

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

Mayor Dan Coody

City Attorney Kit Williams

City Clerk/Treasurer Sondra E. Smith



**City of Fayetteville Arkansas
City Council Meeting Minutes
December 18, 2007**

A meeting of the Fayetteville City Council was held on December 18, 2007 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Vice Mayor Jordan called the meeting to order.

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

ABSENT: Mayor Coody and Alderman Rhoads

Presentations, Reports and Discussion Items:

Nominating Committee Report: Alderman Cook presented the Nominating Committee Report.

Alderman Cook: The Nominating Committee met Monday, December 10, 2007 and we would like to recommend the following report for approval.

A copy of the Nominating Committee Report is attached.

Alderman Ferrell moved to approve the Nominating Committee report. Alderman Lucas seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

Approved.

Consent:

Approval of the November 20, 2007 and December 4, 2007 City Council meeting minutes.

Approved

Bid # 07-74 Benchmark Construction of NWA, Inc: A resolution awarding Bid # 07-74 and approving a contract with Benchmark Construction of NWA, Inc. in the amount of \$142,868.85 for development of David Lashley Park; and approving a project contingency in the amount of \$12,210.15.

Resolution 210-07 as Recorded in the office of the City Clerk.

RFP # 07-17 RJR Enterprises, Inc: A resolution awarding RFP # 07-17 and approving a contract with RJR Enterprises Inc. in the amount of \$196,000.00 for construction of improvements to Sweetbriar and Bryce Davis Parks; and approving a project contingency in the amount of \$12,000.00.

Resolution 211-07 as Recorded in the office of the City Clerk.

HDR/EES, Inc: A resolution approving an addendum to the engineering services contract with HDR/EES, Inc. in the amount of \$9,300.00 for completion of a comprehensive water and sewer rate study.

Resolution 212-07 as Recorded in the office of the City Clerk.

Rausch Coleman Homes, LLC: A resolution to approve the promotion of affordable housing agreement with Rausch Coleman Homes, LLC.

Resolution 213-07 as Recorded in the office of the City Clerk.

Alderman Cook moved to approve the Consent Agenda as read. Alderman Lucas seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

Unfinished Business:

Proposed 2008 Annual Budget & Work Program: A resolution adopting the 2008 Annual Budget and Work Program as approved and amended. *This resolution was Tabled at the November 20, 2007 City Council meeting to the December 4, 2007 City Council meeting. This resolution was Tabled at the December 4, 2007 City Council meeting to the December 18, 2007 City Council meeting.*

Alderman Gray moved to move the Proposed 2008 Annual Budget & Work Program resolution to the end of the agenda. Alderman Lucas seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

This item was moved to the end of the agenda.

Bid # 07-69 Downing Sales and Service: A resolution awarding Bid # 07-69 to Downing Sales and Service for the purchase of one (1) recycle truck in the amount of \$163,101.00 for use by the Solid Waste Division. *This resolution was Tabled at the December 4, 2007 City Council meeting to the December 18, 2007 City Council meeting.*

Alderman Ferrell: This is an additional unit. This is not a replacement. I am a recycler and I support recycling 100%. When you are operating in the red to a point to where you are having an affect on the rate that rate payers pay in Solid Waste, I think it is time to take a look at it. I think it can be argued that if you are operating in the red over six or seven digits in recycling that that has an affect on the Solid Waste rates that are going to be charged to the citizens. It doesn't have a downward rate. I brought this up before on another piece of equipment and I don't think it was an expansion. I don't think it makes good fiscal sense. It also requires another employee. I understand that we are looking at perhaps taking some proposals for some commercial recycling but I stand by what I said and I would be glad to listen to some different statistics on the rate base and how it affects citizens.

Gary Dumas, Director of Operations: The Solid Waste activity is an Enterprise Fund. Picking up garbage at your house and picking up recycling at your house costs money. The rates pay for both of those activities, so I think to say that the recycling operation is operating in the red is accurate only if you assume that the entire Solid Waste operation operates in the red. It is fee based, you pay for the service and you get that service. There are certainly opportunities to do everything better. We just received statements of qualifications today from interested parties to provide an analysis of a recycling operation from the ground up both residential and the potential expansion into commercial services. That study will likely take approximately one year. Implementation of that will probably be budget based if there is anything to implement which could be another year. So we are looking at two years before we can have any substantive change in the way we do our recycling operation.

He went on to discuss the growth of Fayetteville and the current operations of Solid Waste.

I think there are several reasons to go ahead and approve this. It will be two years before any change in the system probably and the system has grown and the vehicle is needed and the new driver is needed to get the work done. Hopefully we can avoid any injuries that could cost as much as this vehicle.

Alderman Ferrell: In the past we have had a higher instance than in the other parts of our operations with lost time and workman's compensation accidents. The figures that we got said that the proceeds from the revenue from recycling looked like \$555,000 and that the cost is \$1.4 million. I will let you all do the math.

Alderman Thiel: Gary, do we directly charge in our rates for recycling?

Gary Dumas: Recycling is just a component of the rate. If you recall when we redid the rates back in 2003 and went to the current rate structure, at that time I think we evaluated the cost of recycling which is about \$6.00 per house per month which was just about the same cost as a small 32 gallon container charge.

Alderman Thiel: The numbers that Bobby is referring to, that is the sale of the product.

Gary Dumas: His numbers are probably very accurate.

Alderman Thiel: Is the revenue from the sale of the product?

Gary Dumas: Correct.

Alderman Thiel: Is any of the revenue from the fee that is charged to the customer in that amount?

Gary Dumas: Yes.

Alderman Thiel: The \$1.5 million and the \$500,000 that you were referring to, does that include the percentage of the fee that is charged to the customer in that amount too. Are we comparing apples and oranges here? The fees that come in for the solid waste that cost us, we don't make money from solid waste, and we can't sell it to anybody so whenever you are looking at the numbers on the solid waste you are looking at the revenue which is coming from the citizens for what they pay in the fees. I was wondering on the numbers Bobby was referring to, do they have that percentage of the fee from the customer or is that strictly the amount that we are earning on selling the product.

Gary Dumas: The cost of recycling is annually about \$1.5 million. Revenue generated from the sale of the commodities is about \$500,000 and that revenue is factored into the rate to help reduce the overall rate.

Alderman Thiel: What is the loss in solid waste? There is none because you are paying for that by the rate payer.

Gary Dumas: Yes.

Alderman Thiel: If you factor that percentage that is charged to the rate payer for recycling, if you put that over on the recycling side there would be more.

Gary Dumas: We had this discussion with our Internal Auditor here a few years ago on how you calculate the cost of recycling. Is recycling at a loss or is it just a part of the service that you are providing. If you assume that recycling is a loss then you have to assume that picking up the garbage is a loss also. Both of those are just components of the service we provide, each of them has a cost and the rate that we charge is based on the revenue that we gain from the commodity sale and the expense. If we didn't have the recycling revenue, we wouldn't have the recycling

expense, we would just be burying that. So it would probably cost less because it is cheaper to bury than it is to recycle.

Alderman Thiel: Even though you sell it?

Gary Dumas: Yes.

Alderman Thiel: That would be what I would want to know.

Gary Dumas: I can give you the number that it would cost to abandon and what it would cost to bury it.

Alderman Thiel: I think that would tell us more than anything if we just buried it all.

Gary Dumas: We have that number because it's a certain number of tons per year. That is \$24.45 per ton plus whatever it would take in additional equipment to pick that up. Right now our equipment is based on picking up what each resident puts out.

Alderman Ferrell: In my understanding of enterprise funds they have to operate at a profit to create a reserve. I still feel that if the cost is passed on to the rate payers in the form of monthly rates, then it costs more than it would if some of it were contracted out.

Alderman Lucas: What is the life of a recycling truck?

Gary Dumas: Seven to ten years.

Alderman Lucas: How many do we have?

Gary Dumas: We have 12 right now and this would be an additional one.

Alderman Lucas: Is this the ones that we have been replacing?

Gary Dumas: We initially had 12 of the old style trucks.

Alderman Lucas: How many of those do we have left?

Gary Dumas: We have six left. We are trying to get those out of the fleet as quickly as possible. You don't want to sell them before you have gotten your value out of them.

Alderman Lucas: So you are saying that we will make a decision in two years and we are buying a truck that will last ten.

Gary Dumas: That's correct. At the same time we have to provide a service for those next two years also. We may continue the service. One of the things that we have proven over and over again is that we can provide the service as efficiently as the private sector can.

Alderman Lucas: How much is the study costing?

Gary Dumas: We have a budgeted amount that is in the CIP. I would rather not say because we have to negotiate a contract eventually.

Alderman Gray: I am strongly supporting this resolution because if there is anything I want to do it's expand our recycling program. I feel strongly that we should be offering recycling to businesses and to apartments. We are a university town and we have a huge obligation to train young people in the habit. It is a habit to recycle. I am all for expanding. Even though the buying of this truck might not expand it, we certainly don't want to have people getting hurt and have problems with the recycling program. I am in support of this resolution.

Alderman Lucas: I don't think the questions we are asking are implying that we are not in favor of recycling. I think what we are looking at is if we change our ways we are going to have 13 trucks with a tight budget. That is what we are asking questions about.

Gary Dumas: It's either that or if we do contract it out and maintain the same curbside sort that we have now then whoever the vendor is will probably want to use our vehicles. If we go with a different kind of sorting system then the collection process will be totally different.

Alderman Gray moved to approve the resolution. Alderman Thiel seconded the motion. Upon roll call the resolution passed 6-1. Alderman Ferrell voting no. Alderman Rhoads was absent.

Resolution 214-07 as Recorded in the office of the City Clerk.

RZN 07-2781 (Dandy): An ordinance rezoning that property described in rezoning petition RZN 07-2781, for approximately 0.55 acres, located ¼ mile north of North Street on the east side of Leverett from I-1, Heavy Commercial/Light Industrial, to RMF-24, Residential Multi-Family, 24 units per acre. *This ordinance was left on the Second Reading at the December 4, 2007 City Council meeting.*

Alderman Cook moved to suspend the rules and go to the third and final reading. Alderman Ferrell seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

City Attorney Kit Williams read the ordinance.

Alderman Lucas: This is a street that we are vacating?

Jeremy Pate, Director of Current Planning: Not in this item. It is on the same street but this is the rezoning application. It is a little further south than the vacation application.

Alderman Cook: My frustration is that part of town is gradually becoming multi-family units all up and down Leverett Avenue. In that particular area most of the single family houses have

already been lost. That area of town is slowly becoming apartment buildings up and down that street. I have heard a few comments along those lines.

Vice Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Rhoads was absent.

Ordinance 5090 as Recorded in the office of the City Clerk.

New Business:

Wilson Estes Police Architects: A resolution approving an addendum to the contract with Wilson Estes Police Architects in the amount of \$35,500.00 for services associated with gaining LEED Certification for the District Court and City Prosecutor Facility.

John Coleman, Sustainability Coordinator: I am standing in for Coy this evening. When we passed the energy efficient building resolution that required all new City owned buildings to meet this LEED Silver standard, Wilson Estes had already been hired and was working on the courts building at that time. That is why we are coming back with the addendum at this point. The LEED Silver process is essentially building above and beyond what the standard construction and design practices are so you are going to have to pay a little more up front to save a lot more on the operation and maintenance on the back end. That is really what this work is doing it is ensuring that the documentation and all those things that are required to ensure that we meet that goal is done. That is what we are paying for here.

He briefly went over the details of the addendum and achieving LEED Silver.

Alderman Cook: At what point does that cost benefit analysis happen?

John Coleman: Normally, it would occur before. That is why it was included in the resolution in the beginning. The reason it didn't occur before this time is because we had already hired them and they already had renderings that had been agreed upon. The original intent in the resolution was to look at the cost benefit analysis and say is this something that we want to do and then decide at that point whether we want to do it. Since we are in the process as it is we are not going to get that in time to make that decision.

Alderman Cook: I don't want people to think that this \$35,500 is what it costs to build a LEED building. This is basically just the paperwork version of it. I would be curious to see what the cost benefit of this would be versus a standard building practice, compared to the LEED Silver Certification practice and how many years that payoff is. I support LEED Certified but I have always said you can build a Green Building without having LEED Certification. That is just a paperwork process to verify what you are doing. An architect can design a building to be energy efficient and follow all the standards of LEED without being LEED Certified. I would be curious what the cost benefit is on this building particularly since it is our first one.

Alderman Ferrell: I know the resolution came after they already started on this but I would certainly hope that the City of Fayetteville would be anticipating that we want to build as energy efficient as possible. Do you think the cost associated with the actual certification or paperwork with LEED will go down as it comes more prevalent?

John Coleman: There is an education process for all parties involved in this. The studies I looked at when I first proposed the resolution said that it is on average around the country about 2%. I really anticipate more like 4% or 5% in this area because we are cutting our teeth on this process and leading the way on this. I think that cost will come down in a lot of the areas. It is hard to say on documentation alone. There is really no way of knowing that for sure. The premium as a whole will come down as we gain more experience with this. I have talked to contractors about not requiring the certification and they have a very difficult time keeping people pointed towards the goal. That is why I felt like it was important to go ahead and do this additional cost to get the certification to make sure that everyone is on board and focusing on the same goal.

Alderman Ferrell: Do you think it would be possible if you loaded the cost for the certification and the additional construction cost to build something LEED Certified that when you do a cost benefit it might not benefit you.

John Coleman: There are four levels of certification and the Silver level is the one that is the most cost effective. In the private sector this is starting to take hold. We are not going to be the only ones doing this. I feel like the costs are going to come down quicker because we are not the only ones. At this current time on this project then I feel it is going to be a little more expensive than the national average. I still feel the pay back is going to be there.

Alderman Cook: If we pass this are we still going to see a cost benefit analysis from them?

John Coleman: Yes, that is part of the agreement.

Alderman Cook: Also if we pass this they are going to move forward with redesign of what they already have at this point.

John Coleman: They are actually already working on implementing some of these things. The cost itself isn't so much on the redesign as it is everything else.

Alderman Cook: On the resolution that we passed to go with LEED Certified on City buildings, on future buildings will we see a cost benefit analysis before they proceed with construction.

John Coleman: We can require them to do the cost benefit analysis earlier on in the process to make the decision which was the intent of the proposal in the beginning.

Alderman Allen: I would like that, I think this is such new ground for us that we need as much information as we can get.

John Coleman: I understand.

Alderman Lucas: If we pass this, are we then going to look at future increases in the cost of everything that we have passed before.

John Coleman: Just from talking to Coy, he feels we are going to come in at the same budget that was proposed originally on this project. There are additional expenses there but there are things that have relieved that expense and he knows more about the intricacies of the total budget but he feels like we are going to come in at the original construction cost. To answer your questions, no I can't say that definitely but this is something that they came back and asked for. It's going to be included in all future projects it's just something that will be rolled in at the very beginning instead of coming in after the process has already begun.

Alderman Cook: I will support this change but I will be curious to see the cost benefit analysis and hopefully on future projects we will see that ahead of time. I support the premise of LEED certification. To me it is more paperwork to certify that certain things have been done on the construction site. There is also Green Globes and they are a little different than LEEDS, they take your word for it. They do not require all the documentation. LEED is much more stringent on their policy. I will go ahead and support it.

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

Resolution 215-07 as Recorded in the office of the City Clerk.

RZN 07-2603: (Kooshesh): An ordinance rezoning that property described in rezoning petition RZN 07-2603, for approximately 1.59 acres, located at 956 and 918 North 46th Avenue from R-A, Residential-Agricultural, to R-O, Residential Office.

City Attorney Kit Williams read the ordinance.

Jeremy Pate gave a brief description of the rezoning. He stated the Planning Commission recommended this voting unanimously in favor and staff is also recommending in favor.

Alderman Lucas: I have not gotten any calls on it myself.

Alderman Lucas moved to suspend the rules and go to the second reading. Alderman Cook seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

City Attorney Kit Williams read the ordinance.

David Trudy read a brief letter from Professor Kooshesh requesting approval of the rezoning from the City Council.

Alderman Lucas moved to suspend the rules and go to the third and final reading. **Alderman Ferrell** seconded the motion. Upon roll call the motion passed 7-0. **Alderman Rhoads** was absent.

City Attorney Kit Williams read the ordinance.

Vice Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. **Alderman Rhoads** was absent.

Alderman Ferrell thanked David Trudy for coming here and he stated Professor Kooshesh has a very good friend in you.

David Trudy: Thank you, he is a fine professor at the university where he teaches and I have known him for many years so I was more than happy to do that.

Ordinance 5091 as Recorded in the Office of the City Clerk.

VAC 07-2804: (The City of Fayetteville): An ordinance approving VAC 07-2804 submitted by City of Fayetteville for property located east of Leverett Avenue, south of Robinson Apartments and north of Leverett Townhomes to vacate a portion of an unused right-of-way and create a general utility easement on the subject property, a total of 9,802.11 square feet.

City Attorney Kit Williams read the ordinance.

Jeremy Pate gave a brief description of the item. He stated this request is actually coming from city staff. It is property owned by the City of Fayetteville, as right of way always is, but it is on someone else's property. All the utility companies and the City recommend approval of the request as did the Planning Commission 9-0.

Alderman Lucas: This had been proposed as a street right?

Jeremy Pate: It was dedicated and it actually does not show up on any of our right of way maps. Our City surveyor found it. It was a part of the Evans Farm Subdivision. This is just one part of many rights of way that are in this area that will likely need to be vacated.

Alderman Lucas: The only two east west's there are North Street and Sycamore and then all the way down to Poplar. Are we going to come back in a few years and say well we should have kept that street to have some connectivity or cross streets because there is a bunch of apartments going in behind that?

Jeremy Pate: I think if this were a right of way in a location and with the width that was sufficient for a street.

Alderman Lucas: Its 20 feet.

Jeremy Pate: Right, so you might get an alley in but you couldn't get a street width. Our minimum street width is 24 feet which is a residential street. So it really wouldn't fit unless we bought some of the property and we would have to tear the building down too.

Alderman Lucas: Or go a little bit to the south.

Jeremy Pate: If there weren't more encumbrances I think we might take a closer look at that and there are some rights of way platted that we would probably have a little bit different recommendation on for that exact same reason especially those that would provide a good connection in this area. This doesn't connect over to the creek at all so there is not any real access except right into the creek that it provides.

Alderman Lucas: What's on the other side of the creek?

Jeremy Pate: The street that comes closest is called Moan Place, it's a duplex subdivision that comes off of Sycamore and it just loops back around so it actually dead ends into some structures at this point.

Alderman Thiel moved to suspend the rules and go to the second reading. Alderman Gray seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

City Attorney Kit Williams read the ordinance.

Alderman Cook moved to suspend the rules and go to the third and final reading. Alderman Allen seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

City Attorney Kit Williams read the ordinance.

Alderman Cook: At some point in the past when that was developed there was never any stub out or any idea of connectivity through there. Therefore now unfortunately it is locked, there would be no connectivity. You would have to tear buildings down to make that connect in any way.

Alderman Lucas: There is no way to make a walk way through so you can walk over and to catch the bus.

Alderman Cook: Yes, we are going to have Scull Creek.

Alderman Lucas: But Skull Creek is going up to Sycamore isn't it?

Alderman Cook: Yes, it runs parallel with Leverett all the way up and down.

Vice Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Rhoads was absent.

Ordinance 5092 as Recorded in the Office of the City Clerk.

VAC 07-2832: (Lots 6-9 Timberlake Office Park): An ordinance approving VAC 07-2832 submitted by H2 Engineering for property located at Lots 6-9 of the Timberlake Office Park to vacate the erosion control easement on the subject property, a total of 1.83 acres.

City Attorney Kit Williams read the ordinance.

Jeremy Pate gave a brief description of the item. He stated no objections or public comment has been received on this particular request and the Planning Commission and staff recommend approval.

Alderman Cook: I can't get my mind wrapped around giving that up. It was originally for preservation and stabilization of the hill above the lake.

Alderman Thiel: I certainly was pleased once I heard who was going to go there. It would be nice to know how far back they were going to build and how they were going to affect it.

Jeremy Pate: I can certainly provide that information.

Jeremy Thompson, with H2 Engineering: About 150 feet from the property line.

Alderman Thiel: So how far back into the easement does it go?

Jeremy Thompson: The back of the building is about 150 feet from the property line and I believe this easement itself is fairly close to that maybe about 120 feet wide. We are staying well back off the property line. There is a steep slope running down to the northeast towards the spillway. If this easement is vacated it will all be dedicated as tree preservation area set aside to the City's permanent tree preservation area. We really are not touching that slope at all other than the building we would like to put there is going to be hanging out into that easement a little bit.

Alderman Thiel: That sounds good. So how many feet back into the easement are you going?

Jeremy Thompson: The building is about 150 feet from the property line. It's 30 or 40 feet into the easement. It was originally set aside for erosion control purposes. There is actually a small ridge that runs between where the water catches the spillway and this property. The water that would be causing erosion problems will not even make it to the property with the location of the spillway and how they have handled the discharge of that. I feel that it would never be used for erosion control purposes at all.

Alderman Cook: When this was platted why wasn't that easement asked to be abandoned at that time.

Jeremy Pate: When the subdivision was platted?

Alderman Cook: Yes.

Jeremy Pate: I don't believe that the applicants even knew the easement existed. It was not a platted easement, it simply showed up in a deed record search. It was showed to them when the project came through. From the very out set of the project, they knew that was something they would have to come forward before the City Council before they got any permits.

Alderman Ferrell: The northeast part of that hill was my concern. You are saying the trees will remain on the northeast part of the hill to anchor that and they will be there for perpetuity?

Jeremy Pate: What we required as part of this development and all of this is subject to the easement being vacated, that was a significant portion of the tree preservation area. As you know with any development we require tree preservation of a certain percentage and that would qualify in a permanent easement. It's kind of like a deed restriction there is a permit easement recorded before they can get a building permit there is an easement recorded on the property, it's called a tree preservation area, and no disturbance or tree removal even of dead trees in those protected areas can occur without approval of the Urban Forester. The City will always have some oversight in those areas.

Alderman Ferrell: It's a beautiful area along that hillside and it looks like you all are trying to do a good job to protect it.

City Attorney Kit Williams: Jeremy, has the tree preservation already been dedicated? Does the City already have that from the developers?

Jeremy Pate: It is not because it is subject to this easement being vacated. The tree preservation cannot be counted within utility easements and so it is really subject to this easement being vacated and then it can be recorded as a tree preservation easement. That is one of the conditions of approval with the large scale development.

City Attorney Kit Williams: And you don't think we need that as a condition of approval here?

Jeremy Pate: I don't believe so because they can't go forward with the large scale development unless they comply with that particular condition.

Alderman Cook: I have faith in staff to make sure that this area is properly protected.

Alderman Cook moved to suspend the rules and go to the second reading. Alderman Ferrell seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

City Attorney Kit Williams read the ordinance.

Sharon Davison, a citizen: Who will be liable if that spillway breaches? My deal is if we sign off on this and give it up and they are allowed to build closer I feel we could be setting ourselves up for lawsuits from the homeowners who will probably get flooded.

City Attorney Kit Williams: I don't think we are probably facing legal liability on something like that. If something that we have constructed like the dam or spillway has problems then we are going to have to resolve it no matter what is the cause of it. If there was damage because of improper actions by a third party then we would look at trying to require that third party, whoever they might be, to pay for the cost or damages associated with that. I have confidence in Jeremy, our Planning staff and our Engineers who have looked at this site and determined that we do not need this drainage control easement if we have the tree preservation area.

David Jurgens: Water and Wastewater Director: I have probably walked the dam with the inspectors more than anyone else on staff and I don't think this is going to have a negative impact on the spillway or the dam or the integrity of the structures at all especially since we are maintaining that tree preservation easement. From an engineering standpoint I think it is a completely safe bet to do this and it doesn't have an impact on the dam whatsoever. When ANRC looked at it that was their opinion as well. They have the state over watch for dam safety throughout the state of Arkansas. They inspect this dam on an annual basis as well.

Alderman Ferrell: Who has the charge locally of looking at the dams and insuring the integrity?

David Jurgens: It is a City owned dam. It was built for the water utility and the water utility still has ownership of the dam, the lake, and the lake property. We have to approve any changes that have to do with the lake property to insure they do not undermine the integrity of the water structure and the waterway or the water system business under which the property was purchased. So we do collectively.

Alderman Ferrell: On whatever is required, an annual basis, who certifies the integrity of the dam or decides whether it needs any action.

David Jurgens: We have a program set up formally and approved by the state for maintaining and inspecting the dam. It's a shared water and wastewater responsibility and the City Engineers responsibility.

Alderman Cook moved to suspend the rules and go to the third and final reading. **Alderman Thiel** seconded the motion. Upon roll call the motion passed 7-0. **Alderman Rhoads** was absent.

City Attorney Kit Williams read the ordinance.

Vice Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. **Alderman Rhoads** was absent.

Ordinance 5093 as Recorded in the Office of the City Clerk.

ADM 07-2849 (East Square Development): An ordinance to waive Section 166.20 of the Unified Development Code and to extend the expiration date for C-PZD 05-1610 (East Square Development) to December 20, 2010.

City Attorney Kit Williams read the ordinance.

Jeremy Pate gave a brief description of the project. Staff is recommending approval of this request. We are certain the project is continuing forward. We would recommend approval of the extension so that we can continue issuing permits on this property.

Sharon Davison, a citizen voiced her concern about the project not moving forward. She stated she has never heard of a major iron working structure go up in segments of four stories each. She is also concerned about the crane that is on the property ruining the view.

Alderman Lucas: Are you opposed to us extending this?

Sharon Davison: Most definitely.

Alderman Lucas: Why are you opposed to us extending it?

Sharon Davison stated because of no faith and the fact that people are afraid that with the economy and where we are now. She went on to speak on promises that have not been fulfilled at this time. She would like the city to take the property back because this is really a blighted area. She would also like the crane removed. She also asked Mr. Williams to research our buy back options.

City Attorney Kit Williams: The City has a contract with the buyers of this property when they bought the property from the City for \$300,000 which we used to help build sidewalks throughout the TIF area. Because of this contract they are currently paying the City \$25,000 per month in liquidated damages for not having the project done as quickly as they had promised us in the contract that it would be done. I don't think it's timely at this point in time to talk about whether or not the City has much if any grounds to seek any recovery of the property. There are some potential issues there but I think the City spent the money to purchase the property and to remove the structures because we were interested in this project to be built not because we wanted to end up with the property. Obviously the only thing the City can do with the property is sell it to someone else. The project that was presented to the City became larger because of what the City Council allowed to happen and if and when it is built I think it will be a major asset to the City. I think at this point in time I would concur with what Jeremy has recommended to you that we not throw a road block in front of these developers who have proposed this project but instead we give them the opportunity to complete the project. I think the City should remain positive and helpful to them and not do anything that could be construed as destroying the project or their chance to complete the project. Instead I think we should assist them if we can then if nothing happens that would be the time to look at other remedies. The city a long time

ago expressed its intent that the project would be built, that's why you agreed to the TIF District and you agreed to invest that money into this project. I recommend approval of this ordinance.

Alderman Lucas: I agree with what Kit and Jeremy said, I think we need to stay the line to help these people out because we want a hotel there. I will support the extension.

Alderman Ferrell: There has been work around there, this thing is started, and it's not going to happen overnight.

Alderman Ferrell moved to suspend the rules and go to the second reading. Alderman Lucas seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

City Attorney Kit Williams read the ordinance.

Alderman Allen: The extended date, could that just go on indefinitely?

Jeremy Pate: With any date that is set, it is actually set by this ordinance, the only way it can be extended beyond that date is they would have to come back before you as a Council and revisit this issue at that point in time.

Alderman Allen: So would that mean that their anticipation is that the hotel would be completed in the three year extension period?

Jeremy Pate: I believe that is the anticipation. I believe they hope to have it open sooner than that. What they are looking at in terms of this expiration is to allow them ample time to obtain all permits. We sat down with the contractors and our Building Safety Director and looked at the different ways in which this building could be constructed. Downtown buildings are always difficult; there is a very limited amount of space. We are probably looking at a staging area of one portion of the site while they construct part of the property and then once that is constructed they would actually have to relocate their entire construction team someplace else and it's likely going to be very tight at that point to construct the parking structure. The way the permits are staged, you almost have to have everything done in one structure before you can obtain a building permit for another. Part of the conditions of approval with the planned zoning district is that the parking structure be completed with the building in order for any final occupancy permits to be granted.

Alderman Allen: I wasn't on the Council when the TIF project came through. I read the article in the paper a few days ago about the developer's reluctance to speak to us about any projections. I hope that won't be the case if we feel we need to talk about that sometime in the future since we are all in this together. I feel like at this time if we are getting the \$25,000 per month in liquidated damages then I feel that if someone is paying that kind of damage they have the intent to build the building. I would like the building to be there sooner rather than later. Hearing that the developers anticipate that it will have to be finished in three years and with the liquidated damages coming forth I could agree with this.

Jeremy Pate: I think they have been very forthcoming to the Council when asked by the Council to present that type of information. I think they would be willing to do that at some point in the future should you ask.

Alderman Allen: Is that true and correct, okay.

Alderman Cook: I apologize for my frustration but I just want the building too in the long run. It's a great project, but I just want to see it get out of the ground. It is a very complicated project but I just want to see it built.

Alderman Cook moved to suspend the rules and go to the third and final reading. Alderman Ferrell seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

City Attorney Kit Williams read the ordinance.

Vice Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Rhoads was absent.

Ordinance 5094 as Recorded in the Office of the City Clerk.

2008 CPI Residential Solid Waste Rate Adjustment: An ordinance waiving the automatic annual price increase for residential trash service for fiscal year 2008.

City Attorney Kit Williams read the ordinance.

Gary Dumas: We are asking for a non-rate increase for one year. The Solid Waste fund is solid but the ordinance allows an annual cost of living adjustment to the rates. With the condition of the fund and the expansions planned throughout this next year that rate increase is not necessary so we ask that it be waived for 2008.

Alderman Thiel: So recycling isn't hurting the fund too much.

Alderman Gray: This causes me great concern, because as I said earlier this evening, I want us to increase our recycling. Explain to me why we are not letting that build up so that we can increase.

Gary Dumas: I think the next expansion for recycling would be in the commercial sector.

Alderman Gray: We also need apartments just as bad.

Gary Dumas: Commercial and apartments are over in a separate rate structure from the residential side. This rate adjustment only affects the residential side. If the Council chooses to go to commercial apartment recycling we will have to look at the rate structure for the commercial and apartment side.

Alderman Gray: So they would have an entirely different rate structure?

Gary Dumas: Yes. There are essentially three rates, a residential rate which has three components, the apartment rate, and the commercial rate which is volume based. Once we get into a commercial apartment recycling those rates will have to be adjusted to accommodate the increased cost for that action but not the residential side.

Alderman Gray: So explain to me what it's going to take to get into that?

Gary Dumas: That is why we are going through this consultant study.

Alderman Thiel: We also had a task force that worked on it for several months. It's a pretty complex issue.

Gary Dumas: The cost was quite substantial; the users of that service were not willing at that time to step up to the rate structure that was necessary.

Alderman Lucas: There is not an incentive. With homes you can save yourself by having a smaller container.

Alderman Thiel: Right, and there are several issues with the apartments because they are metered differently and there is parking logistics. We all were very supportive of the idea of recycling apartments and there are a few that are doing it on their own, but it's really a very complex issue. I know that Solid Waste is still looking at that potential and maybe some different ways of doing it. As Gary said it would have to be commercially billed. I know there is a large amount of support for it. It is not as simple as it sounds.

Alderman Gray: There was an article in the paper about the one business that is already doing it and it has cut his garbage from around 75%. I think we need to do what we can as a city to encourage that.

Gary Dumas: There has been one pilot project with apartment recycling and it's referenced in the paper that we provided to you. What we learned from that is that it takes intense apartment management education of the constantly cycling tenants in order to keep it as an effective program. It is a very complex program that will require some significant capital investment.

Alderman Gray: I still feel that we as a university city have that responsibility to do what we can to encourage that in every area.

Gary Dumas: I would expect that the study will probably point out that there are some locations that we can do effectively and others that we can't physically serve.

Alderman Ferrell: If we can go without a rate increase this year and we are losing money in recycling, if we weren't losing money in recycling do you think our rates for Solid Waste would be what they are today, no they wouldn't.

Alderman Lucas moved to suspend the rules and go to the second reading. Alderman Thiel seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

City Attorney Kit Williams read the ordinance.

Alderman Thiel moved to suspend the rules and go to the third and final reading. Alderman Lucas seconded the motion. Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

City Attorney Kit Williams read the ordinance.

Vice Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Rhoads was absent.

Ordinance 5095 as Recorded in the Office of the City Clerk.

Gantert Family Trust Condemnation: A resolution authorizing the City Attorney to seek condemnation and possession of certain lands owned by the Gantert Family Trust.

Ron Petrie, City Engineer: This particular condemnation is in association with the Zion Road project. The property is located to the north side of Zion Road just to the west of the entrance into the park. We started contact with this family back in July and had numerous contacts through that process. We have not been able to make contact in the last four weeks to finalize something so that the project can move forward.

Alderman Cook: We have experienced a little bit of these with water and sewer during the wastewater project. In all of our street bond programs we are going to see some of these as we move forward.

City Attorney Kit Williams: Even with this authority the City Attorney's office will attempt to continue any negotiations that are possible to resolve this short of actually going to court. It looks like in the entire water and sewer improvement project with hundreds of pieces of easements that were required to be obtained that we are only going to have to go to court over one easement. The land agents, our water and sewer people as well as our office continued to negotiate and were able to get all of the other cases settled amiable.

Alderman Cook: It's basically a last resort, that's what we are looking at.

Alderman Ferrell moved to approve the resolution. Alderman Cook seconded the motion. Upon roll call the resolution passed 7-0. Alderman Rhoads was absent.

Resolution 216-07 as Recorded in the office of the City Clerk.

Bellafont Gardens POA Condemnation: A resolution authorizing the City Attorney to seek condemnation and possession of certain lands owned by the Bellafont Gardens POA.

Ron Petrie: Since Agenda Session we have contacted a live person who's now President of the POA and we sent the information and they are agreeable it appears. They have to get their board to meet and agree upon it finally. At this time we would just request that it be tabled.

Alderman Thiel moved to table the resolution to the January 3, 2008 City Council meeting. Alderman Ferrell seconded the motion. Upon roll call the resolution passed 7-0. Alderman Rhoads was absent.

This resolution was tabled to the January 3, 2008 City Council meeting.

Proposed 2008 Annual Budget & Work Program: A resolution adopting the 2008 Annual Budget and Work Program as approved and amended. *This resolution was Tabled at the November 20, 2007 City Council meeting to the December 4, 2007 City Council meeting. This resolution was Tabled at the December 4, 2007 City Council meeting to the December 18, 2007 City Council meeting.*

Vice Mayor Jordan: Last night we had a pretty long budget session and there were a lot of ideas that came up and we came to a consensus about some things. Right now we will open it up.

Alderman Thiel: Last night we discussed not doing anything about that \$311,000 from the fire truck. We didn't really discuss the personnel related cuts and I have an issue with that because it's occurred to me that the part time police and the park patrol, if we don't make a decision, will have to be laid off. I want to make sure that we discuss that a little bit more.

Vice Mayor Jordan: I think what we need to decide right now is whether we want to move the money forward and use it right now and fund that personnel or if we want to leave it where it is. I think that would be a decision of this Council whether they move it forward or whether they just leave it.

Alderman Thiel: Do these employees stay if that money is not designated for them?

Paul Becker, Finance and Internal Services Director: No.

Alderman Thiel: I don't support that.

Vice Mayor Jordan: I tend to agree with that.

Alderman Lucas: Is that the Police Patrol? How many people is that?

Paul Becker: Police Patrol is two.

Police Chief Greg Tabor: We have seven part time people total. Five of those work in different divisions inside the Police Department and at the animal shelter. Two of those are assigned to the Park Patrol division.

A discussion followed on the cost for these employees.

Alderman Ferrell: Have we ever considered having the Police Park Patrol as part of Parks.

Police Chief Greg Tabor: As long as I can recall it has always been a division under the Police Department. We used to have a certified police officer assigned to that Park Patrol position and then at some point it went to civilian personnel that patrolled the parks.

Alderman Lucas: So there has been no discussion of Parks paying part of it or anything?

Police Chief Greg Tabor: Not in recent budget discussion.

Kevin Springer, Budget Director: I believe at one time it was paid out Parks and we moved it over to Police.

Connie Edmonston, Parks and Recreation Director: It was. Back in 1993-1994 when the Park Patrol was first established it was under Parks. Then we saw the need to have training and it went over to the Police Division.

Vice Mayor Jordan: I think we need to establish whether we want to move the money forward. I would like to take the list the staff has given us and look at that list and see if you want to make amendments or if you want to throw something out to discuss.

Alderman Gray: I didn't want to cut anything so I left the meeting last night very troubled. The Fire Department offered to allow us to use the \$311,000 and we really have not done anything with it. I am very much in support of moving this \$311,000 right now and using it.

A discussion followed on how they should make the motion to proceed with this action.

Alderman Thiel moved to move the \$311,000 for the purchase of a fire truck to the operations side. Alderman Gray seconded the motion.

Alderman Lucas expressed her concerns with moving the money from the Fire Department. Are we causing problems legally by bringing this \$311,000 into the General Fund and keeping the 60/40 split?

City Attorney Kit Williams: No, I don't think it is a legal problem to do that.

Alderman Ferrell: This is for one year only, for this year, the 60/40 split?

Paul Becker: I feel it is going to have to continue but that is for this year. Next year you can set that you don't want it factored that way.

Alderman Ferrell: I would like to have that in there that the 60/40 is a one year thing.

City Attorney Kit Williams: I don't think that it has to be in there because it is in fact a one year decision. That is when you have to decide what the split is going to be at that point in time.

Paul Becker: I would like to caution that I think it is going to have to continue.

Vice Mayor Jordan: Until the Council makes a decision.

Alderman Ferrell: If you look at the vast majority of the money spent on personnel and you are anticipating that that is going to grow greater then the decision needs to be made one way or another about controlling personnel or spending or changing the way we do the budget.

Upon roll call the motion passed 7-0. Alderman Rhoads was absent.

Vice Mayor Jordan suggested going through the list the staff gave them first to determine what they want to keep and what they want to deny. Then after that if there is any money left they can go back through the long list.

Alderman Thiel asked can we start with just the personnel related in the first section and do one section at a time.

A discussion followed on the order of the items.

The City Council and staff briefly discussed the following items:

Departmental reorganizations in the Cable and Planning Division:

Susan Thomas: You are not adding any thing to the budget. These were proposed cuts out of the budget; you would be replenishing those cuts with the money you have just transferred from the fire truck. The proposed cuts were \$70,000.

Alderman Gray: Susan do you still stand by your original memo?

Susan Thomas: Absolutely.

Alderman Gray: So you do not support this?

Susan Thomas: When the Council gives us direction to try to find places to save money then we as staff feel obligated to make proposals to you. It is not anything that we want to do particularly. I think the proposal is good but it is not something that I would want to do all of if I don't have to.

Alderman Lucas: I encourage reorganization to become more efficient.

Susan Thomas: I think there are certainly ways we can become more efficient and we will continue to pursue those. It probably wasn't a good idea to put a restructuring component into the budget discussion.

The City Council agreed to leave the Cable Administration and Planning Division positions funding in the budget.

Police Part Time Employees:

Greg Tabor, Police Chief: There are five part time employees. I think we need to ask ourselves if Park Patrol is a core service and then how do you weight that against laying off two part time people. We eliminated a canine unit which I believe is more of a core service. The amount eliminated was for the vehicle and the cost for maintaining the dog.

Chief Tabor explained the duties of the Park Patrol positions. A discussion followed on the Park Patrol positions and the duties of the police canine units.

Connie Edmonston, Parks and Recreation Director voiced her concern about losing the Park Patrol positions.

Alderman Thiel voiced her concern about eliminating the Park Patrol.

The City Council agreed to leave the part time police positions funding in the budget.

After discussion the City Council agreed to come back to the Park Patrol positions and discuss them later.

The Replacement of One Firefighter:

Tony Johnson, Fire Chief: After reevaluating the fleet we felt we could forego one year in replacing a truck. By offering up the \$311,000 for the fire truck I would like to benefit by recouping one person.

The City Council agreed to leave the funding for the replacement of one firefighter in the budget.

Gulley Park Concerts:

Alderman Allen: I think we should look for private donations.

Alderman Thiel: Isn't this already funded quite a bit from outside sponsors?

Connie Edmonston: Last year we had \$3,750 from outside sponsors.

Alderman Thiel: I think this is a wonderful program because it is free to all the public. Maybe we could look at partially funding it.

Alderman Ferrell: I think we can leave it out and get funding from sponsors.

Alderman Jordan: Why don't we think about a partial funding?

Alderman Ferrell moved to deny the funding for the Gulley Park Concerts and to seek private funding. **Alderman Lucas** seconded the motion. Upon Roll call the motion failed 3-4. **Alderman Cook, Ferrell and Lucas** voting yes. **Alderman Gray, Thiel, Allen and Jordan** voting no. **Alderman Rhoads** was absent.

Alderman Thiel moved to grant half the funding for the Gulley Park Concerts. **Alderman Allen** seconded the motion. Upon Roll call the motion passed 5-2. **Alderman Gray, Thiel, Cook, Allen and Jordan** voting yes. **Alderman Ferrell and Lucas** voting no. **Alderman Rhoads** was absent.

The City Council agreed to grant one half the funding for the Gulley Park Concerts in the budget.

Movies in the Park:

Alderman Allen stated she felt we had an ethical responsibility to have services for people who are poor and elderly.

A discussion followed on movies in the park, the cost, and attendance.

Connie Edmonston: Last year we had \$1,500 in sponsorship.

The City Council agreed not to provide funding for this program.

Boys and Girls Club:

Alderman Cook voiced his concern on cutting this project because of the transportation it provides. He proposed restoring \$64,000 in the budget for the Boys and Girls Club so they can fund transportation.

Alderman Allen stated she felt they needed to try to maintain this out reach program.

Alderman Thiel stated she feels it is critical that the City continue to fund the core functions adequately. Those are the Fire, Police, Animal Services, safe and clean parks, streets, sidewalks and trails. Once we feel we have funded those core services adequately looking at some of this. I appreciate the value of the Boys and Girls Club, they provide a great service. This year we

budgeted \$147,750 for the Club. I am not opposed to some of this going to transportation for the Boys and Girls Club.

Eric Schuldt, Boys and Girls Club explained the scholarships they provide on a yearly basis and how they have not asked the city for additional funding even though their budget has gone up.

Alderman Lucas: I think we should support the transportation aspect of it.

The City Council agreed to leave \$64,000 in the budget for funding transportation cost at the Boys and Girls Club.

Kevin Springer listed the amounts as follows:

Reorganization	\$70,000
Police Part Time	\$42,192
Replacement of One Firefighter	\$50,794
One Half of Gulley Park Concerts	\$ 8,450
Boys and Girls Club	\$64,000
Total	\$235,436

Vice Mayor Jordan stated we now need to go and revisit the Police Park Patrol.

Kevin Springer: We have \$75,564 left from the \$311,000 to allocate.

A discussion continued of each remaining items to add back to the budget.

The City Council and staff briefly discussed the following items:

Police Canine Unit:

Alderman Thiel moved to leave funding for the Canine Unit in the budget. **Alderman Gray** seconded the motion. Upon roll call the motion passed 7-0. **Alderman Rhoads** was absent.

The City Council agreed to fund the Canine Unit.

Police Park Patrol:

Alderman Gray moved to fund the Police Park Patrol. **Alderman Thiel** seconded the motion. Upon Roll call the motion passed 5-2. **Alderman Gray, Thiel, Ferrell, Lucas** and **Jordan** voting yes. **Alderman Cook** and **Allen** voting no. **Alderman Rhoads** was absent.

The City Council agreed to fund the Police Park Patrol.

Kevin Springer: That leaves \$33,560.

The City Council asked the staff for a recommendation.

Paul Becker recommended placing the remaining funds back into the Fire Department.

Alderman Thiel moved to place the remaining funds into the Fire Department for salaries to phase in a new position. **Alderman Gray** seconded the motion. Upon Roll call the motion passed unanimously. **Alderman Rhoads** was absent.

The City Council agreed to place the remaining funds into the Fire Department for salaries to phase in a new position.

Vice Mayor Jordan confirmed that everyone was in agreement on the following items:

The Hiring Freeze, not purchasing a fire truck, moving the money from the manpower study from Police into the Lights of the Ozarks for this year, the K-9 Unit, one half funding for Guley Park Concert, no funding for Movies in the Park, Boys and Girls Club in an amount of \$64,000, Police Park Patrol in an amount of \$33,000, Police Part time in amount of \$42,000, department reorganizations in an amount of \$70,000.

The City Council confirmed that they were all in agreement for the items listed above.

Alderman Ferrell: I would like to bring something up that is not for a funding request that was made to us but it will not be coming out of the General Fund or the CIP.

Alderman Lucas: It's the lighting for the Smithsonian Classification at the Air Museum. They have received \$25,000 toward it and we would like to do the \$25,000 from the Economic Development Fund.

Vice Mayor Jordan: Does anyone have a problem with that?

Alderman Lucas: How can we do that?

Alderman Thiel: That is not really a part of this budget is it?

City Attorney Kit Williams: I'm not sure. Normally something like that probably should go forward by itself especially if you are matching a grant or something. Is that what you are doing?

Alderman Lucas: No, I just found out that they had gotten \$20,000 toward it.

Vice Mayor Jordan: Can we talk about this after the budget is passed?

City Attorney Kit Williams: I don't think this is necessarily in the budget is it?

Kevin Springer: Since the funds are designated in the fund balance it's going to need a separate City Council item to undesignate it.

Alderman Thiel: I think this is a separate item.

Alderman Lucas: So we will bring it forward as a resolution?

Kevin Springer: Yes.

Paul Becker: We would recognize the revenue unappropriated at that time so you would un-designate it and then you would recognize the revenue and appropriate it at that time so you would do it separately. Right now it is designated as part of the designated reserve.

City Attorney Kit Williams: We will try to get it to you on the first meeting of January.

Alderman Lucas: I thought we had some from Wilson Springs.

Paul Becker: That is what we are talking about. It is right now a part of the designated reserves and we would un-designate it and then recognize the revenue and appropriate it.

Alderman Ferrell: Shirley said she was voting for the Lights of the Ozarks one more time. That is the way I am on the Park Patrol. I will vote for it this time.

Vice Mayor Jordan: Duly noted.

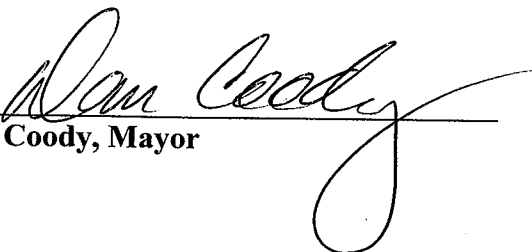
Vice Mayor Jordan thanked the staff and the City Council for their work on this budget. He stated you all have done a marvelous job. He also thanked the administration for their work.

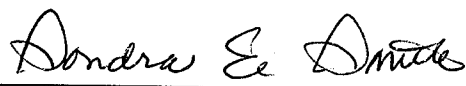
Alderman Thiel moved to approve the amended budget. **Alderman Gray** seconded. Upon roll call the motion passed 7-0. **Alderman Rhoads** was absent.

Resolution 217-07 as Recorded in the office of the City Clerk.

Vice Mayor Jordan wished all the citizens on behalf of the Mayor and the City Council a great holiday and new year.

Adjournment: Meeting adjourned at 9:25 PM


Dan Coody, Mayor


Sondra E. Smith, City Clerk/Treasurer

Nominating Committee Report
Meeting: Monday, December 10, 2007
Room 326, City Hall 5:00 p.m.
Members Present – Kyle Cook, Shirley Lucas

Airport Board

The Committee recommends the following candidate for appointment:

- ***Bob Nickle*** – One Member-at-Large term ending 12/31/12.

Audit Committee

The Committee recommends the following candidate for appointment:

- ***Tony Uth*** – One term ending 12/31/10.

Environmental Concerns Committee

The Committee recommends the following candidates for appointment:

- ***Stephanie Shepherd*** – One community citizen at large term ending 12/31/10.

Parks and Recreation Advisory Board

The Committee recommends the following candidates for appointment:

- ***Wade Colwell*** – One term ending 12/31/09.
- ***Jon Bitler*** – One term ending 12/31/09.
- ***Phil Jones*** – One term ending 12/31/09.
- ***Billy Waite*** – One term ending 12/31/09.

Sidewalks and Trails Task Force

The Committee recommends the following candidates for appointment:

- ***Shaune Colwell*** - One community citizen-at-large term ending 12/31/09.
- ***Karen Freeman*** - One community citizen-at-large term ending 12/31/09.
- ***Jennifer Hazelrigs*** - One community citizen-at-large term ending 12/31/09.
- ***Susan Jenkins*** - One community citizen-at-large term ending 12/31/09.
- ***Paul LeBlanc*** - One community citizen-at-large term ending 12/31/09.

Telecommunications Board

The committee recommends the following candidate for appointment:

- ***Aubrey Shepherd*** – One unexpired term ending 6/30/09.

Tree and Landscape Advisory Committee

The Committee recommends the following candidates for appointment:

- ***Gayle Howard*** – One service organization term ending 12/31/09.
- ***David Reynolds*** – One land development term ending 12/31/09.
- ***Wade Colwell*** – One business term ending 12/31/09.
- ***John Crone*** – One university representative term ending 12/31/09.