

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
City Council Meeting
September 16, 2014**

A meeting of the Fayetteville City Council was held on September 16, 2014 at 5:30 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

Mayor's Announcements, Proclamations and Recognitions: None

City Council Meeting Presentations, Reports and Discussion Items:

Nominating Committee Report

Alderman Tennant moved to add Dr. Damon Lipinski as an appointment to the Urban Forestry Advisory Board and add him to the Nominating Committee report. Alderman Gray seconded the motion. Upon roll call the motion passed 7-0. Alderman Adams was absent during the vote.

Alderman Tennant presented the Nominating Committee Report.

A copy of the report is attached.

Alderman Gray moved to approve the Nominating Committee report. Alderman Tennant seconded the motion. Upon roll call the motion passed 7-0. Alderman Adams was absent during the vote.

Agenda Additions: None

Consent:

2014 Bulletproof Vest Partnership Program: A resolution authorizing acceptance of a fifty percent (50%) matching grant award from the 2014 Bulletproof Vest Partnership Program in the amount of \$40,209.00 for the replacement of body armor vests for Fayetteville police officers and tactical body armor vests for emergency response team officers, and approving a budget adjustment.

Resolution 167-14 as recorded in the office of the City Clerk.

Federal and State Law Enforcement Forfeiture Revenue: A resolution approving a budget adjustment in the total amount of \$54,451.00 recognizing federal and state law enforcement forfeiture revenue received through August 2014 and proceeds from the sale of used tasers.

Resolution 168-14 as recorded in the office of the City Clerk.

Arkansas Fire and Police Pension Board Supplement: A resolution to approve a budget adjustment in the amount of \$12,563.00 to recognize revenue received from the Arkansas Fire and Police Pension Board for a future supplement to pensioners of the Fayetteville Firefighters Pension and Relief Fund.

Resolution 169-14 as recorded in the office of the City Clerk.

Bid #14-50 H&H Directional Boring Services: A resolution to award Bid #14-50 and authorize the purchase of directional boring services from H&H Directional Boring, Inc. in variable amounts as needed for constructing pipeline crossings through the end of 2014.

Resolution 170-14 as recorded in the office of the City Clerk.

Alderman Long moved to approve the Consent Agenda as read. Alderman Tennant seconded the motion. Upon roll call the consent agenda passed unanimously.

Unfinished Business: None

Public Hearing:

909 W. Eagle Street Raze and Removal: A resolution to order the razing and removal of a dilapidated and unsafe structure owned by Kenneth C. and Wanda L. Easterling located at 909 W. Eagle Street in the City of Fayetteville, Arkansas, and to approve a budget adjustment.

Jeremy Pate, Director of Development Services stated the owner obtained a demolition permit and is removing the structure and cleaning up the property. He requested the item to be tabled to December 2, 2014 to allow for sufficient time to do the work.

Alderman Petty moved to table the resolution to the December 2, 2014 City Council meeting. Alderman Marsh seconded the motion. Upon roll call the motion passed unanimously.

This resolution was tabled to December 2, 2014.

New Business:

RZN 14-4803 (Intersection of Champion and Windswept Drives/Summit Place S/D): An ordinance rezoning that property described in Rezoning Petition RZN 14-4803, for approximately 15.62 acres, located along Champion and Windswept Drives from NC, Neighborhood Conservation, to RSF-4, Residential Single Family, 4 units per acre.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Planning Commission voted 8-0 in favor and staff is supporting the request.

Alderman Petty 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 Gray moved to suspend the rules and go to the third and final reading. Alderman Marsh 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 5710 as Recorded in the office of the City Clerk.

RZN 14-4807 (103 Plainview Ave./Daniel): An ordinance rezoning that property described in Rezoning Petition RZN 14-4807, for approximately 3.34 acres, located at 103 Plainview Avenue from RSF-4, Residential Single Family, 4 units per acre, to R-O, Residential-Office.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Planning Commission voted in favor of the request and staff is supporting the request.

Alderman Tennant moved to suspend the rules and go to the second reading. Alderman Adams seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Adams moved to suspend the rules and go to the third and final reading. Alderman Tennant 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 5711 as Recorded in the office of the City Clerk.

Kessler Consulting, Inc.: A resolution to authorize a contract with Kessler Consulting, Inc. of Tampa, Florida for the development of a ten year solid waste master plan in an amount not to exceed \$264,890.00, and to approve a budget adjustment.

Jeff Coles, Director of Recycling & Trash Collection Division stated they were looking forward to moving forward with this.

Quin Montana: I would like for the city to deal with the plastic bags, specifically as a separate issue from other waste. I know there is a plan that has been discussed.

Jeff Coles: We discussed with Kessler Consulting about that very item. It will be an integral part of the plan and or ultimately what determinations are made about what's to be done with that.

Quin Montana stated she had collected petition of people who are interested in dealing with plastic bags. She believes it is time this specific issue be addressed separately. She gave statistics on plastic bags.

A discussion continued about plastic bags being a part of the overall plan.

Alderman Marsh: This is something we have talked about in the Environmental Action Committee on several occasions. I have requested from our Chief of Staff as to when we can put

this on staff schedule to look at this and he has promised me there will be staff time available in the spring.

A discussion followed about performance metrics for the purpose of improving the program.

Alderman Petty: Thank you to staff for preparing the Request for Proposals and making a selection. I want to be careful because sometimes it sounds like when we say we are going to study something, it sounds like we are saying we are going to wait for the study to see if it is a good idea or not to deal with it. That is not what I want to communicate. The reason we are doing this is because we know we have a problem and we need to put some effort into looking at it.

Alderman Gray: Matthew, you are more interested in seeing the plan, than the study?

Alderman Petty: Yes, the study is the baby step.

Alderman Kinion: When this was developed we talked about the different tasks that were involved with the Water, Sewer & Solid Waste Committee. This is very comprehensive. The price tag is formidable. We want to put a workable plan together where we meet our very aggressive goals the city has put forward previously. I would encourage anyone to look at the task that are outlined in this plan and also the committee that reviewed the companies that applied for this. We worked very hard to be sure they had the capacity to deliver what we had asked. I feel confident after working on the committee that this is an organization that will give us the deliverables we are asking for.

Alderman Marsh: The Environmental Action Committee was involved in drafting the Request for Proposals for this. We are calling it a study, but the study is to make sure our plan is as effective as it possibly can be. I feel good about this proposal. I intend to address the plastics issue as soon as we are able.

Alderman Petty moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the resolution passed unanimously.

Resolution 171-14 as recorded in the office of the City Clerk.

2014 Millage Levy: An ordinance levying a tax on the real and personal property within the City of Fayetteville, Arkansas, for the year 2014 fixing the rate thereof at 1.3 mills for General Fund Operations, 0.4 mills for the Firemen's Pension and Relief Fund, 0.4 mills for the Policemen's Pension and Relief Fund and 1.0 mill for the Fayetteville Public Library; and certifying the same to the County Clerk of Washington County, Arkansas.

City Attorney Kit Williams read the ordinance.

Paul Becker, Finance Director gave a brief description of the ordinance. He stated there was a story reported on the television that talked about this being a tax increase. He stated the television report was incorrect. He stated the same millage is being recommended as last year.

Alderman Petty 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 Petty 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 5712 as Recorded in the office of the City Clerk.

Hotel, Motel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014: An ordinance authorizing the issuance and sale of not to exceed \$11,900,000 of Hotel, Motel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014, by the City of Fayetteville, Arkansas for the purpose of (1) refunding the City's outstanding Hotel, Motel and Restaurant Gross Receipts Tax Refunding Bonds, Series 2003, (2) financing certain costs in connection with the renovation and expansion of Walton Arts Center, and (3) financing certain costs in connection with a Regional Park; authorizing the execution and delivery of a Trust Indenture pursuant to which the Series 2014 Bonds will be issued and secured; authorizing the execution and delivery of an Official Statement pursuant to which the Series 2014 Bonds will be offered; authorizing the execution and delivery of a Bond Purchase Agreement providing for the sale of the Series 2014 Bonds; authorizing the execution and delivery of an Escrow Deposit Agreement providing for the redemption of the Series 2003 Bonds; authorizing the execution and delivery of a continuing Disclosure Agreement; and prescribing other matters relating thereto.

City Attorney Kit Williams read the ordinance.

Paul Becker, Finance Director gave a brief description of the ordinance.

Alderman Long: What is BOKF, NA Bank?

Paul Becker: Bank of Oklahoma and they have an affiliation or association with the Bank of Arkansas. They are the trustee on this issue.

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

City Attorney Kit Williams read the ordinance.

Alderman Long: What portion of the bond proceeds could be used to purchase the bond insurance?

Dennis Hunt, Stephens Inc.: I don't know an exact amount. Given what I've seen in the environment with the insurers right now it is relatively a small amount compared to the overall bond issue size.

Paul Becker: Stephens is the underwriter. They are not our financial advisors. When the information is gathered it comes to me and I recommend that decision to the Mayor. We make the decisions on that based on a recommendation from the underwriter.

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

City Attorney Kit Williams read the ordinance.

City Attorney Kit Williams: For the last dozen or so years we have been served by Stephens Inc. as our underwriter and Kutak Rock as our bond counsel. They have been good to work with and very conscientious. It has been a pleasure working with you and thank you for your help with this particular issue.

Mayor Jordan: You all have done a great job.

Alderman Kinion: As an employee of the Bank of Arkansas which is owned by the Bank of Oklahoma Financial group, I am voluntarily going to abstain.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Kinion abstained.

Ordinance 5713 as Recorded in the office of the City Clerk.

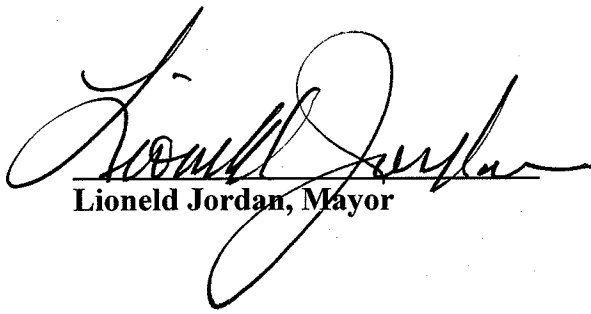
City Council Agenda Session Presentations:

2015 General Fund Budget Discussion – Paul Becker, Finance Director

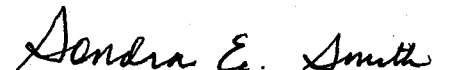
City Council Tour: None

Announcements: None

Adjournment: 6:30 p.m.



Lioneld Jordan
Lioneld Jordan, Mayor



Sondra E. Smith
Sondra E. Smith, City Clerk/Treasurer

Nominating Committee Report

Wednesday, September 10, 2014

Members Present – Chair Justin Tennant, Adella Gray, Rhonda Adams and Mark Kinion

The Mayor recommends the following candidate for appointment:

FAYETTEVILLE PUBLIC LIBRARY

Janine A. Parry – One unexpired term ending 04/01/18

The Nominating Committee recommends the following candidates for appointment:

ACTIVE TRANSPORTATION ADVISORY COMMITTEE

Paxton Roberts – One unexpired Community Citizen at Large Bicycle Advocate term ending 12/31/15

CITY BOARD OF HEALTH

No applications were received– One unexpired Physician term ending 12/31/16

ENERGY IMPROVEMENT DISTRICT NO. 1

Kelly Tribell – One unexpired term ending 12/31/15

TOWN AND GOWN ADVISORY BOARD

No applications were received – One Ward 2 Resident term ending 09/30/16

Ryan Miller – One Ward 4 Resident term ending 09/30/16

Steve Clark – One Business Owner/City Development term ending 09/30/16

URBAN FORESTRY ADVISORY BOARD

Glenda Patterson – One Community Citizen at Large term ending 12/31/16

Damon Lipinski – One unexpired Land Development term ending 12/31/15