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
November 17, 2015

A meeting of the Fayetteville City Council was held on November 17, 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.

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions: None

City Council Meeting Presentations, Reports and Discussion Items: None

Agenda Additions:

Alderman Schoppmeyer moved to move the Appeal of the Planning Commission's CUP 15-5217: Conditional Use (2648 N. Old Wire Road/Apple Seeds) to before the Consent Agenda. Alderman La Tour seconded the motion. Upon roll call the motion passed unanimously.

Appeal of the Planning Commission's CUP 15-5217: Conditional Use (2648 N. Old Wire Road/Apple Seeds): A resolution to grant the appeal of Aldermen Justin Tennant, Martin Schoppmeyer and John La Tour of Conditional Use CUP 15-5217 (2684 North Old Wire Road/Apple Seeds, Inc.) granted by the Planning Commission on October 26, 2015 and to deny

the Conditional Use (or to return the Conditional Use to the Planning Commission for renewed consideration).

The applicant was not present, therefore the item was not moved.

Consent:

Approval of the October 30, 2015 Special City Council meeting minutes.

Approved

Office Depot, Inc.: A resolution to approve a contract with Office Depot, Inc. for the purchase of office supplies pursuant to a Western States Contracting Alliance-National Association of State Procurement Officials cooperative purchasing agreement.

Resolution 205-15 as recorded in the office of the City Clerk

Contech Engineered Solutions, LLC: A resolution to award Bid No. 15-58 and authorize the purchase of a prefabricated steel trail bridge from Contech Engineered Solutions, LLC in the amount of $87,126.00 plus applicable taxes for installation on the Town Branch Trail over Town Branch Creek, and to approve a project contingency in the amount of $19,124.16.

Resolution 206-15 as recorded in the office of the City Clerk

Community Access Television, Inc. d/b/a Your Media: A resolution to approve a contract with Community Access Television, Inc. d/b/a Your Media in the amount of $153,570.00 for the provision of public access television services and the operation of the public access television channel through 2016, contingent on approval of the 2016 annual city budget.

Resolution 207-15 as recorded in the office of the City Clerk

2015 ADEQ Boston Mountain Recycling Grant: A resolution to authorize acceptance of a 2015 Arkansas Department of Environmental Quality Grant through the Boston Mountain Solid Waste District in the amount of $8,000.00 for the purchase of public space recycling containers, and to approve a budget adjustment.

Resolution 208-15 as recorded in the office of the City Clerk

Special Needs Assistance Programs Grants (SNAP): A resolution to approve a budget adjustment in the amount of $414,161.00 recognizing Special Needs Assistance Program grant revenue, and to authorize the addition of 2.0 temporary full time equivalent positions to the Community Resources Division to hire case managers to provide housing services for homeless Fayetteville residents.

Resolution 209-15 as recorded in the office of the City Clerk

Vulnerable Road Users Protection: A resolution to affirm the city's persistent efforts and lengthy commitment to alternative and active transportation infrastructure, road and trail safety and the protection of all vehicular and vulnerable road users.

Resolution 210-15 as recorded in the office of the City Clerk

Alderman Marsh moved to accept the Consent Agenda as read. Alderman Tennant seconded the motion. Upon roll call the motion passed unanimously.

Unfinished Business:

Tree Preservation Area Vacation for Crain Automotive: A resolution to reject the recommendation of the Urban Forester who determined that the tree preservation and mitigation areas in easements and dedications agreed to and signed by the owner/developer on June 25, 2014, should not be vacated or changed by a new development proposal for this acreage. *At the November 3, 2015 City Council meeting, this resolution was tabled to the November 17, 2015 City Council meeting.*

Jeremy Pate, Director of Development Services: The applicant worked with Urban Forestry and Planning staff to identify changes within their site plan. Thank you to Council for recommending some of those changes at the last City Council meeting. Those did result in removal of any impact to the tree preservation area for this project. They submitted a letter withdrawing the variance request. We recommend this item to be tabled indefinitely.

City Attorney Williams: It was input from the City Council, and worked out by Mayor Jordan and Fire Chief Dayringer that enabled this to happen without having to impede upon the tree preservation area. This is a good result for the city.

Alderman Marsh moved to Table the resolution indefinitely. Alderman Long seconded the motion. Upon roll call the motion passed unanimously.

This resolution was Tabled Indefinitely.

New Business:

RZN 15-5196 (3422 N. College Ave./Scott Plaza): An ordinance to rezone that property described in Rezoning Petition RZN 15-5196 for approximately 0.57 acres located at 3422 N. College Avenue from R-O, Residential-Office to C-1, Neighborhood Commercial.

City Attorney Kit Williams read the ordinance.

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

Alderman Marsh: Is there not a form based zoning classification that would achieve these same goals?

Jeremy Pate: There would be in terms of use. However, it would not allow for the building to be a conforming structure. The way it was constructed, the building would automatically be a non-conforming structure.

A discussion followed about zoning classifications.

Alderman Long 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 La Tour 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 5821 as recorded in the office of the City Clerk

VAC 15-5204 (722 S. Locust Ave./Southside Townhomes): An ordinance to approve VAC 15-5204 submitted by Infill Group, Inc. for property located at 722 S. Locust Avenue to vacate portions of alley and street rights-of-way.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Director of Development Services gave a brief description of the ordinance. The Planning Commission and staff recommend approval.

Alderman Petty: In the interest of full disclosure, this is a proposal I brought forward for a project that I am managing.

Alderman Marsh moved to suspend the rules and go to the second reading. Alderman Kinion seconded the motion. Upon roll call the motion passed 7-0. Alderman Petty recused.

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 Petty recused.

City Attorney Kit Williams read the ordinance.

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

Ordinance 5822 as recorded in the office of the City Clerk

Amend §150.02 Purpose: An ordinance to amend §150.02 **Purpose** of the Unified Development Code by enacting further language.

City Attorney Kit Williams read the ordinance.

City Attorney Kit Williams gave a brief description of the ordinance. He recommends approval.

Jeremy Pate, Director of Development Services: We want to make sure our purpose statements are clear and adequate for our Unified Development Code provisions. We believe this does so.

Alderman La Tour: Mr. Williams, on several occasions you have admonished the Council that we are prohibited by state law from binding a future City Council. Can you explain to me how this avoids that pitfall?

City Attorney Kit Williams: A future City Council can amend this and revoke it if they want.

Alderman La Tour: Same for any rule we pass?

City Attorney Kit Williams: I would say that is correct. There are very few things that can bind your future City Council.

Alderman La Tour: I agree, but you are the one that has argued that point at several past occasions.

City Attorney Kit Williams: This isn't binding on a future City Council. This is a zoning ordinance for the Unified Development Code and will remain in effect until amended or repealed.

Alderman Marsh moved to suspend the rules and go to the second reading. Alderman Gray seconded the motion. Upon roll call the motion passed 7-1. Alderman La Tour voting no.

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 7-1. Alderman La Tour voting no.

City Attorney Kit Williams read the ordinance.

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

Ordinance 5823 as recorded in the office of the City Clerk

Amend Chapters 160, 161 and 167: An ordinance to amend §160.01 **Establishment of District**, §161.10 **District RSF-18, Residential Single-Family, Eighteen Units Per Acre**, and table 1 **Minimum Canopy Requirements** of §167.04 **Tree Preservation and Protection During Development**, all within the Unified Development Code.

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 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: Thank you to staff for their work on this.

Alderman La Tour: I love it when the staff makes additional options for developers.

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

Ordinance 5824 as recorded in the office of the City Clerk

Amend Chapter 97 Parks and Recreation: An ordinance to amend Chapter 97 **Parks and Recreation** of the Fayetteville City Code to allow twenty four (24) hour access to shared use paved trails; to add leash requirements for animals in certain parks; to prohibit certain activities in parks including unauthorized vehicle operation, use of paddle boards on city lakes, and shooting of model rockets; to provide for certain activities in parks including camping, horseback riding, limited vending at park events, and posting of temporary signs; and to make other technical revisions.

City Attorney Kit Williams read the ordinance.

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

Alderman Long: On Section 97.038, Animals to be Leashed, it says that animals are allowed to be off their leash in designated dog parks and Lake Wilson Park. It may be a good time to add a restriction to say that if an animal has been deemed as dangerous or aggressive as mentioned in Chapter 92 of our Animal Code, they should also be leashed in those parks.

Connie Edmonston: We could add that language.

A discussion followed about leashed and unleashed animals.

Alderman Long moved to amend Section 97.038 to say, if an animal has been classified as a dangerous or violent animal as written in Chapter 92 of our Animal Code that they should not be allowed to be off leash in those parks. Alderman La Tour seconded the motion. Upon roll call the motion to amend passed unanimously.

City Attorney Kit Williams requested City Council to leave the item on the first reading so that he could rework the language in Chapter 97.

This ordinance was left on the First Reading.

Amend §73.04 Riding on Roadways and Bicycle Paths and §73.05 Riding on Sidewalks: An ordinance to amend §73.04 **Riding on Roadways and Bicycle Paths** to provide for the safe operation of bicycles on roadways and bicycle paths, and to amend §73.05 **Riding on Sidewalks** to provide for the safe operation of bicycles on sidewalks.

City Attorney Kit Williams read the ordinance.

Peter Nierengarten, Sustainability & Resilience Director gave a brief description of the ordinance. He stated that the Active Transportation Advisory Committee requested the item be left on the first reading to allow more time for feedback and additional consideration of other items to be included in the revisions. He stated a letter was submitted by the Bicycle Coalition of the Ozarks asking for additional consideration of changes to be included in the revisions.

Alderman La Tour: If I am driving uphill and a bicyclist is pedaling up the hill very slowly, am I allowed to safely pass in my lane?

Peter Nierengarten: Yes, I believe you would be able to do that.

Alderman La Tour: We don't want to endanger bicyclist, but we aren't quite sure that we want to drive two miles an hour while they are going up a hill.

Peter Nierengarten: The idea behind the clarifications is to create clear rules that articulate where it is legal for the cyclist to ride and how the motorist is legally allowed to operate near that cyclist.

Alderman Long: As Fayetteville starts to have more complete streets, we will see that being less of a problem.

Peter Nierengarten: Providing adequate and safe facilities for cyclist to operate in, is a definite consideration as a part of complete streets. It is a priority in many of our street improvement projects.

Mayor Jordan: The Active Transportation Advisory Committee recommended the longer version.

Alderman Marsh: We have scheduled a special meeting on December 2, 2015 to take a more in depth look at this. The concern is that this will probably be used as model legislation throughout the state. We want to get it right.

Alderman Petty: Does the committee anticipate recommending something other than the model language?

Alderman Marsh: We weren't given the opportunity to review it early enough to make a determination. We want time to properly evaluate the model language before making a recommendation.

Alderman Tennant: Are we hurting anything by waiting until after their special meeting?

Peter Nierengarten: No, I don't think so.

Alderman Tennant: Then I would be fine with leaving it on the first reading.

Paxton Roberts, Executive Director of the Bicycle Coalition of the Ozarks and a member of the Active Transportation Advisory Committee thanked the City Council and Mayor Jordan for their efforts of making the community more bicycle friendly. He spoke in favor of the ordinance.

This ordinance was left on the First Reading.

Adopt the 2016 Annual Budget and Work Program: A resolution to adopt the 2016 Annual Budget and Work Program.

Paul Becker, Chief Financial Officer gave a brief description of the resolution.

Alderman Petty: This is one of the best budgets that I have seen come forward. We aren't in the middle of a recession so it is a little easier. I want to commend Mayor Jordan.

Mayor Jordan: Thank you, Alderman Petty.

Don Marr, Chief of Staff: Thank you to Paul Becker and his Accounting & Finance team. Thank you to all of our city departments and division leaders who work very hard to try and provide you a budget that meets the needs of the citizens with the best use of our funds.

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

Resolution 211-15 as recorded in the office of the City Clerk

Appeal of the Planning Commission's CUP 15-5217: Conditional Use (2648 N. Old Wire Road/Apple Seeds): A resolution to grant the appeal of Aldermen Justin Tennant, Martin Schoppmeyer and John La Tour of Conditional Use CUP 15-5217 (2684 North Old Wire Road/Apple Seeds, Inc.) granted by the Planning Commission on October 26, 2015 and to deny the Conditional Use (or to return the Conditional Use to the Planning Commission for renewed consideration).

Alderman Tennant: Thank you City Council and staff for bringing this back. I'm not a fan of once something is voted on and finished to bring it back. There are some extenuating circumstances here that gives the applicant reason to be heard.

Alderman La Tour: I believe the landowner has the best perspective on what should be done with their land. This is why I am bringing the item back.

Kevin Phillips, Fayetteville resident: The property that we are speaking about was purchased by my family in 1965. Thank you to Mayor Jordan, Alderman Tennant, Schoppmeyer, and La Tour for giving me the chance to speak.

The Dunn's were my next door neighbors for years. This was Mr. Dunn's ten acres that was expanded into Gulley Park. His wish would be that it was just a park. He was a farmer and would have appreciated it being a farm. I do not believe Mr. Dunn or his family would like for the land they sold, to be used for anything other than a city park, and to be used by all the citizens of Fayetteville and surrounding communities. Friends of Gulley Park were disappointed in the decision because of the efforts they made to raise money to help the city buy that property.

When I decided to sale my property, we had a potential buyer with a closing date set. The potential buyer postponed because they were concerned about a business next door. I was never notified by certified mail of any hearing. I would like to see the whole thing stopped and the neighborhood remain as a neighborhood with no businesses. I want to see the ten acres remain as a park. If that can't occur, would you please make sure that they aren't allowed to put their gardening area directly east of my property.

Alderman Tennant: You were or were not notified by mail?

Kevin Phillips: Never saw a piece of mail.

Alderman Tennant: Do we require a signature in these sort of things?

Jeremy Pate, Director of Development Services: We do. There are three kinds of public notification for an item. There is posting of a sign, public notice in newspapers, and also mailing

of notice. This particular property, owners of 2650 Old Wire Road was mailed to 6149 Greens Chapel Road. That is what was listed as the address from the Assessor's office.

Kevin Phillips: That is the correct address, but I never received anything.

Jeremy Pate: We require the applicant to sign a certification. In your packet shows all the notifications that were sent. We used to use certified mail, but received numerous complaints from residents because they had to go to the post office and sign for that. The City Council changed the ordinance in 2005 to send it first class mail. We require this certification that the mail was sent.

Kevin Phillips: There is no certification that it's actually received at the address. Is that correct?

Jeremy Pate: That is correct.

Mary Thompson, Co-Director of Apple Seeds: Thank you for recently approving the purchase of the property and the lease of acres to us. I feel for you Mr. Phillips. We are not intending to do anything that would lower the value of anybody's property. Our mission is similar to the Dunn and Gulley families. They were gardeners and preserved the land. They did the things we are now teaching children to do. I realize it is personal, but I feel like we are allowing this cherished childhood to happen for all the kids in Fayetteville. We sent out letters to all of the adjacent and nearby property owners. The letter was sent on October 7, 2015.

Alderman Long: Based on the approval we already gave, what has Apple Seeds set in motion?

Mary Thompson: There were two contingencies on that approval. One was for the conditional use permit and for the lease of the property. The conditional use permit was approved by the Planning Commission. We are scheduled to close on November 30, 2015. We have been working with the bank for financing.

Alderman Long: Do you have more detailed information?

Mary Thompson: Not yet. The master plan remains as it was in the initial document. The proposal remains the same. The conditional permit request is that we operate a business there. It would be standard business hours during the weekday from 8:00 a.m. to 5:00 p.m. for the office. Our students come out on Tuesday through Thursday from 9:00 a.m. to 11:00 a.m. It is during the workday, so it is not much of an interference to the neighbors.

Alderman Petty: The reason I voted for this was because of the work you do with the schools. Please describe what programs this land would be supporting.

Mary Thompson: We primarily benefit the students of Fayetteville Public Schools. We are offering two workshops to the community throughout the year. We would be open on Saturdays from 9:00 a.m. to 12:00 p.m. for the public. During the work week when we are there, the gates can be open and people can stop in.

Alderman Petty: What do you mean when you say you benefit the schools?

Mary Thompson: Students come out for field trips. They harvest and prepare food. We integrate math, science, and literacy into the curriculum. They are gardening and consuming fresh fruits and vegetables. It inspires them to eat healthy food. We grow produce that goes back to Fayetteville Public Schools. The students have a Farmer's market.

Alderman La Tour: How are you funded? Do you charge students?

Mary Thompson: No charge. We are non-profit. We are funded by individuals, businesses, and foundations.

Alderman La Tour: Does the city give you any money?

Mary Thompson: No

Alderman La Tour: Does the school district?

Mary Thompson: There is a small fee that the school district pays for produce.

Alderman La Tour: Would you sale your produce privately to me?

Mary Thompson: No.

Brandan Allen, 2667 North Old Wire: I live across the street where Apple Seeds is wanting to go. I have been a volunteer for Apple Seeds. They are a great program.

Alderman Kinion: Do you think the activity that will be brought in would impair the value of your property?

Brandan Allen: Not at all.

Britney Schrag, Program Director for the Bicycle Coalition of the Ozarks: Having a garden that is being maintained and beautiful is an asset to our community. I have a child that has participated in Apple Seeds activities and it made an impact on her. The property value could actually increase with something like this nearby.

Dana Smith, Education Coordinator for Fayetteville Public Schools: I live within a mile of the property we are talking about. Apple Seeds benefits the community. We have school gardens at all of our elementary schools thanks to the support and work of Apple Seeds. We are working with them to do field trips to provide hands on learning opportunities. What we are doing is teaching healthy life skills for our students and their families.

Mary Thompson stated she received a letter from two real estate agents that believe property values will increase in the area.

Alderman Tennant: Kit, do you have a legal concern if we were to do this?

City Attorney Kit Williams: There is a minor concern, but they have not actually gone to closing yet. Even though you approved the lease of the two acres, I imagine that has not happened yet. If the Mayor had signed the lease agreement then we really couldn't go back on that. I think everything at this point is still tentative. It is unusual that you would approve a sale, knowing a condition of the sale is a conditional use request, which then gets approved by the Planning Commission, if it was disapproved by the City Council. I would have some concerns there, but not giant ones.

Alderman Long: Jeremy, about eight months ago Council approved an ordinance where residential properties could have small scale businesses run out of them, didn't we?

Jeremy Pate: Yes.

Alderman Long: Would it be unfair to not allow it in this case? Basically, any residentially zoned property in the City of Fayetteville can have a small scale business run out of it. How could we prevent it here?

Jeremy Pate: They are still conditional use permits. It goes through the same process that this went through, unless it is zoned for small scale retail commercial uses.

City Attorney Kit Williams: We are treating this property the same as we would any property.

Alderman La Tour: We have a difference of opinion between neighbors. If we as a city are going to lease two acres to Apple Seeds, we can make it a condition of that lease that they erect some sort of petition between them and the neighbor. We have the opportunity to accommodate both interest.

City Attorney Kit Williams: The City Council has already approved a lease and authorized Mayor Jordan to sign it. We haven't entered into it, but it was a negotiated lease. Once you have an agreement, one side of the agreement can't just change it because they want too. However, if you wanted to exercise that kind of power, you could potentially do it as a condition to this conditional use. You could be requiring a very large expenditure of funds by Apple Seeds in order to build a fence to separate their two acre farm parcel from this other land.

Alderman La Tour: Maybe we can just think about it and come up with a solution that wouldn't be cost prohibitive. Have we already executed that lease?

City Attorney Kit Williams: I don't think we have.

Mayor Jordan: I signed something about selling the property. I don't think I signed a lease.

Alderman La Tour: It wouldn't be too late to change the terms of the lease if it hasn't been executed.

City Attorney Kit Williams: The lease has been approved by the City Council. You could do a motion to reconsider if it hasn't been signed yet. There is a closing date that we have with Apple

Seeds that will occur prior to your next meeting. It would be awkward to start negotiating again with Apple Seeds and come to a new agreement before the closing date.

Mayor Jordan: Everything is contingent on them getting the financing and then the lease kicks in.

Alderman Marsh stated that if the Phillips property was sold to someone and they built a new house, they could erect a fence. She read a study showing the positive effects of community gardens.

Alderman Schoppmeyer: The reason I brought this forward is because I was concerned. We have a gentleman that has a property adjacent to this proposed location and he claims he wasn't notified. That is a problem and this is why I felt like we should bring it forward. I'm concerned about the notification process. Apple Seeds are the ones who notified everybody. Is that standard procedure?

Jeremy Pate: Yes. It is required by ordinance.

Alderman Schoppmeyer: Is there a reason that the city doesn't do it?

Jeremy Pate: We used to. It is a matter of cost. We would charge the applicant to do certified mail. We brought this item forward in 2005 for applicants to notify all property owners and place that accountability in their hands.

Mayor Jordan stated the process was changed because citizens said they couldn't make it to the post office and sign.

Alderman Petty: I can appreciate the reasons for bringing an appeal forward with regards to the requirements we have for notification. My decision hasn't changed. I have compassion for what's happened. We made the right decision and should stick to it. The public good of Apple Seeds can't be called into question effectively. This will have generational impacts on how we are able to address a lot of the pressures that we should be anticipating of our local food markets over the next half century.

A discussion followed about the appeal process for voting purposes.

Alderman Kinion: I understand the situation the homeowner has faced and the frustration they felt when they did not have the opportunity to move forward with the closing. The overall package we were presented offers the opportunity to enhance this area of our city. This is the opportunity for us to move property forward and we have agreed to do that. We made the right decision.

Alderman Tennant: Thank you to the Council for listening to this. The improvements that we are doing and will continue to do to Old Wire Road will make that area of town walkable for the first time ever. This will be something that the public and school children will enjoy. We did the right thing in listening to Mr. Phillips. I wish that in the future we could address how we notify the public.

City Attorney Kit Williams explained to City Council the voting process of an appeal to ensure they understood their vote of either a yes or no.

Alderman Petty moved to deny the appeal. Alderman Marsh seconded the motion. Upon roll call the motion to deny the appeal passed 7-1. Alderman La Tour voting no.

This appeal was denied.

Announcements:

Don Marr, Chief of Staff: The ribbon cutting groundbreaking for the spiral sculptor will be November 19, 2015 at 1:00 p.m.

City Hall will be closed on Thursday, November 26, 2015 and Friday, November 27, 2015 for the Thanksgiving holiday.

City Attorney Kit Williams: We now only have a single condemnation case pending on Rupple Road. The other condemnation case was resolved for under $35,000.

City Council Agenda Session Presentations: None

City Council Tour: None

Adjournment: 7:06 p.m.

Lioneld Jordan, Mayor

Sondra E. Smith, City Clerk Treasurer