MINUTES OF A MEETING OF THE CITY COUNCIL SEPTEMBER 17, 2002

A meeting of the Fayetteville City Council was held on September 17, 2002 at 6:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

PRESENT: Mayor Coody, Aldermen Jordan, Reynolds, Thiel, Young, Marr, Bechard, Davis, and Santos, City Attorney Kit Williams, City Clerk Heather Woodruff, Staff, Press and Audience.

WASTEWATER IMPROVEMENT PROJECT: Report by Jerry Sonderegger, Burns and McDonnell, presentation will include an overview of the work completed, the current status, the project schedule and the planned future actions.

Mr. Sonderegger stated they had been trusted with the task of managing the Wastewater System Improvement Project. They wanted to up date them on their progress. He was the program/project manager for this project. They were to review the overall program and to assess the status of the program. They were to work with the consultants that they already had contracts with, and assemble the projects in the most efficient manner that they can. They were to prepare overall program budget to include the design engineering, the construction as well as the administration costs. One of the biggest tasks that they have is to evaluate the permits that were required and assess the affect that they have on the overall project. They were to provide coordination and administration among all of the consultants, the city, and other stake holders.

The project consists of four major projects. On the west side is the new wastewater treatment plant, which would be served by new sewers and lift stations which would be designed by RJN Group. On the east side, there would be improvements to the Noland Facility which would be designed by Black and Vetch. The sewers and the interceptor that will be serving that will be serving that project will be done by Garver Engineers. Burns and McDonnell task was to coordinate all of these projects as they move from the predesign phase into the design phase with one unified project.

They had studied each one of the preliminary design reports that have been submitted. They had met with each one of the designers. They had done a good job and the predesign phase was ready to move into the design phase. They should be authorized to begin design as quick as possible.

The permit process was moving forward. They did not see any road blocks at all in being able to obtain the permits that were necessary. They had incorporated all of the Revolving Loan Fund requirements into the contract documents that they had worked on. The Soil and Water Commission had been very helpful in interpreting their requirements. The conditions of the memorandum of agreement have been met to this point. One of their goals was to provide a unified and coordinated approach to the design of the project. They had prepared design criteria to be issued to the consultants, which would include architectural treatments, wastewater process treatment, design criteria, architectural

standard, mechanical, electrical, civil and structural and drafting design standards. The contractors would be seeing the same contractual type relationship with each one of the projects. It would make it easier for contractors to bid the work when they know that the jobs are going to be contractually the same in each one of the major projects. They had standardized the professional services agreement to assist the city in hiring engineering firms from now to the end of the project.

They recommended that the design phase start very soon and that they would be seeing more agreements with each one of the consultants very soon. One of the first tasks that would be required of the designers would be a detailed survey of the routes of the sites and to identify the land needed for rights-of-way and easements and to begin the geotechnical investigations. The permitting process was ongoing. They would continue to furnish the information required to ultimate issue the approvals. They recommended that they begin design in advance of receiving the final report, especially on the west side because that was on a critical path. It was a long design and contraction time. All of the other projects fit within that particular part of the project.

Mr. Ray Santee, project manager/ construction, presented a graph illustrating the schedules of the different projects and how they related. Design and construction of the project should be complete by late December 2005.

Mr. Sonderegger stated a full report had been given to the Public Works Director. Included in that report will be the design criteria, the complete set of general conditions for the construction contracts, front end documents for the construction contracts as well as the engineering contract for obtaining professional services.

Alderman Young stated they had stated that they did not see anything that would hold them up on the permits. Did that include Oklahoma?

Mr. Sonderegger replied it did not. He was talking about the 404 permits from the Corp of Engineers, the Fish and Wildlife, the Archeological. The permits that they were required to get to be the finding of no significant impact and the 404 permit to construct in the wetlands.

Alderman Young asked if they had included the discharge permits?

Mr. Sonderegger stated it did not fall within the scope of their project. The project that they had was to see what permits were required for construction through the wetlands.

Mr. Santee stated the discharge permit will be included in the 404 permit. It was very common practice on the design side to start with the design process. There were certain aspects of the permit that needed to be identified so that they could complete their design, they did not have to have the discharge permit available until they started to discharge into a stream. They did not see that as a delay.

Alderman Young stated they were proposing to start designing this project. How much of the design did they recommend doing without that permit.

Mr. Santee stated maybe 25% into the design portion of the project it would become clear that they were going to need to have those approvals for the 404 before they could proceed. He was not a permitting expert. They did have a staff member that was. He has looked into these issues.

Alderman Young stated the last time when they redid the Noland Plant, they thought like they did. Oklahoma had slowed down the process. He was concerned about that happening again.

Mr. Boettcher stated they were aware that there was going to be some permitting issues. The core facilities were going to remain the same, some of the concerns were a matter of chemical addition and operating costs more so than the design of the facility. They had a comfort level on design to a certain state. They were going to have to monitor these concurrently.

Alderman Young asked if they were going to valves on the pipe lines to divert the flow to the new plant.

Mr. Sonderegger stated they had not gotten to that part yet, but it was an extremely important part of the project. This was a very complex project to tie all of the projects together and to make them come together at the last moment.

Alderman Reynolds stated the design would be 25% complete before they went after a discharge permit.

Mr. Sonderegger stated they were saying it was possible that they could be that far along. It will take about 150 days from today to get their 404 permit. All of this time the consultants have been meeting with the Corp of Engineers, the Fish and Wildlife Service and the others. They had been meeting with them to determine what it would take to be able to construct these project thorough wetlands. What were the mitigation measures that were required. This has been a back and forth dialogue between the two. The agreements have more or less been reached, there were a couple of things that still have not been resolved. Once the agreements were reached, then they could go into a public comment period. At that point, it was pretty much assured that they were going to get the permit. It was going to take time for the Corp. to review all the information and to give the approval. But, they have in essence received that when they have all of the verbal agreements and the discussion that they have ahead of time. They would know what they were going to do.

Mr. Boettcher stated they were in a chicken and egg situation. They will not issue construction and discharge permits until they had designs and plans on what they wanted to build for view and public comment. They had to move forward with certain amounts of work to get to a stage that they could get to a stage that they could file permits and have the Soil and Water Conservation and ADEQ and review that. they would not issue a permit until they see the plans. They could not get a permit until they complete the

plans and submit them. There was an element of risk, but at a situation that they had to move forward. They had a comfort level with the consultants that what they were doing is going to ultimately be resolved and they could move forward with the project.

TOWN CENTER: Annual report from the Town Center.

Ms. Denis Bemeneck, Town Center, presented their annual report for 2002 through July. Their income $143,792, with expenses of $206,160. They were 57% over what they had budgeted for the year on income. With expenses they were running at 19% under what their budgeted expenses were. Total events between September 1 and August 31 were 148, 37 of those were non-profit events. The average cost per square foot was 16.7 cents non-profit was 10 cents one of their goals has been to raise that bar and to operate in a more profitable zone. They had manage to raise their overall square footage cost to 24.1 cents and to keep their non-profit cost to 14.6 cents. They were no longer discounting events because people were purchasing prior to the opening of the town. They had all contracts that had been signed prior to the completion of the Town Center were done.

CONSENT

APPROVAL OF THE MINUTES

RODGERS WATER TANK: A resolution awarding the engineering services contract for tank painting to McClelland Engineering in the amount of $31,481.00. The project includes the second Rodgers tank and the City of Fayetteville's tank at Goshen; and approval of a project contingency.

RESOLUTION 141-02 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

WATER MAIN REPLACEMENT: A resolution awarding the engineering services contract for the North College water main replacement, North Street to Maple Street, to McClelland Engineers in the amount of $28,894.00 and approval of a project contingency of $5,000.00.

RESOLUTION 142-02 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

GREGG AVE: A resolution awarding the engineering services contract for the Gregg Avenue water line relocation and improvements to Garver Engineers, Inc. in the lump sum amount of $135,950.00; approval of a project budget contingency in the amount of $20,000.00; and approval of a budget adjustment.

RESOLUTION 143-02 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

POLICE GRANT: A resolution accepting the award of the Bulletproof Vests Partnership Grant for 50% of cost of vest up to $48,925.00 and award the bid for vests to the lowest bidder, Cruse Uniforms.

RESOLUTION 144-02 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

YVONNE RICHARDSON CENTER: A resolution approving a contract with Air Works to install an HVAC System in the Yvonne Richardson Community Center.

RESOLUTION 145-02 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

TASK ORDER #13: A resolution approving Task Order #13 to McClelland Engineering Co. for design engineering and construction oversight of the new FBO hangar.

RESOLUTION 146-02 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

Alderman Davis moved to approve the consent agenda. Alderman Santos seconded. The motion carried unanimously.

OLD BUSINESS

AUTOMATED CARTS: An ordinance establishing the rate structure and program parameters for an automated cart based on residential trash collection and disposal program. The ordinance was left on the second reading as amended at the September 3, 2002 meeting.

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

Mr. Williams read the ordinance.

Alderman Santos stated he had suggested for their excess trash events. With the cart they could not put more trash out, he suggested they issue four or six extra bags per year by allocating stickers and not charge extra. This will require the drive to get out of the truck and lift the bag from the ground into the cart, then use the automated arm to dump the cart. The stickers would be issued every year.

Mr. Dumas stated he thought it was a much more doable option than some of the others they had discussed.

Alderman Thiel asked how many bags they could have per sticker.

Mr. Dumas stated he thought it should be 33 gal bag, with a fifty pound limit.

Alderman Marr stated they had four pickups per ward and one for earth week.

Mr. Dumas stated there were seventeen clean ups per year.

Alderman Santos moved to amend to ordinance "b. additional bags on the collection day an additional bag not to exceed 35 gallons in capacity and 50 pounds weight, with an attached city permit stick may be left beside the cart and will be picked up. Each residential customer shall receive four free city permit stickers per year. Alderman Jordan seconded. The motion passed unanimously.

Alderman Jordan expressed concern that the rates for apartment residents was not fair.

Alderman Marr moved to pull out the apartment complex recycling cost per unit and the non recycling cost per unit for apartments from this particular ordinance at this time or to leave it at the rates they charge today. Alderman Jordan seconded.

Mr. Dumas stated for the financial health of the system, the apartments are a critical part of that, but since it would be some time next year before the apartment recycling program is in place. They would have time to develop a more appropriate fee schedule for that. There would be some additional costs when they start doing apartment recycling. They did need to move with the residential so that they could get on with the cart selection.

Mr. Stephen Pollard, an area resident, stated he was the manager for Maple Street apartments, which participated the city's pilot program for apartments. It would make sense to use the knowledge base that was out there. There were many communities around that had experience in this. A resource recovery infrastructure be implemented way before any attempt to collect recyclables is put in place. They had to get management on board with this. There were many issues involved and each apartment complex would have their own variables that they had to think about.

Mr. Gary Lowery, an area resident, stated the city had been braking State law for the past four or five years. The law required that trash be placed in a water tight container with a close fitting lid. The city had been allowing people to place just the purple bags out. They were also breaking their own city ordinances by doing so. He suggested that the city start picking up recyclables every other week. He suggested they get a larger container and only pick up every other week.

Mr. Steve Mansfield, an area resident, stated he owned Mansfield Properties. He was also a member of the board of directors of the Apartment Association. He stated many of the apartments had smaller household sizes than the standard single family home. The association thought that the single family portion of the ordinance was designed to reduce trash and to increase recycling. They were prorecycling, but they wanted to make sure that the recycling program was properly implemented. They would like to be part of the development of the program before it was implement and to be part of the solution. Requiring recycling could be a significant problem for some complexes. They were limited in site size. Some would lose limited parking spaces. He did not believe that it should be a requirement. They were also concerned about the amount of the increase. He wanted to make sure that it was fairly determined.

Upon roll call the motion carried unanimously.

Mayor Coody stated they should reconsider the rate increase that they past last week. The rates that had been original presented had been based on actual cost and the cost of service. The higher they raised the rates the more trash problems they were going to have.

Alderman Thiel stated they had gone to this amended rate because they had been debated for four to six weeks on the rates. This seemed to be the closes to a consensus. The original rates were the rates that some of the council had already given Mr. Dumas.

Alderman Marr stated he thought the amended rates had not be arbitrary, but he was going to go back to his original comments from two weeks ago. He thought they should look at this enterprise fund as a whole. Was the fund as a whole in deficit. They had been telling the citizens that they were going to this new system to save money on workman compensation and compensation. He would think that the average citizen would believe that the saving would be passed onto them rather than having a rate increase.

Alderman Jordan stated he would like to see a reduction of the 32 gallon rate to reward the people who do recycle.

Alderman Jordan moved to go back to the original rates. Alderman Santos seconded.

Alderman Bechard stated as a council they were responsible for balancing philosophical and the real data that was in their hands. The real data stated it cost the city $12.92 to handle 32 gallons. To go to a rate of $8.19 means that they were going to loose 58%, that was a 58% discount.

Mr. Mark Berry, an area resident and attorney for Roll-Off, stated they had been awarded the contract for Gravette. Each resident was being charged $6.50 per house. He thought that they needed to take a look at the cost. The believed they should use the same size container. He thought they should look at opening this up in the future.

Mr. Gary Lowery, an area resident, stated he did not understand why they had to charge so much when all the other cities around were charging so little.

Upon roll call the motion passed 5-3, Young, Bechard, and Davis voting nay.

In response to questions, Mr. Dumas stated when they distributed the carts where would be a location marked to show where the cart should be placed.

Alderman Thiel questioned the color of the carts.

Alderman Marr moved to purchase green carts. Alderman Thiel seconded. Upon roll call the motion carried unanimously.

Mayor Coody asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

ORDINANCE 4415 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

RZN 02-8.00: An ordinance approving rezoning request RZN 02-8.00 as submitted by Bob Hill of Nickle Hill Group on behalf of J.C. and Alma Nickell for property located at 867 N. College. The property is zoned R-O, Residential Office and contains approximately 0.29 acres. The request is to rezone to C-1, Neighborhood Commercial. The ordinance was left on the first reading at the September 3, 2002 meeting.

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

Mr. Williams read the ordinance.

Alderman Thiel stated she would not be able to approve the rezoning because she was concerned about the cars and the traffic impact to the area.

Alderman Jordan stated he thought the traffic problems would far out weigh any benefit. He was not in favor of it.

Alderman Davis stated he had asked the owners to discuss what they would like to have in there. This location had been vacant a long time.

Ms. Terry Saladman, an area resident, stated she was concerned about the traffic and bringing in an intense use. There was very little buffer from commercial to residential.

Mr. Bob Hill stated there were very few differences between a C-1 and an R-O zoning. C-1 allowed gas stations and retail. They were wanting to do commercial. All the other properties a long College were commercial.

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

Mr. Williams read the ordinance.

Mayor Coody asked shall the ordinance pass. Upon roll call the ordinance failed unanimously.

ORDINANCE FAILED.

RZN 02-23.00: An ordinance approving rezoning request RZN 02-23.00 as submitted by Jerry Kelson of Crafton Tull and Associates on behalf of Lindsey Management Co. for property located north of Old Farmington Road and east of Futrall. The property is zoned C-2, Thoroughfare Commercial and contains approximately 19.39 acres. The request is to rezone to RMF-18, Medium Density Multi-Family Residential. The ordinance was left on the first reading at the September 3, 2002 meeting.

Alderman Davis moved to table the ordinance. Alderman Santos seconded. Upon roll call the motion carried unanimously.

ORDINANCE WAS TABLED ON THE OCTOBER 1, 2002 MEETING.

RZN 02-24.00: An ordinance approving rezoning request RZN 02-24.00 as submitted by Phil Hagen of Crafton Tull and Associates on behalf of Don Nelms for property located west of I-540 and east of Hwy 112. The property is zoned A-1, Agricultural and contains approximately 27.81 acres. The request is to rezone to C-2, Thoroughfare Commercial. The ordinance was left on the second reading at the September 3, 2002 meeting.

Alderman Santos move to suspend the rules and move to the second reading. Alderman Jordan seconded. Upon roll call the motion carried unanimously.

Mr. Williams read the ordinance.

Don Nelms, owner, stated he had purchased the property in order to add to the auto park. The new owners were going to bring a proposal forward to add to the auto park. At that time they were going to designate the center, north, for a nature easement and the northern part of it, approximately five acres, would be left C-2 in case there ever was a clover leaf built off the bypass. They did not have any intention of developing it now. They did not have any access to the property to the north. If he leased the property to the auto park, they were only going to use approximately four acres. Before they develop the property he was going to see that there would be a nature easement given.

Alderman Jordan asked if the lights from the auto park, would they affect the drive in.

Mr. Nelms stated the lights would be lower and further way then they are now. They has never been enough light contamination that they have ever had a problem. They did not have a problem. They would also leave the trees as a buffer.

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

Alderman Marr asked why he had brought forward the entire property rather than the two parcels he was planning on developing.

Mr. Nelms stated they wanted the versatility to design the whole project and he was also looking at it from a tax point of view. He was giving up quiet a bit of acreage that was

not delineated as wet lands. He would like to be able to take the tax advantage from it. C-2 had more value.

Alderman Marr stated they had no assurances that they would not use the property as commercial.

Mr. Conklin stated Mr. Nelms had met with staff and they had discussed using part of the property as an auto dealership and at the same time they had looked at their tree preservation ordinance. What has been developed is a plan to try to avoid wetland and to preserve the trees within a tree preservation area easement. They were incorporating the tree preservation area easement to save the trees. There was some guarantee there, if the plans were approved by the Planning Commission. He agreed with Marr that if the property was rezoned and Mr. Nelms walked away from the property that someone else could then develop. They had conditioned the project at Subdivision Committee. It has not been to Planning Commission yet.

Mayor Coody asked shall the ordinance pass. Upon roll call them ordinance passed unanimously.

ORDINANCE 4416 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

RZN 02-25.00: An ordinance approving rezoning request RZN 02-25.00 as submitted by Erin Rushing on behalf of Sage House, Inc. for property owned by the City of Fayetteville and located at 1033 Huntsville Road. The property is zoned R-1, Low Density Residential and contains approximately 4.22 acres. The request is to rezone to MF-12, Moderate Density Residential. The ordinance was left on the second reading at the September 3, 2002 meeting.

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

Mr. Williams read the ordinance.

Mayor Coody asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

ORDINANCE 4417 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

PUBLIC TRANSIT AUTHORITY: An ordinance authorizing the City of Fayetteville to become a part of a Public Transit Authority to be known as the Ozark Transit Authority and confirming an interlocal agreement to be signed by the Mayor. The ordinance was left on the second reading at the September 3, 2002 meeting.

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

Mr. Williams read the ordinance.

Mr. Humphrey, Ozark Regional Transit, presented a report of the changes they had made. They had expanded the routes and hours to service citizen better. They had held a public meeting to discuss fares. The disabilities act required that they charge a fare. He had set the fare at a dollar per passenger. If they used a bus regularly, they could purchase monthly fare at a discount rate of $24 dollars per month. The rate for disabled and elderly is .50. Their ridership had increased from 65 passengers per day to 100 per day. That was a quick build of ridership.

Alderman Reynolds asked what was defined as a senior.

Mr. Humphrey replied 60 or older would be considered a senior.

Mayor Coody asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

ORDINANCE 4418 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

NEW BUSINESS

TRAFFIC STUDY: A resolution awarding the engineering and planning services contract for the City of Fayetteville's traffic study to the firm of Bucher, Willis, and Ratliff Corporation in the not-to-exceed amount of $198,408.00; approval of an engineering contract contingency in the amount of $20,000.00 and approval of a budget adjustment.

Mr. Charles Swinger, Bucher, Willis, and Ratliff, presented an overview of the what the project would cover.

Mr. Swinger stated they would be developing a series of policy statements to help them manage the growth of the traffic. The development of the assessment would be how do they pay for the new improvements. The second, Smart Growth, was the timing and place to grow. The third, Traffic Calming, how do they protect new neighborhoods from traffic encroachment. The last one access management the quality of traffic movement and access that was needed. The second tool was help to them prioritize the improvements.

Alderman Reynolds stated he thought the State of Arkansas needed to be paying for this and not the city. Every problem that they had in this town was a State Highway. He did not believe that they had that many problems with city streets. He would rather take this money and buy a few loads of asphalt to put on city streets and let the highway department do this study. Once they did this study, what would they do with this. The State was not going to give them any money to do anything.

Alderman Marr stated advantage of this study would give them advantage of a future plan. He did not want this to be just a traffic management study. If they thought of it as transportation study, such as increased transit routes, improved sidewalks, trail systems. That was one concern that was missing. They were looking at this from just an automotive perspective and not a total transportation plan.

Mr. Swinger stated a lot of those elements would be covered in the smart growth section. They would not directly prepare a plan for a bike path, there would be some of those issues that they would address and implement them.

Mr. Frankenburger, an area resident, questioned how they were going to get the traffic out of the neighborhoods and where they would put that traffic.

Alderman Marr stated he was looking at transportation as a whole and wanted recommendations, like what areas would be good for a transit system. He would like to see that as a deliverable task. He wanted them to look at alternative transportation.

Alderman Young stated he was thinking about mass transit. What he would be looking for in a study would not be specific routes. He would look for what areas would be most effective for mass transit. They were working on a trails system. People were also interested in getting traffic out of the neighborhoods and where they were going to put it.

Mr. Swinger state they were talking about a level of detail. They would needed to refine the scope of the project.

Alderman Marr left the meeting.

Alderman Jordan moved to table. Alderman Thiel seconded. The motion carried unanimously.

ITEM WAS TABLED.

VA 02-6.00: An ordinance approving vacation request VA 02-6.00 as submitted by Brian Black of Black, Corley and Owens PA for property located at 1384 W. Showroom Drive, Fayetteville, Arkansas. The request is to vacate a portion of a utility easement containing 0.05 acres.

Mr. Williams read the ordinance.

Alderman Santos moved to suspend the rules and move to the second reading. Alderman Jordan seconded. The motion carried unanimously.

Mr. Williams read the ordinance.

Alderman Santos moved to suspend the rules and move to the third and final reading. Alderman Jordan seconded. The motion carried unanimously.

Mr. Williams read the ordinance.

Mayor Coody asked shall the ordinance pass. The ordinance passed unanimously.

ORDINANCE 4419 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

RZN 02-26.00: An ordinance approving rezoning request RZN 02-26.00 as submitted Dave Jorgensen of Jorgensen & Associates on behalf of Chuck Calloway for property located at 1429 & 1430 Deerfield Way, containing 0.45 acres. The property is zoned R-O, Residential Office, the request is to rezone to R-1, Low Density Residential.

Mr. Williams read the ordinance.

Alderman Davis moved to suspend the rules and move to the second reading. Alderman Bechard seconded. The motion carried unanimously.

Mr. Williams read the ordinance.

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

Mr. Williams read the ordinance.

Mayor Coody asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

ORDIANNCE 4420 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

VA 02-9.00 & 10.00: An ordinance approving vacation request VA 02-9.00 and 10.00 as submitted by Dave Jorgensen of Jorgensen and Associates on behalf of Chuck Calloway for property located at 1429 and 1430 Deerfield Way which are lots 2 and 34 of Deerfield Subdivision. The request is to vacate two sections of utility easements.

Mr. Williams read the ordinance.

Alderman Santos moved to suspend the rule and move to the second reading. Alderman Jordan seconded. The motion carried unanimously.

Mr. Williams read the ordinance.

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

Mr. Williams read the ordinance.

Mayor Coody asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

ORDINANCE 4421 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

SETBACK LINES: An ordinance establishing setback lines on such streets and highways as designated on the Master Street Plan and prohibiting the establishment of any new structures or other improvements within the setback lines.

Mr. Williams read the ordinance.

Mr. Conklin stated this was taking the current policy of the city and putting it into an ordinance.

LEFT ON THE FIRST READING.

MASTER STREET PLAN: A resolution amending the Master Street Plan to relocate the extension of Hollywood Avenue from 18th Street to Best Way Street.

Mr. Conklin stated the street bisected a piece of property that had the potential for a major development. The realignment would avoid a major creek crossing and would allow a development

Alderman Santos moved to pass the resolution. Alderman Bechard seconded. The motion carried unanimously.

RESOLUTION 147-02 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

Meeting adjourned at 10:40 p.m.