FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

TENTATIVE AGENDA
FOR
CITY COUNCIL MEETING
MARCH 4, 2003

A meeting of the Fayetteville City Council agenda session will be held on February 25, 2003 at 4:30 p.m. in Room 326 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

A. CONSENT:

1. **APPROVAL OF THE MINUTES:** Approval of the February 18, 2003 meeting minutes.

2. **BUDGET:** A resolution approving a budget adjustment which will allow for the roll-forward to the current budget of all projects or items in progress which were appropriated in the 2002 budget.

3. **RECYCLE VEHICLE:** A resolution to approve the budget adjustment in the amount of $33,117.00 for the operation of a recycling vehicle.

4. **CORPORATE HANGAR:** A resolution approving Task Order No. 14 with McClelland Consulting Engineers for engineering services to design and construct three small corporate hangars in the amount of $66,200.00 at Fayetteville Municipal Airport, Drake Field.

5. **MANHOLE REHAB:** A resolution to approve a construction contract with T-G Excavating, Inc. for sanitary sewer manhole rehabilitation, Illinois Basin 1-5 and the Industrial Park, in the amount of $933,333.00 and to approve a 5% contingency in the amount of $46,667.00.

6. **RULES OF ORDER AND PROCEDURE:** A resolution to adopt Mayor/City Council Rules of Order and Procedure.

7. **FEMA FIRE ACT:** A resolution providing the Fire Department to submit a grant request for a FEMA Act Grant during the 2003 funding cycle.

113 WEST MOUNTAIN 72701 479-521-7700
FAX 479-575-8257

B. OLD BUSINESS:

1. **FRISCO:** A resolution certifying to the tax collector of Washington County the costs of abating unsightly and unsanitary conditions upon the property located at 922 North Frisco Avenue in the City of Fayetteville, Arkansas. This was tabled at the December 3, 2002 City Council meeting.

2. **DICKSON ENHANCEMENT:** Discussion of Change Order #5 and approval of a resolution to the construction contract with Township Builders, Inc. for Dickson Street Enhancement Project. The resolution was tabled at the February 18, 2003 City Council meeting.

3. **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 second reading at the February 18, 2003 City Council meeting.

C. NEW BUSINESS

1. **RZN 03-9.00:** An ordinance approving rezoning request RZN 03-9.00 as submitted by Richard L. Miller, Attorney, on behalf of Dodi Nichols for property located at 2800 Old Farmington Road. The property is zoned A-1, Agricultural and contains approximately 1.88 acres. The request is to rezone to R-1, Low Density Residential.

2. **EATING ESTABLISHMENTS:** An ordinance to amend the Unified Development Ordinance to allow Use Unit 13, Eating Places, as an allowable use in a Residential Planned Zoning District.

3. **BERRY V. CITY OF FAYETTEVILLE:** A resolution to refer defense of Berry v. City of Fayetteville to City's Insurance Carrier.

Meeting of March 4, 200[illegible] (approve 1-7) Davis / Jordan 7:55 Adjourn

	Roll	Consent			
Davis	✓	✓			
Lucas	✓	✓			
Jordan	✓	✓			
Reynolds	✓	✓			
Thiel	✓	✓			
Cook	✓	✓			
Marr	✓	✓			
Rhoads	✓	✓			
Mayor Coody					

#1 old Business Frisco

close Public Hearing #1177 5J

close Public Hearing Res. Pass

	Reynolds / Thiel		Davis / Reynolds		
Davis	✓		✓		
Lucas	✓		✓		
Jordan	✓		✓		
Reynolds	✓		✓		
Thiel	✓		✓		
Cook	✓		✓		
Marr	✓		✓		
Rhoads	✓		✓		
Mayor Coody					

Notice Sent 3/4/03 Tree & Trails - Pulled from Calendar Send - email

Notice Sent 3/4/03 CDBG - Pulled from Calendar Send - email.

Openings on Boards

Meeting of March 4, 200 Remove from table 4 intersections Brick pavers Option (2) not doing which intersections.

#2 old Business Dicksa Enhancement

	Davis Thiel		Davis Thiel		
Davis	✓		✓		
Lucas	✓		✓		
Jordan	✓		✓		
Reynolds	Abstain		Abstain		
Thiel	✓		✓		
Cook	✓		✓		
Marr	✓		✓		
Rhoads	✓		✓		
Mayor Coody					

Tom Pearson

Bootsie Ackerman

$125,543 35 days

third reading Pass with Bill of Assurance as submitted by Gary Harvey of Maintain Mechanical

#3 Old Business

VA 03-1.00

	Rhoads Jordan	3rd. Pass.			
Davis	✓	✓			
Lucas	✓	✓			
Jordan	✓	✓			
Reynolds	✓	✓			
Thiel	✓	✓			
Cook	✓	✓			
Marr	✓	✓			
Rhoads	✓	✓			
Mayor Coody					

Gary Harvey

Get Bill of Assurance from Mr. Harvey.

Meeting of March 4, 2003

NB #1

RZN 03-9.00

Jordan/Cook Jordan

	second	Davis third	Pass		
Davis	✓	✓	✓		
Lucas	✓	✓	✓		
Jordan	✓	✓	✓		
Reynolds	✓	✓	✓		
Thiel	✓	✓	✓		
Cook	✓	✓	✓		
Marr	✓	✓	✓		
Rhoads	✓	✓	✓		
Mayor Coody					

NB #2

Eating Establishments

Second Third

Marr/Jordan Marr/Jordan

Davis	✓	✓	✓		
Lucas	✓	✓	✓		
Jordan	✓	✓	✓		
Reynolds	✓	✓	✓		
Thiel	✓	✓	✓		
Cook	✓	✓	✓		
Marr	✓	✓	✓		
Rhoads	✓	✓	✓		
Mayor Coody					

Tim Conklin

Meeting of March 4, 200

NB #3

Berry v. City of Fayetteville

Marl Jordan table indef.

Davis	✓				
Lucas	✓				
Jordan	✓				
Reynolds	✓				
Thiel	✓				
Cook	✓				
Marr	✓				
Rhoads	✓				
Mayor Coody					

Davis					
Lucas					
Jordan					
Reynolds					
Thiel					
Cook					
Marr					
Rhoads					
Mayor Coody					

FINAL AGENDA
FOR
CITY COUNCIL MEETING
MARCH 4, 2003

A meeting of the Fayetteville City Council will be held on March 4, 2003 at 6:00 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

PRESENTATION: DPZ presentation on new urbanizing and smart growth principles. (This Presentation Was Cancelled.

A. CONSENT:

1. **APPROVAL OF THE MINUTES:** Approval of the February 18, 2003 meeting minutes.

2. **BUDGET:** A resolution approving a budget adjustment which will allow for the roll-forward to the current budget of all projects or items in progress which were appropriated in the 2002 budget.

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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.

US 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 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. There executive director and Hugh got together, it was distributed tonight so in an effort to not delay there 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 possibility 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 buts 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 form 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 ½" 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.

ORDIANANCE 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 form 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 may 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's 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

Given out at Agenda Session by Steve Davis

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Proposed Rollforwards Operational	Proposed Rollforwards Capital	City Council Approved Contingency / Obligated	Justification
1010.0001.4309.00	Police	Federal Grants - Vests	$ (23,500)	$		20 additional vests from grant funds
1010.0210.5200.00	City Attorney	Office Supplies	1,075			Supplement 2003 budget amount
1010.0210.5209.00	City Attorney	Computer Law Program Software	250			Update or purchase new computer law program
1010.0210.5210.00	City Attorney	Minor Equipment	998			Replace office chair and modify work space for secretary
1010.0210.5304.00	City Attorney	Travel & Training	3,500			Continuing education and certifications for City Attorney and Asst. City Attorney
1010.0210.5314.00	City Attorney	Professional Services	2,834			Appraisal or expert witness services
1010.0210.5314.01	City Attorney	Outside Attorney	4,650			Hire an outside attorney for when staff lacks the necessary expertise or a conflict of interest develops
1010.0210.5416.00	City Attorney	Software Maintenance	500			Contract maintenance for new software
1010.0350.5209.00	Hot Check	Software	11,200			Hot Check software program and installation
1010.0350.5416.00	Hot Check	Software Maintenance	645			Monthly maintenance fees for Hot Check software
1010.0600.5200.00	Cable Administration	Special Tapes	306			10 Sony 184 DV chipless video tapes
1010.0600.5200.00	Cable Administration	DVDs for conversion from tape	3,300			Conversion from video tape format to DVD disk to gain needed storage capacity
1010.0600.5405.00	Cable Administration	System Reconfiguration by Engineers	3,600			
1010.1210.5111.00	Human Resources	Worker's Compensation	45,000			Increased expenses for 2003
1010.1210.5301.00	Human Resources	Public Notification	8,000			Advertising for vacancies, civil service tests, and civil service comm. public meetings
1010.1310.5200.00	Accounting & Audit	Office Supplies	1,500			Increased expenses for checks, envelopes, copies, and printing
1010.1310.5209.00	Accounting & Audit	Crystal Reporting Software	1,000			Crystal reporting software
1010.1310.5210.00	Accounting & Audit	Laser Printer/Calculators	1,200			Purchase a laser printer and replace calculators
1010.1310.5301.00	Accounting & Audit	Publication Of The Financials	1,700			Publishing the financials in the newspaper
1010.1310.5304.00	Accounting & Audit	GASB 34 Training	2,900			Train 10 employees for the implementation of GASB 34 and new software installed
1010.1310.5304.30	Accounting & Audit	Education Reimbursement	2,200			Reimbursement for accounting classes taken by staff
1010.1310.5307.00	Accounting & Audit	Unexpected Audit Costs	850			Unexpected audit costs
1010.1310.5401.00	Accounting & Audit	Office Machine Maintenance	160			Unexpected repairs on office equipment
1010.1330.5210.00	Budget & Research	Camera (CIP Development)	500			New camera for CIP document photos for 2003 as the current camera is experiencing problems and pictures are not turning out correctly
1010.1330.5304.00	Budget & Research	Travel & Training (Costing Services)	2,500			Additional training due to personnel changes
1010.1330.5315.00	Budget & Research	Contract Services for User Fee Study	0	25,000		Consultant for a new user fee study and software for future in-house updates
1010.1360.5209.00	Internal Audit	Software	400			Software for internal audit programs
1010.1360.5210.00	Internal Audit	Minor Equipment	890			Purchase of small equipment
1010.1360.5303.00	Internal Audit	Publications & Dues	400			Publications on internal audit guidelines and programs
1010.1360.5304.00	Internal Audit	GFOA 2003 Conference Attendance	1,707			GFOA 2003 conference and one IIA seminar
1010.1360.5314.00	Internal Audit	Risk Assessment Analysis	15,000			Hire an outside firm for Risk Assessment Analysis
1010.1380.5209.00	Utilities Mgt. - Telecom.	Software for Managing Structure Cable	1,000			This software will cover the cabling systems for all city facilities
1010.1380.5210.00	Utilities Mgt. - Telecom.	Minor Equipment for cabling	3,000			Allows the maintaining of existing cable infrastructure

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Account	Program	Description	Proposed Rollforwards		City Council Approved Contingency / Obligated	Justification
			Operational	Capital		
1010.1380.5304.00	Utilities Mgt. - Telecom.	Travel And Training	3,000			Attend telecommunications and network training
1010.1380.5315.00	Utilities Mgt. - Telecom.	Contract Services	5,000			Contract labor for installation of call management equipment and Dictaphone equipment
1010.1380.5801.00	Utilities Mgt. - Telecom.	Add-on module for existing dictaphone	16,000			Add-on will monitor an additional 16 incoming telephone lines
1010.1510.5200.00	City Clerk	Binders & Printing of Ordinances Code	3,000			Binders to house minutes and ordinances and printing of the code of ordinances book
1010.1510.5210.00	City Clerk	CD Writer & Printers	3,000			Purchase cd read/writer equipment and printers
1010.1510.5313.00	City Clerk	Tab Sheets/Binders Code of Ordinances	4,729			New binders and tab sheets for the new Code of Ordinance book
1010.2010.5200.01	District Court	Copier lease	750			Increase on lease due to new copier
1010.2020.5304.00	District Court	Travel And Training	464			Supplement 2003 budget amount - software evaluation
1010.2030.5210.00	District Court	Minor Equipment	294			Supplement 2003 budget amount - computer/office system upgrade
1010.2600.5103.00	Central Dispatch	Overtime for shift coverage	12,191			Pay a dispatcher to cover shifts due to vacancies as opposed to a lead dispatcher or trainer
1010.2600.5105.00	Central Dispatch	FICA for above overtime	939			FICA for dispatcher overtime
1010.2600.5303.00	Central Dispatch	City Directory	230			An additional source of information for use in trying to find a person, address, etc.
1010.2600.5304.00	Central Dispatch	Training	8,731			9-1-1 dispatcher training to maintain skill-set
1010.2600.5402.00	Central Dispatch	Radio Maintenance - Motorola			15,249	Increase in the maintenance contract - Resolution 185-02 (12/3/02)
1010.2710.5315.00	Animal Services	Services Pertaining To An Emergency	200			Livestock hauling and other emergencies
1010.2710.5402.00	Animal Services	Radio Repairs	300			Radios are older models
1010.2720.5200.00	Animal Services	Office Supplies And Printing	140			Supplement 2003 budget amount
1010.2720.5204.00	Animal Services	Chemicals	300			Supplement 2003 budget amount
1010.2720.5205.00	Animal Services	Dog Food and Supplies	500			Supplement 2003 budget amount
1010.2720.5303.00	Animal Services	Dues To Welfare Organizations	320			Yearly dues to animal welfare organizations
1010.2720.5310.00	Animal Services	Increase In Utilities	2,000			Natural gas cost increase for operating the incinerator
1010.2720.5314.00	Animal Services	Professional Services	105			Supplement 2003 budget amount
1010.2720.5400.00	Animal Services	Incinerator repairs	5,600			Incinerators are begining to age and require repairs/maintenance
1010.2730.5200.00	Animal Services	Literature for Spay/Neuter Program	600			Literature is to establish the program in the community
1010.2730.5200.03	Animal Services	Veterinarian Supplies	23,200			Supplement 2003 budget amount - money not used in 2002 due to vet position vacancies
1010.2730.5204.00	Animal Services	Euthanasia Chemicals	2,600			Increase in sheltered animals
1010.2730.5210.00	Animal Services	Additional Equipment	8,500			Equipment needed for intaking of animals along with the clinic module
1010.2730.5302.00	Animal Services	Uniforms	1,000			The Veterinarian and assistant are new hires
1010.2730.5303.00	Animal Services	Publications And Dues	550			Dues to the VMA and other animal welfare organizations
1010.2730.5315.00	Animal Services	Contract Vet Services	2,720			When a veterinarian is not on staff
1010.2730.5407.00	Animal Services	Maintenance On Medical Equipment	490			Supplement 2003 budget amount
1010.2900.5200.04	Police	Suicide Smocks	412			Do not have any smocks and borrow from Washington County when required
1010.2900.5203.00	Police	Cleaning Supplies	500			Supplement 2003 budget amount
1010.2900.5209.00	Police	Software Upgrades	9,000			Upgrades to keep up with current requirements

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Account	Program	Description	Proposed Rollforwards		City Council Approved Contingency / Obligated	Justification
			Operational	Capital		
1010.2900.5210.00	Police	Office furniture/new position	550			Chair, file cabinet and bookcase for Problem Oriented Police Lieutenant
1010.2900.5210.00	Police	Prisoner lockers	1,100			Additional lockers needed when the jail is full
1010.2900.5210.00	Police	Jail Restraint Chair	1,405			To protect combative prisoners for their safety as well as staff's safety
1010.2900.5210.00	Police	Typewriters/Mattress Rack for Jail	1,500			To run the jail in an efficient manner
1010.2900.5210.00	Police	Chairs, Calculators, Transcription equip	2,500			Current equipment is showing signs of wear
1010.2900.5210.00	Police	Four Personal Digital Assistants (PDA)	3,000			To be used by administration and the IT division
1010.2900.5210.00	Police	Washer And Dryer Replacement	3,445			Provide machines designed to handle heavy loads
1010.2900.5210.00	Police	Servers And CPUs	9,000			Servers for backup system allows CPU life to be extended/replace CPUs
1010.2900.5301.00	Police	Two Auctions	300			To advertise two auctions a year
1010.2900.5304.00	Police	Educational Assistance	2,000			Two employees are currently signed up for spring semester
1010.2900.5304.00	Police	2 Asst. Chiefs to Intl. COP Conference	4,000			To keep abreast of the changes in law enforcement as well as new technology
1010.2900.5304.00	Police	Travel and Training for IT staff	6,000			To include: Citrix XP administrator, Scripting vbs, vb, IBM training and Cisco Security
1010.2900.5400.00	Police	Counter Top And Carpet Replacement	800			Replacing the worn out carpet with tile in the jailer area allows for easier cleaning
1010.2900.5400.00	Police	Paint For Jail Cells	1,000			Painting is needed at a minimum of once a year due to constant flow of intakes
1010.2940.5209.00	Police	Forensic & Accident Scene Software	1,700			This software would aid investigators
1010.2940.5209.00	Police	Century Ident. Software/Block Grant	4,020			Purchase is from Juvenile Accountability Block Grant
1010.2940.5210.00	Police	E-Z shelter for ERT	250			To utilize during inclement weather
1010.2940.5210.00	Police	Leg Restraints	400			To secure combative prisoners to prevent them from kicking out vehicle windows
1010.2940.5210.00	Police	Equip. for Accident Investigators	500			Enhance investigator's ability to determine causes of fatality and serious injury accidents
1010.2940.5210.00	Police	Ice maker	1,160			Better supply of ice during the summer months
1010.2940.5210.00	Police	Radio batteries/chairs	3,000			Replace worn out equipment
1010.2940.5210.00	Police	Four (4) Cannondale Bicycles	3,800			Replace worn out equipment
1010.2940.5210.00	Police	Detective/Crime Scene Equipment	4,100			Super glue tank for fingerprint developing & video equipment for interview rooms
1010.2940.5210.00	Police	Projector, PC, printer/Block Grant	8,900			Purchase is from Juvenile Accountability Block Grant
1010.2940.5302.00	Police	Bicycle patrol equipment	2,175			Replacement of uniforms such as glasses, jackets, etc.
1010.2940.5302.00	Police	ERT equipment	8,825			Upgrade and replace outdated equipment
1010.2940.5302.00	Police	Vests-9,000 grant/9,000 city	18,000			20 additional bullet proof vest funded in part with a federal grant
1010.2940.5401.00	Police	Laptop repairs	3,000			Replace aging equipment
1010.2940.5402.00	Police	Radio Maintenance - Motorola			5,984	Increase in the maintenance contract - Resolution 185-02 (12/3/02)
1010.3010.5210.00	Fire	Minor Equipment	355			Expand investigative tools to include digital format
1010.3020.5310.01	Fire	Office Systems Upgrade	1,600			Upgrade office systems
1010.3020.5200.00	Fire	Office Supplies And Printing	1,700			Upgrade office systems

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Account	Program	Description	Proposed Rollforwards		City Council Approved Contingency / Obligated	Justification
			Operational	Capital		
1010.3020.5209.00	Fire	Software	857			Upgrades to the Fire pre-plan software
1010.3020.5302.00	Fire	To change to Quartermaster System	6,788			Initial startup for a quartermaster system
1010.3020.5407.00	Fire	Small Equipment Maintenance	1,400			Increase in wear and tear of equipment
1010.5210.5400.00	Parks & Recreation	Cement Lip Replacement for Pool	12,000			Replace the cement lip around Wilson pool
1010.5220.5102.00	Parks & Recreation	Work Study	1,200			University of Arkansas work study will assist in answering the phone, clients, making copies and typing
1010.5220.5200.00	Parks & Recreation	Materials for Coaches Program	1,600			Increase due to new staff and Youth Sports Coaches program
1010.5220.5200.05	Parks & Recreation	Replace/Repair Old Soccer Equipment	400			Replace/repair old soccer equipment
1010.5220.5209.00	Parks & Recreation	AutoCAD for Park Planner	3,500			Revised position for a landscape architect-software for designing
1010.5220.5310.00	Parks & Recreation	New Lighting-Lake Fay & White River	3,500			Rising cost of utilities and new lighting systems
1010.5220.5311.01	Parks & Recreation	Secondary Insurance	4,600			Secondary insurance that is provided to children who participate in youth sport programs
1010.5220.5315.00	Parks & Recreation	Guest Speakers For Coaches	1,000			Volunteer coaches ed. program guest speakers and background checks on volunteers
1010.5220.5329.01	Parks & Recreation	Volunteers Appreciation	2,000			Volunteer appreciation for soccer & softball coaches, PRAB, & trail assistance
1010.5260.5210.00	Parks & Recreation	Time Clock	500			Replace existing time clock with an upgrade
1010.5260.5303.00	Parks & Recreation	Park Planner Dues	535			American Society of Landscape Architects dues and state license
1010.5260.5304.00	Parks & Recreation	Park Planner/Licenses	7,650			New Park Planner to attend Landscape Architect Convention ($3,000) & maintenance staff to obtain training & licenses in Pest Control, ballfield maintenance, and urban forestry as required by the job
1010.5260.5331.00	Parks & Recreation	Square Garden Vehicle	1,236			Personal vehicles currently being used and mileage is paid
1010.5260.5331.01	Parks & Recreation	Square Garden Vehicle	937			Personal vehicles currently being used and mileage is paid
1010.5260.5331.02	Parks & Recreation	Square Garden Vehicle	1,056			Personal vehicles currently being used and mileage is paid
1010.5260.5400.00	Parks & Recreation	Renovation Kiosk Square Garden	600			
1010.5260.5400.00	Parks & Recreation	Plan/Design/Repair Brick Flower Beds - Sq. Gardens	9,000			Repair needs to be done in order for the Chambers to install donated railings
1010.5260.5402.00	Parks & Recreation	Radio Maintenance - Motorola			922	Increase in the maintenance contract - Resolution 185-02 (12/3/02)
1010.5300.5315.00	Utilities Mgt. - Parking	Deck Custodian - Town Center Parking	4,787			Contract services for deck maintenance
1010.5300.5304.00	Utilities Mgt. - Parking	Parking Conference for Parking Coor.	2,000			Training for Parking Coordinator and to attend the Natl. Annual Parking Conference
1010.6220.5200.00	Engineering	Office Supplies & Printing/Shared Copier	2,500			Copier charges due to proposed new copier
1010.6220.5209.00	Engineering	Drainage Software	13,381			Drainage software, Arc-View licenses for Floodplain & Flood Ins. Admin. & upgrades to CAD and design software
1010.6220.5304.00	Engineering	Travel And Training	9,200			Professional training of staff for Stormwater Phase II, Floodplain Admin., CAD/design and state required continuing education
1010.6230.5314.00	Engineering	Professional Services for ROW Acquis.	6,879			Services related to land acquisition that cannot be charged to a CIP project
1010.6300.5200.00	Planning	Supplies for the setup of the new office	3,386			Uniform supply setup at new office throughout the division for functionality
1010.6300.5210.00	Planning	Misc. Equipment for new office	2,063			2002 money left over for misc. equipment & supplies for new office

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Proposed Rollforwards		City Council Approved Contingency / Obligated	Justification
			Operational	Capital		
1010.6300.5210.00	Planning	New Office Maintenance Needs	5,782			New office maintenance needs, additional unforeseen expenditures for new office
1010.6300.5301.00	Planning	Public Notification	3,315			Increase in public notification costs of 5%
1010.6300.5303.00	Planning	For NWARPC dues	15,531			Remainder of 2003 dues not currently budgeted. NWARPC was notified, in writing, in November of the City's 2003 funding level.
1010.6300.5314.00	Planning	Training	1,351			Training for performance & increased level of customer service using new facility
1010.6300.5400.00	Planning	New Office Maintenance Needs	220			New office maintenance needs
1010.6400.5200.00	Building Safety	Office Supplies And Printing of Mailings	850			Cover office relocation expenses and customer mailings on newly adopted code changes
1010.6400.5210.00	Building Safety	Minor Equipment due to relocation	2,100			Anticipated relocation will increase expenses
1010.6400.5304.00	Building Safety	Recertifications & Hansen	5,500			Recertification programs and Hansen software training to stay up to date
1010.6400.5801.00	Building Safety	Automated Field Inspection System		19,700		Purchase the Hansen Dynamic Portal for Inspection Request and results over the internet
1010.6420.5315.00	Community Resources	Removal and Cleanup Work	12,000			
1010.6600.5314.00	Miscellaneous	Research & High Tech Park (Wilson Springs)		79,203		Funding for professional services related to the Wilson Springs Business Park
			467,919	123,903	22,155	
2100.4100.5302.00	Transportation - Street	Uniforms / Personal Equipment	1,718			Items backordered from 2002
2100.4100.5402.00	Transportation - Street	Radio Maintenance - Motorola	838			Increase in maintenance contract
2100.4100.5723.00	Transportation - Street	Ozark Regional Transit	5,117			Cost increases/grant match monies
2100.4100.5728.00	Transportation - Street	Razorback Transit	5,000			Cost increases/grant match monies
2100.5530.5209.00	Transportation - Sidewalks	Software for replacement PC	500			Software for a computer to be replaced
2100.5530.5210.00	Transportation - Sidewalks	Small Equipment	3,323			Personnel working in separate locations creating need for additional equipment
2100.5530.5302.00	Transportation - Sidewalks	Rain gear	628			Employees to replace rain gear not replaced in 2002
2100.5530.5311.01	Transportation - Sidewalks	Emergency Funds	500			Supplement 2003 budget amount
2100.5530.5407.00	Transportation - Sidewalks	Small Equipment Maintenance	1,562			Supplement 2003 budget amount
			19,186	0	0	

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Proposed Rollforwards Operational	Proposed Rollforwards Capital	City Council Approved Contingency / Obligated	Justification
2130.9130.5209.00	Utilities Mgt. - Off Street	Upgrade Parking Enf. Software	2,300			Upgrading of parking enforcement software
2130.9130.5314.00	Utilities Mgt. - Off Street	Parking Garage(s)		30,000		Tied to development of downtown parking facilities that could be used to supplement other groups efforts.
2130.9130.5315.00	Utilities Mgt. - Off Street	Downtown Parking Master Plan - Available for Development on Dickson Street or Downtown		35,772		Tied to development of downtown parking facilities that could be used to supplement other groups efforts.
2130.9130.5315.00	Utilities Mgt. - Off Street	Cleanups and ice removal	2,500			Contract labor for major cleanups and ice removal
2130.9130.5343.00	Utilities Mgt. - Off Street	Deck Operation Expenses	10,000			Deck operating expenses
2130.9130.5400.00	Utilities Mgt. - Off Street	Parking Lots And Storage Facilities	2,500			Building & grounds maintenance for parking lots and storage facilities
2130.9130.5411.00	Utilities Mgt. - Off Street	Parking Deck Rehabilitation		170,454		Major repairs to the deck as needed
2130.9130.5416.00	Utilities Mgt. - Off Street	Software Maintenance	1,345			Maintenance on upgrade to parking enforcement software
2130.9130.5819.00	Utilities Mgt. - Off Street	Parking Lot Overlays		81,000		Resurface City owned off-street parking lots as needed
2130.9130.5890.00	Utilities Mgt. - Off Street	Parking Deck Automation Equipment		7,631		
2130.9130.5890.00	Utilities Mgt. - Off Street	Gated Parking Conversion		24,507		Re-gate City owned off-street parking lots as needed
			18,645	349,364	0	
2180.0918.4320.00	Community Resources	CDBG Grant Funding	(143,253)	(253,712)	(126,424)	Community Development Block Grant - In Progress
2180.4930.5200.00	Community Resources	Office supplies	1,525			Community Development Block Grant - In Progress
2180.4930.5304.00	Community Resources	Travel & Training	2,030			Community Development Block Grant - In Progress
2180.4930.5320.01	Community Resources	Bank Charges	150			Community Development Block Grant - In Progress
2180.4940.5200.00	Community Resources	Office supplies	2,500			Community Development Block Grant - In Progress
2180.4940.5301.00	Community Resources	Public Notification	600			Community Development Block Grant - In Progress
2180.4940.5304.00	Community Resources	Travel & Training	1,000			Community Development Block Grant - In Progress
2180.4940.5315.00	Community Resources	Contract Services	103,006			Community Development Block Grant - In Progress
2180.4940.5390.32	Community Resources	SFCDC Home	24,100			Community Development Block Grant - In Progress
2180.4940.5390.35	Community Resources	LBP Hazard	5,465			Community Development Block Grant - In Progress
2180.4970.5315.01	Community Resources	Aging Transportation	2,877			Community Development Block Grant - In Progress
2180.4990.5390.24	Community Resources	SE Comm Center		58,224		Community Development Block Grant - In Progress
2180.4990.5390.27	Community Resources	Domestic Violence Shelter		195,488		Community Development Block Grant - In Progress
2180.4990.5390.30	Community Resources	Sage House			100,769	Community Development Block Grant - In Progress
2180.4990.5390.37	Community Resources	Walker Playground Equip			25,655	Community Development Block Grant - In Progress
			0	0	0	

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Proposed Rollforwards		City Council Approved Contingency / Obligated	Justification
			Operational	Capital		
2250.0925.4302.00	Parks & Recreation	Skate Park (State Grants)		(56,554)	(32,588)	
2250.9250.5314.00	Parks & Recreation	Tennis/Basketball Surface Renovation		20,431		
2250.9250.5315.00	Parks & Recreation	Lights of the Ozarks		45,942		
2250.9250.5400.00	Parks & Recreation	Lake Fay Softball Complex Improvements		15,680		
2250.9250.5804.00	Parks & Recreation	Walker Park Senior Complex		91,000		
2250.9250.5805.00	Parks & Recreation	Trail/Park Land Acquisition/Development		39,000		
2250.9250.5806.00	Parks & Recreation	Wilson Park Improvements		937		
2250.9250.5806.00	Parks & Recreation	Bundrick Park Development		1,842		
2250.9250.5806.00	Parks & Recreation	Red Oak Park Development		3,370		
2250.9250.5806.00	Parks & Recreation	White River Baseball Complex Improvement		4,686		
2250.9250.5806.00	Parks & Recreation	Park Beautifications		36,714		
2250.9250.5806.00	Parks & Recreation	Community Park Development		76,173		
2250.9250.5806.00	Parks & Recreation	Lake Fayetteville/Sequoyah Improvements		180,195	38,400	Project Contingency - Resolution 186-02 (12/3/2002)
2250.9250.5806.00	Parks & Recreation	Skate Park		56,554	32,588	Project Contingency - Resolution 151-02 (10/8/2002)
2250.9250.5806.00	Parks & Recreation	Lake Fay Softball Complex Improvements		23,087		
2250.9250.5814.00	Parks & Recreation	Lake Fayetteville Trails		73,146		
2250.9250.5819.00	Parks & Recreation	Gary Hampton Softball Complex		11,468		
2250.9250.5890.00	Parks & Recreation	Red Oak Park Development		7,642		
			0	631,313	38,400	
4150.9150.5314.03	Library Construction	New Central Library Building		19		
4150.9150.5804.00	Library Construction	New Central Library Building		1,165,502	700,000	Project Contingency - Resolution 83-02 (5/21/2002)
4150.9150.5805.00	Library Construction	New Central Library Building		7,105		
			0	1,172,626	700,000	
4270.9270.5307.00	Replacement Fund	Audit Expense Increase	450			Increase due to change in cost allocation
			450			

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Proposed Rollforwards		City Council Approved Contingency / Obligated	Justification
			Operational	Capital		
4470.9470.5801.00	Sales Tax Capital	Automated Citizen Information System			1,596	Project Contingency - Ord. 4374 (3/5/2002)
4470.9470.5801.00	Sales Tax Capital	Automated Field Inspection System		77,000		
4470.9470.5817.00	Sales Tax Capital	Betty Jo Drainage Improvements		271,883		
4470.9470.5804.00	Sales Tax Capital	Blue Building Renovation - Rock Street		2,760		
4470.9470.5801.00	Sales Tax Capital	Budgeting & Planning Software System		150,000		
4470.9470.5400.00	Sales Tax Capital	Building Improvements		501,948		
4470.9470.5400.00	Sales Tax Capital	Building Improvements - Leased Buildings		7,417		
4470.9470.5801.00	Sales Tax Capital	City Shop/Public Works Facility Security		75,000		
4470.9470.5809.00	Sales Tax Capital	Cleveland Street Improvements		2,945	109,027	Project Contingency - Resolution 155-02 (10/15/2002)
4470.9470.5400.00	Sales Tax Capital	Concession/Restroom Improvements		3,626		
4470.9470.5809.00	Sales Tax Capital	Dickson Street Enhancements		7,889	120,274	Project Contingency - Resolution 52-02 (3/19/2002) "120,274=73,415+46,859" / 73,415+195,300-38,257=230,458
4470.9470.5801.00	Sales Tax Capital	Document Imaging System		88,188		
4470.9470.5817.00	Sales Tax Capital	Double Springs Road Bridge Replacement		24,746		
4470.9470.5314.00	Sales Tax Capital	Drainage Study/Master Plan		387,830	10,000	Project Contingency - Resolution 102-02 (7/2/2002)
4470.9470.5315.00	Sales Tax Capital	Economic Development Matches		425,000		
4470.0947.4302.00	Sales Tax Capital	Economic Development Matches (State Grants)		(20,000)		
4470.9470.5805.00	Sales Tax Capital	Employee Parking Lot		147,600		
4470.9470.5808.00	Sales Tax Capital	Fayetteville Boys & Girls Club Imprvs		31,854		
4470.9470.5814.00	Sales Tax Capital	Fayetteville Multi Use Trail		194,203		
4470.0947.4309.00	Sales Tax Capital	Fayetteville Multi Use Trail (Federal Grant)		(194,203)		
4470.9470.5802.00	Sales Tax Capital	Fire Apparatus - Ladder Truck		197,367		
4470.9470.5400.00	Sales Tax Capital	Fire Facility Maintenance		2,657		
4470.9470.5804.00	Sales Tax Capital	Fire Station #7 - Escrow Funds		395,100		
4470.9470.5315.00	Sales Tax Capital	Forestry Program		47,645		
4470.9470.5809.00	Sales Tax Capital	Gregg & Appleby Intersection		121,074		
4470.9470.5809.00	Sales Tax Capital	Gregg Ave: Hwy. 71 to Mud Creek Bridge		35,000		
4470.9470.5817.00	Sales Tax Capital	Holly & Vista Dr Drainage Improvements		600,000		
4470.9470.5809.00	Sales Tax Capital	Hollywood St-6th & Sang Ave Intersection		615,087		
4470.9470.5314.00	Sales Tax Capital	Infrastructure Appraisal Services		20,000		
4470.9470.5809.00	Sales Tax Capital	In-House Pavement Improvements		426,872		
4470.9470.5890.00	Sales Tax Capital	L.E.D. Traffic Signal Lens Replacement		1,485		
4470.9470.5400.00	Sales Tax Capital	Lake Fayetteville/Sequoyah Improvements		61,700		
4470.9470.5804.00	Sales Tax Capital	Lewis/Asbell Athletic Complex Development		15,184		
4470.9470.5314.00	Sales Tax Capital	Lk.Fay.Dam - Emergency Action Plan		5,954		
4470.9470.5212.00	Sales Tax Capital	M.U.T.C.D. Sign Material		18,015		
4470.9470.5890.00	Sales Tax Capital	Microcomputer Replacements		2,738		
4470.9470.5801.00	Sales Tax Capital	Municipal Management System		20,296		
4470.9470.5806.00	Sales Tax Capital	Neighborhood Park Development		8,217		
4470.9470.5314.03	Sales Tax Capital	New Central Library Building		11,899		

City of Fayetteville, Arkansas

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Proposed Rollforwards		City Council Approved Contingency / Obligated	Justification
			Operational	Capital		
4470.9470.5804.00	Sales Tax Capital	New Central Library Building - Off-site Improvements		100,000		
4470.9470.5315.00	Sales Tax Capital	New World Systems Supplemental Software		968		
4470.9470.5809.00	Sales Tax Capital	Old Missouri - Stubblefield to Rolling H		570,000		
4470.9470.5809.00	Sales Tax Capital	Old Missouri Road Improvements		1,192,670		
4470.9470.5817.00	Sales Tax Capital	Ora Drive Drainage Improvements		111,273		
4470.9470.5817.00	Sales Tax Capital	Other Drainage Improvements		144,671		
4470.9470.5315.00	Sales Tax Capital	Other Park & Safety Improvements		29,100		
4470.9470.5890.00	Sales Tax Capital	P.E.G. Television Center - Equipment		47,317		
4470.9470.5814.00	Sales Tax Capital	Park Trail Development		177,020		
4470.9470.5890.00	Sales Tax Capital	Playground & Picnic Improvements		11,400		
4470.9470.5400.00	Sales Tax Capital	Police Building Improvements		150,789	1,250	Project Contingency - Resolution 175-02 (11/19/2002)
4470.9470.5314.00	Sales Tax Capital	Police Computer System & Network Upgrade		97,579		
4470.9470.5890.00	Sales Tax Capital	Police Computer System & Network Upgrade		23,356		
4470.9470.5890.00	Sales Tax Capital	Printer Replacements		29,884		
4470.9470.5809.00	Sales Tax Capital	Research & High Tech Park (Wilson Springs)		1,626,317		
4470.9470.5809.00	Sales Tax Capital	Rupple Rd Extension - South of Hwy 16 W			7,996	Project Contingency - Resolution 187-02 (12/3/2002)
4470.9470.5815.00	Sales Tax Capital	Sanitary Sewer Rehabilitation		253		
4470.9470.5809.00	Sales Tax Capital	School Avenue Improvements		5,750		
4470.9470.5400.00	Sales Tax Capital	Shelter Quarantine Upgrade		24,331		
4470.9470.5817.00	Sales Tax Capital	Shenandoah Drainage Improvements		249,975		
4470.9470.5809.00	Sales Tax Capital	Shiloh & Futrall - Intersection & Signal		193,962		
4470.9470.5814.00	Sales Tax Capital	Sidewalk Improvements		173,796	20,000	Project Contingency - Resolution 154-02 (10/15/2002)
4470.9470.5209.00	Sales Tax Capital	Software Upgrades - City Wide		18,828		
4470.9470.5890.00	Sales Tax Capital	Specialized Police Equipment		30,531		
4470.9470.5809.00	Sales Tax Capital	Steele Property - Street Improvements		34,362		
4470.9470.5809.00	Sales Tax Capital	Street ROW / Intersection / Cost Sharing		581		
4470.9470.5804.00	Sales Tax Capital	TCA Annex Renovation - Phase II		1,304		
4470.9470.5890.00	Sales Tax Capital	Traffic Signal Improvements		78,523		
4470.9470.5314.00	Sales Tax Capital	Traffic Study - City Wide		602	20,000	Project Contingency - Resolution 164-02 (10/15/2002)
4470.9470.5806.00	Sales Tax Capital	Trail & Drainage Improvements		155,000		
4470.9470.5806.00	Sales Tax Capital	Trail/Park Land Acquisition/Development		500,000		
4470.9470.5808.00	Sales Tax Capital	Water System Master Plan Study			20,000	Project Contingency - Resolution 120-02 (8/6/2002)
4470.9470.5315.00	Sales Tax Capital	Web Site Design & Construction		4,728		
4470.9470.5806.00	Sales Tax Capital	Wilson Park Improvements		5,576		
4470.9470.5806.00	Sales Tax Capital	Wilson Pool Improvements		217		
			0	10,582,639	310,143	

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Proposed Rollforwards		City Council Approved Contingency / Obligated	Justification
			Operational	Capital		
4480.9480.5815.00	Wastewater Project	15th Street Sewer Transmission Line Repl	0	4,000,000		
4480.9480.5815.00	Wastewater Project	Lift Station 21 - Force Main Repl/Lining	0	9,200,000		
			0	13,200,000	0	
5400.1810.5210.00	Billing and Collections	Furniture And Equipment		73,000		Proposed renovation and relocation of division
5400.1810.5305.00	Billing and Collections	Postage	15,000			To cover postal increases and/or mass mailings
5400.1820.5103.00	Water & Sewer Services	Overtime	14,600			To maintain work schedules due to weather delays or staffing being called to active duty
5400.1820.5210.00	Water & Sewer Services	Equipment for new facility		44,000		New office equipment, furniture, and computers for the new building
5400.1820.5307.00	Water & Sewer Services	Increase in Audit costs	10,590			Increase due to change in cost allocation
5400.1820.5308.00	Water & Sewer Services	Lease Cost for trailer during construction	1,000			Vacation of office due to remodeling
5400.1820.5310.01	Water & Sewer Services	Telephone Lines Relocation/construct	1,500			Temporary relocation during remodeling
5400.1820.5311.01	Water & Sewer Services	Insurance-Self	2,500			Possible claim of a plumbing bill & repairs to vehicle that hit a sign post
5400.1820.5314.00	Water & Sewer Services	Water & Sewer Rate/Operations Study		38		
5400.1820.5314.00	Water & Sewer Services	Supplemental Oper. Rate Study		33,800		Supplemental operation rate study
5400.1820.5400.00	Water & Sewer Services	Temporary Shelving - construction	600			Temporary shelving during remodeling
5400.1820.5402.00	Water & Sewer Services	Relocate equipment during construction	1,000			Relocation during remodeling
5400.1820.5811.00	Water & Sewer Services	Water Meters		372,926		
5400.1820.5890.00	Water & Sewer Services	Cash Register Replacement		8,197		
5400.1830.5100.00	Water & Sewer Services	Overtime	7,600			To maintain work schedules due to weather delays or staffing being called to active duty
5400.1830.5210.00	Water & Sewer Services	Meter testing equipment	85,000			To build a large meter testing station and to replace and/or add to existing equipment
5400.1830.5304.00	Water & Sewer Services	Four emp. to meter maintenance school	4,000			Sending four employees to meter maintenance school
5400.1830.5305.00	Water & Sewer Services	Postage	900			Mail outs to customers regarding testing backflow preventers on irrigation systems
5400.1830.5890.00	Water & Sewer Services	Backflow Prevention Assemblies		56,922		
5400.4000.5200.00	Water & Sewer Maint.	New water map books	5,500			Developing and printing of new water map books to replace books that are six years old
5400.4000.5209.00	Water & Sewer Maint.	ARCView & AutoCad Software	1,000			ARCView and AutoCAD for the new Assistant superintendent
5400.4000.5217.00	Water & Sewer Maint.	Two (2) new Gas Detectors	4,200			Originally ordered in 2002, due to vendor name error, PO could not be rolled
5400.4000.5304.00	Water & Sewer Maint.	Water & Sewer Licenses	6,500			Initial training for obtaining water & sewer licenses as directed in new federal regulations relating to sewer collection system maintenance.
5400.4000.5309.00	Water & Sewer Maint.	Lease Cost for winter/covered storage	12,000			To lease year round to save wear and tear on equipment
5400.4000.5310.00	Water & Sewer Maint.	Increase Costs	10,000			Increase in utility costs
5400.4000.5314.02	Water & Sewer Maint.	Winterize Benson Water Tank Design	10,000			Tank freezes in cold weather
5400.4000.5401.05	Water & Sewer Maint.	Sewer Camera Maintenance	5,000			Increased maintenance on old equipment due to replacement not occurring until 2004
5400.4000.5407.00	Water & Sewer Maint.	Small Equipment Maintenance	13,000			Backlog of repairs needed on pumps, pipe saws, generators, etc.

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Proposed Rollforwards		City Council Approved Contingency / Obligated	Justification
			Operational	Capital		
5400.4310.5308.03	Water & Sewer Maint.	Equipment Rental for projects	15,000			Trackhoes, boring machine anticipated for projects scheduled in 2003
5400.4410.5100.00	Water & Sewer Maint.	Equipment Rental for projects	5,000			Trackhoes, boring machine anticipated for projects scheduled in 2003
5400.5600.5314.00	Water & Sewer Capital	Water & Sewer Operations Center Building		19,888		
5400.5600.5804.00	Water & Sewer Capital	Water & Sewer Operations Center Building		1,966,814		
5400.5600.5808.00	Water & Sewer Capital	Garland Avenue - Water/Sewer Relocations			50,560	Project Contingency - Resolution 115-02 (7/16/2002)
5400.5600.5808.00	Water & Sewer Capital	36" Water Line Replacement & Protection		1,082,670		
5400.5600.5808.00	Water & Sewer Capital	White River Bridge 45 East Waterline		40,664	41,230	Project Contingency - Resolution 36-01 (3/20/2002)
5400.5600.5808.00	Water & Sewer Capital	East Ridgeway - Water Line Extension		272,468	37,244	Project Contingency - Resolution 9-02 (2/5/2002)
5400.5600.5808.00	Water & Sewer Capital	Hinkle Mobile Home Park-Water Line Repl		23,777	25,000	Project Contingency - Resolution 128-01 (9/18/2001)
5400.5600.5808.00	Water & Sewer Capital	North College Waterline - Maple to North		848,789		
5400.5600.5808.00	Water & Sewer Capital	Rodgers Drive Water Tank		217,784	29,573	Project Contingency - Resolution 196-02 (12/17/2002)
5400.5600.5808.00	Water & Sewer Capital	Water and Sewer Cost Sharing		291,679		
5400.5600.5808.00	Water & Sewer Capital	Lake Fayetteville Dam - Monitor Wells		30,718		
5400.5600.5808.00	Water & Sewer Capital	W & S Improvements - Defined By Study		105,951		
5400.5600.5808.00	Water & Sewer Capital	Waterline Replacement - Accelerated		1,223,052		
5400.5600.5808.00	Water & Sewer Capital	Gregg Ave Waterline Relocation		15,453		
5400.5600.5808.00	Water & Sewer Capital	Highway 265 - Water/Sewer Relocations		30,096		
5400.5600.5808.00	Water & Sewer Capital	Double Springs Bridge-Water Relocations		51,000		
5400.5620.5801.00	Water & Sewer Maint.	Equipment Trailer Purchase	7,400			Reduction of back injuries to employees
5400.5700.5301.00	Water & Sewer Capital	Wastewater Treatment Plant - Engineering		1,243		
5400.5700.5314.00	Water & Sewer Capital	Wastewater Treatment Plant - Engineering		494,925		
5400.5700.5315.00	Water & Sewer Capital	S.C.A.D.A. System Upgrade		2,589		
5400.5700.5815.00	Water & Sewer Capital	Sanitary Sewer Rehabilitation		1,083,649	130,883	Project Contingency - Resolution 87-99/25-01/104-02 (7/2/2002)
5400.5700.5815.00	Water & Sewer Capital	I-540 Sewer Rehabilitation		67,722		
5400.5800.5400.00	Wastewater Capital	W.W.T.P. Building Improvements		70,000		
5400.5800.5400.00	Wastewater Capital	Upgrade/Replace Lift Stations - W.W.T.P.		32,803		
5400.5800.5414.00	Wastewater Capital	Plant Pumps and Equipment - W.W.T.P.		123,417		
5400.5800.5801.00	Wastewater Capital	Ultraviolet Disinfection System		54,184		
5400.5800.5890.00	Wastewater Capital	Testing Equipment - W.W.T.P.		10,254		
5400.5800.5890.00	Wastewater Capital	Computer System Upgrades - W.W.T.P.		10,596		
5400.5800.5890.00	Wastewater Capital	Safety Equipment Improvements - W.W.T.P.		14,048		
			238,890	8,775,116	314,490	

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Proposed Rollforwards		City Council Approved Contingency / Obligated	Justification
			Operational	Capital		
5500.5000.5314.00	Solid Waste Capital	Solid Waste Rate Study		14,771		
5500.5020.5802.00	Solid Waste Capital	Solid Waste Expansion Vehicles		13,386		
5500.5020.5890.00	Solid Waste Capital	Residential Carts - Volume Based Program		14,119		
5500.5060.5802.00	Solid Waste Capital	Solid Waste Expansion Vehicles		47,245	432,681	Project Appropriation - Resolution 18-03 (2/4/2003)
5500.5060.5816.00	Solid Waste Capital	Dumpster Lease Program		37,759		
5500.5060.5870.00	Solid Waste Capital	Dumpster Lease Program		115,000		
5500.5060.5890.00	Solid Waste Capital	Roll-Off Containers		6,894		
5500.5070.5217.00	Solid Waste & Recycling	Safety Devices	1,000			Using safety gear will reduce Worker Comp claims
5500.5070.5816.00	Solid Waste Capital	Composting Pad Replacement		200,000		
5500.5070.5816.00	Solid Waste Capital	Composting Site Improvements		58,394		
			1,000	507,568	432,681	
5550.0955.6803.00	Airport Capital	Pavement Maintenance & Rehabilitation (Grants)			(6,182)	
5550.0955.6803.00	Airport Capital	East Taxiway & Hangar Apron Extensions (Grants)		(5,837)		
5550.0955.6805.00	Airport Capital	Professional Services - Airport (State Grants)		(169,600)		
5550.0955.6805.00	Airport Capital	Hangar Rehabilitation (State Grants)		(100,000)		
5550.0955.6820.29	Airport Capital	Pavement Maintenance & Rehabilitation (Grants)			(111,272)	Project Contingency - Resolution 123-01 (9/4/2001)
5550.0955.6820.30	Airport Capital	East Taxiway & Hangar Apron Extensions (Grants)		(105,057)		
5550.3940.5314.00	Airport	Survey Analysis & Presentation	475			Not received in 2002 as planned
5550.3940.5400.00	Airport	Maintenance Agreement On HVAC	699			Remainder of HVAC preventive maintenance contract
5550.3960.5314.00	Airport Capital	Professional Services - Airport		97,100		
5550.3960.5315.00	Airport Capital	Professional Services - Airport		114,121		
5550.3960.5400.00	Airport Capital	Hangar Rehabilitation		48,207		
5550.3960.5804.00	Airport Capital	South Hangar Apron Complex		8,435		
5550.3960.5804.00	Airport Capital	FBO Hangar			52,904	Project Contingency - Resolution 162-02 (10/15/2002)
5550.3960.7820.29	Airport Capital	Pavement Maintenance & Rehabilitation			123,636	Project Contingency - Resolution 123-01 (9/4/2001)
5550.3960.7820.30	Airport Capital	East Taxiway & Hangar Apron Extensions		116,730		
			1,174	4,099	59,086	
5600.9600.5307.00	Town Center Fund	Audit Expense Increase	1,200			Increase due to change in cost allocation
			1,200	0	0	

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Proposed Rollforwards Operational	Proposed Rollforwards Capital	City Council Approved Contingency / Obligated	Justification
9700.1910.5200.00	Fleet Operations	Office Supplies And Printing	1,300			Extra expenses related to conversion to a computerized work order system
9700.1910.5202.00	Fleet Operations	Shop Supplies	2,000			For additional units purchased
9700.1910.5203.00	Fleet Operations	Cleaning Supplies/Wash Bay Soap	7,000			Soap for wash bay/cleaning supplies due to 7 new garbage trucks and 5 recycling trucks
9700.1910.5212.00	Fleet Operations	Signs/Price increase in bids	2,000			Bid price was increased from 2002
9700.1910.5214.01	Fleet Operations	Tires	10,000			Increased cost
9700.1910.5217.00	Fleet Operations	Safety Devices for new mechanics	1,000			Increased cost for additional mechanics
9700.1910.5315.00	Fleet Operations	Contract Services	115,000			Increased cost
9700.1920.5801.00	Fleet Capital	Fleet Operations Maintenance System		70,659		
9700.1920.5802.00	Fleet Capital	Fire Vehicles/Equipment - Replacement		62,926		
9700.1920.5802.00	Fleet Capital	Fleet - Medium/Heavy Utility Vehicles		87,121		
9700.1920.5802.00	Fleet Capital	Fleet - Back Hoe/Loaders		138,605		
9700.1920.5802.00	Fleet Capital	Fleet - Other Vehicles/Equipment		290,145		
9700.1920.5802.00	Fleet Capital	Fleet - Tractor/Mower		293,532		
9700.1920.5802.00	Fleet Capital	Fleet - Light/Medium Utility Vehicles		366,408		
9700.1920.5802.00	Fleet Capital	Fleet - Police/Passenger Vehicles		472,160		
9700.1920.5804.00	Fleet Capital	Wash Bay & Covered Storage Improvements		40,090		
9700.1920.5890.00	Fleet Capital	Fuel Storage Improvements - Replacement		16,913		
			138,300	1,838,559	0	
			$ 886,764	$ 37,185,187	$ 1,876,955	
		Total - Operational & Capital	$ 38,071,951			
		Total - Operational, Capital & Obligated	$ 39,948,906			

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

TO: Mayor Dan Coody and Fayetteville City Council

THRU: Hugh Earnest, Chief Administrative Officer
Stephen Davis, Finance & Internal Services Director

FROM: Kevin Springer, Budget Manager

DATE: February 19, 2003

SUBJECT: **2002 Re-budget Request**

Background

After the close of the previous budget year, the City routinely approves re-appropriation of on-going capital projects and re-appropriation of some operational funding that was not committed during the prior budget year.

Discussion

This re-budget request retains project funding for identified and scheduled capital improvements or adds operational funding for the current fiscal year. The operational funding proposal adds funding to the 2003 appropriation to provide funds for staff to complete/accomplish work items originally scheduled for 2002 that could not be completed in 2002. The re-budget request does, in some cases, add funding to the 2003 appropriation to pay for un-expected cost increases.

Please find attached a schedule of operating and capital amounts by fund which were included in the 2002 Budget but did not incur a financial obligation during the 2002 fiscal year. The 2002 estimated unreserved fund balance/retained earnings for the respective funds reflect the cost of the requested re-budgets. Therefore, approval for these items to be made part of the 2003 appropriation, will not impact the City's budgeted financial position.

The re-budget of prior year's appropriated projects and items is a normal operating procedure and is generally for one-time expenses. Approval of this request will allow the 2003 Budget to be increased to reflect the attached information. Several of the requested re-budgets include revenue offset in the form of grant revenues. During City Council review of the 2003 General Fund operating budget approximately $403,000 in on-going expenses were removed from the requested budget submissions.

An analysis by Staff, when comparing the re-budget amounts for operational needs in General Fund over the past four years indicate that the operational funds removed during the 2003 Budget hearings has remained out. The most notable exception is the funding request for Workers Compensation Insurance. This re-budget request proposes to add $45,000 to the appropriated 2003 amount. The

funding is necessary because the City has received the 2003 invoice for the Workers Compensation premium and needs the funds to fully pay the invoice. When the Workers Compensation Insurance premium budget was reduced, Staff noted that the funds might be needed if the cost is in excess of the budgeted amount.

The following criterion has been utilized to develop this re-budget proposal to City Council:

1. Funding for projects or work items that were planned for 2002 but that were postponed until 2003.

2. Materials and equipment necessary to address any issues/concerns that improve the safety of patrons/citizens.

3. Materials, equipment, and maintenance funding necessary to perform program functions.

4. Travel & Training and Publications & Dues funds for staff that need the funding to maintain registrations, skill set retention, quality of work, etc.

5. Materials and equipment needed to upgrade staff efficiency.

6. Restore funding for extra services and contracted services where the current funding level will present a hardship on existing staff to perform routine duties.

In General Fund, after 2002 financial activity, $1,231,622 remained to go back to fund balance. With the current re-budget request of $730,972, an additional $500,650 in funds will be used to replenish the General Fund balance. The final amount is subject to change with any year end payments and audit changes. A General Fund balance schedule is included with this memo.

Total requested re-budgets for all funds are $39,948,906 as reflected in the following worksheet. A summary of all re-budget requiring City Council action is described in the table below.

City Council Approval Requested (Unobligated Re-budget Request)

Funding Source		Amount
General	$	613,977
Street		19,186
Off Street Parking		368,009
Community Development - Grant Revenues		(523,389)
Community Development - Grant Expenses		523,389
Parks Development - Grant Revenues		(89,142)
Parks Development		758,855
Library Construction		1,872,626
Replacement		450
Sales Tax Construction - Grant Revenue		(214,203)
Sales Tax Construction		11,106,985
Wastewater Improvements Project		13,200,000
Water & Sewer		9,328,496
Solid Waste		941,249
Airport - Grant Revenue		(497,948)
Airport		562,307
Town Center		1,200
Shop		1,976,859
Total All Funds	$	39,948,906

In addition to the projects and items discussed above, $26,054,086 of projects and items were in progress at the end of the year. The unexpended budget on these financial obligations has been rolled-forward and incorporated into the 2003 budget. These items do not require additional action by Council because these items have either a contractual agreement or have been authorized by purchase order. For your information, a summary by funding source is included in the table below.

Contractually Obligated Rollforwards

Funding Source	Amount
General	$ 116,995
Street	2,493
Parks Development - Grant Revenues	(10,858)
Parks Development	287,839
Library Construction	15,738,300
Sales Tax Construction - Grant Revenue	(1,292,123)
Sales Tax Construction	6,898,820
Water & Sewer	1,450,207
Solid Waste	1,113,102
Airport - Grant Revenue	(957,501)
Airport	1,525,172
Municipal Judge Retirement	640
Shop	1,181,000
Total All Funds	$ 26,054,086

Recommendation

Staff recommends approval of the re-budget request.

If you have any questions concerning the attachment or the procedure, please feel free to contact the Budget & Research Division. Thank you.

City of Fayetteville, Arkansas - Budget Workpapers

- Summary History of Rebudgets (1999-2002)

Funding Source	1999	2000	2001	2002
Operational Amounts:				
General	177,423	491,202	931,587	490,074
Street	0	83,270	152,201	19,186
Off-Street Parking	0	0	42,835	18,645
Community Development Expense	638,821	989,197	567,263	523,389
Community Development (Grants)	(638,821)	(989,197)	(567,263)	(523,389)
Parks Development	0	0	2,381	0
Replacement	0	0	0	450
Water & Sewer	93,725	115,100	596,514	238,890
Solid Waste	0	0	81,618	1,000
Airport	34,000	43,000	42,872	1,174
Town Center	0	0	0	1,200
Shop	1,130	0	250,376	138,300
	306,278	732,572	2,100,384	908,919
Capital Amounts:				
General	72,048	532,373	20,000	123,903
Off-Street Parking	156,432	243,307	314,857	349,364
Parks Development	611,078	1,188,800	954,508	758,855
Parks Development (Grants)	0	0	0	(89,142)
Library Construction	0	0	0	1,872,626
Sales Tax Capital Improvements	9,143,759	13,815,733	11,318,596	11,106,985
Sales Tax Capital Improvements (Grants)	0	(1,260,000)	(1,561,235)	(214,203)
Wastewater Plant Expansion	0	0	0	13,200,000
Water & Sewer	5,383,424	2,842,431	5,351,130	9,089,606
Solid Waste	113,550	190,949	228,375	940,249
Airport	678,556	1,571,048	1,375,084	561,133
Airport (Grants)	(173,049)	(1,113,867)	(411,059)	(497,948)
Town Center	178,151	114,235	0	0
Shop	1,152,535	1,891,268	2,606,251	1,838,559
	17,316,484	20,016,277	20,196,507	39,039,987
	17,622,762	20,748,849	22,296,891	39,948,906

A detailed schedule of rollforwards with explanations will be handed out at the February 25th agenda session.

Budget
A. 2. Page 6

STAFF REVIEW FORM

Pulled off Consent moved to first meeting in March - March 4, 2003 (2-11-03 Des) tentative agenda

____ AGENDA REQUEST
____ CONTRACT REVIEW
____ GRANT REVIEW

Memo

For the Fayetteville City Council Meeting of: February 18, 2003

FROM:

Kevin Springer	Budget & Research	Finance & Internal Services
Name	Division	Department

ACTION REQUIRED:

City Council is requested to approve a budget adjustment which will allow for the rollforward and rebudget of all projects or items in progress which were appropriated in the 2002 Budget. The items which are approved will become part of the 2003 budget.

COST TO CITY:

See Attachment	See Attachment	See Attachment
Cost of this request	Category/Project Budget	Program Category / Project Name
See Attachment	See Attachment	See Attachment
Account Number	Funds Used to Date	Program / Project Category Name
See Attachment	See Attachment	See Attachment
Project Number	Remaining Balance	Fund Name

BUDGET REVIEW: ____ Budgeted Item X Budget Adjustment Attached

Budget Manager — 2-4-03 Date

Finance & Internal Svcs. Director — 2-6-03 Date

CONTRACT/GRANT/LEASE REVIEW:

Accounting Manager — 2/6/03 Date

Internal Auditor — 2/6/03 Date

City Attorney — 2/6/03 Date

ADA Coordinator — Date

Purchasing Manager — 2/6/03 Date

Grant Coordinator — Date

STAFF RECOMMENDATION: Staff recommends approval of the rollforward budget adjustment.

Division Head — 2-4-03 Date

Department Director — 2-6-03 Date

Administrative Services Director — 2-6-03 Date

Mayor — 2/6/03 Date

Cross Reference

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

Previous Ord/Res#: _____

Orig. Contract Date _____

Orig. Contract Number _____

Description 2003 Budget Rollforwards Meeting Date February 18, 2003

Comments:

Reference Comments:

Budget Manager

Accounting Manager

City Attorney

Purchasing Manager

ADA Coordinator

Internal Auditor

Grants Coordinator

RESOLUTION NO. _____

A RESOLUTION APPROVING A BUDGET ADJUSTMENT WHICH WILL ALLOW FOR THE ROLL-FORWARD TO THE CURRENT BUDGET OF ALL PROJECTS OR ITEMS IN PROGRESS WHICH WERE APPROPRIATED IN THE 2002 BUDGET.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby approves a Budget Adjustment which will allow for the roll-forward to the current budget of all projects or items in progress which were appropriated in the 2002 budget. A schedule of roll-forwards marked Exhibit "A" is attached hereto and made a part hereof

PASSED and **APPROVED** this 18th day of February, 2003.

APPROVED:

By: _____
DAN COODY, Mayor

ATTEST:

By: _____
SONDRA SMITH, City Clerk

DRAFT

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

TO: Mayor Dan Coody and Fayetteville City Council

THRU: Hugh Earnest, Chief Administrative Officer
Stephen Davis, Finance & Internal Services Director

FROM: Kevin Springer, Budget Manager

DATE: February 6, 2003

SUBJECT: **2002 Re-budget/Rollforward Request**

Please find attached a schedule of operating and capital amounts by fund which were included in the 2002 Budget but did not incur a financial obligation during the 2002 fiscal year. The 2002 estimated unreserved fund balance/retained earnings for the respective funds reflects the cost of the requested re-budget/rollforwards. Therefore, approval for these items to be made part of the 2003 appropriations, will not impact the City's budgeted financial position.

The rollforward/re-budget of prior year's appropriated projects and items is a normal operating procedure and is generally for one-time expenses. Approval of this request will allow the 2003 Budget to be increased to reflect the attached information. Several of the requested re-budget/rollforwards include a revenue offset in the form of grant revenues. This years' re-budget/rollforward process provides the City the opportunity to supplement funding removed during the 2003 Annual Budget review and approval process conducted in November/December 2002.

In order to more adequately match revenues and expenses for 2003, funding City-wide was reduced to meet 2003 budgeted revenues. City Council was advised that some of the funding would be requested to be replenished during the rollforward process. The current request before you replenishes some of the funding reduced in developing the 2003 Annual Budget. In addition to the 2003 reductions, other requests for re-budgets have been made to fund projected cost increases not anticipated as part of the 2003 Annual Budget.

The following criteria was utilized to develop this re-budget/rollforward proposal to City Council:

1. Funding for projects or work items that were planned for 2002 but that were postponed until 2003.

2. Materials and equipment necessary to address any issues/concerns that improve the safety of patrons/citizens.

3. Materials, equipment, and maintenance funding necessary to perform program functions.
4. Travel & Training and Publications & Dues funds for staff that need the funding to maintain registrations, skill set retention, quality of work, etc.
5. Materials and equipment needed to upgrade staff efficiency.
6. Restore funding for extra services and contracted services where the current funding level will present a hardship on existing staff to perform routine duties.

In General Fund, after 2002 financial activity, $1,231,622 was remaining to go back to fund balance. With the current rollforward/rebudget request of $730,972, an additional $500,650 in funds will be used to replenish the General Fund balance. The final amount is subject to change with any year end payments and audit changes. A General Fund balance schedule is included with this memo.

Total requested re-budgets/rollforwards for all funds are $66,002,992 as reflected in the following two tables. A summary of all re-budget/rollforwards requiring City Council action is described in the table below.

City Council Approval Requested (Unobligated Re-budget Rollforwards)

Funding Source		Amount
General	$	613,977
Street		19,186
Off Street Parking		368,009
Community Development - Grant Revenues		(523,389)
Community Development - Grant Expenses		523,389
Parks Development - Grant Revenues		(89,142)
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Solid Waste		941,249
Airport - Grant Revenue		(497,948)
Airport		562,307
Town Center		1,200
Shop		1,976,859
Total All Funds	$	39,948,906

In addition to the projects and items discussed above, $26,054,086 of projects and items were in progress at the end of the year. The unexpended budget on these financial obligations will also be rolled forward and become a part of the 2003 budget. These items do not require additional action by Council because these items have either a contractual agreement or have been authorized by purchase order. For your information, a summary by funding source is included in the table below.

Contractually Obligated Rollforwards

Funding Source	Amount
General	$ 116,995
Street	2,493
Parks Development - Grant Revenues	(10,858)
Parks Development	287,839
Library Construction	15,738,300
Sales Tax Construction - Grant Revenue	(1,292,123)
Sales Tax Construction	6,898,820
Water & Sewer	1,450,207
Solid Waste	1,113,102
Airport - Grant Revenue	(957,501)
Airport	1,525,172
Municipal Judge Retirement	640
Shop	1,181,000
Total All Funds	$ 26,054,086

Please note that the actual non-obligated ($39,948,906) and obligated ($26,054,086) amounts to be rolled forward may be less than what is requested in this memo. The actual amounts will not be determined until all of the December 2002 expenses are processed. Once a final listing has been made, it will be submitted to the Mayor for approval before the appropriation is implemented. This submitted request is to prevent any time delays in City operations and projects that would occur if prior year funding was not re-appropriated.

If you have any questions concerning the attachment or the procedure, please feel free to contact the Budget & Research Division. Thank you.

City of Fayetteville, Arkansas
General Fund

	Actual 2001	Budgeted 2002	Actual 2002 Subject to Audit	Budgeted 2003
Beginning Fund Balance	$ 10,274,934	$ 9,697,723	$ 9,697,723	$ 8,578,925
Resources				
Revenues:				
Sales Tax - County	8,353,312	8,325,000	8,617,527	8,857,000
Alcoholic Beverage Taxes	289,521	290,000	316,162	290,000
Franchise Fees	3,335,148	3,228,500	3,031,433	3,619,900
Licenses & Permits	755,604	821,000	842,666	969,000
Intergovernmental	1,558,970	1,713,217	1,715,692	1,386,000
Charges for Services	1,080,418	1,197,500	1,185,073	1,095,700
Fines & Forfeitures	1,247,063	1,171,000	1,253,452	1,405,000
Investment Earnings	504,808	422,000	316,342	214,000
Other	141,265	787,693	914,247	118,000
Total Revenue	17,266,109	17,955,910	18,192,594	17,954,600
Operating Transfers In:				
Off Street Parking	39,105	34,000	48,404	43,000
Community Development Block Grant	28,194	23,540	23,540	0
Sales Tax - City	2,983,968	2,841,000	2,841,004	4,557,000
Total Transfers In	3,051,267	2,898,540	2,912,948	4,600,000
Total Resources	20,317,376	20,854,450	21,105,542	22,554,600
Uses				
Expenditures:				
General Government	3,637,055	4,481,591	3,759,439	5,117,914
Cost Reimbursements	(2,420,448)	(2,541,468)	(2,541,468)	(2,235,786)
Community Planning & Engineering Services	2,156,131	2,452,980	2,207,887	2,263,615
Operations	2,311,013	2,467,965	2,236,822	2,512,300
Finance & Internal Services	2,840,195	3,382,193	3,157,557	2,904,717
Police	7,395,163	8,224,854	7,902,043	8,244,551
Fire	4,480,675	4,936,349	4,918,911	4,977,285
Water & Wastewater	140,800	146,030	132,493	150,632
Total Expenditures	20,540,584	23,550,494	21,773,684	23,935,228
Operating Transfers Out:				
Arts Center Bond Fund	319,200	282,640	403,228	407,115
Drug Law Enforcement Fund	34,803	53,000	47,428	69,886
Replacement Fund	0	16,800	0	0
Total Operating Transfers Out	354,003	352,440	450,656	477,001
Total Uses	20,894,587	23,902,934	22,224,340	24,412,229
Net Resources (Uses)	(577,211)	(3,048,484)	(1,118,798)	(1,857,629)
Ending Fund Balance	$ 9,697,723	$ 6,649,239	$ 8,578,925	$ 6,721,296
2003 Approved Ending Fund Balance				5,489,674
Funds Available for Rollforwards				1,231,622
2002 Amount of Rollforwards				730,972
		Surplus Funds Added to Fund Balance		$ 500,650

City of Fayetteville, Arkansas
Rollforward Workpapers - Four Year Comparison of Roll Forwards

	1999 to 2000	2000 to 2001	2001 to 2002	2002 to 2003
Rebudgeted Amounts	$ 17,622,762	$ 20,748,849	$ 22,296,891	$ 39,948,906
Rollforwarded Amounts	15,229,199	7,518,254	5,063,707	26,054,086
Total Rebudgets/Rollfowards	$ 32,851,961	$ 28,267,103	$ 27,360,598	$ 66,002,992

Less - Major One Time Capital Projects:

New Central Library	$ (17,610,926)
Wastewater Treatment Plant Expansion	(13,200,000)
	(30,810,926)
Revised Rollforward/Rebudget Amounts for 2003	$ 35,192,066

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
1010.0001.4309.00	Police	Federal Grants - Vests	$ (23,500)	$ 0	(23,500
1010.0210.5200.00	City Attorney	Office Supplies	1,075	0	1,075
1010.0210.5209.00	City Attorney	Computer Law Program Software	250	0	250
1010.0210.5210.00	City Attorney	Minor Equipment	998	0	998
1010.0210.5304.00	City Attorney	Travel & Training	3,500	0	3,500
1010.0210.5314.00	City Attorney	Professional Services	2,834	0	2,834
1010.0210.5314.01	City Attorney	Outside Attorney	4,650	0	4,650
1010.0210.5416.00	City Attorney	Software Maintenance	500	0	500
1010.0350.5209.00	Hot Check	Software	11,200	0	11,200
1010.0350.5416.00	Hot Check	Software Maintenance	645	0	645
1010.0600.5200.00	Cable Administration	Special Tapes	306	0	306
1010.0600.5200.00	Cable Administration	DVDs for conversion from tape	3,300	0	3,300
1010.0600.5200.00	Cable Administration	Bulbs, Asst per List	0	114	114
1010.0600.5314.00	Cable Administration	Contract to Evaluate Cox Comm	0	6,400	6,400
1010.0600.5405.00	Cable Administration	System Reconfiguration by Engineers	3,600	0	3,600
1010.1210.5111.00	Human Resources	Worker's Compensation	45,000	0	45,000
1010.1210.5301.00	Human Resources	Public Notification	8,000	0	8,000
1010.1210.5315.00	Human Resources	Benefit Valuation & Other Serv	0	7,151	7,151
1010.1310.5200.00	Accounting & Audit	Office Supplies	1,500	0	1,500
1010.1310.5209.00	Accounting & Audit	Crystal Reporting Software	1,000	0	1,000
1010.1310.5210.00	Accounting & Audit	Laser Printer/Calculators	1,200	0	1,200
1010.1310.5301.00	Accounting & Audit	Publication Of The Financials	1,700	0	1,700
1010.1310.5304.00	Accounting & Audit	GASB 34 Training	2,900	0	2,900
1010.1310.5304.30	Accounting & Audit	Education Reimbursement	2,200	0	2,200
1010.1310.5307.00	Accounting & Audit	Unexpected Audit Costs	850	0	850
1010.1310.5401.00	Accounting & Audit	Office Machine Maintenance	160	0	160
1010.1330.5210.00	Budget & Research	Camera (CIP Development)	500	0	500
1010.1330.5304.00	Budget & Research	Travel & Training (Costing Services)	2,500	0	2,500
1010.1330.5315.00	Budget & Research	Contract Services for User Fee Study	25,000	0	25,000
1010.1360.5209.00	Internal Audit	Software	400	0	400
1010.1360.5210.00	Internal Audit	Minor Equipment	890	0	890
1010.1360.5303.00	Internal Audit	Publications & Dues	400	0	400
1010.1360.5304.00	Internal Audit	GFOA 2003 Conference Attendance	1,707	0	1,707
1010.1360.5314.00	Internal Audit	Risk Assessment Analysis	15,000	0	15,000

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
1010.1380.5209.00	Utilities Mgt. - Telecom.	Software for Managing Structure Cable	1,000	0	1,000
1010.1380.5210.00	Utilities Mgt. - Telecom.	Minor Equipment for cabling	3,000	0	3,000
1010.1380.5304.00	Utilities Mgt. - Telecom.	Travel And Training	3,000	0	3,000
1010.1380.5315.00	Utilities Mgt. - Telecom.	Contract Services	5,000	0	5,000
1010.1380.5801.00	Utilities Mgt. - Telecom.	Add-on module for existing dictaphone	16,000	0	16,000
1010.1410.5400.00	Building Services	Railing, for City Hall	0	103	103
1010.1410.5400.00	Building Services	Materials, for Exercise Room	0	163	163
1010.1410.5400.00	Building Services	Replace Shower Tile in Exercise	0	541	5[redacted]
1010.1510.5200.00	City Clerk	Binders & Printing of Ordinances Code	3,000	0	3,000
1010.1510.5210.00	City Clerk	CD Writer & Printers	3,000	0	3,000
1010.1510.5313.00	City Clerk	Tab Sheets/Binders Code of Ordinances	4,729	0	4,729
1010.2010.5200.01	District Court	Copier lease	750	0	750
1010.2020.5304.00	District Court	Travel And Training	464	0	464
1010.2030.5210.00	District Court	Minor Equipment	294	0	294
1010.2600.5103.00	Central Dispatch	Overtime for shift coverage	12,191	0	12,191
1010.2600.5105.00	Central Dispatch	FICA for above overtime	939	0	939
1010.2600.5303.00	Central Dispatch	City Directory	230	0	230
1010.2600.5304.00	Central Dispatch	Training	8,731	0	8,731
1010.2600.5402.00	Central Dispatch	Radio Maintenance - Motorola	15,249	0	15,249
1010.2710.5315.00	Animal Services	Services Pertaining To An Emergency	200	0	200
1010.2710.5402.00	Animal Services	Radio Repairs	300	0	300
1010.2720.5200.00	Animal Services	Office Supplies And Printing	140	0	140
1010.2720.5200.00	Animal Services	City Tags, (2,000)	0	108	108
1010.2720.5204.00	Animal Services	Chemicals	300	0	3[redacted]
1010.2720.5205.00	Animal Services	Dog Food and Supplies	500	0	500
1010.2720.5303.00	Animal Services	Dues To Welfare Organizations	320	0	320
1010.2720.5310.00	Animal Services	Increase In Utilities	2,000	0	2,000
1010.2720.5314.00	Animal Services	Professional Services	105	0	105
1010.2720.5400.00	Animal Services	Incinerator repairs	5,600	0	5,600
1010.2720.5400.00	Animal Services	Rebuild Incinerator Fire Box	0	6,250	6,250
1010.2730.5200.00	Animal Services	Literature for Spay/Neuter Program	600	0	600
1010.2730.5200.00	Animal Services	Office Supplies, per List	0	22	22
1010.2730.5200.03	Animal Services	Veterinarian Supplies	23,200	0	23,200
1010.2730.5200.03	Animal Services	Vaccines & Heartworm Tests	0	626	626

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
1010.2730.5204.00	Animal Services	Euthanasia Chemicals	2,600	0	2,600
1010.2730.5204.00	Animal Services	Kennel Sol (5gal)	0	1,102	1,102
1010.2730.5210.00	Animal Services	Additional Equipment	8,500	0	8,500
1010.2730.5210.00	Animal Services	Computer Software for Animal	0	9,017	9,017
1010.2730.5302.00	Animal Services	Uniforms	1,000	0	1,000
1010.2730.5302.00	Animal Services	Printing, Logo & Name Imprint	0	163	163
1010.2730.5303.00	Animal Services	Publications And Dues	550	0	550
1010.2730.5315.00	Animal Services	Contract Vet Services	2,720	0	2,720
1010.2730.5407.00	Animal Services	Maintenance On Medical Equipment	490	0	490
1010.2900.5200.04	Police	Suicide Smocks	412	0	412
1010.2900.5203.00	Police	Cleaning Supplies	500	0	500
1010.2900.5209.00	Police	Software Upgrades	9,000	0	9,000
1010.2900.5210.00	Police	Office furniture/new position	550	0	550
1010.2900.5210.00	Police	Prisoner lockers	1,100	0	1,100
1010.2900.5210.00	Police	Jail Restraint Chair	1,405	0	1,405
1010.2900.5210.00	Police	Typewriters/Mattress Rack for Jail	1,500	0	1,500
1010.2900.5210.00	Police	Chairs, Calculators, Transcription equip	2,500	0	2,500
1010.2900.5210.00	Police	Four Personal Digital Assistants (PDA)	3,000	0	3,000
1010.2900.5210.00	Police	Washer And Dryer Replacement	3,445	0	3,445
1010.2900.5210.00	Police	Servers And CPUs	9,000	0	9,000
1010.2900.5301.00	Police	Two Auctions	300	0	300
1010.2900.5304.00	Police	Educational Assistance	2,000	0	2,000
1010.2900.5304.00	Police	2 Asst. Chiefs to Intl. COP Conference	4,000	0	4,000
1010.2900.5304.00	Police	Travel and Training for IT staff	6,000	0	6,000
1010.2900.5400.00	Police	Counter Top And Carpet Replacement	800	0	800
1010.2900.5400.00	Police	Paint For Jail Cells	1,000	0	1,000
1010.2900.5400.00	Police	Carpet Tiles, to Finish	0	1,875	1,875
1010.2940.5209.00	Police	Forensic & Accident Scene Software	1,700	0	1,700
1010.2940.5209.00	Police	Century Ident. Software/Block Grant	4,020	0	4,020
1010.2940.5210.00	Police	E-Z shelter for ERT	250	0	250
1010.2940.5210.00	Police	Leg Restraints	400	0	400
1010.2940.5210.00	Police	Equip. for Accident Investigators	500	0	500
1010.2940.5210.00	Police	Ice maker	1,160	0	1,160
1010.2940.5210.00	Police	Radio batteries/chairs	3,000	0	3,000

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
1010.2940.5210.00	Police	Four (4) Cannondale Bicycles	3,800	0	3,800
1010.2940.5210.00	Police	Detective/Crime Scene Equipment	4,100	0	4,100
1010.2940.5210.00	Police	Projector, PC, printer/Block Grant	8,900	0	8,900
1010.2940.5210.00	Police	Lash Headset LSH2357DP-MS	0	1,315	1,315
1010.2940.5302.00	Police	Bicycle patrol equipment	2,175	0	2,175
1010.2940.5302.00	Police	ERT equipment	8,825	0	8,825
1010.2940.5302.00	Police	Vests-9,000 grant/9,000 city	18,000	0	18,000
1010.2940.5302.00	Police	Badge, BC2068 No# Pin & Clip T	0	180	18[redacted]
1010.2940.5302.00	Police	Badge, BC2068 No#, Pin Type	0	1,024	1,024
1010.2940.5302.00	Police	Xtreme XS Soft Body Armor and	0	2,682	2,682
1010.2940.5401.00	Police	Laptop repairs	3,000	0	3,000
1010.2940.5402.00	Police	Radio Maintenance - Motorola	5,984	0	5,984
1010.3010.5210.00	Fire	Minor Equipment	355	0	355
1010.3020.5200.00	Fire	Office Supplies And Printing	1,700	0	1,700
1010.3020.5209.00	Fire	Software	857	0	857
1010.3020.5302.00	Fire	To change to Quartermaster System	6,788	0	6,788
1010.3020.5310.01	Fire	Office Systems Upgrade	1,600	0	1,600
1010.3020.5407.00	Fire	Small Equipment Maintenance	1,400	0	1,400
1010.5210.5217.00	Parks & Recreation	Rescue Tubes	0	455	455
1010.5210.5400.00	Parks & Recreation	Cement Lip Replacement for Pool	12,000	0	12,000
1010.5210.5400.00	Parks & Recreation	Repairs, Wilson Swimming Pool	0	10,567	10,567
1010.5220.5102.00	Parks & Recreation	Work Study	1,200	0	1,200
1010.5220.5200.00	Parks & Recreation	Materials for Coaches Program	1,600	0	1,600
1010.5220.5200.00	Parks & Recreation	Spring Soccer Postcards	0	71	71
1010.5220.5200.05	Parks & Recreation	Replace/Repair Old Soccer Equipment	400	0	40[redacted]
1010.5220.5200.05	Parks & Recreation	Chest Protectors For Youth	0	1,021	1,021
1010.5220.5200.05	Parks & Recreation	Soccer Uniforms, Bid # 02-27	0	7,493	7,493
1010.5220.5209.00	Parks & Recreation	Autocad for Park Planner	3,500	0	3,500
1010.5220.5310.00	Parks & Recreation	New Lighting-Lake Fay & White River	3,500	0	3,500
1010.5220.5311.01	Parks & Recreation	Secondary Insurance	4,600	0	4,600
1010.5220.5315.00	Parks & Recreation	Guest Speakers For Coaches	1,000	0	1,000
1010.5220.5315.00	Parks & Recreation	Volunteers Appreciation	2,000	0	2,000
1010.5220.5801.00	Parks & Recreation	Printer, Laser Jet HP8550DN Co	0	5,410	5,410
1010.5260.5210.00	Parks & Recreation	Time Clock	500	0	500

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
1010.5260.5303.00	Parks & Recreation	Park Planner Dues	535	0	535
1010.5260.5304.00	Parks & Recreation	Park Planner/Licenses	7,650	0	7,650
1010.5260.5331.00	Parks & Recreation	Square Garden Vehicle	1,236	0	1,236
1010.5260.5331.01	Parks & Recreation	Square Garden Vehicle	937	0	937
1010.5260.5331.02	Parks & Recreation	Square Garden Vehicle	1,056	0	1,056
1010.5260.5400.00	Parks & Recreation	Renovation Kiosk Square Garden	600	0	600
1010.5260.5400.00	Parks & Recreation	Repair Brick Flower Beds-Sq. Garden	9,000	0	9,000
1010.5260.5400.00	Parks & Recreation	Supplies, Misc	0	701	701
1010.5260.5402.00	Parks & Recreation	Radio Maintenance - Motorola	922	0	922
1010.5300.5100.00	Utilities Mgt. - Parking	Deck Custodian-Town Center Parking	4,445	0	4,445
1010.5300.5105.00	Utilities Mgt. - Parking	Deck Custodian-Town Center Parking	342	0	342
1010.5300.5304.00	Utilities Mgt. - Parking	Parking Conference for Parking Coor.	2,000	0	2,000
1010.6220.5200.00	Engineering	Office Supplies & Printing/Shared Copier	2,500	0	2,500
1010.6220.5209.00	Engineering	Drainage Software	13,381	0	13,381
1010.6220.5304.00	Engineering	Travel And Training	9,200	0	9,200
1010.6230.5314.00	Engineering	Professional Services for ROW Acquis.	6,879	0	6,879
1010.6240.5210.00	Engineering	Chair, Office Globel Posturete	0	358	358
1010.6300.5200.00	Planning	Uniform Setup for new office	3,386	0	3,386
1010.6300.5210.00	Planning	Misc. Equipment for new office	2,063	0	2,063
1010.6300.5210.00	Planning	New Office Maintenance Needs	5,782	0	5,782
1010.6300.5301.00	Planning	Public Notification	3,315	0	3,315
1010.6300.5303.00	Planning	For NWARPC dues	15,531	0	15,531
1010.6300.5314.00	Planning	Training And NWARPC Dues	1,351	0	1,351
1010.6300.5400.00	Planning	New Office Maintenance Needs	220	0	220
1010.6400.5200.00	Building Safety	Office Supplies And Printing of Mailings	850	0	850
1010.6400.5210.00	Building Safety	Minor Equipment due to relocation	2,100	0	2,100
1010.6400.5304.00	Building Safety	Recertifications & Hansen	5,500	0	5,500
1010.6400.5801.00	Building Safety	Automated Field Inspection System	19,700	0	19,700
1010.6420.5315.00	Community Resources	Removal and Cleanup Work	12,000	0	12,000
1010.6600.5314.00	Miscellaneous	Research & High Tech Park	79,203	26,724	105,927
1010.6600.5314.00	Miscellaneous	Sales Tax Study	0	9,576	9,576
1010.6600.5314.00	Miscellaneous	Leadership & Strategic	0	15,100	15,100
1010.6600.5410.00	Miscellaneous	Maint Contract Mt Sequoyah	0	683	683
			613,977	116,995	730,972

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
2100.4100.5302.00	Transportation - Street	Uniforms / Personal Equipment	1,718	0	1,718
2100.4100.5302.00	Transportation - Street	Winter Wear per List	0	1,862	1,862
2100.4100.5315.00	Transportation - Street	Benefit Valuation & Other Serv	0	631	631
2100.4100.5402.00	Transportation - Street	Radio Maintenance - Motorola	838	0	838
2100.4100.5723.00	Transportation - Street	Ozark Regional Transit	5,117	0	5,117
2100.4100.5728.00	Transportation - Street	Razorback Transit	5,000	0	5,000
2100.5530.5209.00	Transportation - Sidewalks	Software for replacement PC	500	0	500
2100.5530.5210.00	Transportation - Sidewalks	Small Equipment	3,323	0	3,323
2100.5530.5302.00	Transportation - Sidewalks	Rain gear	628	0	628
2100.5530.5311.01	Transportation - Sidewalks	Emergency Funds	500	0	500
2100.5530.5407.00	Transportation - Sidewalks	Small Equipment Maintenance	1,562	0	1,562
			19,186	2,493	21,679
2130.9130.5209.00	Utilities Mgt. - Off Street	Upgrade Parking Enf. Software	2,300	0	2,300
2130.9130.5314.00	Utilities Mgt. - Off Street	Parking Garage(s)	30,000	0	30,000
2130.9130.5315.00	Utilities Mgt. - Off Street	Downtown Parking Master Plan	35,772	0	35,772
2130.9130.5315.00	Utilities Mgt. - Off Street	Cleanups and ice removal	2,500	0	2,500
2130.9130.5343.00	Utilities Mgt. - Off Street	Deck Operation Expenses	10,000	0	10,000
2130.9130.5400.00	Utilities Mgt. - Off Street	Parking Lots And Storage Facilities	2,500	0	2,500
2130.9130.5411.00	Utilities Mgt. - Off Street	Parking Deck Rehabilitation	170,454	0	170,454
2130.9130.5416.00	Utilities Mgt. - Off Street	Software Maintenance	1,345	0	1,345
2130.9130.5819.00	Utilities Mgt. - Off Street	Parking Lot Overlays	81,000	0	81,000
2130.9130.5890.00	Utilities Mgt. - Off Street	Parking Deck Automation Equipment	7,631	0	7,631
2130.9130.5890.00	Utilities Mgt. - Off Street	Gated Parking Conversion	24,507	0	24,507
			368,009	0	368,009

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
2180.0918.4320.00	Community Resources	CDBG Grant Funding	(523,389)	0	(523,389)
2180.4930.5200.00	Community Resources	Office supplies	1,525	0	1,525
2180.4930.5304.00	Community Resources	Travel & Training	2,030	0	2,030
2180.4930.5320.01	Community Resources	Bank Charges	150	0	150
2180.4940.5200.00	Community Resources	Office supplies	2,500	0	2,500
2180.4940.5301.00	Community Resources	Public Notification	600	0	600
2180.4940.5304.00	Community Resources	Travel & Training	1,000	0	1,000
2180.4940.5315.00	Community Resources	Contract Services	103,006	0	103,006
2180.4940.5390.32	Community Resources	SFCDC Home	24,100	0	24,100
2180.4940.5390.35	Community Resources	LBP Hazard	5,465	0	5,465
2180.4970.5315.01	Community Resources	Aging Transportation	2,877	0	2,877
2180.4990.5390.24	Community Resources	SE Comm Center	58,224	0	58,224
2180.4990.5390.27	Community Resources	DomViolence Shelter	195,488	0	195,488
2180.4990.5390.30	Community Resources	Sage House	100,769	0	100,769
2180.4990.5390.37	Community Resources	Walker Playground Equip	25,655	0	25,655
			0	0	0
2250.0925.4302.00	Parks & Recreation	Skate Park (State Grants)	(89,142)	(10,858)	(100,000)
2250.9250.5308.03	Parks & Recreation	Lights of the Ozarks	0	4,780	4,780
2250.9250.5314.00	Parks & Recreation	Skate Park	0	1,000	1,000
2250.9250.5314.00	Parks & Recreation	Tennis/Basketball Surface Renovation	20,431	8,151	28,582
2250.9250.5315.00	Parks & Recreation	Lights of the Ozarks	45,942	0	45,942
2250.9250.5315.00	Parks & Recreation	Lake Fay Softball Complex Improvements	0	1,433	1,433
2250.9250.5315.00	Parks & Recreation	Benefit Valuation & Other Serv	0	235	235
2250.9250.5400.00	Parks & Recreation	Lake Fay Softball Complex Improvements	15,680	0	15,680
2250.9250.5415.00	Parks & Recreation	Landscape Maint Items per List	0	445	445
2250.9250.5804.00	Parks & Recreation	Walker Park Senior Complex	91,000	0	91,000
2250.9250.5805.00	Parks & Recreation	Trail/Park Land Acquisition/Development	39,000	0	39,000
2250.9250.5806.00	Parks & Recreation	Wilson Park Improvements	937	0	937
2250.9250.5806.00	Parks & Recreation	Bundrick Park Development	1,842	0	1,842
2250.9250.5806.00	Parks & Recreation	Red Oak Park Development	3,370	0	3,370
2250.9250.5806.00	Parks & Recreation	White River Baseball Complex Improvement	4,686	0	4,686
2250.9250.5806.00	Parks & Recreation	Park Beautifications	36,714	0	36,714

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
2250.9250.5806.00	Parks & Recreation	Community Park Development	76,173	0	76,173
2250.9250.5806.00	Parks & Recreation	Lake Fayetteville/Sequoyah Improvements	218,595	0	218,595
2250.9250.5806.00	Parks & Recreation	Skate Park	89,142	70,795	159,937
2250.9250.5806.00	Parks & Recreation	Lake Fay Softball Complex Improvements	23,087	201,000	224,087
2250.9250.5814.00	Parks & Recreation	Lake Fayetteville Trails	73,146	0	73,146
2250.9250.5819.00	Parks & Recreation	Gary Hampton Softball Complex	11,468	0	11,468
2250.9250.5890.00	Parks & Recreation	Red Oak Park Development	7,642	0	7,642
			669,713	276,981	946,69
4150.9150.5314.03	Library Construction	New Central Library Building	19	370,995	371,014
4150.9150.5804.00	Library Construction	New Central Library Building	1,865,502	15,367,305	17,232,807
4150.9150.5805.00	Library Construction	New Central Library Building	7,105	0	7,105
			1,872,626	15,738,300	17,610,926
4270.9270.5307.00	Replacement Fund	Audit Expense Increase	450	0	450
			450	0	450
4470.9470.5801.00	Sales Tax Capital	Automated Citizen Information System	1,596	7,981	9,577
4470.9470.5801.00	Sales Tax Capital	Automated Field Inspection System	77,000	0	77,000
4470.9470.5817.00	Sales Tax Capital	Betty Jo Drainage Improvements	271,883	0	271,883
4470.9470.5804.00	Sales Tax Capital	Blue Building Renovation - Rock Street	2,760	0	2,76
4470.9470.5801.00	Sales Tax Capital	Budgeting & Planning Software System	150,000	0	150,000
4470.9470.5400.00	Sales Tax Capital	Building Improvements	501,948	0	501,948
4470.9470.5400.00	Sales Tax Capital	Building Improvements - Leased Buildings	7,417	0	7,417
4470.9470.5314.03	Sales Tax Capital	City Administration Building Renovation	0	3,867	3,867
4470.9470.5801.00	Sales Tax Capital	City Shop/Public Works Facility Security	75,000	0	75,000
4470.9470.5809.00	Sales Tax Capital	Cleveland Street Improvements	111,972	1,042,698	1,154,670
4470.9470.5308.03	Sales Tax Capital	CMN Development - Traffic Signals	0	313	313
4470.9470.5890.00	Sales Tax Capital	CMN Development - Traffic Signals	0	58,277	58,277
4470.9470.5400.00	Sales Tax Capital	Concession/Restroom Improvements	3,626	0	3,626
4470.9470.5809.00	Sales Tax Capital	Dickson Street Enhancements	128,163	2,850,078	2,978,241

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
4470.0947.4309.00	Sales Tax Capital	Dickson Street Enhancements (Federal Grant)	0	(1,200,000)	(1,200,000)
4470.0947.4302.00	Sales Tax Capital	Dickson Street Enhancements (State Grant)	0	(20,000)	(20,000)
4470.9470.5801.00	Sales Tax Capital	Document Imaging System	88,188	0	88,188
4470.9470.5817.00	Sales Tax Capital	Double Springs Road Bridge Replacement	24,746	0	24,746
4470.9470.5314.00	Sales Tax Capital	Drainage Study/Master Plan	397,830	29,964	427,794
4470.9470.5315.00	Sales Tax Capital	Economic Development Matches	425,000	0	425,000
4470.0947.4302.00	Sales Tax Capital	Economic Development Matches (State Grants)	(20,000)	0	(20,000)
4470.9470.5805.00	Sales Tax Capital	Employee Parking Lot	147,600	0	147,600
4470.9470.5806.00	Sales Tax Capital	Fayetteville Boys & Girls Club Expansion	0	196,311	196,311
4470.9470.5808.00	Sales Tax Capital	Fayetteville Boys & Girls Club Imprvs	31,854	16,859	48,713
4470.9470.5809.00	Sales Tax Capital	Fayetteville Boys & Girls Club Imprvs	0	5,296	5,296
4470.9470.5814.00	Sales Tax Capital	Fayetteville Multi Use Trail	194,203	159,745	353,948
4470.0947.4309.00	Sales Tax Capital	Fayetteville Multi Use Trail (Federal Grant)	(194,203)	(72,123)	(266,326)
4470.9470.5802.00	Sales Tax Capital	Fire Apparatus - Ladder Truck	197,367	0	197,367
4470.9470.5400.00	Sales Tax Capital	Fire Facility Maintenance	2,657	0	2,657
4470.9470.5804.00	Sales Tax Capital	Fire Station #7 - Escrow Funds	395,100	0	395,100
4470.9470.5315.00	Sales Tax Capital	Forestry Program	47,645	13,920	61,565
4470.9470.5809.00	Sales Tax Capital	Gregg & Appleby Intersection	121,074	0	121,074
4470.9470.5809.00	Sales Tax Capital	Gregg Ave: Hwy. 71 to Mud Creek Bridge	35,000	0	35,000
4470.9470.5817.00	Sales Tax Capital	Holly & Vista Dr Drainage Improvements	600,000	0	600,000
4470.9470.5809.00	Sales Tax Capital	Hollywood St-6th & Sang Ave Intersection	615,087	0	615,087
4470.9470.5314.00	Sales Tax Capital	Infrastructure Appraisal Services	20,000	0	20,000
4470.9470.5809.00	Sales Tax Capital	In-House Pavement Improvements	426,872	0	426,872
4470.9470.5400.00	Sales Tax Capital	Kennel Upgrades & Improvements	0	2,218	2,218
4470.9470.5804.00	Sales Tax Capital	Kennel Upgrades & Improvements	0	25,364	25,364
4470.9470.5890.00	Sales Tax Capital	L.E.D. Traffic Signal Lens Replacement	1,485	56,532	58,017
4470.9470.5400.00	Sales Tax Capital	Lake Fayetteville/Sequoyah Improvements	61,700	0	61,700
4470.9470.5804.00	Sales Tax Capital	Lewis/Asbell Athletic Complex Developmen	15,184	0	15,184
4470.9470.5314.00	Sales Tax Capital	Lk.Fay.Dam - Emergency Action Plan	5,954	0	5,954
4470.9470.5212.00	Sales Tax Capital	M.U.T.C.D. Sign Material	18,015	0	18,015
4470.9470.5890.00	Sales Tax Capital	Microcomputer Replacements	2,738	0	2,738
4470.9470.5314.02	Sales Tax Capital	Multi-Level Parking Deck	0	226,939	226,939
4470.9470.5801.00	Sales Tax Capital	Municipal Management System	20,296	47,215	67,511
4470.9470.5806.00	Sales Tax Capital	Neighborhood Park Development	8,217	38,000	46,217

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Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
4470.9470.5314.03	Sales Tax Capital	New Central Library Building	11,899	6,206	18,105
4470.9470.5804.00	Sales Tax Capital	New Central Library Building	100,000	0	100,000
4470.9470.5209.00	Sales Tax Capital	New World Systems Supplemental Software	0	4,900	4,900
4470.9470.5315.00	Sales Tax Capital	New World Systems Supplemental Software	968	6,387	7,355
4470.9470.5809.00	Sales Tax Capital	Old Missouri - Stubblefield to Rolling H	570,000	0	570,000
4470.9470.5809.00	Sales Tax Capital	Old Missouri Road Improvements	1,192,670	115,848	1,308,518
4470.9470.5817.00	Sales Tax Capital	Ora Drive Drainage Improvements	111,273	0	111,273
4470.9470.5817.00	Sales Tax Capital	Other Drainage Improvements	144,671	38,135	182,8[illegible]
4470.9470.5315.00	Sales Tax Capital	Other Park & Safety Improvements	29,100	0	29,100
4470.9470.5400.00	Sales Tax Capital	Other Park & Safety Improvements	0	1,123	1,123
4470.9470.5890.00	Sales Tax Capital	P.E.G. Television Center - Equipment	47,317	266	47,583
4470.9470.5814.00	Sales Tax Capital	Park Trail Development	177,020	0	177,020
4470.9470.5890.00	Sales Tax Capital	Playground & Picnic Improvements	11,400	0	11,400
4470.9470.5400.00	Sales Tax Capital	Police Building Improvements	152,039	24,996	177,035
4470.9470.5314.00	Sales Tax Capital	Police Computer System & Network Upgrade	97,579	0	97,579
4470.9470.5890.00	Sales Tax Capital	Police Computer System & Network Upgrade	23,356	0	23,356
4470.9470.5890.00	Sales Tax Capital	Printer Replacements	29,884	0	29,884
4470.9470.5809.00	Sales Tax Capital	Research & High Tech Park	1,626,317	115,600	1,741,917
4470.9470.5809.00	Sales Tax Capital	Rupple Rd Extension - South of Hwy 16 W	7,996	753,920	761,916
4470.9470.5815.00	Sales Tax Capital	Sanitary Sewer Rehabilitation	253	25,809	26,062
4470.9470.5809.00	Sales Tax Capital	School Avenue Improvements	5,750	0	5,750
4470.9470.5400.00	Sales Tax Capital	Shelter Quarantine Upgrade	24,331	0	24,331
4470.9470.5817.00	Sales Tax Capital	Shenandoah Drainage Improvements	249,975	0	249,975
4470.9470.5809.00	Sales Tax Capital	Shiloh & Futrall - Intersection & Signal	193,962	0	193,9[illegible]
4470.9470.5814.00	Sales Tax Capital	Sidewalk Improvements	193,796	210,999	404,79[illegible]
4470.9470.5209.00	Sales Tax Capital	Software Upgrades - City Wide	18,828	0	18,828
4470.9470.5890.00	Sales Tax Capital	Specialized Police Equipment	30,531	0	30,531
4470.9470.5809.00	Sales Tax Capital	Starr Drive Street Improvements	0	61,200	61,200
4470.9470.5809.00	Sales Tax Capital	Steele Property - Street Improvements	34,362	0	34,362
4470.9470.5809.00	Sales Tax Capital	Street ROW / Intersection / Cost Sharing	581	0	581
4470.9470.5804.00	Sales Tax Capital	TCA Annex Renovation - Phase II	1,304	13,597	14,901
4470.9470.5890.00	Sales Tax Capital	Traffic Signal Improvements	78,523	0	78,523
4470.9470.5314.00	Sales Tax Capital	Traffic Study - City Wide	20,602	0	20,602
4470.9470.5808.00	Sales Tax Capital	Traffic Study - City Wide	0	172,590	172,590

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
4470.9470.5806.00	Sales Tax Capital	Trail & Drainage Improvements	155,000	0	155,000
4470.9470.5806.00	Sales Tax Capital	Trail/Park Land Acquisition/Development	500,000	0	500,000
4470.9470.5804.00	Sales Tax Capital	Walker Park Senior Complex	0	354,028	354,028
4470.9470.5808.00	Sales Tax Capital	Water System Master Plan Study	20,000	199,285	219,285
4470.9470.5315.00	Sales Tax Capital	Web Site Design & Construction	4,728	9,685	14,413
4470.9470.5806.00	Sales Tax Capital	Wilson Park Improvements	5,576	0	5,576
4470.9470.5806.00	Sales Tax Capital	Wilson Pool Improvements	217	2,669	2,886
			10,892,782	5,606,697	16,499,479
4480.9480.5815.00	Wastewater Project	15th Street Sewer Transmission Line Repl	4,000,000	0	4,000,000
4480.9480.5815.00	Wastewater Project	Lift Station 21 - Force Main Repl/Lining	9,200,000	0	9,200,000
			13,200,000	0	13,200,000
5400.1810.5210.00	Billing and Collections	Furniture And Equipment	73,000	0	73,000
5400.1810.5305.00	Billing and Collections	Postage	15,000	0	15,000
5400.1820.5103.00	Water & Sewer Services	Overtime	14,600	0	14,600
5400.1820.5210.00	Water & Sewer Services	Equipment for new facility	44,000	0	44,000
5400.1820.5307.00	Water & Sewer Services	Increase in Audit costs	10,590	0	10,590
5400.1820.5308.00	Water & Sewer Services	Lease Cost for trailer during construction	1,000	0	1,000
5400.1820.5310.01	Water & Sewer Services	Telephone Lines Relocation/construct	1,500	0	1,500
5400.1820.5311.01	Water & Sewer Services	Insurance-Self	2,500	0	2,500
5400.1820.5314.00	Water & Sewer Services	Water & Sewer Rate/Operations Study	38	13,043	13,081
5400.1820.5314.00	Water & Sewer Services	Supplemental Oper. Rate Study	33,800	0	33,800
5400.1820.5400.00	Water & Sewer Services	Temporary Shelving - construction	600	0	600
5400.1820.5402.00	Water & Sewer Services	Relocate equipment during construction	1,000	0	1,000
5400.1820.5811.00	Water & Sewer Services	Water Meters	372,926	0	372,926
5400.1820.5890.00	Water & Sewer Services	Cash Register Replacement	8,197	0	8,197
5400.1830.5100.00	Water & Sewer Services	Overtime	7,600	0	7,600
5400.1830.5210.00	Water & Sewer Services	Meter testing equipment	85,000	0	85,000
5400.1830.5304.00	Water & Sewer Services	Four emp. to meter maintenance school	4,000	0	4,000
5400.1830.5305.00	Water & Sewer Services	Postage	900	0	900
5400.1830.5890.00	Water & Sewer Services	Backflow Prevention Assemblies	56,922	0	56,922

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
5400.4000.5200.00	Water & Sewer Maint.	New water map books	5,500	0	5,500
5400.4000.5209.00	Water & Sewer Maint.	ARCView & AutoCad Software	1,000	0	1,000
5400.4000.5217.00	Water & Sewer Maint.	Two (2) new Gas Detectors	4,200	0	4,200
5400.4000.5304.00	Water & Sewer Maint.	Water & Sewer Licenses	6,500	0	6,500
5400.4000.5309.00	Water & Sewer Maint.	Lease Cost for winter/covered storage	12,000	0	12,000
5400.4000.5310.00	Water & Sewer Maint.	Increase Costs	10,000	0	10,000
5400.4000.5314.02	Water & Sewer Maint.	Winterize Benson Water Tank Design	10,000	0	10,000
5400.4000.5315.00	Water & Sewer Maint.	Benefit Valuation & Other Serv	0	1,018	1,018
5400.4000.5315.00	Water & Sewer Maint.	Repair Goshen Water Tank	0	4,878	4,878
5400.4000.5401.05	Water & Sewer Maint.	Sewer Camera Maintenance	5,000	0	5,000
5400.4000.5407.00	Water & Sewer Maint.	Small Equipment Maintenance	13,000	0	13,000
5400.4000.5408.00	Water & Sewer Maint.	Batteries For ADS 4000	0	1,457	1,457
5400.4000.5408.00	Water & Sewer Maint.	Maint Contract, Sewer Monitori	0	6,389	6,389
5400.4310.5308.03	Water & Sewer Maint.	Equipment Rental for projects	15,000	0	15,000
5400.4410.5100.00	Water & Sewer Maint.	Equipment Rental for projects	5,000	0	5,000
5400.5600.5314.00	Water & Sewer Capital	Water & Sewer Operations Center Building	19,888	64,311	84,199
5400.5600.5804.00	Water & Sewer Capital	Water & Sewer Operations Center Building	1,966,814	0	1,966,814
5400.5600.5808.00	Water & Sewer Capital	Garland Avenue - Water/Sewer Relocations	50,560	138,106	188,666
5400.5600.5808.00	Water & Sewer Capital	36" Water Line Replacement & Protection	1,082,670	0	1,082,670
5400.5600.5808.00	Water & Sewer Capital	White River Bridge 45 East Waterline	81,894	0	81,894
5400.5600.5808.00	Water & Sewer Capital	East Ridgeway - Water Line Extension	309,712	0	309,712
5400.5600.5808.00	Water & Sewer Capital	Hinkle Mobile Home Park-Water Line Repl	48,777	0	48,777
5400.5600.5808.00	Water & Sewer Capital	North College Waterline - Maple to North	848,789	13,365	862,154
5400.5600.5808.00	Water & Sewer Capital	Rodgers Drive Water Tank	247,357	25,158	272,515
5400.5600.5808.00	Water & Sewer Capital	Water and Sewer Cost Sharing	291,679	30,232	321,911
5400.5600.5808.00	Water & Sewer Capital	Lake Fayetteville Dam - Monitor Wells	30,718	0	30,718
5400.5600.5808.00	Water & Sewer Capital	W & S Improvements - Defined By Study	105,951	0	105,951
5400.5600.5808.00	Water & Sewer Capital	Waterline Replacement - Accelerated	1,223,052	275,000	1,498,052
5400.5600.5808.00	Water & Sewer Capital	Gregg Ave Waterline Relocation	15,453	73,660	89,113
5400.5600.5808.00	Water & Sewer Capital	Highway 265 - Water/Sewer Relocations	30,096	0	30,096
5400.5600.5808.00	Water & Sewer Capital	Double Springs Bridge-Water Relocations	51,000	0	51,000
5400.5620.5801.00	Water & Sewer Maint.	Equipment Trailer Purchase	7,400	0	7,400
5400.5700.5301.00	Water & Sewer Capital	Wastewater Treatment Plant - Engineering	1,243	0	1,243
5400.5700.5314.00	Water & Sewer Capital	Wastewater Treatment Plant - Engineering	494,925	52,119	547,044

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
5400.5700.5314.01	Water & Sewer Capital	Wastewater Treatment Plant - Engineering	0	21,500	21,500
5400.5700.5315.00	Water & Sewer Capital	S.C.A.D.A. System Upgrade	2,589	0	2,589
5400.5700.5815.00	Water & Sewer Capital	Sanitary Sewer Rehabilitation	1,214,532	703,101	1,917,633
5400.5700.5815.00	Water & Sewer Capital	I-540 Sewer Rehabilitation	67,722	22,730	90,452
5400.5800.5400.00	Wastewater Capital	W.W.T.P. Building Improvements	70,000	0	70,000
5400.5800.5400.00	Wastewater Capital	Upgrade/Replace Lift Stations - W.W.T.P.	32,803	0	32,803
5400.5800.5414.00	Wastewater Capital	Plant Pumps and Equipment - W.W.T.P.	123,417	0	123,417
5400.5800.5801.00	Wastewater Capital	Ultraviolet Disinfection System	54,184	0	54,184
5400.5800.5890.00	Wastewater Capital	Testing Equipment - W.W.T.P.	10,254	0	10,254
5400.5800.5890.00	Wastewater Capital	Computer System Upgrades - W.W.T.P.	10,596	4,140	14,736
5400.5800.5890.00	Wastewater Capital	Safety Equipment Improvements - W.W.T.P.	14,048	0	14,048
			9,328,496	1,450,207	10,778,703
5500.5000.5200.00	Solid Waste & Recycling	Decals, for Dumpsters	0	622	622
5500.5000.5200.00	Solid Waste & Recycling	Brochures for Cart Program	0	1,594	1,594
5500.5000.5301.00	Solid Waste & Recycling	Ad for Labor Day (8 days)	0	21	21
5500.5000.5302.00	Solid Waste & Recycling	Winter Wear	0	45	45
5500.5000.5314.00	Solid Waste Capital	Solid Waste Rate Study	14,771	0	14,771
5500.5000.5314.00	Solid Waste & Recycling	Container Welding per Bid #02-	0	21,670	21,670
5500.5000.5315.00	Solid Waste & Recycling	Benefit Valuation & Other Serv	0	764	764
5500.5010.5302.00	Solid Waste & Recycling	Winter Wear	0	175	175
5500.5010.5302.00	Solid Waste & Recycling	Hats	0	312	312
5500.5020.5212.00	Solid Waste & Recycling	Trash Stickers for Cart Progra	0	2,229	2,229
5500.5020.5302.00	Solid Waste & Recycling	Winter Wear	0	307	307
5500.5020.5802.00	Solid Waste Capital	Solid Waste Expansion Vehicles	13,386	196,488	209,874
5500.5020.5890.00	Solid Waste Capital	Residential Carts - Volume Based Program	14,119	865,881	880,000
5500.5060.5301.00	Solid Waste & Recycling	Ad for Labor Day (8 days)	0	1,500	1,500
5500.5060.5302.00	Solid Waste & Recycling	Winter Wear	0	557	557
5500.5060.5802.00	Solid Waste Capital	Solid Waste Expansion Vehicles	479,926	0	479,926
5500.5060.5816.00	Solid Waste Capital	Dumpster Lease Program	37,759	0	37,759
5500.5060.5870.00	Solid Waste Capital	Dumpster Lease Program	115,000	0	115,000
5500.5060.5890.00	Solid Waste Capital	Roll-Off Containers	6,894	0	6,894
5500.5070.5217.00	Solid Waste & Recycling	Safety Devices	1,000	0	1,000

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed		Amount To Roll
5500.5070.5302.00	Solid Waste & Recycling	Winter Wear	0	85		85
5500.5070.5816.00	Solid Waste Capital	Composting Pad Replacement	200,000	0		200,000
5500.5070.5816.00	Solid Waste Capital	Composting Site Improvements	58,394	20,852		79,246
			941,249	1,113,102		2,054,351
5550.0955.6803.00	Airport Capital	Pavement Maintenance & Rehabilitationm (Grants)	(6,182)	(20,269)	#	(26,451)
5550.0955.6803.00	Airport Capital	East Taxiway & Hangar Apron Extensions (Grants)	(5,837)	0	#	(5,83
5550.0955.6805.00	Airport Capital	South Hangar Apron Complex (State Grants)	0	(372,382)	#	(372,382)
5550.0955.6805.00	Airport Capital	FBO Hangar (State Grants)	0	(200,000)	#	(200,000)
5550.0955.6805.00	Airport Capital	Professional Services - Airport (State Grants)	(169,600)	0	#	(169,600)
5550.0955.6805.00	Airport Capital	Hangar Rehabilitation (State Grants)	(100,000)	0	#	(100,000)
5550.0955.6820.29	Airport Capital	Pavement Maintenance & Rehabilitationm (Grants)	(111,272)	(364,850)	#	(476,122)
5550.0955.6820.30	Airport Capital	East Taxiway & Hangar Apron Extensions (Grants)	(105,057)	0	#	(105,057)
5550.3940.5301.00	Airport	Advertising- 5 Ads + 1/1/4 Pag	0	360		360
5550.3940.5314.00	Airport	Survey Analysis & Presentation	475	0		475
5550.3940.5314.00	Airport	Survey Analysis & Presentation	0	475		475
5550.3940.5315.00	Airport	Benefit Valuation & Other Serv	0	104		104
5550.3940.5400.00	Airport	Maintenance Agreement On HVAC	699	0		699
5550.3940.5400.00	Airport	Repair, Replace Pilot Regulato	0	314		314
5550.3940.5400.00	Airport	Maint Agreement on HVAC	0	699		699
5550.3950.5403.00	Airport	Fuel Pump	0	53		53
5550.3960.5314.00	Airport Capital	Hangar Rehabilitation	0	761		761
5550.3960.5314.00	Airport Capital	South Hangar Apron Complex	0	45,321		45,32
5550.3960.5314.00	Airport Capital	Professional Services - Airport	97,100	93,365		190,465
5550.3960.5315.00	Airport Capital	Professional Services - Airport	114,121	0		114,121
5550.3960.5400.00	Airport Capital	Hangar Rehabilitation	48,207	28,251		76,458
5550.3960.5804.00	Airport Capital	South Hangar Apron Complex	8,435	385,680		394,115
5550.3960.5804.00	Airport Capital	FBO Hangar	52,904	564,400		617,304
5550.3960.7820.29	Airport Capital	Pavement Maintenance & Rehabilitation	123,636	405,389		529,025
5550.3960.7820.30	Airport Capital	East Taxiway & Hangar Apron Extensions	116,730	0		116,730
			64,359	567,671		632,030

City of Fayetteville, Arkansas

2003 Annual Budget

Rollforward Requests Submitted by Divisions: (Operational & Capital)

Account	Program	Description	Rollforward Proposed	Rollforward Committed	Amount To Roll
5600.9600.5307.00	Town Center Fund	Audit Expense Increase	1,200	0	1,200
			1,200	0	1,200
6820.9820.5307.00	Municipal Judge Retire	Audit Expense Increase	0	40	40
6820.9820.5314.00	Municipal Judge Retire	Actuarial Services Muni Judge	0	600	600
			0	640	640
9700.1910.5200.00	Fleet Operations	Office Supplies And Printing	1,300	0	1,300
9700.1910.5202.00	Fleet Operations	Shop Supplies	2,000	0	2,000
9700.1910.5203.00	Fleet Operations	Cleaning Supplies/Wash Bay Soap	7,000	0	7,000
9700.1910.5212.00	Fleet Operations	Signs/Price increase in bids	2,000	0	2,000
9700.1910.5214.01	Fleet Operations	Tires	10,000	0	10,000
9700.1910.5217.00	Fleet Operations	Safety Devices for new mechanics	1,000	0	1,000
9700.1910.5315.00	Fleet Operations	Contract Services	115,000	0	115,000
9700.1910.5315.00	Fleet Operations	Benefit Valuation & Other Serv	0	245	245
9700.1920.5801.00	Fleet Capital	Fleet Operations Maintenance System	70,659	0	70,659
9700.1920.5802.00	Fleet Capital	Fire Vehicles/Equipment - Replacement	62,926	0	62,926
9700.1920.5802.00	Fleet Capital	Fleet - Medium/Heavy Utility Vehicles	87,121	0	87,121
9700.1920.5802.00	Fleet Capital	Fleet - Back Hoe/Loaders	138,605	0	138,605
9700.1920.5802.00	Fleet Capital	Fleet - Other Vehicles/Equipment	290,145	0	290,145
9700.1920.5802.00	Fleet Capital	Fleet - Tractor/Mower	293,532	0	293,532
9700.1920.5802.00	Fleet Capital	Fleet - Light/Medium Utility Vehicles	366,408	0	366,408
9700.1920.5802.00	Fleet Capital	Fleet - Police/Passenger Vehicles	472,160	0	472,160
9700.1920.5802.00	Fleet Capital	Fleet - Sanitation Vehicles/Equipment	0	1,178,928	1,178,928
9700.1920.5804.00	Fleet Capital	Wash Bay & Covered Storage Improvements	40,090	0	40,090
9700.1920.5890.00	Fleet Capital	Fuel Storage Improvements - Replacement	16,913	0	16,913
9700.1920.5890.00	Fleet Capital	Fleet - Sanitation Vehicles/Equipment	0	1,827	1,827
			1,976,859	1,181,000	3,157,859
			$ 39,948,906	$ 26,054,086	66,002,992

FAYETTEVILLE

XXX AGENDA REQUEST
___ CONTRACT REVIEW
___ GRANT REVIEW

FROM:

Carrol Hill
Name

Solid Waste
Division

Operations
Department

ACTION REQUIRED: **FOR THE MEETING OF: MARCH 4, 2003**

Approval of the attached Budget Adjustment in the amount of $33,117.00 for the operation of a recycling vehicle.

COST TO CITY:

$ 0.00
Cost of this Request

$ _____
Category/Project Budget

Per Attached
Category/Project Name

Per Attached
Account Number

$ _____
Funds Used To Date

Recycling
Program Name

_____
Project Number

$ _____
Remaining Balance

Solid Waste
Fund

BUDGET REVIEW: ___ Budgeted Item

XXX Budget Adjustment Attached

_____
Budget Coordinator

_____
Administrative Services Director

Marsha Farthing 2/12/03
Accounting Manager Date

_____ _____
ADA Coordinator Date

2/13/03
City Attorney Date

Danny Smith 2/13/03
Internal Auditor Date

2/12/03
Purchasing Officer Date

STAFF RECOMMENDATION:

Approval of Attached Budget Adjustment.

2/12/03
Division Head Date

Cross Reference

2/13/03
Department Director Date

New Item: **Yes No**

2-15-03
Administrative Services Director Date

Prev Ord/Res #:

2-19-03
Mayor CAO Date

Orig Contract Date:

2/20/03
MAYOR Date

FAYETTEVILLE

STAFF REVIEW FORM

Description: Agenda Request – Budget Adjustment **Meeting Date:** March 4, 2003

Comments:
Budget Coordinator:

Reference Comments:

Accounting Manager:

City Attorney:

Purchasing Officer:

ADA Coordinator:

Internal Auditor:

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

1560 South Happy Hollow Road
Fayetteville, AR 72701
Telephone: 479-575-8398

SOLID WASTE DIVISION CORRESPONDENCE

TO: **Bill Oestreich - Fleet**

FROM: Carrol Hill - Environmental Affairs Administrator

DATE: February 11, 2003

SUBJECT: **Agenda Request**

The purchase of the third recycling truck will add $33,117 in operational cost. We had $21,208 in cost savings in the Salary Contingency Account due to rate reductions in Health, ADD, and LTD Insurance accounts which will occur annually from this point on. Also, $11,909 in cost savings is attributed in the Workers Compensation account due to our rates going down due to lower claims. All of these cost savings are ongoing and should continue.

Recycle Vehicle
A. 3. Page 4

City of Fayetteville, Arkansas
Budget Adjustment Form

Budget Year	Department: Operations Division: Solid Waste & Recycling Program: Recycling	Date Requested	Adjustment Number
2003		2/4/2003	

Project or Item Requested:

$33,117 is requested in the Motor Pool accounts in the Solid Waste Recycling program for the annual operational impact of the purchase of a recycling truck.

Project or Item Deleted:

$21,208 from the Salary Contingency Account and $11,909 from the Worker's Compensation Account, both located in the Solid Waste Operations & Administration program.

Justification of this Increase:

The additional funds are needed for the operational impact of the purchase of a recycling truck. This truck will be used as a spare.

Justification of this Decrease:

Due to a rate reduction in Health, ADD, and LTD Insurance accounts, there is additional funds remaining to meet 2003 projected expenses.

The Worker's Compensation premium has been invoiced for 2003 and there is a $11,909 remaining after payment.

Increase Expense (Decrease Revenue)

Account Name	Account Number				Amount	Project Number	
Motor pool charges	5500	5060	5331	00	7,380		
Replacement charges	5500	5060	5331	01	19,821		
Shop overhead charges	5500	5060	5331	02	5,916		

Decrease Expense (Increase Revenue)

Account Name	Account Number				Amount	Project Number	
Salary contingency	5500	5000	5100	01	21,208		
Workers' comp insurance	5500	5000	5111	00	11,909		

Approval Signatures

Requested By	1/22/03 Date
Budget Manager	1-22-03 Date
Department Director	1.22.03 Date
Administrative Services Director	1-27-03 Date
Mayor	2/20/03 Date

Budget Office Use Only

Type: A B C (D) E

	Date	Initial
Date of Approval		
Posted to General Ledger		
Posted to Project Accounting		
Entered in Category Log		

STAFF REVIEW FORM

X AGENDA REQUEST
X CONTRACT REVIEW
___ GRANT REVIEW
For the Fayetteville City Council meeting of March 4, 2003

FROM:

Ray M. Boudreaux	Airport	Aviation & Economic Development
Name	Division	Department

ACTION REQUIRED: Review and approve Task Order No. 14 with McClelland Consulting Engineers for engineering services to design and construct three small corporate hangars at Fayetteville Municipal Airport, Drake Field.

COST TO CITY:

66,200	450,000	Services/Charges
Cost of this Request	Category/Project Budget	Category/Project Name
5550.3960.5314.00	0	Capital
Account Number	Funds used to date	Program Name
03011.1	450,000	Airport
Project Number	Remaining Balance	Fund

BUDGET REVIEW: X Budgeted Item ___ Budget Adjustment Attached

2.18.03		
Budget Manager	Date	Administrative Services Dir. Date

CONTRACT/GRANT/LEASE REVIEW:

Marsha Fautley 2/18/03	Nancy Smith 2/18/03	
Accounting Manager Date	Internal Auditor Date	**GRANTING AGENCY**
2/18/03		
City Attorney Date	ADA Coordinator Date	
2/19/03		
Purchasing Officer Date	Grants Coordinator Date	

STAFF RECOMMENDATION: Approve Task Order No. 14 & Mayor sign the agreement.

Division Head	Date	Cross Reference
Department Director	Feb 14, 2003 Date	New Item: Yes X No
Administrative Services Director	Feb 19 2003 Date	Prev. Ord/Res#:
Mayor	2/20/03 Date	Orig Cont. Date:
		Orig Cont #:

STAFF REVIEW FORM **Page 2**

Meeting Date: N/A

Comments: Task Order No.14 approved by the Airport Board at their meeting February 13, 2003. Project is budgeted and funds are available. Review and approve Task Order No. 14 for signature by Mayor.

Budget Manager

Reference Comments:

Accounting Manager

Reference Comments:

City Attorney

Reference Comments:

Purchasing Officer

Reference Comments:

Internal Auditor

Reference Comments

ADA Coordinator

Reference Comments:

Grants Coordinator

Reference Comments:

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS
DAN COODY, MAYOR

MEMORANDUM

TO: Dan Coody, Mayor
City Council Members
THRU: Staff Review Committee
FROM: Ray M. Boudreaux, Director, Aviation and Economic Development
DATE: February 14, 2003
SUBJECT: McClelland Consulting Engineers Task Order No. 14, Small Corporate Hangars And Self Serve Fuel System.

Background: The Airport Board approved at their meeting of February 13, 2003, construction of three small corporate hangars and a self serve fuel system. This task order is for design through construction of the projects and is in an amount NTE $66,200. The three small corporate hangars are in a single building with three bays each being 60' X 60' and 3600 square feet. Each hangar will be available for separate tenants and each will have separate entrances and separate utility services. They will have heat and small unisex bathrooms and able to hold up to a King Air 350. The three hangar building is estimated to cost $450,000 including engineering. We will apply for a State grant with the Department of Aeronautics for a portion of the cost.

The self serve system will be located on the east side of the airport and will be primarily for the east side tenants. The tank system, a 500 gallon 100LL double wall Avgas tank, is estimated to cost $20,000. We will apply for a state grant for the credit card dispensing equipment and inventory control system.

Purpose: Review, approval and signature by the Mayor

Budget Considerations: Funds are available and budgeted.

Requested Action: Mayor sign the contract.

Attachments: Staff Review Form
Task order No. 14 (3 Copies)

Aviation and Economic Development Department
Fayetteville Municipal Airport, Drake Field
4500 South School Avenue, Suite F
Fayetteville, Arkansas 72701
Ray M. Boudreaux, Director

MCE McCLELLAND CONSULTING ENGINEERS, INC.
DESIGNED TO SERVE

P.O. Box 1229
Fayetteville, Arkansas 72702-1229
501-443-2377
FAX 501-443-9241

February 14, 2003

RECEIVED
FEB 14 2003
AIRPORT

Mr. Ray Boudreaux
Airport Director,
Fayetteville Municipal Airport
4500 S. School Suite F
Fayetteville, AR 72701

Re: Proposed Task Order No. 14
3 Bay 60'x60' Corporate Hangars

Dear Mr. Boudreaux:

In response to your request, please find three (3) copies of Task Order No. 14 for the above referenced project.

Please advise if you need further information regarding this Task Order. Thank you for this opportunity to extend our services.

Sincerely,

McCLELLAND CONSULTING ENGINEERS, INC.

R. Wayne Jones, P.E.
Vice President

Enclosure: Task Order No. 14 (3 copies)

J:\2003\032109\boudreaux-0214.wpd:ch

TASK ORDER NO. 14

FBO HANGAR

FAYETTEVILLE MUNICIPAL AIRPORT

STATE OF ARKANSAS

COUNTY OF WASHINGTON

This Task Order is written pursuant to the basic agreement entitled CITY OF FAYETTEVILLE, AGREEMENT FOR ENGINEERING SERVICES, executed on March 7, 2000, as amended. The referenced basic agreement pertains to proposed improvements to Drake Field, Fayetteville's Municipal Airport. This Task Order entered into and executed on the date indicated below the signature block, by and between the City of Fayetteville and McClelland Consulting Engineers (MCE) sets forth the project description, project schedule, and engineering fees related to hangar improvements at the Fayetteville Municipal Airport.

SECTION I - PROJECT DESCRIPTION

The project is to consist of: assistance in applying for state funding for the project; the preliminary and final engineering design for a 60' x 190', 3 bay, - 60' x 60' Corporate Hangar, Building on the east side of the East Apron Complex; preliminary and final cost estimates; meetings with the City to review various aspects of the project; and engineering services associated with detailed design and construction. Also design assistance with the Self-Serve Fueling Station and Consultation and assistance, as may be requested by the Airport Director and/or Airport Board.

SECTION II - PROJECT SCHEDULE

From the time the City of Fayetteville issues the Notice To Proceed (NTP), MCE will endeavor to execute the project as expeditiously as possible to enable the Owner to solicit competitive bids for construction during the month of May 2003.

SECTION III - SCOPE OF SERVICES

MCE shall, generally, provide those services listed in the basic agreement which are applicable to this specific Task Order. Specifically, the project is likely to include:

A. Assisting the City in making application for a grant from the Arkansas Department of Aeronautics.

B. Surveying.

C. Performing preliminary engineering.

D. Formulating preliminary and final construction cost estimates.

E. Meeting with the City to discuss design criteria, desired features, and schedule.

F. Performing the detailed design of the construction project as determined by the City.

G. Coordinating with the Arkansas Department of Aeronautics to secure their review of the proposed project.

H. Advertising for competitive bids and recommending the award of a construction contract.

I. Construction administration and inspection.

J. Construction staking for a baseline and benchmark.

K. Construction materials testing.

L. Providing a set of "Record Drawings" at the completion of construction based upon the Contractor's mark-ups.

SECTION IV - FEES AND PAYMENTS

The following fees are to be paid to the Engineer as compensation for his services:

A. Application to State:	a lump sum of	$800.
B. Topographic Survey :	a lump sum of	$1,500.
C. Geotechnical Investigation:	a lump sum of	$2,800.
D. Preliminary Engineering:	a lump sum of	$14,500.
E. Detailed Design:	a lump sum of	$12,250.
F. Bidding Service: :	a lump sum of	$1,200.
G. Construction Administration & Inspection:	hourly rates, estimated to be	$20,500.
H. Construction Staking:	a lump sum of	$650.
I. Construction materials testing:	hourly rates & unit prices, estimated to be	$2,500.
J. Design Assistance with Self-Serve Fueling Station:	hourly rates, est. to be	$4,250.
K. Consultation Services and Assistance to Airport Director and Airport Board at various meetings, as requested/required:	hourly rates, estimated to be	$5,250

Appendices A, B, C, & D presents hourly rates for personnel anticipated to be assigned to this project and the unit prices as well as the basis of payments to be made to the MCE.

SECTON V - BASIC AGREEMENT IN EFFECT:

Except as amended specifically herein, the basic AGREEMENT FOR ENGINEERING SERVICES shall remain in full force as originally approved and executed.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be duly executed as of the date and year first herein written.

FOR THE CITY OF FAYETTEVILLE:

By: _____
Mayor

Attest: _____

Date: _____

FOR McCLELLAND CONSULTING ENGINEERS, INC.:

By: _____
President

Attest: _____
Vice President

APPENDIX "A"

BASIS FOR PAYMENTS TO THE ENGINEER

TASK ORDER NO. 14

THREE 60' BY 60' CORPORATE HANGARS

FAYETTEVILLE MUNICIPAL AIRPORT

LINE	TASK DESCRIPTION	PROJECT DIRECTOR $105.00	PROJECT MGR./ENGR. $90.00	PROJECT ENGINEER $80.00	ENGINEERING TECHNICIAN $57.00	CADD OPER. 1 $59.00	CADD OPER. 2 $49.00	CADD OPER. 3 $34.00	LICENSED SURVEYOR $60.00	SURVEY CREW $95.00	CLERK TYPIST $35.00	INSPECTOR $38.00	MILEAGE $0.35	SUB.-CONS. FEE	DIRECT EXPENSE	EXTENDED TOTAL
A	APPLICATION TO STATE FOR FUNDING	0	4	1	1	0	4	0	0	0	2	0	0	$0.00	$20.00	$783.00
B	SURVEYING															
	TOPOGRAPHIC SURVEY		1	1	4				2	10			30		$75	$1,854
C	GEOTECHNICAL INVESTIGATION		2	6.5											$2,085.00	$2,785
D	PRELIMINARY ENGINEERING															
	SCOPING MEETING	1	1													$195 00
	SURVEYING		1						1	3			14		$50 00	$489 90
	PRELIMINARY LAYOUT		0.5	2			2									$303 00
	DES. DEVEL.: DRAWING ORGANIZATION			0 25				1.5								$71
	DES. DEVEL.: GRADING PLAN/SET ELEVATIONS		1	1	1		2									$325
	DES. DEVEL.: DRAINAGE PLAN/COORD. W/APRON		1	1				4								$306 00
	DES. DEVEL.: UTILITY PLAN/UTILITY SERVICES		1	2			4									$446 00
	DES. DEVEL.: HANGAR PLAN/STRUCTURAL/RR		1	4			6	8								$976 00
	DES. DEVEL.: PAVING SECTIONS			1			1									$129 00
	DES. DEVEL.: AIRSIDE ACCESS PLAN		0 5	1			2	1								$257 00
	DES. DEVEL.: LANDSIDE ACCESS PLAN		2	4			6									$794 00
	DES. DEVEL.: ELECTRICAL PLAN	1	1			2					1			$8,500 00	$350 00	$9,198 00
	OUTLINE SPECIFICATIONS		1	0 5							2					$200 00
	UPDATE COST ESTIMATE		0 5	1												$125 00
	IN-HOUSE QA REVIEWS		2			2										$298 00
	MEETING WITH OWNER		2	2											$60 00	$400 00
	SUBTOTAL, PRELIMINARY ENGINEERING	2	15.5	19.75	1	4	23	14.5	1	3	3	0	14	$8,500.00	$460.00	$14,512.90
E	DETAILED PLANS															
	DETAIL DES.: DRAWING ORGANIZATION						1									$49 00
	DETAIL DES.: GRADING PLAN & DETAILS		0 5	1.5			2	6								$467 00
	DETAIL DES.: DRAINAGE PLAN & DETAILS		0 5	6			2									$623 00
	DETAIL DES.: UTILITY PLAN & DETAILS		2	2		1	2									$497 00
	DETAILED DES. HANGAR PLAN & DETAILS/RR		2	12		4	12	32								$3,052 00
	DETAIL DES.: PAVING DETAILS		2	2		0 5	2									$467 50
	DETAIL DES.: AIRSIDE ACCESS PLAN DETAILS		0 5	1			2	4								$359 00
	DETAIL DES.: LANDSIDE ACCESS PLAN DETAILS		2	10			4	6								$1,380 00
	DETAIL DES.: ELECTRICAL PLAN & DETAILS		0.5			2					0 5			included above	included above	$180 50
	SPECIFICATIONS		2	32							20				$200 00	$3,640 00
	IN-HOUSE REVIEWS	1	2	1		2										$483 00
	FINAL COST ESTIMATE		1	4							1			included above	included above	$445
	REVIEW MEETING WITH OWNER		2	2									10	included above	included above	$343
	REVISIONS TO PLANS & SPECS		1	1		1	2	8			1				$75 00	$709 00
	SUBTOTAL, DETAILED DESIGN	1	18	74.5	0	10.5	29	58	0	0	22.5	0	10	$0.00	$276.00	$12,695.50
F	BIDDING	0	4	6	2	0	0	0	0	0	1	0	10	$150.00	$50.00	$1,192.50
G	CONSTR. ADMIN. AND INSPECTION															
	CONSTR. ADMINISTRATION	1	10	30							8					$3,685 00
	CONSTR. INSPECTION											420	650	$650 00		$16,837 50
	SUBTOTAL, CONSTRUCTION PHASE	1	10	30	0	0	0	0	0	0	8	420	650	$650.00	$0.00	$20,522.50
H	CONSTRUCTION STAKING	0	0	0.5	0	0	0	0	1	5.5	0	0	10	$0.00	$15.00	$841.00
I	CONSTRUCTION MT'LS TESTING (Estimated To Be)	0	1	3	0	0	0	0	0	0	0	0	40	$0.00	$2,160.00	$2,604.00
J	Design Assistance with Self-Serve Fueling Station	1	10	16	5	10			2	10						$4,230 00
K	Consultation Services to Airport (Various Meetings)		58													$5,220.00
	GRAND TOTAL, ENGINEERING SERVICES	4	52.5	134.75	4	14.5	56	70.5	2	6.5	36.5	420	734	$9,300 00	$2,980.00	$66,639 90

APPENDIX B
TASK ORDER NO. 14
Hourly Rates for Personnel
Fayetteville Municipal Airport

CATEGORY	BILLABLE HOURLY RATE RANGE
Project Director	$105 to $130
Project Manager	$85 to $105
Engineer III	$70 to $85
Engineer II	$50 to $70
Engineer I	$40 to $50
Registered Surveyor	$40 to $55
Computer Technician	$46 to $55
Senior Engineering Technician	$55 to $65
Engineering Technician	$45 to $55
Survey Crew (2 man)	$80 to $105
Clerical Support	$25 to $45
CADD Technician III	$50 to $60
CADD Technician II	$40 to $50
CADD Technician I	$25 to $40
Soils Lab Supervisor	$35 to $50
Soils Technician II	$30 to $35
Soils Technician I	$25 to $30

APPENDIX "C"

TASK ORDER NO. 14
GEOTECHNICAL INVESTIGATION
THREE BAY 60' BY 60' CORPORATE HANGARS
DRAKE FIELD, FAYETTEVILLE MUNICIPAL AIRPORT

February 14, 2003

Item No.	Item Description / ASTM Designation	Quantity	Units	Unit Price	Extended
1	Equipment Mobilization and Demobilization ($2.10/mi each wa	1	LS	$100.00	$100.00
				Subtotal	$100.00
2	Boring Layout	1	HR	$60.00	$60.00
	Boring Setup Charges	4	EA	$35.00	$140.00
				Subtotal	$200.00
3	Soil Drilling and Sampling, ASTM D-1586 & ASTM D-1587				
	Soil Drilling in Apron Area (5 Borings - 15 feet max.)	75	LF	$8.50	$637.50
				Subtotal	$637.50
4	Soil and Rock Laboratory Testing				
	ASTM D-2216, Moisture Content Determination	24	EA	$12.00	$288.00
	ASTM D-4318, Liquid and Plastic Limit of Soils	6	EA	$55.00	$330.00
	ASTM D-422, Gradation Analysis of Soils (6 Sieves)	6	EA	$50.00	$300.00
	ASTM D-2166, Dry Unit Weight of Soil Specimens	10	EA	$12.00	$120.00
	ASTM D-698, Standard Proctor Test	1	EA	$110.00	$110.00
				Subtotal	$1,148.00

ESTIMATED GEOTECHNICAL INVESTIGATION **$2,085.50**

J:\DRAKE FIELD\CONTRACTS\fee sheets\geotechfeeTO14.wb3:wj

APPENDIX D
CONSTRUCTION MATERIALS LABORATORY
FEE SCHEDULE
TASK ORDER NO. 14

GENERAL:	
Laboratory Field Technician *	$ 32.00 per hour
AHTD-Qualified Technician*	38.00 per hour
Engineering Technician *	50.00 per hour
Senior Engineering Technician	61.00 per hour
Lab Supervisor	45.00 per hour
Consultation:	
Lab Supervisor	45.00 per hour
Field Engineer	65.00 per hour
Project Engineer	75.00 per hour
Project Manager	105.00 per hour
Principal Engineer	120.00 per hour
Lab Report Preparation	30.00 per hour
SOILS:	
AHTD-Qualified Field Technician	38.00 per hour
Soils Field Technician (1-hour minimum)	32.00 per hour
In-Place Compaction Test-Nuclear Gauge ASTM D 2922	
Sample Pickup	
Nuclear Density Gauge Fee (per project, per day)	15.00 each
Liquid Limit, Plastic Limit, Plasticity Index (3 point) ASTM D 4318	48.00 each
Sieve Analysis-Washed No. 200 (Wet) ASTM D 1140	35.00 per sieve
Sieve Analysis-Dry ASTM D 422	8.00 per sieve
Hydrometer Analysis ASTM D 422	90.00 each
Specific Gravity ASTM D 854	50.00 each
Soils Classification, Unified or AASHTO ASTM D 2487 or AASHTO M 145	110.00 each
Laboratory Maximum Compaction Test ASTM D 698 or AASHTO T 99	120.00 each
Laboratory Maximum Compaction Test ASTM D 1557 or AASHTO T 180	135.00 each
Potential Volume Change-Swell Pressure	100.00 each
California Bearing Ratio-CBR ASTM D 1883 (3 point) (Proctor curve additional)	150.00 each
Shrinkage ASTM D 427	50.00 each
Soil Bearing Capacity (Engineering Tech., 2-hour minimum)	45.00 per hour
Non-ASTM Procedures Available On Request	
CONCRETE:	
Concrete Mix Design	Price on Request
Review Concrete Mix Design (Lab Supervisor)	45.00 per hour
Confirm Concrete Mix Design	Price on Request
Concrete Field Technician * (1-hour minimum): [For any of the following 6 items:]	32.00 per hour
• Unit Weight and Yield of Freshly Mixed Concrete ASTM C 138	
• Concrete Cylinder or Beam Molding ASTM C 31	
• Concrete Cylinder or Beam Pickup	
• Concrete Slump Test ASTM C 143	
• Concrete Air Content Test ASTM C 231 or C 173	
• Cement Mortar or Group Sampling	
AHTD-Qualified Concrete Technician: [For any of the foregoing 6 items:]	38.00 per hour
Compressive Strength of Concrete Test Cylinders ASTM C 39 (pad cap)	10.00 each
Compressive Strength of Concrete Test Cylinders ASTM C 39 (sulfur capped)	15.00 each
Spare Cylinders Specimens Processed but not Tested	10.00 each
Schmidt Hammer Testing (Engineering Tech, 2-hour minimum)	45.00 per hour

* ACI Grade I Concrete Field Testing Technician

APPENDIX D
CONSTRUCTION MATERIALS LABORATORY
FEE SCHEDULE
TASK ORDER NO. 14

CONCRETE (Continued):	
Flexural Strength of Concrete Beams ASTM C 78 or C 293	25.00 each
Spare Beam Specimens Processed but not Tested	20.00 each
Compressive Strength of Grout Cubes	20.00 each
Compressive Strength of Cement Mortar Cubes	15.00 each
Concrete Coring (3" or 4"):	
Core Machine & Lab Technician	60.00 per hour
Additional Lab Technician, as required	32.00 per hour
Compressive Strength of Concrete Cores (3" or 4")	30.00 each
Other Core Sizes	Price on Request
Aggregate Sieve Analysis:	
Dry Sieve ASTM C 136	8.00 each
Wet Sieve ASTM C 117	35.00 each
Fineness Modules	25.00 each
Decantation	30.00 each
Deleterious Materials	60.00 each
Specific Gravity and Absorption of Aggregate ASTM C 127 & C 128	85.00 each
Dry Rodded Unit Weight of Aggregate ASTM C 29	50.00 each
Sodium or Magnesium Sulfate Soundness (5 cycles) ASTM C 88	250.00 each
Additional Cycles	50.00 each
ASPHALT:	
Asphalt Mix Design	Price on Request
Review Asphalt Mix Design (Lab Supervisor)	45.00 per hour
Asphalt Field Technician	
In-Place Compaction Test-Nuclear Gauge (Lab Technician)	32.00 per hour
Sample Pickup	32.00 per hour
Marshall Test including Stability, Flow, Laboratory Density, Percent Air Voids, Percent Voids in Mineral Aggregate (3 specimens per test)	225.00 each
Extraction including percent Bitumen and Aggregate Gradation	170.00 each
Laboratory Density of Cored Plugs including Depth Measurement	25.00 each
Asphalt Coring (3" or 4"):	
Core Machine & Lab Technician	60.00 per hour
Additional Lab Technician, if required	32.00 per hour
Sample Pickup	32.00 per hour
FIREPROOFING:	
Unit Weight, Bonding Strength, Thickness and Sampling (actual time required for Lab Technicians)	32.00 per hour/Tech.
Report Preparation (Lab Supervisor)	45.00 per hour
STRUCTURAL STEEL:	
Bolt Torque Testing: Lab Technician(s)	32.00 per hour
Field Engineer	65.00 per hour
Pneumatic Torque Wrench Calibration (twice per day)	50.00 each
Visual Weld Inspection Field Engineer	70.00 per hour

Services not Listed are Available on Request

Manhole Rehab
A. 5. Page 1

Pulled from Agenda - mon... Council Meeting - New Business

STAFF REVIEW FORM

XXX AGENDA REQUEST
XXX CONTRACT REVIEW
_____ GRANT REVIEW
For the City Council meeting of: February 18, 2003

FROM:

David Jurgens	Water/Sewer	Water/Sewer
Name	Division	Department

ACTION REQUIRED: City Council approve the attached construction contract with T-G Excavating, Inc., for Sanitary Sewer Manhole Rehabilitation, Illinois Basin 1-5 and the Industrial Park, in the amount of $933,333, and approve a 5% contingency of $46,667.

COST TO CITY:

$ 980,000	$2,320,432	Sewer Rehabilitation
Cost of this request	Project Budget	Project Name
5400-5700-5815.00	$1,072,432	Sewer Mains Const
Account Number	Funds used to date	Program Name
02017-0301	$1,248,000	Water and Sewer
Project Number	Remaining Balance	Fund

BUDGET REVIEW: XXX Budgeted Item ____ Budget Adjustment Attached

Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

Marsha Farthing 1/29/02
Accounting Manager Date

*See Comments
City Attorney Date

P Clue PR 1/31/03
Purchasing Officer Date

GRANTING AGENCY:

ADA Coordinator Date

Danny Smith 1/29/03
Internal Auditor Date

STAFF RECOMMENDATION: Approve construction contract as stated above.

28 JAN 03
Division Head Date

1-31-03
Department Director Date

2-3-03
Administrative Services Director Date

2/4/03
Mayor Date

D:\REHAB-SW\BASI-5MHAGR.doc

Cross Reference:

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

Previous Ord/Res #: N/A

Orig Contract Date: N/A

February 18, 2003 STAFF REVIEW FORM

Description: Construction contract, sewer rehabilitation, T-G Excavating, Inc.

Comments:
Budget Coordinator:

Reference Comments:

Accounting Manager:

City Attorney:

We need to see the ~~signed~~ executed agreement for a proper review. DPW 1/29/03

Ok to go on agenda. Per Steve 2/20/03

Purchasing Officer:

ADA Coordinator:

Internal Auditor:

DJ\\REHAB-SW\BAS1-5MHAGR.doc

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

To: Fayetteville Mayor and City Council

Thru: Greg Boettcher, Water/Sewer Director

From: David Jurgens, Water/Sewer

Date: January 27, 2003

Subject: Agenda Request- February 18 Council Meeting, Construction Contract, Illinois River Basins 1-5 and the South Industrial Park Area Sewer Manhole Rehabilitation, T-G Excavating, Inc

1. Background. The sewer system which flows into the Gregg Avenue lift station (near Mud Creek just south of Johnson), and then to the Old Wire Road lift station (at the intersection of Old Wire and Highway 265) requires significant rehabilitation in order to reduce inflow and infiltration in the sewer system and thus eliminate the wet weather overflows at both lift stations. This project is designed to reduce the extraneous I/I and upgrade the system's capacity so that it can carry the required volume of water. The area to be rehabilitated is all of those areas tributary by gravity to the Gregg Avenue lift station, and the south Industrial Park area, all shown on the attached map. Under very heavy rains, we experience recurring overflows at three manholes and two pumps station in this area.

2. Project Description. This is the first of three sewer rehabilitation construction projects in this area, and involves only manholes. The later projects will bid later this year, and will involve sewer line replacement and repair. The work on this project consists of rehabilitating 720 manhole covers and frames, interior coating approximately 335 manholes, sealing 700 manhole frames and grade adjustments, and removal and replacement of 10 manholes. No work will be done on lines that are being replaced in conjunction with the west side wastewater plant. Design figures for that project are all based on this rehabilitation being performed and reducing the extraneous rain and ground water flows.

3. Bid. Bids were opened on January 14. Three bids were received from qualified contractors, as shown below. The low bid from a qualified bidder is $107,250 below the engineer's estimate.

Company	Bid
T-G Excavating, Inc.	$ 933,333.00
Building Utilities, Inc.	1,186,260.00
Kim Construction, Inc.	1,251,320.00
Engineer's Estimated Cost	$1,208,725.00
Bid % of Engineer's Estimate	77.2%

RJN Group, the Engineer, has recommended we award this contract to the lowest bidder, T-G Excavating, as they meet all qualifications requirements contained in the contract documents.

4. Budgeting. This sewer rehabilitation project is in the 2002 Capital Improvements Plan (page 129) and is funded by Water/Sewer funds. $1,248,000 remains in the project budget for 2003. Budget details are identified on the attached agenda request.

5. Staff Recommendation. The Staff recommends award of the construction contract to T-G Excavating, Inc., in the amount of $933,333, and approve a 5% contingency of $46,667, for a total cost of $980,000.

Enclosures:

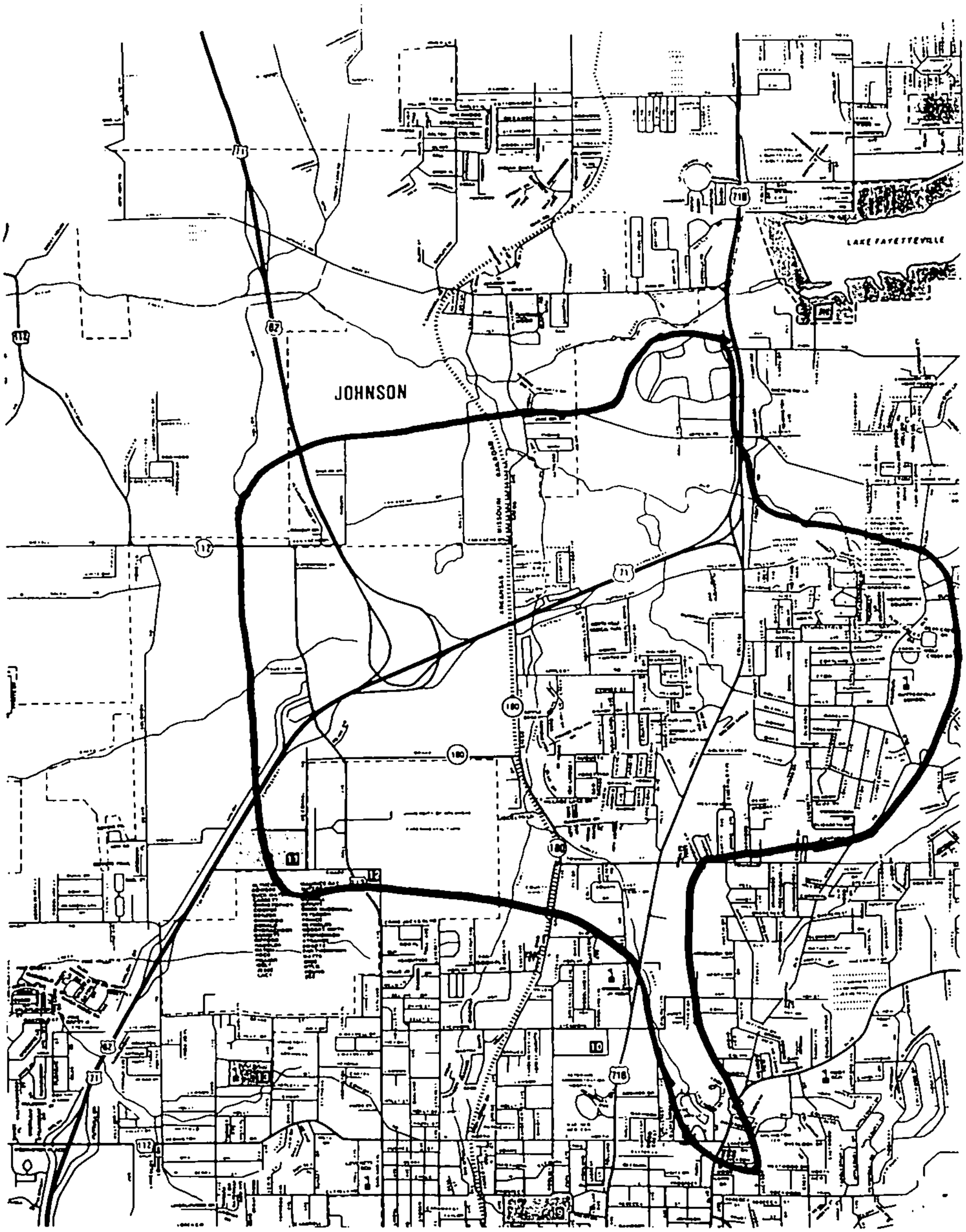
Project Area Map
Engineer's Recommendation Letter
Proposed Contract
Purchase Order

SANITARY SEWER REHABILITATION
ILLINOIS RIVER BASINS 1-5, 18 & 19

Manhole Rehab
A. 5. Page 5

N

NO SCALE



CITY OF FAYETTEVILLE

Purchase Requisition

(not a purchase order)

Requisition No.:	Date:
	28-Jan-03
P.O. Number:	Expected Delivery Date:
	See Remarks

Vendor #:	Vendor Name:	Mail:
6679	T-G Excavating, Inc.	Yes_____ No__XX_

Address:	FOB Point:	Taxable:
26016 East Admiral Place	Fayetteville, AR	Yes___ No_XXX__

City:	State:	Zip:	Ship To Code:	Division Head Approval:
Catoosa	OK	74015		

Requester:	*Requester's Employee#:	Extension:
David Jurgens	490	386

Item	Description:	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number:	Project/SubProject Number:	Inventory #	Fixed Asset #
1	Sanitary Sewer Manhole Rehabilitation,	1	EA	$933,333.00	$933,333.00	5400-4000-5301.00	02017-0301		
	Illinois River Basins 1-5, 18 and 19				$0.00				
	and White River Minisystem 27				$0.00				
	----------Nothing Follows----------				$0.00				
					$0.00				
					$0.00				
					$0.00				
					$0.00				
					$0.00				
					$0.00				
					$0.00				
	SHIPPING/HANDLING				**$0.00**				

Special Instructions:

The notice to proceed will be issued immediately following City Council approval. Work must begin within 10 working days following issuance of the notice to proceed.

Subtotal: $933,333.00

Tax:

TOTAL: $933,333.00

Approvals: (purchasing office use only)

yor:_____ Department Director:_____ Purchasing Manager:_____

lmin. Services Director:_____ Budget Coordinator:_____ Data Processing Mgr:_____

CITY ATTORNEY AGENDA REQUEST FORM

FOR: COUNCIL MEETING OF March 4, 2003

FROM:

City Attorney Kit Williams

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

Resolution to Adopt Mayor/City Council Rules of Order and Procedure

---

APPROVED FOR AGENDA:

2/19/03
City Attorney Date

2/19/03
Mayor Date

FAYETTEVILLE
THE CITY OF FAYETTEVILLE, ARKANSAS

KIT WILLIAMS, CITY ATTORNEY
DAVID WHITAKER, ASST. CITY ATTORNEY

LEGAL DEPARTMENT

DEPARTMENTAL CORRESPONDENCE

TO: **Dan Coody**, Mayor
City Council

FROM: **Kit Williams**, City Attorney

DATE: **February 19, 2003**

RE: **Agenda Request to Approve an updated version of the Mayor/City Council Rules of Order and Procedure**

The City Council Ordinance Review Committee met with me and went over my proposed changes along with some suggested by various aldermen. I now have what I believe is the final draft for what will become your new Mayor/City Council Rules of Order and Procedure if you vote to adopt these. Since I have heard no further proposed changes after providing you the proposed new rules on February 14, I now submit them for your final consideration and approval or modification at your March 4th City Council meeting.

The changes I originally suggested, plus others also recommended by the Ordinances Review Committee are summarized below:

(1) **A.5.** Rewritten to comply with state law that allows procedural motions to pass with majority in attendance, but **requires five affirmative votes to pass ordinances and resolutions.**

(2) **B.3. Changed "Personal Interest" to "Financial Interest."** I cannot really inform aldermen or the public what "personal interest" means in this context. If an alderman is personally interested in requiring parking lots to be landscaped (as I was when on the City Council) does this mean I should not have voted for that ordinance? State ethical codes usually concentrate on potential financial interest when it comes to conflict of interest for abstention purposes. I believe that is how our rules should be structured.

(3) **C. Mayor and Vice Mayor** The Ordinance Review Committee requested that the name be corrected to "Vice Mayor" and a section added concerning the Mayor's procedural rights (voting and presiding) as well as what happens if the Mayor vetoes a City Council Resolution or Ordinance.

(4) **D.1. Agenda**. I removed the requirement for a city council vote to add items to the Agenda at the Agenda session. No votes should be held at Agenda sessions. I also added clarity by specifically requiring a suspension of the rules before adding an item for consideration to the agenda on the meeting night. We have been following this procedure.

(5) **D.5. Readings**. Pursuant to the request of the Ordinance Review Committee, I redrafted the "guidelines for reading ordinances."

(6) **E.1. Internal Committees**. This needed substantial additional and clarifying language. We have had four standing aldermen committees for at least eight years. The committees rather than the Mayor should choose their own chairperson.

(7) **F.1. The City Council is a legislative body** responsible for passing ordinances, determining the budget and setting broad policy goals. The previous Board of Directors had slightly broader authority

as there was no elected Mayor, but only a hired manager. Therefore, this provision needed a significant change to meet state law dictates about a mayor's duties and powers relative to a city council.

(8) **G.1. and G.2.** Since the Mayor is also a decision maker if his vote is needed (or if he uses a veto), I have **added the Mayor** to both sections in our Code of Ethics section. I also redrafted language to be more consistent as requested by the Ordinance Review Committee.

(9) **G.3.** (second paragraph) In the 90's, the Planning Commission and Aldermen were required "to disclose annually all real estate holdings in Fayetteville and the Fayetteville planning area, and any business or financial interest which could affect or be affected by decisions …." Since the Mayor can affect decisions of the City Council, it makes sense to **include the Mayor** also in this requirement. I also redrafted language to be more consistent as requested by the Ordinance Review Committee

(10) **H.2.a. I removed the requirement for newspaper advertising** for vacancies on city committees. This is why I actually began studying the Rules of Procedure. The City Council and administration cut the City Clerk's advertising budget by $20,000.00. Some items must statutorily or legally be advertised (elections, ordinances, etc.). With our new website, extensive government channel coverage, public access channel announcements and news articles, I believe removing the requirement to advertise for committee vacancies is the best way to reduce newspaper advertising. Other options such as not printing City Council and Planning Commission agendas would more severely impact our citizens' knowledge of what the City is considering.

(11) **H.2. (a. and third paragraph)** The **City Clerk** (not the Mayor's Office) has assisted applicants for committee vacancies and circulated their applications despite what our current rules state.

'Personal' interest

Rules of Order
A. 6. Page 5

Another part of the Fayetteville City Council's Rules of Procedure needs to be removed entirely. It states that aldermen must abstain in votes on matters before the City Council in which they have a "personal interest." No definition of "personal interest" is given.

The ambiguity of this rule alone should give rise to its removal from the rules. But it also makes an assumption that seems to stand a fundamental principle of representative government on its head: Shouldn't any representative of the people have a personal interest in the matters on which they vote on behalf of their constituents? Isn't that sort of the whole point? We elect representatives from our wards who share our "personal" values and our priorities so they can take those "personal" values and interests to the City Council? We hope aldermen have a personal interest in seeing Fayetteville prosper and get better.

We're not sure Fayetteville needs any aldermen who don't take a personal interest in their jobs. Clearly, conflict of interest laws in Arkansas are already specific enough and much more narrowly defined: A public official must personally experience a direct financial benefit from an action he takes to be in violation of the law. A mere "personal interest" certainly doesn't meet that aim: It would have aldermen abstaining at virtually every turn for fear that the park they just voted for might one day be used by their own children.

Personal interests are part of representative government. Any rule that would have aldermen put such ambiguous interests aside is unrealistic and legally suspect.

NW Ark Times 2-19-03

PROPOSED

RULES OF ORDER AND PROCEDURE

FAYETTEVILLE MAYOR/CITY COUNCIL

Adopted March 4, 2003

A. CITY COUNCIL MEETINGS

1. Regular Meetings

The City Council shall meet in regular session on the first and third Tuesday of each month at 6:00 P.M. When a holiday occurs on any such Tuesday, the regular meeting shall be held on the following Wednesday at the same hour unless otherwise provided for by motion. The regular meeting time may be rescheduled by the City Council in special circumstances, but when so done the change must be made far enough in advance to allow normal public notification.

2. Location

The place of City Council meetings shall be in the City Council Chambers in the City Administration Building unless another place has been previously set by the City Council.

3. Special Meetings

Special meetings may be called by three or more Aldermen or by the Mayor. Notification of a special meeting, including specific items to be considered, shall be at least two hours prior to the meeting. Such notification shall be by personal service to each member or by telephone, specifying time and place of meeting.

4. Executive Session

An executive session may be requested by any member of the City Council or the Mayor. A majority vote by the City Council is required to convene in executive session. Executive sessions will be permitted only for the purpose of considering the employment, appointment, promotion, demotion, disciplining, or resignation of any public officer or employee.

5. Quorum

A majority of the City Council shall be necessary to constitute a quorum to do business. The concurring vote of a majority of those attending a meeting shall be sufficient to pass procedural motions except a Motion to Suspend the Rules which requires six affirmative votes. Ordinances and Resolutions require five affirmative votes to pass.

6. Public Notification and Participation

The City will, if necessary, go further than legally required in order to inform citizens of the items to be considered by the City Council. The means used will include advertisements in a local newspaper, special notice to citizens who have shown a direct

interest in matters to be considered, and agenda copies available at City Council meetings.

Members of the audience will be offered an opportunity to speak on all questions before the City Council. Any public member shall first state his or her name and address, followed by a concise statement of the person's position on the question under discussion. Repetitive comments should be avoided; this applies to comments made previously either to the City Council or to the Planning Commission when those Planning Commission minutes have been provided to the Aldermen. All remarks shall be addressed to the City Council as a whole and not to any particular member of the City Council. No person other than the Aldermen and the person having the floor shall be permitted to enter into any discussions without permission of the Mayor. No questions shall be asked an Alderman or city employee except through the Mayor.

All members of the public are requested to accord the utmost courtesy to members of the City Council, to other members of the public appearing before the City Council and to city staff, and are asked to refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.

7. Smoking Prohibited

There will be no smoking allowed in the City Council Chambers during City Council meetings.

8. Cell Phones and Pagers

Cell phones must be turned off or put in silent mode and not used within the City Council Chambers during City Council meetings. Pagers must be turned off or put in silent mode within the City Council Chambers during City Council meetings. These restrictions also apply during Agenda Sessions in Room 326.

B. DUTIES AND PRIVILEGES OF ALDERMEN AT CITY COUNCIL MEETINGS

1. Seating

Members shall occupy the respective seats in the City Council Chambers assigned by position number. The Mayor (or Assistant Mayor in the Mayor's absence) shall be seated near the center of the Aldermen's table.

2. Conduct

During City Council meetings, City Aldermen shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings. Neither shall they refuse to obey the orders of the Mayor or the rules of the City Council.

Every member of the City Council desiring to speak shall address the chair and, upon recognition by the Mayor, shall confine herself or himself to the question under debate and shall avoid all personalities and indecorous language. A City Council member once

recognized shall not be interrupted while speaking unless called to order by the Mayor, unless a point of order is raised by another member or unless the member chooses to yield to questions from another member.

If a member is called to order while he or she is speaking, the member shall cease speaking immediately until the question of order is determined. If ruled to be not in order, the member shall remain silent or shall alter his or her remark so as to comply with the rules of the City Council.

All members of the City Council shall accord the utmost courtesy to each other, to city employees, and to members of the public appearing before the City Council, and shall refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities. City Council members shall confine their questions as to the particular matters before the City Council and in debate shall confine their remarks to the issues before the City Council.

3. Financial Interest

No member of the City Council with a direct or indirect financial interest in any items before the City Council shall participate in the discussion of or voting on such matter.

4. Voting

Every member present when a question is put to a vote shall vote either "yes" or "no", except that a member may abstain from voting if he or she has not participated in the preceding discussion of the question and if that member briefly states the reason for the abstention. The Aldermen will vote at City Council meetings in the order of their position number, but with a progressively different position voting first at each meeting.

5. Roll Call

Upon every vote the affirmative and negative votes shall be called and shall be recorded on every motion, resolution and ordinance; however, items which may be approved by motion, or contracts and leases which can be approved by resolution, may be grouped together and approved simultaneously with one roll call, under a "Consent Agenda.."

C. MAYOR & VICE MAYOR

1. Mayor

a. General Power to Preside and Vote

The Mayor is the presiding officer and ex officio president of the City Council. The Mayor may vote to establish a quorum or to pass an ordinance, resolution or motion if the Mayor's vote is needed for passage. The Mayor does not have the right to vote for an Emergency Clause on an ordinance. An Emergency Clause requires six affirmative votes by aldermen to pass.

b. Mayor's Veto Power

The Mayor has the power to veto any ordinance, resolution or order, or part thereof, adopted by the City Council within five (5) days (Sundays excluded) of the City Council vote. Before the next City Council meeting, the Mayor shall file in the City Clerk's office a written statement of reasons for the veto. At the first City Council meeting following the veto, the City Council can override the veto by two-thirds majority (6 affirmative votes).

2. Vice Mayor

The City Council shall at the time of organizing, in public session, elect one of its members as Vice Mayor. Any Alderman may nominate himself or herself or any other member of the City Council for Vice Mayor, and no second of a nomination is required. Each Alderman shall vote by naming his or her choice by voice vote if there is more than one nominee for a position. A majority vote of the City Council shall be required for election. In the absence of the Mayor, the Vice Mayor shall preside at the City Council meeting.

3. Privileges of the Vice Mayor

The Vice Mayor acting as the Mayor may move, second and debate from the chair and shall not be deprived of the rights and privileges of being a member of the City Council by reason of her or his acting as the Vice Mayor.

D. PROCEDURES AND PARLIAMENTARY RULES

1. Agenda

The City Council's agenda order shall be coordinated by the Mayor. All items for discussion or action at the regular council meeting shall be included in a Tentative Agenda provided to Aldermen prior to an Agenda Session where the Aldermen shall determine the final arrangement of the Agenda. Any item the Mayor or an Alderman wishes to include on the Final Agenda that was not included on the Tentative Agenda may only be added to the Final Agenda during the Agenda Session. At the regular meeting of the City Council, the Council, by majority vote, may rearrange the order of the Agenda. An item may be added to the Agenda at the City Council meeting only by a Motion to Suspend the Rules.

2. Precedence of Motions

The City Council shall follow the precedence and classification of motions as given in the most recent edition of the Arkansas Municipal League's "Handbook for Arkansas Municipal Officials." In the event a matter is not covered by the Handbook, the most recent edition of "Robert's Rules of Order" shall apply. On questions of appeal, a majority of those present is required to overturn a ruling of the chair.

3. Motions to be Stated by the Chair/Withdrawal

When a motion is made and seconded, it shall be stated by the Mayor before debate. After being stated by the Mayor, a motion may not be withdrawn by the mover without the consent of the member seconding it and approval of the City Council.

4. Reconsideration

After the decision of any question, any member of the majority may request a reconsideration of any action at the same or the next succeeding meeting; provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before final execution thereof. A motion to reconsider requires a simple majority for passage. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made without unanimous consent.

5. Readings

All ordinances shall be read aloud at three different meetings unless the City Council votes to suspend the rules.

The following guidelines for reading ordinances are recommended:

- After the ordinance's first reading, aldermen may briefly point out potential concerns or benefits from the proposed ordinance, but should refrain from attempting to persuade each other or arrive at a final consensus.
- Unless there is clearly no opposition or concern about the ordinance, it should be read and open for public discussion during at least two City Council meetings.
- Complex ordinances that need further clarification or drafting work should be referred to the Ordinance Review Committee.

E. INTERNAL BOARDS, COMMITTEES, COMMISSIONS AND APPOINTMENTS

1. Membership Of Internal Boards, Committees, Commissions And Appointments

A. Standing City Council Committees.

The four standing committees of the City Council are: Nominating, Ordinance Review, Streets, and Water and Sewer. Each committee shall have four aldermen members appointed by the Mayor in January after every regular election. All Aldermen shall serve on two of these four committees. Each committee shall elect a chairman and vice chairman during the first committee meeting after the aldermen are appointed.

B. Other committees (See also Section H. Citizens Committees)

Aldermen may volunteer or request to serve on any of the various other committees which have Alderman slots. The Mayor may appoint Aldermen to the other committees pursuant to their request.

C. Appeal Right To City Council

Any Alderman who is dissatisfied with his or her committee assignments can appeal to the whole City Council who can determine by majority vote Alderman will be appointed to a specific committee.

D. Ad Hoc Committees.

Ad hoc committees may be appointed either by the Mayor or by a majority vote of the City Council to study special problems and projects of the City.

2. Notification and Attendance

All Aldermen, representatives of the news media who have requested notification, and other persons who have shown a direct interest in matters to be considered at a committee meeting shall be notified of City Council committee meetings.

Committee meetings shall be held when possible at times that allow all members of the committee to attend. In order for a committee to make an official recommendation to the City Council, a majority of the committee members must agree on that recommendation. Aldermen who are not members of a particular City Council committee may generally participate in the meeting of that committee except for voting on committee recommendations, but the chairperson may rule otherwise.

3. City Council Representation on Other Governmental Groups

When it is necessary to appoint a Alderman to an external board, commission or committee, selection of that Alderman shall be made by a majority vote of the City Council. That selection shall be made by nomination and vote in a public session. Any Alderman may nominate himself or herself or (any other member of the City Counci), and no second is required. Each Alderman shall vote by naming his or her choice by voice vote if there is more than one nominee for a position. A majority vote of the City Council shall be required for election.

F. MAYOR RELATIONSHIP

1. Definition of Authority

In exercising its legislative responsibilities, the City Council may approve policy which represents broad statements of its intentions, approve plans and programs, and manage the financial aspects of the city through its budgetary powers. The Mayor is empowered to hire capable personnel within the approved wage and salary policy, to plan and establish schedules and to train, supervise and terminate employees.

2. Definition of Responsibilities

The Mayor has the principal responsibility for directing the operations of the city government, and for advising and assisting the City Council in its deliberations. In connection with this latter responsibility, the City Council expects and requests the

need to properly carry out its functions in an informed manner. The City Council also expects the Mayor to abide by the Code of Ethics of the International Mayor's Association.

3. City Council/Mayor Cooperation

Efficient management of the city can exist only through mutual understanding and complete cooperation between the City Council and the Mayor. The Mayor's performance cannot be of the best unless the Mayor is given the latitude to exercise independent judgment in executing policies of the City Council. The City Council acknowledges that obligation and gives the Mayor the latitude of judgment and discretion, and expects faithful performance in carrying out the policies of the City Council.

While open communication between the City Council and City personnel is encouraged, it shall be understood that administrative authority for the management of the City rests with the Mayor. Members of the City Council should refrain, as individuals, from giving specific direction or instruction to City personnel pertaining to the discharge of assigned duties.

G. CODE OF ETHICS

1. General

Members of the City Council and the Mayor occupy positions of public trust. All business transactions of such officials dealing in any manner with public funds, either directly or indirectly, must be subject to the scrutiny of public opinion both as to the legality and to the propriety of such transactions.

2. Conflict of Interest

Members of the City Council and the Mayor shall refrain from making use of special knowledge or information before it is made available to the general public; shall refrain from making or influencing decisions involving business associates, customers, clients, competitors and immediate family members and shall comply with all lawful actions, directives and orders of duly constituted municipal officers as such may be issued in the normal and lawful discharge of the duties of these municipal officers. Nothing herein, however, shall serve to deny the Members of the City Council and the Mayor of the legal rights and privileges available to all Fayetteville citizens.

3. Responsibility of All Citizens

Members of the City Council and the Mayor shall conduct themselves so as to bring credit upon the city as a whole and so as to set an example of good ethical conduct for all citizens of the community. The Members of the City Council and the Mayor shall bear in mind at all times their responsibility to the entire electorate, shall refrain from actions benefiting special interest groups at the expense of the city as a whole, and shall do everything in their power to ensure equal and impartial law enforcement throughout the city without respect to race, creed, color, or the economic or social position of individual citizens.

In an effort to allow the public full knowledge of financial and personal interests, the Members of the City Council and the Mayor are expected to disclose annually all real estate holdings in Fayetteville and the Fayetteville planning area, and any business or financial interest which could affect or be affected by decisions of the City Council. Such disclosure should be made in writing to the City Clerk in January of each year.

H. CITIZEN COMMITTEES

1. Authorization by the City Council

The City Council may authorize citizen advisory boards, committees and commissions to assist the City Council in discharging its responsibilities more effectively. Authorization will be made by majority vote of the City Council.

2. Selecting of Members

The Nominating Committee shall have the responsibility of coordinating the selection process of members for the citizen advisory groups prior to the final City Council decision. The objectives of the selection process shall be as follows: To provide a broad diversity of qualified individuals for service on the appointed bodies; and to provide an opportunity for participation in city affairs by interested citizens.

The selection process shall follow these procedures:

a. Periodic news releases and articles, generally at least two weeks in advance of appointments, requesting interested individuals to notify the City Clerk's office of their interest in being considered for appointment. Application forms should be completed by each person who expresses an interest in a position.

b. City Council members, city staff members and interested individuals and organizations who know of qualified persons should encourage them to apply for appointment.

c. Cable television should be used to notify citizens of vacancies in citizen committees.

d. The City website, **accessfayetteville.org**, shall list vacancies in citizen committees.

e. Any person who has served two consecutive full terms on any City commission or board shall not be eligible for reappointment to the same commission or board until one full terms of office as expired, unless there are an insufficient number of qualified applicants to fill all vacancies. A full term shall be the term established by the City Council for the commission or board, or an appointment to a vacant position when the person appointed participates in regularly scheduled meetings of the commission or board for one-half or more of the term established by the City Council.

Prior to any appointment, the City Clerk's office will circulate to the full City Council copies of applications of the individuals on file for the appointive body. Aldermen may recommend applicants or offer comments to the Nominating Committee prior to their scheduled meeting.

The Nominating Committee will narrow the list of prospective appointees to no more than two individuals for each position. This decision will be made in an open meeting. The recommendations will be submitted to the full City Council for final decision. The committee's first choice may be indicated. All positions shall be decided by majority vote of the City Council. In instances where there is more than one nominee for a position, either by Nominating Committee recommendation or by other nominations, each Alderman shall vote by naming his or her choice for that position. The City Council will act officially on all appointments in public session.

I. Appointment of New Alderman

The City Council shall vote on the appointment of any replacement to fill a vacancy on the City Council. The Council may meet in executive session, after taking applications, and decide if personal interviews are necessary and set dates for interviews. After interviewing any or all candidates, the Council may again meet in executive session on the matter. The City Council will then vote in an open public session and the candidate with the majority of votes will be appointed the new alderman at the following meeting.

Staff Review Form - Page 2

Description _____ Meeting Date _____

Comments:

Reference Comments:

Budget Manager

Accounting Manager

Will the new Division require new personnel to staff fully? What other costs will be incurred such as training facility etc.?

Yes. Discussed in memo under Potential Cost Factors

City Attorney

Purchasing Manager

ADA Coordinator

Internal Auditor

What is the cost to the City in year not covered by the FEMA grant? How much would be requestable from FEMA?

Discussed under Potential Cost Factors

Grants Coordinator

STAFF REVIEW FORM

FEMA Fire Contract
A. 7. Page 1

X AGENDA REQUEST
____ CONTRACT REVIEW
____ GRANT REVIEW

For the Fayetteville City Council Meeting of: March 4, 2003

FROM:

Chris Bosch	Fire Operations	Fire
Name	Division	Department

ACTION REQUIRED: A Resolution providing the Fire Department with Council approval to submit a grant request for a FEMA FIRE Act Grant during the 2003 funding cycle.

COST TO CITY:

$0.00		
Cost of this request	Category/Project Budget	Program Category / Project Name
	$ -	
Account Number	Funds Used to Date	Program / Project Category Name
	$ -	
Project Number	Remaining Balance	Fund Name

BUDGET REVIEW: N/A Budgeted Item ____ Budget Adjustment Attached

Budget Manager	2-19-03 Date	Administrative Services Director	Date

CONTRACT/GRANT/LEASE REVIEW:

Marsha Fortney	2/19/03	Nancy Smith	2/19/03
Accounting Manager	Date	Internal Auditor	Date
D.G. White	2/19/03		
City Attorney	Date	ADA Coordinator	Date
P Clice	2/19/03		
Purchasing Manager	Date	Grant Coordinator	Date

STAFF RECOMMENDATION: Fire Chief recommends approval of the resolution.

Division Head	Date	
C B L	2/14/03	
Department Director	Date	
Steve Davis OK NE	2-19-03	
Administrative Services Director	Date	
Mayor	Date	

Cross Reference

New Item: (Yes) No

Previous Ord/Res#: ____

Orig. Contract Date ____

Orig. Contract Number ____

Executive Summary
Fire Department 2003 FIRE Act Grant
March 4, 2003

Background:

During 2002 the Fayetteville Fire Department requested and received a FIRE Act Grant through the Federal Emergency Management Agency and the US Fire Administration. This grant, which totaled approximately $111,000, was used to purchase new turn-out gear for all Fire Department uniform personnel.

This grant program is part of the Federal Government's effort to enhance homeland security and improve local Fire Department's ability to provide efficient and effective Fire, EMS and Rescue services at the municipal level. This grant currently requires a 30% match; however, local Fire Departments are allowed to utilize Act 833 Insurance Turnback money to cover this requirement.

Current Status:

During the 2003 funding cycle FEMA has identified four primary criteria areas in which these grants will be awarded. These areas are Fire Operations and Safety, Fire Prevention, Fire Department Vehicles and Emergency Medical Services. Organizations requesting grant funds during the 2003 cycle, and who have received funding during previous cycles, are required to apply in a different category this year.

Since the Fire Department applied for, and received, funding under the Fire Operations and Safety category we have decided that this years request should focus on the Emergency Medical Service aspect of the grant.

The Fire Department would like to request funding, through this grant, to establish two specific programs. The primary program would be the Fire Fighter Wellness & Fitness program, which will allow the organization to focus on developing and maintaining an effective health and fitness program for our personnel. The secondary program will be the Fire Department Emergency Medical Technician Training program which will allow the Department to provide EMT training to its personnel in a more cost effective manner.

Currently the Fire Department is required to provide this training by outsourcing it to private contractors who charge the Department approximately $600 per person, or $52,000 per year. This includes the actual cost of the training class and any overtime required to attend this class. Establishing these two programs would allow the Fire Department to conduct this training in a more efficient and effective manner while employees are on-duty rather than paying overtime for them to attend these classes. This would also allow the Fire Department to set the training schedule rather than being forced to conform to schedule of an independent instructor. Once these programs are established this training service could also be made available to other City Departments on an as needed basis.

Potential Cost Factors:

The establishment of this Division would require the employment of a Program Coordinator and the purchase of several pieces of monitoring and training equipment. These costs will allow the Fire Department to conduct health assessments, develop individual employee fitness programs and provide effective training related to the emergency medical service. Fortunately, this year's FIRE Act Grant, under the EMS category, provides funding for the personnel, as well as equipment, necessary to accomplish these goals. The Fire Department would like to request funding for this additional staff position as well as the aforementioned equipment.

As previously mentioned, this grant requires the Department to provide 30% in matching funds; however, Insurance Turnback (Act 833) funds can be used meet this requirement. Through this process the Department will also be required to maintain this position for one additional year, after the funding is awarded; however, this can be accomplished through the standard annual budgeting process. Current estimates identify the initial start-up cost for this program will be approximately $100,000 with FEMA providing $70,000 and the Fire Department providing the matching $30,000.

The Fire Department is currently working out a detailed cost sheet for this application and will be happy to provide this information once the process is complete. Further, according to City Ordinance, the Fire Department will bring this request before the Council for approval prior to accepting the grant if it is awarded. This initial request does not commit the City to any requirements; it simply provides the Fire Department with permission to proceed with the grant request process.

Recommendation:

The Fire Department would like to request a Resolution, from the Council, allowing us to submit a grant application to the Federal Emergency Management Agency for a FIRE Act Grant. This grant would provide funding for the establishment of a Wellness & Fitness/EMS Division. We believe this funding will be beneficial to the Department and will assist us in more efficiently and effectively maintain adequate levels of training and improved service to the citizens of Fayetteville.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

TO: Hugh Earnest, Chief Administrative Officer
Chris Bosch, Fire Chief

FROM: Stephen Davis, Finance & Internal Services Director

DATE: February 20, 2003

SUBJECT: Fire Department FEMA Grant

The Fire Department has an agenda request to obtain City Council authorization to apply for a FEMA grant that will provide for two programs: Fire Fighter Wellness & Fitness and Emergency Medical Technician Training. The projected cost of both programs is approximately $111,000.

A portion of the justification for the programs is the requirement that the City's EMT's be re-certified every two years. The re-certification cost, per the agenda memo, is approximately $52,000 and includes the cost paid to the third party provider, as well as the overtime paid to the fire fighter.

Finance staff has reviewed the agenda item and have several questions. I request that the item be left on the agenda and that the questions are clarified between the time of grant filing and any grant acceptance. The questions are as follows:

1) How has the City paid/provided for re-certification for EMT in prior years?
2) Was the re-certification class conducted by the Fire Training Officer?
3) How will the Fire Department be able to provide the training in-house, maintain minimum staffing and not incur overtime?
4) Can an existing Fire Department position be re-assigned to provide the staff requested as part of this grant application?
5) How does this new program and related new staff fit into the overall staffing issues for the Fire Department?
6) Does the Fire Department have existing facilities to support this grant request?

K:\Steve Davis\Fire Department FEMA Grant.doc

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

KIT WILLIAMS, CITY ATTORNEY
DAVID WHITAKER, ASST. CITY ATTORNEY

LEGAL DEPARTMENT

DEPARTMENTAL CORRESPONDENCE

TO: **Dan Coody**, Mayor
City Council

FROM: **Kit Williams**, City Attorney

DATE: **February 28, 2003**

RE: **Berry v. City of Fayetteville**

After we were sued late last week, I not only prepared the previous memos to you about our likelihood of success and exposure risk, I asked to see our current liability insurance policy. I did not receive it by the close of business last week and I ended up flat on my back the first three days (Sunday, Monday, Tuesday) of this week.

After wrapping up some other pressing issues, I again asked for our current liability policy. We could not get our 2003 policy faxed to us because of an ice storm in Arizona, so I read the 58 page 2002 policy (that should be virtually identical).

This is not fun reading, but I found out that the claims made against us are probably **EXCLUDED** under our policy. As you remember, the primary monetary claim is for "**inverse condemnation**." The Berrys also seek declaratory judgments and injunctive relief.

The Common Liability Exclusions states:

> "The following **exclusions** apply to the liability coverages designated In the Common Policy Declaration. Refer to the individual coverage forms for additional exclusions.
>
> ...
>
> "6. Eminent Domain
>
> "Any injury or damage arising out of or resulting from a taking that involves or is in any way related to the principles of eminent domain, **inverse condemnation,** ... or by whatever name used." (emphasis added)

...

In the **Public Officials Liability Coverage Form –II**, the policy states:

> "**Section II EXCLUSIONS**
>
> **"We will not be obligated to make any payment nor to defend any 'suit'** in connection with any 'claim' made against the insured:
>
> ...
>
> "9. For 'claim(s)', demands, or actions seeking relief or redress in any form other than monetary damages, or for any fees, costs or expenses which the insured may become obligated to pay as a result of any adverse judgment for **declaratory relief or injunctive relief** .... "

Therefore, although the City will promptly notify our insurance company of this suit against us, the company will probably say we are not covered.

The good news is that we have very good reasons to file a Motion To Dismiss plaintiffs' Complaint and will be able at the least to force them to follow statutory requirements to file such a suit. We will certainly argue that these constitutional issues have already been decided by Judge Storey and the law does not allow plaintiffs a second bite of the constitutional apple.

Because of the wording in the insurance policy (appropriate pages attached for your review), I will proceed to prepare our Motion To Dismiss with Supporting Brief. I ask that the Resolution I prepared for your City Council meeting be withdrawn from Consent and probably tabled or withdrawn during the meeting.

I would like to thank the various Aldermen for their kind remarks during the Agenda meeting that I was forced to miss due to a doctor's appointment.

National Casualty Company

PUBLIC ENTITY POLICY

COMMON LIABILITY EXCLUSIONS AND COMMON LIABILITY DEFINITIONS

The Coverage Forms shown below are subject to the following Common Liability Exclusions and Common Liability Definitions:

General Liability Coverage Form (Occurrence Coverage)

Law Enforcement Liability Coverage Form (Occurrence Coverage)

Law Enforcement Liability Coverage Form (Claims Made Coverage)

Public Officials Liability Coverage Form (Occurrence Coverage)

Public Officials Liability Coverage Form (Claims Made Coverage)

Public Officials Liability Coverage Form (Claims Made and Reported Coverage)

Employment Practices Liability Coverage Form (Claims Made Coverage)

Emergency Dispatchers Liability Coverage Form (Occurrence Coverage)

Firefighters Professional Liability Coverage Form (Claims Made Coverage)

Please refer to the Common Policy Declarations to determine which of these coverages applies to your insurance policy.

A. COMMON LIABILITY EXCLUSIONS

The following exclusions apply to the liability coverages designated in the Common Policy Declarations. Refer to the individual coverage forms for additional exclusions.

This policy does not apply to:

1. Pollution

   a. "Bodily injury," "property damage" or "personal injury" arising out of, or "wrongful act(s)" which result in the actual, alleged or threatened discharge, dispersal, seepage, migration, release or escape of "pollutants" at any time.

   Paragraph 1.a. does not apply to "bodily injury," "property damage" or "personal injury" arising out of, or "wrongful act(s)" which result in heat, smoke or fumes from a hostile fire:

   (1) At or from any Named Insured's premises;

   (2) At or from any site or location on which any Named Insured or any contractors or subcontractors working directly or indirectly on any Named Insured's behalf are performing operations.

   As used in this exclusion, a hostile fire means one which becomes uncontrollable or breaks out from where it was intended to be.

   b. Any loss, cost or expense arising out of any:

      (1) Request, demand or order that any insured or others test for, monitor, clean up, remove, contain, treat, detoxify or neutralize, or in any way respond to, or assess the effects of pollutants; or

      (2) "Claim" or "suit" by or on behalf of a governmental authority for damages because of testing for, monitoring, cleaning up, removing, containing, treating, detoxifying or neutralizing, or in any way responding to, or assessing the effects of pollutants.

   Pollutants means any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals and waste. Waste

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the Atomic Energy Act of 1954 or in any law amendatory thereof.

"Spent fuel" means any fuel element or fuel component, solid or liquid, which has been used or exposed to radiation in a "nuclear reactor."

"Waste" means any waste material:

a. Containing "by-product material" other than the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its "source material" content; and

b. Resulting from the operation by any person or organization of any "nuclear facility" included under paragraphs a. and b. of the definition of "nuclear facility."

"Nuclear facility" means:

a. Any "nuclear reactor";

b. Any equipment or device designed or used for:

(1) Separating the isotopes of uranium or plutonium;

(2) Processing or utilizing "spent fuel"; or

(3) Handling, processing or packaging "waste";

c. Any equipment or device used for the processing, fabricating or alloying of "special nuclear material" if at any time the total amount of such material in the custody of the insured at the premises where such equipment or device is located consists of or contains more than 25 grams of plutonium or uranium 233 or any combination thereof, or more than 250 grams of uranium 235;

d. Any structure, basin excavation, premises or place prepared or used for the storage or disposal of "waste";

and includes the site on which any of the foregoing is located, all operations conducted on such site and all premises used for such operations.

"Nuclear reactor" means any apparatus designed or used to sustain nuclear fission in a self-supporting chain reaction or to contain a critical mass of fissionable material;

Injury or damage includes all forms of radioactive contamination of property.

5. Dams

"Bodily injury," "property damage," "personal injury" or "advertising injury" arising out of, or "wrongful act(s)" which result in the rupture, bursting, overtopping, accidental discharge, or structural failure of any dam, levee, or dike that you own, operate, use, maintain, license, permit or inspect, or located on any property you rent or lease including a sublease.

6. Eminent Domain

Any injury or damage arising out of or resulting from a taking that involves or is in any way related to the principles of eminent domain, inverse condemnation, adverse possession, right of prescription or dedication by adverse use or by whatever name used, whether "claim(s)" is made directly against any insured or by virtue of any agreement entered into by or on behalf of any insured.

7. Workers Compensation and Similar Laws

Any obligation of the Insured under a workers' compensation, disability benefits or unemployment compensation law or any similar law.

B. COMMON LIABILITY DEFINITIONS

Throughout this policy words and phrases that appear in quotation marks are defined terms. The following definitions apply to the Liability coverages designated in the Common Policy Declarations. Please refer to the individual coverage forms for additional definitions.

1. "Auto" means a land motor vehicle, trailer or semi-trailer designed for travel on public roads, including any attached machinery or equipment, but "auto" does not include "mobile equipment."

2. "Bodily Injury" means bodily injury, mental anguish, emotional distress, sickness or disease sustained by any person, including death resulting from any of these at any time.

3. "Coverage territory" means all parts of the world if the insured's responsibility to pay damages is determined in a "suit" brought in the United States of America (including its territories and possessions), Puerto Rico or Canada or in a settlement we agree to.

4. "Loading or unloading" means the handling of property:

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will pay all costs taxed against the insured in any "suit" defended by us.

We will pay, in addition to the applicable Limit of Liability:

a. All expenses incurred by us and all interest on the entire amount of any judgment therein, which does not exceed the limit of our liability;

b. All reasonable expenses incurred by the insured at our request to assist in the investigation or defense of a "claim" or "suit." Expenses, as used here, do not include salaries of your officers or employees, except for actual loss of earnings, up to $100 a day, because of time off from work;

c. Prejudgment interest awarded against the insured on that part of the judgment we pay. If we make an offer to pay the applicable Limit of Liability, we will not pay any prejudgment interest based on that period of time after the offer;

d. Premium on appeal bonds required in any "suit" defended by us and the cost of attachment or similar bonds.

SECTION II - EXCLUSIONS

We will not be obligated to make any payment nor to defend any "suit" in connection with any "claim" made against the insured:

1. Based upon or attributable to any insured enjoying unjust enrichment; or gaining profit, advantage or remuneration to which the insured is not entitled;

2. Arising out of the deliberate violation of any federal, state, or local statute, ordinance, rule or regulation committed by or with the knowledge and consent of the insured;

3. Brought about or contributed to by fraud, dishonesty, or bad faith of an insured; however, notwithstanding the foregoing, the insured will be protected under the terms of this Coverage Form, as to any "claim(s)" upon which "suit" may be brought against them by reason of any alleged fraud, dishonesty or bad faith on the part of any insured, unless a judgment or other final adjudication thereof adverse to such insured will establish that acts of fraud, dishonesty or bad faith committed by such insured were material to the cause of action so adjudicated;

4. For any damage arising out of "bodily injury," or for damage to or destruction of any property, including diminution of value or loss of use thereof;

5. For false arrest, false imprisonment, libel, slander, defamation, invasion of privacy, wrongful eviction, assault, battery, malicious prosecution or abuse of process;

6. Arising out of operational law enforcement functions and activities including the operation of adult and juvenile detention facilities;

7. As a result of strikes, riots or civil commotion;

8. Arising out of:

   a. Any "public officials wrongful act" which takes place prior to the "policy period" if the insured had knowledge of circumstances which could reasonably be expected to give rise to a "claim"; or

   b. Any "loss" for which the insured is entitled to indemnity or payment by reason of having given notice of any circumstances which might give rise to a "claim" under any policy or policies the term(s) of which has expired prior to the inception date of this policy.

9. For "claim(s)", demands, or actions seeking relief or redress in any form other than monetary damages, or for any fees, costs or expenses which the insured may become obligated to pay as a result of any adverse judgment for declaratory relief or injunctive relief; however we will afford defense to the insured for "suit(s)" in which monetary damages are requested if not otherwise excluded;

10. For any cost, civil fine or penalty against any insured arising out of any complaint or enforcement action from any federal, state or local governmental regulatory agency;

11. For "claim(s)" arising out of:

    a. Any activity for which the insured is acting in a fiduciary capacity; or

    b. Any debt financing, including but not limited to bonds, notes, debentures and guarantees of debt; or

    c. The determination of assessed values, the formulation of tax rates, the collection of taxes, or the formulation of tax refunds;

City of Fayetteville, Arkansas
Budget Adjustment Form

Budget Year	Department: General Government Division: Miscellaneous Program:	Date Requested	Adjustment Number
2003		3/4/2003	

Project or Item Requested:
Funding of $50,000 is requested to pay the deductible for the Berry vs City of Fayetteville suit (Thunder Valley Raceway).

Project or Item Deleted:
None. Use of Fund Balance if proposed for the adjustment.

Justification of this Increase:
The City has insurance through Scottsdale Insurance and the policy has a $50,000 deductible. The City feels that for the appeal process, using the insurance carrier is more feasible than using the City Attorney's time.

Justification of this Decrease:
Sufficient cash and investments exist in General Fund to fund planned expenditures, to fund this request and to comply with City policy.

Increase Expense (Decrease Revenue)

Account Name	Account Number				Amount	Project Number	
Settlements	1010	6600	5311	09	50,000		

Decrease Expense (Increase Revenue)

Account Name	Account Number				Amount	Project Number	
Use of fund balance	1010	0001	4999	99	50,000		

Approval Signatures

Requested By	Date
Budget Manager	2-28-03 Date
Department Director	Date
Administrative Services Director	Date
Mayor	Date

Budget & Research Use Only

Type: A B C D E

Date of Approval	Date	Initial
Posted to General Ledger	Date	Initial
Posted to Project Accounting	Date	Initial
Entered in Category Log	Date	Initial

FINAL

RESOLUTION NO. _____

A RESOLUTION TO REFER THE CASE OF BERRY V. CITY OF FAYETTEVILLE TO OUR INSURANCE COMPANY FOR DEFENSE AND TO APPROVE A BUDGET ADJUSTMENT

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby determines it is in the best interest of the City to refer the case of Berry v. City of Fayetteville, CV 2003-266-5 to our insurance carrier for defense.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby approves the budget adjustment in the amount of $50,000.00 as attached as Exhibit A.

PASSED and **APPROVED** this the 4th day of March, 2003.

APPROVED:

By: _____
DAN COODY, Mayor

DRAFT

ATTEST:

By: _____
Sondra Smith, City Clerk

STAFF REVIEW FORM

Frisco
B. 1. Page 1

Dec. 3, 200.
until June. 21, 2003
did not get on
Jan. 21 Agenda
Served Papers 1/31/03
Put on March 4th
Agenda

X Agenda Request
__ Contract Review
__ Grant Review

For the Fayetteville City Council meeting of November 19

FROM:

Hugh Earnest — **Urban Development**

Name — Division — Department

ACTION REQUIRED: A resolution certifying to the tax collector of Washington County the costs of abating Unsightly and unsanitary conditions upon the property located at 922 North Frisco avenue in the city of Fayetteville, AR.

COST TO CITY:

$ _____ Cost of this Request	$ _____ Category/Project Budget	_____ Category/Project Name
_____ Account Number	$ _____ Funds Used to Date	_____ Program Name
_____ Project Number	$ _____ Remaining Balance	_____ Fund

BUDGET REVIEW: __Budgeted Item __Budget Adjustment Attached

Budget Manager — Administrative Services Director

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

Marsha Fastling 10/31/02
Accounting Manager — Date

_____ — _____
ADA Coordinator — Date

_____ 10/31/02
City Attorney — Date

Danny Smith 10/31/02
Internal Auditor — Date

_____ 11/1/02
Purchasing Officer — Date

STAFF RECOMMENDATION: Approval of the Resolution and Budget Adjustment

_____ _____
Division Head — Date

Hugh Earnest 10-30-02
Department Director — Date

11-1-02
Administrative Services Director — Date

11/04/02

Cross Reference

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

Prev Ord/Res #:

[redacted]te

Or[redacted]ontract Date:

STAFF REVIEW FORM

Description_____ Meeting Date

Comments:

Reference Comments:

Budget Coordinator

_____
_____
_____
_____

Accounting Manager

_____
_____
_____

City Attorney

_____
_____
_____

Purchasing Officer

_____
_____
_____

ADA Coordinator

_____
_____
_____

Internal Auditor

_____
_____
_____

_____

THE CITY OF FAYETTEVILLE, ARKANSAS

Date: October 30, 2002

To: The Mayor and Council

From: Hugh Earnest
Urban Development Director

Subject: Charles Jordan Property at 922 N. Frisco

Background

This particular piece of property has been an issue for code enforcement for some time. On April 3, 2002, City inspectors sent a letter requesting that the white goods and other discarded items be removed from the above referenced site. Despite the fact that a considerable amount of time over the date given in the letter was allowed, no attempt was made to remove any material. Rather, a good portion of the material on site was moved into the ditch in front of the referenced property. On July 25, 2002, City crews from Solid Waste removed the material at a cost to the City of $1,177.57. Copies of all the correspondence are attached. In addition, we have photos which will be available at the Council meeting.

Current Situation

Following the clean up, a bill for the services rendered was sent via registered certified mail to the property owner. The letter was returned by the post office after three attempts to make delivery. In order to ensure delivery, an officer from the Police Department did make delivery to the property owner on August 28, 2002. The letter gave the owner 30 days from the date of delivery to make restitution for the clean up. The time given has long expired. As of the date of this memo, we have not had any formal response to our letter.

Recommendation

Our City Attorney advises that the action taken by City crews in cleaning up the site constitutes a lien against the property. While we remain hopeful that the situation can be resolved, the facts dictate that we recommend the following course of action by the Council. The City Council by resolution should remand to the Tax Collector the amount of the bill to be included as part of the tax bill on the property. The Council by resolution must verify the charge for services. This will make the City charge for services payable as part of the yearly assessment from the County. In addition, this will mandate that any sale of the property can not occur without a resolution of the outstanding charge by any purchaser. We will see that the current owner of the property is furnished this memo and we will make every effort to try to resolve this issue prior to any action by the Council.

RESOLUTION NO. _____

A RESOLUTION CERTIFYING TO THE TAX COLLECTOR OF WASHINGTON COUNTY THE COSTS OF ABATING UNSIGHTLY AND UNSANITARY CONDITIONS UPON THE PROPERTY LOCATED AT 922 NORTH FRISCO AVENUE IN THE CITY OF FAYETTEVILLE, ARKANSAS.

DRAFT

WHEREAS, pursuant to the provisions of §§ 95.01-95.03, Code of Fayetteville, as authorized by A.C.A. §14-54-901 et seq., the City of Fayetteville directed the owner of the property located at 922 North Frisco Avenue (WC Parcel #765-08496-000) to correct unsightly or unsanitary conditions on the property; and,

WHEREAS, Charles J. Jordon, record owner of the property, failed to correct the unsightly or unsanitary conditions on the property within the twenty (20) days allotted; and,

WHEREAS, the City of Fayetteville, in accordance with the above-cited ordinances and statutes, entered upon the property and corrected the unsightly or unsanitary conditions; and,

WHEREAS, by operation of law, the City is given a lien against this real property for the costs of correcting the unsightly or unsanitary conditions; and,

WHEREAS, the City Council of the City of Fayetteville, Arkansas, is required to determine the appropriate amount of the lien, and certify this amount to the Tax Collector of Washington County, Arkansas to be placed on the tax books as delinquent taxes.

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

Section 1. That, by the authority granted pursuant to §14-54-901 et seq., and in accordance with the provisions of §§ 95.01-95.03, Code of Fayetteville, the City Council of the City of Fayetteville, Arkansas, hereby determines the appropriate amount of the lien against the property located at 922 North Frisco Avenue (WC Parcel #765-08496-000) to be $_____.

Section 2. That the City Council of the City of Fayetteville, Arkansas, hereby certifies this amount to Mr. David Ruff, Tax Collector for Washington County, Arkansas, so that this amount, plus ten percent (10%) penalty for

collection, be placed on the tax books as delinquent taxes against the property located at 922 North Frisco Avenue (WC Parcel #765-08496-000).

PASSED and **APPROVED** this _____ day of _____, 2002.

APPROVED:

By: _____
DAN COODY, Mayor

ATTEST:

By: _____
HEATHER WOODRUFF, City Clerk

DRAFT

FAYETTEVILLE

SERVED

Frisco
B. 1. Page 6

THE CITY OF FAYETTEVILLE, ARKANSAS

January 29, 2003

Mr. Charles J. Jordan
922 N. Frisco Avenue
Fayetteville, AR 72701

RE: Enforcement of lien for clearance by City
Arkansas Code Ann. § 14-54-904

NOTICE TO CHARLES J. JORDAN

Pursuant to A.C.A. § 14-54-904 at § 95.03 of the Fayetteville Code, you are placed upon Notice that the Fayetteville City Council will conduct a public hearing to determine the appropriate amount of lien to be placed against your property for the costs to clean up and correct the problems on your property. You are free to appear at this public hearing to present any evidence or statements.

The hearing will be part of a regular City Council meeting – probably on March 4, 2003 beginning at 6:00 p.m. at the City administration Building, 113 West Mountain, Fayetteville, Arkansas. It is possible that this hearing may be conducted at a later meeting such as on March 18, 2003 or thereafter. The City Council Agenda is advertised in local papers and will contain an item concerning this hearing. You may also call the Fayetteville City Clerk's Office (575-8323) for information confirming the date of the public hearing. If you want to present evidence of testimony about this lien, you should attend the March 4, 2003 City Council Meeting.

Sincerely,

Yolanda Fields
Code Compliance Director

Charlie Jordan
D. Wright
8:53am

113 WEST MOUNTAIN 72701 479-575-8260
FAX 479-444-3445

EQUAL HOUSING OPPORTUNITY

CITY OF FAYETTEVILLE

CODE COMPLIANCE

OFFICER DELIVERY REQUEST

Officer delivery is required for the attached document. Public Hearing Notice
(document description)

Delivery Address:

Charles Jordan
922 N Frisco Ave
Fayetteville AR 72701

Return of Service

I, Cpl. D. Wright #125, of the Fayetteville Police Department
(Officer name - print)

certify that I provided a true copy of the document described above to;

Charlie Jordan at the following address;
(name of recipient)

508 N. College

Delivery Date 1-31-03 Time 0853

Officer Signature Cpl. D. Wright

6 7

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

Date: February 19, 2003

To: The Mayor and City Council

From: Hugh Earnest
Chief Administrative Officer

Subject: Change Order #5, Dickson Street Project

Background

We are all aware that this ongoing renovation of Dickson Street has been a difficult and, at times, contentious project. On January 21st, the staff asked that action on this particular change order be deferred in order to give the staff time to meet with the engineer of record and the contractor. The object of the delay was to request from both the consultant and contractor a reasonably accurate list identifying most or all of the problems with curb cuts, driveways and any other areas that will need attention that are not in the project plan. We should all remember that we are working in an old portion of downtown where documentation of existing service lines is often lacking or inadequate. Staff would then be able to update the council with a report detailing **known** issues and concerns and we would better refine our grasp of the project scope and time frame.

Current Situation

Over the past several weeks we have had a series of very productive meetings between City administration, the consultant and contractor on the project. We have now identified, to the extent possible, a number of specific locations that need revisions. We have also identified project elements at the Walton Art Center where it is possible to reduce the quantity of sidewalk to be replaced.

As we commenced these conversations, there was a past requirement from the Arkansas Highway and Transportation Department (AHTD) for the purchase of right of way from property owners at each of the construction locations. We had been required to make such purchases as part of the initial project scope at full appraisal value. In our most recent endeavors our engineer has been successful in securing permission from the AHTD to allow use of construction easements from the impacted property owners. This concession by AHTD greatly reduces our expense and time needed to complete these refinements.

113 WEST MOUNTAIN 72701 479-521-7700
FAX 479-575-8257

The following table lists the locations and a summary of increases and savings. As you review these changes, which are all prudent, please keep in mind that not every issue can be foreseen. Having completed only about 30% of the job, it is very possible that future complications will arise. We need to keep a strong contingency balance in anticipation of those needs. We have also included as an attachment a project budget incorporating the best available current project cost information and showing the contingency remaining after applying the three options.

Newly Identified Refinements – February 18, 2003

Location	Add to Contract	Deduct from Contract
Train Depot	$178.20	
Bank of Fayetteville	$2,501.00	
Dickson St. Liquor – Drive Remove Concrete	$3,116.00 $532.00	
Dickson St. Theatre – Drive Remove Concrete		($2,009.00) ($343.00)
US Pizza Parking – Removal Concrete Drive Concrete Sidewalk	$560.00 $2,665.00 $510.00	
Pettus Law Firm – Asphalt Base	$65.00 $50.60	
City Alley – Grated Structure Junction Box RCP	$.00 $2,000.00 $.00	
Bank of America – Sidewalk	$340.00	
Florist – Sidewalk Lawn Re-grading	$612.00 $200.00	
Estes, Grambling – Tile SW	$500.00	
Walton Arts Center – SW Concrete Removal		($12,512.00) ($2,576.00)
Column Totals	$13,829.80	($17,440.00)

Net Savings Cost Adjustment = -($3,610.20)

Recommendation

The following table lists the options that are before the Council with respect to the treatment for the six intersections within the project.

OPTIONS	**Option 1** Brick pavers Six intersections	**Option 2** Brick pavers at two intersections Asphalt At four intersections	**Option 3** Asphalt Six intersections
Constructions Costs	$217,630	$76,990	$18,800
Time Extension	60 days	26 days	10 days
Funds Remaining	$37,008	$153,468	$211,658

It is the administration's recommendation that Option 3 is the preferred approach for a number of reasons.

- ✓ The expense for brick pavers is a considerable expense against a contingency that is quite small for the size of the project.
- ✓ The probability that the contractor will find a number of unexpected and remaining complications exist is relatively high.
- ✓ Any funds remaining in contingency could be used for street furniture and waste receptacles.
- ✓ The aesthetic value added for brick pavers in the intersection is quite small when weighed against the crosswalks, tree-lined street, planters and landscaping.
- ✓ There is some frustration over the time delays in this project and options one and two add significant time to the project construction.

DOWNTOWN DICKSON STREET ENHANCEMENT PROJECT
FINANCIAL SUMMARY REPORT AS OF FEBRUARY 18 2003

PROJECT CONSTRUCTION	AMOUNTS
CITY OF FAYETTEVILLE	$1,238,864
CITY OF FAYETTEVILLE APPROPRIATION 11/19/02	$270,000
DICKSON STREET IMPROVEMENT DISTRICT	$300,000
RAZORBACK FOUNDATION	$30,000
GRANT FUNDING	$1,500,000
TOTAL	**$3,338,864**

PROJECT EXPENSES	
BASE BID CONTRACT TO TOWNSHIP BUILDERS	($2,948,590)
ADDITIONAL INSPECTION COSTS	($74,700)
CONTINGENCY FUNDS	**$315,574**

PROJECT CHANGE ORDERS	AMT. AUTHORIZED
1. TIME/MATERIALS CHARGES TO RELOCATE SERVICE LINES AND OTHER FACILITIES NOT DENOTED IN CONTRACT SCOPE	$60,000
2. CONVERT OVERHEAD UTILITY LINES AT INTERSECTION OF CHURCH/DICKSON TO UNDERGROUND	$13,244
3. ELIMINATE DRAIN PIPING BY CONNECTING LANDSCAPING DRAINS TO STORM SEWER	($26,385)
4. CORRECT DRAINAGE AT ARKANSAS AVENUE AND STONE ARCH CULVERT NEAR BREW PUB	$38,257
TOTAL CHANGE ORDER COSTS TO DATE	**$85,116**
CONTINGENCY BALANCE (BEFORE FEBRUARY 2003)	**$230,458**
Identified Savings 2-18-03	$3,610
CURRENT CONSTRUCTION CONTINGENCY (February 18, 2003)	$234,068
Option 1 Costs	($193,450)
Contingency Balance (Option 1)	**$37,008**
Option 2 Costs	($76,990)
Contingency Balance (Option 2)	**$153,468**
Option 3 Costs	($18,800)
Contingency Balance (Option 3)	**$211,658**

STAFF REVIEW FORM

Second meeting in February

___ AGENDA REQUEST
_X_ CONTRACT REVIEW
___ GRANT REVIEW

For the Fayetteville City Council meeting of ~~January 21, 2003~~ February 18, 2003

Tabled 2/18/03 to March 4, 2003 City Council Meeting

FROM:

Sid Norbash	Engineering	Public Works
Name	Division	Department

ACTION REQUIRED: Approval of the C.O. #5 A or C.O.#5B or C.O.# 5C **(Council to choose one of the alternatives)** to the construction contract with Township Builders, Inc., for Dickson Street Enhancement Project.

COST TO CITY:
$208,924(A) or $152,312(B) or $18,788(C)

Cost of this Request	Category/Project Budget	Category/Project Name
	$3,112,923	Dickson St. Enhancements Project
4470-9470-5809.00	$2,778,847	Street Improvements
Account Number	Funds Used To Date	Program Name
98097-0020	$ 334,076	Sales Tax
Project Number	Remaining Balance	Fund

BUDGET REVIEW: _X_ Budgeted Item ___ Budget Adjustment Attached (to be furnished)

Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

Marsha Fatching	1/8/03		
Accounting Manager	Date		
D.L. Whitaker	1/8/03		
City Attorney	Date		
P Wilco	1/8/03		
Purchasing Officer	Date		

GRANTING AGENCY: _____

Danny Smith	1/9/03
Internal Auditor	Date
ADA Coordinator	Date

STAFF RECOMMENDATION: Approval of one of the alternatives.

Jim Beavers	01-08-03
Division Head	Date
Sid Norbash	1-8-03
Department Director	Date
Mark Rose	1-10-03
Administrative Services Director	Date
Dan Coody	1/10/03
Mayor	Date

Cross Reference

New Item: Yes __ No X

Prev Ord/Res #: 52-02

Orig Contract Date: 3-19-2002

Orig Contract Number: 838

FAYETTEVILLE
THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

To: Fayetteville City Council

Thru: Dan Coody, Mayor
Greg Boettcher, PWD
Jim Beavers, City Engineer

From: Sid Norbash, Staff Engineer

Date: January 8, 2003

Re: **Dickson Street Enhancement Project**
Change Order #5 or to the construction Contract

Background:
The above referenced project is a Capital Improvement Project in progress, which is scheduled for construction completion in 2003.

Change of Scope:
The original bid quantity of item # 37 was underestimated by the project consultant, Atkins Engineers. In order to finish out the intersections of Dickson Street and the crossing streets, a change order to this contract is needed.

Attached please find Change Order #5, with three alternatives, and the supporting documents containing the description and the breakdown of each option.

Recommendations:
The Staff recommends approval of one of the following Alternatives:
(1)Brick Pavers Alternative
Change Order #5A to the existing contract with Township Builders, Inc., for a cost increase in the amount of **$208,924.00**
(2)Stamped Concrete Alternative
Change Order #5B to the existing contract with Township Builders, Inc. in the amount of **$152,312.00.**
(3)Asphalt Surface Alternative
Change Order #5C to the existing contract with Township Builders, Inc. in the amount of **$18,788.00.**

Funding:
Sales Tax Funds. If Alternate "A" is chosen the remaining balance of contingency amount will be $50,451.18

SN/sn
Attachments: Change Order #5 A,B,& C Alternatives

CHANGE ORDER NO. 5
Option "A"

Project Title: **Downtown Dickson Enhancement Project**

Project No. 98097-20 Contract No. 02-14 Contract Date 3-19-2002

Contractor: **Township Builders, Inc.**

The following changes are hereby made to the contract documents:

Addition to the contract:

Item #37 (Brick Pavers)to be increased by 17,400 S.F @ $10.50 S.F.	**$182,700**
Bid Item #12 (Class 7 Base) to be increased by 1,192 @ 22.00 per ton.	**$ 26,224**
Net Increase in the contract amount	**$208,924**

Justifications:
The original quantities were under estimated as indicated on the bid form by Atkins/Benham.

Original Contract Price:	$2,948,590.30
As adjusted by previous changes:	$3,033,686.80
This C.O. will **increase** contract by:	$ 208,924.00
The new contract price will be:	$3,242,610.80

CHANGE TO CONTRACT TIME
60 calendar days will be added to the contract time, therefore the substantial completion date will be changed from May 28, 2003 to July 27, 2003. The full completion date will be changed from September 13, 2003 to November 12, 2003.

APPROVALS REQUIRED
To be effective this change order must be approved by the Owner if it changes the scope or objective of the project, or as may otherwise be required under the terms of the General Conditions of the Contract.

Requested by _____ Date _____

Approved by Contractor _____ Date _____

Approved by Mayor _____ date _____

CHANGE ORDER NO. 5
Option "B"

Project Title: **Downtown Dickson Enhancement Project**

Project No. 98097-20 Contract No. 02-14 Contract Date 3-19-2002

Contractor: **Township Builders, Inc.**

The following changes are hereby made to the contract documents:

Addition to the contract:

Stamped Concrete 17,400 S.F. @ $8.00 per square foot	**$139,200**
Bid Item 12 to be increased by 596 Tons Aggregate Base @ $22.00 per ton	**$ 13,112**
Net Increase in the contract amount	**$152,312**

Justifications:
The original quantities were under estimated as indicated on the bid form by Atkins/Benham.

Original Contract Price:	$2,948,590.30
As adjusted by previous changes:	$3,033,686.80
This C.O. will **increase** contract by:	$ 152,312.00
The new contract price will be:	$3,185,998.80

CHANGE TO CONTRACT TIME
25 calendar days will be added to the contract time, therefore the substantial completion date will be changed from May 28, 2003 to June 22, 2003. The full completion date will be changed from September 13, 2003 to October 8, 2003.

APPROVALS REQUIRED
To be effective this change order must be approved by the Owner if it changes the scope or objective of the project, or as may otherwise be required under the terms of the General Conditions of the Contract.

Requested by _____ Date _____

Approved by Contractor _____ Date _____

Approved by Mayor _____ date _____

CHANGE ORDER NO. 5
Option "c"

Project Title: **Downtown Dickson Enhancement Project**

Project No. 98097-20 Contract No. 02-14 Contract Date 3-19-2002

Contractor: **Township Builders, Inc.**

The following changes are hereby made to the contract documents:

Addition to the contract:

Bid Item #12 (Aggregate Base)to be increased by 190 Tons @ $22.00 per Ton	**$ 4,180**
Bid Item #14 (Tack Coat)to be increased by 156 Gallons @ $2.00 per Gallon	**$ 312**
Bid Item #16 (2" ACHM Surface Course) to be increased by 217 Tons @ $50.00 per Ton	**$ 10,850**
Bid Item #17 (Cold Mill) to be increased by 1934 S.Y. @ $5.00 per S.Y.	**$ 9,670**

Reduction to the contract:

Bid Item #1 (Remove and dispose of asphalt) to be reduced by 1556 S.Y. @ 4.00 per S.Y.	**$ 6,224**

Net Increase in the contract amount **$ 18,788**

Justifications:
The original quantities were under estimated as indicated on the bid form by Atkins/Benham.

Original Contract Price:	$2,948,590.30
As adjusted by previous changes:	$3,033,686.80
This C.O. will **increase** contract by:	$ 18,788.00
The new contract price will be:	$3,052,474.80

CHANGE TO CONTRACT TIME
10 calendar days will be added to the contract time, therefore the substantial completion date will be changed from May 28, 2003 to June 7, 2003. The full completion date will be changed from September 13, 2003 to September 23, 2003.

APPROVALS REQUIRED

To be effective this change order must be approved by the Owner if it changes the scope or objective of the project, or as may otherwise be required under the terms of the General Conditions of the Contract.

Requested by _____ Date _____

Approved by Contractor _____ Date _____

Approved by Mayor _____ date _____

Downtown/Dickson Enhancement Project, Inc.
P.O. Box 3573
Fayetteville, Arkansas 72702
501-571-3337 Fax: 571-4297

Downtown/Dickson Enhancement Project, Inc.

Memo

To: Sid Norbash and Jim Beavers

From: Bootsie Ackerman

CC:

Date: January 7, 2003

Re: Dickson Street Intersections

I am in receipt of your letter dated December 26, 2002. I have consulted with the DDEP Design Committee leadership and would ask that you please note the following preference of options for treatment of intersections on Dickson Street, as you requested.

1. Brick Pavers

The options of stamped concrete and asphalt overlay within the intersection boundaries would be the least desirable options. Those option are inconsistent with the aesthetic expectation of both DDEP and the public. We understand the financial constraints involved and are hopeful that the long-term benefit of more attractive materials will be considered.

Dickson Enhancement C/O
B. 2. Page 12

ATKINS

RECEIVED
DEC 27 2002

117 Parkwood
Lowell, AR 72745

Telephone 479.770.5800
Fax 479.770.5801

info@atkinsamericas.com
www.atkinsamericas.com

December 27, 2002

Mr. Jim Beavers, P.E.
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

RE: Dickson Street Intersection

Dear Jim:

The relative costs of the concrete brick pavers, the stamped concrete, and an asphalt overlay are given in the table below.

Options	Bid Item	Materials	Quantity	Unit	Unit Price	Cost
Pavers	37	Concrete Pavers	17400	Ton	10.50 to 11.00	$189,449.50
	12	Aggregate Base Course	1192.2	Ton	$22.00	$26,228.99
					Total	$215,678.49
Concrete	NA	Stamped Concrete	17400	SF	$8.00	$139,200.00
	12	Aggregate Base Course	596	Ton	$22.00	$13,114.00
					Total	$152,314.00
Asphalt	16	2" Asphalt Overlay	217	Ton	$50.00	$10,827.00
	17	Cold Mill	1934	SY	$5.00	$9,670.00
	12	Aggregate Base	190	Ton	$22.00	$4,175.00
	14	Tack Coat	96	Gal	2.00	$192.00
					Total	$24,864.00

The total area for the intersections is 17,400 square feet. The asphalt overlay price is based on the bid price of $50.00 per ton for a 2" overlay. The cost of milling that area is not included in the overall project cost because the intersections had to be cut out to accommodate the 16 inch depth for the pavers and aggregate base.

The contractor may argue that his unit price to install asphalt should be more than the bid price for the street overlay due to the smaller quantity and more difficult installation.

The asphalt overlay price is based on milling the old asphalt where necessary and replacing with a two inch overlay. This means that the structural integrity of the intersection would be dependent on the existing material below the proposed overlay. The concrete paver plan required the removal of sixteen inches of material in the intersections and replacement with compacted base and pavers. In our opinion, this new structural system would be better than overlaying the existing materials.

The compaction of the two inch overlay against the concrete band will be critical to the success of an asphalt intersection. Otherwise, wheel loads transferring from the concrete band may push or roll the asphalt away from the concrete band.

We believe that there will be some loss of pedestrian security if asphalt is used. The visual awareness of the pedestrian area would be much more apparent to vehicle operators if the large intersection were of a different material than the street.

The most significant change would be aesthetic. The sense of history, character, and uniqueness from the brick pavers will be lost if asphalt is used.

Brick pavers or concrete will need to be used as the base for the razorback emblem of Arkansas Avenue.

I trust this provides the information you requested.

Sincerely,

Gary Carnahan, PE
Manager

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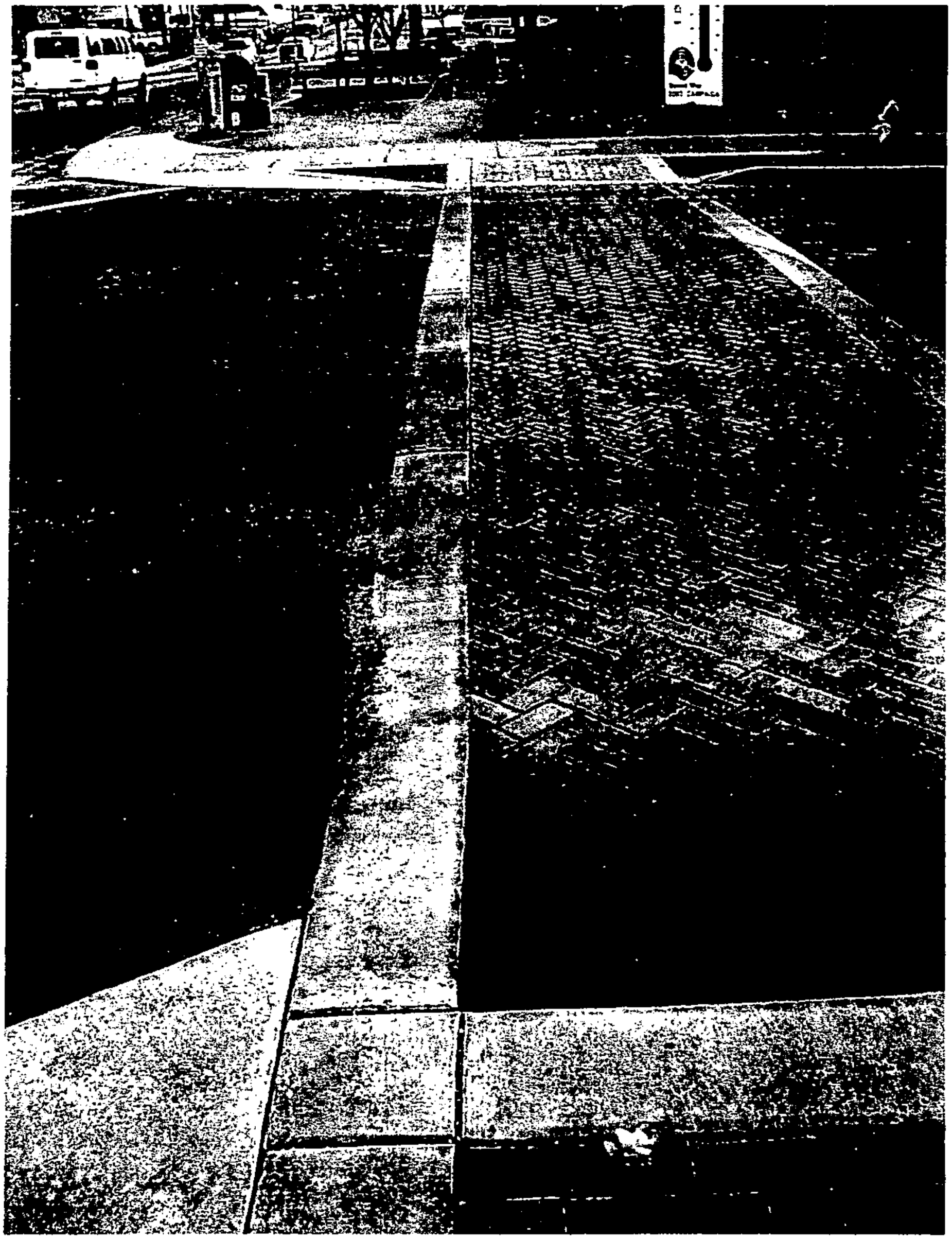
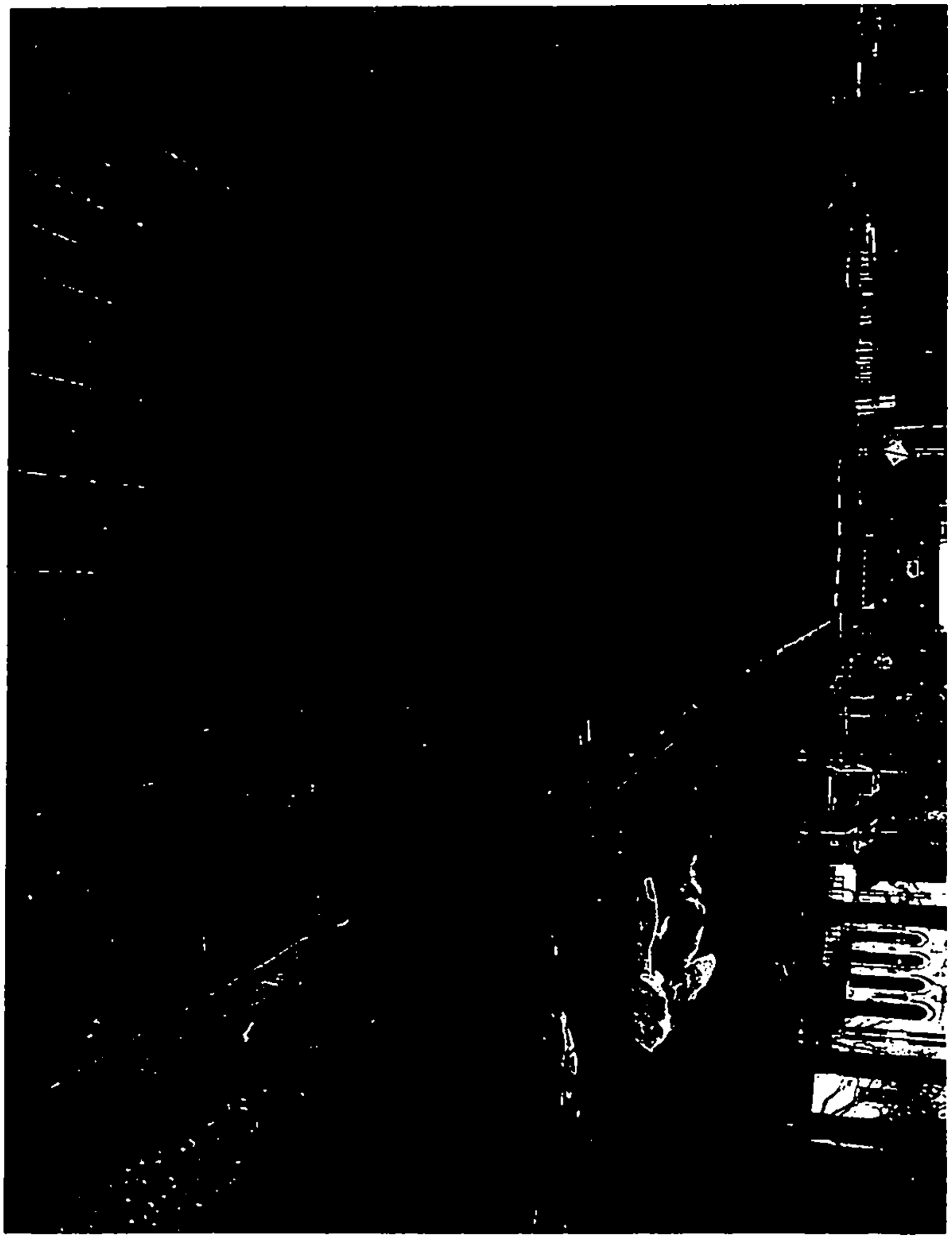


Intersection of Garland & Maple



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Intersection of Garland & Maple

There will be additional information on this item for the Council as part of the presentation at the agenda setting session.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

To: Mayor and City Council

From: Hugh Earnest, CAO

Date: January 21, 2003

Subject: Dickson Street

Background

The City of Fayetteville entered into a contract for design services with Atkins-Benham for the design of the Dickson Street improvements on December 15, 1998. The design, engineering work and plans for this project were completed by Atkins-Benham on May 10, 2001. Then on March 19, 2002 the City entered into a construction contract with Township builders for the implementation of that design of Dickson Street. The time between plan completion and the award was due to a variety of reasons, but primarily due to the right-of-way acquisition process.

At this time, a short continuation of the discussion concerning intersection pavement material and texture will not jeopardize the currently scheduled completion date for this project.

Current Situation

As the council well knows, we have had a series of missteps and misunderstandings on this project from its inception. Certainly some of the issues can be attributed to the fact that the work is occurring in an old part of town where records and documentation are at best uneven. However, there have also been errors and mistakes in calculation of quantities that are tied to the work on the project by the engineer of record, Atkins-Benham.

The latest issue revolving around intersection improvements is a case in point. While it is true that the council has approved the placement of bricks in the intersections, we did not have for that initial discussion the wide variance in cost between the different options for the intersections. The council has now been furnished those numbers. In addition to those costs, we have been made aware that there are a number of additional issues relative to curb cuts and driveways that will demand correction. At this time, we do not have any estimate of additional costs that might be accrued.

Recommendation

We are finding ourselves with respect to this project to be in a reactive posture. What we are recommending is that engineer of record, Atkins-Benham, develop a reasonably accurate list with the contractor that will identify all or most of the problems with curb cuts, driveways and any other areas that will need attention that is not in the project plan or are errors in that plan. We will then be prepared to present the council with a full picture of this project with all costs including the intersections identified and hopefully all unexpected expenses. This number can then be weighed against the $230,457 remaining in the project contingency as of today.

Any work on the intersections will be toward the end of the project and will not harm the project timeline for the currently scheduled completion.

The Administration recommends continuing this discussion until engineer of record, Atkins-Benham has completed their review of plans for all omissions and errors.

Executive Summary

CHANGE ORDER NUMBER 5
DOWNTOWN DICKSON ENHANCEMENT PROJECT

January 14, 2003

BACKGROUND:

The quantity of brick pavers stated in the bid schedule was in error, understating the number of square feet of brick pavers necessary to complete the project, as set forth on the original construction drawings. The Dickson Street intersections that are impacted by this error include: Powerhouse, West, School, Locust/Rollston, St. Charles and East Streets (see attached location map).

CURRENT STATUS:

The City Council has approved a budget adjustment to fund this cost increase, denying the contract time extension requested by the Contractor. The Contract has not accepted this change order and offers alternatives that vary both in price and contract time. The difference between the alternatives is the street surfacing materials to be installed in the center of the intersections noted above (see typical intersection schematic). The Arkansas Avenue intersection remains brick regardless of the choice due to the installation of the Razorback logo at this location. A summary of the alternatives is as follows:

Option "A"-Brick Paver	$208,924.00	60 days
Option "B"-Stamped Concrete	$152,312.00	25 days
Option "C"-Asphalt Surfacing	**$ 18,788.00**	**10 days**

- ✓ Asphalt surfacing offers a cost savings of approximately $190,000.00 and increases contract time by only 10 calendar days.
- ✓ The second option of stamped concreted surfacing offers a cost savings of approximately $56,000.00 and increases contract time by 25 calendar days.
- ✓ The use of the brick pavers as the intersection surfacing will not offer any contract price savings and requires a contact time extension of 60 calendar days.

RECOMMENDATION:

The acceptance of Option "C" authorizing the installation of asphaltic concrete surfacing in the intersections is recommended for approval, this change order representing a contract price increase of **$18,788.00** and a contract time extension of **10** calendar days.

Executive Summary

CHANGE ORDER NUMBER 5
DOWNTOWN DICKSON ENHANCEMENT PROJECT

January 14, 2003

BACKGROUND:

The quantity of brick pavers stated in the bid schedule was in error, understating the number of square feet of brick pavers necessary to complete the project, as set forth on the original construction drawings. The Dickson Street intersections that are impacted by this error include: Powerhouse, West, School, Locust/Rollston, St. Charles and East Streets (see attached location map).

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[illegible]	[illegible]	[illegible]
Option "A"-Brick Paver	$ 208,924.00	60 days
Option "B"-Stamped Concrete	$ 152,312.00	25 days
Option "C"-Asphalt Surfacing	**$ 18,788.00**	**10 days**

- ✓ Asphalt surfacing offers a cost savings of approximately $190,000.00 and increases contract time by only 10 calendar days.
- ✓ The second option of stamped concreted surfacing offers a cost savings of approximately $56,000.00 and increases contract time by 25 calendar days.
- ✓ The use of the brick pavers as the intersection surfacing will not offer any contract price savings and requires a contact time extension of 60 calendar days.

RECOMMENDATION:

The acceptance of Option "C" authorizing the installation of asphaltic concrete surfacing in the intersections is recommended for approval, this change order representing a contract price increase of **$18,788.00** and a contract time extension of **10** calendar days.

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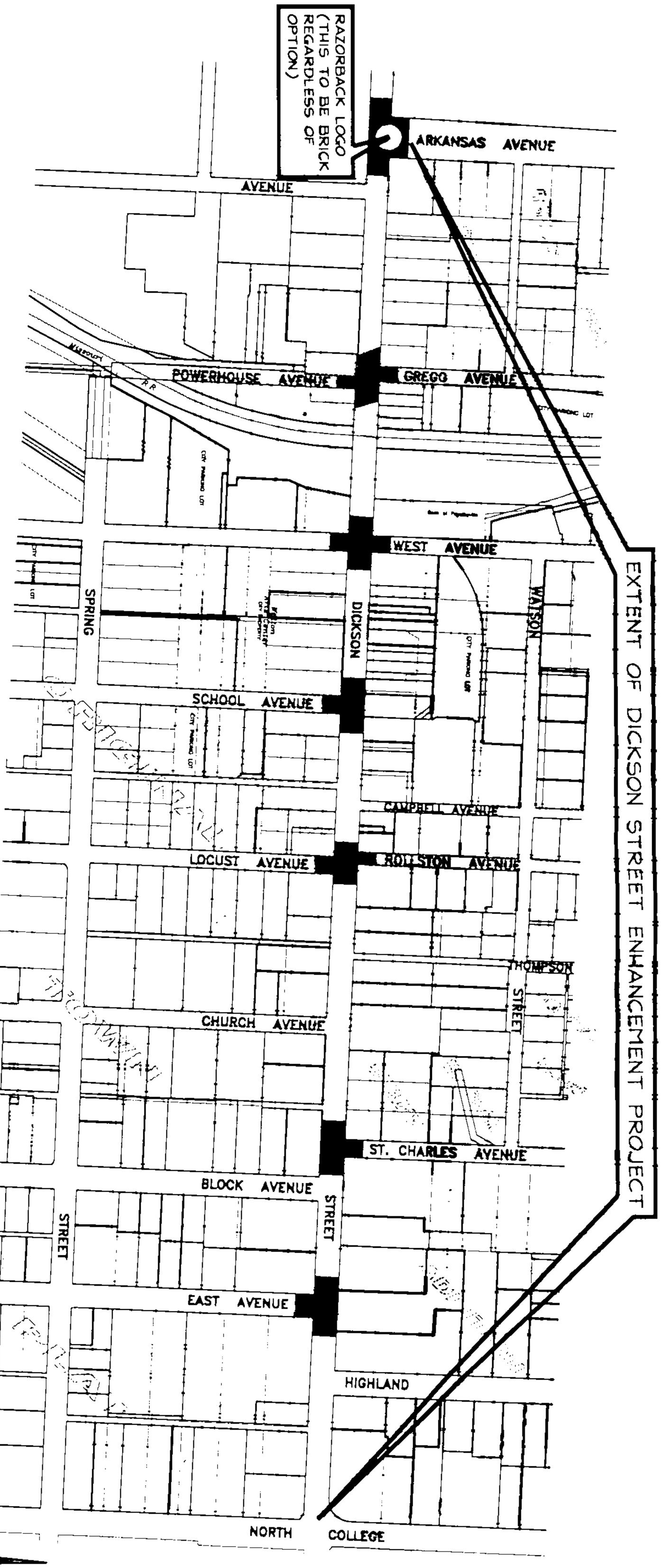

PROJECT NO. 01-1212	SHEET NO. 1 of 2	CITY ENGINEERING DIVISION 113 W. MOUNTAIN STREET FAYETTEVILLE, ARKANSAS PHONE NO: (479) 575-8206 FAX NO: (479) 575-8202	TITLE: DICKSON STREET ENHANCEMENT PROJECT
		DATE: Jan. 14 2003	SCALE: Not to Scale
		DRAWN BY: JPO	CHECKED BY:
		FIELD CHECKED:	SURVEYED: BLP/MLK
		FILE NAME: dickson.dwg	DRAWING NO.: 1
		SIGNED:	P.E. NO:

BRICK CROSSWALK
REMAIN WITH ALL
OPTIONS

BRICK PAVED WALK WAY

PLANTER

PLANTER

SURFACE AREA
TO BE DETERMINED

OPTION "A"–BRICK
OPTION "B"–STAMPED
CONCRETE
OPTION "C"–ASPHALT

CITY OF FAYETTEVILLE
ENGINEERING DIVISION

TYPICAL DICKSON STREET INTERSECTION

DESCRIPTION	DRAWN BY:	CHECKED BY:	DATE:	REVISED.	SHEET NO.
					1 of 1

SCALE: Not to Scale

SIGNED: _____ P.E. NO. _____

Left on 1st reading
VA 03-1.00
2-4-B. 3. Page 1

Left on 2nd reading
2-18-03

STAFF REVIEW FORM

X Agenda Request
____ Contract Review
____ Grant Review

For the Fayetteville City Council meeting of February 4, 2003.

FROM:

Tim Conklin	Planning	Urban Development
Name	Division	Department

ACTION REQUESTED: To approve an ordinance for 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, Fayetteville, Arkansas. The request is to vacate a section of the street right of way as shown and described on the attached map and legal description.

COST TO CITY:

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

BUDGET REVIEW: _____ Budgeted Item _____ Budget Adjustment Attached

Budget Coordinator — Administrative Services Director

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

Accounting Manager	Date	ADA Coordinator	Date
City Attorney 1-17-03	Date	Internal Auditor	Date
Purchasing Officer	Date		

STAFF RECOMMENDATION: Staff recommended approval and on January 13, 2003 the Planning Commission voted 9-0-0 to recommend the vacation be approved by the City Council.

Division Head 1-17-03	Date	**Cross Reference**
Department Director	Date	New Item: **Yes** **No**
Administrative Services Director 1-20-03	Date	Prev Ord/Res#:
Mayor	Date	Orig Contract Date:

CC Meeting of February 4, 2003

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS
113 W. Mountain St.
Fayetteville, AR 72701

AMC Land Right of Way Vacation

TO: **Mayor Dan Coody**
Fayetteville City Council
FROM: **Tim Conklin, City Planner, A.I.C.P.**
DATE: **January 17, 2003**

VAC 03-1.00: Vacation (AMC Land, pp 562) was 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 South School Avenue on 9th Street. The property is zoned C-2, Thoroughfare Commercial and I-1, Heavy Commercial/Light Industrial and contains approximately 0.32 acres. The request is to vacate 9th Street west of South School and north of Block 17 and south of Block 16 in the Ferguson's Addition.

Background:
No objections from the adjacent property owners have been submitted to the City.

The applicant has submitted the required notification forms to the utility companies and to the City. The results are as follows:

Ozarks Electric – No Objections
Southwestern Electric Power Company - NA
Arkansas Western Gas – No Objections, Retain 20' utility easement for existing gas line which was filed for record November 20, 2002 in Washington County.
SW Bell – No Objections, Requests a 20' utility easement along School Street through this existing right-of-way.
Cox Communications - No Objections

City of Fayetteville:
Water/Sewer – No Objections, Must maintain 30' wide easement centered on the existing sewer line but extending from the east to the west end of the property.
Street Department - No Objections
Solid Waste - No Objections
Engineering – No objections.

Current Status:
On January 13, 203, the Planning Commission voted 9-0-0 to forward the Vacation to the City Council with a recommendation for approval.

Recommendation: Approval of the proposed right-of-way vacation 03-1.00 subject to the applicant providing the easements requested above.

ORDINANCE NO. _____

AN ORDINANCE APPROVING VAC 03-1.00 TO VACATE AND ABANDON A SECTION OF 9TH STREET WEST OF SOUTH SCHOOL, NORTH OF BLOCK 17 AND SOUTH OF BLOCK 16, IN THE FERGUSON'S ADDITION AS DEPICTED ON THE ATTACHED MAP AND LEGAL DESCRIPTION.

WHEREAS, the City Council has the authority under A.C.A. §14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes, and

WHEREAS, the City Council has determined that the following described right of way is not required for corporate purposes.

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

Section 1. That the City of Fayetteville, Arkansas hereby vacates and abandons all of its rights together with the rights of the public generally, in and to the following described street right of way:

See Exhibit "A" attached hereto and made a part hereof.

Section 2. That a copy of this Ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of the County and recorded in the Deed Records of the County.

PASSED AND APPROVED this _____ day of _____, 2003.

APPROVED:

DRAFT

By_____
Dan Coody, Mayor

ATTEST:

DRAFT

By_____
Heather Woodruff, City Clerk

EXHIBIT "A"
VAC 03-1.00

THE SOUTH HALF OF THE UNOPENED PORTION OF NINTH STREET WHICH IS WEST OF SOUTH SCHOOL AVENUE AND NORTH OF BLOCK 17 IN FERGUSON ADDITION TO THE CITY OF AYETTEVILLE, ARKANSAS, AS DESIGNATED UPON THE RECORDED PLAT OF SAID ADDITION.

Aviles: Welcome to the January 13, 2003 meeting of the Fayetteville Planning Commission. Renee, would you call the roll please?

Roll Call: Upon the completion of roll call all nine commissioners were present.

Aviles: Thank you Renee. The first item of business would be the approval of the minutes from the previous Planning Commission meeting which was held on December 9th. Do I have a motion for approval of the minutes?

Ward: So moved.

Aviles: There is a motion by Commissioner Ward, is there a second?

Shackelford: Second.

Aviles: There is a second by Commissioner Shackelford. Renee, would you call the roll please?

Roll Call: Upon the completion of roll call the motion to approve the minutes was approved by a vote of 9-0-0.

VAC 03-1.00: Vacation (AMC Land, pp 562) was 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 South School Avenue on 9th Street. The property is zoned C-2, Thoroughfare Commercial and I-1, Heavy Commercial/Light Industrial and contains approximately 0.32 acres. The request is to vacate 9th Street west of S. School and north of Block 17 and south of Block 16 in the Ferguson's Addition.

Aviles: Thanks Renee. We have ten items on our agenda this evening. The first item is the only item which is on the consent agenda. It is VAC 03-1.00 which was submitted of 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 property is zoned C-2, Thoroughfare Commercial and I-1, Heavy Commercial/Light Industrial and contains approximately .32 acres. The request is to vacate 9th Street west of S. School and north of Block 17 and south of Block 16 in the Ferguson's Addition. Is there any member of the Commission that would like to remove this from the consent agenda? Is there any member of the audience that would like to speak to us on this item this evening? Seeing none, I will go ahead and entertain a motion for approval of the consent agenda.

Shackelford: I will make a motion that we approve the consent agenda.

Ward: Second.

Aviles: Renee, call the roll please.

Roll Call: Upon the completion of roll call the motion to approve the consent agenda was approved by a vote of 9-0-0.

PC Meeting of January 13, 2003

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS
113 W. Mountain St.
Fayetteville, AR 72701

AMC Land Right-of-Way Vacation

TO: Fayetteville Planning Commission Members
THRU: Tim Conklin, City Planner, A.I.C.P.
FROM: Sara Edwards, Associate Planner
Matt Casey P.E. Staff Engineer
DATE: November 9, 2002

Project: **VAC 03-1.00: Vacation (AMC Land, pp 562)** was 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 South School Avenue on 9th Street. The property is zoned C-2, Thoroughfare Commercial and I-1, Heavy Commercial/Light Industrial and contains approximately 0.32 acres. The request is to vacate 9th Street west of South School and north of Block 17 and south of Block 16 in the Ferguson's Addition.

Findings: See the attached maps and legal descriptions for the exact locations of the requested right-of-way vacation.

No objections from the adjacent property owners have been submitted to the City.

The applicant has submitted the required notification forms to the utility companies and to the City. The results are as follows:

Ozarks Electric – No Objections
Southwestern Electric Power Company - NA
Arkansas Western Gas – No Objections, Retain 20' utility easement for existing gas line which was filed for record November 20, 2002 in Washington County.
SW Bell – No Objections, Requests a 20' utility easement along School Street through this existing right-of-way.
Cox Communications - No Objections

City of Fayetteville:
Water/Sewer – No Objections, Must maintain 30' wide easement centered on the existing sewer line but extending from the east to the west end of the property.
Street Department - No Objections
Solid Waste - No Objections
Engineering – No objections.

Recommendation: Approval of the proposed right-of-way vacation 03-1.00 subject to the applicant providing the easements requested above,

PLANNING COMMISSION ACTION: __yes__Required
_____Approved _____Denied

Date: _____

Comments:_____

CITY COUNCIL ACTION: __yes___Required
_____Approved _____Denied

Date: __/__/

PETITION TO VACATE THE UNOPENED PORTION OF NINTH STREET WHICH IS LOCATED EAST OF SOUTH SCHOOL STREET AND SOUTH OF LOTS 2 AND 8 OF BLOCK 16 AND NORTH OF LOTS 1 AND 24 BLOCK 17 OF THE FERGUSON ADDITION.

TO: The Fayetteville City Planning Commission and
The Fayetteville City Council

We the undersigned, being all the owners of the real estate abutting the right-of-way hereinafter sought to be abandoned and vacated, lying east of South School Avenue and south of Lots 2 and 8 of Block 16 and north of Lots 1 and 24 of Block 17 of Ferguson Addition, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate a right-of-way which is described as follows:

Beginning at a point which is 16 feet East of the Northwest corner of Lot 24, Block 17, Ferguson Addition to the City of Fayetteville, Arkansas, and running thence North 55 feet, more or less, to the South line of Lot 2, Block 16, Ferguson Addition to the City of Fayetteville, Arkansas, and running thence East to a point which is due North of the Northeast corner of Lot 1, Block 17, Ferguson Addition to the City of Fayetteville, Arkansas, and running thence South 55 feet, more or less, to the Northeast corner of said Lot 1, Block 17, Ferguson Addition, thence West along the North line of said Block 17, Ferguson Addition to the point of beginning.

That the abutting real estate affected by said abandonment of the street right-of-way are Lots 2 and 8 of Block 16 of the Ferguson Addition and Lots 1 and 24 of Block 17 of the Ferguson Addition, City of Fayetteville used by the public for a period of many years, and that the public interest and welfare would not be adversely affected by the abandonment of the unopened portion of the above described street.

The petitioners pray that the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject however, to the existing utility easements and sewer easements as required, and that the above described real estate be used for their respective benefit and purpose as now approved by law.

The petitioners further pray that the above described real estate be vested in the abutting property owners as provided by law.

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas abandon and vacate the above described real estate, subject to said utility and sewer easements, and that title to said real estate sought to be abandoned be vested in the abutting property owners as provided by law, and as to that particular land the owners be free from the easement of the public for the use of said street right-of-way.

Dated this 12th day of December, 2002.

Gary Harvey

Edith Harvey

Randy Parrish

Raye Parish

LEGAL DESCRIPTION FOR STREET CLOSING PURPOSES

All that part of Ninth Street (unopened) that is described as follows:

Beginning at a point which is 16 feet East of the Northwest corner of Lot 24, Block 17, Ferguson's Addition to the City of Fayetteville, Arkansas, and running thence North 55 feet, more or less, to the south line of Lot 2, Block 16, Ferguson's Addition to the City of Fayetteville, Arkansas, and running thence East to a point which is due north of the Northeast corner of Lot 1, Block 17, Ferguson's Addition to the City of Fayetteville, Arkansas, and running thence South 55 feet, more or less, to the Northeast corner of said Lot 1, Block 17, Ferguson's Addition, thence West along the North line of said Block 17, Ferguson's Addition to the point of beginning.

FILED FOR RECORD

2002 OCT 22 AM 9:50

CONDITIONAL CONCURRENCE
to
CLOSE A STREET

BE IT KNOWN BY THESE PRESENTS that Southwestern Bell Telephone, L.P., a Texas limited partnership, hereby concurs in the closing of an unopened portion of a public street subject to stated conditions:

All that part of Ninth Street, beginning at a point which is sixteen feet east of the northwest corner of Lot 24, Block 17, Ferguson's Addition to the City of Fayetteville, Arkansas, and running thence North 55 feet, more or less to the south line of Lot 2, Block 16, Ferguson's Addition to the City of Fayetteville, Arkansas, and running thence east to a point which is due north of the northeast corner of Lot 1, Block 17, Ferguson's Addition to the City of Fayetteville, Arkansas, and running thence south 55 feet, more or less, to the northeast corner of said Lot 1, Block 17, Ferguson's Addition, thence west along the north line of said Block 17, Ferguson's Addition to the point of beginning, SUBJECT TO AND CONDITION UPON the granting or provision of a twenty twenty foot (20') utility easement along the west side of School St. for the length of the Ninth Street right of way.

By: F. Jean Davis 10-1-02
Director-Eng / Const — Date

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF WASHINGTON

On this the 1st day of October, 2002, before me, the undersigned authority, duly commissioned and qualified in and for the state and county set forth above, personally came and appeared F. Jean Davis, who, after being duly sworn, declared that he is the Director-Engineering/Construction for Southwestern Bell Telephone, L.P., a Texas limited partnership, and that he executed the foregoing instrument as the act and deed of said company of his own free will and for the purposes and considerations therein expressed and with due authority.

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

LINDA E. SOMMERFELDT PALMER
NOTARY PUBLIC
FAULKNER COUNTY, AR

Lynda E. Sommerfeldt Palmer
Notary Public
My commission expires August 10, 2011

2002158104

VAC03-1.00

Close Up View

AMC LAND

SUBJECT PROPERTY

GOVERNMENT AVE
NATIONAL ST
PRIVATE DR
DUNN AVE
WEST AVE
11TH ST
9TH ST
LOCUST AVE
SCHOOL AVE
R-1
R-2
C-2

Overview

Legend

Subject Property
VAC03-1.00

Streets
Existing
Planned

Boundary
Planning Area
Overlay District
City Limits
Outside City

Master Street Plan
Freeway/Expressway
Principal Arterial
Minor Arterial
Collector
Historic Collector

0 75 150 300 450 600
Feet

From: Steve Hatfield
To: Gary Dumas
Date: 2/18/03 3:04PM
Subject: 9th street Property

I met with the property owner and discussed the property. In order to allow him enough room to develop what he wants and the fact that it is not on the proposed Trails Master plan, I recommend we do not ask for any land for a trail at this time.
Thanks

Steve Hatfield, RLA, ASLA
Park Landscape Architect
Trails & Greenways Coordinator
e-mail: shatfield@ci.fayetteville.ar.us
voice: 479-718-7688
Visit us at www.accessfayetteville.org

Fax: 479-521-7714
113 W. Mountain St.
Fayetteville, Arkansas 72701

RE: B.2 VA 03.1.00
Mountain Mechanical

STAFF REVIEW FORM

__X__ **Agenda Request**
____ **Contract Review**
____ **Grant Review**

For the Fayetteville City Council meeting of March 4, 2003.

FROM:

Tim Conklin	Planning	Urban Development
Name	Division	Department

ACTION REQUESTED: To approve an ordinance for RZN 03-9.00 as submitted by Richard L. Miller, Attorney, on behalf of Dodi Nichols for property located at 2800 Old Farmington Road. The property is zoned A-1, Agricultural and contains approximately 1.88 acres. The request is to rezone to R-1, Low Density Residential.

COST TO CITY:

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

BUDGET REVIEW: _____ Budgeted Item _____ Budget Adjustment Attached

Budget Coordinator — Administrative Services Director

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

Accounting Manager	Date	ADA Coordinator	Date
City Attorney	2-14-03 Date	Internal Auditor	Date
Purchasing Officer	Date		

STAFF RECOMMENDATION: Staff recommended approval and on February 10, 2003 the Planning Commission voted 8-0-0 to recommend that the City Council approve the requested rezoning.

Division Head	2-13-03 Date	**Cross Reference**
~~Department Director~~ CAO	2-19-03 Date	New Item: **Yes** **No**
Administrative Services Director	2/19/03 Date	Prev Ord/Res#: _____
Mayor	2/20/03 Date	Orig Contract Date: _____

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

RECEIVED
FEB 13 2003
CITY OF FAYETTEVILLE
MAYOR'S OFFICE

CC Meeting of March 4, 2003

113 W. Mountain St.
Fayetteville, AR 72701
Telephone: (479) 575-8267

PLANNING DIVISION CORRESPONDENCE

TO: Mayor Dan Coody
Fayetteville City Council
FROM: Dawn T. Warrick, AICP, Senior Planner
THRU: Tim Conklin, AICP, City Planner
DATE: February 14, 2003

RZN 03-9.00: Rezoning (Nichols, pp 557/558) was submitted by Richard L. Miller, Attorney on behalf of Dodi Nichols for property located at 2800 Old Farmington Road. The property is zoned A-1, Agricultural and contains approximately 1.88 acres. The request is to rezone to R-1, Low Density Residential.

BACKGROUND:
The subject property is located north of Old Farmington Road, west of Futrall Drive (the western outer road of I-540), north of Hwy 62 W (Sixth Street). The property is accessed from a steep, gravel, private drive which intersects Old Farmington Road. The property does not comply with minimum lot standards for the A-1, Agricultural zoning district.

The applicant owns two parcels which are currently zoned A-1 and do not meet the minimum lot area and frontage requirements for that zoning district. The applicant wishes to construct one single family home on the 0.38 acre tract which was purchased in December of 2002 and is located east of the 1.5 acres. The current zoning does not allow for a second structure due to the nonconforming nature of the lots.

The Engineering Division finds that provision of sanitary sewer or a septic system that has been approved by the Arkansas Dept. of Health will be required for any new structure. Fire and Police Departments report that there does not appear to be concern for providing adequate services in this area.

General Plan 2020 designates this site Residential. Rezoning this property to R-1, Low Density Residential is consistent with the land use plan and compatible with surrounding land uses in the area.

CURRENT STATUS:
On February 10, 2003, the Planning Commission voted 8-0-0 to recommend approval of the requested rezoning to the City Council.

RECOMMENDATION:
Approval of the requested rezoning from A-1 to R-1.

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ORDINANCE NO. _____

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 03-9.00 AS SUBMITTED BY RICHARD L. MILLER ON BEHALF OF DODI NICHOLS FOR A PARCEL CONTAINING APPROXIMATELY 1.88 ACRES LOCATED AT 2800 OLD FARMINGTON ROAD, FAYETTEVILLE, ARKANSAS, FROM A-1, AGRICULTURAL TO R-1, LOW DENSITY RESIDENTIAL.

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2003.

APPROVED:

By:_____
DAN COODY, Mayor

DRAFT

ATTEST:

By: _____
Sondra Smith, City Clerk

EXHIBIT "A"
RZN 03-9.00

A part of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of Section 19, Township 16 North, Range 30 West, Washington County, Arkansas, described as follows: Beginning at the Northeast corner of said 40 acre tract and running thence South 210 feet; thence West 315 feet; thence North 210 feet; thence East 315 feet to the point of beginning, containing 1 ½ acres, more or less.

And

A part of the NW ¼ of the NE ¼ of Section 19, Township 16 North, Range 30 West, described as beginning at the Northwest corner of said 40 acre tract and running thence S89°57'E 203.62 feet; thence S47°00'W 74.55 feet; thence S55°04'W 81.71 feet; thence S28°44'W 36.91 feet; thence N89°57'W 64.25 feet; thence N0°03'W 130.12 feet to the point of beginning, containing 0.38 acres, more or less, City of Fayetteville, Washington County, Arkansas. Subject to a gravel access drive for ingress and egress, along the East line and any other easements and/or rights of way of record.

RZN 03-9.00: Rezoning (Nichols, pp 557/558) was submitted by Richard L. Miller, attorney, on behalf of Dodi Nichols for property located at 2800 Old Farmington Road. The property is zoned A-1, Agricultural and contains approximately 1.88 acres. The request is to rezone to R-1, Low Density Residential.

Estes: The next item on the agenda is RZN 03-9.00 submitted by Mr. Richard L. Miller, attorney, on behalf of Dodi Nichols for property located at 2800 Old Farmington Road. The property is zoned A-1, Agricultural and contains approximately 1.88 acres. The request is to rezone to R-1, Low Density Residential. Staff recommends approval of the requested rezoning based on the findings included as a part of your materials. Is the applicant or applicant's representative present?

Miller: I am Richard Miller, I am an attorney for Dodi Nichols and I have brought this petition to seek to rezone the property from A-1 to R-1.

Estes: Is there any member of the audience who would like to provide public comment on this rezoning request? Seeing no one in the audience, I will bring it back to the Commission for discussion, comments, questions of Mr. Miller, and motions.

Shackelford: I will make a motion that we approve RZN 03-9.00 based on staff's comments and recommendation.

Estes: We have a motion by Commissioner Shackelford to approve RZN 03-9.00 is there a second?

Church: I will second it.

Estes: Is there any discussion? We have a motion by Commissioner Shackelford and a second by Commissioner Church to approve RZN 03-9.00. Renee, would you call the roll please?

Roll Call: Upon the completion of roll call the motion to approve RZN 03-9.00 was approved by a vote of 8-0-0.

Estes: The motion passes by a unanimous vote of eight to zero.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

PC Meeting of Feb. 10, 2003

113 W. Mountain St.
Fayetteville, AR 72701
Telephone: (479) 575-8267

PLANNING DIVISION CORRESPONDENCE

TO: Fayetteville Planning Commission
FROM: Dawn T. Warrick, AICP, Senior Planner
THRU: Tim Conklin, AICP, City Planner
DATE: February 10, 2003

RZN 03-9.00: Rezoning (Nichols, pp 557/558) was submitted by Richard L. Miller, Attorney on behalf of Dodi Nichols for property located at 2800 Old Farmington Road. The property is zoned A-1, Agricultural and contains approximately 1.88 acres. The request is to rezone to R-1, Low Density Residential.

RECOMMENDATION:

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

PLANNING COMMISSION ACTION:	**Required**	**YES**
	O Approved	**O Denied**
Date: February 10, 2003		
CITY COUNCIL ACTION:	**Required**	**YES**
	O Approved	**O Denied**
Date: March 4, 2003 (1st reading if recommended)		

Comments: _____

_____

_____

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BACKGROUND:
Property Description: The subject property is located north of Old Farmington Road, west of Futrall Drive (the western outer road of I-540), north of Hwy 62 W (Sixth Street). The property is accessed from a steep, gravel, private drive which intersects Old Farmington Road. The property does not comply with minimum lot standards for the A-1, Agricultural zoning district.

Proposal: The applicant owns two parcels which are currently zoned A-1 and do not meet the minimum lot area and frontage requirements for that zoning district. While the two tracts are adjacent and owned in common, they are independent parcels and the applicant would like to be able to build a single family home on the second, smaller tract. The two tracts total 1.88 acres. The large tract (1.5 acres) already contains one single family homes and accessory structures. The applicant wishes to construct one single family home on the 0.38 acre tract which was purchased in December of 2002 and is located east of the 1.5 acres. The current zoning does not allow for a second structure due to the nonconforming nature of the lots.

Note: The development of a single family home on the vacant 0.38 acre (easternmost) tract may require connection to City sewer due to the size of the property and proximity of existing sewer facilities. This will have to be reviewed at the time of building permit and may be discussed in more detail with the City Engineering Division.

Request: The applicant requests that the property is rezoned from A-1, Agricultural to R-1, Low Density Residential.

SURROUNDING LAND USE AND ZONING

Direction	Land Use	Zoning
North	Vacant	A-1, Agricultural
South	Residential (large lots, single family)	A-1, Agricultural
East	Residential (large lots, single family)	R-1, Low Density Residential
West	Residential (large lots, single family)	A-1, Agricultural

INFRASTRUCTURE:
Access to the subject property is by way of a private drive that connects to Old Farmington Road, a collector on the Master Street Plan that runs between Futrall Drive and Hwy 62W. This road is not currently developed to collector standards.

Water is available and currently serves the existing home. The current single family home is not connected to sewer, a septic system is utilized.

LAND USE PLAN: General Plan 2020 designates this site Residential. Rezoning this property to R-1, Low Density Residential is consistent with the land use plan and compatible with surrounding land uses in the area.

FINDINGS OF THE STAFF

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

Finding: **The proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans. Current development patterns in this area consist of large homes on relatively large lots. Most of the nearby residences are accessed by a private drive which also serves the subject property. Surrounding zoning includes primarily A-1 properties, however a group of homes immediately east of the subject tract is zoned R-1 and this proposal would represent an extension of this district to the northwest.**

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

Finding: **The proposed zoning is justified and needed in order to regulate the allowable uses on this property as well as provide the applicant an opportunity to develop one single family home on a 0.38 acre tract.**

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

Finding: **The proposed zoning would not create or appreciably increase traffic danger and congestion. The development of more than one new single family home would require the applicant to install infrastructure which would likely include improved streets as well as sidewalks. At such time, the issue of traffic safety with regard to a proposed subdivision would again need to be addressed.**

Engineering: **The proposed rezoning is located north and west of Old Farmington Road. The site is currently accessed by a private drive.**

The proposed rezoning from A-1 to R-1 may or may not result in additional traffic danger and congestion for this area. The access to the developed site and the circulation network within the development shall be reviewed in detail as part of the subdivision or large scale development process. The layout, connectivity, circulation plan, ingress and egress provisions will be reviewed in detail as information becomes available.

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

Finding: **The proposed zoning would not alter the population density in a manner which would undesirably increase the load on public services.**

Fire: **This property is located approximately 2 miles from station 6. Response time would be approximately 4 minutes. Water supply with fire hydrants shall be required.**

Police: **We do not believe there will be any adverse effects to public safety should these properties be rezoned as requested.**

Engineering: **The site has access to an existing 6" water line through the property. An 8" sewer main is located nearby on Old Farmington Road, but the site does not have direct access to sewer. If additional structures are proposed for the site, the requirements of the Arkansas Department of Health will have to be met for additional septic systems. If these requirements cannot be met, an extension of the sewer main will be required for any future connections to the City's sewer system.**

The proposed rezoning and ultimate development may increase the loading on the existing infrastructure systems. During the development's review and approval process, the adequacy of the existing infrastructure to accommodate the service requirements will be assessed by the developer's consultant and reviewed by city staff. Any inadequacies, lack of availability, need for improvements and determination of responsibility for the infrastructure improvements shall be resolved during the development's review/approval process.

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

   a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;

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

Finding: **N/A**

§164.07 NONCONFORMING USES AND STRUCTURES.

A. Intent.

1. Within the districts established by this chapter or amendments that may later be adopted, if there exist lots, structure, uses of land and structures, and characteristics of use which are lawful before this chapter was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this chapter or future amendment, it is the intent of this chapter to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this chapter that nonconformities shall not be enlarged upon, expanded, or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

2. It is not the intent of this section to prohibit the improvement of nonconforming residences by adding bath facilities or connecting to utilities as long as the bulk and area requirements of the R-3 District are met.

3. Nonconforming uses are declared by this chapter to be incompatible with permitted uses in the districts involved.

4. A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this chapter by the addition of other uses of a nature which would be prohibited generally in the district involved.

(Code 1991, §160.135; Code 1965, App. A, Art 4(1); Ord. No. 1747, 6-29-70; Ord. No. 1918, 5-15-83; Ord. No. 2126, 7-14-75)

B. Nonconforming Lots of Record.

1. In any district in which single-family dwellings are permitted, a single-family dwellings and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this chapter, notwithstanding limitations imposed by other provisions of this chapter. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than these applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. In a previously developed subdivision, platted prior to June 29, 1970, and with the approval of the subdivision committee, a new single-family dwelling or an addition or repair to an existing single-family dwelling may be constructed in all residential zones in keeping with the existing standard in the neighborhood so long as the interior side setback is no less than five feet. Variance of yard requirements shall be obtained only through action of the board of adjustment.

2. If two or more or combination of lots and portion of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this chapter, and if all parts of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for parcel the purposes of this chapter, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this chapter, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this chapter. The prohibition prescribed hereby shall not apply to a nonconforming lot on which a principal structure existed on the effective date of adoption of this chapter and which adjoins a nonconforming lot on which a principal structure existed on the effective date of the adoption of this chapter.

(Code 1991, §160.136; Code 1965, App. A, Art. 4(2); Ord. No. 1747, 6-29-70; Ord. No. 2505, 2-20-79; Ord. No. 3114, 9-3-85; Ord. No. 3124, 9-17-85)

Current Zoning District:

§161.03 DISTRICT A-1 AGRICULTURAL.

A. Purposes. The regulations of the Agricultural District are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; prevent unsightly development, increase scenic attractiveness; and conserve open space.

B. Uses.

1. Permitted Uses.

Unit 1	City-Wide Uses by Right
Unit 3	Public Protection and Utility Facilities
Unit 6	Agriculture
Unit 7	Animal Husbandry
Unit 8	Single-Family and Two-Family Dwellings

2. Uses Permissible on Appeal to the Planning Commission.

Unit 2	City-Wide Uses by Conditional Use Permit
Unit 4	Cultural and Recreational Facilities
Unit 20	Commercial Recreation; Large Sites

C. Bulk and Area Regulations.

Lot Width Minimum	200 ft.
Lot Area Minimum: Residential Nonresidential	 2 acre 2 acre
Lot Area Per Dwelling Unit	2 acre

D. Yard Requirements (feet).

FRONT YARD	SIDE YARD	REAR YARD
35	20	35

E. Height Requirements. There shall be no maximum height limits in the A-1 District, provided, however, that any building which exceeds the height of 15 feet shall be setback from any boundary line of any residential district a distance of 1.0 foot for each foot of height in excess of 15 feet. Such setbacks shall be measured from the required yard lines.

(Code 1991, §160.030; Code 1965, App. A, Art. 5(I); Ord. No. 1747, 6-29-89)

Proposed Zoning District:

§ 161.04 DISTRICT R-1: LOW DENSITY RESIDENTIAL.

A. Purpose. The Low Density Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

B. Uses.

1. Permitted Uses.

Unit 1	City-Wide Uses by Right
Unit 26	Single-Family Dwelling

2. UsesPermissible on Appeal to the Planning Commission.

Unit 2	City-Wide Uses by Conditional Use Permit
Unit 3	Public Protection and Utility Facilities
Unit 4	Cultural and Recreational Facilities
Unit 8	Single-Family and Two-Family Dwellings

C. Density.

SINGLE-FAMILY DWELLINGS	TWO FAMILY DWELLINGS
4 or Less Families Per Acre	7 or Less Families Per Acre

D. Bulk and Area Regulations.

	Single-Family	Two-Family
Lot Minimum Width	70 ft.	80 ft.
Lot Area Minimum	8,000 sq. ft.	12,000 sq.ft.
Land Area Per Dwelling Unit	8,000 sq. ft.	6,000 sq. ft.

E. Yard Requirements (feet).

FRONT YARD	SIDE YARD	REAR YARD
25	8	20

F. Building Area. On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1991, §160.031)

Description of Request

Petitioner knows no reason to deny this Petition.

Ownership Deeds are attached.

The two (2) tracts are adjacent.

Ingress and egress will continue as it has been for years. Old Farmington Road and private gravel road.

The properties are within the City of Fayetteville and have water and sanitation from the City of Fayetteville.

Sewer is by septic tank.

A small house built on tract two (2) will not significantly increase traffic, utility use, or crime.

The area has much residential use in the East, West and South.

Thank you for your consideration.

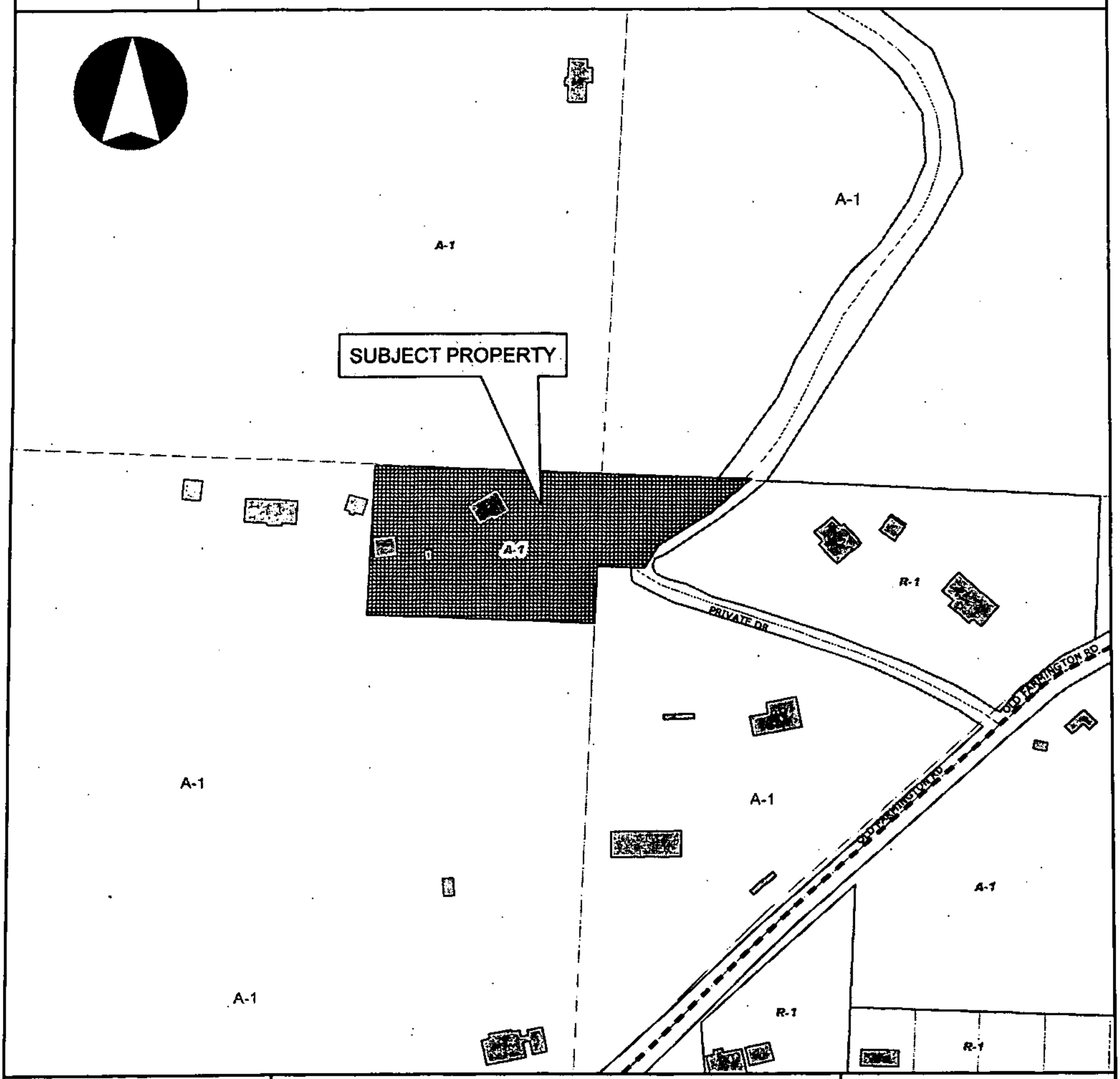
Richard L. Miller

Richard L. Miller

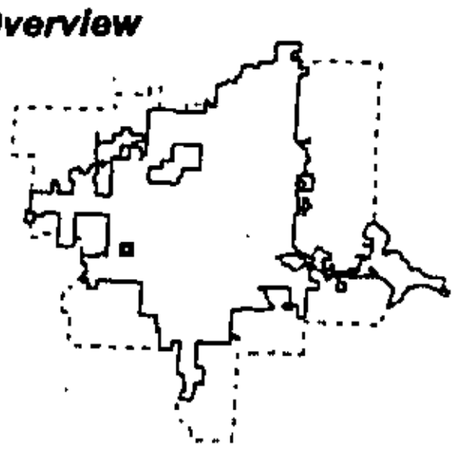
RZN03-9.00

Close Up View

NICHOLS



Overview



Legend

Subject Property
RZN03-9.00

Streets
Existing
Planned

Boundary
Planning Area
Overlay District
City Limits
Outside City

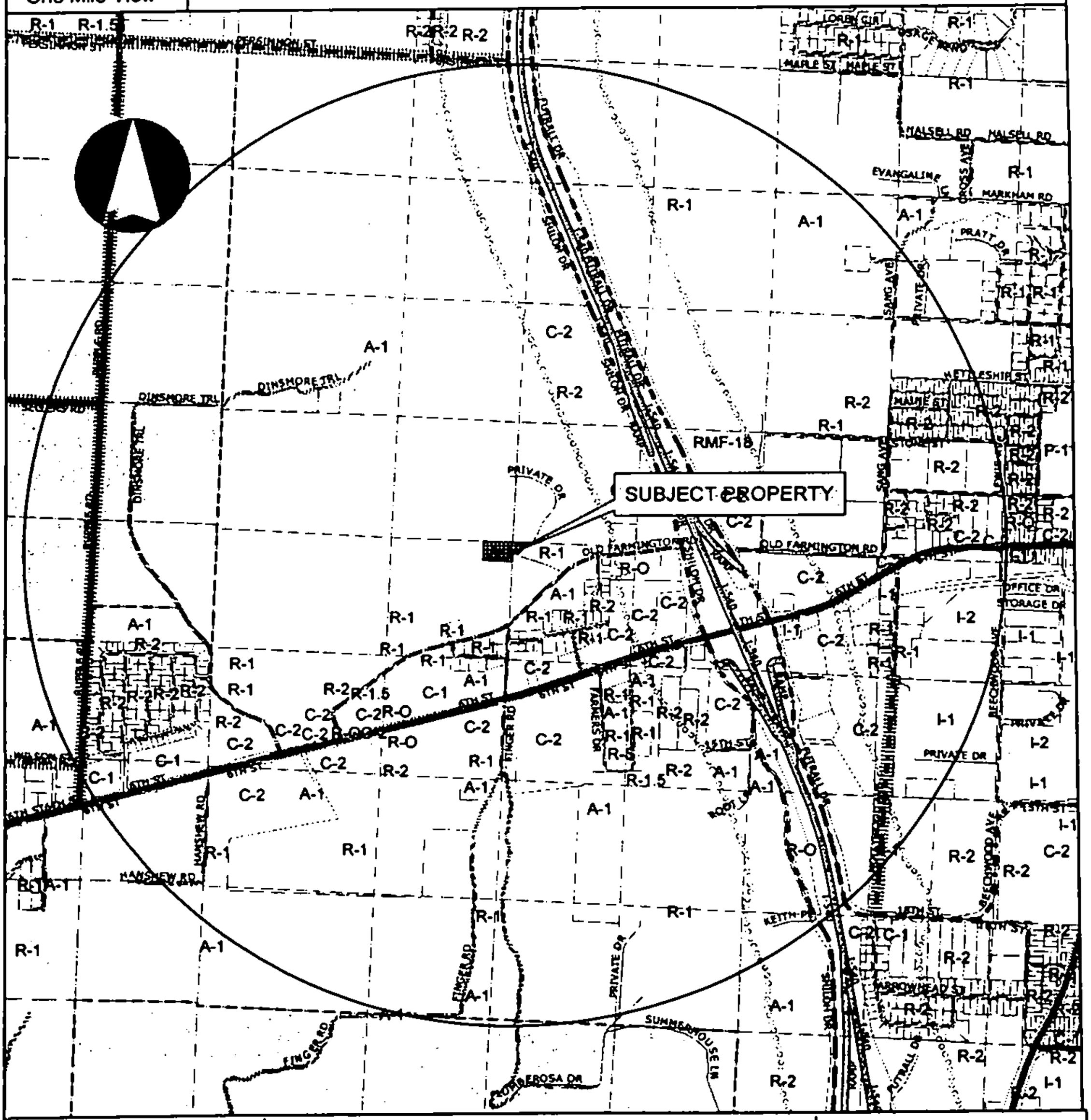
Master Street Plan
Freeway/Expressway
Principal Arterial
Minor Arterial
Collector
Historic Collector

0 75 150 300 450 600
Feet

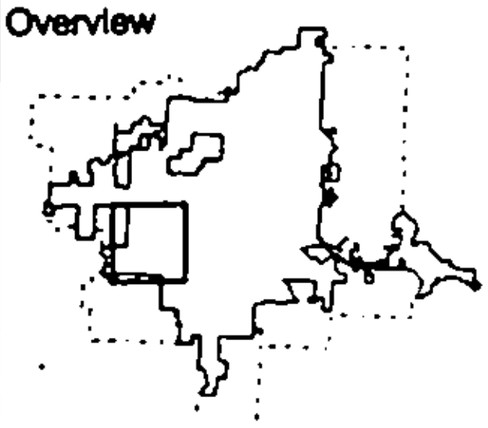
RZN03-9.00

One Mile View

NICHOLS



Overview



Legend

Subject Property
- RZN03-9.00

Streets
- Existing
- Planned

Boundary
- Planning Area
- Overlay District
- City Limits
- Outside City

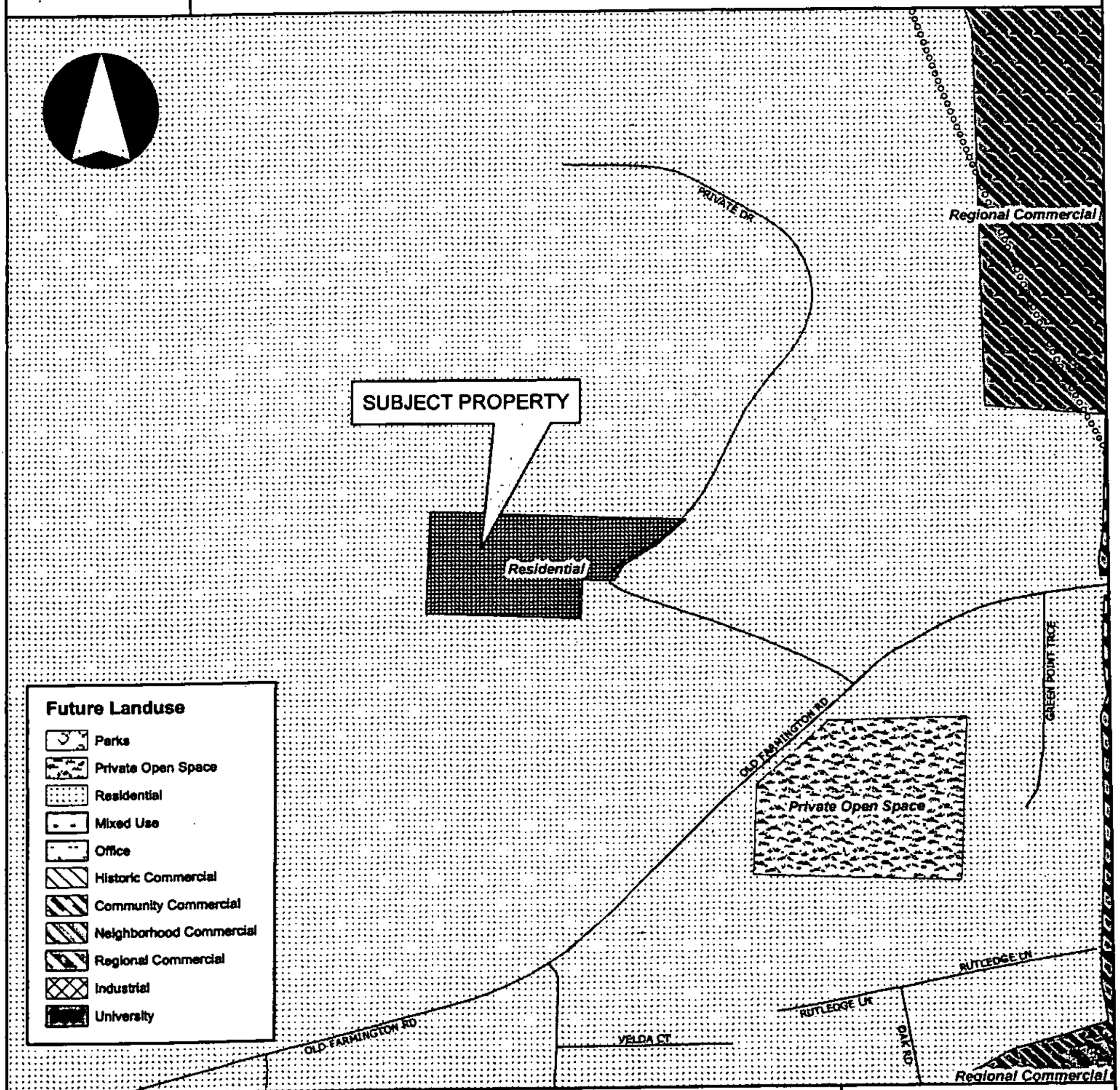
Master Street Plan
- Freeway/Expressway
- Principal Arterial
- Minor Arterial
- Collector
- Historic Collector

0 0.1 0.2 0.4 0.6 0.8 Miles

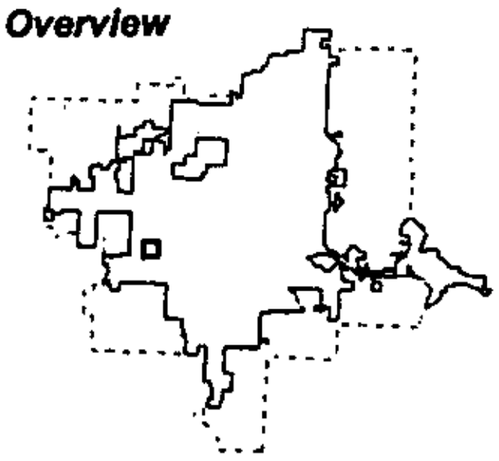
RZN 03-9.00

Future Landuse

NICHOLS



Overview



Legend

Subject Property

RZN 03-9.00

Streets

Existing

Planned

Boundary

Planning Area

Overlay District

City Limits

STAFF REVIEW FORM

X Agenda Request
___ Contract Review
___ Grant Review

For the Fayetteville City Council meeting of March 4, 2003.

FROM:

Tim Conklin	Planning	Urban Development
Name	Division	Department

ACTION REQUESTED: To amend the Unified Development Ordinance to allow Use Unit 13, Eating Places, as an allowable use in a Residential Planned Zoning District.

COST TO CITY:

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

BUDGET REVIEW: _____ Budgeted Item _____ Budget Adjustment Attached

Budget Coordinator — Administrative Services Director

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

Accounting Manager	Date	ADA Coordinator	Date
City Attorney	2/14/03 Date	Internal Auditor	Date
Purchasing Officer	Date		

STAFF RECOMMENDATION: Staff recommended approval and on February 10, 2003 the Planning Commission voted 8-0-0 to recommend that the City Council approve the requested amendment.

Division Head	1-13-03 Date	**Cross Reference**
CAD ~~Department Director~~	2-19-03 Date	New Item: **Yes** **No**
Administrative Services Director	2-19-03 Date	Prev Ord/Res#: _____
Mayor	2/20/03 Date	Orig Contract Date: _____

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

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

PLANNING DIVISION CORRESPONDENCE

TO: Mayor Dan Coody
Fayetteville City Council
FROM: Sara Edwards, Associate Planner
THRU: Tim Conklin, A.I.C.P., City Planner
DATE: February 13, 2003

ADM 03-1.00: Administrative Item (PZD Ordinance) To amend the Unified Development Ordinance to allow Use Unit 13, Eating Places as an allowable use in a Residential Planned Zoning District.

BACKGROUND:
Staff recently became aware of eating places being omitted as an allowable use in the Residential Planned Zoning District. This was oversight when the ordinance was drafted and adopted. Restaurants are compatible with a residential mixed use development and work well when within walking distance of residential dwelling units. Restaurants are considered an appropriate and essential use in traditional urban development.

CURRENT STATUS:
The proposed ordinance was heard at the February 10, 2003 Planning Commission meeting. The Planning Commission voted to recommend approval 8-0.

RECOMMENDATION:
Staff recommends approval of the proposed amendment which includes restaurants as a use by right in the Residential Planned Zoning District.

ORDINANCE NO. _____

AN ORDINANCE APPROVING ADM 03-1.00 TO AMEND CHAPTER 161 ZONING REGULATIONS OF THE UNIFIED DEVELOPMENT ORDINANCE TO ALLOW USE UNIT 13, EATING PLACES IN §161.22 C, R-PZD RESIDENTIAL PLANNED ZONING DISTRICT

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

Section 1. That Chapter 161, Zoning Regulations, of the Unified Development Ordinance, shall be amended to include Use Unit 13, Eating Places in §161.22 C, R-PZD Residential Planned Zoning District

See Exhibit "A" attached hereto and made a part hereof.

PASSED AND APPROVED this _____ day of _____, 2003.

APPROVED:

By_____
Dan Coody, Mayor

DRAFT

ATTEST:
By_____
Sondra Smith, City Clerk

EXHIBIT "A"

To be inserted in Chapter 161 Zoning Regulations:

§161.22 District PZD Planned Zoning District.

A. Purpose. The intent of the Planned Zoning District is to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or mixed-use planned development and to permit the combination of development and zoning review into a simultaneous process. The rezoning of property to the PZD may be deemed appropriate if the development proposed for the district can accomplish one or more of the following goals.

1. *Flexibility.* Providing for flexibility in the distribution of land uses, in the density of development and in other matters typically regulated in zoning districts.

2. *Compatibility.* Providing for compatibility with the surrounding land uses.

3. *Harmony.* Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community.

4. *Variety.* Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities.

5. *No negative impact.* Does not have a negative effect upon the future development of the area;

6. *Coordination.* Permit coordination of the planning of the land surrounding the PZD and cooperation between the City and private developers in the urbanization of new lands and in the renewal of existing deteriorating areas.

7. *Open Space.* Provision of more usable and suitably located open space, recreation areas and other common facilities that would not otherwise be required under conventional land development regulations.

8. *Natural Features.* Maximum enhancement and minimal disruption of existing natural features and amenities.

9. *General Plan.* Comprehensive and innovative planning and design of mixed use yet harmonious developments consistent with the guiding policies of the General Plan.

10. *Special Features.* Better utilization of sites characterized by special features of geographic location, topography, size or shape.

B. Rezoning. Property may be rezoned to the Planned Zoning District by the City Council in accordance with the requirements of this chapter and Chapter 166 Development. Each rezoning parcel shall be described as a separate district, with distinct boundaries and specific design and development standards. Each district shall be assigned a project number or label, along with the designation "PZD". The rezoning shall include the adoption of a specific master development plan and development standards.

C. R - PZD Residential Planned Zoning District

a. Purpose and intent. The R-PZD is intended to accommodate mixed-use or clustered residential developments and to accommodate single-use residential developments that are determined to be more appropriate for a PZD application than a general residential rezone. The legislative purposes, intent, and application of this district include, but are not limited to, the following:

1. To encourage a variety and flexibility in land development and land use for predominately residential areas, consistent with the city's general plan and the orderly development of the city.

2. To provide a framework within which an effective relationship of different land uses and activities within a single development, or when considered with abutting parcels of land, can be planned on a total basis.

3. To provide a harmonious relationship with the surrounding development, minimizing such influences as land use incompatibilities, heavy traffic and congestion, and excessive demands on planned and existing public facilities.

4. To provide a means of developing areas with special physical features to enhance natural beauty and other attributes.

5. To encourage the efficient use of those public facilities required in connection with new residential development.

b. Permitted Uses.

Unit 1	City-Wide Uses by Right
Unit 2	City-Wide Uses by Conditional Use Permit
Unit 3	Public Protection and Utility Facilities
Unit 4	Cultural and Recreational Facilities
Unit 5	Government Facilities
Unit 8	Single-Family and Two-Family Dwellings
Unit 9	Multifamily Dwellings – Medium Density
Unit 10	Multifamily Dwellings – High Density
Unit 12	Offices, Studios and Related Services
Unit 13	Eating Places
Unit 15	Neighborhood Shopping
Unit 19	Commercial Recreation
Unit 25	Professional Offices
Unit 26	Single-Family Dwelling
Unit 29	Single-Family, Two-Family and Three-Family Dwellings

c. Condition. In no instance shall the residential use area be less than fifty-one percent (51%) of the gross floor area within the development.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

113 W. Mountain St.
Fayetteville, AR 72701
Telephone: (501) 575-8264

PLANNING DIVISION CORRESPONDENCE

TO:	Fayetteville Planning Commission
FROM:	Sara Edwards, Associate Planner
THRU:	Tim Conklin, City Planner, ACIP
DATE:	February 6, 2003

ADM 03-1.00: Administrative Item (PZD Ordinance) To amend the Unified Development Ordinance to allow Use Unit 13, Eating Places as an allowable use in a Residential Planned Zoning District.

BACKGROUND:

Staff recently became aware of eating places being omitted as an allowable use in the Residential Planned Zoning District. This was oversight when the ordinance was drafted and adopted. Restaurants are compatible with a residential mixed use development and work well when within walking distance of residential dwelling units. Restaurants are considered an appropriate and essential use in traditional urban development.

RECOMMENDED MOTION: Recommend that City Council approve the proposed amendment which includes restaurants as a use by right in the Residential Planned Zoning District.

ADM 03-1.00: Administrative Item (PZD Ordinance) To amend the Unified Development Ordinance to allow Use Unit 13, Eating Places as an allowable use in a Residential Planned Zoning District.

Estes: The remaining item on our agenda is ADM 03-1.00 to amend the Unified Development Ordinance to allow Use Unit 13, Eating Places, as an allowable use in a Residential Planned Zoning District. Mr. Conklin, do you have any comments or can you tell us why this is before us and tell us what your recommendation is?

Conklin: Mr. Chair and members of the Commission, as we began to implement our Planned Zoning District it was brought to our attention that in a Residential Planned Zoning District that we failed to include Use Unit 13 as a permitted use. We have an opportunity to bring forward a master planned mixed use development with the primary use being residential and this is something that staff is in support of, which would allow restaurants to be a permitted use by right.

Estes: Is there any member of the audience who would like to provide public comment on this administrative item? Seeing no one in the audience I will bring it back to the Commission.

MOTION:

Allen: I move for approval of ADM 03-1.00.

Estes: We have a motion by Commissioner Allen, is there a second?

Bunch: Second.

Estes: We have a second by Commissioner Bunch. Renee, would you call the roll please?

Roll Call: Upon the completion of roll call the motion to recommend approval of ADM 03-1.00 to the City Council was approved by a vote of 8-0-0.

Estes: The motion passes by a unanimous vote with a recommendation that the City Council approve the proposed amendment which includes restaurants as a use by right in the R-PZD. Mr. Conklin, are there any announcements?

Conklin: I have no announcements.

Ward: I think all of us would like to wish our Chair, Lorel Aviles, Happy Birthday today. That is the reason that she is not chairing our committee tonight although Commissioner Estes did an awesome job.

Estes: We will stand adjourned until our next regularly scheduled meeting.

CITY ATTORNEY AGENDA REQUEST FORM

New Business

FOR: COUNCIL MEETING OF March 4, 2003

FROM:

City Attorney Kit Williams

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

Resolution to Refer Defense of Berry v. City of Fayetteville to City's Insurance Carrier

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APPROVED FOR AGENDA:

2/19/03

City Attorney Date

2/19/03

Mayor Date

FAYETTEVILLE
THE CITY OF FAYETTEVILLE, ARKANSAS

KIT WILLIAMS, CITY ATTORNEY
DAVID WHITAKER, ASST. CITY ATTORNEY

LEGAL DEPARTMENT

DEPARTMENTAL CORRESPONDENCE

TO: **City Council**
Dan Coody, Mayor

CC: **Peggy Vice, Purchasing**

FROM: **Kit Williams**, City Attorney

DATE: **February 19, 2003**

RE: **Suit against City and Mayor seeking $500,000.00 damages**
Berry v. City of Fayetteville, Case No. CV 2003-266-5

The owners of the land upon which is the Thunder Valley Raceway (a motor vehicle racing facility) have filed a six-count complaint against the City and Mayor Coody seeking Declaratory Judgments bases upon Equitable Estoppel, Inverse Condemnation of their property, Injunction Relief against enforcing the Motor Vehicle Racing Facility Ordinance based upon its alleged unconstitutionality, Declaratory Judgments based upon alleged violation of separation of powers, allegations that the ordinance is arbitrary and capricious, violates due process and equal protection.

The relief sought not only includes a demand for $500,000.00 for allegedly taking their property through inverse condemnation (where a government does not officially condemn property, but unconstitutionally destroys its value and must then compensate the

owner), but also injunctions which would prohibit our enforcement of the ordinance and an award of attorney fees, etc.

The City Council needs to consider whether to officially notify our insurance company which will then probably retain private counsel to defend us (at our expense up to our $50,000.00 deductible) or to have this case handled internally. I am fairly well versed in the law involved in this litigation, but it would require substantial time of my office to defend this suit personally. I am already working more than forty hours per week and thus my responsiveness for other Alderman or administration projects would have to be reduced, as defending the City in litigation would have to be my number one priority.

Part of your decision on how best to utilize city resources of time and money must turn on the possible merits and potential exposure of the City in this suit. I will do my best to give you my frank opinion although I remember a former city attorney informing me and the other new aldermen in 1992 that we were probably going to win the Sales Tax lawsuit right before the Supreme Court smacked us with what eventually turned out to be a four million dollar loss ($1.4 million refund to citizens/businesses, $2.6 million award of attorney's fees). So there are no guarantees, only my best judgment.

My overall judgment is that the plaintiffs are not very likely to prevail. I argued for the constitutionality of the Motor Vehicle Racing Facility Ordinance today before Washington County Circuit Judge William Storey. Enclosed is a copy of the Brief I wrote for our City Prosecutor.

Whatever decision Judge Storey makes will likely be appealed to the Arkansas Supreme Court which can make the final decision concerning exactly what Fayetteville is empowered to do. However, I expect no final decision by the Supreme Court for almost a year.

The major damages ($500,000.00) sought are based upon claims of inverse condemnation, a not uncommon claim against governments. It is likely some property owner will also claim inverse condemnation if you choose to down zone the property owner's land. I wrote a memo to you last August stating our legal risk would be low in that case. In the Thunder Valley case, I believe a takings claim (inverse condemnation) would also be very difficult to prove and our risk fairly low.

Justice Oliver Wendell Holmes stated in a 1922 Supreme Court case, Pennsylvania Coal v. Mahon:

> "(T)he general rule at least is that while property may be regulated to a certain extent, if regulation goes too far, it will be recognized as a taking."
> 260 U.S. 393 (1922)

This statement was reaffirmed in 1987 by Chief Justice Rehnquist in First English Evangelical Lutheran Church of Glendale v. County of Los Angeles, 482 U.S. 304, 316 (1987). The Supreme Court also held in that case that if a property owner proves his property has been "taken" by land use regulation, the property owner may collect monetary damages to compensate for the "taking."

The key issue is always **when has a regulation gone "too far"** so that a city would be exposed to liability. Prior to Fayetteville's first zoning in 1951, property owners could use their property basically, as they chose. The 1951 zoning placed many new restrictions on how the property could be used, but no constitutional takings challenges were made to my knowledge. Again, in 1970, the Fayetteville City Government reconsidered the zoning throughout Fayetteville and made significant zoning changes without the express agreement of all affected property owners. Some "down zoned" property owners (such as the owner of Nick's DX Service Station) attempted to regain their previous zonings politically, but no constitutional takings challenges in

Court were made to my knowledge. No suit was forthcoming when residential density in flood plains was reduced by city ordinance in the 90's to one house per acre.

Zoning regulation of land is somewhat similar to the regulation of Motor Vehicle Racing Facilities to prevent a nuisance in that both place restrictions upon someone's right to do as they see fit with their property. Regulation of nuisances has long been a right of cities and usually not a justification for an inverse condemnation claim. (See my brief.)

In Agins v. City of Tiburon, 447 U.S. 255 (1980), a zoning ordinance limited development on a five acre parcel to five houses. The Supreme Court held:

> "(t)he application of a general zoning law to particular property effects a taking if the ordinance does not substantially advance legitimate state interests or denies an owner economically viable use of his land." Id. at 260.

The Supreme Court held that the open space policies of Tiburon was a legitimate state interest and did not deprive the owner of an economically viable use of his property. The property owner's 'takings' claim was denied.

The Arkansas Supreme Court threw out an inverse condemnation claim by property owners who were about to sell their property to the Northeast Arkansas Regional Solid Waste Disposal Authority to be used as a landfill for a price of $750,000.00. Before the sale could go through, the Poinsett County Quorum Court passed a zoning ordinance preventing the land from being used as a landfill. The owners (Barretts) sued Poinsett County for inverse condemnation and then the legislature passed a statute prohibiting one county from placing a landfill in an adjoining county without consent of the other county.

The Arkansas Supreme Court held "it is clear that any injuries sustained were not sufficient to support an action for inverse condemnation." Barrett v. Poinsett County, 306 Ark 270, 811 S.W. 2d 324, 325 (1991).

The Arkansas Supreme Court cited the United States Supreme Court's most important case on regulatory takings, Pennsylvania Central Transportation Co. v. City of New York, 438 U.S. 104 (1978) (hereinafter Penn Central).

> "(R)egulations affecting less than all of the use or all of the value of property, remain to be considered on the particular circumstances of each case." Id.

The Arkansas Supreme Court summarized the Penn Central holding and found:

> "In similar cases, we have held that a much greater reduction in value or use of the property than is present here would not constitute a regulatory taking." Barrett v. Poinsett County, supra.

When the state required destruction of a horse valued at $1,000.00 which would be worth only $200.00 for slaughter, the owner appealed and claimed her property (the horse) had been taken without just compensation (a "taking"). **The Arkansas Supreme Court held this 80% reduction in value was not a taking.**

> "Here, as already noted, the regulation is a valid exercise of the police power and there has been no total diminution of the value of the appellant's horse, but only a reduction in its value. And while there is no set formula to determine where regulation ends and taking begins ... when comparing this to similar cases, we conclude the reduction in value does not equate to a taking." Winters v. State, 301 Ark. 127, 782 S.W. 2d 566, 569 (1990).

In a regulatory takings case involving pollution control costs estimated by the owner to be $500,000 to $1,000,000, the Arkansas Supreme Court rejected a takings claim holding that "the company has not shown compliance with the regulation would be commensurate to a taking of its property." J.W. Black Lumber v. Arkansas Dept. of Pollution Control and Ecology, 290 Ark. 170, 717 S.W. 2d 807, 811.

> "The mere fact that a partial use of one's property is burdened by regulation does not amount to a taking. In *Goldblatt v. Town of Hempstead,* N.W., 369 U.S. 590, (1962), the court said: There is no set formula to determine where regulation ends and taking begins. Although a comparison of values before and after is relevant ... it is by no means conclusive, see *Hadacheck v. Sebastian,* 239 U.S. 394 where a diminution in value from $800,000 to $60,000 was upheld. Id. at 810-811 (citations omitted)

The United States Supreme Court's landmark Penn Central case laid out several factors that should be considered in a regulatory takings case:

(1) Interference/reduction with the owner's reasonable investment backed expectations of how the property could be used;

(2) Economic impact of the regulation upon the property's value;

(3) Character/importance of the governmental interest in the regulation.

The Supreme Court has consistently held that each case must be considered on its own individual merits and factual difference. A one-size fits all test is not constitutionally possible in this area of constitutional law.

The most recent holding by the United States Supreme Court in this area was the Tahoe development moratorium case. Tahoe-Sierra Preservation Council, Inc. v. Tahoe Regional Planning Commission, 535 U.S. ___ (2002).

The Supreme Court reviewed the history of takings law.

> "(C)ompensation is required when a regulation deprives an owner of 'all economically beneficial uses' of his land. ... But our holding was limited to 'the extraordinary circumstance when no productive or economically beneficial use of land is permitted.' " Id. (citations omitted)
>
> "The *Penn Central* analysis involves 'a complex of factors including the regulation's economic effect on the landowner, the extent to which the regulation interferes with reasonable investment-backed expectations, and the character of the government action." Palazzo v. Rhode Island, 533 U.S. 606, 617 (2001).

The Supreme Court held that the years long moratorium on development of private land within the Lake Tahoe basin while the regional planning commission formulated development restrictions to protect Lake Tahoe from degradation did NOT constitute a constitutional taking requiring compensation.

The Supreme Court held that "a governmental regulation ... that bans certain private uses of a portion of an owner's property ... does not constitute a categorical taking." Id. Thus the Penn Central analysis would be necessary to determine the likelihood of a takings claim to be successful in the Thunder Valley case.

The first prong of a test is:

(1) Interference/reduction with the owner's reasonable investment backed expectations of how the property could be used;

I would argue that a reasonable owner would have checked out the history of this motor vehicle racing facility and found that its operation after 10:00 P.M.

had already been held to be a nuisance in 1972 by the Washington County Chancery Court. Therefore, any expectations that he could operate the facility past 10:00 P.M. would not be very reasonable.

(2) Economic impact of the regulation upon the property's value;

We really do not know what economic impact, if any, the regulations to prevent the Motor Vehicle Racing Facility from operating as a nuisance might be. It did operate all last year (except for poor weather). I would wager that come racing season, we will ALL hear Thunder Valley back in operation this year. When you look at historical inverse condemnation cases {80% reduction not enough in Winters v. State, 301 Ark. 127 (1990); over 90% reduction in Hadacheck v. Sebastian 239 U.W. 394}, the possible "reduction in value" Mr. and Mrs. Berry could prove appears unlikely to meet the test of Penn Central.

(3) Character/importance of the governmental interest in the regulation;

With over a hundred persons signing the petition to abate the nuisance, numerous citizens coming to the City Council meeting in person asking for abatement and explaining their damage from late night operation, and the current state law recognizing the inherent nuisance problems of motor vehicle racing facilities and severely restricting the construction of any new facilities, the governmental interest in abating this nuisance by reasonable regulation appears very warranted and important.

Therefore, I believe the inverse condemnation claim against the City is weak and the likelihood of a $500,000.00 judgment for inverse condemnation is unlikely.

The lawsuit must be answered in 20 days, so a prompt City Council decision is needed soon.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

KIT WILLIAMS, CITY ATTORNEY
DAVID WHITAKER, ASST. CITY ATTORNEY

LEGAL DEPARTMENT

DEPARTMENTAL CORRESPONDENCE

TO: **Dan Coody**, Mayor

THRU: **Sondra Smith**, City Clerk

FROM: **Kit Williams**, City Attorney

DATE: **March 5, 2003**

RE: **Passed Ordinances and Resolutions from City Council meeting of March 4, 2003**

The following Ordinances and Resolutions were passed at the last City Council meeting and are ready for the mayor's signature.

Enclosed are:

30-03 **Budget:** Resolution approving budget adjustment which will allow for the roll-forward to the current budget of all projects or items in progress which were appropriated in the 2002 budget;

31-03 2. **Recycle Vehicle:** Resolution approving budget adjustment in amount of $33,117.00 for operation of Recycling vehicle;

3. **Corporate Hangar:** Resolution approving Task Order No. 14 in an 32-03 amount not to exceed $66,200.00 w/McClelland Consulting Engineers for services associated w/construction of a three-bay corporate hangar at Fayetteville Municipal Airport;

33-03

4. **Manhole Rehab:** Resolution awarding construction contract to T-G Excavating, Inc. in amount of $933,333.00 for Illinois River Basin 1-5 and South Industrial Park area sanitary sewer manhole rehabilitation, and approving contingency in amount of $46,667.00;

34-03

5. **Rules of Order & Procedure:** Resolution amending Rules of Order & Procedure – Mayor/City Council;

35-03

6. **FEMA Fire Act:** Resolution authorizing Fayetteville Fire Department to apply for Federal Emergency Management Administration (FEMA) fire grant in amount of $111,508.00 to establish a Wellness and Fitness/EMS Division;

36-03

7. **Frisco:** Resolution certifying to Tax Collector of Washington County the costs of abating unsightly and unsanitary conditions upon property located at 922 N. Frisco Avenue in Fayetteville;

3702

8. **Dickson Enhancement:** Resolution approving change order Number 5 to construction contract w/Township Builders, Inc. in amount of $125,543.00 for a time extension of 35 days for DDEP;

4466

9. **VA 03-1.00:** Ordinance approving VA 03-1.00 to vacate and abandon section of 9th Street west of S. School, north of Block 17 and south of Block 16, in Ferguson Addition as depicted on attached map and legal description;

4467

10. **RZN 03-9.00**: Ordinance approving rezoning request as submitted by Richard L. Miller, on behalf of Dodi Nichols for property located at 2800 Old Farmington Road; property is zoned A-1, Agricultural and contains approximately 1.88 acres; request is to rezone to R-1, Low Density Residential;

4468

11. **Eating Establishments:** Ordinance approving ADM 03-1.00 to amend Chapter 161 Zoning Regulations of UDO to allow use Unit 13, Eating Places in §161.22 C, R-PZD Residential Planned Zoning District.

FAYETTEVILLE

Minutes - Check
Unanimously

THE CITY OF FAYETTEVILLE, ARKANSAS

FINAL AGENDA
FOR
CITY COUNCIL MEETING
MARCH 4, 2003

A meeting of the Fayetteville City Council will be held on March 4, 2003 at 6:00 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Cancelled
Presentation

PRESENTATION: DPZ presentation on new urbanizing and smart growth principles.

A. CONSENT:

1. **APPROVAL OF THE MINUTES:** Approval of the February 18, 2003 meeting minutes.

2. **BUDGET:** A resolution approving a budget adjustment which will allow for the roll-forward to the current budget of all projects or items in progress which were appropriated in the 2002 budget.

3. **RECYCLE VEHICLE:** A resolution to approve the budget adjustment in the amount of $33,117.00 for the operation of a recycling vehicle.

4. **CORPORATE HANGAR:** A resolution approving Task Order No. 14 with McClelland Consulting Engineers for engineering services to design and construct three small corporate hangars in the amount of $66,200.00 at Fayetteville Municipal Airport, Drake Field.

5. **MANHOLE REHAB:** A resolution to approve a construction contract with T-G Excavating, Inc. for sanitary sewer manhole rehabilitation, Illinois Basin 1-5 and the Industrial Park, in the amount of $933,333.00 and to approve a 5% contingency in the amount of $46,667.00.

6. **RULES OF ORDER AND PROCEDURE:** A resolution to adopt Mayor/City Council Rules of Order and Procedure.

New Business
Adhemar Davis

7. **FEMA FIRE ACT:** A resolution providing the Fire Department to submit a grant request for a FEMA Act Grant during the 2003 funding cycle.

8. **BERRY V. CITY OF FAYETTEVILLE:** A resolution to refer defense of Berry v. City of Fayetteville to City's Insurance Carrier.

Move to New Business

113 WEST MOUNTAIN 72701 479-521-7700
FAX 479-575-8257

B. OLD BUSINESS:

1. **FRISCO:** A resolution certifying to the tax collector of Washington County the costs of abating unsightly and unsanitary conditions upon the property located at 922 North Frisco Avenue in the City of Fayetteville, Arkansas. This resolution was tabled at the December 3, 2002 City Council meeting.

2. **DICKSON ENHANCEMENT:** Discussion of Change Order #5 and approval of a resolution to the construction contract with Township Builders, Inc. for Dickson Street Enhancement Project. The resolution was tabled at the February 18, 2003 City Council meeting.

3. **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 second reading at the February 18, 2003 City Council meeting.

C. NEW BUSINESS

1. **RZN 03-9.00:** An ordinance approving rezoning request RZN 03-9.00 as submitted by Richard L. Miller, Attorney, on behalf of Dodi Nichols for property located at 2800 Old Farmington Road. The property is zoned A-1, Agricultural and contains approximately 1.88 acres. The request is to rezone to R-1, Low Density Residential.

2. **EATING ESTABLISHMENTS:** An ordinance to amend the Unified Development Ordinance to allow Use Unit 13, Eating Places, as an allowable use in a Residential Planned Zoning District.

Moved from Consent to New business. tabled indefinitely

3. Berry V. City of Fayetteville.

7:55 Adjourn

FAYETTEVILLE

#2 Dickson Enhancement additional 1060' for Aldermen

THE CITY OF FAYETTEVILLE, ARKANSAS

Meeting 6:00 Starts March 4,

TENTATIVE AGENDA
FOR
CITY COUNCIL MEETING
MARCH 4, 2003

A meeting of the Fayetteville City Council agenda session will be held on February 25, 2003 at 4:30 p.m. in Room 326 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Before consent — Presentation: ~~Update Street Growth Cook Hogs~~ DPZ a presentation on new urbanism & Smart growth principles

A. CONSENT:

1. **APPROVAL OF THE MINUTES:** Approval of the February 18, 2003 meeting minutes.

2. **BUDGET:** A resolution approving a budget adjustment which will allow for the roll-forward to the current budget of all projects or items in progress which were appropriated in the 2002 budget.

Put Out Cancellation Notice on Thursday's Roll-forward Meeting — Rescheduled to Monday, March 3, 2003. 5:00 pm.

3. **RECYCLE VEHICLE:** A resolution to approve the budget adjustment in the amount of $33,117.00 for the operation of a recycling vehicle.

4. **CORPORATE HANGAR:** A resolution approving Task Order No. 14 with McClelland Consulting Engineers for engineering services to design and construct three small corporate hangars in the amount of $66,200.00 at Fayetteville Municipal Airport, Drake Field.

5. **MANHOLE REHAB:** A resolution to approve a construction contract with T-G Excavating, Inc. for sanitary sewer manhole rehabilitation, Illinois Basin 1-5 and the Industrial Park, in the amount of $933,333.00 and to approve a 5% contingency in the amount of $46,667.00.

6. **RULES OF ORDER AND PROCEDURE:** A resolution to adopt Mayor/City Council Rules of Order and Procedure.

7. **FEMA FIRE ACT:** A resolution providing the Fire Department to submit a grant request for a FEMA Act Grant during the 2003 funding cycle.

113 WEST MOUNTAIN 72701 479-521-7700
FAX 479-575-8257

B. OLD BUSINESS:

1. **FRISCO:** A resolution certifying to the tax collector of Washington County the costs of abating unsightly and unsanitary conditions upon the property located at 922 North Frisco Avenue in the City of Fayetteville, Arkansas. This was tabled at the December 3, 2002 City Council meeting.

Brenda T. Merchants to be aware of what we are changing.

2. **DICKSON ENHANCEMENT:** Discussion of Change Order #5 and approval of a resolution to the construction contract with Township Builders, Inc. for Dickson Street Enhancement Project. The resolution was tabled at the February 18, 2003 City Council meeting.

March 3, 2003 Council Town Monday

3. **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 second reading at the February 18, 2003 City Council meeting.

C. NEW BUSINESS

1. **RZN 03-9.00:** An ordinance approving rezoning request RZN 03-9.00 as submitted by Richard L. Miller, Attorney, on behalf of Dodi Nichols for property located at 2800 Old Farmington Road. The property is zoned A-1, Agricultural and contains approximately 1.88 acres. The request is to rezone to R-1, Low Density Residential.

2. **EATING ESTABLISHMENTS:** An ordinance to amend the Unified Development Ordinance to allow Use Unit 13, Eating Places, as an allowable use in a Residential Planned Zoning District.

Move to Consent

3. **BERRY V. CITY OF FAYETTEVILLE:** A resolution to refer defense of Berry v. City of Fayetteville to City's Insurance Carrier.

And budget adj of $ 50,000.00 - Refer City Ins. Carrier

DRAFT
TENTATIVE AGENDA FOR
CITY COUNCIL MEETING
MARCH 4, 2003

A meeting of the Fayetteville City Council agenda session will be held on March 4, 2003 at 4:30 p.m. in Room 326 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

A. CONSENT

1. **APPROVAL OF THE MINUTES:** Approval of the February 18, 2003 meeting minutes.

2. **2002 BUDGET:** A resolution approving a budget adjustment which will allow for the roll-forward to the current budget of all projects or items in progress which were appropriated in the 2002 budget.

3. **FEMA FIRE ACT:** A resolution providing the Fire Department to submit a grant request for a FEMA Act Grant during the 2003 funding cycle.

4. **RECYCLE VEHICLE:** A resolution to approve the budget adjustment in the amount of $33,117.00 for the operation of a recycling vehicle.

5. **CORPORATE HANGAR:** A resolution approving Task Order No. 14 with McClelland Consulting Engineers for engineering services to design and construct three small corporate hangars in the amount of $66,200.00 at Fayetteville Municipal Airport, Drake Field.

6. **MANHOLE REHAB:** A resolution to approve a construction contract with T-G Excavating, Inc. for sanitary sewer manhole rehabilitation, Illinois Basin 1-5 and the Industrial Park, in the amount of $933,333.00 and to approve a 5% contingency in the amount of $46,667.00.

B. OLD BUSINESS:

Hoge needs to rewrite the memo

1. **FRISCO:** A resolution certifying to the tax collector of Washington County the costs of abating unsightly and unsanitary conditions upon the property located at 922 North Frisco Avenue in the City of Fayetteville, Arkansas. This was tabled at the December 3, 2002 City Council meeting.

C. NEW BUSINESS

1. **RZN 03-9.00:** An ordinance approving rezoning request RZN 03-9.00 as submitted by Richard L. Miller, Attorney, on behalf of Dodi Nichols for property located at 2800 Old Farmington Road. The property is zoned A-1, Agricultural and contains approximately 1.88 acres. The request is to rezone to R-1, Low Density Residential.

2. **EATING ESTABLISHMENTS:** An ordinance to amend the Unified Development Ordinance to allow Use Unit 13, Eating Places, as an allowable use in a Residential Planned Zoning District.

Council Tour - February 25th
Time: 4:00 PM.
Senior Center.