

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith



Aldermen

Ward 1 Position 1 – Adella Gray
Ward 1 Position 2 – Brenda Thiel
Ward 2 Position 1 – Kyle B. Cook
Ward 2 Position 2 – Matthew Petty
Ward 3 Position 1 – Robert K. Rhoads
Ward 3 Position 2 – Robert Ferrell
Ward 4 Position 1 – Shirley Lucas
Ward 4 Position 2 – Sarah E. Lewis

**City of Fayetteville Arkansas
City Council Meeting Minutes
February 02, 2010**

A meeting of the Fayetteville City Council was held on February 2, 2010 at 6:00 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Mayor Jordan called the meeting to order.

PRESENT: Alderman Thiel, Cook, Petty, Rhoads, Ferrell, Lewis, Gray, Mayor Jordan, Assistant City Attorney Jason Kelley, City Clerk Sondra Smith, Staff, Press, and Audience.

ABSENT: Alderman Lucas.

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

Alderman Cook announced the current board and committee vacancies. He stated we are now accepting applications for these positions.

Mayor Jordan wished City Attorney Kit Williams the best during his recovery.

Presentations, Reports and Discussion Items:

Agenda Additions:

Consent:

Approval of the January 5, 2010 City Council meeting minutes.

Approved.

Animal Shelter Donation: A resolution amending the 2010 city budget by approving a budget adjustment to recognize animal services donation revenue through the end of 2009 in the amount of \$20,595.00.

Resolution 22-10 as Recorded in the office of the City Clerk

Seamless Systems: A resolution approving a contract in the amount of \$34,859.00 with Seamless Systems for installation of white membrane energy efficient roof and insulation with CDBG funding for 818 Sang Avenue (Arts Live Theater).

Resolution 23-10 as Recorded in the office of the City Clerk

Kim Hoadley Construction Co. Inc.: A resolution approving a contract in the amount of \$23,060.00 with Kim Hoadley Construction Co. Inc. for new storage shed construction with CDBG funding for the Yvonne Richardson Community Center.

Resolution 24-10 as Recorded in the office of the City Clerk

Joe Perme Construction: A resolution approving a contract in the amount of \$50,195.00 with Joe Perme Construction for an energy efficiency rehabilitation with CDBG funding for 2052 S. Garland (Head Start).

Resolution 25-10 as Recorded in the office of the City Clerk

2010 Underage Drinking Prevention Conference: A resolution authorizing acceptance of a grant from the Arkansas Department of Finance and Administration to host the 2010 Underage Drinking Prevention Conference and approving a budget adjustment in the amount of \$35,115.00 to recognize the revenue.

Resolution 26-10 as Recorded in the office of the City Clerk

IRS Task Force: A resolution approving a budget adjustment for the Fayetteville Police Department in the amount of \$9,800.00 to recognize reimbursement from the Internal Revenue Service to cover expenses related to the local IRS Task Force.

Resolution 27-10 as Recorded in the office of the City Clerk

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

Unfinished Business:

Parks HMR Tax Revenues Special Election: An ordinance to amend Ordinance No. 3900 to dedicate and authorize the use of the Parks HMR Tax Revenues for the development,

construction and maintenance of city parks, and to refer such ordinance to the electors of Fayetteville at a Special Election to be held on May 18, 2010. *This ordinance was left on the First Reading at the January 5, 2010 City Council Meeting. This ordinance was left on the Third Reading at the January 5, 2010 City Council Meeting and Tabled to the February 2, 2010 City Council Meeting.*

Assistant City Attorney Jason Kelley: After some discussions between our office and the Board of Election Commissioners Kit went back and changed some language as to the for and against language in Section 2. For further consideration of the document as presented there will need to be a motion to amend to coincide with the document as presented in the agenda.

Alderman Thiel moved to amend Section 2 of the ordinance as recommended by Assistant City Attorney Jason Kelley. Alderman Ferrell seconded the motion.

Don Marr, Chief of Staff asked the Assistant City Attorney to read the language change for the public.

Assistant City Attorney Jason Kelley read the amended ordinance.

Alderman Thiel: This will not change what we have in place now if it fails.

Assistant City Attorney Jason Kelley: Right, the tax is still valid and will continue to be collected. Our previous enacting ordinance which was voted on contained some language in the for and against portion which did not include the word maintenance even though the ordinance did address maintenance. The Board of Election Commissioners printed the ballot as we told them to print it. We felt it would be safe to go through this process to make sure that it is clear that we can use those funds for maintenance. It will not impact the collection or the amount of the tax.

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

Alderman Petty: I heard from an FNHA Board member that asked if we might consider doing this next year. I still want to do it this year, but I want to use this as an opportunity to say we better be prepared to do some campaigning come May. Farmer's Market will be started up then and we might have some other opportunities to take advantage of. I don't think this is going to be quite the slam dunk that we had thought a few weeks ago so we might want to prepare ourselves for that.

Alderman Lewis: We talked about it at Ward 4 meeting and it was a good discussion and it was primarily supported. There were concerns that have been heard before at our other meetings about whether or not this would take away from new parks being developed. The intent of this is to add maintenance as an optional use of the HMR funds. The important thing is all the HMR funds stay the same amount. This just adds another option for the use of those funds.

Alderman Ferrell: I would add to Sarah's comment as was intended by the Council. To me it is very plain if you read the minutes of the meeting the intent was for the construction, building,

and maintenance. To me there is no radical or material change from the intent of what the Council wanted on this. That is evident by the beautiful network of parks that we have in this town. I certainly don't think that is going to change.

Alderman Cook: From my time on the Parks Board that was one thing I struggled with. We had plenty of capital money but slowly and surely the maintenance was getting squeezed because we were spreading out our parks system. This gives staff a little more option with that money. If we can't maintain to a level that our citizens deserve then we should not be building new ones. This gives us an opportunity to at least keep the ones we have now at a certain level.

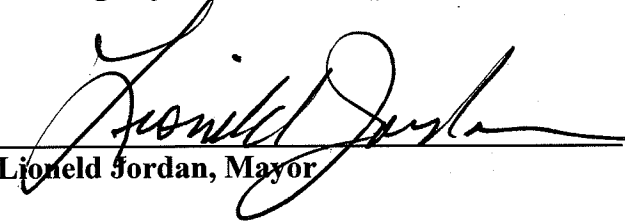
Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Lucas was absent.

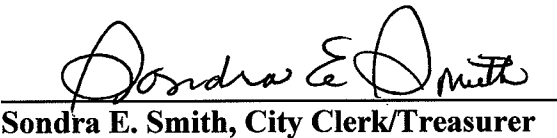
Ordinance 5305 as Recorded in the office of the City Clerk

New Business:

None

Meeting adjourned at 6:13 p.m.


Lioneld Jordan, Mayor


Sondra E. Smith, City Clerk/Treasurer