

Mayor Dan Coody
City Attorney Kit Williams
City Clerk Sondra Smith



Aldermen

Ward 1 Position 1 – Adella Gray
Ward 1 Position 2 – Brenda Thiel
Ward 2 Position 1 – Kyle B. Cook
Ward 2 Position 2 – Nancy Allen
Ward 3 Position 1 – Robert K. Rhoads
Ward 3 Position 2 – Robert Ferrell
Ward 4 Position 1 – Shirley Lucas
Ward 4 Position 2 – Lioneld Jordan

**City of Fayetteville Arkansas
City Council Meeting Minutes
January 15, 2008**

A meeting of the Fayetteville City Council was held on January 15, 2008 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Mayor Coody called the meeting to order.

PRESENT: Alderman Gray, Thiel, Cook, Allen, Rhoads, Ferrell, Lucas, Jordan, Mayor Coody, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience

Pledge of Allegiance

Presentations, Reports and Discussion Items:

State of the City Report

Mayor Coody gave the State of the City Report. A copy of the State of the City Report is attached.

Consent:

Arkansas State Police Grant: A resolution accepting an Arkansas State Police Drug Task Force General Improvement Grant in the amount of \$54,455.00 for the purchase of a vehicle, surveillance equipment and supplies for use by the 4th Judicial District Drug Task Force; and approving a budget adjustment.

Resolution 09-08 as Recorded in the office of the City Clerk.

Arkansas Razorback Transit: A resolution approving a contract in the amount of \$50,000.00 with the University of Arkansas Razorback Transit to provide public transit services.

Resolution 10-08 as Recorded in the office of the City Clerk.

Bid #07-79 JWC Environmental: A resolution awarding Bid #07-79 to JWC Environmental in the amount of \$163,436.00 for the purchase of a Channel Grinder for the Hamestring Sewer Lift Station, WSIP Subproject WL-6.

Resolution 11-08 as Recorded in the office of the City Clerk.

Rules of Order and Procedure: A resolution to amend the Rules of Order and Procedure to clarify the final denial of ordinances or resolutions that have been tabled indefinitely.

Resolution 12-08 as Recorded in the office of the City Clerk.

Alderman Jordan moved to approve the Consent Agenda as read. **Alderman Gray** seconded the motion. Upon roll call the motion passed unanimously.

Unfinished Business:

Hiring Freeze: Hiring Freeze Appeals.

Fire Department: Three Firemen – Approved 8-0

Tony Johnson, Fire Chief: I am seeking a review and approval to allow me to proceed with hiring three firefighters.

Alderman Jordan moved to approve the positions. **Alderman Allen** seconded the motion. Upon roll call the motion passed unanimously.

Police Department: One Policeman – Approved 8-0

Greg Tabor, Police Chief: I have several open positions right now due to staff reductions and military deployments. We had an officer resign yesterday.

Alderman Jordan asked what happens to the positions of officers on military leave.

Greg Tabor We do fill positions of officers that are on military leave. We hold that position open.

Alderman Jordan moved to approve the position. **Alderman Allen** seconded the motion. Upon roll call the motion passed unanimously.

Resolution 13-08 as Recorded in the office of the City Clerk.

R-PZD 07-2763 (Skate Place II): An ordinance establishing a Residential Planned Zoning District titled R-PZD 07-2763, Skate Place II, located at 646 West Sycamore Street; containing approximately 1.08 acres; amending the official zoning map of the City of Fayetteville; and adopting the Associated Master Development Plan. *This ordinance was left on the Second Reading at the January 3, 2008 City Council meeting.*

Alderman Jordan moved to suspend the rules and go to the third and final reading. **Alderman Cook** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Cook: I appreciate you all keeping it on the second reading at the last meeting. The comments were few.

Alderman Allen: I would just concur. We had a Ward 2 meeting recently and I didn't hear a word about it.

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

Ordinance 5102 as Recorded in the Office of the City Clerk.

New Business:

2007 Items Tabled Indefinitely – Final Actions: A resolution to deny several items tabled indefinitely and reschedule for hearing three items that may need further City Council action.

City Attorney Kit Williams: Jeremy Pate, the City Clerk and I are bringing this forward.

Jeremy Pate, Director of Current Planning: This is a resolution that would deny several items that were tabled indefinitely from 2007 and years passed and also reschedule for hearing three items that may need further City Council Action. Projects that are tabled indefinitely by the Council and not brought back up are still relatively active. They stay in the City Clerk's office files and our files and we have to hold onto them until the Council brings it back up. The item approved on Consent tonight would take care of that for years after 2007 however we did not want to just wipe the slate clean for 2007 since there were several specific items. This action would adopt the recommendations put forward by staff. Three items have been scheduled specifically for dates that you will see in February and one is scheduled for July. We are recommending approval of this resolution to take final action on these items and anything in the future can be brought back as a new item.

Alderman Cook: So if we approve this we are basically denying those listed and we are setting meeting times for the other three items.

Alderman Jordan moved to approve the resolution. **Alderman Gray** seconded the motion. Upon roll call the motion passed unanimously.

Resolution 14-08 as Recorded in the office of the City Clerk.

Martin Luther King Boulevard: A resolution to change the name of Sixth Street to Martin Luther King Boulevard.

Alderman Jordan: Shirley and I were approached by the Martin Luther King Committee and then Nancy signed on with us to bring this forward to the Council to make it from an honorary street to a permanent street.

Alderman Allen: While I am sympathetic to the inconveniences of the businesses and the homes along Sixth Street, it is my understanding that this proposal has been in the works for over five years. If this passes tonight it will be another year before it actually goes into effect and another year that the mail can be forwarded on by the Post Office. I hope it passes with pride, the kind of pride I hope most folks have for Fayetteville. We are a diverse and tolerant community. We were the first town whose school board voted to integrate in the south.

She spoke regarding the legacy of Dr. Martin Luther King and she stated he was an inspiration and a hero to many. She stated that surely that is worthy of a street name.

Alderman Jordan: In 2002 we had a discussion about reviewing this later on.

Alderman Lucas: I agree with Alderman Jordan as to why we brought it forward.

Linda Brothers, teacher at Fayetteville High School spoke in favor of the street name change.

Edith Hawkins, past president of the Martin Luther King Committee spoke in favor of the street name change.

Deborah Bradford Jennings, a citizen spoke in favor of the street name change.

Jim Burnett, a business owner spoke highly of Dr. Martin Luther King however he spoke against the street name change due to the inconvenience this will cause to the business owners on Sixth Street. He provided the Council with a list of names of businesses opposed to the street name change. He stated it was not due to disrespect it is just because of the money, time, and the confusion involved.

A copy of the list of names of businesses opposed to the street name change is attached.

He suggested to the Council perhaps changing the name of a different street that does not have as many businesses on it. He listed all the problems this would cause which are also included in the list that is attached. None of the people on the list have an objection to the purpose other than the time and expense involved.

Alderman Jordan: If this is passed tonight, what we have intended to do is it will go into effect one year from today which gives the businesses yet another year to adjust. What I understand the Post Office will deliver yet another year to both addresses which basically gives the

businesses two years to adjust. If the price that you are talking about is \$1,000 per business, that is about \$500 per year to adjust.

Jim Burnett: The price I came up with is a random number. I figure it will cost me that much by the time we get it changed. I would ask that it be two years before you make it permanent.

Alderman Jordan: If it is passed tonight a year from today we will dedicate the street. Then the Post Office will continue to deliver to both addresses for yet another year which gives two years. The businesses have had five years.

Jim Burnett: I never knew that suddenly in five years it was going to change. If you were going to do that why wasn't it passed four or five years ago that on the fifth year it would change?

Ernestine Gibson, President of the NWA Martin Luther King Planning Committee spoke in favor of the street name change. She stated this change will allow us to join other cities to prove how much we care about racial equality and justice for all people. We are a city where progressive ideas take place. Let us continue to be the greatest treasure in Northwest Arkansas by moving forward and not moving backwards.

Aaron Gabriel of the Community Design Center spoke in favor of the street name change. He would like the street changed to make it a proper gateway to a great town and a street that is named after a great man.

Dave Brian from the University of Arkansas spoke in favor of the street name change.

Beverly Heon a citizen spoke in favor of the street name change. She stated the businesses on Sixth Street knew this was an honorary street so therefore they knew that there was a potential of a change coming.

Don Marr a citizen and former Alderman: I was on the Council the first time this came through and I specifically remember asking questions about what was the rational for not changing the street name permanently at the time and would there be a time that we would come back and revisit this again in the future. I do think it was public discussion that this would be a matter to come back.

He went on to speak in favor of the street name change.

Alderman Allen quoted Dr. Martin Luther King by saying "The time is always right to do what is right."

Alderman Jordan gave numerous reasons why we should honor Dr. Martin Luther King Jr. with a street name change. He spoke about what Dr. King stood for. He stated he fought for equality for all people just like our constitution says. He was a man of peace, he told his followers to change the system through peace instead of violence. He was awarded the Noble Peace Prize. Dr. King changed the world, he gave us one word to live by and that is believe.

Alderman Ferrell stated I understand the concerns of businesses and the expenses related with changing addresses and letterheads but I must make a choice. My choice is to back up the commitment that the Council made previously. I choose to vote for this for the pioneering work that Dr. King did and the sacrifices that he made. I feel like that transcends to the objections that were expressed.

Alderman Allen moved to approve the resolution. **Alderman Jordan** seconded the motion. Upon roll call the motion passed unanimously.

Resolution 15-08 as Recorded in the office of the City Clerk.

Amend Chapter 163 Home Occupations: An ordinance amending §163.09 Home Occupations of the Unified Development Code to permit limited signage in RSF-4 Zones.

City Attorney Kit Williams read the ordinance.

Jeremy Pate gave a brief description of the item. He stated this requested amendment is to allow for those occupations for professions and avocations to continue to pursue conditional use permits for home occupations and allow for that three square foot sign when and if they provide evidence that they are required by a licensing board or under a separate state law that signs are required.

Alderman Cook: I think this is a fair and strict change to the sign ordinance.

Alderman Cook moved to suspend the rules and go to the second reading. **Alderman Ferrell** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Cook moved to suspend the rules and go to the third and final reading. **Alderman Jordan** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Don Ward the owner and Principal Broker of A Vision Realty stated I would appreciate it if you would pass it. I don't want or need a sign but the Arkansas Real Estate Commission says I have to have a sign wherever I am located as a Principal Broker operating a Real Estate company.

City Attorney Kit Williams stated I would like to point out that he called Planning and this shows the responsiveness of our Planning Department to try to find a solution when we had a problem like this. Jeremy deserves a lot of credit for coming up with a solution to solve this problem.

Mayor Coody: This is not the first time. They come up with solutions all the time to individual small problems like this. They do good for our citizens and we appreciate them.

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

Ordinance 5103 as Recorded in the Office of the City Clerk.

Amend Chapter 166 Development: An ordinance to amend §166.06 of the UDC to allow consideration of property within the City's planning area to receive conditional approval of a PZD.

City Attorney Kit Williams read the ordinance.

Tim Conklin, Planning and Development Management Director gave a brief description of the item. He stated staff is recommending an ordinance amendment to allow an applicant to come before you to request approval to submit a Planned Zoning District when a piece of property is within our planning area but not yet annexed. I think there are some benefits especially on these large complex projects to look at the zoning and development at the same time as annexation.

City Attorney Kit Williams: This is fixing a quirk in the law. We have heard annexations and rezonings for the same property the same night except for PZD's people have already been able to have annexations and rezonings coming through at the same time. The way the PZD ordinance was drafted it did not allow that. This just changes it and actually puts another step in having to get City Council approval. This is to make it more in conformity with the other ways of rezoning.

Alderman Thiel: I agree, I think this is a very good process because I prefer PZD's. You mentioned this PZD would come back to the Council again later after it went through the Planning process and all of that.

Tim Conklin: At the time of annexation you will be reviewing the Planned Zoning District for this development.

Alderman Thiel: You mentioned that the reason we are drafting this is that it is so large that it would go back through the process. .

Tim Conklin: Southpass Development will need to request approval to submit their PZD. This is an ordinance amendment to allow them to request Council approval to do that due to the fact that it is not in the ordinance today and it will take 31 days to become effective, that is the issue. They cannot request to utilize this process unless you pass this ordinance.

Alderman Ferrell: If it's passed we are still going to have the yea or nay when it comes before us correct?

Tim Conklin: That is correct.

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

City Attorney Kit Williams read the ordinance.

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

City Attorney Kit Williams read the ordinance.

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

Ordinance 5104 as Recorded in the Office of the City Clerk.

Habitat for Humanity Low Impact Development (LID) Demonstration Project: A resolution to grant a variance from the parkland dedication requirement, in accordance with §156.03 (B) of the Unified Development Code for the Habitat for Humanity Low Impact Development (LID) Demonstration Project; and designating the three and one-half acres adjacent to the project as a city park.

Tim Conklin: The Parks Board met on January 7th and moved to approve the variance of a Park Land Dedication Requirements for Habitat for Humanity. This project is located on Huntsville Road and it is one of two (LID) neighborhood developments in the State of Arkansas with both (LID) Pilot Developments being in Fayetteville, Arkansas. We should be very proud that we are the only City with two (LID) Pilot neighborhood projects in our city. As part of this project, Habitat for Humanity along with the University Of Arkansas Community Design Center received a \$460,000 grant to do a demonstration project for a low impact development. Part of that project will be also to create a best practices manual for the State of Arkansas for other developers within the State to look at how to design a development to reduce impacts for stormwater run-off. Aaron Gabriel is here from the UACDC and has a short presentation if you would like to learn more about this project.

Aaron Gabriel pointed out the housing that will be in Fayetteville by the year 2050. He stated we need new planning strategies that are sustainable if we are going to keep Fayetteville healthy and vibrant as we move forward. He gave a PowerPoint presentation and explained the park and the project.

Tim Conklin: I would just like to add that UACDC along with Patsy Brewer with Habitat have been coordinating with Nancy Baldwin with the Sage House so that planning effort has been coordinated with Sage House.

Aaron Gabriel: That's correct; in fact we are providing pro bono planning services for both Sage House and for the City Park.

He went on to finish his presentation.

Alderman Thiel moved to approve the resolution. Alderman Jordan seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent during the vote.

Resolution 16-08 as Recorded in the office of the City Clerk.

Mayor Coody: Thank you for your work Aaron. You guys are doing a really good job for us.

Tim Conklin: This project is also using CDBG funding for Habitat for Humanity which applied through the 2007 program to purchase this property. There has been money allocated for Habitat and we have in the past used CDBG money to purchase lots so that money will be going towards purchasing this land and they plan on closing this land hopefully by the end of this month, if not it will be next month.

Alderman Thiel: I just want to add it is a very good bargain for the CDBG funding because I think they have been spending something like \$25,000 to \$35,000 per lot which only enables them to buy about four lots per year.

Amend Chapter 111 Alcoholic Beverages: An ordinance to amend §111.30 Retail of Chapter 111 Alcoholic Beverages of the Code of Fayetteville.

City Attorney Kit Williams read the ordinance.

Alderman Ferrell: I have been contacted by a person from a business in my Ward and they had a lot of concerns. I am in favor of this but one of the questions they had was there are sometimes they would like to stay open until midnight. Would you entertain an amendment that would be permissive rather than mandate the hours could be from 7:00 am to 12:00 pm?

Mayor Coody: I don't know the answer to that because we are basically following State Law.

City Attorney Kit Williams: This is permissive; it just permits them to be open during this period of time. I don't think it changes during the week, Sunday it's off, Christmas it's off and they can't open before 7:00 am. I did not research this to see if midnight was allowed every night except Sunday. I would imagine that is correct but I can't guarantee it.

Mayor Coody: What I understand is that the City allows liquor stores to stay open until 11:00 pm Monday thru Thursday and then Friday and Saturday they stay open until Midnight.

Alderman Ferrell: Monday thru Thursday is what I was thinking. Kit, does anyone really have a problem if we do a little research on that? Mayor, do you have a problem with that?

Mayor Coody: No, I would like to go ahead and pass this and bring back the amendment. If you want to amend it at the next meeting after you have done some homework.

Alderman Allen: I thought there were laws about liquor sales on election days.

Alderman Ferrell: That is defunct.

City Attorney Kit Williams: If we are thinking about amending this I would not suggest we pass it tonight and then amend it in two weeks.

Mayor Coody: Bobby, is it alright if we just go ahead and pass it the way it is?

Alderman Ferrell: Yes, but I may come back later.

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

City Attorney Kit Williams read the ordinance.

Karen Stewart, a citizen spoke against the ordinance. She expressed her concerns about one liquor store in particular that was in the County across from her home.

Mayor Coody: This is in Baldwin which is in the County?

Karen Stewart: It's in the City. This particular property is just 45 feet out of the City and into the Planning Zone.

Mayor Coody: So is it in the City or County?

City Attorney Kit Williams: The actual establishment is in the County.

Karen Stewart: It's in the Planning Zone.

City Attorney Kit Williams: But it still does not allow our ordinances to affect it.

Karen Stewart: If you pass this it will probably help us because that will mean competition for this liquor store and we won't have all these cars coming out from the City to buy liquor at 7:00 am in the morning.

She went on to voice her concerns about the ordinance.

Alderman Thiel: I think we are sympathetic with the issue that happened out there although I really can't see where this makes that much difference. If anything it might actually help you. I would like to help but we can't.

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

City Attorney Kit Williams read the ordinance.

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

Ordinance 5105 as Recorded in the Office of the City Clerk.

Alderman Ferrell: Mayor I have one question about the renaming of Sixth Street. If somebody applies for a building permit and they are going to be building sometime in 2008 how will they know that the new address will be coming in January?

Tim Conklin: I think that is something that we will have to establish. Typically when we change the street name it's immediate or once it becomes effective. There is a timing phase and when we assign addresses with GIS we will have some notice up and maybe something on the

form that we use to assign that address on Sixth Street. We can get with GIS and the current Planning staff.

Alderman Ferrell: Thank you, I just thought of that possibility of someone coming along and so if there is something to flag that it would be helpful.

Alderman Thiel: Will the City be sending out notification to everyone on Sixth Street that this will be changed in one year or should that have been part of the resolution? I feel like that would be a good thing to do.

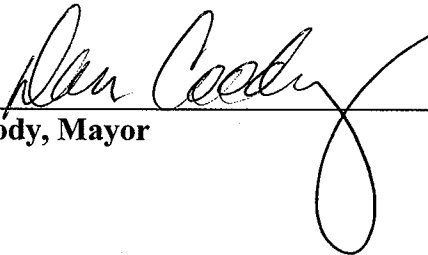
Tim Conklin: I think it's a good idea to notify the business owners and residents that their street name is going to change. I believe there are 391 addresses that should be notified. If everyone is in concurrence that you want us to do that we will.

Alderman Thiel: Yes please do that.

Mayor Coody asked what the exact name of the street will be.

Tim Conklin: I am going to defer that to our address committee.

Meeting adjourned at 8:00 PM



Dan Coody, Mayor



Sondra E. Smith, City Clerk/Treasurer

State of the City 2008
January 15, 2008

I bring to you tonight the State of the City 2008 address. But I want to discuss with the Council and the public more than just the work that has been accomplished for 2007. After an abbreviated recounting of some of the work that has been done, and is being done, I want to talk about some issues we are facing that must become a point of focus for ourselves and the community for 2008 and beyond.

Our infrastructure work continues at a very healthy pace. Our largest project, by far, will be complete this year. After a rough start, the Wastewater System Improvement Project has been sailing smoothly thanks to the dedicated staff and excellent contractors we have in place. We will be opening valves at the new west side facility in less than five months. Since bringing the project in-house, we have worked very hard to keep the public informed on all aspects of the project, from the pace and quality of the project, to the outstanding success of the wetland mitigation area.

Our road bond issue is the next biggest project on our agenda.

This program is moving along and will be a huge improvement to our city's transportation system. This series of road projects will add capacity and convenience for automotive travel for many years to come. While we must still deal with the reality of the increased cost estimates from the Highway Department for certain projects, just as we had to deal with the same increased costs of the wastewater system, we are doing all we can to move forward to complete these important road projects.

We opened a new fire station on Highway 265 and we are completing the next one on land purchased at the Tyson Mexican original location. After decades of not expanding our fire service, we have dramatically improved our position to respond to emergencies to save lives and protect property.

With the building of the new Courts building, the police will be able to expand into the room the court now occupies. This will provide a little more space for the police to operate until a new police building can be built. This will reduce, for the time being, the need to use hallways as a place to interview crime victims, store files, or change clothes.

After our reorganization in 2002, productivity improved just as we knew it would, thanks to the new management and team of the transportation department. Street paving increased 60% while our sidewalk production grew from under 3000 linear feet per year to over 17,000 feet per year. We are building sidewalks almost 6 times faster than we were before the reorganization.

Our multi-use trails program continues to gather support in the community. While our trails bond issue passed with more than 60% of the vote, more and more people are seeing the benefits of the program. This year we will see the completion of Scull Creek Trail, the main artery of the system. When we open that alternative transportation lane, more of our citizens will really begin to understand what a well-planned trails system will do for our city.

In 2007, we added a new position to our organization. We created the first public Sustainability Coordinator position in the State and it seems to have become the hiring heard 'round the world. Cities across America are following suit after asking how we did it and how it is working.

Through John Coleman's leadership in this position and the collaborative efforts of all city employees, the City has created various programs that have saved taxpayers about \$200,000 and reduced our carbon output in a similar fashion. And when it comes to efficiency in government, I am very pleased to report that our contract with Van Scoyoc is paying off well. Under that contract, we have spent a total of \$318,078. Our return has been \$16,312,500 -- a \$51 return for every dollar spent. Other Arkansas cities are beginning to follow our lead.

These are just a few of the many examples I could point out that show how well our organization is working. There are always people who feel that governments are inherently bloated and inefficient bureaucracies which should be completely dismantled, except, of course for the part that provides all the services. But our citizen survey consistently shows that a solid majority of Fayetteville residents, 60%, understand that this is a well-run, efficient, and responsive organization.

When we look back on the progress we made in 2007 and the quality of life we have been able to build over the last several years, you can see why the citizens continue to give this government high marks. However, there are a handful of critical issues that we need to focus on in 2008 if we plan to maintain our quality of life and maintain the level of service we provide our citizens. One is the local economy. For the first time ever, our sales tax collections took a dive for the whole year. This was expected as the Rogers/Bentonville area gained enough population and per capita income to warrant its own shopping area. The need to address our financial situation and increase our revenue to prepare for this day was discussed in every State of the City address since 2002. In the early 1990's the City promised to give up our 3.8 mills of property tax if the voters approved a millage increase for the schools. Since then we have relied on sales tax alone until a modest 1.3 mills was approved for city operations in 2006. Our almost total reliance on sales tax for the last decade and a half worked fine until the inevitable happened and the shoppers from up north ended their subsidy to Fayetteville.

Our municipal property tax rate remains, by far, the lowest in the region. While this is good news on the surface, it has set the stage for serious problems. The budget that was approved for 2008 is not sustainable unless we are willing to sacrifice the very things we love about our city.

I believe that most people now understand how tight our budgets have been in previous years. If our income increases at 2%, only to be eaten alive by 2% inflation in our expenses, our problems worsen. If we continue to avoid the issue of diversifying our revenue stream, we will create enormous problems that will take a real shock to the system to resolve. I liken this to burning our winter clothing to stay warm. It may feel good right now, but is it a good plan for tomorrow?

Another critical issue that we face in 2008 is the Walton Arts Center plans for expansion. As most of you know they are casting about in an effort to find a home for a new 2500 seat hall. I understand when we are asked to wait for the study to be finished to see what the results are, but I do not like waiting. I am reminded of the saying, "all comes to those who wait, as long as they work like hell while they wait." I don't think we can afford to be passive.

We have to be proactive and let them know exactly what we are willing to do to make sure that new facility is built in Fayetteville. I have asked the University to join us in discussing the situation. Our plan for the new parking decks, hotel, and retail all connected to the Arts Center should help make the location for the new hall obvious. Improvements in way finding and streetscaping should also help. The Walton Arts Center is an important feature of our economy, a hallmark of this community, and we have to be aggressive in our efforts to keep it here.

We also have to be proactive in improving the way we handle the world of growth and development. We have great fanfare for the public's participation when we ask them to help us customize our future. When we ask our citizens to take part in an exercise to determine how our city will look, they turn out in droves on their days off and pour their hearts into the work we have asked them to do. When the process is complete the headlines read "Triumph of Participation" and we all pat ourselves on the back for the project's success. Developers will study the plan and, with the help of our nationally recognized planning staff, design a project that fits perfectly within the planning criteria that the public has designed, the staff has supported, and the Council has approved. The project goes through the Planning staff, Technical plat review, Subdivision Committee and the Planning Commission. Then, in the final step, the project comes before us.

This process, while time consuming and expensive, works reasonably well to this point. But then, once it gets to us, all bets are off. If a few individuals oppose any part of the project we will thwart the will of all the citizens who designed the plan, all the creative massaging of the Planning and Engineering staff, the citizen's subcommittees, and the Planning Commission. In being hyper responsive to the individual, we completely discount the majority.

The ripple effects are serious. The developer, who is risking millions of private dollars in the project, just had his costs go up, making the price of everything in the project increase. That is bad for the consumer. The chances for financial success of the project are diminished. This is bad for the city and the developer, and it erodes the confidence of our city staff. It teaches the developer to avoid anything that is creative or innovative. It shows the developer how much easier, cheaper, and faster it would be just to do the same old sprawl-inducing, cookie-cutter, unimaginative development the public says, the staff says, and the Plan says we do not want.

Don't get me wrong. I am not saying that we should just rubber stamp everything that comes in the door. But if we could approve the creative, innovative, new-urban design that fits our plan as quickly and easily as we approve the bad developments, it would be a vast improvement for the future of our city - and our reputation.

The last seven years has seen Fayetteville become less controversial, a place where long overdue work gets done and progressive ideas take root. Our citizens love it here. When people think of Fayetteville, Arkansas, they think of quality of life. Clearly the number one issue concerning our residents is traffic congestion. This has long been the case. Our traffic infrastructure lagged behind our growth for decades. But we have been in catch-up mode for a while now. With the road bond issue, newly-acquired federal earmarks, more thoughtful urban design, and alternative transportation opportunities, we will continue to make improvement for years to come. But here's the rub. While it will take years to complete the work we have on the boards, more people will likely move here, and they will bring their cars. This problem is a staple of any growing community. From my perspective, to have traffic congestion as a top concern is good news, indeed.

When I consider the top concerns of many other communities, crushing poverty, high murder and violent crime rates, systemic corruption, failing schools, crumbling infrastructure, dangerous pollution, absence of opportunity to name just a few, I thank God traffic congestion is our biggest immediate problem.

But here is a friendly reminder for everyone who is concerned about too much growth and too much traffic. Almost 60 million Americans live in coastal areas threatened by rising tides and stronger storms caused by climate change. Many will be forced to move. A lot of them will move here. And it's already happening. Many Katrina evacuees have relocated here permanently. Floridians are moving here because of skyrocketing insurance rates due to storms. If only one tenth of one percent of the threatened coastal dwellers move to Fayetteville, our population will double. Add to this scenario those who would move here to escape the fires out west due to unprecedented drought. Or even Texans (sound the alarms) who will move here so they could actually breathe during the summer. So if we do not address a larger issue, one day soon we may look back fondly at today's traffic congestion.

There are many compelling reasons to reduce our impact on our environment. Some are social, recognizing that those who are least able to cope, and who have not caused the problem, will bear the biggest burden. Some spiritual, in that planet Earth is a creation of God that deserves our attention and respect, or else. Some are National Security issues, but we can't talk about that. Some concern enlightened self interest, considering the hassle of finding another planet, in a good neighborhood, onto which we could move.

But I want to discuss one aspect in particular that I find especially compelling for Fayetteville. In the Presidential Climate Action Project's-State of the Union's Climate report, there are 6 points that form the argument that the next President of the United States must confront the challenges of climate change. Point number 5 is the one I want to focus on.

I quote:

"We must recognize not only the threat of climate change, but the enormous opportunities that we can capture by addressing it. The urgent worldwide demand for clean energy technologies is arguably the greatest entrepreneurial opportunity the United States has ever known. The transformation to a clean economy will open paths of possibility to all income classes, including those the old economy left behind. As the world's leading innovator, we can and should become the world's leading supplier of the technologies and products that will help all people in all nations -- including our own -- achieve dignity, financial security and a decent standard of living, while dramatically reducing effects on climate."

As you well know, Fayetteville is being recognized as a national leader for cities our size in the movement for a cleaner, more efficient, more sustainable communities. We are beginning to attract the attention of companies wanting to seize the opportunities of the new economy and the technological advances of the global sustainability movement. These businesses, from start-up entrepreneurs to well-established companies are looking nation wide for places in which to locate that have the right attributes.

Because of the recent national publicity for our perspective and our drive, they are seeing Fayetteville as an unexpected possibility. And this national recognition is now generating international interest from places such as France, Sweden, and now Japan. These green, clean-tech businesses can help us strengthen our local economy and bring real diversity to our revenue stream. We have four essential building blocks that dramatically increase Fayetteville's chances for success. The weakening of any one of them diminishes our position.

The cornerstone is Fayetteville's proximity to Wal-Mart. The power of Wal-Mart and their leadership in the private sector for sustainability is, in my opinion, the single greatest factor in the changing mindset of business in the global environmental movement.

The second building block is being the home of the University of Arkansas and the Arkansas Research and Technology Park. The Center for Applied Sustainability at the University and the focus on clean technology at the Research Park provide the intellectual capital that is so important to new businesses.

The third building block means increasing the momentum of Fayetteville's sustainability efforts. While we lead the state in our actions, the low-hanging fruit is still plentiful. We must find ways to encourage the private sector to incorporate more sustainable practices. Some good examples are exempting buildings from impact fees if they achieve a LEED Certified "Silver" designation or give cars that meet certain efficiency standards free parking. We must also find ways to help our citizens of modest means to replace old, energy-hog appliances and fixtures with new, much more efficient models.

This would help reduce the monthly bills of these families, and reduce the need to build expensive, carbon-spewing power plants. If we bring our building codes up to today's standards we will significantly reduce our energy consumption while saving consumers money on their utility bills. An aggressive public education campaign is necessary if Fayetteville is going to see significant cuts to our greenhouse gas emissions.

The fourth building block that completes the foundation is directly tied to public policy decisions made by the elected officials of the City of Fayetteville. It is crucial that we develop the political will to commit to long-term investments in quality of life amenities. Making Fayetteville an even better place for her residents to enjoy a fulfilling, well-rounded life is vital if we are going to compete with other cities that have focused on this for many years. Building roads, wastewater systems, and water lines is very important, and with an investment of \$250 million in hard infrastructure, it is clear we are willing to make those investments. But while we continue this important work, we have to recognize that there is more to a beautiful, livable city than just the hard infrastructure of pipes, concrete, and asphalt.

When we win accolades from organizations and publications from around the country, what they evaluate is our "soft" infrastructure. They see the University, our Square Gardens, our natural surroundings, our creative class, the Farmer's Market, the Walton Arts Center, our landscaping, our trails system, Dickson Street, our parks, our public safety, our economy, and our high quality of life. In all the top rankings we have received I cannot think of a single mention of our paving program, our street bond issue, or the wastewater system overhaul.

Thinking of these "soft" infrastructure quality of life requirements only as "wants" instead of "needs" fails to understand what it is that makes Fayetteville such a great place to live. It also fails to understand what is required of us if we are going to compete with the outside world. That is precisely why Rogers is pulling together a \$25 million bond issue to invest in their quality of life infrastructure. They are dramatically increasing their funding in the very area we are becoming reluctant to support.

While we are doing this work, we must advertise. We have to seek out opportunities to let the outside world know of our local actions and positioning in this new, green marketplace. All the recognition we have gotten for our sustainability efforts did not happen by accident. We must seize every opportunity to let the outside world know that we are serious about being a leader in this field.

There is no middle ground. Other cities are competing for this position with single-minded determination with no holds barred. If we do not have the political will to do what it takes, if we can only achieve half-measures, we should just give up right now and not waste our time dreaming that we will be players in the coming technological revolution.

The first test of our political fortitude will be to see if we are willing to develop an economic plan that balances our economic, social, and environmental needs as a community. This is the most pressing issue we face in 2008. We have to start articulating our plan for the economic future of this city and we have to start right now. I have approached the university to see if they will partner with the City to develop a clear plan to accomplish our common goal of securing the coming green collar, clean tech economy. This work would be tailored for Fayetteville and the university, designed to accentuate our strengths and assets and shore up our weaknesses. If the university says they will participate, I will bring to you the information you will need to approve moving forward. If we pass that first test, the second test will be sticking to the plan - because this is the only way to ensure a successful long-term future.

We have much to accomplish on this front and time is not on our side. It is crucial that the Fayetteville City Council adopt a sense of urgency and adopt this issue as an extremely important element of our city's policies and planning. This issue needs to develop a life of its own that will last beyond those of us in office today. I will be leaving office in less than one year and it will be tremendously discouraging if Fayetteville's successes and momentum in the sustainability movement leave with me.

2008 will be a watershed year for Fayetteville. We need to diversify our revenue stream and expand the tax base. We need to do whatever we can to ensure that Fayetteville is the site of the new 2,500 seat Walton Arts Center theatre. And we need to immediately begin the dialogue about how we build the sustainable economic future of this City. Our tight budget will make it tempting for us to pull back on investing in our future. Coasting downhill is always easier than striving for new heights. But that is not what we were elected to do. This year is our test.

All of us ran for election to do what we think is right for our city. The decisions we make this year will set the course for our future. We can focus only on the minutia of governing a city and spend our time debating the relatively unimportant. Or we can take a more elevated, long-term view and work out policies that set our course to achieve the highest standards possible. We only get one chance at this before our time is up. Let's make those who follow us proud to sit in those chairs.

Handed Out at the
City Council Meeting
1-15-08.

1-15-08 Minutes
Martin Luther King Boulevard

BUSINESS OPPOSED TO RE-NAMING SIXTH STREET:

(This list contains affected businesses who have signed petitions)

1. Wal-Mart
2. Ye Olde King Pizza
3. Osburn Motor Co.
4. Halbert Vet. Supplies
5. Shelter Insurance
6. Block Buster
7. Big Reds
8. E-Z Mart
9. Charlies' Chicken
10. Ozark Mountain Air
11. Hardees
12. Waffle House
13. Locke Electric
14. Kentucky Fried Chicken
15. E-Z Mart (there are two)
16. AAF Car Lot
17. Sprint
18. Mattress King
19. Jim's Razorback Pizza
20. Jackson Hewitt Tax Service
21. Fire House Subs
22. Dollar Tree
23. Auto Zone
24. Westside Liquor
25. Signature Nail
26. Craigs Hair Care
27. Subway
28. Tobacco Super Store
29. Daddy Dave's Liquor
30. Razor Sprit Zone
31. Cricket Phones
32. J. D. China
33. Farmers Coop.
34. Alston Saloon
35. College Shoe Repair
36. Pay Day Money Store
37. The Grease Pig Lub & Tune Store
38. Castle Rentals
39. Brenda's Drive In

PAGE 2 - BUSINESSES OPPOSING RE-NAMING OF SIXTH ST. PAGE 2

40. Little Mountain Bindery
41. J C's Small Engine
42. Fastenal
43. U.S.A. Pharmacy
44. Best Buy Here Pay Here
45. Triple A Self Storage
46. Rent Shop
47. Comet Cleaners
48. Advance Floor Company
49. TACO Place
50. Metro Collision
51. Car Mart
52. Carlson Wagonlit Travel
53. Vaughn Battery
54. Kim's Tire and Auto
55. Mid South Security Systems
56. Skat Screen Printing
57. O'Reilly Auto
58. Hway 62 Auto Salvage and Sales
59. H & R. Tire and Auto
60. Walgreens
61. Flash Market
62. Calipso Properties
63. Triple J Logistics
64. J & J Leasing Inc.
65. John Hancock Financial Network
66. Super Savers
67. Billards' Place
68. Electric Cowboy
69. Jim Burnett Attorney
70. C.A.R.E. Chiropractic
71. Chick - Fil - A Store opened January 10, 2008.

Some of the problems associated with re-naming a street are:

- 1- Much work for the post office.
- 2- All 911 address will be changed.
- 3- GPS address will be incorrect for several years.
- 4- Truck delivery problems
- 5- Each business will spend not less than \$1,000.00 in time and money. Some business will spend a lot more.