

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

Final Agenda City of Fayetteville Arkansas City Council Meeting March 2, 2010

A meeting of the Fayetteville City Council will be held on March 2, 2010 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Agenda Session Presentations:

Mayor's Announcements, Proclamations and Recognitions:

Presentations, Reports and Discussion Items:

1. Fayetteville Fire Department Explorer Post #104 Presentation

Agenda Additions:

1. **National Endowment for the Arts Artistic Excellence in Design Grant:** A resolution authorizing the City's participation in the National Endowment for the Arts Artistic Excellence in Design Grant, in partnership with the University of Arkansas Community Design Center, through in-kind services in the amount of \$20,000.00.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 34-10

2. **Broadband Technology Opportunities Program Grant:** A resolution authorizing the Information Technology Division to apply for a Broadband Technology Opportunities

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 35-10

A. Consent:

1. Approval of the February 16, 2010 City Council meeting minutes. **APPROVED**
2. **Federal Bureau of Investigation Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in the amount of \$16,903.00 to recognize reimbursement from the Federal Bureau of Investigation to cover expenses related to the Joint Terrorism Task Force.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 36-10

3. **Drug Enforcement Administration Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in an amount not to exceed \$16,903.00 to recognize reimbursement from the Drug Enforcement Administration to cover detective overtime expenses.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 37-10

4. **Wedington Drive Right-of-Way Donation:** A resolution authorizing the donation of right-of-way along Wedington Drive (State Highway 16) containing 0.31 acres and being parcel Nos. 765-13746-002 and 765-13746-003, and authorizing the Mayor to execute deeds and all other necessary papers to transfer ownership of the property to the Arkansas State Highway Commission.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 38-10

5. **Arkansas Historic Preservation Program Grant:** A resolution approving the City of Fayetteville to submit an application for consideration of a 2:1 matching grant for an Arkansas Historic Program grant award of up to \$80,000 to complete restoration of the Historic Maple Street and Lafayette Street Overpasses.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 39-10

6. **Warrior of Arkansas, Inc. Bid #09-72:** A resolution awarding Bid #09-72 and approving the purchase of one John Deere four-wheel drive articulated loader from Warrior of Arkansas, Inc. in the amount of \$111,500.00 for use at the Solid Waste Transfer Station, and approving a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 40-10

7. **Warrior of Arkansas, Inc. Bid #09-73:** A resolution awarding Bid #09-73 and approving the purchase of one John Deere backhoe loader from Warrior of Arkansas, Inc. in the amount of \$73,000.00 for use at the Solid Waste Transfer Station, and approving a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 41-10

B. Unfinished Business: None

C. New Business:

1. **Kathryn B. Stout Donation:** A resolution approving a 2010 budget adjustment for the Fayetteville Fire Department to recognize donation revenue in the amount of \$25,000.00 from the estate of Kathryn B. Stout.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 42-10

2. **Watson Condemnation:** A resolution approving a settlement agreement with Aaron H. Watson and Patricia Ann Watson concerning condemnation litigation filed as part of the Mount Comfort Road Widening Project in a total amount of \$55,000.00.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 43-10

Announcements:

1. **City Council Tour: None**

Adjournment: 6:45 p.m.

NOTICE TO MEMBERS OF THE AUDIENCE

All interested parties may appear and be heard before the City Council. If you wish to address the City Council on an agenda item please queue behind the podium when the Chair asks for public comment. Once the chair recognizes you, go to the podium and give your name and address. Address your comments to the Chair, who is the presiding officer. The Chair will direct your comments to the appropriate elected official, staff member or others for response. Please keep your comments brief, to the point and relevant to the agenda item being considered so that everyone has a chance to speak.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 575-8330.

As a courtesy please turn off all cell phones and pagers.

A copy of the City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 West Mountain, Fayetteville, Arkansas.

Subject:	Roll				
Absent: Alderman Petty	Petty	absent			
	Rhoads	✓			
	Ferrell	✓			
	Lucas	✓			
	Lewis	✓			
	Gray	✓			
	Thiel	✓			
	Cook	✓			
	Mayor Jordan	✓			

8-0

Subject:	Agenda Additions:			
Motion To:		Add to Agenda	National Endowment of the Arts Artistic Excellence in Design Grant	and
Motion By:		Cook	Broadband Technology	
Seconded:		Lucas	Opportunities Program	
Added to the Agenda.	Petty	Absent	Grant	
	Rhoads	✓		
	Ferrell	✓		
	Lucas	✓		
	Lewis	✓		
	Gray	✓		
	Thiel	✓		
	Cook	✓		
	Mayor Jordan			

7-0

Subject:	Agenda Addition #1		National Endowment of		
Motion To:		Approve		The Arts Artistic Excellence in Design	
Motion By:		Gray		Grant	
Seconded:		Thiel			
Agenda Addition #1 passed 34-10	Petty	Absent			
	Rhoads	✓			
	Ferrell	✓			
	Lucas	✓			
	Lewis	✓			
	Gray	✓			
	Thiel	✓			
	Cook	✓			
	Mayor Jordan				

7-0

Subject:	Agenda Addition #2		Broadband Technology		
Motion To:		Approve		Opportunities Program	
Motion By:		Gray		Grant	
Seconded:		Thiel			
Agenda Addition #2 passed 35-10	Petty	Absent			
	Rhoads	✓			
	Ferrell	✓			
	Lucas	✓			
	Lewis	✓			
	Gray	✓			
	Thiel	✓			
	Cook	✓			
	Mayor Jordan				

7-0

Subject:	Consent				
Motion To:		Approve			
Motion By:		Cook			
Seconded:		Thiel			
Minutes Approved Passed 36-10 thru 41-10	Petty	Absent			
	Rhoads	✓			
	Ferrell	✓			
	Lucas	✓			
	Lewis	✓			
	Gray	✓			
	Thiel	✓			
	Cook	✓			
	Mayor Jordan				

7-0

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Petty				
	Rhoads				
	Ferrell				
	Lucas				
	Lewis				
	Gray				
	Thiel				
	Cook				
	Mayor Jordan				

Subject:	None				
Motion To:					
Motion By:					
Seconded:					
B. 1 Unfinished Business	Petty				
	Rhoads				
	Ferrell				
	Lucas				
	Lewis				
	Gray				
	Thiel				
	Cook				
	Mayor Jordan				

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Petty				
	Rhoads				
	Ferrell				
	Lucas				
	Lewis				
	Gray				
	Thiel				
	Cook				
	Mayor Jordan				

Subject:		Kathryn B. Stout Donation			
Motion To:					
Motion By:					
Seconded:					
C. 1 New Business <u>passed</u> 42-10	Petty	Absent			
	Rhoads	✓			
	Ferrell	✓			
	Lucas	✓			
	Lewis	✓			
	Gray	✓			
	Thiel	✓			
	Cook	✓			
	Mayor Jordan				

7-0

Subject:		Watson Condemnation			
Motion To:					
Motion By:					
Seconded:					
C. 2 New Business <u>passed</u> 43-10	Petty	Absent			
	Rhoads	✓			
	Ferrell	✓			
	Lucas	✓			
	Lewis	✓			
	Gray	✓			
	Thiel	✓			
	Cook	✓			
	Mayor Jordan				

7-0

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

KIT WILLIAMS, CITY ATTORNEY
DAVID WHITAKER, ASST. CITY ATTORNEY



DEPARTMENTAL CORRESPONDENCE

LEGAL DEPARTMENT

TO: **Lioneld Jordan**, Mayor

THRU: **Sondra Smith**, City Clerk

FROM: **Kit Williams**, City Attorney

A handwritten signature in black ink, appearing to read 'Kit Williams', with a long horizontal flourish extending to the right.

DATE: **March 3, 2010**

RE: **Resolutions and Ordinances prepared by the City Attorney's Office and passed at the City Council meeting of March 2, 2010**

1. **National Endowment for the Arts Artistic Excellence in Design Grant:** A resolution authorizing the City's participation in the National Endowment For The Arts Artistic Excellence In Design Grant, in partnership with the U of A Community Design Center, through in-kind services in the amount of \$20,000.00.
2. **Broadband Technology Opportunities Program Grant:** A resolution authorizing the Information Technology Division to apply for a Broadband Technology Opportunities Program Grant form the National Telecommunications and Information Administration for approximately \$562,500.00 to fund fiber-optic connectivity to various city facilities.
3. **Federal Bureau of Investigation Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in the amount of \$16,903.00 to recognize reimbursement from the Federal Bureau of Investigation to cover expenses related to the Joint Terrorism Task Force.
4. **Drug Enforcement Administration Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in an amount not to exceed \$16,903.00 to recognize reimbursement from the Drug Enforcement Administration to cover detective overtime expenses.
5. **Wedington Drive Right-of-Way Donation:** A resolution authorizing the donation of right-of-way along Wedington Drive (State Highway 16) containing 0.31 acres and being Parcel Nos. 765-13746-002 and 765-13746-003, and authorizing the Mayor to execute deeds and all other necessary papers to transfer ownership of the property to the Arkansas State Highway Commission.

6. **Warrior of Arkansas, Inc. Bid #09-72:** A resolution awarding Bid #09-72 and approving the purchase of one John Deere four-wheel drive Articulated Loader from Warrior of Arkansas, Inc. in the amount of \$111,500.00 for use at the Solid Waste Transfer Station, and approving a budget adjustment.
7. **Warrior of Arkansas, Inc. Bid #09-73:** A resolution awarding Bid #09-73 and approving the purchase of one John Deere Backhoe Loader from Warrior of Arkansas, Inc. in the amount of \$73,000.00 for use at the Solid Waste Transfer Station.
8. **Kathryn B. Stout Donation:** A resolution approving a 2010 Budget Adjustment for the Fayetteville Fire Department to recognize donation revenue in the amount of \$25,000.00 from the Estate of Kathryn B. Stout.
9. **Watson Condemnation:** A resolution approving a settlement agreement with Aaron H. Watson and Patricia Ann Watson concerning condemnation litigation filed as part of the Mount Comfort Road widening project in a total amount of \$55,000.00.

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

**Final Agenda
City of Fayetteville Arkansas
City Council Meeting
March 2, 2010**

A meeting of the Fayetteville City Council will be held on March 2, 2010 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Agenda Session Presentations:

Mayor's Announcements, Proclamations and Recognitions:

Presentations, Reports and Discussion Items:

1. Fayetteville Fire Department Explorer Post #104 Presentation

Agenda Additions:

A. Consent:

1. Approval of the February 16, 2010 City Council meeting minutes.
2. **Federal Bureau of Investigation Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in the amount of \$16,903.00 to recognize reimbursement from the Federal Bureau of Investigation to cover expenses related to the Joint Terrorism Task Force.

3. **Drug Enforcement Administration Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in an amount not to exceed \$16,903.00 to recognize reimbursement from the Drug Enforcement Administration to cover detective overtime expenses.
4. **Wedington Drive Right-of-Way Donation:** A resolution authorizing the donation of right-of-way along Wedington Drive (State Highway 16) containing 0.31 acres and being parcel Nos. 765-13746-002 and 765-13746-003, and authorizing the Mayor to execute deeds and all other necessary papers to transfer ownership of the property to the Arkansas State Highway Commission.
5. **Arkansas Historic Preservation Program Grant:** A resolution approving the City of Fayetteville to submit an application for consideration of a 2:1 matching grant for an Arkansas Historic Program grant award of up to \$80,000 to complete restoration of the Historic Maple Street and Lafayette Street Overpasses.
6. **Warrior of Arkansas, Inc. Bid #09-72:** A resolution awarding Bid #09-72 and approving the purchase of one John Deere four-wheel drive articulated loader from Warrior of Arkansas, Inc. in the amount of \$111,500.00 for use at the Solid Waste Transfer Station, and approving a budget adjustment.
7. **Warrior of Arkansas, Inc. Bid #09-73:** A resolution awarding Bid #09-73 and approving the purchase of one John Deere backhoe loader from Warrior of Arkansas, Inc. in the amount of \$73,000.00 for use at the Solid Waste Transfer Station, and approving a budget adjustment.

B. Unfinished Business: None

C. New Business:

1. **Kathryn B. Stout Donation:** A resolution approving a 2010 budget adjustment for the Fayetteville Fire Department to recognize donation revenue in the amount of \$25,000.00 from the estate of Kathryn B. Stout.
2. **Watson Condemnation:** A resolution approving a settlement agreement with Aaron H. Watson and Patricia Ann Watson concerning condemnation litigation filed as part of the Mount Comfort Road Widening Project in a total amount of \$55,000.00.

Announcements:

1. **City Council Tour: None**

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

All interested parties may appear and be heard before the City Council. If you wish to address the City Council on an agenda item please queue behind the podium when the Chair asks for public comment. Once the chair recognizes you, go to the podium and give your name and address. Address your comments to the Chair, who is the presiding officer. The Chair will direct your comments to the appropriate elected official, staff member or others for response. Please keep your comments brief, to the point and relevant to the agenda item being considered so that everyone has a chance to speak.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 575-8330.

As a courtesy please turn off all cell phones and pagers.

A copy of the City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 West Mountain, Fayetteville, Arkansas.

Added at
Agenda Session
2/23/10

City of Fayetteville Staff Review Form

City Council Agenda Items
and

Contracts, Leases or Agreements

A. 6
Warrior of Arkansas, Inc.
Bid #09-72
Page 1 of 6

3/2/2010

City Council Meeting Date
Agenda Items Only

Dennis Pratt / Barbara Olsen

Submitted By

Fleet Operations

Division

Transportation

Department

Action Required:

A resolution awarding Bid #09-72 in the amount of \$111,500.00 for the purchase of one John Deere 4WD Articulated Loader to Warrior of Arkansas for use by Solid Waste Division in the Transfer Station, and approval of the budget adjustment.

\$ 111,500.00

Cost of this request

\$ 466,000.00

Category / Project Budget

Solid Waste Vehicles and Equipment

Program Category / Project Name

9700.1920.5802.00

Account Number

\$ -

Funds Used to Date

Vehicles and Equipment

Program / Project Category Name

02082.2010

Project Number

\$ 466,000.00

Remaining Balance

Shop Fund

Fund Name

Budgeted Item

☐

Budget Adjustment Attached

X

Angie Gully
Department Director

2-22-10

Date

Previous Ordinance or Resolution #

Jeff Blalock
City Attorney

2-23-10

Date

Original Contract Date:

Original Contract Number:

Paul A. Becher
Finance and Internal Services Director

2-23-2010

Date

Received in City
Clerk's Office



Kim O

Don Man
Chief of Staff

2-23-10

Date

Received in
Mayor's Office



Donald J. ...
Mayor

2/23/10

Date

Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor/ City Council

Thru: Terry Gulley, Director of Transportation

From: Dennis Pratt, Fleet Operations Supt. *DP*

Date: February 19, 2010

Subject: Purchase of one Articulated Loader

PROPOSAL: Bid 09-72 was opened on December 9, 2009 for one Articulated Loader. Six bid responses were received. A detailed tabulation sheet is attached. The lowest bid from Warrior of Arkansas meets all specifications.

The loader is an expansion for use by Solid Waste Division in the Transfer Station. The City took over operation of the Transfer station in October 2009. This equipment will be used to process and load waste into open top trailers for disposal at the landfill.

RECOMMENDATION: I recommend acceptance of the bid from Warrior of Arkansas in the amount of \$111,500 for one Articulated Loader.

BUDGET IMPACT: Solid Waste is renting one backhoe loader and one articulated loader at a cost of \$3,824 per month, **plus** the cost of repairs. Monthly Motor Pool charges (for both the backhoe loader and the articulated loader) will be \$790.00 per month **less** and will include the cost of repairs.

RESOLUTION NO. _____

A RESOLUTION AWARDING BID #09-72 AND APPROVING THE PURCHASE OF ONE JOHN DEERE FOUR-WHEEL DRIVE ARTICULATED LOADER FROM WARRIOR OF ARKANSAS, INC. IN THE AMOUNT OF \$111,500.00 FOR USE AT THE SOLID WASTE TRANSFER STATION, AND APPROVING A BUDGET ADJUSTMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby awards Bid #09-72 and approves the purchase of one (1) John Deere four-wheel drive articulated loader from Warrior of Arkansas, Inc. in the amount of \$111,500.00 for use at the Solid Waste Transfer Station.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution as Exhibit "A" and incorporated herein, to the 2010 city budget to fund the purchase.

PASSED and APPROVED this 2nd day of March, 2010.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer



BID: 09-72
12/9/2009
2:00 PM
CITY OF FAYETTEVILLE

A. 6
Warrior of Arkansas, Inc.
Bid #09-72
Page 4 of 6

Bid 09-72, 4WD Articulated Loader

BIDDER	Manufacturer	Model	Total Bid Price
1 H&E Equipment Services New Used	Komatsu	WA320-6, Year 2009	\$158,634.00 No Bid
2 Hugg & Hall Equipment New Used	Volvo	L70F	\$147,700.00 No Bid
3 JA Riggs New Used	Caterpillar	928 H	\$141,286.00 No Bid
4 Scott Construction Equipment New Used	Case	721 E	\$160,081.00 No Bid
5 Warrior of Arkansas, Inc. New Used	John Deere John Deere	544K 544J, 1015 hours	\$111,500.00 \$96,500.00
6 Williams Tractor, Inc. New Used	New Holland	W170B	\$139,986.00 No Bid

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED:

P Vice

P. VICE, PURCH MGR

A. Foren

WITNESS

12/10/09

DATE

City Of Fayetteville - Purchase Order (PO) Request

(Not a Purchase Order)

All purchases under \$2500 shall be used on a P-Card unless medical or 1099 service related. (Call x256 with questions)

All PO Request shall be scanned to the Purchasing e-mail: Purchasing@ci.fayetteville.ar.us

Requisition No.:
Date: 2/19/2010
P.O Number:
Expected Delivery Date: 2/22/2010
A. 6
Warrior of Arkansas, Inc.
Page 5 of 6

Vendor #: 6986 Vendor Name: WARRIOR OF ARKANSAS
Mail Yes: No: X

Address: Fob Point: Taxable Yes: No: X Quotes Attached Yes: No:

City: State: Zip Code: 50 Ship to code: Division Head Approval: *[Signature]*

Requester: BARBARA OLSEN Requester's Employee #: 1940 Extension: 485

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Numbers	Project/Subproject #	Inventory #	Fixed Asset #
1	JOHN DEERE 544K 4WD ARTICULATED LOADER	1	EA	111,500.00	\$111,500.00	9700.1920.5802.00	02082.2010		
2	PER BID SPECS #09-72. TO BE UNIT #692,				\$0.00				
3	FIXED ASSET #700692				\$0.00				
4			EA		\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal: \$111,500.00
Tax: EXEMPT
Total: \$111,500.00

Approvals:
Mayor: Department Director: Purchasing Manager:
Finance & Internal Services Director: Budget Manager: IT Manager:
Dispatch Manager: Utilities Manager: Other:

**City of Fayetteville, Arkansas
Budget Adjustment Form**

A. 6
Warrior of Arkansas, Inc.
Bid #09-72

Budget Year 2010	Department: Utilities Division: Solid Waste & Recycling Program: Operations & Administration	Request Date 3/2/2010	Adjustment Number 6
--------------------------------	---	-------------------------------------	-------------------------------

JUSTIFICATION TO INCREASE PROJECT / ITEM:

\$111,600 is requested for the purchase of an Articulated Loader, Unit #692. This expansion equipment is needed due to the City having taken over transfer station operations in October 2009 due to a breach of contract with the previous operator. The equipment is necessary to process and load solid waste into open top trailers for transport to the landfill for disposal.

JUSTIFICATION TO DECREASE PROJECT / ITEM (OR RECOGNIZING REVENUE):

Since October 2009, Solid Waste and Recycling Division staff have been utilizing rental equipment to operate the transfer station. The purchase of expansion equipment will eliminate the monthly equipment rental expenses and result in long-term cost savings for the City. \$35,721 is requested from the Equipment Rental account and \$75,879 is requested from Solid Waste Fund reserves to fund the equipment purchase. These funds will cover the cost of the equipment purchase, per Bid #09-72, along with the estimated cost (\$100) of service preparation and City logos.

Account Name	Account Number	Increase Budget	Decrease Budget	Project.Sub Number
Transfer to Shop	5500.5000.7602.70	111,600		07032 2010
Vehicles And Equipment	9700.1920.5802.00	111,600		02082 2010
Transfer from Solid Waste	9700.0970.6602.50		111,600	02082 2010
Equipment Rental	5500.5040.5308.03		35,721	
Use of Fund Balance	5500.0950.4999.99		75,879	.
TOTAL		223,200	223,200	

David H. Lee 2/23/10
Division Head Date

[Signature] 2-23-10
Budget Director Date

[Signature] 23 Feb 10
Department Director Date

Paul A. Babin 2-23-2010
Finance Director Date

[Signature] 2-23-10
Chief of Staff Date

Donald Jordan 2/23/10
Mayor Date

Requested By Ginny Gundlach
ggundlach

Budget & Research Use Only

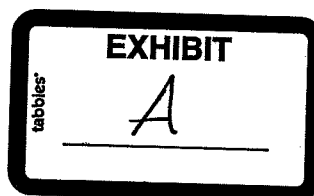
Type: A B C D E

Description: _____
0

General Ledger Date _____

Posted to General Ledger
Initial _____ Date _____

Posted to Project Accounting
Initial _____ Date _____



Added at
Agenda Session
2/23/10

City of Fayetteville Staff Review Form

A. 7
Warrior of Arkansas, Inc.
Bid #09-73
Page 1 of 6

City Council Agenda Items
and
Contracts, Leases or Agreements

3/2/2010

City Council Meeting Date
Agenda Items Only

Dennis Pratt / Barbara Olsen

Submitted By

Fleet Operations

Division

Transportation

Department

Action Required:

A Resolution awarding Bid #09-73 to Warrior of Arkansas in the amount of \$73,000.00 for the purchase of one 4WD Backhoe Loader for use by Solid Waste in the Transfer Station, and approval of the budget adjustment.

\$ 73,000.00

Cost of this request

\$ 466,000.00

Category / Project Budget

Solid Waste Vehicles & Equipment

Program Category / Project Name

9700.1920.5802.00

Account Number

\$ -

Funds Used to Date

Vehicles and Equipment

Program / Project Category Name

02082.2010

Project Number

\$ 466,000.00

Remaining Balance

Shop Fund

Fund Name

Budgeted Item

☐

Budget Adjustment Attached

X

Department Director

2-22-10
Date

Previous Ordinance or Resolution #

Original Contract Date:

Original Contract Number:

City Attorney

2-23-10
Date

Finance and Internal Services Director

2-23-2010
Date

Received in City
Clerk's Office

ENTERED
2/23/10

Kim J

Chief of Staff

2-23-10
Date

Received in
Mayor's Office

ENTERED
2/23/10
PK

Mayor

2/23/10
Date

Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor/ City Council

Thru: Terry Gulley, Director of Transportation

From: Dennis Pratt, Fleet Operations Supt. *DP*

Date: February 19, 2010

Subject: Purchase of one Backhoe Loader

PROPOSAL: Bid 09-73 was opened on December 9, 2009 for one Backhoe Loader. Six bid responses were received. A detailed tabulation sheet is attached. The lowest bid from Williams Tractor does NOT meet specs. The second lowest bid from Warrior of Arkansas meets all specifications.

The backhoe is an expansion for use by Solid Waste Division in the Transfer Station. The City took over operation of the Transfer station in October 2009. This equipment will be used to process and load waste into open top trailers for disposal at the landfill.

RECOMMENDATION: I recommend acceptance of the bid from Warrior of Arkansas in the amount of \$73,000 for one Backhoe Loader.

BUDGET IMPACT: Presently Solid Waste is renting one backhoe loader and one articulated loader at a cost of \$3,824 per month, **plus** the cost of repairs. Monthly Motor Pool charges (for both the backhoe loader and the articulated loader) will be \$790.00 per month **less** and will include the cost of repairs.

RESOLUTION NO. _____

A RESOLUTION AWARDDING BID #09-73 AND APPROVING THE PURCHASE OF ONE JOHN DEERE BACKHOE LOADER FROM WARRIOR OF ARKANSAS, INC. IN THE AMOUNT OF \$73,000.00 FOR USE AT THE SOLID WASTE TRANSFER STATION, AND APPROVING A BUDGET ADJUSTMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby awards Bid #09-73 and approves the purchase of one (1) John Deere backhoe loader from Warrior of Arkansas, Inc. in the amount of \$73,000.00 for use at the Solid Waste Transfer Station.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution as Exhibit "A" and incorporated herein, to the 2010 city budget to fund the purchase.

PASSED and APPROVED this 2nd day of March, 2010.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer



BID: 09-73
12/9/2009
2:00 PM
CITY OF FAYETTEVILLE

A. 7
Warrior of Arkansas, Inc.
Bid #09-73
Page 4 of 6

Bid 09-73, 4WD Backhoe Loader

BIDDER	Manufacturer	Model	Total Bid Price
1 H&E Equipment Services New Used	Komatsu	WB146, Year 2009	\$81,075.00 No Bid
2 Hugg & Hall Equipment New Used	Volvo	BL70	\$88,939.00 No Bid
3 JA Riggs New Used	Caterpillar	420 E	\$95,733.00 No Bid
4 Scott Construction Equipment New Used	Case	590SM	\$79,366.00 No Bid
5 Warrior of Arkansas, Inc. New Used	John Deere John Deere	310J 310J, 379 hours	<u>\$73,000.00</u> \$68,500.00
6 Williams Tractor, Inc. New Used	DOES NOT MEET SPECS New Holland New Holland	B95B B95	\$71,970.00 \$53,996.00

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED:

P. VICE, PURCH MGR

WITNESS

DATE

12/10/09

City Of Fayetteville - Purchase Order (PO) Request

(Not a Purchase Order)

All purchases under \$2500 shall be used on a P-Card unless medical or 1099 service related. (Call x256 with questions)

All PO Request shall be scanned to the Purchasing e-mail: Purchasing@ci.fayetteville.ar.us

Requisition No.:
Date: 2/19/2010
Warrior of Arkansas, Inc.
P.O Number:
Expected Delivery Date: 2/23/2010
Page 5 of 6

Vendor #: 6986 Vendor Name: WARRIOR OF ARKANSAS

Address: Fob Point: Taxable Yes: No: X Quotes Attached Yes: No:

City: State: Zip Code: 50 Ship to code: Division Head Approval: [Signature]

Requester: BARBARA OLSEN Requester's Employee #: 1940 Extension: 485

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Numbers	Project/Subproject #	Inventory #	Fixed Asset #
1	JOHN DEERE 310J 4WD BACKHOE LOADER	1	EA	73,000.00	\$73,000.00	9700.1920.5802.00	02082.2010		
2	PER BID SPECS #09-73. TO BE UNIT #693,				\$0.00				
3	FIXED ASSET #700693				\$0.00				
4					\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal: \$73,000.00
Tax: EXEMPT
Total: \$73,000.00

Approvals:
Mayor: Department Director: Purchasing Manager:
Finance & Internal Services Director: Budget Manager: IT Manager:
Dispatch Manager: Utilities Manager: Other:

**City of Fayetteville, Arkansas
Budget Adjustment Form**

A. 7
Warrior of Arkansas, Inc.
Bid #09-73
of 6

Budget Year 2010	Department: Utilities Division: Solid Waste & Recycling Program: Operations & Administration	Request Date 3/2/2010	Adjustment Number
--------------------------------	---	-------------------------------------	--------------------------

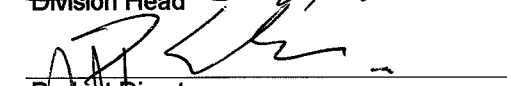
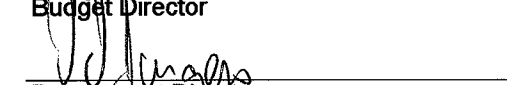
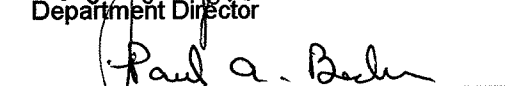
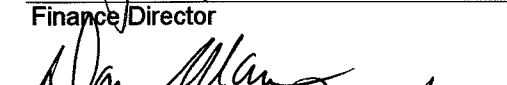
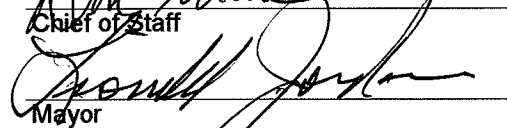
JUSTIFICATION TO INCREASE PROJECT / ITEM:

\$73,100 is requested for the purchase of a 4WD Backhoe Loader, Unit #693. This expansion equipment is needed due to the City having taken over transfer station operations in October 2009 due to a breach of contract with the previous operator. The equipment is necessary to process and load solid waste into open top trailers for transport to the landfill for disposal.

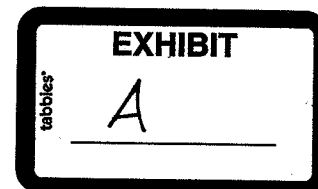
JUSTIFICATION TO DECREASE PROJECT / ITEM (OR RECOGNIZING REVENUE):

Since October 2009, Solid Waste and Recycling Division staff have been utilizing rental equipment to operate the transfer station. The purchase of expansion equipment will eliminate the monthly equipment rental expenses and result in long-term cost savings for the City. \$73,100 is requested from Solid Waste Fund reserves to fund the equipment purchase. These funds will cover the cost of the equipment purchase, per Bid #09-73, along with the estimated cost (\$100) of service preparation and City logos.

Account Name	Account Number	Increase Budget	Decrease Budget	Project.Sub Number
Transfer to Shop	5500.5000.7602.70	73,100		07032 2010
Vehicles And Equipment	9700.1920.5802.00	73,100		02082 2010
Transfer from Solid Waste	9700.0970.6602.50		73,100	02082 2010
Use of Fund Balance	5500.0950.4999.99		73,100	
		TOTAL	146,200	146,200

 2/23/10
 Division Head Date
 2-23-10
 Budget Director Date
 23 Feb 10
 Department Director Date
 2-23-2010
 Finance Director Date
 2-23-10
 Chief of Staff Date
 2/23/10
 Mayor Date

Requested By Ginny Gundlach
 ggundlach
 Budget & Research Use Only
 Type: A B C D E
 Description: _____
 General Ledger Date _____
 Posted to General Ledger Initial _____ Date _____
 Posted to Project Accounting Initial _____ Date _____



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

City of Fayetteville Staff Review Form

*Added at the
City Council
Meeting 3/2/10*

**City Council Agenda Items
and
Contracts, Leases or Agreements**

3/2/2010
City Council Meeting Date
Agenda Items Only

Karen Minkel

Submitted By

Division

Strat. Planning and Int. Consulting

Department

Action Required:

National Endowment of the Arts Artistic Excellence in Design: Staff recommends approval of a resolution supporting the City of Fayetteville's participation in the NEA Artistic Excellence in Design grant in partnership with the University of Arkansas Community Design Center through in-kind services in the amount of \$20,000.

_____	\$ _____	_____
Cost of this request	Category / Project Budget	Program Category / Project Name
_____	\$ _____	_____
Account Number	Funds Used to Date	Program / Project Category Name
_____	\$ _____	_____
Project Number	Remaining Balance	Fund Name

Budgeted Item

☐

Budget Adjustment Attached

☐

Karen Minkel

Department Director

2/25/10
Date

Previous Ordinance or Resolution # _____

[Signature]

City Attorney

2-25-10
Date

Original Contract Date: _____

Original Contract Number: _____

Paul A. Belk

Finance and Internal Services Director

2-25-2010
Date

Received in City
Clerk's Office



[Signature]

Chief of Staff

2-25-10
Date

Received in
Mayor's Office



[Signature]

Mayor

3/1/10
Date

Comments:

CITY COUNCIL AGENDA MEMO

To: City Council

Thru: Mayor Lioneld Jordan

From: Karen Minkel, Strategic Planning and Internal Consulting Director *K.M.*

Date: February 25, 2010

Subject: Resolution to approve an in-kind match of \$20,000 for a National Endowment of the Arts grant in partnership with the University of Arkansas Community Design Center

PROPOSAL:

The award-winning University of Arkansas Community Design Center intends to submit a grant application for the National Endowment of the Arts (NEA) Artistic Excellence in Design, which is due March 11, 2010. The grant proposal will request funds for "...three-dimensional 2030 scenario plans that envision different but plausible futures based on emerging environmental trends. The intention is to enable a more robust capacity for shaping Fayetteville's future by its development market, citizenry, and government through the visualization of long-term development possibilities that otherwise would not be considered. Each scenario will be modeled three-dimensionally, showing relationships between existing geographic and urban fabrics, proposed public and cultural spaces, and private development."

This project will serve as a supplementary component to the City Plan 2030 process, enabling elected and appointed officials, members of the public and staff to visualize potential futures that can be shaped by policies incorporated into City Plan 2030. The Community Design Center proposes a partnership with the City of Fayetteville for the scenario planning project where the City of Fayetteville will provide a third of the one-to-one match required of the grant in the form of in-kind services. All of the in-kind services would be provided after January 1, 2011 and will be services that staff intend to provide already as part of the City Plan 2030 project. The services will mainly be provided by Strategic Planning and Internal Consulting staff but will also be supplemented by work completed by the City Plan 2030 project team.

RECOMMENDATION:

Staff recommends that City Council approve a resolution supporting the City of Fayetteville's participation in the NEA Artistic Excellence in Design grant in partnership with the University of Arkansas Community Design Center through in-kind services in the amount of \$20,000.

BUDGET IMPACT:

If the grant is awarded, the City of Fayetteville will provide in-kind services in the amount of \$20,000 as part of the match required for the project. These services will be performed as part of City Plan 2030 and will not require work beyond what would have been performed as part of the City Plan 2030 project.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY'S PARTICIPATION IN THE NATIONAL ENDOWMENT FOR THE ARTS ARTISTIC EXCELLENCE IN DESIGN GRANT, IN PARTNERSHIP WITH THE UNIVERSITY OF ARKANSAS COMMUNITY DESIGN CENTER, THROUGH IN-KIND SERVICES IN THE AMOUNT OF \$20,000.00

WHEREAS, the design grant will supplement the City Plan 2030 update; and

WHEREAS, the University of Arkansas Community Design Center has been nationally recognized for its design work; and

WHEREAS, three-dimensional scenario modeling, made available through participation in the grant program, will enable members of the public and city officials to visualize the future than can be shaped by policies in City Plan 2030.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas, hereby authorizes the City's participation in the National Endowment for the Arts Artistic Excellence in Design grant, in partnership with the University of Arkansas Community Design Center, through in-kind services in the amount of \$20,000.00.

PASSED and APPROVED this 2nd day of March, 2010.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

City of Fayetteville Staff Review Form

City Council Agenda Items
and
Contracts, Leases or Agreements

*Added at the
City Council
Meeting 3/2/10*

3/2/2010

City Council Meeting Date
Agenda Items Only

S. Huddleston

Submitted By

Information Technology

Division

Finance

Department

Action Required:

Approval of resolution authorizing the submittal of a Broadband Technology Opportunities Program (BTOP) grant.

\$ 187,500.00

Cost of this request

\$ 205,000.00

Category / Project Budget

Fiber Conectivity btwn City Bldgs

Program Category / Project Name

4470-9470-5801.00

Account Number

\$ -

Funds Used to Date

Program / Project Category Name

08027

Project Number

\$ 205,000.00

Remaining Balance

Sales Tax Capital Improvement

Fund Name

Budgeted Item ☒

Budget Adjustment Attached ☐

Paul A. Behn

Department Director

3-1-2010

Date

Previous Ordinance or Resolution #

[Signature]

City Attorney

3-1-10

Date

Original Contract Date:

Original Contract Number:

Paul A. Behn

Finance and Internal Services Director

3-1-2010

Date

Received in City
Clerk's Office

ENTERED
3-1-10

King

[Signature]

Chief of Staff

3-1-10

Date

Received in
Mayor's Office

ENTERED
3/1/10

[Signature]

Mayor

3/1/10

Date

Comments:

CITY COUNCIL MEMO

To: Fayetteville City Council

Thru: Mayor Lioneld Jordan
Don Marr, Chief of Staff

From: Scott Huddleston, IT Director

Date: February 26, 2010

Subject: Resolution authorizing the submittal of a Broadband Technology Opportunities Program (BTOP) Grant application.

RECOMMENDATION

Fayetteville City Administration recommends approval of a resolution authorizing the submittal of a Broadband Technology Opportunities Program (BTOP) Grant Application for approximately \$562,500 from the National Telecommunications and Information Administration (NTIA) to provide funding for fiber connectivity to various City facilities.

BACKGROUND

This round of BTOP funding focuses on middle mile broadband projects connecting key anchor institutions including: public safety institutions, community support organizations, and other government facilities. If awarded, the BTOP grant would provide 75% (\$421,875) of the total project cost (\$562,500) with the remaining 25% (\$140,625) being the required local match.

DISCUSSION

Providing fiber connections to our remote sites brings numerous benefits. The increased connection speed will allow greater productivity as well as access to resources that are currently inaccessible due to the lack of bandwidth and the resulting slow connection speed. Providing higher bandwidth to these sites will bring unity to the network and provide a rich platform for collaboration between divisions. Fiber optic cable is not as susceptible to the elements as the current connection, and thus will provide a more stable connection. With the BTOP funding, the City will be able to connect more sites utilizing buried verses aerial fiber optic cable. While buried fiber is more costly, it provides better protection from natural and man-made hazards like the ice storm of 2009. This project will provide secure connectivity to the following sites: Transportation, Solid Waste, Fleet, Parks, Animal Services, Water/Sewer, Fire Station #3, Yvonne Richardson Center, and the Fayetteville Senior Center.

BUDGET IMPACT

Fiber infrastructure connectivity is a budgeted capital improvement project. The BTOP Grant proceeds will be combined with the City's budgeted funds. If awarded, a budget adjustment recognizing the grant revenue will be processed when the grant approval is received.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE INFORMATION TECHNOLOGY DIVISION TO APPLY FOR A BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM GRANT FROM THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION FOR APPROXIMATELY \$562,500.00 TO FUND FIBER-OPTIC CONNECTIVITY TO VARIOUS CITY FACILITIES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby authorizes the Information Technology Division to apply for a Broadband Technology Opportunities Program Grant from the National Telecommunications and Information Administration for approximately \$562,500.00 to fund fiber-optic connectivity to various city facilities.

PASSED and APPROVED this 6th day of March, 2010.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

Fiber Cost Estimation

Construction

***estimates based on approx 30,000 linear feet*

Trenching	\$300,000.00
Conduit	\$120,000.00
Cable	\$40,000.00

Equipment

Termination	\$25,000.00
Switches	\$150,000.00
Testing	\$35,000.00

Engineering

Design/Consulting	\$30,000.00
-------------------	-------------

Contingency

\$50,000.00

\$750,000.00

Proposed Site Connectivity

Transportation	1525 S Happy Hollow Rd
Solid Waste	1560 S Happy Hollow Rd
Fleet Operations	1525 S Happy Hollow Rd
Parks and Recreation	1455 S Happy Hollow Rd
Animal Services	1640 S Armstrong Ave
Water & Sewer Operations	2435 S Industrial Dr
Fire Station #3	1050 S Happy Hollow Rd
Yvonne Richardson Center	240 E Rock St
Fayetteville Senior Center	945 S College

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

Tentative Agenda City of Fayetteville Arkansas City Council Meeting March 2, 2010

A meeting of the Fayetteville City Council will be held on March 2, 2010 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Agenda Session Presentations:

Mayor's Announcements, Proclamations and Recognitions:

Presentations, Reports and Discussion Items:

Agenda Additions:

A. Consent:

1. Approval of the February 16, 2010 City Council meeting minutes.
2. **Kathryn B. Stout Donation:** A resolution approving a 2010 budget adjustment for the Fayetteville Fire Department to recognize donation revenue in the amount of \$25,000.00 from the estate of Kathryn B. Stout.
3. **Federal Bureau of Investigation Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in the amount of \$16,903.00 to recognize reimbursement from the Federal Bureau of Investigation to cover expenses related to the Joint Terrorism Task Force.

4. **Drug Enforcement Administration Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in an amount not to exceed \$16,903.00 to recognize reimbursement from the Drug Enforcement Administration to cover detective overtime expenses.
5. **Wedington Drive Right-of-Way Donation:** A resolution authorizing the donation of right-of-way along Wedington Drive (State Highway 16) containing 0.31 acres and being parcel Nos. 765-13746-002 and 765-13746-003, and authorizing the Mayor to execute deeds and all other necessary papers to transfer ownership of the property to the Arkansas State Highway Commission.
6. **Watson Condemnation:** A resolution approving a settlement agreement with Aaron H. Watson and Patricia Ann Watson concerning condemnation litigation filed as part of the Mount Comfort Road Widening Project in a total amount of \$55,000.00.
7. **Arkansas Historic Preservation Program Grant:** A resolution approving the City of Fayetteville to submit an application for consideration of a 2:1 matching grant for an Arkansas Historic Program grant award of up to \$80,000 to complete restoration of the Historic Maple Street and Lafayette Street Overpasses.

B. Unfinished Business: None

C. New Business: None

Announcements:

1. **City Council Tour: March 1, 2010**

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

All interested parties may appear and be heard before the City Council. If you wish to address the City Council on an agenda item please queue behind the podium when the Chair asks for public comment. Once the chair recognizes you, go to the podium and give your name and address. Address your comments to the Chair, who is the presiding officer. The Chair will direct your comments to the appropriate elected official, staff member or others for response. Please keep your comments brief, to the point and relevant to the agenda item being considered so that everyone has a chance to speak.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 575-8330.

As a courtesy please turn off all cell phones and pagers.

A copy of the City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 West Mountain, Fayetteville, Arkansas.

City of Fayetteville Staff Review Form

A. 2
Kathryn B. Stout Donation
Page 1 of 8

City Council Agenda Items
and
Contracts, Leases or Agreements

March 2, 2010

City Council Meeting Date
Agenda Items Only

David Dayringer
Submitted By

Fire
Division

Fire
Department

Action Required:

A resolution approving a budget adjustment in the amount of \$25,000.00 to recognize donation revenue from the Kathryn B. Stout Estate to the Fayetteville Fire Department.

\$ -
Cost of this request

\$ 25,000.00
Category / Project Budget

Donations - Fire
Program Category / Project Name

1010.3020.5801.00
Account Number

\$ -
Funds Used to Date

Donations
Program / Project Category Name

06029 / 0901
Project Number

\$ 25,000.00
Remaining Balance

General
Fund Name

Budgeted Item ☐

Budget Adjustment Attached ☒

David Dayringer
Department Director

2-9-10
Date

Previous Ordinance or Resolution # _____

Paul A. Becker
City Attorney

2-10-10
Date

Original Contract Date: _____

Original Contract Number: _____

Paul A. Becker
Finance and Internal Services Director

2-10-2010
Date

Received in City
Clerk's Office



Kenn G

Jim Man
Chief of Staff

2-11-10
Date

Received in
Mayor's Office



David Dayringer
Mayor

2/12/10
Date

Comments:



www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS
DEPARTMENT CORRESPONDENCE

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

From: David Dayringer, Fire Chief

Date: March 2, 2010

Subject: Recognition and acceptance of a donation to the Fayetteville Fire Department

PROPOSAL: The City of Fayetteville Fire Department has received a donation from the Kathryn B. Stout Estate in the amount of \$25,000.00. The Fire Department is very grateful for the generous support of Ms. Stout and wishes to utilize this donation to help fund the purchase of much needed equipment. The Fire Department carries defibrillators onboard emergency response units and many of these are in need of updates or replacement. The department is also in need of an extractor/washing machine that will eliminate the potential for the cross contamination of protective clothing and station uniforms.

RECOMMENDATION: Staff recommends a resolution approving the acceptance of a \$25,000 donation from the Kathryn B. Stout Estate to the Fayetteville Fire Department and a budget adjustment to recognize the aforementioned donation revenue.

BUDGET IMPACT: These funds are currently in Escrow – Fire Safety account number 1010.1532.00 and will be reallocated to the Donations account upon City Council approval to recognize and accept this donation. The attached budget adjustment will recognize \$25,000.00 in donation revenue and increase the appropriate expense account to facilitate the purchase of equipment for the Fayetteville Fire Department.

RESOLUTION NO. _____

A RESOLUTION APPROVING A 2010 BUDGET ADJUSTMENT FOR THE
FAYETTEVILLE FIRE DEPARTMENT TO RECOGNIZE DONATION
REVENUE IN THE AMOUNT OF \$25,000.00 FROM THE ESTATE OF
KATHRYN B. STOUT

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE, ARKANSAS:**

Section 1. The City Council of the City of Fayetteville, Arkansas hereby approves a
2010 budget adjustment of \$25,000.00, a copy of which is attached hereto, to recognize donation
revenue from the estate of Kathryn B. Stout to the Fayetteville Fire Department.

PASSED and APPROVED this 2nd day of March, 2010.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer



August 31, 2009

FAYETTEVILLE FIRE DEPARTMENT
ATTN: TONY JOHNSON, FIRE CHIEF
303 WEST CENTER ST.
FAYETTEVILLE, AR 72701

RE: Kathryn B. Stout Estate

Dear Mr. Johnson:

Enclosed you will find a Receipt & Release Upon Final Distribution for Arvest Trust, a Receipt of Distribution from Washington County Circuit Court and a W-9 for tax purposes.

Please sign and return the Receipt & Release Upon Final Distribution and sign and return one copy of the Receipt of Distribution. Also, please sign and return the W-9 form. A stamped, self-addressed envelope is included for your convenience.

If you have any questions, you may contact Mary Ella Earle, Vice President, at 479-575-1086 or me at 479-575-1163.

Sincerely,

A handwritten signature in cursive script that reads "Susan Tharp".

Susan Tharp
Trust Administrative Assistant

enclosures

Located at:
Arvest Bank

75 N. East Ave. • P.O. Box 1327 • Fayetteville, AR 72702-1327
Phone: (479) 575-1031 • Toll Free: (800) 874-1827 • Fax: (479) 575-1116
www.arvestam.com

Trust services provided by Arvest Trust Co., N.A.

**IN THE CIRCUIT COURT OF WASHINGTON COUNTY, ARKANSAS
PROBATE DIVISION**

**IN THE MATTER OF THE
ESTATE OF KATHRYN B. STOUT, Deceased**

No. PR 2008- 340-6

RECEIPT OF DISTRIBUTION

The undersigned, distributee of the Estate of Kathryn B. Stout, deceased, acknowledges receipt this date of the sum of \$25,000.00.

September 4, 2009
Date

Fayetteville Fire Department

By: [Signature]
Authorized Official

Printed Name: Tony Johnson

**RECEIPT AND RELEASE
UPON FINAL DISTRIBUTION**

I hereby acknowledge receipt of the following property from Arvest Trust Company, N.A., being my full distributive share in final distribution pursuant to the provisions of the **Kathryn B. Stout Estate, to wit:**

Check 6631977 in the amount of \$25,000.00

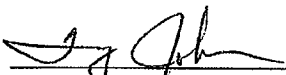
I hereby release and forever discharge for myself, my heirs, personal representatives and assigns, Arvest Trust Company, N.A., **the estate of Kathryn B. Stout, deceased, the Kathryn B. Stout Estate**, and their successors, assigns, agent, representatives, attorneys and any other person, corporation, or entity liable on behalf of any of them, of and from all manner of actions, causes and causes of action, suits, debts, dues, sums of money, accounts, accountings, contracts, controversies, claims and demands whatsoever in law or in equity that I have or may have, whether now known or hereafter discovered, arising out of or relating to the estate of **Kathryn B. Stout, deceased, or the Kathryn B. Stout Estate**.

The undersigned has received and read a copy of the accountings herein and hereby approves and ratifies the same and the action of the fiduciary as therein set forth.

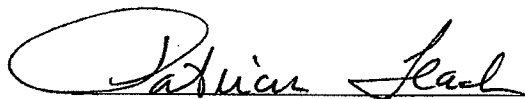
The undersigned agrees unless otherwise provided by the decedent, or by law, to refund to the fiduciary a pro rata portion of this property, inheritance, bequest, or devise, when and if found necessary, to pay the pro rata portion of the undersigned of any taxes found due from undersigned, the decedent or the estate upon completion of audits by tax authorities.

The undersigned agrees to indemnify and refund to the Personal Representative a pro rata portion of this property, inheritance, bequest or devise, when and if found necessary on account of a successful action by a creditor, heir, spouse or devisees to reopen the estate, contest the Will, or assert a claim that is deemed valid under the law.

Dated this 4th day of September 2009.



FAYETTEVILLE FIRE DEPARTMENT



WITNESS

**City of Fayetteville, Arkansas
Budget Adjustment Form**

A. 2
Kathryn B. Stout Donation
Page 7 of 8

Budget Year 2010	Department: Fire Division: Fire Program: Fire Operations	Request Date 3/2/2010	Adjustment Number 1107058
--------------------------------	--	-------------------------------------	---

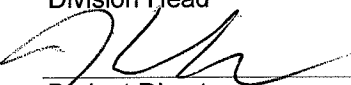
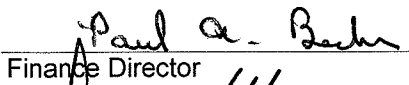
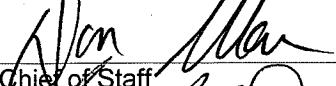
JUSTIFICATION TO INCREASE PROJECT / ITEM:

\$25,000 is requested in the Fixed Assets account. This funding will be used to update and replace the automatic defibrillators that are carried on Fire Department emergency response units and to purchase an extractor/washing machine to eliminate the potential for cross contamination in protective clothing and station uniforms.

JUSTIFICATION TO DECREASE PROJECT / ITEM (OR RECOGNIZING REVENUE):

This budget adjustment recognizes a \$25,000 donation from the Kathryn B. Stout Estate to the Fayetteville Fire Department. These funds are currently in Escrow - Fire Safety, account number 1010.1532.00 and will be reallocated to the Donations account upon City Council approval to recognize and accept this donation.

Account Name	Account Number	Increase Budget	Decrease Budget	Project.Sub Number
Fixed Assets	1010.3020.5801.00	25,000		06029 0901
Donations	1010.0001.4809.00		25,000	06029 0901
TOTAL		<u>25,000</u>	<u>25,000</u>	

Division Head	Date
	2-10-10
Budget Director	Date
	2-9-10
Department Director	Date
	2-10-2010
Finance Director	Date
	2-17-10
Chief of Staff	Date
	2/17/10
Mayor	Date

Requested By Ginny Gundlach
ggundlach

Budget & Research Use Only

Type: A B C D E

Description: _____
0

General Ledger Date _____

Posted to General Ledger Initial Date

Posted to Project Accounting Initial Date

City Council Agenda Items
and
Contracts, Leases or Agreements

3/2/2010

City Council Meeting Date
Agenda Items OnlyG Tabor
Submitted ByPatrol
DivisionPolice
Department

Action Required:

Approval of a budget adjustment to accept reimbursement of detective overtime expenses from the Federal Bureau of Investigation (FBI) for investigative operations associated with the Joint Terrorism Task Force (JTTF) in an amount up to \$16,903.00.

\$ -
Cost of this request\$ -
Category / Project BudgetPolice - JTTF Reimbursement
Program Category / Project Name1010-2920-5120.00
Account Number\$ -
Funds Used to DateReimbursement
Program / Project Category Name08077-0910
Project Number\$ -
Remaining BalanceGeneral
Fund NameBudgeted Item ☐Budget Adjustment Attached ☒

Department Director

Date

Previous Ordinance or Resolution #

Original Contract Date:

Original Contract Number:

City Attorney

Date

Finance and Internal Services Director

Date

Received in City
Clerk's Office

Kim J

Chief of Staff

Date

Received in
Mayor's Office

Mayor

Date

Comments:



www.accessfayetteville.org

CITY COUNCIL AGENDA MEMO

To: Mayor Lioneld Jordan and Members of the City Council

From: Greg Tabor, Chief of Police 

Date: February 12, 2010

Subject: Approval of a Budget Adjustment for Reimbursement of Expenses from the Federal Bureau of Investigation

PROPOSAL:

To establish a 2010 project budget for the Fayetteville Police Department to seek reimbursement from the Federal Bureau of Investigation for detective overtime spent in association with the Joint Terrorism Task Force activity in an amount up to \$16,903.00.

RECOMMENDATION:

Approval of a budget adjustment to accept reimbursement of detective overtime expenses from the Federal Bureau of Investigation for investigative operations in an amount up to \$16,903.00.

BUDGET IMPACT:

None. This is a reimbursement of expenses.

RESOLUTION NO. _____

A RESOLUTION APPROVING A BUDGET ADJUSTMENT FOR THE
FAYETTEVILLE POLICE DEPARTMENT IN THE AMOUNT OF
\$16,903.00 TO RECOGNIZE REIMBURSEMENT FROM THE
FEDERAL BUREAU OF INVESTIGATION TO COVER EXPENSES
RELATED TO THE JOINT TERRORISM TASK FORCE

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE, ARKANSAS:**

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment for the Fayetteville Police Department in the amount of \$16,903.00 to recognize reimbursement from the Federal Bureau of Investigation to cover expenses related to the Joint Terrorism Task Force. A copy of the budget adjustment, marked Exhibit "A," is attached hereto and made a part hereof

PASSED and APPROVED this 2nd day of March, 2010.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

**City of Fayetteville, Arkansas
Budget Adjustment Form**

A. 3
Federal Bureau of
Investigation Reimbursement
Page 1 of 1

Budget Year 2010	Department: Police Division: Police Program: Police Projects	Request Date 3/2/2010	Adjustment Number
--------------------------------	--	-------------------------------------	--------------------------

JUSTIFICATION TO INCREASE PROJECT / ITEM:

Investigative operations in support of the Federal Bureau of Investigation.

JUSTIFICATION TO DECREASE PROJECT / ITEM (OR RECOGNIZING REVENUE):

Reimbursement of detective overtime expenses from the Federal Bureau of Investigation for investigative operations associated with the Joint Terrorism Task Force.

Account Name	Account Number	Increase Budget	Decrease Budget	Project.Sub Number
Personnel Services - Contra	1010-2920-5120.00	16,903		08077-0910
Miscellaneous Revenue - Police Department	1010-0001-4996.00		16,903	08077-0910
				.
				.
				.
				.
TOTAL		<u>16,903</u>	<u>16,903</u>	

Division Head	Date
	2-10-10
Budget Director	Date
	2-10-10
Department Director	Date
Paul A. Bach	2-16-2010
Finance Director	Date
	2-17-10
Chief of Staff	Date
	2-17-10
Mayor	Date
	2-17-10

Requested By _____ kspringer

Budget & Research Use Only

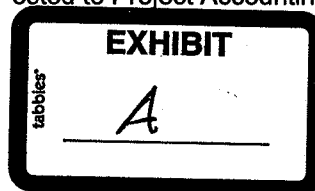
Type: A B C D E

Description: _____ 0

General Ledger Date _____

Posted to General Ledger Initial Date

Posted to Project Accounting Initial Date



City of Fayetteville Staff Review Form

A. 4
 Drug Enforcement
 Administration Reimbursement
 Page 1 of 4

**City Council Agenda Items
 and
 Contracts, Leases or Agreements**

3/2/2010

City Council Meeting Date
 Agenda Items Only

G Tabor
 Submitted By

Patrol
 Division

Police
 Department

Action Required:

Approval of a budget adjustment to accept reimbursement of detective overtime expenses from the Drug Enforcement Administration for investigative operations in an amount up to \$16,903.00.

\$ -

Cost of this request

\$ -

Category / Project Budget

Police - DEA Reimbursement

Program Category / Project Name

1010-2920-5120.00

Account Number

\$ -

Funds Used to Date

Reimbursement

Program / Project Category Name

08078-0901

Project Number

\$ -

Remaining Balance

General

Fund Name

Budgeted Item

☐

Budget Adjustment Attached

☒


 Department Director

Date

2-10-10

Previous Ordinance or Resolution #

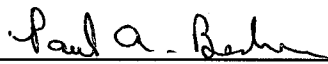

 City Attorney

Date

2-11-10

Original Contract Date:

Original Contract Number:


 Finance and Internal Services Director

Date

2-11-2010

Received in City
 Clerk's Office



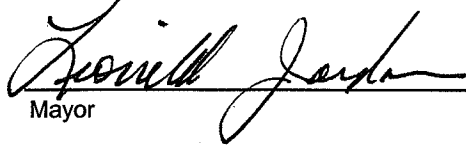

 Chief of Staff

Date

2-11-10

Received in
 Mayor's Office




 Mayor

Date

2/12/10

Comments:



www.accessfayetteville.org

CITY COUNCIL AGENDA MEMO

To: Mayor Lioneld Jordan and Members of the City Council

From: Greg Tabor, Chief of Police 

Date: February 12, 2010

Subject: Approval of a Budget Adjustment for Reimbursement of Expenses from the Drug Enforcement Administration

PROPOSAL:

To establish a 2010 project budget for the Fayetteville Police Department to seek reimbursement from the Drug Enforcement Administration for detective overtime spent investigating illegal drug activity in an amount up to \$16,903.00.

RECOMMENDATION:

Approval of a budget adjustment to accept reimbursement of detective overtime expenses from the Drug Enforcement Administration for investigative operations in an amount up to \$16,903.00.

BUDGET IMPACT:

None. This is a reimbursement of expenses.

RESOLUTION NO. _____

A RESOLUTION APPROVING A BUDGET ADJUSTMENT
FOR THE FAYETTEVILLE POLICE DEPARTMENT IN AN
AMOUNT NOT TO EXCEED \$16,903.00 TO RECOGNIZE
REIMBURSEMENT FROM THE DRUG ENFORCEMENT
ADMINISTRATION TO COVER DETECTIVE OVERTIME
EXPENSES.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE, ARKANSAS:**

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment for the Fayetteville Police Department in an amount not to exceed \$16,903.00 to recognize reimbursement from the Drug Enforcement Administration to cover detective overtime expenses. A copy of the budget adjustment, marked Exhibit "A," is attached hereto and made a part hereof

PASSED and APPROVED this 2nd day of March, 2010.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

**City of Fayetteville, Arkansas
Budget Adjustment Form**

A. 4
Drug Enforcement
Administration Reimbursement
Page 4 of 4

Budget Year 2010	Department: Police Division: Police Program: Police Projects	Request Date 3/2/2010	Adjustment Number
--------------------------------	---	-------------------------------------	--------------------------

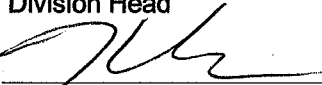
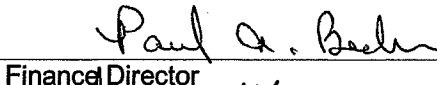
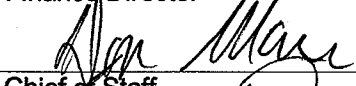
JUSTIFICATION TO INCREASE PROJECT / ITEM:

Investigative operations in support of the Drug Enforcement Administration.

JUSTIFICATION TO DECREASE PROJECT / ITEM (OR RECOGNIZING REVENUE):

Reimbursement of detective overtime expenses from the Drug Enforcement Administration for investigative operations.

Account Name	Account Number	Increase Budget	Decrease Budget	Project.Sub Number
Personnel Services - Contra	1010-2920-5120.00	16,903		08078-0901
DEA Reimbursement	1010-0001-4310.01		16,903	08078-0901
				.
				.
				.
				.
TOTAL		<u>16,903</u>	<u>16,903</u>	

Division Head	Date
	2-18-10
Budget Director	Date
	2-18-10
Department Director	Date
	2-16-2010
Finance Director	Date
	2-17-10
Chief of Staff	Date
	2-17-10
Mayor	Date
	2-17-10

Requested By W. Newman kspringer

Budget & Research Use Only

Type: A B C D E

Description: _____ 0

General Ledger Date _____

Posted to General Ledger Initial Date

Posted to Project Accounting Initial Date

EXHIBIT

A

City of Fayetteville Staff Review Form

A. 5
Wedington Drive
Right-of-Way Donation
Page 1 of 10

City Council Agenda Items
and
Contracts, Leases or Agreements

3/2/2010

City Council Meeting Date
Agenda Items Only

Chris Brown

Submitted By

Engineering

Division

Development Services

Department

Action Required:

A resolution authorizing the dedication of right-of-way along Wedington Drive (Highway 16) containing 0.31 acres and being Parcel Nos. 765-13746-002 and 765-13746-003 and to authorize the Mayor to execute deeds and any other necessary papers to effect a transfer of ownership of this property to the Arkansas State Highway Commission.

_____	\$ _____	_____
Cost of this request	Category / Project Budget	Program Category / Project Name
_____	\$ _____	_____
Account Number	Funds Used to Date	Program / Project Category Name
_____	\$ _____	_____
Project Number	Remaining Balance	Fund Name

Budgeted Item

☐

Budget Adjustment Attached

☐

James C. Pate
Department Director

02-08-1010
Date

Previous Ordinance or Resolution # _____

John Kelly
City Attorney

2-9-10
Date

Original Contract Date: _____

Original Contract Number: _____

Paul A. Becker
Finance and Internal Services Director

2-10-2010
Date

Received in City
Clerk's Office



Don Man
Chief of Staff

2-10-10
Date

Received in
Mayor's Office



Donnell Jordan
Mayor

2/10/10
Date

Comments:



www.accessfayetteville.org

CITY COUNCIL AGENDA MEMO

Council Meeting of March 2, 2010

To: Mayor and City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director ✂
Chris Brown, City Engineer

From: Jill Goddard, Land Agent

Date: February 8, 2010

Subject: A resolution authorizing the dedication of right-of-way along Wedington Drive (Highway 16) containing 0.31 acres and being Parcel Nos. 765-13746-002 and 765-13746-003 and to authorize the Mayor to execute deeds and any other necessary papers to effect a transfer of ownership of this property to the Arkansas State Highway Commission.

PROPOSAL:

Forest Hills Partners LLC dedicated 0.31 acres of Wedington Drive right-of-way to the City of Fayetteville as part of their development plans (dedicated thru Deed Ref. 2010-00001295, recorded 1/14/2010). AHTD is now processing the permit for the proposed development at the intersection Wedington Drive and Salem Road. However, the right-of-way must be transferred to AHTD for permit to be issued.

RECOMMENDATION:

Staff recommends Council approval of the dedication of right-of-way to the Arkansas State Highway Commission.

BUDGET IMPACT:

As the original dedication to the City of Fayetteville from Forest Hills Partners LLC was without compensation, there is no perceived need for compensation from AHTD.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE DONATION OF RIGHT-OF-WAY ALONG WEDINGTON DRIVE (STATE HIGHWAY 16) CONTAINING 0.31 ACRES AND BEING PARCEL NOS. 765-13746-002 AND 765-13746-003, AND AUTHORIZING THE MAYOR TO EXECUTE DEEDS AND ALL OTHER NECESSARY PAPERS TO TRANSFER OWNERSHIP OF THE PROPERTY TO THE ARKANSAS STATE HIGHWAY COMMISSION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby authorizes the donation of right-of-way along Wedington Drive (State Highway 16) containing 0.31 acres and being a part of Parcel Nos. 765-13746-002 and 765-13746-003 to the Arkansas State Highway Commission.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby authorizes the Mayor to execute deeds and all other necessary papers to transfer ownership of the property to the Arkansas State Highway Commission.

PASSED and APPROVED this 2nd day of March, 2010.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer



ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

DISTRICT FOUR

4019 TOWSON AVE. • P.O. BOX 1424 • FORT SMITH, AR 72902-1424 • TELEPHONE (479) 646-5501 • FAX (479) 646-8286
WASHINGTON — CRAWFORD — FRANKLIN — SEBASTIAN — LOGAN — SCOTT — POLK

January 22, 2010

Ms. Heather Robason
Morrison Shipley Engineers, Inc.
2407 S.E. Cottonwood Street
Bentonville, AR 72712

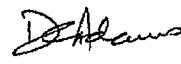
RE: Forest Hills Development
Wedington Drive at Salem Road
Highway 16, Section 2 L.M. 12.83
Washington County
Fayetteville

Dear Ms. Robason,

The Department is processing the permit for the proposed development adjacent to Highway 16 (Wedington Drive), west of Interstate 540. As shown on the plans, some of the roadway modifications are outside of the existing right of way limits. The right of way must be transferred to the Department in order for us to issue a permit for this work. It is my understanding that the City of Fayetteville has acquired right of way from the owner. Therefore, the City may transfer the right of way to the Department. The permit cannot be processed until the appropriate documents are submitted to this office.

If you have any questions regarding this matter, please contact Chad Adams, District Construction Engineer, at (479) 646-5501.

Sincerely,


for Joe Shipman
District Four Engineer

25 NR



Doc ID: 013253800003 Type: REL
Kind: WARRANTY DEED
Recorded: 01/14/2010 at 11:11:58 AM
Fee Amt: \$25.00 Page 1 of 3
Washington County, AR
Bette Stamps Circuit Clerk

File 2010-00001295

Wedington Drive Right-Of-Way
Part of Parcel No. 765-13746-000
Part of Parcel No. 765-13746-001
Part of Parcel No. 765-13747-000
Part of Parcel No. 765-13728-000

WARRANTY DEED

BE IT KNOWN BY THESE PRESENTS:

0701351-959 WACO COM

THAT Forest Hills Partners, LLC, an Arkansas Limited Liability Company, hereinafter called GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the City of Fayetteville, Arkansas, a municipal corporation, hereinafter called GRANTEE, and unto Grantee's successors and assigns, the following described land, situated in Washington County, State of Arkansas, to-wit:

Part of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 7, Township 16 North, Range 30 West of the Fifth Principal Meridian in Washington County, Arkansas, being more particularly described as follows:

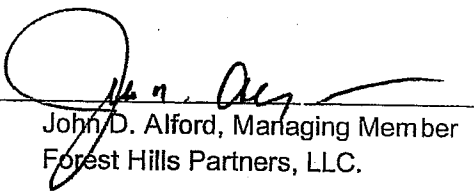
Commencing at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of said Section 7; thence North 02°08'11" East a distance of 2119.74 feet; thence North 02°13'33" East a distance of 16.35 feet; thence North 16°38'17" West a distance of 523.12 feet to the POINT OF BEGINNING; thence North 89°32'00" West a distance of 49.77 feet; thence North 87°05'39" West a distance of 162.67 feet to the beginning of a curve having a chord bearing of South 47°58'02" West, a chord distance of 49.43 feet and a radius of 35.00 feet; thence along said curve a distance of 54.88 feet; thence South 89°47'41" West a distance of 107.17 feet to the beginning of a curve having a chord bearing of North 40°59'20" West, a chord distance of 48.66 feet and a radius of 35.00 feet; thence along said curve a distance of 53.80 feet; thence North 85°01'27" West a distance of 83.61 feet; thence North 82°14'45" West a distance of 108.13 feet; thence North 87°06'11" West a distance of 396.63 feet; thence North 04°42'03" East a distance of 9.48 feet; thence South 87°28'09" East a distance of 188.15 feet; thence South 60°56'06" East a distance of 18.26 feet; thence South 87°06'10" East a distance of 62.38 feet; thence South 75°41'41" East a distance of 8.35 feet; thence North 79°59'05" East a distance of 21.91 feet; thence South 87°01'38" East a distance of 346.14 feet; thence South 87°31'11" East a distance of 215.34 feet; thence South 02°35'03" West a distance of 10.39 feet; thence South 86°35'29" East a distance of 25.00 feet; thence South 86°35'29" East a distance of 92.78 feet to the POINT OF BEGINNING.

Containing 0.31 acres or 13,719 sq.ft and subject to any easements recorded or unrecorded.

TO HAVE AND TO HOLD the said lands and appurtenances thereunto belonging unto the said Grantee and Grantee's successors and assigns, forever. And the said Grantor, hereby covenant that he is lawfully seized of said lands and premises; that the same is unencumbered, and that the Grantor will forever warrant and defend the title to the said lands against all legal claims whatever.

And we, the respective Grantor, hereby release and relinquish unto the said Grantee our respective rights of dower/curtesy and homestead in and to said lands.

WITNESS the execution hereof on this 14th day of December, 2009.



John D. Alford, Managing Member
Forest Hills Partners, LLC.

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF

Crawford

SS.

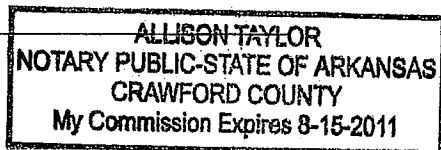
BE IT REMEMBERED, that on this date, before the undersigned, a duty commissioned and acting Notary Public within and for said County and State, personally appeared John D. Alford, Managing Member of Forest Hills Partners, LLC, to me well known as the person who executed the foregoing document, and who stated and acknowledged that he had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and seal on this 14th day of December, 2009.

Alison Taylor

Notary Public

MY COMMISSION EXPIRES:



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT the **City of Fayetteville, Grantor**, for and in consideration of the sum of **ONE AND NO/100 DOLLARS (\$1.00)** and other good and valuable consideration, cash in hand paid by the Arkansas State Highway Commission, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the **Arkansas State Highway Commission, Grantee**, and unto its successors and assigns forever the following lands, save and except such minerals therein and thereunder, as oil, gas, distillate, condensate, salt water and its component parts, and all other hydrocarbons which do not interfere with the surface use for highway purposes, said lands being more particularly described as follows, to-wit:

Part Of The Northwest Quarter (NW 1/4) Of The Southwest Quarter (SW 1/4) Of Section 7, Township 16 North, Range 30 West Of The Fifth Principal Meridian In Washington County, Arkansas, Being More Particularly Described As Follows:

Commencing At An Existing 1" Iron Pipe Marking The Southeast Corner Of The Southwest Quarter (SW 1/4) Of Said Southwest Quarter (SW 1/4) Of Section 7; Thence North 02°08'11" East, Along The East Line Of The West Half (W 1/2) Of Said SW 1/4, A Distance Of 2119.74 Feet To An Existing 1/2" Rebar (RLS #1272); Thence North 02°13'33" East, Leaving Said East Line Of W 1/2 SW 1/4, A Distance Of 16.35 Feet To An Existing 5/8" Crimped Pipe; Thence North 16°38'17" West A Distance Of 523.12 Feet To A Set 1/2" Rebar (RLS #1272) On The Existing Southerly Right-Of-Way Line Of Wedington Drive (Arkansas Highway 16, Construction Centerline Station 28+52.529/16.120m Rt.) As Established By AHTD Job #040277 For A Point Of Beginning; Thence North 89°32'00" West, Leaving Said Southerly Right-Of-Way Line, A Distance Of 49.77 Feet To A Set 1/2" Rebar (RLS #1272); Thence North 87°05'39" West A Distance Of 162.67 Feet To A Set 1/2" Rebar (RLS #1272); Thence, 54.88 Feet, Along A Curve To The Left, Having A Radius Of 35.00 Feet And A Chord Bearing And Distance Of South 47°58'02" West 49.43 Feet, To A Set 1/2" Rebar (RLS #1272); Thence South 89°47'41" West A

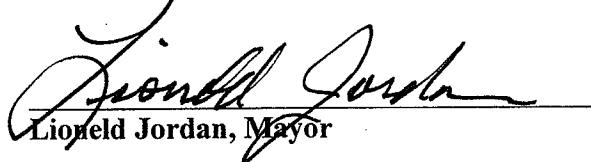
Distance Of 107.17 Feet To A Set ½" Rebar (RLS #1272); Thence, 53.80 Feet, Along A Curve To The Left, Having A Radius Of 35.00 Feet And A Chord Bearing And Distance Of North 40°59'20" West 48.66 Feet, To A Set ½" Rebar (RLS #1272); Thence North 85°01'27" West A Distance Of 83.61 Feet To A Set ½" Rebar (RLS #1272); Thence North 82°14'45" West A Distance Of 108.13 Feet To A Set ½" Rebar (RLS #1272); Thence North 87°06'11" West A Distance Of 396.63 Feet To A Set ½" Rebar (RLS #1272); Thence North 04°42'03" East A Distance Of 9.48 Feet To An Existing ½" Rebar (RLS #1272) On Said Existing Southerly Right-Of-Way Line Of Wedington Drive (Arkansas Highway 16, Construction Centerline Station 25+52.692/11.930 m Rt.) As Established By AHTD Job #040277; Thence, Along Said Existing Southerly Right-Of-Way Line, The Following Bearings And Distances: South 87°28'09" East A Distance Of 188.15 Feet To An Existing 2" Aluminum AHTD Right-of-Way Monument, South 60°56'06" East A Distance Of 18.26 Feet To An Existing 2" Aluminum AHTD Right-of-Way Monument, South 87°06'10" East A Distance Of 62.38 Feet To An Existing 2" Aluminum AHTD Right-of-Way Monument, South 75°41'41" East A Distance Of 8.35 Feet To An Existing 2" Aluminum AHTD Right-of-Way Monument, North 79°59'05" East A Distance Of 21.91 Feet To An Existing 2" Aluminum AHTD Right-of-Way Monument, South 87°01'38" East A Distance Of 346.14 Feet To An Existing 2" Aluminum AHTD Right-of-Way Monument, South 87°31'11" East A Distance Of 215.34 Feet To An Existing ½" Rebar (RLS #1272), South 02°35'03" West A Distance Of 10.39 Feet To An Existing ½" Rebar (RLS #1272), South 86°35'29" East A Distance Of 117.78 Feet To The Point Of Beginning.

Containing 0.31 Acres Or 13,719 Sq. Ft according to survey by Anderson Surveying Inc. on file with Arkansas Agri Department Land Survey Div. Doc # 200907150031. And Subject To Any Easements Recorded Or Unrecorded.

TO HAVE AND TO HOLD the same unto the said Grantee and unto its successors and assigns forever. And Grantor hereby covenants with the said Grantee that Grantor will forever warrant and defend the title to said lands against all lawful claims, whatsoever.

IN WITNESS WHEREOF, the City of Fayetteville has caused these presents to be executed by its Mayor and City Clerk on this ____ day of _____, 2010.

CITY OF FAYETTEVILLE


Lioneld Jordan, Mayor

Sondra Smith, City Clerk/Treasurer

ACKNOWLEDGMENT

STATE OF)

COUNTY)

BE IT REMEMBERED, that on this day before the undersigned, a Notary Public, within and for the County and State aforesaid, duly commissioned and acting, appeared the within named Lioneld Jordan and Sondra Smith, and being the Mayor and City Clerk/Treasurer, respectively, of the City of Fayetteville, a Municipal Corporation, and who had been designated by said corporation to execute the above instrument, to me well known, who stated that they were the Mayor and the City Clerk/Treasurer of said city, a Municipal Corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and on the behalf of said Municipal Corporation, and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal on this ____ day of _____, 2010.

, NOTARY PUBLIC

MY COMMISSION EXPIRES:

City of Fayetteville Staff Review Form

A. 6
Watson Condemnation
Page 1 of 6City Council Agenda Items
and
Contracts, Leases or Agreements

3/2/2010

City Council Meeting Date
Agenda Items Only

Chris Brown

Submitted By

Engineering Division

Division

Development Services Dept

Department

Action Required:

Approval of a Resolution authorizing settlement of the Aaron H. Watson and Patricia Ann Watson condemnation case for \$25,000 on the Mount Comfort Road Widening Project.

\$ 25,000.00

Cost of this request

\$ 30,053,348.00

Category / Project Budget

Mt. Comfort (Alpine to Ruppel Rd)

Program Category / Project Name

4450.9520.5805.00

Account Number

\$ 16,152,578.99

Funds Used to Date

Land Acquisition

Program / Project Category Name

06035.1500

Project Number

\$ 13,900,769.01

Remaining Balance

Transportation Bond St Improvements

Fund Name

Budgeted Item

☒

Budget Adjustment Attached

☐

Department Director

02-12-2010
Date

Previous Ordinance or Resolution #

City Attorney

2-12-10
Date

Original Contract Date:

Original Contract Number:

Finance and Internal Services Director

2-12-2010
DateReceived in City
Clerk's Office

Kim G

Chief of Staff

2-12-10
DateReceived in
Mayor's Office

Mayor

2/12/10
Date

Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director

From: Chris Brown, City Engineer *CB*

Date: February 12, 2009

Subject: Mount Comfort Road Improvements-Watson Condemnation Settlement Proposal
Agenda Item for the March 2, 2010, 2010 City Council Meeting

PROPOSAL:

Widening of Mount Comfort Road is being completed under the Transportation Bond Program. As part of this project, right of way and easements were needed on 66 properties. 65 property owners negotiated a settlement with the City for the necessary right of way, leaving only one acquisition that required condemnation. The area of new right of way to be acquired was 1,711 square feet. A utility easement of 2,945 square feet adjacent to the new right of way was needed as well. The property in question is located at the northeast corner of Salem Road and Mount Comfort Road; owners are Aaron H. and Patricia Ann Watson.

In order to gain possession of the property, the City deposited \$30,000, representing the appraised value of the land needed for the project, into escrow with the Washington County Circuit Clerk, and was granted an Order of Possession on July 24th, 2009. This Order of Possession allowed the City to proceed with construction of the project.

Recently, the City Attorney's Office received an offer to settle this case for \$25,000. This would bring the total compensation for the right of way and easements to \$55,000.

RECOMMENDATION:

This property is located at the intersection of Salem Road and Mount Comfort Road, and the driveway to the house on the property is on Salem Road, very near the Mount Comfort intersection. With the planned improvements, the house will be nearer to the roadway, and the driveway will be nearer to the intersection. Damage to the property value due to these factors is reflected in the City's appraisal report; however, this damage is subjective and the property owners have argued that they have damages in excess of the City's appraisal.

Additionally, settlement at this stage eliminates the cost of staff time that would be necessary to prepare for a trial, along with the cost associated with the City's contract appraiser testimony that would be required.

For these reasons, Staff recommends approval of a settlement with Aaron H. and Patricia Ann Watson in the amount of \$25,000.

BUDGET IMPACT:

This payment for land acquisition will be made from the project budget allocated for the Mount Comfort Road Widening Project which is funded by the Transportation Bond Program.

RESOLUTION NO. _____

A RESOLUTION APPROVING A SETTLEMENT AGREEMENT
WITH AARON H. WATSON AND PATRICIA ANN WATSON
CONCERNING CONDEMNATION LITIGATION FILED AS
PART OF THE MOUNT COMFORT ROAD WIDENING PROJECT
IN A TOTAL AMOUNT OF \$55,000.00

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE, ARKANSAS:**

Section 1. That the City Council of the City of Fayetteville, Arkansas, hereby approves an agreement with Aaron H. Watson and Patricia Ann Watson in a total amount of \$55,000.00 as full and final settlement of condemnation litigation (City of Fayetteville, Arkansas v. Watson, Washington County Circuit Court Case No. CV 2009-2087-4) filed as part of the Mount Comfort Road Widening Project.

Section 2. That the City Council of the City of Fayetteville, Arkansas, in furtherance of the settlement, hereby approves payment of an additional \$25,000.00 over and above the \$30,000.00 previously placed on deposit with the court.

PASSED and APPROVED this 2nd day of March, 2010.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer



Watson Property



HORIZ. SCALE: 1" = 200'
VERT. SCALE: 1" =

		ENGINEERING DIVISION 113 W. MOUNTAIN STREET PHONE: (479) 575-0205 FAX: (479) 575-0202	
Mount Comfort Road Watson Property			
DRAWN BY: _____ CHECKED BY: _____ DATE: April 2009 SIGNED: _____	SHEET NO. # _____ OF # _____		

City of Fayetteville Staff Review Form

A. 7
 Arkansas Historic Preservation
 Program Grant
 Page 1 of 4

**City Council Agenda Items
 and
 Contracts, Leases or Agreements**

3/2/2010

City Council Meeting Date
 Agenda Items Only

Dara Sanders
 Submitted By

Engineering
 Division

Development Services
 Department

Action Required:

Approval of a resolution approving the City of Fayetteville to submit an application for consideration of a 2:1 matching grant for an Arkansas Historic Preservation Program grant award of up to \$80,000 to complete restoration of the historic Maple Street and Lafayette Street Overpasses

\$ 40,000.00

Cost of this request

\$ 19,343,175.00

Category / Project Budget

Transportation Bond Street Improvements

Program Category / Project Name

4520.9520.5809.00

Account Number

\$ 9,259,602.08

Funds Used to Date

Street Improvements

Program / Project Category Name

06035.1101

Project Number

\$ 10,083,572.92

Remaining Balance

2006A Sales Tax Construction

Fund Name

Budgeted Item ☐

Budget Adjustment Attached ☐

James C. Pate
 Department Director

2-12-10
 Date

Previous Ordinance or Resolution # 197-09

Jim Blalock
 City Attorney

2-12-10
 Date

Original Contract Date: _____

Original Contract Number: _____

Paul A. Becker
 Finance and Internal Services Director

2-16-2010
 Date

Received in City
 Clerk's Office



Kim J

Don Miller
 Chief of Staff

2-16-10
 Date

Received in
 Mayor's Office



Frederick Jordan
 Mayor

2/17/10
 Date

Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Jeremy Pate, Director of Development Services *JP*

From: Dara Sanders, Current Planner

Date: February 11, 2010

Subject: 2010 Arkansas Historic Preservation Program restoration grant application

PROPOSAL:

Development Services staff recommends approval of a resolution for the City of Fayetteville to submit an application for consideration of a 50% matching grant for an Arkansas Historic Preservation Program grant for an award of up to \$80,000 for the restoration of the Maple Street and Lafayette Street Overpasses.

RECOMMENDATION:

The Maple Street and Lafayette Street Overpasses were constructed over the Frisco Railroad lines in the late 1930s and funded by the Works Progress Administration through President Franklin D. Roosevelt's New Deal. These bridges were placed on the National Register of Historic Places in 1995, indicating their historic significance worthy of preservation. However, the bridges have deteriorated over several decades and were damaged in recent years. Because of their deteriorated state and historical significance, the Maple Street and Lafayette Street Overpasses restoration project was included in the 2006 Transportation Bond for street improvements with an anticipated budget of approximately \$1 million.

In 2009, the City of Fayetteville requested statements of qualifications to provide historic bridge rehabilitation engineering services for the Maple Street and Lafayette Street Overpasses, which resulted in the selection of TranSystems, a nationally reputable firm for excellence in inspection, evaluation, and rehabilitation of historic bridges. The Engineering Division has received the preliminary report of the bridge inspection and is awaiting a final report. Preliminary cost estimates for construction are \$314,000 for the Maple Street Overpass and \$594,000 for the Lafayette Street Overpass.

The Development Services Department has been presented with the opportunity to apply for a restoration grant through the Department of Heritage's Arkansas Historic Preservation Program. Grants of \$10,000 or more are available for restoration projects for properties that are listed on the National Register of Historic Place and owned by a local government entity.

This grant requires a 2:1 cash match. For example, a \$10,000 grant would require at least a \$5,000 cash match. Should the City of Fayetteville be awarded a grant, a Deed of Conservation Easement would be required prior to receiving any grant funds. While the City would still retain ownership of the property (in this case, the bridges), the easement would ensure protection of the historic characteristics of the property, and the City of

Fayetteville would be obligated to refrain from actions that are incompatible with the preservation of and/or historic integrity of the bridges.

BUDGET IMPACT:

The City will provide a minimum of 50% match of the awarded grant amount. If the requested \$80,000 is awarded, the City will be required to provide a minimum of \$40,000. The current budgeted amount for the bridge restoration project is approximately \$1 million, though final costs have not yet been determined.

RESOLUTION NO. _____

A RESOLUTION APPROVING THE CITY OF FAYETTEVILLE TO SUBMIT AN APPLICATION FOR CONSIDERATION OF A 2:1 MATCHING GRANT FOR AN ARKANSAS HISTORIC PRESERVATION PROGRAM GRANT AWARD OF UP TO \$80,000 TO COMPLETE RESTORATION OF THE HISTORIC MAPLE STREET AND LAFAYETTE STREET OVERPASSES.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a resolution to permit the City of Fayetteville to submit an application for consideration of a 50% matching grant for an Arkansas Historic Preservation Program grant for an award of up to \$80,000 for the restoration of the Maple Street and Lafayette Street Overpasses.

PASSED and APPROVED this 2nd day of March, 2010.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

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

**Tentative Agenda
City of Fayetteville Arkansas
City Council Meeting
March 2, 2010**

A meeting of the Fayetteville City Council will be held on March 2, 2010 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

~~Agenda Session Presentations:~~

Mayor's Announcements, Proclamations and Recognitions:

Presentations, Reports and Discussion Items:

1: Fayetteville Fire Department
Explorer Post #104
Presentation

Agenda Additions:

A. Consent:

1. Approval of the February 16, 2010 City Council meeting minutes.

NB#1

2. **Kathryn B. Stout Donation:** A resolution approving a 2010 budget adjustment for the Fayetteville Fire Department to recognize donation revenue in the amount of \$25,000.00 from the estate of Kathryn B. Stout.

3. **Federal Bureau of Investigation Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in the amount of \$16,903.00 to recognize reimbursement from the Federal Bureau of Investigation to cover expenses related to the Joint Terrorism Task Force.

4. **Drug Enforcement Administration Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in an amount not to exceed \$16,903.00 to recognize reimbursement from the Drug Enforcement Administration to cover detective overtime expenses.

5. **Wedington Drive Right-of-Way Donation:** A resolution authorizing the donation of right-of-way along Wedington Drive (State Highway 16) containing 0.31 acres and being parcel Nos. 765-13746-002 and 765-13746-003, and authorizing the Mayor to execute deeds and all other necessary papers to transfer ownership of the property to the Arkansas State Highway Commission.

NB#2 6. **Watson Condemnation:** A resolution approving a settlement agreement with Aaron H. Watson and Patricia Ann Watson concerning condemnation litigation filed as part of the Mount Comfort Road Widening Project in a total amount of \$55,000.00.

7. **Arkansas Historic Preservation Program Grant:** A resolution approving the City of Fayetteville to submit an application for consideration of a 2:1 matching grant for an Arkansas Historic Program grant award of up to \$80,000 to complete restoration of the Historic Maple Street and Lafayette Street Overpasses.

B. Unfinished Business: None

C. New Business: None

Announcements:

1. City Council Tour: ~~March 1, 2010~~

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

All interested parties may appear and be heard before the City Council. If you wish to address the City Council on an agenda item please queue behind the podium when the Chair asks for public comment. Once the chair recognizes you, go to the podium and give your name and address. Address your comments to the Chair, who is the presiding officer. The Chair will direct your comments to the appropriate elected official, staff member or others for response. Please keep your comments brief, to the point and relevant to the agenda item being considered so that everyone has a chance to speak.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 575-8330.

As a courtesy please turn off all cell phones and pagers.

A copy of the City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 West Mountain, Fayetteville, Arkansas.

ADD:
Consent - Warrior of Arkansas
Bid # 09-72

Consent - Warrior of
Arkansas Bid #
09-73

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

**Tentative Agenda
City of Fayetteville Arkansas
City Council Meeting
March 2, 2010**

A meeting of the Fayetteville City Council will be held on March 2, 2010 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Agenda Session Presentations:

Mayor's Announcements, Proclamations and Recognitions:

Presentations, Reports and Discussion Items:

Agenda Additions:

A. Consent:

1. Approval of the February 16, 2010 City Council meeting minutes.
2. **Kathryn B. Stout Donation:** A resolution approving a 2010 budget adjustment for the Fayetteville Fire Department to recognize donation revenue in the amount of \$25,000.00 from the estate of Kathryn B. Stout.
3. **Federal Bureau of Investigation Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in the amount of \$16,903.00 to recognize reimbursement from the Federal Bureau of Investigation to cover expenses related to the Joint Terrorism Task Force.

4. **Drug Enforcement Administration Reimbursement:** A resolution approving a budget adjustment for the Fayetteville Police Department in an amount not to exceed \$16,903.00 to recognize reimbursement from the Drug Enforcement Administration to cover detective overtime expenses.
5. **Wedington Drive Right-of-Way Donation:** A resolution authorizing the donation of right-of-way along Wedington Drive (State Highway 16) containing 0.31 acres and being parcel Nos. 765-13746-002 and 765-13746-003, and authorizing the Mayor to execute deeds and all other necessary papers to transfer ownership of the property to the Arkansas State Highway Commission.
6. **Watson Condemnation:** A resolution approving a settlement agreement with Aaron H. Watson and Patricia Ann Watson concerning condemnation litigation filed as part of the Mount Comfort Road Widening Project in a total amount of \$55,000.00.
7. **Arkansas Historic Preservation Program Grant:** A resolution approving the City of Fayetteville to submit an application for consideration of a 2:1 matching grant for an Arkansas Historic Program grant award of up to \$80,000 to complete restoration of the Historic Maple Street and Lafayette Street Overpasses.

B. Unfinished Business: None

C. New Business: None

Announcements:

1. **City Council Tour: March 1, 2010**

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

All interested parties may appear and be heard before the City Council. If you wish to address the City Council on an agenda item please queue behind the podium when the Chair asks for public comment. Once the chair recognizes you, go to the podium and give your name and address. Address your comments to the Chair, who is the presiding officer. The Chair will direct your comments to the appropriate elected official, staff member or others for response. Please keep your comments brief, to the point and relevant to the agenda item being considered so that everyone has a chance to speak.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 575-8330.

As a courtesy please turn off all cell phones and pagers.

A copy of the City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 West Mountain, Fayetteville, Arkansas.

Arkansas Recreation & Park Association 2009 Awards

The Fayetteville Parks and Recreation Department received four awards from the Arkansas Recreation and Parks Association at their annual conference in Fort Smith for three of its outstanding programs and one outstanding volunteer.

The Community Garden Program won the Therapeutic Recreation Program of the Year in the state of Arkansas. This was a ten week program that involved all phases of garden development such as planning, leadership, community building, and basic gardening skills from planting through harvesting and food preparation. The children had hands on experience with cooking and nutrition, environmental sustainability, teamwork, and community involvement. Accepting this award is Lisa Netherland, Horticulturist for the City.

The Natural Resource Program of the Year in Arkansas was awarded to the Gulley Park Stream Restoration project. This program increased the usability of the park by correcting the areas where safety was a concern, as well as enhancing wildlife and water quality. Accepting this award is Sandi Formica with the Watershed Conservation Resource Center.

The Volunteer of the Year in the state of Arkansas was awarded to Cindi Cope, a Fayetteville citizen, who has demonstrated continued devotion to Fayetteville's parks and trails. She is the chairperson of the America in Bloom committee as well as a member of the Tree and Landscape Committee. She has secured donations, found sites and volunteers to plant over 70,000 bulbs to establish the community as "The City of Daffodils". She co-wrote a brochure on the Ozark Ecosystem in which describes the importance of wildlife.

The first annual Fall Soccer Kick-off Celebration won the Sports Management Program of the Year in Arkansas. The event was planned to provide an opportunity for participants and parents to meet their coaches, locate fields, and pick up uniforms prior to their first practice. The event included a soccer contests and the Passback Program to donate used soccer equipment to needy children around the world. The evening culminated with the movie "Kicking and Screaming" on a giant inflatable movie screen. Accepting this award is Connie Edmonston, Recreation & Recreation Director.