

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

FINAL AGENDA CITY COUNCIL APRIL 2, 2002

A meeting of the Fayetteville City Council will be held on April 2, 2002 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain, Fayetteville, Arkansas.

NOMINATING COMMITTEE REPORT

A. CONSENT

1. **BOYS AND GIRLS CLUB:** A resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys and Girls Club.
2. **PAGERS:** A resolution increasing the City's annual pager/cell phone allotment by \$2,810.16. The increase will allow the Fire Department to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System.
3. **PROPERTY SALE:** A resolution approving the sale of City owned property in the Fayetteville Industrial Park identified as a lot split of Parcel R containing approximately 7.75 acres for \$20,000 per acre or an amount not to exceed \$155,000 and approval of a budget adjustment.
4. **SAGE HOUSE:** A resolution approving a lease agreement between the City of Fayetteville and Sage House.

B. OLD BUSINESS

1. **RZN 02-1.00:** An ordinance approving rezoning request RZN 02-1.00 for property located at 1140 Hendrix and 1110 Hendrix. The property is zoned R-1, Low Density Residential, and contains approximately 1.36 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was tabled on the third reading at the March 5, 2002 meeting.

2. **RZN 02-5.00:** An ordinance approving rezoning request RZN 02-5.00 for property located west of I-540 and south of Point West Phase I and east of Pine Valley Phase I. The property is zoned I-1, Heavy Commercial / Light Industrial and R-2, Medium Density Residential and contains approximately 14.84 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was left on the first reading at the March 5, 2002 meeting.
3. **CDBG:** A presentation regarding the 2002 Community Development Block Grant.

C. NEW BUSINESS

1. **RZN 02-6.00:** An ordinance approving rezoning request RZN 02-6.00 as submitted by Terry Carpenter of US Infrastructure, Inc. for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.
2. **NEW WORLD SYSTEM:** A resolution approving the purchase of the Fire Department's portion of the New World Technology upgrade for the Computer Aided Dispatching/Records Management System which will allow the Fire Department to interface with the current CAD/RMS system to provide accurate reporting information.
3. **SOLID WASTE MODIFICATION:** Approval of the lift concept modification of vehicle configuration for the commercial route front load style sanitation vehicles. This will allow an upgrade to the newer style fork application and eliminate the triangle style lifts on vehicles as they are being replaced. This will also allow modifications to current containers and upgrade of containers as they are being replaced.

Meeting of April 2, 2002

	<i>Roll</i>				
Jordan	✓				
Reynolds	✓				
Thiel	✓				
Young	✓				
Davis	✓				
Santos	✓				
Coody	✓				

*Unani
PC
Lib.*

<i>X</i>	<i>Administrative Committee</i>	<i>✓</i>			
Jordan	✓				
Reynolds	✓				
Thiel	✓				
Young	✓				
Davis	✓				
Santos	✓				
Coody					

mtg adjourned 8:30

Meeting of April 2, 2002

<u>Consent</u>	KS LG.				
Jordan	✓				
Reynolds	✓				
Thiel	✓				
Young	✓				
Davis	✓				
Santos	✓				
Coody					

<u>22N</u> 02-1-00	BD KS !	Remove from table.	<u>DASS</u>			
Jordan	✓		✓			
Reynolds	✓		✓			
Thiel	✓		✓			
Young	✓		✓			
Davis	✓		✓			
Santos	✓		✓			
Coody			✓			

Meeting of April 2, 2002

CDBG.					
Jordan					
Reynolds					
Thiel					
Young					
Davis					
Santos					
Coody					

22N 02-6.00	BD BT. 2ND				
Jordan	✓				
Reynolds	✓				
Thiel	✓				
Young	✓				
Davis	✓				
Santos	✓				
Coody					

Meeting of April 2, 2002

W. J. Young	LC, BD.				
Jordan	✓				
Reynolds	✓				
Thiel	✓				
Young	✓				
Davis	✓				
Santos	✓				
Coody					

SW. J. Young	BD, Y.				
Jordan					
Reynolds					
Thiel					
Young					
Davis					
Santos					
Coody					

~~W. J. Young~~
B:

**FINAL AGENDA
CITY COUNCIL
APRIL 2, 2002**

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NOMINATING COMMITTEE REPORT

A. CONSENT

- RES. 54-02* 1. **BOYS AND GIRLS CLUB:** A resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys and Girls Club.
- RES. 55-02* 2. **PAGERS:** A resolution increasing the City's annual pager/cell phone allotment by \$2,810.16. The increase will allow the Fire Department to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System.
- RES. 56-02* 3. **PROPERTY SALE:** A resolution approving the sale of City owned property in the Fayetteville Industrial Park identified as a lot split of Parcel R containing approximately 7.75 acres for \$20,000 per acre or an amount not to exceed \$155,000 and approval of a budget adjustment.
- RES. 57-02* 4. **SAGE HOUSE:** A resolution approving a lease agreement between the City of Fayetteville and Sage House.

B. OLD BUSINESS

- ORD. 4384* 1. **RZN 02-1.00:** An ordinance approving rezoning request RZN 02-1.00 for property located at 1140 Hendrix and 1110 Hendrix. The property is zoned R-1, Low Density Residential, and contains approximately 1.36 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was tabled on the third reading at the March 5, 2002 meeting.

2. **RZN 02-5.00:** An ordinance approving rezoning request RZN 02-5.00 for property located west of I-540 and south of Point West Phase I and east of Pine Valley Phase I. The property is zoned I-1, Heavy Commercial / Light Industrial and R-2, Medium Density Residential and contains approximately 14.84 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was left on the first reading at the March 5, 2002 meeting.
3. **CDBG:** A presentation regarding the 2002 Community Development Block Grant.

C. NEW BUSINESS

1. **RZN 02-6.00:** An ordinance approving rezoning request RZN 02-6.00 as submitted by Terry Carpenter of US Infrastructure, Inc. for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.

RES. 58-022.

- NEW WORLD SYSTEM:** A resolution approving the purchase of the Fire Department's portion of the New World Technology upgrade for the Computer Aided Dispatching/Records Management System which will allow the Fire Department to interface with the current CAD/RMS system to provide accurate reporting information.
3. **SOLID WASTE MODIFICATION:** Approval of the lift concept modification of vehicle configuration for the commercial route front load style sanitation vehicles. This will allow an upgrade to the newer style fork application and eliminate the triangle style lifts on vehicles as they are being replaced. This will also allow modifications to current containers and upgrade of containers as they are being replaced.

FAYETTEVILLE

start w/
OTB = 4384
RES = 54-02

THE CITY OF FAYETTEVILLE, ARKANSAS

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NOMINATING COMMITTEE REPORT

*Removed - Planning Commission
RLB/Barry* *rest of
the report
is okay*

A. CONSENT

- PASS*
- 1. BOYS AND GIRLS CLUB:** A resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys and Girls Club. *Consent Administration
goal 2 original*
 - 2. PAGERS:** A resolution increasing the City's annual pager/cell phone allotment by \$2,810.16. The increase will allow the Fire Department to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System. *Chris Bosch*
 - 3. PROPERTY SALE:** A resolution approving the sale of City owned property in the Fayetteville Industrial Park identified as a lot split of Parcel R containing approximately 7.75 acres for \$20,000 per acre or an amount not to exceed \$155,000 and approval of a budget adjustment. *Ray W. Boudreau* *cc S. Harris Budget
Advisory*
 - 4. SAGE HOUSE:** A resolution approving a lease agreement between the City of Fayetteville and Sage House. *Sage's Board (has only 1 org.)*

B. OLD BUSINESS

- PASS*
- 1. RZN 02-1.00:** An ordinance approving rezoning request RZN 02-1.00 for property located at 1140 Hendrix and 1110 Hendrix. The property is zoned R-1, Low Density Residential, and contains approximately 1.36 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was tabled on the third reading at the March 5, 2002 meeting.

[NEED BILL OF ASSURANCE]

(REMOVED)

Removed from agenda
per applicant
(No Action)

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(LEFT ON 2ND)
left on 2nd

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PASS

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(No Action)

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Spoke to [unclear] -

~~Meeting~~

mtg adjourned.
8:30

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

attn: Doug Wallace

From: Heather Woodruff

*please run in
Monday's paper.*

Heather

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**NOMINATING COMMITTEE REPORT
CITY COUNCIL MEETING
APRIL 2, 2002**

ADVERTISING AND PROMOTION COMMISSION

Pat Gazzola - Re-appointed to fill term ending 04/01/06

BOARD OF ADJUSTMENTS/BOARD OF SIGN APPEALS

Robert A. Nickle - One five-year Public-at-Large term ending 03/31/07

CIVIL SERVICE COMMISSION

Merlin Augustine - One six-year Full term ending 03/31/08

CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS

✓ Stanley P. Johnson - One five-year Full term ending 03/31/07

✓ Dennis Becker - One five-year Full term ending 03/31/07

✓ Owen Eudell Luttrell - One one-year Alternate term ending 03/31/03

PLANNING COMMISSION

****C.C. withdrew the Planning Commission****

Replaced ✓ Donald A. Marr, Jr. - One three-year Full term ending 03/31/05

✓ Bob Estes - One three-year Full term ending 03/31/05

Troy Wilson, Jr. - One three-year Full term ending 03/31/05

PUBLIC LIBRARY BOARD OF TRUSTEES

****C.C. withdrew the Library Board****

Anne de Noble - One five-year Full term ending 03/31/07

TELECOMMUNICATIONS BOARD

Susan Cromwell - One unexpired term ending 06/30/03

STAFF REVIEW FORM

☒ AGENDA REQUEST
☐ CONTRACT REVIEW
☐ GRANT REVIEW

For the Fayetteville City Council meeting of April 2, 2002

FROM:

Hugh Earnest

Urban Development

Community Dev.

Name

Division

Department

ACTION REQUIRED:

A Resolution to Approve a Lease Agreement between the City of Fayetteville and Sage House, a non-profit agency.

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 Davis 3/20/02
Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Marsha Futhy 3/20/02
Accounting Manager

ADA Coordinator

Date

[Signature] the lease should terminate
City Attorney

Date

Nancy Smith
Internal Auditor

3/20/02
Date

Purchasing Officer

Date

Grant Officer

Date

STAFF RECOMMENDATION:

Division Head

Date

Cross Reference

Hugh Earnest
Department Director

Date

New Item: **Yes** **No**

[Signature]
Admin. Svcs Director

3/21/02
Date

Prev Ord/Res #: _____

[Signature]
Mayor

Date

Orig Contract Date: _____

Consent [Signature]
New Business [Signature]

Description _____ Meeting Date _____

Comments:

Budget Coordinator

Reference Comments:

Accounting Manager

Reference Comments:

City Attorney

Reference Comments:

Purchasing Officer

Reference Comments:

ADA Coordinator

Reference Comments:

Internal Auditor

Reference Comments:

Grants Officer

Reference Comments:

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

Date: March 13, 2002

To: The Mayor and Council

From: Hugh Earnest, Urban Development Director *HE*
Yolanda Fields, CDBG Coordinator

Subject: Sage House Lease

Background

The City Council, in June 2001, approved a 99-year lease between the city of Fayetteville and the Sage House for a 2.715 acre parcel on Deane Solomon road. The Sage House is a non-profit agency that was established to provide assistance to clients requiring transitional housing. During this time period, City staff was also involved in a review of the status of the Business and Technology park acreage, which lies east of this location. As part of that review, we opened a conversation with representatives of the Sage House to ensure that this site was the location that would best serve their long-term interests. The City had acquired some acreage adjacent to Huntsville road, which had not been available when the negotiations on the Deane Solomon site occurred. The Board of the Sage House began an evaluation on the advantages and disadvantages of the two sites and has determined that the Huntsville site is preferable and will best meet their long-term goals. As an aside, City staff is of the opinion that the City interests will best be met by reserving the Dean Solomon site for a possible use associated with the Business and Technology Park.

Current Situation

Several months ago, members of the City Council toured the Huntsville Road site and at that time expressed no concern with a possible change in the area to be leased. The area proposed for the lease is shown on the attached plat. We will also provide the council with an aerial photo of the area with the property in question highlighted. If the City Council approves this lease, the Board of the Sage House is prepared to begin the permitting process for a building on this site.

Recommendation

It is our recommendation that the lease with the Sage House be approved.

RESOLUTION NO. 72-01

A RESOLUTION TO APPROVE A LEASE AGREEMENT
BETWEEN THE CITY OF FAYETTEVILLE AND
SAGE HOUSE, A NON-PROFIT AGENCY

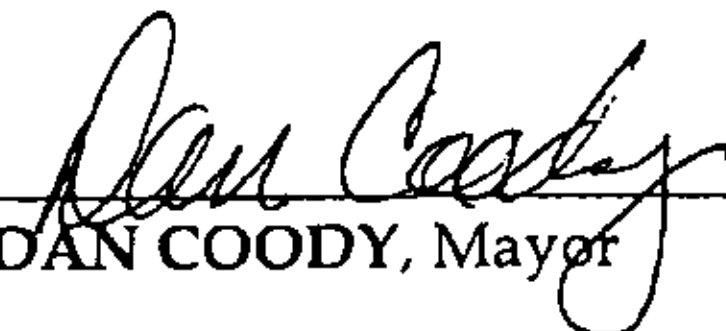
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE, ARKANSAS:

Section 1. The City Council of Fayetteville, Arkansas, hereby approves the Lease Agreement (attached hereto as Exhibit A) with Sage House because it determines that the provision of rent subsidized transitional housing is a needed government service for the citizens of Fayetteville.

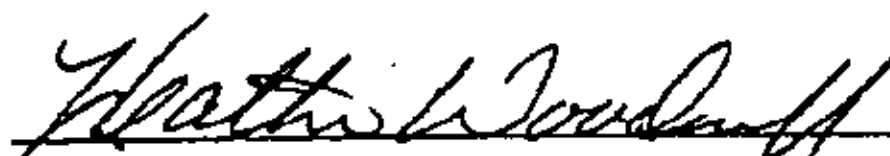
Section 2. The Mayor of the City of Fayetteville is authorized to sign this Lease Agreement for the City.

PASSED and APPROVED this the 5 day of June, 2001.

APPROVED:

By: 
DAN COODY, Mayor

ATTEST:

By: 
Heather Woodruff, City Clerk

LEASE AGREEMENT

This Agreement, made and entered into this 5 day of June, 2001, by and between the City of Fayetteville, Arkansas, hereinafter called "Lessor," and Sage House, hereinafter called "Lessee," Witnesseth:

WHEREAS, Sage House is a non-profit agency established and dedicated to serve as a rent subsidized transitional housing facility; and,

WHEREAS, providing transitional housing is a valid public purpose; and,

WHEREAS, Sage House will provide such services within the City of Fayetteville.

NOW, THEREFORE, the parties hereto agree as follows:

1. Leased Premises. For and in consideration of the rents, covenants and agreements herein entered into and agreed upon by the Lessee as obligations to the Lessor, the Lessor lets, leases and demises unto Lessee, subject to the terms and conditions contained herein, the following described property situated in Washington County, Arkansas.

A part of the Northwest Quarter (NW1/4) of Section 33, Township 17 North Range 30 West, Washington County, Arkansas, being more particularly described as follows: Commencing at the Northwest corner of said Section 33; thence along the west line of said Section 33, South 02°28'11" West 1072.67 feet, to the Point of Beginning; thence leaving said West line of Section 33, South 87°22'27" East 329.47 feet, to a point on the existing centerline of Deane Solomon Road; thence with said centerline South 02°29'56" West 395.06 feet to a PK nail; thence leaving said centerline North 87°22'27" West 329.27 feet along the proposed north right of way of Crystal Springs Drive, to a set iron pin on the west line of said Section 33, thence along said West line, North 02°28'11" East 395.06 feet, to the Point of Beginning, containing 2.987 acres, more or less. LESS AND EXCEPT thirty (30) feet of equal and uniform width off the East side of the above described property, containing 0.272 acre, more or less, being within the existing west right of way of Dean Solomon Road. Containing a net acreage of 2.715 acres, more or less.

To have and to hold said premises unto the said Lessee for and during the term herein stated, subject to the covenants, terms and conditions herein contained.

2. Term. This lease shall commence on July 1, 2001, and shall extend for a term of ninety-nine (99) years, ending at midnight on June 30, 2100.

3. Rent. In addition to other good and valuable consideration as set forth herein, Lessee agrees to pay to Lessor as rental the sum of One Dollar (\$1.00) to be paid annually, with the first payment due upon execution of this agreement and subsequent payments due on the first day of each and every year thereafter during the term of this lease.

4. Use. Lessee agrees to use the lease premises for the purpose of constructing, operating and maintaining a rent subsidized transitional housing facility. If at any time the property ceases to be used for this purpose, the lease shall terminate. Lessee agrees to furnish rent subsidized transitional housing for Fayetteville citizens and residents throughout this lease period. Lessee shall deliver quarterly written reports to the Mayor's office concerning the number of Fayetteville citizens/residents housed or otherwise assisted by Sage House.

5. Improvements. Lessee may make any such improvements as are necessary to carry out the service of providing rent subsidized transitional housing facilities. Design for any such improvements shall be approved by the City of Fayetteville. Upon termination of this lease, all improvements shall become the property of Lessor.

6. Taxes. Lessee shall pay any and all ad valorem taxes and special improvement district taxes levied and assessed against said premises and the improvements located thereon during the term of this lease.

7. Notices. All notices, requests, demands and other communications required by or permitted hereunder shall be in writing and shall be directed to the following:

City of Fayetteville
113 W. Mountain St.
Fayetteville, AR 72701

Sage House
614 E. Emma, Suite M401
Springdale, AR 72764

8. Assignment. Lessee shall not assign this lease or sublet the lease premises without prior written consent of the Lessor. Any such assignment or subletting shall in no way relieve Lessee from liability for the obligation imposed by this lease. Lessee may only be released from liability for the obligation imposed by this lease by a specific written release executed by Lessor.

9. Insurance.

A. Lessee shall be solely responsible for maintaining insurance on its property, including movables, trade fixtures, furniture, furnishings and inventory, as well as improvements to the property.

B. Lessee shall, during the term of this lease, maintain public liability insurance. The limits of such public liability insurance shall not be less than \$500,000.00 per person and \$500,000.00 per accident. The policy shall contain a clause that the insurer will not cancel or change the insurance without giving Lessor, ten days prior written notice. A certificate of such insurance shall be delivered to Lessor.

10. Maintenance. Lessee shall be responsible for all maintenance, routine preventative or corrective, on any and all improvements made to the leased property.

11. Compliance with Laws. Lessee agrees not to violate any law, ordinance, rule or regulation of any governmental authority having jurisdiction of the leased premises. This agreement shall be governed by the laws of the State of Arkansas.

12. Waste/Nuisance. Lessee agrees not to commit waste, nor permit waste to result or to be done to or upon the aforesaid premises. Further, Lessee agrees not to operate, nor permit to be operated, nor to exist thereon or therein, any public or private nuisance.

13. Title and Quiet Enjoyment. Lessor covenants and warrants that it is the owner in fee simply absolute of the leased premises and may lease said premises as herein provided. Upon payment by Lessee of the rents herein provided and upon the observance and performance of all the covenants, terms and conditions upon Lessee's part to be observed and performed, Lessee shall peaceably and quietly hold and enjoy the demised premises for the term hereby demised without hindrance or interruption by Lessor or any other person or persons lawfully or equitably claiming by, through or under Lessor, subject to the terms and conditions of this lease.

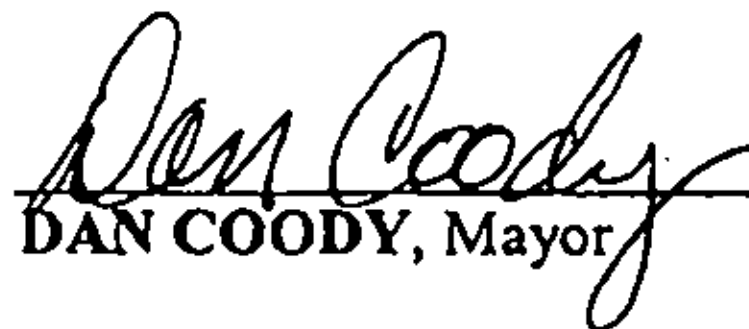
14. Severability. Each paragraph of this lease agreement is severable from all other paragraphs. In the event any court of competent jurisdiction determines that any paragraph or subparagraph is invalid or unenforceable for any reason, all remaining paragraphs and subparagraphs will remain in full force and effect.

15. Entire Agreement. This lease agreement contains the entire agreement of both parties hereto, and no other oral or written agreement shall be binding on the parties hereto. This lease agreement supersedes all prior agreements, contracts and understandings of any kind between the parties relating to the subject matter hereof.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hand and seals on this 5 day of June, 2001.

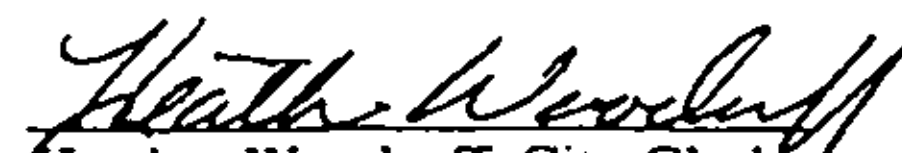
CITY OF FAYETTEVILLE, Lessor

By:


DAN COODY, Mayor

ATTEST:

By:


Heather Woodruff, City Clerk

SAGE HOUSE, Lessee

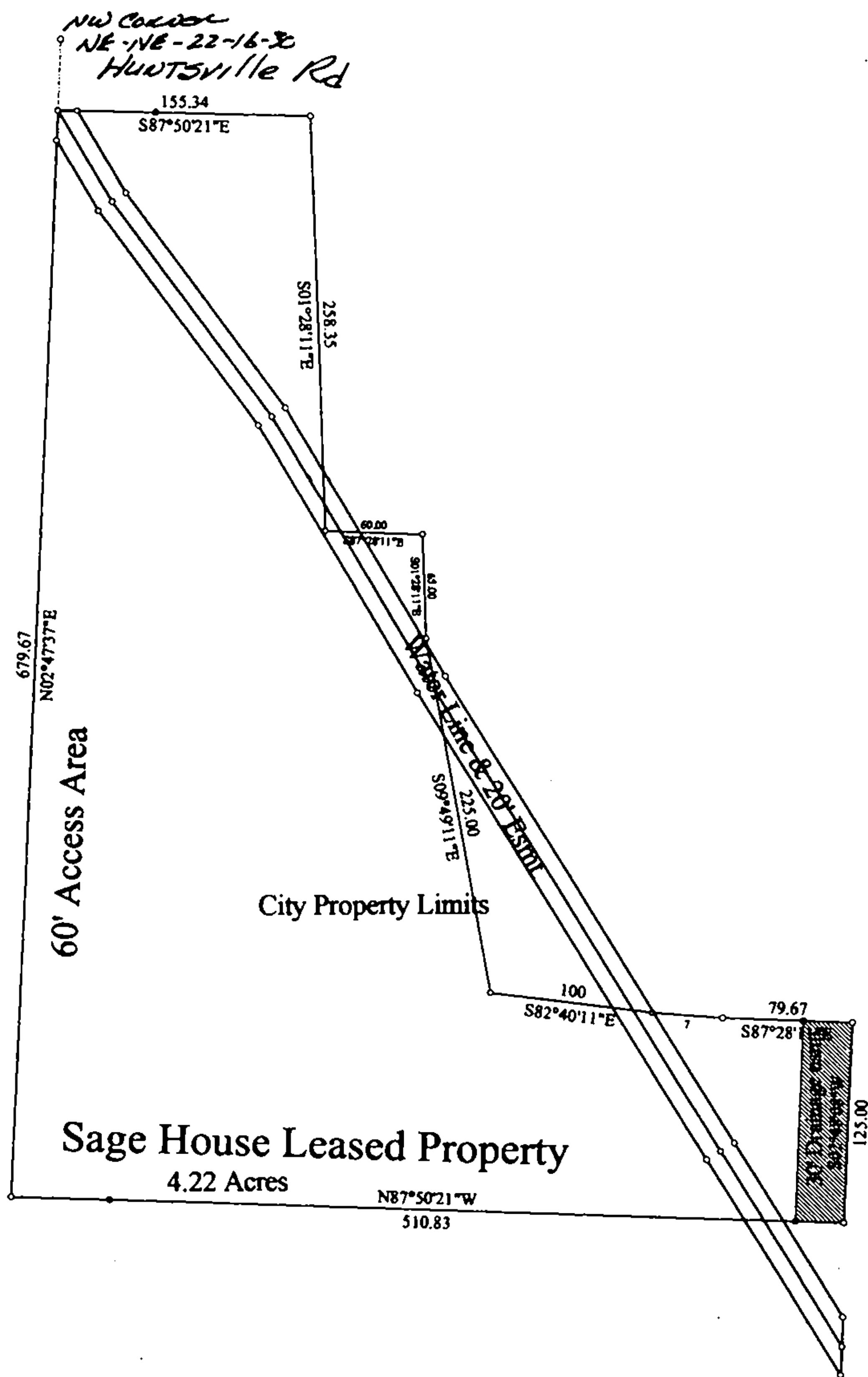
By: Depe Bradbury

Title: President, Board of Directors

ATTEST:

By: Mike Baker

Title: Accounting Clerk



Title: Sage House Property Description

Date: 02-27-2002

Scale: 1 inch = 100 feet

File: Sagenm2.dwg

Data and Deed Call Listing of Sage: Sageprp2.des

Tract 1: 0.000 Acres: 0 Sq Feet: Closure = s02.4737w 44.29 Feet: Precision = 1/ 1: Perimeter = 44 Feet
Tract 2: 4.224 Acres: 183998 Sq Feet: Closure = n85.2703w 0.04 Feet: Precision = 1/51204: Perimeter = 2302 Feet
Tract 3: 0.936 Acres: 40778 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision > 1/999999: Perimeter = 1479 Feet
Tract 4: 0.209 Acres: 9095 Sq Feet: Closure = n29.5923w 0.01 Feet: Precision = 1/136307: Perimeter = 1856 Feet
Tract 5: 0.206 Acres: 8990 Sq Feet: Closure = n66.1748w 0.00 Feet: Precision = 1/553120: Perimeter = 1828 Feet
Tract 6: 0.086 Acres: 3753 Sq Feet: Closure = n07.2651e 0.00 Feet: Precision = 1/90027: Perimeter = 310 Feet

001=N02.4737E 44.29
002=@1 Sage House Leased Prop.
003=S87.5021E 155.34
004=S01.2811E 258.35
005=S87.2811E 60.00
006=S01.2811E 65.00
007=S09.4911E 225.00
008=S82.4011E 100
009=S85.1619E 43.03
010=S87.2811E 79.67
011=S02.4808W 125.00
012=N87.5021W 510.83
013=N02.4737E 679.67
014=@1 Access Easement
015=S87.5021E 60
016=s02.4737w 679.67 ?
017=N87.5021W 60
018=N02.4737E 679.67
019=@1 South Esmt. Line
020=s02.4737w 18.63
021=s29.4009e 50.55
022=s35.4132e 166.08
023=s29.5834e 194.19
024=s30.5638e 341.24
025=s31.1559e 157.14
026=n02.4808e 17.85
027=n31.1559w 142.32
028=n30.5638w 341.13
029=n29.5834w 194.60
030=n35.4132w 166.05
031=n29.4009w 65.74
032=@1 North H2O Esmt Line
033=s29.4009e 65.74
034=s35.4132e 166.05
035=s29.5834e 194.60
036=s30.5638e 341.13
037=s31.1559e 142.32
038=n01.4808e 18.33
039=n31.1559w 126.93
040=n30.5638w 341.02
041=n29.5834w 195.01
042=n35.4132w 166.02
043=n29.4009w 59.01
044=n87.5021w 11.77
045=@11 Drainage Easement Area
046=/N87.2811W 30
047=S87.2811E 30
048=S02.4808W 125
049=N87.5021W 30
050=n02.4805e 125.19 ?

**SAGE HOUSE PROPERTY LEASE
1033 E. HUNTSVILLE ROAD
FAYETTEVILLE, AR 72701**

PROPERTY LEASE DESCRIPTION:

A part of the Northeast Quarter (NE $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-two (22), Township Sixteen (16) North, Range Thirty (30) West of the 5th Principal Meridian, being more particularly described herewith as follows: Beginning at a point South 02° 47' 37" East 44.29 feet from the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 22, said point being on the West line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 22 and on the South right of way line of Huntsville Road; running thence along said South right of way line South 87° 50' 21" East 155.34 feet; thence leaving said South right of way line of Huntsville Road South 01° 28' 11" East 258.35 feet; thence South 87° 28' 11" East 60.00 feet; thence South 01° 28' 11" East 65.00 feet; thence South 09° 49' 11" East 225.00 feet; thence South 82° 40' 11" East 100.00 feet; thence South 85° 16' 19" East 43.03 feet; thence South 87° 28' 11" East 79.67 feet; thence South 02° 48' 08" West 125.00 feet; thence North 87° 50' 21" West 510.83 feet to the West line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 22; thence with said West line North 02° 47' 37" East 679.67 feet, more or less, to the Point of Beginning, containing 4.22 acres, more or less, subject to rights of way and easements of record and subject to a public access easement, said easement being 60 feet in equal and uniform width, East of and adjacent to the West line of the property described hereinabove..

edc/ 02-27-02

LEASE AGREEMENT

This Agreement, made and entered into this 2nd day of April, 2002, by and between the City of Fayetteville, Arkansas, Lessor, and Sage House, Lessee, Witnesseth:

WHEREAS, Sage House is a non-profit agency established and dedicated to serve as a rent subsidized transitional housing facility; and,

WHEREAS, providing transitional housing is a valid public purpose; and,

WHEREAS, Sage House will provide such service to Fayetteville citizens within the City of Fayetteville.

NOW, THEREFORE, the parties hereto agree as follows:

1. **Leased Premises.** For and in consideration of the release of the June 5, 2001 lease and the covenants and agreements herein entered into and agreed upon by Sage House as obligations to the City of Fayetteville, the City lets, leases and demises unto Sage House, subject to the terms and conditions contained herein, the following described property situated in Washington County, Arkansas.

A part of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Twenty-two (22), Township Sixteen (16) North, Range Thirty (30) West of the 5th Principal Meridian, being more particularly described herewith as follows: Beginning at a point South 02° 47' 37" East 44.29 feet from the Northwest corner of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section 22, said point being on the West line of the NE1/4 of the NE1/4 of said Section 22 and on the South right-of-way line of Huntsville Road; running thence along said South right-of-way line South 87° 50' 21" East 155.34 feet; thence leaving said South right-of-way line of Huntsville Road South 01° 28' 11" East 258.35 feet; thence South 87° 28' 11" East 60.00 feet; thence South 01° 28' 11" East 65.00 feet; thence South 09° 49' 11" East 225.00 feet; thence South 82° 40' 11" East 100.00 feet; thence South 85° 16' 19" East 43.03 feet; thence South 87° 28' 11" East 79.67 feet; thence South 02° 48' 08" West 125.00 feet; thence North 87° 50' 21" West 510.83 feet to the West line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section 22; thence with said West line North 02° 47' 37" East 679.67 feet, more or less, to the Point of Beginning, containing 4.22 acres, more or less, subject to rights-of-way and easements of record and subject to a public access easement, said easement being 60 feet in equal and uniform width, East of and adjacent to the West line of the property described hereinabove.

To have and to hold said premises unto the said Sage House for and during the term herein stated, subject to the covenants, terms and conditions herein contained.

2. **Term.** This lease shall commence on April 1, 2002, and shall extend for a term of ninety-nine (99) years, ending at midnight on March 31, 2101.

3. **Consideration.** The primary consideration for the City is Sage House's agreement in paragraph 4 to serve Fayetteville citizens. Sage House also agrees to the voluntary, immediate, and complete termination of the 99-year lease with the City entered into on June 5, 2001, for property along Dean Solomon Road.

4. **Use.** Sage House agrees to use the lease premises for the purpose of constructing, operating and maintaining a rent subsidized transitional housing facility. If at any time the property ceases to be used for this purpose, the lease shall terminate. Sage House agrees to furnish rent subsidized transitional housing for Fayetteville citizens and residents throughout this lease period. Sage House shall deliver quarterly written reports to the Mayor's office concerning the number of Fayetteville citizens/residents housed or otherwise assisted by Sage House.

5. **Improvements.** Sage House may make any such improvements as are necessary to carry out the service of providing rent subsidized transitional housing facilities. Design for any such improvements shall be approved by the City of Fayetteville. Upon termination of this lease, all improvements shall become the property of the City.

6. **Taxes.** Sage House shall pay any and all ad valorem taxes and special improvement district taxes levied and assessed against said premises and the improvements located thereon during the term of this lease.

7. **Notices.** All notices, requests, demands and other communications required by or permitted hereunder shall be in writing and shall be directed to the following:

City of Fayetteville
113 W. Mountain St.
Fayetteville, AR 72701

Sage House
614 E. Emma, Suite M401
Springdale, AR 72764

8. **Assignment.** Sage House shall not assign this lease or sublet the lease premises without prior written consent of the City. Any such assignment or subletting shall in no way relieve Sage House from liability for the obligation imposed by this lease. Sage House may only be released from liability for the obligation imposed by this lease by a specific written release executed by the City.

9. Insurance.

A. Sage House shall be solely responsible for maintaining insurance on its property, including movables, trade fixtures, furniture, furnishings and inventory, as well as improvements to the property.

B. Sage House shall, during the term of this lease, maintain public liability insurance. The limits of such public liability insurance shall not be less than \$500,000.00 per person and \$500,000.00 per accident. The policy shall contain a clause that the insurer will not cancel or change the insurance without giving the City of Fayetteville, ten days prior written notice. A certificate of such insurance shall be delivered to the City.

10. Maintenance. Sage House shall be responsible for all maintenance, routine preventative or corrective, on any and all improvements made to the leased property.

11. Compliance with Laws. Sage House agrees not to violate any law, ordinance, rule or regulation of any governmental authority having jurisdiction of the leased premises. This agreement shall be governed by the laws of the State of Arkansas.

12. Waste/Nuisance. Sage House agrees not to commit waste, nor permit waste to result or to be done to or upon the aforesaid premises. Further, Sage House agrees not to operate, nor permit to be operated, nor to exist thereon or therein, any public or private nuisance.

13. Title and Quiet Enjoyment. The City of Fayetteville covenants and warrants that it is the owner in fee simple absolute of the leased premises and may lease said premises as herein provided. Upon the observance and performance of all the covenants, terms and conditions upon Sage House's part to be observed and performed, Sage House shall peaceably and quietly hold and enjoy the demised premises for the term hereby demised without hindrance or interruption by the City or any other person or persons lawfully or equitably claiming by, through or under the City, subject to the terms and conditions of this lease.

14. Entire Agreement. This lease agreement contains the entire agreement of both parties hereto, and no other oral or written agreement shall be binding on the parties hereto. This lease agreement supersedes all prior agreements, contracts and understandings of any kind between the parties relating to the subject matter hereof. This lease expressly terminates the lease of June, 2001, wherein the City had leased property to Sage House along Dean Solomon Road. The City is released from any further duties and obligations pursuant to that earlier lease.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hand and seals on this the 2nd day of April, 2002.

CITY OF FAYETTEVILLE, Lessor

By: _____
DAN COODY, Mayor

ATTEST:

By: _____
Heather Woodruff, City Clerk

SAGE HOUSE, Lessee

By: *Doree Brasberry*
Title: *President of the Board*

ATTEST:

By: *Doree Brasberry*
Title: *Community Development*

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

TENTATIVE AGENDA CITY COUNCIL APRIL 2, 2002

A meeting of the Fayetteville City Council will be held on April 2, 2002 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain, Fayetteville, Arkansas.

NOMINATING COMMITTEE REPORT

A. CONSENT

1. **APPROVAL OF THE MINUTES**
2. **BOYS AND GIRLS CLUB:** A resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys and Girls Club.
3. **PAGERS:** A resolution increasing the City's annual pager/cell phone allotment by \$2,810.16. The increase will allow the Fire Department to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System.
4. **PROPERTY SALE:** A resolution approving the sale of City owned property in the Fayetteville Industrial Park identified as a lot split of Parcel R containing approximately 7.75 acres for \$20,000 per acre or an amount not to exceed \$155,000 and approval of a budget adjustment.

B. OLD BUSINESS

1. **RZN 02-1.00:** An ordinance approving rezoning request RZN 02-1.00 for property located at 1140 Hendrix and 1110 Hendrix. The property is zoned R-1, Low Density Residential, and contains approximately 1.36 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was tabled on the third reading at the March 5, 2002 meeting.

2. **RZN 02-5.00:** An ordinance approving rezoning request RZN 02-5.00 for property located west of I-540 and south of Point West Phase I and east of Pine Valley Phase I. The property is zoned I-1, Heavy Commercial / Light Industrial and R-2, Medium Density Residential and contains approximately 14.84 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was left on the first reading at the March 5, 2002 meeting.
3. **CDBG:** A presentation regarding the 2002 Community Development Block Grant.

C. NEW BUSINESS

1. **RZN 02-6.00:** An ordinance approving rezoning request RZN 02-6.00 as submitted by Terry Carpenter of US Infrastructure, Inc. for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.
2. **NEW WORLD SYSTEM:** A resolution approving the purchase of the Fire Department's portion of the New World Technology upgrade for the Computer Aided Dispatching/Records Management System which will allow the Fire Department to interface with the current CAD/RMS system to provide accurate reporting information.
3. **ANIMAL CONCERNS COMMITTEE:** A resolution establishing an advisory committee to be known as the Animal Concerns Committee setting forth the selection process for membership and the responsibilities of the Animal Concerns Committee.

DeKorran
SOLID WASTE MODIFICATION: approval of the lift concept modification of vehicle configuration for the commercial route front load style sanitation vehicles.

1. This will allow an upgrade to the newer style fork application and eliminate the triangle style lifts on vehicles as they are being replaced. This will also allow modifications to current containers and upgrade of containers as they are being replaced.

STAFF REVIEW FORM

☒ AGENDA REQUEST
☐ CONTRACT REVIEW
☐ GRANT REVIEW

FOR: COUNCIL MEETING OF April 2, 2007 MAYOR'S APPROVAL _____

FROM:

Brenda Thiel, Alderman

Name

Division

Department

ACTION REQUIRED: A resolution establishing an Advisory Committee, to be known as the Animal Concerns Committee, setting forth the selection process for membership and the responsibilities of the Animal Concerns Committee.

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 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:

Division Head

Date

Department Director

Date

Administrative Services Director

Date

Mayor

Date

CROSS REFERENCE

New Item: **Yes** No

Previous Ordinance/Resolution No.: _____

ANIMAL CONCERNS COMMITTEE

DESCRIPTION: The Animal Concerns Committee is an ad hoc citizen committee. The purpose of this committee is to make recommendations to the City Council and City Staff on issues regarding the general health and well-being of animals, including but not limited to issues affecting the Animal Services Division (Animal Shelter, Animal Control, and Veterinary Clinic). The duty of the Committee members is to stimulate and encourage communication with members of the community to ensure that programs, goals, and objectives of the Animal Services Division are consistent with community needs and desires and State standards, and to promote the general health and well-being of animals.

TERMS: All citizen members currently serving on the committee shall continue to serve until December 31, 2002. Citizen members shall serve staggered two-year terms.

MEMBERS: The committee is comprised of seven (7) voting members and non-voting staff/support members as follows:

- One **City Council** member.
- Two **Humane Society of the Ozarks** members.
- One licensed **Veterinarian**
- Three **Community/Citizens-at-Large** members shall be qualified electors residing in the City of Fayetteville, and appointed by the City Council.
- Staff/support representing the City of Fayetteville: **Animal Services Division**

APPOINTMENTS: The City Council shall appoint private citizen members from those names provided by the Nominating Committee, in the manner set forth in §H(2) of the Rules of Order and Procedure, Fayetteville Mayor/City Council. All other members of the committee shall be appointed by their respective organizations.

OFFICERS: At the first regularly scheduled committee meeting of each calendar year, the voting members of the committee shall, by a simple majority, elect from among themselves a Chair and Vice Chair.

CONTACT: Jill Hatfield, Animal Services Superintendent, 444-3456 or Brenda Thiel, Committee Chairperson, 442-3095.

MEETING TIMES: The Board meets on the third Thursday of each month at 7:00 p.m. in the City Administration Building.

CITY COUNCIL

Brenda Thiel, Chair
172 E. Willoughby Dr.
Fayetteville, AR 72701
H)442-3095

HUMANE SOCIETY REPS.

Donna Daniels
2128 Loren Circle
Fayetteville, AR 72703
H)444-8139 W)575-8417

Jack Herring
Wedington Animal Hospital
4363 Wedington Drive
Fayetteville, AR 72703
W)444-6600

Olivia (Lib) Horn
21 East 5th
Fayetteville, AR 72701
H)575-9697 W)444-7387

COMMUNITY (Citizens-at-Large)

Roxana Willis
207 W. Ila Street
Fayetteville, AR 72701
H)587-0975

ANIMAL CONCERNS COMMITTEE

DESCRIPTION: The purpose of this committee is to advise the City Council and City Staff on issues regarding the general health and well-being of animals, including but not limited to issues affecting the Animal Services Division (Animal Shelter, Animal Control, and Veterinary Clinic). The duty of the Committee members is to stimulate and encourage communication with members of the community to ensure that programs, goals, and objectives of the Animal Services Division are consistent with community needs and desires and State standards, and to promote the general health and well-being of animals. At the _____ City Council Meeting Resolution No. _____ was passed establishing the Animal Concerns Committee.

TERMS: All citizen members serving on the committee at the time of passage of the resolution shall continue to serve until December 31, 2002. Thereafter, citizen members shall serve staggered two-year terms.

MEMBERS: The committee is comprised of eight (8) voting members and non-voting staff/support members as follows:

- Two **City Council** members.
- Two **Humane Society of the Ozarks** members.
- One licensed **Veterinarian**
- Three **Community/Citizens-at-Large** members shall be qualified electors residing in the City of Fayetteville, and appointed by the City Council.
- Staff/support representing the City of Fayetteville: **Animal Services Division**

APPOINTMENTS: The City Council shall appoint private citizen members from those names provided by the Nominating Committee, in the manner set forth in §H(2) of the Rules of Order and Procedure, Fayetteville Mayor/City Council. All other members of the committee shall be appointed by their respective organizations.

OFFICERS: At the first regularly scheduled committee meeting of each calendar year, the voting members of the committee shall, by a simple majority, elect from among themselves a Chair and Vice Chair.

CONTACT: Jill Hatfield, Animal Services Superintendent, 444-3456 or Brenda Thiel, Committee Chairperson, 442-3095.

MEETING TIMES: The Board meets on the third Thursday of each month at 7:00 p.m. in the City Administration Building.



STAFF REVIEW FORM



XXX AGENDA REQUEST
 CONTRACT REVIEW
 GRANT REVIEW

For the Fayetteville City Council meeting: April 2, 2002

FROM:

Carrol Hill
Name

Environmental Affairs Admin.
Division

General Services
Department

ACTION REQUIRED:

Approval of the Lift Concept Modification of Vehicle Configuration for the Commercial Route Front Load Style Sanitation Vehicles. This will allow an upgrade to the newer style fork application and eliminate the triangle style lifts on vehicles as they are being replaced. This will also allow modifications to current containers and upgrade of containers as they are being replaced.

COST TO CITY:

\$ N/A
Cost of this Request

\$ N/A
Category/Project Budget

Commercial Collection
Category/Project Name

N/A
Account Number

\$ N/A
Funds Used To Date

Operations & Administration
Program Name

N/A
Project Number

\$ N/A
Remaining Balance

Solid Waste
Fund

BUDGET REVIEW:

XX Budgeted Item

 Budget Adjustment Attached

[Signature]
Budget Coordinator MANAGE 2

3-15-02

Administrative Services Director

[Signature]
Accounting Manager

3/15/02
Date

ADA Coordinator

Date

[Signature]
City Attorney

3/15/02
Date

[Signature]
Internal Auditor

3/15/02
Date

Purchasing Officer

Date

STAFF RECOMMENDATION:

Approval of Vehicle Configuration Modifications and Container Modifications.

[Signature]
Division Head

3/14/02
Date

Cross Reference

[Signature]
Department Director

3/14/02
Date

New Item: Yes No

[Signature]
Administrative Services Director

3/15/02
Date

Prev Ord/Res #:

[Signature]
Mayor

3/15/02
Date

Orig Contract Date:

RECF

MAR 14 2002

ACCTG DEPT.

DEPARTMENTAL CORRESPONDENCE

March 12, 2002

TO: Gary Dumas

FROM: Carrol Hill

SUBJECT: Lift Concept Modification - Commercial Sanitation Vehicle

I would like to recommend we change the lift mechanism on our Commercial Sanitation Vehicles from the triangle system to a standard fork mechanism. The current triangle system is very outdated and the cost of the triangle dumping system on the vehicle and containers is considerably more than the fork system.

Initially, there is a savings of \$4,200 when ordering the fork system on our new trucks versus the triangle system.

Currently, we are paying an additional \$30 per 4 yd, \$40 per 6 yd and \$50 per 8 yd container to have the triangle put on standard containers. Last year, 112 containers were ordered, the savings on those containers based on the savings noted, the City would have saved \$3,670. Currently, we have a purchase order for approximately 250 containers, to be purchased over the year 2002. If we assume that we can save an average of \$40 per container, the City could save \$10,000 on the future purchases of containers. With the rapid growth of the City, this could mean additional savings.

Another significant savings is in the cycle time of the forks versus the triangle. The cycle time on the current triangle system takes from 45 seconds without any problems, to 90 seconds per container when problems occur. The cycle time for the fork system is 20 seconds. Changing to the fork system would save approximately 2.08 hours per route in cycle time alone. Two hours per route per week would result in \$100 saved from the first two routes.

The cost of the channels to convert the containers in stock is \$40 per bin. We feel that it would be best to hire a temporary certified welder to work on our yard welding the side channels to the containers. As the containers are welded, we would paint and apply labels, then have staged for delivery. We have bids from welders ranging from \$20 to \$50 per container for welding. We would require a minimum of 10 containers per day be completed.

To accomplish the two route conversion, initially we would bring in to the yard 50 containers from customers sites, leaving the customer another container. That supply of 50 containers would be converted, then delivered to the next 50 customers, etc. The two routes have 533 containers total. At no time will a customer be without a bin. These two routes could be completed in 53 days.

There are other labor savings from the maintenance of the triangle mechanism that will be realized as well. I am very familiar with the fork system, and have had very good productivity increases as a result of such a change.

The remainder of our fleet of front loaders could be converted to the fork system as those routes were changed out. We would realize the productivity increases, decreased cost of containers, increased productivity and less maintenance time to maintain the triangle system.

The savings from the cost of the vehicle is \$8,400 and \$10,000 reduction in purchase price of new containers. The initial expenses to cover the two routes is \$21,320 for the side channels and welding. The \$2,920 difference will be made up in the productivity increases gained by the more efficient equipment and reduced maintenance costs to service and repair the triangle devices. Further, the route efficiencies gained should allow us to add 18 hours per month to the two routes without adding any actual hours.



CITY OF FAYETTEVILLE

Inter-Office Memo

FLEET OPERATIONS DIVISION - PHONE: 501.444.3495 FAX: 501.444.3425
1525 S. Happy Hollow Road Extension: 495 FAX: 325
Fayetteville, AR 72701

TO: Carrol Hill, Environmental Affairs Administrator

FROM: W. A. Oestreich, Fleet Operations Superintendent

DATE: March 14, 2002

SUBJECT: Forks versus Triangles

Reference your memo regarding a proposal to change from the old style Load-All Style Triangle Lift Attachment to the more accepted current Fork Style on the Commercial Front Loader Style Trucks.

The fork style should prove to be a lower maintenance unit due to removal of the Air Cylinder and Lock Pins required on the triangle. It also will provide a more positive attachment to the container which will distribute the weight through two contact points rather than one. The safety of the fork system is obvious in their wider industry acceptance over the triangle.

Please note the price difference in cost between the two units. Reference attached correspondence from Arkansas Power Steering indicating a savings of \$4,200.00 per unit.

Please advise as soon as possible if we can utilize this savings on the two new units currently on order. I am pleased in your concern for initial cost savings, safety and decrease in maintenance requirements along with faster parts response due to industry standardization of the system.

May I add that this enforces my response to a comment heard recently regarding this change in systems. "When will Fayetteville get out of the competitions dust and upgrade?". Hopefully this will be an acceptable system and be implemented.

If you have questions or comments regarding this item, please contact me at ext. 494.

Thank You

Bill

**ARKANSAS POWER STEERING &
HYDRAULICS, INC.**

314 HEMLOCK
N LITTLE ROCK, AR 72114
501-372-4828 FAX 501-372-2886

QUOTE

DATE
3/14/2002

NAME / ADDRESS
CITY OF FAYETTEVILLE ATTN. CARROL MILL 479-575-8398 PH 479-444-3478 FAX

QTY	DESCRIPTION	COST	TOTAL
2	REPLACE A-FRAME W/FORKS (PER UNIT)	-4,200.00	-8,400.00
	(REF PO#02865) Sales Tax	0.00	0.00
TOTAL			5-8,400.00

14-43-502. Powers of council generally.

(a) The city council shall possess all the legislative powers granted by this subtitle and other corporate powers of the city not prohibited in it or by some ordinance of the city council made in pursuance of the provisions of this subtitle and conferred on some officer of the city.

(b)(1) The council shall have the management and control of finances, and of all the real and personal property belonging to the corporation.

(2)(A) The council shall provide the times and places of holding its meetings, which shall at all times be open to the public.

(B) The mayor, or any three (3) aldermen of any city or town, regardless of size or classification, may call special meetings in the manner as may be provided by ordinance.

(3) The council shall appoint, or provide by ordinance, that the qualified voters of the city, of the wards, or districts as the case may require, shall elect all such city officers as shall be necessary for the good government of the city and for the due exercise of its corporate powers, and which shall have been provided by ordinance, as to whose appointment or election provision is not made in this subtitle and not provided by any general law of the state in reference to cities of the first class.

History. Acts 1875, No. 1, 62, p. 1; C. & M. Dig., 7744; Pope's Dig., 9940;
A.S.A. 1947, 19-1011.
Acts 2001, No. 365, § 1.

14-43-501. Organization of city council.

(a)(1) The aldermen elected for each city shall annually, at the first council meeting in January, assemble and organize the city council.

(2)(A) A majority of the whole number of aldermen shall be necessary to constitute a quorum for the transaction of business.

(B) They shall be judges of the election returns and of the qualifications of their own members.

(C) They shall determine the rules of their proceedings and keep a journal thereof, which shall be open to the inspection and examination of any citizen. They may also compel the attendance of absent members in such manner and under such penalties as they shall think fit to prescribe.

(b)(1)(A) The mayor shall be ex officio president of the city council and shall preside at its meetings.

(B) The mayor shall have a vote to establish a quorum of the city council at any regular meeting of the city council and when his vote is needed to pass any ordinance, bylaw, resolution, order, or motion.

(2) In the absence of the mayor, the city council shall elect a president pro tempore.

History. Acts 1875, No. 1, 51, p. 1; C. & M. Dig., 7738-7741; Pope's Dig., 9934-9937; Acts 1981, No. 345, 1; A.S.A. 1947, 19-1010. Acts 2001, No. 354, § 1.

14-43-411. Alderman vacancy.

(a) (1) Whenever a vacancy shall occur, for any reason, in the office of alderman in any city of the first class, at any regular meeting after the occurrence of the vacancy, the city council shall proceed to elect by a majority vote of the remaining members elected to the council an alderman to serve for the unexpired term. Provided, however, it is necessary that at least a quorum of the whole number of the city council shall remain in order to fill a vacancy.

(2) The person elected by the council shall be a resident of the ward where the vacancy occurs at the time of the vacancy.

(b) When a vacancy occurs in any position of alderman in a city having a population of fifty thousand (50,000) or more, according to the most recent federal decennial census, and having a mayor-council form of government in which the electors of each ward elect one (1) or more aldermen, a new alderman shall be chosen in the following manner:

(1) If the unexpired portion of the term of alderman exceeds one (1) year, a successor shall be elected by a vote of the electors of the ward. The city council shall order a special election to be held within sixty (60) days of the date the vacancy occurs;

(2) If the unexpired portion of the term of alderman is one (1) year or less, a successor shall be chosen by a majority vote of the members of the council.

History. Acts 1943, No. 154, § 1; 1981, No. 303, § 1;
A.S.A. 1947, § 19-1026;
Acts 1997, No. 202, § 1.

14-42-104. Vacancies in certain alderman positions.

When a vacancy occurs in any position of alderman in a city having a population of fifty thousand (50,000) or more, according to the most recent Federal Decennial Census and having a mayor-council form of government in which the electors of each ward elect one (1) or more aldermen, a new alderman shall be chosen in the following manner:

(1) If the unexpired portion of the term of alderman exceeds one (1) year, a successor shall be elected by a vote of the electors of the ward. The city council shall order a special election to be held within sixty (60) days of the date the vacancy occurs;

(2) If the unexpired portion of the term of alderman is one (1) year or less, a successor shall be chosen by a majority vote of the members of the city council.

History. Acts 1977, No. 9, 1, 2; 1981, No. 303, 2;
A.S.A. 1947, 19-905.1.

14-42-105. Appointments of officers by council.

(a) All appointments of officers by any council of a municipal corporation shall be made viva voce, and the concurrence of a like majority shall be required.

(b) On the votes resulting in the appointment, the names of those voting and for whom they voted shall be recorded, and all such voting shall be public.

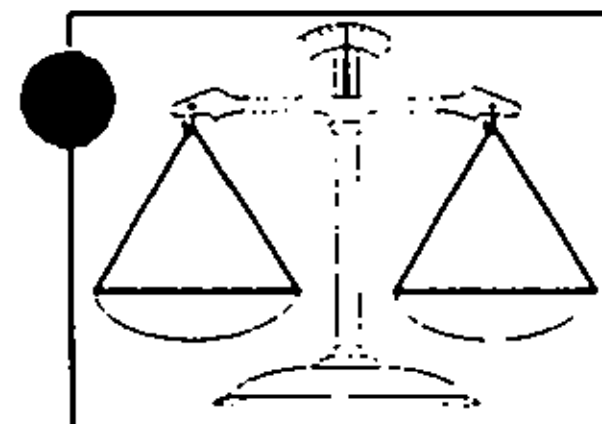
History. Acts 1875, No. 1, 29, p. 1; C. & M. Dig., 7518; Pope's Dig., 9578;
A.S.A. 1947, 19-905.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

KIT WILLIAMS, CITY ATTORNEY

DAVID WHITAKER, ASST. CITY ATTORNEY



LEGAL DEPARTMENT

DEPARTMENTAL CORRESPONDENCE

TO: Dan Coody, Mayor
City Council Members

FROM: Kit Williams, City Attorney

A handwritten signature in dark ink, appearing to read 'Kit Williams', followed by a long horizontal line extending to the right.

DATE: March 29, 2002

RE: Alderman Vacancy

After the sudden and tragic death of my friend, Alderman Trent Trumbo, it is my sad duty to inform you the proper procedure to fill his remaining term of office. Since Alderman Trumbo had less than one year remaining in his current term of office, A.C.A. §14-43-411 (b) (2) mandates that "a successor shall be chosen by a majority vote of the members of the council."

A.C.A. §14-42-103 states that filling such a vacancy "shall require a majority vote of the remaining members of governing body."

Assuming the City Council decides to fill this vacancy prior to completion of the Ward Two Special Election (April 23rd) and the probable runoff (May 14th), four votes will be needed to approve the appointment of Alderman Trumbo's successor. If no candidate receives more than three votes, Mayor Coody could cast the deciding vote. If the Council waited until after the Ward Two election, four votes would still be required, but Mayor Coody could not break a tie unless one member abstained or was absent.

Whoever will be selected will have large shoes to fill: Vice Mayor, long time Chairman of the City Council Water and Sewer Committee, dedicated public servant, champion for the Boys and Girls Club's new building, the new Senior Citizens Center, and the new Wastewater Treatment Plant. Trent has left his mark upon our hometown and will be sorely missed by all of us who had the pleasure and privilege to serve with him.

1 How many votes are needed to pass an ordinance or resolution?

A majority of the entire council is required to pass any "bylaw, ordinance, resolution or order." Ark. Code Ann. § 14-55-205. A majority is whatever number it takes to have more than half. On a five-member council, this would be three, a six-member council would require four and so forth.

A fairly common misconception is that all ordinances require a two-thirds vote to pass. This is incorrect, unless a specific statute states otherwise.

Frequently Asked Questions of Law

The mayor's powers, a council quorum and city council matters are reviewed.

Compiled by David Schoen, Legal Counsel,
Arkansas Municipal League

2 What if some members are absent. Does it then take fewer votes to pass?

No. You still must have a majority of the entire council. For example, if two members of a six-member council are absent or abstain, a three-to-one vote would not be sufficient, as three is not a majority of six.

3 How many members must be present in order to have a vote?

A quorum consists of a majority of the whole number of the council. Ark. Code Ann. § 14-45-501(a)(2)(A) (first class cities); Ark. Atty. Gen. Op. No. 96-584; (second class cities); Ark. Code Ann. § 14-45-101(b)(incorporated towns). For example, three council members are needed on a five-member council; four are required on a six-member council.

4 Is either the number of votes or the number needed for a quorum affected when voting to fill a vacancy on the council?

Yes as to the number of votes, no as to the need for a quorum. Ark. Code Ann. § 14-42-105 provides that a vacancy may be filled by a "majority of a quorum of the whole number of the governing body."

Thus, on a six-member council three favorable votes out of the remaining five members would be sufficient. Ark. Atty. Gen. Op. No. 97-265. However, if the mayor voted, four votes would be required to pass as there would then be six possible votes in all.

5 Can the mayor be counted as part of the quorum?

Only in cities of the second class. Ark. Code Ann. § 14-44-107. Thus, on a six-member council, if only three aldermen show up, the mayor could be the "fourth" needed to establish a quorum in a second-class city.

6 When can the mayor vote?

Whenever the mayors vote is needed to pass an ordinance, bylaw, order or resolution. Ark. Code Ann. §§ 14-45-501 (first class cities); 14-44-107 (second class cities); 14-45-105 (incorporated town); see also *Gibson v. City of Trumann*, 511 Ark. 561, 845 S.W.2d 515 (1995). An obvious example is when the vote is tied, for example, three-to-three on a six-member council. The mayor could cast the fourth vote needed for passage.

A tie is not the only situation in which a mayors vote might be needed to pass, however. For example, in question 2, we had a 3-1 vote on a six-member council. This could be the result of absence and/or abstention of two council members. We don't have a tie, but three votes is not enough for passage. The mayor may cast the fourth vote in order to pass the item.

Suppose the vote in the foregoing scenario is 2-2. The mayor cannot vote to "break the tie" because his vote would only create three in favor, again not enough on a six-member council.

There are two exceptions to the mayors right to vote for passage of an item. The Arkansas Supreme Court has ruled that a mayor may not vote to amend or repeal an initiative measure enacted by a vote of the people. *Thompson v. Younts*, 282 Ark. 524, 669 S.W.2d 471 (1984). In addition, the mayor may not vote to enact an emergency clause.

7 Can the mayor vote against an ordinance, resolution, etc?

Usually, the mayor may only vote for a measure, and then only when necessary to pass it. See Ark. Code Ann. § 14-44-107. However if a mayor in a second class city is voting to establish a quorum (see 14-44-107), then conceivably he could vote against the measure. However, he could achieve the same effect by not voting at all as there would not be a quorum to conduct business without his vote.

8 Must a city adopt a budget and if so, how does that occur?

Yes. Before Dec. 1 of each year, mayors of all cities and incorporated towns with a mayor-council form of government must submit to the governing body of those cities a proposed budget. That proposed budget should be for Jan. 1 through Dec. 31 of the following year. Ark. Code Ann. § 14-58-201 and page

(See Budget, page 16)

History. Acts 1875, No. 1, § 5, p. 1; C. & M. Dig., § 7459; Pope's Dig., § 9492; A.S.A. 1947, § 19-901.

Cross References. Corporate authority of towns, § 14-45-101.

CASE NOTES

ANALYSIS

In general.
Mayors.

In General.

No one but the state may challenge the existence of a municipal corporation, nor take advantage of the abandonment of corporate rights. *Town of Searcy v. Yarnell*, 47 Ark. 269, 1 S.W. 319 (1886); *Town of Madison v. Bond*, 133 Ark. 527, 202 S.W. 721 (1918).

Mayors.

The mayor of a second class city is a member of the council of a second class city and thereby entitled to vote on the municipal council's ordinances. *Clark v. Mahan*, 268 Ark. 37, 594 S.W.2d 7 (1980).

Cited: *Leadership Roundtable v. City of Little Rock*, 499 F. Supp. 579 (E.D. Ark. 1980).

14-42-103. Vacancies in municipal offices.

(a) Vacancies in municipal offices which are authorized by state law to be filled by appointment by the city or town governing body shall require a majority vote of the remaining members of the governing body. However, there must always be a majority of a quorum of the whole number of the governing body to fill the vacancy.

(b) The governing body may appoint any qualified elector, including members of a governing body, to fill the vacancy. However, a member of the governing body shall not vote on his own appointment.

History. Acts 1977, No. 9, §§ 1, 2; 1981, No. 303, § 2; A.S.A. 1947, § 19-905.1.

CASE NOTES

Resignation.

Arkansas law does not designate who is the proper authority to accept a municipal

officer's resignation. *Hopper v. Garner*, 328 Ark. 516, 944 S.W.2d 540 (1997).

14-42-104. Vacancies in certain alderman positions.

When a vacancy occurs in any position of alderman in a city having a population of fifty thousand (50,000) or more, according to the most recent federal decennial census and having a mayor-council form of government in which the electors of each ward elect one (1) or more aldermen, a new alderman shall be chosen in the following manner:

(1) If the unexpired portion of the term of alderman exceeds one (1) year, a successor shall be elected by a vote of the electors of the ward. The city council shall order a special election to be held within sixty (60) days of the date the vacancy occurs;

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

FINAL AGENDA CITY COUNCIL APRIL 2, 2002

A meeting of the Fayetteville City Council will be held on April 2, 2002 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain, Fayetteville, Arkansas.

NOMINATING COMMITTEE REPORT

A. CONSENT

1. **BOYS AND GIRLS CLUB:** A resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys and Girls Club.
2. **PAGERS:** A resolution increasing the City's annual pager/cell phone allotment by \$2,810.16. The increase will allow the Fire Department to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System.
3. **PROPERTY SALE:** A resolution approving the sale of City owned property in the Fayetteville Industrial Park identified as a lot split of Parcel R containing approximately 7.75 acres for \$20,000 per acre or an amount not to exceed \$155,000 and approval of a budget adjustment.
4. **SAGE HOUSE:** A resolution approving a lease agreement between the City of Fayetteville and Sage House.

B. OLD BUSINESS

1. **RZN 02-1.00:** An ordinance approving rezoning request RZN 02-1.00 for property located at 1140 Hendrix and 1110 Hendrix. The property is zoned R-1, Low Density Residential, and contains approximately 1.36 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was tabled on the third reading at the March 5, 2002 meeting.

- Remove from agenda*
2. **RZN 02-5.00:** An ordinance approving rezoning request RZN 02-5.00 for property located west of I-540 and south of Point West Phase I and east of Pine Valley Phase I. The property is zoned I-1, Heavy Commercial / Light Industrial and R-2, Medium Density Residential and contains approximately 14.84 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was left on the first reading at the March 5, 2002 meeting.
 3. **CDBG:** A presentation regarding the 2002 Community Development Block Grant.

C. NEW BUSINESS

1. **RZN 02-6.00:** An ordinance approving rezoning request RZN 02-6.00 as submitted by Terry Carpenter of US Infrastructure, Inc. for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.
2. **NEW WORLD SYSTEM:** A resolution approving the purchase of the Fire Department's portion of the New World Technology upgrade for the Computer Aided Dispatching/Records Management System which will allow the Fire Department to interface with the current CAD/RMS system to provide accurate reporting information.
3. **SOLID WASTE MODIFICATION:** Approval of the lift concept modification of vehicle configuration for the commercial route front load style sanitation vehicles. This will allow an upgrade to the newer style fork application and eliminate the triangle style lifts on vehicles as they are being replaced. This will also allow modifications to current containers and upgrade of containers as they are being replaced.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

TENTATIVE AGENDA CITY COUNCIL APRIL 2, 2002

A meeting of the Fayetteville City Council will be held on April 2, 2002 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain, Fayetteville, Arkansas.

NOMINATING COMMITTEE REPORT

A. CONSENT

- 1. APPROVAL OF THE MINUTES**
- 2. BOYS AND GIRLS CLUB:** A resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys and Girls Club.
- 3. PAGERS:** A resolution increasing the City's annual pager/cell phone allotment by \$2,810.16. The increase will allow the Fire Department to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System.
- 4. PROPERTY SALE:** A resolution approving the sale of City owned property in the Fayetteville Industrial Park identified as a lot split of Parcel R containing approximately 7.75 acres for \$20,000 per acre or an amount not to exceed \$155,000 and approval of a budget adjustment.

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3. **CDBG:** A presentation regarding the 2002 Community Development Block Grant.

C. NEW BUSINESS

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2. **NEW WORLD SYSTEM:** A resolution approving the purchase of the Fire Department's portion of the New World Technology upgrade for the Computer Aided Dispatching/Records Management System which will allow the Fire Department to interface with the current CAD/RMS system to provide accurate reporting information.
3. **ANIMAL CONCERNS COMMITTEE:** A resolution establishing an advisory committee to be known as the Animal Concerns Committee setting forth the selection process for membership and the responsibilities of the Animal Concerns Committee.
4. **SOLID WASTE MODIFICATION:** approval of the lift concept modification of vehicle configuration for the commercial route front load style sanitation vehicles. This will allow an upgrade to the newer style fork application and eliminate the triangle style lifts on vehicles as they are being replaced. This will also allow modifications to current containers and upgrade of containers as they are being replaced.

STAFF REVIEW FORM

☒ AGENDA REQUEST
☐ CONTRACT REVIEW
☐ GRANT REVIEW

For the Fayetteville City Council meeting of April 2, 2002

FROM:

Hugh Earnest

Urban Development

Community Dev.

Name

Division

Department

ACTION REQUIRED:

A Resolution to Approve a Lease Agreement between the City of Fayetteville and Sage House, a non-profit agency.

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 Davis 3/20/02
Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Marsha Fitching 3/20/02
Accounting Manager

ADA Coordinator

Date

K. J. Smith 3-18-02
City Attorney

Date

Nancy Smith
Internal Auditor

3/20/02
Date

Purchasing Officer

Date

Grant Officer

Date

STAFF RECOMMENDATION:

Division Head

Date

Cross Reference

Hugh Earnest
Department Director

Date

New Item: **Yes** **No**

G. H. Smith
Admin. Svcs Director

Date

Prev Ord/Res #: _____

Ken Coody
Mayor

Date

Orig Contract Date: _____

Consent
New Business

Description _____ Meeting Date _____

Comments:

Budget Coordinator

Reference Comments:

Accounting Manager

Reference Comments:

City Attorney

Reference Comments:

Purchasing Officer

Reference Comments:

ADA Coordinator

Reference Comments:

Internal Auditor

Reference Comments:

Grants Officer

Reference Comments:

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

Date: March 13, 2002

To: The Mayor and Council

From: Hugh Earnest, Urban Development Director *HE*
Yolanda Fields, CDBG Coordinator

Subject: Sage House Lease

Background

The City Council, in June 2001, approved a 99-year lease between the city of Fayetteville and the Sage House for a 2.715 acre parcel on Deane Solomon road. The Sage House is a non-profit agency that was established to provide assistance to clients requiring transitional housing. During this time period, City staff was also involved in a review of the status of the Business and Technology park acreage, which lies east of this location. As part of that review, we opened a conversation with representatives of the Sage House to ensure that this site was the location that would best serve their long-term interests. The City had acquired some acreage adjacent to Huntsville road, which had not been available when the negotiations on the Deane Solomon site occurred. The Board of the Sage House began an evaluation on the advantages and disadvantages of the two sites and has determined that the Huntsville site is preferable and will best meet their long-term goals. As an aside, City staff is of the opinion that the City interests will best be met by reserving the Dean Solomon site for a possible use associated with the Business and Technology Park.

Current Situation

Several months ago, members of the City Council toured the Huntsville Road site and at that time expressed no concern with a possible change in the area to be leased. The area proposed for the lease is shown on the attached plat. We will also provide the council with an aerial photo of the area with the property in question highlighted. If the City Council approves this lease, the Board of the Sage House is prepared to begin the permitting process for a building on this site.

Recommendation

It is our recommendation that the lease with the Sage House be approved.

RESOLUTION NO. 72-01

A RESOLUTION TO APPROVE A LEASE AGREEMENT
BETWEEN THE CITY OF FAYETTEVILLE AND
SAGE HOUSE, A NON-PROFIT AGENCY

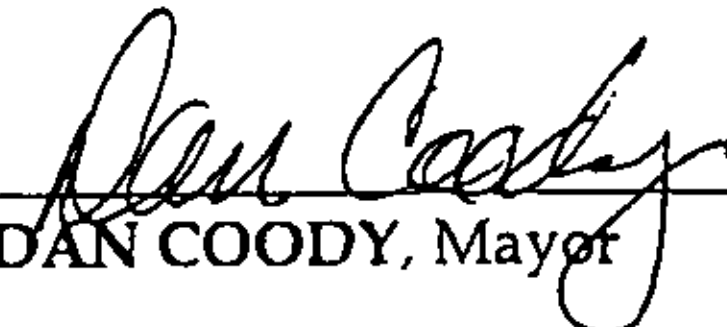
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE, ARKANSAS:

Section 1. The City Council of Fayetteville, Arkansas, hereby approves the Lease Agreement (attached hereto as Exhibit A) with Sage House because it determines that the provision of rent subsidized transitional housing is a needed government service for the citizens of Fayetteville.

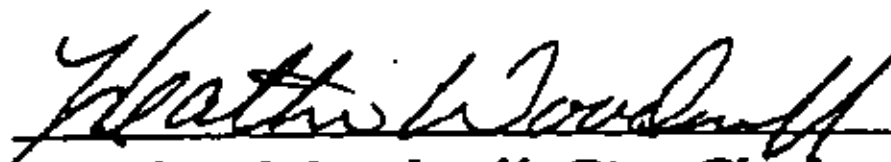
Section 2. The Mayor of the City of Fayetteville is authorized to sign this Lease Agreement for the City.

PASSED and APPROVED this the 5 day of June, 2001.

APPROVED:

By: 
DAN COODY, Mayor

ATTEST:

By: 
Heather Woodruff, City Clerk

LEASE AGREEMENT

This Agreement, made and entered into this 5 day of June, 2001, by and between the City of Fayetteville, Arkansas, hereinafter called "Lessor," and Sage House, hereinafter called "Lessee," Witnesseth:

WHEREAS, Sage House is a non-profit agency established and dedicated to serve as a rent subsidized transitional housing facility; and,

WHEREAS, providing transitional housing is a valid public purpose; and,

WHEREAS, Sage House will provide such services within the City of Fayetteville.

NOW, THEREFORE, the parties hereto agree as follows:

1. Leased Premises. For and in consideration of the rents, covenants and agreements herein entered into and agreed upon by the Lessee as obligations to the Lessor, the Lessor lets, leases and demises unto Lessee, subject to the terms and conditions contained herein, the following described property situated in Washington County, Arkansas.

A part of the Northwest Quarter (NW1/4) of Section 33, Township 17 North Range 30 West, Washington County, Arkansas, being more particularly described as follows: Commencing at the Northwest corner of said Section 33; thence along the west line of said Section 33, South 02°28'11" West 1072.67 feet, to the Point of Beginning; thence leaving said West line of Section 33, South 87°22'27" East 329.47 feet, to a point on the existing centerline of Deane Solomon Road; thence with said centerline South 02°29'56" West 395.06 feet to a PK nail; thence leaving said centerline North 87°22'27" West 329.27 feet along the proposed north right of way of Crystal Springs Drive, to a set iron pin on the west line of said Section 33, thence along said West line, North 02°28'11" East 395.06 feet, to the Point of Beginning, containing 2.987 acres, more or less. LESS AND EXCEPT thirty (30) feet of equal and uniform width off the East side of the above described property, containing 0.272 acre, more or less, being within the existing west right of way of Dean Solomon Road. Containing a net acreage of 2.715 acres, more or less.

To have and to hold said premises unto the said Lessee for and during the term herein stated, subject to the covenants, terms and conditions herein contained.

2. Term. This lease shall commence on July 1, 2001, and shall extend for a term of ninety-nine (99) years, ending at midnight on June 30, 2100.

3. Rent. In addition to other good and valuable consideration as set forth herein, Lessee agrees to pay to Lessor as rental the sum of One Dollar (\$1.00) to be paid annually, with the first payment due upon execution of this agreement and subsequent payments due on the first day of each and every year thereafter during the term of this lease.

4. Use. Lessee agrees to use the lease premises for the purpose of constructing, operating and maintaining a rent subsidized transitional housing facility. If at any time the property ceases to be used for this purpose, the lease shall terminate. Lessee agrees to furnish rent subsidized transitional housing for Fayetteville citizens and residents throughout this lease period. Lessee shall deliver quarterly written reports to the Mayor's office concerning the number of Fayetteville citizens/residents housed or otherwise assisted by Sage House.

5. Improvements. Lessee may make any such improvements as are necessary to carry out the service of providing rent subsidized transitional housing facilities. Design for any such improvements shall be approved by the City of Fayetteville. Upon termination of this lease, all improvements shall become the property of Lessor.

6. Taxes. Lessee shall pay any and all ad valorem taxes and special improvement district taxes levied and assessed against said premises and the improvements located thereon during the term of this lease.

7. Notices. All notices, requests, demands and other communications required by or permitted hereunder shall be in writing and shall be directed to the following:

City of Fayetteville
113 W. Mountain St.
Fayetteville, AR 72701

Sage House
614 E. Emma, Suite M401
Springdale, AR 72764

8. Assignment. Lessee shall not assign this lease or sublet the lease premises without prior written consent of the Lessor. Any such assignment or subletting shall in no way relieve Lessee from liability for the obligation imposed by this lease. Lessee may only be released from liability for the obligation imposed by this lease by a specific written release executed by Lessor.

9. Insurance.

A. Lessee shall be solely responsible for maintaining insurance on its property, including movables, trade fixtures, furniture, furnishings and inventory, as well as improvements to the property.

B. Lessee shall, during the term of this lease, maintain public liability insurance. The limits of such public liability insurance shall not be less than \$500,000.00 per person and \$500,000.00 per accident. The policy shall contain a clause that the insurer will not cancel or change the insurance without giving Lessor, ten days prior written notice. A certificate of such insurance shall be delivered to Lessor.

10. Maintenance. Lessee shall be responsible for all maintenance, routine preventative or corrective, on any and all improvements made to the leased property.

11. Compliance with Laws. Lessee agrees not to violate any law, ordinance, rule or regulation of any governmental authority having jurisdiction of the leased premises. This agreement shall be governed by the laws of the State of Arkansas.

12. Waste/Nuisance. Lessee agrees not to commit waste, nor permit waste to result or to be done to or upon the aforesaid premises. Further, Lessee agrees not to operate, nor permit to be operated, nor to exist thereon or therein, any public or private nuisance.

13. Title and Quiet Enjoyment. Lessor covenants and warrants that it is the owner in fee simply absolute of the leased premises and may lease said premises as herein provided. Upon payment by Lessee of the rents herein provided and upon the observance and performance of all the covenants, terms and conditions upon Lessee's part to be observed and performed, Lessee shall peaceably and quietly hold and enjoy the demised premises for the term hereby demised without hindrance or interruption by Lessor or any other person or persons lawfully or equitably claiming by, through or under Lessor, subject to the terms and conditions of this lease.

14. Severability. Each paragraph of this lease agreement is severable from all other paragraphs. In the event any court of competent jurisdiction determines that any paragraph or subparagraph is invalid or unenforceable for any reason, all remaining paragraphs and subparagraphs will remain in full force and effect.

15. Entire Agreement. This lease agreement contains the entire agreement of both parties hereto, and no other oral or written agreement shall be binding on the parties hereto. This lease agreement supersedes all prior agreements, contracts and understandings of any kind between the parties relating to the subject matter hereof.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hand and seals on this 6 day of June, 2001.

CITY OF FAYETTEVILLE, Lessor

By: Dan Coody
DAN COODY, Mayor

ATTEST:

By: Heather Woodruff
Heather Woodruff, City Clerk

SAGE HOUSE, Lessee

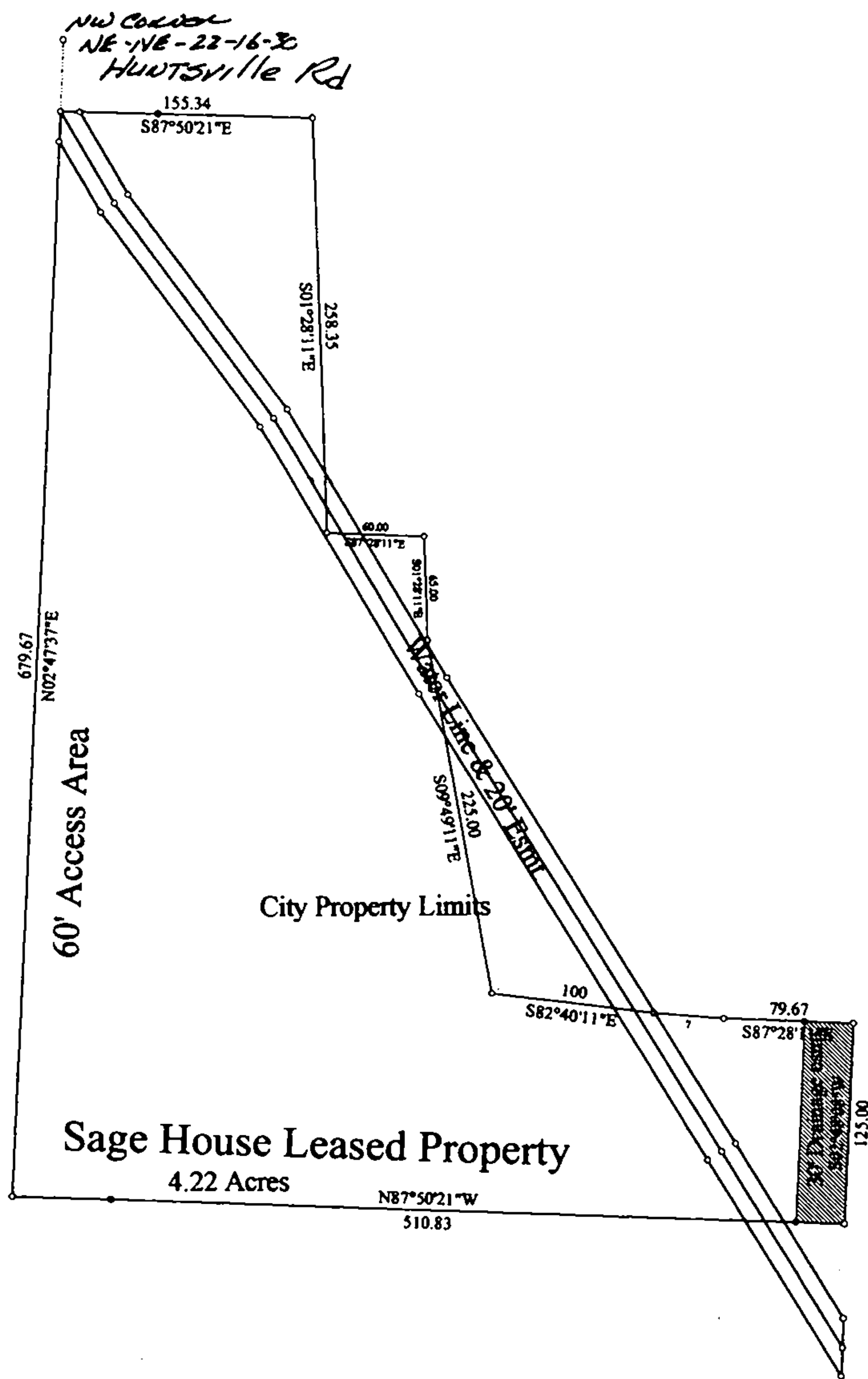
By: Depe Bradbury

Title: President, Board of Directors

ATTEST:

By: Depe Baker

Title: Accounting Clerk



Title: Sage House Property Description

Date: 02-27-2002

Scale: 1 inch = 100 feet

File: Sagenm2.dwg

Data and Deed Call Listing of Sageprp2.des

Tract 1: 0.000 Acres: 0 Sq Feet: Closure = s02.4737w 44.29 Feet: Precision = 1/ 1: Perimeter = 44 Feet
Tract 2: 4.224 Acres: 183998 Sq Feet: Closure = n85.2703w 0.04 Feet: Precision = 1/51204: Perimeter = 2302 Feet
Tract 3: 0.936 Acres: 40778 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision > 1/999999: Perimeter = 1479 Feet
Tract 4: 0.209 Acres: 9095 Sq Feet: Closure = n29.5923w 0.01 Feet: Precision = 1/136307: Perimeter = 1856 Feet
Tract 5: 0.206 Acres: 8990 Sq Feet: Closure = n66.1748w 0.00 Feet: Precision = 1/553120: Perimeter = 1828 Feet
Tract 6: 0.086 Acres: 3753 Sq Feet: Closure = n07.2651e 0.00 Feet: Precision = 1/90027: Perimeter = 310 Feet

001=N02.4737E 44.29
002=@1 Sage House Leased Prop.
003=S87.5021E 155.34
004=S01.2811E 258.35
005=S87.2811E 60.00
006=S01.2811E 65.00
007=S09.4911E 225.00
008=S82.4011E 100
009=S85.1619E 43.03
010=S87.2811E 79.67
011=S02.4808W 125.00
012=N87.5021W 510.83
013=N02.4737E 679.67
014=@1 Access Easement
015=S87.5021E 60
016=s02.4737w 679.67 ?
017=N87.5021W 60
018=N02.4737E 679.67
019=@1 South Esmt. Line
020=s02.4737w 18.63
021=s29.4009e 50.55
022=s35.4132e 166.08
023=s29.5834e 194.19
024=s30.5638e 341.24
025=s31.1559e 157.14
026=n02.4808e 17.85
027=n31.1559w 142.32
028=n30.5638w 341.13
029=n29.5834w 194.60
030=n35.4132w 166.05
031=n29.4009w 65.74
032=@1 North H2O Esmt Line
033=s29.4009e 65.74
034=s35.4132e 166.05
035=s29.5834e 194.60
036=s30.5638e 341.13
037=s31.1559e 142.32
038=n01.4808e 18.33
039=n31.1559w 126.93
040=n30.5638w 341.02
041=n29.5834w 195.01
042=n35.4132w 166.02
043=n29.4009w 59.01
044=n87.5021w 11.77
045=@11 Drainage Easement Area
046=/N87.2811W 30
047=S87.2811E 30
048=S02.4808W 125
049=N87.5021W 30
050=n02.4805e 125.19 ?

**SAGE HOUSE PROPERTY LEASE
1033 E. HUNTSVILLE ROAD
FAYETTEVILLE, AR 72701**

PROPERTY LEASE DESCRIPTION:

A part of the Northeast Quarter (NE $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-two (22), Township Sixteen (16) North, Range Thirty (30) West of the 5th Principal Meridian, being more particularly described herewith as follows: Beginning at a point South 02° 47' 37" East 44.29 feet from the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 22, said point being on the West line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 22 and on the South right of way line of Huntsville Road; running thence along said South right of way line South 87° 50' 21" East 155.34 feet; thence leaving said South right of way line of Huntsville Road South 01° 28' 11" East 258.35 feet; thence South 87° 28' 11" East 60.00 feet; thence South 01° 28' 11" East 65.00 feet; thence South 09° 49' 11" East 225.00 feet; thence South 82° 40' 11" East 100.00 feet; thence South 85° 16' 19" East 43.03 feet; thence South 87° 28' 11" East 79.67 feet; thence South 02° 48' 08" West 125.00 feet; thence North 87° 50' 21" West 510.83 feet to the West line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 22; thence with said West line North 02° 47' 37" East 679.67 feet, more or less, to the Point of Beginning, containing 4.22 acres, more or less, subject to rights of way and easements of record and subject to a public access easement, said easement being 60 feet in equal and uniform width, East of and adjacent to the West line of the property described hereinabove..

edc/ 02-27-02

Community

- **Development**

Block Grant

- **A Brief History:**

Helping to Build

a Better Community

Overview

- Community Development Division of the City of Fayetteville has been in existence since 1975.
-

Current Projects

- - Home-Owner Housing Rehabilitation
- - Emergency Repair
 - Elderly Transportation Program
 - Capital Projects

Grant Allocation History

2000

● Administration	93,315
Housing	122,713
PV/FV	104,000
Sage House	75,000
Taxicab Program	26,700
YRCC	<u>208,272</u>
TOTAL	630,000

Grant Allocation History

2001

● Administration	119,162
Housing	187,198
TBI	100,000
PV/FV	87,500
Sage House	87,500
● Public Services	16,640
Taxicab Program	25,000
YRCC	<u>42,000</u>
TOTAL	665,000

Community Development Block Grant

**2002 Award to
the City of Fayetteville:**

\$647,000

CDBG -

Internal Allocations

(2002)

Administration	\$129,390
Housing	\$324,610
Taxicab Program	\$30,000
YRCC	\$10,000
Walker Park	\$40,000

CDBG - Sub-recipients (2002)

- | | |
|----------------------|----------|
| Habitat for Humanity | \$20,000 |
| Boys and Girls Club | \$30,000 |
| Library | \$13,000 |
| SFCDC* | \$50,000 |

*The agreement for SFCDC is still under review.

Outstanding Projects

●	Sage House	\$153,635
	PV/FV	\$460,335
●	YRCC	<u>\$104,000</u>
	TOTAL	\$717,970

Opportunities for the Future

- - Allocate additional monies for housing.
- - Utilize funding to cover the cost of bonds issued for new home construction.

Opportunities for the Future

- - Subsidize transportation needs.
- - Improve our outreach relative to development of yearly plan.



P-1



MOUNT COMFORT RD

STEPHENS AVE

HENDRIX ST

HENDRIX ST

ADDINGTON AVE

CARTER ST

MAXWELL DR

ADDINGTON AVE

301 MAXWELL DR

ND MAXWELL DR

GARLAND AVE







Civil & Environmental Engineering
Landscape Architecture
Geological Services
Land Surveying
Planning

April 2, 2002

Mr. Tim Conklin, City Planner
City of Fayetteville
113 West Mountain Street
Fayetteville, Arkansas 72701

Via Fax 479-575-8316

Re: Fadil Bayyari Property Rezone
Fayetteville, Arkansas
NEC Project No. 240-008

Dear Mr. Conklin:

On behalf of Mr. Fadil Bayyari, I respectfully request to withdraw rezone request RZN 02-5.00 for property located west of Highway I-540 and south of Porter Road in Fayetteville, Arkansas. Please have the rezone request removed from the Tuesday, April 2, 2002, Fayetteville City Council Agenda. Mr. Bayyari has placed the project on hold. A new application will be submitted when the project is resumed.

Please call me at 479-271-0906 if you have any questions or need additional information.

Thank You,

A handwritten signature in cursive script, appearing to read 'Mike Bender'.

Mike Bender, EI
Project Manager

C: Mr. Fadil Bayyari, Owner
File 240-008

C:\Data\FOOTAI\WORD\240\Porter Road\Rezone Withdrawal.doc

211 South Main Street
Bentonville, Arkansas 72712

Phone (501) 271-0906
Fax (501) 271-8144
Email nseng@swbell.net

04-02-02P04:41 RCVD



Civil & Environmental Engineering
Landscape Architecture
Geological Services
Land Surveying
Planning

April 2, 2002

Mr. Tim Conklin, City Planner
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Mike Bender, EI
Project Manager

C: Mr. Fadil Bayyari, Owner
File 240-008

From: "Bill Moeller" <wmoeller@arkansasusa.com>
To: "Heather Woodruff" <hwoodruff@ci.fayetteville.ar.us>
Date: 3/22/02 11:17AM
Subject: Proposed City Council Resolution

To the Mayor, City Council, City Attorney, City Clerk, Press

I am writing to express my support for the proposed resolution re citizen comments during City Council meetings.

While five minutes might be severe, it is not unreasonable. I believe that anyone who takes the time in advance to think through what he wants to say can say it in five minutes or less if he states his point clearly, sticks to the point, and does not attempt to deliver a complete lecture on the subject.

Clearly, many members of the public have abused not only other members of the public but all of you whose job it is to attend these meetings by, in some cases, wandering aimlessly at length without ever getting to a clear point, and in other cases magnificently presenting a clear 30 minute lecture not included on the agenda. (There are other, more appropriate venues for 30 minute lectures.)

I do not agree with Alderman Young's comments re infringing on people's right to speak as reported in the Times. On the contrary, allowing the first speakers unlimited time infringes on the right of later speakers to be heard at all. Further, allowing all speakers unlimited time infringes on my right to have City Council decisions made by folks who are still clear headed and not nodding off from exhaustion.

Good luck. You are going to catch a lot a flack about this one. I am going to be out of town when you discuss this next Tuesday and later at the next City Council meeting, so I cannot be present to support you. You do have my permission to share this letter with anyone at any time that it might be useful to you.

Bill Moeller

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

TENTATIVE AGENDA CITY COUNCIL APRIL 2, 2002

A meeting of the Fayetteville City Council will be held on April 2, 2002 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain, Fayetteville, Arkansas.

NOMINATING COMMITTEE REPORT

A. CONSENT

1. **APPROVAL OF THE MINUTES**
2. **BOYS AND GIRLS CLUB:** A resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys and Girls Club.
3. **PAGERS:** A resolution increasing the City's annual pager/cell phone allotment by \$2,810.16. The increase will allow the Fire Department to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System.
4. **PROPERTY SALE:** A resolution approving the sale of City owned property in the Fayetteville Industrial Park identified as a lot split of Parcel R containing approximately 7.75 acres for \$20,000 per acre or an amount not to exceed \$155,000 and approval of a budget adjustment.

B. OLD BUSINESS

1. **RZN 02-1.00:** An ordinance approving rezoning request RZN 02-1.00 for property located at 1140 Hendrix and 1110 Hendrix. The property is zoned R-1, Low Density Residential, and contains approximately 1.36 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was tabled on the third reading at the March 5, 2002 meeting.

2. **RZN 02-5.00:** An ordinance approving rezoning request RZN 02-5.00 for property located west of I-540 and south of Point West Phase I and east of Pine Valley Phase I. The property is zoned I-1, Heavy Commercial / Light Industrial and R-2, Medium Density Residential and contains approximately 14.84 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was left on the first reading at the March 5, 2002 meeting.
3. **CDBG:** A presentation regarding the 2002 Community Development Block Grant.

C. NEW BUSINESS

1. **RZN 02-6.00:** An ordinance approving rezoning request RZN 02-6.00 as submitted by Terry Carpenter of US Infrastructure, Inc. for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.
2. **NEW WORLD SYSTEM:** A resolution approving the purchase of the Fire Department's portion of the New World Technology upgrade for the Computer Aided Dispatching/Records Management System which will allow the Fire Department to interface with the current CAD/RMS system to provide accurate reporting information.
3. **ANIMAL CONCERNS COMMITTEE:** A resolution establishing an advisory committee to be known as the Animal Concerns Committee setting forth the selection process for membership and the responsibilities of the Animal Concerns Committee.
4. **SOLID WASTE MODIFICATION:** approval of the lift concept modification of vehicle configuration for the commercial route front load style sanitation vehicles. This will allow an upgrade to the newer style fork application and eliminate the triangle style lifts on vehicles as they are being replaced. This will also allow modifications to current containers and upgrade of containers as they are being replaced.

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STAFF REVIEW FORM

X AGENDA REQUEST
xx CONTRACT REVIEW
GRANT REVIEW

For the Fayetteville City Council meeting of April 2, 2002

FROM:

Connie Edmonston
Name

Parks & Recreation
Division

Urban Development
Department

ACTION REQUIRED:

Approval of a resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys and Girls Club.

COST TO CITY:

NA
Cost of this Request

\$
Category/Project Budget

[Category/Project Name]
Category/Project Name

Account Number

\$
Funds Used To Date

[Program Name]
Program Name

1
Project Number

\$
Remaining Balance

[Fund]
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

[Signature]
City Attorney

3/14/02
Date

ADA Coordinator

Date

Purchasing Officer

Date

STAFF RECOMMENDATION:

Approval of lease agreement with the Fayetteville Boys and Girls Club

[Signature]
Division Head

3-12-02
Date

[Signature]
Department Director

3-12-02
Date

[Signature]
Administrative Services Director

3/15/02
Date

[Signature]
Mayor

3/15/02
Date

Cross Reference

New Item: Yes

No

Prev Ord/Res #: [Prev Ord/Res #]

Orig Contract Date: [Orig Contract Date]

Orig Contract Number: [Contract #]

Consent
New Business

STAFF REVIEW FORM

Description Lease Agreement with Fay. Boys & Girls Club

Meeting Date April 2, 2002

Comments:
Budget Coordinator

Reference Comments:

Accounting Manager

City Attorney

Purchasing Officer

ADA Coordinator

Internal Auditor

DEPARTMENTAL CORRESPONDENCE

TO: Mayor Coody and City Council

THRU: Hugh Earnest, Urban Development Director

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

DATE: March 12, 2002

RE: Lease Agreement with the Fayetteville Boys & Girls Club

Background

The City entered into a contractual agreement with the Fayetteville Boys and Girls Club in August of 2001. Included in this agreement was the city's intent to lease the Boys and Girls Club 8.16 acres of park land for the development of playing fields, parking, and trails to compliment the new facility and recreational programs. (See attached map. Park land is Tract 5 and 6. Tract 4 is the Club site.)

Current Status

This agreement leases 8.16 acres of park land lying adjacent to the future Boys and Girls Club for public recreational purposes for a term of 99 years. The contract which includes the working procedures and responsibilities between the Boys and Girls Club and Parks and Recreation are outlined in Ordinance 4372 as approved at the February 19, 2002 City Council meeting.

Recommendation

Parks and Recreation staff recommends approval of a resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land. It is the goal of Parks and Recreation Division and the Boys and Girls Club to work in cooperation to enhance the recreation facilities and programs offered to the public and to act together in meeting the needs of the citizens of Fayetteville. The City is proud of the Boys and Girls Club's admirable endeavor for this new facility.

Attachments:

Property Map

Conceptual Plan of Fayetteville Boys and Girls Club

City of Fayetteville
AR 72703
75-16251-001

A-1

TRACK
MENT
MENT

R-16

UTILITY EASEMENT

ROAD R/W

5' FOR ROAD R/W

UTILITIES EASEMENT

L-15

FAYETTEVILLE

SW-SE
12-16-31

SE-SE
12-16-31

NW-NE
12-16-31

NE-NE
12-16-31

ZONED A-1

Freight Corp.
P.O. Box 1888
Fayetteville, AR 72702
(Tax Parcel No. 783-16250-004)

ZONED R-0

ZONED A-1

ZONED R-0

RANGE 31 WEST
RANGE 30 WEST

TRACT 3

21.63 ACRES

W&M Land Investments, Inc.
1308 Oaks Manor Drive
Fayetteville, AR 72703
(Tax Parcel No. 783-16250-000)

ZONED R-2

TRACT 4

9.61 ACRES

Fayetteville Youth Center
Attn: John Benberg
815 California Blvd.
Fayetteville, AR 72701
(Tax Parcel No. 783-16250-008)

ZONED A-1

TRACT 5

6.37 ACRES

W&M Land Investments, Inc.
1308 Oaks Manor Drive
Fayetteville, AR 72703
(Tax Parcel No. 783-16250-000)

CITY LIMITS OF FAYETTEVILLE

TRACT 6

8.79 ACRES

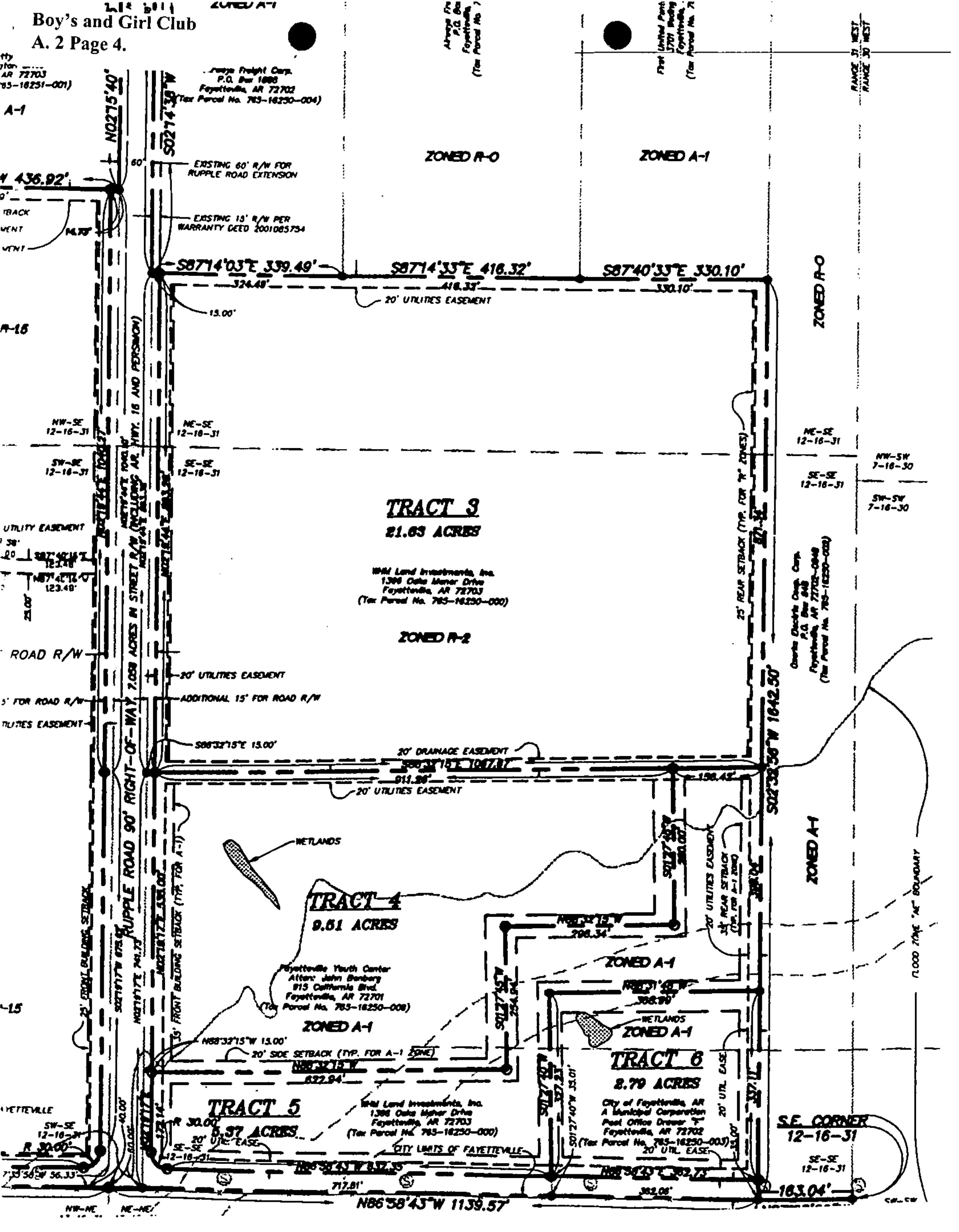
City of Fayetteville, AR
A Municipal Corporation
Pool Office Drawer 7
Fayetteville, AR 72702
(Tax Parcel No. 783-16250-003)

ZONED A-1

S.E. CORNER
12-16-31

SE-SE
12-16-31

FLOOD ZONE "A" BOUNDARY



RESOLUTION NO. _____

A RESOLUTION TO APPROVE A 99 YEAR LEASE OF
8.16 ACRES OF PARK LAND TO THE FAYETTEVILLE
YOUTH CENTER, INC.

WHEREAS, on August 21, 2001, the City of Fayetteville entered into a Contractual Agreement with the Fayetteville Youth Center, Inc. and agreed "to enter into a long term lease for the park land"; and

WHEREAS, it remains in the best interests of the citizens of Fayetteville to lease this park land adjoining the new Boys and Girls Club funded primarily by a grant from the Donald W. Reynolds Foundation.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby agrees to lease the 8.16 acres of park land adjoining the new Boys and Girls Club to the Fayetteville Youth Center, Inc. d/b/a/ Fayetteville Boys and Girls Club, Inc. for 99 years, pursuant to the terms and conditions of the Lease Agreement attached as Exhibit A. The mayor is authorized to sign this Lease Agreement.

PASSED and APPROVED this 2nd day of April, 2002.

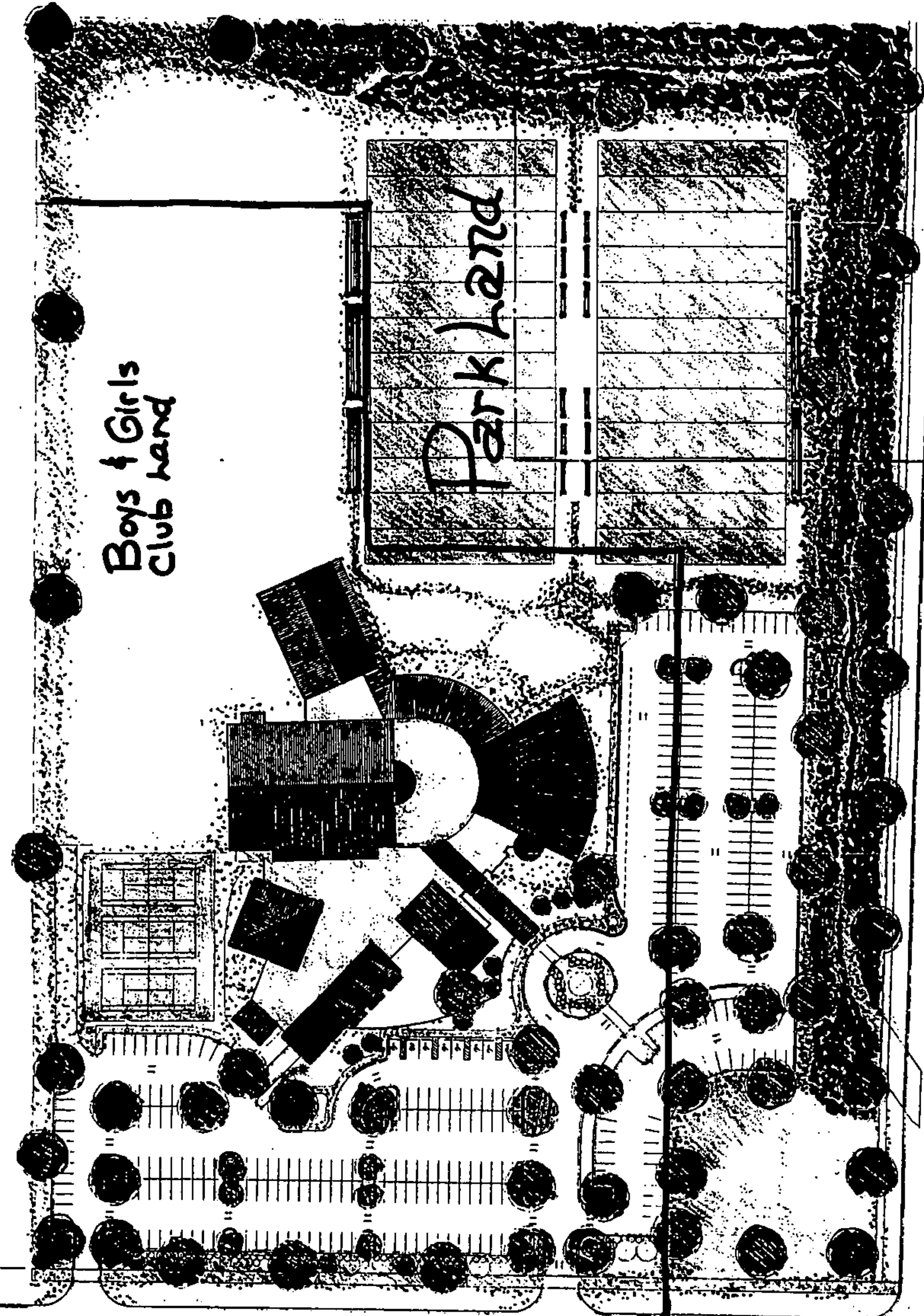
APPROVED:

By: _____
DAN COODY, Mayor

DRAFT

ATTEST:

By: _____
Heather Woodruff, City Clerk



1 SITE PLAN

Donald W. Reynolds Boys and Girls Club
Fayetteville, Arkansas

LEASE AGREEMENT

This Agreement of Lease ("Lease"), made and entered into this __ day of _____, 2002, by and between the City of Fayetteville, Arkansas, its successors and assigns hereinafter designated as "Lessor," and Fayetteville Youth Center d/b/a Fayetteville Boys and Girls Club, hereinafter designated as "lessee," Witnesseth:

WHEREAS, Lessor is the owner of real property located within the boundaries of the City of Fayetteville, Washington County, State of Arkansas; and,

WHEREAS, Lessee is the owner of the adjacent property on which it intends to construct a new facility for the Fayetteville Boys and Girls Club; and,

WHEREAS, the Lessee wishes to use the Lessor's land for playing fields, parking, trails, and other items needed for the operation of the facility.

NOW, THEREFORE, the parties agree as follows:

1. PREMISES. For and in consideration of the rents, covenants and agreements herein entered into and agreed upon by the Lessee as obligations to the Lessor, the Lessor lets, leases and demises unto Lessee, subject to the terms and conditions contained herein, the following described property situated in Washington County, Arkansas,

Tract Five (5) of the WHM Land Investments, Inc., containing 5.37 acres, more or less, subject to easements and rights-of-way of record.

AND

Tract Six (6) of the WHM Land Investments, Inc., containing 2.79 acres, more or less, subject to easements and rights-of-way of record.

2. TERM. The term of this Lease shall be ninety-nine years beginning on the date of execution and ending ninety-nine years later.

3. RENTAL. Lessee agrees to pay as rent for said leased premises One Dollar (\$1.00), each year payable in advance on the date of execution and on the anniversary date of such execution at the address of the Lessor or at such other place as Lessor may designate by written notice to Lessee.

4. USE. Lessor covenants that the subject real property shall be used for recreational purposes and for no other purpose without written consent of Lessor having been obtained in advance. It is understood that a portion of the property will be used for parking and other necessary functions relating to the facility.

5. ASSIGNMENT and LEASE. Lessee shall have no right at any time during the term of this Lease or any renewal or extension thereof to assign or sublease. However, Lessee may allow other organizations temporary or seasonal use of the property provided Lessee remains the primary user.

6. INSURANCE.

A. Lessee shall maintain, at its own cost and expense, public liability insurance, naming Lessor as an additional insured with limits of liability in an amount of One Million Dollars (\$1,000,000.00) for bodily injury, personal injury, death to any one person or damage to property.

B. Lessee shall be solely responsible for maintaining insurance on its property including but not limited to moveables, trade fixtures, furniture, furnishings and inventory.

7. UTILITIES AND MAINTENANCE. Lessee shall pay for all utilities, which are consumed by Lessee in the operation of these Premises. Moreover, Lessee shall pay for all costs of maintaining the leased property which must be maintained appropriately for park purposes. Any current and or future development and maintenance activities shall meet or

exceed all federal regulations and requirements pertaining to designated wetlands.

8. SIGNS. Lessee may place such signs, as it may deem proper on the premises, so long as said signs are in compliance with Lessor's sign ordinances.

9. RECREATIONAL USE. Citizens, who are not members, shall be allowed to use the entire facility for a nominal daily use fee. Lessee will not charge citizens to be present on the park land (other than the playing fields); however, the Lessee has the responsibility to schedule events on the park land. The playing fields shall be game fields and use must be scheduled through the Lessee. Unaffiliated groups that appropriately meet the criteria for use of the game fields will be allowed to schedule use of the fields for a fee that is based on the operation and maintenance costs of the fields. Lessee may close the playing fields during any period for the protection of the condition of the playing surface. Lessee shall be responsible for scheduling and maintaining the park land. Restroom facilities with outside access shall be available during club hours to the general public and shall be available to specific field users at all scheduled times of use. Lessee will open its facility to the public without costs on specific scheduled days announced in advance of such times. The facility shall be open to the public without costs for a minimum of four days each calendar year beginning in year 2004.

10. LIENS. The Lessee herein shall not have any authority to create any liens for labor or materials on the Lessor's interest in the described premises, and all persons contracting with the Lessee for the erection, installations, alterations, or repair of any building or other improvements on the described premises are hereby charged with notice that they must look to the Lessee and to the Lessee's interests only to secure the payment of any bills for work done or material furnished during the term created by this Lease. Lessor

shall not be liable nor shall the leased premises be subject to any mechanics, materialmen, or other type of liens. Lessee shall keep the premises and property in which the leased premises are situated free from any such liens and shall indemnify Lessor against and satisfy any such liens which may be obtained because of acts of Lessee notwithstanding the foregoing provision. Moreover, Lessee must receive written permission from Lessor prior to constructing any building on the lease property.

11. INDEMNIFICATION. Lessee shall indemnify and hold Lessor harmless from and against any and all loss, cost, damage, and expense (including attorney's fees and cost of litigation) resulting from all claims for damage or injury to any person or property arising out of any or in any way connected with Lessee's use and occupancy of the leased premises or resulting from any act or omission of Lessee, its employees, agents, guests, invitees, or otherwise with respect to the premises, unless such injury or damage results from, or arises out of, or in any way connected with, the negligence or improper conduct or other acts or omissions of Lessor, its employees, agents, guests, invitees, or otherwise. No sentence clause, phrase or paragraph contained herein shall be construed to waive that tort immunity as set forth under Arkansas law.

12. LESSEE'S DUTY TO REPAIR. Lessee shall keep fences and any other structure on the lease property in good repair throughout the term of this lease.

13. EVENTS OF DEFAULT. The occurrence of any events described in Paragraphs 13.1 through 13.5 hereinbelow shall constitute an event of default under this lease.

13.1. Failure by Lessee to pay in full any rental hereunder within thirty (30) days of the date of Notice of Default from Lessor to Lessee.

13.2. Default by Lessee in observance or performance of any of the terms,

covenants, agreements, or conditions contained in this for a period of thirty (30) days after notice to Lessee by Lessor. Provided however, that if such default cannot be cured within such thirty (30) day period due to events beyond Lessee's reasonable control, then the time for curing such default shall be extended provided the Lessee has diligently undertaken to cure such default promptly after receipt of Notice of Default from Lessor.

13.3. The Premises of Lessee's interest therein are levied upon or attached under process against Lessee and not satisfied or dissolved within forty-five (45) days after notice from Lessor to Lessee to obtain satisfaction thereof.

13.4. The assignment, subletting or mortgaging of the Premises.

13.5. Facility and/or fields cease to be used by the Lessee for recreational purposes.

14. REMEDIES. Whenever any event of Default shall have happened, Lessor may terminate this lease.

15. TERMINATION/IMPROVEMENTS. Upon termination of the Lease, either by expiration of the term, or by remedy for default, all improvements attached to the land shall remain attached thereto and shall become the property of Lessor.

16. QUIET ENJOYMENT. The Lessor covenants and agrees that Lessee, on paying said annual rent and performing the covenants herein, shall and may peaceably and quietly hold and enjoy the said leased premises.

17. NOTICES. All notices, demands, and requests required under this Lease shall be in writing. All such notices, demands, and requests shall be deemed sufficiently given for all purposes hereunder if sent by U.S. certified or registered mail, postage prepaid, to the Lessor or lessee at the addresses indicated below or at such other addresses as Lessor or Lessee may

from time to time designate by written notice addressed to the other. Such notices, demands, and requests shall be deemed sufficiently given upon receipt by the party to whom such notice is addressed.

City of Fayetteville
Parks & Recreation Division
113 West Mountain Street
Fayetteville, Arkansas 72701

Fayetteville Youth Center, Inc.
915 California Drive
Fayetteville, Arkansas 72701

18. WAIVER. No failure by either party hereto to insist upon the strict performance of any covenant, term or condition of this Lease, or to excise any right or remedy upon a breach thereof shall waive such covenant, term, condition, right, or remedy. Either party shall have the right to seek performance of any covenant, term or condition at any time and take such action as may be lawful or authorized, either in law or in equity. This Lease shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

19. COMPLIANCE WITH LAWS. Lessee agrees not to violate any law, ordinance, rule or regulation of any governmental authority having jurisdiction of the leased premises.

20. WASTE. Lessee agrees not to commit waste, nor permit waste to result or to be done to or upon the aforesaid property and premises.

21. SEVERABILITY. Each paragraph of this lease agreement is severable from all other paragraphs. In the event any court of competent jurisdiction determines that any paragraph or subparagraph is invalid or unenforceable for any reason, all remaining paragraphs and subparagraphs will remain in full force and effect.

22. INTERPRETATION. This lease agreement shall be interpreted according to and enforced under the laws of the State of Arkansas.

23. WRITTEN AGREEMENT. This Lease, and any other executed documents of even date herewith, contains the entire Lease between the parties hereto and there are no representations, warranties, understandings, and agreements other than those expressly set forth herein and therein. This Lease may not be modified, altered, terminated, or discharged in any manner except by an instrument in writing, signed on or subsequent to the date hereof by the duly authorized representatives of the party charged herewith.

IN WITNESS WHEREOF, the parties have executed this Lease on this date first above written.

LESSORS

By: _____
Charles Daniel Coody, Mayor

ATTEST:

By: _____
Heather Woodruff, City Clerk

LESSEE.

By:  _____
Mike Hill, President

ATTEST:

By: _____

Title: _____

STAFF REVIEW FORM

Pagers
A.3 Page 1.

**Agenda Request
FOR THE FAYETTEVILLE CITY COUNCIL MEETING OF**

April 2, 2002

FROM:

Chris Bosch
Name

Fire Chief
Division

Fire
Department

ACTION REQUIRED: Request a Resolution increasing the City's annual Pager/Cell Phone allotment by the amount of ~~\$4,000.42~~ ^{\$2810.16} Increasing this amount will allow the Fire Dept. to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System.

COST TO CITY:

\$2811.00 (rounded)
Cost of this request

210,740⁰⁰
Category/Project Budget

SERVICES + CHARGES
Category/Project Name

1010-3020-5310-01
Account Number

74,244⁰⁰
Funds Used To Date

FIRE OPERATIONS
Program Name

Project Number

136,496⁰⁰
Remaining Balance

GENERAL FUND
TAX FUND

BUDGET REVIEW: X Budgeted Item

Budget Adjustment Attached

Ally S...
Budget Coordinator Manager

Administrative Services Director

CONTRACT/LEASE REVIEW

GRANT APPLICATION REVIEW

Maria F...
Accounting Manager

3/12/02
Date

K...
City Attorney

3/14/02
Date

Purchasing Officer

Date

Prescy

Danny Smith
Internal Auditor

3/14/02
Date

Internal Auditor

Date

STAFF RECOMMENDATION

Increase the City's annual Cell Phone & Pager allotment by \$2810.16

Division Head

Date

C. B. B...
Department Director

3/12/02
Date

C. J. Wilber
Administrative Services Director

3/15/02
Date

Ken...
Mayor

3/14/02
Date

CROSS REFERENCE

NEW ITEM: YES

PREV/ORD/RES. # N/A

ORIG. CONTRACT DATE N/A

CONTRACT # N/A

STAFF REVIEW FORM

DESCRIPTION _____

MEETING DATE _____

COMMENTS:

Budget Coordinator

Reference Comments:

Accounting Manager

Reference Comments:

City Attorney

Reference Comments:

Purchasing Officer

Reference Comments:

ADA Coordinator

Reference Comments:

Internal Auditor

Reference Comments:

Changed amount to \$2810.16;
\$1248.96 is for current 8 pagers
that are already allowed for in
current contract allotment of \$25,000.
← from 10500 3-14-02

From the Desk of the Fire Chief

Fayetteville Fire Dept

Memo

To: The Fayetteville City Council
From: Chris Bosch, Fire Chief (CB)
CC: Dan Coody, Mayor
Date: March 12, 2002
Re: Fire Department's High Band Radio System

Currently, the Fire Department utilizes a high band paging and radio system to notify its off-duty personnel when the need for emergency callback arises. This callback is often utilized for events such as multiple alarm fires, natural disasters and other events that may require additional staffing upgrades. There are also several services, which must be performed in order to keep this system working efficiently and effectively. Some examples of those services are regular hardware and software upgrades, the issuance of high band radio pagers to each Fire Department employee and annual repeater and antenna maintenance at the current tower site located on Mt. Sequoyah.

After carefully examining historical data related to the use of this system, we have determined that this system is quite costly, overly complicated and seldom used. In fact these units are only used approximately 3-4 times per year. Further, the proposed upgrade of this system and its components will cost the City approximately \$62,903 (as a one time cost), plus future expenditures for the above-mentioned improvements. These funds have been identified in the 2002-2006 Capital Improvements Budget.

I believe it is possible for the Fire Department to accomplish the same goal by utilizing standard digital pagers from our current vendor and generate a cost savings of approximately \$58,844. It is my understanding the City Council has placed a ceiling on the amount of money available for the annual paging contract with Allcom. This proposal could place the City above the annual dollar limit as prescribed by the Council; however, I believe, the savings realized by this change will be beneficial to all parties involved in this process and will reduce the workload for other City Departments who are charged with maintaining this obsolete system as well as reduce the amount of confusion related to the current emergency call-back procedures.

With this in mind I am requesting that the Fire Department be allowed to exceed the current annual pager allocation-funding limit in the amount of \$2,810.16. I have attached a copy of the proposed project cost worksheet for your review. If you have any questions I will be happy to discuss them with you, at your convenience.

Attachments/ 1

3/12/2002

High Band Paging System Proposal

Fayetteville Fire Dept

Pagers

A. 3 Page 4.

Current Paging Equipment Expense

Equipment	Units	Annual Cost Per Unit	Annual Total
Staff Pagers	8	156.12	1248.96

Proposed Additional Paging Equipment Expense

Equipment	Units	Annual Cost Per Unit	Annual Total
Staff Pagers	18	156.12	2810.16

Total Cost of New and Proposed Equipment	4059.12
--	---------

Proposed High Band Equipment Upgrade Costs

Quantity		Unit Price	Total
20	Motorola VHF Portable Radio w/antenna charger, belt, and high cap battery	\$ 599.00	\$ 11,980.00
80	Motorola Minitor 3, Channel 2 VHF Pager, w/charger and battery	391	\$ 31,280.00
5	Motorola SM-120 16 Channel VHF Mobile Radio, w/antenna and installation.	531	\$ 2,655.00
4	Motorola SM-120 VHF Mobile Radio w/power supply, antenna and installation	1061	\$ 4,244.00
1	Motorola MTR-2000 100 watt VHF Repeater w/duplexer	6000	\$ 6,000.00
1	Labor to install and set-up Repeater	250	\$ 250.00
1	VHF Repeater Antenna System w/antenna, feedline, grounding, installation.	2980	\$ 2,980.00
1	FCC VHF Repeater Coordination Fee	400	\$ 400.00
Sub-Total:			\$ 59,789.00
Sales Tax:			3114.19
Total:			\$ 62,903.19

Proposed Net Savings

Cost of High Band Upgrade	\$ 62,903.19
Cost of New and Proposed Paging Equipment (from above listing)	\$ 4,059.12
Total Savings:	\$ 58,844.07

From the Desk of the Fire Chief

Fayetteville Fire Dept

Memo

To: The Fayetteville City Council
From: Chris Bosch, Fire Chief (CB)
CC: Dan Coody, Mayor
Date: March 12, 2002
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I believe it is possible for the Fire Department to accomplish the same goal by utilizing standard digital pagers from our current vendor and generate a cost savings of approximately \$58,844. It is my understanding the City Council has placed a ceiling on the amount of money available for the annual paging contract with Albcom. This proposal could place the City above the annual dollar limit as prescribed by the Council; however, I believe, the savings realized by this change will be beneficial to all parties involved in this process and will reduce the workload for other City Departments who are charged with maintaining this obsolete system as well as reduce the amount of confusion related to the current emergency call-back procedures.

With this in mind I am requesting that the Fire Department be allowed to exceed the current annual pager allocation-funding limit in the amount of \$2,810.16. I have attached a copy of the proposed project cost worksheet for your review. If you have any questions I will be happy to discuss them with you, at your convenience.

Attachments/ 1

3/12/2002

High Band Paging System Proposal

Fayetteville Fire Dept.

Current Paging Equipment Expense

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Proposed Additional Paging Equipment Expense

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---	----------------

Proposed High Band Equipment Upgrade Costs

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1	Labor to install and set-up Repeater	250	\$ 250.00
1	VHF Repeater Antenna System w/antenna, feedline, grounding, installation.	2980	\$ 2,980.00
1	FCC VHF Repeater Coordination Fee	400	\$ 400.00
Sub-Total:			\$ 59,789.00
Sales Tax:			3114.19
Total:			\$ 62,903.19

Proposed Net Savings

Cost of High Band Upgrade	\$ 62,903.19
Cost of New and Proposed Paging Equipment (from above listing)	\$ 4,059.12
Total Savings:	\$ 58,844.07

STAFF REVIEW FORM

☒ AGENDA REQUEST
☒ CONTRACT REVIEW
☐ GRANT REVIEW

For the Fayetteville City Council meeting of April 2, 2002

FROM:

Ray M. Boudreaux
Name

Airport
Division

Aviation & Economic Development
Department

ACTION REQUIRED: An ~~Ordinance~~ ^{Resolution} by the Fayetteville City Council to approve the sale of City owned property in the Fayetteville Industrial Park Identified as a Lot Split of Parcel R containing approximately 7.75 acres for \$20,000.00 per acre or an amount not to exceed \$155,000.00. and a Budget Adjustment.

COST TO CITY:

\$ <155,000>

Cost of this Request

1010-0001-4881-02

Account Number

Project Number

\$ <459,000>

Category/Project Budget

\$ <456,576>

Funds used to date

\$ <2,424>

Remaining Balance

Gain/Loss Sale of Assets
Category/Project Name

Program Name

General Fund

Fund

BUDGET REVIEW:

☐ Budgeted Item

☒ Budget Adjustment Attached

[Signature] 3-15-02
Budget Manager Date

Administrative Services Dir. Date

CONTRACT/GRANT/LEASE REVIEW:

Maisha Turner 3/15/02
Accounting Manager Date

Danny Smith 3/15/02
Internal Auditor Date

GRANTING AGENCY

[Signature] 3/15/02
City Attorney Date

ADA Coordinator Date

Purchasing Officer Date

Grants Coordinator Date

STAFF RECOMMENDATION:

Recommend Approval

Division Head

Department Director

Administrative Services Director

Mayor

Date

Date

Date

Date

Cross Reference

New Item: Yes ☒ No

Prev. Ord/Res#: _____

Orig Cont. Date: _____

Orig Cont #: _____

STAFF REVIEW FORM

Page 2

Meeting Date: April 2, 2002

Description: Sale of 7.75 acres of industrial property in the Industrial Park by the City of Fayetteville to Superior Industries of Fayetteville for use as a parking lot and potentially a warehouse. Sale will require a lot spilt.

Comments:

Budget Manager

Accounting Manager

City Attorney

Purchasing Officer

Internal Auditor

ADA Coordinator

Grants Coordinator

Reference Comments:

Reference Comments:

Reference Comments:

Reference Comments:

Reference Comments

Reference Comments:

Reference Comments:

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS
DAN COODY, MAYOR

Property Sale
A. 4 Page 3.

4500 School Ave., Suite F
Fayetteville, AR 72701
501.718.7642

AVIATION AND ECONOMIC DEVELOPMENT
RAY M. BOUDREAUX, DIRECTOR

TO: Dan Coody, Mayor
City Council Members

THRU: Staff Review Committee

FROM: Ray M. Boudreaux, Director 

DATE: March 15, 2002

SUBJECT: Sale of City of Fayetteville owned property

Background: Attached please find a Letter of Intent, and a basic description of the project, from Superior Industries. The company wishes to purchase a portion of Lot R in the Industrial Park which is east of their current property. The purchase will require a lot split. The company is growing and has added 69 employees since last year at this time and will add another 70 employees before August 2002.

Purpose: The purpose of this agenda item is to approve an ordinance for the sale of real property to be further identified as Lot Split Tract "R" by Land Management. The remainder of this property is in a flood plain and could be used for park land. Superior will use the property for a parking lot initially and potentially a warehouse.

Budget Considerations: The tract of land will be sold for \$20,000.00 per acre.

Requested Action: Staff recommends the City Council approve the Ordinance authorizing the sale of this property to Superior Industries of Fayetteville.

Attachments: Staff Review Form
Letter of Intent
Description of the property



SUPERIOR INDUSTRIES INTERNATIONAL, INC.

1901 BORICK DRIVE • FAYETTEVILLE, AR 72701
(501) 443-7870 • FAX (501) 443-4522

March 12, 2002

Ray Boudreaux
Aviation & Economic Development Director
City of Fayetteville
Fayetteville, Arkansas 72701

Dear Ray:

Superior Industries International, Inc., requests the option to purchase or long term lease 5.3 to 7.75 acres of Lot R in the industrial park which immediately adjoins Superior's existing east property line.

Sincerely,

A handwritten signature in black ink, appearing to read "R. D. Bracy", is written over the printed name.

Robert D. Bracy
Vice President Facilities Engineering

<u>Plant</u>	<u>January 2001</u>	<u>March 2002</u>
Chrome	451	475
Casting	937	982
Total	1388	1457

Additionally Chrome has a request for an additional 70 employees before August 02

3/12/02
C. Goodale

STAFF REVIEW FORM

RZN 02-6.00

C. 1 Page 1.

☒ AGENDA REQUEST
☐ CONTRACT REVIEW
☐ GRANT REVIEW

For the Fayetteville City Council meeting of April 2, 2002.

FROM:

Tim Conklin

Name

Planning

Division

Urban Development

Department

ACTION REQUIRED: To approve an ordinance for RZN 02-6.00 as submitted by Terry Carpenter of US Infrastructure, Inc. for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.

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: Staff recommended approval and on March 11, 2002 the Planning Commission voted 8-0-0 to recommend approval and to forward the rezoning to the City Council.

Division Head

Date

Cross Reference

Department Director

Date

New Item: **Yes**

Administrative Services Director

Date

Prev Ord/Res #:

Mayor

Date

Orig Contract Date:

Orig Contract Number:

ORDINANCE NO. _____

**AN ORDINANCE REZONING THAT PROPERTY DESCRIBED
IN REZONING PETITION RZN 02-6.00 FOR A PARCEL
CONTAINING APPROXIMATELY 38.6 ACRES AND LOCATED AT 415
LONGVIEW STREET, FAYETTEVILLE, ARKANSAS, AS SUBMITTED BY
TERRY CARPENTER OF US INFRASTRUCTURE, INC. ON BEHALF OF
WASHINGTON REGIONAL MEDICAL SERVICES.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE, ARKANSAS:**

**Section 1: That the zone classification of the following described
property is hereby changed as follows:**

**From A-1, Agricultural to R-O, Residential Office as shown in Exhibit "A"
attached hereto and made a part hereof.**

**Section 2. That the official zoning map of the City of Fayetteville, Arkansas, is
hereby amended to reflect the zoning change provided in Section 1 above.**

PASSED AND APPROVED this _____ day of _____, 2002.

APPROVED:

**By: _____
DAN COODY, Mayor**

ATTEST:

**By: _____
Heather Woodruff, City Clerk**

EXHIBT "A"

A PART OF THE SE ¼ OF THE SW ¼ OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 30 WEST, CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN ALUMINUM MONUMENT AT THE SE CORNER OF SAID SE ¼ OF THE SW ¼ AND RUNNING THENCE S 89°06'36"W 1315.46 FEET TO A STONE MONUMENT AT THE SW CORNER OF SAID 40 ACRE TRACT; THENCE N 0°31'44"W 913.46 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY FOR LONGVIEW STREET; THENCE ALONG SAID RIGHT-OF-WAY N89°28'06"E 53.33 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 235.00 FEET, A DELTA ANGLE OF 1°44'59" AND A CURVE LENGTH DISTANCE OF 7.18 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE AND RUNNING N0°31'44" W 405.03 FEET TO A POINT ON THE NORTH LINE OF SAID 40 ACRE TRACT, SAID POINT BEING N89°12'46"W 60.51 FEET FROM A IRON PIN AT THE NW CORNER OF SAID 40 ACRE TRACT; THENCE ALONG THE NORTH LINE OF SAID 40 ACRE TRACT, N 89°12'46" E 1233.16 FEET TO A FLAT METAL BAR AT THE NE CORNER OF SAID 40 ACRE TRACT; THENCE S1°08'11"E ALONG AN EXISTING FENCE 628.93 FEET; THENCE S 1°10'01"E 146.92 FEET ALONG AN EXISTING FENCE TO THE NORTH RIGHT-OF-WAY OF A STREET; THENCE S 88°31'22" W WITH SAID RIGHT-OF-WAY 2.17 FEET; THENCE ALONG THE CURVE OF SAID RIGHT-OF-WAY THE CURVE BEING WITH 50 FEET RADIUS, CONCAVE WEST, AND THE CENTER OF SAID CURVE LOCATED S 58°31'25" W 50.0 FEET, A DISTANCE OF 261.80 FEET; THENCE N88°31'22" E 1.90 FEET TO AN EXISTING FENCE; THENCE S1°31'43" E WITH SAID FENCE 200.19 FEET; THENCE S2°23'26"E WITH SAID FENCE 289.84 FEET TO THE POINT OF BEGINNING, CONTAINING 38.617 ACRES, MORE OR LESS.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

113 W. Mountain St.
Fayetteville, AR 72701
Telephone: (479) 575-8264

PLANNING DIVISION CORRESPONDENCE

TO: Fayetteville Planning Commission
FROM: Dawn T. Warrick, Senior Planner
THRU: Tim Conklin, A.I.C.P., City Planner
DATE: March 11, 2002

RZN 02-6.00: Rezoning (Washington Regional Medical Service, pp 212) was submitted by Terry Carpenter of US Infrastructure, Inc. on behalf of Washington Regional Medical Service for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.

RECOMMENDATION:

Staff recommends approval of the requested rezoning based on the findings included as part of this report.

PLANNING COMMISSION ACTION: Required YES
☐ Approved ☐ Denied

Date: March 11, 2002

CITY COUNCIL ACTION: Required YES
☐ Approved ☐ Denied

Date: April 2, 2002

Comments: _____

BACKGROUND:

The subject property is a large tract containing approximately 38.62 acres. There are two existing developments on this property, the Washington County Health Dept. and the Brookstone assisted living facility. Access to the tract is primarily from Wimberly Drive which runs along the western property line and connects Millsap Road and Monte Painter Drive. Utilities are available for extension to serve the entire tract at the time of development. A preliminary plat is in the development review cycle for consideration with a proposal to divide this overall tract into 8 lots.

This area is designated for Office uses on the City's adopted General Plan 2020. The applicant's request is to change this zoning of this property from A-1, Agricultural to R-O, Residential-Office. This request is consistent with the City's adopted future land use plan and with the guiding policies of the General Plan.

SURROUNDING LAND USE AND ZONING

North:	Professional offices / Commercial, C-2
South:	Single family residential, R-2
East:	Mixed uses and Vacant, R-1 / Fire Station, C-2
West:	Professional (Medical) Offices, R-O & C-2

INFRASTRUCTURE:

Streets: Access to this site is provided via Wimberly Drive, which runs along the western boundary of the North Hills Medical Park. Additionally, Millsap Drive (becomes Futrell) which is classified as a collector street on the Master Street Plan, connects this area of development with both College Ave. and Gregg Ave.

Water & Sewer: An existing 8" water line runs along the south side of Longview St. serving the existing Brookstone assisted living facility. A 12" sewer line runs along the southern end of the property and an 8" line extends to the north property line. Extension of facilities adequate to serve future development of this property will be a condition of preliminary plat approval for the subdivision that is currently being proposed.

LAND USE PLAN: General Plan 2020 designates this site Office. Rezoning this property to R-O, Residential-Office is consistent with the land use plan and compatible with surrounding land uses in the area.

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: The proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans. The subject property will serve as a transition between residential zoning and uses to the south and commercial (primarily professional office) uses to the north and west. This area is developing as a center for medical offices with the new Washington Regional Medical Center under construction just west of North Hills Medical park which is immediately west of this property. Additional office space will allow for the expansion of these uses and will allow uses which serve the neighboring residential and commercial developments.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: The proposed zoning is justified and needed at this time.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: The proposed zoning will not create or appreciably increase traffic danger and congestion. Streets in this area provide connectivity between College Ave. and Gregg Street. North Hills Blvd., Monte Painter Dr., Wimberly Dr., and Plainview Ave. are all collector streets which serve the area and will be main access drives for the subject property.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: The proposed zoning will not alter population density.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:

- a. It would be impractical to use the land for any of the uses permitted

under its existing zoning classifications;

- b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

§161.12 DISTRICT R-O RESIDENTIAL OFFICE.

A. Purpose. The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses.

B. Uses.

1. Uses Permitted.

Unit 1	City-Wide Uses by Right
Unit 5	Government Facilities
Unit 8	Single-Family and Two-Family Dwellings
Unit 12	Offices, Studios and Related Services
Unit 25	Professional Offices

2. Uses Permissible on Appeal to the Planning Commission.

Unit 2	City-Wide Uses by Conditional Use Permit
Unit 3	Public Protection and Utility Facilities
Unit 4	Cultural and Recreational Facilities
Unit 9	Multi-Family Dwelling - Medium Density
Unit 10	Multi-Family Dwelling - High Density
Unit 13	Eating Places

C. Bulk and Area Regulations.
(Per Dwelling Unit for Residential Structures)

Lot Minimum Width:	Mobile Home Park	100 ft.
	Lot Within a Mobile Home Park	50 ft.

Lot Minimum Width:	Mobile Home Park	100 ft.
	One Family	60 ft.
	Two Family	60 ft.
	Three or More	90 ft.
Lot Area Minimum:	Mobile Home Park	3 acres
	Lot Within a Mobile Home Park	4200 sq. ft.
	Row Houses: Development Individual Lot	10,000 sq. ft. 2500 sq. ft.
	Single Family	6000 sq. ft.
	Two Family	6500 sq. ft.
	Three or More	8000 sq. ft.
	Fraternity or Sorority	1 acres
Land Area Per Dwelling Unit:	Mobile Home	3000 sq. ft.
	Row Houses & Apartments: Two or More Bedrooms One Bedroom No Bedroom	1200 sq. ft. 1000 sq. ft. 1000 sq. ft.
	Fraternity or Sorority	500 sq. ft., per resident

D. Bulk and Area Regulations/ Setbacks.

Setback lines shall meet the following minimum requirements.

From Street ROW	30 ft.
From Street ROW if Parking is Allowed Between the ROW and the Building	50 ft.
From Side Property Line	10 ft.
From Side Property Line When Contiguous to a R-1, R-2 or R-3 District	15 ft.
From Back Property Line Without Easement or Alley	25 ft.
From Center Line of Public Alley	10 ft.

E. Building Area. On any lot the area occupied by all buildings shall not exceed 60% of the total area of such lot.

F. Height Regulations. There shall be no maximum height limits in R-O Districts, provided, however, that any building which exceeds the height of 20 feet shall be set back from any boundary line of any R-1, R-2, or R-3 District an additional distance of one foot for each foot of height in excess of 20 feet.

(Code 1991, §160.041; Code 1965, App. A, Art. 5(x); Ord. No. 1747, 6-29-89; Ord. No. 2414, 2-7-78; Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80)



USI INFRASTRUCTURE, INC. CONSULTING ENGINEERS

February 17, 2002

City of Fayetteville, Planning Division
113 West Mountain
Fayetteville, AR 72701

RE: Washington Regional Medical System
Preliminary Plat for Brookstone Subdivision
Fayetteville, Arkansas
USI Job No. 020901

To Whom It May Concern:

USInfrastructure, Inc. is representing Washington Regional Medical System in an effort to rezone a 38.6-acre tract split by Longview St. and East of the North Hills Medical Park in Fayetteville. Our rezoning application seeks to change the zoning for this property from A-1 (agricultural) to R-O (residential/office). Presently, Brookstone Assisted Care Facility and the Washington County Health Department are located on this property. A preliminary plat that is currently under review by the city, proposes to subdivide this 38.6-acre tract into eight lots, all between 2.76 and 6.07 acres. Two of these lots will be dedicated to the previously mentioned existing developments. Another lot is currently under development, and the remaining five lots will be available for future development.

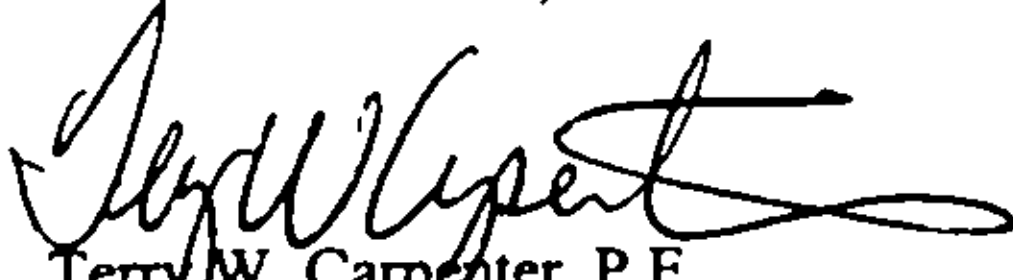
Rezoning is being requested for this tract so that it's zoning and future development will more closely match the zoning and development of property to the North and West. It is anticipated that this property will develop as professional office space, or some type of health care facilities. Adjoining properties have the following zoning classifications: R-0, R-2, R-1, and C-2.

Changes in the volume of traffic on Longview St. will occur as this property develops. When this property is fully developed and Longview St. is connected to Plainview Dr., the increase in traffic along Longview St. could possibly be significant, but at this time it is impossible to predict accurate numbers. Currently, no subdivision signs are proposed for this tract.

In order to serve all eight proposed lots, service extensions are planned from the existing utilities. Existing water and sewer service to the property appear to be sufficiently sized to handle any future development. An 8-inch water line runs along the South side of Longview St., near the middle of the property. A 12-inch sanitary sewer line traverses the Southern end of the property, and an 8-inch sanitary sewer line extends to the North property line.

If you have any questions or concerns about this proposed rezoning, please do not hesitate to contact us.

Sincerely
USInfrastructure, Inc.



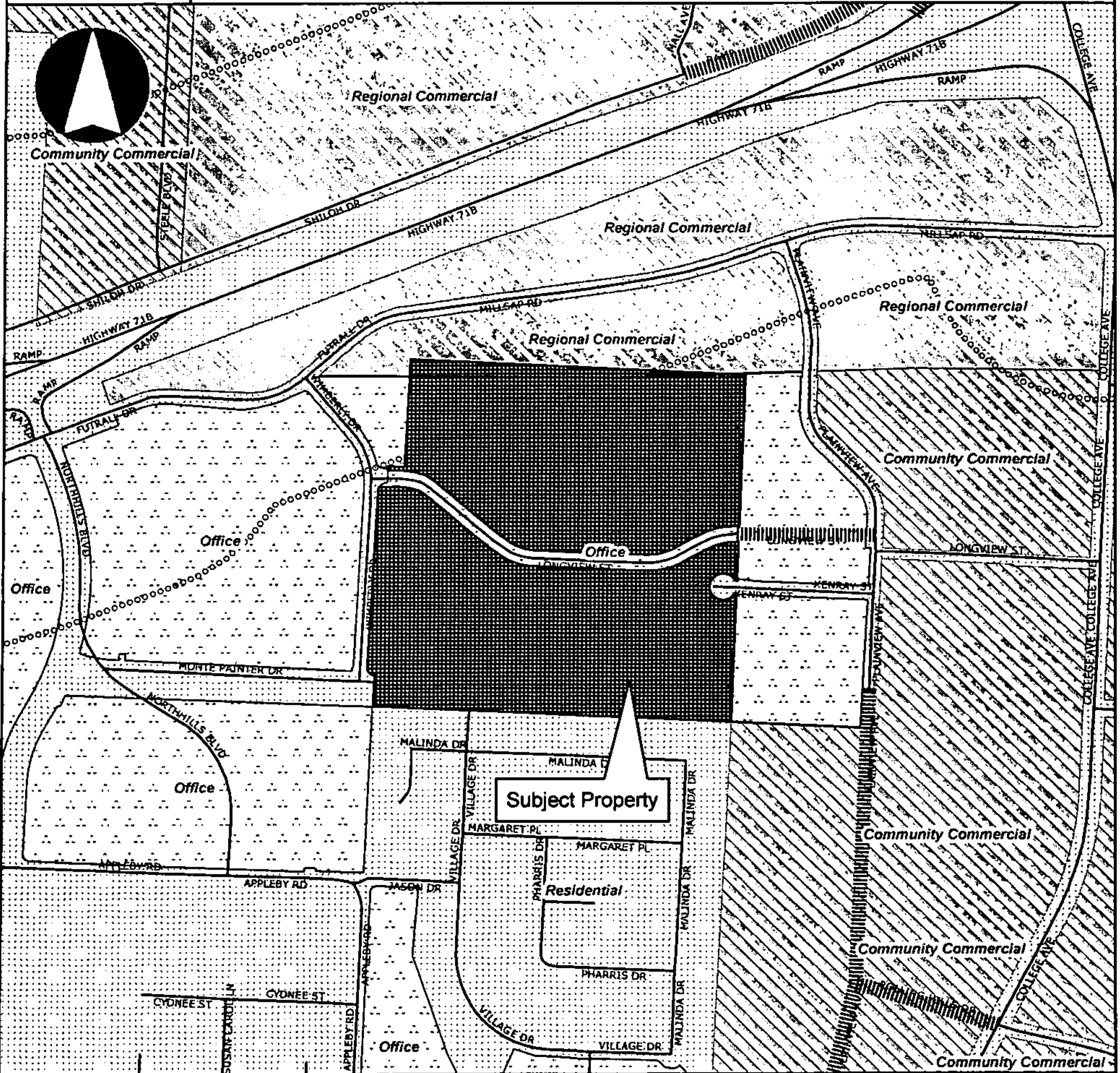
Terry W. Carpenter, P.E.
Vice President

Cc: Jack Morris, Project Manager
Mike McLean, Vice-President Clinical Services WRMC

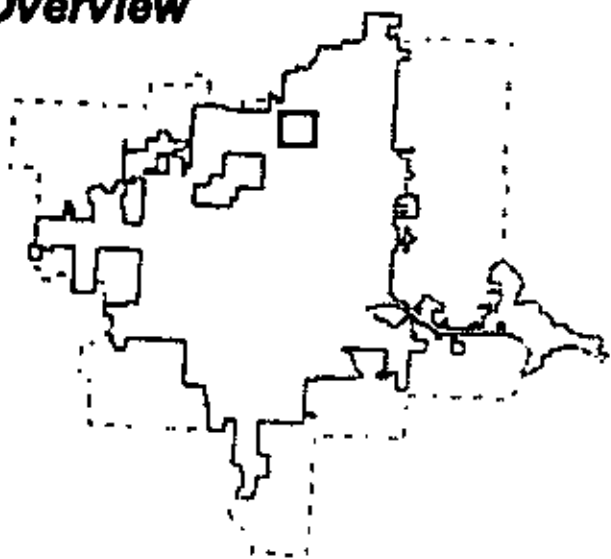
RZN02-6.00

Future Landuse

WASHINGTON REGIONAL MEDICAL SERVICES



Overview



Legend

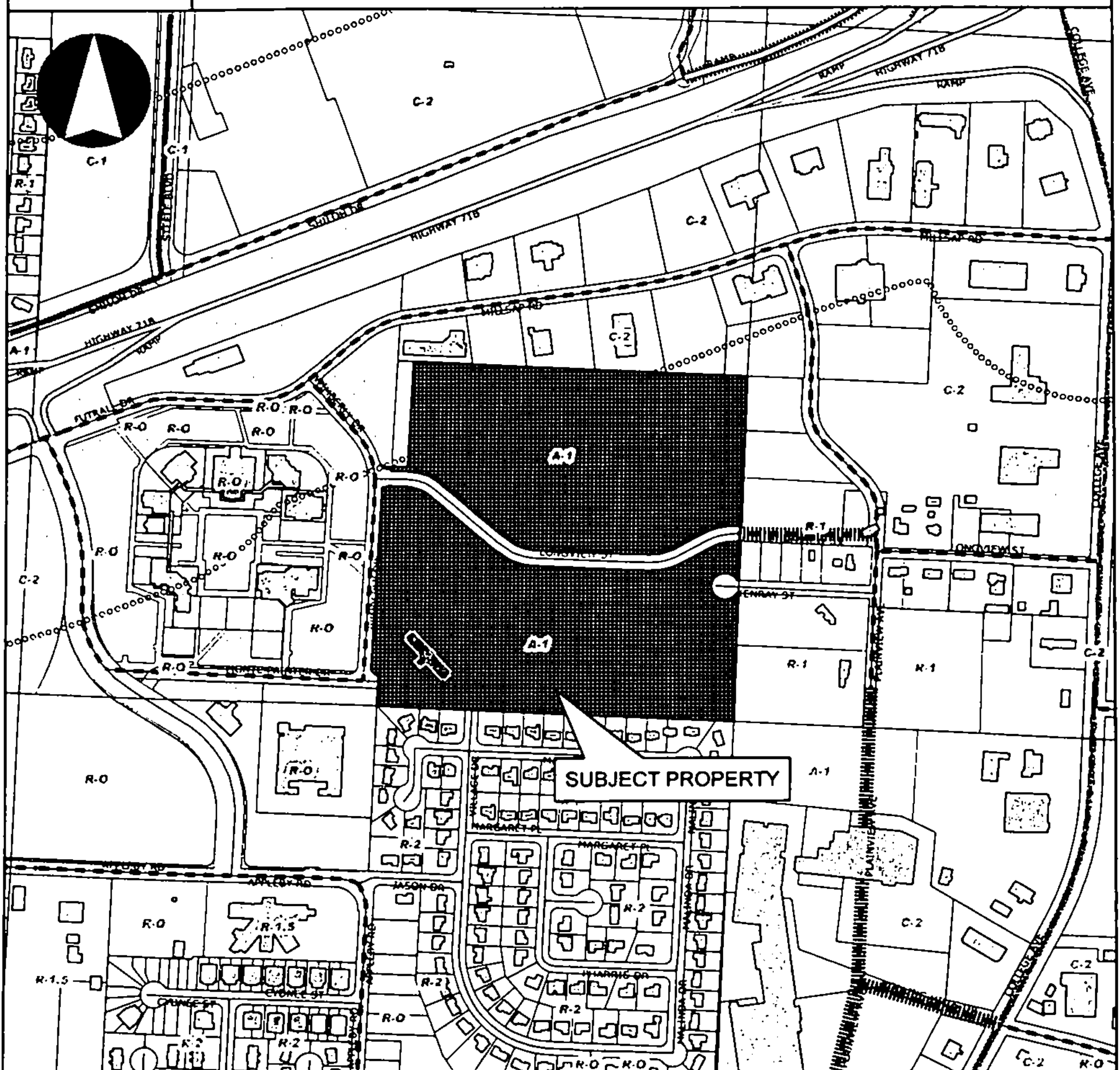
- | | | |
|--------------------|---------------------|-------------------------|
| Parks | Mixed Use | Community Commercial |
| Private Open Space | Office | Neighborhood Commercial |
| Residential | Historic Commercial | Regional Commercial |
| Subject Property | Boundary | Industrial |
| RZN02-6.00 | Planning Area | University |
| Existing | Overlay District | |
| Planned | City Units | |

0 200 400 800 1,200 1,600 Feet

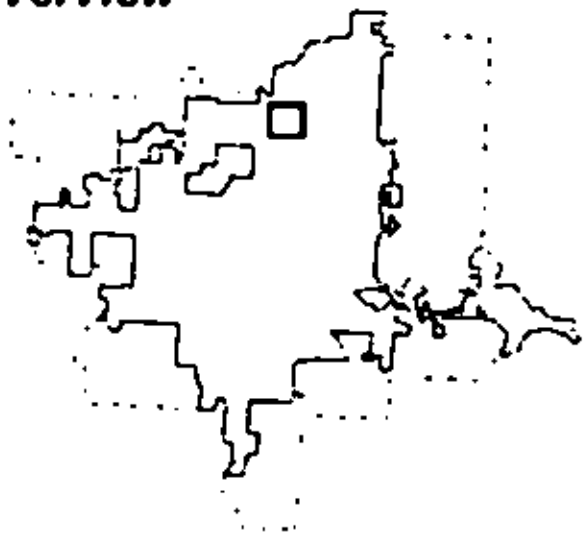
RZN02-6.00

WASHINGTON REGIONAL MEDICAL SERVICES

Close Up View



Overview



Legend

Subject Property

RZN02-6.00

Streets

Existing

Planned

Boundary

Planning Area

Overlay District

City Limits

Outside City

Master Street Plan

Freeway/Expressway

Principal Arterial

Minor Arterial

Collector

Historic Collector

0 200 400 800 1,200 1,600 Feet

Page 6

RZN 02-6.00: Rezoning (Washington Regional Medical Service, pp 212) was submitted by Terry Carpenter of US Infrastructure, Inc. on behalf of Washington Regional Medical Service for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.

Estes: The next item on the agenda is RZN 02-6.00 submitted by Terry Carpenter of US Infrastructure, Inc. on behalf of Washington Regional Medical Service for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office. Staff recommends approval of the requested rezoning based on the findings included as a part of your packet. Is the applicant present or is the applicant's representative present? If so, if you have a presentation to make would you please come forward and state your name and your address and your capacity please?

Nierengarten: My name is Peter Nierengarten, I am an Engineer with U.S. Infrastructure, 4710 S. Thompson, Springdale, AR Suite 102. We have no formal presentation to make. Based on the report that Dawn Warrick gave me I was under the impression that the Planning Commission would be in favor of our proposal and leave it up to the Commission to decide.

Public Comment:

Estes: Thank you. Is there any member of the audience who would like to provide public comment on this requested rezoning proposal? If so would you please come forward and state your name and your address and provide us with the benefit of your comments?

Gill: I am Thomas Gill. I currently reside at 3195 Butternut Drive, which is a residential district adjacent to this property. My concern is what roads will feed this.

Estes: Tim, do you have a response to Tom's question?

Conklin: Yes, if you refer to page 3.10 in your agenda, Washington Regional Medical Center, along with the City of Fayetteville cost shared in extending Longview Street, which is out there already and that is the street that extends from Wimberley Road back to the east, that is the street that serves this development.

Gill: That is all?

Conklin: That is the street. We are working with property owners to the east to look at acquisition of right-of-way and extension of Longview Street to Plainview Ave.

Gill: That's it?

Conklin: That would be it at this time.

Gill: I have no further questions.

Conklin: I am not sure if you are asking the question due to the fact that there is a street stub out that was planned as a part of that subdivision off of Village Drive and Washington County Health Department did build a building and parking lot in that location which kind of precludes that street from going north unless the parking lot was redesigned. At this point it is Longview Street that they have built along with the city.

Allen: Mr. Gill, I am not finding your street on our map, I wondered if you could point it out to us.

Estes: I will show you.

Gill: Bob can tell you, he knows where I live.

Allen: Ok.

Gill: Correct me Ma'am, it is at the corner of Butternut and Village.

Estes: Tom's house is right there. Tim, Village, as it ends to the south of the applicant's property was stubbed out when this subdivision was originally approved as a LSD, is that correct?

Conklin: It was stubbed out, that is correct.

Estes: If my memory is correct on perhaps some of the old Master Street Plans, Village was extended north but that is no longer possible because of the County Health Department, is that correct?

Conklin: There was a Master Street Plan street, I am not sure if it was going north, I thought it was east and west and it was back off of Monte Painter Road, that went through where the County Health Department built their building. That Master Street Plan was amended and Longview was added to the Master Street Plan.

Estes: Thanks. Does that answer your question Tom?

Gill: Yes Sir.

Estes: Tim, Monte Painter extended east and then the stub out there at Village

page 0

turned more to the northeast, is my memory correct?

Conklin: I am sorry.

Estes: Monte Painter extended east and at the intersection with Village Monte Painter took a turn to the northeast?

Conklin: That is correct.

Estes: That is no longer on the Master Street Plan?

Conklin: That is no longer on the Master Street Plan.

Estes: It is in fact no longer possible because of the county health building?

Conklin: That is correct.

Estes: Does any other member of the audience wish to provide public comment?
Yes Sir, if you would please come forward and state your name and your address and provide us with the benefit of your comments.

Caviness: I am Charles Caviness at 2136 Austin Drive. I would like to just ask one question concerning how large of an easement would there be between the residential property, say Melinda, and this new project and would there be an easement and if so, how wide.

Estes: Tim, do you have a response to that question?

Conklin: Let me check the R-O zoning.

Estes: The applicant's representative indicates he can answer that. Yes, come forward please.

Nierengarten: There is no formal easement for that area that he is talking about right now. The back of their houses is a real wooded area and it drops off steeply into a ravine and there is a creek down there and up the other side is where the Brookstone Development currently resides.

Conklin: With regard to setbacks, it is a 25' setback from the rear property line.

Nierengarten: Beyond that, there is nothing else planned but there is every indication that we've got from Washington Regional Medical Systems is that they don't plan on building anywhere on the other side of that creek. They plan to keep their development to the north of the creek between the creek and Longview Drive and leave that wooded area sort of a buffer between that neighborhood and the commercial development that would occur along

Longview.

Estes: Charles, does that answer your question?

Caviness: How wide is that creek?

Nierengarten: The distance from your fence line to the creek is probably I would guess at least 80 to 120 feet. It is a pretty good distance.

Caviness: So it will be that.

Nierengarten: Yes, and the creek is maybe 8' wide or so.

Estes: Does that answer your question? Is there any other member of the audience who would like to provide public comment on this rezoning request, 02-6.00? Seeing none, I will bring it back to the full Commission for discussions, motions or comments. Commissioners?

Ward: I think that the R-O zoning, especially against R-1 is very appropriate. This is where all of our medical facilities are going. I can't think of any reason why it shouldn't be R-O and I will go ahead and make a recommendation that we approve RZN 02-6 for Washington Regional Medical Service.

Estes: We have a motion by Commissioner Ward to recommend to the City Council approval of RZN 02-6, is there a second?

Shackelford: I will second.

Estes: We have a second by Commissioner Shackelford, is there any discussion?

Marr: Mr. Chair, I guess it is more of a comment than a question. That is, one of the findings that we have in our bylaws, if I understand this correctly from agenda session, is the finding or determination whether the proposed zoning is justified or needed at this time and how we use that in terms of economic regulation of zoning. It appears to me that we don't really look at it that way because I can't remember a zoning that has ever not been justified or needed from an applicant's perspective. It certainly would be mine if I wanted to develop that land but when I think about this area of Milsap and Futrall, the space of R-O available in this area seems to be pretty significant to me. There are two large rental commercial office space with I think Lindsey. There is the Stevens Building that went in next to the pharmacy there that has available space. The question I would ask is whether we really look at this as an actual finding item and if not, I think we need to evaluate whether it stays as something that we use and if we do use it, how we explain that it is justified and needed because I

would have some concern over this particular rezoning based on the availability in that area.

Estes: Thank you Commissioner Marr. Is there any other discussion?

Ward: In response to Don's questions, it has always been my take on something like this that the market itself kind of dictates what happens. I think this particular piece of property is very appropriate to be rezoned from A-1, which is for cows and hog houses, to R-O. I don't feel like if there was a tremendous supply of lets say office buildings vacant right now, then you would probably not see much more happen out there in that area as far as a bunch of office complexes built until those fill up. As far as medical, you might see some specific needed type of medical buildings built because those other office buildings don't really fulfill the needs. They are not sitting next to the hospital, they don't meet certain surgeons requirements, those types of things that those vacant office buildings that we have out there right now, we would all like to see them full, and we don't need more office buildings built right now in that area out there. Specific needs could come along that there would be a use for that space out there. I think people have the right to rezone their property from Agricultural in the city to some kind of use.

Marr: I want to make sure that my comments are clear, I agree with you Lee. I am not opposed to the rezoning for what we are looking at. My question is more to the findings of staff facts and how we use that finding. Do we just pull it out when we don't want something to be done, do we look at it when economically we have too much zoning? I think it warrants some discussion at our planning retreats on whether to bylaw that item. It certainly makes sense in a lot of cases but if somebody asked me today "Why did you vote for a Residential Office rezoning?" I would have to say very similar things to what Commissioner Ward just said about economics tend to take care of it. I do think there is a lot of R-O zoning in this area that is currently unoccupied. I think we need to ask ourselves about the number two finding that we look at every time we have a rezoning.

Estes: Thank you Commissioner Marr. Is there any other discussion? We have a motion by Commissioner Ward and a second by Commissioner Shackelford to approve RZN 02-6 and to recommend the rezoning to the Fayetteville City Council, is there any other discussion? Renee, would you call the roll please?

Roll Call: Upon the completion of roll call the motion to forward RZN 02-6.00 to the Fayetteville City Council was approved by a vote of 8-0-0.

Estes: The motion passes by a vote of eight to zero. RZN 02-6.00 will be

forwarded to the full Fayetteville City Council with a recommendation to approve.

STAFF REVIEW FORM

New World System
C. 2 Page 1.Agenda Request
FOR THE FAYETTEVILLE CITY COUNCIL MEETING OFApril 2, 2002

FROM:

Chris Bosch
NameFire Chief
DivisionFire Department
Department

ACTION REQUIRED: Request a Resolution approving the purchase of the Fire Department's portion of the New World Technology upgrade for the Computer Aided Dispatching/Records Management System which will allow the Fire Department to interface with the current CAD/RMS system to provide accurate reporting information.

COST TO CITY:

<u>\$38,005</u> Cost of this request	<u>\$294,000</u> Category/Project Budget	<u>Radio System Replacement</u> Category/Project Name
<u>4470-9470-5801.00</u> Account Number	<u>Funds Used To Date</u>	<u>Capital Improvements</u> Program Name
<u>99019</u> Project Number	<u>\$294,000</u> Remaining Balance	<u>Sales Tax CAPITAL</u> TAX FUND
BUDGET REVIEW: <u>X</u>	Budgeted Item	Budget Adjustment Attached

[Signature]
Budget Coordinator **MANAGER**

Administrative Services Director

CONTRACT/LEASE REVIEW**GRANT APPLICATION REVIEW**

[Signature] 3/14/02
Accounting Manager Date

[Signature] 3/15/02
City Attorney Date

Purchasing Officer Date

[Signature] 3/15/02
Internal Auditor Date

Internal Auditor Date

STAFF RECOMMENDATION It is the Staff's Recommendation that this item be approved so the Fire Department can expedite the process of purchasing and installing this program, which will assist in the collection of accurate information.

Division Head Date

[Signature] 3/12/02
Department Director Date

[Signature] 3/15/02
Administrative Services Director Date

[Signature] 3-15/02
Mayor Date

CROSS REFERENCE

NEW ITEM: YES

PREV/ORD/RES. # N/A

ORIG. CONTRACT DATE N/A

CONTRACT # N/A

Consent —
New Business —

STAFF REVIEW FORM

DESCRIPTION _____

MEETING DATE _____

COMMENTS:

Budget Coordinator

Reference Comments:

Accounting Manager

See note on
upgrade proposal

Reference Comments:

City Attorney

will there be a contract
or agreement of some sort
forthcoming? *SPW*

Reference Comments:

Purchasing Officer

Reference Comments:

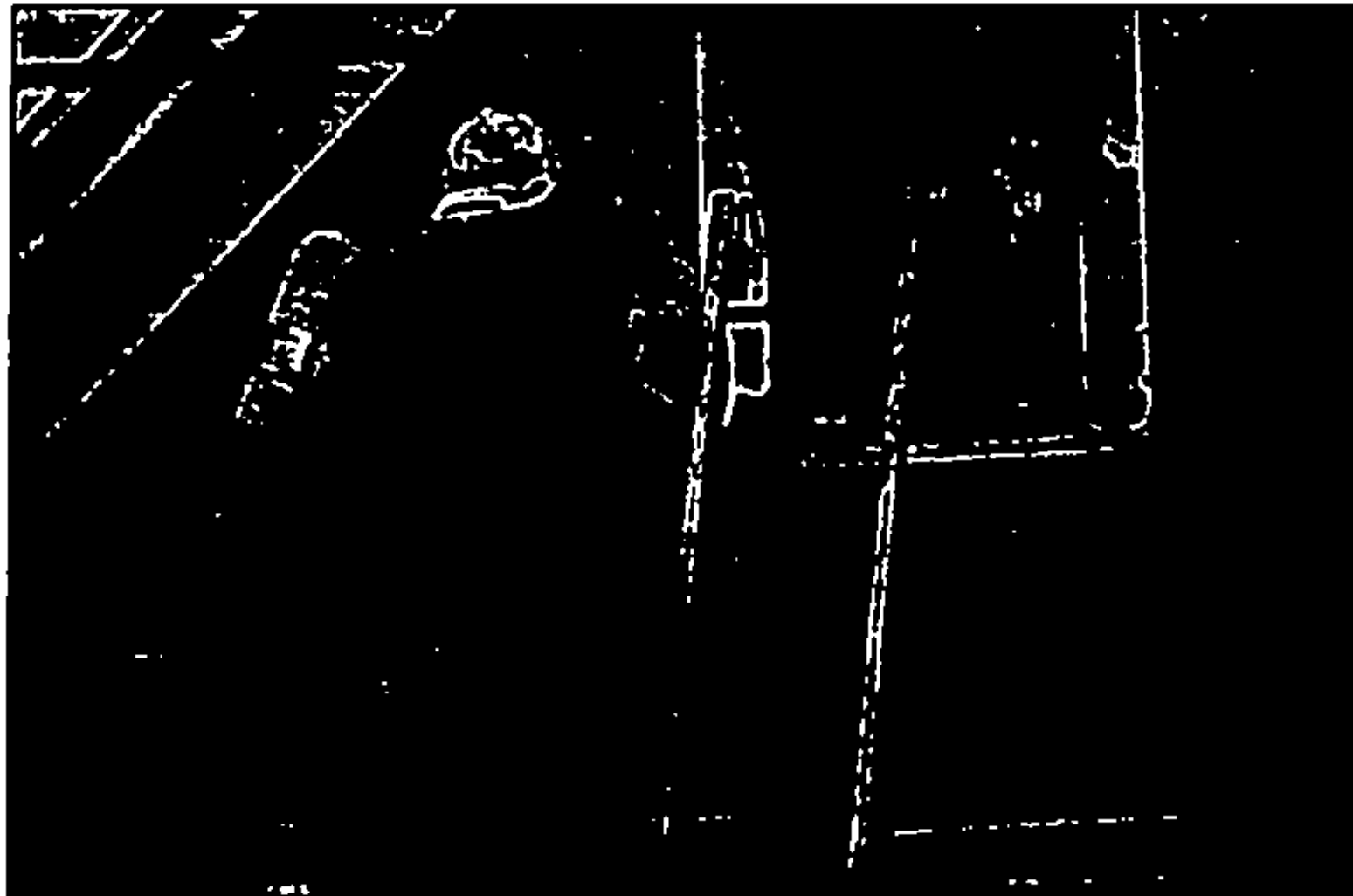
ADA Coordinator

Reference Comments:

Internal Auditor

Numbers don't calculate
correctly on "Proposal" sheet.
(See yellow & pink sticky notes)

Reference Comments:



**Fayetteville
Fire Department
Records Management System
Upgrade
Proposal**

Introduction

In 1999 the Fayetteville Fire Department entered into the process of identifying a computer based information system that would efficiently and effectively meet the needs of the organization. This process was initiated in an effort to ensure continuity between the current Records Management System (RMS) being used by the City of Fayetteville as well as the Fayetteville Police Department.

At the time the Department was investigating the possibility of utilizing this RMS it was determined, by an internal committee, that the New World Technology product would not meet the needs of our organization. Further, it was determined that the only system that would most effectively meet the needs of the Fire Department was the Fire Programs (Fire Pro) RMS.

Little time was spent researching the Fire Pro system to determine its compatibility with the New World Technology system being used by all other agencies in the City. Unfortunately, this lack of time investment has proven to be detrimental to the Fire Department.

Current Situation

As a result of this incompatibility problem the Fire Department's current system of records management is somewhat dysfunctional. At this time the Fire Department is operating a stand alone RMS, utilizing the Fire Pro system with no support mechanism from either of the network providers (Fire Pro or the New World system.)

The Fire Pro information system is an RMS, which was established, by Fire Fighters, for Fire Fighters. This RMS offers basic response report data bases that retain response information for those individual units. This system works well for small Fire Departments with only one facility; however, this type of RMS was not designed for an organization with the number of stations, units and personnel that we currently employ.

Our existing computer system involves the use of 21 PC's. Each of which serves as an independent workstation and is not connected to the central records management system. These PC's have all been upgraded within the last year and have adequate memory and available RAM to support any program changes that may be introduced in the near future.

Further each unit has the Fire Pro software loaded on its hard drive and our Computer Technician is required to travel from Fire Station to Fire Station, on a monthly basis, to retrieve the previous months response information as a result of our lack of networking and incompatibility. This retrieval process requires additional staff hours for record downloads and travel time from location to location.

Benefits

The benefit of this upgrade will be recognized immediately. The new system will provide the Fire Department with the ability to interface with Police Department's Dispatching and Records Management System, the City's Central Records Management and Financial Records Systems and provide real time information and access for fire reports and training records. This system will also facilitate the Department's ability to track its activities on an annual basis and give us the ability to begin predicting trends in emergency response as well as providing us with a database of those facilities that require annual inspections and hazard abatements.

As the Department transitions into the 21st Century it is important to remember that these types of information tracking systems are vital to the success of public safety organizations. The retention and retrieval of response and activity data will allow the Fire Department to begin predicting the current as well as future needs of the organization as well as the community.

Recommendation

The Fire Department recommends the approval of this contract and the upgrade of the current RMS system. As previously stated, this upgrade will allow the organization to begin tracking its activities and expenditures in a more efficient and effective manner.

Software License Fee	11750
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Training & Installation Support Services	15600
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120 hrs. of Installation and Training Service.
Not to exceed total.
Billed on an as used basis.

Maintenance Agreement	<u>5600</u>
------------------------------	--------------------

N W Tech. Travel Expense

			Cost Per Item	
<u>Airfare</u>	<u>3</u>	<u>Round Trips</u>	<u>300</u>	<u>900</u>
<u>Hotel</u>	<u>15</u>	<u>Nights</u>	<u>50</u>	<u>2250</u>
<u>Rental Car</u>	<u>3</u>	<u>Weeks</u>	<u>125</u>	<u>375</u>
<u>Per Diem</u>	<u>34</u>	<u>Per Day</u>	<u>15</u>	<u>1530</u>

Total:	<u><u>38005</u></u>
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FAYETTEVILLE, ARKANSAS

PROPOSAL SUMMARY

January 24, 2002

A. STANDARD SOFTWARE FROM NEW WORLD FOR IBM iSERIES MODEL 2043

FIRE RECORDS

1. Aegis®/400 Fire Records Software Base Package	\$ 35,000
- Activity Reporting and Scheduling Module	
- Arson Investigations Module	
- Hazardous Materials Module	
- Hose Inventory and Maintenance Module	
- Hydrant Inventory and Inspections Module	
- Incident Tracking Module	
- Inspection Tracking Module	
- Personnel/Education Module	
- Pre-plans Module	
 Aegis®/400 Federal and State Compliance Reporting for Fire Records	
- State/NFIRS 5.0 Electronic Reporting Module	

GRAPHICAL USER INTERFACE

2. Aegis®/400 Graphical User Interface¹	
Windows PC Environment	
	\$ 5,000
- AS/400 Server Module	
- Runtime Client Cost (estimated 10 Units @ \$175 per unit)	\$ 1,750
 NEW WORLD STANDARD SOFTWARE LICENSE FEE	\$ 41,750
 LESS CREDIT FOR PREVIOUSLY PURCHASED SOFTWARE	\$ (20,000)
LESS DEMONSTRATION SITE DISCOUNT	\$ (10,000)
 TOTAL SOFTWARE LICENSE FEE ²³	<u>\$ 11,750</u>

***Aegis*® Fire Records 5.0**

Product Overview

The *Aegis*® Fire Records software automates and streamlines daily procedures. The system automates processes for testing equipment and tracking results; inspecting water sources; writing reports; and, managing personnel.

Immediate access to important information can save valuable time and possibly lives in a critical situation. *Aegis* Fire Records is designed to capture information and maintain files on incidents, persons, businesses, property, inspections, pre-planning, prevention and other functions, keeping a vast amount of information at a user's fingertips. The system automatically tracks data that can be generated into meaningful management reports.

Users can easily track inspections of mission critical equipment, specifically hydrants, hoses, vehicles and other tools used in the field, allowing you to efficiently manage the department. The system tracks hazardous materials and pinpoints the location within the building based on the previous inspection. Inspections are automatically date and time stamped ensuring schedules are followed.

New World Systems' *Aegis* Fire Records meets NFIRS (National Fire Incident Reporting System) 5.0 reporting requirements, allowing agencies to submit reports electronically to the state. The software is also NFIC (National Fire Information Council) compliant.

Streamline the reporting process by generating reports that adhere to required guidelines, ensuring incident reports are consistent and accurate. The system allows you to create agency-defined fields that meet your agencies needs.

Seamless Integration

The *Aegis* Fire Records software fully integrates with New World's *Aegis* suite of public safety products.

When the Fire Department and EMS respond to an incident the information entered into Fire Records is also entered into *Aegis* EMS Records associating the incident to both agencies.

New World's *Aegis* Computer Aided Dispatch (CAD) and Fire Records work together to share information and reduce redundant data entry. Once the dispatcher enters an incident into the CAD software, the information is accessible from the Fire Records application. Information does not have to be re-entered in order to track data and create accurate reports. The information maintained in Fire Records about hazardous material or past incidents can also be accessed from the CAD software, helping to increase public safety and fire fighters safety.



Product Overview

Aegis® New Graphical User Interface

New World Systems announces the release of its new Graphical User Interface. The new GUI gives a "Microsoft Outlook" appearance that utilizes a task column, pull down windows, and point-and-click capability. The new GUI makes working with New World software easier and more intuitive for the "Windows Generation" employee.

The new GUI utilizes a tool that is transparent to the user. It takes information from the AS/400 "green screen" and transforms it to the graphical screen. The "green screen" is not visible to the user, unless a toggle switch is activated. The GUI screens allow the user to see the same information in the Aegis software as before, except in a more graphical appearance. This will reduce the amount of training needed to get employees up to speed on the new GUI screens.

Other Features:

- The new GUI allows for the Aegis applications to be Internet-enabled allowing customers to access New World applications over a network using a browser.
- The upper left corner can display your agencies' logo. Simply clicking on the logo can take you directly to your web home page.
- Screen colors can be changed to suit the needs of each user.
- (F) Function keys are still active for those users that wish to continue to use them.
- Users will be more comfortable with the familiar Windows features, making training of new employees easier and faster.

How to Get Started:

To obtain the new Graphical User Interface from New World Systems, simply contact your Sales or Customer Care Representative for a price proposal.

What is Required?

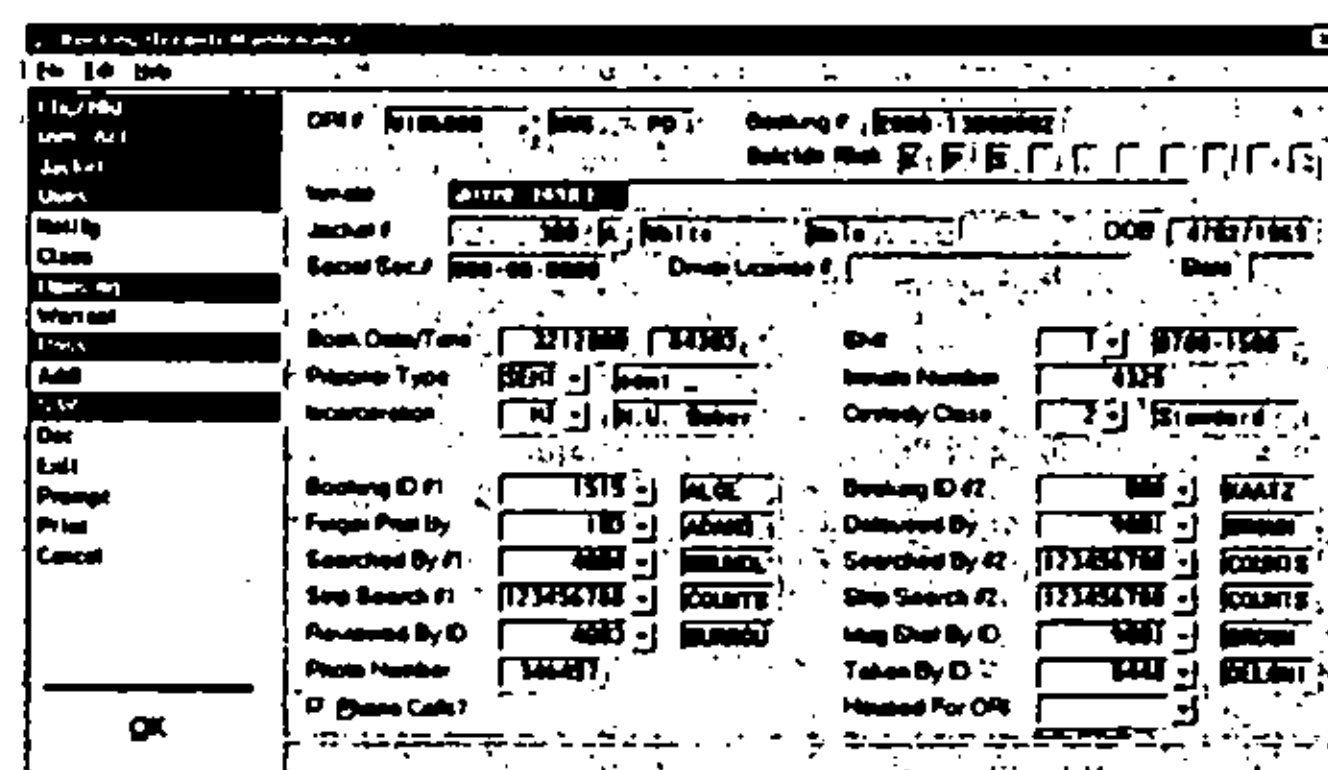
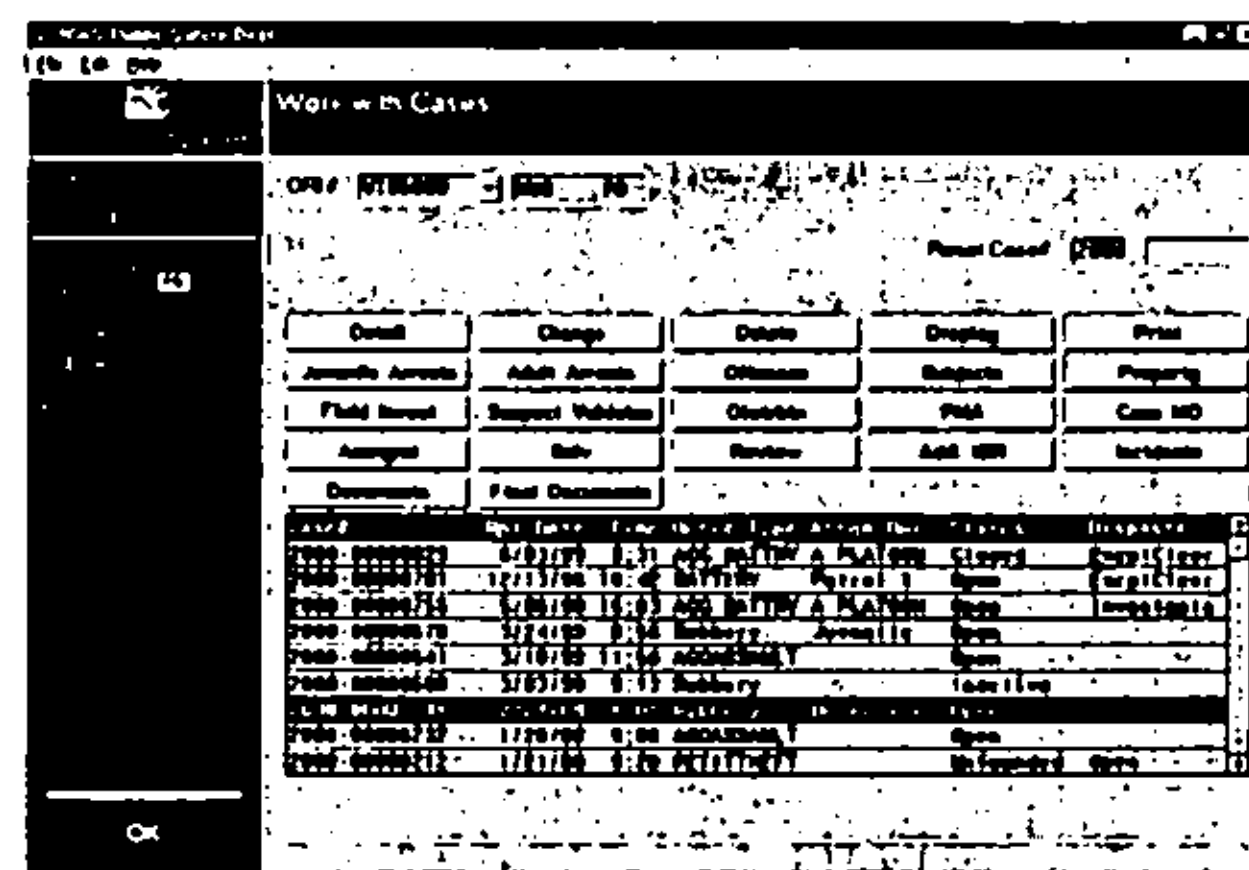
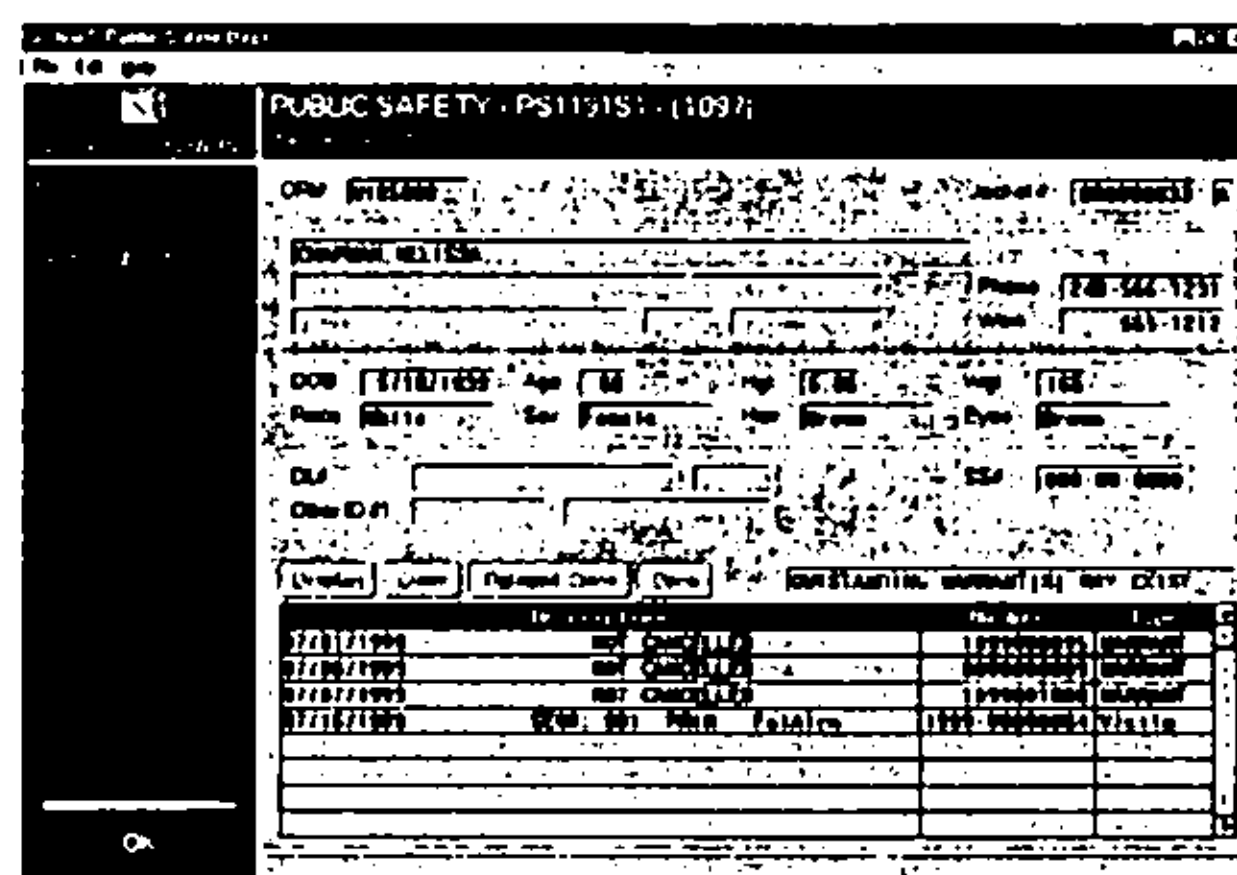
Server License Fee

Workstation License Fee (concurrent users)

Server requires TCP/IP

Minimum PC configuration:

- Pentium 133 processor
- 16 MB RAM
- 100MB of free disk space



New World Systems
888 West Big Beaver Road, Suite 1100
Troy, Michigan 48064
248.269.1000 / fax 248.269.1020
www.newworldsys.com
update 4/17/00

CITY OF FAYETTEVILLE, ARKANSAS
2002 - 2006 CAPITAL IMPROVEMENTS PROGRAM
PROJECT DETAIL

PROJECT TITLE:	Radio System Replacement
REQUESTING DIVISION:	Police
FUNDING SOURCE:	Sales Tax Capital Improvements Fund
PROJECT CATEGORY:	Police Safety Improvements
INITIAL YEAR PRIORITY:	1

PROJECT TYPE: REPLACEMENT ☒ Y EXPANSION ☐ Y

PROJECT COST		
2002	\$	294,000
2003		
2004		
2005		
2006		
TOTAL PROJECT COST \$		294,000

PROJECT DESCRIPTION & JUSTIFICATION :

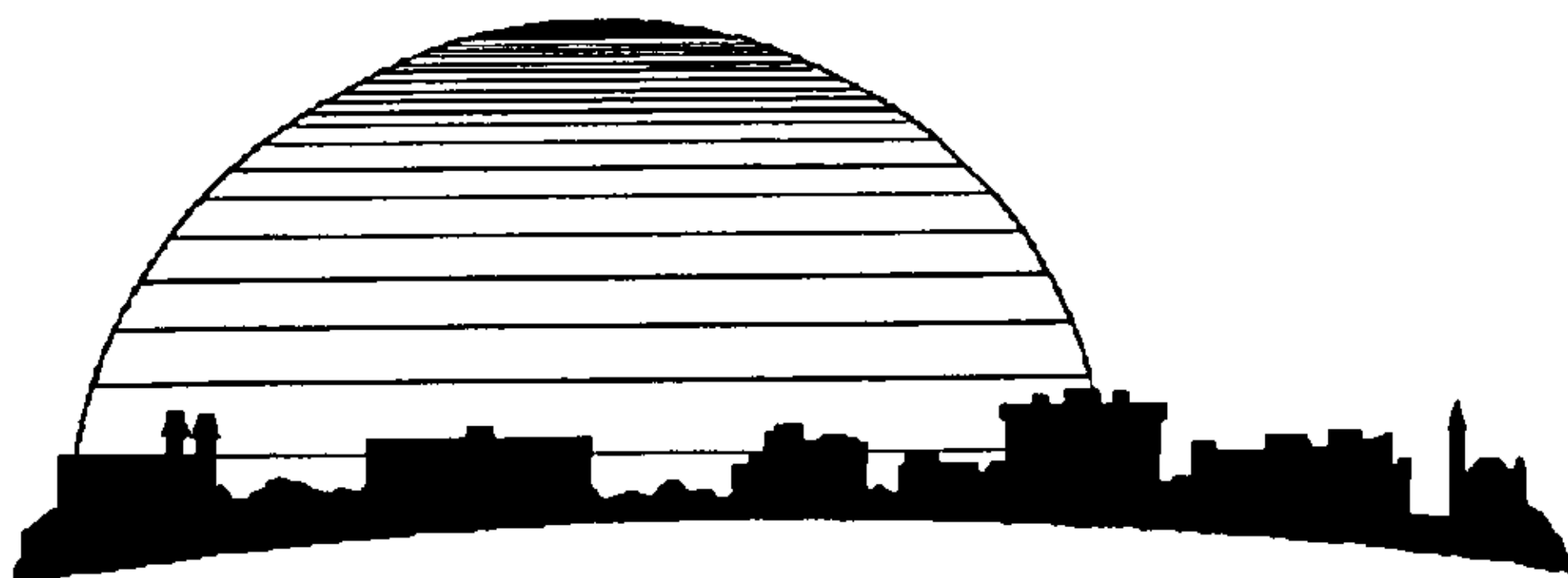
These expenses are for the completion of the Radio Replacement Project including an upgrade to the digital radios (\$11,000), the addition of encryption (\$113,000) to the police portable radios, the addition of Control Heads, Motorola to CAD interface (\$57,000), the New World interface for the Fire Department (\$30,000), replacing the Fire Department's high band radio system used to alert off duty personnel to active fires (\$63,000), and addressing the problem at the Wastewater Treatment Plant located on Fox Hunter Road (\$20,000).

PROJECT STATUS (IF IN PROGRESS) :

N/A

EFFECT OF THE PROJECT ON ANNUAL OPERATIONS :

N/A



City Wide Project



New World Systems
The Public Safety Software Company

**Integrated
Public Safety Software
Solution**

CAD



RECORDS

MANAGEMENT



MOBILE



CORRECTIONS



COURTS

Aegis
*Public Safety
Software*



— 1200 Public Safety Agencies
Have Trusted New World's Software for
Over Twenty Years —

New World Systems' comprehensive integrated *Aegis*® Public Safety solution satisfies the varying needs of public safety departments — from fast and efficient dispatching to easy access to law enforcement, fire and EMS records, reports and databases. The integrated solution allows different departments to seamlessly share information, increasing safety and improving efficiency. New World's *Aegis* solution can take your agency to the next level.

For over twenty years, New World Systems, a leader in public sector software, has provided public safety agencies with progressive improvements in technology. Our software helps improve agency operations by decreasing response times, improving access to information, and increasing community safety.

New World is known for its stability and longevity in the software industry — more than 1200 cities, counties and townships trust New World's solution to manage critical public information for the safety and benefit of their communities.

"Out of the six public safety software companies that we looked at, New World is the only one still in business. New World's longevity and proven reliability was a key factor in our decision."

— *MIS Administrator Erik Vela*
Waukegan Police Department, Waukegan, IL

New World focuses on the unique needs of the public sector by continually enhancing technology and monitoring public safety needs. We incorporate industry trends and customer suggestions to improve public safety processes.

Unlike many public safety software vendors, New World develops its public sector software suite in-house, providing a truly integrated system with easy access to critical information throughout your agency.

Our commitment is to our customers' success.

Larry D. Leinweber
President, New World Systems

— Intelligent Integration —

Enhance your agency's effectiveness with New World Systems' truly integrated Aegis Public Safety software suite. It can increase productivity within your department and safety within your community. New World develops all its software in-house to ensure a fully integrated solution for your department. Our modular software enables you to license various optional modules as you need them or as your budget allows.

Practical Functionality and Benefits of Integration

Operational Efficiency:

- Once information is entered into the system, authorized users can access data from any application in the Aegis suite to view a complete file on a subject, location or property
- Integrated master files on a subject, location or vehicle are automatically created in Records Management by populating the information from a call for service screen in CAD (Computer Aided Dispatch) and information received from Mobile Computing
- When creating a new master file, the system automatically alerts the user of duplicate entries, reducing redundant records
- Information captured in Records Management automatically populates the fields required for agency, state and federal reports
- Whether you are a corrections officer, judicial personnel or public safety officer, you do not have to create a new record for an inmate, person on trial, or an offender, because the Records Management software maintains master files on all subjects - the user can add to the existing record or pull the information to make a new file in the Corrections or Courts Management software

Increases Safety:

- Ability to access critical information within Aegis Records and State/NCIC, such as wants/warrants, protective orders, gun permits, prior offenses, history and much more, before arriving at a scene increases safety for law enforcement in the field
- Decreases unit response times - dispatchers can continue to enter information about the incident in CAD while the unit is en route to the scene, providing the officer with an up-to-date status on the mobile computing terminal (MCT)
- Integrated public safety software gives officers and firefighters immediate access to information that helps them make informed decisions



Computer Aided Dispatch Law Enforcement

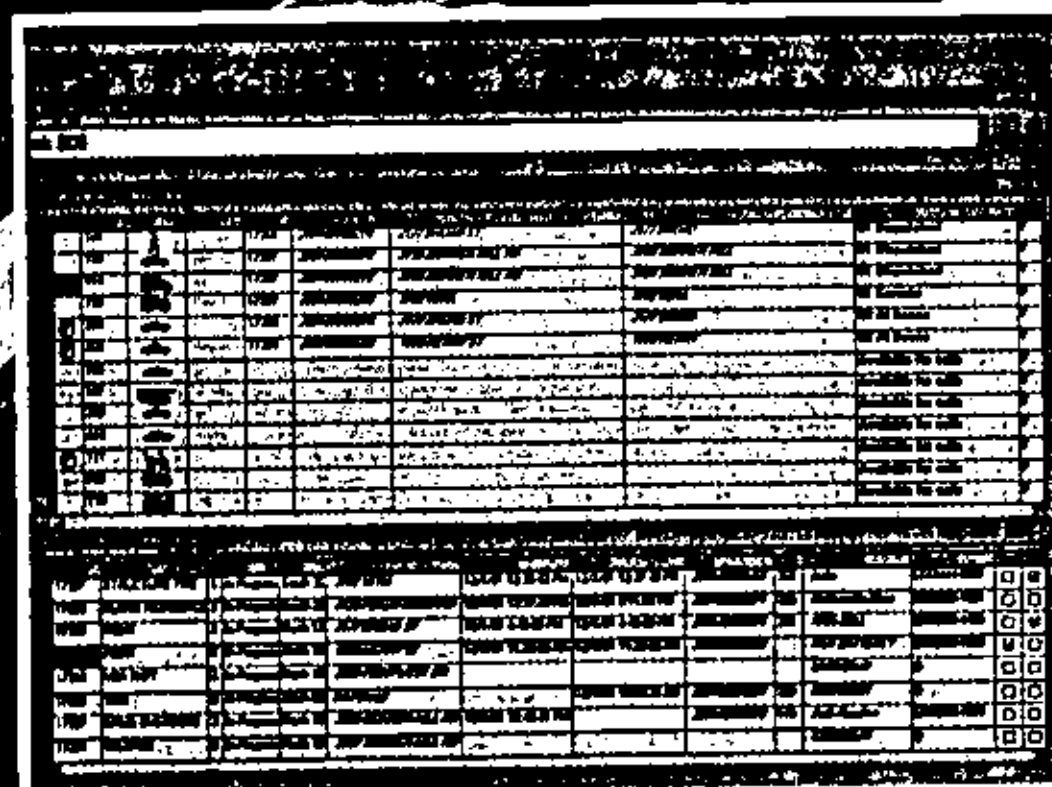
— When Performance and Rapid Response is Critical, Aegis Can Make a Difference —

Efficiency, safety and quick responses depend on the communication of timely and accurate information. New World's Aegis CAD software is designed by experienced, professional dispatch personnel from law enforcement, fire and EMS agencies.

Major benefits of the Aegis CAD solution:

- ▶ When a 911 call is received, the call for service screen automatically populates the name, address, phone number and other associated information, providing real-time, critical response dispatch support
- ▶ Integrates with New World's Aegis Records Management software; a cleared CAD incident automatically creates a file in Records Management
- ▶ Provides a vital link between the dispatcher/officer and the most comprehensive records database available, alerting dispatchers and officers of hazards, prior incidents, outstanding warrants, etc., before the officer confronts an offender or situation
- ▶ Instant access to critical information improves communication, response time performance and unit safety
- ▶ Efficiently manages single and multiple jurisdictional agencies
- ▶ Interfaces to State/NCIC – seamless access to state and federal information through the dispatch screen or MCT
- ▶ Automatically prompts the units to be dispatched and provides special response instructions, ensuring the proper procedures are implemented
- ▶ Completely scalable, the system easily manages small and large agencies
- ▶ Ability to customize screens to simulate familiar screens and commands already in use

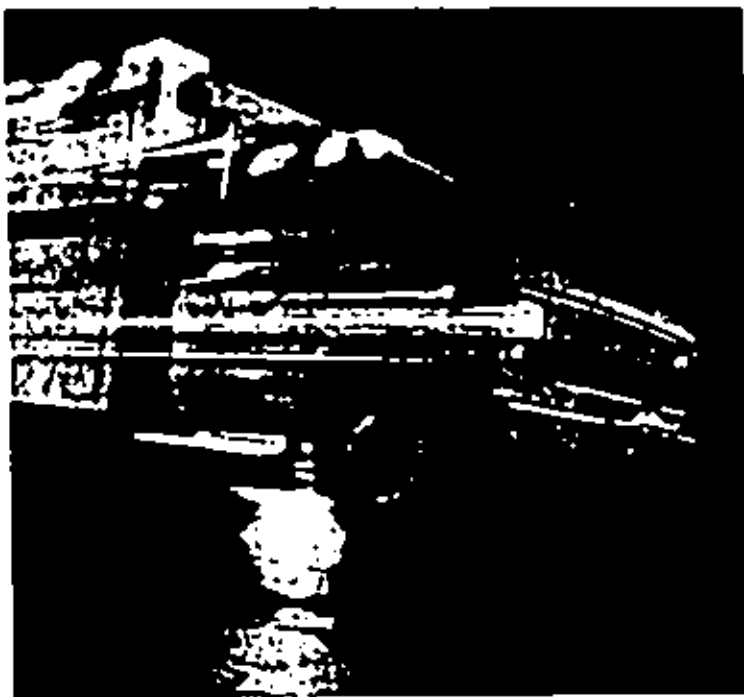
MSP (Microsoft 2000 Platform) CAD



Unit	Address	Phone	Notes	Status
101	123 Main St	555-1234	Call for service	Dispatched
102	456 Oak St	555-5678	Call for service	Dispatched
103	789 Pine St	555-9012	Call for service	Dispatched
104	101 Elm St	555-3456	Call for service	Dispatched
105	202 Maple St	555-7890	Call for service	Dispatched

"New World Systems' CAD software was specifically written with the 9-1-1 communication dispatcher in mind. It increases the speed, accuracy and reliability of the entire dispatch process, and heightens officer safety by improving and expanding on critical information available from CAD to the units in the field."

— 9-1-1 Communications Director Susie Rose-Sassone
Waukegan Police Department, Waukegan, IL

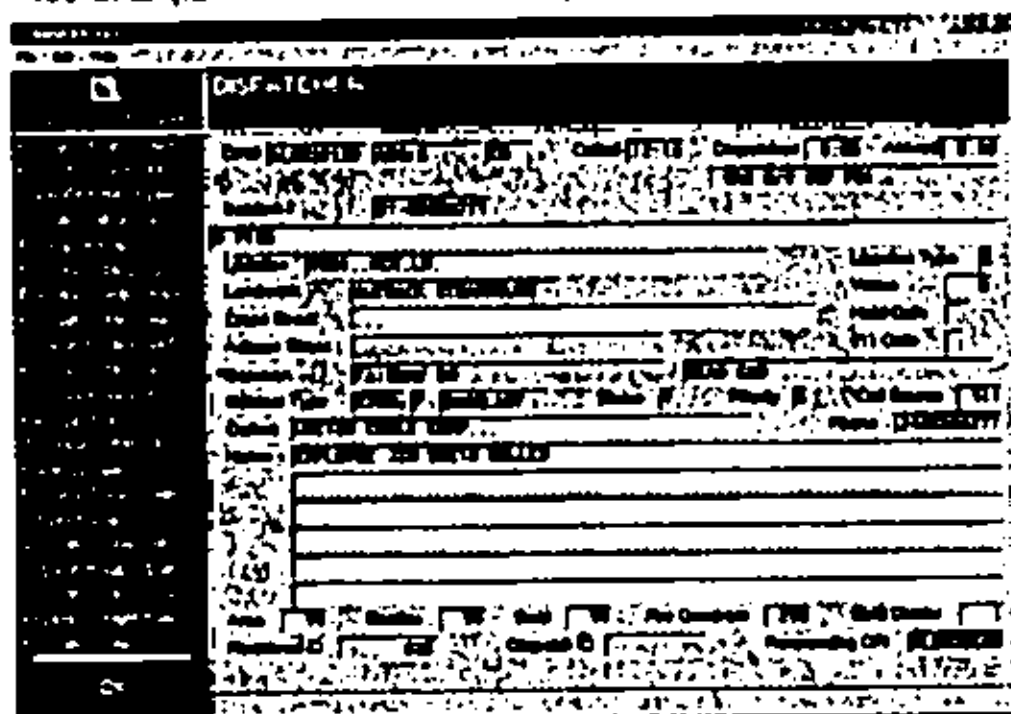


New World's *Aegis* CAD for Fire and EMS agencies provides effective and efficient communication between dispatching and the field, enhancing services to your citizens.

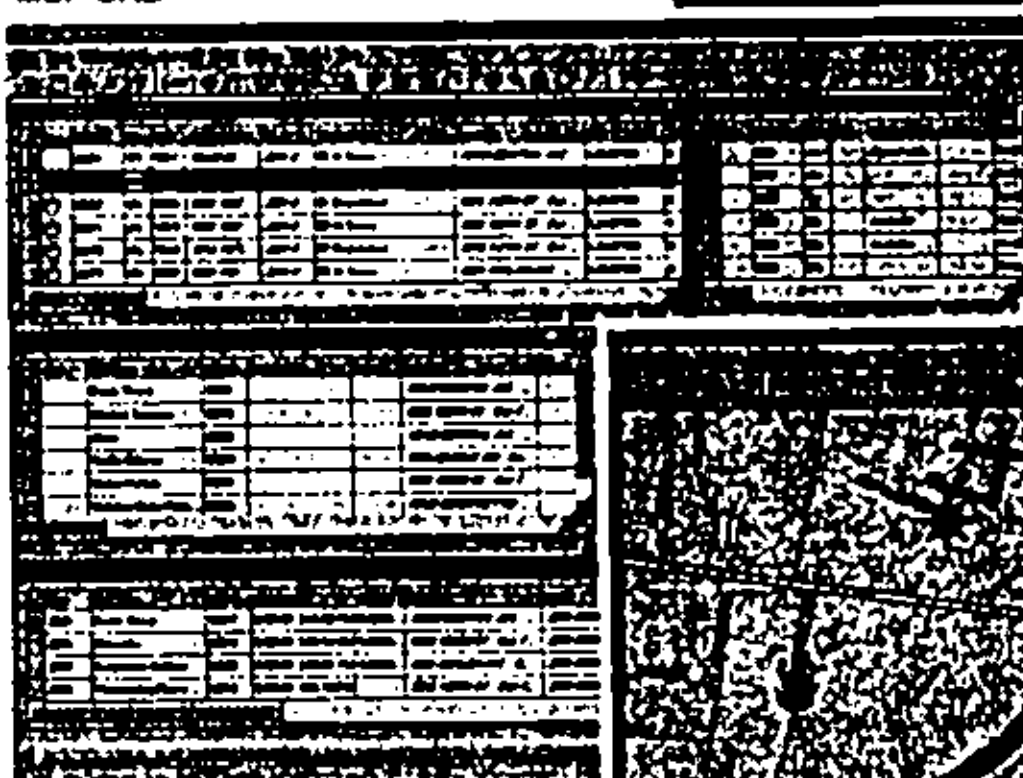
Major benefits of the *Aegis* Fire/EMS CAD solution:

- Automatically verifies address validity, saving the dispatcher's time by populating the screen with predetermined procedures and equipment suggestions based on the incident type, level of response and geographic area
- Integration with New World's *Aegis* Records Management software provides dispatchers and firefighters with critical information on inspections, pre-plans, hazards and history
- Automatically generates reports, including GEO master file listings, hazardous alerts, agency-defined notes and much more
- Automatically time/date stamps calls for service, providing supervisors with accurate information on time of entry, assignment, arrival and clearance of calls
- Reduces the risk of leaving an area without coverage with automatic run cards, including move-ups and standby
- Easy prioritization of incident transactions allows calls to be quickly dispatched based on the importance of the call

400 CAD (IBM iSeries 400 Platform)



MSP CAD



MSP and 400 CAD Mapping



"*Aegis* CAD enables us to quickly and easily dispatch public safety officials to a scene."

— Administrator Eric Swanson
Tillamook County Emergency Communications District, OR

Records Management Law Enforcement

— Access Key Information Effortlessly —

New World Systems' *Aegis* Law Enforcement Records Management system is a robust information system that tracks operational, investigative, statistical, management and administrative data. It supports extensive inquiry and subsequent reporting — including incident management, investigating cases and arrest processing.

Major benefits of the *Aegis* Law Enforcement Records solution:

- ▶ The system provides a real-time database for maintaining master files on people, places, property, vehicles, criminal activity and more
- ▶ Alerts officers of critical information, including protective orders, outstanding wants/warrants, stolen vehicles and more, when integrated with *Aegis* CAD
- ▶ Provides a master file that efficiently connects all activity to a subject, property or location
- ▶ Generates hundreds of standard reports to help manage the department, solve crimes, and communicate to elected officials
- ▶ Automatically prepares reports for state and federal (UCR and IBR) agencies
- ▶ Automated State/NCIC reporting — provides information to update your Records Management database and sends state and federal compliant reports
- ▶ Provides extensive multi-layered security to keep unauthorized personnel from viewing sensitive information, such as juvenile records and personnel information
- ▶ Adding optional software modules, for everything from Gang Tracking to of information

With New World Systems' *Aegis* Records Management software, you can manage all your law enforcement data and keep it secure.

400 RECORDS MANAGEMENT

Major benefits of the Aegis Fire Records solution:

- Automatically captures information from CAD to create or maintain files in the Records Management software on incidents, persons, businesses, property, inspections and other functions
- Compliant with NFIRS (National Fire Incident Reporting System) and state reporting requirements - granted Conditional Certification vendor status by the United States Fire Administration (USFA)
- Tracks all inspection violations, pre-planning, prevention and arson investigations to keep a vast amount of information at a user's fingertips
- Saves time by tracking all critical equipment and items related to fire management, including hydrant inventory, inspection dates, and mission critical equipment utilized in the field
- Integration with Aegis CAD minimizes redundant entry, facilitating the tracking and billing of false alarms and access to critical information
- Tracks hazardous materials to pinpoint the specific location within a building to provide firefighters with immediate access to critical information before arriving at the scene
- Tracks personnel-related information such as education, certifications, emergency information, hazardous material exposure and roster assignments

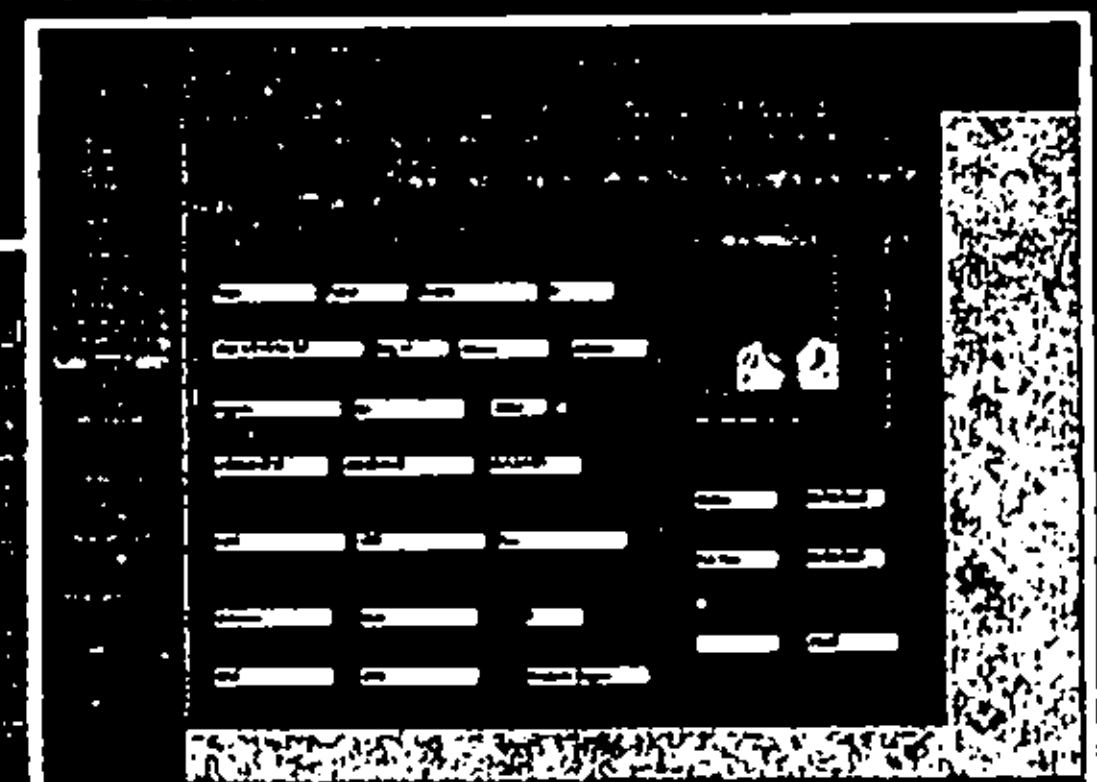
Major benefits of the Aegis EMS Records solution:

- Automatically tracks services rendered to patients for invoice generation
- Generates numerous management reports that track the units and personnel responding to calls, dispatch statistics, medical service statistics and exposures to hazardous material
- Tracks all information associated with a patient in the master file, allowing paramedics and dispatchers to easily and quickly access personal information, medical records and past treatments, saving valuable time in an emergency
- Completes the cycle from time of dispatch to invoice generation with New World's fully integrated software solution
- Interfaces to many other New World applications, including multi-jurisdictional CAD

400 RECORDS MANAGEMENT



MSP RECORDS MANAGEMENT



Records Management Law Enforcement

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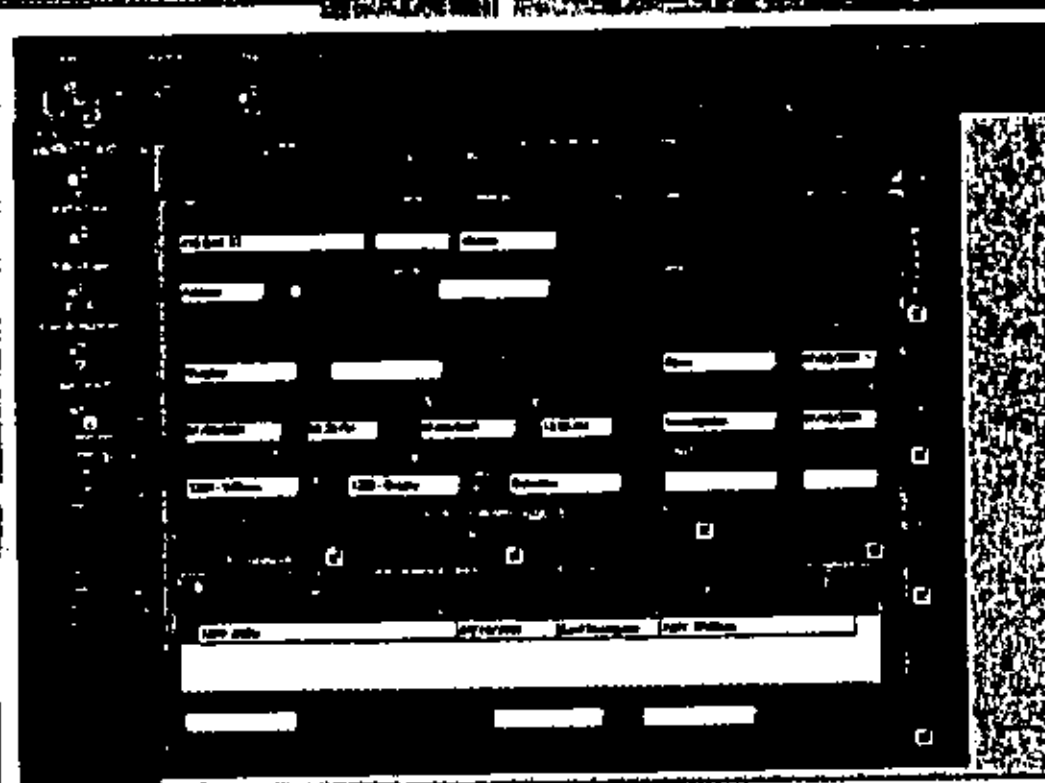
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- ▶ Automatically prepares reports for state and federal DCR and IBIS agencies
- ▶ Automated State/NCIC reporting – provides information to update your Records Management database and sends state and federal compliant reports
- ▶ Provides extensive multi-layered security to keep unauthorized personnel from viewing sensitive information, such as juvenile records and personnel information
- ▶ Adding optional software modules for everything from Gang Tracking to a wealth of information

With New
World Systems
Records Management
software, you can
manage your
department's
information
effortlessly.



400 RECORDS MANAGEMENT



Major benefits of the Aegis Fire Records solution:

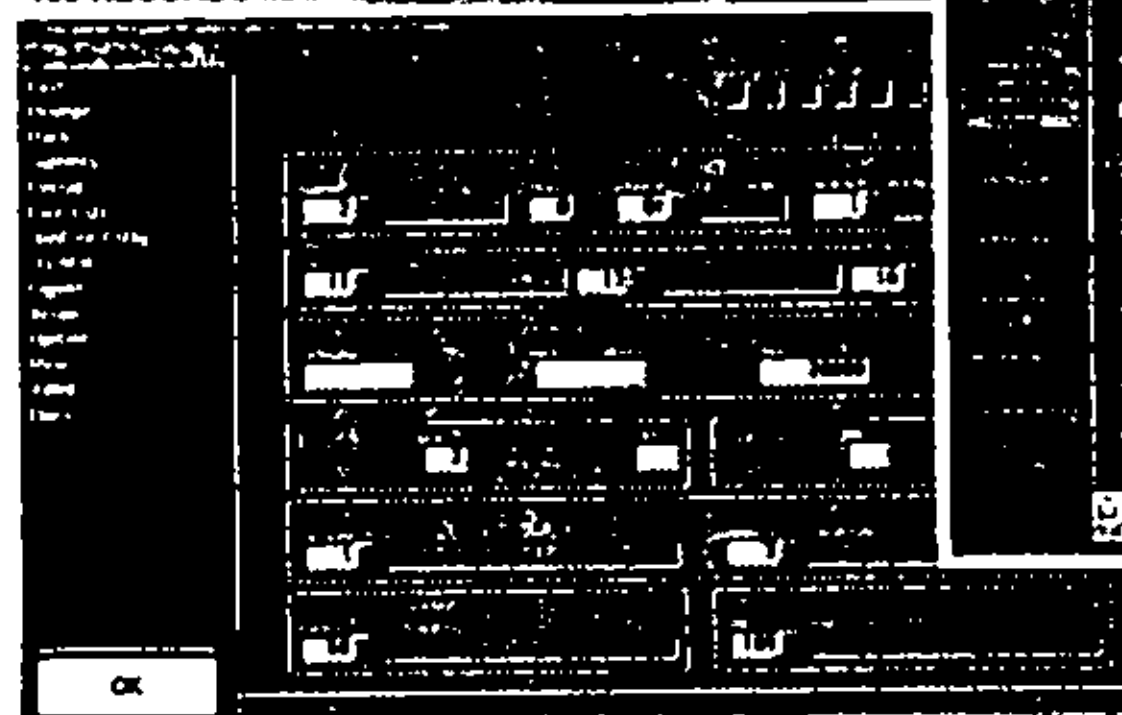
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- Tracks hazardous materials to pinpoint the specific location within a building to provide firefighters with immediate access to critical information before arriving at the scene
- Tracks personnel-related information such as education, certifications, emergency information, hazardous material exposure and roster assignments



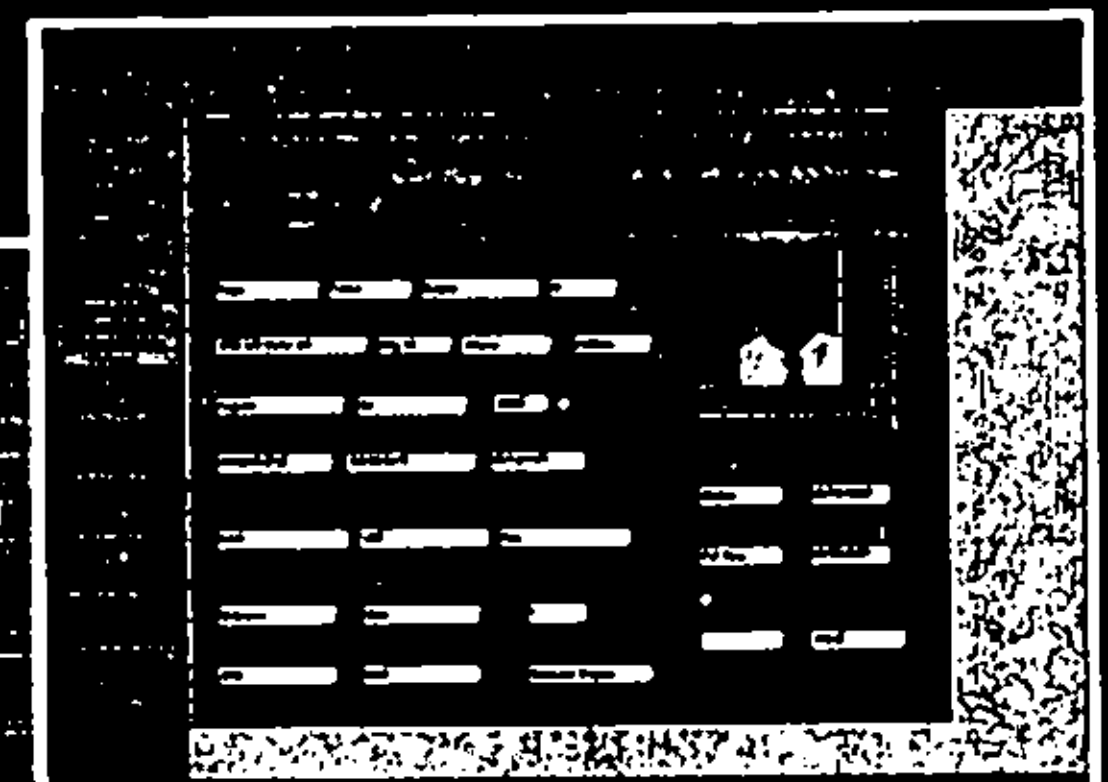
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- Completes the cycle from time of dispatch to invoice generation with New World's fully integrated software solution
- Interfaces to many other New World applications, including multi-jurisdictional CAD

400 RECORDS MANAGEMENT



NWP RECORDS MANAGEMENT



Base Package Includes:

Unit Assignment and Status Monitors
Geo-File Verification and Location Alerts
Note Pads
Records Interface
Hazardous Alerts

FIRE/EMS CAD

Base Package Includes:

Unit Assignment and Status Monitors
Geo-File Verification and Location Alerts
Note Pads and Tone Alerts
Records Interface
Hazardous Alerts
Run Cards

COMBINED CAD

LAW ENFORCEMENT/FIRE/EMS

Base Package Includes:

Unit Assignment and Status Monitors
Geo-File Verification and Location Alerts
Note Pads and Tone Alerts
Records Interface
Hazardous Alerts
Run Cards

OPTIONAL CAD SOFTWARE

CAD Mapping Interface
CAD Online to State/NCIC Interface
E-911 Interface
Tone Encoder Interface
Medical Priority ProQA™ Interface
TDD Interface
Automatic Vehicle Location (AVL) Interface
CAD Pager Interface
Alarms Tracking and Billing

MOBILE COMPUTING

Message Switch for Car-to-Car,
Car-to-CAD, CAD-to-Car
Incident Field Reporting
Accident Field Reporting
State/NCIC Access
Handheld Mobile

LAW ENFORCEMENT RECORDS

Base Package Includes:

Incident Tracking
Case Processing
Arrest Processing
Property
Personnel/Education
IBR/UCR Summary Reporting (Federal)
Wants and Warrants
Traffic Tickets and Citations
Accidents
Business Registry
Computer Aided Investigations
Impounded Vehicles
Word Processing Interface

STANDALONE LAW ENFORCEMENT SOFTWARE

Narcotics Management
Parking Tickets
Demographic Profiling

OPTIONAL LAW ENFORCEMENT RECORDS SOFTWARE

Field Investigations
Gun Permits
Property Room Bar Coding
Case Management
PACE (Paperless Automated Case Entry)
Geo-File Verification
Bicycle Licensing
Pawn Shops
Civil Paper Processing
Alarms Tracking and Billing
Bookings
Officer Activity Reporting and Scheduling
Index Cards
Career Criminal Apprehension
Orders of Protection
Hazardous Materials
Gang Tracking
Microsoft® Word Interface
Data Analysis & Mapping
Records Retention
Mug Shots
Digital Imaging
Base State/NCIC Interface
Online NCIC Wants & Warrants
Online NCIC Properties
Online NCIC Name & Address
Electronic Notes
FBI

Management Reporting
Arrests and Status

Arrests and Status
Arrests and Status

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EMS RECORDS

Incident Tracking
Incident Procedure History
Patient/Trauma Reporting
Education Tracking

CORRECTIONS MANAGEMENT

Base Package Includes:

Bookings
Inmate Tracking and Processing
Inmate Classification
Inmate Property Tracking
Random Drug Testing
Visitation
Records Interface

OPTIONAL CORRECTIONS MANAGEMENT SOFTWARE

Enhanced Medical Tracking
Northpointe® Classification
Federal and State Compliance Reporting
Commissary Accounting
Court Event Tracking
Corrections Redaction
Jail Linkage Interface
Visionics Interface
Identix Interface
Vine® Interface

THEMIS® COURT MANAGEMENT

Base Package Includes:
Bond Disbursement and Tracking
Case Management and Tracking
Court Scheduling
Disbursement Management
Financial Management
Hearings 401 Report Management
Inmate Registration Management
Inmate Accounting
Inmate Grants Tracking

OPTIONAL THEMIS MANAGEMENT SOFTWARE

Arrest Entry
Bookings Entry
CheckOut Plus Cash
Court
Court Probation
Criminal Court
Probate Court
Traffic and Citations

OPTIONAL THEMIS MANAGEMENT SOFTWARE

Arrest Entry
Bookings Entry

OPTIONAL THEMIS MANAGEMENT SOFTWARE

Arrest Entry
Bookings Entry

OPTIONAL THEMIS MANAGEMENT SOFTWARE

Arrest Entry
Bookings Entry

STAFF REVIEW FORM

Animal Concerns Comm
C. 3. Page 1

☒ AGENDA REQUEST
☐ CONTRACT REVIEW
☐ GRANT REVIEW

FOR: COUNCIL MEETING OF April 2, 2002 MAYOR'S APPROVAL _____

FROM:

Brenda Thiel, Alderman

Name

Division

Department

ACTION REQUIRED: A resolution establishing an Advisory Committee, to be known as the Animal Concerns Committee, setting forth the selection process for membership and the responsibilities of the Animal Concerns Committee.

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 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:

Division Head

Date

Department Director

Date

Administrative Services Director

Date

Mayor

Date

CROSS REFERENCE

New Item:

Yes

No

Previous Ordinance/Resolution No.: _____

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING AN ADVISORY COMMITTEE,
TO BE KNOWN AS THE ANIMAL CONCERNS COMMITTEE,
SETTING FORTH THE SELECTION PROCESS FOR
MEMBERSHIP AND THE RESPONSIBILITIES OF THE ANIMAL
CONCERNS COMMITTEE.

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

Section 1. That the City Council hereby establishes an advisory committee,
to be known as the Animal Concerns Committee, and it shall be as follows:

I. **Purpose.** The Animal Concerns Committee advises the City Council and staff on issues regarding the general well-being and health of animals, including but not limited to issues affecting the Animal Services Division (Animal Shelter, Animal Control, and Veterinary Clinic); stimulates and encourages communication with members of the community to ensure that programs, goals, and objectives of the Animal Services Division are consistent with community needs and desires, and State standards; and, promotes the general health and well-being of animals.

II. **Composition.** The Animal Concerns Committee shall consist of eight (8) voting members as follows:

- a. Two (2) voting members shall be members of the City Council;
- b. Two (2) voting members shall be members of the Humane Society of the Ozarks;
- c. One (1) voting member shall be a licensed veterinarian recommended by the Humane Society of the Ozarks;
- d. Three (3) voting members shall be private citizens, who are qualified electors residing in the City of Fayetteville, and appointed by the City Council;
- e. The Animal Services Superintendent shall serve as a nonvoting ex officio member of the committee.

- III. **Appointment.** The City Council shall appoint private citizen members from those names provided by the Nominating Committee, in the manner set forth in §H(2) of the Rules of Order and Procedure, Fayetteville Mayor/City Council. All other members of the Animal Concerns Committee shall be nominated by their respective organizations.
- IV. **Terms of Office.** All members serving on the Animal Concerns Committee at the time of passage of this Resolution shall continue to serve until December 31, 2002. Thereafter, private citizen members shall serve staggered, two year terms. City Council and Humane Society members shall serve at the discretion of their sponsoring body.
- V. **Officers.** At the first regularly scheduled committee meeting of each calendar year, the voting members of the committee shall, by a simple majority, elect from among themselves a Chair and Vice Chair.
- VI. **Meetings.** The Animal Concerns Committee shall meet at least once per month to conduct regular business at a time and place that is mutually convenient to the membership. The committee may meet more frequently, as the need shall arise.

PASSED AND APPROVED this ____ day of _____, 2002.

APPROVED:

By: DAN GOODY, Mayor

ATTEST:

By: HEATHER WOODRUFF, City Clerk

DRAFT



STAFF REVIEW FORM

Solid Waste Modif
C. 4. Page 1.



XXX AGENDA REQUEST
 CONTRACT REVIEW
 GRANT REVIEW

For the Fayetteville City Council meeting: April 2, 2002

FROM:

Carrol Hill
Name

Environmental Affairs Admin.
Division

General Services
Department

ACTION REQUIRED:

Approval of the Lift Concept Modification of Vehicle Configuration for the Commercial Route Front Load Style Sanitation Vehicles. This will allow an upgrade to the newer style fork application and eliminate the triangle style lifts on vehicles as they are being replaced. This will also allow modifications to current containers and upgrade of containers as they are being replaced.

COST TO CITY:

\$ N/A
Cost of this Request

\$ N/A
Category/Project Budget

Commercial Collection
Category/Project Name

N/A
Account Number

\$ N/A
Funds Used To Date

Operations & Administration
Program Name

N/A
Project Number

\$ N/A
Remaining Balance

Solid Waste
Fund

BUDGET REVIEW:

XX Budgeted Item

 Budget Adjustment Attached

[Signature] 3-15-02
Budget Coordinator MANAGER 2

Administrative Services Director

[Signature] 3/15/02
Accounting Manager

ADA Coordinator

[Signature] 3/15/02
City Attorney

[Signature] 3/15/02
Internal Auditor

Purchasing Officer

STAFF RECOMMENDATION:

Approval of Vehicle Configuration Modifications and Container Modifications.

[Signature] 3/14/02
Division Head

Cross Reference

[Signature] 3/14/02
Department Director

New Item: Yes No

[Signature] 3/15/02
Administrative Services Director

Prev Ord/Res #:

[Signature] 3/15/02
Mayor

Orig Contract Date:

REC'D

MAR 14 2002



STAFF REVIEW FORM

Description: Commercial Sanitation Vehicle Configuration

Meeting Date: April 2, 2002

Comments:
Budget Coordinator:

Accounting Manager:

City Attorney:

Purchasing Officer:

ADA Coordinator:

Internal Auditor:

Reference Comments:

DEPARTMENTAL CORRESPONDENCE

March 12, 2002

TO: Gary Dumas

FROM: Carrol Hill

SUBJECT: Lift Concept Modification - Commercial Sanitation Vehicle

I would like to recommend we change the lift mechanism on our Commercial Sanitation Vehicles from the triangle system to a standard fork mechanism. The current triangle system is very outdated and the cost of the triangle dumping system on the vehicle and containers is considerably more than the fork system.

Initially, there is a savings of \$4,200 when ordering the fork system on our new trucks versus the triangle system.

Currently, we are paying an additional \$30 per 4 yd, \$40 per 6 yd and \$50 per 8 yd container to have the triangle put on standard containers. Last year, 112 containers were ordered, the savings on those containers based on the savings noted, the City would have saved \$3,670. Currently, we have a purchase order for approximately 250 containers, to be purchased over the year 2002. If we assume that we can save an average of \$40 per container, the City could save \$10,000 on the future purchases of containers. With the rapid growth of the City, this could mean additional savings.

Another significant savings is in the cycle time of the forks versus the triangle. The cycle time on the current triangle system takes from 45 seconds without any problems, to 90 seconds per container when problems occur. The cycle time for the fork system is 20 seconds. Changing to the fork system would save approximately 2.08 hours per route in cycle time alone. Two hours per route per week would result in \$100 saved from the first two routes.

The cost of the channels to convert the containers in stock is \$40 per bin. We feel that it would be best to hire a temporary certified welder to work on our yard welding the side channels to the containers. As the containers are welded, we would paint and apply labels, then have staged for delivery. We have bids from welders ranging from \$20 to \$50 per container for welding. We would require a minimum of 10 containers per day be completed.

-2-

To accomplish the two route conversion, initially we would bring in to the yard 50 containers from customers sites, leaving the customer another container. That supply of 50 containers would be converted, then delivered to the next 50 customers, etc. The two routes have 533 containers total. At no time will a customer be without a bin. These two routes could be completed in 53 days.

There are other labor savings from the maintenance of the triangle mechanism that will be realized as well. I am very familiar with the fork system, and have had very good productivity increases as a result of such a change.

The remainder of our fleet of front loaders could be converted to the fork system as those routes were changed out. We would realize the productivity increases, decreased cost of containers, increased productivity and less maintenance time to maintain the triangle system.

The savings from the cost of the vehicle is \$8,400 and \$10,000 reduction in purchase price of new containers. The initial expenses to cover the two routes is \$21,320 for the side channels and welding. The \$2,920 difference will be made up in the productivity increases gained by the more efficient equipment and reduced maintenance costs to service and repair the triangle devices. Further, the route efficiencies gained should allow us to add 18 hours per month to the two routes without adding any actual hours.



CITY OF FAYETTEVILLE

Inter-Office Memo

FLEET OPERATIONS DIVISION - PHONE: 501.444.3495 FAX: 501.444.3425
1525 S. Happy Hollow Road Extension: 495 FAX: 325
Fayetteville, AR 72701

TO: Carrol Hill, Environmental Affairs Administrator

FROM: W. A. Oestreich, Fleet Operations Superintendent

DATE: March 14, 2002

SUBJECT: Forks versus Triangles

Reference your memo regarding a proposal to change from the old style Load-All Style Triangle Lift Attachment to the more accepted current Fork Style on the Commercial Front Loader Style Trucks.

The fork style should prove to be a lower maintenance unit due to removal of the Air Cylinder and Lock Pins required on the triangle. It also will provide a more positive attachment to the container which will distribute the weight through two contact points rather than one. The safety of the fork system is obvious in their wider industry acceptance over the triangle.

Please note the price difference in cost between the two units. Reference attached correspondence from Arkansas Power Steering indicating a savings of \$4,200.00 per unit.

Please advise as soon as possible if we can utilize this savings on the two new units currently on order. I am pleased in your concern for initial cost savings, safety and decrease in maintenance requirements along with faster parts response due to industry standardization of the system.

May I add that this enforces my response to a comment heard recently regarding this change in systems. "When will Fayetteville get out of the competitions dust and upgrade?". Hopefully this will be an acceptable system and be implemented.

If you have questions or comments regarding this item, please contact me at ext. 494.

Thank You

Bill

STEERING &

HYDRAULICS, INC.

314 HEMLOCK

N LITTLE ROCK, AR 72114

501-372-4828 FAX 501-372-2886

QUOTE

DATE

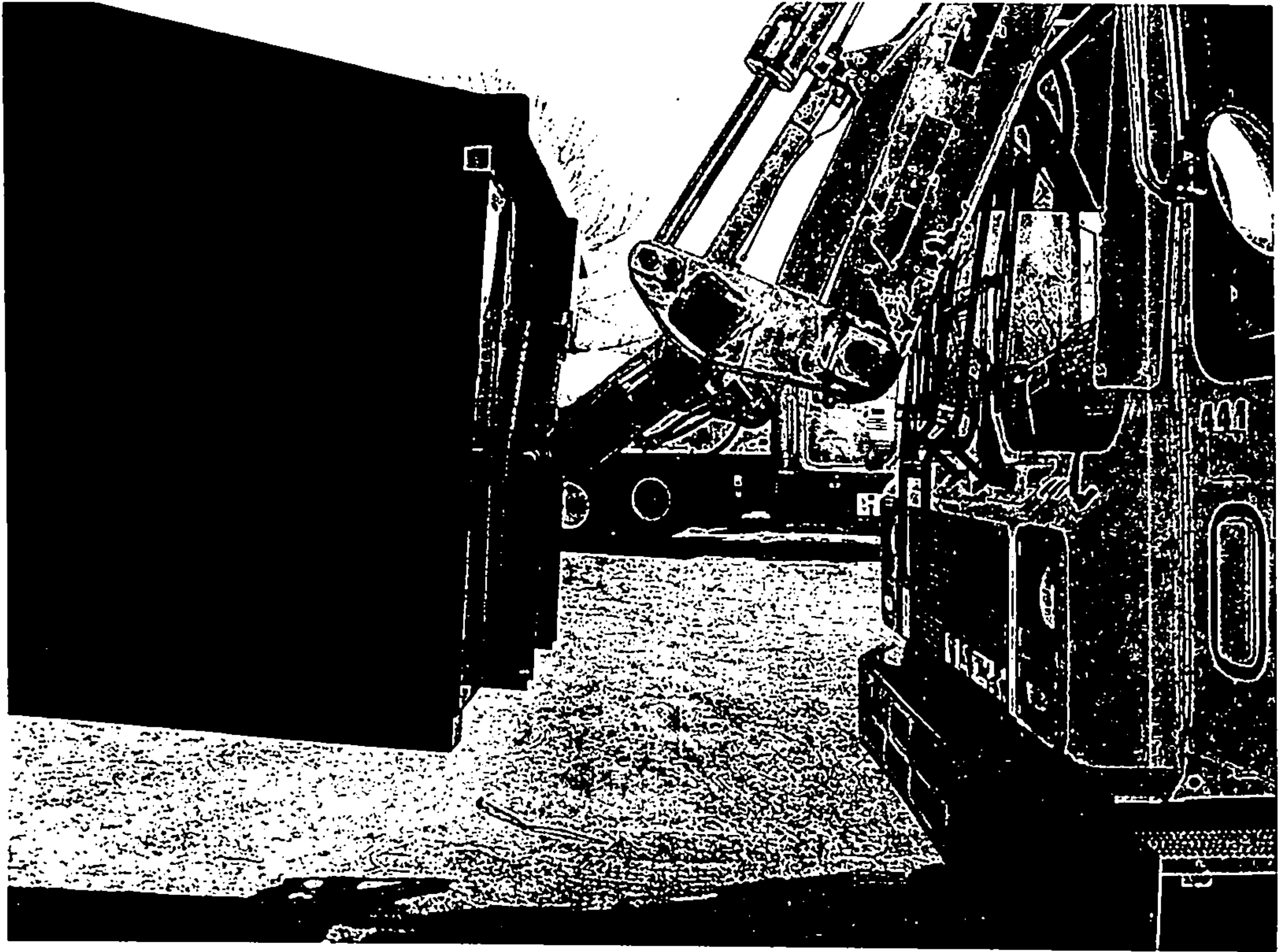
3/14/2002

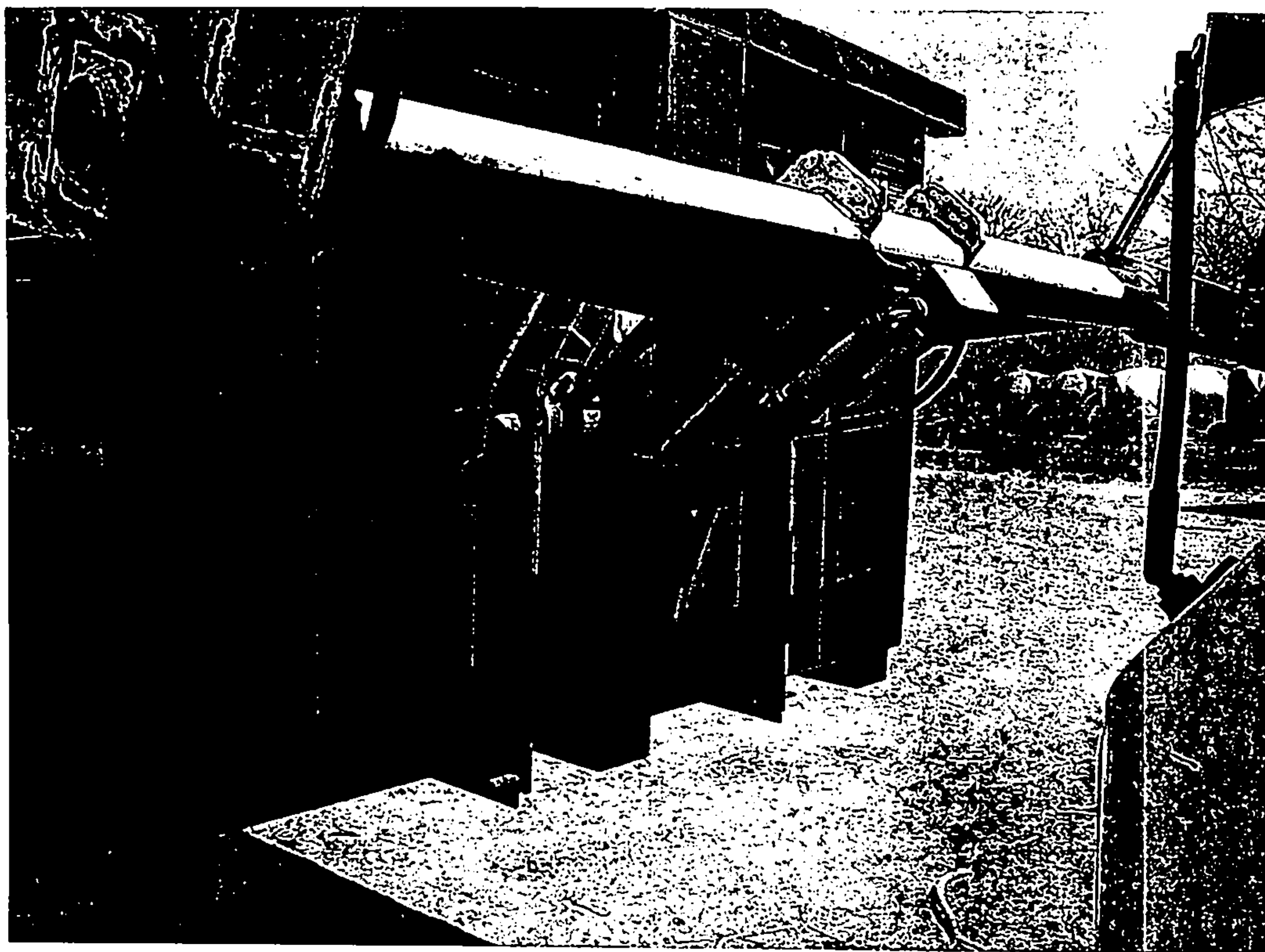
NAME / ADDRESS

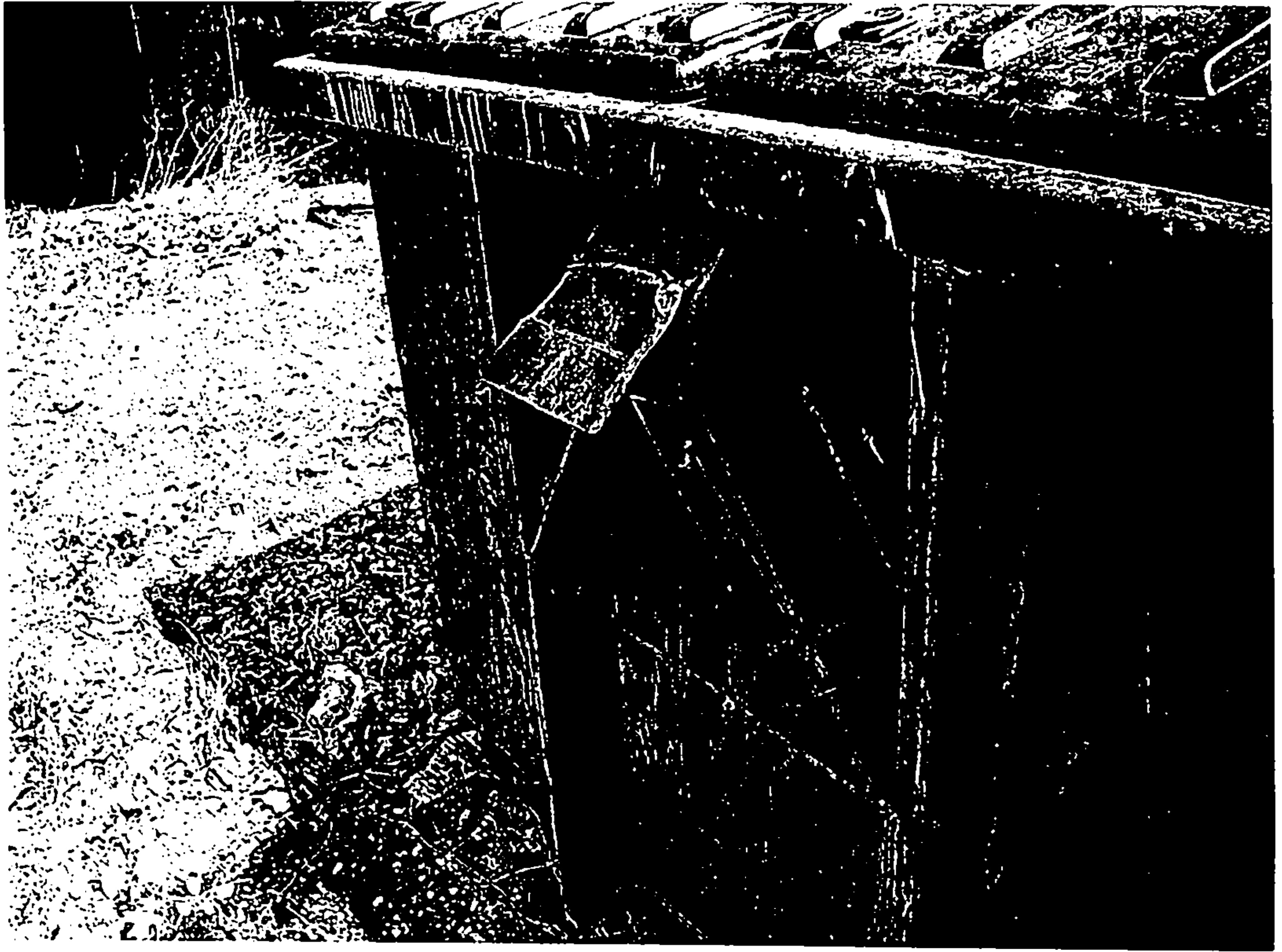
CITY OF FAYETTEVILLE
ATTN. CARROL HILL
479-575-8398 PH
479-444-3478 FAX

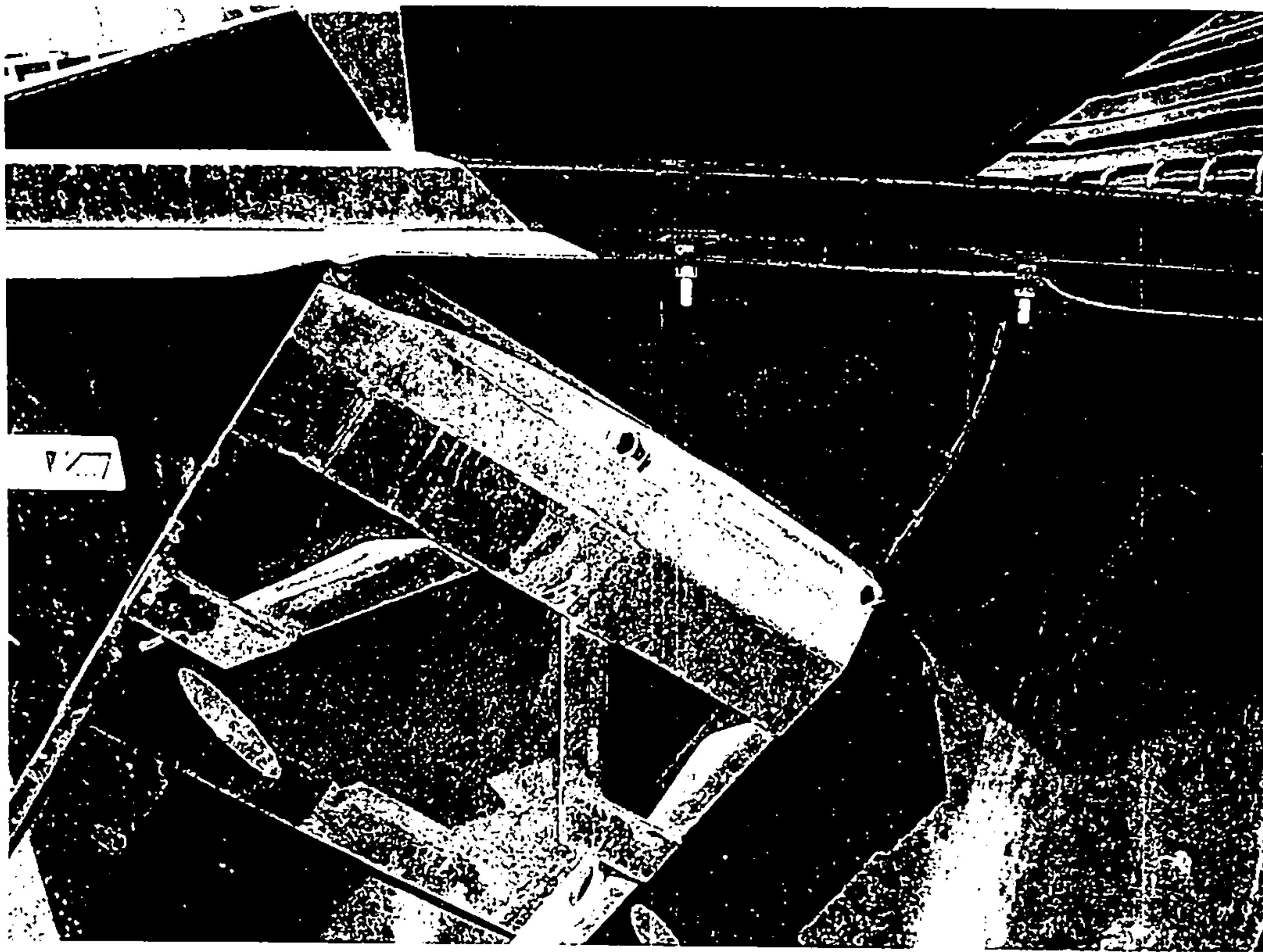
QTY	DESCRIPTION	COST	TOTAL
2	REPLACE A-FRAME W/FORKS (PER UNIT)	-4,200.00	-8,400.00
	(REF PO#02865) Sales Tax	0.00	0.00
		TOTAL	\$-8,400.00

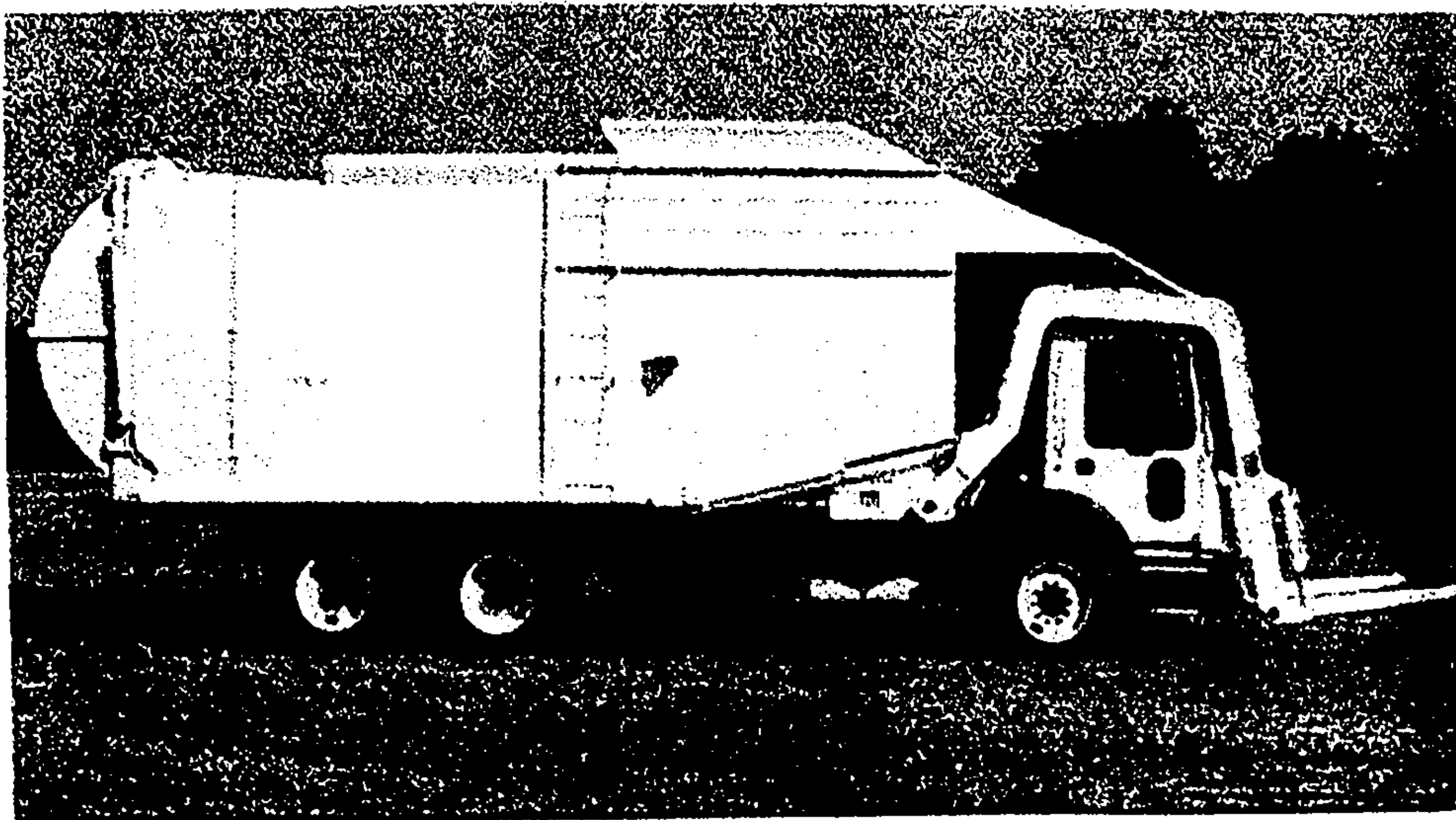






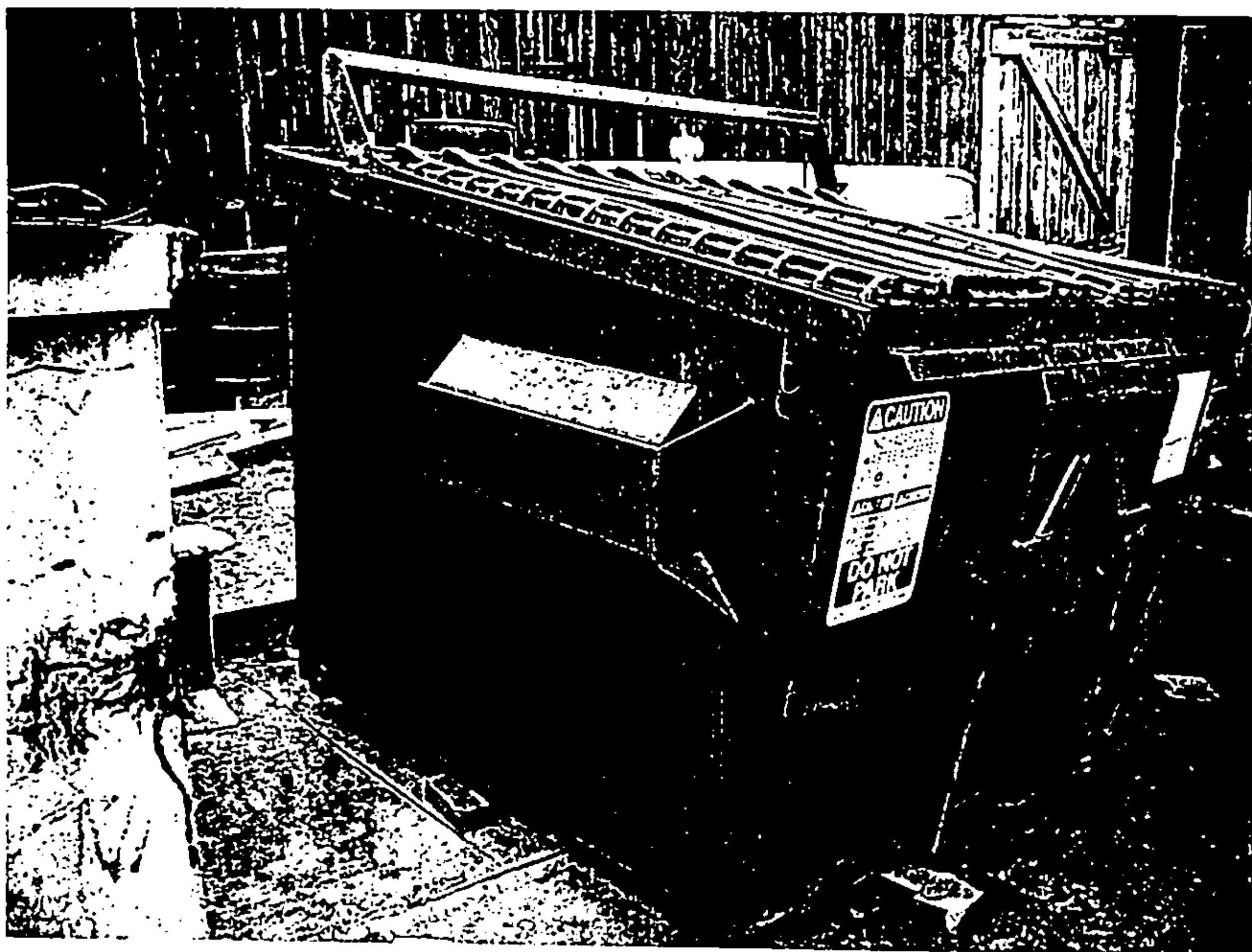














FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

TENTATIVE AGENDA CITY COUNCIL APRIL 2, 2002

A meeting of the Fayetteville City Council will be held on April 2, 2002 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain, Fayetteville, Arkansas.

NOMINATING COMMITTEE REPORT

A. CONSENT

1. APPROVAL OF THE MINUTES

2. **BOYS AND GIRLS CLUB:** A resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys and Girls Club.

3. **PAGERS:** A resolution increasing the City's annual pager/cell phone allotment by \$2,810.16. The increase will allow the Fire Department to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System.

4. **PROPERTY SALE:** A resolution approving the sale of City owned property in the Fayetteville Industrial Park identified as a lot split of Parcel R containing approximately 7.75 acres for \$20,000 per acre or an amount not to exceed \$155,000 and approval of a budget adjustment.

B. OLD BUSINESS

1. **RZN 02-1.00:** An ordinance approving rezoning request RZN 02-1.00 for property located at 1140 Hendrix and 1110 Hendrix. The property is zoned R-1, Low Density Residential, and contains approximately 1.36 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was tabled on the third reading at the March 5, 2002 meeting.

2. **RZN 02-5.00:** An ordinance approving rezoning request RZN 02-5.00 for property located west of I-540 and south of Point West Phase I and east of Pine Valley Phase I. The property is zoned I-1, Heavy Commercial / Light Industrial and R-2, Medium Density Residential and contains approximately 14.84 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was left on the first reading at the March 5, 2002 meeting.
3. **CDBG:** A presentation regarding the 2002 Community Development Block Grant.

C. NEW BUSINESS

1. **RZN 02-6.00:** An ordinance approving rezoning request RZN 02-6.00 as submitted by Terry Carpenter of US Infrastructure, Inc. for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.
2. **NEW WORLD SYSTEM:** A resolution approving the purchase of the Fire Department's portion of the New World Technology upgrade for the Computer Aided Dispatching/Records Management System which will allow the Fire Department to interface with the current CAD/RMS system to provide accurate reporting information.
3. **ANIMAL CONCERNS COMMITTEE:** A resolution establishing an advisory committee to be known as the Animal Concerns Committee setting forth the selection process for membership and the responsibilities of the Animal Concerns Committee.
4. **SOLID WASTE MODIFICATION:** approval of the lift concept modification of vehicle configuration for the commercial route front load style sanitation vehicles. This will allow an upgrade to the newer style fork application and eliminate the triangle style lifts on vehicles as they are being replaced. This will also allow modifications to current containers and upgrade of containers as they are being replaced.

Consent ☒
New Business ☐

STAFF REVIEW FORM

Description Lease Agreement with Fay. Boys & Girls Club Meeting Date April 2, 2002

Comments:
 Budget Coordinator

Reference Comments:

Accounting Manager

City Attorney

Purchasing Officer

ADA Coordinator

Internal Auditor

DEPARTMENTAL CORRESPONDENCE

TO: Mayor Coody and City Council

THRU: Hugh Earnest, Urban Development Director

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

DATE: March 12, 2002

RE: Lease Agreement with the Fayetteville Boys & Girls Club

Background

The City entered into a contractual agreement with the Fayetteville Boys and Girls Club in August of 2001. Included in this agreement was the city's intent to lease the Boys and Girls Club 8.16 acres of park land for the development of playing fields, parking, and trails to compliment the new facility and recreational programs. (See attached map. Park land is Tract 5 and 6. Tract 4 is the Club site.)

Current Status

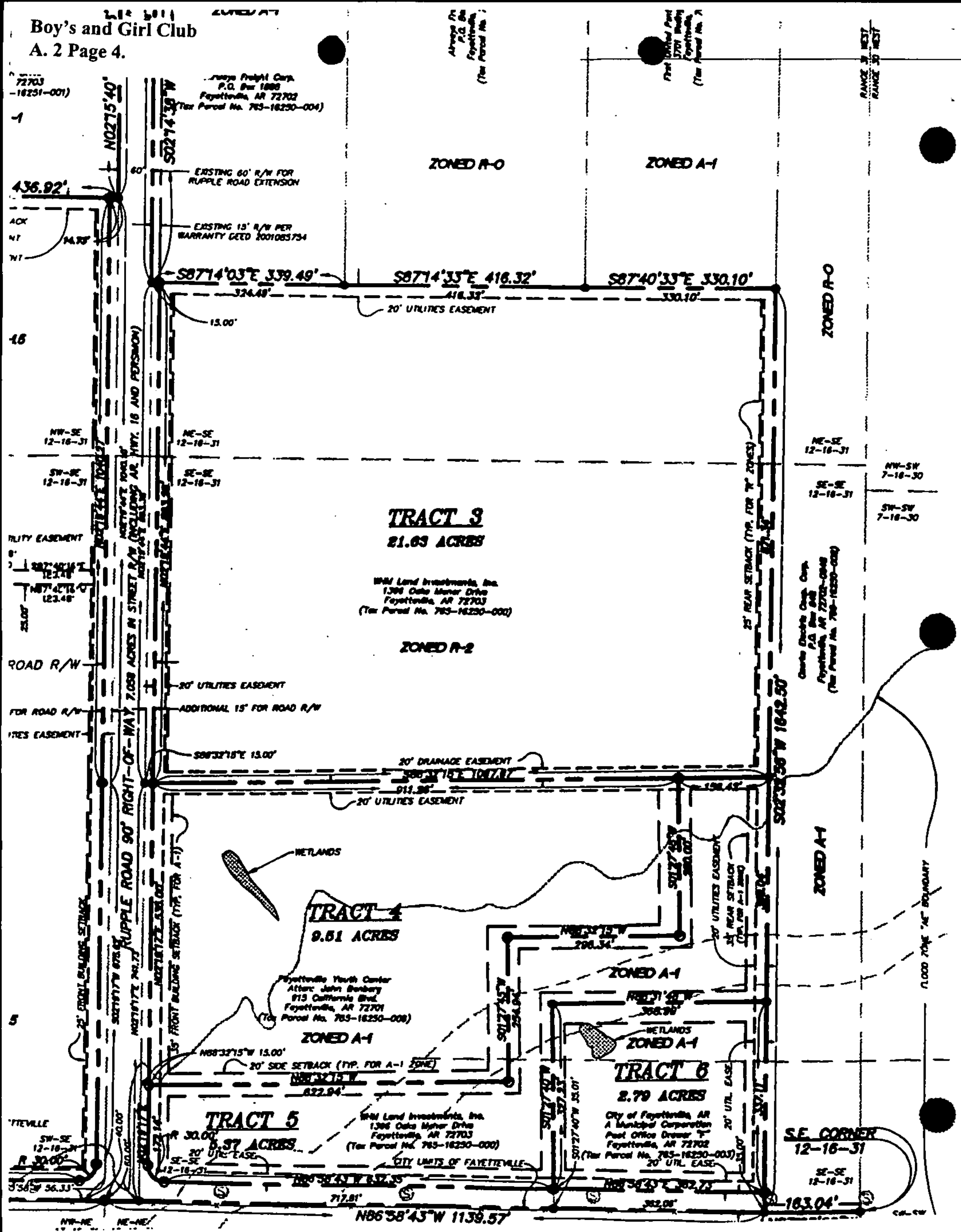
This agreement leases 8.16 acres of park land lying adjacent to the future Boys and Girls Club for public recreational purposes for a term of 99 years. The contract which includes the working procedures and responsibilities between the Boys and Girls Club and Parks and Recreation are outlined in Ordinance 4372 as approved at the February 19, 2002 City Council meeting.

Recommendation

Parks and Recreation staff recommends approval of a resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land. It is the goal of Parks and Recreation Division and the Boys and Girls Club to work in cooperation to enhance the recreation facilities and programs offered to the public and to act together in meeting the needs of the citizens of Fayetteville. The City is proud of the Boys and Girls Club's admirable endeavor for this new facility.

Attachments:

Property Map
Conceptual Plan of Fayetteville Boys and Girls Club



RESOLUTION NO. _____

A RESOLUTION TO APPROVE A 99 YEAR LEASE OF
8.16 ACRES OF PARK LAND TO THE FAYETTEVILLE
YOUTH CENTER, INC.

WHEREAS, on August 21, 2001, the City of Fayetteville entered into a Contractual Agreement with the Fayetteville Youth Center, Inc. and agreed "to enter into a long term lease for the park land"; and

WHEREAS, it remains in the best interests of the citizens of Fayetteville to lease this park land adjoining the new Boys and Girls Club funded primarily by a grant from the Donald W. Reynolds Foundation.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby agrees to lease the 8.16 acres of park land adjoining the new Boys and Girls Club to the Fayetteville Youth Center, Inc. d/b/a/ Fayetteville Boys and Girls Club, Inc. for 99 years, pursuant to the terms and conditions of the Lease Agreement attached as Exhibit A. The mayor is authorized to sign this Lease Agreement.

PASSED and APPROVED this 2nd day of April, 2002.

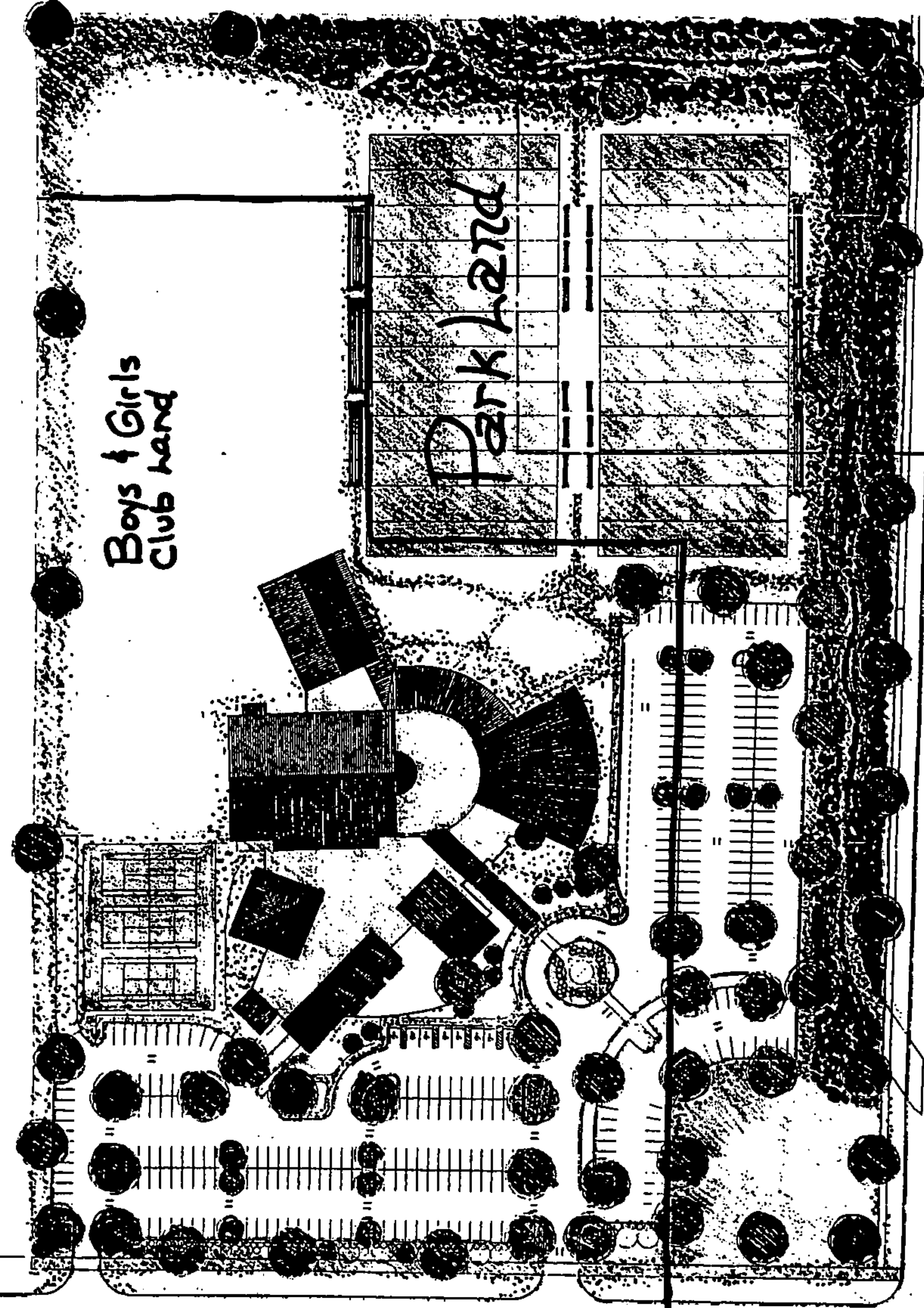
APPROVED:

By: _____
DAN COODY, Mayor

ATTEST:

By: _____
Heather Woodruff, City Clerk

DRAFT



Q SITE PLAN

Donald W. Reynolds Boys and Girls Club
Fayetteville, Arkansas

 **Farnsworth**
GROUP

LEASE AGREEMENT

This Agreement of Lease ("Lease"), made and entered into this ___ day of _____, 2002, by and between the City of Fayetteville, Arkansas, its successors and assigns hereinafter designated as "Lessor," and Fayetteville Youth Center d/b/a Fayetteville Boys and Girls Club, hereinafter designated as "lessee," Witnesseth:

WHEREAS, Lessor is the owner of real property located within the boundaries of the City of Fayetteville, Washington County, State of Arkansas; and,

WHEREAS, Lessee is the owner of the adjacent property on which it intends to construct a new facility for the Fayetteville Boys and Girls Club; and,

WHEREAS, the Lessee wishes to use the Lessor's land for playing fields, parking, trails, and other items needed for the operation of the facility.

NOW, THEREFORE, the parties agree as follows:

1. PREMISES. For and in consideration of the rents, covenants and agreements herein entered into and agreed upon by the Lessee as obligations to the Lessor, the Lessor lets, leases and demises unto Lessee, subject to the terms and conditions contained herein, the following described property situated in Washington County, Arkansas,

Tract Five (5) of the WHM Land Investments, Inc., containing 5.37 acres, more or less, subject to easements and rights-of-way of record.

AND

Tract Six (6) of the WHM Land Investments, Inc., containing 2.79 acres, more or less, subject to easements and rights-of-way of record.

2. TERM. The term of this Lease shall be ninety-nine years beginning on the date of execution and ending ninety-nine years later.

3. RENTAL. Lessee agrees to pay as rent for said leased premises One Dollar (\$1.00), each year payable in advance on the date of execution and on the anniversary date of such execution at the address of the Lessor or at such other place as Lessor may designate by written notice to Lessee.

4. USE. Lessor covenants that the subject real property shall be used for recreational purposes and for no other purpose without written consent of Lessor having been obtained in advance. It is understood that a portion of the property will be used for parking and other necessary functions relating to the facility.

5. ASSIGNMENT and LEASE. Lessee shall have no right at any time during the term of this Lease or any renewal or extension thereof to assign or sublease. However, Lessee may allow other organizations temporary or seasonal use of the property provided Lessee remains the primary user.

6. INSURANCE.

A. Lessee shall maintain, at its own cost and expense, public liability insurance, naming Lessor as an additional insured with limits of liability in an amount of One Million Dollars (\$1,000,000.00) for bodily injury, personal injury, death to any one person or damage to property.

B. Lessee shall be solely responsible for maintaining insurance on its property including but not limited to moveables, trade fixtures, furniture, furnishings and inventory.

7. UTILITIES AND MAINTENANCE. Lessee shall pay for all utilities, which are consumed by Lessee in the operation of these Premises. Moreover, Lessee shall pay for all costs of maintaining the leased property which must be maintained appropriately for park purposes. Any current and or future development and maintenance activities shall meet or

exceed all federal regulations and requirements pertaining to designated wetlands.

8. SIGNS. Lessee may place such signs, as it may deem proper on the premises, so long as said signs are in compliance with Lessor's sign ordinances.

9. RECREATIONAL USE. Citizens, who are not members, shall be allowed to use the entire facility for a nominal daily use fee. Lessee will not charge citizens to be present on the park land (other than the playing fields); however, the Lessee has the responsibility to schedule events on the park land. The playing fields shall be game fields and use must be scheduled through the Lessee. Unaffiliated groups that appropriately meet the criteria for use of the game fields will be allowed to schedule use of the fields for a fee that is based on the operation and maintenance costs of the fields. Lessee may close the playing fields during any period for the protection of the condition of the playing surface. Lessee shall be responsible for scheduling and maintaining the park land. Restroom facilities with outside access shall be available during club hours to the general public and shall be available to specific field users at all scheduled times of use. Lessee will open its facility to the public without costs on specific scheduled days announced in advance of such times. The facility shall be open to the public without costs for a minimum of four days each calendar year beginning in year 2004.

10. LIENS. The Lessee herein shall not have any authority to create any liens for labor or materials on the Lessor's interest in the described premises, and all persons contracting with the Lessee for the erection, installations, alterations, or repair of any building or other improvements on the described premises are hereby charged with notice that they must look to the Lessee and to the Lessee's interests only to secure the payment of any bills for work done or material furnished during the term created by this Lease. Lessor

shall not be liable nor shall the leased premises be subject to any mechanics, materialmen, or other type of liens. Lessee shall keep the premises and property in which the leased premises are situated free from any such liens and shall indemnify Lessor against and satisfy any such liens which may be obtained because of acts of Lessee notwithstanding the foregoing provision. Moreover, Lessee must receive written permission from Lessor prior to constructing any building on the lease property.

11. INDEMNIFICATION. Lessee shall indemnify and hold Lessor harmless from and against any and all loss, cost, damage, and expense (including attorney's fees and cost of litigation) resulting from all claims for damage or injury to any person or property arising out of any or in any way connected with Lessee's use and occupancy of the leased premises or resulting from any act or omission of Lessee, its employees, agents, guests, invitees, or otherwise with respect to the premises, unless such injury or damage results from, or arises out of, or in any way connected with, the negligence or improper conduct or other acts or omissions of Lessor, its employees, agents, guests, invitees, or otherwise. No sentence clause, phrase or paragraph contained herein shall be construed to waive that tort immunity as set forth under Arkansas law.

12. LESSEE'S DUTY TO REPAIR. Lessee shall keep fences and any other structure on the lease property in good repair throughout the term of this lease.

13. EVENTS OF DEFAULT. The occurrence of any events described in Paragraphs 13.1 through 13.5 hereinbelow shall constitute an event of default under this lease.

13.1. Failure by Lessee to pay in full any rental hereunder within thirty (30) days of the date of Notice of Default from Lessor to Lessee.

13.2. Default by Lessee in observance or performance of any of the terms,

covenants, agreements, or conditions contained in this for a period of thirty (30) days after notice to Lessee by Lessor. Provided however, that if such default cannot be cured within such thirty (30) day period due to events beyond Lessee's reasonable control, then the time for curing such default shall be extended provided the Lessee has diligently undertaken to cure such default promptly after receipt of Notice of Default from Lessor.

13.3. The Premises of Lessee's interest therein are levied upon or attached under process against Lessee and not satisfied or dissolved within forty-five (45) days after notice from Lessor to Lessee to obtain satisfaction thereof.

13.4. The assignment, subletting or mortgaging of the Premises.

13.5. Facility and/or fields cease to be used by the Lessee for recreational purposes.

14. REMEDIES. Whenever any event of Default shall have happened, Lessor may terminate this lease.

15. TERMINATION/IMPROVEMENTS. Upon termination of the Lease, either by expiration of the term, or by remedy for default, all improvements attached to the land shall remain attached thereto and shall become the property of Lessor.

16. QUIET ENJOYMENT. The Lessor covenants and agrees that Lessee, on paying said annual rent and performing the covenants herein, shall and may peaceably and quietly hold and enjoy the said leased premises.

17. NOTICES. All notices, demands, and requests required under this Lease shall be in writing. All such notices, demands, and requests shall be deemed sufficiently given for all purposes hereunder if sent by U.S. certified or registered mail, postage prepaid, to the Lessor or lessee at the addresses indicated below or at such other addresses as Lessor or Lessee may

from time to time designate by written notice addressed to the other. Such notices, demands, and requests shall be deemed sufficiently given upon receipt by the party to whom such notice is addressed.

City of Fayetteville
Parks & Recreation Division
113 West Mountain Street
Fayetteville, Arkansas 72701

Fayetteville Youth Center, Inc.
915 California Drive
Fayetteville, Arkansas 72701

18. WAIVER. No failure by either party hereto to insist upon the strict performance of any covenant, term or condition of this Lease, or to excise any right or remedy upon a breach thereof shall waive such covenant, term, condition, right, or remedy. Either party shall have the right to seek performance of any covenant, term or condition at any time and take such action as may be lawful or authorized, either in law or in equity. This Lease shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

19. COMPLIANCE WITH LAWS. Lessee agrees not to violate any law, ordinance, rule or regulation of any governmental authority having jurisdiction of the leased premises.

20. WASTE. Lessee agrees not to commit waste, nor permit waste to result or to be done to or upon the aforesaid property and premises.

21. SEVERABILITY. Each paragraph of this lease agreement is severable from all other paragraphs. In the event any court of competent jurisdiction determines that any paragraph or subparagraph is invalid or unenforceable for any reason, all remaining paragraphs and subparagraphs will remain in full force and effect.

22. INTERPRETATION. This lease agreement shall be interpreted according to and enforced under the laws of the State of Arkansas.

23. WRITTEN AGREEMENT. This Lease, and any other executed documents of even date herewith, contains the entire Lease between the parties hereto and there are no representations, warranties, understandings, and agreements other than those expressly set forth herein and therein. This Lease may not be modified, altered, terminated, or discharged in any manner except by an instrument in writing, signed on or subsequent to the date hereof by the duly authorized representatives of the party charged herewith.

IN WITNESS WHEREOF, the parties have executed this Lease on this date first above written.

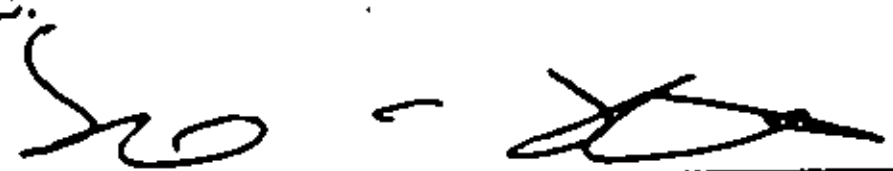
LESSORS

By: _____
Charles Daniel Coody, Mayor

ATTEST:

By: _____
Heather Woodruff, City Clerk

LESSEE.

By:  _____
Mike Hill, President

ATTEST:

By: _____

Title: _____

Agenda Request

FOR THE FAYETTEVILLE CITY COUNCIL MEETING OF

April 2, 2002

FROM:

Chris Bosch
NameFire Chief
DivisionFire
Department

ACTION REQUIRED: Request a Resolution increasing the City's annual Pager/Cell Phone allotment by the amount of ~~\$4,000.42~~ ^{\$2810.16} increasing this amount will allow the Fire Dept. to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System.

COST TO CITY:

\$2811.00 (rounded)
Cost of this request210,740⁰⁰
Category/Project BudgetSERVICES + CHARGES
Category/Project Name1010-3020-5310-01
Account Number74,244⁰⁰
Funds Used To DateFIRE OPERATIONS
Program Name

Project Number

136,496⁰⁰
Remaining BalanceGENERAL FUND
TAX FUND

BUDGET REVIEW:

X

Budgeted Item

Budget Adjustment Attached

Atty Gen
Budget Coordinator. MANAGER

Administrative Services Director

CONTRACT/LEASE REVIEW

GRANT APPLICATION REVIEW

Maria Fuchig
Accounting Manager

3/12/02
Date

K. Alf
City Attorney

3/14/02
Date

Purchasing Officer

Date

Prescy

Danny Smith
Internal Auditor

3/14/02
Date

Internal Auditor

Date

STAFF RECOMMENDATION

Increase the City's annual Cell Phone & Pager allotment by \$2810.16

Division Head

Date

CSBL
Department Director

3/12/02
Date

Williben
Administrative Services Director

3/15/02
Date

Van Arman
Mayor

3/14/02
Date

CROSS REFERENCE

NEW ITEM: YES

PREV/ORD/RES. # N/A

ORIG. CONTRACT DATE N/A

CONTRACT # N/A

STAFF REVIEW FORM

DESCRIPTION _____

MEETING DATE _____

COMMENTS:

Budget Coordinator

Reference Comments:

Accounting Manager

Reference Comments:

City Attorney

Reference Comments:

Purchasing Officer

Reference Comments:

ADA Coordinator

Reference Comments:

Internal Auditor

Reference Comments:

Changed amount to \$2810.16;
\$1248.96 is for current 8 pagers
that are already allowed for in
current contract allotment of \$25,000.
Lynn (10550) 3-14-02

From the Desk of the Fire Chief

Fayetteville Fire Dept

Memo

To: The Fayetteville City Council
From: Chris Bosch, Fire Chief (CB)
CC: Dan Coody, Mayor
Date: March 12, 2002
Re: Fire Department's High Band Radio System

Currently, the Fire Department utilizes a high band paging and radio system to notify its off-duty personnel when the need for emergency callback arises. This callback is often utilized for events such as multiple alarm fires, natural disasters and other events that may require additional staffing upgrades. There are also several services, which must be performed in order to keep this system working efficiently and effectively. Some examples of those services are regular hardware and software upgrades, the issuance of high band radio pagers to each Fire Department employee and annual repeater and antenna maintenance at the current tower site located on Mt. Sequoyah.

After carefully examining historical data related to the use of this system, we have determined that this system is quite costly, overly complicated and seldom used. In fact these units are only used approximately 3-4 times per year. Further, the proposed upgrade of this system and its components will cost the City approximately \$62,903 (as a one time cost), plus future expenditures for the above-mentioned improvements. These funds have been identified in the 2002-2006 Capital Improvements Budget.

I believe it is possible for the Fire Department to accomplish the same goal by utilizing standard digital pagers from our current vendor and generate a cost savings of approximately \$58,844. It is my understanding the City Council has placed a ceiling on the amount of money available for the annual paging contract with Alcom. This proposal could place the City above the annual dollar limit as prescribed by the Council; however, I believe, the savings realized by this change will be beneficial to all parties involved in this process and will reduce the workload for other City Departments who are charged with maintaining this obsolete system as well as reduce the amount of confusion related to the current emergency call-back procedures.

With this in mind I am requesting that the Fire Department be allowed to exceed the current annual pager allocation-funding limit in the amount of \$2,810.16. I have attached a copy of the proposed project cost worksheet for your review. If you have any questions I will be happy to discuss them with you, at your convenience.

Attachments/ 1

3/12/2002

High Band Paging System Proposal

Fayetteville Fire Dept

Pagers

A. 3 Page 4.

Current Paging Equipment Expense

Equipment	Units	Annual Cost Per Unit	Annual Total
Staff Pagers	8	156.12	1248.96

Proposed Additional Paging Equipment Expense

Equipment	Units	Annual Cost Per Unit	Annual Total
Staff Pagers	18	156.12	2810.16

Total Cost of New and Proposed Equipment	4059.12
---	----------------

Proposed High Band Equipment Upgrade Costs

Quantity		Unit Price	Total
20	Motorola VHF Portable Radio w/antenna charger, belt, and high cap battery	\$ 599.00	\$ 11,980.00
80	Motorola Minitor 3, Channel 2 VHF Pager, w/charger and battery	391	\$ 31,280.00
5	Motorola SM-120 16 Channel VHF Mobile Radio, w/antenna and installation.	531	\$ 2,655.00
4	Motorola SM-120 VHF Mobile Radio w/power supply, antenna and installation	1061	\$ 4,244.00
1	Motorola MTR-2000 100 watt VHF Repeater w/duplexer	6000	\$ 6,000.00
1	Labor to install and set-up Repeater	250	\$ 250.00
1	VHF Repeater Antenna System w/antenna, feedline, grounding, installation.	2980	\$ 2,980.00
1	FCC VHF Repeater Coordination Fee	400	\$ 400.00
Sub-Total:			\$ 59,789.00
Sales Tax:			3114.19
Total:			\$ 62,903.19

Proposed Net Savings

Cost of High Band Upgrade	\$ 62,903.19
Cost of New and Proposed Paging Equipment (from above listing)	\$ 4,059.12
Total Savings:	\$ 58,844.07

From the Desk of the Fire Chief

Fayetteville Fire Dept

Memo

To: The Fayetteville City Council
From: Chris Bosch, Fire Chief (CB)
CC: Dan Coody, Mayor
Date: March 12, 2002
Re: Fire Department's High Band Radio System

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After carefully examining historical data related to the use of this system, we have determined that this system is quite costly, overly complicated and seldom used. In fact these units are only used approximately 3-4 times per year. Further, the proposed upgrade of this system and its components will cost the City approximately \$62,903 (as a one time cost), plus future expenditures for the above-mentioned improvements. These funds have been identified in the 2002-2008 Capital Improvements Budget.

I believe it is possible for the Fire Department to accomplish the same goal by utilizing standard digital pagers from our current vendor and generate a cost savings of approximately \$58,844. It is my understanding the City Council has placed a ceiling on the amount of money available for the annual paging contract with Allcom. This proposal could place the City above the annual dollar limit as prescribed by the Council; however, I believe, the savings realized by this change will be beneficial to all parties involved in this process and will reduce the workload for other City Departments who are charged with maintaining this obsolete system as well as reduce the amount of confusion related to the current emergency call-back procedures.

With this in mind I am requesting that the Fire Department be allowed to exceed the current annual pager allocation-funding limit in the amount of \$2,810.16. I have attached a copy of the proposed project cost worksheet for your review. If you have any questions I will be happy to discuss them with you, at your convenience.

Attachments/ 1

Fayetteville Fire Dept.

High Band Paging System Proposal

3/12/2002

Current Paging Equipment Expense

Equipment	Units	Annual Cost Per Unit	Annual Total
Staff Pagers	8	156.12	1248.96

Proposed Additional Paging Equipment Expense

Equipment	Units	Annual Cost Per Unit	Annual Total
Staff Pagers	18	156.12	2810.16

Total Cost of New and Proposed Equipment	4059.12
--	---------

Proposed High Band Equipment Upgrade Costs

Quantity		Unit Price	Total
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1	VHF Repeater Antenna System w/antenna, feedline, grounding, installation.	2980	\$ 2,980.00
1	FCC VHF Repeater Coordination Fee	400	\$ 400.00
Sub-Total:			\$ 59,789.00
Sales Tax:			3114.19
Total:			\$ 62,903.19

Proposed Net Savings

Cost of High Band Upgrade	\$ 62,903.19
Cost of New and Proposed Paging Equipment (from above listing)	\$ 4,059.12
Total Savings:	\$ 58,844.07

STAFF REVIEW FORM

☒ AGENDA REQUEST
☒ CONTRACT REVIEW
☐ GRANT REVIEW

For the Fayetteville City Council meeting of April 2, 2002

FROM:

Ray M. Boudreaux
Name

Airport
Division

Aviation & Economic Development
Department

ACTION REQUIRED: An ~~Ordinance~~ ^{Resolution} by the Fayetteville City Council to approve the sale of City owned property in the Fayetteville Industrial Park Identified as a Lot Split of Parcel R containing approximately 7.75 acres for \$20,000.00 per acre or an amount not to exceed \$155,000.00. and a Budget Adjustment.

COST TO CITY:

\$ <155,000>
Cost of this Request

\$ <459,000>
Category/Project Budget

Gain/Loss Sale of Assets
Category/Project Name

1010-0001-4881-02
Account Number

\$ 145,576
Funds used to date

General Fund
Program Name

Project Number

\$ (2,424)
Remaining Balance

General Fund
Fund

BUDGET REVIEW:

 Budgeted Item

☒ Budget Adjustment Attached

[Signature] 3-15-02
Budget Manager Date

Administrative Services Dir. Date

CONTRACT/GRANT/LEASE REVIEW:

Marla Kershing 3/15/02
Accounting Manager Date

Danny Smith 3/15/02
Internal Auditor Date

GRANTING AGENCY

[Signature] 3/15/02
City Attorney Date

 Date
ADA Coordinator

 Date
Purchasing Officer

 Date
Grants Coordinator

STAFF RECOMMENDATION:

Recommend Approval

[Signature]
Division Head

3/15/02
Date

[Signature]
Department Director

3/18/02
Date

[Signature]
Administrative Services Director

3/19/02
Date

[Signature]
Mayor

Cross Reference

New Item: Yes ☒ No

Prev. Ord/Res#:

Orig Cont. Date:

Orig Cont #:

STAFF REVIEW FORM

Page 2

Meeting Date: April 2, 2002

Description: Sale of 7.75 acres of industrial property in the Industrial Park by the City of Fayetteville to Superior Industries of Fayetteville for use as a parking lot and potentially a warehouse. Sale will require a lot spilt.

Comments:

Budget Manager

Accounting Manager

City Attorney

Purchasing Officer

Internal Auditor

ADA Coordinator

Grants Coordinator

Reference Comments:

Reference Comments:

Reference Comments:

Reference Comments:

Reference Comments

Reference Comments:

Reference Comments:

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS
DAN COODY, MAYOR

Property Sale
A. 4 Page 3.

4500 School Ave., Suite F
Fayetteville, AR 72701
501.718.7642

PLANNING AND ECONOMIC DEVELOPMENT
RAY M. BOUDREAUX, DIRECTOR

TO: Dan Coody, Mayor
City Council Members

THRU: Staff Review Committee

FROM: Ray M. Boudreaux, Director 

DATE: March 15, 2002

SUBJECT: Sale of City of Fayetteville owned property

Background: Attached please find a Letter of Intent, and a basic description of the project, from Superior Industries. The company wishes to purchase a portion of Lot R in the Industrial Park which is east of their current property. The purchase will require a lot split. The company is growing and has added 69 employees since last year at this time and will add another 70 employees before August 2002.

Purpose: The purpose of this agenda item is to approve an ordinance for the sale of real property to be further identified as Lot Split Tract "R" by Land Management. The remainder of this property is in a flood plain and could be used for park land. Superior will use the property for a parking lot initially and potentially a warehouse.

Budget Considerations: The tract of land will be sold for \$20,000.00 per acre.

Requested Action: Staff recommends the City Council approve the Ordinance authorizing the sale of this property to Superior Industries of Fayetteville.

Attachments: Staff Review Form
Letter of Intent
Description of the property



SUPERIOR INDUSTRIES INTERNATIONAL, INC.

1901 BORICK DRIVE • FAYETTEVILLE, AR 72701
(501) 443-7870 • FAX (501) 443-4522

March 12, 2002

Ray Boudreaux
Aviation & Economic Development Director
City of Fayetteville
Fayetteville, Arkansas 72701

Dear Ray:

Superior Industries International, Inc., requests the option to purchase or long term lease 5.3 to 7.75 acres of Lot R in the industrial park which immediately adjoins Superior's existing east property line.

Sincerely,

A handwritten signature in black ink, appearing to read "R. D. Bracy", is written over the printed name.

Robert D. Bracy
Vice President Facilities Engineering

<u>Plant</u>	<u>January 2001</u>	<u>March 2002</u>
Chrome	451	475
Casting	937	982
Total	1388	1457

Additionally Chrome has a request for an additional 70 employees before August 02

3/12/02
C. Goodale

STAFF REVIEW FORM

RZN 02-6.00

C.1 Page 1.

☒ AGENDA REQUEST
☐ CONTRACT REVIEW
☐ GRANT REVIEW

at the Fayetteville City Council meeting of April 2, 2002.

FROM:

Tim Conklin

Planning

Urban Development

Name

Division

Department

ACTION REQUIRED: To approve an ordinance for RZN 02-6.00 as submitted by Terry Carpenter of US Infrastructure, Inc. for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.

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: Staff recommended approval and on March 11, 2002 the Planning Commission voted 8-0-0 to recommend approval and to forward the rezoning to the City Council.

Division Head

3-15-02
Date

Department Director

3-18-02
Date

Administrative Services Director

3/19/02
Date

Mayor

3/19/02
DateCross ReferenceNew Item: **Yes**

Prev Ord/Res #:

Orig Contract Date:

Orig Contract Number:

ORDINANCE NO. _____

**AN ORDINANCE REZONING THAT PROPERTY DESCRIBED
IN REZONING PETITION RZN 02-6.00 FOR A PARCEL
CONTAINING APPROXIMATELY 38.6 ACRES AND LOCATED AT 415
LONGVIEW STREET, FAYETTEVILLE, ARKANSAS, AS SUBMITTED BY
TERRY CARPENTER OF US INFRASTRUCTURE, INC. ON BEHALF OF
WASHINGTON REGIONAL MEDICAL SERVICES.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE, ARKANSAS:**

**Section 1: That the zone classification of the following described
property is hereby changed as follows:**

**From A-1, Agricultural to R-O, Residential Office as shown in Exhibit "A"
attached hereto and made a part hereof.**

**Section 2. That the official zoning map of the City of Fayetteville, Arkansas, is
hereby amended to reflect the zoning change provided in Section 1 above.**

PASSED AND APPROVED this _____ day of _____, 2002.

APPROVED:

**By: _____
DAN COODY, Mayor**

ATTEST:

**By: _____
Heather Woodruff, City Clerk**

EXHIBT "A"

A PART OF THE SE ¼ OF THE SW ¼ OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 30 WEST, CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN ALUMINUM MONUMENT AT THE SE CORNER OF SAID SE ¼ OF THE SW ¼ AND RUNNING THENCE S 89°06'36"W 1315.46 FEET TO A STONE MONUMENT AT THE SW CORNER OF SAID 40 ACRE TRACT; THENCE N 0°31'44"W 913.46 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY FOR LONGVIEW STREET; THENCE ALONG SAID RIGHT-OF-WAY N89°28'06"E 53.33 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 235.00 FEET, A DELTA ANGLE OF 1°44'59" AND A CURVE LENGTH DISTANCE OF 7.18 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE AND RUNNING N0°31'44" W 405.03 FEET TO A POINT ON THE NORTH LINE OF SAID 40 ACRE TRACT, SAID POINT BEING N89°12'46"W 60.51 FEET FROM A IRON PIN AT THE NW CORNER OF SAID 40 ACRE TRACT; THENCE ALONG THE NORTH LINE OF SAID 40 ACRE TRACT, N 89°12'46" E 1233.16 FEET TO A FLAT METAL BAR AT THE NE CORNER OF SAID 40 ACRE TRACT; THENCE S1°08'11"E ALONG AN EXISTING FENCE 628.93 FEET; THENCE S 1°10'01"E 146.92 FEET ALONG AN EXISTING FENCE TO THE NORTH RIGHT-OF-WAY OF A STREET; THENCE S 88°31'22" W WITH SAID RIGHT-OF-WAY 2.17 FEET; THENCE ALONG THE CURVE OF SAID RIGHT-OF-WAY THE CURVE BEING WITH 50 FEET RADIUS, CONCAVE WEST, AND THE CENTER OF SAID CURVE LOCATED S 58°31'25" W 50.0 FEET, A DISTANCE OF 261.80 FEET; THENCE N88°31'22" E 1.90 FEET TO AN EXISTING FENCE; THENCE S1°31'43" E WITH SAID FENCE 200.19 FEET; THENCE S2°23'26"E WITH SAID FENCE 289.84 FEET TO THE POINT OF BEGINNING, CONTAINING 38.617 ACRES, MORE OR LESS.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

113 W. Mountain St.
Fayetteville, AR 72701
Telephone: (479) 575-8264

PLANNING DIVISION CORRESPONDENCE

TO: Fayetteville Planning Commission
FROM: Dawn T. Warrick, Senior Planner
THRU: Tim Conklin, A.I.C.P., City Planner
DATE: March 11, 2002

RZN 02-6.00: Rezoning (Washington Regional Medical Service, pp 212) was submitted by Terry Carpenter of US Infrastructure, Inc. on behalf of Washington Regional Medical Service for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.

RECOMMENDATION:

Staff recommends approval of the requested rezoning based on the findings included as part of this report.

PLANNING COMMISSION ACTION: Required YES
☐ Approved ☐ Denied

Date: March 11, 2002

CITY COUNCIL ACTION: Required YES
☐ Approved ☐ Denied

Date: April 2, 2002

Comments: _____

BACKGROUND:

The subject property is a large tract containing approximately 38.62 acres. There are two existing developments on this property, the Washington County Health Dept. and the Brookstone assisted living facility. Access to the tract is primarily from Wimberly Drive which runs along the western property line and connects Millsap Road and Monte Painter Drive. Utilities are available for extension to serve the entire tract at the time of development. A preliminary plat is in the development review cycle for consideration with a proposal to divide this overall tract into 8 lots.

This area is designated for Office uses on the City's adopted General Plan 2020. The applicant's request is to change this zoning of this property from A-1, Agricultural to R-O, Residential-Office. This request is consistent with the City's adopted future land use plan and with the guiding policies of the General Plan.

SURROUNDING LAND USE AND ZONING

North:	Professional offices / Commercial, C-2
South:	Single family residential, R-2
East:	Mixed uses and Vacant, R-1 / Fire Station, C-2
West:	Professional (Medical) Offices, R-O & C-2

INFRASTRUCTURE:

Streets: Access to this site is provided via Wimberly Drive, which runs along the western boundary of the North Hills Medical Park. Additionally, Millsap Drive (becomes Futrall) which is classified as a collector street on the Master Street Plan, connects this area of development with both College Ave. and Gregg Ave.

Water & Sewer: An existing 8" water line runs along the south side of Longview St. serving the existing Brookstone assisted living facility. A 12" sewer line runs along the southern end of the property and an 8" line extends to the north property line. Extension of facilities adequate to serve future development of this property will be a condition of preliminary plat approval for the subdivision that is currently being proposed.

LAND USE PLAN: General Plan 2020 designates this site Office. Rezoning this property to R-O, Residential-Office is consistent with the land use plan and compatible with surrounding land uses in the area.

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: The proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans. The subject property will serve as a transition between residential zoning and uses to the south and commercial (primarily professional office) uses to the north and west. This area is developing as a center for medical offices with the new Washington Regional Medical Center under construction just west of North Hills Medical park which is immediately west of this property. Additional office space will allow for the expansion of these uses and will allow uses which serve the neighboring residential and commercial developments.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: The proposed zoning is justified and needed at this time.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: The proposed zoning will not create or appreciably increase traffic danger and congestion. Streets in this area provide connectivity between College Ave. and Gregg Street. North Hills Blvd., Monte Painter Dr., Wimberly Dr., and Plainview Ave. are all collector streets which serve the area and will be main access drives for the subject property.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: The proposed zoning will not alter population density.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:

- a. It would be impractical to use the land for any of the uses permitted

under its existing zoning classifications;

- b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

§161.12 DISTRICT R-O RESIDENTIAL OFFICE.

A. Purpose. The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses.

B. Uses.**1. Uses Permitted.**

Unit 1	City-Wide Uses by Right
Unit 5	Government Facilities
Unit 8	Single-Family and Two-Family Dwellings
Unit 12	Offices, Studios and Related Services
Unit 25	Professional Offices

2. Uses Permissible on Appeal to the Planning Commission.

Unit 2	City-Wide Uses by Conditional Use Permit
Unit 3	Public Protection and Utility Facilities
Unit 4	Cultural and Recreational Facilities
Unit 9	Multi-Family Dwelling - Medium Density
Unit 10	Multi-Family Dwelling - High Density
Unit 13	Eating Places

C. Bulk and Area Regulations.

(Per Dwelling Unit for Residential Structures)

Lot Minimum Width:	Mobile Home Park	100 ft.
	Lot Within a Mobile Home Park	50 ft.

Lot Minimum Width:	Mobile Home Park	100 ft.
	One Family	60 ft.
	Two Family	60 ft.
	Three or More	90 ft.
Lot Area Minimum:	Mobile Home Park	3 acres
	Lot Within a Mobile Home Park	4200 sq. ft.
	Row Houses: Development Individual Lot	10,000 sq. ft. 2500 sq. ft.
	Single Family	6000 sq. ft.
	Two Family	6500 sq. ft.
	Three or More	8000 sq. ft.
	Fraternity or Sorority	1 acres
Land Area Per Dwelling Unit:	Mobile Home	3000 sq. ft.
	Row Houses & Apartments: Two or More Bedrooms One Bedroom No Bedroom	1200 sq. ft. 1000 sq. ft. 1000 sq. ft.
	Fraternity or Sorority	500 sq. ft., per resident

D. Bulk and Area Regulations/ Setbacks.
Setback lines shall meet the following minimum requirements.

From Street ROW	30 ft.
From Street ROW if Parking is Allowed Between the ROW and the Building	50 ft.
From Side Property Line	10 ft.
From Side Property Line When Contiguous to a R-1, R-2 or R-3 District	15 ft.
From Back Property Line Without Easement or Alley	25 ft.
From Center Line of Public Alley	10 ft.

E. Building Area. On any lot the area occupied by all buildings shall not exceed 60% of the total area of such lot.

F. Height Regulations. There shall be no maximum height limits in R-O Districts, provided, however, that any building which exceeds the height of 20 feet shall be set back from any boundary line of any R-1, R-2, or R-3 District an additional distance of one foot for each foot of height in excess of 20 feet.

(Code 1991, §160.041; Code 1965, App. A, Art. 5(x); Ord. No. 1747, 6-29-89; Ord. No. 2414, 2-7-78; Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80)



USI INFRASTRUCTURE, INC.

CONSULTING ENGINEERS

February 17, 2002

City of Fayetteville, Planning Division
113 West Mountain
Fayetteville, AR 72701

RE: Washington Regional Medical System
Preliminary Plat for Brookstone Subdivision
Fayetteville, Arkansas
USI Job No. 020901

To Whom It May Concern:

USInfrastructure, Inc. is representing Washington Regional Medical System in an effort to rezone a 38.6-acre tract split by Longview St. and East of the North Hills Medical Park in Fayetteville. Our rezoning application seeks to change the zoning for this property from A-1 (agricultural) to R-O (residential/office). Presently, Brookstone Assisted Care Facility and the Washington County Health Department are located on this property. A preliminary plat that is currently under review by the city, proposes to subdivide this 38.6-acre tract into eight lots, all between 2.76 and 6.07 acres. Two of these lots will be dedicated to the previously mentioned existing developments. Another lot is currently under development, and the remaining five lots will be available for future development.

Rezoning is being requested for this tract so that it's zoning and future development will more closely match the zoning and development of property to the North and West. It is anticipated that this property will develop as professional office space, or some type of health care facilities. Adjoining properties have the following zoning classifications: R-0, R-2, R-1, and C-2.

Changes in the volume of traffic on Longview St. will occur as this property develops. When this property is fully developed and Longview St. is connected to Plainview Dr., the increase in traffic along Longview St. could possibly be significant, but at this time it is impossible to predict accurate numbers. Currently, no subdivision signs are proposed for this tract.

In order to serve all eight proposed lots, service extensions are planned from the existing utilities. Existing water and sewer service to the property appear to be sufficiently sized to handle any future development. An 8-inch water line runs along the South side of Longview St., near the middle of the property. A 12-inch sanitary sewer line traverses the Southern end of the property, and an 8-inch sanitary sewer line extends to the North property line.

If you have any questions or concerns about this proposed rezoning, please do not hesitate to contact us.

Sincerely
USInfrastructure, Inc.



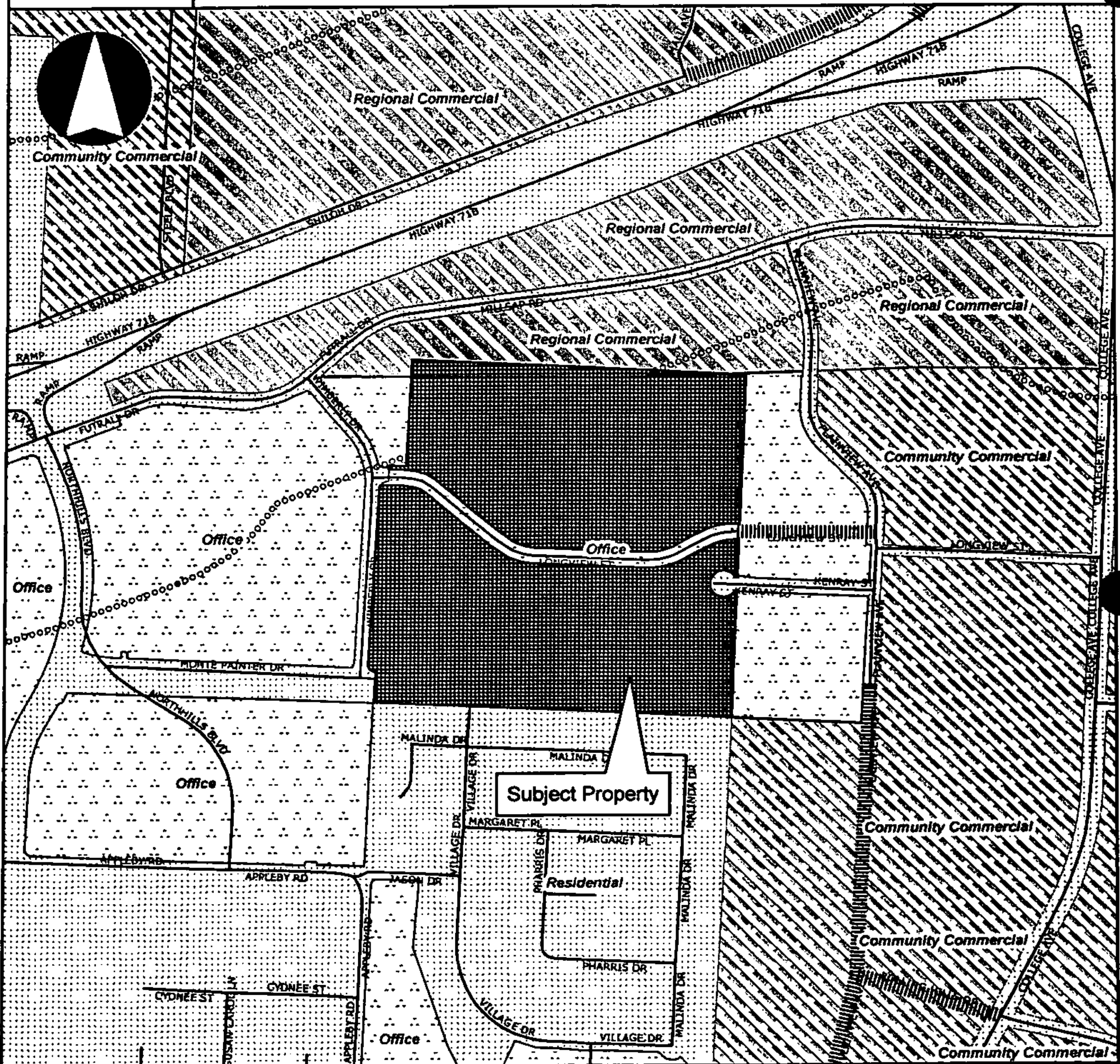
Terry W. Carpenter, P.E.
Vice President

Cc: Jack Morris, Project Manager
Mike McLean, Vice-President Clinical Services WRMC

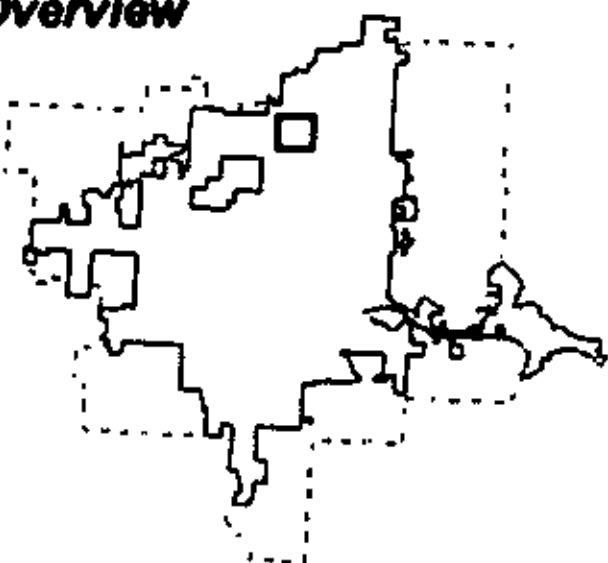
RZN02-6.00

Future Landuse

WASHINGTON REGIONAL MEDICAL SERVICES



Overview



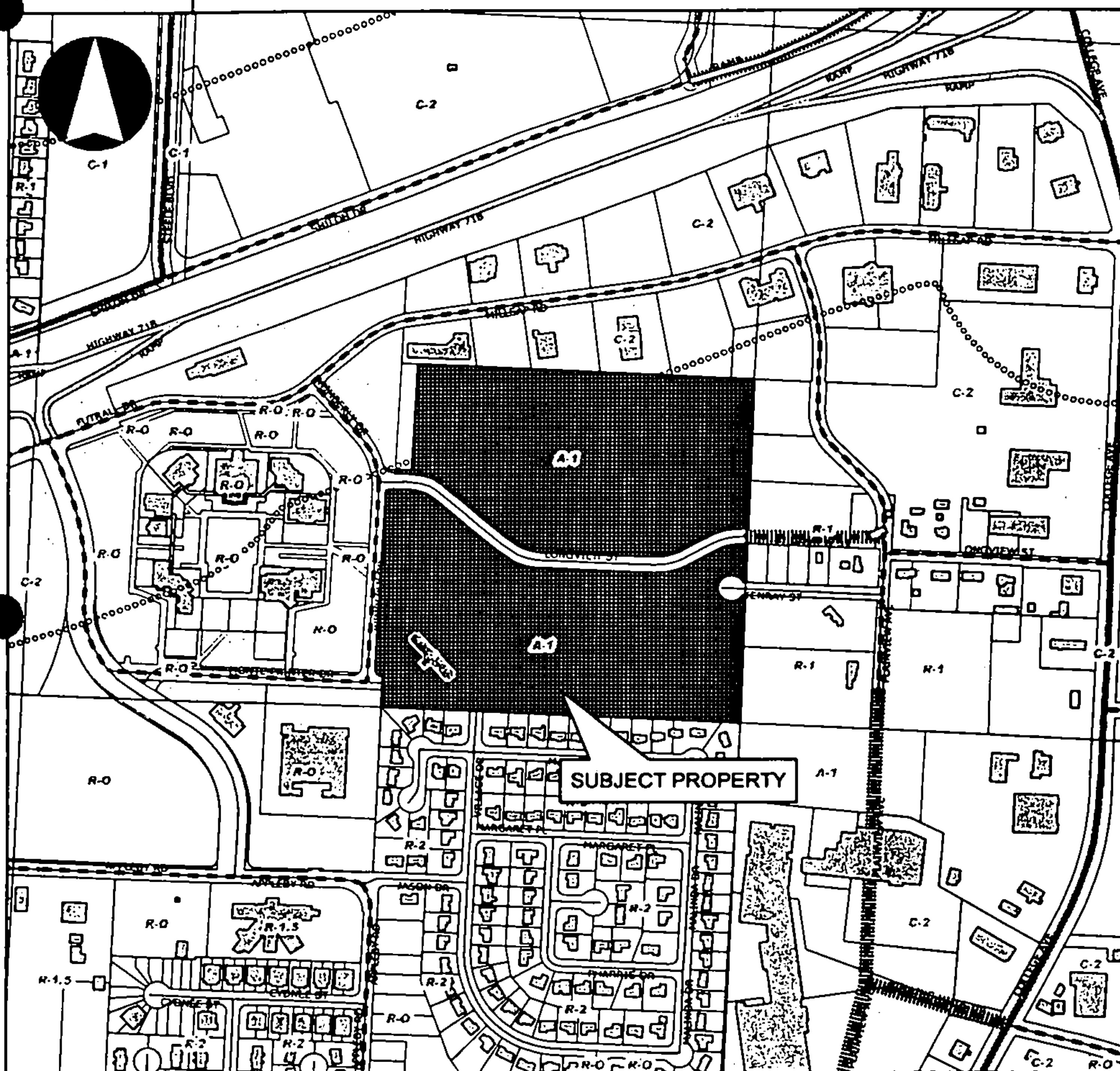
Legend

Parks	Mixed Use	Community Commercial
Private Open Space	Office	Neighborhood Commercial
Residential	Historic Commercial	Regional Commercial
Subject Property RZN02-6.00	Industrial	University
Streets	Boundary	Planning Area
Existing	Overlay District	City Limits
Planned		

0 200 400 800 1,200 1,600 Feet

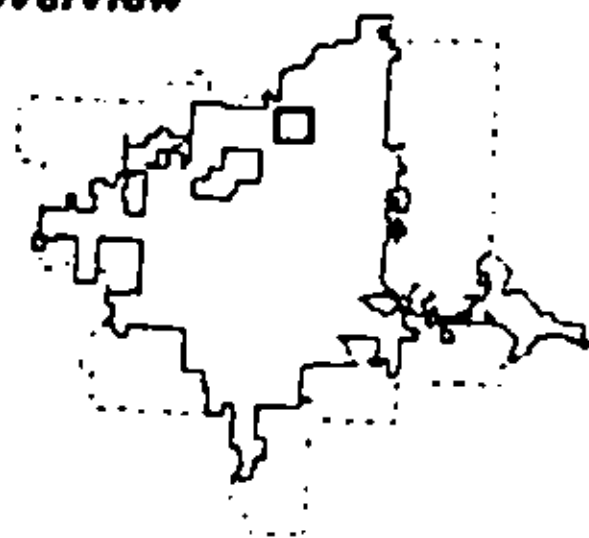
WASHINGTON REGIONAL MEDICAL SERVICES

Close Up View



SUBJECT PROPERTY

Overview



Legend

Subject Property



Streets

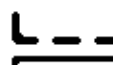
 **Planned**

0 200 400

Boundary

 Planning Area

Overlay District

☐ Outside City

800

Master Street Plan



 Principal Arteries



Collector



1 200 1 600



Feet

0 200 400 800 1,200 1,600

_____ Feet

Page 6

RZN 02-6.00: Rezoning (Washington Regional Medical Service, pp 212) was submitted by Terry Carpenter of US Infrastructure, Inc. on behalf of Washington Regional Medical Service for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office.

Estes: The next item on the agenda is RZN 02-6.00 submitted by Terry Carpenter of US Infrastructure, Inc. on behalf of Washington Regional Medical Service for property located at 415 Longview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-O, Residential Office. Staff recommends approval of the requested rezoning based on the findings included as a part of your packet. Is the applicant present or is the applicant's representative present? If so, if you have a presentation to make would you please come forward and state your name and your address and your capacity please?

Nierengarten: My name is Peter Nierengarten, I am an Engineer with U.S. Infrastructure, 4710 S. Thompson, Springdale, AR Suite 102. We have no formal presentation to make. Based on the report that Dawn Warrick gave me I was under the impression that the Planning Commission would be in favor of our proposal and leave it up to the Commission to decide.

Public Comment:

Estes: Thank you. Is there any member of the audience who would like to provide public comment on this requested rezoning proposal? If so would you please come forward and state your name and your address and provide us with the benefit of your comments?

Gill: I am Thomas Gill. I currently reside at 3195 Butternut Drive, which is a residential district adjacent to this property. My concern is what roads will feed this.

Estes: Tim, do you have a response to Tom's question?

Conklin: Yes, if you refer to page 3.10 in your agenda, Washington Regional Medical Center, along with the City of Fayetteville cost shared in extending Longview Street, which is out there already and that is the street that extends from Wimberley Road back to the east, that is the street that serves this development.

Gill: That is all?

Conklin: That is the street. We are working with property owners to the east to look at acquisition of right-of-way and extension of Longview Street to Plainview Ave.

Gill: That's it?

Conklin: That would be it at this time.

Gill: I have no further questions.

Conklin: I am not sure if you are asking the question due to the fact that there is a street stub out that was planned as a part of that subdivision off of Village Drive and Washington County Health Department did build a building and parking lot in that location which kind of precludes that street from going north unless the parking lot was redesigned. At this point it is Longview Street that they have built along with the city.

Allen: Mr. Gill, I am not finding your street on our map, I wondered if you could point it out to us.

Estes: I will show you.

Gill: Bob can tell you, he knows where I live.

Allen: Ok.

Gill: Correct me Ma'am, it is at the corner of Butternut and Village.

Estes: Tom's house is right there. Tim, Village, as it ends to the south of the applicant's property was stubbed out when this subdivision was originally approved as a LSD, is that correct?

Conklin: It was stubbed out, that is correct.

Estes: If my memory is correct on perhaps some of the old Master Street Plans, Village was extended north but that is no longer possible because of the County Health Department, is that correct?

Conklin: There was a Master Street Plan street, I am not sure if it was going north, I thought it was east and west and it was back off of Monte Painter Road, that went through where the County Health Department built their building. That Master Street Plan was amended and Longview was added to the Master Street Plan.

Estes: Thanks. Does that answer your question Tom?

Gill: Yes Sir.

Estes: Tim, Monte Painter extended east and then the stub out there at Village

page 6

turned more to the northeast, is my memory correct?

Conklin: I am sorry.

Estes: Monte Painter extended east and at the intersection with Village Monte Painter took a turn to the northeast?

Conklin: That is correct.

Estes: That is no longer on the Master Street Plan?

Conklin: That is no longer on the Master Street Plan.

Estes: It is in fact no longer possible because of the county health building?

Conklin: That is correct.

Estes: Does any other member of the audience wish to provide public comment? Yes Sir, if you would please come forward and state your name and your address and provide us with the benefit of your comments.

Caviness: I am Charles Caviness at 2136 Austin Drive. I would like to just ask one question concerning how large of an easement would there be between the residential property, say Melinda, and this new project and would there be an easement and if so, how wide.

Estes: Tim, do you have a response to that question?

Conklin: Let me check the R-O zoning.

Estes: The applicant's representative indicates he can answer that. Yes, come forward please.

Nierengarten: There is no formal easement for that area that he is talking about right now. The back of their houses is a real wooded area and it drops off steeply into a ravine and there is a creek down there and up the other side is where the Brookstone Development currently resides.

Conklin: With regard to setbacks, it is a 25' setback from the rear property line.

Nierengarten: Beyond that, there is nothing else planned but there is every indication that we've got from Washington Regional Medical Systems is that they don't plan on building anywhere on the other side of that creek. They plan to keep their development to the north of the creek between the creek and Longview Drive and leave that wooded area sort of a buffer between that neighborhood and the commercial development that would occur along

Longview.

Estes: Charles, does that answer your question?

Caviness: How wide is that creek?

Nierengarten: The distance from your fence line to the creek is probably I would guess at least 80 to 120 feet. It is a pretty good distance.

Caviness: So it will be that.

Nierengarten: Yes, and the creek is maybe 8' wide or so.

Estes: Does that answer your question? Is there any other member of the audience who would like to provide public comment on this rezoning request, 02-6.00? Seeing none, I will bring it back to the full Commission for discussions, motions or comments. Commissioners?

Ward: I think that the R-O zoning, especially against R-1 is very appropriate. This is where all of our medical facilities are going. I can't think of any reason why it shouldn't be R-O and I will go ahead and make a recommendation that we approve RZN 02-6 for Washington Regional Medical Service.

Estes: We have a motion by Commissioner Ward to recommend to the City Council approval of RZN 02-6, is there a second?

Shackelford: I will second.

Estes: We have a second by Commissioner Shackelford, is there any discussion?

Marr: Mr. Chair, I guess it is more of a comment than a question. That is, one of the findings that we have in our bylaws, if I understand this correctly from agenda session, is the finding or determination whether the proposed zoning is justified or needed at this time and how we use that in terms of economic regulation of zoning. It appears to me that we don't really look at it that way because I can't remember a zoning that has ever not been justified or needed from an applicant's perspective. It certainly would be mine if I wanted to develop that land but when I think about this area of Milsap and Futrall, the space of R-O available in this area seems to be pretty significant to me. There are two large rental commercial office space with I think Lindsey. There is the Stevens Building that went in next to the pharmacy there that has available space. The question I would ask is whether we really look at this as an actual finding item and if not, I think we need to evaluate whether it stays as something that we use and if we do use it, how we explain that it is justified and needed because I

would have some concern over this particular rezoning based on the availability in that area.

Estes: Thank you Commissioner Marr. Is there any other discussion?

Ward: In response to Don's questions, it has always been my take on something like this that the market itself kind of dictates what happens. I think this particular piece of property is very appropriate to be rezoned from A-1, which is for cows and hog houses, to R-O. I don't feel like if there was a tremendous supply of lets say office buildings vacant right now, then you would probably not see much more happen out there in that area as far as a bunch of office complexes built until those fill up. As far as medical, you might see some specific needed type of medical buildings built because those other office buildings don't really fulfill the needs. They are not sitting next to the hospital, they don't meet certain surgeons requirements, those types of things that those vacant office buildings that we have out there right now, we would all like to see them full, and we don't need more office buildings built right now in that area out there. Specific needs could come along that there would be a use for that space out there. I think people have the right to rezone their property from Agricultural in the city to some kind of use.

Marr: I want to make sure that my comments are clear, I agree with you Lee. I am not opposed to the rezoning for what we are looking at. My question is more to the findings of staff facts and how we use that finding. Do we just pull it out when we don't want something to be done, do we look at it when economically we have too much zoning? I think it warrants some discussion at our planning retreats on whether to bylaw that item. It certainly makes sense in a lot of cases but if somebody asked me today "Why did you vote for a Residential Office rezoning?" I would have to say very similar things to what Commissioner Ward just said about economics tend to take care of it. I do think there is a lot of R-O zoning in this area that is currently unoccupied. I think we need to ask ourselves about the number two finding that we look at every time we have a rezoning.

Estes: Thank you Commissioner Marr. Is there any other discussion? We have a motion by Commissioner Ward and a second by Commissioner Shackelford to approve RZN 02-6 and to recommend the rezoning to the Fayetteville City Council, is there any other discussion? Renee, would you call the roll please?

Roll Call: Upon the completion of roll call the motion to forward RZN 02-6.00 to the Fayetteville City Council was approved by a vote of 8-0-0.

Estes: The motion passes by a vote of eight to zero. RZN 02-6.00 will be

forwarded to the full Fayetteville City Council with a recommendation to approve.

STAFF REVIEW FORM

New World System
C. 2 Page 1.Agenda Request
FOR THE FAYETTEVILLE CITY COUNCIL MEETING OF

April 2, 2002

FROM:

Chris Bosch

Name

Fire Chief

Division

Fire Department

Department

ACTION REQUIRED: Request a Resolution approving the purchase of the Fire Department's portion of the New World Technology upgrade for the Computer Aided Dispatching/Records Management System which will allow the Fire Department to interface with the current CAD/RMS system to provide accurate reporting information.

COST TO CITY:

\$38,005

Cost of this request

\$294,000

Category/Project Budget

Radio System Replacement

Category/Project Name

4470-9470-5801.00

Account Number

Funds Used To Date

Capital Improvements

Program Name

99019

Project Number

\$294,000

Remaining Balance

Sales Tax Capital

TAX FUND

BUDGET REVIEW:

X

Budgeted Item

Budget Adjustment Attached


Budget Coordinator ~~MANAGER~~

Administrative Services Director

CONTRACT/LEASE REVIEW

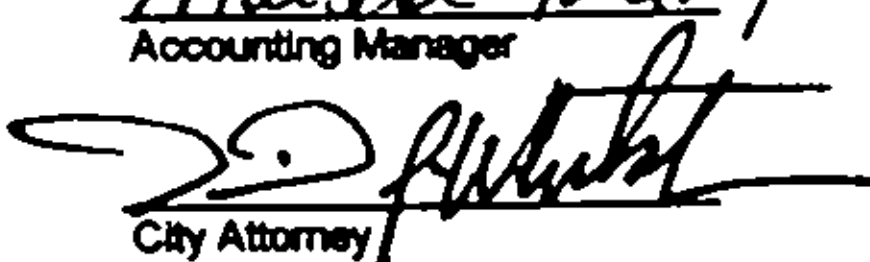
GRANT APPLICATION REVIEW



Accounting Manager

3/14/02

Date



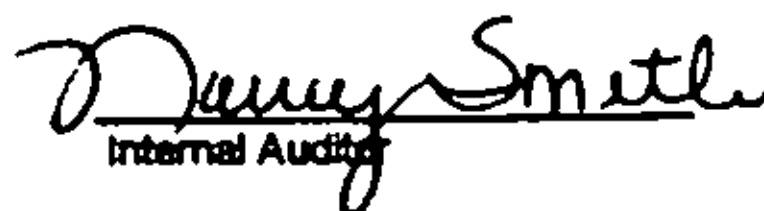
City Attorney

3/15/02

Date

Purchasing Officer

Date



Internal Auditor

3/15/02

Date

Internal Auditor

Date

STAFF RECOMMENDATION

It is the Staff's Recommendation that this item be approved so the Fire Department can expedite the process of purchasing and installing this program, which will assist in the collection of accurate information.

Division Head

Date



Department Director

3/12/02

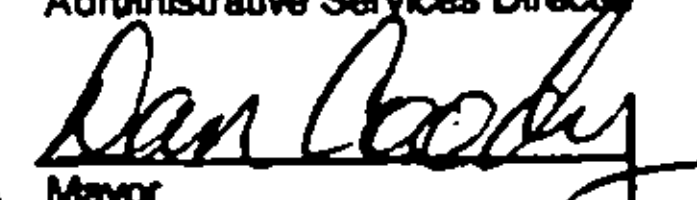
Date



Administrative Services Director

3/15/02

Date



Mayor

3-15/02

Date

CROSS REFERENCE

NEW ITEM: YES

PREV/ORD/RES. # N/A

ORIG. CONTRACT DATE N/A

CONTRACT # N/A

Consent —
New Business ✓

STAFF REVIEW FORM

DESCRIPTION _____

MEETING DATE _____

COMMENTS:

Budget Coordinator

Reference Comments:

Accounting Manager

See note on
upgrade proposal

Reference Comments:

City Attorney

will there be a contract
or agreement of some sort
forthcoming? JH

Reference Comments:

Purchasing Officer

Reference Comments:

ADA Coordinator

Reference Comments:

Internal Auditor

Numbers don't calculate
correctly on "Proposal" sheet.
(See yellow & pink sticky notes)

Reference Comments:



**Fayetteville
Fire Department
Records Management System
Upgrade
Proposal**

Introduction

In 1999 the Fayetteville Fire Department entered into the process of identifying a computer based information system that would efficiently and effectively meet the needs of the organization. This process was initiated in an effort to ensure continuity between the current Records Management System (RMS) being used by the City of Fayetteville as well as the Fayetteville Police Department.

At the time the Department was investigating the possibility of utilizing this RMS it was determined, by an internal committee, that the New World Technology product would not meet the needs of our organization. Further, it was determined that the only system that would most effectively meet the needs of the Fire Department was the Fire Programs (Fire Pro) RMS.

Little time was spent researching the Fire Pro system to determine its compatibility with the New World Technology system being used by all other agencies in the City. Unfortunately, this lack of time investment has proven to be detrimental to the Fire Department.

Current Situation

As a result of this incompatibility problem the Fire Department's current system of records management is somewhat dysfunctional. At this time the Fire Department is operating a stand alone RMS, utilizing the Fire Pro system with no support mechanism from either of the network providers (Fire Pro or the New World system.)

The Fire Pro information system is an RMS, which was established, by Fire Fighters, for Fire Fighters. This RMS offers basic response report data bases that retain response information for those individual units. This system works well for small Fire Departments with only one facility; however, this type of RMS was not designed for an organization with the number of stations, units and personnel that we currently employ.

Our existing computer system involves the use of 21 PC's. Each of which serves as an independent workstation and is not connected to the central records management system. These PC's have all been upgraded within the last year and have adequate memory and available RAM to support any program changes that may be introduced in the near future.

Further each unit has the Fire Pro software loaded on its hard drive and our Computer Technician is required to travel from Fire Station to Fire Station, on a monthly basis, to retrieve the previous months response information as a result of our lack of networking and incompatibility. This retrieval process requires additional staff hours for record downloads and travel time from location to location.

Benefits

The benefit of this upgrade will be recognized immediately. The new system will provide the Fire Department with the ability to interface with Police Department's Dispatching and Records Management System, the City's Central Records Management and Financial Records Systems and provide real time information and access for fire reports and training records. This system will also facilitate the Department's ability to track its activities on an annual basis and give us the ability to begin predicting trends in emergency response as well as providing us with a database of those facilities that require annual inspections and hazard abatements.

As the Department transitions into the 21st Century it is important to remember that these types of information tracking systems are vital to the success of public safety organizations. The retention and retrieval of response and activity data will allow the Fire Department to begin predicting the current as well as future needs of the organization as well as the community.

Recommendation

The Fire Department recommends the approval of this contract and the upgrade of the current RMS system. As previously stated, this upgrade will allow the organization to begin tracking its activities and expenditures in a more efficient and effective manner.

Software License Fee **11750**

Training & Installation Support Services **15600**

120 hrs. of Installation and Training Service.

Not to exceed total.

Billed on an as used basis.

Maintenance Agreement **5600**

N W Tech. Travel Expense

			Cost Per Item	
Airfare	3	Round Trips	<u>300</u>	<u>900</u>
Hotel	15	Nights	<u>50</u>	<u>2250</u>
Rental Car	3	Weeks	<u>125</u>	<u>375</u>
Per Diem	34	Per Day	<u>15</u>	<u>1530</u>

Total: **38005**

FAYETTEVILLE, ARKANSAS

PROPOSAL SUMMARY

January 24, 2002

A. STANDARD SOFTWARE FROM NEW WORLD FOR IBM ISERIES MODEL 2043

FIRE RECORDS

1. Aegis®/400 Fire Records Software Base Package

\$ 35,000

- Activity Reporting and Scheduling Module
- Arson Investigations Module
- Hazardous Materials Module
- Hose Inventory and Maintenance Module
- Hydrant Inventory and Inspections Module
- Incident Tracking Module
- Inspection Tracking Module
- Personnel/Education Module
- Pre-plans Module

Aegis®/400 Federal and State Compliance Reporting for Fire Records

- State/NFIRS 5.0 Electronic Reporting Module

GRAPHICAL USER INTERFACE

2. Aegis®/400 Graphical User Interface¹

Windows PC Environment

\$ 5,000

- AS/400 Server Module
- Runtime Client Cost (estimated 10 Units @ \$175 per unit)

\$ 1,750

NEW WORLD STANDARD SOFTWARE LICENSE FEE

\$ 41,750

LESS CREDIT FOR PREVIOUSLY PURCHASED SOFTWARE

\$ (20,000)

LESS DEMONSTRATION SITE DISCOUNT

\$ (10,000)

TOTAL SOFTWARE LICENSE FEE^{2,3}

\$ 11,750

Aegis® Fire Records 5.0

Product Overview

The *Aegis*® Fire Records software automates and streamlines daily procedures. The system automates processes for testing equipment and tracking results; inspecting water sources; writing reports; and, managing personnel.

Immediate access to important information can save valuable time and possibly lives in a critical situation. *Aegis* Fire Records is designed to capture information and maintain files on incidents, persons, businesses, property, inspections, pre-planning, prevention and other functions, keeping a vast amount of information at a user's fingertips. The system automatically tracks data that can be generated into meaningful management reports.

Users can easily track inspections of mission critical equipment, specifically hydrants, hoses, vehicles and other tools used in the field, allowing you to efficiently manage the department. The system tracks hazardous materials and pinpoints the location within the building based on the previous inspection. Inspections are automatically date and time stamped ensuring schedules are followed.

New World Systems' *Aegis* Fire Records meets NFIRS (National Fire Incident Reporting System) 5.0 reporting requirements, allowing agencies to submit reports electronically to the state. The software is also NFIC (National Fire Information Council) compliant.

Streamline the reporting process by generating reports that adhere to required guidelines, ensuring incident reports are consistent and accurate. The system allows you to create agency-defined fields that meet your agencies needs.

Seamless Integration

The *Aegis* Fire Records software fully integrates with New World's *Aegis* suite of public safety products.

When the Fire Department and EMS respond to an incident the information entered into Fire Records is also entered into *Aegis* EMS Records associating the incident to both agencies.

New World's *Aegis* Computer Aided Dispatch (CAD) and Fire Records work together to share information and reduce redundant data entry. Once the dispatcher enters an incident into the CAD software, the information is accessible from the Fire Records application. Information does not have to be re-entered in order to track data and create accurate reports. The information maintained in Fire Records about hazardous material or past incidents can also be accessed from the CAD software, helping to increase public safety and fire fighters safety.



Aegis® New Graphical User Interface

New World Systems announces the release of its new Graphical User Interface. The new GUI gives a "Microsoft Outlook" appearance that utilizes a task column, pull down windows, and point-and-click capability. The new GUI makes working with New World software easier and more intuitive for the "Windows Generation" employee.

The new GUI utilizes a tool that is transparent to the user. It takes information from the AS/400 "green screen" and transforms it to the graphical screen. The "green screen" is not visible to the user, unless a toggle switch is activated. The GUI screens allow the user to see the same information in the Aegis software as before, except in a more graphical appearance. This will reduce the amount of training needed to get employees up to speed on the new GUI screens.

Other Features:

- The new GUI allows for the Aegis applications to be Internet-enabled allowing customers to access New World applications over a network using a browser.
- The upper left corner can display your agencies' logo. Simply clicking on the logo can take you directly to your web home page.
- Screen colors can be changed to suit the needs of each user.
- (F) Function keys are still active for those users that wish to continue to use them.
- Users will be more comfortable with the familiar Windows features, making training of new employees easier and faster.

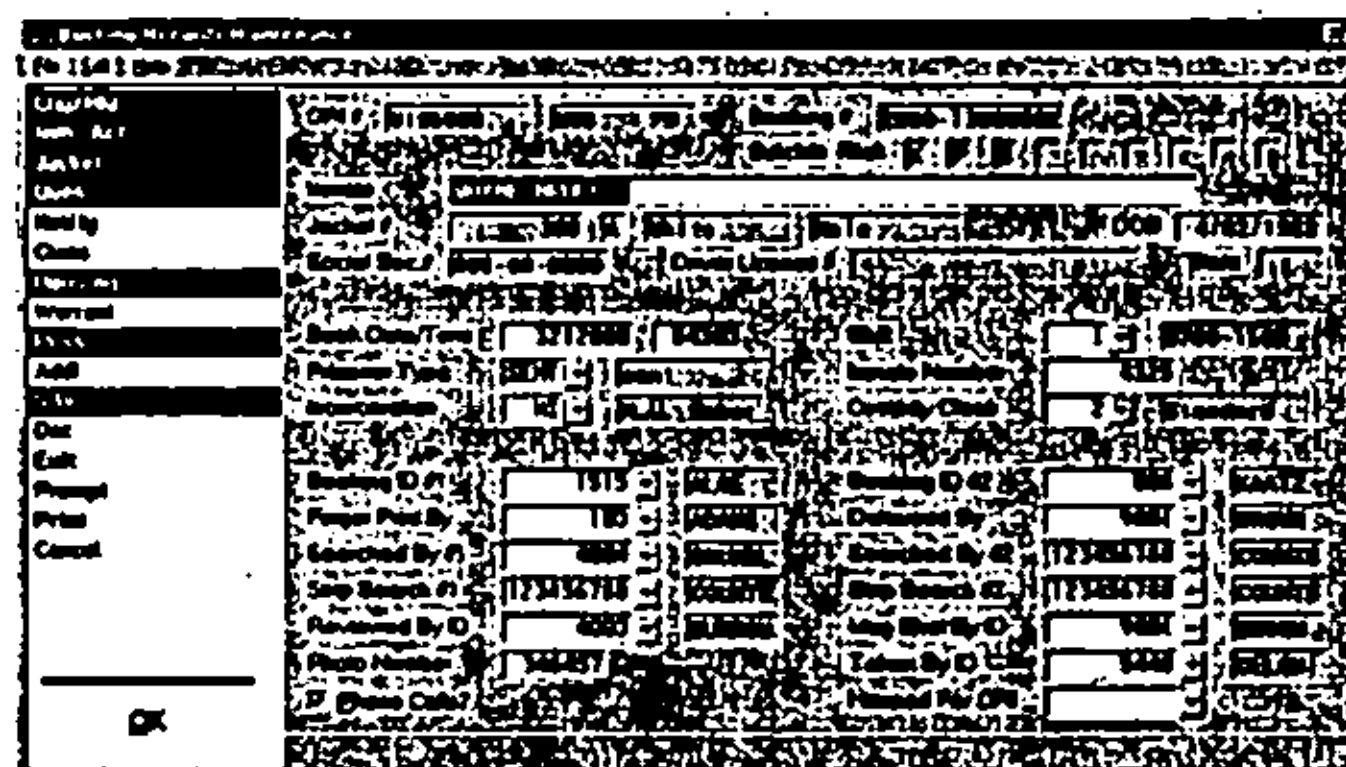
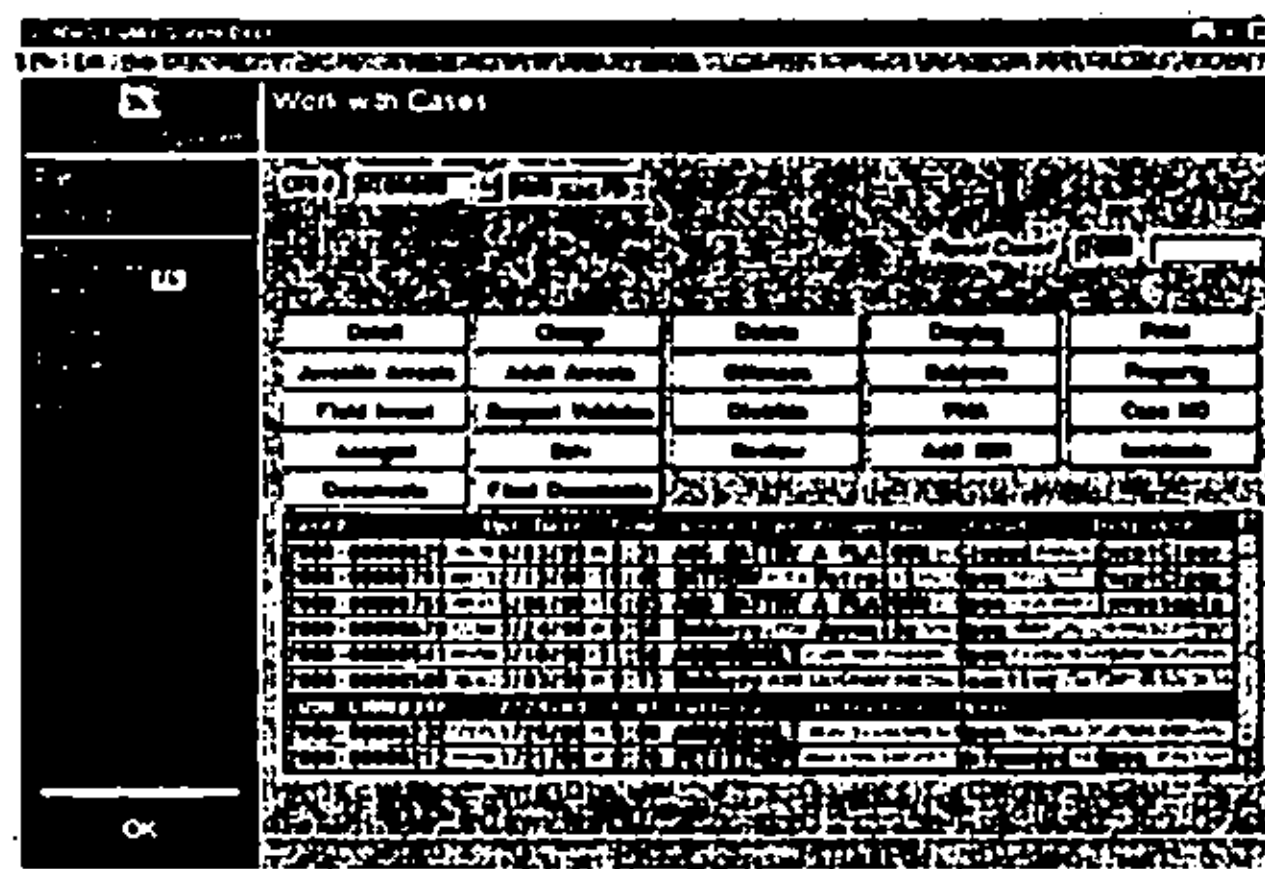
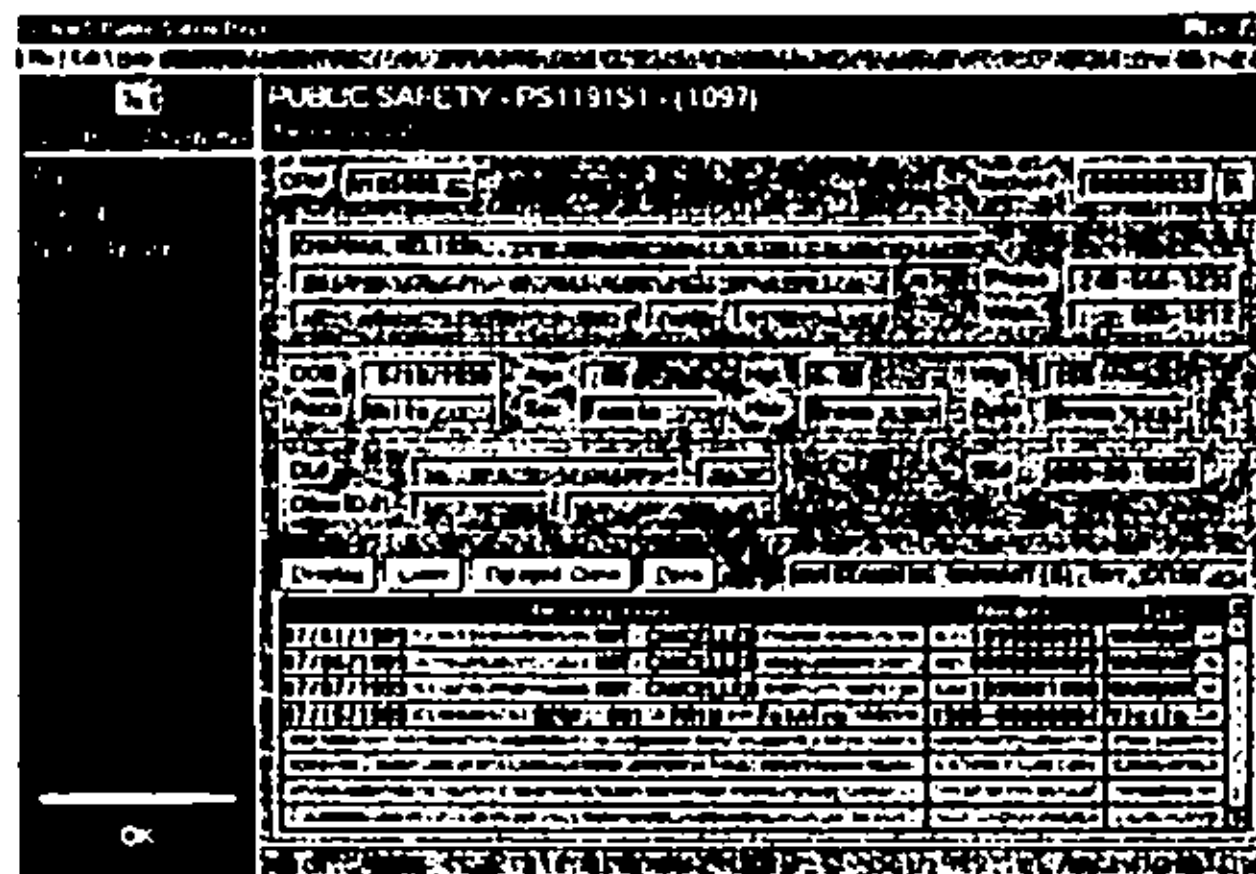
How to Get Started:

To obtain the new Graphical User Interface from New World Systems, simply contact your Sales or Customer Care Representative for a price proposal.

What is Required?

Server License Fee
Workstation License Fee (concurrent users)
Server requires TCP/IP
Minimum PC configuration:

- Pentium 133 processor
- 16 MB RAM
- 100MB of free disk space



New World Systems
888 West Big Beaver Road, Suite 1100
Troy, Michigan 48064
248.269.1000 / fax 248.269.1020
www.newworldsys.com
update 4/17/00

CITY OF FAYETTEVILLE, ARKANSAS
2002 - 2006 CAPITAL IMPROVEMENTS PROGRAM
PROJECT DETAIL

PROJECT TITLE:	Radio System Replacement
REQUESTING DIVISION:	Police
FUNDING SOURCE:	Sales Tax Capital Improvements Fund
PROJECT CATEGORY:	Police Safety Improvements
INITIAL YEAR PRIORITY:	1
PROJECT TYPE:	REPLACEMENT ☒ Y EXPANSION ☐ Y

PROJECT COST		
2002	\$	294,000
2003		
2004		
2005		
2006		
TOTAL PROJECT COST \$		294,000

PROJECT DESCRIPTION & JUSTIFICATION :

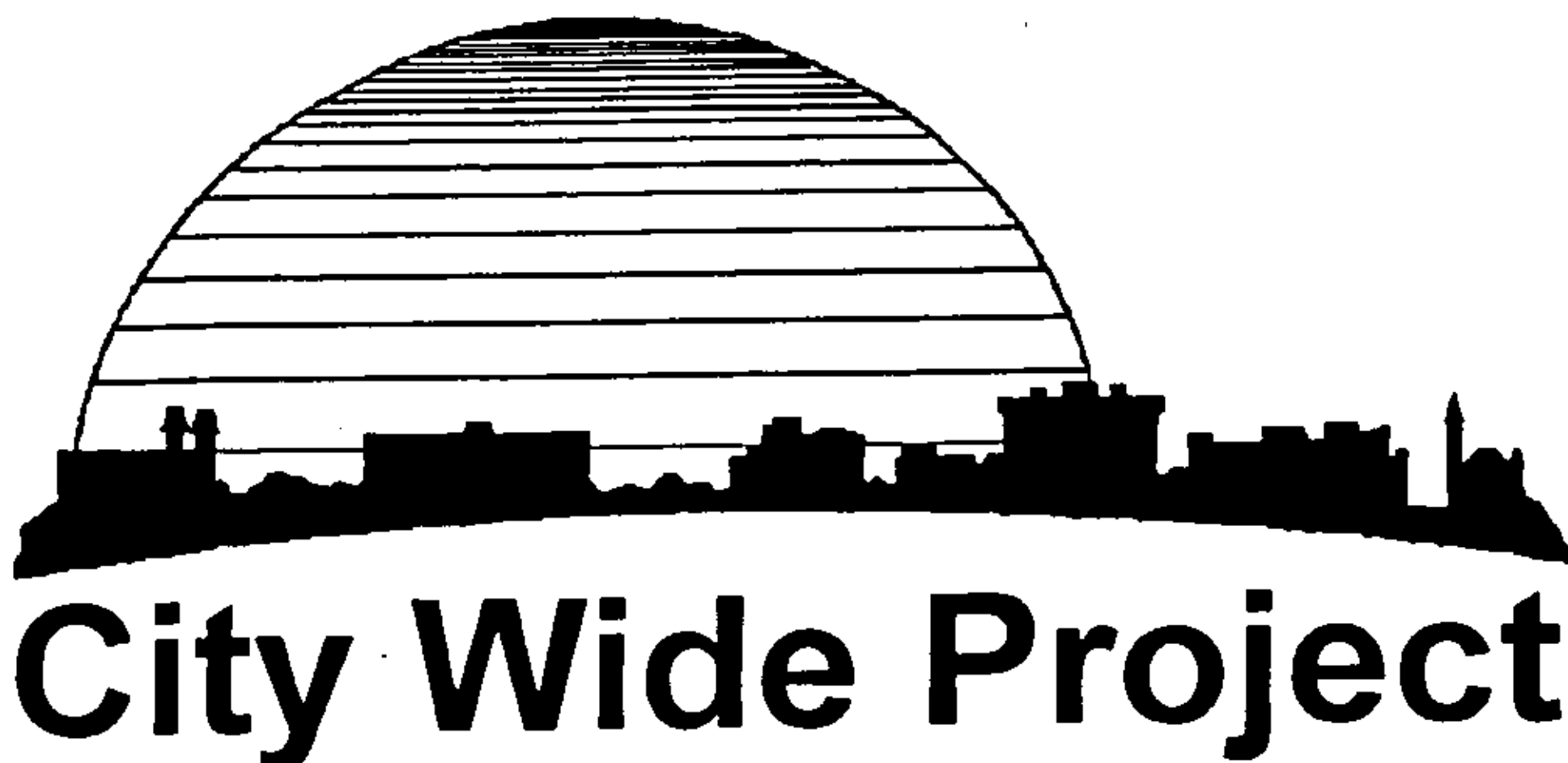
These expenses are for the completion of the Radio Replacement Project including an upgrade to the digital radios (\$11,000), the addition of encryption (\$113,000) to the police portable radios, the addition of Control Heads, Motorola to CAD interface (\$57,000), the New World interface for the Fire Department (\$30,000), replacing the Fire Department's high band radio system used to alert off duty personnel to active fires (\$63,000), and addressing the problem at the Wastewater Treatment Plant located on Fox Hunter Road (\$20,000).

PROJECT STATUS (IF IN PROGRESS) :

N/A

EFFECT OF THE PROJECT ON ANNUAL OPERATIONS :

N/A





New World Systems
The Public Sector Software Company

**Integrated
Public Safety Software
Solution**

CAD



RECORDS

MANAGEMENT



MOBILE



CORRECTIONS



COURTS

Aegis
Public Safety
Software



— 1200 Public Safety Agencies Have Trusted New World's Software for Over Twenty Years —

New World Systems' comprehensive integrated *Aegis*® Public Safety solution satisfies the varying needs of public safety departments — from fast and efficient dispatching to easy access to law enforcement, fire and EMS records, reports and databases. The integrated solution allows different departments to seamlessly share information, increasing safety and improving efficiency. New World's *Aegis* solution can take your agency to the next level.

For over twenty years, New World Systems, a leader in public sector software, has provided public safety agencies with progressive improvements in technology. Our software helps improve agency operations by decreasing response times, improving access to information, and increasing community safety.

New World is known for its stability and longevity in the software industry — more than 1200 cities, counties and townships trust New World's solution to manage critical public information for the safety and benefit of their communities.

"Out of the six public safety software companies that we looked at, New World is the only one still in business. New World's longevity and proven reliability was a key factor in our decision."

— *MIS Administrator Erik Vela*
Waukegan Police Department, Waukegan, IL

New World focuses on the unique needs of the public sector by continually enhancing technology and monitoring public safety needs. We incorporate industry trends and customer suggestions to improve public safety processes.

Unlike many public safety software vendors, New World develops its public sector software suite in-house, providing a truly integrated system with easy access to critical information throughout your agency.

Our commitment is to our customers' success.

Larry D. Leinweber
President, New World Systems

— Intelligent Integration —

Enhance your agency's effectiveness with New World Systems' truly integrated Aegis Public Safety software suite. It can increase productivity within your department and safety within your community. New World develops all its software in-house to ensure a fully integrated solution for your department. Our modular software enables you to license various optional modules as you need them or as your budget allows.

Practical Functionality and Benefits of Integration

Operational Efficiency:

- Once information is entered into the system, authorized users can access data from any application in the Aegis suite to view a complete file on a subject, location or property
- Integrated master files on a subject, location or vehicle are automatically created in Records Management by populating the information from a call for service screen in CAD (Computer Aided Dispatch) and information received from Mobile Computing
- When creating a new master file, the system automatically alerts the user of duplicate entries, reducing redundant records
- Information captured in Records Management automatically populates the fields required for agency, state and federal reports
- Whether you are a corrections officer, judicial personnel or public safety officer, you do not have to create a new record for an inmate, person on trial, or an offender, because the Records Management software maintains master files on all subjects - the user can add to the existing record or pull the information to make a new file in the Corrections or Courts Management software

Increases Safety:

- Ability to access critical information within Aegis Records and State/NCIS, such as wants/warrants, protective orders, gun permits, prior offenses, history and much more, before arriving at a scene increases safety for law enforcement in the field
- Decreases unit response times - dispatchers can continue to enter information about the incident in CAD while the unit is en route to the scene, providing the officer with an up-to-date status on the mobile computing terminal (MCT)
- Integrated public safety software gives officers and firefighters immediate access to information that helps them make informed decisions



Computer Aided Dispatch Law Enforcement

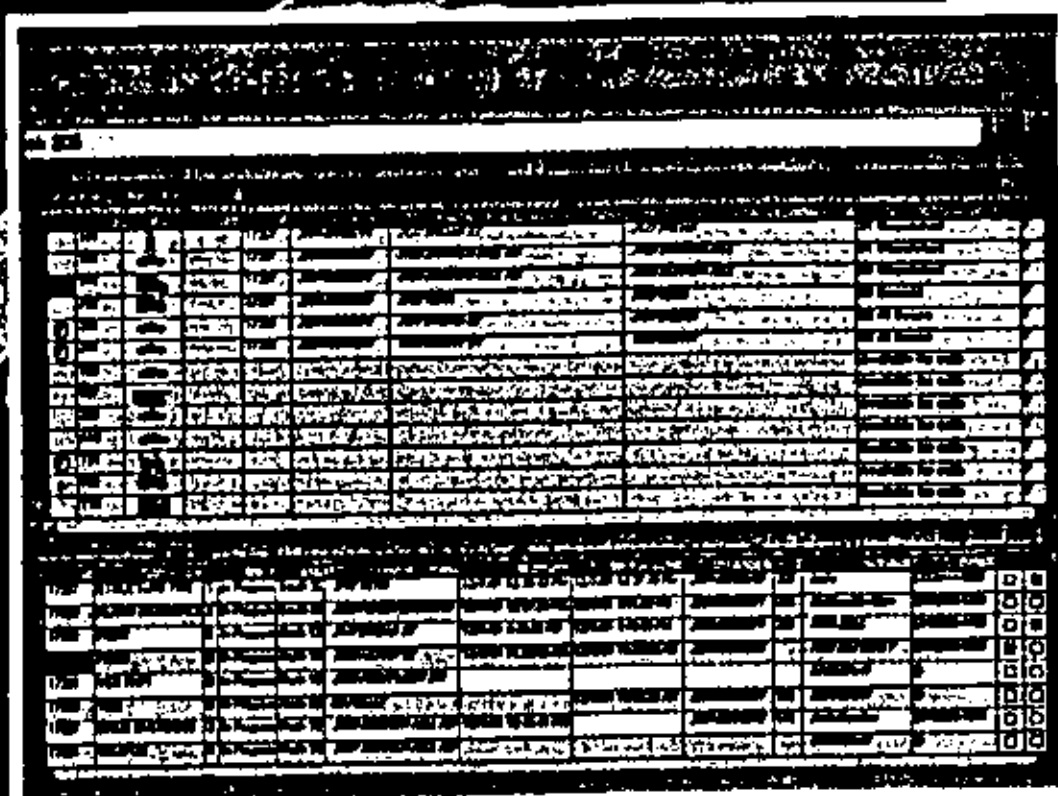
— When Performance and Rapid Response is Critical, Aegis Can Make a Difference —

Efficiency, safety and quick responses depend on the communication of timely and accurate information. New World's *Aegis* CAD software is designed by experienced, professional dispatch personnel from law enforcement, fire and EMS agencies.

Major benefits of the *Aegis* CAD solution:

- ▶ When a 911 call is received, the call for service screen automatically populates the name, address, phone number and other associated information, providing real-time, critical response dispatch support
- ▶ Integrates with New World's *Aegis* Records Management software; a cleared CAD Incident automatically creates a file in Records Management
- ▶ Provides a vital link between the dispatcher/officer and the most comprehensive records database available, alerting dispatchers and officers of hazards, prior incidents, outstanding warrants, etc., before the officer confronts an offender or situation
- ▶ Instant access to critical information improves communication, response time performance and unit safety
- ▶ Efficiently manages single and multiple jurisdictional agencies
- ▶ Interfaces to State/NCIC - seamless access to state and federal information through the dispatch screen or MCT
- ▶ Automatically prompts the units to be dispatched and provides special response instructions, ensuring the proper procedures are implemented
- ▶ Completely scalable, the system easily manages small and large agencies
- ▶ Ability to customize screens to simulate familiar screens and commands already in use

MSP (Microsoft 2000 Platform) CAD



"New World System's CAD software was specifically written with the 9-1-1 communications dispatcher in mind. It increases the speed, accuracy and reliability of the entire dispatch process, and helps ensure officer safety by improving and expanding on critical information available from CAD to the units in the field."

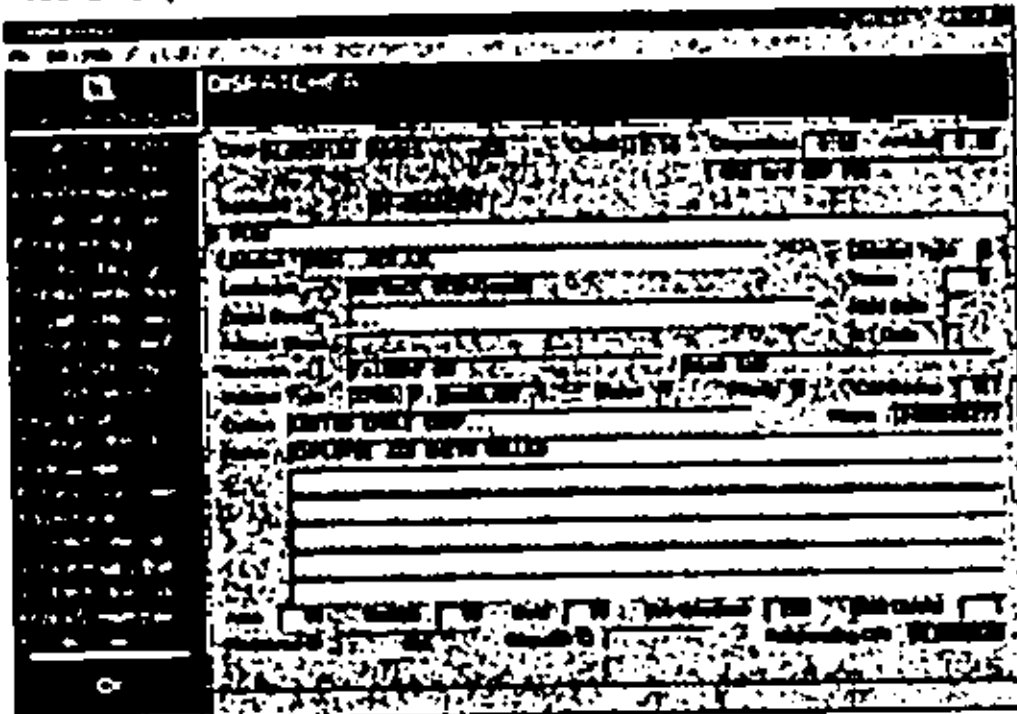
— 9-1-1 Communications Director, Susan Rose Sassone
Waukegan Police Department, Waukegan, IL

New World's Aegis CAD for Fire and EMS agencies provides effective and efficient communication between dispatching and the field, enhancing services to your citizens.

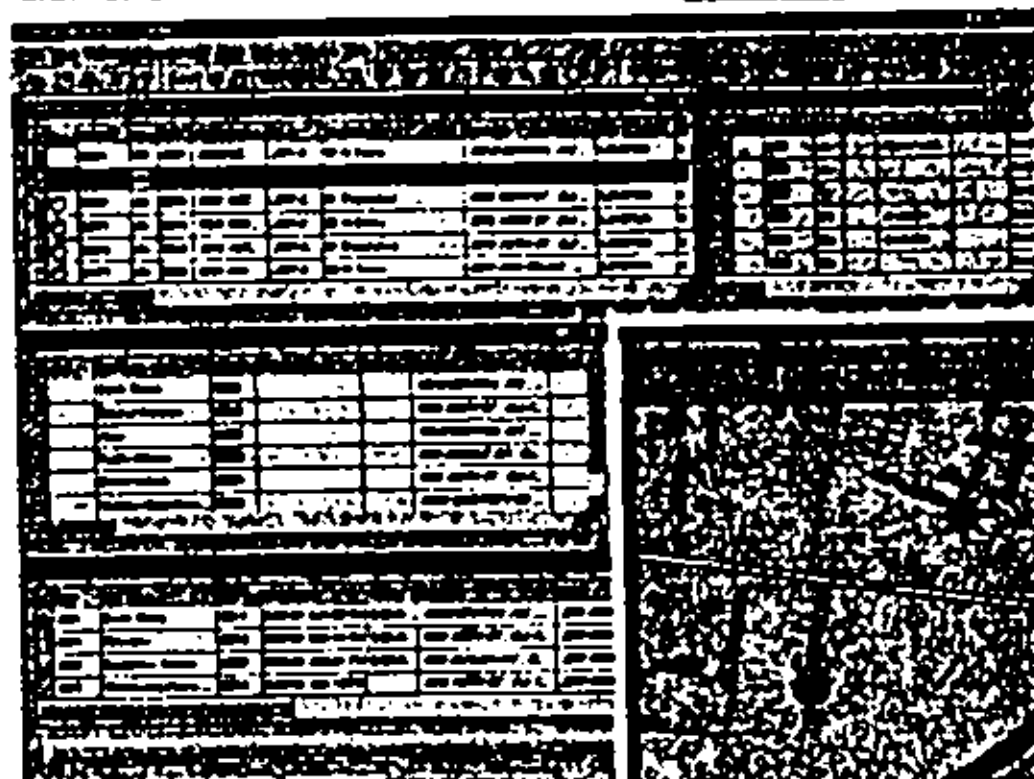
Major benefits of the Aegis Fire/EMS CAD solution:

- Automatically verifies address validity, saving the dispatcher's time by populating the screen with predetermined procedures and equipment suggestions based on the incident type, level of response and geographic area
- Integration with New World's Aegis Records Management software provides dispatchers and firefighters with critical information on inspections, pre-plans, hazards and history
- Automatically generates reports, including GEO master file listings, hazardous alerts, agency-defined notes and much more
- Automatically time/date stamps calls for service, providing supervisors with accurate information on time of entry, assignment, arrival and clearance of calls
- Reduces the risk of leaving an area without coverage with automatic run cards, including move-ups and standby
- Easy prioritization of incident transactions allows calls to be quickly dispatched based on the importance of the call

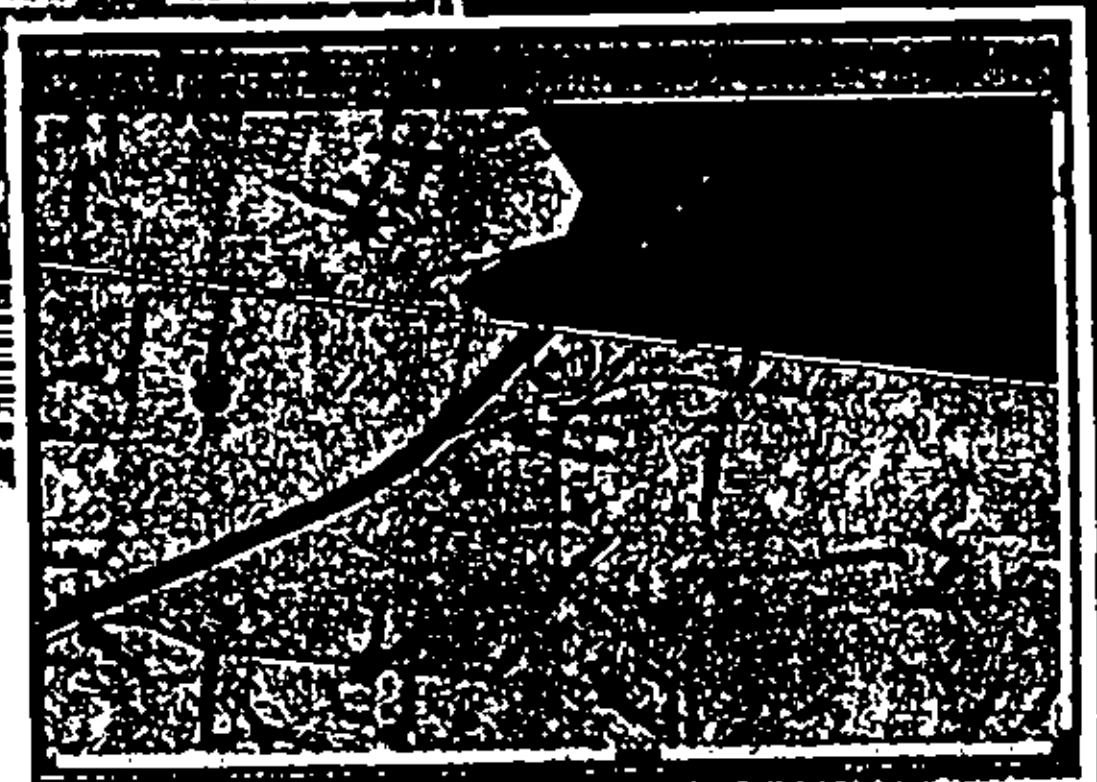
400 CAD (IBM iSeries 400 Platform)



MSP CAD



MSP and 400 CAD Mapping



"Aegis CAD enables us to quickly and easily dispatch public safety officials to a scene."

— Administrator Eric Swanson
Tillamook County Emergency Communications District, OR

Records Management Law Enforcement

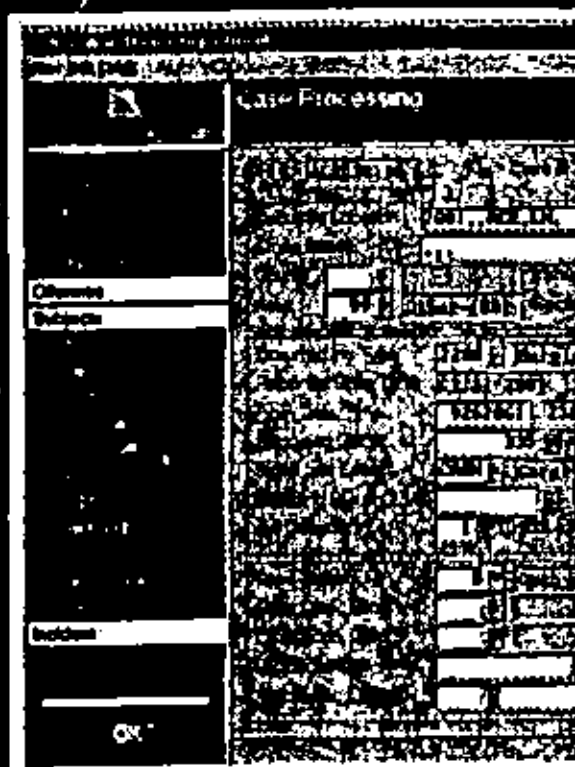
— Access Key Information Effortlessly —

New World Systems' *Aegis* Law Enforcement Records Management system is a robust information system that tracks operational, investigative, statistical, management and administrative data. It supports extensive inquiry and subsequent reporting — including incident management, investigating cases and arrest processing.

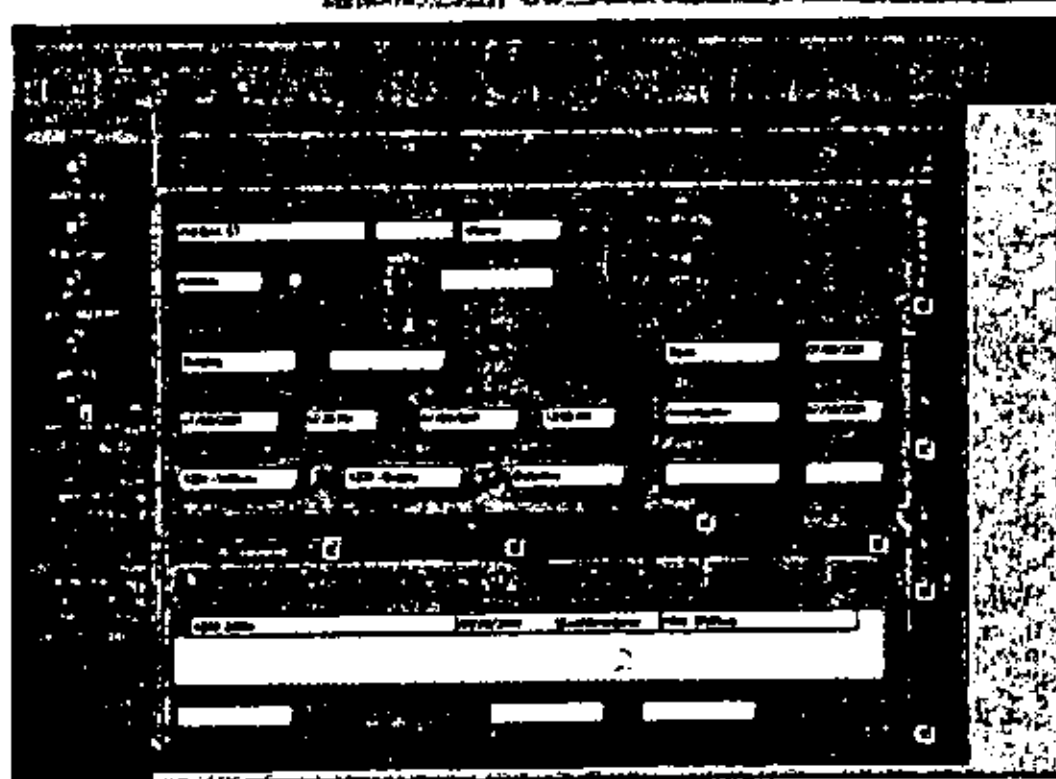
Major benefits of the Aegis Law Enforcement Records solution:

- ▶ The system provides a real-time database for maintaining master files on people, places, property, vehicles, criminal activity and more
- ▶ Alerts officers of critical information, including protective orders, outstanding wants/warrants, stolen vehicles and more, when integrated with Aegis CAD
- ▶ Provides a master file that efficiently connects all activity to a subject, property or location
- ▶ Generates hundreds of standard reports to help manage the department, solve crimes, and communicate to elected officials
- ▶ Automatically prepares reports for state and federal (UCR and IBJ) agencies
- ▶ Automated State/NCIC reporting — provides information to update your Records Management database and sends state and federal compliant reports
- ▶ Provides extensive multi-layered security to keep unauthorized personnel from viewing sensitive information, such as juvenile records and personnel information
- ▶ Adding optional software modules, for everything from Gang Tracking to a wealth of information

With New World Systems' Records Management software, you can manage and keep track of departmental information.



400 RECORDS MANAGEMENT



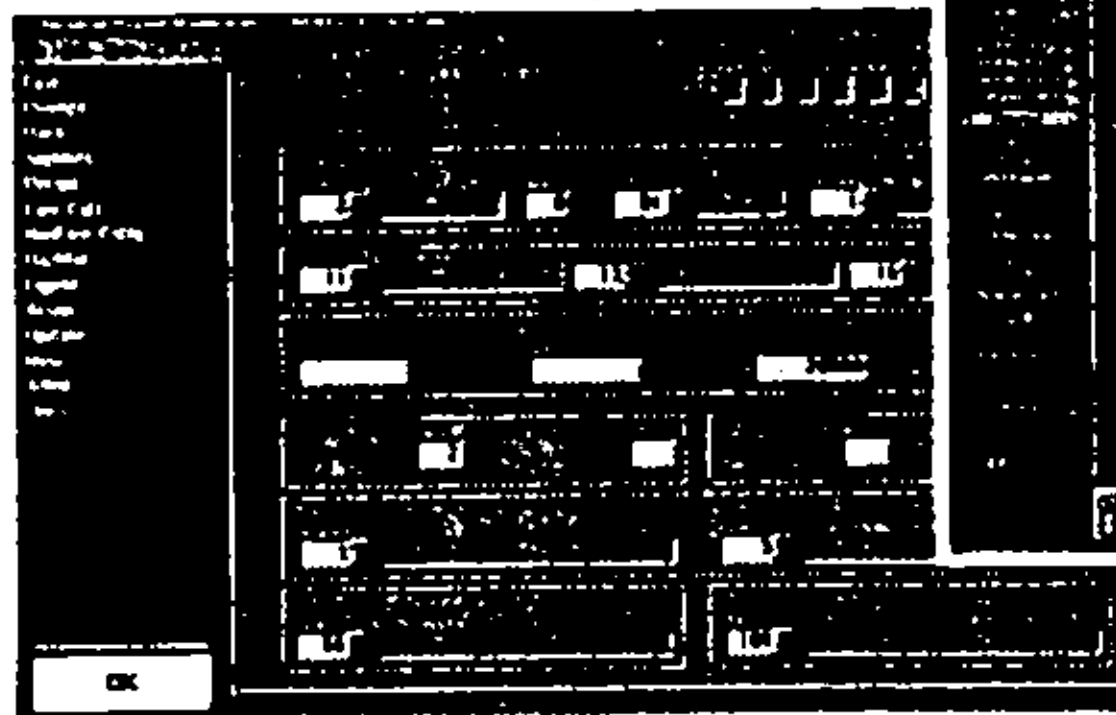
Major benefits of the Aegis Fire Records solution:

- Automatically captures information from CAD to create or maintain files in the Records Management software on incidents, persons, businesses, property, inspections and other functions
- Compliant with NFIRS (National Fire Incident Reporting System) and state reporting requirements - granted Conditional Certification vendor status by the United States Fire Administration (USFA)
- Tracks all inspection violations, pre-planning, prevention and arson investigations to keep a vast amount of information at a user's fingertips
- Saves time by tracking all critical equipment and items related to fire management, including hydrant inventory, inspection dates, and mission critical equipment utilized in the field
- Integration with Aegis CAD minimizes redundant entry, facilitating the tracking and billing of false alarms and access to critical information
- Tracks hazardous materials to pinpoint the specific location within a building to provide firefighters with immediate access to critical information before arriving at the scene
- Tracks personnel-related information such as education, certifications, emergency information, hazardous material exposure and roster assignments

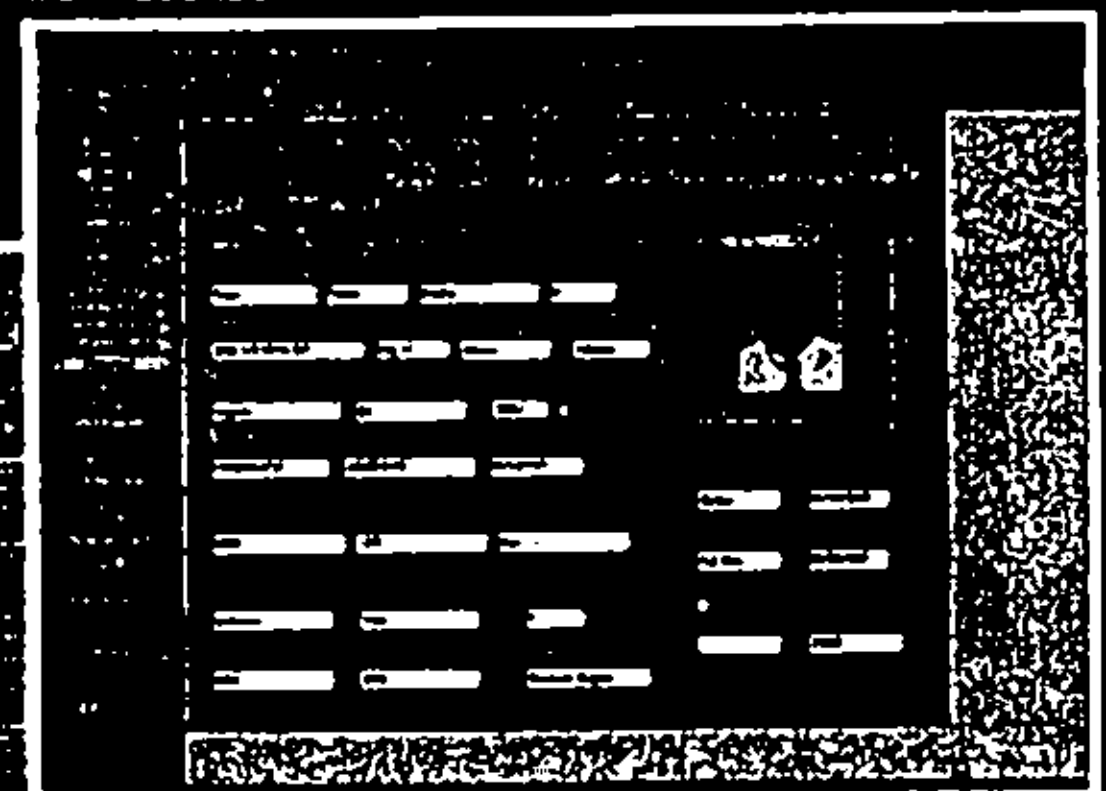
Major benefits of the Aegis EMS Records solution:

- Automatically tracks services rendered to patients for invoice generation
- Generates numerous management reports that track the units and personnel responding to calls, dispatch statistics, medical service statistics and exposures to hazardous material
- Tracks all information associated with a patient in the master file, allowing paramedics and dispatchers to easily and quickly access personal information, medical records and past treatments, saving valuable time in an emergency
- Completes the cycle from time of dispatch to invoice generation. New World's fully integrated software solution
- Interfaces to many other New World applications, including multi-jurisdictional CAD

400 RECORDS MANAGEMENT



MSP RECORDS MANAGEMENT



Records Management Law Enforcement

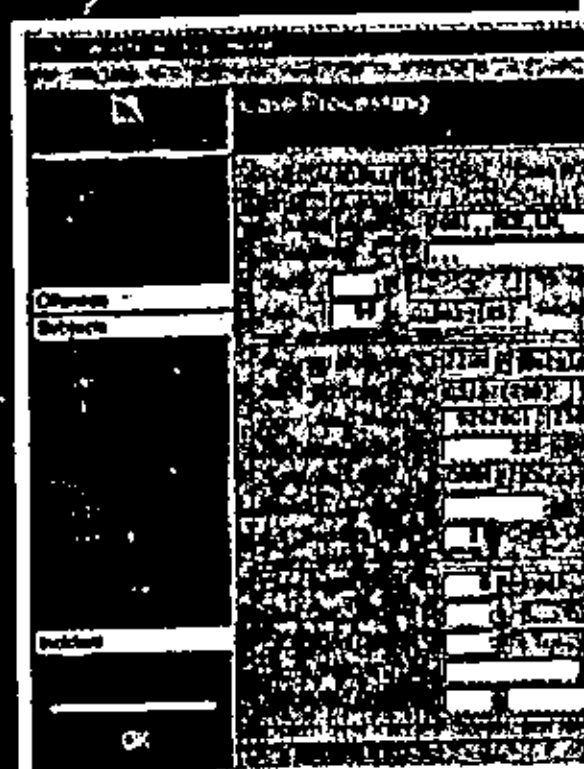
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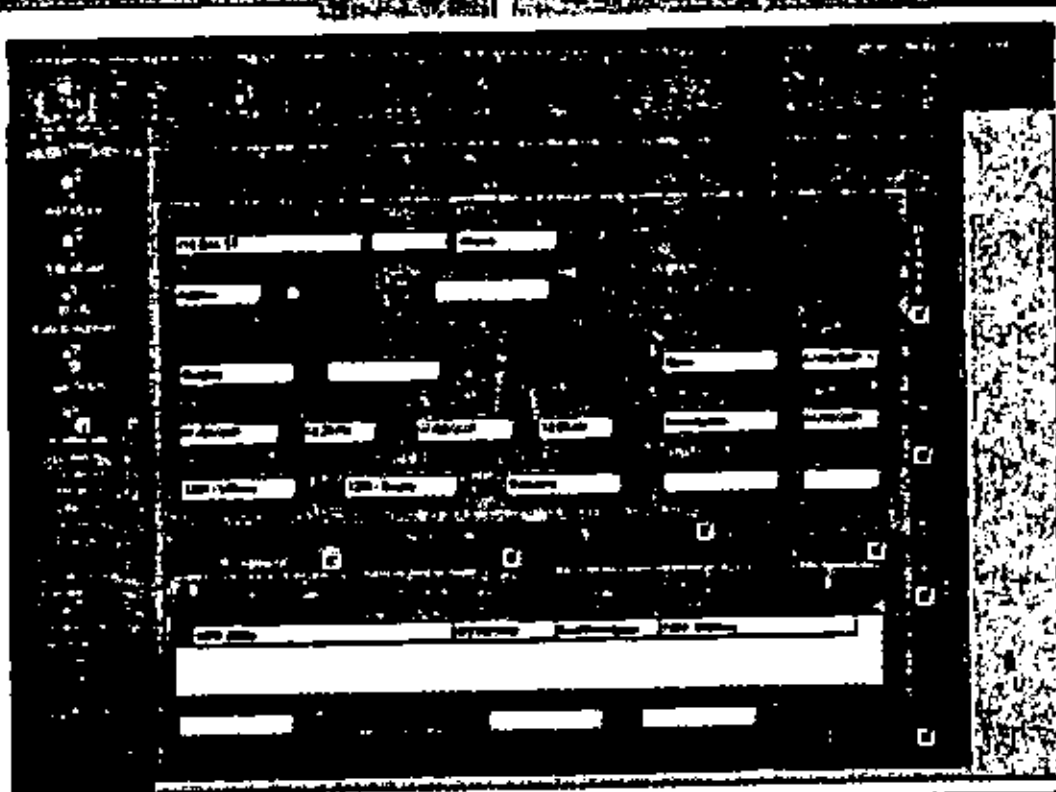
Major benefits of the *Aegis* Law Enforcement Records solution:

- ▶ The system provides a real-time database for maintaining master files on people, places, property, vehicles, criminal activity and more
- ▶ Alerts officers of critical information, including protective orders, outstanding wants/warrants, stolen vehicles and more, when integrated with *Aegis* CAD.
- ▶ Provides a master file that efficiently connects all activity to a subject, property or location
- ▶ Generates hundreds of standard reports to help manage the department, solve crimes, and communicate to elected officials
- ▶ Automatically prepares reports for state and federal UCR and IBIS agencies
- ▶ Automated State/NCIC reporting — provides information to update your Records Management database and sends state and federal compliant reports
- ▶ Provides extensive multi-layered security to keep unauthorized personnel from viewing sensitive information, such as juvenile records and personnel information
- ▶ Adding optional software modules for everything from Gang Tracking to Crime of Information

With New World Systems' *Aegis* Law Enforcement Records Management software, you can manage your records and reports efficiently.



400 RECORDS MANAGEMENT



Major benefits of the Aegis Fire Records solution:

- Automatically captures information from CAD to create or maintain files in the Records Management software on incidents, persons, businesses, property, inspections and other functions
- Compliant with NFIRS (National Fire Incident Reporting System) and state reporting requirements - granted Conditional Certification vendor status by the United States Fire Administration (USFA)
- Tracks all inspection violations, pre-planning, prevention and arson investigations to keep a vast amount of information at a user's fingertips
- Saves time by tracking all critical equipment and items related to fire management, including hydrant inventory, inspection dates, and mission critical equipment utilized in the field
- Integration with Aegis CAD minimizes redundant entry, facilitating the tracking and billing of false alarms and access to critical information
- Tracks hazardous materials to pinpoint the specific location within a building to provide firefighters with immediate access to critical information before arriving at the scene
- Tracks personnel-related information such as education, certifications, emergency information, hazardous material exposure and roster assignments

Major benefits of the Aegis EMS Records solution:

- Automatically tracks services rendered to patients for invoice generation
- Generates numerous management reports that track the units and personnel responding to calls, dispatch statistics, medical service statistics and exposures to hazardous material
- Tracks all information associated with a patient in the master file, allowing paramedics and dispatchers to easily and quickly access personal information, medical records and past treatments, saving valuable time in an emergency
- Completes the cycle from time of dispatch to invoice generation. New World's fully integrated software solution
- Interfaces to many other New World applications, including multi-jurisdictional CAD

400 RECORDS MANAGEMENT

This screenshot displays the '400 RECORDS MANAGEMENT' window. It features a sidebar on the left with a menu of options. The main area is a grid of data fields, some of which are populated with text and numbers, representing a record entry.

MSP RECORDS MANAGEMENT

This screenshot shows the 'MSP RECORDS MANAGEMENT' window. It is a more complex form with multiple sections, including a header area, several input fields, and a large section with a grid of data. The interface is designed for detailed record management and reporting.

STAFF REVIEW FORM

Animal Concerns Comm
C. 3. Page 1

☒ AGENDA REQUEST
☐ CONTRACT REVIEW
☐ GRANT REVIEW

FOR: COUNCIL MEETING OF April 2, 2002 MAYOR'S APPROVAL _____

FROM:

Brenda Thiel, Alderman

Name

Division

Department

ACTION REQUIRED: A resolution establishing an Advisory Committee, to be known as the Animal Concerns Committee, setting forth the selection process for membership and the responsibilities of the Animal Concerns Committee.

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 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:

CROSS REFERENCE

Division Head

Date

New Item:

Yes

No

Department Director

Date

Previous Ordinance/Resolution No.: _____

Administrative Services Director

Date

Mayor

Date

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING AN ADVISORY COMMITTEE,
TO BE KNOWN AS THE ANIMAL CONCERNS COMMITTEE,
SETTING FORTH THE SELECTION PROCESS FOR
MEMBERSHIP AND THE RESPONSIBILITIES OF THE ANIMAL
CONCERNS COMMITTEE.

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

Section 1. That the City Council hereby establishes an advisory committee,
to be known as the Animal Concerns Committee, and it shall be as follows:

- I. **Purpose.** The Animal Concerns Committee advises the City Council and staff on issues regarding the general well-being and health of animals, including but not limited to issues affecting the Animal Services Division (Animal Shelter, Animal Control, and Veterinary Clinic); stimulates and encourages communication with members of the community to ensure that programs, goals, and objectives of the Animal Services Division are consistent with community needs and desires, and State standards; and, promotes the general health and well-being of animals.
- II. **Composition.** The Animal Concerns Committee shall consist of eight (8) voting members as follows:
 - a. Two (2) voting members shall be members of the City Council;
 - b. Two (2) voting members shall be members of the Humane Society of the Ozarks;
 - c. One (1) voting member shall be a licensed veterinarian recommended by the Humane Society of the Ozarks;
 - d. Three (3) voting members shall be private citizens, who are qualified electors residing in the City of Fayetteville, and appointed by the City Council.
- e. The Animal Services Superintendent shall serve as a nonvoting ex officio member of the committee.

- III. **Appointment.** The City Council shall appoint private citizen members from those names provided by the Nominating Committee, in the manner set forth in §H(2) of the Rules of Order and Procedure, Fayetteville Mayor/City Council. All other members of the Animal Concerns Committee shall be nominated by their respective organizations.
- IV. **Terms of Office.** All members serving on the Animal Concerns Committee at the time of passage of this Resolution shall continue to serve until December 31, 2002. Thereafter, private citizen members shall serve staggered, two year terms. City Council and Humane Society members shall serve at the discretion of their sponsoring body.
- V. **Officers.** At the first regularly scheduled committee meeting of each calendar year, the voting members of the committee shall, by a simple majority, elect from among themselves a Chair and Vice Chair.
- VI. **Meetings.** The Animal Concerns Committee shall meet at least once per month to conduct regular business at a time and place that is mutually convenient to the membership. The committee may meet more frequently, as the need shall arise.

PASSED AND APPROVED this ____ day of _____, 2002

APPROVED:

By: _____

DAN GOODY, Mayor

ATTEST:

By: _____

HEATHER WOODRUFF, City Clerk

DRAFT



STAFF REVIEW FORM

Solid Waste Modif
C. 4. Page 1.



XXX AGENDA REQUEST
 CONTRACT REVIEW
 GRANT REVIEW

For the Fayetteville City Council meeting: April 2, 2002

FROM:

Carol Hill
Name

Environmental Affairs Admin.
Division

General Services
Department

ACTION REQUIRED:

Approval of the Lift Concept Modification of Vehicle Configuration for the Commercial Route Front Load Style Sanitation Vehicles. This will allow an upgrade to the newer style fork application and eliminate the triangle style lifts on vehicles as they are being replaced. This will also allow modifications to current containers and upgrade of containers as they are being replaced.

COST TO CITY:

\$ N/A
Cost of this Request

\$ N/A
Category/Project Budget

Commercial Collection
Category/Project Name

N/A
Account Number

\$ N/A
Funds Used To Date

Operations & Administration
Program Name

N/A
Project Number

\$ N/A
Remaining Balance

Solid Waste
Fund

BUDGET REVIEW:

XX Budgeted Item

 Budget Adjustment Attached

[Signature]
Budget Coordinator **MANAGER**

3-15-02

Administrative Services Director

[Signature]
Accounting Manager

3/15/02
Date

ADA Coordinator

Date

[Signature]
City Attorney

3/15/02
Date

[Signature]
Internal Auditor

3/15/02
Date

Purchasing Officer

Date

STAFF RECOMMENDATION:

Approval of Vehicle Configuration Modifications and Container Modifications.

[Signature]
Division Head

3/14/02
Date

Cross Reference

[Signature]
Department Director

3/14/02
Date

New Item: **Yes** **No**

[Signature]
Administrative Services Director

3/15/02
Date

Prev Ord/Res #:

[Signature]
Mayor

3/15/02
Date

Orig Contract Date:

REC

MAR 14 2002



STAFF REVIEW FORM

Description: Commercial Sanitation Vehicle Configuration

Meeting Date: April 2, 2002

Comments:
Budget Coordinator:

Accounting Manager:

City Attorney:

Purchasing Officer:

ADA Coordinator:

Internal Auditor:

Reference Comments:

DEPARTMENTAL CORRESPONDENCE

March 12, 2002

TO: Gary Dumas

FROM: Carrol Hill

SUBJECT: Lift Concept Modification - Commercial Sanitation Vehicle

I would like to recommend we change the lift mechanism on our Commercial Sanitation Vehicles from the triangle system to a standard fork mechanism. The current triangle system is very outdated and the cost of the triangle dumping system on the vehicle and containers is considerably more than the fork system.

Initially, there is a savings of \$4,200 when ordering the fork system on our new trucks versus the triangle system.

Currently, we are paying an additional \$30 per 4 yd, \$40 per 6 yd and \$50 per 8 yd container to have the triangle put on standard containers. Last year, 112 containers were ordered, the savings on those containers based on the savings noted, the City would have saved \$3,670. Currently, we have a purchase order for approximately 250 containers, to be purchased over the year 2002. If we assume that we can save an average of \$40 per container, the City could save \$10,000 on the future purchases of containers. With the rapid growth of the City, this could mean additional savings.

Another significant savings is in the cycle time of the forks versus the triangle. The cycle time on the current triangle system takes from 45 seconds without any problems, to 90 seconds per container when problems occur. The cycle time for the fork system is 20 seconds. Changing to the fork system would save approximately 2.08 hours per route in cycle time alone. Two hours per route per week would result in \$100 saved from the first two routes.

The cost of the channels to convert the containers in stock is \$40 per bin. We feel that it would be best to hire a temporary certified welder to work on our yard welding the side channels to the containers. As the containers are welded, we would paint and apply labels, then have staged for delivery. We have bids from welders ranging from \$20 to \$50 per container for welding. We would require a minimum of 10 containers per day be completed.

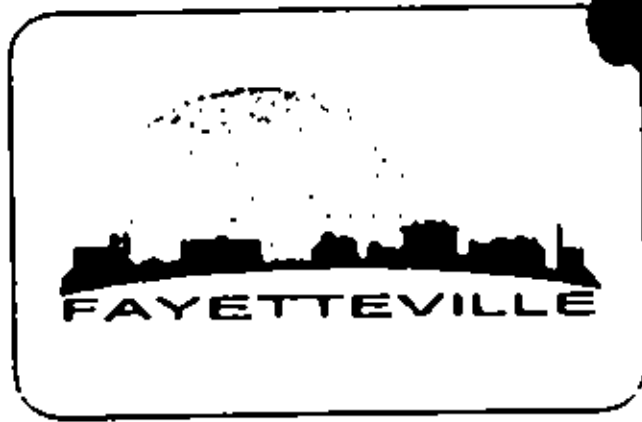
-2-

To accomplish the two route conversion, initially we would bring in to the yard 50 containers from customers sites, leaving the customer another container. That supply of 50 containers would be converted, then delivered to the next 50 customers, etc. The two routes have 533 containers total. At no time will a customer be without a bin. These two routes could be completed in 53 days.

There are other labor savings from the maintenance of the triangle mechanism that will be realized as well. I am very familiar with the fork system, and have had very good productivity increases as a result of such a change.

The remainder of our fleet of front loaders could be converted to the fork system as those routes were changed out. We would realize the productivity increases, decreased cost of containers, increased productivity and less maintenance time to maintain the triangle system.

The savings from the cost of the vehicle is \$8,400 and \$10,000 reduction in purchase price of new containers. The initial expenses to cover the two routes is \$21,320 for the side channels and welding. The \$2,920 difference will be made up in the productivity increases gained by the more efficient equipment and reduced maintenance costs to service and repair the triangle devices. Further, the route efficiencies gained should allow us to add 18 hours per month to the two routes without adding any actual hours.



CITY OF FAYETTEVILLE

Inter-Office Memo

FLEET OPERATIONS DIVISION - PHONE: 501.444.3495 FAX: 501.444.3425
1525 S. Happy Hollow Road Extension: 495 FAX: 325
Fayetteville, AR 72701

TO: Carrol Hill, Environmental Affairs Administrator
FROM: W. A. Oestreich, Fleet Operations Superintendent
DATE: March 14, 2002
SUBJECT: Forks versus Triangles

Reference your memo regarding a proposal to change from the old style Load-All Style Triangle Lift Attachment to the more accepted current Fork Style on the Commercial Front Loader Style Trucks.

The fork style should prove to be a lower maintenance unit due to removal of the Air Cylinder and Lock Pins required on the triangle. It also will provide a more positive attachment to the container which will distribute the weight through two contact points rather than one. The safety of the fork system is obvious in their wider industry acceptance over the triangle.

Please note the price difference in cost between the two units. Reference attached correspondence from Arkansas Power Steering indicating a savings of \$4,200.00 per unit.

Please advise as soon as possible if we can utilize this savings on the two new units currently on order. I am pleased in your concern for initial cost savings, safety and decrease in maintenance requirements along with faster parts response due to industry standardization of the system.

May I add that this enforces my response to a comment heard recently regarding this change in systems. "When will Fayetteville get out of the competitions dust and upgrade?". Hopefully this will be an acceptable system and be implemented.

If you have questions or comments regarding this item, please contact me at ext. 494.

Thank You

Bill

STEERING &

HYDRAULICS, INC.

314 HEMLOCK

N LITTLE ROCK, AR 72114

501-372-4828 FAX 501-372-2886

QUOTE

DATE

3/14/2002

NAME / ADDRESS

CITY OF FAYETTEVILLE
ATTN. CARROL HILL
479-575-8398 PH
479-444-3478 FAX

QTY	DESCRIPTION	COST	TOTAL
2	REPLACE A-FRAME W/FORKS (PER UNIT)	-4,200.00	-8,400.00T
	(REF PO#02865) Sales Tax	0.00	0.00
TOTAL			\$-8,400.00

**DRAFT TENTATIVE AGENDA
CITY COUNCIL
APRIL 2, 2002**

A meeting of the Fayetteville City Council will be held on April 2, 2002 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain, Fayetteville, Arkansas.

A. CONSENT

1. APPROVAL OF THE MINUTES

- 2. BOYS AND GIRLS CLUB:** A resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys and Girls Club.

- 3. PAGERS:** A resolution increasing the City's annual pager/cell phone allotment by \$2,810.16. The increase will allow the Fire Department to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System.

B. OLD BUSINESS

C. NEW BUSINESS

- 1. NEW WORLD SYSTEM:** A resolution approving the purchase of the Fire Department's portion of the New World Technology upgrade for the Computer Aided Dispatching / Records Management System which will allow the Fire Department to interface with the current CAD/RMS system to provide accurate reporting information.

2) RZN. CONVIEW

Safe House

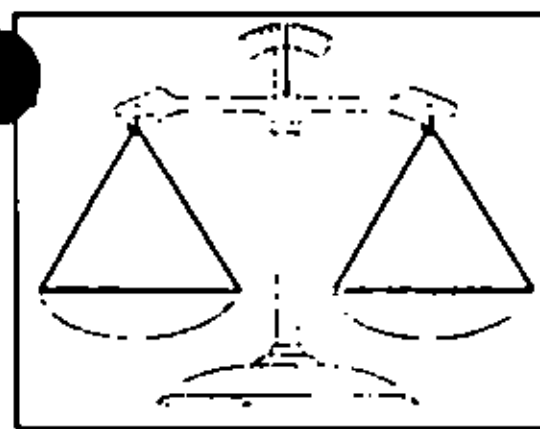
3) INFORMATION
FORK SYSTEM
TRASH TRUCKS DUMAS

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

KIT WILLIAMS, CITY ATTORNEY

DAVID WHITAKER, ASST. CITY ATTORNEY



LEGAL DEPARTMENT

DEPARTMENTAL CORRESPONDENCE

TO: Dan Coody, Mayor

THRU: Heather Woodruff, City Clerk

FROM: Kit Williams, City Attorney

DATE: April 3, 2002

RE: Passed Ordinances and Resolutions from City Council
meeting of April 2, 2002

The following Ordinances and Resolutions were passed at the last City Council meeting and are ready for the mayor's signature.

Enclosed are:

RES. 54-02

1. **Boys & Girls Club: Resolution** authorizing lease agreement w/ Fayetteville Boys & Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys & Girls Club *Kit has id used.*

RES. 55-02

2. **Pagers: Resolution** increasing City's annual pager/cell phone allotment by \$2,810.16; Increase will allow Fire Department to save approximately \$60,000.00 in the 2002 CIP Budget scheduled for upgrade to High Band Paging System

RES. 56-02

3. **Property Sale: Resolution** approving sale of City-owned property in Fayetteville Industrial Park identified as lot split of Parcel R containing approximately 7.75 acres for \$20,000.00

per acre or amount not to exceed \$155,000.00 and approval of budget adjustment

RES. 57-02

4. Sage House: Resolution approving lease agreement between City of Fayetteville & Sage House

ORD. 4384

5. RZN 02-1.00: Ordinance approving rezoning request RZN 02.1.00 for property located at 1140 Hendrix and 1110 Hendrix. The property is zoned R-1, Low Density Residential, and contains approximately 1.36 acres; request is to rezone to R-1.5 Moderate Density Residential (The Mayor should NOT sign this ordinance until the City has received the offered Bill of Assurance properly signed by the applicant.) + ~~Bill of Assurance~~

RES. 58-02

6. New World: Resolution approving purchase of Fire Department's portion of New World Technology upgrade for Computer Aided Dispatching/Records Management System which will allow Fire Department to interface w/current CAD/RMS system to provide accurate reporting of information



**CITY OF FAYETTEVILLE
FINAL AGENDA
CITY COUNCIL
APRIL 2, 2002**

A meeting of the Fayetteville City Council will be held on April 2, 2002 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain, Fayetteville, Arkansas.

NOMINATING COMMITTEE REPORT

A. CONSENT

1. **BOYS AND GIRLS CLUB:** A resolution authorizing a lease agreement with the Fayetteville Boys and Girls Club for 8.16 acres of park land to be used for recreational purposes for the future Fayetteville Boys and Girls Club.
2. **PAGERS:** A resolution increasing the City's annual page/cell phone allotment by \$2,810.16. The increase will allow the Fire Department to save approximately \$60,000 in the 2002 CIP Budget scheduled for an upgrade to the High Band Paging System.
3. **PROPERTY SALE:** A resolution approving the sale of City owned property in the Fayetteville Industrial Park identified as a lot split of Parcel R containing approximately 7.75 acres for \$20,000 per acre or an amount not to exceed \$155,000 and approval of a budget adjustment.
4. **SAGE HOUSE:** A resolution approving a lease agreement between the City of Fayetteville and Sage House.

B. OLD BUSINESS

1. **RZN 02-1.00:** An ordinance approving rezoning request RZN 02-1.00 for property located at 1140 Hendrix and 1110 Hendrix. The property is zoned R-1, Low Density Residential, and contains approximately 1.36 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was tabled on the third reading at the March 5, 2002 meeting.
2. **RZN 02-5.00:** An ordinance approving rezoning request RZN 02-5.00 for property located west of I-540 and south of Point West Phase I and east of Pine Valley Phase I. The property is zoned I-1, Heavy Commercial/Light Industrial and R-2, Medium Density Residential and contains approximately 14.84 acres. The request is to rezone to R-1.5, Moderate Density Residential. The ordinance was left on the first reading at the March 5, 2002 meeting.
3. **CDBG:** A presentation regarding the 2002 Community Development Block Grant.

C. NEW BUSINESS

1. **RZN 02-6.00:** An ordinance approving rezoning request RZN 02-6.00 as submitted by Terry Carpenter of US Infrastructure, Inc. for property located at 415 Lungview Street. The property is zoned A-1, Agricultural and contains approximately 38.6 acres. The request is to rezone to R-0, Residential Office.
2. **NEW WORLD SYSTEM:** A resolution approving the purchase of the Fire Department's portion of the New Work Technology upgrade for the Computer Aided Dispatching/Records Management System which will allow the Fire Department to interface with the current CAD/RMS system to provide accurate reporting information.
3. **SOLID WASTE MODIFICATION:** Approval of the lift concept modification of vehicle configuration for the commercial route front load style sanitation vehicles. This will allow an upgrade to the newer style fork application and eliminate the triangle style lifts on vehicles as they are being replaced. This will also allow modifications to current containers and upgrade of containers as they are being replaced.