

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 John La Tour
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

**City of Fayetteville Arkansas
City Council Meeting
May 5, 2015**

A meeting of the Fayetteville City Council was held on May 5, 2015 at 5:30 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 Adella Gray, Sarah Marsh, Mark Kinion, Matthew Petty, Martin Schoppmeyer, John La Tour, Alan Long, Mayor Lioneld Jordan, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

ABSENT: Alderman Justin Tennant

Pledge of Allegiance:

Mayor's Announcements, Proclamations and Recognitions: None

City Council Meeting Presentations, Reports and Discussion Items:

Quarterly Financial Report - 1st Quarter 2015, Paul Becker, Chief Financial Officer

Paul Becker, Finance Director gave a brief summary of the 1st Quarter Financial Report for 2015.

Alderman La Tour: Taking in consideration every fee or dollar we bring in from taxes, user fees and fines from the public, how many dollars do we receive in one budget year?

Paul Becker: Roughly, \$120 million in total.

Alderman La Tour: Would that include grants coming in from federal sources?

Paul Becker: Yes.

Alderman La Tour: We spend that in a year?

Paul Becker: It depends. If we have bond issues, we can cover that. We still have some outstanding bond issues that we did. That revenue is generated and we collect it in one year and our expenditures are not in sync with that so we are still spending down bond money for the street program. We are still spending money from the parking fund in that project. Sometimes we are going into reserves, but those reserves were either generated previously due to more revenue or less expenditures than we had expected, or bond issues. The biggest gap between them are outstanding bond issues.

Alderman La Tour: How much money do we have in reserve balances at the end of April in all the funds?

Paul Becker: It would be about \$40 million.

A discussion followed about fund balances.

Alderman La Tour: Which bank do we do business with?

Paul Becker: We do business with several banks. Our primary deposit bank is Arvest. We have banking arrangements with the Bank of Fayetteville. Our investment funds are with Simmons. We have accounts with First Security.

Agenda Additions: None

Consent:

Approval of the April 21, 2015 City Council meeting minutes.

Approved

2015 Community Development Block Grant (CDBG) Agreement: A resolution to authorize the Mayor to execute the Community Development Block Grant (CDBG) Agreement for 2015 when received in the amount of \$574,209.00 and to approve the 2015 Action Plan.

Resolution 91-15 as recorded in the office of the City Clerk

Amend Resolution No. 191-14: A resolution to amend Resolution No. 191-14 concerning the purchase of two (2) International 7300 dump trucks with Henderson belly plows from Summit Truck Group of Lowell, Arkansas for use by the Transportation Division.

Resolution 92-15 as recorded in the office of the City Clerk

Williams Tractor of Fayetteville: A resolution to authorize the purchase of one (1) Bobcat Toolcat utility vehicle from Williams Tractor of Fayetteville in the amount of \$51,763.00 plus any applicable taxes, pursuant to a National Joint Powers Alliance cooperative purchasing agreement, for use by the Parks and Recreation Department.

Resolution 93-15 as recorded in the office of the City Clerk

Scott Equipment of Springdale: A resolution to authorize the purchase of a Gradall XL3100 IV 4x2 Excavator Truck from Scott Equipment of Springdale, Arkansas in the amount of \$313,324.00 pursuant to a National Joint Powers Alliance cooperative purchasing agreement for use by the Transportation Services Department.

Resolution 94-15 as recorded in the office of the City Clerk

Bid #15-22 Truck Centers of Arkansas: A resolution to award Bid #15-22 and authorize the purchase of three (3) Freightliner Dump Trucks from Truck Centers of Arkansas in the total amount of \$368,232.00 for use by the Water and Sewer Operations Division and the Transportation Services Department, and to approve a budget adjustment.

Resolution 95-15 as recorded in the office of the City Clerk

Bid #15-29 Hutchens Construction: A resolution to award Bid #15-29 and authorize the purchase of Cold Asphalt Concrete from Hutchens Construction for a unit price of \$105.00 per ton as needed through the end of 2015.

Resolution 96-15 as recorded in the office of the City Clerk

Amend Resolution No. 05-15: A resolution to amend Resolution No. 05-15 concerning the Transportation Division Overlay/Sidewalk Projects list for 2015.

Resolution 97-15 as recorded in the office of the City Clerk

Garver, LLC Task Order No. 2: A resolution to approve Task Order No. 2 with Garver, LLC for design work, bidding services, construction phase services, materials testing and closeout services associated with the Airport Terminal Apron Rehabilitation Project in an amount not to exceed \$73,000.00, and to approve a budget adjustment.

Resolution 98-15 as recorded in the office of the City Clerk

Arkansas Department of Aeronautics Grant: A resolution to authorize application for an Arkansas Department of Aeronautics 90/10 grant in an amount up to \$500,000.00 for rehabilitation of the Airport Terminal Parking Apron, with the final amount contingent on the actual cost of the project based on competitive bidding.

Resolution 99-15 as recorded in the office of the City Clerk

Bright Investments, LLC: A resolution to approve the Performance Bond of Bright Investments, LLC to guarantee construction of required sidewalk improvements along Armstrong Avenue by the end of 2017.

Resolution 100-15 as recorded in the office of the City Clerk

Alderman Marsh moved to accept the Consent Agenda as read. **Alderman Gray** seconded the motion. Upon roll call the motion passed 6-1. **Alderman La Tour** voting no. **Alderman Tennant** was absent.

Unfinished Business:

Amend §33.329 Eligibility of Citizen Volunteers: An ordinance to amend §33.329 Eligibility of Citizen Volunteers to Serve on City Boards, Commissions and Committees to remove the restriction on the number of consecutive terms a citizen may serve. *At the April 7, 2015 City Council meeting this ordinance was left on the First Reading. At the April 21, 2015 City Council meeting this ordinance was left on the second reading.*

Alderman Gray moved to suspend the rules and go to the third and final reading. **Alderman Long** seconded the motion. Upon roll call the motion passed 6-1. **Alderman La Tour** voting no. **Alderman Tennant** was absent.

City Attorney Kit Williams read the ordinance.

Alderman Long: I feel we have an arbitrary rule on the City Council. As a governing body that is elected in the City of Fayetteville we can choose from whatever the pool of applicants is that we want to appoint to our Boards and Commissions. It seems arbitrary to limit ourselves in accepting qualified applicants and telling others that we may not want to engage them on that level by saying that we won't take your application. The City of Fayetteville should change that limitation and be able to accept those applications.

Alderman La Tour: I like the idea of free exchange of ideas and the idea of fresh blood on these committees. I don't want the committees to be dominated by people who are professional committee members and that is what I fear lifting this restriction will do. I want everyone to be able to participate, not just a select few. I don't want to remove those restrictions that make it difficult for new comers to get onto those committees. We should have a broad range of ideas in thinking. Serving two terms is plenty time to influence policy.

Alderman Gray: I have served as Chair on the Nominating Committee for many years. I can't think of a time when it created a huge problem. Whenever a person does have to stay out their term, it gives them the opportunity to look at some other committees they can serve. I want to see it stay as it is.

Alderman Kinion: I am currently the Chairman of the Nominating Committee. This was tough for me because I don't like restrictions. This is different than an elected position, it is an appointed position for individuals. By having this restriction in place it prevents cronyism. It allows individuals the opportunity to have new ideas come forth in the long term activity of some very powerful committees. The individual who takes a term off can still serve in other positions. They bring experience from a previous committee to a new committee in order to make that committee reenergized or to bring in some new ideas. We always have a very large number of applicants for our committees. By having this turn over we are building a larger community of experience throughout the community that is very engaged, experienced, and knowledgeable. I can't support the change.

Alderman Marsh: We are limiting people to two terms. These are four year terms, so that's eight years on a committee. I think that is a good long time for someone to serve. We have almost 75,000 residents of this community. We have a huge pool of applicants to choose from. It is good to have a broad diverse group of people for ideas and have new perspectives. I am not going to support the change.

Loraine O'Neal, 3001 West Wedington Drive spoke in opposition of the ordinance.

Jeff, 920 North Leverett Avenue spoke in opposition of the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance failed 1-6. Alderman Long voting yes. Alderman Petty, Schoppmeyer, La Tour, Gray, Marsh, and Kinion voting no. Alderman Tennant was absent.

This Ordinance Failed

Amend §72.03 Parking Prohibited in Certain Places: An ordinance to amend §72.03 Parking Prohibited in Certain Places of the Fayetteville Code by enacting a new subsection to prohibit parking on a city street in front of and blocking a mailbox. *At the April 7, 2015 City Council meeting this ordinance was left on the First Reading. At the April 21, 2015 City Council meeting this ordinance was left on the second reading.*

The new amended ordinance title is:

Enact §72.19 Parking Blocking a Mailbox Prohibited: An ordinance to enact §72.19 Parking Blocking a Mailbox Prohibited.

City Attorney Kit Williams: Before we go to the third reading, we had a suggestion at the last City Council meeting by Alderman Petty to slightly amend the penalty provision to lower the penalty to \$15.00 instead of \$70.00.

Alderman La Tour: I support the amendment. I don't like the whole procedure because I don't think there is a real big problem. I would like to see individuals work it out among themselves and apply postal regulations to protect the integrity of postal delivery.

Alderman Marsh: I like the amendment. I was uncomfortable with the high fee of \$70.00. It would have been a stiff penalty when we don't have signage or prohibitive curb markings at each incident.

Alderman Long: I appreciate the amendment from Alderman Petty. It is a good idea and I am open to discussing changes to the ordinance to make it better.

Alderman Gray: I spoke to my postal person and he would be in support of this amendment. We have heard from our Police Department saying they think it would be helpful if there was an ordinance.

Alderman Long moved to amend the ordinance penalty section. Alderman Marsh seconded the motion. Upon roll call the motion passed 7-0. Alderman Tennant was absent.

City Attorney Kit Williams read the amended ordinance.

Alderman Petty: The next item on the agenda is allowing the Traffic Superintendent to paint curbs or erect signs to indicate a no parking zone. The language says where necessary. If this ordinance didn't pass, would the Traffic Superintendent be allowed to create a no parking zone next to a mailbox?

City Attorney Kit Williams: I would say not. The Traffic Superintendent can only place no parking signs or curb markings where the City Council has already approved it. The Traffic Superintendent can designate certain streets sometimes for particular reasons as no parking areas, but he can't say throughout the city, no parking in front of mailboxes.

Alderman Petty: As lawmakers we have the notion of subsidiary with our laws. There are certain problems that are federal, state, or local and have to be handled at their level. There are some problems that have to be handled at a neighborhood level. The letters we have received have been in support of the ordinance and every incident up to this point has been addressed among the neighbors. It makes me wonder if that just can't continue to happen that way. Has there been any conversations about including a three strike rule in the enforcement policy?

Greg Tabor, Chief of Police: We haven't had any specific conversations about how we would enforce this. We try to not limit an officer's discretion. We leave each traffic offense, ticket or arrest up to that particular officer at the time based on the circumstances. An officer is going to give a lot of warnings in this situation. I don't think their first reaction will be to write a ticket.

Mayor Jordan reiterated Chief Tabor's statement.

Alderman Petty: I appreciate the explanation and I am comfortable supporting it.

City Attorney Kit Williams stated he would like to amend the ordinance for grammatical usage.

Alderman Petty moved to amend the ordinance for grammatical usage as proposed by the City Attorney. **Alderman Long** seconded the motion. Upon roll call the motion passed 7-0. **Alderman Tennant** was absent.

Peter Tonnessen, 3500 Hearthstone Drive: If there isn't going to be signage or painted lines, who gets to decide where the mailbox goes?

City Attorney Kit Williams: I'm not aware of regulations on that.

Alderman Kinion: In my neighborhood there was discussion on this due to mailboxes being moved from the door to the street. We contacted the postmaster and that was not a federal regulation. It is not regulated to that degree. There are neighborhoods putting in the neighborhood boxes because that is the preference of the postal service.

The intent is to prevent a person from continually blocking a mailbox. There are individuals who depend on the service of the U.S. Postal Service for their income checks and pharmaceutical deliveries. Out of regards for these type of instances I think it is alright to support this.

Loraine O'Neal, 3001 West Wedington Drive spoke in opposition of the ordinance. She believes this is a single neighborhood issue and is concerned about possible litigation if the city does not respond appropriately.

Mayor Jordan: Chief Tabor spoke to us two weeks ago and said he had about 20 complaints.

Greg Tabor, Chief of Police: When I ran the numbers we had about 20 complaint calls in the last year. I didn't specifically look at where they were at.

Alderman La Tour: What did you do to rectify that when you got a complaint?

Greg Tabor, Chief of Police: Our dispatchers tell them there is nothing illegal against that and there is nothing we can do. If they still insist on an officer, then an officer will tell the complainant that we can't do anything.

Laura Phillips, 2055 South Cline stated she had this situation happen recently where neighbors were parked in front of her mailbox and driveway. She spoke in favor of the ordinance.

Hunter Hampton, 920 North Leverett Avenue spoke in favor of the ordinance.

Alderman La Tour: I'm all for people not blocking mailboxes and driveways. If someone blocks your driveway, that is already in our code. Most college parties take place at night, not between the hours of 8:00 a.m. and 5:00 p.m. We aren't painting the curb or putting up signs. I'm afraid people will get caught by this and they have no way of knowing they shouldn't do it. If it is repetitive, then they know they are being impolite. I am concerned about the everyday person who runs into a house for five minutes and parks in front of the mailbox. We are putting people at risk of fines and run-ins with the law without much notice and that concerns me greatly. We are taking a big risk for a little benefit.

Alderman Gray: I'm all about education. This is a chance that we have to educate our public on the fact that we now have an ordinance. There won't be any reason for folks to ignore the fact there is a mailbox there. I appreciate what Chief Tabor has said about the warning notices. I think our policemen will be generous in providing those warning notices to people.

This problem is not just on the west side of town or the university area. We keep talking about neighbors working this out, but I believe some of the folks that complained said they tried to work it out with their neighbors. If they had an ordinance to show to that neighbor it would be helpful. I will be supportive of this.

City Attorney Kit Williams read the entire ordinance therefore there was no need to suspend the rules.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 6-1. Alderman La Tour voting no. Alderman Tennant was absent.

Ordinance 5764 as Recorded in the office of the City Clerk

New Business:

Amend §72.34 Parking Signs or Curb Markings Required: An ordinance to amend §72.34 **Parking Signs or Curb Markings Required** of the Fayetteville Code to authorize the traffic superintendent to erect signs or paint curbs indicating a no parking zone where necessary.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff is recommending approval.

Alderman La Tour: Who is performing those functions currently?

Jeremy Pate, Director of Development Services: The Traffic Superintendent makes the judgment call currently about curb markings. Every year you all approve a contract with a company that goes about the city doing paint markings. The parallel parking spots are handled by the Parking Division. Our Fire Department identifies fire hydrants that need to be painted.

Alderman La Tour: We are empowering someone else now to perform those same functions that other departments are already performing?

Jeremy Pate, Director of Development Services: The Traffic Superintendent has control over any of the street markings under the current code.

Alderman La Tour: Who is our Traffic Superintendent?

Jeremy Pate, Director of Development Services: Terry Gulley

Alderman La Tour: Currently, without this new ordinance, you are empowered right now to go out and see an area that needs some painting and paint it if you feel it's necessary?

Terry Gulley, Transportation Services Director: We have a contract each year and we do about \$40,000.00 to \$50,000.00 worth of paint marking which replaces all the line markings on the streets. We do not go around and paint so many feet from an intersection or near stop signs. This has been brought up to mostly correct the ability to do so if needed. It was not to plan on adding a lot to it because I don't have that in my budget. We have to address that if the need were to arise.

Alderman Kinion: In my understanding this is a remedy. If we do not correct what we have in our language it could be that the city would be required to go to every place and paint every one of these places. This is not some new idea to confuse.

Loraine O'Neal, 3001 West Wedington Drive: How will this impact the budget of the City of Fayetteville?

Mayor Jordan: If this passes he would decide where they would go. It wouldn't necessarily be an impact if he decides that we don't need them in certain places.

City Attorney Kit Williams: It will actually keep the budget from having to be increased. This empowers the Traffic Superintendent to use his discretion and good judgment and not be required to paint up the entire town at a much higher cost.

Peter Tonnessen, 3500 Hearthstone Drive requested clarification of the proposed ordinance.

A discussion followed about painting curbs and erecting signage.

City Attorney Kit Williams: This ordinance will prevent the city from having to paint a bunch of curbs. If we don't change this it's going to require a tremendous amount of money and no judgment by the Traffic Superintendent to do a whole bunch of painting many places where it would not ever be needed.

Alderman La Tour: I trust Terry Gulley. I don't know who is going to take his place when he retires. I would like to see some language limiting the discretion of the Parking Superintendent. I would like to see language saying he has to justify from a traffic flow perspective.

Mayor Jordan: What amendment would you like to add?

Alderman La Tour: I would like it to say the Parking Superintendent has to justify it from a parking or traffic flow perspective.

Alderman Kinion: This is not giving the superintendent the authority to haphazardly go out and mark non-parking zones. This is saying if there is an area that is zoned non-parking, he has the authority to either paint it or not paint it.

A discussion followed about the Traffic Superintendent's authority to be able to paint or erect signs.

Alderman Long: This isn't just about mailboxes. You can go down many streets and drive up to a stop sign and 30 feet from a stop sign according to our current ordinance should be painted. They are not painted. The City of Fayetteville is not in compliance and doesn't have the budget to be in compliance. This corrects that situation.

City Attorney Kit Williams explained the title and code section of the ordinance. He stated, whenever the Fayetteville Code imposes a parking time limit or prohibits or limits parking or stopping on any street or part of street, the Traffic Superintendent shall be authorized where necessary to erect signs or to paint curb markings on such street or part of street giving notice thereof.

Alderman La Tour: I'm happy to hear that.

Alderman Marsh moved to suspend the rules and go to the second reading. **Alderman Long** seconded the motion. Upon roll call the motion passed 7-0. **Alderman Tennant** was absent.

City Attorney Kit Williams read the ordinance.

Alderman Marsh moved to suspend the rules and go to the third and final reading. **Alderman Gray** seconded the motion. Upon roll call the motion passed 7-0. **Alderman Tennant** was absent.

City Attorney Kit Williams read the ordinance.

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

Ordinance 5765 as Recorded in the office of the City Clerk

VAC 15-5001 (4301/4331 N. Waterside CT./Sims-Renner Office Building): An ordinance approving VAC 15-5001 submitted by Bates & Associates for property located at 4301/4331 N. Waterside Court to vacate an access easement.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Planning Commission voted 9-0 in favor. Staff is recommending approval.

Alderman Marsh moved to suspend the rules and go to the second reading. **Alderman Long** seconded the motion. Upon roll call the motion passed 7-0. **Alderman Tennant** was absent.

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 7-0. Alderman Tennant was absent.

City Attorney Kit Williams read the ordinance.

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

Ordinance 5766 as Recorded in the office of the City Clerk

Amend §116.02 Door to Door Solicitation: An ordinance amending §116.02 Door to Door Solicitation at private residences (D)(4) of the Fayetteville Code in order to provide an improved and expedited background check process for applicants and to declare an emergency.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff is recommending approval with an Emergency Clause due to safety.

Alderman La Tour: When we are talking about Door to Door Solicitation we are talking about commercial solicitations, correct?

Jeremy Pate: Correct.

Alderman La Tour: Not political solicitations?

Jeremy Pate: Correct. There is a long list of exemptions. Girl Scouts are included.

Alderman La Tour: Are referendum or petitions exempt?

Jeremy Pate: Correct.

Alderman Marsh moved to suspend the rules and go to the second reading. Alderman Long seconded the motion. Upon roll call the motion passed 7-0. Alderman Tennant was absent.

City Attorney Kit Williams read the ordinance.

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

City Attorney Kit Williams read the ordinance.

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

Alderman Gray moved to approve an Emergency Clause. Alderman Marsh seconded the motion. Upon roll call the Emergency Clause passed 7-0. Alderman Tennant was absent.

Emergency Clause Approved

Ordinance 5767 as Recorded in the office of the City Clerk

Amend §178.03 (E) and (F): An ordinance amending §178.03 (E) and (F) of the Unified Development Code to remove pre-approved sidewalk vendor locations in front of the Walton Arts Center as agreed upon in Resolution 118-04, and to streamline the approval process for alternative locations.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff is recommending approval.

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

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 7-0. Alderman Tennant was absent.

City Attorney Kit Williams read the ordinance.

City Attorney Kit Williams stated the resolution number written in the ordinance as 118-04 is a scrivener's error. The lease agreement was in 2014, not 2004 and should be written 118-14.

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

Ordinance 5768 as Recorded in the office of the City Clerk

Affiliated Computer Services, Inc.: An ordinance to waive the requirements of formal competitive bidding and authorize the purchase of two (2) Kodak I4200 scanners from Affiliated Computer Services, Inc. of Dallas, Texas in the total amount of \$19,884.00 plus applicable sales taxes for use by the office of the City Clerk/Treasurer.

City Attorney Kit Williams read the ordinance.

Paul Becker, Finance Director gave a brief description of the ordinance. He stated the IT Department needed new scanners to be purchased for compatibility with the current City of Fayetteville software. He stated the scanners are used to store and retrieve historical documents.

Alderman La Tour: I would vote for gold plated scanners for that department. Those ladies work harder than anybody else in this city that I have ever seen in both private and public world. My hat goes off to Mrs. Smith and her staff. They deserve the best equipment we can buy.

Mayor Jordan: Thank you, John.

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

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 7-0. Alderman Tennant was absent.

City Attorney Kit Williams read the ordinance.

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

Ordinance 5769 as Recorded in the office of the City Clerk

Express City Council Intent to Develop Invasive Plant Species Policy: A resolution to express the City Council's intent to develop policies or ordinances to discourage the spread of invasive plant species.

Jeremy Pate, Director of Development Services gave a brief description of the resolution. He stated staff is requesting the City Council to assist in determining whether to study and develop an invasive plant species policy or ordinance.

Peter Nierengarten, Sustainability & Resilience Director stated the amount of time for the study would take between six to eight months and would have a recommendation ready for City Council by the end of the year. He stated it would take about 300 to 400 hours of staff time to complete.

Alderman La Tour: How many of our staff members would be working on this project?

Peter Nierengarten: We anticipate two to three staff from my department, with input from the Planning Department, Urban Forestry in our Parks & Recreation Department.

Alderman La Tour: How many people?

Peter Nierengarten: We would probably have about five staff. None of us would be working full time on the project.

Alderman La Tour: I would like to go on record that I would like to support this proposal, but I can't support something that would be coercive. I want something that would be educational and persuasive, but nothing that would impose some sort of sanction or penalty if someone plants the wrong plant in their front yard.

Peter Nierengarten: That would be part of our research in looking at how other communities have dealt with this.

Mayor Jordan: Alderman La Tour, right now we are just trying to get a study going and then we will bring you what we come up with.

Alderman Long: I am supportive of this. One of the people that we are going to seek input from is commercial nurseries. Are facilities like Lowes, Home Depot and Wal-Mart considered commercial nurseries?

City Attorney Kit Williams: They are zoned in commercial zones and have a nursery. If they wanted input on this they could.

Jeremy Pate: This is not intended to be an exclusive list. Anyone involved within this realm of work we would try to get input from.

Alderman Kinion: This has taken hundreds of hours of volunteer time from our committees that have been involved in managing invasive species across our city and developing awareness of invasive species. When I was approached to look at the information, it was with a great deal of respect of the broad input we have from individuals that have given their time. Thank you to the volunteers and the hours they have put in on this. Thank you to city staff that will be working on this as a result of the volunteer hours from these committees.

Alderman Gray: I have been educated about this. I would like for you to look down at the Yvonne Richardson Community Center. There are huge honeysuckles. You can't see any of the beauty around the community center because of the bush honeysuckle. This is an intent to develop a policy which is a very responsible thing to do.

Alderman Marsh: I am thankful to see this coming forward and it is badly needed. We need a comprehensive community based approach. I have a lot of faith in our staff to look at the data and get a good amount of input from the various stakeholders and help us to develop an effective strategy for managing this problem in our community.

Russell Black, Westwood Gardens spoke in favor of the resolution. He stated this should be approached from an educational understanding and a continued effort to point out the detriments of the invasive plants.

Bob Caulk, Ward 1 spoke in favor of the resolution. He stated the City of Fayetteville owns a lot of land and needs to think about how they are going to manage invasive plants on their property.

Jeff Hampton, 920 North Leverett Avenue spoke in favor of the resolution.

Luca Flesh, 280 South Hill Avenue, Biology & Outdoor Education Teacher spoke in favor of the resolution.

Pete Heinzelmann, Fayetteville citizen spoke in favor of the resolution. He stated bush honeysuckle is at least 90% of the problem that is occurring in Fayetteville. He stated a policy is needed to protect the natural and native environment, to prevent beautiful views from being blocked, and to develop a program to deal with the invasive species.

Peter Tonnessen, 3500 Hearthstone Drive spoke in favor of the resolution.

Loraine O'Neal, 3001 West Wedington Drive stated the policy should be developed, but believes 300 to 400 staff hours is excessive.

Don Steinkraus, U of A Professor and Chair of the Urban Forestry spoke in favor of the resolution.

Sarah Lewis, Fayetteville resident spoke in favor of the resolution.

Kyle Smith, 2801 West Dove Drive stated the objections to this will most likely be about property rights. He stated what we do on our own property impacts the neighborhoods and the entire community around us. He stated decisions need to be based on sound science and that requires data.

Aubrey Shepherd stated not all honeysuckle is bad. He stated a person needs to know there are a couple of really important native species.

Alderman Petty moved to approve the resolution. **Alderman Marsh** seconded the motion. Upon roll call the resolution passed 6-1. **Alderman La Tour** voting no. **Alderman Tennant** was absent.

Resolution 101-15 as recorded in the office of the City Clerk

Announcements:

Jeremy Pate, Director of Development Services: First Thursday on the square is May 7, 2015 from 5:30 to 9:00 p.m.

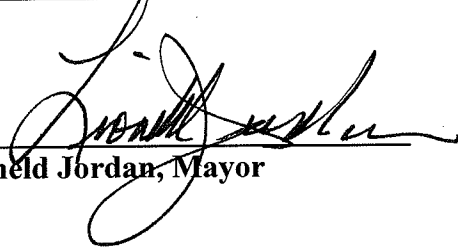
There will be several public events coming up this weekend. The University of Arkansas is having their graduation commencement ceremonies. There is a baseball home series. Foam Fest will be on Dickson Street.

There will be a Mayor's Town Hall meeting on May 11, 2015 at St. Paul's Episcopal Church, 224 East Street at 7:00 p.m.

City Council Agenda Session Presentations: None

City Council Tour: None

Adjournment: 7:45 p.m.


Lioneld Jordan, Mayor
Sondra E. Smith, City Clerk Treasurer