

Aldermen

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith



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 16, 2010**

A meeting of the Fayetteville City Council was held on February 16, 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, Lucas, Lewis, Mayor Jordan, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

ABSENT: Alderman Gray.

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 the vacant positions.

Mayor Jordan recognized the Spring International Language School students.

Mayor Jordan also recognized the Students in Free Enterprise (SIFE) from the Walton College for their volunteer services in 2009 and into this year. SIFE projects include Project LIGHTS, GreenWay, 15th Street Recycling Center, and Happy Hollow Education Project among other things. He presented an award to Renee Clay, Susan Bristo, Morgan Shellflue and the students for their volunteer service.

Presentations, Reports and Discussion Items:

Quarterly Report of Financial Condition of the City – City Clerk

City Clerk Sondra Smith presented the City Council with the quarterly financial report of the City. A copy of the report was emailed to the City Council.

Paul Becker, Finance and Internal Services Director gave a brief description of the report. I projected a \$1.1 million loss in the General Fund. It appears at this point in time the loss will be approximately \$700,000. We show a paper loss in the Water and Sewer fund because of a large amount of depreciation due to the new West Side Plant.

Alderman Petty: Compared to previous years both city and county sales tax are down 3% or 4% but HMR collections were only down about quarter of a percent. What does that mean exactly? Does that mean that people are still going out to restaurants or tourism stayed strong in December compared to the previous year?

Paul Becker: What it does mean is people are going to restaurants to about the same degree where other types of sales were falling off a little bit. If you remember last year during the ice storm it cut down on shopping but with the power outages a lot of people were going to restaurants etc. strictly to take advantage of the heat.

Alderman Petty: I think it is interesting that when times got rough people still wanted to go out and enjoy the town and synched their belts in other areas of their household income.

Paul Becker: That is true, it's a little unique and that is one reason that it is very difficult for me. I use to think I could project what sales taxes would be by looking at HMR taxes but it doesn't always work out that way.

Presentation of the 2010 City of Fayetteville Martin Luther King Brotherhood Award by City Attorney Kit Williams

City Attorney Kit Williams presented Connie Edmonston, Parks and Recreation Director with the 2010 City of Fayetteville Martin Luther King Brotherhood Award. He spoke on her accomplishments and explained why she was so deserving of the award.

Connie Edmonston thanked Kit Williams and stated I have the best staff in the United States. She stated the support that our administration as well as the City Council has given through the years is what makes Fayetteville have a great Parks and Recreation Department.

Agenda Additions:

Mayor Jordan: We have two walk-ons tonight.

Alderman Cook moved to add the following two agenda items to the agenda. **Alderman Rhoads** seconded the motion. Upon roll call the motion passed 7-0. **Alderman Gray** was absent.

Ice & Snow Removal Materials: A resolution approving a budget adjustment for the Transportation Services Division in the amount of \$115,000.00 to increase funding to provide additional ice and snow removal materials.

Terry Gulley, Transportation Services Director stated due to the snow and ice we've had this year and the difficulty with the cold weather we have used up a lot of supply. He briefly explained the process of ice and snow removal materials. Based on this year's event I will redo

my budget next year and add more money for this. Due to cost cuttings we took it to what we thought was the minimum. We are suggesting taking this out of Fund Balance.

Alderman Lewis: Taking this out of what?

Terry Gulley: The Street Fund Balance.

Alderman Ferrell: With the amount of weather we've had I would imagine the cost of this is higher when the demands are up. Are you going to buy some now and see if the price goes down?

Terry Gulley: Based on the prices we have got in the past it has remained stable and hasn't really changed. We are in the process of rebidding salt right now just to see if we can get a better price.

Alderman Lucas: This will carry us through the entire year 2010?

Terry Gulley: When it stays below freezing for 3 to 5 day in a row that is what takes a lot because you get the refreeze every night. I anticipate this taking us through the rest of the year.

Alderman Thiel: Transportation has done an excellent job keeping ahead. I think citizens feel like it is money well spent.

Don Marr: The City's goal is not to close roads.

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

Resolution 28 -10 as Recorded in the office of the City Clerk

Crushed Rock Salt: A resolution amending Resolution No. 21-10, awarding Bid #10-14 and approving the purchase of crushed rock salt from Cargill, Inc. in the amount of \$98.02 per ton as needed through the end of calendar year 2010.

Terry Gulley gave a brief description of the item.

Alderman Petty: In the text of the resolution the price per ton is \$93.02 and the bid listed \$98.02. Which is the error?

City Attorney Kit Williams: It looks like that is a mistake. Let's amend the resolution to \$98.02.

Alderman Ferrell moved to amend the amount to \$98.02. Alderman Petty seconded the motion. Upon roll call the motion passed 7-0. Alderman Gray was absent.

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

Resolution 29 -10 as Recorded in the office of the City Clerk

Consent:

Approval of the January 19, 2010 and February 2, 2010 City Council meeting minutes.

Approved.

U.S. Marshals Service Reimbursement: A resolution approving a budget adjustment for the Fayetteville Police Department in the amount of \$75,000.00 to recognize reimbursement from the U.S. Marshals Service for detective overtime expenses related to investigative operations.

Resolution 30 -10 as Recorded in the office of the City Clerk

Old Wire Road Traffic Signal: A resolution expressing the willingness of the City of Fayetteville to utilize federal-aid monies for a traffic signal at the intersection of Old Wire Road and State Highway 45.

Resolution 31 -10 as Recorded in the office of the City Clerk

Crossover Road Right-of-Way: A resolution authorizing the sale of right-of-way along Crossover Road (State Highway 265) containing 1,301 square feet and being a part of Parcel No. 765-13279-100 for a total of \$1,750.00 and two temporary construction easements on part of Parcel No. 764-13277-000 for \$1,050.00, and authorizing the Mayor to execute deeds and all other necessary papers to transfer ownership and easements on the properties to the Arkansas State Highway Commission.

Resolution 32 -10 as Recorded in the office of the City Clerk

Bid #10-15 IAMS Dog Park at Bryce Davis Park: A resolution awarding Bid #10-15 and approving a contract with Sweetser Construction, Inc. in the amount of \$122,027.00 for construction of IAMS Dog Park at Bryce Davis Park, and approving a 10% project contingency.

Resolution 33-10 as Recorded in the office of the City Clerk

Alderman Cook moved to approve the Consent Agenda. Alderman Thiel seconded the motion. Upon roll call the motion passed 7-0. Alderman Gray was absent.

Unfinished Business: None

New Business:

Regional Urban Stormwater Education Program: An ordinance waiving the requirements of formal competitive bidding and approving a memorandum of understanding with the MS4 Jurisdictions and the Northwest Arkansas Regional Planning Commission in the amount of \$43,191.55 for the Regional Urban Stormwater Education Program to be provided by the

University of Arkansas Cooperative Extension Service to satisfy portions of the NPDES Phase II Stormwater Permit requirements.

City Attorney Kit Williams read the ordinance.

Alderman Lewis: I know there are new Phase II requirements coming out. Is this going to need to be changed at that point?

Chris Brown, City Engineer: This three year work plan was developed last year. The draft permit was out at that time so the work plan was developed to meet the new permit requirements.

Mayor Jordan: Chris, I want you to explain why this is not a bid.

Chris Brown: The City has participated in this project and they use the services of the cooperative extension service for this portion of our permit. We have been doing it since about 2003. They provided good service and have helped us meet our permit. We are recommending to continue that relationship that has worked in the past rather than trying to find someone new to provide the services.

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

City Attorney Kit Williams read the ordinance.

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

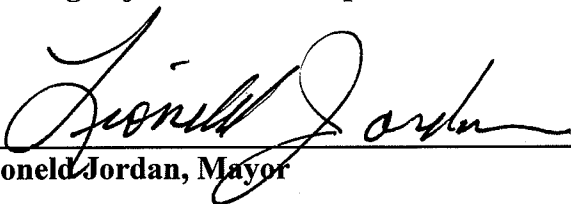
City Attorney Kit Williams read the ordinance.

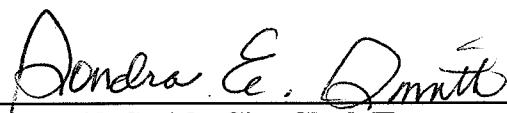
Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Gray was absent.

Ordinance 5306 as Recorded in the office of the City Clerk

Announcements:

Meeting adjourned at 6:35 p.m.


Lioneld Jordan, Mayor


Sondra E. Smith, City Clerk/Treasurer



