Mayor Dan Coody

City Attorney Kit Williams

City Clerk Sondra Smith

Fayetteville
ARKANSAS

Aldermen

Ward 1 Position 1 - Robert Reynolds
Ward 1 Position 2 - Brenda Thiel
Ward 2 Position 1 - Kyle B. Cook
Ward 2 Position 2 - Vacant
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
October 17, 2006

A meeting of the Fayetteville City Council was held on October 17, 2006 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 Reynolds, Thiel, Cook, Rhoads, Ferrell, Lucas, Jordan, Mayor Dan Coody, Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

Pledge of Allegiance

Mayor Coody read a Proclamation for Friends of the Library Week.

Mayor Coody introduced some folks from the Ukraine and thanked them for the gavel they presented him. He presented each of them with a pin. Mayor Coody stated the reason they are here is because they are looking at the different forms of government and how they want to have an independent governing process in the Ukraine. They came to Fayetteville, Arkansas as one of the cities they wanted to study. They wanted to see a City Council in action. Mayor Coody welcomed them to Fayetteville and wished them the very best. Mayor Coody said we hope that you learn something here that you can take back to the Ukraine and we appreciate your presence here in Fayetteville.

Tim Conklin, Planning & Development Management Director presented the City Plan 2025 Awards from the State Chapter of the American Planning Association. The City received awards for Achievement in Comprehensive Planning and Achievement in Technology. Tim stated the Fayetteville City Council adopted City Plan 2025 on July 17, 2006 during a joint session of the Planning Commission and City Council. The document is available on the city website. Tim thanked Mayor Coody for his support of planning over the last six years and the commitment to look at how we manage and plan growth in the community. He thanked the City Council, Planning Commission and the citizens of Fayetteville. They have continued to support how we look at and plan the city, they supported City Plan 2025, and they participated in the public participation process which was very successful and cumulated in adopting City Plan 2025. Karen Minkel, Senior Long Range Planner was the project manager. Tim thanked the current Planning staff, Jeremy Pate Current Planner, Leif Olsen, Julie McQuade, the Department and Division Directors. Tim stated it is important to continue to look at how we plan the city.

Mayor Coody thanked the Council for allocating the money for this kind of planning process.

He discussed the planning process and the benefit of having a plan to follow. He stated so much can be learned from attending conferences. He also thanked the Planning staff for all that they do for the City of Fayetteville.

Tim Conklin stated the other award was for our efforts to use technology to reach out to the public. He presented Scott Caldwell from the IT Department the Achievement in Technology award for his help in developing the City Plan 2025 website. Tim stated that without the support of the IT Department and the GIS Division the map data that the Council receives would not be possible.

There was also an award for achievement in journalism that was presented to Sarah Terry with the Morning News. She and the Morning News were recognized for getting the word out about City Plan 2025. Tim displayed some of the articles that were published. Tim stated Sarah did a great job in explaining the process that the public would go through, the issues that would be addressed and did a great job in reporting on City Plan 2025. Tim recognized Sarah Terry.

There was a presentation on the Community Asset and Development Information System (CADIS) 2006 Project and the Creating Realistic Animation through EAST (CRATE) Project. Tim stated the City of Fayetteville has participated in this partnership with the University for a number of years.

Tim introduced Malcolm Williamson with the University of Arkansas. Mr. Williamson explained the project.

Malcolm Williamson introduced Caitlin Stevens.

Caitlin Stevens gave a brief presentation of the project and showed the Council the project electronically.

CONSENT:

Approval of the September 5, 2006 and September 12, 2006 City Council meeting minutes.

Approved

Swepco-AR: A resolution approving an agreement with Swepco-AR in the amount of $69,114.17 for electrical utility line relocation as part of the Van Asche Drive extension project.

Resolution 164-06 as Recorded in the Office of the City Clerk.

Lufkin Industries of Lowell: A resolution awarding Bid #06-55 and approving the purchase of one (1) dump trailer from Lufkin Industries of Lowell in the amount of $32,539.02 for use by the Wastewater Treatment Project, Water & Sewer Division; and approving a Budget Adjustment.

Resolution 165-06 as Recorded in the Office of the City Clerk.

Barloworld Truck Center of Springdale: A resolution awarding Bid #06-55 and approving the purchase of one (1) truck tractor and hydraulic wet line kit from Barloworld Truck Center of Springdale in the amount of $76,003.00 for use by the Wastewater Treatment Project, Water & Sewer Division; and approving a Budget Adjustment in the amount of $76,208.00.

Resolution 166-06 as Recorded in the Office of the City Clerk.

Landers Ford of Little Rock: A resolution awarding Bid #06-56 and approving the purchase of one (1) diesel powered cutaway van truck from Landers Ford of Little Rock in the amount of $29,601.00 for use by the Solid Waste & Recycling Division.

Resolution 167-06 as Recorded in the Office of the City Clerk.

C. Green Scaping: A resolution approving a contract with C. Green Scaping, LP in the amount of $145,200.00 for Wetlands construction, burning and planting; and approving a Project Contingency in the amount of $14,500.00.

Resolution 168-06 as Recorded in the Office of the City Clerk.

Selective Traffic Enforcement Project (STEP) Grant: A resolution accepting the 2006-2007 Selective Traffic Enforcement Program (STEP) Grant in the amount of $68,000.00 for the purpose of paying overtime to officers engaged in the enforcement of DWI/DUI and seatbelt laws; and approving a Budget Adjustment recognizing the grant revenue.

Resolution 169-06 as Recorded in the Office of the City Clerk.

ADM 06-2293 Lofts at Underwood Plaza: A resolution for ADM 06-2293, approving encroachments into the city's right-of-way for the purpose of constructing foundation on the north side of the Lofts at Underwood Plaza project into Dickson Street, as described and depicted in the attached exhibit.

Resolution 170-06 as Recorded in the Office of the City Clerk.

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

UNFINISHED BUSINESS:

VAC 06-2136 Petunia Court: An ordinance approving VAC 06-2136 submitted by John Carpenter for property located between Lots 31 & 32 of Glenbrook Phase II, vacating unconstructed right-of-way within the subject property. ***This ordinance was left on the Second Reading at the October 3, 2006 City Council meeting.***

Alderman Ferrell 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.

Alderman Thiel: At the last meeting Jeremy mentioned a lot of the neighborhood attended the Planning Commission meeting and some of them are here tonight. I would like to hear from the people that live there and why they object to this connectivity.

Alderman Reynolds stated when this went through the Planning Commission in 1993 the staff recommended that access to the north be provided. He stated he still feels that way.

Alderman Thiel stated what concerns me about vacating this is there is not a good emergency access to this subdivision.

Jeremy Pate: That was basically our concern as well. The fact that there is an existing subdivision with only one point of ingress and egress we were concerned with so we did recommend denial of this vacation request. The design and facilitation of development on the C-1 tract can certainly be worked into the neighborhood and provide an adequate transition. We certainly do not feel like this is going to increase any cut through traffic simply because there is no place cut through. We are recommending denial of the vacation request. The Planning Commission did not agree with staff and did recommend that this be vacated.

Mayor Coody: What was their reason for disagreeing with staff on this?

Jeremy Pate: They included some conditions, if it was vacated as a right of way it would remain an access easement for emergency access to still provide for emergency access if that commercial tract ever develops. There were also several members from the public that commented so I am surprised that there is no one here tonight.

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

This ordinance failed.

NEW BUSINESS:

R-PZD 06-2169 - 6th & Wood: An ordinance establishing a Residential Planned Zoning District Titled R-PZD 06-2169, 6th & Wood, located south of 6th Street near Wood Avenue, containing approximately 1.80 acres; amending the Official Zoning Map of the City of Fayetteville; and adopting the Associated Master Development Plan.

City Attorney Kit Williams read the ordinance.

Jeremy Pate gave a brief description of the project. The Planning Commission voted 5-3 to recommend approval and staff recommended approval. Jeremy stated this is a down zoning for this area.

Alderman Thiel: I appreciate the developer bringing this forward as a PZD. In the minutes there were some concerns that the neighborhood may not have been involved in the discussion. I would like to see this left on the first reading and have a ward meeting to discuss this project.

Alderman Reynolds: I am in favor of leaving this on the first reading. I have had a lot of calls on this.

This ordinance was left on the First Reading.

RZN 06-2240 Combs: An ordinance approving RZN 06-2240 submitted by H2 Engineering, Inc. for property located at the southeast corner of Morningside Drive and 15th Street, for approximately 61.98 acres, rezoning the subject property from RSF-4, Residential Single Family, 4 units per acre to RMF-6, Residential Multifamily, 6 units per acre and C-1, Neighborhood Commercial.

City Attorney Kit Williams read the ordinance.

Jeremy Pate gave a brief description of the project. He stated the Planning Commission recommended approval with a vote of 7-1. Staff is also recommending it.

Laverne Cooper a resident stated she would like to see this remain single family. She stated some of this area is in the flood plain. She also voiced her concern with the traffic in this area. She stated a street light and turning lane will help but they would like to see it remain as it is.

Alderman Jordan: How long have you lived in that area?

Laverne Cooper: 14 years.

Alderman Lucas asked where Ms. Cooper's property was located.

Laverne Cooper: It is west of Morningside.

Alderman Thiel: Mr. Hennelly, the engineer referred to having duplexes and possibly triplexes. I would feel more comfortable with this if it came to us as a PZD.

Tom Hennelly, H2 Engineering: This property is adjacent to the east and the south to an industrial zoned property. You can imagine how difficult it is to market RSF-4 property when it is adjacent to industrial property. We felt the RMF-6 was a reasonable transition. There is RMF-18 and 24 in this area but we felt this was a reasonable enough density to make that transition from industrial. We would like to accompany this with a Bill of Assurance. We took this to the Parks Board and they requested a trail corridor along the Town Branch. We were interested in approaching them with donating the remainder of this flood plain property to the city which would put this permanently undeveloped green area along the trail corridor of the

Town Branch. We do think it is an important fact that the southern third of this property be donated to the city and remain undeveloped as green space and a preservation area.

We are not really interested in doing a PZD. It is my understanding that if there are certain zoning districts that have the criteria that you are willing to build within that you should ask for the specified zoning district that you want which is RMF-24. Every feasibility study that has been done on this property fits within this current zoning standard. We did not see the need to bring this forward as a PZD because there is nothing unusual about the types of developments that are being considered and have not been decided upon for this property. We understood that there was a need for neighborhood commercial to be located on 15th Street to help in the traffic situation. It is a benefit from a traffic stand point to have that commercial property there so they can travel within the development to the commercial. He stated he thinks this is a good use of the property.

Alderman Thiel: There may be some apartment buildings?

Tom Hennelly: There may be. The feasibility that is being done range the spectrum of single family, two family and multifamily dwellings. The density will be RMF-6 whether it is in triplexes or apartments.

Alderman Thiel: Did the Parks Department want this?

Tom Hennelly: The Parks Department did not want us to dedicate this property because they did not want the developer to bank the remainder of it. They thought there was better property owned farther down Town Branch that they could use. They would rather bank the property farther to the east. They were excited about having it donated. The only thing that would be used for the park land requirement is the trail corridor that would need to be dedicated.

Alderman Reynolds: I don't understand why we need a trail corridor through that area because we just finished a trail over there. Will the developer be accessed for any of the improvements to the intersection?

Tom Hennelly: We anticipate being accessed for that as well as the on sight and what the determination is for the off site improvements based on the impact of the development. We would certainly expect that.

A discussion followed on the improvements to the intersection.

Alderman Thiel: I am concerned about not knowing what this project is going to look like. I feel like it is important that we continue to try to improve 15th Street.

This ordinance was left on the First Reading.

RZN 06-2244 Henningsen: An ordinance approving RZN 06-2244 submitted by Jerry Horton for property located at the SW corner of Sunrise Mountain Road and S. School Ave. (HWY 71B), rezoning the subject property from R-A, Residential Agriculture and C-2, Thoroughfare Commercial to I-1, Heavy Commercial Light Industrial.

City Attorney Kit Williams read the ordinance.

Jeremy Pate: The Planning Commission recommended approval of this rezoning request by a vote of 8-0. He stated staff recommended approval of this rezoning request. Jeremy gave a brief description of the proposed rezoning.

Alderman Thiel: There is a petition in opposition to this rezoning.

Justin Ikeman on behalf of John and Debbie Walker and also the residents of Sunrise Mountain stated some of the concerns of the neighbors. He said the residents are opposed to this rezoning however they are not opposed to a development on this site. The reason they are opposed to this rezoning is because of the potential uses under I-1 and the proposed use. He stated they are concerned about the proposed business being a business that will operate 24 hours a day seven days a week. They also have environmental concerns. He stated they are also concerned this will create a traffic safety problem. He stated they feel the C-2 zoning that some of the property is currently zoned is appropriate.

John Walker stated he has lived in this area for over 22 years. He stated the kind of proposed development creates environmental, health and safety concerns. He also voiced his concern about this causing the property values to decrease.

Karen Spears said she has a report from an environmental scientific regarding the wetlands on this property. She voiced her concern about the wetlands on the property. She is concerned about this harming her property values. She is also concerned about the one lane road to their property being impacted.

Jerry Anders he stated a lot of the neighborhood has been rental property and is in the process of being converted to homeowners and he believes this development will harm that movement and harm the property values in the area.

George Knight a resident of Sunrise Mountain voiced his concern about the size of the building and the proposed operation being a 24 hour a day operation. He is also concerned about the railroad and the noise it will create.

Jerry Horton, Harris McHaney Realty, representing the land owner and Henningsen on the rezoning request stated this business needed a railroad spur and it needed to be close to the highway. This property fit all the criteria the people were looking for. The closest neighbor to this, Mr. Dennis applauded development on the property. He stated there will be no pollutants; this is a food distribution cold warehouse they have to meet standards that others do not have to meet in the distribution of products. He requested the Council to pass this rezoning.

Bob Blackston, a resident of Sunrise Mountain voiced his concern about this project. He is concerned about the noise and the fumes.

Alderman Thiel: Alderman Reynolds and I had a meeting with the developer and the neighborhood and are concerned about the size of this proposal. She stated she does not think they want to continue to add industrial to this area. She stated she is concerned that if they rezone this the proposed project may not be the project that goes in there. She voiced her concern about the I-1 zoning and the uses in that zoning. She stated that she thinks Henningsen Cold

Storage is a very good project and she would love to see it in Fayetteville. She stated there may be other potential sites for this project.

Alderman Reynolds: I do not want us to lose Henningsen; I want them to find a more compatible place in the City of Fayetteville to build. He stated this site is not right.

Mayor Coody: I spoke to Mr. Henningsen today and let him know this may not be approved at this location. I also let them know we wanted to have them here in Fayetteville and that we would work to try to find something that would be more compatible. I think they are a good company and they have a good reputation.

Alderman Reynolds: Thank you for calling them and working for them.

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

City Attorney Kit Williams read the ordinance.

Alderman Jordan: I live close to that area. It seems like there is an encroachment of heavy industrial moving into the area and it concerns me. This is a good business but there are certain places where things fit and certain places where they don't fit.

Alderman Reynolds moved to suspend the rules and go to the third and final reading. Alderman Thiel 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 failed unanimously.

This ordinance failed.

Olika Investments, LLC Cost-Share: An ordinance waiving the requirements of formal competitive bidding and approving a cost-share with Olika Investments, LLC in the amount of $30,398.53 for the upsizing of approximately 1460' of 8" water main to 12" water main.

City Attorney Kit Williams read the ordinance.

Alderman Jordan 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 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 4937 as Recorded in the Office of the City Clerk.

Fayetteville Municipal Airport Fuel Flowage Fee: An ordinance amending §91.15: Airports and Aircraft, Code of Fayetteville, to adjust the per gallon flowage fee on all aviation fuel and gasoline supplied at the Fayetteville Municipal Airport.

City Attorney Kit Williams read the ordinance.

Ray Boudreaux, Aviation and Economic Development Director: The Airport Board approved this at their meeting in September. This is simply to get the ordinance in line with what the practice is.

Alderman Jordan moved to suspend the rules and go to the second reading. Alderman Lucas 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 Lucas 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 4938 as Recorded in the Office of the City Clerk.

Farmington/Fayetteville Sewer Service Agreement: A resolution to express the City Council's basic agreement with the terms of the Farmington Position Paper.

City Attorney Kit Williams: I handed out a slightly modified resolution. I would suggest you move to amend the resolution to the one I handed out to you with my memo.

Alderman Cook: The changes are based on what we discussed.

City Attorney Kit Williams: There is really only one change, Section 3 under the whereas it now should read paying approximately $2.4 million (33%) of the estimated $7.2 million cost to build the Farmington lift station gravity and force main.

Alderman Rhoads moved to amend the resolution as recommended by City Attorney Kit Williams. Alderman Thiel seconded the motion. Upon roll call the motion passed unanimously.

Alderman Cook: I am glad we got to this point after much discussion between Fayetteville and Farmington. I think we came up with a good agreement, it is not perfect for either party necessarily but I think it is a fair agreement for both sides. I appreciate Mr. Davis's help on both sides of the discussion.

Jeff Erf, resident of Fayetteville: Is there an intent in the agreement to ultimately get Farmington off our of our sewer system at the end of this contract or is the contract there to provide sewer service to Farmington in perpetuity?

Alderman Cook: If we pass this tonight, lift station # 12 will forever marry Fayetteville and Farmington as far as sewer service.

Jeff Erf: So the intent then is that Fayetteville will carry Farmington in perpetuity?

Alderman Cook: We will be the service provider for Farmington.

City Attorney Kit Williams: In reality we have a regional system serving not only Farmington but Greenland, Elkins and a portion of Johnson.

Jeff Erf: How is capacity defined? Is it the design capacity, operational capacity, or peak flows?

Alderman Cook: It is operational capacity.

Jeff Erf: How is that defined?

Alderman Cook: It will be defined once the plant goes on line. Right now we are basing that off of design capacity but once the plant goes on line and it starts flowing, it might operate above its design capacity due to the better technology and the efficiencies within the system.

Jeff Erf: It seems to me it would serve the city's interest better to have an absolute number.

Alderman Cook: Actually we felt the opposite. Farmington actually wanted a number but I felt like I did not want to give them a number. The 8.2% comes from the facilities plan that we stated when that plan was done that they were using 8.2% of the capacity so we stuck with that number.

Jeff Erf: But if they have over designed the plant then that will give the City of Fayetteville more capacity not Farmington correct?

Alderman Cook: Farmington will get increased capacity too in that case, they will get 8.2%.

Jeff Erf: But not if it is an absolute number. How did you come up with the 33% or the $2.4 million for their contribution to the improvements? If you look at the original facility plan it was not anywhere near that percentage, their share would have been much higher.

Gary Dumas, Director of Operations: Farmington's financial participation and the funding of the west plant is 8.2%. In looking at the drainage basins served by future lift station 12 their utilization based on the time of that analysis were approximately 67% of design of lift station 12 and all the piping associated with it. So their cost is approximately 67% of that estimated cost.

Jeff Erf: What was the rational of giving Farmington a rebate on their sales tax that they pay in Fayetteville?

Alderman Cook: It is not a rebate on their sales tax, based on the Black and Veatch rate study we were charging Farmington customers $7.18 per thousand when HDR came through and evaluated that they calculated the rate should have been $4.66. We were basically over charging them since 2004. We did not know we were over charging them until HDR calculated that number. I was not very enthusiastic about offering that rebate.

Gary Dumas: There are two components to the funding of the west side plant. One is the rate structure and one is the sales tax. In analyzing the rate structure which is suppose to take into account the sales tax portion paid by the various uses it was determined that the rate that has been charged did not give credit for the sales tax participation that the residents in Farmington paid in Fayetteville. That is approximately $264,000.

Jeff Erf: Why are we even talking about sales tax, Fayetteville residents have to pay sales tax?

Gary Dumas: You are correct, there is a portion of the sales tax that is dedicated to the WSIP and when you calculate the rates for the various user groups you take into account the portion of sales tax they are paying toward the WSIP cost. In looking at the rates and the sales tax contributions of those customers it was determined that there was a rebate of approximately $264,000 due to those customers.

Jeff Erf: If I understand you correctly, before the special election to approve the bond issues for the WSIP the citizens were told one of the justifications for going to sales tax was if people outside the city would help us pay for the sewage treatment plant.

Gary Dumas: No. That is not true. The reality is they are helping pay for the WSIP but Farmington customers are also rate payers for the sewer system, the rate that they pay is based upon the contribution that they make to retiring that debt from both sales tax and the rate. The rate structure takes into account the amount of sales tax those customers pay. When you have a user group the rate that they pay is based on their total contribution to funding that system and sales tax is a part of that improvement cost.

Jeff Erf: How accurate do you think that estimate is?

Gary Dumas: I think it is very accurate.

Alderman Ferrell: Do we have an idea of the construction cost of the project?

Gary Dumas: The engineers that did the cost estimate for this project were told to be aware of the inflationary increase that we have seen on other recent bids. I am hopeful this is a maximum cost but that can not be guaranteed. The actual allocation would change somewhat if Fayetteville decided to include the area that failed in the Farmington annexation.

Alderman Cook: The original estimate was $4.8 million then RJN revised that and it went to $8.2 million. RJN is very confident in that number.

Alderman Jordan: Thanked the chair of the Sewer Committee for the hard work that was done on this.

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

Resolution 171-06 as Recorded in the Office of the City Clerk.

Group Medical & Dental Plan Renewals: A resolution approving the placement of Group Major Medical coverage with CIGNA; COBRA Administration with DataPath; HSA Account Administration with Delta Trust & Banking Corp., with five one-year optional renewals at the city's discretion; and renewing with Delta Dental for employee-paid dental insurance for plan year 2007.

Michele Bechhold, Human Resources Director: The staff is recommending moving the group medical plan to CIGNA. We will match current benefits if the decision is made to move our plan to CIGNA.

Alderman Thiel: I really appreciate the work Mr. Jackson and staff has done on these medical plans.

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

Resolution 172-06 as Recorded in the Office of the City Clerk.

2007 Compensation & Classification Plan Implementation: A resolution adopting the Compensation Committee's recommendation to implement the 2007 Compensation & Classification Plan.

Michele Bechhold: Carolyn Long with Management Advisory Group is here with us this evening. We have provided to you an updated copy of the final report.

Carolyn Long, Management Advisory Group: The document that you have has not changed materially. There are two things I want to bring to your attention. We included an overview of the benefits that the city offers. To summarize you are overall in good shape with your benefit plan, you are to be commended. The other major difference in the plan that we are recommending to you is to provide for the Fire and Police an Open Range Plan rather than the traditional Step Plan.

Ms. Long explained why she is recommending the Open Range Plan rather than the Step Plan for Fire and Police. Ms. Long thanked the staff for their work and the Compensation Committee for their work regarding the process.

Alderman Thiel: How long will this time frame last.

Ms. Long: It will start immediately upon approval by the Council. The target date for implementation is January 1, 2007.

Alderman Ferrell: Anyone that seeks reconsideration would take that to the manager or supervisor and they will submit it, is that what the process will be?

Ms. Long: It can be submitted from the employee, their supervisor or the Department head. If it comes from the employee it typically goes through their supervisor as an informational process.

Alderman Cook: What are the categories that can be appealed?

Ms. Long: If their job classification is wrong, their title is wrong or their classification is out of alignment. Those are things that are appealable.

Alderman Cook: There were some comments from employees that felt their job descriptions did not match what they thought they were. Johanson Group did the job descriptions and then you used those descriptions is that correct?

Ms. Long: The employees completed the questionnaires, the questionnaires were reviewed by the supervisors, Johanson wrote a draft of the descriptions, the descriptions were reviewed internally by city staff, supervisors and Department heads, and Johanson went back and made corrections from those. For the review process I will actually be working from the position questionnaires completed by the employees themselves so if there is any question of disconnect, we are going to be going back to the original source documents completed by the employee and verified and validated by their supervisors.

Alderman Cook: The questions that were submitted to the administration what is the time line for getting those answered.

Gary Dumas: All of those will be forwarded to MAG for their review.

Mayor Coody: How long will it take to get those questions answered?

Carolyn Long: Typically we give employees a week to put together their question; it takes us about two weeks to go through the review process. What I don't know is how long the city employee panel will take. Typically three to four weeks max and we would have it done.

Dominic Swanfeld, Fraternal Order of Police: The current proposal is that salaries will be looked at every four years?

Carolyn Long: I think that is correct.

Dominic Swanfeld: The proposal will include a COLA that is funded fully and will be given every year?

Carolyn Long: No. COLA is typically what you see when you are talking about social security or federal wages, we use an Economic Cost Indicator, ECI, which is the labor cost of wages on non market survey years. Market survey years would be any market adjustment that was indicated.

Dominic Swanfeld: We have mentioned some additional benefits at other police departments that we do not have, we will address those in the future. He voiced his concern about funding this plan partially.

Alderman Ferrell: I move that we accept the percent of market with the open range. Regarding the benefits that Dominic mentioned that would be looked at for all city employees. From the time we spent as a committee on that with the communities we compared with and geographically our employees are treated pretty well and they are paid fair.

Alderman Jordan: Through all this I learned a lot, I really appreciated the input from the employees, the staff, administration and the committee. This compensation plan is going to take us where we want to go.

Alderman Ferrell moved to approve the resolution. Alderman Reynolds seconded the motion. Upon roll call the resolution passed unanimously.

Resolution 173-06 as Recorded in the Office of the City Clerk.

Camels and Dromedaries for Passenger Transport: An Ordinance to amend Article VII Nonmotorized Passenger Transport Vehicles of Chapter XI Business Regulations of the Code of Fayetteville to authorize and regulate Camels and Dromedaries for passenger transport on the Fayetteville Square.

City Attorney Kit Williams read the ordinance.

Alderman Thiel: Are the plans to have rides around the square during the Lights of the Ozarks?

Casey Pinalto: I have been talking to Sharon in the Parking Division about where we can do that. We do not want to take them all the way around the square. We are actually looking for a spot that can be roped off from people walking through.

Alderman Thiel: Are you talking about using some parking spaces?

Casey Pinalto: We have talked about using parking spots across form Tim's Pizza or maybe along the side of the building.

Alderman Thiel: The horses have to be on a ring, is that the way the camels will be done?

Casey Pinalto: They are not, they are lead.

Alderman Thiel: That was the problem with the ponies, they were lead and one of them got away. That is the reason we had to change the original ordinance because of the incident and require they be on a ring so that could not happen.

A discussion followed on the diseases camels have and what type of vaccination camels require, if they bite and spit.

Casey gave a brief history of her back ground with animals and the experience she has in dealing with camels. She stated they carry liability insurance.

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

City Attorney Kit Williams read the ordinance.

Alderman Ferrell moved to suspend the rules and go to the third and final reading. Alderman Reynolds 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 4939 as Recorded in the Office of the City Clerk.

Meeting Adjourned at 9:05 PM

Dan Coody

Dan Coody, Mayor

Sondra Smith

Sondra Smith, City Clerk/Treasurer

Mayor Dan Coody

City Attorney Kit Williams

City Clerk Sondra Smith

Fayetteville
ARKANSAS

Aldermen

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Ward 2 Position 1 - Kyle B. Cook
Ward 2 Position 2 - Vacant
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
Special City Council Meeting Minutes
October 19, 2006

A meeting of the Fayetteville City Council was held on October 19, 2006 at 4:15 PM in Room 326 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Mayor Coody called the meeting to order.

PRESENT: Alderman Reynolds, Thiel, Ferrell, Lucas, Jordan, Mayor Dan Coody, Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

ABSENT: Alderman Cook and Rhoads.

Pledge of Allegiance

New Business:

Gregg Avenue Widening by the Arkansas Highway and Transportation Department: A resolution to approve an additional payment of Eight Hundred Thousand Dollars ($800,000.00) to the Arkansas Highway and Transportation Department for the widening of Gregg Avenue between Township and I-540 and to approve a budget adjustment of $800,000.00 to fund this payment.

Alderman Jordan: This passed the Street Committee.

Ron Petrie, City Engineer: The three options for payment were using money that was to go to the Township project and reimbursing that money later, fund it completely through the street bond issue and the third option that was recommended by the Street Committee was to use the remainder of our funds that we have in our street cost share account, which is a little over $500,000 and the remainder will be paid from the proceeds of the bond issue. We had set $8.8 million from the bond program to go toward cost shares, right of way acquisition and those sorts of things. That is what the Street Committee recommended. We have $587,900 in our existing