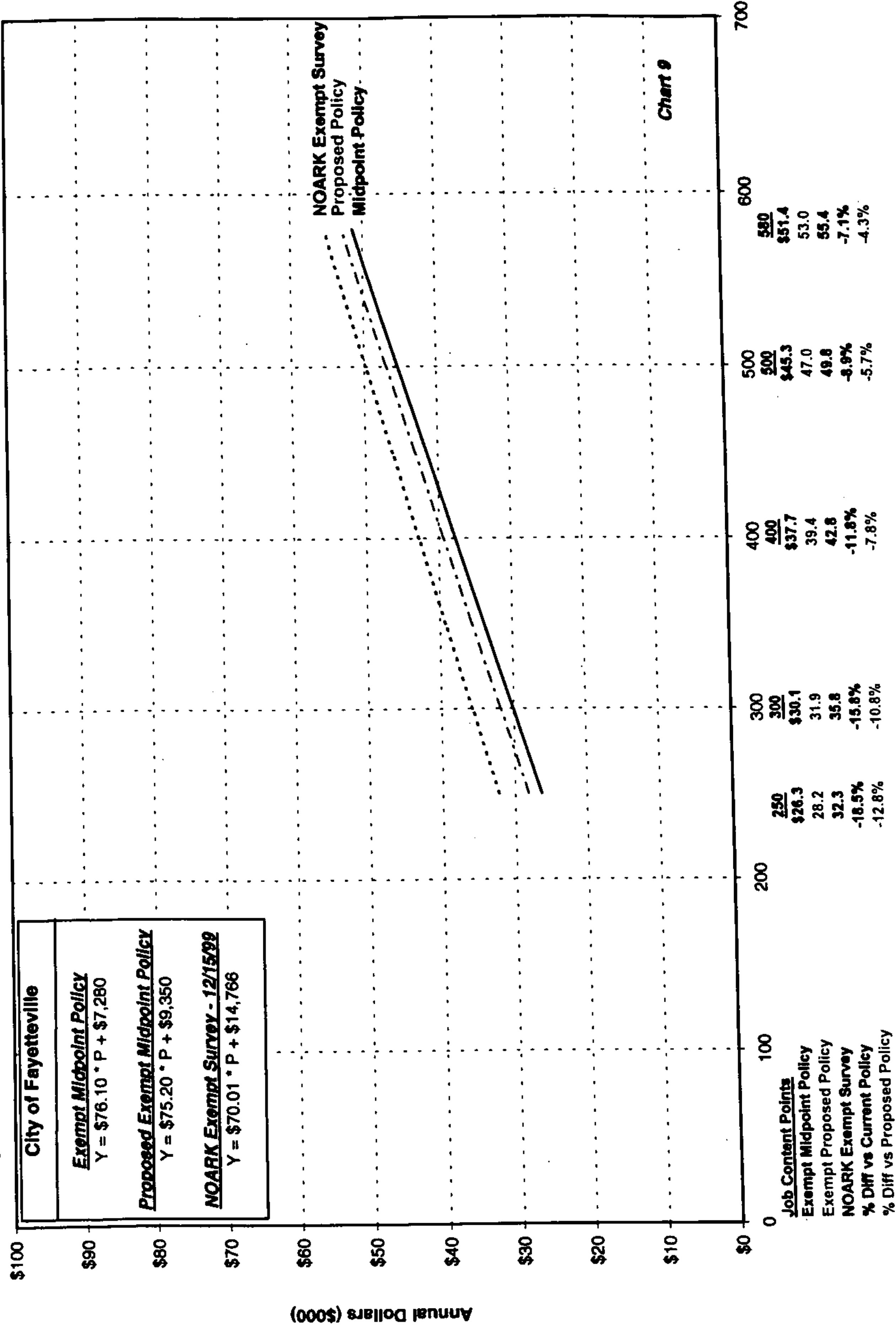
The use of a single policy line with increases for varying levels of ACEs has worked well. Unless there are recruitment and/or retention problems in the nonexempt population, we recommend using the same methodology this year.

Generally the current nonexempt policy is below, but parallel with the 1999 NOARK Nonexempt Survey line; therefore we are recommending a 5% increase overall. This results in salary lines which are competitive in the Fayetteville market for nonexempt jobs.

Chart 8 shows the proposed nonexempt policy in comparison with Group A, current policy and the 1999 NOARK Nonexempt Survey line.

City of Fayetteville, Arkansas

Exempt Midpoint Policy vs. NOARK Exempt Survey



IV. Recommendations (cont'd)

Exempt

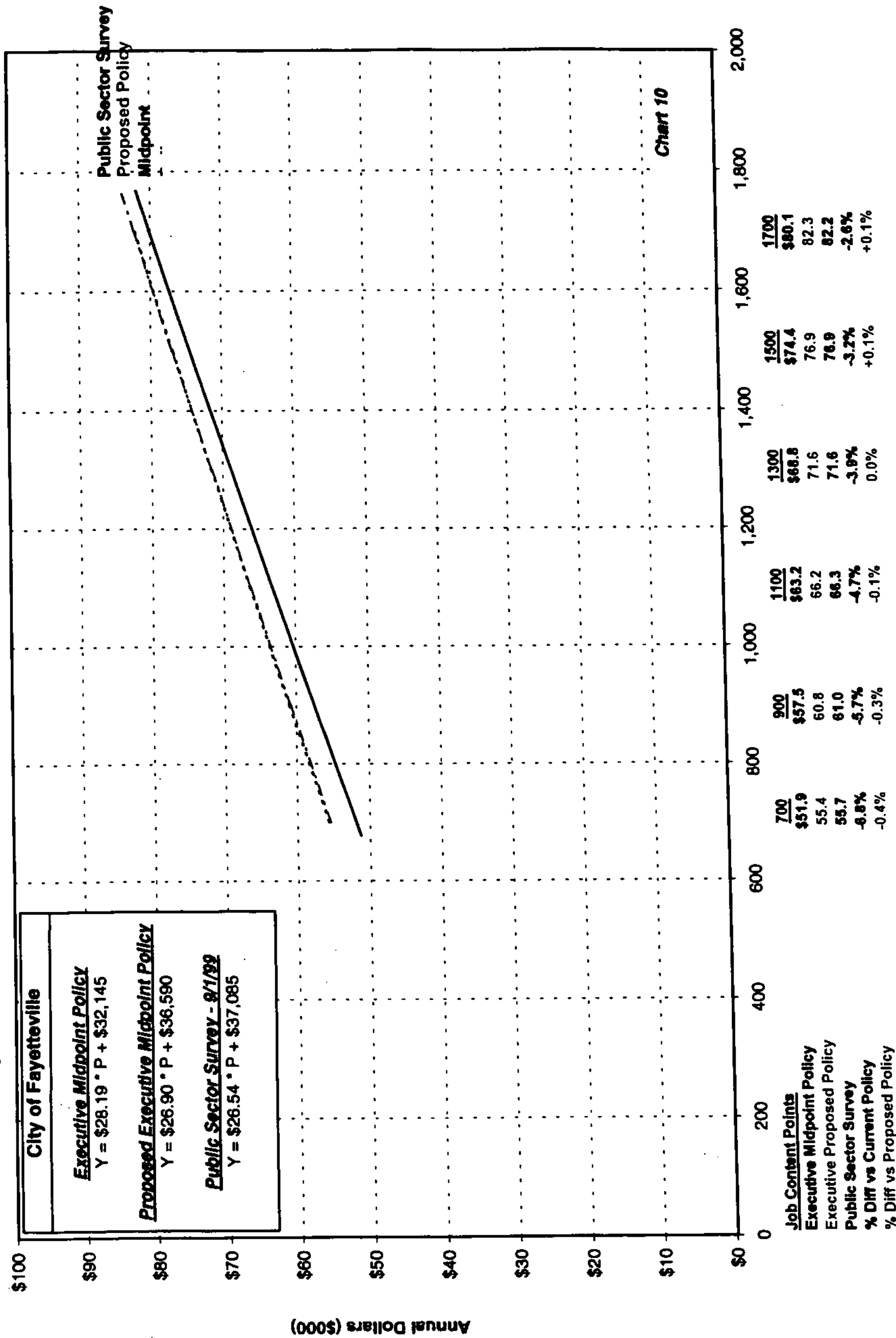
As noted in the previous section, the current Exempt midpoint policy is lower than the 1999 NOARK Survey line.

An increase of 7% to the salary structure at the lower levels of the exempt policy group and an increase in the salary structure of 3.0% at the upper levels of the exempt policy group are clearly supported by the market data. With this increase the Exempt employees would maintain relative competitiveness between the City of Fayetteville's Exempt employees and the market.

Results of this proposed increase are shown on Chart 9.

City of Fayetteville, Arkansas

Executive Midpoint Policy vs. Public Sector Survey



IV. Recommendations (cont'd)

Executive

In order for the City to remain competitive with other municipalities of similar size, we are recommending that the City's midpoint policy for executives be increased by 6.8% at the lower levels of the executive salary structure and by 2.6% at the top of the salary structure. Again, these increases are clearly supported by the market data collected and analyzed. This results in a midpoint policy which is virtually identical with the current Public Sector Survey line as shown in Chart 10.

IV. Recommendations (cont'd)

Fire and Police

The three levels of Fire Department positions included in this survey show Fayetteville's midpoints to be 7% to 17% lower than the comparable survey jobs.

The Police Department positions show midpoints which are 13% to 19% lower than the survey cities.

Our recommendation for the Police and Fire groups are to grant an aggregate average increase of no less than 10%.

Appendix A

1999 NOARK Survey

Master Participant List

1st Financial Assurance Company
 Abilities Unlimited Industries
 Arkansas Western Gas Company
 ARVEST Bank Group
 Awards, Inc.
 Ball Metal Food Container
 Bank of Fayetteville
 Bella Vista Village Property Owners Association
 Benton County
 Bentonville Public Schools
 Boatmen's National Bank of NWA
 Brunner & Lay, Inc.
 Cargill, Inc.
 Citizens Bank
 City of Bentonville
 City of Fayetteville
 Clack Corporation
 Clarke Industries, Inc.
 Cooper Communities
 Daisy Manufacturing Company, Inc.
 Danaher Tool Group
 DaySpring Cards
 Ex-Cell Manufacturing Company
 FPEC Corporation
 Harps Food Stores, Inc.
 Jet Stream Plastic Pipe Company
 J. B. Hunt Transport, Inc.
 John Brown University
 Kearney Company

Magnetek
 Marshalltown Tools
 Northwest Arkansas Community College
 Northwest Arkansas Radiation Therapy Institute
 Northwest Arkansas Rehab. Hospital
 Northwest Medical Center
 Northwest Technical Institute
 Ozark Guidance Center, Inc.
 Ozarks Electric Cooperative Corporation
 Pel-Freez
 Peterson Farms, Inc.
 Pratt & Whitney PSD, Inc.
 Rebsamen Insurance
 Roxell, Inc.
 Siloam Springs Memorial Hospital
 Siloam Springs Schools
 Simmons Foods
 Superior Industries - Fayetteville
 Superior Industries - Rogers
 Tyson Foods, Inc.
 United Bank
 University of Arkansas - Fayetteville
 WalMart, Inc.
 Washington County
 Washington Regional Medical Center
 Willis Shaw

HayGroup

Appendix B

Public Sector Survey Participants

Participant List

<i>Arkansas</i>	<i>Missouri</i>	<i>Oklahoma</i>	<i>Kansas</i>
Fort Smith (73)	Blue Springs (40)	Bartlesville (34)	Hutchinson (39)
Hot Springs (32)	Chesterfield (42)	Broken Arrow (58)	Leavenworth (38)
Jacksonville (29)	Columbia (69)	Edmond (52)	Lenexa (34)
Springdale (30)	Jefferson City (35)	Enid (45)	Manhattan (38)
	Joplin (41)	Moore (40)	Shawnee (38)
	Lee's Summit (46)	Norman (80)	
	University City (41)	Stillwater (37)	

() Population in thousands

HayGroup

Appendix C

Police and Fire Survey Participants

<i>Arkansas</i>	<i>Missouri</i>	<i>Kansas</i>	<i>Oklahoma</i>
Fort Smith Hot Springs Jacksonville Jonesboro North Little Rock Pine Bluff Rogers Russellville Springdale West Memphis	Cape Girardeau Columbia Jefferson City Joplin St. Joseph	Leavenworth Manhattan Shawnee	Bartlesville Edmond Enid Moore Muskogee Norman

1997 Participants who choose not to participate in the 1999 survey:

Arkansas - Conway and El Dorado
 Missouri - Blue Springs and Lee's Summit
 Kansas - Emporia, Hutchinson and Lawrence
 Oklahoma - Broken Arrow, Del City, Lawton, Shawnee and Stillwater

2000 POLICE STEP RATES SURVEY

	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	YEAR 10	YEAR 15	YEAR 20
POLICE CAPTAIN										
BASE PAY	37483.80	39350.39	41217.92	43084.51	44951.11	46818.64	48685.23	49617.13	50549.03	51480.93
HOLIDAY PAY	1585.85	1664.82	1743.83	1822.81	1901.78	1980.79	2059.76	2099.19	2138.61	2178.04
EXTRA HOL PAY	1153.35	1210.78	1268.24	1325.68	1383.11	1440.57	1498.01	1526.68	1555.35	1584.03
TOTAL PAY	40223.00	42226.00	44230.00	46233.00	48236.00	50240.00	52243.00	53243.00	54243.00	55243.00
RT PAY RATE 1	18.021	18.918	19.816	20.714	21.611	22.509	23.406	23.854	24.302	24.750
OT PAY RATE 2	19.338	20.301	21.264	22.227	23.190	24.154	25.117	25.598	26.078	26.559
POLICE LIEUTENANT										
BASE PAY	34641.50	36366.45	38092.33	39818.21	41544.08	43269.03	44994.91	45926.81	46858.71	47790.61
HOLIDAY PAY	1465.60	1538.58	1611.60	1684.62	1757.63	1830.61	1903.63	1943.06	1982.48	2021.91
EXTRA HOL PAY	1065.89	1118.97	1172.07	1225.17	1278.28	1331.35	1384.46	1413.13	1441.80	1470.48
TOTAL PAY	37173.00	39024.00	40876.00	42728.00	44580.00	46431.00	48283.00	49283.00	50283.00	51283.00
RT PAY RATE 1	16.655	17.484	18.314	19.143	19.973	20.802	21.632	22.080	22.528	22.976
OT PAY RATE 2	17.872	18.762	19.652	20.542	21.433	22.323	23.213	23.694	24.175	24.655
POLICE SERGEANT										
BASE PAY	29964.30	31457.20	32949.17	34442.08	35934.98	37426.95	38919.85	39851.75	40783.65	41715.55
HOLIDAY PAY	1267.72	1330.88	1394.00	1457.16	1520.33	1583.45	1646.61	1686.03	1725.46	1764.89
EXTRA HOL PAY	921.98	967.91	1013.82	1059.75	1105.69	1151.60	1197.53	1226.21	1254.88	1283.55
TOTAL PAY	32154.00	33756.00	35357.00	36959.00	38561.00	40162.00	41764.00	42764.00	43764.00	44764.00
RT PAY RATE 1	14.406	15.124	15.841	16.559	17.276	17.994	18.711	19.159	19.608	20.056
OT PAY RATE 2	15.459	16.229	16.999	17.769	18.539	19.309	20.079	20.560	21.040	21.521
POLICE OFFICER										
BASE PAY	23571.47	24745.66	25918.92	27093.12	28267.31	29440.57	30614.77	31546.67	32478.56	33410.46
HOLIDAY PAY	997.25	1046.93	1096.57	1146.25	1195.92	1245.56	1295.24	1334.67	1374.09	1413.52
EXTRA HOL PAY	725.28	761.40	797.50	833.63	869.76	905.86	941.99	970.67	999.34	1028.01
TOTAL PAY	25294.00	26554.00	27813.00	29073.00	30333.00	31592.00	32852.00	33852.00	34852.00	35852.00
RT PAY RATE 1	11.332	11.897	12.461	13.026	13.590	14.154	14.719	15.167	15.615	16.063
OT PAY RATE 2	12.161	12.766	13.372	13.977	14.583	15.188	15.794	16.275	16.756	17.237
POLICE CORPORAL										
BASE PAY						30614.77	31788.96	32720.86	33652.76	34584.66
HOLIDAY PAY						1295.24	1344.92	1384.34	1423.77	1463.20
EXTRA HOL PAY						941.99	978.12	1006.79	1035.47	1064.14
TOTAL PAY						32852.00	34112.00	35112.00	36112.00	37112.00
RT PAY RATE 1						14.719	15.283	15.731	16.179	16.627
OT PAY RATE 2						15.794	16.400	16.881	17.362	17.842

P1 HOURS 2232
P2 HOURS 2080

ATT. C

2000 POLICE STEP RATES
85% OF SURVEY

	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	YEAR 10	YEAR 15	YEAR 20
POLICE CAPTAIN										
BASE PAY	36831.47	38666.38	40500.36	42335.27	44170.18	46004.16	47839.07	48770.97	49702.87	50634.76
HOLIDAY PAY	1558.25	1635.88	1713.48	1791.11	1868.74	1946.33	2023.96	2063.39	2102.81	2142.24
EXTRA HOL PAY	1133.27	1189.73	1246.16	1302.62	1359.08	1415.51	1471.97	1500.64	1529.32	1557.99
TOTAL PAY	39523.00	41492.00	43460.00	45429.00	47398.00	49366.00	51335.00	52335.00	53335.00	54335.00
RT PAY RATE 1	17.707	18.590	19.471	20.353	21.236	22.117	23.000	23.448	23.896	24.344
OT PAY RATE 2	19.001	19.948	20.894	21.841	22.788	23.734	24.680	25.161	25.642	26.123
POLICE LIEUTENANT										
BASE PAY	33768.31	35450.39	37132.47	38814.55	40496.63	42178.71	43860.79	44792.69	45724.59	46656.49
HOLIDAY PAY	1428.66	1499.82	1570.99	1642.15	1713.32	1784.48	1855.65	1895.07	1934.50	1973.93
EXTRA HOL PAY	1039.02	1090.78	1142.54	1194.29	1246.05	1297.80	1349.56	1378.23	1406.91	1435.58
TOTAL PAY	36236.00	38041.00	39846.00	41651.00	43456.00	45261.00	47066.00	48066.00	49066.00	50066.00
RT PAY RATE 1	16.235	17.043	17.852	18.661	19.470	20.278	21.087	21.535	21.983	22.431
OT PAY RATE 2	17.421	18.289	19.157	20.025	20.892	21.760	22.628	23.109	23.589	24.070
POLICE SERGEANT										
BASE PAY	29443.37	30910.18	32376.06	33842.87	35309.68	36775.55	38242.36	39174.26	40106.16	41038.06
HOLIDAY PAY	1245.68	1307.74	1369.76	1431.81	1493.87	1555.89	1617.95	1657.37	1696.80	1736.22
EXTRA HOL PAY	905.95	951.08	996.19	1041.32	1086.45	1131.55	1176.69	1205.36	1234.03	1262.71
TOTAL PAY	31595.00	33169.00	34742.00	36316.00	37890.00	39463.00	41037.00	42037.00	43037.00	44037.00
RT PAY RATE 1	14.155	14.861	15.565	16.271	16.976	17.681	18.386	18.834	19.282	19.730
OT PAY RATE 2	15.190	15.947	16.703	17.460	18.216	18.973	19.729	20.210	20.691	21.172
POLICE OFFICER										
BASE PAY	23153.05	24306.74	25459.50	26613.19	27766.88	28919.64	30073.33	31005.23	31937.13	32869.03
HOLIDAY PAY	979.55	1028.36	1077.13	1125.94	1174.75	1223.52	1272.33	1311.76	1351.19	1390.61
EXTRA HOL PAY	712.40	747.90	783.37	818.87	854.36	889.83	925.33	954.01	982.68	1011.35
TOTAL PAY	24845.00	26083.00	27320.00	28558.00	29796.00	31033.00	32271.00	33271.00	34271.00	35271.00
RT PAY RATE 1	11.131	11.686	12.240	12.795	13.349	13.904	14.458	14.906	15.354	15.802
OT PAY RATE 2	11.945	12.540	13.135	13.730	14.325	14.920	15.515	15.996	16.476	16.957
POLICE CORPORAL										
BASE PAY										
HOLIDAY PAY										
EXTRA HOL PAY										
TOTAL PAY										
RT PAY RATE 1										
OT PAY RATE 2										

P1 HOURS 2232
P2 HOURS 2080

ATT. D

2000 FIRE STEP RATES
85% OF SURVEY

	TRAINEE	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	STEP H	YEAR 10	YEAR 15	YEAR 20
BATTALION CHIEF	BASE PAY	34417.72	36131.93	37846.14	39560.34	41274.55	42988.76	44702.96	NA	45599.52	46496.07	47392.62
	HOLIDAY PAY	3120.28	3275.69	3431.10	3586.51	3741.92	3897.33	4052.74		4134.02	4215.30	4296.58
	EXTRA HOL PAY	850.98	893.37	935.75	978.14	1020.52	1062.90	1105.29		1127.46	1149.62	1171.79
	TOTAL PAY	38389.00	40301.00	42213.00	44125.00	46037.00	47949.00	49861.00		50861.00	51861.00	52861.00
	RT PAY RATE 1	11.819	12.408	12.987	13.585	14.174	14.763	15.351		15.659	15.967	16.275
	OT PAY RATE 2	13.183	13.840	14.496	15.153	15.809	16.466	17.123		17.466	17.809	18.153
BATTALION CHIEF (DAY SHIFT)	TOTAL PAY	38389.00	40301.00	42213.00	44125.00	46037.00	47949.00	49861.00	NA	50861.00	51861.00	52861.00
	40 HR WK RT RATE	18.456	19.375	20.295	21.214	22.133	23.052	23.972		24.452	24.933	25.414
FIRE CAPTAIN	BASE PAY	28394.69	29809.45	31223.31	32638.07	34052.83	35466.69	36881.45	NA	37778.00	38674.55	39571.10
	HOLIDAY PAY	2574.24	2702.50	2830.68	2958.94	3087.20	3215.38	3343.64		3424.92	3506.21	3587.49
	EXTRA HOL PAY	702.06	737.04	772.00	806.98	841.96	876.92	911.90		934.07	956.24	978.40
	TOTAL PAY	31671.00	33249.00	34826.00	36404.00	37982.00	39559.00	41137.00		42137.00	43137.00	44137.00
	RT PAY RATE 1	9.751	10.237	10.722	11.208	11.694	12.179	12.665		12.973	13.281	13.589
	OT PAY RATE 2	10.876	11.418	11.959	12.501	13.043	13.585	14.127		14.470	14.814	15.157
FIRE CAPTAIN (DAY SHIFT)	TOTAL PAY	31671.00	33249.00	34826.00	36404.00	37982.00	39559.00	41137.00	NA	42137.00	43137.00	44137.00
	40 HR WK RT RATE	15.226	15.985	16.743	17.502	18.261	19.019	19.777		20.258	20.739	21.220
FIREFIGHTER	BASE PAY	19862.21	21944.00	22984.90	24026.69	25067.59	26109.38	27150.28		28046.83	28943.38	29839.93
	HOLIDAY PAY	1800.69	1895.06	2083.79	2178.24	2272.61	2367.06	2461.42		2542.70	2623.98	2705.27
	EXTRA HOL PAY	491.10	542.57	568.31	594.06	619.80	645.56	671.30		693.46	715.63	737.80
	TOTAL PAY	22154.00	24476.00	25637.00	26799.00	27960.00	29122.00	30283.00		31283.00	32283.00	33283.00
	RT PAY RATE 1	8.821	7.536	7.893	8.251	8.608	8.966	9.324		9.631	9.939	10.247
	OT PAY RATE 2	7.608	8.405	8.804	9.203	9.602	10.001	10.399		10.743	11.086	11.430
FIREFIGHTER (DAY SHIFT)	BASE PAY	19862.21	21944.00	22984.90	24026.69	25067.59	26109.38	27150.28	28191.17	29087.72	29984.28	30880.83
	HOLIDAY PAY	1800.69	1895.06	2083.79	2178.24	2272.61	2367.06	2461.42	2555.79	2637.07	2718.35	2799.63
	EXTRA HOL PAY	491.10	542.57	568.31	594.06	619.80	645.56	671.30	697.03	719.20	741.37	763.53
	TOTAL PAY	22154.00	24476.00	25637.00	26799.00	27960.00	29122.00	30283.00	31444.00	32444.00	33444.00	34444.00
	RT PAY RATE 1	8.821	7.536	7.893	8.251	8.608	8.966	9.324	9.681	9.989	10.297	10.605
	OT PAY RATE 2	7.608	8.405	8.804	9.203	9.602	10.001	10.399	10.798	11.141	11.485	11.828
FIREFIGHTER (DAY SHIFT)	TOTAL PAY	22154.00	24476.00	25637.00	26799.00	27960.00	29122.00	30283.00		31283.00	32283.00	33283.00
	40 HR WK RT RATE	10.651	11.209	12.325	12.884	13.442	14.001	14.559		15.040	15.521	16.001
P1 HOURS 3248									31444.00	32444.00	33444.00	34444.00
P2 HOURS 2912									15.117	15.598	16.079	16.560

ATT. D

CITY OF FAYETTEVILLE

2000 SALARY RANGES BASED ON GRADE POINTS

\$26.90 P + 36,590 >611P
\$75.20 P + 9350

\$65.10 P + 9,740

POINTS	GRADE POINTS	GRADE	NONEXEMPT			EXEMPT		
			MIN	MID	MAX	MIN	MID	MAX
1768	1768					69,844	84,149	98,455
1232	1232					57,877	69,731	81,585
1040	1040					53,590	64,566	75,542
1028	1028					53,322	64,243	75,165
920	920					50,911	61,338	71,765
904	904					50,553	60,908	71,262
839	839					49,102	59,159	69,216
775	775					47,673	57,438	67,202
732	732					46,713	56,281	65,849
702	702					46,043	55,474	64,904
682	682					45,597	54,936	64,275
677	677					45,485	54,801	64,118
551-611	580	15				43,962	52,966	61,970
464-516	490	14				38,344	46,198	54,052
393-432	410	13				33,351	40,182	47,013
332-366	350	12				29,606	35,670	41,734
275-301	290	11	23,754	28,619	33,484	25,861	31,158	36,455
233-261	250	10	21,592	26,015	30,438	23,365	28,150	32,936
194-213	205	9	19,161	23,086	27,010			
169-178	175	8	17,540	21,133	24,725			
138-151	145	7	15,919	19,180	22,440			
120-123	120	6	14,568	17,552	20,536			
98-104	100	5	13,488	16,250	19,013			
82-89	85	4	12,677	15,274	17,870			
73-76	75	3	12,137	14,623	17,108			
64-65	65	2	11,596	13,972	16,347			

Min to Max = 40% Spread
Min = .83 x Midpoint
Max = 1.17 x Midpoint

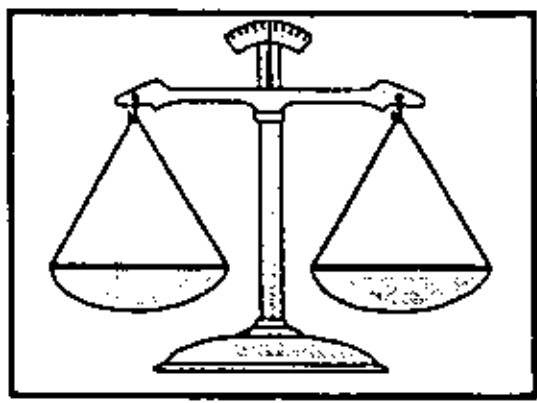
ACES: Add \$1,000 to Midpoints for NB/EB
Add \$2,000 to Midpoints for NC
Add \$3,000 to Midpoints for ND/ED/EXD

ATT. E

City of Fayetteville, Arkansas

History of Pay Range Changes (1990-2000)

	% Pay Range Change					Average Increase
	1992	1994	1996	1998	2000	1990-2000
General Employee:						
Exempt	7.0%	3.0%	7.0%	6.0%	5.0%	31.5%
Non-Exempt	6.0%	3.0%	7.0%	6.0%	5.0%	30.0%
Executive	6.0%	0.0%	7.0%	6.0%	4.7%	25.9%
Fire Employees:						
Battalion Chief	12.0%	9.0%	10.0%	5.0%	17.0%	65.1%
Captain	6.0%	9.0%	10.0%	3.0%	13.0%	48.0%
Firefighter / Driver	6.0%	12.0%	8.0%	5.0%	7.0%	44.1%
Police Employees:						
Lieutenant	3.0%	10.0%	11.0%	4.0%	19.0%	55.7%
Sergeant	3.0%	8.0%	12.0%	3.0%	15.0%	47.6%
Officer	4.0%	10.0%	10.0%	3.0%	13.0%	46.5%
						9.4%
						8.2%
						8.0%



FAYETTEVILLE

LEGAL DEPARTMENT
CITY ATTORNEY DIVISION

2000 Complete Cnt.
A. 5. Page 1

JERRY E. ROSE, CITY ATTORNEY
LAGAYLE D. MCCARTY, ASST. CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE

To: Fred Hanna, Mayor

From: Jerry E. Rose, City Attorney *J. E. Rose*

Date: December 7, 1999

Re: **Interlocal Agreement between Washington County
and City of Fayetteville, et al.**

RECEIVED

DEC 07 1999

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

I have reviewed the above-referenced Interlocal Agreement pursuant to A.C.A. §14-14-910 and have determined it is in proper form and compatible with all applicable laws of which I am aware. I would suggest placing this agreement on the next council agenda for council action. If I may do anything further, just let me know.

/cbp
Attachment(s)



GEORGE E. BUTLER JR.
County Attorney

280 North College, Suite 145
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS
County Courthouse

November 29, 1999

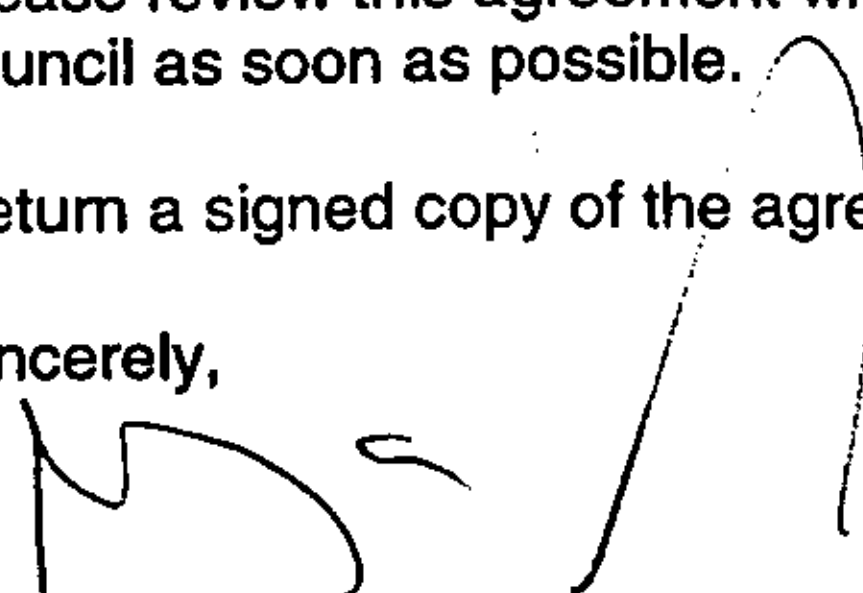
TO: Washington County Mayors
RE: Interlocal Agreement - Washington County Complete Count Committee

Enclosed is a copy of an interlocal agreement between the County and the incorporated cities within Washington County. This agreement was drafted at the request of the Intergovernmental Cooperation Council, and authorizes the creation of a Washington County Complete Count Committee for the purposes of facilitating the Year 2000 Census.

Please review this agreement with your city attorney, and have it considered by your city council as soon as possible.

Return a signed copy of the agreement to me after approval.

Sincerely,


George E. Butler, Jr.
County Attorney

/kb

Encl.

REC'D
DEC 01 1999
CLERK

INTERLOCAL AGREEMENT
BETWEEN WASHINGTON COUNTY, ARKANSAS, AND THE CITIES OF
FAYETTEVILLE, SPRINGDALE, WEST FORK, WINSLOW, ELKINS,
TONTITOWN, LINCOLN, GREENLAND, PRAIRIE GROVE,
JOHNSON, GOSHEN, AND FARMINGTON

WHEREAS, pursuant to Ark. Code Ann. §14-14-901, governmental bodies may enter into an interlocal agreement; and

WHEREAS, the parties are desirous of entering into such an agreement for the purposes of facilitating the year 2000 census,

NOW, THEREFORE, IT IS AGREED:

1. This agreement shall be approved by the governing body of each party to this agreement. The duration shall be until such time as the work contemplated herein has been completed.
2. This agreement does hereby authorize creation of a governing body to be known as the "Washington County Complete Count Committee". The membership of this committee shall be constituted of two (2) representatives from each party.
3. Financing and budgeting shall be as agreed upon by the committee, to be ratified by each governing body. No party shall be financially bound in any manner until approval of its governing body.
4. This agreement may be terminated upon majority vote of the committee and any party may withdraw upon six (6) month's written notice in accordance with Ark. Code Ann. § 14-14-910.
5. Real and personal property may be acquired, held, and disposed in the name of the committee.
6. This agreement shall be submitted to legal counsel for each party for approval in accordance with Ark. Code Ann. §14-14-910.

INTERLOCAL AGREEMENT BETWEEN
WASHINGTON COUNTY, ARKANSAS, AND THE
CITIES OF FAYETTEVILLE, SPRINGDALE,
WEST FORK, WINSLOW, ELKINS,
TONTITOWN, LINCOLN, GREENLAND,
PRAIRIE GROVE, JOHNSON, GOSHEN,
AND FARMINGTON

WASHINGTON COUNTY, ARKANSAS

BY: _____

LINCOLN, ARKANSAS

BY: _____

GREENLAND, ARKANSAS

BY: _____

PRAIRIE GROVE, ARKANSAS

BY: _____

JOHNSON, ARKANSAS

BY: _____

FARMINGTON, ARKANSAS

BY: _____

GOSHEN

BY: _____

FAYETTEVILLE, ARKANSAS

BY: _____

SPRINGDALE, ARKANSAS

BY: _____

WEST FORK, ARKANSAS

BY: _____

WINSLOW, ARKANSAS

BY: _____

ELKINS, ARKANSAS

BY: _____

TONTITOWN, ARKANSAS

BY: _____

STAFF REVIEW FORM

Hwy 265 Sidewalks
A. 6. Page 1

☒ Agenda Request
☐ Contract Review
☐ Grant Review

FOR THE FAYETTEVILLE CITY COUNCIL MEETING OF December 21, 1999
FROM:

Charles Venable

Name

Division

Public Works

Department

ACTION REQUESTED: Approval of a Resolution authorizing the payment of \$53,579.00 to the Arkansas Highway and Transportation Department for the City of Fayetteville's share of the costs to install sidewalks along Highway 265, between Highway 16 and Highway 45.

COST TO THE CITY:

\$53,579

Cost of this request

\$395,880

Category/Project Budget

Sidewalks & Trails

Category/Project Name

4470-9470-5814-00

Account Number

\$27,534

Funds used to date

Program Name

96-041-1

Project Number

\$368,346

Remaining Balance

Sales Tax Capital Improvement
Fund

BUDGET REVIEW:

☒ Budgeted Item

☐ Budget Adjustment Attached

Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Accounting Manager

Date

Internal Auditor

Date

City Attorney

Date

ADA Coordinator

Date

Purchasing Officer

Date

STAFF RECOMMENDATION: Approval of the Resolution

Division Head

Date

Cross Reference

Department Director

Date

New Item: Yes No

Administrative Services Director

Date

Prev Ord/Res #: _____

Mayor

Date

Orig. Contract Date: _____

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE PAYMENT OF \$53,579.00 TO THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT TO COVER THE CITY OF FAYETTEVILLE'S SHARE OF THE COSTS INVOLVED IN THE CONSTRUCTION OF SIDEWALKS ALONG HIGHWAY 265 (CROSSOVER ROAD), STATE JOB 004999 - HIGHWAY 16-HIGHWAY 45.

WHEREAS, the City of Fayetteville has requested that the Arkansas State Highway and Transportation Department construct sidewalks as a part of the reconstruction and widening of Highway 265 (Crossover Road); and

WHEREAS, the Arkansas State Highway and Transportation Department has awarded a contract for the widening and reconstruction of Highway 265 (Crossover Road); and

WHEREAS, sidewalks were included in the construction project and are to be funded 80 percent from Federal Aid Enhancement funds and 20 percent from the City of Fayetteville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FAYETTEVILLE, ARKANSAS:

Section 1. The City will provide the funds necessary to match the Federal Aid Enhancement funds for the construction and engineering of the sidewalks along Highway 265 between Highway 16 and Highway 45.

PASSED AND APPROVED this ____ day of _____, 1999.

APPROVED:

By: _____
Fred Hanna, Mayor

ATTEST:

By: _____
Heather Woodruff, City Clerk

To: Mayor Fred Hanna and City Council
From: Charles Venable, Public Works Director
Date: December 8, 1999
Subject: Sidewalks Along Highway 265 (Highway 16-Highway 45)

Attached hereto is a letter from the Arkansas Highway and Transportation Department requesting payment for the City of Fayetteville's share of the costs involving the placement of sidewalks along each side of the Highway 265 (Crossover Road) widening project.

As you know, we agreed to participate in the costs of installing sidewalks along the entire route, and four foot wide sidewalks located two feet from the edge of the curb have been included. Federal Aid Enhancement funds are being utilized to fund 80 percent of the costs and the City of Fayetteville's share is 20 percent.

The total cost of the sidewalks is \$243,544.50, with \$48,708.50 being the City's share. Also construction engineering for the sidewalks is estimated to cost \$24,354.50, of which Fayetteville's share is \$4,870.50, resulting in the city's total costs share of \$53,579. The remainder of the costs associated with the Highway 265 widening for additional drainage work was approved by Resolution 98-98, dated July 21, 1998.

Also attached are copies of correspondence relating to the sidewalks and a copy of Resolution 98-98.

CV:msm

**Attachment A - Letter from Arkansas Highway & Transportation Department dated
November 24, 1999**

B - Correspondence relating to sidewalks

C - Resolution 98-98

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

Hwy 265 Sidewalks
A. 6. Page 5

Dan Flowers
Director
Telephone (501) 569-2000



P.O. Box 2261
Little Rock, Arkansas 72203-2261
Telefax (501) 569-2400

November 24, 1999

RECEIVED

DEC 06 1999

**CITY OF FAYETTEVILLE
MAYOR'S OFFICE**

The Honorable Fred Hanna
Mayor of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Re: Job 004999
F.A.P. STPE-ENHN (93)
Hwy. 16-Hwy 45 (S)
Highway 265
Washington County

Dear Mayor Hanna:

The Harris Co. of Ft. Smith, Inc. submitted the low bid of \$7,706,030.00 for the referenced project at the Department's November 17, 1999 letting. The Arkansas State Highway Commission has tentatively accepted their proposal. As you requested, sidewalks and additional drainage work were included in the project. The costs of the sidewalks and associated items will be funded with Federal-aid Transportation Enhancement funds matched with City funds. The additional drainage work requested by the City will be funded with 100% City funds as stated in the Agreement of Understanding between the City and the Department.

The City's estimated share of costs for this project is calculated below.

	<u>Total Cost</u>	<u>Federal Share</u>	<u>City Share</u>
Sidewalks (Enhancement Funds)	\$ 243,544.50	\$ 194,836.00	\$ 48,708.50
Additional Drainage Work	44,489.00	0.00	44,489.00
Subtotal	288,033.50	194,836.00	93,197.50
Construction Engineering	28,803.35	19,484.00	9,319.35
Total	\$ 316,836.85	\$ 214,320.00	\$ 102,516.85

ATTACHMENT 'A'

The Honorable Fred Hanna
November 24, 1999
Page Two

Your check for \$102,516.85 (made payable to the Arkansas State Highway and Transportation Department) should be forwarded to this office as soon as possible. Upon completion of the project, a statement will be prepared reflecting the final cost and respective matching shares. At that time, the City will be returned funds remaining over the deposit or billed for additional funds required.

We look forward to working with the City to complete the proposed improvements. Should you have any questions or comments, please advise.

Yours truly,

A handwritten signature in black ink, appearing to read "Robert L. Walters", written in a cursive style.

Robert L. Walters
Chief Engineer

ARKANSAS STATE HIGHWAY COMMISSION



BOBBY HOPPER, CHAIRMAN
SPRINGDALE

HERBY BRANSCUM, JR., VICE CHAIRMAN
PERRYVILLE

JOHN "M" LIPTON
WARREN

P. O. Box 2261
LITTLE ROCK, ARKANSAS 72203-2261
TELEPHONE No. (501) 569-2000
FAX No. (501) 569-2400
May 18, 1998

J.W. "BUDDY" BENAFIELD
NEWPORT

MARY P. "PRISSY" HICKERSON
TEXARKANA

DAN FLOWERS
DIRECTOR OF
HIGHWAYS AND TRANSPORTATION

RECEIVED

MAY 12 1998

CITY OF FAYETTEVILLE
MAYOR'S OFFICE

The Honorable Fred Hanna
Mayor
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Dear Mayor Hanna:

Reference is made to your recent correspondence regarding sidewalks along Highway 265. As requested, we will include sidewalks along both sides of the project. Any walks that do not meet our current practice for project funding will be shown on the plans with 80% federal enhancement and 20% city funding.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Flowers".

Dan Flowers
Director of Highways
and Transportation

cc: Commissioner Bobby Hopper
Deputy Director & Chief Engineer

A handwritten note in black ink that says "Give to Charlie" followed by a checkmark.

ATTACHMENT B

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

March 11, 1998

Mr. Dan Flowers, Director
Arkansas State Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job #004999
Hwy 16-Hwy 45 Reconstruction (Hwy 265)

COPY

Dear Mr. Flowers:

The City of Fayetteville Staff and representatives of the Highway Department met on March 6 to discuss the above referenced project. During our discussion of the project the City Staff expressed the desire to have sidewalks constructed on both sides on the highway. The sidewalks are to be a minimum of 4 foot wide with at least a 2 foot green space between the sidewalks and the curb.

We understand that the cost of constructing sidewalks where none now exist will be at the expense of the City, however, the possibility of enhancement funds being available to pay for all or a portion of the sidewalks was raised. Therefore, the City hereby requests enhancement funds be used, to the extent possible, to pay for the sidewalks on this project. If there is a formal application procedure required please let us know, otherwise please consider this letter as our formal request for such funding.

Please understand that the City desires the installation of the sidewalks regardless of the availability of enhancement funds. If you have any questions please call me at (501) 575-8330. Thank you.

Sincerely Yours,



Fred Hanna, Mayor
City of Fayetteville

THE CITY OF FAYETTEVILLE, ARKANSAS

January 12, 1998

Mr. Roger Almond
Deputy Director & Chief Engineer
Arkansas Highway & Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203-2261

Dear Mr. Almond:

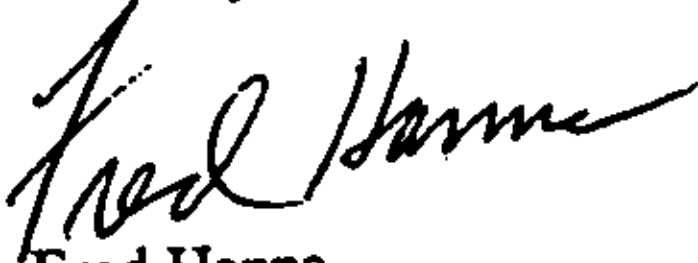
Reference is made to your letter dated December 15, 1997, regarding the proposed design of Highway 265 from Highway 16 to Highway 45. The City Council has concurred with the proposed design and a copy of Resolution No. 7-98 dated January 6, 1998 is enclosed.

We are hopeful that the project can be advanced to the stage that the right-of-way acquisition can be completed this year. We also hope that federal aid funds will be available to permit the project to be advanced to construction in 1999.

When the plans have been developed to the point that a preliminary field inspection is made, we would appreciate being invited to participate in the review. We also ask that consideration be given during the design to separate the sidewalks from the curb as far as possible, taking into account the terrain and existing improvements, without increasing the right-of-way by any appreciable amount.

Again, I want to thank you for the changes made which will allow this much-needed project to move forward. If I can be of any assistance, please do not hesitate to contact me.

Sincerely,



Fred Hanna
Mayor

Enclosure

cc: City Council
Commissioner Bobby Hopper
Director Dan Flowers

RESOLUTION NO. 98-98

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO UTILIZE CITY FUNDS FOR PORTIONS OF THE FOLLOWING PROJECT: JOB 004999, HWY 16-HWY 45 (S), HIGHWAY 265 (CROSSOVER ROAD), WASHINGTON COUNTY.

WHEREAS, the City of Fayetteville has requested that the Arkansas State Highway and Transportation Department construct additional drainage improvements on this project to alleviate drainage problems along Ridgely Drive outside the project limits, and

WHEREAS, the City of Fayetteville agrees to pay 100% of costs associated with this additional drainage work.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. The City will participate in accordance with its designated responsibilities in this project.

Section 2. The Mayor is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the change of this city project.

Section 3. The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.

Section 4. The City Council hereby authorizes the Mayor and City Clerk to execute the Agreement of Understanding between the City of Fayetteville and the Arkansas State highway and Transportation Department. A copy of the agreement is attached hereto marked Exhibit "A" and made a part hereof.

PASSED AND APPROVED this 21st day of July, 1998.

APPROVED:

By: _____

Fred Hanna, Mayor

ATTEST:

By: _____

Heather Woodruff, City Clerk

ATTACHMENT C

AGREEMENT OF UNDERSTANDING
BETWEEN

THE CITY OF FAYETTEVILLE
AND
THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

RELATIVE TO

Job 004999
Hwy. 16-Hwy. 45 (S)
Highway 265 (Crossover Rd.)
Washington County

WHEREAS, the City of Fayetteville (hereinafter called "City") has expressed its desire to add drainage work to the project to alleviate drainage problems along Ridgely Road outside the project limits.

NOW THEREFORE, IT IS AGREED, that the City will acquire the necessary permanent construction easement (P.C.E.) (shown on the attached sketch) for the drainage, will provide documentation of acquisition of the P.C.E. to the Arkansas State Highway and Transportation Department (hereinafter called "Department") prior to advertisement of the project, and will be responsible for 100% of the cost of construction of the additional drainage portion of the project.

IT IS FURTHER AGREED, that should the City fail to pay to the Department any required funds due for this portion of the project implementation, the Department may cause such funds as may be required to be withheld from the City's gasoline tax allotment.

IN WITNESS WHEREOF, the parties thereto have executed this Agreement this 21st day of July, 1998.

RECOMMENDED:

Assistant Chief Engineer for Planning

ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

CITY OF FAYETTEVILLE

Dan Flowers
Director of Highways and Transportation

Fred Hanna
Fred Hanna
Mayor

For the Fayetteville City Council meeting of December 7, 1999

FROM:

ACTION REQUIRED:

Approve a resolution adopting the 2000 City of Fayetteville Annual Budget & Work Program.

COST TO CITY:

\$		
Cost of this Request	Category/Project Budget	Category/Project Name
Account Number	Funds Used To Date	Program Name
Project Number	Remaining Balance	Fund

BUDGET REVIEW:		
	Budgeted Item	Budget Adjustment Attached

Steph [Signature]
Budget Manager

[Signature]
Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Accounting Manager	Date	Internal Auditor	Date
City Attorney	Date	ADA Coordinator	Date
Purchasing Officer	Date		

STAFF RECOMMENDATION: Approval of the 2000 Proposed Annual Budget & Work Program.

Division Head	Date
Department Director	Date
Administrative Services Director	Date
Mayor	Date

Cross Reference

New Item: **Yes** **No**

Prev Ord/Res #:

Orig Contract Date:_____

DEPARTMENTAL CORRESPONDENCE

TO: Fayetteville City Council

THRU: Fred Hanna, Mayor

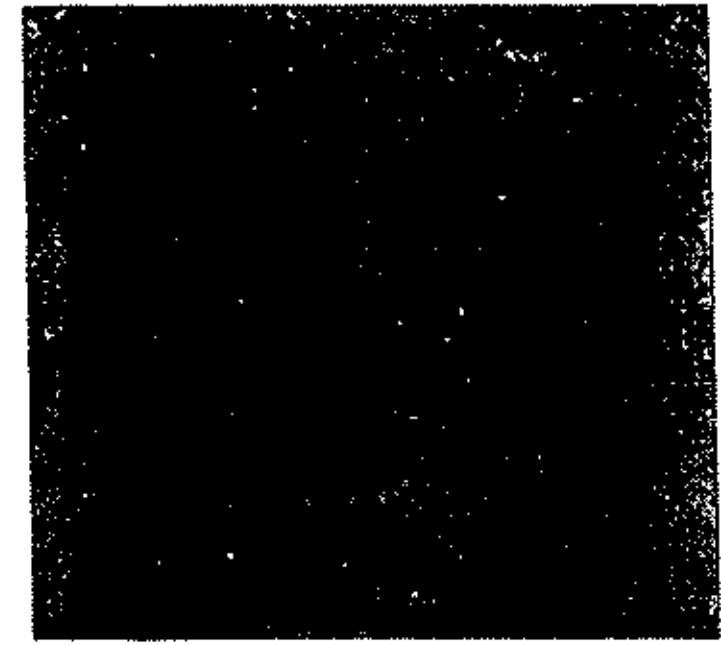
FROM: John Maguire, Administrative Services Director

DATE: November 19, 1999

SUBJECT: **2000 Proposed Annual Budget - Presentation**

The 2000 Proposed Annual Budget & Work Program will be submitted to City Council at a budget retreat on November 30, 1999 at 4:30 P.M. (following the City Council agenda session) in room 326 of the City Administration Building. City staff will distribute and present the proposed budget at the budget retreat.

A schedule of additional budget retreats will be submitted for Council review and approval. Copies of the 2000 Proposed Budget will be made available for public review at the Mayor's Office, City Clerk's Office, the Fayetteville Public Library, the Fayetteville Chamber of Commerce, and the City's web site on Wednesday, December 1.



2000



City of Fayetteville, Arkansas



Proposed
Annual Budget
and
Work Program



Attachment A

Amendments to the 2000 Proposed Budget

General Fund

Increase Investment Earnings \$60,000

Increase Miscellaneous Program - Salary Contingency \$270,000

Decrease Parks Maintenance Program - Personnel Services (\$60,000)

Parks Development Fund

Increase Personnel Services \$60,000

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DRAFT TENTATIVE AGENDA FAYETTEVILLE CITY COUNCIL DECEMBER 21, 1999

A meeting of the Fayetteville City Council will be held December 21, 1999 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

A. CONSENT AGENDA

1. **SUMMIT DEVELOPMENT:** A resolution approving a waiver of Ordinance 3793 to accept money in lieu of the park land requirement for an unnamed subdivision consisting of 108 multi-family units that sit on 9.28 acres south of Highway 16 West and west of Shiloh Drive.
2. **TROLLEY OPERATIONS:** A resolution accepting a renewal agreement with Jones Transportation Service for Trolley Operations for the period of January 1, 2000 through December 31, 2000.

B. OLD BUSINESS

C. NEW BUSINESS

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

**CITY COUNCIL
AGENDA SESSION
December 14, 1999**

**for
December 21, 1999
CITY COUNCIL MEETING**

A. ADDITIONAL INFORMATION

1. Policy and Procedures: New Investment Policy
2. Wheeler Water Association: Proposed purchase of assets

B. NEW INFORMATION

1. Land Possession by Power of Eminent Domain: Property along Highway 265

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

TENTATIVE AGENDA FAYETTEVILLE CITY COUNCIL DECEMBER 21, 1999

A meeting of the Fayetteville City Council will be held on December 21, 1999 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

- **NOMINATING COMMITTEE REPORT**

- A. CONSENT AGENDA**

1. **APPROVAL OF THE MINUTES:** Approval of the December 7, 1999 City Council minutes.
2. **PARK LAND WAIVER:** A resolution approving a waiver of Ordinance 3793 to accept money in lieu of the land dedication requirement. The developer for the proposed subdivision is Summit Development. The property is located south of Highway 16 West and west of Shiloh Drive.
3. **TROLLEY OPERATIONS:** A resolution accepting a renewal agreement with Jones Transportation Services for Trolley Operations for the period of January 1, 2000 through December 31, 2000.
4. **PAY PLAN ADJUSTMENT:** A resolution adopting a year 2000 pay plan for hourly, salaried, executive and civil service fire and police personnel.
5. **2000 COMPLETE COUNT:** A resolution approving an interlocal agreement between the County and incorporated cities within Washington County. The agreement authorizes the creation of a Washington County Complete Count Committee for the purpose of facilitating the Year 2000 Census.
6. **HIGHWAY 265 SIDEWALKS:** A resolution authorizing the payment of \$53,579.00 to the Arkansas Highway and Transportation Department for the City of Fayetteville's costs to install sidewalks along Highway 265, between Highway 16 East and Highway 45.

B. OLD BUSINESS

1. **VA 99-13:** An ordinance approving vacation request VA 99-13.00 submitted by Mike Roetzel on behalf of Buddy Peoples for property located at 28th Court. The request is to vacate the undeveloped street right-of-way located west of Club Oak Drive within Edge Hill Subdivision. This item was left on the first reading at the December 7, 1999 meeting.
2. **RZ 99-32:** An ordinance approving rezoning request RZ 99-32.00 submitted by Stephen Thetford for property located at 3351 W. Wedington Drive. The property is zoned R-O, Residential Office and contains approximately 0.69 acres. The request is to rezone the property to C-1, Neighborhood Commercial. This item was left on the second reading at the December 7, 1999 meeting.
3. **2000 ANNUAL BUDGET AND WORK PROGRAM:** A resolution adopting the 2000 City of Fayetteville Annual Budget and Work Program. This item was tabled at the December 7, 1999 meeting.

C. NEW BUSINESS

1. **WHEELER WATER ASSOCIATION:** A resolution approving a purchase agreement for the Wheeler Water system. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*
2. **INVESTMENT POLICY:** A resolution approving a new investment policy to replace Policy Acct. 2 (effective July 2, 1996) in the City of Fayetteville Policy and Procedures, as permitted by State of Arkansas Act 1341 of 1991. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*

WATER TANK LEASE: A resolution approving an amendment to the lease with Western Methodist Assembly. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*

mt seg inc.

Remove from agenda

STAFF REVIEW FORM

X AGENDA REQUEST
____ CONTRACT REVIEW
____ GRANT REVIEW

For the Fayetteville City Council meeting of December 21, 1999

FROM:

Connie Edmonston	Parks and Recreation	Public Works
Name	Division	Department

ACTION REQUIRED:

Waiver of Ordinance 3793 to accept money in lieu as the park land requirement of the subdivision located west of Shiloh Drive.

COST TO CITY:

\$n/a	\$	
Cost of this Request	Category/Project Budget	Category/Project Name
	\$	
Account Number	Funds Used To Date	Program Name
	\$	
Project Number	Remaining Balance	Fund

BUDGET REVIEW: _____ Budgeted Item _____ Budget Adjustment Attached

Budget Manager	Administrative Services Director
----------------	----------------------------------

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY: _____

Accounting Manager	Date	Internal Auditor	Date
City Attorney	Date	ADA Coordinator	Date
Purchasing Officer	Date		

STAFF RECOMMENDATION:

Waiver of Ordinance 3793 and to accept money in lieu as the park land requirement of the new subdivision to be located west of Shiloh Drive.

Connie Edmonston
Division Head
Charles Plueck
Department Director
Kim Maguire
Administrative Services Director
Paul Brown
Mayor

12-1-99
Date
12-1-99
Date
12/1/99
Date
12/2/99
Date

Cross Reference

New Item: Yes No

Prev Ord/Res #: _____

Orig Contract Date: _____

Orig Contract Number: _____

DEPARTMENTAL CORRESPONDENCE

TO: Mayor Fred Hanna and City Council

THRU: Charles Venable, Public Works Director

FROM: Connie Edmonston, Parks & Recreation Superintendent *C.E.*

DATE: December 1, 1999

SUBJECT: Waiver of the Park Land Dedication Ordinance 3793

A new subdivision that is not currently named, is proposed south of Highway 16 West and west of Shiloh Drive. The subdivision consists of 108 multi-family units that sits on 9.28 acres. The owner and developer is Summit Development and the engineer is Sand Creek Engineering and Landscape Architecture Incorporated.

The requirement for park land is 2.16 acres and money in lieu is \$40,500. The actual total amount of acres or money in lieu will be determined during the final plat process in which the total number of lots are determined. The formula base is updated every two years. A letter was received from Summit Development, Inc. requesting consideration of a cash payment in lieu of a land dedication. (See attached letter.) Park staff toured the site with the engineer Stephen Kramer and recommended money in lieu be accepted as the requirement.

The Parks and Recreation Advisory Board held a special meeting on December 1, 1999 at the proposed site. (See meeting minutes.) The board recommended to accept money in lieu as the park land requirement based on the reasons stated below:

1. It is in close proximity to Ozark View Park which was selected as the future site for the Youth Center. Plans of the Youth Center are to expand the acreage to about 20 acres.
2. It is a higher priority to use the money to develop a walking trail from the existing subdivisions to the future Youth Center in Ozark View Park.
3. There was limited access from existing roadways to the proposed park within the subdivision. The subdivision is also located in close proximity to the Interstate 540, which would be a safety concern.
4. The developer proposed to provide several park amenities including a swimming pool, basketball court, tennis court, recreation building, picnic tables and grills, and an open park area for their residents.

Because the proposed subdivision contains over 100 units, Ordinance 3793 regulates the Parks Division to accept a land dedication. The ordinance states:

However, if the Parks and Recreation Advisory Board determines that a neighborhood park is not feasible or advisable, it may recommend to the City Council that a cash contribution pursuant to our ordinance be accepted in lieu of land dedication. The City Council will either accept the recommendation for a cash contribution or return the subdivision plat to the Parks Board with instructions or for further study.

Please review this request to waive the park land dedication requirement and to accept money in lieu as the park land dedication requirement for this development. If you have questions, please call me at 444-3473.

Attachments:

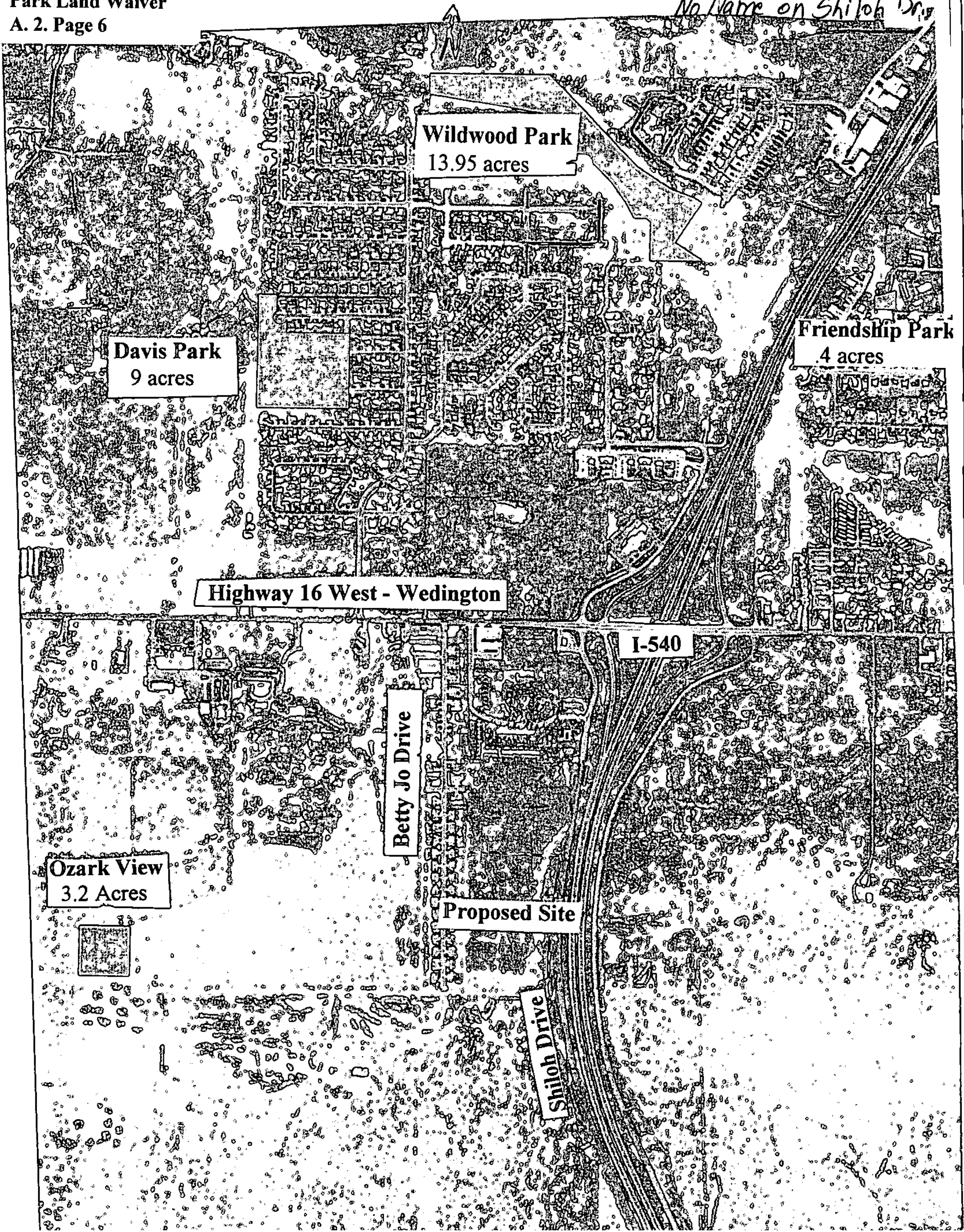
Subdivision Conceptual Layout
Map
PRAB December 1, 1999 Minutes
Stephen Kramer Letter



FLOOD STATEMENT:
THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR
FLOOD ZONE ACCORDING TO THE FEMA FLOOD
INSURANCE RATE MAP, PANEL #0143C0083 &
0143C0083, REVISED AUGUST 19, 1991

[illegible]

No Name on Shiloh Dr.



Wildwood Park
13.95 acres

Davis Park
9 acres

Friendship Park
4 acres

Highway 16 West - Wedington

I-540

Betty Jo Drive

Ozark View
3.2 Acres

Proposed Site

Shiloh Drive

MEMORANDUM

TO: Ms. Kim Rogers
City of Fayetteville

FROM: Stephen P. Kramer 
Summit Development, Inc.

SUBJECT: Proposed Multi-family Development

DATE: November 17, 1999

The attached drawing addresses items 1A, B, C, E and F of the "Developers Information on Park Requirements for Development".

Summit Development, Inc. is requesting a fee payment in lieu of land for this development.

Please let me know if you need additional information. I look forward to meeting with you regarding this proposed development.

PRAB
SPECIAL MEETING
DECEMBER 1, 1999

A special Parks and Recreation Advisory Board meeting was held December 1, 1999. The Parks and Recreation Advisory Board visited an unnamed development south of Highway 16 on Shiloh Drive. The purpose of the meeting was to visit the development to consider for park land or money in lieu of the Park Land Ordinance.

Members Present: Alexander, Colwell, Eads, Luttrell, Shoulders, Stockland

Members Absent: Ackerman

Staff Present: Edmonston, Evans, Gulley, Rogers, Schuldt

Media Present: Matt Wagner- NWA Times

Development:	No name. (Shiloh Drive)
Engineer:	Sand Creek
Owner/Developer:	Summit Development
Location:	South of Highway 16 on Shiloh Drive to the west
Park District:	Southwest
Units:	108 Multi-Units
Total Acres:	9.28 acres
Land Dedication Requirement:	2.16 acres
Money In Lieu:	\$40,500
Existing Parks:	Ozark View (3.2 acres); Davis (9); Finger (19)
Staff Recommendation:	Money in Lieu. This will require a waiver to the Park Land Dedication Ordinance since it contains over 100 units. It is in close proximity of Ozark View Park, which was selected as the site for the future Youth Center. The development has included a swimming pool, basketball court, tennis court, recreation building, picnic tables and grills, and an open park area.

Mrs. Theil stated that the apartment complex could prevent access to others not living in the apartments from using the amenities.

Mr. Schuldt stated that yes, the apartment could refuse access to the amenities for non residents.

Mrs. Theil stated that others in this area wouldn't have a park.

Mr. Schuldt stated that the Fayetteville Youth Center has a proposed site and there are other surrounding parks in the area.

Mr. Luttrell stated that Ozark Electric is discussing a road that would go through from Shiloh Drive towards Ozark Electric and beyond, thus, making easier access to Fayetteville Youth Centers proposed site.

Mr. Gulley said the new proposed Fayetteville Youth Center site would have many amenities.

PRAB Special Meeting

Mrs. Theil recommended to earmark money for a trail along the boundary that Mr. Luttrell had discussed.

Mr. Luttrell stated that there had been a discussion with Mr. Marinoni, the land owner to the south and he is receptive to the idea of the road.

Mr. Schuldt said if we do put in a park and the complex provides amenities it would be hard for people to distinguish which is an amenity and which is a park.

Mr. Alexander stated he didn't see the feasibility of placing a park in a apartment complex.

Mrs. Theil said that her concern was the neighbors in adjoining subdivisions, however if other parks are accessible that's okay.

Mr. Luttrell said he was concerned with people walking through residents yards to get to the park in the new subdivision.

Mrs. Edmonston complimented the developer for providing the various park amenities for the residents.

Motion: Mr. Alexander motioned to take money in lieu of land, based on its close proximity to Ozark View and possibly Fayetteville Youth Center.

Mr. Luttrell seconded the motion.

Motion passed 7-0.

Development:	Appleby Estates
Engineer:	Jorgensen & Associates
Owner/Developer:	Bleaux Barnes & Sam Mathias
Location:	South of Appleby Road and east of Gregg Street
Park District:	Northwest
Units:	17 Single Family
Total Acres:	8.08 acres
Land Dedication Requirement:	.425 acres
Money In Lieu:	\$7,990
Existing Parks:	Gordon Long (6.62 acres); Gregory (19.3)
Staff Recommendation:	Money in Lieu. It is located close to Gordon Long Park and the land dedication is only .425 acres. The development is not linked to the park and contains Skull creek which is in the flood way.

Mr. Schuldt stated staff visited the site to see it if Gordon Long could connect with the proposed land. Staff request money in lieu of land based on the fact that we cannot connect the land with Gordon Long. There is also a steep area and a creek running through the proposed land.

Mr. Gulley said the creek was Skull Creek.

Mrs. Theil said that Gordon Long is the only park in this area.

Mr. Gulley stated yes, but these apartments over here also have amenities. He also stated that Drake Road will be cutting through the park and area.

Mrs. Eads said we need more park land eventually, but not this land.

Mr. Alexander stated not .425 acres.

Mrs. Theil said this is a small amount of land. Greenspace wouldn't be good, not in this area, not this piece of land.

Mr. Gulley stated that the area near the creek would be in the floodway and that there is already a walking trail proposed in this area.

Mr. Shuldt stated he had visited with Chuck Rutherford and that a trail on the west side on the creek would be better.

Mr. Alexander said we have been discussing getting a large amount of land in the area.

Motion: Wade Colwell motioned for money in lieu of land.

Mr. Stockland seconded the motion.

Motion passed 7-0.

Parks and Recreation Advisory Board meeting for Monday, December 6, 1999 is at 5:30 p.m. Holiday snacks will be provided at 5:00 p.m.

Meeting dismissed at 12:35 p.m.

MINUTES APPROVED: _____

MINUTES TAKEN BY: _____

Tracie A. Evans

RECEIVED STATE REVIEW FORM

XX AGENDA REQUEST
 CONTRACT REVIEW
 GRANT REVIEW

DEC 06 1999

CITY OF FAYETTEVILLE
For the Fayetteville City Council's Review of December 21, 1999

FROM:

W.A. Oestreich Fleet Operations Administrative Services
Name Division Department

ACTION REQUIRED:

Acceptance of Renewal Agreement for Trolley Operations for the period of January 1, 2000 through December 31, 2000. This is in accordance with the provisions of Resolution 11-99, Item 13 dated February 2, 1999. The vendor for this Agreement will be Jones Transportation Service, Inc., 1617 Ramsey Ave., Fayetteville, AR 72703 (Vendor #2857)

COST TO CITY:

<u>\$ NTE \$45,000</u> Cost of this Request	<u>\$ 15,000</u> <u>30,000</u> Category/Project Budget	<u> </u> Category/Project Name
<u>2120-9120-5315-01</u> <u>1010-6600-5103-00</u> Account Number	<u>\$ -0-</u> Funds Used To Date	<u>A+P</u> <u>MISCELLANEOUS</u> Program Name
<u> </u> Project Number	<u>\$ 15,000</u> <u>\$35,000</u> Remaining Balance	<u>A+P</u> <u>General Fund</u> Fund

BUDGET REVIEW: XX Budgeted Item Budget Adjustment Attached

Steph Sand
Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Marilyn J. Kramer
Accounting Manager

City Attorney

12-2-99
Date

ADA Coordinator

Date

12-2-99
Date

Yolanda Dills
Internal Auditor

12-2-99
Date

Purchasing Officer

Date

STAFF RECOMMENDATION:

Acceptance of Attached Agreement

W.A. Oestreich
Division Head

11.30.99
Date

Cross Reference

Department Director

Date

New Item: **Yes No**

Administrative Services Director

12/6/99
Date

Prev Ord/Res #:

Mayor

12/6/99
Date

Orig Contract Date:

*JONES TRANSPORTATION SERVICE, INC.
1617 RAMSEY AVENUE
FAYETTEVILLE, AR 72703
501.443.6646*

FRED HANNA, MAYOR
CITY OF FAYETTEVILLE
113 WEST MOUNTAIN ST.
FAYETTEVILLE, AR 72701

REFERENCE: TROLLEY OPERATION AGREEMENT DATED FEBRUARY 2,
1999 - PROVISION #13

IN ACCORDANCE WITH ITEM #13 OF THE OPERATING AGREEMENT DATED
FEBRUARY 2, 1999, PLEASE BE ADVISED THAT THE JONES
TRANSPORTATION SERVICE INC. WILL PROVIDE CONTINUING SERVICE FOR
THE PERIOD OF JANUARY 1, 2000 THROUGH DECEMBER 31, 2000 AT
THE TERMS AND CONDITIONS OF THE ORIGINAL AGREEMENT. NO INCREASES
OR CHANGES ARE PLANNED FOR THIS TIME PERIOD.


HAROLD W. JONES, PRESIDENT
JONES TRANSPORTATION SERVICE, INC.

11-30-99
DATE

RESOLUTION NO. 11-99

MICROFILMED

A RESOLUTION APPROVING AN AGREEMENT WITH JONES TRANSPORTATION SERVICE, INC., FOR THE PROVISION OF TROLLEY OPERATIONS FOR THE PERIOD OF MARCH 1, 1999 THROUGH DECEMBER 31, 1999, WITH FOUR ONE YEAR RENEWAL OPTIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council hereby approves an agreement with Jones Transportation Service, Inc., for the provision of trolley operations for the period of March 1, 1999 through December 31, 1999, with four 1-year renewal options; and authorizes the Mayor and City Clerk to execute said agreement. A copy of the agreement is attached hereto marked Exhibit "A" and made a part hereof.

PASSED AND APPROVED this 2nd day of February, 1999.

APPROVED:

By: _____

Fred Hanna
Fred Hanna, Mayor



By: _____

Heather Woodruff
Heather Woodruff, City Clerk



EXHIBIT A**AGREEMENT**

THIS AGREEMENT, entered into as of this 2 day of February, 1999, by and between Jones Transportation Service, Inc., hereinafter referred to as "JTS" and The City of Fayetteville, Arkansas, hereinafter referred to as "the City".

WITNESSETH THAT:

JTS and the City will jointly provide transportation service for the City in accordance with guidelines contained herein:

1. TYPE OF SERVICE

The service shall be open to members of the general public and shall not be operated exclusively for any one group or organization.

2. ROUTE DEVELOPMENT

JTS will assist the City in developing the most time and mileage efficient routing and scheduling for the service.

3. VEHICLES & INSURANCE

JTS will operate vehicles owned by the City for service provided under this Agreement. Vehicles will be operated in accordance with routes approved by the City. In no instance will vehicles be operated by the City for services not provided under this Agreement, or outside the State of Arkansas, unless the City shall secure adequate insurance covering such operation and operate under its own authority. JTS's use of said vehicles shall be limited to service provided under this Agreement unless approved by the City.

Because it is not immune from tort liability, JTS agrees to maintain the following vehicle insurance coverage on all vehicles operated under this agreement:

Liability: \$1,000,000.00 combined single limit.
Medical: \$5,000.00.
Uninsured Motorist: \$500,000.00.
Underinsured Motorist: \$500,000.00.
Comprehensive: Deductible: \$25.00.
Collision: Deductible: \$500.00.

JTS will provide for insurance as specified above on the three (3) City owned vehicles in place at the time of initiation of this contract that are used for the provision of trolley services. During the term of this contract, should the City decide to replace equipment or expand the number of vehicles in service, the City and JTS will conduct an insurance cost review to determine if rate of payment adjustments should be made as defined in Section Nine (9) of this agreement.

4. MAINTENANCE & LICENSING

The City shall provide vehicle maintenance at the City Shop. The City will provide fuel, oil and other necessary operating supplies. Licensing and other operating costs will be provided by the City.

JTS shall comply with all scheduled maintenance as set by the City and is to notify the City of any maintenance or repair needs on the vehicles. Necessary movement of vehicles shall be coordinated with the City Shop. If necessary and approved by the City, JTS will provide maintenance or repair, and will subsequently bill the City at current rates charged to non-profits.

JTS shall not obligate the City to pay any cost pertaining to any aspect of this agreement without prior written authorization.

5. DISPATCH & OPERATIONS

Each vehicle will be equipped with proper communication equipment.

JTS will do all dispatching and scheduling. The City will use request forms signed by authorized agent for the City or use phone authorization by the City agent and JTS agent for scheduling.

JTS will provide spare vehicles to insure uninterrupted service to the City in the event of malfunction of the assigned vehicles. Spare vehicles will match the capacity of regularly assigned vehicles when possible.

6. DRIVERS

JTS shall provide all Drivers for service operated under this agreement who shall receive special orientation and training to prepare them to educate passengers, in addition to JTS's regular Driver training. Said training shall consist primarily of a set of written materials which shall be memorized by Drivers for repetition to passengers, and a set of guidelines for dress, behavior, and any other items designated by the City or JTS.

Adequate scheduling, supervision, and substitute Drivers shall be provided to assure uninterrupted service.

Drivers used to provide service to the City will:

- (a) Hold licenses required by federal and state law.
- (b) Have a satisfactory driving record based on information documented from the Arkansas Department of Motor Vehicles, and continue to demonstrate ability to drive the vehicle to JTS's satisfaction.
- (c) Successfully complete, and update as needed, training in accordance with JTS's training policy.

- (d) Be approved by JTS to drive based on the above criteria.

In addition, Drivers will adhere to guidelines provided by the City for dress, behavior, and other performance based items designated by the City. All policies in this area will be communicated to the authorized JTS representative.

7. PROMOTION & PUBLIC AWARENESS

JTS will work with the City to develop an on-going program of public awareness to assure that tourists and City residents know of the service and are able to access it. It is understood that JTS shall not pay for any promotion or advertising under this Agreement, other than minor in-house mailing.

8. INCLEMENT WEATHER

Either the City or JTS may, in case of inclement weather and/or hazardous road conditions, cancel or modify scheduled transportation service.

9. RATE OF PAYMENT

- (a) Normal Trolley route - \$17.50 per hour.
(1) Non profit group rate - same.
- (b) For supplemental rates - \$25.00 per hour for personal or private groups. City to receive \$7.50 credit per hour.
- (c) \$29.90 per hour when JTS unit used. City to receive no credit.

Rates may be subject to periodic adjustments upon written agreement of both parties, the City and JTS.

10. METHOD OF PAYMENT

JTS will bill the City monthly for transit service provided under this Agreement using a format designed to show the hours of services provided to the City.

Personal or Private groups will be billed direct. Copies of such billing shall be made available to the City.

11. RECORDS

JTS's responsibility for record-keeping, financial and record data computations shall be limited under this Agreement to number of riders, daily trip sheets, and records required by the Arkansas Highway and Transportation Department. Maintenance records shall be maintained by the City and shall be open to inspection by JTS and its agents, including representatives of the Arkansas Highway and

Transportation Department upon request.

12. REPRESENTATIVES AND NOTICE

The representatives of the respective parties who are authorized to administer this Agreement and to whom formal notices, demands, and communications shall be given are as follows:

The representative of JTS shall be:

Harold W. Jones, President/Owner
Jones Transportation Service, Inc.
1617 Ramsey Avenue
Fayetteville, AR 72703

The representative of the City shall be:

Fred Hanna, Mayor
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Notice as required by the terms of this agreement shall be effective upon hand delivery, in writing, to the appropriate representative listed above five (5) days after written notice is mailed First Class, U. S. Postage, to said representative.

13. TIME OF PERFORMANCE

The initial term of this Agreement shall be from March 1, 1999, until December 31, 1999. After the end of the initial term, the City shall have the option to renew this Agreement for four (4) additional one year terms. Exercise of optional renewals will be by written agreement of both parties, the City of Fayetteville and JTS.

14. AGREEMENT AMENDMENTS

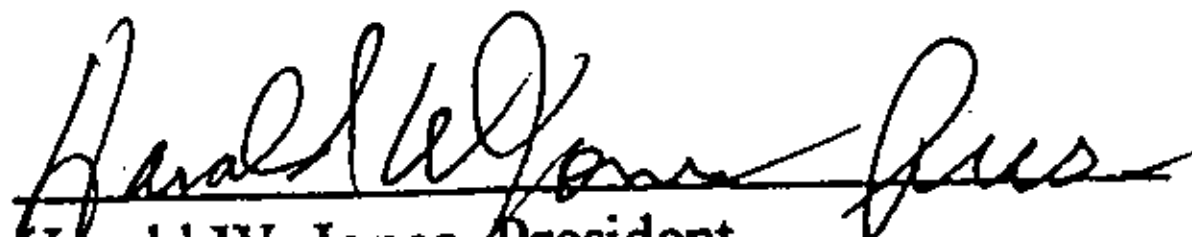
This Agreement may be modified at any time by a memorandum of understanding with the mutual agreement of both parties.

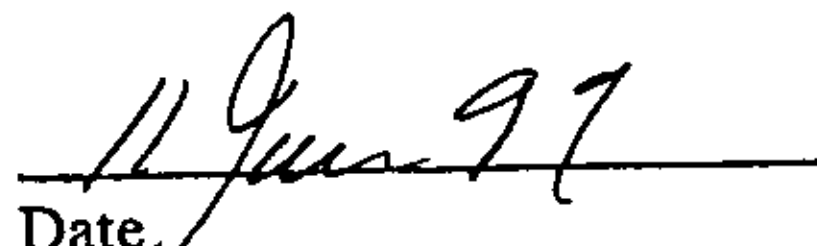
15. AGREEMENT TERMINATION

This Agreement may be terminated by one (1) of the following methods:

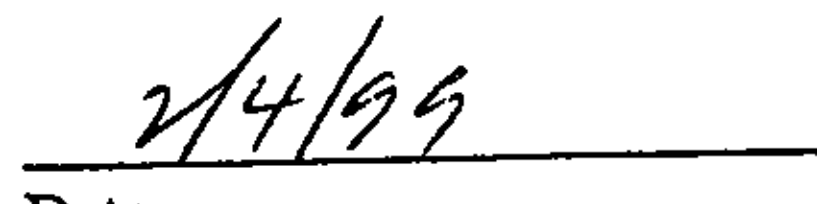
- (a) Either party may terminate this Agreement upon thirty (30) days' written notification, or
- (b) Both parties, by their mutual consent, may terminate this Agreement immediately.

IN WITNESS WHEREOF, this Agreement is signed and made effective by the following:


Harold W. Jones, President
Jones Transportation Service, Inc.


Date


Fred Hanna, Mayor
City of Fayetteville


Date

RECEIVED**STAFF REVIEW FORM**Pay Plan
A. 4. Page 1

xx Agenda Request DEC 08 1999
Contract Review CITY OF FAYETTEVILLE
Grant Review CITY CLERK'S OFFICE

FOR THE FAYETTEVILLE CITY COUNCIL MEETING OF DECEMBER 21, 1999**FROM:**

<u>DON BAILEY</u>	<u>PERSONNEL</u>	<u>ADMIN. SERVICES</u>
Name	Division	Department

ACTION REQUESTED:

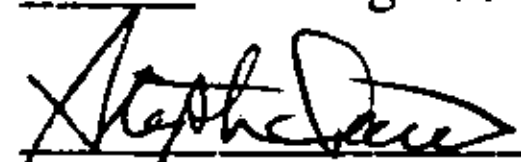
ADOPT A YEAR 2000 PAY PLAN FOR HOURLY, SALARIED, EXECUTIVE AND CIVIL SERVICE FIRE AND POLICE PERSONNEL EFFECTIVE WITH YEAR 2000 PAYROLL NUMBER 1 BEGINNING ON 12-27-99, PAID ON 1-14-00.

COST TO THE CITY:

<u>\$ 730,158</u>	<u>\$ SEE ATTACHMENT A</u>	<u>PERSONNEL SERVICES</u>
Cost of this request	Category/Project Budget	Category/Project Name
<u>VARIOUS</u>	<u>0</u>	<u>VARIOUS</u>
Account Number	Funds used to date	Program Name
<u>N/A</u>	<u>SEE ATTACHMENT A</u>	<u>SEE ATTACHMENT A</u>
Project Number	Remaining Balance	Fund

BUDGET REVIEW:

 Budgeted Item Budget Adjustment Attached



Budget Coordinator

Administrative Services Director**CONTRACT/GRANT/LEASE REVIEW:****GRANTING AGENCY:**

Marilyn J. Cramer 12-6-99
Accounting Manager Date

[Signature] 12-7-99
City Attorney Date

Purchasing Officer Date

Jolanda Oulds 12-7-99
Internal Auditor Date

ADA Coordinator Date

STAFF RECOMMENDATION:

ADOPT PAY PLAN FROM THE OPTIONS PRESENTED.

Don Bailey
Division Head

12-6-99
Date

John Maguire
Department Director

12/6/99
Date

John Maguire
Administrative Services Director

12-6-99
Date

[Signature]
Mayor

12/7/99
Date

STAFF REVIEW FORM

Description _____ Meeting Date _____

Comments:
Budget Coordinator

Reference Comments:

Accounting Manager

City Attorney

Purchasing Officer

ADA Coordinator

Internal Auditor

THE CITY OF FAYETTEVILLE, ARKANSAS

TO: Mayor Fred Hanna and the City Council

FROM: John Maguire, Administrative Services Director
Don Bailey, Personnel Director *DB*

DATE: December 3, 1999

SUBJECT: **RECOMMENDATIONS FOR PAY PLAN REVISIONS**

The City's pay plan, developed with the assistance of Hay Management Consultants, was adopted January 1, 1990. Pay ranges adopted were based on public sector, private sector and civil service police and fire surveys. A primary objective of these surveys was to develop a pay practice that is competitive in the market place and internally equitable in relation to job content.

The standard adopted by our pay plan establishes the mid-point of the pay ranges as the average paid for jobs with similar levels of difficulty and required skills. This objective has been achieved. However, the market upon which pay is based is not static, and must be surveyed from time to time in order to maintain our competitive posture. A bi-annual wage survey is conducted as a means to determine if adjustments to pay ranges are needed.

Surveys were completed as scheduled in October, and Hay Management Consultants have prepared recommendations based on the survey data collected. The methodology utilized year to year to measure market change was again applied to analyze the raw survey data. The results of the survey indicate the below listed changes are needed to maintain a competitive market position.

1. Increase the step rates of Police and Fire as follows:

Firefighter	7%
Fire Captain	13%
Battalion Chief	17%
Police Officer	13%
Police Sergeant	15%
Police Lieutenant	19%

Mayor Fred Hanna
and the City Council

-2-

December 3, 1999

2. Increase the range midpoints of salaried and hourly jobs as follows:

Executive	4.7% (avg.)
Salaried Exempt	5% (avg.)
Hourly Non-Exempt	5%

3. Make these changes effective Payroll Number 1, 2000, beginning on December 27, 1999, and paid on January 14, 2000.

Staff recommends the following additional changes for incorporation in the Year 2000 Pay Plan.

1. Establish a Corporal position which individual Police Officers would achieve by completing five years of service and having received the Intermediate Certificate from the Commission on Law Enforcement Standards and Training.

A Corporal step rate will commence at Step F. This step will be set at a two step increase above the Police Officer Step E rate and will increase in tandem with the Police Officer steps through Year 20.

2. The incremental amount between Step G to Year 10, Step Year 10 to Year 15, and Step Year 15 to Year 20 will be changed to \$1000.00 from the current \$500.00 for both Police and Fire ranks.
3. Establish an FTO incentive bonus of \$1.50/hr for the time a rookie in training is assigned to the Officer. The bonus is to be paid in a lump sum at the time the training assignment is completed.
4. The City will amend its Section 401 and 457 Defined Contribution Plans to permit uniformed officers and firefighters to participate and elect to make either pre-tax or after tax contributions. Matching contribution will not be made by the City.

Staff, at the time of each previous pay adjustment, made an unqualified recommendation of adoption. We are, however, faced with the dilemma of insufficient budget to cover the unanticipated marked increases in the Police and Fire rates. We therefore respectfully request the Council to consider these alternatives in reaching a decision in this matter.

Mayor Fred Hanna
and the City Council

-3-

December 3, 1999

Option 1.

Approve intact the step increases as set forth in Chart 7, (pg 12-A), in the Hay Report (Attachment B). This action will create a \$400,000 shortfall as shown in the schedule of salary contingency funding - 2000 Proposed Budget (Attachment A). The 2000 Proposed Budget can be amended as reflected under funding options.

Option 2.

In the event a solution to the budget shortfall cannot be achieved, reduce the amount of Police and Fire step increases to 85% of the indicated market pay levels. Staff requests that City Council consider implementing the remaining pay range adjustment at mid year if revenues are sufficient to fund the request, or

Option 3.

Elect to utilize the General Fund Balance to fund the shortfall.

Also included with this cover letter are the Year 2000 Step Rates indicated by the market pay level (Attachment C), the step rates at 85% of the market pay level (Attachment D) and the general employees pay ranges by grade (Attachment E).

The public sector surveys for executive, police and fire, and the private sector surveys within Northwest Arkansas replicate the 1992, 1994, 1996 and 1998 surveys as closely as possible. We, and the Hay Consultant, are confident the results of the study are reliable. If any member of the Council desires additional detailed data, you are encouraged to discuss your questions with the Personnel Director.

Attachments

City of Fayetteville, Arkansas
Schedule of Salary Contingency Funding
- 2000 Proposed Budget

Fund	Total Salary Contingency Budget	Projected Annual Impact Of Pay Range Adjustments			Routine Annual Merit / Step Raises			Additional Funding For Salary Contingency
		Civil Service	Noncivil Service	Total	Civil Service	Noncivil Service	Total	
General	\$ 632,552	\$ 682,345	\$ 28,767	\$ 711,112	\$ 80,945	\$ 250,495	\$ 331,440	\$ (410,000)
Street	50,000	2,086	2,086	2,086		37,257	37,257	10,657
Community Development	4,600	0	0	0		3,783	3,783	817
Parks Development	10,000	0	0	0		2,597	2,597	7,403
Water & Sewer				0				
- Meter Operations	30,000	1,764	1,764	1,764		27,345	27,345	891
- Maintenance	60,000	4,329	4,329	4,329		37,465	37,465	18,206
Solid Waste	50,000	6,188	6,188	6,188		39,029	39,029	4,783
Airport	10,400	0	0	0		3,568	3,568	6,832
Shop	20,000	4,679	4,679	4,679		9,154	9,154	6,167
	\$ 867,552	\$ 682,345	\$ 47,813	\$ 730,158	\$ 80,945	\$ 410,693	\$ 491,638	\$ (354,244)

Staff proposes funding the General Fund shortfall in the following manner.

Funding Options

Rollforward Remaining 1999 Salary Contingency	150,000
City Investment Changes	60,000
Fire Dept - Close Station 3 and Reduce Minimum Staffing	70,000
Police Department - Reduce OT	70,000
Parks & Recreation - Reallocate costs to Parks Dev. Fund	60,000
Dollars made available	<u>410,000</u>

City of Fayetteville, Arkansas

***Compensation Practices Update - Executive, Exempt, Police, Fire
& Nonexempt***

December 1999

HayGroup

ATT. B

Prepared by:

Paul Glogowski
Consultant

Roxann Hill
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Hay Management Consultants
Dallas, Texas

for

City of Fayetteville, Arkansas

HayGroup

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I. Project Overview

Hay Management Consultants has completed an evaluation of the City of Fayetteville's compensation practices for Executive, Exempt, Nonexempt and Police and Fire positions.

Previously, Hay worked with the City on a comprehensive compensation project which was completed in December 1989. We further performed updates in November 1991, January 1994, December 1995 and October 1997.

The City has requested that the current study include an analysis of the Markets for each of the major employer categories.

Based on current market conditions, Hay Management Consultants was asked to provide recommendations for changes in the City of Fayetteville's pay policies. This report includes:

- Analysis of the City's Current Internal Pay Practices
- Market Comparison - Nonexempt
- Market Comparison - Exempt
- Market Comparison - Executive
- Market Comparison - Police and Fire
- Recommendations

II. Internal Pay Practice Analysis

The following summary statements describe the City of Fayetteville's current internal pay practice for each employee category as compared to the midpoint of the current pay ranges. The midpoint of each pay range is established as the average actual pay for like or comparable positions surveyed.

Nonexempt

When the City conducted its original study in 1989, the Pay Plan Committee elected to establish a single salary range for nonexempt positions. ACEs (Additional Compensable Elements for working conditions and/or the work environment) were assigned to positions where warranted.

Group A

Nonexempt Group A consists primarily of secretarial and clerical positions. These positions all function within a normal office environment and do not have ACEs assigned.

Current base rates for all Nonexempt A positions fall within established salary ranges. The base salary practice shows that positions in this employee group have an aggregate compa-ratio (salaries divided by midpoints) of 102.5%. This indicates that on average employees are paid slightly above the midpoint policy.

Group B

Nonexempt Group B jobs are those which have been classified as having occasional or moderate ACEs.

Pay for this group falls within established ranges for all positions with exception of one incumbent, Civilian Jailer. The base salary practice shows that positions in this employee group have an aggregate compa-ratio (salaries divided by midpoints) of 103.3%. Again, this indicates that on average employees are paid slightly above the midpoint policy.

II. Internal Pay Practice Analysis (cont'd)

Group C

Nonexempt Group C jobs are those which could be considered typical "blue collar" jobs and were judged to have considerable and continuous, or extreme but occasional ACEs.

Pay for this group falls within established ranges for all positions with exception of one incumbent, Maintenance Worker II. The base salary practice shows that positions in this employee group have an aggregate compa-ratio of 101.4%. Again, this indicates that on average employees are paid slightly above the midpoint policy.

Group D

Group D is the smallest of the City's nonexempt categories. Jobs in this category are those which were judged to have extreme and continuous ACEs and are primarily Sanitation/Refuse Workers. All of the incumbents in Group D are paid within the established salary range. The average compa-ratio for the group is 99.8%

II. Internal Pay Practice Analysis (cont'd)

Exempt

Pay for this group falls within established ranges for all positions with exception of two incumbents, both of which are programmer Analysts. The base salary practice shows that positions in this employee group have an aggregate compa-ratio of 107.8%. This indicates that on average employees are paid above the midpoint policy.

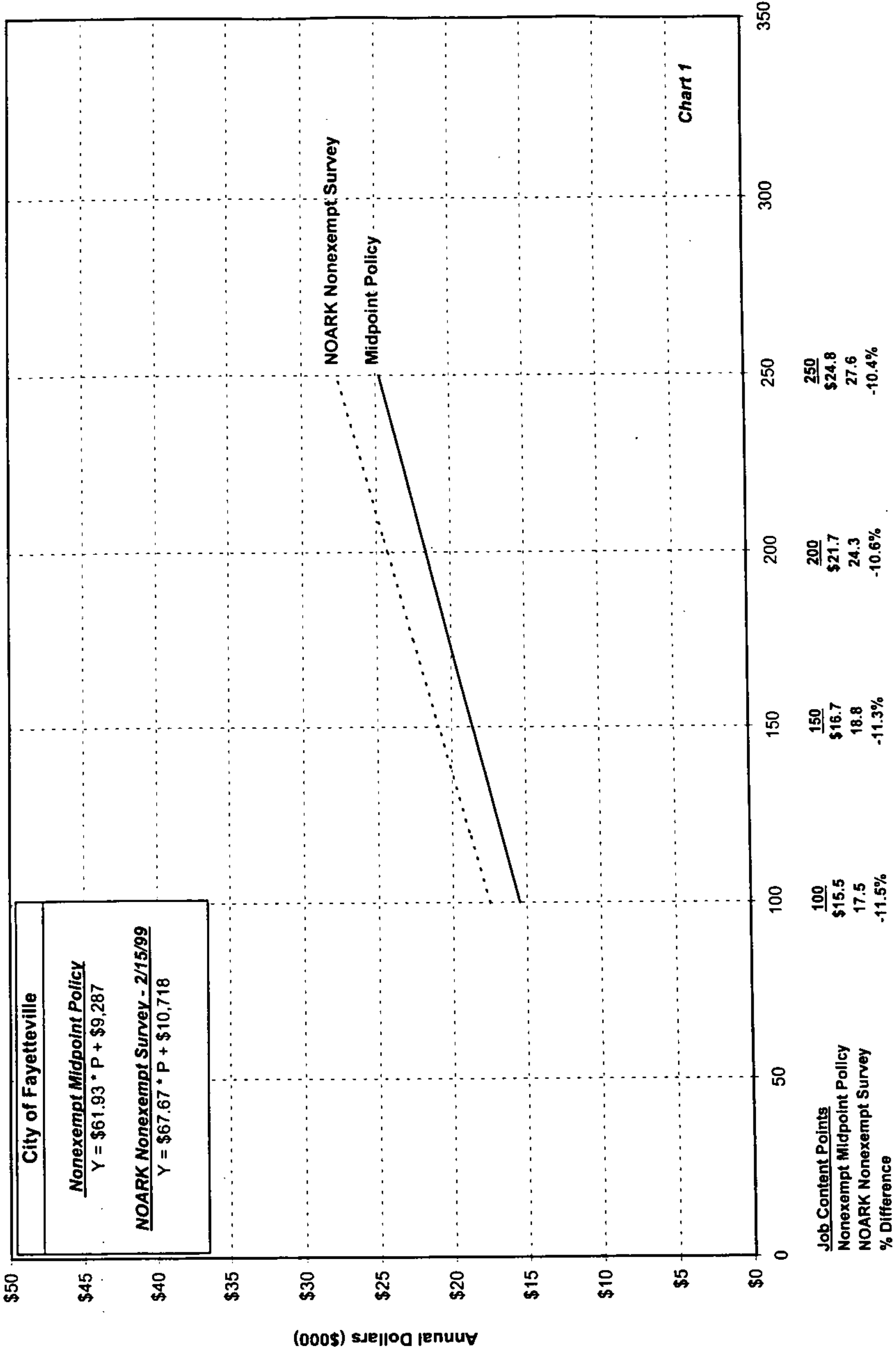
Executive

All incumbents in the Executive group are paid within the current salary range with the exception of the City Engineer who is paid slightly above the range maximum..

The base salary practice shows that positions in this employee group have an aggregate compa-ratio of 110.3%. This indicates that on average employees are paid well above the midpoint policy.

City of Fayetteville, Arkansas

Group A Midpoint Policy vs. NOARK Nonexempt Survey



III. Market Comparison Analysis

Nonexempt

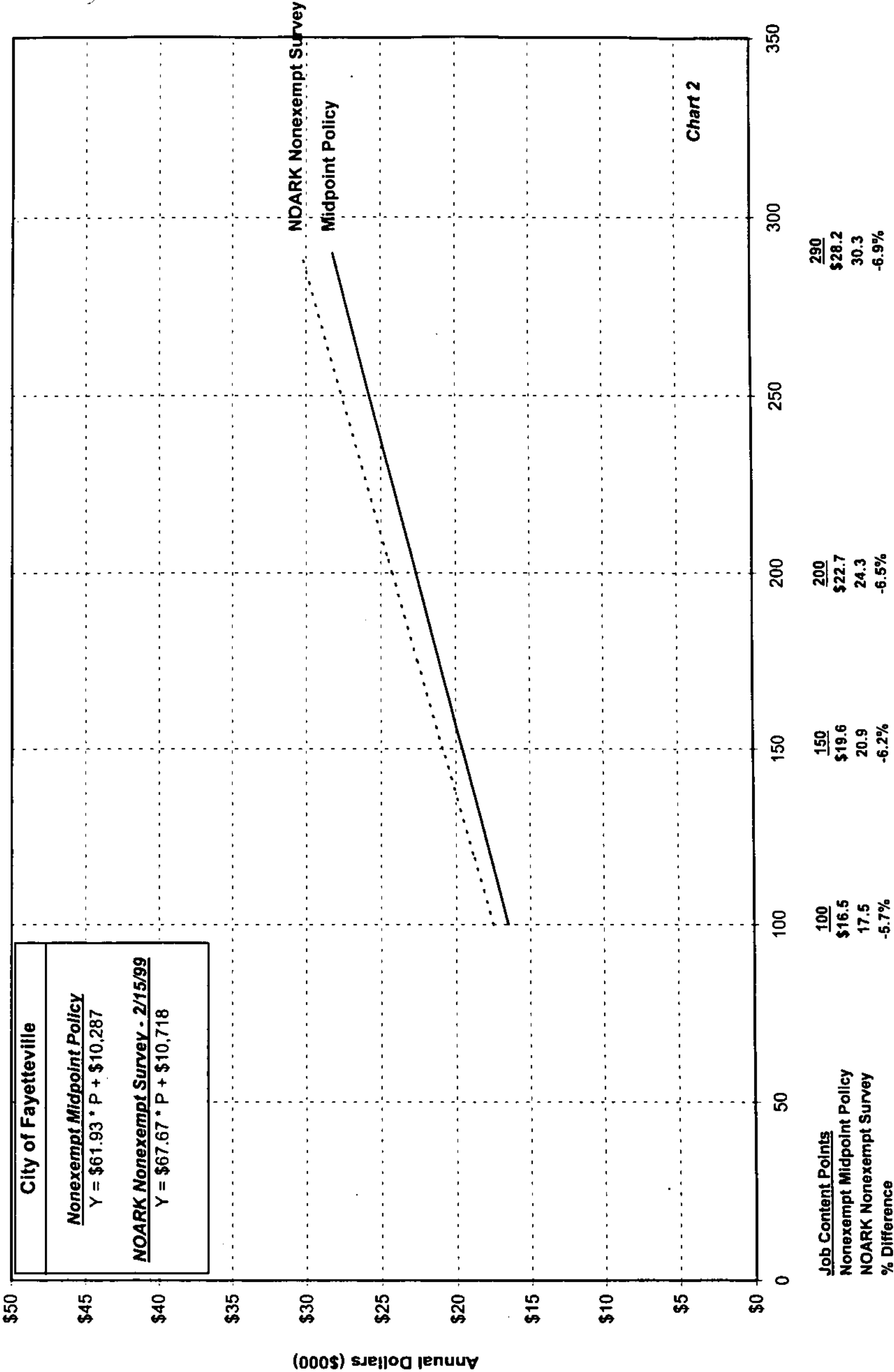
Each of the Nonexempt Groups has been compared separately in Charts 1 through 4 to the Nonexempt line generated from the 1999 NOARK Human Resource Association Compensation and Benefits Survey. A participant list is included in Appendix A.

Group A

The City's policy for Nonexempt Group A (primarily Clerical and Secretarial jobs) is lower than the survey line, with the City's policy 11.5% lower at entry level and 10.4% lower at the highest levels of Nonexempt responsibility.

City of Fayetteville, Arkansas

Group B Midpoint Policy vs. NOARK Nonexempt Survey



III. Market Comparison Analysis (cont'd)

The next three charts show each of the nonexempt groups which receive additional pay for ACEs. The current midpoint policies were established as part of the original study and are based on the Nonexempt A policy:

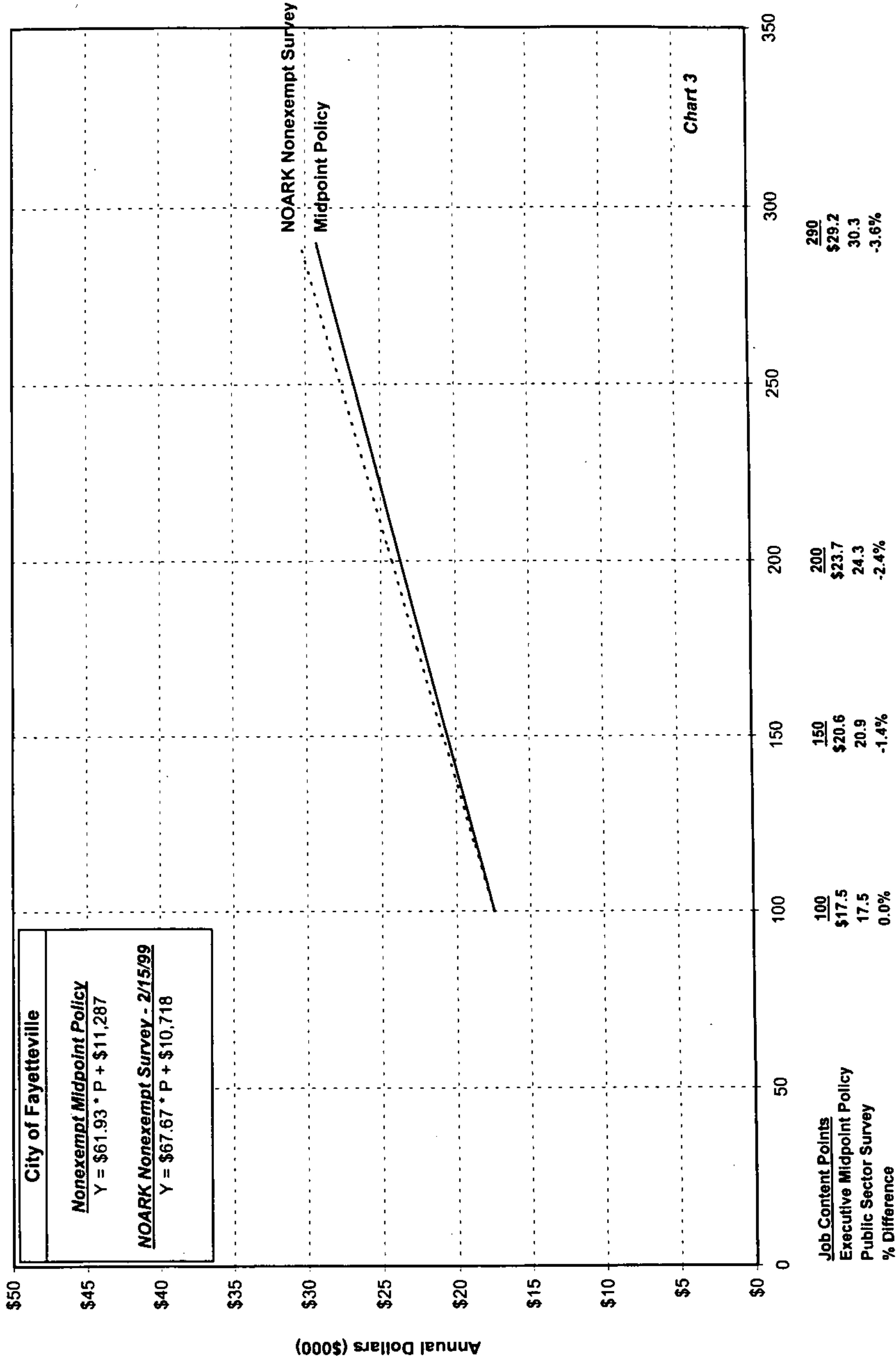
- Nonexempt B = Nonexempt A policy + \$1,000
- Nonexempt C = Nonexempt A policy + \$2,000
- Nonexempt D = Nonexempt A policy + \$3,000

Group B

The Chart facing (Group B) compares the same NOARK policy line to the Nonexempt A policy line including the \$1,000 premium. Lower level positions (at 100 grade points) have midpoints which are currently 5.7% below the survey line. Group B jobs which are at 290 grade points have midpoints 6.9% below the survey line.

City of Fayetteville, Arkansas

Group C Midpoint Policy vs. NOARK Nonexempt Survey



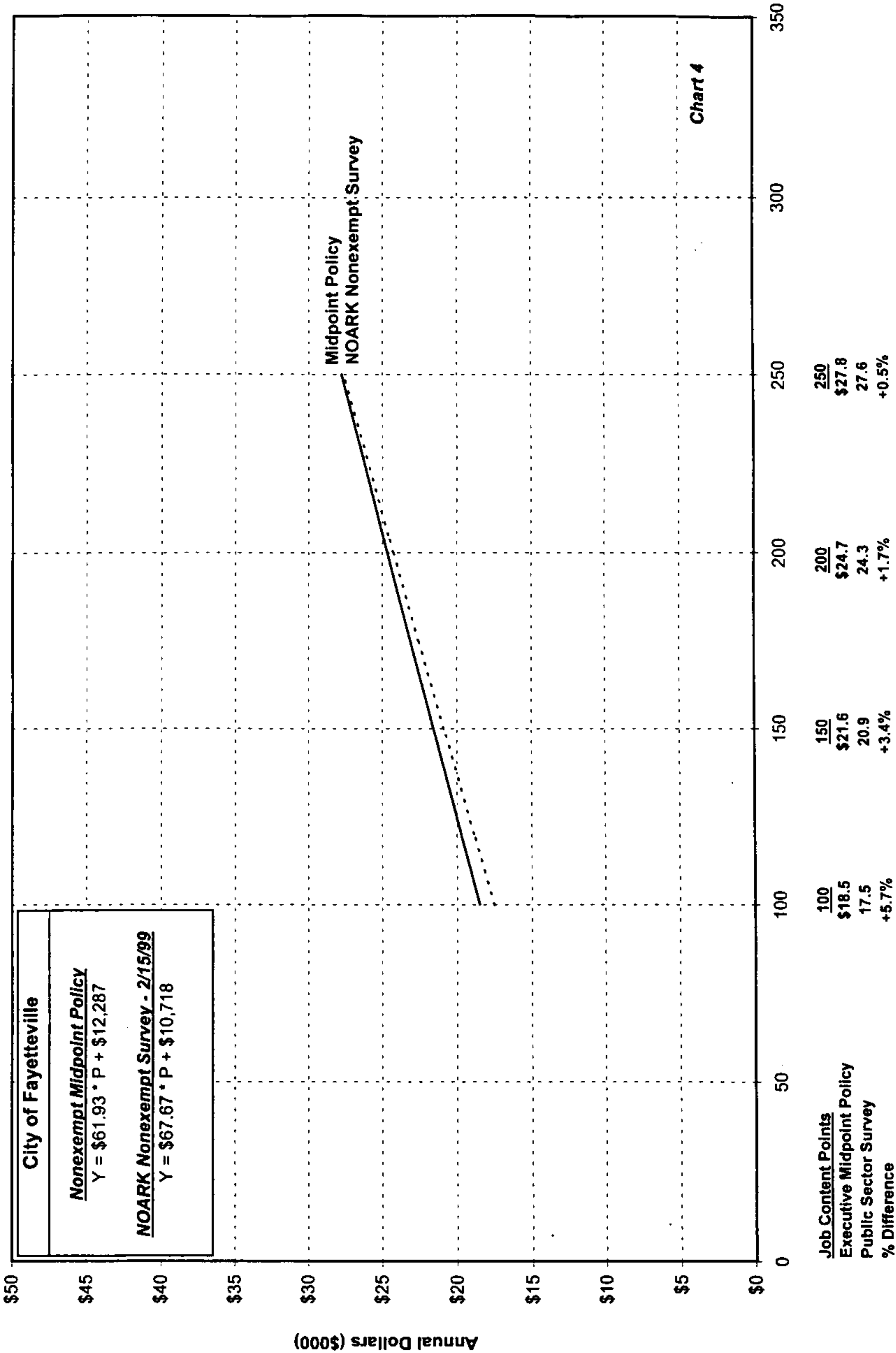
III. Market Comparison Analysis (cont'd)

Nonexempt Group C jobs (typical "blue collar" jobs, which receive a \$2,000 annual premium for ACEs) carry midpoints which are currently closer than any other Nonexempt group to the NOARK Nonexempt Survey. As can be seen on Chart 3, the differences between the City's midpoints and the NOARK Survey data ranges from: equal to the market at 100 grade points to 3.6% below the survey line at 290 grade points below the survey line.

Group C

City of Fayetteville, Arkansas

Group D Midpoint Policy vs. NOARK Nonexempt Survey



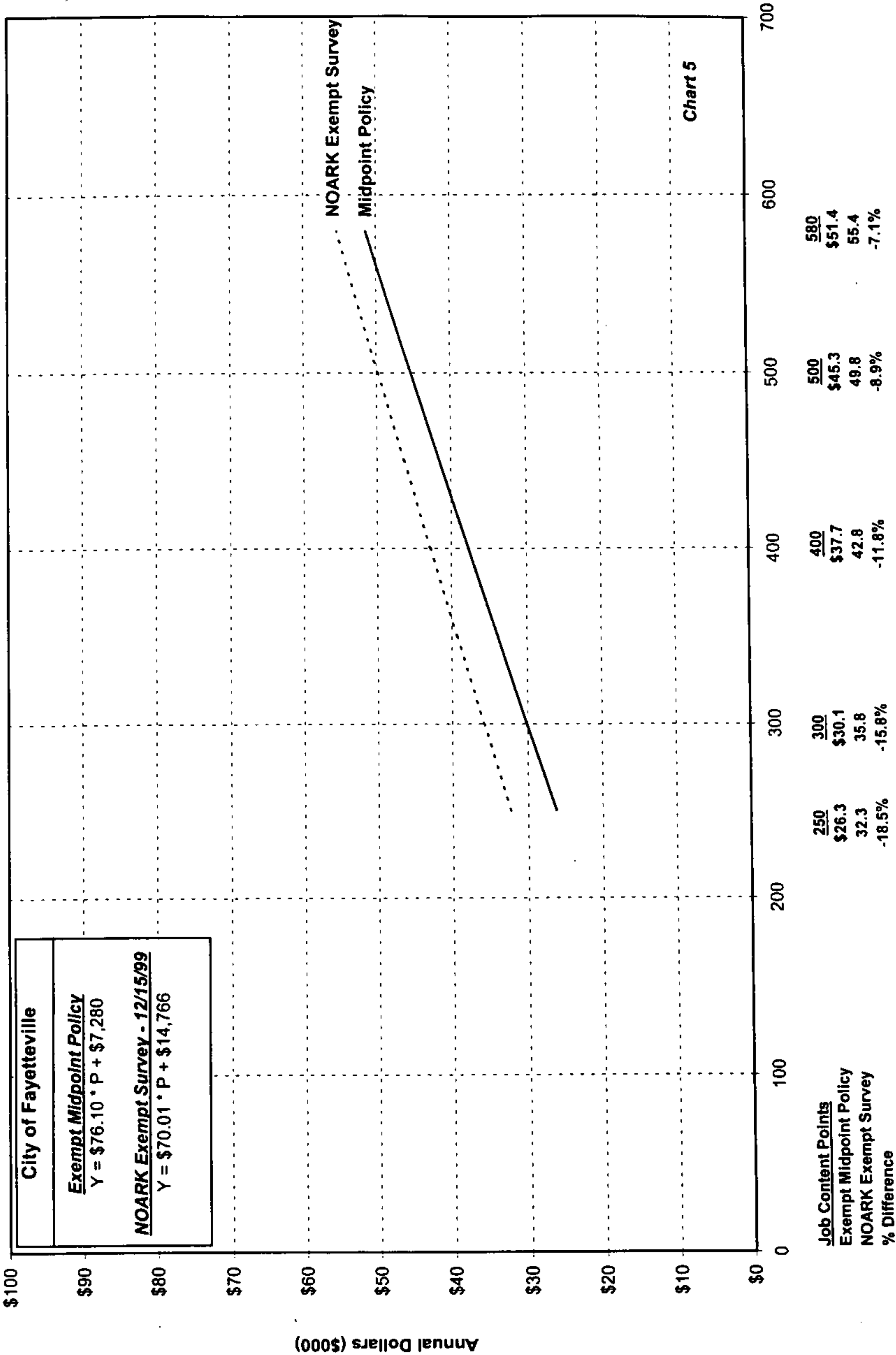
III. Market Comparison Analysis (cont'd)

Group D

The Nonexempt Group D positions (Chart 4) consist primarily of Refuse and Sanitation workers. Midpoints were established with a \$3,000 premium, above Group A jobs with the same evaluation points. These midpoints currently range from 5.7% above market (at 100 grade points) to 0.5% above market (at 250 grade points).

City of Fayetteville, Arkansas

Exempt Midpoint Policy vs. NOARK Exempt Survey



III. Market Comparison Analysis (cont'd)

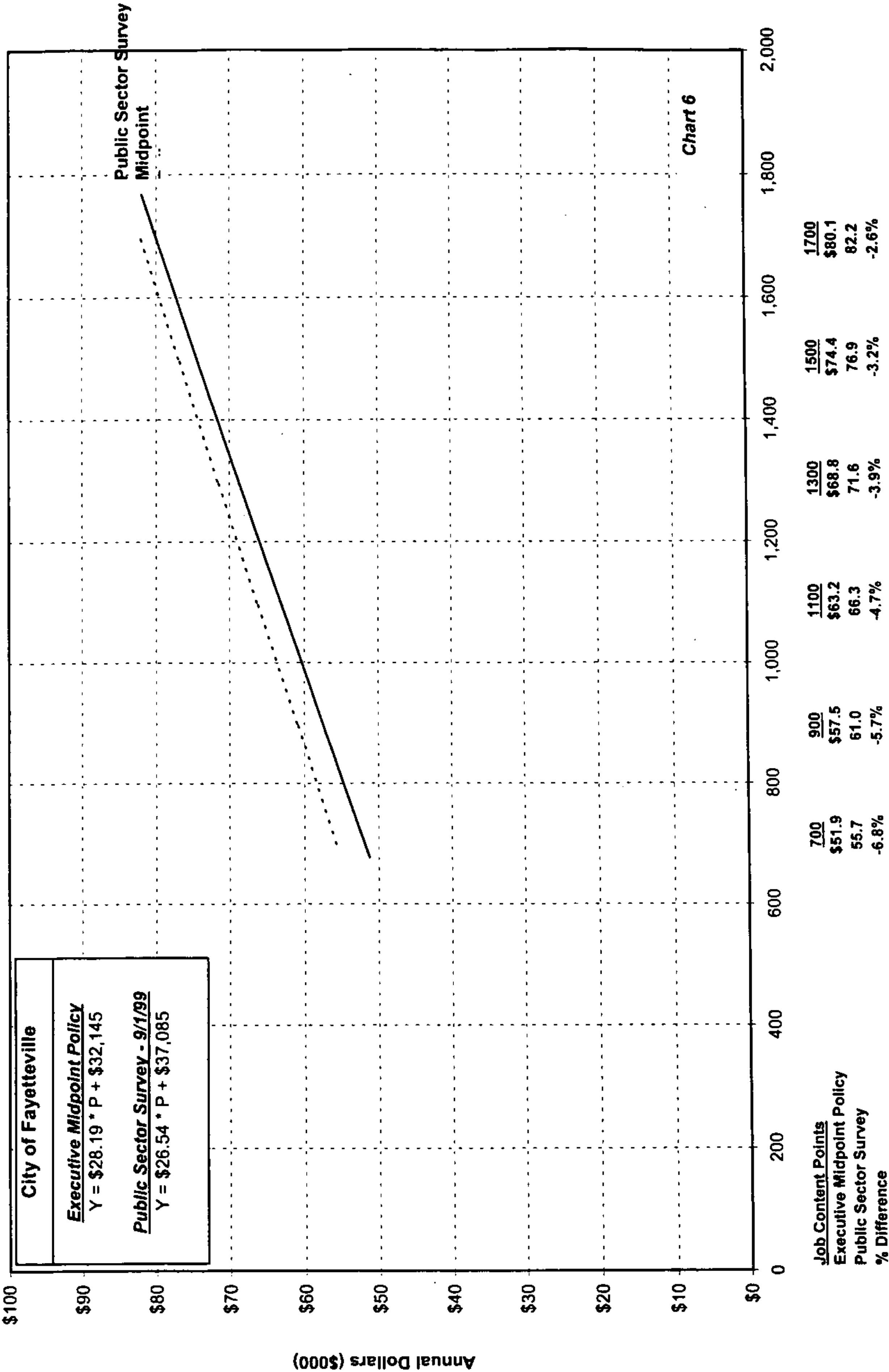
Exempt

Chart 5, facing, compares the City's Exempt policy with the exempt line generated from the 1999 NOARK Survey.

The current policy for Exempt Group ER currently ranges from 18.5% below market at 250 grade points to 7.1% below market at 580 grade points.

City of Fayetteville, Arkansas

Executive Midpoint Policy vs. Public Sector Survey



Executive

III. Market Comparison Analysis (cont'd)

In this section of the report, Chart 6 compares the City of Fayetteville's current executive policies to the appropriate external markets.

The City conducted a survey of Executive pay in comparable size cities and participants who responded are listed in Appendix B.

As shown on Chart 6, the City's current executive salary grade midpoints range from 6.8% below market at 700 points to 2.6% below market at 1700 points. The market comparisons for this employee group are the public sector market with similar levels of responsibility in other municipalities.

12/2/99

**RANGE
FIRE PAY COMPARISON**

	FIREFIGHTER			FF/DRIVER OPERATOR			FIRE CAPTAIN			BATTALION CHIEF		
	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX
Survey A	22,804	26,065			30,252	30,865	34,850	37,248	39,848	40,336	42,826	45,318
Survey K	22,722	24,531			27,443	33,852	32,699	39,303	38,826	45,907	50,489	55,071
Survey M	24,011	26,798			32,239	34,536	34,518	37,532	40,548	41,885	46,790	51,894
Survey O	24,191	27,386			32,233	34,295	36,118	37,747	39,376	**	**	47,578
Total Survey *	23,223		28,298			32,546	34,547	37,721	39,714	42,066	45,733	48,415

Survey A
Survey K
Survey M
Survey O
Total Survey *

City of Fayetteville
% Diff. Over,(Under)
Avg. % Diff.

21,995	25,282	31,165	26,254	32,786	38,548	33,674	38,706	45,238
6%	12%	4%	21%	15%	3%	25%	18%	7%
	7%			13%			17%	

(*) Survey Midpoints of FF/Driver Operator Averaged

**RANGE
POLICE PAY COMPARISON**

	POLICE OFFICER			POLICE SERGEANT			POLICE LIEUTENANT			POLICE CAPTAIN		
	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX
Survey A	22,524	27,302	32,081	32,538	34,238	35,939	38,382	39,365	40,348	43,234	44,533	45,832
Survey K	28,039	35,429	42,820	40,569	42,843	45,117	47,981	51,240	54,519	**	**	**
Survey M	24,604	29,570	34,536	36,002	38,427	40,852	39,959	41,314	42,669	46,949	48,345	49,741
Survey O	25,048	30,638	36,227	38,718	39,867	41,015	44,327	45,457	46,586	45,029	47,667	50,304
Total Survey	24,211	29,591	34,971	35,484	37,309	39,133	41,232	42,684	44,136	44,612	46,269	47,927

Survey A
Survey K
Survey M
Survey O
Total Survey

City of Fayetteville
% Diff. Over,(Under)
Avg. % Diff.

22,383	25,726	30,573	27,980	32,138	37,816	31,238	35,906	42,074	34,977	40,203	46,929
8%	15%	14%	27%	16%	3%	32%	19%	5%	28%	15%	2%
	13%			15%			19%			15%	

Survey A - State of Arkansas Fire and Police Departments
Survey K - State of Kansas Fire and Police Departments
Survey M - State of Missouri Fire and Police Departments
Survey O - State of Oklahoma Fire and Police Departments
Total Survey - The KMO Survey Average + Survey A

Chart 7

HayGroup

III. Market Comparison Analysis (cont'd)

Executive

In this section of the report, Chart 6 compares the City of Fayetteville's current executive policies to the appropriate external markets.

The City conducted a survey of Executive pay in comparable size cities and participants who responded are listed in Appendix B.

As shown on Chart 6, the City's current executive salary grade midpoints range from 6.8% below market at 700 points to 2.6% below market at 1700 points. The market comparisons for this employee group are the public sector market with similar levels of responsibility in other municipalities.

III. Market Comparison Analysis (cont'd)

Police and Fire

As the final portion of the 1999 Compensation Update, the City conducted a study of police and fire pay for comparable size municipalities in Arkansas, Kansas, Missouri, and Oklahoma. The 26 cities, whose data was included in this study, are listed in Appendix C. In support of this effort, the HayGroup contacted several of the municipalities to assist in the collection of market pay data when they did not respond to the original requests from the City for salary information. The facing Chart reflects the results of this survey, with data as of September 1999.

Fire Department

The City of Fayetteville has combined pay range for a Firefighter and Driver Operator. This structure is somewhat unique and precludes a direct comparison to Departments which maintain separate job pay ranges. For comparison to the City's position, the survey midpoints of the two separate job classifications have been averaged. The City's minimum is compared to the survey Firefighter minimum, while the City's maximum is compared to the survey cities maximum for the Fire Operator/Driver/Engineer position.

Using this basis of comparison, the City currently pays 6% less at the minimum for Firefighter and 4% less than maximum for the Firefighter Driver/Operator.

Comparisons for the Fire Captain and Shift Commander are more straight forward, with positions which are directly comparable to those in other municipalities.

The City of Fayetteville pay ranges for the Fire Captain range from 21% below the survey average at minimum to 3% below the survey average at maximum.

The position of Battalion Chief is also paid less; 25% at minimum and 7% at maximum.

III. Market Comparison Analysis (cont'd)

Police Department

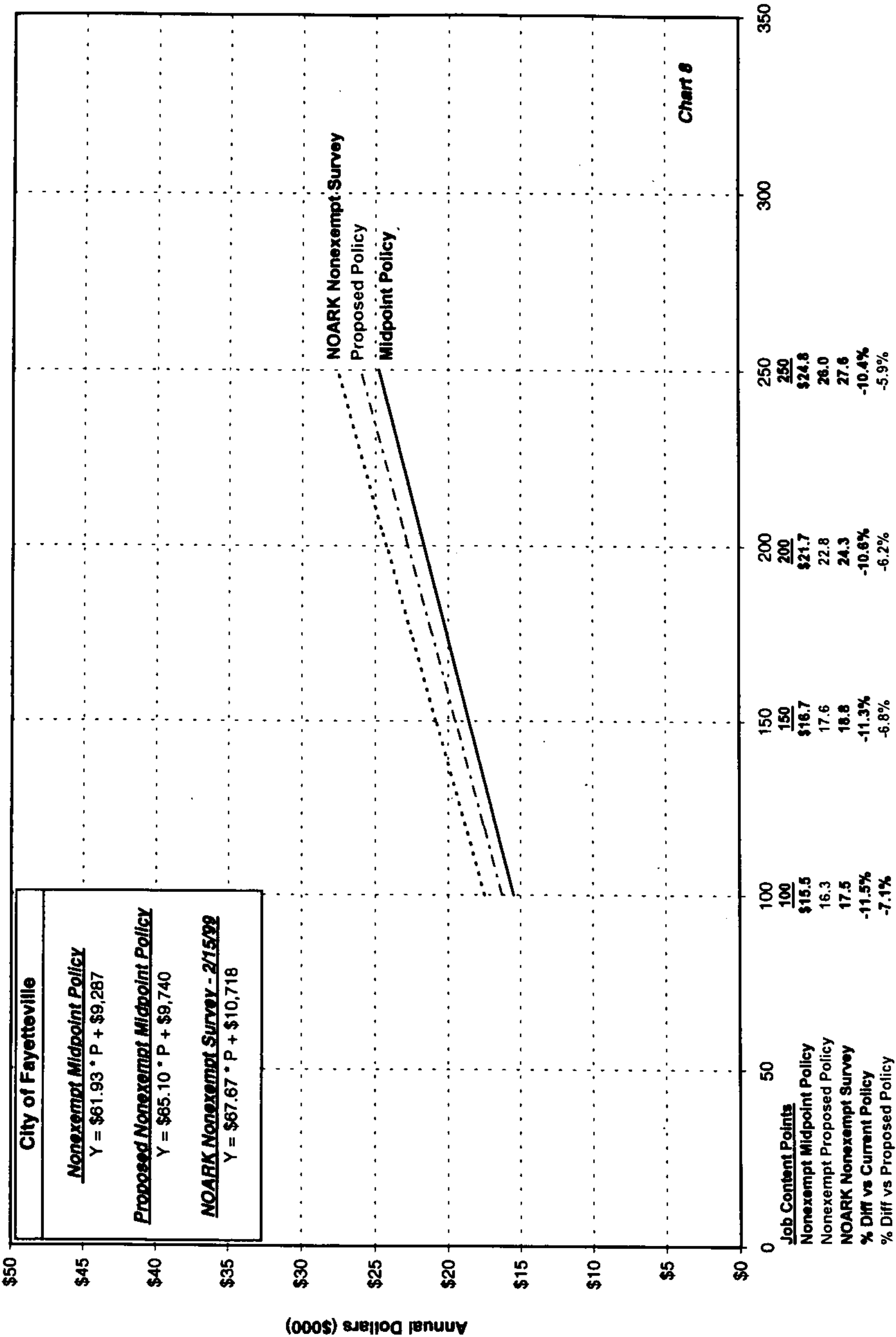
Comparison of the survey results to the four positions in the Police Department shows results which are somewhat similar to those for Fire. The results for all levels in the Police Department are less than the salaries reported in the 1999 survey.

The City of Fayetteville's entry level job, Police Officer, pays an average of 13% less than the survey. The next level, Police Sergeant, shows an average difference of 15%.

Police Lieutenant pay for the City has a 19% lower average pay. The highest level position surveyed, Police Captain, continues this trend with differentials averaging 15% less than that of comparator cities.

City of Fayetteville, Arkansas

Group A Midpoint Policy vs. NOARK Nonexempt Survey



IV. Recommendations

Nonexempt

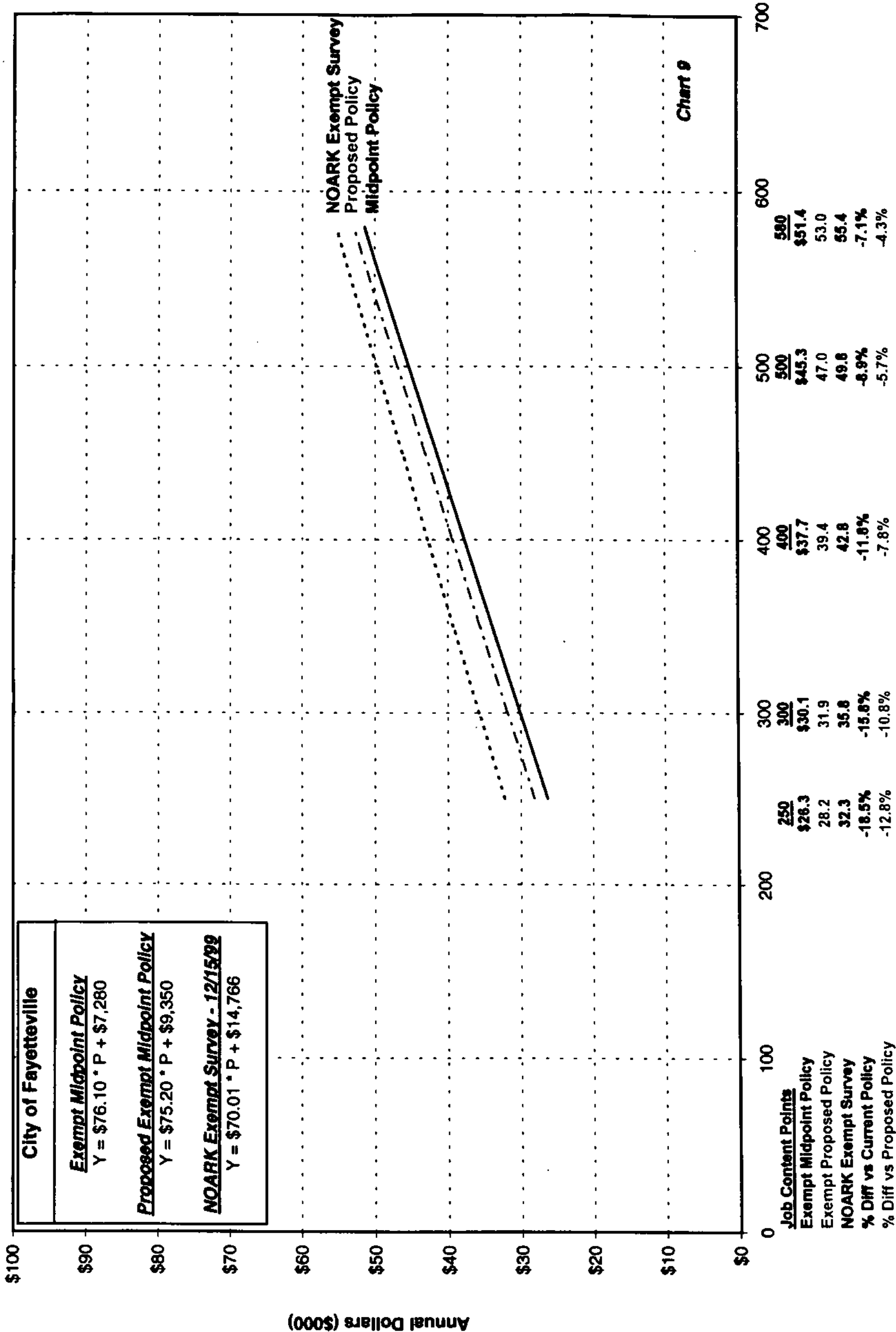
The use of a single policy line with increases for varying levels of ACEs has worked well. Unless there are recruitment and/or retention problems in the nonexempt population, we recommend using the same methodology this year.

Generally the current nonexempt policy is below, but parallel with the 1999 NOARK Nonexempt Survey line; therefore we are recommending a 5% increase overall. This results in salary lines which are competitive in the Fayetteville market for nonexempt jobs.

Chart 8 shows the proposed nonexempt policy in comparison with Group A, current policy and the 1999 NOARK Nonexempt Survey line.

City of Fayetteville, Arkansas

Exempt Midpoint Policy vs. NOARK Exempt Survey



IV. Recommendations (cont'd)

Exempt

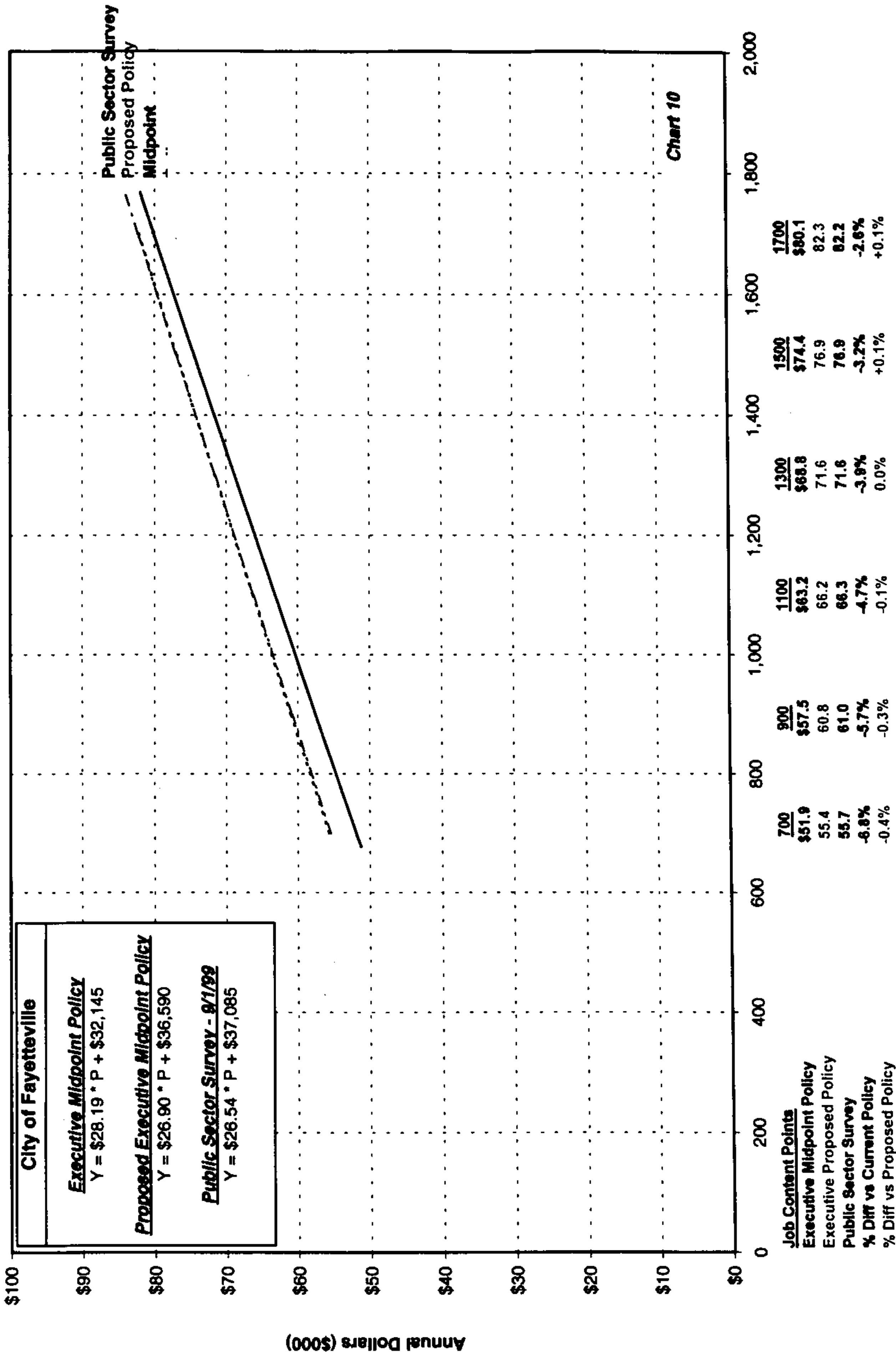
As noted in the previous section, the current Exempt midpoint policy is lower than the 1999 NOARK Survey line.

An increase of 7% to the salary structure at the lower levels of the exempt policy group and an increase in the salary structure of 3.0% at the upper levels of the exempt policy group are clearly supported by the market data. With this increase the Exempt employees would maintain relative competitiveness between the City of Fayetteville's Exempt employees and the market.

Results of this proposed increase are shown on Chart 9.

City of Fayetteville, Arkansas

Executive Midpoint Policy vs. Public Sector Survey



IV. Recommendations (cont'd)

Executive

In order for the City to remain competitive with other municipalities of similar size, we are recommending that the City's midpoint policy for executives be increased by 6.8% at the lower levels of the executive salary structure and by 2.6% at the top of the salary structure. Again, these increases are clearly supported by the market data collected and analyzed. This results in a midpoint policy which is virtually identical with the current Public Sector Survey line as shown in Chart 10.

IV. Recommendations (cont'd)

Fire and Police

The three levels of Fire Department positions included in this survey show Fayetteville's midpoints to be 7% to 17% lower than the comparable survey jobs.

The Police Department positions show midpoints which are 13% to 19% lower than the survey cities.

Our recommendation for the Police and Fire groups are to grant an aggregate average increase of no less than 10%.

Appendix A

1999 NOARK Survey

Master Participant List

1st Financial Assurance Company	Magnetek
Abilities Unlimited Industries	Marshalltown Tools
Arkansas Western Gas Company	Northwest Arkansas Community College
ARVEST Bank Group	Northwest Arkansas Radiation Therapy Institute
Awards, Inc.	Northwest Arkansas Rehab. Hospital
Ball Metal Food Container	Northwest Medical Center
Bank of Fayetteville	Northwest Technical Institute
Bella Vista Village Property Owners Association	Ozark Guidance Center, Inc.
Benton County	Ozarks Electric Cooperative Corporation
Bentonville Public Schools	Pel-Freez
Boatmen's National Bank of NWA	Peterson Farms, Inc.
Brunner & Lay, Inc.	Pratt & Whitney PSD, Inc.
Cargill, Inc.	Rebsamen Insurance
Citizens Bank	Roxell, Inc.
City of Bentonville	Siloam Springs Memorial Hospital
City of Fayetteville	Siloam Springs Schools
Clack Corporation	Simmons Foods
Clarke Industries, Inc.	Superior Industries - Fayetteville
Cooper Communities	Superior Industries - Rogers
Daisy Manufacturing Company, Inc.	Tyson Foods, Inc.
Danaher Tool Group	United Bank
DaySpring Cards	University of Arkansas - Fayetteville
Ex-Cell Manufacturing Company	WalMart, Inc.
FPEC Corporation	Washington County
Harps Food Stores, Inc.	Washington Regional Medical Center
Jet Stream Plastic Pipe Company	Willis Shaw
J. B. Hunt Transport, Inc.	
John Brown University	
Kearney Company	

HayGroup

Appendix B
Public Sector Survey Participants
Participant List

Arkansas	Missouri	Oklahoma	Kansas
Fort Smith (73)	Blue Springs (40)	Bartlesville (34)	Hutchinson (39)
Hot Springs (32)	Chesterfield (42)	Broken Arrow (58)	Leavenworth (38)
Jacksonville (29)	Columbia (69)	Edmond (52)	Lenexa (34)
Springdale (30)	Jefferson City (35)	Enid (45)	Manhattan (38)
	Joplin (41)	Moore (40)	Shawnee (38)
	Lee's Summit (46)	Norman (80)	
	University City (41)	Stillwater (37)	

() Population in thousands

Appendix C

Police and Fire Survey Participants

<i>Arkansas</i>	<i>Missouri</i>	<i>Kansas</i>	<i>Oklahoma</i>
Fort Smith Hot Springs Jacksonville Jonesboro North Little Rock Pine Bluff Rogers Russellville Springdale West Memphis	Cape Girardeau Columbia Jefferson City Joplin St. Joseph	Leavenworth Manhattan Shawnee	Bartlesville Edmond Enid Moore Muskogee Norman

1997 Participants who choose not to participate in the 1999 survey:

Arkansas - Conway and El Dorado
 Missouri - Blue Springs and Lee's Summit
 Kansas - Emporia, Hutchinson and Lawrence
 Oklahoma - Broken Arrow, Del City, Lawton, Shawnee and Stillwater

2000 POLICE STEP RATES
SURVEY

	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	YEAR 10	YEAR 15	YEAR 20
POLICE CAPTAIN										
BASE PAY	37483.80	39350.39	41217.92	43084.51	44951.11	46818.64	48685.23	49617.13	50549.03	51480.93
HOLIDAY PAY	1585.85	1664.82	1743.83	1822.81	1901.78	1980.79	2059.76	2099.19	2138.61	2178.04
EXTRA HOL PAY	1153.35	1210.78	1268.24	1325.68	1383.11	1440.57	1498.01	1526.68	1555.35	1584.03
TOTAL PAY	40223.00	42226.00	44230.00	46233.00	48236.00	50240.00	52243.00	53243.00	54243.00	55243.00
RT PAY RATE 1	18.021	18.918	19.816	20.714	21.611	22.509	23.406	23.854	24.302	24.750
OT PAY RATE 2	19.338	20.301	21.264	22.227	23.190	24.154	25.117	25.598	26.078	26.559
POLICE LIEUTENANT										
BASE PAY	34641.50	36366.45	38092.33	39818.21	41544.08	43269.03	44994.91	45926.81	46858.71	47790.61
HOLIDAY PAY	1465.60	1538.58	1611.60	1684.62	1757.63	1830.61	1903.63	1943.06	1982.48	2021.91
EXTRA HOL PAY	1065.89	1118.97	1172.07	1225.17	1278.28	1331.35	1384.46	1413.13	1441.80	1470.48
TOTAL PAY	37173.00	39024.00	40876.00	42728.00	44580.00	46431.00	48283.00	49283.00	50283.00	51283.00
RT PAY RATE 1	16.655	17.484	18.314	19.143	19.973	20.802	21.632	22.080	22.528	22.976
OT PAY RATE 2	17.872	18.762	19.652	20.542	21.433	22.323	23.213	23.694	24.175	24.655
POLICE SERGEANT										
BASE PAY	29964.30	31457.20	32949.17	34442.08	35934.98	37426.95	38919.85	39851.75	40783.65	41715.55
HOLIDAY PAY	1267.72	1330.88	1394.00	1457.16	1520.33	1583.45	1646.61	1686.03	1725.46	1764.89
EXTRA HOL PAY	921.98	967.91	1013.82	1059.75	1105.69	1151.60	1197.53	1226.21	1254.88	1283.55
TOTAL PAY	32154.00	33756.00	35357.00	36959.00	38561.00	40162.00	41764.00	42764.00	43764.00	44764.00
RT PAY RATE 1	14.406	15.124	15.841	16.559	17.276	17.994	18.711	19.159	19.608	20.056
OT PAY RATE 2	15.459	16.229	16.999	17.769	18.539	19.309	20.079	20.560	21.040	21.521
POLICE OFFICER										
BASE PAY	23571.47	24745.66	25918.92	27093.12	28267.31	29440.57	30614.77	31546.67	32478.56	33410.46
HOLIDAY PAY	997.25	1046.93	1096.57	1146.25	1195.92	1245.56	1295.24	1334.67	1374.09	1413.52
EXTRA HOL PAY	725.28	761.40	797.50	833.63	869.76	905.86	941.99	970.67	999.34	1028.01
TOTAL PAY	25294.00	26554.00	27813.00	29073.00	30333.00	31592.00	32852.00	33852.00	34852.00	35852.00
RT PAY RATE 1	11.332	11.897	12.461	13.026	13.590	14.154	14.719	15.167	15.615	16.063
OT PAY RATE 2	12.161	12.766	13.372	13.977	14.583	15.188	15.794	16.275	16.756	17.237
POLICE CORPORAL										
BASE PAY										
HOLIDAY PAY										
EXTRA HOL PAY										
TOTAL PAY										
RT PAY RATE 1										
OT PAY RATE 2										

P1 HOURS 2232
P2 HOURS 2080

ATT. C

2000 FIRE STEP RATES
SURVEY

	TRAINEE	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	STEP H	YEAR 10	YEAR 15	YEAR 20
BATTALION CHIEF	BASE PAY	35323.24	37082.27	38842.21	40601.24	42360.27	44120.21	45879.24	NA	46775.79	47672.34	48568.90
	HOLIDAY PAY	3202.38	3361.85	3521.41	3680.88	3840.35	3999.90	4159.38		4240.66	4321.94	4403.22
	EXTRA HOL PAY	873.37	916.87	960.38	1003.87	1047.37	1090.88	1134.37		1156.54	1178.71	1200.87
	TOTAL PAY	39399.00	41361.00	43324.00	45286.00	47248.00	49211.00	51173.00		52173.00	53173.00	54173.00
	RT PAY RATE 1	12.130	12.734	13.339	13.943	14.547	15.151	15.755		16.063	16.371	16.679
	OT PAY RATE 2	13.530	14.204	14.878	15.552	16.225	16.899	17.573		17.917	18.260	18.603
BATTALION CHIEF (DAY SHIFT)	TOTAL PAY	39399.00	41361.00	43324.00	45286.00	47248.00	49211.00	51173.00	NA	52173.00	53173.00	54173.00
	40 HR WK RT RATE	18.942	19.885	20.829	21.772	22.715	23.659	24.602		25.083	25.564	26.045
FIRE CAPTAIN	BASE PAY	28905.72	30345.59	31785.45	33225.31	34665.17	36105.03	37544.90	NA	38441.45	39338.00	40234.55
	HOLIDAY PAY	2620.57	2751.11	2881.64	3012.18	3142.72	3273.26	3403.79		3485.07	3566.35	3647.63
	EXTRA HOL PAY	714.70	750.30	785.90	821.50	857.10	892.70	928.30		950.47	972.64	994.81
	TOTAL PAY	32241.00	33847.00	35453.00	37059.00	38665.00	40271.00	41877.00		42877.00	43877.00	44877.00
	RT PAY RATE 1	9.926	10.421	10.915	11.410	11.904	12.399	12.893		13.201	13.509	13.817
	OT PAY RATE 2	11.072	11.623	12.175	12.726	13.278	13.829	14.381		14.724	15.068	15.411
FIRE CAPTAIN (DAY SHIFT)	TOTAL PAY	32241.00	33847.00	35453.00	37059.00	38665.00	40271.00	41877.00	NA	42877.00	43877.00	44877.00
	40 HR WK RT RATE	15.500	16.273	17.045	17.817	18.589	19.361	20.133		20.614	21.095	21.575
FIREFIGHTER	BASE PAY	21100.34	22151.10	23202.76	24253.52	25304.28	26355.93	27406.69	*	28303.24	29199.79	30096.34
	HOLIDAY PAY	1612.94	2008.20	2103.54	2198.81	2294.07	2389.41	2484.67		2565.95	2647.23	2728.51
	EXTRA HOL PAY	521.71	547.69	573.69	599.67	625.65	651.66	677.64		699.80	721.97	744.14
	TOTAL PAY	23535.00	24707.00	25880.00	27052.00	28224.00	29397.00	30569.00		31569.00	32569.00	33569.00
	RT PAY RATE 1	7.246	7.607	7.968	8.329	8.690	9.051	9.412		9.720	10.027	10.335
	OT PAY RATE 2	8.082	8.485	8.887	9.290	9.692	10.095	10.498		10.841	11.184	11.528
FIREFIGHTER (DAY SHIFT)	BASE PAY	28457.45	29354.00	30250.55	31147.10	32050.55	32954.00	33857.45		34761.00	35664.55	36568.10
	HOLIDAY PAY	2579.93	2661.21	2742.49	2823.77	2905.05	2986.33	3067.61		3148.89	3230.17	3311.45
	EXTRA HOL PAY	703.62	725.78	747.95	770.12	792.28	814.44	836.60		858.76	880.92	903.08
	TOTAL PAY	31741.00	32741.00	33741.00	34741.00	35741.00	36741.00	37741.00		38741.00	39741.00	40741.00
	RT PAY RATE 1	9.772	10.080	10.388	10.696	11.004	11.312	11.620		11.928	12.236	12.544
	OT PAY RATE 2	10.900	11.243	11.587	11.930	12.273	12.617	12.960		13.303	13.647	13.990
FIREFIGHTER (DAY SHIFT)	TOTAL PAY	31741.00	32741.00	33741.00	34741.00	35741.00	36741.00	37741.00		38741.00	39741.00	40741.00
	40 HR WK RT RATE	15.751	16.222	16.693	17.164	17.635	18.106	18.577		19.048	19.519	19.990
P1 HOURS 3248												
P2 HOURS 2912												

ATT. C

2000 POLICE STEP RATES
85% OF SURVEY

	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	YEAR 10	YEAR 15	YEAR 20
POLICE CAPTAIN										
BASE PAY	36831.47	38666.38	40500.36	42335.27	44170.18	46004.16	47839.07	48770.97	49702.87	50634.76
HOLIDAY PAY	1558.25	1635.88	1713.48	1791.11	1868.74	1946.33	2023.96	2063.39	2102.81	2142.24
EXTRA HOL PAY	1133.27	1189.73	1246.16	1302.62	1359.08	1415.51	1471.97	1500.64	1529.32	1557.99
TOTAL PAY	39523.00	41492.00	43460.00	45429.00	47398.00	49366.00	51335.00	52335.00	53335.00	54335.00
RT PAY RATE 1	17.707	18.590	19.471	20.353	21.236	22.117	23.000	23.448	23.896	24.344
OT PAY RATE 2	19.001	19.948	20.894	21.841	22.788	23.734	24.680	25.161	25.642	26.123
POLICE LIEUTENANT										
BASE PAY	33768.31	35450.39	37132.47	38814.55	40496.63	42178.71	43860.79	44792.69	45724.59	46656.49
HOLIDAY PAY	1428.66	1499.82	1570.99	1642.15	1713.32	1784.48	1855.65	1895.07	1934.50	1973.93
EXTRA HOL PAY	1039.02	1090.78	1142.54	1194.29	1246.05	1297.80	1349.56	1378.23	1406.91	1435.58
TOTAL PAY	36236.00	38041.00	39846.00	41651.00	43456.00	45261.00	47066.00	48066.00	49066.00	50066.00
RT PAY RATE 1	16.235	17.043	17.852	18.661	19.470	20.278	21.087	21.535	21.983	22.431
OT PAY RATE 2	17.421	18.289	19.157	20.025	20.892	21.760	22.628	23.109	23.589	24.070
POLICE SERGEANT										
BASE PAY	29443.37	30910.18	32376.06	33842.87	35309.68	36775.55	38242.36	39174.26	40106.16	41038.06
HOLIDAY PAY	1245.68	1307.74	1369.76	1431.81	1493.87	1555.89	1617.95	1657.37	1696.80	1736.22
EXTRA HOL PAY	905.95	951.08	996.19	1041.32	1086.45	1131.55	1176.69	1205.36	1234.03	1262.71
TOTAL PAY	31595.00	33169.00	34742.00	36316.00	37890.00	39463.00	41037.00	42037.00	43037.00	44037.00
RT PAY RATE 1	14.155	14.861	15.565	16.271	16.976	17.681	18.386	18.834	19.282	19.730
OT PAY RATE 2	15.190	15.947	16.703	17.460	18.216	18.973	19.729	20.210	20.691	21.172
POLICE OFFICER										
BASE PAY	23153.05	24306.74	25459.50	26613.19	27766.88	28919.64	30073.33	31005.23	31937.13	32869.03
HOLIDAY PAY	979.55	1028.36	1077.13	1125.94	1174.75	1223.52	1272.33	1311.76	1351.19	1390.61
EXTRA HOL PAY	712.40	747.90	783.37	818.87	854.36	889.83	925.33	954.01	982.68	1011.35
TOTAL PAY	24845.00	26083.00	27320.00	28558.00	29796.00	31033.00	32271.00	33271.00	34271.00	35271.00
RT PAY RATE 1	11.131	11.686	12.240	12.795	13.349	13.904	14.458	14.906	15.354	15.802
OT PAY RATE 2	11.945	12.540	13.135	13.730	14.325	14.920	15.515	15.996	16.476	16.957
POLICE CORPORAL										
BASE PAY										
HOLIDAY PAY										
EXTRA HOL PAY										
TOTAL PAY										
RT PAY RATE 1										
OT PAY RATE 2										
P1 HOURS 2232										
P2 HOURS 2080										

ATT. D

2000 FIRE STEP RATES
85% OF SURVEY

	TRAINEE	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	STEP H	YEAR 10	YEAR 15	YEAR 20
BATTALION CHIEF	BASE PAY	34417.72	36131.93	37846.14	39560.34	41274.55	42988.76	44702.96	NA	45599.52	46498.07	47392.62
	HOLIDAY PAY	3120.28	3275.69	3431.10	3586.51	3741.92	3897.33	4052.74		4134.02	4215.30	4296.58
	EXTRA HOL PAY	850.98	893.37	935.75	978.14	1020.52	1062.90	1105.29		1127.46	1149.62	1171.79
	TOTAL PAY	38389.00	40301.00	42213.00	44125.00	46037.00	47949.00	49861.00		50861.00	51861.00	52861.00
	RT PAY RATE 1	11.819	12.408	12.997	13.585	14.174	14.763	15.351		15.659	15.967	16.275
	OT PAY RATE 2	13.183	13.840	14.496	15.153	15.809	16.466	17.123		17.466	17.809	18.153
BATTALION CHIEF (DAY SHIFT)	TOTAL PAY	38389.00	40301.00	42213.00	44125.00	46037.00	47949.00	49861.00	NA	50861.00	51861.00	52861.00
	40 HR WK RT RATE	18.456	19.375	20.295	21.214	22.133	23.052	23.972		24.452	24.933	25.414
FIRE CAPTAIN	BASE PAY	28394.69	29809.45	31223.31	32638.07	34052.83	35466.69	36881.45	NA	37778.00	38674.55	39571.10
	HOLIDAY PAY	2574.24	2702.50	2830.68	2958.94	3087.20	3215.38	3343.64		3424.92	3506.21	3587.49
	EXTRA HOL PAY	702.06	737.04	772.00	806.98	841.96	876.92	911.90		934.07	956.24	978.40
	TOTAL PAY	31671.00	33249.00	34826.00	36404.00	37982.00	39559.00	41137.00		42137.00	43137.00	44137.00
	RT PAY RATE 1	9.751	10.237	10.722	11.208	11.694	12.179	12.665		12.973	13.281	13.589
	OT PAY RATE 2	10.876	11.418	11.959	12.501	13.043	13.585	14.127		14.470	14.814	15.157
FIRE CAPTAIN (DAY SHIFT)	TOTAL PAY	31671.00	33249.00	34826.00	36404.00	37982.00	39559.00	41137.00	NA	42137.00	43137.00	44137.00
	40 HR WK RT RATE	15.226	15.985	16.743	17.502	18.261	19.019	19.777		20.258	20.739	21.220
FIREFIGHTER	BASE PAY	19862.21	20903.10	22984.90	24026.69	25067.59	26109.38	27150.28	*	28046.83	28943.38	29839.93
	HOLIDAY PAY	1800.69	1895.06	2083.79	2178.24	2272.61	2367.06	2461.42		2542.70	2623.98	2705.27
	EXTRA HOL PAY	491.10	542.57	568.31	594.06	619.80	645.56	671.30		693.46	715.63	737.80
	TOTAL PAY	22154.00	23315.00	25637.00	26799.00	27960.00	29122.00	30283.00		31283.00	32283.00	33283.00
	RT PAY RATE 1	6.821	7.178	7.893	8.251	8.608	8.966	9.324		9.631	9.939	10.247
	OT PAY RATE 2	7.608	8.007	8.804	9.203	9.602	10.001	10.399		10.743	11.086	11.430
FIREFIGHTER (DAY SHIFT)	BASE PAY	19862.21	20903.10	22984.90	24026.69	25067.59	26109.38	27150.28	28191.17	29087.72	29984.28	30880.83
	HOLIDAY PAY	1800.69	1895.06	2083.79	2178.24	2272.61	2367.06	2461.42	2555.79	2637.07	2718.35	2799.63
	EXTRA HOL PAY	491.10	542.57	568.31	594.06	619.80	645.56	671.30	697.03	719.20	741.37	763.53
	TOTAL PAY	22154.00	23315.00	25637.00	26799.00	27960.00	29122.00	30283.00	31444.00	32444.00	33444.00	34444.00
	RT PAY RATE 1	6.821	7.178	7.893	8.251	8.608	8.966	9.324	9.681	9.989	10.297	10.605
	OT PAY RATE 2	7.608	8.007	8.804	9.203	9.602	10.001	10.399	10.798	11.141	11.485	11.828
FIREFIGHTER (DAY SHIFT)	TOTAL PAY	22154.00	23315.00	25637.00	26799.00	27960.00	29122.00	30283.00		31283.00	32283.00	33283.00
	40 HR WK RT RATE	10.651	11.209	12.325	12.884	13.442	14.001	14.559		15.040	15.521	16.001
P1 HOURS 3248									31444.00	32444.00	33444.00	34444.00
P2 HOURS 2912									15.117	15.598	16.079	16.560

ATT. D

CITY OF FAYETTEVILLE

2000 SALARY RANGES BASED ON GRADE POINTS

\$26.90 P + 36,590 >611P
\$75.20 P + 9350

\$65.10 P + 9,740

POINTS	GRADE POINTS	GRADE	NONEXEMPT			EXEMPT		
			MIN	MID	MAX	MIN	MID	MAX
1768	1768					69,844	84,149	98,455
1232	1232					57,877	69,731	81,585
1040	1040					53,590	64,566	75,542
1028	1028					53,322	64,243	75,165
920	920					50,911	61,338	71,765
904	904					50,553	60,908	71,262
839	839					49,102	59,159	69,216
775	775					47,673	57,438	67,202
732	732					46,713	56,281	65,849
702	702					46,043	55,474	64,904
682	682					45,597	54,936	64,275
677	677					45,485	54,801	64,118
551-611	580	15				43,962	52,966	61,970
464-516	490	14				38,344	46,198	54,052
393-432	410	13				33,351	40,182	47,013
332-366	350	12				29,606	35,670	41,734
275-301	290	11	23,754	28,619	33,484	25,861	31,158	36,455
233-261	250	10	21,592	26,015	30,438	23,365	28,150	32,936
194-213	205	9	19,161	23,086	27,010			
169-178	175	8	17,540	21,133	24,725			
138-151	145	7	15,919	19,180	22,440			
120-123	120	6	14,568	17,552	20,536			
98-104	100	5	13,488	16,250	19,013			
82-89	85	4	12,677	15,274	17,870			
73-76	75	3	12,137	14,623	17,108			
64-65	65	2	11,596	13,972	16,347			

ACES: Add \$1,000 to Midpoints for NB/EB
Add \$2,000 to Midpoints for NC
Add \$3,000 to Midpoints for ND/ED/EXD

Min to Max = 40% Spread
Min = .83 x Midpoint
Max = 1.17 x Midpoint

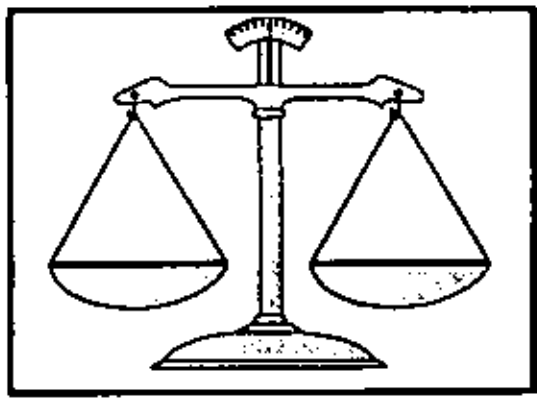
ATT. E

City of Fayetteville, Arkansas

History of Pay Range Changes (1990-2000)

% Pay Range Change

	1992	1994	1996	1998	2000	1990-2000	Average Increase
General Employee:							
Exempt	7.0%	3.0%	7.0%	6.0%	5.0%	31.5%	5.6%
Non-Exempt	6.0%	3.0%	7.0%	6.0%	5.0%	30.0%	5.4%
Executive	6.0%	0.0%	7.0%	6.0%	4.7%	25.9%	4.7%
Fire Employees:							
Battalion Chief	12.0%	9.0%	10.0%	5.0%	17.0%	65.1%	10.6%
Captain	6.0%	9.0%	10.0%	3.0%	13.0%	48.0%	8.2%
Firefighter / Driver	6.0%	12.0%	8.0%	5.0%	7.0%	44.1%	7.6%
Police Employees:							
Lieutenant	3.0%	10.0%	11.0%	4.0%	19.0%	55.7%	9.4%
Sergeant	3.0%	8.0%	12.0%	3.0%	15.0%	47.6%	8.2%
Officer	4.0%	10.0%	10.0%	3.0%	13.0%	46.5%	8.0%



FAYETTEVILLE

LEGAL DEPARTMENT
CITY ATTORNEY DIVISION

2000 Complete Cnt.
A. 5. Page 1

JERRY E. ROSE, CITY ATTORNEY
LAGAYLE D. MCCARTY, ASST. CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE

To: Fred Hanna, Mayor

From: Jerry E. Rose, City Attorney *J. E. Rose*

Date: December 7, 1999

Re: **Interlocal Agreement between Washington County
and City of Fayetteville, et al.**

RECEIVED

DEC 07 1999

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

I have reviewed the above-referenced Interlocal Agreement pursuant to A.C.A. §14-14-910 and have determined it is in proper form and compatible with all applicable laws of which I am aware. I would suggest placing this agreement on the next council agenda for council action. If I may do anything further, just let me know.

/cbp
Attachment(s)



GEORGE E. BUTLER JR.
County Attorney

280 North College, Suite 145
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS
County Courthouse

November 29, 1999

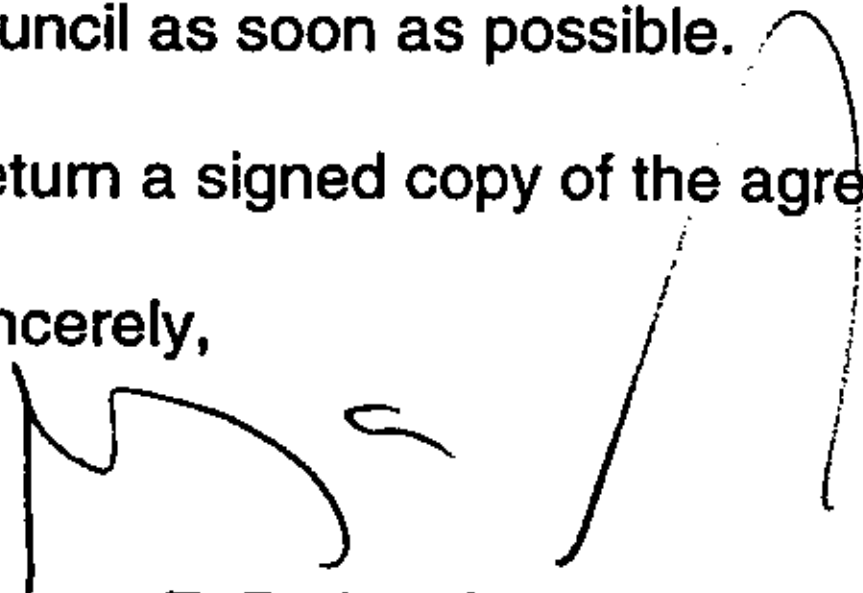
TO: Washington County Mayors
RE: Interlocal Agreement - Washington County Complete Count Committee

Enclosed is a copy of an interlocal agreement between the County and the incorporated cities within Washington County. This agreement was drafted at the request of the Intergovernmental Cooperation Council, and authorizes the creation of a Washington County Complete Count Committee for the purposes of facilitating the Year 2000 Census.

Please review this agreement with your city attorney, and have it considered by your city council as soon as possible.

Return a signed copy of the agreement to me after approval.

Sincerely,


George E. Butler, Jr.
County Attorney

/kb

Encl.

REC'D
DEC 01 1999
CITY CLERK

INTERLOCAL AGREEMENT
BETWEEN WASHINGTON COUNTY, ARKANSAS, AND THE CITIES OF
FAYETTEVILLE, SPRINGDALE, WEST FORK, WINSLOW, ELKINS,
TONTITOWN, LINCOLN, GREENLAND, PRAIRIE GROVE,
JOHNSON, GOSHEN, AND FARMINGTON

WHEREAS, pursuant to Ark. Code Ann. §14-14-901, governmental bodies may enter into an interlocal agreement; and

WHEREAS, the parties are desirous of entering into such an agreement for the purposes of facilitating the year 2000 census,

NOW, THEREFORE, IT IS AGREED:

1. This agreement shall be approved by the governing body of each party to this agreement. The duration shall be until such time as the work contemplated herein has been completed.
2. This agreement does hereby authorize creation of a governing body to be known as the "Washington County Complete Count Committee". The membership of this committee shall be constituted of two (2) representatives from each party.
3. Financing and budgeting shall be as agreed upon by the committee, to be ratified by each governing body. No party shall be financially bound in any manner until approval of its governing body.
4. This agreement may be terminated upon majority vote of the committee and any party may withdraw upon six (6) month's written notice in accordance with Ark. Code Ann. § 14-14-910.
5. Real and personal property may be acquired, held, and disposed in the name of the committee.
6. This agreement shall be submitted to legal counsel for each party for approval in accordance with Ark. Code Ann. §14-14-910.

INTERLOCAL AGREEMENT BETWEEN
WASHINGTON COUNTY, ARKANSAS, AND THE
CITIES OF FAYETTEVILLE, SPRINGDALE,
WEST FORK, WINSLOW, ELKINS,
TONTTOWN, LINCOLN, GREENLAND,
PRAIRIE GROVE, JOHNSON, GOSHEN,
AND FARMINGTON

WASHINGTON COUNTY, ARKANSAS

BY: _____

LINCOLN, ARKANSAS

BY: _____

GREENLAND, ARKANSAS

BY: _____

PRAIRIE GROVE, ARKANSAS

BY: _____

JOHNSON, ARKANSAS

BY: _____

FARMINGTON, ARKANSAS

BY: _____

GOSHEN

BY: _____

FAYETTEVILLE, ARKANSAS

BY: _____

SPRINGDALE, ARKANSAS

BY: _____

WEST FORK, ARKANSAS

BY: _____

WINSLOW, ARKANSAS

BY: _____

ELKINS, ARKANSAS

BY: _____

TONTTOWN, ARKANSAS

BY: _____

STAFF REVIEW FORM

Hwy 265 Sidewalks
A. 6. Page 1

☒ Agenda Request
☐ Contract Review
☐ Grant Review

FOR THE FAYETTEVILLE CITY COUNCIL MEETING OF December 21, 1999
FROM:

Charles Venable

Name

Division

Public Works

Department

ACTION REQUESTED: Approval of a Resolution authorizing the payment of \$53,579.00 to the Arkansas Highway and Transportation Department for the City of Fayetteville's share of the costs to install sidewalks along Highway 265, between Highway 16 and Highway 45.

COST TO THE CITY:

\$53,579

Cost of this request

\$395,880

Category/Project Budget

Sidewalks & Trails

Category/Project Name

4470-9470-5814-00

Account Number

\$27,534

Funds used to date

Program Name

96-041-1

Project Number

\$368,346

Remaining Balance

Sales Tax Capital Improvement

Fund

BUDGET REVIEW:

☒ Budgeted Item

☐ Budget Adjustment Attached

Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Accounting Manager

Date

Internal Auditor

Date

City Attorney

Date

ADA Coordinator

Date

Purchasing Officer

Date

STAFF RECOMMENDATION: Approval of the Resolution

Division Head

Date

Cross Reference

Department Director

Date

New Item: Yes No

Administrative Services Director

Date

Prev Ord/Res #: _____

Mayor

Date

Orig. Contract Date: _____

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PAYMENT OF \$53,579.00 TO THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT TO COVER THE CITY OF FAYETTEVILLE'S SHARE OF THE COSTS INVOLVED IN THE CONSTRUCTION OF SIDEWALKS ALONG HIGHWAY 265 (CROSSOVER ROAD), STATE JOB 004999 - HIGHWAY 16-HIGHWAY 45.

WHEREAS, the City of Fayetteville has requested that the Arkansas State Highway and Transportation Department construct sidewalks as a part of the reconstruction and widening of Highway 265 (Crossover Road); and

WHEREAS, the Arkansas State Highway and Transportation Department has awarded a contract for the widening and reconstruction of Highway 265 (Crossover Road); and

WHEREAS, sidewalks were included in the construction project and are to be funded 80 percent from Federal Aid Enhancement funds and 20 percent from the City of Fayetteville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FAYETTEVILLE, ARKANSAS:

Section 1. The City will provide the funds necessary to match the Federal Aid Enhancement funds for the construction and engineering of the sidewalks along Highway 265 between Highway 16 and Highway 45.

PASSED AND APPROVED this _____ day of _____, 1999.

APPROVED:

By: _____
Fred Hanna, Mayor

ATTEST:

By: _____
Heather Woodruff, City Clerk

To: Mayor Fred Hanna and City Council
From: Charles Venable, Public Works Director
Date: December 8, 1999
Subject: Sidewalks Along Highway 265 (Highway 16-Highway 45)

Attached hereto is a letter from the Arkansas Highway and Transportation Department requesting payment for the City of Fayetteville's share of the costs involving the placement of sidewalks along each side of the Highway 265 (Crossover Road) widening project.

As you know, we agreed to participate in the costs of installing sidewalks along the entire route, and four foot wide sidewalks located two feet from the edge of the curb have been included. Federal Aid Enhancement funds are being utilized to fund 80 percent of the costs and the City of Fayetteville's share is 20 percent.

The total cost of the sidewalks is \$243,544.50, with \$48,708.50 being the City's share. Also construction engineering for the sidewalks is estimated to cost \$24,354.50, of which Fayetteville's share is \$4,870.50, resulting in the city's total costs share of \$53,579. The remainder of the costs associated with the Highway 265 widening for additional drainage work was approved by Resolution 98-98, dated July 21, 1998.

Also attached are copies of correspondence relating to the sidewalks and a copy of Resolution 98-98.

CV:msm

Hwy 265 Sidewalks

A. 6. Page 4

Attachment A - Letter from Arkansas Highway & Transportation Department dated
November 24, 1999

B - Correspondence relating to sidewalks

C - Resolution 98-98

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

Hwy 265 Sidewalks
A. 6. Page 5

Dan Flowers
Director
Telephone (501) 569-2000



P.O. Box 2261
Little Rock, Arkansas 72203-2261
Telefax (501) 569-2400

November 24, 1999

RECEIVED

DEC 06 1999

**CITY OF FAYETTEVILLE
MAYOR'S OFFICE**

The Honorable Fred Hanna
Mayor of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Re: Job 004999
F.A.P. STPE-ENHN (93)
Hwy. 16-Hwy 45 (S)
Highway 265
Washington County

Dear Mayor Hanna:

The Harris Co. of Ft. Smith, Inc. submitted the low bid of \$7,706,030.00 for the referenced project at the Department's November 17, 1999 letting. The Arkansas State Highway Commission has tentatively accepted their proposal. As you requested, sidewalks and additional drainage work were included in the project. The costs of the sidewalks and associated items will be funded with Federal-aid Transportation Enhancement funds matched with City funds. The additional drainage work requested by the City will be funded with 100% City funds as stated in the Agreement of Understanding between the City and the Department.

The City's estimated share of costs for this project is calculated below.

	<u>Total Cost</u>	<u>Federal Share</u>	<u>City Share</u>
Sidewalks (Enhancement Funds)	\$ 243,544.50	\$ 194,836.00	\$ 48,708.50
Additional Drainage Work	44,489.00	0.00	44,489.00
Subtotal	288,033.50	194,836.00	93,197.50
Construction Engineering	28,803.35	19,484.00	9,319.35
Total	\$ 316,836.85	\$ 214,320.00	\$ 102,516.85

ATTACHMENT 'A'

The Honorable Fred Hanna
November 24, 1999
Page Two

Your check for \$102,516.85 (made payable to the Arkansas State Highway and Transportation Department) should be forwarded to this office as soon as possible. Upon completion of the project, a statement will be prepared reflecting the final cost and respective matching shares. At that time, the City will be returned funds remaining over the deposit or billed for additional funds required.

We look forward to working with the City to complete the proposed improvements. Should you have any questions or comments, please advise.

Yours truly,

A handwritten signature in black ink, appearing to read "Robert L. Walters", written in a cursive style.

Robert L. Walters
Chief Engineer

ARKANSAS STATE HIGHWAY COMMISSION



BOBBY HOPPER, CHAIRMAN
SPRINGDALE

HERBY BRANSCUM, JR., VICE CHAIRMAN
PERRYVILLE

JOHN "M" LIPTON
WARREN

P. O. Box 2261
LITTLE ROCK, ARKANSAS 72203-2261
TELEPHONE No. (501) 569-2000
FAX No. (501) 569-2400
May 18, 1998

J.W. "BUDDY" BENAFIELD
NEWPORT

MARY P. "PRISSY" HICKERSON
TEXARKANA

DAN FLOWERS
DIRECTOR OF
HIGHWAYS AND TRANSPORTATION

RECEIVED

MAY 22 1998

CITY OF FAYETTEVILLE
MAYOR'S OFFICE

The Honorable Fred Hanna
Mayor
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Dear Mayor Hanna:

Reference is made to your recent correspondence regarding sidewalks along Highway 265. As requested, we will include sidewalks along both sides of the project. Any walks that do not meet our current practice for project funding will be shown on the plans with 80% federal enhancement and 20% city funding.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Flowers".

Dan Flowers
Director of Highways
and Transportation

cc: Commissioner Bobby Hopper
Deputy Director & Chief Engineer

Give to Charlie

ATTACHMENT 'B'

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

March 11, 1998

Mr. Dan Flowers, Director
Arkansas State Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job #004999
Hwy 16-Hwy 45 Reconstruction (Hwy 265)

COPY

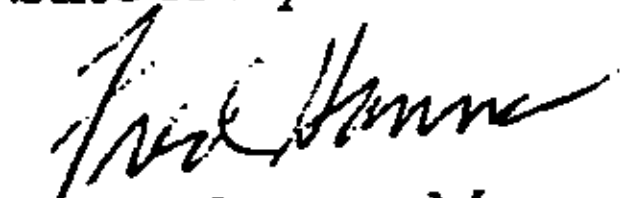
Dear Mr. Flowers:

The City of Fayetteville Staff and representatives of the Highway Department met on March 6 to discuss the above-referenced project. During our discussion of the project the City Staff expressed the desire to have sidewalks constructed on both sides on the highway. The sidewalks are to be a minimum of 4 foot wide with at least a 2 foot green space between the sidewalks and the curb.

We understand that the cost of constructing sidewalks where none now exist will be at the expense of the City, however, the possibility of enhancement funds being available to pay for all or a portion of the sidewalks was raised. Therefore, the City hereby requests enhancement funds be used, to the extent possible, to pay for the sidewalks on this project. If there is a formal application procedure required please let us know, otherwise please consider this letter as our formal request for such funding.

Please understand that the City desires the installation of the sidewalks regardless of the availability of enhancement funds. If you have any questions please call me at (501) 575-8330. Thank you.

Sincerely Yours,



Fred Hanna, Mayor
City of Fayetteville

THE CITY OF FAYETTEVILLE, ARKANSAS

January 12, 1998

Mr. Roger Almond
Deputy Director & Chief Engineer
Arkansas Highway & Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203-2261

Dear Mr. Almond:

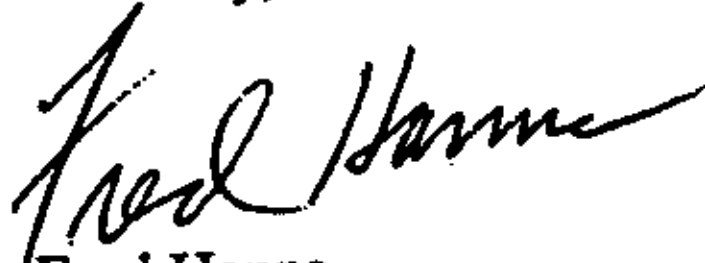
Reference is made to your letter dated December 15, 1997, regarding the proposed design of Highway 265 from Highway 16 to Highway 45. The City Council has concurred with the proposed design and a copy of Resolution No. 7-98 dated January 6, 1998 is enclosed.

We are hopeful that the project can be advanced to the stage that the right-of-way acquisition can be completed this year. We also hope that federal aid funds will be available to permit the project to be advanced to construction in 1999.

When the plans have been developed to the point that a preliminary field inspection is made, we would appreciate being invited to participate in the review. We also ask that consideration be given during the design to separate the sidewalks from the curb as far as possible, taking into account the terrain and existing improvements, without increasing the right-of-way by any appreciable amount.

Again, I want to thank you for the changes made which will allow this much-needed project to move forward. If I can be of any assistance, please do not hesitate to contact me.

Sincerely,



Fred Hanna

Mayor

Enclosure

cc: City Council
Commissioner Bobby Hopper
Director Dan Flowers

RESOLUTION NO. 98-98

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO UTILIZE CITY FUNDS FOR PORTIONS OF THE FOLLOWING PROJECT: JOB 004999, HWY 16-HWY 45 (S), HIGHWAY 265 (CROSSOVER ROAD), WASHINGTON COUNTY.

WHEREAS, the City of Fayetteville has requested that the Arkansas State Highway and Transportation Department construct additional drainage improvements on this project to alleviate drainage problems along Ridgely Drive outside the project limits, and

WHEREAS, the City of Fayetteville agrees to pay 100% of costs associated with this additional drainage work.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. The City will participate in accordance with its designated responsibilities in this project.

Section 2. The Mayor is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the change of this city project.

Section 3. The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.

Section 4. The City Council hereby authorizes the Mayor and City Clerk to execute the Agreement of Understanding between the City of Fayetteville and the Arkansas State highway and Transportation Department. A copy of the agreement is attached hereto marked Exhibit "A" and made a part hereof.

PASSED AND APPROVED this 21st day of July, 1998.

APPROVED:

By: Fred Hanna

Fred Hanna, Mayor

ATTEST:

By: Heather Woodruff

Heather Woodruff, City Clerk

ATTACHMENT C

AGREEMENT OF UNDERSTANDING
BETWEEN

THE CITY OF FAYETTEVILLE
AND
THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

RELATIVE TO

Job 004999
Hwy. 16-Hwy. 45 (S)
Highway 265 (Crossover Rd.)
Washington County

WHEREAS, the City of Fayetteville (hereinafter called "City") has expressed its desire to add drainage work to the project to alleviate drainage problems along Ridgely Road outside the project limits.

NOW THEREFORE, IT IS AGREED, that the City will acquire the necessary permanent construction easement (P.C.E.) (shown on the attached sketch) for the drainage, will provide documentation of acquisition of the P.C.E. to the Arkansas State Highway and Transportation Department (hereinafter called "Department") prior to advertisement of the project, and will be responsible for 100% of the cost of construction of the additional drainage portion of the project.

IT IS FURTHER AGREED, that should the City fail to pay to the Department any required funds due for this portion of the project implementation, the Department may cause such funds as may be required to be withheld from the City's gasoline tax allotment.

IN WITNESS WHEREOF, the parties thereto have executed this Agreement this 21st day of July, 1998.

RECOMMENDED:

Assistant Chief Engineer for Planning

ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

CITY OF FAYETTEVILLE

Dan Flowers
Director of Highways and Transportation

Fred Hanna
Fred Hanna
Mayor

For the Fayetteville City Council meeting of December 7, 1999

FROM:

<u>Steve Davis</u>	<u>Budget & Research</u>	<u>Administrative Services</u>
Name	Division	Department

ACTION REQUIRED:

Approve a resolution adopting the 2000 City of Fayetteville Annual Budget & Work Program.

COST TO CITY:

\$		
Cost of this Request	Category/Project Budget	Category/Project Name
Account Number	Funds Used To Date	Program Name
Project Number	Remaining Balance	Fund

BUDGET REVIEW: _____ Budgeted Item _____ Budget Adjustment Attached


Budget Manager


Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY: _____

Accounting Manager	Date	Internal Auditor	Date
City Attorney	Date	ADA Coordinator	Date
Purchasing Officer	Date		

STAFF RECOMMENDATION: Approval of the 2000 Proposed Annual Budget & Work Program.

Division Head	Date
Department Director	Date
Administrative Services Director	Date
Mayor	Date

Cross Reference

New Item: **Yes** **No**

Prev Ord/Res #: _____

Orig Contract Date: _____

DEPARTMENTAL CORRESPONDENCE

TO: Fayetteville City Council

THRU: Fred Hanna, Mayor

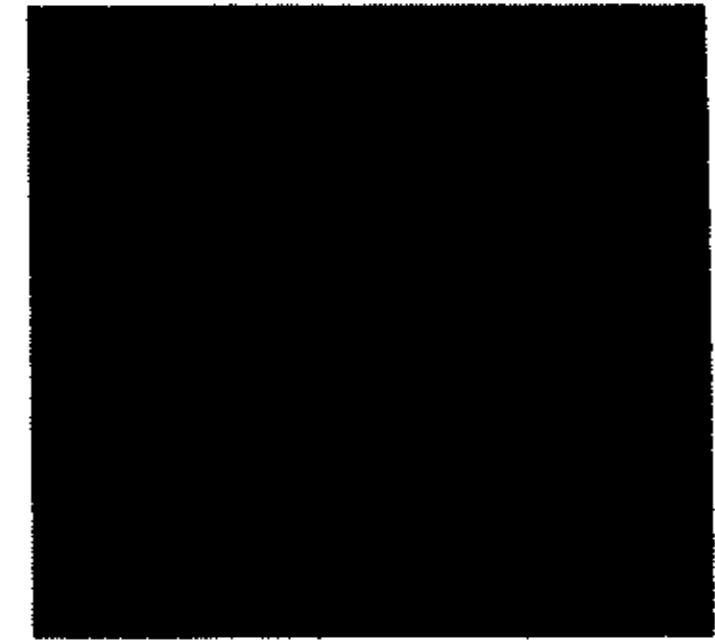
FROM: John Maguire, Administrative Services Director

DATE: November 19, 1999

SUBJECT: **2000 Proposed Annual Budget - Presentation**

The 2000 Proposed Annual Budget & Work Program will be submitted to City Council at a budget retreat on November 30, 1999 at 4:30 P.M. (following the City Council agenda session) in room 326 of the City Administration Building. City staff will distribute and present the proposed budget at the budget retreat.

A schedule of additional budget retreats will be submitted for Council review and approval. Copies of the 2000 Proposed Budget will be made available for public review at the Mayor's Office, City Clerk's Office, the Fayetteville Public Library, the Fayetteville Chamber of Commerce, and the City's web site on Wednesday, December 1.



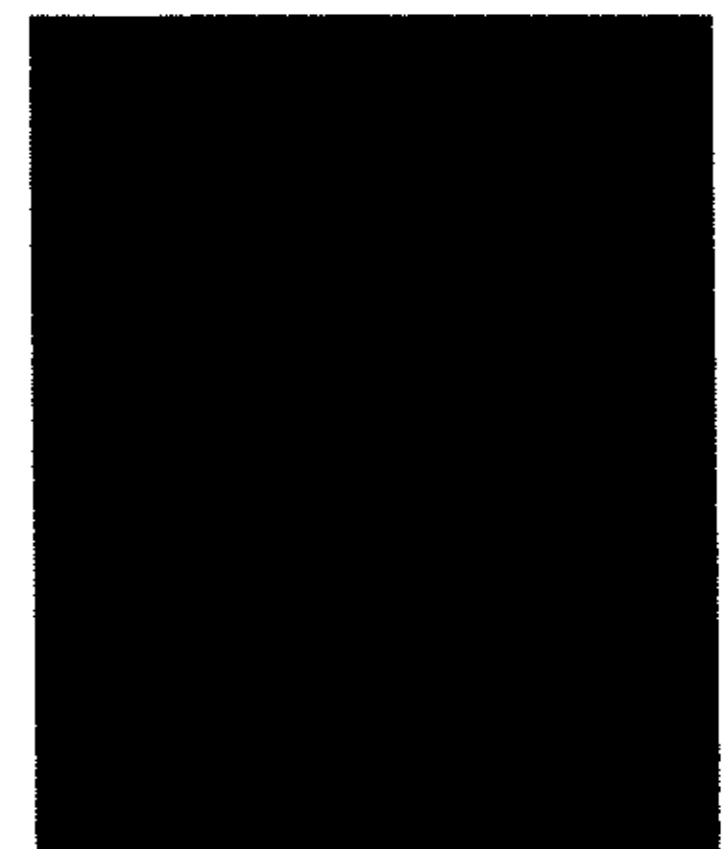
2000



City of Fayetteville, Arkansas



Proposed
Annual Budget
and
Work Program



Attachment A

Amendments to the 2000 Proposed Budget

<u>General Fund</u>	
Increase Investment Earnings	\$60,000
Increase Miscellaneous Program - Salary Contingency	\$270,000
Decrease Parks Maintenance Program - Personnel Services	(\$60,000)
<u>Parks Development Fund</u>	
Increase Personnel Services	\$60,000

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

TENTATIVE AGENDA FAYETTEVILLE CITY COUNCIL DECEMBER 21, 1999

A meeting of the Fayetteville City Council will be held on December 21, 1999 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

- **NOMINATING COMMITTEE REPORT**

- A. CONSENT AGENDA**

1. **APPROVAL OF THE MINUTES:** Approval of the December 7, 1999 City Council minutes.
2. **PARK LAND WAIVER:** A resolution approving a waiver of Ordinance 3793 to accept money in lieu of the land dedication requirement. The developer for the proposed subdivision is Summit Development. The property is located south of Highway 16 West and west of Shiloh Drive.
3. **TROLLEY OPERATIONS:** A resolution accepting a renewal agreement with Jones Transportation Services for Trolley Operations for the period of January 1, 2000 through December 31, 2000.
4. **PAY PLAN ADJUSTMENT:** A resolution adopting a year 2000 pay plan for hourly, salaried, executive and civil service fire and police personnel.
5. **2000 COMPLETE COUNT:** A resolution approving an interlocal agreement between the County and incorporated cities within Washington County. The agreement authorizes the creation of a Washington County Complete Count Committee for the purpose of facilitating the Year 2000 Census.
6. **HIGHWAY 265 SIDEWALKS:** A resolution authorizing the payment of \$53,579.00 to the Arkansas Highway and Transportation Department for the City of Fayetteville's costs to install sidewalks along Highway 265, between Highway 16 East and Highway 45.

B. OLD BUSINESS

1. **VA 99-13:** An ordinance approving vacation request VA 99-13.00 submitted by Mike Roetzel on behalf of Buddy Peoples for property located at 28th Court. The request is to vacate the undeveloped street right-of-way located west of Club Oak Drive within Edge Hill Subdivision. This items was left on the first reading at the December 7, 1999 meeting.
2. **RZ 99-32:** An ordinance approving rezoning request RZ 99-32.00 submitted by Stephen Thetford for property located at 3351 W. Wedington Drive. The property is zoned R-O, Residential Office and contains approximately 0.69 acres. The request is to rezone the property to C-1, Neighborhood Commercial. This item was left on the second reading at the December 7, 1999 meeting.
3. **2000 ANNUAL BUDGET AND WORK PROGRAM:** A resolution adopting the 2000 City of Fayetteville Annual Budget and Work Program. This item was tabled at the December 7, 1999 meeting.

C. NEW BUSINESS

1. **WHEELER WATER ASSOCIATION:** A resolution approving a purchase agreement for the Wheeler Water system. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*
2. **INVESTMENT POLICY:** A resolution approving a new investment policy to replace Policy Acct. 2 (effective July 2, 1996) in the City of Fayetteville Policy and Procedures, as permitted by State of Arkansas Act 1341 of 1991. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*
3. **WATER TANK LEASE:** A resolution approving an amendment to the lease with Western Methodist Assembly. *Back-up materials will be provided at the December 14, 1999 City Council Agenda Session.*

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

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STAFF REVIEW FORM

X AGENDA REQUEST
____ CONTRACT REVIEW
____ GRANT REVIEW

For the Fayetteville City Council meeting of December 21, 1999
FROM:

Connie Edmonston	Parks and Recreation	Public Works
Name	Division	Department

ACTION REQUIRED:

Waiver of Ordinance 3793 to accept money in lieu as the park land requirement of the subdivision located west of Shiloh Drive.

COST TO CITY:

\$ <u>Sn/a</u>	\$ _____	_____
Cost of this Request	Category/Project Budget	Category/Project Name
_____	\$ _____	_____
Account Number	Funds Used To Date	Program Name
_____	\$ _____	_____
Project Number	Remaining Balance	Fund

BUDGET REVIEW: _____ Budgeted Item _____ Budget Adjustment Attached

Budget Manager	Administrative Services Director
----------------	----------------------------------

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY: _____

Accounting Manager	Date	Internal Auditor	Date
City Attorney	Date	ADA Coordinator	Date
Purchasing Officer	Date		

STAFF RECOMMENDATION:

Waiver of Ordinance 3793 and to accept money in lieu as the park land requirement of the new subdivision to be located west of Shiloh Drive.

Connie Edmonston
Division Head
Charles Plunkett
Department Director
Kim Maguire
Administrative Services Director
Paul Harris
Mayor

12-1-99
Date
12-1-99
Date
12/1/99
Date
12/1/99
Date

Cross Reference

New Item: ☒ Yes ☐ No

Prev Ord/Res #: _____

Orig Contract Date: _____

Orig Contract Number: _____

DEPARTMENTAL CORRESPONDENCE

TO: Mayor Fred Hanna and City Council

THRU: Charles Venable, Public Works Director

FROM: Connie Edmonston, Parks & Recreation Superintendent *C.E.*

DATE: December 1, 1999

SUBJECT: Waiver of the Park Land Dedication Ordinance 3793

A new subdivision that is not currently named, is proposed south of Highway 16 West and west of Shiloh Drive. The subdivision consists of 108 multi-family units that sits on 9.28 acres. The owner and developer is Summit Development and the engineer is Sand Creek Engineering and Landscape Architecture Incorporated.

The requirement for park land is 2.16 acres and money in lieu is \$40,500. The actual total amount of acres or money in lieu will be determined during the final plat process in which the total number of lots are determined. The formula base is updated every two years. A letter was received from Summit Development, Inc. requesting consideration of a cash payment in lieu of a land dedication. (See attached letter.) Park staff toured the site with the engineer Stephen Kramer and recommended money in lieu be accepted as the requirement.

The Parks and Recreation Advisory Board held a special meeting on December 1, 1999 at the proposed site. (See meeting minutes.) The board recommended to accept money in lieu as the park land requirement based on the reasons stated below:

1. It is in close proximity to Ozark View Park which was selected as the future site for the Youth Center. Plans of the Youth Center are to expand the acreage to about 20 acres.
2. It is a higher priority to use the money to develop a walking trail from the existing subdivisions to the future Youth Center in Ozark View Park.
3. There was limited access from existing roadways to the proposed park within the subdivision. The subdivision is also located in close proximity to the Interstate 540, which would be a safety concern.
4. The developer proposed to provide several park amenities including a swimming pool, basketball court, tennis court, recreation building, picnic tables and grills, and an open park area for their residents.

Because the proposed subdivision contains over 100 units, Ordinance 3793 regulates the Parks Division to accept a land dedication. The ordinance states:

However, if the Parks and Recreation Advisory Board determines that a neighborhood park is not feasible or advisable, it may recommend to the City Council that a cash contribution pursuant to our ordinance be accepted in lieu of land dedication. The City Council will either accept the recommendation for a cash contribution or return the subdivision plat to the Parks Board with instructions or for further study.

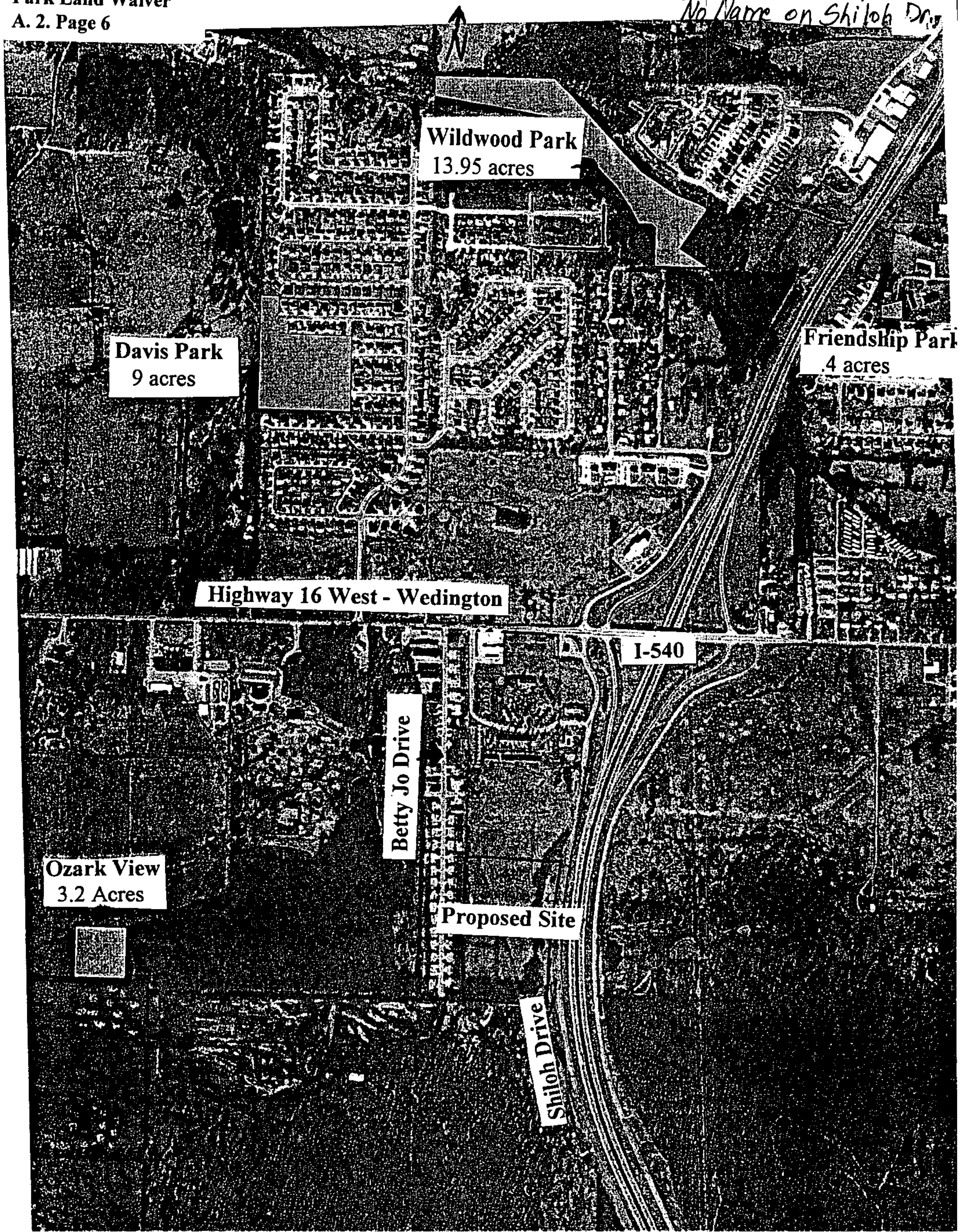
Please review this request to waive the park land dedication requirement and to accept money in lieu as the park land dedication requirement for this development. If you have questions, please call me at 444-3473.

Attachments:

Subdivision Conceptual Layout
Map
PRAB December 1, 1999 Minutes
Stephen Kramer Letter

[illegible]

No Name on Shiloh Dr.



Wildwood Park
13.95 acres

Davis Park
9 acres

Friendship Park
4 acres

Highway 16 West - Wedington

I-540

Betty Jo Drive

Ozark View
3.2 Acres

Proposed Site

Shiloh Drive

MEMORANDUM

TO: Ms. Kim Rogers
City of Fayetteville

FROM: Stephen P. Kramer 
Summit Development, Inc.

SUBJECT: Proposed Multi-family Development

DATE: November 17, 1999

The attached drawing addresses items 1A, B, C, E and F of the "Developers Information on Park Requirements for Development".

Summit Development, Inc. is requesting a fee payment in lieu of land for this development.

Please let me know if you need additional information. I look forward to meeting with you regarding this proposed development.

PRAB
SPECIAL MEETING
DECEMBER 1, 1999

A special Parks and Recreation Advisory Board meeting was held December 1, 1999. The Parks and Recreation Advisory Board visited an unnamed development south of Highway 16 on Shiloh Drive. The purpose of the meeting was to visit the development to consider for park land or money in lieu of the Park Land Ordinance.

Members Present: Alexander, Colwell, Eads, Luttrell, Shoulders, Stockland

Members Absent: Ackerman

Staff Present: Edmonston, Evans, Gulley, Rogers, Schuldt

Media Present: Matt Wagner- NWA Times

Development:	No name. (Shiloh Drive)
Engineer:	Sand Creek
Owner/Developer:	Summit Development
Location:	South of Highway 16 on Shiloh Drive to the west
Park District:	Southwest
Units:	108 Multi-Units
Total Acres:	9.28 acres
Land Dedication Requirement:	2.16 acres
Money In Lieu:	\$40,500
Existing Parks:	Ozark View (3.2 acres); Davis (9); Finger (19)
Staff Recommendation:	Money in Lieu. This will require a waiver to the Park Land Dedication Ordinance since it contains over 100 units. It is in close proximity of Ozark View Park, which was selected as the site for the future Youth Center. The development has included a swimming pool, basketball court, tennis court, recreation building, picnic tables and grills, and an open park area.

Mrs. Theil stated that the apartment complex could prevent access to others not living in the apartments from using the amenities.

Mr. Schuldt stated that yes, the apartment could refuse access to the amenities for non residents.

Mrs. Theil stated that others in this area wouldn't have a park.

Mr. Schuldt stated that the Fayetteville Youth Center has a proposed site and there are other surrounding parks in the area.

Mr. Luttrell stated that Ozark Electric is discussing a road that would go through from Shiloh Drive towards Ozark Electric and beyond, thus, making easier access to Fayetteville Youth Centers proposed site.

Mr. Gulley said the new proposed Fayetteville Youth Center site would have many amenities.

PRAB Special Meeting

Mrs. Theil recommended to earmark money for a trail along the boundary that Mr. Luttrell had discussed.

Mr. Luttrell stated that there had been a discussion with Mr. Marinoni, the land owner to the south and he is receptive to the idea of the road.

Mr. Schuldt said if we do put in a park and the complex provides amenities it would be hard for people to distinguish which is an amenity and which is a park.

Mr. Alexander stated he didn't see the feasibility of placing a park in a apartment complex.

Mrs. Theil said that her concern was the neighbors in adjoining subdivisions, however if other parks are accessible that's okay.

Mr. Luttrell said he was concerned with people walking through residents yards to get to the park in the new subdivision.

Mrs. Edmonston complimented the developer for providing the various park amenities for the residents.

Motion: Mr. Alexander motioned to take money in lieu of land, based on its close proximity to Ozark View and possibly Fayetteville Youth Center.

Mr. Luttrell seconded the motion.

Motion passed 7-0.

Development:	Appleby Estates
Engineer:	Jorgensen & Associates
Owner/Developer:	Bleaux Barnes & Sam Mathias
Location:	South of Appleby Road and east of Gregg Street
Park District:	Northwest
Units:	17 Single Family
Total Acres:	8.08 acres
Land Dedication Requirement:	.425 acres
Money In Lieu:	\$7,990
Existing Parks:	Gordon Long (6.62 acres); Gregory (19.3)
Staff Recommendation:	Money in Lieu. It is located close to Gordon Long Park and the land dedication is only .425 acres. The development is not linked to the park and contains Skull creek which is in the flood way.

Mr. Schuldt stated staff visited the site to see it if Gordon Long could connect with the proposed land. Staff request money in lieu of land based on the fact that we cannot connect the land with Gordon Long. There is also a steep area and a creek running through the proposed land.

Mr. Gulley said the creek was Skull Creek.

Mrs. Theil said that Gordon Long is the only park in this area.

Mr. Gulley stated yes, but these apartments over here also have amenities. He also stated that Drake Road will be cutting through the park and area.

Mrs. Eads said we need more park land eventually, but not this land.

Mr. Alexander stated not .425 acres.

Mrs. Theil said this is a small amount of land. Greenspace wouldn't be good, not in this area, not this piece of land.

Mr. Gulley stated that the area near the creek would be in the floodway and that there is already a walking trail proposed in this area.

Mr. Shuldt stated he had visited with Chuck Rutherford and that a trail on the west side on the creek would be better.

Mr. Alexander said we have been discussing getting a large amount of land in the area.

Motion: Wade Colwell motioned for money in lieu of land.

Mr. Stockland seconded the motion.

Motion passed 7-0.

Parks and Recreation Advisory Board meeting for Monday, December 6, 1999 is at 5:30 p.m. Holiday snacks will be provided at 5:00 p.m.

Meeting dismissed at 12:35 p.m.

MINUTES APPROVED: _____

MINUTES TAKEN BY: _____

Tracie A. Evans

RECEIVED
STATE REVIEW FORM

XX AGENDA REQUEST
 CONTRACT REVIEW
 GRANT REVIEW

DEC 06 1999

CITY OF FAYETTEVILLE
COUNCIL'S OFFICE

For the Fayetteville City Council's Review of December 21, 1999

FROM:

W.A. Oestreich

Fleet Operations

Administrative Services

Name

Division

Department

ACTION REQUIRED:

Acceptance of Renewal Agreement for Trolley Operations for the period of January 1, 2000 through December 31, 2000. This is in accordance with the provisions of Resolution 11-99, Item 13 dated February 2, 1999. The vendor for this Agreement will be Jones Transportation Service, Inc., 1617 Ramsey Ave., Fayetteville, AR 72703 (Vendor #2857)

COST TO CITY:

\$ NTE 45,000
Cost of this Request

\$ 15,000
30,000
Category/Project Budget

Category/Project Name

2120-9120-5315-01

A+P

1010-6600-5103-00

MISCELLANEOUS

Account Number

\$ -0-
Funds Used To Date

Program Name

Project Number

15,000
\$35,000
Remaining Balance

A+P
General Fund
Fund

BUDGET REVIEW: XX Budgeted Item Budget Adjustment Attached

Steph Sand
Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Marilyn J. Cramer
Accounting Manager

12-2-99
Date

ADA Coordinator

Date

J. C. R.
City Attorney

12-2-99
Date

Yolanda Gills
Internal Auditor

12-2-99
Date

Purchasing Officer

Date

STAFF RECOMMENDATION:

Acceptance of Attached Agreement

W.A. Oestreich
Division Head

11.30.99
Date

Cross Reference

Department Director

Date

New Item: Yes No

Paul Magnus
Administrative Services Director

12/6/99
Date

Prev Ord/Res #:

Paul Magnus
Mayor

12/6/99
Date

Orig Contract Date:

*JONES TRANSPORTATION SERVICE, INC.
1617 RAMSEY AVENUE
FAYETTEVILLE, AR 72703
501.443.6646*

FRED HANNA, MAYOR
CITY OF FAYETTEVILLE
113 WEST MOUNTAIN ST.
FAYETTEVILLE, AR 72701

REFERENCE: TROLLEY OPERATION AGREEMENT DATED FEBRUARY 2,
1999 - PROVISION #13

IN ACCORDANCE WITH ITEM #13 OF THE OPERATING AGREEMENT DATED
FEBRUARY 2, 1999, PLEASE BE ADVISED THAT THE JONES
TRANSPORTATION SERVICE INC. WILL PROVIDE CONTINUING SERVICE FOR
THE PERIOD OF JANUARY 1, 2000 THROUGH DECEMBER 31, 2000 AT
THE TERMS AND CONDITIONS OF THE ORIGINAL AGREEMENT. NO INCREASES
OR CHANGES ARE PLANNED FOR THIS TIME PERIOD.


HAROLD W. JONES, PRESIDENT
JONES TRANSPORTATION SERVICE, INC.

11-30-99
DATE

RESOLUTION NO. 11-99

MICROFILMED

A RESOLUTION APPROVING AN AGREEMENT WITH JONES TRANSPORTATION SERVICE, INC., FOR THE PROVISION OF TROLLEY OPERATIONS FOR THE PERIOD OF MARCH 1, 1999 THROUGH DECEMBER 31, 1999, WITH FOUR ONE YEAR RENEWAL OPTIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council hereby approves an agreement with Jones Transportation Service, Inc., for the provision of trolley operations for the period of March 1, 1999 through December 31, 1999, with four 1-year renewal options; and authorizes the Mayor and City Clerk to execute said agreement. A copy of the agreement is attached hereto marked Exhibit "A" and made a part hereof.

PASSED AND APPROVED this 2nd day of February, 1999.

APPROVED:

By: _____

Fred Hanna
Fred Hanna, Mayor



By: _____

Heather Woodruff
Heather Woodruff, City Clerk



AGREEMENT**EXHIBIT A**

THIS AGREEMENT, entered into as of this 2 day of February, 1999, by and between Jones Transportation Service, Inc., hereinafter referred to as "JTS" and The City of Fayetteville, Arkansas, hereinafter referred to as "the City".

WITNESSETH THAT:

JTS and the City will jointly provide transportation service for the City in accordance with guidelines contained herein:

1. TYPE OF SERVICE

The service shall be open to members of the general public and shall not be operated exclusively for any one group or organization.

2. ROUTE DEVELOPMENT

JTS will assist the City in developing the most time and mileage efficient routing and scheduling for the service.

3. VEHICLES & INSURANCE

JTS will operate vehicles owned by the City for service provided under this Agreement. Vehicles will be operated in accordance with routes approved by the City. In no instance will vehicles be operated by the City for services not provided under this Agreement, or outside the State of Arkansas, unless the City shall secure adequate insurance covering such operation and operate under its own authority. JTS's use of said vehicles shall be limited to service provided under this Agreement unless approved by the City.

Because it is not immune from tort liability, JTS agrees to maintain the following vehicle insurance coverage on all vehicles operated under this agreement:

Liability: \$1,000,000.00 combined single limit.

Medical: \$5,000.00.

Uninsured Motorist: \$500,000.00.

Underinsured Motorist: \$500,000.00.

Comprehensive: Deductible: \$25.00.

Collision: Deductible: \$500.00.

JTS will provide for insurance as specified above on the three (3) City owned vehicles in place at the time of initiation of this contract that are used for the provision of trolley services. During the term of this contract, should the City decide to replace equipment or expand the number of vehicles in service, the City and JTS will conduct an insurance cost review to determine if rate of payment adjustments should be made as defined in Section Nine (9) of this agreement.

4. MAINTENANCE & LICENSING

The City shall provide vehicle maintenance at the City Shop. The City will provide fuel, oil and other necessary operating supplies. Licensing and other operating costs will be provided by the City.

JTS shall comply with all scheduled maintenance as set by the City and is to notify the City of any maintenance or repair needs on the vehicles. Necessary movement of vehicles shall be coordinated with the City Shop. If necessary and approved by the City, JTS will provide maintenance or repair, and will subsequently bill the City at current rates charged to non-profits.

JTS shall not obligate the City to pay any cost pertaining to any aspect of this agreement without prior written authorization.

5. DISPATCH & OPERATIONS

Each vehicle will be equipped with proper communication equipment.

JTS will do all dispatching and scheduling. The City will use request forms signed by authorized agent for the City or use phone authorization by the City agent and JTS agent for scheduling.

JTS will provide spare vehicles to insure uninterrupted service to the City in the event of malfunction of the assigned vehicles. Spare vehicles will match the capacity of regularly assigned vehicles when possible.

6. DRIVERS

JTS shall provide all Drivers for service operated under this agreement who shall receive special orientation and training to prepare them to educate passengers, in addition to JTS's regular Driver training. Said training shall consist primarily of a set of written materials which shall be memorized by Drivers for repetition to passengers, and a set of guidelines for dress, behavior, and any other items designated by the City or JTS.

Adequate scheduling, supervision, and substitute Drivers shall be provided to assure uninterrupted service.

Drivers used to provide service to the City will:

- (a) Hold licenses required by federal and state law.
- (b) Have a satisfactory driving record based on information documented from the Arkansas Department of Motor Vehicles, and continue to demonstrate ability to drive the vehicle to JTS's satisfaction.
- (c) Successfully complete, and update as needed, training in accordance with JTS's training policy.

- (d) Be approved by JTS to drive based on the above criteria.

In addition, Drivers will adhere to guidelines provided by the City for dress, behavior, and other performance based items designated by the City. All policies in this area will be communicated to the authorized JTS representative.

7. PROMOTION & PUBLIC AWARENESS

JTS will work with the City to develop an on-going program of public awareness to assure that tourists and City residents know of the service and are able to access it. It is understood that JTS shall not pay for any promotion or advertising under this Agreement, other than minor in-house mailing.

8. INCLEMENT WEATHER

Either the City or JTS may, in case of inclement weather and/or hazardous road conditions, cancel or modify scheduled transportation service.

9. RATE OF PAYMENT

- (a) Normal Trolley route - \$17.50 per hour.
(1) Non profit group rate - same.
- (b) For supplemental rates - \$25.00 per hour for personal or private groups. City to receive \$7.50 credit per hour.
- (c) \$29.90 per hour when JTS unit used. City to receive no credit.

Rates may be subject to periodic adjustments upon written agreement of both parties, the City and JTS.

10. METHOD OF PAYMENT

JTS will bill the City monthly for transit service provided under this Agreement using a format designed to show the hours of services provided to the City.

Personal or Private groups will be billed direct. Copies of such billing shall be made available to the City.

11. RECORDS

JTS's responsibility for record-keeping, financial and record data computations shall be limited under this Agreement to number of riders, daily trip sheets, and records required by the Arkansas Highway and Transportation Department. Maintenance records shall be maintained by the City and shall be open to inspection by JTS and its agents, including representatives of the Arkansas Highway and

Transportation Department upon request.

12. REPRESENTATIVES AND NOTICE

The representatives of the respective parties who are authorized to administer this Agreement and to whom formal notices, demands, and communications shall be given are as follows:

The representative of JTS shall be:

Harold W. Jones, President/Owner
Jones Transportation Service, Inc.
1617 Ramsey Avenue
Fayetteville, AR 72703

The representative of the City shall be:

Fred Hanna, Mayor
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Notice as required by the terms of this agreement shall be effective upon hand delivery, in writing, to the appropriate representative listed above five (5) days after written notice is mailed First Class, U. S. Postage, to said representative.

13. TIME OF PERFORMANCE

The initial term of this Agreement shall be from March 1, 1999, until December 31, 1999. After the end of the initial term, the City shall have the option to renew this Agreement for four (4) additional one year terms. Exercise of optional renewals will be by written agreement of both parties, the City of Fayetteville and JTS.

14. AGREEMENT AMENDMENTS

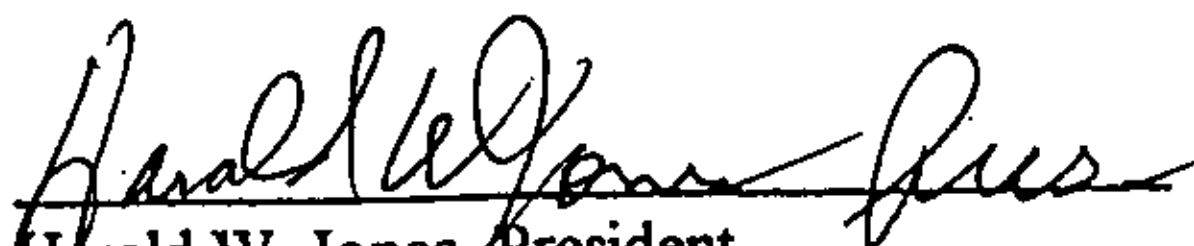
This Agreement may be modified at any time by a memorandum of understanding with the mutual agreement of both parties.

15. AGREEMENT TERMINATION

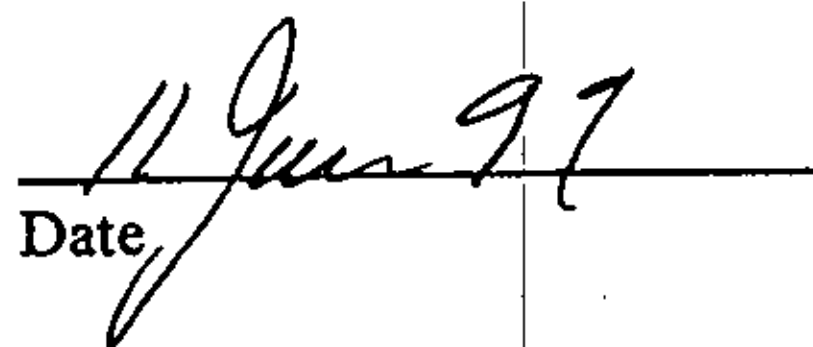
This Agreement may be terminated by one (1) of the following methods:

- (a) Either party may terminate this Agreement upon thirty (30) days' written notification, or
- (b) Both parties, by their mutual consent, may terminate this Agreement immediately.

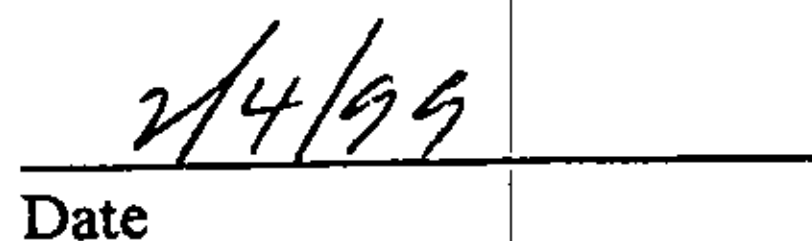
IN WITNESS WHEREOF, this Agreement is signed and made effective by the following:



Harold W. Jones, President
Jones Transportation Service, Inc.


Date

Fred Hanna, Mayor
City of Fayetteville


Date

RECEIVED

Pay Plan
A. 4. Page 1

STAFF REVIEW FORM

xx Agenda Request DEC 08 1999
Contract Review OF FAYETTEVILLE
Grant Review CITY CLERK'S OFFICE

FOR THE FAYETTEVILLE CITY COUNCIL MEETING OF DECEMBER 21, 1999

FROM:

DON BAILEY	PERSONNEL	ADMIN. SERVICES
Name	Division	Department

ACTION REQUESTED: ADOPT A YEAR 2000 PAY PLAN FOR HOURLY, SALARIED, EXECUTIVE AND CIVIL SERVICE FIRE AND POLICE PERSONNEL EFFECTIVE WITH YEAR 2000 PAYROLL NUMBER 1 BEGINNING ON 12-27-99, PAID ON 1-14-00.

COST TO THE CITY:

\$ 730,158	\$ SEE ATTACHMENT A	PERSONNEL SERVICES
Cost of this request	Category/Project Budget	Category/Project Name
VARIOUS	0	VARIOUS
Account Number	Funds used to date	Program Name
N/A	SEE ATTACHMENT A	SEE ATTACHMENT A
Project Number	Remaining Balance	Fund

BUDGET REVIEW:

Budgeted Item Budget Adjustment Attached

Stephen Davis
Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Marilyn J. Cramer 12-6-99
Accounting Manager Date
John Bailey 12-7-99
City Attorney Date
Purchasing Officer Date

Yolanda Fields 12-7-99
Internal Auditor Date
ADA Coordinator Date

STAFF RECOMMENDATION: ADOPT PAY PLAN FROM THE OPTIONS PRESENTED.

<i>Don Bailey</i>	12-6-99
Division Head	Date
<i>John Maguire</i>	12/6/99
Department Director	Date
<i>John Maguire</i>	12-6-99
Administrative Services Director	Date
<i>John Bailey</i>	12/7/99
Mayor	Date

STAFF REVIEW FORM

Description _____ Meeting Date _____

Comments:

Budget Coordinator

Accounting Manager

City Attorney

Purchasing Officer

ADA Coordinator

Internal Auditor

Reference Comments:

THE CITY OF FAYETTEVILLE, ARKANSAS

TO: Mayor Fred Hanna and the City Council

FROM: John Maguire, Administrative Services Director
Don Bailey, Personnel Director *DB*

DATE: December 3, 1999

SUBJECT: **RECOMMENDATIONS FOR PAY PLAN REVISIONS**

The City's pay plan, developed with the assistance of Hay Management Consultants, was adopted January 1, 1990. Pay ranges adopted were based on public sector, private sector and civil service police and fire surveys. A primary objective of these surveys was to develop a pay practice that is competitive in the market place and internally equitable in relation to job content.

The standard adopted by our pay plan establishes the mid-point of the pay ranges as the average paid for jobs with similar levels of difficulty and required skills. This objective has been achieved. However, the market upon which pay is based is not static, and must be surveyed from time to time in order to maintain our competitive posture. A bi-annual wage survey is conducted as a means to determine if adjustments to pay ranges are needed.

Surveys were completed as scheduled in October, and Hay Management Consultants have prepared recommendations based on the survey data collected. The methodology utilized year to year to measure market change was again applied to analyze the raw survey data. The results of the survey indicate the below listed changes are needed to maintain a competitive market position.

1. Increase the step rates of Police and Fire as follows:

Firefighter	7%
Fire Captain	13%
Battalion Chief	17%
Police Officer	13%
Police Sergeant	15%
Police Lieutenant	19%

Mayor Fred Hanna
and the City Council

-2-

December 3, 1999

2. Increase the range midpoints of salaried and hourly jobs as follows:

Executive	4.7% (avg.)
Salaried Exempt	5% (avg.)
Hourly Non-Exempt	5%

3. Make these changes effective Payroll Number 1, 2000, beginning on December 27, 1999, and paid on January 14, 2000.

Staff recommends the following additional changes for incorporation in the Year 2000 Pay Plan.

1. Establish a Corporal position which individual Police Officers would achieve by completing five years of service and having received the Intermediate Certificate from the Commission on Law Enforcement Standards and Training.

A Corporal step rate will commence at Step F. This step will be set at a two step increase above the Police Officer Step E rate and will increase in tandem with the Police Officer steps through Year 20.

2. The incremental amount between Step G to Year 10, Step Year 10 to Year 15, and Step Year 15 to Year 20 will be changed to \$1000.00 from the current \$500.00 for both Police and Fire ranks.
3. Establish an FTO incentive bonus of \$1.50/hr for the time a rookie in training is assigned to the Officer. The bonus is to be paid in a lump sum at the time the training assignment is completed.
4. The City will amend its Section 401 and 457 Defined Contribution Plans to permit uniformed officers and firefighters to participate and elect to make either pre-tax or after tax contributions. Matching contribution will not be made by the City.

Staff, at the time of each previous pay adjustment, made an unqualified recommendation of adoption. We are, however, faced with the dilemma of insufficient budget to cover the unanticipated marked increases in the Police and Fire rates. We therefore respectfully request the Council to consider these alternatives in reaching a decision in this matter.

Mayor Fred Hanna
and the City Council

-3-

December 3, 1999

Option 1.

Approve intact the step increases as set forth in Chart 7, (pg 12-A), in the Hay Report (Attachment B). This action will create a \$400,000 shortfall as shown in the schedule of salary contingency funding - 2000 Proposed Budget (Attachment A). The 2000 Proposed Budget can be amended as reflected under funding options.

Option 2.

In the event a solution to the budget shortfall cannot be achieved, reduce the amount of Police and Fire step increases to 85% of the indicated market pay levels. Staff requests that City Council consider implementing the remaining pay range adjustment at mid year if revenues are sufficient to fund the request, or

Option 3.

Elect to utilize the General Fund Balance to fund the shortfall.

Also included with this cover letter are the Year 2000 Step Rates indicated by the market pay level (Attachment C), the step rates at 85% of the market pay level (Attachment D) and the general employees pay ranges by grade (Attachment E).

The public sector surveys for executive, police and fire, and the private sector surveys within Northwest Arkansas replicate the 1992, 1994, 1996 and 1998 surveys as closely as possible. We, and the Hay Consultant, are confident the results of the study are reliable. If any member of the Council desires additional detailed data, you are encouraged to discuss your questions with the Personnel Director.

Attachments

City of Fayetteville, Arkansas
Schedule of Salary Contingency Funding
- 2000 Proposed Budget

Fund	Total Salary Contingency Budget	Projected Annual Impact Of Pay Range Adjustments			Routine Annual Merit / Step Raises			Additional Funding For Salary Contingency
		Civil Service	Noncivil Service	Total	Civil Service	Noncivil Service	Total	
General	\$ 632,552	\$ 682,345	\$ 28,767	\$ 711,112	\$ 80,945	\$ 250,495	\$ 331,440	\$ (410,000)
Street	50,000		2,086	2,086		37,257	37,257	10,657
Community Development	4,600		0	0		3,783	3,783	817
Parks Development	10,000		0	0		2,597	2,597	7,403
Water & Sewer				0				
- Meter Operations	30,000		1,764	1,764		27,345	27,345	891
- Maintenance	60,000		4,329	4,329		37,465	37,465	18,206
Solid Waste	50,000		6,188	6,188		39,029	39,029	4,783
Airport	10,400		0	0		3,568	3,568	6,832
Shop	20,000		4,679	4,679		9,154	9,154	6,167
	\$ 867,552	\$ 682,345	\$ 47,813	\$ 730,158	\$ 80,945	\$ 410,693	\$ 491,638	\$ (354,244)

Staff proposes funding the General Fund shortfall in the following manner.

Funding Options

Rollforward Remaining 1999 Salary Contingency	150,000
City Investment Changes	60,000
Fire Dept - Close Station 3 and Reduce Minimum Staffing	70,000
Police Department - Reduce OT	70,000
Parks & Recreation - Reallocate costs to Parks Dev. Fund	60,000

Dollars made available

410,000

City of Fayetteville, Arkansas

***Compensation Practices Update - Executive, Exempt, Police, Fire
& Nonexempt***

December 1999

HayGroup

ATT. B

Prepared by:

Paul Glogowski
Consultant

Roxann Hill
Technical Assistant

Hay Management Consultants
Dallas, Texas

for

City of Fayetteville, Arkansas

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Appendices	

I. Project Overview

Hay Management Consultants has completed an evaluation of the City of Fayetteville's compensation practices for Executive, Exempt, Nonexempt and Police and Fire positions.

Previously, Hay worked with the City on a comprehensive compensation project which was completed in December 1989. We further performed updates in November 1991, January 1994, December 1995 and October 1997.

The City has requested that the current study include an analysis of the Markets for each of the major employer categories.

Based on current market conditions, Hay Management Consultants was asked to provide recommendations for changes in the City of Fayetteville's pay policies. This report includes:

- Analysis of the City's Current Internal Pay Practices
- Market Comparison - Nonexempt
- Market Comparison - Exempt
- Market Comparison - Executive
- Market Comparison - Police and Fire
- Recommendations

II. Internal Pay Practice Analysis

The following summary statements describe the City of Fayetteville's current internal pay practice for each employee category as compared to the midpoint of the current pay ranges. The midpoint of each pay range is established as the average actual pay for like or comparable positions surveyed.

When the City conducted its original study in 1989, the Pay Plan Committee elected to establish a single salary range for nonexempt positions. ACEs (Additional Compensable Elements for working conditions and/or the work environment) were assigned to positions where warranted.

Nonexempt

Group A

Nonexempt Group A consists primarily of secretarial and clerical positions. These positions all function within a normal office environment and do not have ACEs assigned.

Current base rates for all Nonexempt A positions fall within established salary ranges. The base salary practice shows that positions in this employee group have an aggregate compa-ratio (salaries divided by midpoints) of 102.5%. This indicates that on average employees are paid slightly above the midpoint policy.

Group B

Nonexempt Group B jobs are those which have been classified as having occasional or moderate ACEs.

Pay for this group falls within established ranges for all positions with exception of one incumbent, Civilian Jailer. The base salary practice shows that positions in this employee group have an aggregate compa-ratio (salaries divided by midpoints) of 103.3%. Again, this indicates that on average employees are paid slightly above the midpoint policy.

II. Internal Pay Practice Analysis (cont'd)

Group C

Nonexempt Group C jobs are those which could be considered typical "blue collar" jobs and were judged to have considerable and continuous, or extreme but occasional ACEs.

Pay for this group falls within established ranges for all positions with exception of one incumbent, Maintenance Worker II. The base salary practice shows that positions in this employee group have an aggregate compa-ratio of 101.4%. Again, this indicates that on average employees are paid slightly above the midpoint policy.

Group D

Group D is the smallest of the City's nonexempt categories. Jobs in this category are those which were judged to have extreme and continuous ACEs and are primarily Sanitation/Refuse Workers. All of the incumbents in Group D are paid within the established salary range. The average compa-ratio for the group is 99.8%

II. Internal Pay Practice Analysis (cont'd)

Exempt

Pay for this group falls within established ranges for all positions with exception of two incumbents, both of which are programmer Analysts. The base salary practice shows that positions in this employee group have an aggregate compa-ratio of 107.8%. This indicates that on average employees are paid above the midpoint policy.

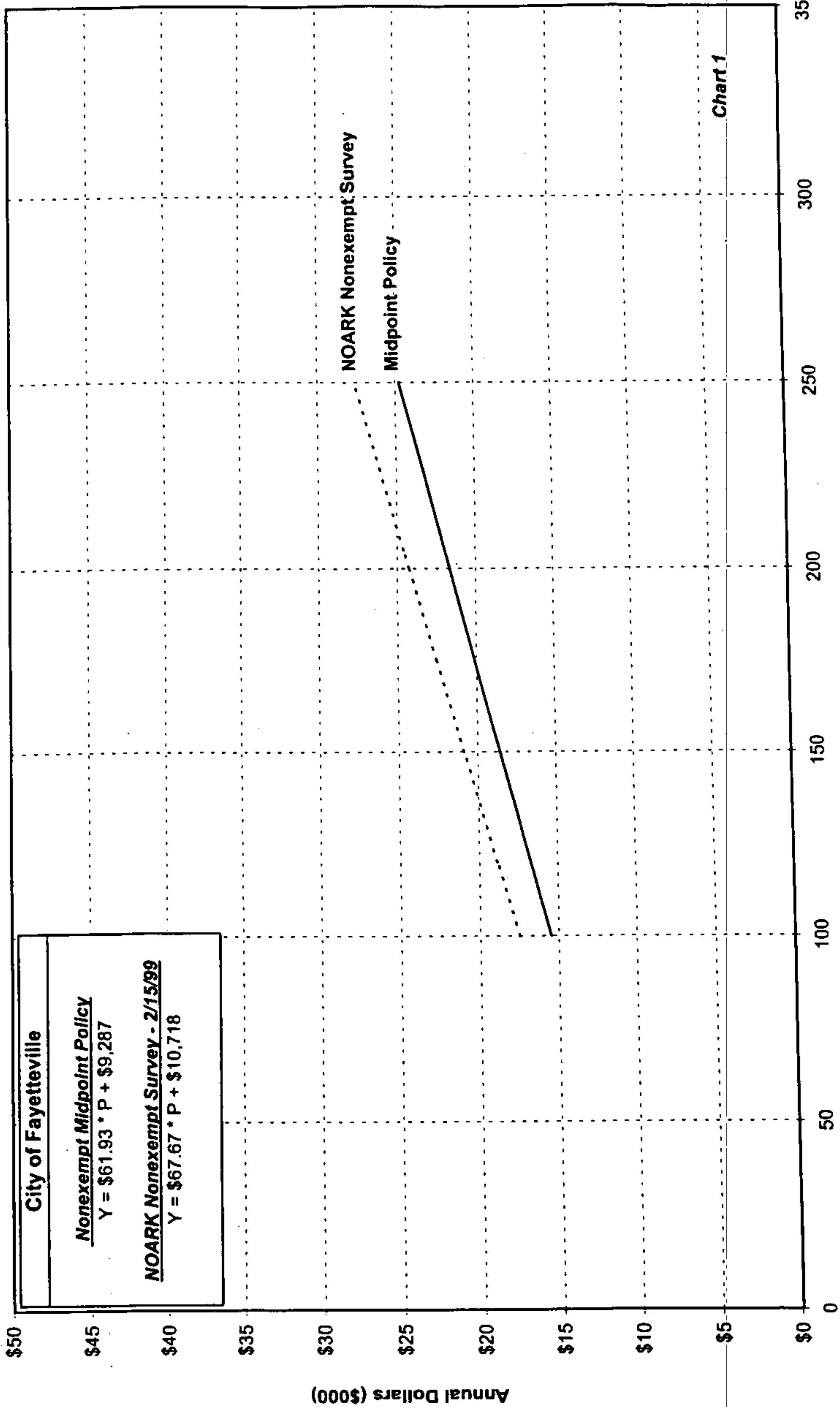
Executive

All incumbents in the Executive group are paid within the current salary range with the exception of the City Engineer who is paid slightly above the range maximum..

The base salary practice shows that positions in this employee group have an aggregate compa-ratio of 110.3%. This indicates that on average employees are paid well above the midpoint policy.

City of Fayetteville, Arkansas

Group A Midpoint Policy vs. NOARK Nonexempt Survey



City of Fayetteville

Nonexempt Midpoint Policy
 $Y = \$61.93 * P + \$9,287$

NOARK Nonexempt Survey - 2/15/99
 $Y = \$67.67 * P + \$10,718$

Job Content Points

Nonexempt Midpoint Policy

NOARK Nonexempt Survey

% Difference

III. Market Comparison Analysis

Each of the Nonexempt Groups has been compared separately in Charts 1 through 4 to the Nonexempt line generated from the 1999 NOARK Human Resource Association Compensation and Benefits Survey. A participant list is included in Appendix A.

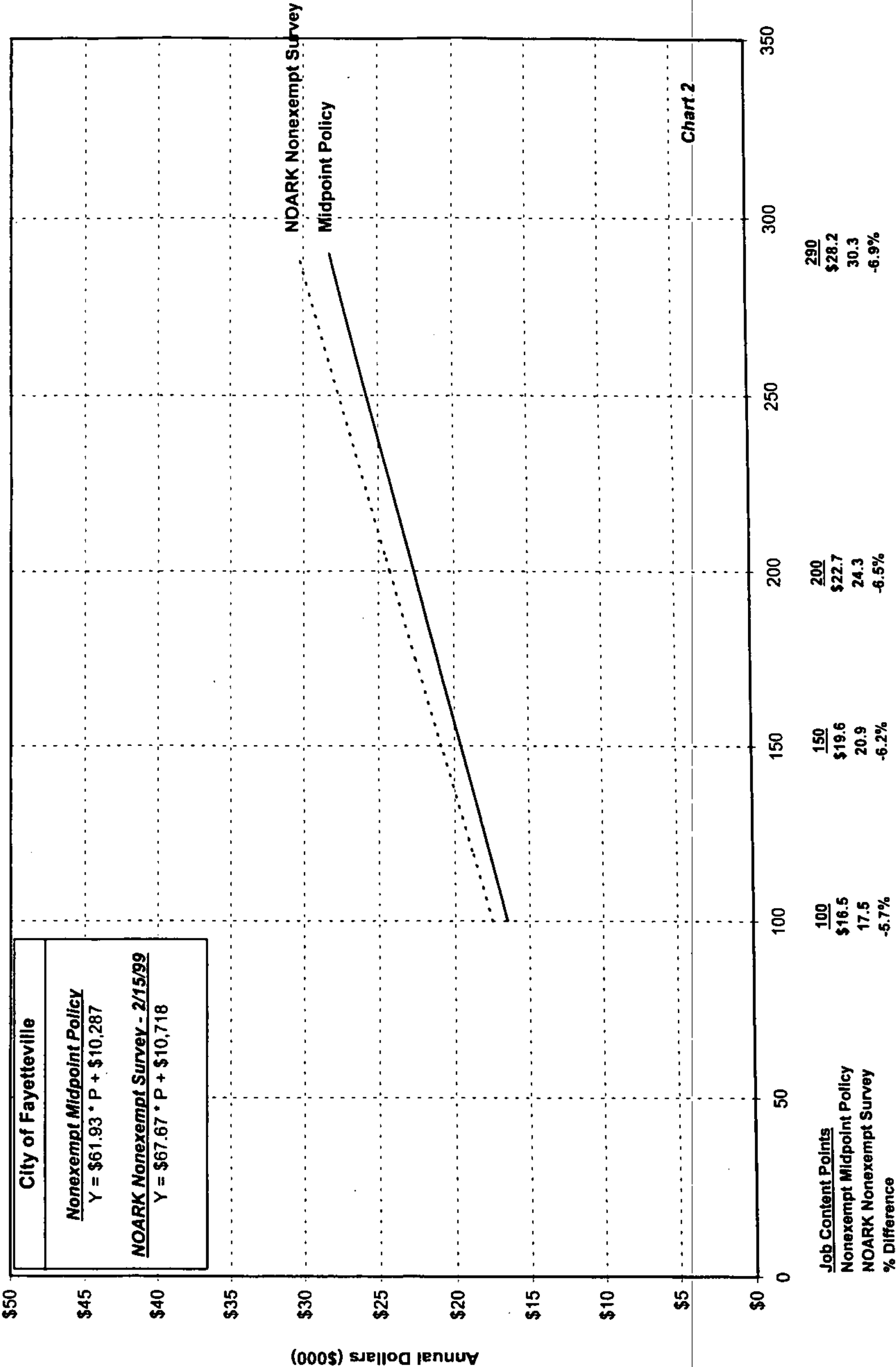
Nonexempt

The City's policy for Nonexempt Group A (primarily Clerical and Secretarial jobs) is lower than the survey line, with the City's policy 11.5% lower at entry level and 10.4% lower at the highest levels of Nonexempt responsibility.

Group A

City of Fayetteville, Arkansas

Group B Midpoint Policy vs. NOARK Nonexempt Survey



III. Market Comparison Analysis (cont'd)

The next three charts show each of the nonexempt groups which receive additional pay for ACEs. The current midpoint policies were established as part of the original study and are based on the Nonexempt A policy:

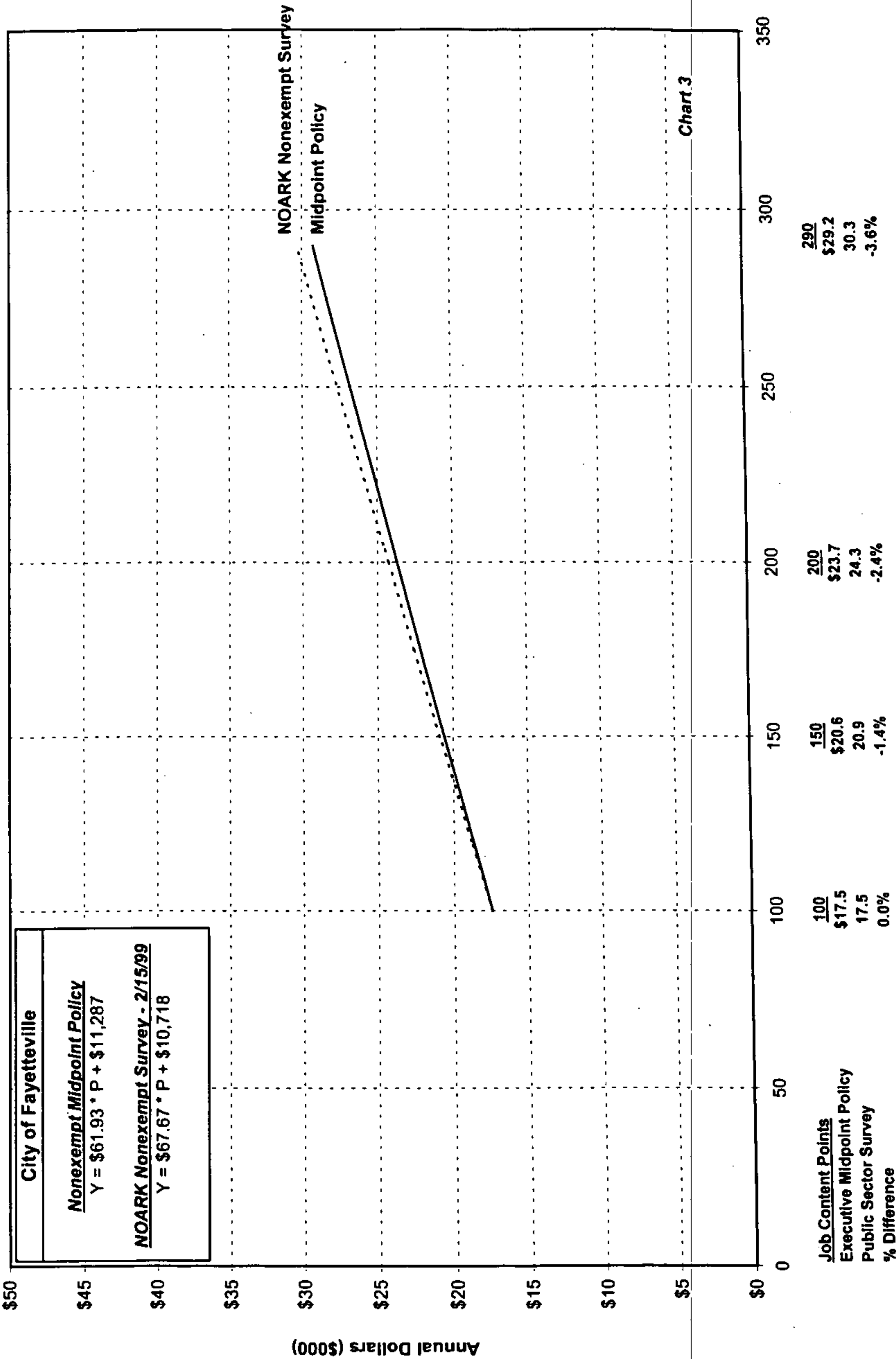
- Nonexempt B = Nonexempt A policy + \$1,000
- Nonexempt C = Nonexempt A policy + \$2,000
- Nonexempt D = Nonexempt A policy + \$3,000

Group B

The Chart facing (Group B) compares the same NOARK policy line to the Nonexempt A policy line including the \$1,000 premium. Lower level positions (at 100 grade points) have midpoints which are currently 5.7% below the survey line. Group B jobs which are at 290 grade points have midpoints 6.9% below the survey line.

City of Fayetteville, Arkansas

Group C Midpoint Policy vs. NOARK Nonexempt Survey



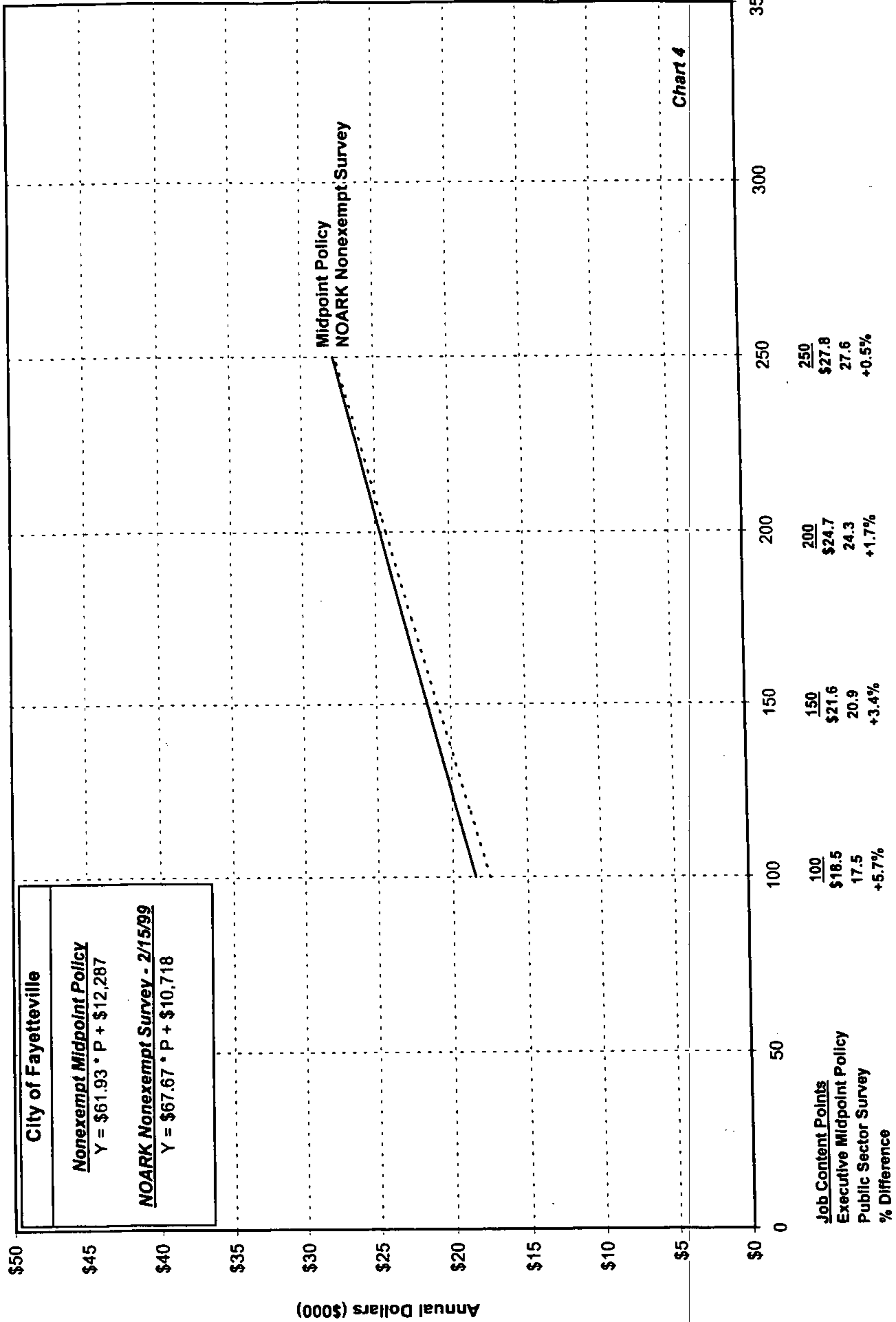
III. Market Comparison Analysis (cont'd)

Group C

Nonexempt Group C jobs (typical "blue collar" jobs, which receive a \$2,000 annual premium for ACEs) carry midpoints which are currently closer than any other Nonexempt group to the NOARK Nonexempt Survey. As can be seen on Chart 3, the differences between the City's midpoints and the NOARK Survey data ranges from: equal to the market at 100 grade points to 3.6% below the survey line at 290 grade points below the survey line.

City of Fayetteville, Arkansas

Group D Midpoint Policy vs. NOARK Nonexempt Survey



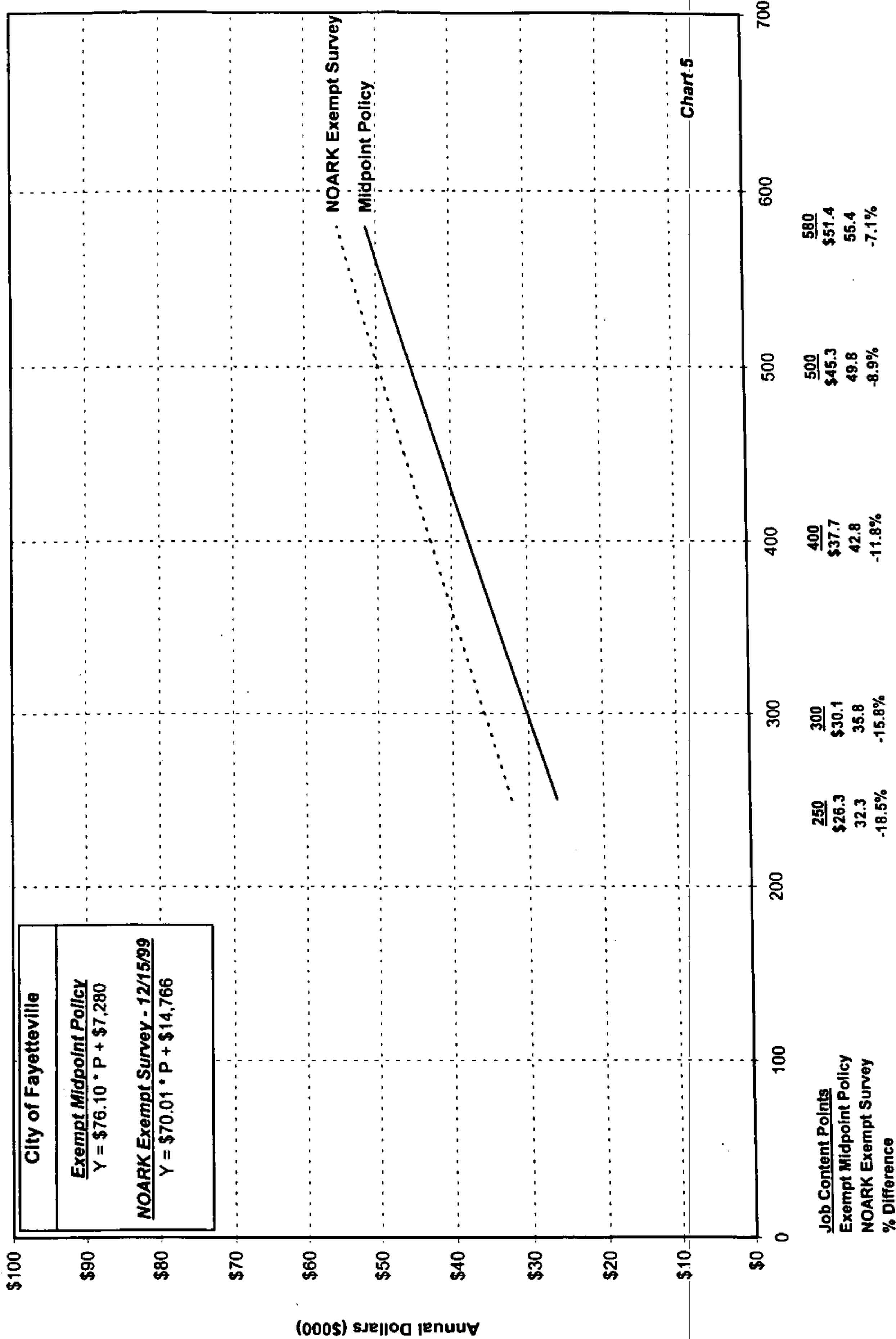
III. Market Comparison Analysis (cont'd)

Group D

The Nonexempt Group D positions (Chart 4) consist primarily of Refuse and Sanitation workers. Midpoints were established with a \$3,000 premium, above Group A jobs with the same evaluation points. These midpoints currently range from 5.7% above market (at 100 grade points) to 0.5% above market (at 250 grade points).

City of Fayetteville, Arkansas

Exempt Midpoint Policy vs. NOARK Exempt Survey



III. Market Comparison Analysis (cont'd)

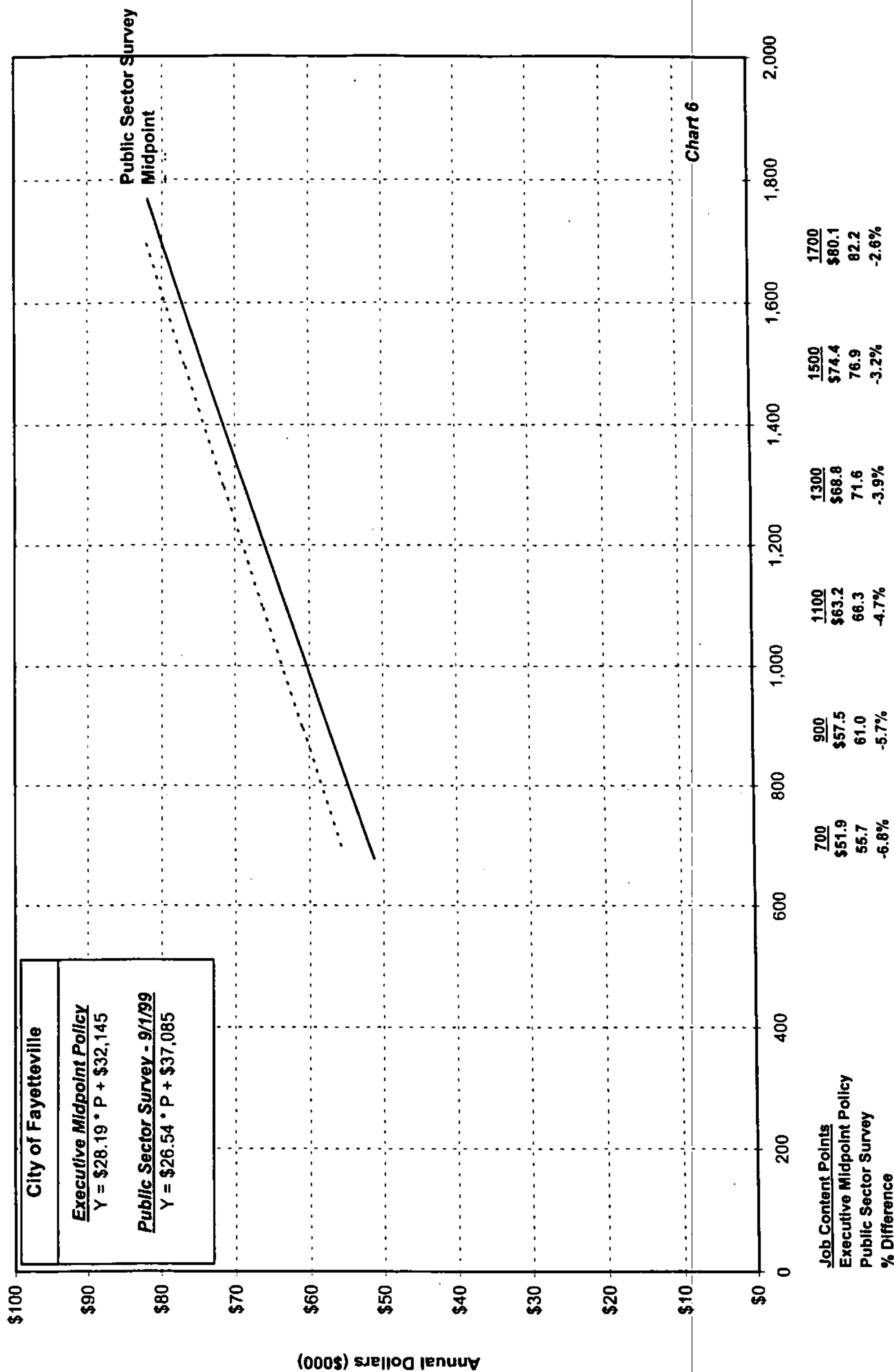
Exempt

Chart 5, facing, compares the City's Exempt policy with the exempt line generated from the 1999 NOARK Survey.

The current policy for Exempt Group ER currently ranges from 18.5% below market at 250 grade points to 7.1% below market at 580 grade points.

City of Fayetteville, Arkansas

Executive Midpoint Policy vs. Public Sector Survey



Executive

III. Market Comparison Analysis (cont'd)

In this section of the report, Chart 6 compares the City of Fayetteville's current executive policies to the appropriate external markets.

The City conducted a survey of Executive pay in comparable size cities and participants who responded are listed in Appendix B.

As shown on Chart 6, the City's current executive salary grade midpoints range from 6.8% below market at 700 points to 2.6% below market at 1700 points. The market comparisons for this employee group are the public sector market with similar levels of responsibility in other municipalities.

12/2/99

**RANGE
FIRE PAY COMPARISON**

FIREFIGHTER				FF/DRIVER OPERATOR				FIRE CAPTAIN				BATTALION CHIEF			
MIN	MID			MIN	MID			MIN	MID			MIN	MID		
22,804	26,065			30,252	30,865			34,650	37,248			40,336	42,826		45,316
22,722	24,531			27,443	33,852			32,699	39,303			45,907	50,489		55,071
24,011	26,798			32,239	34,536			34,518	37,532			41,685	46,790		51,894
24,191	27,386			32,233	34,295			36,118	37,747			**	**		47,578
23,223					32,548			34,547	37,721			42,066	45,733		48,415
				28,298											

Survey A
Survey K
Survey M
Survey O
Total Survey *

21,995		25,282		31,165		28,254	32,796	36,548	33,674	36,706	45,238
6%		12%		4%		21%	15%	3%	25%	18%	7%
		7%					13%			17%	

City of Fayetteville
% Diff. Over,(Under)
Avg. % Diff.

(*) Survey Midpoints of FF/Driver Operator Averaged

**RANGE
POLICE PAY COMPARISON**

POLICE OFFICER				POLICE SERGEANT				POLICE LIEUTENANT				POLICE CAPTAIN			
MIN	MID			MIN	MID			MIN	MID			MIN	MID		
22,524	27,302	32,081		32,538	34,238	35,939		38,382	39,365	40,348		43,234	44,533	45,832	
28,038	35,429	42,820		40,569	42,843	45,117		47,961	51,240	54,519		**	**	**	
24,604	28,570	34,536		36,002	38,427	40,852		39,959	41,314	42,669		46,949	48,345	49,741	
25,048	30,638	36,227		38,718	39,867	41,015		44,327	45,457	46,586		45,029	47,667	50,304	
24,211	29,591	34,971		35,484	37,309	39,133		41,232	42,684	44,136		44,612	46,269	47,927	

Survey A
Survey K
Survey M
Survey O
Total Survey

City of Fayetteville
% Diff. Over,(Under)
Avg. % Diff.

22,363	26,728	30,573		27,960	32,138	37,816		31,238	36,906	42,074		34,977	40,203	46,929	
8%	15%	14%		27%	16%	3%		32%	19%	5%		26%	15%	2%	
	13%				15%				19%				15%		

Survey A - State of Arkansas Fire and Police Departments
Survey K - State of Kansas Fire and Police Departments
Survey M - State of Missouri Fire and Police Departments
Survey O - State of Oklahoma Fire and Police Departments
Total Survey - The KMO Survey Average + Survey A

Chart 7

HayGroup

III. Market Comparison Analysis (cont'd)

Executive

In this section of the report, Chart 6 compares the City of Fayetteville's current executive policies to the appropriate external markets.

The City conducted a survey of Executive pay in comparable size cities and participants who responded are listed in Appendix B.

As shown on Chart 6, the City's current executive salary grade midpoints range from 6.8% below market at 700 points to 2.6% below market at 1700 points. The market comparisons for this employee group are the public sector market with similar levels of responsibility in other municipalities.

III. Market Comparison Analysis (cont'd)

Police and Fire

As the final portion of the 1999 Compensation Update, the City conducted a study of police and fire pay for comparable size municipalities in Arkansas, Kansas, Missouri, and Oklahoma. The 26 cities, whose data was included in this study, are listed in Appendix C. In support of this effort, the HayGroup contacted several of the municipalities to assist in the collection of market pay data when they did not respond to the original requests from the City for salary information. The facing Chart reflects the results of this survey, with data as of September 1999.

Fire Department

The City of Fayetteville has combined pay range for a Firefighter and Driver Operator. This structure is somewhat unique and precludes a direct comparison to Departments which maintain separate job pay ranges. For comparison to the City's position, the survey midpoints of the two separate job classifications have been averaged. The City's minimum is compared to the survey Firefighter minimum, while the City's maximum is compared to the survey cities maximum for the Fire Operator/Driver/Engineer position.

Using this basis of comparison, the City currently pays 6% less at the minimum for Firefighter and 4% less than maximum for the Firefighter Driver/Operator.

Comparisons for the Fire Captain and Shift Commander are more straight forward, with positions which are directly comparable to those in other municipalities.

The City of Fayetteville pay ranges for the Fire Captain range from 21% below the survey average at minimum to 3% below the survey average at maximum.

The position of Battalion Chief is also paid less; 25% at minimum and 7% at maximum.

III. Market Comparison Analysis (cont'd)

Police Department

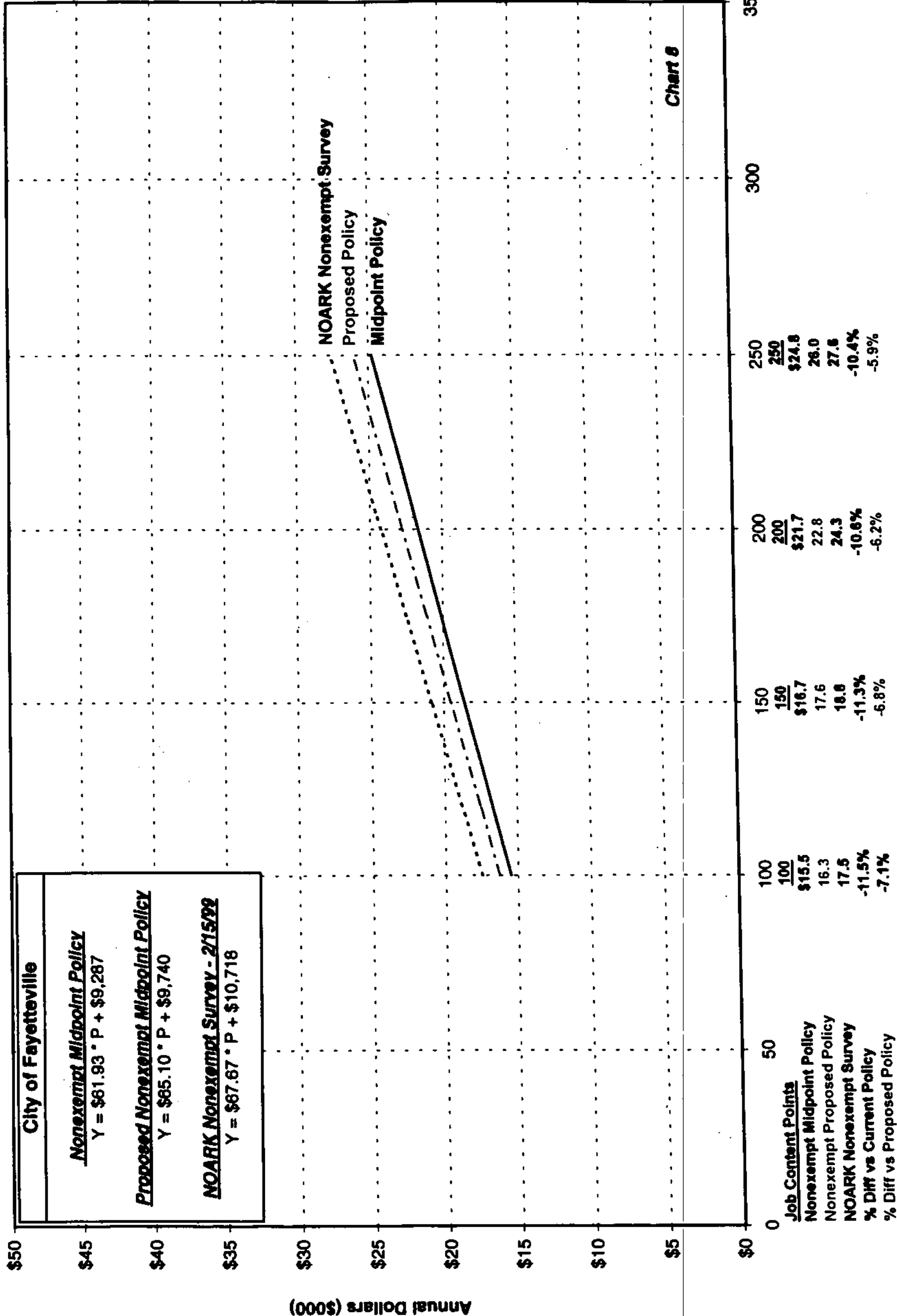
Comparison of the survey results to the four positions in the Police Department shows results which are somewhat similar to those for Fire. The results for all levels in the Police Department are less than the salaries reported in the 1999 survey.

The City of Fayetteville's entry level job, Police Officer, pays an average of 13% less than the survey. The next level, Police Sergeant, shows an average difference of 15%.

Police Lieutenant pay for the City has a 19% lower average pay. The highest level position surveyed, Police Captain, continues this trend with differentials averaging 15% less than that of comparator cities.

City of Fayetteville, Arkansas

Group A Midpoint Policy vs. NOARK Nonexempt Survey



IV. Recommendations

Nonexempt

The use of a single policy line with increases for varying levels of ACEs has worked well. Unless there are recruitment and/or retention problems in the nonexempt population, we recommend using the same methodology this year.

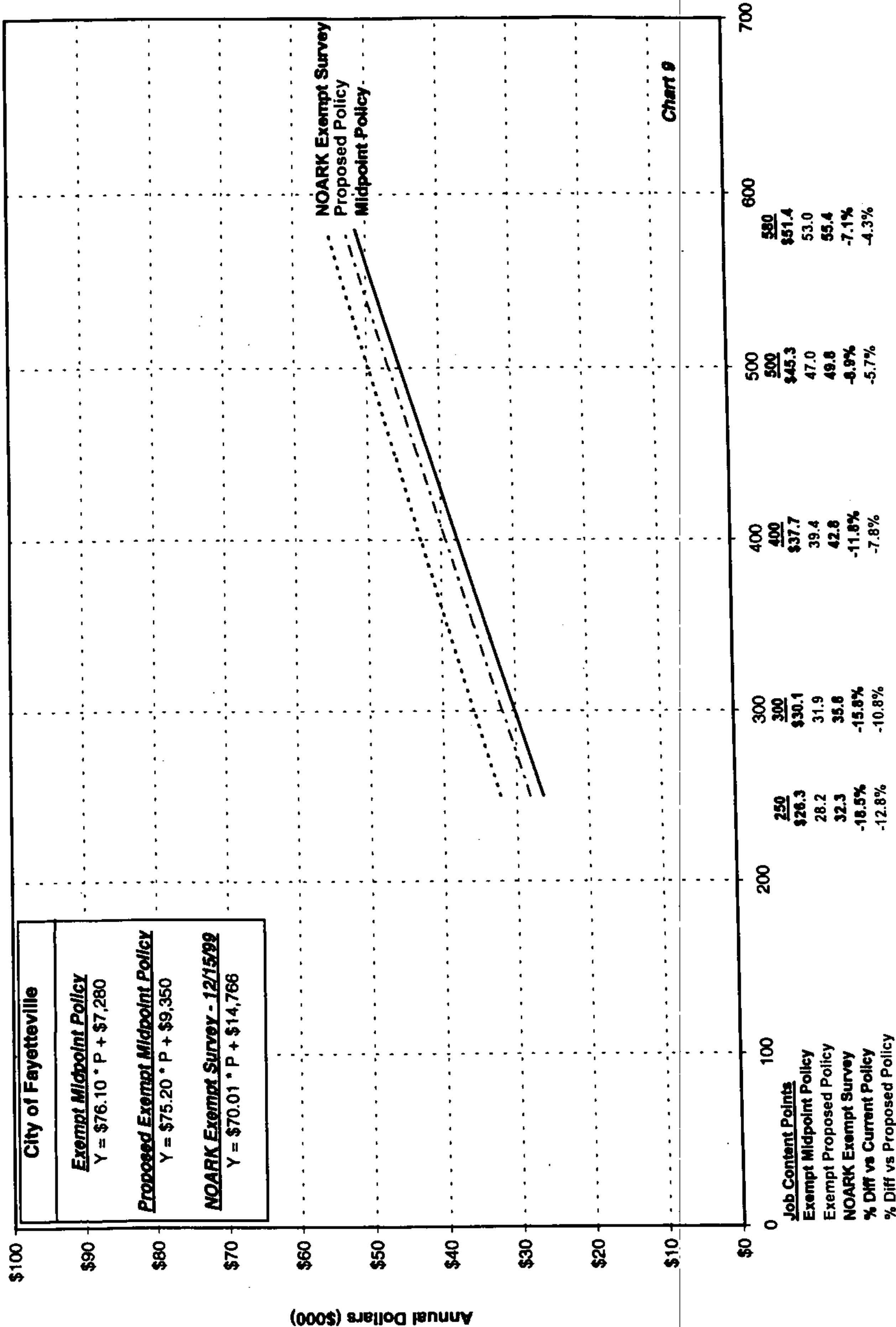
Generally the current nonexempt policy is below, but parallel with the 1999 NOARK Nonexempt Survey line; therefore we are recommending a 5% increase overall. This results in salary lines which are competitive in the Fayetteville market for nonexempt jobs.

Chart 8 shows the proposed nonexempt policy in comparison with Group A, current policy and the 1999 NOARK Nonexempt Survey line.

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City of Fayetteville, Arkansas

Exempt Midpoint Policy vs. NOARK Exempt Survey



IV. Recommendations (cont'd)

Exempt

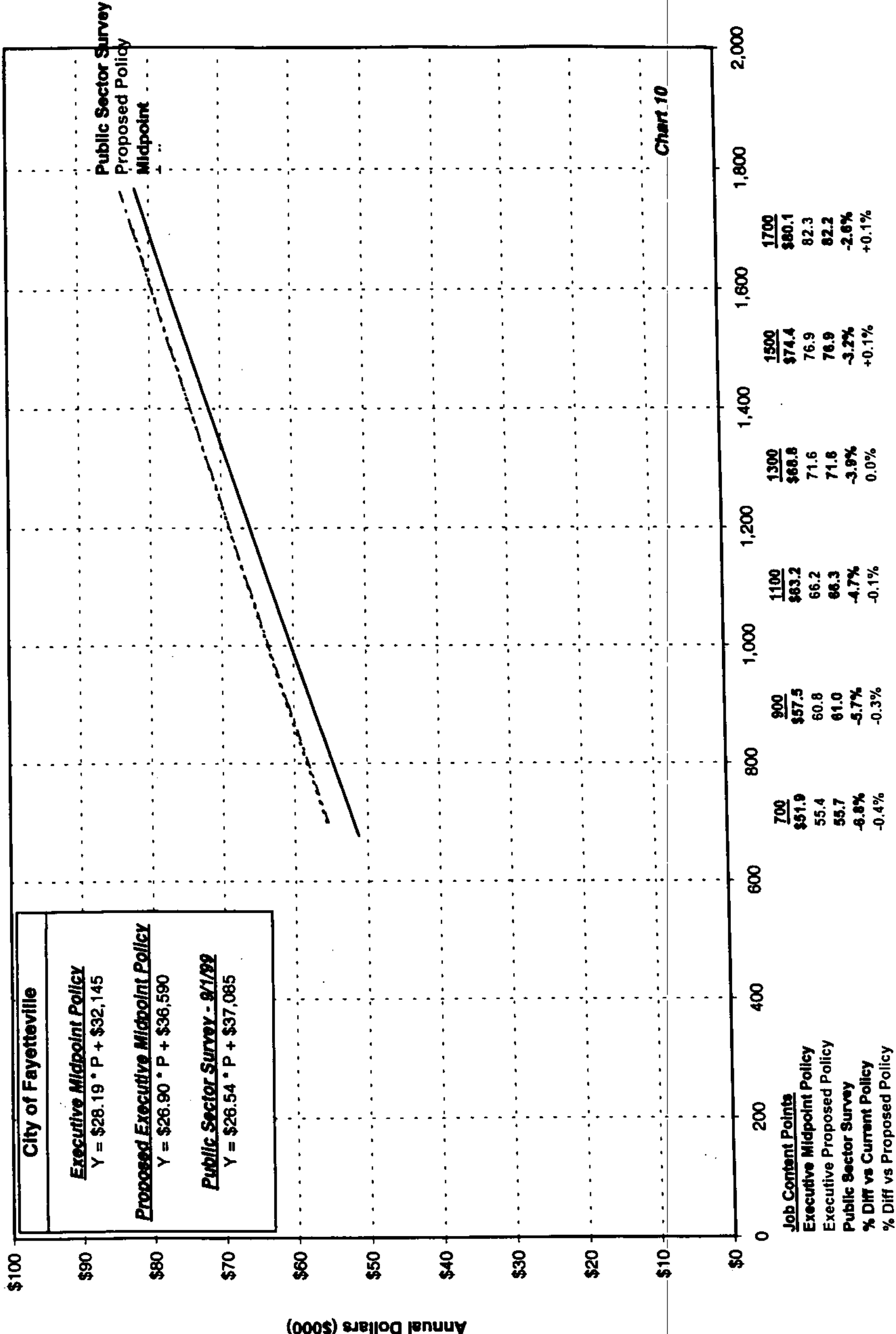
As noted in the previous section, the current Exempt midpoint policy is lower than the 1999 NOARK Survey line.

An increase of 7% to the salary structure at the lower levels of the exempt policy group and an increase in the salary structure of 3.0% at the upper levels of the exempt policy group are clearly supported by the market data. With this increase the Exempt employees would maintain relative competitiveness between the City of Fayetteville's Exempt employees and the market.

Results of this proposed increase are shown on Chart 9.

City of Fayetteville, Arkansas

Executive Midpoint Policy vs. Public Sector Survey



IV. Recommendations (cont'd)

Executive

In order for the City to remain competitive with other municipalities of similar size, we are recommending that the City's midpoint policy for executives be increased by 6.8% at the lower levels of the executive salary structure and by 2.6% at the top of the salary structure. Again, these increases are clearly supported by the market data collected and analyzed. This results in a midpoint policy which is virtually identical with the current Public Sector Survey line as shown in Chart 10.

IV. Recommendations (cont'd)

Fire and Police

The three levels of Fire Department positions included in this survey show Fayetteville's midpoints to be 7% to 17% lower than the comparable survey jobs.

The Police Department positions show midpoints which are 13% to 19% lower than the survey cities.

Our recommendation for the Police and Fire groups are to grant an aggregate average increase of no less than 10%.

Appendix A

1999 NOARK Survey

Master Participant List

1st Financial Assurance Company	Magnetek
Abilities Unlimited Industries	Marshalltown Tools
Arkansas Western Gas Company	Northwest Arkansas Community College
ARVEST Bank Group	Northwest Arkansas Radiation Therapy Institute
Awards, Inc.	Northwest Arkansas Rehab. Hospital
Ball Metal Food Container	Northwest Medical Center
Bank of Fayetteville	Northwest Technical Institute
Bella Vista Village Property Owners Association	Ozark Guidance Center, Inc.
Benton County	Ozarks Electric Cooperative Corporation
Bentonville Public Schools	Pel-Freez
Boatmen's National Bank of NWA	Peterson Farms, Inc.
Brunner & Lay, Inc.	Pratt & Whitney PSD, Inc.
Cargill, Inc.	Rebsamen Insurance
Citizens Bank	Roxell, Inc.
City of Bentonville	Siloam Springs Memorial Hospital
City of Fayetteville	Siloam Springs Schools
Clack Corporation	Simmons Foods
Clarke Industries, Inc.	Superior Industries - Fayetteville
Cooper Communities	Superior Industries - Rogers
Daisy Manufacturing Company, Inc.	Tyson Foods, Inc.
Danaher Tool Group	United Bank
DaySpring Cards	University of Arkansas - Fayetteville
Ex-Cell Manufacturing Company	WalMart, Inc.
FPEC Corporation	Washington County
Harps Food Stores, Inc.	Washington Regional Medical Center
Jet Stream Plastic Pipe Company	Willis Shaw
J. B. Hunt Transport, Inc.	
John Brown University	
Kearney Company	

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Appendix B

Public Sector Survey Participants

Participant List

Arkansas	Missouri	Oklahoma	Kansas
Fort Smith (73)	Blue Springs (40)	Bartlesville (34)	Hutchinson (39)
Hot Springs (32)	Chesterfield (42)	Broken Arrow (58)	Leavenworth (38)
Jacksonville (29)	Columbia (69)	Edmond (52)	Lenexa (34)
Springdale (30)	Jefferson City (35)	Enid (45)	Manhattan (38)
	Joplin (41)	Moore (40)	Shawnee (38)
	Lee's Summit (46)	Norman (80)	
	University City (41)	Stillwater (37)	

() Population in thousands

HayGroup

Appendix C

Police and Fire Survey Participants

<i>Arkansas</i>	<i>Missouri</i>	<i>Kansas</i>	<i>Oklahoma</i>
Fort Smith Hot Springs Jacksonville Jonesboro North Little Rock Pine Bluff Rogers Russellville Springdale West Memphis	Cape Girardeau Columbia Jefferson City Joplin St. Joseph	Leavenworth Manhattan Shawnee	Bartlesville Edmond Enid Moore Muskogee Norman

1997 Participants who choose not to participate in the 1999 survey:

Arkansas - Conway and El Dorado
 Missouri - Blue Springs and Lee's Summit
 Kansas - Emporia, Hutchinson and Lawrence
 Oklahoma - Broken Arrow, Del City, Lawton, Shawnee and Stillwater

2000 POLICE STEP RATES SURVEY

	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	YEAR 10	YEAR 15	YEAR 20
POLICE CAPTAIN										
BASE PAY	37483.80	39350.39	41217.92	43084.51	44951.11	46818.64	48685.23	49617.13	50549.03	51480.93
HOLIDAY PAY	1585.85	1664.82	1743.83	1822.81	1901.78	1980.79	2059.76	2099.19	2138.61	2178.04
EXTRA HOL PAY	1153.35	1210.78	1268.24	1325.68	1383.11	1440.57	1498.01	1526.68	1555.35	1584.03
TOTAL PAY	40223.00	42226.00	44230.00	46233.00	48236.00	50240.00	52243.00	53243.00	54243.00	55243.00
RT PAY RATE 1	18.021	18.918	19.816	20.714	21.611	22.509	23.406	23.854	24.302	24.750
OT PAY RATE 2	19.338	20.301	21.264	22.227	23.190	24.154	25.117	25.598	26.078	26.559
POLICE LIEUTENANT										
BASE PAY	34641.50	36366.45	38092.33	39818.21	41544.08	43269.03	44994.91	45926.81	46858.71	47790.61
HOLIDAY PAY	1465.60	1538.58	1611.60	1684.62	1757.63	1830.61	1903.63	1943.06	1982.48	2021.91
EXTRA HOL PAY	1065.89	1118.97	1172.07	1225.17	1278.28	1331.35	1384.46	1413.13	1441.80	1470.48
TOTAL PAY	37173.00	39024.00	40876.00	42728.00	44580.00	46431.00	48283.00	49283.00	50283.00	51283.00
RT PAY RATE 1	16.655	17.484	18.314	19.143	19.973	20.802	21.632	22.080	22.528	22.976
OT PAY RATE 2	17.872	18.762	19.652	20.542	21.433	22.323	23.213	23.694	24.175	24.655
POLICE SERGEANT										
BASE PAY	29964.30	31457.20	32949.17	34442.08	35934.98	37426.95	38919.85	39851.75	40783.65	41715.55
HOLIDAY PAY	1267.72	1330.88	1394.00	1457.16	1520.33	1583.45	1646.61	1686.03	1725.46	1764.89
EXTRA HOL PAY	921.98	967.91	1013.82	1059.75	1105.69	1151.60	1197.53	1226.21	1254.88	1283.55
TOTAL PAY	32154.00	33756.00	35357.00	36959.00	38561.00	40162.00	41764.00	42764.00	43764.00	44764.00
RT PAY RATE 1	14.406	15.124	15.841	16.559	17.276	17.994	18.711	19.159	19.608	20.056
OT PAY RATE 2	15.459	16.229	16.999	17.769	18.539	19.309	20.079	20.560	21.040	21.521
POLICE OFFICER										
BASE PAY	23571.47	24745.66	25918.92	27093.12	28267.31	29440.57	30614.77	31546.67	32478.56	33410.46
HOLIDAY PAY	997.25	1046.93	1096.57	1146.25	1195.92	1245.56	1295.24	1334.67	1374.09	1413.52
EXTRA HOL PAY	725.28	761.40	797.50	833.63	869.76	905.86	941.99	970.67	999.34	1028.01
TOTAL PAY	25294.00	26554.00	27813.00	29073.00	30333.00	31592.00	32852.00	33852.00	34852.00	35852.00
RT PAY RATE 1	11.332	11.897	12.461	13.026	13.590	14.154	14.719	15.167	15.615	16.063
OT PAY RATE 2	12.161	12.766	13.372	13.977	14.583	15.188	15.794	16.275	16.756	17.237
POLICE CORPORAL										
BASE PAY										
HOLIDAY PAY										
EXTRA HOL PAY										
TOTAL PAY										
RT PAY RATE 1										
OT PAY RATE 2										

P1 HOURS 2232
P2 HOURS 2080

ATT. C

2000 FIRE STEP RATES SURVEY

	TRAINEE	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	STEP H	YEAR 10	YEAR 15	YEAR 20	
BATTALION CHIEF	BASE PAY	35323.24	37082.27	38842.21	40601.24	42360.27	44120.21	45879.24	NA	46775.79	47672.34	48568.90	
	HOLIDAY PAY	3202.38	3361.85	3521.41	3680.88	3840.35	3999.90	4159.38		4240.66	4321.94	4403.22	
	EXTRA HOL PAY	873.37	916.87	960.38	1003.87	1047.37	1090.88	1134.37		1156.54	1178.71	1200.87	
	TOTAL PAY	39399.00	41361.00	43324.00	45286.00	47248.00	49211.00	51173.00		52173.00	53173.00	54173.00	
	RT PAY RATE 1	12.130	12.734	13.339	13.943	14.547	15.151	15.755		16.063	16.371	16.679	
	OT PAY RATE 2	13.530	14.204	14.878	15.552	16.225	16.899	17.573		17.917	18.260	18.603	
BATTALION CHIEF (DAY SHIFT)	TOTAL PAY	39399.00	41361.00	43324.00	45286.00	47248.00	49211.00	51173.00	NA	52173.00	53173.00	54173.00	
	40 HR WK RT RATE	18.942	18.885	20.829	21.772	22.715	23.659	24.602		25.083	25.564	26.045	
	FIRE CAPTAIN	BASE PAY	28905.72	30345.59	31785.45	33225.31	34665.17	36105.03	37544.90	NA	38441.45	39338.00	40234.55
		HOLIDAY PAY	2620.57	2751.11	2881.64	3012.18	3142.72	3273.26	3403.79		3485.07	3566.35	3647.63
		EXTRA HOL PAY	714.70	750.30	785.90	821.50	857.10	892.70	928.30		950.47	972.64	994.81
		TOTAL PAY	32241.00	33847.00	35453.00	37059.00	38665.00	40271.00	41877.00		42877.00	43877.00	44877.00
RT PAY RATE 1		9.926	10.421	10.915	11.410	11.904	12.399	12.893		13.201	13.509	13.817	
OT PAY RATE 2		11.072	11.623	12.175	12.726	13.278	13.829	14.381		14.724	15.068	15.411	
FIRE CAPTAIN (DAY SHIFT)	TOTAL PAY	32241.00	33847.00	35453.00	37059.00	38665.00	40271.00	41877.00	NA	42877.00	43877.00	44877.00	
	40 HR WK RT RATE	15.500	16.273	17.045	17.817	18.589	19.361	20.133		20.614	21.095	21.575	
	FIREFIGHTER	BASE PAY	21100.34	22151.10	23202.76	24253.52	25304.28	26355.93	27406.69	*	28303.24	29199.79	30096.34
		HOLIDAY PAY	1912.94	2008.20	2103.54	2198.81	2294.07	2389.41	2484.67		2565.95	2647.23	2728.51
		EXTRA HOL PAY	521.71	547.69	573.69	599.67	625.65	651.66	677.64		699.80	721.97	744.14
		TOTAL PAY	23535.00	24707.00	25880.00	27052.00	28224.00	29397.00	30569.00		31569.00	32569.00	33569.00
RT PAY RATE 1		7.246	7.607	7.968	8.329	8.690	9.051	9.412		9.720	10.027	10.335	
OT PAY RATE 2		8.082	8.485	8.887	9.290	9.692	10.095	10.498		10.841	11.184	11.528	
FIREFIGHTER (DAY SHIFT)	BASE PAY	21100.34	22151.10	23202.76	24253.52	25304.28	26355.93	27406.69	28457.45	29354.00	30250.55	31147.10	
	HOLIDAY PAY	1912.94	2008.20	2103.54	2198.81	2294.07	2389.41	2484.67	2579.93	2661.21	2742.49	2823.77	
	EXTRA HOL PAY	521.71	547.69	573.69	599.67	625.65	651.66	677.64	703.62	725.78	747.95	770.12	
	TOTAL PAY	23535.00	24707.00	25880.00	27052.00	28224.00	29397.00	30569.00	31741.00	32741.00	33741.00	34741.00	
	RT PAY RATE 1	7.246	7.607	7.968	8.329	8.690	9.051	9.412	9.772	10.080	10.388	10.696	
	OT PAY RATE 2	8.082	8.485	8.887	9.290	9.692	10.095	10.498	10.900	11.243	11.587	11.930	
FIREFIGHTER (DAY SHIFT)	TOTAL PAY	23535.00	24707.00	25880.00	27052.00	28224.00	29397.00	30569.00		31569.00	32569.00	33569.00	
	40 HR WK RT RATE	11.315	11.878	12.442	13.006	13.569	14.133	14.697		15.177	15.658	16.139	
	P1 HOURS 3248								31741.00	32741.00	33741.00	34741.00	
	P2 HOURS 2912								15.260	15.741	16.222	16.702	

2000 POLICE STEP RATES
85% OF SURVEY

	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	YEAR 10	YEAR 15	YEAR 20
POLICE CAPTAIN										
BASE PAY	36831.47	38666.38	40500.36	42335.27	44170.18	46004.16	47839.07	48770.97	49702.87	50634.76
HOLIDAY PAY	1558.25	1635.88	1713.48	1791.11	1868.74	1946.33	2023.96	2063.39	2102.81	2142.24
EXTRA HOL PAY	1133.27	1189.73	1246.16	1302.62	1359.08	1415.51	1471.97	1500.64	1529.32	1557.99
TOTAL PAY	39523.00	41492.00	43460.00	45429.00	47398.00	49366.00	51335.00	52335.00	53335.00	54335.00
RT PAY RATE 1	17.707	18.590	19.471	20.353	21.236	22.117	23.000	23.448	23.896	24.344
OT PAY RATE 2	19.001	19.948	20.894	21.841	22.788	23.734	24.680	25.161	25.642	26.123
POLICE LIEUTENANT										
BASE PAY	33768.31	35450.39	37132.47	38814.55	40496.63	42178.71	43860.79	44792.69	45724.59	46656.49
HOLIDAY PAY	1428.66	1499.82	1570.99	1642.15	1713.32	1784.48	1855.65	1895.07	1934.50	1973.93
EXTRA HOL PAY	1039.02	1090.78	1142.54	1194.29	1246.05	1297.80	1349.56	1378.23	1406.91	1435.58
TOTAL PAY	36236.00	38041.00	39846.00	41651.00	43456.00	45261.00	47066.00	48066.00	49066.00	50066.00
RT PAY RATE 1	16.235	17.043	17.852	18.661	19.470	20.278	21.087	21.535	21.983	22.431
OT PAY RATE 2	17.421	18.289	19.157	20.025	20.892	21.760	22.628	23.109	23.589	24.070
POLICE SERGEANT										
BASE PAY	29443.37	30910.18	32376.06	33842.87	35309.68	36775.55	38242.36	39174.26	40106.16	41038.06
HOLIDAY PAY	1245.68	1307.74	1369.76	1431.81	1493.87	1555.89	1617.95	1657.37	1696.80	1736.22
EXTRA HOL PAY	905.95	951.08	996.19	1041.32	1086.45	1131.55	1176.69	1205.36	1234.03	1262.71
TOTAL PAY	31595.00	33169.00	34742.00	36316.00	37890.00	39463.00	41037.00	42037.00	43037.00	44037.00
RT PAY RATE 1	14.155	14.861	15.565	16.271	16.976	17.681	18.386	18.834	19.282	19.730
OT PAY RATE 2	15.190	15.947	16.703	17.460	18.216	18.973	19.729	20.210	20.691	21.172
POLICE OFFICER										
BASE PAY	23153.05	24306.74	25459.50	26613.19	27766.88	28919.64	30073.33	31005.23	31937.13	32869.03
HOLIDAY PAY	979.55	1028.36	1077.13	1125.94	1174.75	1223.52	1272.33	1311.76	1351.19	1390.61
EXTRA HOL PAY	712.40	747.90	783.37	818.87	854.36	889.83	925.33	954.01	982.68	1011.35
TOTAL PAY	24845.00	26083.00	27320.00	28558.00	29796.00	31033.00	32271.00	33271.00	34271.00	35271.00
RT PAY RATE 1	11.131	11.686	12.240	12.795	13.349	13.904	14.458	14.906	15.354	15.802
OT PAY RATE 2	11.945	12.540	13.135	13.730	14.325	14.920	15.515	15.996	16.476	16.957
POLICE CORPORAL										
BASE PAY						30073.33	31227.02	32158.92	33090.82	34022.72
HOLIDAY PAY						1272.33	1321.14	1360.57	1400.00	1439.42
EXTRA HOL PAY						925.33	960.83	989.50	1018.18	1046.85
TOTAL PAY						32271.00	33509.00	34509.00	35509.00	36509.00
RT PAY RATE 1						14.458	15.013	15.461	15.909	16.357
OT PAY RATE 2						15.515	16.110	16.591	17.072	17.552

P1 HOURS 2232
P2 HOURS 2080

ATT. D

2000 FIRE STEP RATES
85% OF SURVEY

	TRAINEE	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	STEP H	YEAR 10	YEAR 15	YEAR 20
BATTALION CHIEF	BASE PAY	34417.72	36131.93	37846.14	39560.34	41274.55	42988.76	44702.96	NA	45599.52	46496.07	47392.62
	HOLIDAY PAY	3120.28	3275.69	3431.10	3586.51	3741.92	3897.33	4052.74		4134.02	4215.30	4296.58
	EXTRA HOL PAY	850.98	893.37	935.75	978.14	1020.52	1062.90	1105.29		1127.46	1149.62	1171.79
	TOTAL PAY	38389.00	40301.00	42213.00	44125.00	46037.00	47949.00	49861.00		50861.00	51861.00	52861.00
	RT PAY RATE 1	11.819	12.408	12.997	13.585	14.174	14.763	15.351		15.659	15.967	16.275
	OT PAY RATE 2	13.183	13.840	14.496	15.153	15.809	16.468	17.123		17.466	17.809	18.153
BATTALION CHIEF (DAY SHIFT)	TOTAL PAY	38389.00	40301.00	42213.00	44125.00	46037.00	47949.00	49861.00	NA	50861.00	51861.00	52861.00
	40 HR WK RT RATE	18.456	19.375	20.295	21.214	22.133	23.052	23.972		24.452	24.933	25.414
FIRE CAPTAIN	BASE PAY	28394.69	29809.45	31223.31	32638.07	34052.83	35466.69	36881.45	NA	37778.00	38674.55	39571.10
	HOLIDAY PAY	2574.24	2702.50	2830.68	2958.94	3087.20	3215.38	3343.64		3424.92	3506.21	3587.49
	EXTRA HOL PAY	702.06	737.04	772.00	806.98	841.96	876.92	911.90		934.07	956.24	978.40
	TOTAL PAY	31671.00	33249.00	34826.00	36404.00	37982.00	39559.00	41137.00		42137.00	43137.00	44137.00
	RT PAY RATE 1	9.751	10.237	10.722	11.208	11.694	12.179	12.665		12.973	13.281	13.589
	OT PAY RATE 2	10.876	11.418	11.959	12.501	13.043	13.585	14.127		14.470	14.814	15.157
FIRE CAPTAIN (DAY SHIFT)	TOTAL PAY	31671.00	33249.00	34826.00	36404.00	37982.00	39559.00	41137.00	NA	42137.00	43137.00	44137.00
	40 HR WK RT RATE	15.226	15.985	16.743	17.502	18.261	19.019	19.777		20.258	20.739	21.220
FIREFIGHTER	BASE PAY	19862.21	21844.00	22984.90	24026.69	25067.59	26109.38	27150.28	*	28046.83	28943.38	29839.93
	HOLIDAY PAY	1800.69	1895.06	2083.79	2178.24	2272.61	2367.06	2461.42		2542.70	2623.98	2705.27
	EXTRA HOL PAY	491.10	542.57	588.31	639.06	689.80	740.56	791.30		842.06	892.80	943.53
	TOTAL PAY	22154.00	24476.00	25657.00	26799.00	27960.00	29122.00	30283.00		31283.00	32283.00	33283.00
	RT PAY RATE 1	6.821	7.536	7.893	8.251	8.608	8.966	9.324		9.631	9.939	10.247
	OT PAY RATE 2	7.608	8.405	8.804	9.203	9.602	10.001	10.399		10.743	11.086	11.430
FIREFIGHTER (DAY SHIFT)	TOTAL PAY	22154.00	24476.00	25657.00	26799.00	27960.00	29122.00	30283.00	28191.17	29087.72	29984.28	30880.83
	40 HR WK RT RATE	10.651	11.209	12.325	12.884	13.442	14.001	14.559	2555.79	2637.07	2718.35	2799.63
									697.03	719.20	741.37	763.53
									31444.00	32444.00	33444.00	34444.00
									9.681	9.989	10.297	10.605
									10.798	11.141	11.485	11.828
FIREFIGHTER (DAY SHIFT)	TOTAL PAY	22154.00	24476.00	25657.00	26799.00	27960.00	29122.00	30283.00		31283.00	32283.00	33283.00
	40 HR WK RT RATE	10.651	11.209	12.325	12.884	13.442	14.001	14.559		15.040	15.521	16.001
	P1 HOURS 3248								31444.00	32444.00	33444.00	34444.00
	P2 HOURS 2912								15.117	15.598	16.079	16.560

ATT. D

CITY OF FAYETTEVILLE

2000 SALARY RANGES BASED ON GRADE POINTS

\$26.90 P + 36,590 >611P
\$75.20 P + 9350

\$65.10 P + 9,740

POINTS	GRADE POINTS	GRADE	NONEXEMPT			EXEMPT		
			MIN	MID	MAX	MIN	MID	MAX
1768	1768					69,844	84,149	98,455
1232	1232					57,877	69,731	81,585
1040	1040					53,590	64,566	75,542
1028	1028					53,322	64,243	75,165
920	920					50,911	61,338	71,765
904	904					50,553	60,908	71,262
839	839					49,102	59,159	69,216
775	775					47,673	57,438	67,202
732	732					46,713	56,281	65,849
702	702					46,043	55,474	64,904
682	682					45,597	54,936	64,275
677	677					45,485	54,801	64,118
551-611	580	15				43,962	52,966	61,970
464-516	490	14				38,344	46,198	54,052
393-432	410	13				33,351	40,182	47,013
332-366	350	12				29,606	35,670	41,734
275-301	290	11	23,754	28,619	33,484	25,861	31,158	36,455
233-261	250	10	21,592	26,015	30,438	23,365	28,160	32,936
194-213	205	9	19,161	23,086	27,010			
169-178	175	8	17,540	21,133	24,725			
138-151	145	7	15,919	19,180	22,440			
120-123	120	6	14,568	17,552	20,536			
98-104	100	5	13,488	16,250	19,013			
82-89	85	4	12,677	15,274	17,870			
73-76	75	3	12,137	14,623	17,108			
64-65	65	2	11,596	13,972	16,347			

ACES: Add \$1,000 to Midpoints for NB/EB
Add \$2,000 to Midpoints for NC
Add \$3,000 to Midpoints for ND/ED/EXD

Min to Max = 40% Spread
Min = .83 x Midpoint
Max = 1.17 x Midpoint

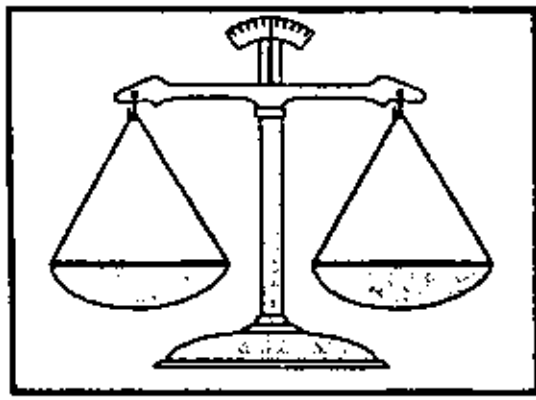
ATT. E

City of Fayetteville, Arkansas

History of Pay Range Changes (1990-2000)

% Pay Range Change

	1992	1994	1996	1998	2000	1990-2000	Average Increase
General Employee:							
Exempt	7.0%	3.0%	7.0%	6.0%	5.0%	31.5%	5.6%
Non-Exempt	6.0%	3.0%	7.0%	6.0%	5.0%	30.0%	5.4%
Executive	6.0%	0.0%	7.0%	6.0%	4.7%	25.9%	4.7%
Fire Employees:							
Battalion Chief	12.0%	9.0%	10.0%	5.0%	17.0%	65.1%	10.6%
Captain	6.0%	9.0%	10.0%	3.0%	13.0%	48.0%	8.2%
Firefighter / Driver	6.0%	12.0%	8.0%	5.0%	7.0%	44.1%	7.6%
Police Employees:							
Lieutenant	3.0%	10.0%	11.0%	4.0%	19.0%	55.7%	9.4%
Sergeant	3.0%	8.0%	12.0%	3.0%	15.0%	47.6%	8.2%
Officer	4.0%	10.0%	10.0%	3.0%	13.0%	46.5%	8.0%



FAYETTEVILLE

LEGAL DEPARTMENT
CITY ATTORNEY DIVISION

2000 Complete Cnt.
A. 5. Page 1

JERRY E. ROSE, CITY ATTORNEY
LAGAYLE D. MCCARTY, ASST. CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE

To: Fred Hanna, Mayor

From: Jerry E. Rose, City Attorney *J.E.R.*

Date: December 7, 1999

Re: **Interlocal Agreement between Washington County
and City of Fayetteville, et al.**

RECEIVED

DEC 07 1999

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

I have reviewed the above-referenced Interlocal Agreement pursuant to A.C.A. §14-14-910 and have determined it is in proper form and compatible with all applicable laws of which I am aware. I would suggest placing this agreement on the next council agenda for council action. If I may do anything further, just let me know.

/cbp
Attachment(s)



GEORGE E. BUTLER JR.
County Attorney

280 North College, Suite 145
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS
County Courthouse

November 29, 1999

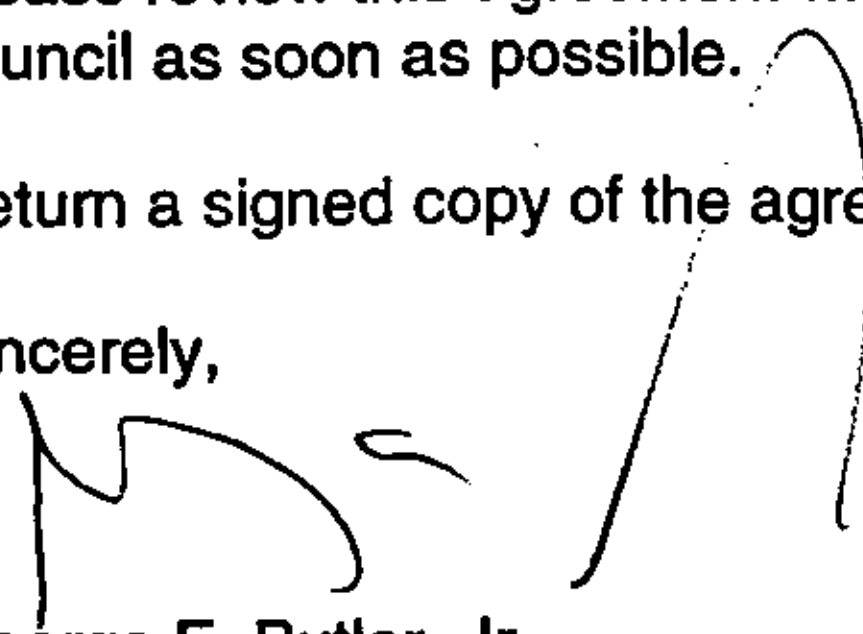
TO: Washington County Mayors
RE: Interlocal Agreement - Washington County Complete Count Committee

Enclosed is a copy of an interlocal agreement between the County and the incorporated cities within Washington County. This agreement was drafted at the request of the Intergovernmental Cooperation Council, and authorizes the creation of a Washington County Complete Count Committee for the purposes of facilitating the Year 2000 Census.

Please review this agreement with your city attorney, and have it considered by your city council as soon as possible.

Return a signed copy of the agreement to me after approval.

Sincerely,


George E. Butler, Jr.
County Attorney

/kb

Encl.

REC'D
DEC 01 1999
CLERK
KAG

INTERLOCAL AGREEMENT
BETWEEN WASHINGTON COUNTY, ARKANSAS, AND THE CITIES OF
FAYETTEVILLE, SPRINGDALE, WEST FORK, WINSLOW, ELKINS,
TONTITOWN, LINCOLN, GREENLAND, PRAIRIE GROVE,
JOHNSON, GOSHEN, AND FARMINGTON

WHEREAS, pursuant to Ark. Code Ann. §14-14-901, governmental bodies may enter into an interlocal agreement; and

WHEREAS, the parties are desirous of entering into such an agreement for the purposes of facilitating the year 2000 census,

NOW, THEREFORE, IT IS AGREED:

1. This agreement shall be approved by the governing body of each party to this agreement. The duration shall be until such time as the work contemplated herein has been completed.
2. This agreement does hereby authorize creation of a governing body to be known as the "Washington County Complete Count Committee". The membership of this committee shall be constituted of two (2) representatives from each party.
3. Financing and budgeting shall be as agreed upon by the committee, to be ratified by each governing body. No party shall be financially bound in any manner until approval of its governing body.
4. This agreement may be terminated upon majority vote of the committee and any party may withdraw upon six (6) month's written notice in accordance with Ark. Code Ann. § 14-14-910.
5. Real and personal property may be acquired, held, and disposed in the name of the committee.
6. This agreement shall be submitted to legal counsel for each party for approval in accordance with Ark. Code Ann. §14-14-910.

INTERLOCAL AGREEMENT BETWEEN
WASHINGTON COUNTY, ARKANSAS, AND THE
CITIES OF FAYETTEVILLE, SPRINGDALE,
WEST FORK, WINSLOW, ELKINS,
TONTITOWN, LINCOLN, GREENLAND,
PRAIRIE GROVE, JOHNSON, GOSHEN,
AND FARMINGTON

WASHINGTON COUNTY, ARKANSAS

BY: _____

LINCOLN, ARKANSAS

BY: _____

GREENLAND, ARKANSAS

BY: _____

PRAIRIE GROVE, ARKANSAS

BY: _____

JOHNSON, ARKANSAS

BY: _____

FARMINGTON, ARKANSAS

BY: _____

GOSHEN

BY: _____

FAYETTEVILLE, ARKANSAS

BY: _____

SPRINGDALE, ARKANSAS

BY: _____

WEST FORK, ARKANSAS

BY: _____

WINSLOW, ARKANSAS

BY: _____

ELKINS, ARKANSAS

BY: _____

TONTITOWN, ARKANSAS

BY: _____

STAFF REVIEW FORM

Hwy 265 Sidewalks
A. 6. Page 1

☒ Agenda Request
☐ Contract Review
☐ Grant Review

FOR THE FAYETTEVILLE CITY COUNCIL MEETING OF December 21, 1999
FROM:

Charles Venable

Name

Division

Public Works

Department

ACTION REQUESTED: Approval of a Resolution authorizing the payment of \$53,579.00 to the Arkansas Highway and Transportation Department for the City of Fayetteville's share of the costs to install sidewalks along Highway 265, between Highway 16 and Highway 45.

COST TO THE CITY:

\$53,579

Cost of this request

\$395,880

Category/Project Budget

Sidewalks & Trails

Category/Project Name

4470-9470-5814-00

Account Number

\$27,534

Funds used to date

Program Name

96-041-1

Project Number

\$368,346

Remaining Balance

Sales Tax Capital Improvement

Fund

BUDGET REVIEW:

☒ Budgeted Item

☐ Budget Adjustment Attached

Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Accounting Manager

Date

Internal Auditor

Date

City Attorney

Date

ADA Coordinator

Date

Purchasing Officer

Date

STAFF RECOMMENDATION: Approval of the Resolution

Division Head

Date

Cross Reference

Department Director

Date

New Item: Yes No

Administrative Services Director

Date

Prev Ord/Res #: _____

Mayor

Date

Orig. Contract Date: _____

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE PAYMENT OF \$53,579.00 TO THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT TO COVER THE CITY OF FAYETTEVILLE'S SHARE OF THE COSTS INVOLVED IN THE CONSTRUCTION OF SIDEWALKS ALONG HIGHWAY 265 (CROSSOVER ROAD), STATE JOB 004999 - HIGHWAY 16-HIGHWAY 45.

WHEREAS, the City of Fayetteville has requested that the Arkansas State Highway and Transportation Department construct sidewalks as a part of the reconstruction and widening of Highway 265 (Crossover Road); and

WHEREAS, the Arkansas State Highway and Transportation Department has awarded a contract for the widening and reconstruction of Highway 265 (Crossover Road); and

WHEREAS, sidewalks were included in the construction project and are to be funded 80 percent from Federal Aid Enhancement funds and 20 percent from the City of Fayetteville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FAYETTEVILLE, ARKANSAS:

Section 1. The City will provide the funds necessary to match the Federal Aid Enhancement funds for the construction and engineering of the sidewalks along Highway 265 between Highway 16 and Highway 45.

PASSED AND APPROVED this ____ day of _____, 1999.

APPROVED:

By: _____
Fred Hanna, Mayor

ATTEST:

By: _____
Heather Woodruff, City Clerk

To: Mayor Fred Hanna and City Council
From: Charles Venable, Public Works Director
Date: December 8, 1999
Subject: Sidewalks Along Highway 265 (Highway 16-Highway 45)

Attached hereto is a letter from the Arkansas Highway and Transportation Department requesting payment for the City of Fayetteville's share of the costs involving the placement of sidewalks along each side of the Highway 265 (Crossover Road) widening project.

As you know, we agreed to participate in the costs of installing sidewalks along the entire route, and four foot wide sidewalks located two feet from the edge of the curb have been included. Federal Aid Enhancement funds are being utilized to fund 80 percent of the costs and the City of Fayetteville's share is 20 percent.

The total cost of the sidewalks is \$243,544.50, with \$48,708.50 being the City's share. Also construction engineering for the sidewalks is estimated to cost \$24,354.50, of which Fayetteville's share is \$4,870.50, resulting in the city's total costs share of \$53,579. The remainder of the costs associated with the Highway 265 widening for additional drainage work was approved by Resolution 98-98, dated July 21, 1998.

Also attached are copies of correspondence relating to the sidewalks and a copy of Resolution 98-98.

CV:msm

**Attachment A - Letter from Arkansas Highway & Transportation Department dated
November 24, 1999**

B - Correspondence relating to sidewalks

C - Resolution 98-98

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

Hwy 265 Sidewalks
A. 6. Page 5

Dan Flowers
Director
Telephone (501) 569-2000



P.O. Box 2261
Little Rock, Arkansas 72203-2261
Telefax (501) 569-2400

November 24, 1999

RECEIVED

DEC 06 1999

**CITY OF FAYETTEVILLE
MAYOR'S OFFICE**

The Honorable Fred Hanna
Mayor of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Re: Job 004999
F.A.P. STPE-ENHN (93)
Hwy. 16-Hwy 45 (S)
Highway 265
Washington County

Dear Mayor Hanna:

The Harris Co. of Ft. Smith, Inc. submitted the low bid of \$7,706,030.00 for the referenced project at the Department's November 17, 1999 letting. The Arkansas State Highway Commission has tentatively accepted their proposal. As you requested, sidewalks and additional drainage work were included in the project. The costs of the sidewalks and associated items will be funded with Federal-aid Transportation Enhancement funds matched with City funds. The additional drainage work requested by the City will be funded with 100% City funds as stated in the Agreement of Understanding between the City and the Department.

The City's estimated share of costs for this project is calculated below.

	<u>Total Cost</u>	<u>Federal Share</u>	<u>City Share</u>
Sidewalks (Enhancement Funds)	\$ 243,544.50	\$ 194,836.00	\$ 48,708.50
Additional Drainage Work	44,489.00	0.00	44,489.00
Subtotal	288,033.50	194,836.00	93,197.50
Construction Engineering	28,803.35	19,484.00	9,319.35
Total	\$ 316,836.85	\$ 214,320.00	\$ 102,516.85

ATTACHMENT 'A'

The Honorable Fred Hanna
November 24, 1999
Page Two

Your check for \$102,516.85 (made payable to the Arkansas State Highway and Transportation Department) should be forwarded to this office as soon as possible. Upon completion of the project, a statement will be prepared reflecting the final cost and respective matching shares. At that time, the City will be returned funds remaining over the deposit or billed for additional funds required.

We look forward to working with the City to complete the proposed improvements. Should you have any questions or comments, please advise.

Yours truly,

A handwritten signature in black ink, appearing to read "Robert L. Walters", written in a cursive style.

Robert L. Walters
Chief Engineer

ARKANSAS STATE HIGHWAY COMMISSION



BOBBY HOPPER, CHAIRMAN
SPRINGDALE

HERBY BRANSCUM, JR., VICE CHAIRMAN
PERRYVILLE

JOHN "M" LIPTON
WARREN

P. O. Box 2261
LITTLE ROCK, ARKANSAS 72203-2261
TELEPHONE No. (501) 569-2000
FAX No. (501) 569-2400

May 18, 1998

J.W. "BUDDY" BENAFIELD
NEWPORT

MARY P. "PRISSY" HICKERSON
TEXARKANA

DAN FLOWERS
DIRECTOR OF
HIGHWAYS AND TRANSPORTATION

RECEIVED

MAY 12 1998

CITY OF FAYETTEVILLE
MAYOR'S OFFICE

The Honorable Fred Hanna
Mayor
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Dear Mayor Hanna:

Reference is made to your recent correspondence regarding sidewalks along Highway 265. As requested, we will include sidewalks along both sides of the project. Any walks that do not meet our current practice for project funding will be shown on the plans with 80% federal enhancement and 20% city funding.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Flowers", is written over the typed name.

Dan Flowers
Director of Highways
and Transportation

cc: Commissioner Bobby Hopper
Deputy Director & Chief Engineer

A handwritten note in black ink that reads "Give to Charlie" followed by a checkmark.

ATTACHMENT B

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

March 11, 1998

Mr. Dan Flowers, Director
Arkansas State Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job #004999
Hwy 16-Hwy 45 Reconstruction (Hwy 265)

COPY

Dear Mr. Flowers:

The City of Fayetteville Staff and representatives of the Highway Department met on March 6 to discuss the above referenced project. During our discussion of the project the City Staff expressed the desire to have sidewalks constructed on both sides on the highway. The sidewalks are to be a minimum of 4 foot wide with at least a 2 foot green space between the sidewalks and the curb.

We understand that the cost of constructing sidewalks where none now exist will be at the expense of the City, however, the possibility of enhancement funds being available to pay for all or a portion of the sidewalks was raised. Therefore, the City hereby requests enhancement funds be used, to the extent possible, to pay for the sidewalks on this project. If there is a formal application procedure required please let us know, otherwise please consider this letter as our formal request for such funding.

Please understand that the City desires the installation of the sidewalks regardless of the availability of enhancement funds. If you have any questions please call me at (501) 575-8330. Thank you.

Sincerely Yours,



Fred Hanna, Mayor
City of Fayetteville

THE CITY OF FAYETTEVILLE, ARKANSAS

January 12, 1998

Mr. Roger Almond
Deputy Director & Chief Engineer
Arkansas Highway & Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203-2261

Dear Mr. Almond:

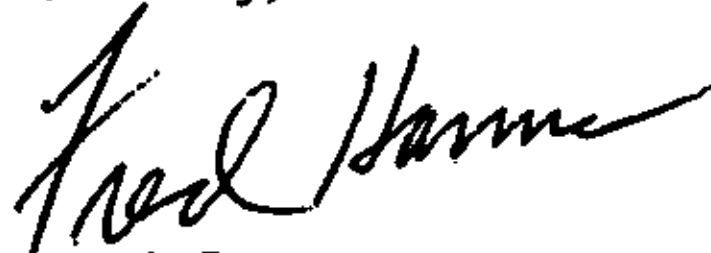
Reference is made to your letter dated December 15, 1997, regarding the proposed design of Highway 265 from Highway 16 to Highway 45. The City Council has concurred with the proposed design and a copy of Resolution No. 7-98 dated January 6, 1998 is enclosed.

We are hopeful that the project can be advanced to the stage that the right-of-way acquisition can be completed this year. We also hope that federal aid funds will be available to permit the project to be advanced to construction in 1999.

When the plans have been developed to the point that a preliminary field inspection is made, we would appreciate being invited to participate in the review. We also ask that consideration be given during the design to separate the sidewalks from the curb as far as possible, taking into account the terrain and existing improvements, without increasing the right-of-way by any appreciable amount.

Again, I want to thank you for the changes made which will allow this much-needed project to move forward. If I can be of any assistance, please do not hesitate to contact me.

Sincerely,



Fred Hanna
Mayor

Enclosure

cc: City Council
Commissioner Bobby Hopper
Director Dan Flowers

RESOLUTION NO. 98-98

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO UTILIZE CITY FUNDS FOR PORTIONS OF THE FOLLOWING PROJECT: JOB 004999, HWY 16-HWY 45 (S), HIGHWAY 265 (CROSSOVER ROAD), WASHINGTON COUNTY.

WHEREAS, the City of Fayetteville has requested that the Arkansas State Highway and Transportation Department construct additional drainage improvements on this project to alleviate drainage problems along Ridgely Drive outside the project limits, and

WHEREAS, the City of Fayetteville agrees to pay 100% of costs associated with this additional drainage work.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. The City will participate in accordance with its designated responsibilities in this project.

Section 2. The Mayor is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the change of this city project.

Section 3. The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.

Section 4. The City Council hereby authorizes the Mayor and City Clerk to execute the Agreement of Understanding between the City of Fayetteville and the Arkansas State highway and Transportation Department. A copy of the agreement is attached hereto marked Exhibit "A" and made a part hereof.

PASSED AND APPROVED this 21st day of July, 1998.

APPROVED:

By: Fred Hanna

Fred Hanna, Mayor

ATTEST:

By: Heather Woodruff

Heather Woodruff, City Clerk

ATTACHMENT C

AGREEMENT OF UNDERSTANDING
BETWEEN

THE CITY OF FAYETTEVILLE
AND
THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

RELATIVE TO

Job 004999
Hwy. 16-Hwy. 45 (S)
Highway 265 (Crossover Rd.)
Washington County

WHEREAS, the City of Fayetteville (hereinafter called "City") has expressed its desire to add drainage work to the project to alleviate drainage problems along Ridgely Road outside the project limits.

NOW THEREFORE, IT IS AGREED, that the City will acquire the necessary permanent construction easement (P.C.E.) (shown on the attached sketch) for the drainage, will provide documentation of acquisition of the P.C.E. to the Arkansas State Highway and Transportation Department (hereinafter called "Department") prior to advertisement of the project, and will be responsible for 100% of the cost of construction of the additional drainage portion of the project.

IT IS FURTHER AGREED, that should the City fail to pay to the Department any required funds due for this portion of the project implementation, the Department may cause such funds as may be required to be withheld from the City's gasoline tax allotment.

IN WITNESS WHEREOF, the parties thereto have executed this Agreement this 21st day of July, 1998.

RECOMMENDED:

Assistant Chief Engineer for Planning

ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT

Dan Flowers
Director of Highways and Transportation

CITY OF FAYETTEVILLE

Fred Hanna
Mayor

STAFF REVIEW FORM

☒ AGENDA REQUEST
☐ CONTRACT REVIEW
☐ GRANT REVIEW

For the Fayetteville City Council meeting of December 7, 1999

FROM:

Steve Davis Budget & Research Administrative Services
Name Division Department

ACTION REQUIRED:

Approve a resolution adopting the 2000 City of Fayetteville Annual Budget & Work Program.

COST TO CITY:

\$ _____
Cost of this Request Category/Project Budget Category/Project Name
Account Number Funds Used To Date Program Name
Project Number Remaining Balance Fund

BUDGET REVIEW: _____ Budgeted Item _____ Budget Adjustment Attached

[Signature] _____
Budget Manager Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY: _____

Accounting Manager _____ Date _____ Internal Auditor _____ Date _____
City Attorney _____ Date _____ ADA Coordinator _____ Date _____
Purchasing Officer _____ Date _____

STAFF RECOMMENDATION: Approval of the 2000 Proposed Annual Budget & Work Program.

Division Head _____ Date _____
Department Director _____ Date _____
[Signature] _____ Date _____
Administrative Services Director
[Signature] _____ Date _____
Mayor _____ Date 11/24/99

Cross Reference

New Item: **Yes No**

Prev Ord/Res #: _____

Orig Contract Date: _____

DEPARTMENTAL CORRESPONDENCE

TO: Fayetteville City Council

THRU: Fred Hanna, Mayor

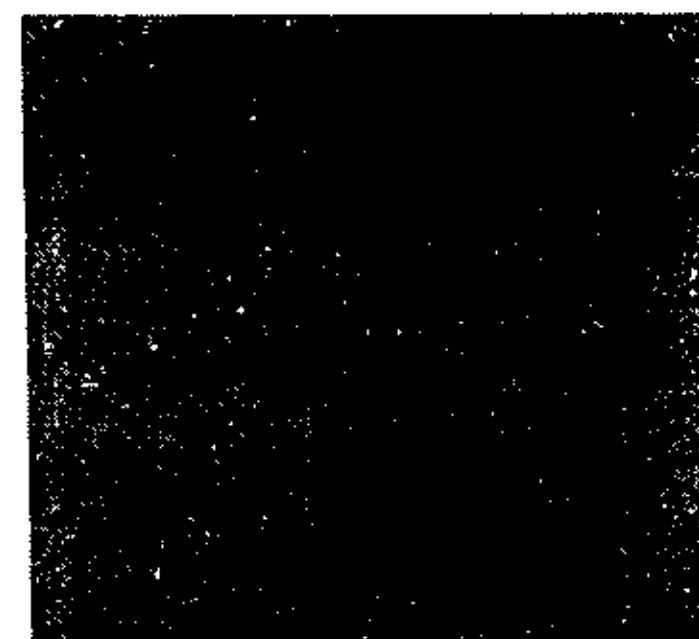
FROM: John Maguire, Administrative Services Director

DATE: November 19, 1999

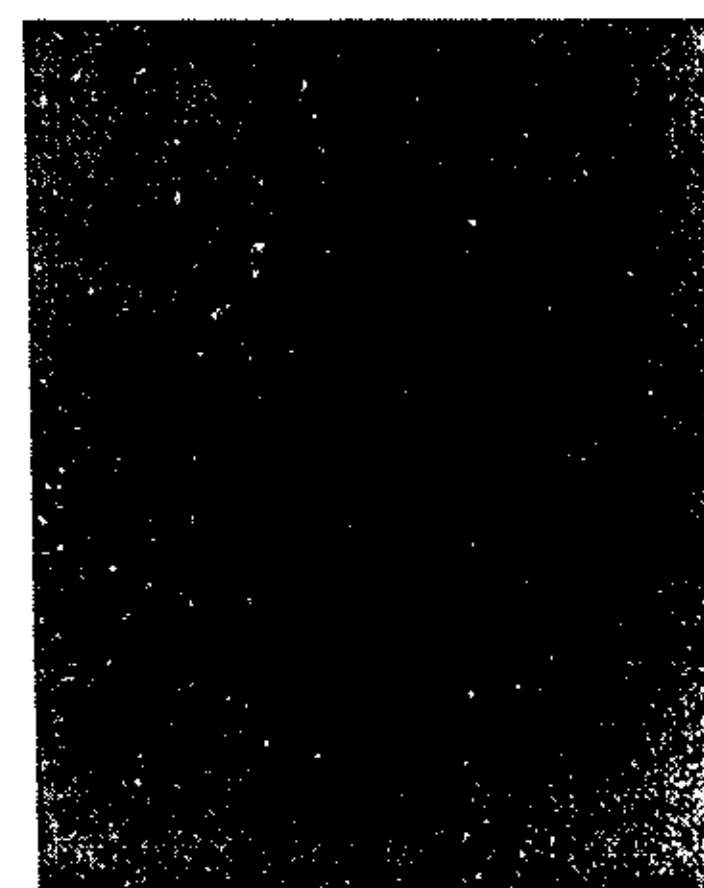
SUBJECT: **2000 Proposed Annual Budget - Presentation**

The 2000 Proposed Annual Budget & Work Program will be submitted to City Council at a budget retreat on November 30, 1999 at 4:30 P.M. (following the City Council agenda session) in room 326 of the City Administration Building. City staff will distribute and present the proposed budget at the budget retreat.

A schedule of additional budget retreats will be submitted for Council review and approval. Copies of the 2000 Proposed Budget will be made available for public review at the Mayor's Office, City Clerk's Office, the Fayetteville Public Library, the Fayetteville Chamber of Commerce, and the City's web site on Wednesday, December 1.



2000



City of Fayetteville, Arkansas



Proposed
Annual Budget
and
Work Program



Attachment A

Amendments to the 2000 Proposed Budget

General Fund

Increase Investment Earnings	\$60,000
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Increase Miscellaneous Program - Salary Contingency	\$270,000
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Decrease Parks Maintenance Program - Personnel Services	(\$60,000)
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Parks Development Fund

Increase Personnel Services	\$60,000
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**FINAL AGENDA
FAYETTEVILLE CITY COUNCIL
DECEMBER 21, 1999**

A meeting of the Fayetteville City Council will be held on December 21, 1999 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

• **NOMINATING COMMITTEE REPORT**

A. CONSENT AGENDA

1. **PARK LAND WAIVER:** A resolution approving a waiver of Ordinance 3793 to accept money in lieu of the land dedication requirement. The developer for the proposed subdivision is Summit development. The property is located south of Highway 16 West and west of Shiloh Drive.
2. **TROLLEY OPERATIONS:** A resolution accepting a renewal agreement with Jones Transportation Services for Trolley Operations for the period of January 1, 2000 through December 31, 2000.
3. **PAY PLAN ADJUSTMENT:** A resolution adopting a year 2000 pay plan for hourly, salaried, executive and civil service fire and police personnel.
4. **2000 COMPLETE COUNT:** A resolution approving an interlocal agreement between the County and incorporated cities within Washington County. The agreement authorizes the creation of a Washington County Complete Count Committee for the purpose of facilitating the Year 2000 Census.
5. **HIGHWAY 265 SIDEWALKS:** A resolution authorizing the payment of \$53,579.00 to the Arkansas Highway and Transportation Department for the City of Fayetteville's cost to install sidewalks along Highway 265, between Highway 16 East and Highway 45.

B. OLD BUSINESS

1. **VA 99-13:** An ordinance approving request VA 99-13.00 submitted by Mike Roetzel on behalf of Buddy Peoples for property located at 28th Court. The request is to vacate the undeveloped street right-of-way located west of Club Oak Drive within Edge Hill Subdivision. This item was left on the first reading at the December 7, 1999 meeting.
2. **RZ 99-32:** An ordinance approving rezoning request RZ 99-32.00 submitted by Stephen Thetford for property located at 3351 W. Wedington Drive. The property is zoned R-O, Residential Office and contains approximately 0.69 acres. The request is to rezone the property to C-1, Neighborhood Commercial. This item was left on the second reading at the December 7, 1999 meeting.
3. **2000 ANNUAL BUDGET AND WORK PROGRAM:** A resolution adopting the 2000 City of Fayetteville Annual Budget and Work Program. This item was tabled at the December 7, 1999 meeting.

C. NEW BUSINESS

1. **WHEELER WATER ASSOCIATION:** A resolution approving a purchase agreement for the Wheeler Water system.
2. **INVESTMENT POLICY:** A resolution approving a new investment policy to replace Policy Acct. 2 (effective July 2, 1996) in the City of Fayetteville Policy and Procedures, as permitted by State of Arkansas Act 1341 of 1999.
3. **HIGHWAY 265 CONDEMNATION:** An ordinance authorizing the City Attorney to seek possession of certain lands located along Highway 265 in the City of Fayetteville, Arkansas by the Power of Eminent Domain, in association with the required easements for the Highway 265 Water and Sewer Relocations.