

Alderman Adella Gray
Ward 1 Position 1

Alderman Sarah Marsh
Ward 1 Position 2

Alderman Mark Kinion
Ward 2 Position 1

Alderman Matthew Petty
Ward 2 Position 2



Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. Smith

Alderman Justin Tennant
Ward 3 Position 1

Alderman Martin W. Schoppmeyer, Jr.
Ward 3 Position 2

Alderman Rhonda Adams
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

**City of Fayetteville Arkansas
Special City Council Meeting
August 18, 2014**

A special meeting of the Fayetteville City Council was held on August 18, 2014 at 6:30 PM 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 Adella Gray, Sarah Marsh, Mark Kinion, Matthew Petty, Justin Tennant, Martin Schoppmeyer, Rhonda Adams, Alan Long, Mayor Lioneld Jordan, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

Pledge of Allegiance

Agenda Additions: None

New Business:

Possible Change in Venue for the August 19, 2014 City Council Meeting: A resolution to move the City Council meeting of August 19, 2014, to the Fayetteville Town Center and to approve a budget adjustment of \$2,000.00 for the rental cost of the Town Center.

Kit Williams, City Attorney: There are three aldermen that have sponsored and requested this special meeting.

Mayor Jordan: Yes, Council members Long, Tennant and Schoppmeyer.

Alderman Long: I agreed to have this meeting so we could have the discussion because Alderman Schoppmeyer and Tennant wanted that.

Alderman Tennant: I have a couple of concerns about tomorrow night's meeting. One is the size of the room. I anticipate a lot more people than this room will hold. Being after hours in City Hall, I can see us having people out in that room and down the stairs. Once we fill up the lobby, I am assuming all the offices will be locked. People will then be flowing out into the street and on the sidewalk. It concerns me from a safety perspective because it may be 85 or 90 degrees tomorrow night. Are we going to give them water or chairs?

I reached out to the Town Center and they can seat up to a thousand people which I think is adequate space. The Town Center has bathrooms, air condition and ample parking. I know there are details that may make it possible or not possible.

Alderman Schoppmeyer: My major concern is the safety of our citizens and making sure we meet fire code. The last time we were in here it was overly crowded. If there had been some sort of emergency we would have had trouble getting out. I know tomorrow night is going to be even worse. We need to think about the safety of citizens and us as well.

Mayor Jordan: Chief Dayringer, could you address the amount of people that are going to be allowed in the room tomorrow night.

David Dayringer, Fire Chief: Each room has an occupancy load. It is a calculation based on the code and the code provides from means of egress in case we had to evacuate. This is a multi-use building. You can't put a number on the whole building, however we do put numbers on the spaces. The City Council room occupancy limits 130 people. The second floor is rated for 46 people. The first floor lobby is rated for 95 people. Room 111 is rated for 41 people and outside of Room 111 in the Water Department is rated for 43. Each of those has to stand on its own. That calculation is based on whether it is standing, which is five square feet per person or sitting in chairs, which is seven square feet per person or a place with tables and chairs, which is 15 square feet per person.

As far as the safety to evacuate the building, the code is in place for both buildings so the means of egress is there for both rooms. The only difference would be the stairwell. You would have to evacuate this room and go down the stairwell. We are going to be staffed in either location and counting people that are in the rooms so that it doesn't get overcrowded. If it does, we will have to block anyone else from coming in further. We have contingencies for allowing the people to come in that want to speak for either location.

Alderman Tennant: If all those numbers happened, then someone would make the decision that no one else could come through the lobby doors?

David Dayringer, Fire Chief: We could get to that point. All those rooms together are 355 persons. We will be counting at either location. Public safety is our main concern.

Mayor Jordan: If we move it to the Town Center there are some issues with being able to do the live recording and that is a concern of mine.

Fritz Gisler, Director of Media Services: We are concerned about the capacities of the buildings and public safety. There are some concerns if we move to the Town Center. The first concern is there are no assisted listening devices available in the Town Center. We have what are required to be here for the public. We will not be able to telecast the meeting live because there are no connections that we can send videos and audio over from the Town Center to the Television Center where all of our telecast signals originate. The Television Center is where we send out our Government Channel feed to Cox Cable, AT&T Universe and if you go to accessfayetteville.org you can watch our live internet stream. From here to the Television Center we have fiber optic connections and they don't exist from the Town Center.

I have had questions about doing some other internet streaming. The issues we anticipate with streaming it over the internet, we don't have the technology in place at this time. We anticipate acquiring it in the near future. To get it for tomorrow night's meeting is problematic and may not be available without significant cost. The other issue is if we do not originate our signals from the Television Center and we are just streaming it over the internet over an independent website is being able to communicate to our residents where to go to see it.

Another consideration is that you all utilize and access data over the city's network, especially the City Clerk during the meeting. I am not aware of the capability of getting into the city's network from an outside location like the Town Center.

Sound reinforcement is less than ideal. The professionals that work in the Town Center recognize that the Town Center acoustically is not one of the greatest places. Our in house system is not designed to work in a room that large, but we could overcome some of that.

My final concern is my staff. What we would need to do to record the meeting over at the Town Center would require four staff members. It would take us a few hours to do the set up, we would have to work throughout the meeting, tear it down and take it all back to the Television Center, with no relief. If we do it here, we have two staff members in the control booth that are working the meeting. My plan would be to have them start the meeting and at around 10:00 p.m. have two other staff members come in and relieve them.

Alderman Long: I thought the Town Hall meetings were broadcasted. Are they not?

Fritz Gisler, Director of Media Services: They aren't telecast live. We record them and telecast later.

Alderman Tennant: My concern is if all the rooms fill up and you have people outside wanting to speak. How would they get access to the room?

Greg Tabor, Chief of Police: I have to talk to the Fire Chief about that. Once you reached the maximum number, for someone else to come in, someone is going to have to leave. We are really going to have to keep track of that once you reach the maximum number.

David Dayringer, Fire Chief: Talking to people who were here for the smoking issue, the people who wanted to speak lined up down the steps. We would have to keep the steps open, but let them line up, then escort someone from outside in here to speak and then escort them out.

Alderman Tennant: One in and one out type of situation.

Greg Tabor, Chief of Police: From a law enforcement public safety standpoint, there aren't probably a whole lot of differences. There are a couple of different laws you might be able to not do in this building that you could do in other buildings. It talks about public facilities. I think the Town Center would qualify as a public facility. The rules of what you could do and not do are probably the same in this building as they are in that building. There is another law that talks about where the governing body of the city is meeting. Whether you are meeting here or over there, once again that law would apply and the rules would be the same for both those places based on City Council meeting there and they both being public facilities.

David Dayringer, Fire Chief: Fritz is going to have Room 111 set up for an overflow crowd. When this room fills up we can send them to the overflow locations. It would be Room 111 and the foyer where the Water Department is. We want to restrict people packing in to the foyer downstairs because that is the means of egress.

Alderman Tennant: Where will video feeds of the meeting be going live in the building?

Fritz Gisler, Director of Media Services: In Room 111 and we will also have a display in the area that is right outside of Room 111 where people use for new water accounts.

Alderman Tennant: They can hear it and see it?

Fritz Gisler: Yes.

Don Marr, Chief of Staff: There is also audio in the foyer outside of this chamber.

Alderman Long: If we have the meeting here and we have video feeds in Room 111 and outside 111, could we have chairs set up in the area outside 111 for people to sit in?

Don Marr, Chief of Staff: For the number of chairs that we own, yes we can.

Paul Phaneuf, Fayetteville Citizen stated safety is an important concern. He believes it is important that everybody has an opportunity to speak at the meeting.

Laura Phillips, 2055 Klein stated she is on the Board of Directors for the Northwest Arkansas Center for Equality. She stated she is helping organize speakers for tomorrow night that are in favor of the ordinance. She is in favor of having the meeting at City Hall.

David Garcia, 252 Thompson Avenue stated he appreciates the concern for public safety and is in favor of having the meeting at City Hall. He believes if the Fire and Police Chief were raising concerns about so many people being at City Hall then he would think differently about the venue.

Duncan Campbell, Fayetteville Citizen stated he is in favor of moving the meeting to the Town Center. He believes it will be cooler and safer.

Stephanie Nichols, Attorney from Jonesboro stated she is representing several citizens of Fayetteville and many local churches. She stated that some citizens she is representing are disabled. She stated she is in favor of having the meeting at the Town Center.

Alderman Long: You said you thought it was important for everyone to be able to hear at the meeting. Without the hearing devices for the impaired, how would the disabled person hear?

Stephanie Nichols: There is a 72 hour advance notice required for TDD. Has anybody signed up to need that service yet?

Sondra Smith, City Clerk: The City Clerk's office has not received any request for a hearing device. I don't know if Media Services has.

Alderman Petty: I am glad we are here talking about this, especially with some of the concerns about safety. The comment we heard what our Fire Chief and Police Chief have said was very salient. I believe it is manageable if we look at the history of the kinds of crowds we have been able to accommodate here. I think we could accommodate this crowd. There is value in being able to watch this live and in my perspective it is very important. I will be voting to keep it here.

In terms of public comment we have a commitment to allow all members of the audience to speak on all items of old and new business and subjects of public hearings. Everyone who shows up will be able to speak, regardless of the venue. This is the right venue to be able to broadcast live.

Mayor Jordan: I know the Chief of Staff and I were here for the first smoking ordinance. We saw this room packed, down the stairs and outside. It's not the first time we have seen this kind of crowd.

Alderman Marsh: Is there a precedent for having moved meetings to another location or have they always been here?

Mayor Jordan: The only time we moved it was when the elevator was out and we moved it to the District Courtroom.

Alderman Gray: We did that for the disabled. I do have a concern about setting a precedent on such issues. The smoking ordinance was a huge issue. I think the \$2,000.00 that it's going to cost us to move is no small item. When we set the precedent for moving it, I think it is significant.

Alderman Tennant: Thank you to Council for coming for a special meeting. I don't regret us having this special meeting because it was based on public safety. I believe any time somebody up here thinks public safety needs to be discussed, I will be more than happy to meet. This sounded like a good idea until getting into the details of it. I thought it was a really good idea to move it to the Town Center until I heard the video situation from Fritz Gisler. I've always thought Fritz does a great job and this has nothing to do with you, but I find it ridiculous we don't have the ability to

have a remote type way to go out and do live streaming. There might be a way to stream it on the internet through a link or something, but that would eliminate people that only watch these on cable. I would hate for somebody that doesn't have internet to not have access to it. I think we have to have it here.

Don Marr, Chief of Staff: On your consent agenda at this upcoming council meeting is a technology approval that would allow the city the ability to stream in remote locations. It was done long before this issue came forward and it is in your CIP Plan that is before you. In the future that will be an option. It will never be an option for it to go through Cox and AT&T through our television center unless you run fiber to each location in which you are planning to connect through our video playing capabilities within those two services. If there are other venues over time that you think might do this, it might be worth the dollars to run that fiber. It was \$15,000.00 for the city to run the fiber from the Television Center to this building. It may be feasible to do that for another location should you want to consider it in the future. The issue is beyond the internet streaming capabilities, it's the television capability.

Alderman Tennant: If we spent that money, you might be able to stream live on the website to where you can watch the video, but not the cable channel?

Don Marr, Chief of Staff: Assuming you all approve this item that is coming up. The Government Channel on Cox and the AT&T channel would require fiber connectivity to the station.

Kit Williams, City Attorney: There should be some motion to either approve or if the proponent would rather have it tabled indefinitely, that could be done.

Alderman Tennant moved to table the resolution indefinitely. Alderman Schoppmeyer seconded the motion. Upon roll call the motion to table indefinitely passed unanimously.

This resolution was tabled indefinitely.

Kit Williams, City Attorney: Mayor Jordan, you probably should address the issue about how soon this room would be available for people to come and sit in.

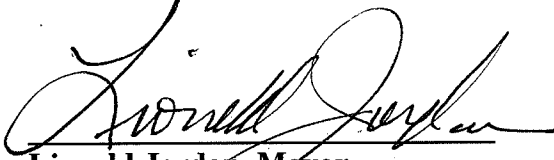
Mayor Jordan: We are going to open the doors at 4:30 p.m. tomorrow, correct?

Sondra Smith, City Clerk: That is my understanding.

Don Marr, Chief of Staff: Typically the Council room is open at 5:00 p.m. which is 30 minutes before the meeting. Due to numerous calls we are going to open at 4:30 p.m.

Announcements:

Adjournment: 7:08 p.m.


Lioneld Jordan, Mayor


Sondra E. Smith, City Clerk/Treasurer