

**REVISED
MINUTES OF A MEETING
OF THE
CITY COUNCIL
FEBRUARY 18, 2003**

A meeting of the Fayetteville City Council was held on February 18, 2003 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 Marr, Rhoads, Davis, Lucas, Jordan, Thiel, Cook, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

NOMINATING COMMITTEE REPORT:

Alderman Marr gave a summary of the Nominating Committee report. The report is attached.

Alderman Jordan moved to accept the Nominating Committee report. Alderman Lucas seconded. Upon roll call the motion carried unanimously.

AIRPORT 2002 ANNUAL REPORT:

The Airport Board gave a report. A copy of the report is attached.

Mr. Wallace introduced the board members.

Board member Frank Burggraf said there was a time when Drake Field was in difficulty. This Council is very important to Drake Field and we would like for you to be able to make decisions on an informed basis.

Board member Rick McKinney discussed the FAA mandates. The airport went from a four million dollar operation down to a half million dollar operation within about a 12 to 18 month period. Dale Frederick the airport manager at that time had to make some very drastic decisions in personnel.

Financially the airport was then and is now very strong. Because of the operations of the airlines we have a very strong reserve. Mr. Frederick then decided to retire therefore all that experience and knowledge was no longer available. We searched and came up with the Manager Ray Boudreaux, He has been a good generator of income and we have a lot to look forward to.

Board member Bowman gave a description of general aviation. General aviation is everything but the military and the scheduled airlines. The most important thing about general aviation is the impact and what happens with the money end of it. General aviation nationally is a 15 billion dollar a year industry that generates an additional 45 billion dollars in other economic activity. General aviation aircraft fly over 29 million flight hours in a year which is over twice what you see the scheduled airlines flying. They carry over 130 million passengers. 70% of the flight hour's general aviation aircraft generate is done through business or commercial purposes. Our mission is to become a premiere general aviation airport.

Board member Wallace said there are a lot of ways to tell the story. The best way is through headlines. He thanked the reporters for their work and attendance at their meetings. We are fortunate that when Drake Field was transferred to a Municipal GA service we had a good airport. Almost everything was in good shape. The future can be bright. We can see the day when Drake Field will again be self supporting, this has happened without loans and city subsidy. We appreciate being able to work with you, the support that we receive from our Mayor and the support from our staff. We truly are a municipal airport. The service is good, facilities are good, the people that are there care about aviation and they care about Fayetteville. You can be proud of Drake Field and what is happening there.

Board member Mr. Lower said all the time the airport has been in existence the citizens of Fayetteville and Northwest Arkansas have been investing in this airport. The result has been the creation of an outstanding facility, a facility that is undergoing the transition from a commercial aviation usage to a general aviation airport over the last several years. This long term investment resulted in a pool of funding that we are using to convert the airport from commercial passenger service to becoming one of the finest general aviation facilities to be found anywhere. This pool of funding did not come from the taxes paid out by our citizens but from the fees collected for many years from airport parking primarily. Our strategy at the airport board is pretty simple, invest this pool so that we can continue to operate without tax support. The bottom line is that we are quickly closing the gap between the cash out flow from the airport's parking fee pool and the cash in flow from the investments in facilities and services that are now and will be offered at the airport. Prior investments by past users of this airport are being used to convert Drake Field to a premiere general aviation facility that positively impacts our economic development of our city and its quality of life all at no cash expense to our citizens. The right team is in place, the right leadership is in place and the airport is also in the right place to play a significant part in continuing to make Fayetteville Arkansas and our region one of the finest places in the entire world to live. I am excited about the Fayetteville Municipal Airport and the great role it will play in our city's future. I hope that you are as well.

Mayor Coody asked Mr. Wallace to step back up and thanked him for the presentations. We appreciate the board's efforts very much. You are a bunch of volunteers and you have done an excellent job. We are successful because of your efforts. We appreciate you very much. Drake Field, Fayetteville Municipal Airport is near and dear to all of our hearts here in Fayetteville and to think of where it was just roughly a year and a half ago is a phenomenal turn around. We could not be more please with the airports performance and we owe that a lot to you.

DRAINAGE STUDIES: PRESENTATION BY USINFRASTRUCTURE, INC.

Usinfrastructure gave a report on the drainage studies they have completed, Asbell area (Upper Hamstring) and Shenandoah. A copy of the report is attached. Alternate one has a total estimated cost of \$600,000.00. Alternate two would cost an estimated \$600,000.00 without doing the Sang and Berry Street improvements. Significant channeling needs to be performed at Hamstring Creek which would run 3.2 to 3.8 million dollars. Regional detention as well as some channeling would run approximately 5.2 million. The box culvert modification at I-540 would cost in the range of 1 million to 1.5 million. The 8 ½ mile of street ditch cleaning is very important. That could eliminate immediately a lot of the localized flooding. This could be performed by the city staff. We would be glad to answer any questions.

Alderman Cook said he understood the box culverts under I-540 were not big enough. The recommendations up stream are not going to take care of the damning at I-540.

Usinfrastructure said no. Channeling as well as box culverts or some sort of culvert increased in size needs to be completed along all the major streets that lie along the tributaries. Even without enlarging the culverts under I-540 this money will be well spent back up stream because it is far enough back up stream to do some good. It does not have a negative impact on the people downstream.

Mayor Coody said Bob Walters, Chief Engineer for the Highway Department came and spoke to the City about the I-540 culvert situation and that the city would have to have the Highway Department's partnership on that. Has the State said they would fund a portion of the 1 to 1 ½ million?

Usinfrastructure said there is no money dedicated to that particular project. Money may be able to be reallocated. Mr. Walter said he would have his department look at it.

Richard Maynard on behalf of the Asbell Neighborhood Association thanked everyone for the attention they had gotten on this. This has been a real problem for many years. Usinfrastructure has been great with us. We would be pleased if they could continue with the project. You have two alternatives here one that includes Alderman Lucas's neighborhood and one that does not. I feel a little protective of that money. It seems some of our budget, if I can call it that has been shifted away, it is the Asbell Neighborhood Association that lobbied for this we are the ones that set up the meeting,

and we are the ones that do all the work. I am not unsympathetic to our neighbors to the south but a lot more work can be done along that area including curbing and guttering the Holly street avenue. I would like for you to take that into consideration. It was my understanding \$600,000.00 was needed for that area and now it is looking like possibility it will be reduced to \$450,000.00. That is a big loss for us. Ditch maintenance is a big problem. Please understand I appreciate the problem is just not ours but in a since we worked hard for a share of it and we want to get the most for our money. Thank you all very much we really appreciate all the attention you have given us.

Mayor Coody said we can start on the ditch maintenance sooner rather than later. I will talk to the folks in the street department.

Angela Hamilton a citizen asked can this creek support all this flood water we are talking about and has there been any extensive research on possible indicator species that could become extinct, fish species or plant species. How are we going to keep a lot of silt from getting into the creek system? I realize we will be doing great wonderful things up stream and we will be solving this flood water problem but what will we being doing to this creek.

Mayor Coody asked Usinfrastructure if they would like to answer.

Usinfrastructure said before any flood ways are modified an environmental information document would have to be performed to identify any habitation of animal life and other endangered species and things of that nature. That is pretty common practice. That is beyond our scope of study. We did address that in our report that these are issues that need to be looked at. As long as the stream is natural you are going to continue to have settlement loss. The problem is not going to go away it is just going to get worse. We are trying to incorporate that into our design, wee are trying to eliminate settlement loss.

Alderman Lucas asked on Alternate 2 on Holly Street is that going to be an open ditch or covered and paved.

Usinfrastructure said it is going to be covered, it is piping, and it is not an open ditch. The ditch size required there would be dangerous.

Alderman Lucas said it will go under Sang.

Usinfrastructure said yes.

Mayor Coody thanked them for their presentation tonight.

LIBRARY PRESENTATION:

Rebecca Wood, Director of Development for the Fayetteville Public Library Board presented the city with a check in the amount of one million dollars to be used towards the construction of the library. An invitation was extended to the public to attend a library event on Thursday, February 27, 2003 at 2:00 pm at the Fayetteville Town Center. They have some exciting news they would like to share at this celebration.

Alderman Marr said he had asked at agenda session that the Downtown Dickson Enhancement contract be pulled from the agenda unless they could put together dates and specifics within their contract. Their executive director and Hugh got together, it was distributed tonight so in an effort to not delay their funding I would like to suspend the rules

Add this back to the agenda. In the report you will see specific dates, April 15 on the sidewalk plan, reports by June 1, websites some very specific items in the contract that I certainly think justify our \$20,000.00 in funding.

Mayor Coody said this is \$20,000.00 that was approved during the budget process you are asking the Council to reinstall this back onto the agenda. This would take a vote of 6 out of the 8 to put it on the agenda.

Alderman Marr moved to put on the agenda. Alderman Thiel seconded. Upon roll call the motion passed 7-0-1. Alderman Reynolds abstaining.

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

CONSENT

APPROVAL OF THE MINUTES: Approval of the minutes from the Special City Council meeting on January 27, 2003, City Council meeting February 4, 2003 and revision of the December 3, 2002 City Council meeting minutes.

PUBLIC ACCESS: A resolution accepting a contract for public access television services from March 1, 2003 thru December 31, 2003.

RESOLUTION 23-03 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

STORM WATER PHASE II: A resolution to authorizing the Mayor or his designee to submit the City of Fayetteville "Storm Water Phase II" permit application to the Arkansas Department of Environmental Quality (ADEQ). Such permit application shall be submitted no later than March 10, 2003. Compliance shall be phased over a time period of up to five years according to a schedule to be developed with ADEQ complying with all federal and state requirements.

RESOLUTION 24-03 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

PUBLIC LIBRARY: A resolution to approve naming the Fayetteville Public Library.

RESOLUTION 25-03 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

DDEP: A resolution to approve a contract with Downtown Dickson Enhancement Program for a six month period with a progress report due to City Council during the first meeting in June 2003.

RESOLUTION 26-03 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

OLD BUSINESS:

WATER TANK SITE: A resolution approving the sale of 3.0 acres of the City's Gully Rd. Water Tank site (12.0 ac) as requested by Ozarks Electric Cooperative for the appraised price of \$105,000.00 including access to and from Gulley Road, plus payment for specific City costs associated with the preparation of said property to be sold. The resolution was tabled at the December 17, 2002 City Council meeting.

Alderman Marr moved to remove the item from the table. Alderman Davis seconded. Upon roll call the motion carried unanimously.

Alderman Thiel asked the maximum amount of the transmission lines.

Ozarks Electric said it would be a 69 KV transmission line. One three phase entrance. Two structures and the existing one.

Alderman Thiel asked if there would ever be a need to have any more than that.

Ozarks Electric said they did not foresee a need to have any more.

Alderman Davis asked how many lines will be coming in off that one pole.

Ozarks Electric said there would be 4 lines.

Alderman Davis said you looked at a site by the wastewater treatment plant and there was an area west of the wastewater treatment plant that might be able to be used is that correct?

Ozarks Electric said that was mentioned by one of the citizens on the night of the 17th and we did look at that site but do not consider it to be a feasible location in our engineering analysis. It is too distant from the load center.

Alderman Davis asked how are you going to disguise this so the residents will not see this raw metal setting out there.

Ozarks Electric said the two acre purchase was amended to a three acre purchase to address aesthetic concerns. The plan is to shield the western most acre of the property, leave the tree buffer there and to have only a minimum opening on that 30 foot transmission easement to enter into the station. There will be a buffer of about 98 feet to the north and south of where we will site that station. The only thing that I would believe that would be visible from any of the neighboring adjacent property owners might be the top of a lightning spire that is 2 ½ inches in diameter. Based on our engineering there will probably be about 12 feet extending beyond the tree line.

Alderman Davis asked about those that drive up and down Township, what would be the visibility from that area, because at this point in time you can see the water tower exceptionally well and sometimes this time of the year you can almost see the base. How are you going to camouflage that?

Ozarks Electric said he could not foresee this to be an eyesore from looking from that direction.

Alderman Davis said from what he understood Ozarks Electric was going to put some type of shrubbery on the West side that will probably grow to a height of 10 feet or so.

Ozarks Electric said they had agreed to put hedge up along the entrance of the western most edge of the property and also along the fence line.

Alderman Marr asked on the three acre parcel of land how much of that acreage will the actual substation take.

Ozarks Electric said 200 feet by 175 feet and then a three foot border, less than an acre. The drive at the existing water tank will have to be extended so that will be cleared as well.

Alderman Marr asked if there would be any easement changes to property owners surrounding this or will the easements purely be on city property?

Ozarks Electric said the only easement that they would have to obtain in addition to this transaction that we are talking about would be Mr. Gaddy that owns the property to the west. I believe that we have already discussed this with him and he has agreed to provide us with an easement 25 feet long and 30 feet wide just to get us from the existing transmission line that runs north and south across the property.

Alderman Marr asked you do have an agreement with him?

Ozarks Electric said they do have an agreement with him.

Alderman Jordan asked the closest house will be about 350 feet away from that site is that correct?

Ozarks Electric said it depends if you are talking about the border of the property that they are looking to acquire. If you are looking from the center of the transformer it is more like 500 feet.

Alderman Jordan asked if that would be the closest house to it and they will not be able to see this.

Ozarks Electric said in their opinion even in leaf off conditions it would be very difficult to see all the structure.

Jeff Erf asked if the Council had gotten a copy of Colene Gaston's letter and did you read it.

Mayor Coody said they had gotten it just before the meeting.

Jeff Erf said she makes a very convincing argument for putting it elsewhere. I noticed there was a note on the information in the packet that the monies from the site will be directed to the trustee for the water and sewer system boards. Where is the money going if we sell this property for \$105,000.00, is it going into the general fund to be used anywhere you see fit or does it have to be spent for something specific for example the property was purchased with money that was collected from water and sewer.

Mayor Coody said this will go into the water and sewer fund which is a separate enterprise fund from the general fund.

Jeff Erf said so this money could not be used for something for example purchase of property on Mt. Sequoyah.

Mayor Coody said no.

Jeff Erf said so the city by selling this property the money from the sell has to be used for water and sewer.

Mayor Coody said that is correct. The water and sewer department may be considering buying land for a new waterworks building which we desperately need and it has been budgeted. If they buy land in the Industrial Park which is in the conversation right now the water and sewer fund would have to pay for the land that they would be using out of the general fund so eventually if they buy 5 acres out there and that is just a round number that number of dollars per acre would go into the general fund out of the water and sewer fund.

Jeff Erf said he has some concerns, he lives by a SWEPCO power substation and the neighbors have my sympathy. Is the city interested in selling the property to be a good neighbor or to make money? I am just curious what is the justification for it.

Mayor Coody said we are concerned about providing reliable energy to all of the growth that is happening on the east side of town. Being a good neighbor is what we try to do with other services because like them we the city provide services as well.

Jeff Erf asked if there was any possibility if the presence of that would devalue the city's remaining property on that site.

Mayor Coody said he would suspect it would not devalue it any more than having a water tank on it.

Jeff Erf asked will the presence of that facility decrease the property value of the neighbors?

Ozarks Electric said in a letter that was addressed to Mayor Coody there was a discussion on how these additional facilities might affect property values. I use an example of Clear Creek development out near Tontitown, we have a substation and transmission line facilities over there and it is my understanding that those properties will be selling in the neighborhood of \$300,000.00 to \$1,000,000.00 when that development is complete. Also I would site comparative properties like Savannah, Bridgeport and Harbor Meadows there are similar type facilities adjacent to those areas and it does not appear to devalue those properties. That is just my opinion.

Mayor Coody asked Mr. Roenack since he and Mr. Gaddy are looking to develop some land that will be adjacent to this, do you feel that this will devalue your property?

Mr. Roenack said no.

Scott Jones a resident said there are lines coming in but there are also lines going out. Shrubs on the south end have not been guaranteed. The City has the land it is in the city growth area, at some point in time it is going to be part of the city and we will possibly need fire stations or parks or something along that. You already have the land why not keep it, from an engineering standpoint going down to the sewer plant can be overcome. Walking out my front door I have a water tower and walking out my back door I will have an electrical sub-station, I really do not want it out there. I know we need it but I think they can find a better location.

Mayor Coody asked Ozarks Electric the concern that there would eventually be more easement with more lines from this. Are there easements that you would be able to tap into in 20 years or whatever your foreseeable future might be to where you would want to go out in different areas?

Ozarks Electric said their primary interest in establishing this sub-station is to connect distribution circuits going to the north on Gulley Road. We have already established a construction work plan to deal with these issues in 2003 or 2004 provided that this transaction takes place. We will exit the station with large conductors underground until we get to a point that is convenient to come back up overhead which would be well outside of Scott's visibility.

Dr. Darrell Ginger a citizen said his property butts on the south edge of the water tank property where it is sitting right now. I have lived there for over 20 years. The movement of the substation from the West edge of the purchased property to the East, toward the water tower is actually moving it closer to existing homes that have been there for over 20 years. I realize the property to the West is being developed and there will be homes there. One of the complaints of the owner of that property was that it was too close to his property therefore put an acre of buffer between that sub-station and his new potential homes. In that move we are moving it closer to existing homes. It seems we are moving in the wrong direction. If it could be reoriented in a way to increase the buffer on the south edge of the property instead to 200 feet. This might not be the very best location, it would seem like to me to be less intrusive into established neighborhoods to put it close to the sewer station. I appreciate your consideration.

Alderman Jordan asked the location close to the sewer treatment plant why was this not suitable.

Ozarks Electric said it is too far from the load center, it would also expose their distribution lines to a lot of lightning damage and it would also require a very large cut in the hillside.

Mayor Coody asked at this sewer plant location would this be put in the middle of the woods or in the open.

Ozarks Electric said the only location they looked at there was up under the transmission line on the West side of Fox Hunter Road on the hillside,

Alderman Davis asked when you say cut into the hillside what is the depth you are talking about.

Ozarks Electric said probable about 20 feet of cut or more.

Alderman Davis said, where you are looking at now, you are looking at going into the hillside 8-10 feet, that is what I have been told.

Ozarks Electric said on the sewer plant site it might be as much as 40 feet. In regard to the planning for this site at the meeting we showed you a map of the general area and what we felt like the load center of this area was and where the growth patterns

were going. The Gulley Road site will eventually be right in the center of the load, down by the sewer plant is not a suitable site.

Alderman Reynolds moved to approve the resolution. Alderman Lucas seconded.

Alderman Marr said he is going to support the resolution because as he walked the site yesterday he thinks it has a good visual barrier, better than we would have at some sites. Ms. Gaston in her letter said we are going to protect one hillside for its view and here we are on the next. When we toured Mt. Sequoyah we meet at a SWEPCO sub-station. We have asked Ozarks Electric to plant more items and they are going to do that. They have increased the purchase from 2 to 3 acres to give continued buffer. On our tour yesterday we listened to the noise and it seemed to be typical noise. We have to deal with growth and we have to have people to be able to have electricity unless we are going to stop building.

Mayor Coody asked shall the resolution pass. The resolution passed with 6-2. Aldermen Jordan and Cook voting nay.

RESOLUTION 27-03 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

VA 03-1.00: An ordinance approving vacation request VA 03-1.00 as submitted by Kim Scott of Mountain Mechanical Contractors on behalf of Gary Harvey of AMC Land Associates and Mountain Mechanical Contractors for property located west of S. School Avenue on 9th Street. The request is to vacate a section of the street right of way as shown and described on the attached map and legal description. The ordinance was left on the first reading at the February 4, 2003 City Council meeting.

Alderman Davis moved to suspend the rules and go to the second reading. Alderman Marr seconded. Motion passed unanimously.

Mr. Williams read the ordinance

Mayor Coody said he talked to Mr. Harvey and also had Steve Hatfield our Trails coordinator go look at the site to see if it was on the master trails plan. That creek is not on the master trails plan. His assessment was that it would not be a good place for trails. I do not know if that satisfies your concerns. I have not had a chance to look at it.

Alderman Thiel said if we are not going to build that street through. We have a lot of our streets on our master street plan that have not been built and will probably not be built. That does not mean we need to vacate them. I still will support the possibility of that street going through. I will not support the vacation of this.

Mayor Coody asked Tim Conklin from Planning what his assessment of this situation was.

Mr. Conklin said staff looked at this and they felt the street would probably not be built. There is right-of-way, however it does not go all the way to Government Avenue. There is paper right-of-way to the East side of the sale barn that is undeveloped also. Our staff did recommend approval. This area is designated as floodway plan, any development would have to meet those ordinances. Because there is floodway those areas are usually left undisturbed.

Alderman Davis asked could we wait two weeks so the Council can look at the property.

THE ORDINANCE WAS LEFT ON THE SECOND READING.

ANX 03-01.00: An ordinance approving annexation request ANX 03-01.00 for property owned by George and Sara Lee Anderson and located at 3632 East Zion Road. The parcel is in the Planning Area and contains 57.00 acres. The request is to annex into the City. The ordinance was left on the first reading at the February 4, 2003 City Council meeting.

Alderman Davis moved to suspend the rules and go to the second reading. Alderman Rhoads seconded. Upon roll call the motion passed unanimously.

Mr. Williams read the ordinance

RZN 03-4.00: An ordinance approving rezoning request RZN 03-4.00 as submitted by Michele Harrington of Harrington, Miller, Neihouse & Krug on property owned by George and Sara Lee Anderson and located at 3632 East Zion Road. The property is currently in the Planning Area with a request to be annexed into the City of Fayetteville pending and contains approximately 57.00 acres. The request is to rezone to R-1, Low Density Residential. The ordinance was left on the first reading at the February 4, 2003 City Council meeting.

Mickey Harrington asked that if there are questions Mr. Brandon is here and will answer them.

Alderman Davis asked Mr. Brandon how many residential lots this would be if approved.

Mr. Brandon said 103 to 132 the sizes would be like Cooper Creek Phase I.

Alderman Davis said that he has not had any calls from anyone in Ward 3. He thought it would be good for the community to have an additional housing area similar to what is already there.

Mayor Coody said if we don't annex this and it develops with county standard, large lots and septic tanks then eventually the city will annex it and we will be annexing substandard infrastructure and that is always something we have to consider.

Alderman Cook said he was concerned about Zion Road and the one lane bridge. If we keep annexing can we provide fire and police protection. We talk about the sewer treatment plant being at capacity, we can't keep annexing and adding on to our infrastructure. Out of the 9000 acres of R-1 zonings in the city about one third of it is undeveloped. Why are we still annexing R-1 land?

Mr. Brandon said your sewer situation, the last report was a positive report, from when we started Phase I. The Zion Road is an issue. We are not to that point.

Alderman Davis said that the data that Mr. Conklin provided them was not broken into Wards, I think it might mean more to us if we knew what the percentage is in each of those Wards.

Alderman Davis asked Chief Bosch if we work together with the Springdale Fire Department on areas.

Chief Bosch said we offer contractual service in that area along with automatic mutual aid. The annexation of the property and development of the property would allow us to follow up on some of the required design features to the City standards rather than County standards. It is always challenging when we add property but in this situation I do not see a problem.

Alderman Davis said so you do not see a problem with the fire department on this particular annexation.

Chief Bosch said not with this particular section at this time.

Alderman Reynolds asked what stations would respond and the time of arrival. How long will it take for an engine from Central to get there?

Chief Bosch said two station would respond 265 South and Plainview. The average response time for that area is 6 to 8 minutes. It would take a truck from Central maybe from 12-15 minutes. Plainview has a ladder unit.

Alderman Reynolds asked what shape a house is in in 4 minutes.

Chief Bosch said in four minutes it is about 50% consumption and 8 minutes it could be 100%. We are currently working on building a station West of I-540.

Alderman Reynolds asked when we will be moving the station on 265 to a more ideal location for this neighborhood.

Chief Bosch said they are looking at that through their CIP budget this year and would like to begin relocating Station 5 within the next year. After we complete Station 7.

Alderman Reynolds asked Mr. Brandon what position he would be in in 2004 on the subdivision.

Mr. Brandon said they would be lucky to get a final plat late in the year this year.

Alderman Reynolds said so it's a possibility that we will have some help out there by the time you start.

Mr. Brandon said yes. By the time we get a finished project out there you are definitely in 2004.

Alderman Reynolds said if we don't have that station out there I hope you look at the situation before you start your building and kind of wait until you get some help out there.

Mayor Coody asked Chief Bosch if new construction burns very easy these days. What percentage of fires are newer homes and how many are older homes.

Chief Bosch said old ones do burn before new ones.

Alderman Davis said on the insurance side usually the only time we see a new home burn is before completion, usually it is your older homes. Highway 265 is three lanes, I don't see this being a problem in this particular development.

Alderman Jordan said so we are saying 8 minutes is okay.

Chief Bosch said 8 minutes is not okay it creates a real challenge for us. Although we will try to bring that 8 minutes down.

Alderman Jordan said what would be reasonable 6 minutes, 5 minutes.

Chief Bosch said 4-5 minutes would be perfect, 6 minutes would be reasonable.

Alderman Jordan asked if we had done any studies on EMS response time.

Chief Bosch said at this time we do not have any information on that.

Alderman Jordan asked if we could get information on that.

Chief Bosch said yes.

Alderman Jordan said a couple of weeks ago we asked for wastewater treatment figures again, for if the rainfall was 44 inches what would be the capacity. I have not received those figures.

Mayor Coody said we discussed that at length last time, there is no formula that says 44 inches gives you this much I&I because it depends on dryness of the soil and the intensity of the rain. We have fewer gallons going into the plant per day that we did the previous year because of the improvements to the old sewer lines.

Alderman Jordan said why did Billy Ammons say that it was all depending on the rain fall. All I asked for was what would be the capacity if it was 44 inches and he said he would get me those figures. Did he not say that?

Mr. Boettcher said I will get those numbers for you. We will go through a number of years and we can compare the wastewater plant flows to rainfall events but it will be a very difficult analysis because it is not a linear relationship between rainfall and excess flow. If we go back 5 years to where we had another 44 inch rainfall we will have to make adjustments for fewer people. I can work with Billy and see what we can pull from the record but it is going to be a difficult analysis because of the soil conditions. A 2" rain following a 1" rain you get much more water in the sewer system than a 4 1/2" rain because conditions are saturated, rather than being absorbed the water flows down into the ground and into the pipes or drop inlets and then into the sewer. We can try to get something but it's normally not a real clear relationship.

Alderman Jordan said you get as clear as you can and that will be good enough for me. What I want is on an average 44 inches of rain, give me an approximate of about what the capacity of that sewer treatment plant was. Get me close, get me a ballpark, get me something. Please.

Mr. Boettcher said what we can do is get you a dry month and then we can look at what the flow is off of some rainfall events. It will not be a linear direct relationship. It just does not work out that way.

Alderman Thiel said she felt these developments need to be built within our requirements. I cannot understand why developers continue to buy just outside our boundaries when we do have land available that is zoned R-1 within the city limits. Are you going to build on this land if it is not annexed into the city?

Mr. Brandon said he may.

Alderman Thiel said you would have to build it with standards for septic tanks which would be 1 house per 3 acres or 1 acre.

Mr. Brandon said it depends on what the studies show. I have done subdivisions like that.

Alderman Thiel said the more development out there then we are going to have to do something about Zion Road.

Mr. Brandon said we are not here to discuss a plat but common sense says, and if I showed you our preliminary plat that no one will probably use Zion Road. They will go through the other subdivisions.

Mayor Coody asked Mr. Conklin if someone builds in the county if there were fire standards.

Chief Bosch said in residential development they do not have the ability to enforce fire code according to the international fire code.

Mr. Conklin said the analysis for zoning by Ward has been completed, he just handed it out tonight.

Alderman Thiel asked how many acres of R-1 are in that Ward.

Mr. Conklin said in Ward 3 there are developed 1615 acres and undeveloped 322 acres.

Alderman Marr said while we are not here to talk about platting we have certain findings of facts. You are bringing through an annexation and a rezoning back to back. One of our finding of facts is that it is consistent with our land use plan, that it doesn't increase traffic danger, there is a concern about that, that it will not alter an undesirable increase load on public services. This is a reason that impact fees on fire stations is something we need to be talking about I don't want you to think we are trying to treat you differently than we treat someone else, these are the questions that we are asked to look at.

Jeff Erf said residential development does not generally does not pay its own way and becomes a drain on city services. Has there been an attempt to try to calculate how much subsidiary this annexation will result. How much tax payer dollars will go out in services for this development. Our growth is causing us to have to provide more services and times are tight. Would you agree it is because we have more residential development? Commercial development generally pays its way and more as well as industrial development. I come to a lot of these meetings and it seems it is very easy to get an annexation through. It seems to be these annexations are causing most of the problems in this town and it's a draw on our services and we really never discuss it at that time. It would nice to know before hand how much it is going to cost and now is the only time you can address that issue. Is it a benefit for the citizens to have this annexation now? If you wait five years maybe there will be impact fees in place and maybe we will recover some of that money.

Mayor Coody said it would be a disadvantage if we were to not annex it and it was developed to county non standard.

Mr. Erf there is a real incentive for this developer to be annexed into Fayetteville.

Alderman Davis moved to suspend the rules and go to the third and final reading. Alderman Rhoads seconded.

Upon roll call the motion passed 5-3-0. With Aldermen Jordan, Cook and Marr voting nay. Mayor Coody voting yes.

Attorney Williams said that is a five to three vote you would have a vote to pass this Mayor if you choose to vote yes.

Mayor Coody said that would take it to the third reading.

Attorney Williams said yes.

Mayor Coody said he votes yes to take it to the third reading.

Mr. Williams read the ordinance.

Mayor Coody said we will leave this on the third reading until the next meeting.

Attorney Williams said at this point you would need to table it because generally when you go to the third and final reading there is a vote. You can if you want move to table.

Mayor Coody asked is there information that the Council wants that we need to wait two weeks to get.

Mayor Coody asked shall the ordinance pass.

Upon roll call the ordinance passed 4-4-0. With Aldermen Jordan, Reynolds, Thiel and Cook voting nay. Mayor Coody voted yes to break the tie. The ordinance passed.

ORDINANCE 4463 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

RZN 03-4.00: An ordinance approving rezoning request RZN 03-4.00 as submitted by Michele Harrington of Harrington, Miller, Neihouse & Krug on property owned by George and Sara Lee Anderson and located at 3632 East Zion Road. The property is currently in the Planning Area with a request to be annexed into the City of Fayetteville pending and contains approximately 57.00 acres. The request is to rezone to R-1, Low Density Residential. The ordinance was left on the first reading at the February 4, 2003 City Council meeting.

Alderman Davis moved to suspend the rules and go to the second reading. Alderman Rhoads seconded. Upon roll call the motion passed unanimously

Mr. Williams read the ordinance.

Mickey Harrington said this could not be a better zoning for this property.

Alderman Thiel moved to suspend the rules and go to the third and final reading. Alderman Davis seconded. Upon roll call the motion passed unanimously.

Mr. Williams read the ordinance.

Mayor Coody asked shall the ordinance pass.

Upon roll call the ordinance passed 6-2-0 with Jordan and Reynolds voting nay.

DICKSON ENHANCEMENT: A resolution approving Change Order #5 to the construction contract with Township Builders, Inc. for Dickson Street Enhancement Project. The resolution was tabled at the January 21, 2003 City Council meeting.

Mr. Williams said this was tabled to this meeting but he did not think it was ready to go forward at this time.

Alderman Davis moved to table until the next meeting. Alderman Jordan seconded. Upon roll call the motion passed unanimously.

NEW BUSINESS:

ADM 03-3.00: A resolution to approve amendments to the Bill of Assurance submitted with Ordinance No. 4411, passed and approved by the City Council on September 3, 2002.

Attorney Williams said the Council decided to grant a rezoning on this particular property. Part of that rezoning was a Bill of Assurance that was offered and since then there has been some request by the city to change some items on that and because of that the Bill of Assurance would need to be changed.

Mr. Conklin said this was a revised Bill of Assurance because the city was looking at extending Broyles Road to the North from Permission Street to Wedington. The lot size was reduced from 83 feet to 80 and the number of entrances onto 46th Street from 2 to 1. They will have access from Broyles Road to Wedington. The City of Fayetteville is looking at building a street there.

A resident asked exactly what the changes on the bill of assurance were.

Mr. Conklin said they are the minimum lot with from 83 feet to 80 and the number of entrances on 46th Street from 2 to 1. The wall remains the same, there are no changes to the wall.

A resident said he would like to give an update on his communication with the highway department. The highway department has done a study from I-540 all the way to Siloam Springs. That study has been completed and the recommendation from the highway department is to continue the improvement where they stopped west 1.5 miles widening that road to five lanes. This study is before the chief engineer of the highway department, under review, once approved it will go before the commissioners and they will adopt it. I am encouraging you to call the highway department so they will understand this is a priority for Fayetteville.

Mayor Coody asked shall the resolution pass.

Upon roll call the resolution passed unanimously.

RESOLUTION 28-03 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

OFFER & ACCEPTANCE: A resolution to approve the Offer and Acceptance Contract between the City of Fayetteville and the University of Arkansas for a price of \$370,000.00.

Mayor Coody said this is the 32 acres on the south end of town.

**Alderman Reynolds moved to accept the resolution. Alderman Thiel seconded.
Upon roll call the resolution passed unanimously.**

RESOLUTION 29-03 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

COMPOSTING SITE: A resolution authorizing staff to begin the purchasing process for a compost row turner and to solicit bids for a contractor to construct the compost pad.

Gary Dumas gave a presentation on the three solid waste items that are on tonight's agenda. We are looking at improving the compost pad at an estimated cost of \$250,000.00. The purpose of that improvement is to clear up the site to have space for the commercial expansion and to turn the compost to minimize or eliminate the growth of that stockpile. We need to eliminate that storage area in the compost area, create a pad and a process that would allow us to turn that product over 3-4 times a year instead of the 2 times per year. The row turning equipment would cost approximately \$250,000.00. We can not send this to the landfill. The total monthly cost per residential customer is approximately \$1.78.

Alderman Davis said you forgot to include the cost of the bags the citizens have to purchase, so that is not the true cost to the citizens.

Alderman Marr asked if that was somewhere in the packet.

Mr. Dumas said he believed it was.

Alderman Thiel said we do not have any of this information.

Mr. Dumas said he would get the information to them... The total cost of recycling per residential customer per month is \$5.25. The total cost of recycling and composting per month per residential customer would be \$7.03.

Alderman Jordan said but that does not include the bags.

Mr. Dumas said it does not include the bags.

Mayor Coody said we do not require folks to buy bags they can so choose to buy bags if they want to.

Mr. Dumas said if you recall what the stock pile looked like without the change in the system within a couple of years there would be no space left in that rear area of the solid waste yard except for leaf and grass storage. That storage pile was growing daily we were not able to keep up with it in a debagging operation. You buy more land so you can debag it so you can process it or you go through some other process that allows the actual purpose of the collection and composting to work. We could buy more land and put it in black bags again if we wanted to.

Alderman Thiel said we went to debagging so that freed up that land.

Mr. Dumas said no it did not, it cleared up a little of it but we still use that area to drop off the stockpile from the routes. It has to wait there for 6 months or so before it can be moved to the composting area. There is a stock pile area and a composting area.

Alderman Thiel said this process by using the row turner will make the composting process faster.

Mr. Dumas said it will make it 3-4 times per year instead of 2 times a year.

Alderman Thiel said so that means that is freeing up that land faster and it will take up less space.

Mr. Dumas said yes the area now is a little over three acres and what we will have once we put it on the concrete pad because of the extra heat that that would provide, we will only have one acre.

Mayor Coody said you can have three times as many rows with this new machine than with the old one.

Mr. Dumas said currently the maximum row height is 3-3 ½ feet and maybe 6 feet wide. The new row turner will be 16 feet wide and 7 feet tall.

Alderman Thiel said this produces the same product and it is quicker. What if we have more material coming in?

Mr. Dumas said if we get more material we could become a regional processing place for yard waste. If we get more material we could increase the concrete pad size to accommodate that extra volume. We would do that for a fee if we are taking it on a regional basis. That is something that if we have the ability to process it, we might as well provide that service, if the service is wanted by neighbors in surrounding communities.

Alderman Marr said the \$163,000.00 savings from the yard waste.

Mr. Dumas said it is not a savings it is an avoided cost that we do not have.

Alderman Marr asked how did we get to that number?

Mr. Dumas said that number is calculated on the number of tons we have coming in and calculating it out.

Alderman Marr said is tonnage savings from the landfill something we should be calculating in our financial model because you can't do it anyway.

Mr. Dumas said he did not subtract the \$163,000.00 I don't think from the \$449,000.00 to get the \$1.78. I would have to do the math again to see how we came up with that number.

Alderman Marr said there is no other way you can get \$185,000.00 savings to get a 2.6 year pay back if you don't have it in there.

Alderman Rhoads said it still goes to the calculation return on investment.

Mr. Dumas said it is something we want you to consider but it is not in that \$1.78. I did not use that because that is not real money.

Alderman Marr said his question is if we can't throw it away anyway and we are using it in a ROI calculation what would the cost have been, this has to go somewhere if it does not get composted, is there a cost of it going somewhere if it can not be composted.

Mr. Dumas said if you keep it in your yard I don't have to deal with it and so there is no cost. There is no place for it to go if we take it, but for it to pile up in the solid waste yard, if we take it I have to do something with it. I can leave it alone and pile it there.

Alderman Marr said why do we have the \$163,000.00 number on this paper.

Mr. Dumas said if we could take it to the landfill that is what we would pay. Alderman Marr said, but we can't it is illegal.

Mr. Dumas said right, that is why it is not subtracted out of the \$1.78.

Alderman Marr said this is confusing information.

Mr. Dumas said it is.

Alderman Rhoades asked what do other cities do? Do they not collect brush in the first place?

Mr. Dumas said from his understanding there is an additional fee if you want yard waste picked up but it is not mandatory. I do not know what they do with it, they could landfill.

Mayor Coody asked Brian Pugh if he knew what they did with it. What have they been using in Bentonville?

Mr. Dumas said Bentonville uses their yard waste in their solid waste composting operation. Not solid waste, in their bio-solids.

Mr. Pugh said it is a state law that you cannot bury yard waste in a landfill. Municipalities have to deal with it so most of them have composting and mulching operations. What Waste Management does I am not sure maybe they have some sort of composting. Maybe they could talk about that a little more.

Alderman Rhoads said if you don't compost it what do you do with it? What do other cities do with it?

Mr. Pugh said you are basically forced to handle it through composting or mulching. Stockpiling it will only last so long.

Alderman Rhoads said do they not collect it prehaps?

Mr. Pugh said that could happen but most municipalities handle it.

Alderman Reynolds said Fort Smith has a huge operation.

Mr. Dumas said Fort Smith is after the model that we a patterning this after. They are using an asphalt pad, we thought given our location a concrete pad is much more acceptable and long term.

Alderman Reynolds said we have some new Councilmen and it would probably help to take them out and show them the surplus pile plus the compost facility. We may even

want to take a trip to Fort Smith and see there operation and see what we are after and what we want to do.

Mr. Dumas said he would like the Council to tour on the next Council tour if the Council is interested.

Mayor Coody said Alderman Marr has done some calculating and I think you must have added that \$163,000.00 into your figures.

Alderman said either that or there is \$22,000.00 to sales of compost and sales of mulch which leaves whatever that is from \$185,000.00 left which is \$163,000.00 of some other expense somewhere.

Mr. Dumas said he will look at his spreadsheet. I don't have it with me.

Alderman Marr said I don't want my question to be construed that I don't think we need to compost it, if we are going to collect it we have to deal with it somehow. I just want to know if this number is real, if there is another cost if we paid someone else to take it or decide if we want to keep taking it. If we want to keep taking it we want to do it most efficiently or we want to compare the cost of doing it most efficiently against someone else doing it most efficiently.

Alderman Thiel said we are discussing this because you need space out there. The final agenda item has changed considerably from the information that we received during the agenda meeting including the cost of adding seven additional full time employees.

Mr. Dumas said that was in the initial report but legal department turned that into two agenda items.

Alderman Thiel said it did not specify seven I don't think.

Mr. Dumas said it did specify seven.

Alderman Thiel said it sounds like there are a lot of questions. I would not be in support of. I would want to table until you have fine tuned some of these figures and give us an opportunity over the next two weeks to look at it and in two weeks you can come to us about the glass program.

Mr. Dumas said March 18 Council meeting is when the glass crushing will be presented. I just wanted to give you an idea of what the cost of glass is because you are making your potential capital expenditure for these other two items and there is another one half a million dollars or so of glass that the Council will be looking at, just so you will know what the cash issues are as we are looking at these programs. We went through the same process on glass and apartment recycling looking at the equipment on a zero based budget and we looked at what it would take to do this and what the site improvement would be. The total fixed cost for the site after you subtract out the grant we received

from ADEQ last year which we have not yet received, but we have not yet accepted because I wanted to bring all this to you before we accepted a grant from ADEQ. The total cost for recycling at commercial businesses and apartments of \$4.70 per month, this added to the apartment rate of \$8.19 which we will be proposing would make it \$12.89.

Alderman Thiel said I understand this glass program is going to be discussed by a subcommittee consisting of three Environmental Concerns Committee members and the apartment association based on a committee that was set up by the Mayor. Some of this discussion is a little premature. I think it would be helpful to all of us if we saw all these numbers and if that committee blesses this.

Mr. Dumas said he just wants them to realize that if it is accepted there is a \$520,000.00 annual cost that we are going to be absorbing and passing on to the apartment consumers. The total operating cost of the program is \$635,000.00 and the total capital cost is \$537,000.00. This is based on the revenue projections that we did last week based on \$150.00 service call plus whatever the actual disposal cost are \$29.20 per ton this gives you approximately \$95,000.00 in excess revenue that goes to administrative cost, depreciation, building expansion and \$3,500.00 in net revenue. That is based on the \$150.00 service call. There has been a lot of discussion about privatization about what the competition charges and franchises. I would remind the Council that we talked about this last spring when there was a memo to the Council concerning a privatization offer that we had from Waste Management and looking at what they charged some of their customers at that time was \$435.00 per service call. Three tons and a service call would be about \$270.00 at the rates I am proposing, which shows there is margin in there if the Council wanted to increase that \$150.00 service call rate and still save the consumers money and make the solid waste system considerable revenue to help offset and stabilize the residential rates. Since we have entered the business last spring, some of the competition has reduced their rates in Fayetteville to match or beat our rates but I think if you will look around at the regional pricing you will see that they are close to what they were before we entered the market and perhaps not competitive to our rates at all.

Mayor Coody asked if they are charging apples to apples.

Mr. Dumas said picking it up and getting rid of it that's the apples to apples.

Mayor Coody said so they don't have any hidden charges or add on's.

Mr. Dumas said that \$435.00 is a fairly substantial number without too many more add on's I thought.

Alderman Thiel said are we going to offer a recycling program for commercial.

Mr. Dumas said once we have full control of the total waste stream one of the things we want to do is increase commercial recycling. If we are going to get to the 40-60% waste stream reduction it is going to have to be in the commercial sector. I can't claim credit

for it because it was in place when I got here but we have a very good solid waste system. We are pretty good in managing waste, given that and the fact the system can generate money for the residential side. We will be bringing you a rate structure in July so we can set the rates early.

Alderman Reynolds said we need to set up a tour for the Council to go see that operation.

Mr. Dumas said yes and if anyone would like to go to Fort Smith to see a fairly similar operation with fairly similar equipment to what we are proposing let him know.

Alderman Reynolds said don't they have the turner that we are proposing.

Mr. Dumas said it is a little smaller.

Alderman Reynolds said we are going from 150 customers in three hours to triple that and getting rid of a lot more material in one day, instead of doing it twice a year we are going to do it four times a year which will take you to about 1950 loads out of there and it is going to help us get caught up.

Mayor Coody said if we increase the income stream.

Alderman Marr said are we not taking certain waste now though, that's the point to keep in mind, yes we can increase it but there is a capacity issue of whether people are going to submit it, you can't take what you don't have.

Mr. Dumas said there is an input issue that is why if we implement this we could become, well we don't have the space to become a regional processor but with some marginal investment we could, they would pay for it anything sold to an outside user would be paid for by that outside user.

Alderman Marr asked is the motive in this agenda item for Fayetteville composting, it is not regional, that is not our plan that in a month from now you are going to come back and tell us we need to be regional.

Mr. Dumas said no, this is an one acre site it is only large enough to handle our volume.

Alderman Thiel moved to table to March 18, 2003. Alderman Jordan seconded. Upon roll call the motion passed unanimously.

Mr. Dumas asked if anyone was interested in a Fort Smith tour.

The Council answered yes.

Mr. Dumas said he would try to set it up early next week.

Mr. Pugh said what other cities do with their composting is contract to take it to out of state landfills. Oklahoma has no ban on yard waste so they can dispose of it through those means.

COMPACTOR AND DROPBOX BUSINESS EXPANSION: A resolution approving a budget in the amount of one million one hundred seventy-three thousand two hundred eight dollars (\$1,173,208.00) to allow the Solid Waste and Recycling division to implement a new commercial drop box program.

Alderman Thiel moved to table to March 18, 2003. Alderman Reynolds seconded. Upon roll call the motion passed unanimously.

NEW COMMERCIAL COMPACTOR AND DROP BOX PROGRAM: A resolution authorizing the hiring of seven (7) additional full time employees to implement a new commercial compactor and drop box program.

Mr. Williams said as you said the legal department required this to be separate there is a state law that says resolutions and ordinances are only suppose to have a single subject, since this was the hiring of seven people and we still have a staffing freeze, I felt that this was a different subject and needed a separate resolution by the Council.

Mark Berry the attorney for Roll-Off services said Alderman Marr brought up some good points tonight, that we had some fuzzy numbers and I understand that you are going to look at Fort Smith, I would like to point out that the \$150.00 charge plus the landfill rate is less than what the competition is charging now is not correct we are charging a flat fee of \$235.00 and in some instances less than that and we are willing to go even less that that. We are competing with Waste Management and they will agree that we are in competition and that we have dropped prices in the area. I think you need to look at some other factors including what we recycle and what Waste Management recycles in this area and what we can offer before you spend 1-1 ½ million to expand.

Alderman Reynolds asked if Mr. Berry was inviting the Council to tour their facility.

Mr. Berry said yes if you would like to come out just let them know.

Alderman Thiel asked what site they were talking about.

Alderman Reynolds said Warford Drive.

Mr. Berry said we also have a cardboard recycling facility.

Alderman Thiel said what about the transfer area over by Bakery Feeds.

Mayor Coody said why don't we go ahead and table this and then we can have a specific conversation about your sites.

Mr. Dumas said he would call Roll-Off Services tomorrow since they have agreed to a tour of the facilities and set up a tour of the Warford and Cato Springs site if you would like.

Mayor Coody said thank you.

Kevin Gardner with Waste Management of Northwest Arkansas said he was here tonight because they did not get a chance to come and talk about the ordinance that was passed this past spring. We understand you want to expand in the roll-off business to offset some losses in the residential disposal and recycling programs. We have enjoyed a long term relationship with the City of Fayetteville and a lot of our customers here through the purchase of Sunray Services and merger with USA Waste. We feel those relations were built on pricing and good service, we ask that the city consider that when they look at this situation and realize that Waste Management is wanting to compete and to provide our customers with service. We would like to propose to the City of Fayetteville the possibility of franchising, there are several different options available to the city.

Alderman Reynolds moved to table to March 18, 2003. Alderman Thiel seconded. Upon roll call the motion passed unanimously.

VA 03-2.00: An ordinance approving vacation request VA 03-2.00 as submitted by Gary Coover of McClelland Consulting Engineers on behalf of James Ezell of the University of Arkansas for property located north of Fairview Street on Harmon Avenue and alleys west of Harmon Avenue, Fayetteville, Arkansas. The request is to vacate Harmon Avenue between Fairview Street and William Street and the alleys west of Harmon Avenue.

Mr. Williams read the ordinance.

Mayor Coody asked if this has gone from the states largest to the world's largest parking deck by know, it has been a couple of weeks.

Mr. Conklin said the engineers and representatives from the U of A are here and he will let hem answer that question. They are requesting vacating the street and two alleys.

Gary Coover with McClelland Consulting Engineers said we are proposing to abandon 450 feet east of very substandard road called Harmon Road and two alleyways that are currently of no use. There are two utility lines in Harmon Avenue right now a major 6" loop that we are replacing with a new 12" line along a new proposed route for Buchanan Avenue and also a 6" main line that fees the heating plant for the University and that is going to be rerouted by Arkansas Western Gas along Buchanan. Some of the conditions mentioned in the ordinance are major utility upgrades along William Street and Duncan Avenue. We are asking does the city need that stretch of road right-of-way, the University owns property on both sides and would like to provide for parking in this area.

Mr. Curson showed the Council copies of what the deck would look like, the entrances, and the location of the proposed deck. The portion of Harmon that we are asking to be vacated is a one way street North that currently serves an apartment complex and two residential properties that the University owns that are currently empty and would be demolished as part of this project.

Alderman Reynolds said he wished they could build it next week, we need the relief.

Alderman Jordan asked this proposed Buchanan is currently a one way street. My concern is we have a large parking deck that is suppose to house 2100 cars at rush hour how are you going to accommodate.

Mr. Curson said we are not increasing the traffic count we are just consolidating some of the parking lots in this area so that areas to the West can be saved for future academic buildings. That is the reason we are creating four points to the deck so traffic can go out in four different locations.

Alderman Jordan asked if Buchanan was going to remain a one-way street.
Mr. Curson said the future of Buchanan would be a two-way street.

Alderman Jordan asked about the parking along those roads.

Mr. Curson said the western edge of Dickson parking would remain. We are not going to build the Buchanan Road as part of this project, that will be done in the near future, I think when that road is done their will be some additional improvements in that area.

Alderman Lucas said if you are not going to build the proposed Buchanan Avenue now, how are the buses going to get in there.

Mr. Curson said it is not part of this project, the University is currently trying to obtain funding to build it and we anticipate it probably would be built by the time the deck is completed within the next two years.

Alderman Thiel said does that mean it will be off of Duncan and Williams until it will be built. Duncan is a bad street, is that going to stay just like it is with all of that load coming out of it?

Mr. Conklin said we do not presently have any plans to upgrade that, it is something we can discuss in the future. There is a need to try to accommodate the increase in students and facility. This is a location that is not highly visible.

Alderman Thiel said she is concerned about the city having to widen Duncan and the cost to the city.

Mr. Conklin said it is not always desirable to widen the streets.

Hugh Earnest said the University is going to have to make improvements on all these streets.

Alderman Lucas said she thinks this is really going to improve this area. This is great.

Jill from the University Community Design Center spoke about the site and how they locate massive buildings and structures for parking cars.

Mayor Coody said this is very exciting.

Alderman Davis moved to suspend the rules and go to the second reading. Alderman Lucas seconded. The motion passed unanimously.

Mr. Williams read the ordinance.

Alderman Davis moved to suspend the rules and go to the third and final reading. Alderman Rhoads seconded. The motion passed unanimously.

Mr. Williams read the ordinance.

Alderman Marr said these are neighborhoods and one of the things I think we often get to feeling when it comes to the University is they do what they want to do without having to work with the city because it's a state. I think tonight we have heard of a couple of spots that are still going to be residential city areas, I still have concern about the amount of traffic on Center and California not only from people coming to the University but people going to the high school. The corner of Harmon that Alderman Jordan talks about, it is amazing the amount of traffic there. While we intend to drive people to a location to centralize our parking, I think we need to be sensitive that we are impacting the city and in that we are impacting neighborhoods and we are going to expect University participation and not city support for road improvements in these areas. We are a partner and not a partner only when it is beneficial.

Jill said traffic counts have been completed in this area. It would be five years out before the deck would reach its peak capacity. This deck is different than if you are building a deck for standard business commuter use. You will have residential permits in this deck, staff and facility members. We will have a more dispersed pattern.

Alderman Marr asked if this will be used for athletic event parking.

Jill said she had no idea.

Alderman Jordan said the intersection of Harmon and California is steep. You are going to have to put something there to do something about that traffic.

Mr. Coover said we are looking at that.

Mayor Coody asked shall the ordinance pass.

Upon roll call the ordinance passed unanimously.

ORDINANCE 4465 AS RECORDED IN THE OFFICE OF THE CITY CLERK.

Mayor Coody said February 25, 2003 at 4:00 pm there will be a Council Tour at the Senior Center. We will meet at the Center.

Ward 2 meeting in Room 326 and Ward 4 meeting in Room 111 will be February 24, 2003 at 7:00 pm.

Meeting adjourned at 9:50 pm

Sondra Smith
City Clerk