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

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

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

City of Fayetteville Arkansas
City Council Meeting
June 2, 2015

A meeting of the Fayetteville City Council was held on June 2, 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, Justin Tennant, Martin Schoppmeyer, John La Tour, Alan Long, Mayor Lioneld Jordan, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

Alderman Tennant arrived at 5:36 p.m.

Pledge of Allegiance:

Mayor's Announcements, Proclamations and Recognitions: None

City Council Meeting Presentations, Reports and Discussion Items: None

Agenda Additions: None

Consent:

Approval of the May 19, 2015 City Council meeting minutes.

Approved

Bid 15-25 Evans Enterprises, Inc.: A resolution to award Bid #15-25 and authorize the purchase of two (2) pumps and motors for the Airport North Lift Station from Evans Enterprises, Inc. in the amount of $42,010.00 plus applicable sales taxes.

Resolution 103-15 as recorded in the office of the City Clerk

2015 Body-Worn Camera Pilot Implementation Program Matching Grant: A resolution to approve a multi-jurisdictional application by the City of Fayetteville, the City of Springdale and Washington County for a 2015 Body-Worn Camera Pilot Implementation Program matching grant in the amount of $133,000.00, with the matching portion paid by the City of Fayetteville in the amount of $51,000.00, the City of Springdale in the amount of $51,000.00 and Washington County in the amount of $31,000.00.

Resolution 104-15 as recorded in the office of the City Clerk

Progressive Trail Design, LLC: A resolution to authorize a Professional Design Services Agreement with Progressive Trail Design, LLC for the preparation of the Kessler Mountain Trails Master Plan in an amount not to exceed $26,320.00, and to approve a project contingency in the amount of $2,632.00.

Resolution 105-15 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 7-0. Alderman Tennant was absent during the vote.

Unfinished Business:

RZN 15-4965 (South End of Rupple Rd./Rupple Road Extension Corridor): An ordinance rezoning that property described in Rezoning Petition RZN 15-4965, for approximately 642 acres, located at the southern end of Rupple Road from R-A, Residential-Agriculture; RSF-1, Residential Single Family One Unit Per Acre; RSF-4, Residential Single Family Four Units Per Acre; and RSF-8, Residential Single Family Eight Units Per Acre to NC, Neighborhood Conservation; CS, Community Services, UT, Urban Thoroughfare; and R-A, Residential Agricultural. ***This ordinance was left on the First Reading at the May 19, 2015 City Council meeting.***

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

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 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 7-1. Alderman Petty voting no.

City Attorney Kit Williams read the ordinance.

Alderman Kinion: I support this with reservation. I want the public record to show this is step one and we still have the obligation as the City Council to look at this property, as the development progresses, to see if there is zoning needs that have to be reevaluated. There are some sensitive environmental properties along here. They have been identified in a very broad and general way, but as the development proceeds we might see that there might be further protections.

As the chairman of the Water, Sewer, and Solid Waste Committee I worry about run off management of the storm water as we proceed forward with this very large acreage.

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

Ordinance 5775 as Recorded in the office of the City Clerk

RZN 15-5004 (South end of Pumpkin Ridge Dr./Falling Waters) Appeal: An ordinance rezoning that property described in Rezoning Petition RZN 15-5004, for approximately 17.37 acres, located south of Pumpkin Ridge Road from R-A, Residential-Agriculture to RSF-2, Residential Single Family, 2 Units per Acre. ***This ordinance was left on the First Reading at the May 19, 2015 City Council meeting.***

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

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff did not support this item.

Jay Ray, Cherry Hills Drive stated he is worried about traffic and flooding.

Gregory Cater, 2045 South Cherry Hills Drive asked the City Council if they were going to vote yes, if they would reconsider and have the builders and City Planning Commission get together and readdress the issues.

Casey Weathers, 2080 South Pumpkin Ridge stated he has an issue with the current drainage situation. He stated he has to sand bag his house as it sits now. He also talked about safety concerns regarding additional traffic loading within Pumpkin Ridge and Cherry Hills onto Goff Farm with the infrastructure that is currently in place.

Dr. Craig Rennie, Associate Professor of Finance, 2005 South Cherry Hills Drive stated there was some prior spending. He stated the amounts that have been spent are sunk costs and therefore not relevant to current decision making. He is especially concerned with safety.

Greg Zeck, Oakmount Drive: For the sake of clarification, is the City obligated to consider environmental and safety aspects? Is it legally required to do so?

City Attorney Kit Williams stated the City Council and Planning Commission can consider traffic safety issues both for rezoning and development. Traffic safety is relevant to both decisions. The city has a drainage manual for environmental matters like drainage. The City Engineer or staff will evaluate any drainage proposals during development.

Greg Zeck: Those questions have been or have not been considered to date?

Kit Williams: The development cannot be proposed until the land is properly zoned.

Jeremy Pate: The rezoning is a land use policy decision by the City Council as opposed to an administration decision. This body reviews policy decisions determining primarily if the land use is compatible, looking at traffic safety and noise. There is a whole list of criteria that have been utilized in certain cases legally throughout the State of Arkansas to consider a rezoning decision.

We don't look at the minimum standards for development. If a zoning is approved, a development application is submitted, it goes to the Planning Commission and we look at things like drainage, tree preservation, and park land dedication, if the street meets our minimum standard requirements, detention ponds and green space. The developer is then required to meet those minimum thresholds established by this Council as part of our Unified Development Code.

Larry Altman: 2059 Cherry Hills Drive stated this proposed development represents the worst kind of suburban sprawl. He spoke in opposition of the ordinance.

Wanda Altman, 2059 South Cherry Hills Drive stated her major concern is the environmental impact of the rezoning. She spoke in opposition of the rezoning and employed the City Council to vote no on the rezoning appeal.

Edwin Williams, 1901 Pumpkin Ridge stated he feels it's very important that the development remain in its pristine natural environment. He spoke in opposition of the rezoning.

Laura Phillips, 2055 South Cline stated that nobody wants a housing development in their backyard, but this town is growing. It is a beautiful town, people move here and people need houses.

Diane Waters, 2032 Pumpkin Ridge stated she fell in love with Stonebridge because it's unique, beautiful and quiet. She stated she hopes the neighborhood can stay with the same environment, beauty, comfort, and safety that is enjoyed now.

Tom Luetkemeyer, 2031 Cherry Hills spoke in opposition of the rezoning.

Jeane Stutzman, 3970 East Spyglass Hill stated flooding is an issue and spoke in opposition of the rezoning.

Sue Garland, 1030 South River Meadows Road wants to leave the zoning the way it is. She asked to please leave the beautiful hillside.

Adam Jones, 1819 South Cherry Hills Lane stated he just bought a house a month ago. He stated it was down to this house and a house in Springdale and what made his decision was stepping out the back door and seeing Dead Horse Mountain.

Greg Mathis, 3848 Spyglass Hill Drive spoke in opposition of the rezoning.

Tom Steven, 3803 East River Bluff stated he was dead set against the rezoning for environmental reasons and spoke in opposition of the rezoning. He urged the City Council to vote against the rezoning.

Jennifer Zeck, 4274 Oakmount Drive stated she agrees with most of her neighbors and shared concerns regarding the traffic and the water issues. She stated she was concerned about the environmental impact and spoke in opposition of the rezoning.

Karen Mathis, 3848 Spyglass Hill Drive: I want the City Council to have the same song stuck in their head, *"You don't know what you have until it is gone, they paved paradise and put in a parking lot."*

Looking at Fayetteville vision 2020, I noticed the number one principle is a naturally beautiful city. Our mountains, hills, and creeks are open green spaces. Does changing the zoning that's in place support the guiding principle?

Robert Rhoads, Attorney for Property Owners Clay Carlton and Mike Lambreth: There have been a lot of points brought up. Most of those points I have already addressed in some form or fashion two weeks ago or in Mr. Carlton's letter.

The two biggest things I'm hearing is traffic. The Buffington Home folks have looked at this again since the last meeting and they still can't come up with a way that it is financially feasible to open up a road going from Dead Horse Mountain. If this zoning goes through and they are able to then build and sell the homes, yes it is their intention to try to develop the rest of the mountain.

The first thing they will do if they develop one more home on the additional 120 acres is open the road and the ingress and egress will be through Dead Horse Mountain. Unfortunately they can't do it at this stage. The extension of Cherry Hills does allow for connectivity. That connectivity is something the city has had in its plan for 11 years because there is a sign that indicates that.

I had a slight sense there was a drainage issue here. Until getting really involved in the last two weeks I didn't realize it's a pretty good size issue. The ordinances, state laws, and city staff, if this development is zoned and does go through in a development stage, they will make sure the drainage is no worse. That's what the law is. Mr. Jorgenson, the Buffington's Engineer, has sent

you all an email indicating what I've just said. The agreement the developers have with the owner of the golf course is not just to divert water onto the golf course into their ponds to take care of drainage. The agreement is to expand the capacity of the ponds.

If they are allowed this rezoning, they will do the project right. They will do it in such a way that logic would tell you that if you are not allowed to make drainage any worse, then why wouldn't you try your very hardest to make it better for all the people they want to sell homes too, but also for the people that live in Stonebridge Meadows.

Vickie Wright, 2046 South Pumpkin Ridge Drive questioned who was going to repair the roads after they are destroyed. She spoke in opposition of the rezoning.

Dan Skoff, 2039 South Pumpkin Ridge Drive spoke on the flooding issues over the last few years. He spoke in opposition of the rezoning.

Alderman Petty: Does anyone know how many inches of rain we received this last session?

A citizen in the audience stated 13 inches.

Alderman Petty: That's a pretty big event, but it's not an uncommon event. Certainly not a 100 year event. I wanted to ask our City Engineer about our Drainage Criteria Manual, which hasn't been adopted for very long. We get the sense sometimes, and I've been guilty, that we hold it up as an explanation for all flooding concerns. I don't think it is true in this case, but I wanted to ask you for an interpretation. I think we are being a little loose with our language. In this letter, *post development flows will not exceed pre development flows,* but isn't the precise language used in the Drainage Criteria Manual the "peak flow" when we talk about these more infrequent events of 5, 10, and 25 year events?

Chris Brown, City Engineer: Yes, when we talk about the larger events it is the "peak flow."

Alderman Petty: So it may be the case that a development could increase the volume of water that is being drained from the site. It would just have to release more slowly so the peak flow is not increased.

Chris Brown: Correct.

Alderman Petty: What that says to me is if we are being precise with our language, it may not flood more, but it could flood for longer.

Alderman Marsh thanked all the residents who took time to come and comment or sent emails. She stated she hears the concerns regarding flooding in particular. She stated the Drainage Criteria Manual limits runoff so basically you have to control or mitigate 80% of total solids. She stated that still leaves room for a 20% increase in total suspended solids that can go into the West Fork of the White River and that is an impaired water way.

She feels it is a good point about the 2030 City Plan. She doesn't believe this is consistent with the goals of the 2030 City Plan. The Planning Commission and staff can concur with that finding and she sees no compelling reason to overturn their recommendations.

She also stated she had concerns with ingress and egress. Where the parcel is located there is only one point of access. She went on to express her concerns regarding only one point of access. She stated the stone bridge has historical value to the citizens of Fayetteville. She stated she can't support the rezoning of the land.

Alderman La Tour: Where in relation to the floodplain and White River is this neighborhood located?

Jeremy Pate: The area in question is not within the floodplain or floodway of White River. The majority of Dead Horse Mountain Road approximately 1,800 feet of that road, where the bridge sits is within the floodway. Normally we try to span a floodway with a bridge. That would be practically impossible for this particular application because it is a large river. This is almost to the river and so a lot of that drainage is heading towards it. It's not within a floodplain so you don't have to get floodplain insurance.

Alderman La Tour: We have to recognize that gravity is a natural phenomenon. Water is going to run downhill. We don't have the development that we are complaining about right now and you are already have a flooding problem. There are issues now that need to be addressed by the City Engineer and staff to relieve people who live in that neighborhood of this flooding problem.

I want to protect private property rights. I don't want to tell the developer what you have to do with your land. I'm not saying go and build whatever you want. There is a way you can keep Dead Horse Mountain undeveloped. You buy it yourself, invest your money and keep it natural. I find it offensive that we tell some other property owner that we can tell you your investment is worth nothing now because you can't develop it. This is a bad precedent for our city. If we follow our number one principle there would not be another house built in Fayetteville. We have to balance these principles with the reality of needing housing. There is nothing wrong with making a profit as long as you do it morally and legally.

Alderman Gray: I appreciate every person who has spoken. Stonebridge is a beautiful area. I have confidence in these developers that they are going to keep it a beautiful area. Ten years ago this body gave unanimous support for them to build two houses on one acre. This is all they want to do now. These developers struggled during the recession paying the interest so that beautiful hill didn't go back to the bank. For us to change the rules in the middle of the game and say it was good for you to build out there under the 2025 Plan, but now we have the 2030 Plan and you aren't supposed to build out there. That exasperates the reputation we have had in the City of Fayetteville about being hard to do business with. I know this Mayor and administration has worked very hard to overcome that stigma. Making a decision to not let these developers develop this land is not going to help that reputation. We need to be looking at what we can do to help the flooding.

Chris Brown, City Engineer: There obviously was a problem. The Transportation Division has cleaned out the channel. It is a natural channel that comes from the southeast of the site that comes

into the pipe system that was put in as part of the Stonebridge Meadows development. We haven't done a full analysis of that and it is something we will be looking at to check the pipe sizing. We got a lot of rain and it was an unusually large event. We may have had some blockage in that drainage way. We will be looking at it to see if we can open that up a little bit.

Alderman Gray: I have had more complaints about drainage in this city than anything else during all the time I have been on the Council. We love living in the hills and mountains and water goes downhill. Our engineers are constantly looking at that in a lot of different areas trying to figure out how we can control that. I know these developers will keep that as a major focus as they develop this area. We have to keep in mind that these gentlemen have owned this property for ten years. We went through a terrible recession and there wasn't any money to build and no money to buy. They managed to hold on to that beautiful mountain. I feel the City of Fayetteville is doing a grave disservice if we say sorry we've changed the rules now and you can't build there. I don't want to be a part of that situation.

Alderman Kinion: We have the 2030 Plan in place and it directs our vision as we move forward. Within this plan there is an opportunity to develop this property. It doesn't say you can't develop the property. It says, develop the property and keep the 2030 Future Land Use Plan vison alive. It would be completely compatible with the 2030 Land Use Plan to do a cluster development or a conservation development. If you look at housing trends across the United States these are popular types of development.

I want to point out the problem with the West Fork of the White River. We can't minimize the problems we have in that watershed as an impaired waterway. The critical area of the West Fork of the White River that is being impaired is around Fayetteville. When Fayetteville goes in front of the ADEQ with concerns and we are trying to prevent further impairment of Beaver Lake we have to show that we are honestly managing the sediment, turbulence, velocity and management of the stormwater that is draining into the West Fork of the White River. It's a constant struggle. We aren't trying to prevent development. We are trying to encourage the right type of development.

Alderman Kinion discussed the maintenance of the property infrastructure. He stated staying within the current zone and developing it within the guidelines can help manage future infrastructure management and cost.

Alderman Long: The developers have said if there are over 30 homes built they will add a second entrance. When they hit that 31st home is there a requirement for this second ingress and egress?

David Dayringer, Fire Chief: Yes. When you get over 30 in a development you have to have two ways in and out.

Alderman Long: Please speak about the drainage review process in general and the drainage review process in the Hilltop Overlay area.

Chris Brown and Jeremy Pate gave a brief description of the drainage review process and the drainage review process in the Hilltop Overlay area district.

Alderman Tennant: I don't want to give any comment until we go through the three readings. I don't know that we need to wait another two weeks and have the same exact two hours of conversation.

Alderman Tennant moved to suspend the rules and go to the third and final reading. Alderman Schoppmeyer seconded the motion. Upon roll call the motion passed 6-2. Alderman Long and Kinion voting no.

City Attorney Kit Williams read the ordinance.

Alderman Tennant: Did the Planning Commission vote for this or against this?

Jeremy Pate: They voted against this.

Alderman Tennant: City staff has recommended for this or against this?

Jeremy Pate: We recommended against the rezoning.

Alderman Tennant: To overturn something I must have several reasons. I have a lot of confidence in the Planning Commission and city staff. I think there will be serious traffic issues especially in the construction phase of this particular development. There needs to be a road to Dead Horse Mountain and if not an actual paved road, then a construction road is needed. It is difficult for me to tell a developer you can't do something with property you own. Nobody is saying you can't develop this at all. Unfortunately, it won't be with this limited project. I don't think this is a good thing for the community right now.

Alderman La Tour: I have to defer to the landowners. They have a whole lot more than $850,000. invested in this project. I'm not sure they will ever get to a bigger project to build a road that we all want until they get this project built. They have to start generating some cash flow or it's not going anywhere. I'm for developing in a smart way. We have hillside restrictions. There will be extra ordinary requirements on this construction which should keep us going in the right direction with our development.

Alderman Petty: This land can still be developed, it just can't be developed according to the original intentions. The decision made in the past was to give this zoning a sunset and everybody knew that. That was the agreement and it expired. It isn't our job or obligation to bail out developers. It is the wrong place to build more.

Mayor Jordan: I was on the City Council when we approved this to begin with. It was under a certain rezoning that I supported, but it was before the 2030 Plan. That rezoning came and it went. There was a sunset on that development and it expired. I am concerned there is no connection to Dead Horse Mountain. There needs to be one. The location of the property will require more infrastructure, maintenance and it will be costly. Staff and Planning Commission are against it and it goes against the 2030 Plan.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance failed 2-6. Alderman La Tour and Gray voting yes. Alderman Schoppmeyer, Long, Marsh, Kinion, Petty, and Tennant voting no.

This ordinance Failed.

Public Hearing:

Jerome Lopez & Elizabeth Young and the Randall J. Wright Trust Condemnation and Possession: A resolution to authorize the City Attorney to seek condemnation and possession of certain lands owned by Jerome Lopez & Elizabeth Young and the Randall J. Wright Trust needed for the Highway 45 and Old Wire Road Intersection Improvement Project.

City Attorney Kit Williams: We have some good news. We are asking that this resolution be tabled because we have worked out agreements with all of the landowners. We don't have everything in writing and all signed yet, but hopefully by the next meeting we will have it in writing.

Alderman Petty moved to table the resolution to the June 16, 2015 City Council meeting. Alderman Marsh seconded the motion. Upon roll call the motion passed unanimously.

This resolution was Tabled to the June 16, 2015 City Council meeting.

New Business:

RZN 15-5044 (4065 E. HUNTSVILLE RD./THE PLAZA): An ordinance rezoning that property described in Rezoning Petition RZN 15-5044, for approximately 16.02 acres, located at 4065 E. Huntsville Road from R-PZD 08-3071, Residential Planned Zoning District Bridgedale Plaza to RSF-7, Residential Single Family, 7 Units Per Acre, NS, Neighborhood Services, and CS, Community Services.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff is recommending approval. Planning Commission voted 6-1 in favor of the request.

Clint McDonald, 1385 South Roberts Road, Developer asked if any Aldermen had questions for him. No questions were asked.

Hardin Hanks, 1440 South River Meadows Drive stated his concerns about flooding and traffic conditions. He spoke in opposition of the ordinance

Bobby Smith, 1159 South St. Andrews Circle stated his concerns about traffic and the safety of residents in his neighborhood. He spoke in opposition of the ordinance.

Tom Stevens, 3803 River Bluff Cove stated his concerns about traffic. He stated more apartment complexes are not needed. He spoke in opposition of the ordinance.

Glenda Patterson, 1106 St. Andrews Circle stated apartments are not a good idea. She believes the density of the single family home is too great for the area. She stated her concerns about traffic. She spoke in opposition of the ordinance.

Jay Ray, Cherry Hills Drive stated his concerns about traffic. He stated a traffic light is needed. He spoke in opposition of the ordinance.

Cindy Hodskins, 1128 St. Andrews Circle stated she is concerned about the possibility of flooding in her backyard. She stated her concerns about traffic. She spoke in opposition of the ordinance.

Larry Altman, 2059 South Cherry Hills Drive stated his concerns about traffic. He spoke in opposition of the ordinance.

Greg Zeck, Oakmont Drive stated if the right business was offered and met a need, it might work. He stated this should be considered after the water and traffic problems are addressed.

A discussion followed about leaving the ordinance on the first reading.

Jeremy Pate discussed the process of the State Highway and Transportation Department to establish a traffic signal.

This ordinance was left on the First Reading

VAC 15-5037 (Harbor Isle & Zion Rds./Woodbury S/D) An ordinance to approve VAC 15-5037 submitted by Blew & Associates for property located at Harbor Isle and Zion Road to vacate portions of existing utility easements.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. Staff is recommending approval. Planning Commission voted 7-0 in favor of the request.

Alderman Long 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 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 5776 as Recorded in the office of the City Clerk

Amend §97.088 (B)(2)(b) and §97.088 (d): An ordinance to amend Exhibit A, Donor Recognition Signs, and Exhibit B, Naming Park Facilities which are attached and a part of §97.088 (B)(2)(b) and §97.088 (d) of the Fayetteville Code.

City Attorney Kit Williams read the ordinance.

Connie Edmonston, Parks & Recreation Director gave a brief description of the ordinance.

Alderman Marsh: I see on some of them they have the naming rights for a ten year period. When you get into the gold, platinum, and diamond, does the naming rights have a sunset?

Connie Edmonston: It would probably be as long as the facility would last. We don't have a sunset date.

City Attorney Kit Williams: I was reluctant to put any wording in saying it would be a forever naming. There have been facilities in the past that have been named for people and sometimes things happen to them and they have to be unnamed. I like to guard not only the power of this City Council, but the power of future City Councils. That's why it is not spelled out except in the ten year one.

Alderman Marsh: I'm uncomfortable with it as well. Maybe they donate a sport complex and 20 years from now it needs a major revamp. Are we liable to keep it the original name or can we rename it to the donor that pays for the upgrades? I would like more clarity. I think the sunset clause is a good idea.

Alderman La Tour stated he agreed with Alderwoman Marsh.

A discussion followed about the City Council having final approval of the naming.

Peter Tonnessen, 3500 Hearthstone Drive stated he grew up in a city where parks were named after war heroes and police officers who were killed in the line of duty.

This ordinance was left on the First Reading

Amend §174.07 Placing Signs on Public and Private Property: An ordinance to amend §174.07 Placing Signs on Public and Private Property by clarifying the placement of directional and wayfinding signs on public property and enacting a new Subsection (F) *Trail/Trailhead Wayfinding Signs and Recognition Markers.*

City Attorney Kit Williams read the ordinance.

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

Alderman Marsh: In §174.07(D) it says that informational kiosk with a map of the Downtown Master Plan area may be placed within the city right-of-way by the city. The kiosk shall contain a map or description of the Downtown Master Plan area, public buildings and facilities, parking areas and entertainment. Does this preclude us from putting maps and informational kiosk of other areas of town such as the Uptown or around the Gregg and Township intersections and other areas where people need to be able to navigate from the trail to other destinations?

Jeremy Pate: It would not preclude directional signage. We can't place businesses on those signs. A public area that someone's needing to find, such as a trail head location, a public park location, any of those things we identified in the Wayfinding Sign program we could provide arrows, distances and we have begun doing that as part of our Wayfinding Sign program. The intent is to limit those kiosk within high pedestrian uses in Downtown. This section was created when we just had the Downtown Master Plan boundary.

Alderman Marsh: If somebody gets to Uptown and would like to see a map of Uptown so you could navigate to wherever you are trying to get, it wouldn't have to locate specific businesses.

Jeremy Pate: It may be the semantics of it. Section D was created before we had any Wayfinding Signs. I would look at a directional Wayfinding informational sign as being allowed within our trail system. If you look at the Master Plan it includes maps of our trails system. The trail head signage includes interpretive information as well as a map of where you are within a regional trail system. I think they would fall within those Wayfinding Signs, interpretive and informational signs that could be permitted from our trail system.

Alderman Marsh: I do see that as helping you navigate within the trail. We want people to use our trail to access other things that are off the trail. It seems we might be making this a little narrow.

City Attorney Kit Williams: This predated the directional Wayfinding Signs. It was done when we did the Downtown Master Plan. It was directed toward our entertainment area where there is the vast majority of our pedestrian traffic. I don't see any reason why they could not be in other places. We could expand the definition.

A discussion followed changing the wording and removing Downtown Master Plan in Section D.

Alderman Marsh moved to amend Section D of the ordinance to remove Downtown Master Plan. Alderman Petty seconded the motion. Upon roll call the motion to amend passed unanimously.

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

City Attorney Kit Williams read the ordinance.

Alderman Marsh: In Section C it is again limiting us to the Downtown Master Plan area. I would like to strike within the boundaries of the Downtown Master Plan.

Alderman Marsh moved to amend Section C of the ordinance to remove Downtown Master Plan. Alderman Petty seconded the motion. Upon roll call the motion to amend passed unanimously.

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 unanimously.

City Attorney Kit Williams read the ordinance.

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

Ordinance 5777 as Recorded in the office of the City Clerk

Announcements:

Don Marr, Chief of Staff: We would like to welcome the Wal-Mart shareholders.

The University of Arkansas is hosting the Super Regional baseball tournament this weekend at Baum Stadium.

On June 5, 2015 the Wilson Park Pool will open for the season. The first dive in movie will be shown. It is a free attendance day for the pool.

City Council Agenda Session Presentations: None

City Council Tour: None

Adjournment: 8:53 p.m.

Lioneld Jordan, Mayor

Sondra E. Smith, City Clerk Treasurer