

Mayor Lioneld Jordan  
City Attorney Kit Williams  
City Clerk Sondra Smith



**Aldermen**

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

**City of Fayetteville Arkansas  
City Council Meeting Minutes  
December 15, 2009**

A meeting of the Fayetteville City Council was held on December 15, 2009 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 Gray, Thiel, Cook, Petty, Rhoads, Ferrell, Lucas, Lewis, Mayor Jordan, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

**Pledge of Allegiance**

**Mayor's Announcements, Proclamations and Recognitions:**

**Mayor Jordan** announced that the City received the Impact Award for the City Employees work on the ice storm from the Chamber of Commerce. He asked that the staff be given a round of applause for their hard work.

**Presentations, Reports and Discussion Items:**

**Nominating Committee Report:** Alderman Cook presented the Nominating Committee Report to the Council.

**Alderman Cook** moved to approve the Nominating Committee Report. **Alderman Thiel** seconded the motion. Upon roll call the motion passed unanimously.

**Consent:**

Approval of the December 1, 2009 City Council meeting minutes.

*Approved*

**ProfitStars:** A resolution awarding RFP # 09-16 and approving a contract with Jack Henry & Associates, Inc. D/B/A ProfitStars in an amount up to \$33,240.00 for an electronic check processing system; and amending the 2009 city budget by approving a budget adjustment of \$18,240.00.

*Resolution 240-09 as recorded in the office of the City Clerk.*

**EMC Corporation:** A resolution approving a contract with EMC Corporation for the purchase, through the current State Procurement Contract, of an EMC Clariion CX4 redundant network storage system with a three year hardware and software maintenance agreement, in the amount of \$196,280.00.

*Resolution 241-09 as recorded in the office of the City Clerk.*

**Fayetteville Police Department Donations:** A resolution amending the 2009 City budget to recognize donations to the Fayetteville Police Department in the amount of \$1,980.00.

*Resolution 242-09 as recorded in the office of the City Clerk.*

**U.S. Marshals Service Reimbursement:** A resolution amending the 2009 City budget to accept reimbursement of equipment and vehicle fuel expenses from the U.S. Marshals Service in the amount of \$22,000.00.

*Resolution 243-09 as recorded in the office of the City Clerk.*

**State Forfeiture:** A resolution amending the 2009 City budget by approving a budget adjustment to recognize state forfeiture revenue for the third and fourth quarters of 2009 in the amount of \$5,199.00 for use by the Fayetteville Police Department.

*Resolution 244-09 as recorded in the office of the City Clerk.*

**Federal Forfeitures:** A resolution amending the 2009 City budget by approving a budget adjustment to recognize federal forfeiture revenue for the third and fourth quarters of 2009 in the amount of \$4,094.00 for use by the Fayetteville Police Department.

*Resolution 245-09 as recorded in the office of the City Clerk.*

**IRS/Treasury Forfeiture:** A resolution amending the 2009 City budget by approving a budget adjustment to recognize U.S. Department of the Treasury/Internal Revenue Service forfeiture revenue for the third and fourth quarters of 2009 in the amount of \$36,536.00 for use by the Fayetteville Police Department.

*Resolution 246-09 as recorded in the office of the City Clerk.*

**Environmental Consulting Operations, Inc.:** A resolution approving Amendment No. 4 to the engineering contract with Environmental Consulting Operations, Inc. in the amount of \$175,200.00 for Wastewater System Improvements Project and wetlands mitigation site stormwater, wetlands and environmental issues, as required by the U.S. Army Corps of Engineers and the Arkansas Department of Environmental Quality.

*Resolution 247-09 as recorded in the office of the City Clerk.*

**Bid # 09-52 United Engines, LLC:** A resolution awarding Bid # 09-52 and approving the purchase of seven backup power generators from United Engines, LLC in the amount of \$113,954.00 for use at Wastewater Lift Stations; and amending the 2009 City budget by approving a budget adjustment of \$113,954.00.

*Resolution 248-09 as recorded in the office of the City Clerk.*

**Bid # 09-65 Seven Valley's Concrete, LLC:** A resolution awarding Bid # 09-65 and approving a contract with Seven Valley's Concrete, LLC in the amount of \$583,897.00 for the construction of the Broyles Avenue sewer lift station; and approving a project contingency in the amount of \$30,000.00.

*Resolution 249-09 as recorded in the office of the City Clerk.*

**Bid # 09-68 Jack Tyler Engineering of Arkansas Inc.:** A resolution awarding Bid # 09-68 and approving the purchase of a fine band screen with associated controls and accessories from Jack Tyler Engineering of Arkansas, Inc. in the amount of \$175,000.00 for use as part of wastewater treatment.

*Resolution 250-09 as recorded in the office of the City Clerk.*

**Bid # 09-70 ISCO Teledyne:** A resolution awarding Bid # 09-70 and approving the purchase of seventeen sewer flow monitors from ISCO Teledyne in the amount of \$138,124.78 for use in the city sewer system.

*This resolution was removed form the Consent Agenda and Tabled Indefinitely.*

**Bid # 09-71 HACH Company:** A resolution awarding Bid # 09-71 and approving the purchase of phosphate and ammonia continuous analyzers and other necessary components from HACH Company in the amount of \$36,947.84 for use at the Noland Wastewater Treatment Plant.

*Resolution 251-09 as recorded in the office of the City Clerk.*

**Fiber Optic Data Communication Line:** A resolution approving budget adjustments to fund installation of a fiber optic data communication line from City Hall to city facilities on South Happy Hollow Road and on to Water and Sewer Operations on Industrial Drive.

*Resolution 252-09 as recorded in the office of the City Clerk.*

**Lake Fayetteville Boat Dock Operator Contract:** A resolution approving a Lake Fayetteville Boat Dock operator contract with Dollie Black in the amount of \$36,771.00.

*Resolution 253-09 as recorded in the office of the City Clerk.*

**Arkansas Forestry Commission Grant:** A resolution authorizing the Mayor to accept an Urban Forestry Ice Storm Damage Assessment and Restoration Grant in the amount of \$81,915.00 from the Arkansas Forestry Commission; and approving a budget adjustment recognizing the grant revenue.

*Resolution 254-09 as recorded in the office of the City Clerk.*

**Stephens, Inc. Contract:** A resolution to approve the 2009 annual renewal of the contract with Stephens, Inc. in the amount of \$51,950.00 for benefits consulting and insurance brokerage services.

*Resolution 255-09 as recorded in the office of the City Clerk.*

**Alderman Cook moved to approve the Consent Agenda as read with Item # 13 Bid # 09-70 ISCO Teledyne removed from the Consent Agenda. Alderman Gray seconded the motion. Upon roll call the motion passed unanimously.**

**The following resolution was removed from the Consent Agenda for discussion.**

**Bid # 09-70 ISCO Teledyne:** A resolution awarding Bid # 09-70 and approving the purchase of seventeen sewer flow monitors from ISCO Teledyne in the amount of \$138,124.78 for use in the city sewer system.

**Alderman Cook moved to table the resolution indefinitely. Alderman Thiel seconded the motion. Upon roll call the motion passed unanimously.**

**Unfinished Business: None**

**New Business:**

**CH2M Hill Engineers, Inc.:** A resolution to approve an agreement for operations, maintenance and management services of the City's wastewater plants and pump stations with CH2M Hill Engineers Inc. in the amount of \$6,858,886.00 plus a contingency of \$75,000.00 for services in 2010.

**Alderman Cook:** I sit on the Selection Committee for this and we talked about this at the Water and Sewer Committee for a few years about taking this contract renewal out for selection. It is

not a nock against OMI or CH2MHill. It is something we should do for the citizens of Fayetteville so that we can get the best deal we can.

Alderman Cook briefly explained the selection process and stated we felt like OMI was the best. He also talked about the Omi contract.

**Alderman Ferrell** thanked Alderman Cook and the Water and Sewer Committee for their work on this.

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

*Resolution 256-09 as recorded in the office of the City Clerk.*

**Northwest Arkansas Economic Development District:** An ordinance waiving the requirements of formal competitive bidding and approving a contract between the City of Fayetteville, Arkansas and the Northwest Arkansas Economic Development District in the amount of \$53,350.00 to provide public recreation services for the senior citizens of Fayetteville for 2010.

*City Attorney Kit Williams read the ordinance.*

**Connie Edmonston**, Parks and Recreation Director gave a brief description of the item. She stated this is a 3% decrease from last year. They received a certification from the State as a wellness facility so the name of their facility has been changed to the Senior Adult Senior Activity and Wellness Center. Sherri Napier is here if you have any questions.

**Mayor Jordan:** Congratulations Sherri. You do a great job at the center.

**Alderman Thiel:** Community Resources and the Senior Center put on a very good program today for the seniors.

A discussion followed on how many attendees were present at the program.

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

*City Attorney Kit Williams read the ordinance.*

**Alderman Cook** moved to suspend the rules and go to the third and final reading. **Alderman Lewis** seconded the motion. Upon roll call the motion passed unanimously.

*City Attorney Kit Williams read the ordinance.*

**Mayor Jordan** asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

*Ordinance 5292 as Recorded in the office of the City Clerk.*

**Fayetteville Youth Center, Inc.:** An ordinance waiving the requirements of formal competitive bidding and approving a contract between the City of Fayetteville, Arkansas and the Fayetteville Youth Center, Inc. in the amount of \$205,350.00 to provide public recreation services for the youth and citizens of Fayetteville for 2010.

*City Attorney Kit Williams read the ordinance.*

**Connie Edmonston** gave a brief description of the ordinance. This is a partnership that we have had since 1967. Each year it gets stronger and stronger.

**Alderman Lewis** thanked the staff as well as the Boys and Girls Club for trying to review the budget and trying to reduce it.

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

*City Attorney Kit Williams read the ordinance.*

**Alderman Ferrell** moved to suspend the rules and go to the third and final reading. **Alderman Petty** seconded the motion. Upon roll call the motion passed unanimously.

*City Attorney Kit Williams read the ordinance.*

**Mayor Jordan** asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

*Ordinance 5293 as Recorded in the office of the City Clerk.*

**Wayest:** An ordinance waiving the requirements of formal competitive bidding and approving a contract between the City of Fayetteville, Arkansas and Wayest in the amount of \$47,500.00 to provide replacement bunker gear (coat and pants) to the Fayetteville Fire Department.

*City Attorney Kit Williams read the ordinance.*

**Kyle Curry**, Battalion Chief stated I can answer any questions you have.

**Alderman Petty:** Do you think this is some of the best gear on the market?

**Kyle Curry:** It serves our purpose but there is more expensive gear. He explained the various types and brands of gear available. He stated this gear fits our specifications. We think it is the best, it has served us well and it is durable.

**Alderman Petty:** I was just wondering because when it comes to outdoor gear I always make sure that even if it is more expensive I am comfortable trusting it.

**Kyle Curry:** We try to change it out but we can't afford to change it all out at once and it has to be changed out every five years. This is the best fit for us. I appreciate that.

**Alderman Lewis:** During the Agenda Session there was something mentioned about putting language in about the removable knee pads.

**City Attorney Kit Williams:** That was talked about for the next time that they bid it out that that might be part of the request. That was one of the advantages of Wayest that they could change the knee pads.

**Kyle Curry:** Yes that was one of the advantages that nobody else offered.

**Alderman Lewis:** So that will be next time.

**Alderman Ferrell:** The next time instead of waiving competitive bidding we could go to a single source bid because they are the only one that offers the removable knee pads.

**Alderman Thiel** thanked Kyle Curry for helping at the Senior Center Program.

**Alderman Cook** moved to suspend the rules and go to the second reading. **Alderman Thiel** seconded the motion. Upon roll call the motion passed 7-0. **Alderman Petty** was absent during the vote.

*City Attorney Kit Williams read the ordinance.*

**Alderman Thiel** moved to suspend the rules and go to the third and final reading. **Alderman Gray** seconded the motion. Upon roll call the motion passed unanimously.

*City Attorney Kit Williams read the ordinance.*

**Mayor Jordan** asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

*Ordinance 5294 as Recorded in the office of the City Clerk.*

**R-PZD 09-3439 (Oakbrooke Phase III):** An ordinance establishing a residential planned zoning district titled R-PZD 09-3439, Oakbrooke Phase III, located within Oakbrooke Phase I

and Oakbrooke Phase II; containing approximately 29 acres; amending the official zoning map of the City of Fayetteville; and adopting the associated master development plan.

**City Attorney Kit Williams read the ordinance.**

**Jeremy Pate** gave a brief description of the item. He pointed out the various planning areas on the map. Staff is recommending approval as well as the Planning Commission with 36 Conditions of Approval.

**Alderman Lucas:** On that area next to the people that live on Ruppel Road is there not a stipulation that it would be a certain size and would have to stay that way just as it was on Bridgeport side?

**Jeremy Pate:** There was in the original Bill of Assurance that was offered by the applicant. So the zoning that came before you previously and the conditions of approval that the City was able to place upon the project, in addition to that the developer offered certain things that we can't require.

**Alderman Lucas:** Those are changing now.

**Jeremy Pate:** Those would change with this project because it is being rezoned. That was tied to that previous zoning. He continued to explain the various planning areas.

**Alderman Lucas:** Now this has changed especially across the street from the property that borders Bridgeport. This was all single family previously.

**Jeremy Pate:** It was. We are recommending a condition of approval that addresses that. We are recommending that only certain portions of this development have any attached. There are certain lot numbers that are referenced within Condition # 6 and it states that the number of attached units is limited to certain lot numbers. We are recommending that it is more the interior project and not those along the west side that be limited to the attached project.

**Alderman Lucas** pointed out that the lot numbers were different than what was in the packet.

**Jeremy Pate:** The lot numbers have changed.

**Alderman Lucas:** I just want to make sure we are talking about the same lots. It is so big though.

**Jeremy Pate:** There are a lot of things going on and you are really reviewing five or six different zoning districts at one time. Jeremy continued to explain the planning areas. He also went over a few of the conditions of approval. He stated Planning Commission did review this project and the three following conditions and they approved the project with these conditions as they are in place and this is how staff is recommending the project. Condition # 23 has a bunch of items that state the following revisions shall be made prior to the project being placed on a

Council agenda. Again this had to be submitted before we even got to review those and most of these have been taken care of.

**Alderman Lucas:** But not all of them?

**Jeremy Pate:** These are minor typo type items. We had conversations with Mr. Hoskins about this project and he has a number of concerns about the conditions of approval. I will say it will be A typical for the Council to review these item by item. That is usually left up to Planning Commission and the Council determines the policy decision of whether you want to rezone the property with these conditions in place. My recommendation to you is that if we get into a very detailed conversation about all these items that this be taken back to the Planning Commission for that review because the Planning Commission may not have recommended it without these conditions. Staff may not recommend this project without some of the conditions. You can simply leave it on this reading and go through this at the Council level. I need to make an amendment to Condition # 6 and # 7 to change the lot numbers.

**Alderman Lucas** clarified the lot numbers with Jeremy.

**Alderman Ferrell:** Jeremy I think we have all decided we like affordability and we want some affordable housing. I noticed a comment about the attached dwelling units. Was staff's concern on the dwelling units the placement of where they were or was their concern about attached dwelling units in this PZD? I see them all over town.

**Jeremy Pate:** I think that it's more about where they are in this project and how that's compatible and how they transition out to the larger lots that are adjacent to this project.

**Alderman Lewis:** Can you talk a little bit about a PZD and how it relates to the land? If this developer goes away what happens to this PZD?

**Jeremy Pate** gave a brief description of the PZD process.

**Alderman Lucas:** We are looking at 176 units at this time.

**Jeremy Pate:** 174.

**Alderman Lucas:** What was it before?

**Jeremy Pate:** 110 lots.

**Alderman Lucas:** So we are going up 64 lots.

**Jeremy Pate:** Sounds like it, yes ma'am.

**Alderman Petty:** I noticed that Condition of Approval # 3 changes Use Unit 24 Home Occupations to a conditional use instead of use by right. In the original PZD it was a use by right in all the lots. What is the reasoning behind that?

**Jeremy Pate:** The original PZD that this was processed under was under a different ordinance. We did not have a booklet or the plats that you normally see. This was processed under a previous ordinance in 2005. With the new ordinance we look at individual uses and establish what we feel is consistent with best practices within a zoning district. Jeremy explained what was considered to be a home occupation.

**Alderman Ferrell:** So Jeremy are you saying that the conditional use only applies when they will be drawing traffic to their domicile?

**Jeremy Pate:** That is part of the definition of a home occupation is that traffic is drawn to the home.

**Alderman Ferrell:** So it wouldn't be a use by right if it was an attorney that did not see clients?

**Jeremy Pate:** We actually have a form that states "waiver of home occupation" and we have issued a lot of those because the State still requires you to get a business license or a waiver when you are not drawing traffic to your home. We issue a lot of waivers because they do not meet the definition of home occupation.

**Alderman Lucas:** Jeremy, talk to me about the drainage. I noticed on page two of this drawing it looks like drainage in three different places into the green space but the property is going to take over that biggest one so what is going to happen?

**Chris Brown, City Engineer:** You were asking about what looked like ponds in the open space?

**Alderman Lucas:** Well it looks like drainage pipes or something. It comes from September Stroll Lane and then about midway from Neighborly Way and just as you enter from Neighborly Way.

**Chris Brown:** What use to be Lot 110 was a detention pond area. That footprint of the pond has been reduced so that it is a smaller detention pond area.

**Alderman Lucas:** What about the drainage pipes, are they drainage pipes?

**Chris Brown:** The southern most drainage pipe, I'm not sure what will have to happen to it, it will have to be reconfigured and run farther to the north to go into the pond. That detail has not been worked out yet as far as I know.

**Alderman Lucas:** So we are piping water through there, is that the idea?

**Chris Brown:** All the pipe system within the subdivision goes into the detention pond.

**Alderman Lucas:** It is not going to be another Red Oak is it?

**Chris Brown:** The detention pond is designed to mitigate the additional flow.

**Alderman Lucas:** That is what we have now is all that water going into one spot.

**Chris Brown:** Right, but what we don't have in Red Oak Park is the detention pond. It mitigates the flow. So the additional flow caused by the development is held in that detention pond and released more slowly so we don't have an increase in flow.

**Alderman Lucas:** But you are losing one detention pond is that right?

**Chris Brown:** Two of the ponds would go away and one would be left but the depth of the pond would be increased so the total detention volume is actually more than what was originally proposed. The area footprint of the pond is less but the total volume and amount of water the pond can hold is more than what was in the previous proposal.

**Alderman Lewis:** At what part of the process do you really look at the drainage for this?

**Chris Brown:** They provided a revised drainage report for this development, not only for the increased density of the development but also an overall look at the design of the detention. We have looked at the detailed drainage from the detention standpoint and the overall offsite flow and we can verify that the post development flows will not be more than the predevelopment flows as required by ordinance.

**Alderman Lewis:** Are they going to hold water or are they dry detention?

**Chris Brown:** The way it is designed the outlet structure is at the bottom of the pond so they would not be designed to hold water. The drainage report shows dry ponds.

**Alderman Petty:** Condition of Approval # 5, when Sarah asked about what would happen if this was not developed by the applicant and then was sold, that got me thinking about some of these sub-conditions. How do we enforce that if lots get sold off to other developers?

**Jeremy Pate:** That happens all the time. We would review a building permit for each and every structure. So as they come in we would have record of what has been permitted and be able to recognize if it is adjacent to one another.

**Alderman Petty:** On # 5 (B) I was wondering how we define two stories. If someone wants to build an attic later are they prevented from doing that?

**Jeremy Pate:** Our Building Code is what we utilize for identification of a story. It has minimum square feet that calculates that. They are small cottage type products so two story limitations seem to be reasonable to us.

**Alderman Petty:** If 45 feet is the limit in other single family zones and that works then why have another regulation?

**Jeremy Pate:** It is entirely up to the Council. What we felt was in a Planned Zoning District when you are identifying custom zoning requirements the language of the conditions of the

zoning criteria should match as closely as possible to the images that are being presented to you. What we don't want to happen is a project to be constructed that is not consistent with what you are seeing in this booklet. He went on to further explain.

**Alderman Petty:** It looks like from these images that the chimneys or roof lines could be 45 feet or in excess of 45 feet but the two story limitation does not prevent that.

**Jeremy Pate:** That is correct. In our Code any appurtenances that are not habitable do not count.

**Tracy Hoskins,** the developer gave a brief slide presentation on the proposed project.

**Alderman Lucas:** How many houses did you originally have on that side of the street next to the people on Ruppel?

**Tracy Hoskins:** We are adding one maybe two lots on that side. He pointed out a lot that was being split on the map.

**Alderman Lucas:** Is that for a town house?

**Tracy Hoskins:** No, everything in Planning Area 1 is single family detached homes. Anything that is around the perimeter of Oakbrooke where we abut to our neighbors is for the most part staying exactly the same. On this side we have added a few lots.

He continued his slide presentation.

**Alderman Lucas:** I want to leave it on the first reading tonight.

**Alderman Petty:** I do too but I also want to hear what he has to say and then think about it for two weeks.

**Tracy Hoskins** stated around the perimeter of Oakbrooke everything is staying the same. There is one neighbor with a field to the rear of their house so naturally if we are raising the density here it would affect them. He continued to list the changes to the project.

He stated you asked about the detention, Sarah. After we got approved at City Council level and took the project back through with design we took the opportunity to redesign those detention areas in an effort to not remove any more trees than we had to. I had our engineers calculate what a three level detention pond would do. It is a somewhat different system than we are use to seeing. We have three ponds but two you can't really tell are there. We split the pipes up and sized them to where they each could feed a certain amount of water to each individual pond. With our design we could probably double our density and be okay. That is even with removing the crater pond to the south. He continued to further explain the operation of the detention ponds and the tree mitigation.

**Alderman Lewis:** Has that system come to the City Engineers for review?

**Tracy Hoskins:** Before we submitted this new PZD we wanted to make sure that it would work. All that will be reviewed when we bring each phase back through for development. So in other words we still have to go through all these steps again.

He continued with his slide presentation. He stated when we got to the Planning Commission level we visited about some of the things where we didn't see eye to eye with staff. Unfortunately we did not get to some of those items we wanted to discuss. The Planning Commission approved the PZD with the modified conditions of approval and with staff's conditions of approval that were not discussed at the Planning Commission level. We have to appeal those other conditions here.

**Mayor Jordan:** Mr. Hoskins why didn't you bring this up at the Planning Commission meeting or did you?

**Tracy Hoskins:** Yes. I even mentioned at the podium that there are other things we would like to discuss and for some reason we did not get there.

**Mayor Jordan:** What do you mean you did not get there?

**Tracy Hoskins:** The Planning Commission wanted to take the items one at a time. They chose the items that were most significant to them at the time and then the vote just kind of happened. We really did not get the opportunity to discuss these other items.

**Jeremy Pate:** As is the normal practice the Planning Commission is presented with the staff report with the recommended conditions. They review those and the ones they feel need to be determined or discussed in further detail usually occurs at the Planning Commission meeting. They did discuss some of these items and some of them they simply agreed with staff on. I will note one Commissioner was very uncomfortable. There was a packet passed out at the Planning Commission meeting and staff did not get a copy of that packet and it went through several conditions of approval. There was some discussion at the Planning Commission meeting about new information being presented. I am still not certain what was presented in that packet. We did not get a copy of it. That was part of the discussion at the Planning Commission meeting whether they should consider the new information that was being presented at that meeting.

**Mayor Jordan:** Were some of these items part of it?

**Tracy Hoskins:** Every one of these items were in that packet.

**Mayor Jordan:** And that was not given to you prior to the meeting.

**Jeremy Pate:** That was handed out at the meeting yes sir.

**Alderman Lucas:** In light of this wouldn't it be better to send it back to the Planning Commission and let them work through these completely?

**Alderman Ferrell:** Have you since got a copy of this Jeremy?

**Jeremy Pate:** No sir.

**Alderman Ferrell:** If the applicant can furnish you a copy of this is there any chance you can sit down and look at it and see if you can wring something out of it as opposed to going all the way back?

**Alderman Lucas:** I think the Planning Commission needs to look through these and discuss them and decide.

**Alderman Ferrell:** It sounds like to me they have gone through it.

**Alderman Thiel:** You are saying that you wouldn't even want us to approve this with these conditions?

**Tracy Hoskins:** No.

**Alderman Lucas moved to send the ordinance back to the Planning Commission. Alderman Lewis seconded the motion.**

**Alderman Petty:** Even if the Planning Commission got the packet right at the meeting they still had the packet. If what we have been told tonight is accurate they did not discuss them. I feel comfortable reading a packet of information and deciding what I feel about it and whether or not I would want to make amendments. We have six weeks and three readings to do that in and I am comfortable doing that so I would just rather keep it here.

**Alderman Thiel:** I don't quite understand what the Planning Commission is going to do. It would still come back to us. I would be inclined to go with the Planning Commission's and staff's recommendation on this. It came to this level with you not agreeing to it. When it comes to this level we expect that it is okay with the developer or he would not have carried it on.

**Alderman Lewis:** The Planning Commission and the staff in this case they did not have all the information to make a recommendation. They did not know that you did not agree with these conditions and then they moved forward on a recommendation. Now we have a recommendation in front of us but it is not complete or valid because they did not have all the information to make a recommendation. I think it is important to consider that the recommendations we have are not complete.

**Alderman Petty:** Jeremy if we decide to keep this at the Council level will you form recommendations for the proposed amendments or appeals?

**Jeremy Pate:** We can but the conditions of approval that are in your packet are what the Planning Commission recommends to you. Staff is simply facilitating that process and getting it to you as a Council. You appoint a body to review these items and make a recommendation to you. We make a recommendation to the Planning Commission. We may tell you what staff's

recommendation was at that level but ultimately you have appointed a body specifically for this reason to make recommendations and consider those factors. That is why I feel more comfortable going with the Planning Commission on making those recommendations. In response to the comment about an incomplete recommendation, it is complete given the information we were considering at the time. I know some of the Planning Commissioners voted against the motion because they had a packet of information that they did not have time to review.

**Alderman Petty:** In the packets you have been very clear about the distinction between staff's recommendation and the Planning Commissions recommendation. I am comfortable with that distinction too. I still want to keep it at the Council level.

**Don Marr:** Mr. Hoskins contacted myself after the Planning Commission concerned that they had recommendations that were not discussed. I encouraged him to talk to Mr. Pate. Normally that is handled at the Planning Commission and the reason that it is, is because sometimes citizens check it off once it gets to that approval process, if they are in agreement or if they have had something with it. I think there are people who participated who may or may not comment about it. Having listened to Mr. Hoskins concerns I think he has some legitimate things that warrant some discussion. The question is do you want that done through the public process here over the next two readings or at the Planning Commission.

**Alderman Petty:** I look forward to that discussion.

**Alderman Cook:** We can still have that discussion even if it does go through the Planning Commission. They look at things different than we do. If they did not have all the information in front of them they should get it and have a chance to debate it and review it amongst themselves.

**Alderman Lucas:** I agree, and it also gives Mr. Hoskins an opportunity to present his case to the Planning Commission. The neighbors think that these are the conditions that are going to be approved by the Council. They need an opportunity to talk about it.

**Tracy Hoskins:** I would like to clarify some things. First off we went to two Planning Commission meetings. At the first meeting they thought there were still some things that needed to be reviewed and we did so. As far as giving the Planning Commission the information of what we objected to the night of the Commission is because when we have a public meeting things come from that meeting and we have to change information in the books, reprint 15 copies of the books, change plats, print those etc. Then we get the opportunity to put together our responses to staff's comments which we typically get two to three days before the Commission meeting. We don't have a choice but to present them that night.

He went on to elaborate on what the Commission discussed. He stated the only thing we are appealing to the Council are the few items that were never discussed at the Planning Commission level. It would be very difficult for us to be sent back to the Planning Commission.

**Alderman Thiel:** I have a suggestion if this does stay at the Council level that Mr. Hoskins gets information to us prior to the next meeting explaining all the issues he has with the conditions.

**Alderman Petty:** Prior to the next Agenda Session.

**Alderman Lucas:** How do we let the neighbors and the public know?

**Alderman Thiel:** They were notified through the Planning Commission process and they won't be through this process is what you are saying.

**Alderman Lucas:** Yes.

**Alderman Thiel:** Hopefully our newspaper writer will do a good job of letting the public be aware that there is going to be more discussion about this project. She stated neighbors normally do not just depend on the City Council to go with what the Planning Commission recommends.

**Alderman Ferrell:** I have never seen citizens be timid about coming to this Council and usually when they go to the Planning Commission they will come here for assurance. If this goes through three readings I am sure citizens will know about this.

**Chuck Lewis,** Covenant Officer of the POA Subdivision expressed the views of the Bridgeport Subdivision. He stated the residents of Bridgeport Subdivision are eager to accept Oakbrooke Subdivision with a few minor modifications. He stated affordable housing is important and we also believe that maintaining and increasing property value is also important to the City. He suggested that the lots on Oakbrooke Subdivision that back the Bridgeport Subdivision have homes that are a minimum of 2,000 square feet.

**Mayor Jordan:** The topic we are discussing is whether or not to send this back to the Planning Commission or leave it at the Council level. Do you have a comment on that?

**Chuck Lewis:** I would very much like for you to send it back to the Planning Commission.

**Alderman Gray:** I would like to see it stay at the Council level. I think the citizens who have something to say will be here.

**Upon roll call the motion failed 3-5. Alderman Lucas, Lewis, and Cook voting yes. Alderman Gray, Thiel, Petty, Rhoads, and Ferrell voting no.**

**Chuck Lewis:** He continued with his previous comments by stating the lots of the subdivision should have homes that are a minimum of 2,000 square feet without detached buildings and the lots on Neighborly Way be a minimum of 1,400 square feet without detached buildings. This would allow for a stepped phase approach and work towards helping to maintain the property value for those homes that are on North Purva Place and North High Avenue that are within the Bridgeport Subdivision. We look forward to having Oakbrooke as a neighbor and with the above mentioned modifications we believe Oakbrooke could be an asset to the City of Fayetteville.

He stated they have apprehensions with the subdivision. He asked the City to consider if there is a change of ownership that the PZD be considered null and void and all Oakbrooke revert back to RSF-4. Bridgeport with the completion of Oakbrooke will be completely surrounded by affordable housing.

**Alderman Cook:** I respectfully request that if Mr. Hoskins has any additional information he will forward that to staff as soon as possible.

**Mr. Hoskins:** I brought a copy for each of you.

**This ordinance was left on the First Reading.**

**Amend Chapter 33:** An ordinance to amend Section 33.108 of the Fayetteville Code to provide that Planning Commissioners serve without compensation.

*City Attorney Kit Williams read the ordinance.*

**Paul Becker** stated in 2006 an ordinance was passed to provide compensation for the Planning Commissioners because of the extraordinary amount of time required at that point. The amount of time spent now has been dramatically reduced. We have discussed the budget situation and at this point in time, as a cost savings measure, I recommend that the Planning Commissioners compensation be eliminated.

**Alderman Rhoads:** When I voted for this I didn't really think we were over paying the Planning Commissioners at that amount for that amount of work. I'm all for the administration looking for ways to save money on the budget, I just can't support this.

**Alderman Ferrell:** I will vote for this but I might be the one who brings it back. If we can use money for other things, I think it is important to compensate them somehow, I will not be afraid to bring this back.

**Alderman Thiel:** I will support this at this time but I certainly hope we all agree, if they get a lot busier like they were in the past, that would be different.

**Alderman Petty:** I wonder if staff could review this in six months and tell us what the situation is like then and give us a recommendation.

**Don Marr:** It was not easy to say we wanted to do this as a budget cut. When we made decisions about, if things continue to worsen and we have to make staffing cuts, I would rather not be compensating positions that were originally volunteer positions. We have it as one of those first items that we would look back at and we have asked Jeremy as our Director of Development Services that if we see agenda items grow and more time being spent we will come back and revisit it with you. We understand the sensitivity and we know we are asking you to do

something that's not easy to do and we hope to get it back and hope our sales taxes are up in 2010.

**Aubrey Shepherd:** It's probably a great idea and maybe everybody who's working on the Planning Commission right now is employed or other wise compensated and can do it as a volunteer. What it would do if it lasts for several years would discourage anybody who needed the income that this would provide.

**Mayor Jordan** I agree this was a tough decision for me too. However if the economy continues to go as it has been about April we will be making some decisions that this will pale in comparison.

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

*City Attorney Kit Williams read the ordinance.*

**Alderman Gray moved to suspend the rules and go to the third and final reading. Alderman Petty seconded the motion. Upon roll call the motion passed unanimously.**

*City Attorney Kit Williams read the ordinance.*

**Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-1. Alderman Rhoads voting no.**

*Ordinance 5295 as Recorded in the office of the City Clerk.*

**ADM 09-3449 (Title XV Development Review):** An ordinance amending Title XV: Unified Development Code of the City of Fayetteville to provide more clarity, consistency and predictability in the development review codes and to establish the framework for administrative approval for certain project types.

*City Attorney Kit Williams read the ordinance.*

**Jeremy Pate** gave a brief description of the ordinance. He stated we are proud to say this accomplishes one of the City Plan 2025 benchmarks that we set for ourselves for 2009 to create an administrative approval process and to begin the form based code process which we are doing now. He went on to explain each section of the ordinance.

**Alderman Petty** stated section three doesn't have an exhibit associated with it the replacement language says an Alderman may bring an appeal on behalf of any resident. Is that changing the rule that now states that three Aldermen have to sponsor an appeal?

**Jeremy Pate:** The only item that refers to is the conditional use permit and that stays the same. It still requires two aldermen from the ward plus an additional one.

**Alderman Lewis:** Does this change the public notice process?

**Jeremy Pate:** We discussed that when we initially drafted this ordinance and we found most cities did not require notice for administrative approvals. We don't for the items we have currently. When we were establishing the framework for potentially larger projects we felt it would be important to do that. We established a notification process, essentially a public hearing time frame so that applicants are notified. The ordinance states that the City cannot approve an application during the public hearing period.

**Alderman Lewis:** In 2007 I started a task force for low impact development and it was composed of developers, engineers, and architects. Their number one thing was they were interested in the high expectations that Fayetteville had but they wanted to know ahead of time and up front. This seems like it is related to that.

**Mayor Jordan:** I agree. One of the things through my campaign and early days in office was the development community and the business community wanted more predictability.

**Alderman Ferrell:** I know this is a thankless job. You guys have done a good job of redoing this. He thanked Jeremy for the good work. I think it is going to be a win win for everyone.

**Aubrey Shepherd:** My concern is about the approval of things in house by staff that may not get bedded anywhere else. This has some danger in it. He voiced his concerns about slopes and the type of soil in different areas of the City. He also voiced his concerns about the water shed.

**Jeremy Pate:** With respect to this proposal I disagree with Mr. Shepherd. This ordinance very clearly states, I would be resident to bring you an ordinance that allowed staff to amend or change or allow more density that is not within our code. The administrative approval process only allows staff to approve something that is already allowed by the code. It is not something we can approve or the Planning Commission can approve. You would have to rezone the property, apply for variance, or do something that requires a public meeting so public comment would be taken. There would be a decision not by a staff member but by an appointed or elected board. I think that is very important to note. What we are proposing is an ordinance that would allow staff to ensure that the applicant or developer complies with our City Code.

**Alderman Lucas:** There are some areas that are zoned not the way they are built. If some one that comes forward with a lot that is RSF-24 zoned can they do something with that lot under administrative approval?

**Jeremy Pate:** They could, they can do that now. The Planning Commission would have to approve it now if it was zoned that.

**Alderman Lucas:** It would have to come to us?

**Jeremy Pate:** No, it would not.

**Alderman Lucas:** Then we need to fix that.

**Jeremy Pate:** The fix to that is the zoning. That's the function of our neighborhood plans.

**Alderman Ferrell:** Mr. Shepherd if you get a chance to get online and take a look at some of our adjacent communities and their unified development codes and some of the action their planning staff takes, a lot of them are very passive as opposed to ours being very active. We should applaud the vigilance of our staff in the way they work to do it.

**Alderman Lewis:** In regard to the lot splits I agree that's something that I have concerns about just in the amount of impervious surface that gets put on there. It's a difficult decision because you do want to have density in some areas but stormwater is an important part of the decision. Currently lot splits as long as it follows the code doesn't have to go through a public process. I support facilitating the process while also addressing our storm water needs and I think we are doing both of those efforts.

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

*City Attorney Kit Williams read the ordinance.*

**Alderman Ferrell moved to suspend the rules and go to the third and final reading. Alderman Thiel seconded the motion. Upon roll call the motion passed unanimously.**

*City Attorney Kit Williams read the ordinance.*

**Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.**

*Ordinance 5296 as Recorded in the office of the City Clerk.*

**ADM 09-3463 (Amend Chapter 172):** An ordinance amending Title XV: Unified Development Code of the City of Fayetteville, to amend Chapters 161: Zoning Regulations and 172: Parking and Loading in order to update and modify existing requirements and regulations that address the parking needs of all forms of transportation, provide additional parking ratios, and to eliminate unnecessary regulation.

*City Attorney Kit Williams read the ordinance.*

**Jeremy Pate** gave a brief description of the ordinance.

**Alderman Petty:** Would you anticipate that the majority of the more dense areas, the thoroughfares that we planned, to be denser in the 2025 Plan, would be covered by that?

**Jeremy Pate:** I think so. When we created our maps I was surprised by how many overlaps we had. When you add the Ozark Transit and the Razorback Transit stops, there are a lot more overlaps than I thought. It covered more area.

**Alderman Petty** I liked that the reduction in parking requirements kind of emerges with the transit systems as it develops.

**Alderman Lewis:** The transit stops are they just buses right now?

**Jeremy Pate:** That's correct.

**Alderman Lewis:** Is that only public or is that also school?

**Jeremy Pate:** Right now it's the public transit stops that are identified.

**Alderman Ferrell:** Jeremy could you take a friendly amendment on this rack configuration? Seems like businesses unlike the public can't spend as much money on bicycle racks but it seems like it could stifle creativity in a sense. What would you think about custom racks in a form of signage or corporate logos shall be approved?

**Jeremy Pate:** The challenge with that is if it qualifies as a sign it would probably take away the one that they really want to light up. The bicycle rack would count then as an on site free standing sign, we could do that but without amending the sign ordinance that would take the place of their existing sign that they get on the property.

**Alderman Ferrell:** I was afraid you were going to say that.

**Jeremy Pate:** There are creative ways to utilize the shape of the product their offering.

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

*City Attorney Kit Williams read the ordinance.*

**Alderman Thiel moved to suspend the rules and go to the third and final reading. Alderman Lewis seconded the motion. Upon roll call the motion passed unanimously.**

*City Attorney Kit Williams read the ordinance.*

**Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.**

*Ordinance 5297 as Recorded in the office of the City Clerk*

**Amend Chapter 34:** An ordinance to amend §34.23 Purchases and Contracts Not In Excess of \$20,000.00 of the Fayetteville Code to enact subsection (F) Waiver of the Requirement for Bids.

*City Attorney Kit Williams read the ordinance.*

**Kit Williams:** I brought this forward to basically codify what the City Council has done, to some extent in the past, and what you are allowed to do under state law. I recommend that you modify your code to give you this express power, that if you determine it's an exceptional or would not be a practical situation to require quotations, that you as the City Council could waive that requirement and approve a contract.

**Alderman Ferrell:** Kit could you explain that a little bit further.

**Kit Williams:** What this does is it places within the code your right not to waive the code but your right to waive the competitive bidding that is normally required within your code between \$1,000 and \$20,000.

**Alderman Ferrell:** I'm just trying to get an idea of how often an exceptional situation is?

**Kit Williams:** It will be fairly rare that you will have to do it because you haven't had to do it much in the past.

**Alderman Ferrell:** I'm not opposed to that but is there a way that that could be tracked and the Council could get a report how many times that happens.

**Kit Williams:** You will have to approve it every time by ordinance. You will approve it or it will not be done.

**Alderman Ferrell:** That is what was mixing me up.

**Kit Williams:** You will have to pass an ordinance every time, just like you would if it's above \$20,000.

**Alderman Ferrell:** Okay.

**Alderman Lewis:** This just changes the language waiving the requirement rather than waiving the ordinance.

**Kit Williams:** That's correct and it's not good form to waive an ordinance. The Supreme Court doesn't really like that we've done it a few times and I want to change that.

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

*City Attorney Kit Williams read the ordinance.*

**Alderman Petty moved to suspend the rules and go to the third and final reading. Alderman Ferrell seconded the motion. Upon roll call the motion passed unanimously.**

*City Attorney Kit Williams read the ordinance.*

**Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.**

***Ordinance 5298 as Recorded in the office of the City Clerk***

**Amend Chapter 50:** An ordinance amending a portion of Chapter 50: Garbage and Trash of the Fayetteville Code of Ordinances.

***City Attorney Kit Williams read the ordinance.***

**David Jurgens, Utilities Director:** This is to change out the commercial recycling rate from what was adopted a couple months ago \$5.88 per bin for commercial recycling bins to \$5.88 for up to five bins for the commercial recycling bins.

**Alderman Thiel:** This is a move in the right direction since we support recycling and want people to recycle. If we had had our commercial rate study done and had that in place we might have considered this. I would assume that this somewhat covers the cost because it's a matter of the labor involved.

**Alderman Ferrell:** Would there be an instance where we would go out just to pick up a recycling bin? They would already have to be a water and sewer customer?

**David Jurgens:** No sir, the only customers that would be eligible for this program is those that are collocated with an existing route. We will not be adding any routes or adding new staff. This is just expanding what we pick up from an existing route.

**Alderman Ferrell:** So they are a water and sewer customer?

**David Jurgens:** They are already a solid waste customer.

**Alderman Petty** thanked David for reacting to the Council's concerns so quickly.

**Alderman Lewis:** I think it's great that we are going to expand our commercial recycling. Fayetteville has set a good example for recycling for our region so thanks.

**David Jurgens:** Thank you.

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

***City Attorney Kit Williams read the ordinance.***

**Alderman Thiel moved to suspend the rules and go to the third and final reading. Alderman Cook seconded the motion. Upon roll call the motion passed unanimously.**

*City Attorney Kit Williams read the ordinance.*

**Mayor Jordan** asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

*Ordinance 5299 as Recorded in the office of the City Clerk*

**Suspend City Clerk/Treasurer Pay Adjustment for 2010:** An ordinance to suspend the normal pay adjustment of the City Clerk/Treasurer for 2010.

*City Attorney Kit Williams read the ordinance.*

**Mayor Jordan:** I want to personally thank Sondra for this gesture. I know the Council feels the same way.

**Sondra Smith, City Clerk:** I wouldn't expect to get a pay increase if my employees didn't get one.

**Mayor Jordan:** I feel the same way.

**Alderman Thiel:** It should be emphasized that this came from Sondra Smith and her office. This was not recommended by the staff or administration. We really do appreciate that thought.

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

*City Attorney Kit Williams read the ordinance.*

**Alderman Gray** moved to suspend the rules and go to the third and final reading. **Alderman Cook** seconded the motion. Upon roll call the motion passed unanimously.

*City Attorney Kit Williams read the ordinance.*

**Mayor Jordan** asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.

*Ordinance 5300 as Recorded in the office of the City Clerk*

**Agenda Additions:**

**Mayor Jordan:** I understand that Alderman Cook has a walk on item tonight.

**Alderman Cook** moved to suspend the rules and add the following item to the agenda. **Alderman Lucas** seconded the motion. Upon roll call the motion passed unanimously.

**Environmental Action Committee:** An ordinance to amend Article XI **Environmental Action Committee** of Title III **Administration** of the Fayetteville Code to increase the membership by two at-large members.

*City Attorney Kit Williams read the ordinance.*

**Alderman Cook:** The Nominating Committee met Wednesday, due to Sarah Lewis' good job on the Environmental Action Committee, there are quite a few applicants that wanted to be on there. We thought they were qualified and we hated not to put them on there so we discussed amongst ourselves and thought about bringing forward an ordinance to increase the number that sit on that committee. I asked Sarah and she was up for it. She thought more people would be good for what she was doing.

**Alderman Lewis:** The Environmental Action Committee will be very pleased about this.

**Alderman Rhoads:** How many does that make?

**Alderman Cook:** Twelve.

**Alderman Lewis:** Ten.

**Alderman Gray:** Sitting on the Nominating Committee is great fun when you have lots of citizen input and that is what we have had. We appreciate it so much.

**Alderman Lucas:** It was a hard choice.

**Alderman Petty:** Does this make it the largest committee?

**Alderman Thiel:** Tree and Landscape is still the largest isn't it.

**Alderman Cook:** I don't think it is the largest but off the top of my head I couldn't tell you which one it would be.

**Alderman Petty:** Do you think we are setting a precedence here of increasing committee size when we have too many good applicants?

**Alderman Cook:** No, I hope not. The point was Sarah has created a lot of buzz on her committee and she had several good applicants for that. I know she is trying to do some stuff in the background outside the regular committee meetings. We thought an additional two people would help her serve her needs.

**Alderman Petty:** I have chaired a lot of committees and it can be unwieldy when there is so many people, do you anticipate any problems like that.

**Alderman Lewis:** I think everyone will be able to find a way to contribute. At this point when we're minimizing the amount of staff time the more volunteer activity we can get the better. The fact that more people want to participate I say let them in and we will find a way to help them contribute.

**Sondra Smith:** Including the City Council person that serves on that board that will increase the board to eleven.

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

*City Attorney Kit Williams read the ordinance.*

**Alderman Thiel moved to suspend the rules and go to the third and final reading. Alderman Gray seconded the motion. Upon roll call the motion passed unanimously.**

*City Attorney Kit Williams read the ordinance.*

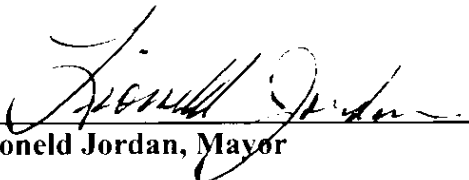
**Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed unanimously.**

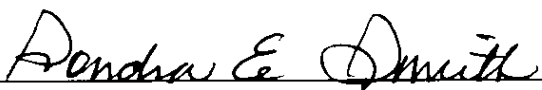
*Ordinance 5291 as Recorded in the office of the City Clerk.*

**Announcements:**

**City Council Tour: None**

**Meeting adjourned at 8:50 p.m.**

  
Lioneld Jordan, Mayor

  
Sondra E. Smith, City Clerk/Treasurer

Council Meeting 12-15-09

**Nominating Committee Report**  
**Meeting: Wednesday, December 9, 2009**  
**Audit Room, City Hall 4:00 p.m.**

**Members Present – Kyle Cook, Bobby Ferrell, Adella Gray, and Shirley Lucas**

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The Committee recommends the following candidates for appointment:

**Airport Board**

- *Vaughn DeCoster* – One pilot term ending 12/31/14.

**Animal Services Advisory Board**

- *Liz Forsbach* – One unexpired Washington Cty. Rep. term ending 6/30/12
- *Alan Thomas Long* – One unexpired citizen at large term ending 6/30/11
- *Elizabeth Matthew* – One unexpired citizen at large term ending 6/30/10.

**Construction Board of Adjustments and Appeals**

- *Richard Watkins* – One unexpired term ending 03/31/14.

**Environmental Action Committee**

- *Phil Penny* – One local industry term ending 12/31/12
- *Louise Mann* – One citizen at large term ending 12/31/12

We also request to add the following members pending the ordinance change.

*Terri Lane* – One citizen at large term ending 12/31/12

*Susan Drouilhet* – One citizen at large term ending 12/31/11.

**Parks and Recreation Advisory Board**

- *Jennifer Hazelrigs* – One term ending 12/31/11
- *Michael Lindsey* – One term ending 12/31/12
- *Bill Waite* – One term ending 12/31/12
- *Phillip Watson* – One term ending 12/31/12.

**Sidewalks and Trails Task Force**

- *Susan Jenkins* – One term ending 12/31/11
- *Paul Leblanc* – One term ending 12/31/11
- *Quin Thompson* – One term ending 12/31/11
- *Morgan Dooley* – One term ending 12/31/11
- *Edward Hejmanek* – One term ending 12/31/11.

**Tree and Landscape Advisory Committee**

- *Betty Martin* – One university representative term ending 12/31/11
- *James Gibson* – One business term ending 12/31/11.