

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
March 1, 2016**

A meeting of the Fayetteville City Council was held on March 1, 2016 at 5:30 p.m. at the Ray Adams Leadership Center School Board Room, 1000 W. Bulldog Avenue, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports, and Discussion Items

Agenda Additions

A. Consent:

1. Approval of the February 16, 2016 City Council Meeting Minutes.

APPROVED

2. **Insituform Technologies, INC.:** A resolution to approve a one year contract extension with Insituform Technologies, Inc. in an amount not to exceed \$330,000.00 for sewer rehabilitation using cured-in-place sanitary sewer linings.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 50-16

3. **Hawg Dwellings, LLC:** A resolution pursuant to Fayetteville code of ordinances section 39.10(c)(4) to authorize the mayor to pay the amount of \$8,971.91 to Hawg Dwellings, LLC and \$7,936.56 to Servpro of Fayetteville/Springdale for a wastewater damage claim arising at 902 west Cleveland Street.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 51-16

4. **McClelland Consulting Engineers, Inc. Supplemental Agreement No. 1:** A resolution to approve supplemental agreement no. 1 to the contract with McClelland Consulting Engineers, Inc. for additional construction phase services associated with the old wire road sewer main replacement project which will increase the total amount of the contract from \$228,644.00 to an amount not to exceed \$250,402.00, and to approve a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 52-16

5. **Bid #16-19 T-G Excavating, Inc.:** A resolution to award Bid #16-19 and authorize a contract with T-G Excavating, Inc. in the amount of \$2,373,333.00 for construction services associated with the Old Wire Road Sewer Main Replacement Project, to approve a project contingency in the amount of \$237,333.30, and to approve a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 53-16

6. **Hub International Contract:** A resolution to approve a one year contract with Hub International in the amount of \$13,000.00 with automatic renewals for three additional one year terms for the provision of insurance brokerage and consultation services.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 54-16

B. Unfinished Business:

1. **RZN 15-5240 (2514 W. Lori Rd./Razorback Golf Course):** An ordinance to rezone that property described in rezoning petition RZN 15-5240 for approximately 128 acres located at 2514 west Lori Road from R-A, residential-agricultural; RSF-1, residential single family one unit per acre; and RSF-4, residential single family , 4 unit speracretor - a, residential-agricultural; RMF- 24, residential multi-family, 24 units per acre; NC, neighborhood conservation; nd ns, neighborhood services, subject to a Bill of Assurance.

THIS ORDINANCE FAILED.

2. **Amend § 72.58 Off-Street Parking Facilities; Rules and Rates:** An ordinance to amend § 72.58 off-street parking facilities; rules and rates (m) to limit the mayor's authority to assign any city owned paid parking lots, on-street paid parking spaces or the closure of city streets for the use of a permitted special event to not more than two (2) days per year without express approval of the city council.

THIS ORDINANCE WAS LEFT ON THE SECOND READING AND TABLED TO THE APRIL 5, 2016 CITY COUNCIL MEETING.

C. New Business:

1. **AIT Services, Inc.:** An ordinance to waive the requirements of formal competitive bidding and authorize the purchase of spare parts for the thermal drying unit located at the Biosolids Management site from AIT Services, Inc. in the amount of \$65,371.50 plus applicable taxes, to approve a project contingency in the amount of \$7,174.52, and to waive the requirements of formal competitive bidding for future purchases of parts and repair services through December 31, 2018.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5854

2. **Laserfiche Document Management System From MCCI, LLC Additional Software User Licenses:** An ordinance to waive the requirements of formal competitive bidding and authorize the purchase of additional Laserfiche user licenses, the Laserfiche forms module, annual software maintenance, and future software and service needs through the end of fiscal year 2017 from MCCI, LLC in an amount not to exceed \$235,000.00 plus applicable taxes.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5855

3. **RZN 15-5293 (701 E. Huntsville Rd./Rose Bauer):** An ordinance to rezone that property described in rezoning petition RZN 15-5293 for approximately 36.25 acres located at 701 east Huntsville Road from RSF-4, residential single family, 4 units per acre to CS, community services; NC, neighborhood conservation and RA, residential-agricultural and subject to bill of assurance.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5856

4. **RZN 16-5299 (4170 W. MLK Blvd./Calypso Properties):** An ordinance to rezone that property described in rezoning petition RZN 16-5299 for approximately 3.4 acres located at 4170 west Martin Luther King Boulevard from RO, residential office to UT, urban thoroughfare.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5857

5. **West Avenue Parking Lot Development Consideration:** A resolution to express the City Council's intent to consider proposals for the development and improvement of the city's 2.8 acre property at the southwest corner of West Avenue and Dickson Street currently used as the west avenue parking lot.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 55-16

6. **2016 Employee Compensation:** A resolution to approve a budget adjustment in the amount of \$1,220,000.00 to fund the city-wide 2016 employee compensation adjustment, and to approve a certification pay plan for sworn police personnel.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 56-16

D. City Council Agenda Session Presentations:

1. **Agenda Session Presentation: Recycling and Trash Update for Recycling Pilot Projects- Brian Pugh.**

City Council Tour:

Announcements:

Adjournment: 8:51 p.m.

City Council Meeting:

March 1, 2016

Adjourn: 8:51 p.m.

Subject:		ROLL			
Alderman Petty and Tennant arrived at 5:36 p.m.	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Gray	✓			
	Mayor Jordan	✓			

8-0

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Schoppmeyer				
	La Tour				
	Long				
	Gray				
	Mayor Jordan				

Subject:	CONSENT				
Motion To:					
Motion By:		<i>Approve</i>			
Motion By:		<i>Long</i>			
Seconded:		<i>Tennant</i>			
<i>Minutes</i> <i>Approved</i> <i>Passed</i> 50-16 51-16 52-16 53-16 54-16	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Schoppmeyer	✓			
	La Tour	✓			
	Long	✓			
	Gray	✓			
	Mayor Jordan				

8-0

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Schoppmeyer				
	La Tour				
	Long				
	Gray				
	Mayor Jordan				

Subject:	RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE)				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Pass</i>	
Motion By:		<i>Long</i>	<i>Marsh</i>		
Seconded:		<i>Gray</i>	<i>Long</i>		
B. 1 Unfinished Business <i>This Ordinance Failed</i>	Marsh	✓	✓	<i>N</i>	
	Kinion	✓	<i>N</i>	<i>N</i>	
	Petty	✓	✓	<i>N</i>	
	Tennant	✓	✓	<i>N</i>	
	Schoppmeyer	✓	✓	<i>N</i>	
	La Tour	✓	✓	<i>N</i>	
	Long	✓	✓	<i>N</i>	
	Gray	✓	✓	<i>N</i>	
	Mayor Jordan				

*8-0**7-1**0-8 failed*

Subject:	AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES				
Motion To:		<i>2nd Read</i>	<i>Amend to include entire City</i>	<i>Amend to send to Ordinance Review</i>	<i>Table to April 5, 2016</i>
Motion By:		<i>Gray</i>	<i>Marsh</i>	<i>Marsh</i>	<i>Gray</i>
Seconded:		<i>Tennant</i>	—	<i>Kinion</i>	<i>Long</i>
B. 2 Unfinished Business <i>Left on the Second Reading</i> <i>Tabled to April 5, 2016</i>	Marsh	✓	<i>No</i>	✓	<i>N</i>
	Kinion	✓	<i>second</i>	✓	✓
	Petty	✓	<i>to the</i>	✓	<i>N</i>
	Tennant	✓	<i>motion</i>	✓	✓
	Schoppmeyer	✓	<i>to amend</i>	✓	✓
	La Tour	<i>N</i>		✓	✓
	Long	✓		✓	✓
	Gray	✓		<i>N</i>	✓
	Mayor Jordan				

*7-1**7-1*

Subject:	AIT SERVICES, INC.				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Pass</i>	
Motion By:		<i>Tennant</i>	<i>Gray</i>		
Seconded:		<i>Schoppmeyer</i>	<i>La Tour</i>		
C. 1 New Business <i>passed</i> <i>5854</i>	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
	Mayor Jordan				
		<i>8-0</i>	<i>8-0</i>	<i>8-0</i>	

Subject:	LASERFICHE DOCUMENT MANAGEMENT SYSTEM FROM MCCI, LLC ADDITIONAL SOFTWARE USER LICENSES				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Pass</i>	
Motion By:		<i>Marsh</i>	<i>Gray</i>		
Seconded:		<i>Long</i>	<i>Marsh</i>		
C. 2 New Business <i>passed</i> <i>5855</i>	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
	Mayor Jordan				
		<i>8-0</i>	<i>8-0</i>	<i>8-0</i>	

Subject:	RZN 15-5293 (701 E. HUNTSVILLE RD./ROSE BAUER)				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Pass</i>	
Motion By:		<i>Gray</i>	<i>Gray</i>		
Seconded:		<i>Marsh</i>	<i>Marsh</i>		
C. 3 New Business <i>Passed</i> <i>5852</i>	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

8-0

Subject:	RZN 16-5299 (4170 W. MLK BLVD./CALYPSO PROPERTIES)				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Pass</i>	
Motion By:		<i>Gray</i>	<i>Gray</i>		
Seconded:		<i>Marsh</i>	<i>Marsh</i>		
C. 4 New Business <i>Passed</i> <i>5851</i>	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

8-0

Subject:	WEST AVENUE PARKING LOT - DEVELOPMENT CONSIDERATION				
Motion To:		<i>Approve</i>			
Motion By:		<i>Long</i>			
Seconded:		<i>Marsh</i>			
C. 5 New Business <i>passed</i> <i>55-16</i>	Marsh	<i>✓</i>			
	Kinion	<i>✓</i>			
	Petty	<i>✓</i>			
	Tennant	<i>✓</i>			
	Schoppmeyer	<i>Absent during the vote</i>			
	La Tour	<i>N</i>			
	Long	<i>✓</i>			
	Gray	<i>✓</i>			
	Mayor Jordan				

6-1

Subject:	2016 EMPLOYEE COMPENSATION				
Motion To:		<i>Approve</i>			
Motion By:		<i>Long</i>			
Seconded:		<i>Gray</i>			
C. 6 New Business <i>passed</i> <i>56-16</i>	Marsh	<i>✓</i>			
	Kinion	<i>✓</i>			
	Petty	<i>✓</i>			
	Tennant	<i>✓</i>			
	Schoppmeyer	<i>Absent during the vote</i>			
	La Tour	<i>✓</i>			
	Long	<i>✓</i>			
	Gray	<i>✓</i>			
	Mayor Jordan				

7-0



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Patti Mulford
Paralegal

TO: Mayor Jordan

THRU: Sondra Smith, City Clerk

FROM: Kit Williams, City Attorney

DATE: March 2, 2016

RE: Resolutions and Ordinances prepared by the City Attorney's Office and passed at the City Council meeting of March 1, 2016

1. A resolution to approve a one year contract extension with Insituform Technologies, Inc. in an amount not to exceed \$330,000.00 for sewer rehabilitation using cured-in-place sanitary sewer linings.
2. A resolution pursuant to Fayetteville Code of Ordinances Section 39.10(C)(4) to authorize the Mayor to pay the amount of \$8,971.91 to Hawg Dwellings, LLC and \$7,936.56 to Servpro of Fayetteville/Springdale for a wastewater damage claim arising at 902 West Cleveland Street.
3. A resolution to approve supplemental agreement no. 1 to the contract with McClelland Consulting Engineers, Inc. for additional construction phase services associated with the Old Wire Road Sewer Main Replacement Project which will increase the total amount of the contract from \$228,644.00 to an amount not to exceed \$250,402.00, and to approve a budget adjustment.
4. A resolution to award Bid #16-19 and authorize a contract with T-G Excavating, Inc. in the amount of \$2,373,333.00 for construction services associated with the Old Wire Road Sewer Main Replacement Project, to approve a project contingency in the amount of \$237,333.30, and to approve a budget adjustment.
5. A resolution to approve a one year contract with Hub International in the amount of \$13,000.00 with automatic renewals for three additional one year terms for the provision of Insurance Brokerage and Consultation Services.
6. An ordinance to waive the requirements of formal competitive bidding and authorize the purchase of spare parts for the thermal drying unit located at the Biosolids Management site from AIT Services, Inc. in the amount of \$65,371.50 plus

applicable taxes, to approve a project contingency in the amount of \$7,174.52, and to waive the requirements of formal competitive bidding for future purchases of parts and repair services through December 31, 2018.

7. An ordinance to waive the requirements of formal competitive bidding and authorize the purchase of additional Laserfiche User Licenses, the Laserfiche Forms Module, Annual Software Maintenance, and future software and service needs through the end of fiscal year 2017 from MCCI, LLC in an amount not to exceed \$235,000.00 plus applicable taxes.

8. An ordinance to rezone that property described in rezoning petition RZN 15-5293 for approximately 36.25 acres located at 701 East Huntsville Road from RSF-4, Residential Single Family, 4 Units Per Acre to CS, Community Services; NC, Neighborhood Conservation and R-A, Residential-Agricultural and subject to a Bill of Assurance.

9. An ordinance to rezone that property described in rezoning petition RZN 16-5299 for approximately 3.4 acres located at 4170 West Martin Luther King Boulevard from R-O, Residential Office to UT, Urban Thoroughfare.

10. A resolution to express the City Council's intent to consider proposals for the development and improvement of the City's 2.8 acre property at the southwest corner of West Avenue and Dickson Street currently used as the West Avenue parking lot.

11. A resolution to approve a budget adjustment in the amount of \$1,220,000.00 to fund the City-wide 2016 Employee Compensation Adjustment, and to approve a certification pay plan for sworn police personnel.

City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323



Meeting Agenda - Final Agenda

Tuesday, March 1, 2016

5:30 PM

Ray Adams Leadership Center-Fayetteville School Board Room
1000 West Bulldog Avenue

City Council Meeting

Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith

Call To Order**Roll Call****Pledge of Allegiance****Mayor's Announcements, Proclamations and Recognitions**1. [2016-0100](#)

IN RECOGNITION OF THE FAYETTEVILLE HIGH SCHOOL STATE CHAMPIONSHIPS IN FOOTBALL, GOLF, CROSS COUNTRY, AND VOLLEYBALL

City Council Meeting Presentations, Reports and Discussion Items:1. [2015-0639](#)

2015 4TH QUARTER FINANCIAL REPORT

Agenda Additions:**A. Consent:**A. 1 [2015-0642](#)

APPROVAL OF THE FEBRUARY 16, 2016 CITY COUNCIL MEETING MINUTES.

A. 2 [2016-0083](#)**INSITUFORM TECHNOLOGIES, INC.:**

A RESOLUTION TO APPROVE A ONE YEAR CONTRACT EXTENSION WITH INSITUFORM TECHNOLOGIES, INC. IN AN AMOUNT NOT TO EXCEED \$330,000.00 FOR SEWER REHABILITATION USING CURED-IN-PLACE SANITARY SEWER LININGS

Attachments: [2016 Insituform Legistar Packet](#)

A. 3 [2016-0069](#)**HAWG DWELLINGS, LLC:**

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$8,971.91 TO HAWG DWELLINGS, LLC AND \$7,936.56 TO SERVPRO OF FAYETTEVILLE/SPRINGDALE FOR A WASTEWATER DAMAGE CLAIM ARISING AT 902 WEST CLEVELAND STREET

Attachments: [Cleveland 902 W \(Carter\) Legistar Packet](#)

A. 4 [2016-0079](#)**MCCLELLAND CONSULTING ENGINEERS, INC.
SUPPLEMENTAL AGREEMENT NO. 1:**

A RESOLUTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. FOR ADDITIONAL CONSTRUCTION PHASE SERVICES ASSOCIATED WITH THE OLD WIRE ROAD SEWER MAIN REPLACEMENT PROJECT WHICH WILL INCREASE THE TOTAL AMOUNT OF THE CONTRACT FROM \$228,644.00 TO AN AMOUNT NOT TO EXCEED \$250,402.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [MCE Ramsey-Overcrest Amendment 1 Legistar Packet](#)
 [BA - McClelland Consulting Ramsey and Overcrest](#)

A. 5 [2016-0078](#)**BID #16-19 T-G EXCAVATING, INC.:**

A RESOLUTION TO AWARD BID #16-19 AND AUTHORIZE A CONTRACT WITH T-G EXCAVATING, INC. IN THE AMOUNT OF \$2,373,333.00 FOR CONSTRUCTION SERVICES ASSOCIATED WITH THE OLD WIRE ROAD SEWER MAIN REPLACEMENT PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$237,333.30, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [TG Excavating Ramsey-Overcrest Legistar Packet](#)
 [BA - TG Excavating Ramsey and Overcrest](#)

A. 6 [2016-0087](#)**HUB INTERNATIONAL CONTRACT:**

A RESOLUTION TO APPROVE A ONE YEAR CONTRACT WITH HUB INTERNATIONAL IN THE AMOUNT OF \$13,000.00 WITH AUTOMATIC RENEWALS FOR THREE ADDITIONAL ONE YEAR TERMS FOR THE PROVISION OF INSURANCE BROKERAGE AND CONSULTATION SERVICES

Attachments: [2016-0087 HUB International](#)

B. Unfinished Business:**B. 1** [2016-0061](#)**RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5240 FOR APPROXIMATELY 128 ACRES LOCATED AT 2514 WEST LORI ROAD FROM R-A, RESIDENTIAL-AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE; AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO R - A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; AND NS, NEIGHBORHOOD SERVICES, SUBJECT TO A BILL OF ASSURANCE

Attachments: [RZN 15-5240 CC reports](#)

This Ordinance was left on the first reading at the February 16, 2016 City Council meeting.

B. 2 [2016-0057](#)**AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:**

AN ORDINANCE TO AMEND § 72.58 **OFF-STREET PARKING FACILITIES; RULES AND RATES** (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS, ON-STREET PAID PARKING SPACES OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

Attachments: [Agenda Request Form § 72.58](#)
 [City Attorney Memo Ord § 72.58](#)

This Ordinance was left on the first reading at the February 16, 2016 City Council meeting.

C. New Business:**C. 1** [2016-0068](#)**AIT SERVICES, INC.:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF SPARE PARTS FOR THE THERMAL DRYING UNIT LOCATED AT THE BIOSOLIDS MANAGEMENT SITE FROM AIT SERVICES, INC. IN THE AMOUNT OF \$65,371.50 PLUS APPLICABLE TAXES, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,174.52, AND TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING FOR FUTURE PURCHASES OF PARTS AND REPAIR SERVICES THROUGH DECEMBER 31, 2018

Attachments:

[SRPacket - 2016-0068 - BMS Thermal Dryer Parts.pdf](#)

C. 2 [2016-0088](#)**LASERFICHE DOCUMENT MANAGEMENT SYSTEM FROM MCCI, LLC ADDITIONAL SOFTWARE USER LICENSES:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF ADDITIONAL LASERFICHE USER LICENSES, THE LASERFICHE FORMS MODULE, ANNUAL SOFTWARE MAINTENANCE, AND FUTURE SOFTWARE AND SERVICE NEEDS THROUGH THE END OF FISCAL YEAR 2017 FROM MCCI, LLC IN AN AMOUNT NOT TO EXCEED \$235,000.00 PLUS APPLICABLE TAXES

Attachments:

[Laserfiche Packet 02182016](#)

C. 3 [2016-0085](#)**RZN 15-5293 (701 E. HUNTSVILLE RD./ROSE BAUER):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5293 FOR APPROXIMATELY 36.25 ACRES LOCATED AT 701 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO CS, COMMUNITY SERVICES; NC, NEIGHBORHOOD CONSERVATION AND R-A, RESIDENTIAL-AGRICULTURAL AND SUBJECT TO A BILL OF ASSURANCE

Attachments:

[15-5293 CC REQUEST](#)

C. 4 [2016-0086](#)**RZN 16-5299 (4170 W. MLK BLVD./CALYPSO PROPERTIES):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5299 FOR APPROXIMATELY 3.4 ACRES LOCATED AT 4170 WEST MARTIN LUTHER KING BOULEVARD FROM R-O, RESIDENTIAL OFFICE TO UT, URBAN THOROUGHFARE

Attachments:[16-5299 CC REQUEST DOCS](#)**C. 5** [2016-0034](#)**WEST AVENUE PARKING LOT - DEVELOPMENT CONSIDERATION:**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S INTENT TO CONSIDER PROPOSALS FOR THE DEVELOPMENT AND IMPROVEMENT OF THE CITY'S 2.8 ACRE PROPERTY AT THE SOUTHWEST CORNER OF WEST AVENUE AND DICKSON STREET CURRENTLY USED AS THE WEST AVENUE PARKING LOT

Attachments:[Resolution of Intent Agenda Item](#)**C. 6** [2016-0075](#)**2016 EMPLOYEE COMPENSATION:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,220,000.00 TO FUND THE CITY-WIDE 2016 EMPLOYEE COMPENSATION ADJUSTMENT, AND TO APPROVE A CERTIFICATION PAY PLAN FOR SWORN POLICE PERSONNEL

Attachments:[2016 Employee Compensation](#)[BA2016 - 2016-0075 ECP2016](#)**D. City Council Agenda Session Presentations:****D. 1** [2016-0055](#)

AGENDA SESSION PRESENTATION RECYCLING AND TRASH UPDATE FOR RECYCLING PILOT PROJECTS- BRIAN PUGH

E. City Council Tour:**F. Announcements:****G. Adjournment**

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

All cell phones must be silenced and may not be used within the City Council Chambers.

Below is a portion of the Rules of Order and Procedure of the Fayetteville City Council pertaining to City Council meetings:

Agenda additions: A new item which is requested to be added to the agenda at a City Council meeting should only be considered if it requires immediate City Council consideration and if the normal agenda setting process is not practical. The City Council may only place such new item on the City Council meeting's agenda by suspending the rules by two-thirds vote. Such agenda addition shall be heard prior to the Consent Agenda.

Consent Agenda: Consent Agenda items shall be read by the Mayor and voted upon as a group without discussion by the City Council. If an Alderman wishes to comment upon or discuss a Consent Agenda item, that item shall be removed and considered immediately after the Consent Agenda has been voted upon.

Old business and new business.

Presentations by staff and applicants. Agenda items shall be introduced by the Mayor and, if an ordinance, read by the City Attorney. City staff shall then present a report. An agenda applicant (city contractor, rezoning or development applicant, etc.) may present its proposal only during this presentation period, but may be recalled by an alderman later to answer questions. Staff and applicants may use electronic visual aids in a City Council meeting as part of their presentation.

Public comments. Public comment shall be allowed for all members of the audience on all items of old and new business and subjects of public hearings. No electronic visual aid presentations shall be allowed, but the public may submit photos, petitions, etc. to be distributed to the City Council. If a member of the public wishes for the City Clerk to distribute materials to the City Council before its meeting, such materials should be supplied to the City Clerk office no later than 9:00 a.m. on the day of the City Council meeting. Any member of the public shall first state his or her name and address, followed by a concise statement of the person's position on the question under discussion. Repetitive comments should be avoided; this applies to comments made previously either to the City Council or to the Planning Commission when those Planning Commission minutes have been provided to the Aldermen. All remarks shall be addressed to the Mayor or the City Council as a whole and not to any particular member of the City Council. No person other than the Aldermen and the person having the floor shall be permitted to enter into any discussions without permission of the Mayor. No questions shall be directed to an Alderman or city staff member except through the Mayor.

Courtesy and respect.

All members of the public, all city staff and elected officials shall accord the utmost courtesy and respect to each other at all times. All shall refrain from rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives or personalities. Any member of the public who violates these standards shall be ruled out of order by the Mayor, must immediately cease speaking and shall leave the podium.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 479-575-8330.

A copy of the complete City Council agenda is available at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.

Branson, Lisa

From: Smith, Sondra
Sent: Friday, February 19, 2016 12:21 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: john@ocinc.biz
Subject: FW: Major Event Ordinance

Please see the email below. Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*



From: John Olson [mailto:john@ocinc.biz]
Sent: Friday, February 19, 2016 10:12 AM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major Event Ordinance

To whom it may concern,

I support the proposed Major Event Ordinance to provide for input by citizens and businesses for major events that fit Fayetteville.

John Olson
1777 N Independence Place
Fayetteville, AR 72704

Branson, Lisa

From: Smith, Sondra
Sent: Wednesday, February 24, 2016 11:14 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Subject: FW: Major Event Ordinance

Please see the email below.

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov

CITY OF

www.fayetteville-ar.gov

From: Joe Hiryak [mailto:jhiryak@gmail.com]
Sent: Tuesday, February 23, 2016 11:11 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major Event Ordinance

I support the proposed Major Event Ordinance to provide for input by citizens and businesses for major events that fit Fayetteville.

Thank You,

Joe Hiryak

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FAYETTEVILLE WINDOW WASHING
PO BOX 510
FAYETTEVILLE AR 72702
(479) 856-5660 (Joe's Cell)
www.fayettevillewindowwashing.com

Branson, Lisa

From: Smith, Sondra
Sent: Wednesday, February 24, 2016 12:50 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: stevebeacham55@gmail.com
Subject: FW: How BBQ affects Eureka Springs - Major Event Ordinance

Please see the email below. Thanks!

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov



From: Stephen v2 [mailto:stevebeacham55@gmail.com]
Sent: Wednesday, February 24, 2016 12:05 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: How BBQ affects Eureka Springs - Major Event Ordinance

To- Sondra Smith, City Clerk

Ms. Smith, below is a letter I am sending to the Fayetteville City Council concerning an upcoming vote on the Major Event Ordinance. Would you please see that it goes to the proper person? Thanks for your help with this, Steve Beacham

To- The Fayetteville City Council concerning how BBQ affects Eureka Springs and your Major Event Ordinance

My name is Steve Beacham. I have been a resident of Eureka Springs since 1979 as well as owning and operating a business in the Historic Downtown area. During that time, our tourism demographics has gone from 60+ by the bus load to now 50+ by motorcycles. Each group has presented

challenges to our city infrastructure and ambiance.

The Motorcycle group has been a two edged situation. Yes, they are tourist and bring a certain amount of tourism related spending with them. In Eureka, the bars, restaurants and lodging are the main businesses that benefit.

The cost of that tourism seems to be putting up with a small percentage of bikers that love to make noise with their illegal exhaust systems. Many business owners report customers that leave town when the noise arrives. The sound is a health risk because of the loudness. It can and does do physical damage to your hearing.

I was part of a City Council approved committee made up of 9 people that set about creating a City Noise Ordinance to try to give a legal way to quieten down the issue. The committee had bike bar owners, city alderman, business owners and bike enthusiasts. Over a period of months an Ordinance was created and common ground was found. Most bikers are just as bothered by loud bikes as everyone else is.

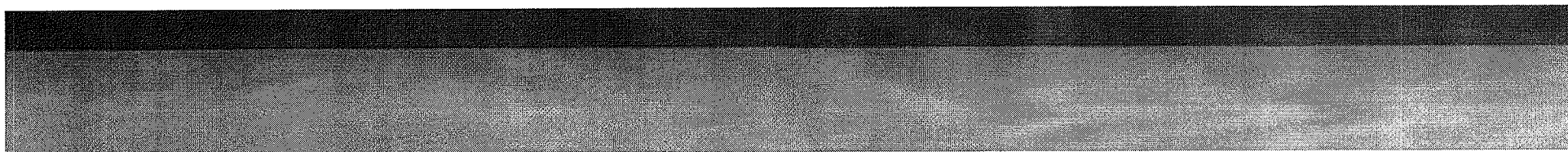
BBBQ as an event brings thousands of tourists to Northwest Arkansas. The unasked question is how many tourists do they drive away? How threatened do most folks feel when everywhere they look is leather clad bikers? When the special cleanup crews go around Fayetteville, how many drug related articles are found?

Here in Eureka, we are told by a very vocal group to just take their money and shut up. Don't worry about your quality of life as long as money comes in.

I guess our only mark of success so far in this issue is that during BBBQ last year Eureka Springs gave out more Noise citations than the city of Fayetteville.

General Fund 2015 Operating Results & Mayor Recommended Compensation Plan

February 23, 2016



2015 General Fund Operating Results

Revenues	\$ 41,200,000
Expenses	(39,600,000)
Operating Surplus	\$ 1,600,000

Cost of Recommended Plan

Funds		2016 Impact		Full Year (2017) Impact
General	\$	819,000	\$	1,065,000
Street		79,000		103,000
Parking		11,000		14,000
Community Development Block Grant		7,000		9,000
Parks Development		37,000		48,000
Drug Law Enforcement		8,000		10,000
Water & Sewer		138,000		179,000
Recycling & Trash Collection		81,000		105,000
Airport		14,000		18,000
Shop		26,000		34,000
Total Cost	\$	1,220,000	\$	1,585,000

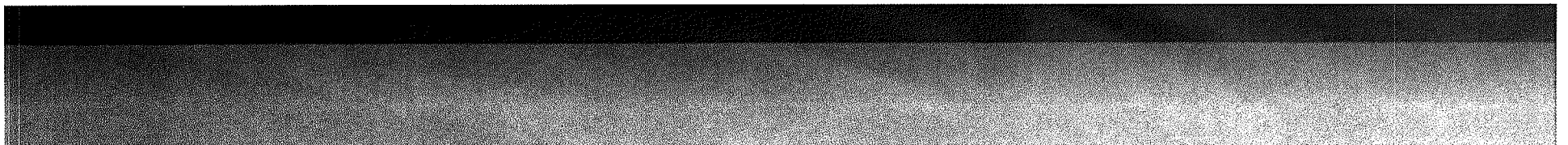
General Fund

2016 Projected Ending Fund Balance (If Revenue Projections are Met)

Projected 12/31/2015 Fund Balance	\$	15,750,000
Less: Cash Funded Re-budget Adjustment		(1,300,000)
Less: Pay Plan		(819,000)
Adjusted Fund Balance	\$	13,631,000
Less: Required Reserve		(6,600,000)
Estimated Adjusted Fund Balance at 12/31/2016	\$	7,031,000

Significant Considerations

- General Fund operating surplus for 2015 is estimated to be \$1,600,000 after adjusting for one time transfers.
- Impact of the plan on the General Fund for 2016 would be \$819,000.
- Ongoing cost to the General Fund in 2017 would be \$1,065,000.
- If sales tax revenue alone was needed to continue this salary increase in 2016, sales taxes would need to increase by 3.2% over 2015 collections.
- The first month of sales tax results for Fiscal 2016 is 7.8% over 2015 collections.



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
February 16, 2016**

A meeting of the Fayetteville City Council was held on February 16, 2016 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 Petty arrived at 5:35 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 February 2, 2016 City Council Meeting Minutes.

Approved

Mitchell, Williams, Selig, Gates & Woodyard, PLLC Amendment No. 3: A resolution to approve amendment No. 3 to the contract with Mitchell, Williams, Selig, Gates & Woodyard, PLLC in the amount of \$25,000.00 for additional legal services related to the White River water quality standards petition to the Arkansas Pollution Control and Ecology Commission, and to approve a budget adjustment.

Resolution 46-16 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 6-0. Alderman Petty and Tennant were absent during the vote.

Unfinished Business: None

Public Hearing:

Raze and Removal and Clean-up at 550 W. Skelton Street: A resolution to order the razing and removal of a dilapidated and unsafe structure and clean-up of unsanitary and unsightly conditions on property owned by U.S. Bank National Association located at 550 W. Skelton Street in the City of Fayetteville, Arkansas, and to approve a budget adjustment.

Mayor Jordan opened the Public Hearing.

David Carver, Code Compliance Division gave a brief description of the resolution.

Alderman La Tour: Have we contacted the landowner?

David Carver: Yes. We have gone through our notification process. Both notifications were sent via certified mail and came back signed.

Alderman La Tour: When you tried to call, did you speak with someone?

David Carver: We don't communicate via phone. It is strictly certified mail.

Alderman La Tour: You got your receipt back and so you know they got it.

David Carver: Yes, sir.

A discussion followed about the process of a razing project.

Alderman La Tour: How do we determine which property we are going to do this too?

David Carver: We have had a very long history of service request or complaint history on this property from citizens across the city, but mainly people in that neighborhood. The service request history goes back as far as 2010 for the property in its current condition.

City Attorney Kit Williams: You have provided City Council with many pictures showing the structure falling down. Did the Building Inspector look at this structure?

David Carver: Yes. We sent an unsafe building determination to Building Safety. Our chief building official, along with his staff, inspect the property and give us their recommendation.

City Attorney Kit Williams: What did they recommend in this case?

David Carver: They recommended razing and removal.

City Attorney Kit Williams: They thought it was an unsafe structure as these pictures clearly show?

David Carver: Yes, sir.

City Attorney Kit Williams: We need to lay a firm base for City Council and citizens to know that it isn't just complaint driven. We inspect the structures. The pictures show the structure falling down, no walls, and the roof is coming down. It is very dilapidated.

David Carver: The unsafe building determination is included in the packet of information.

Alderman Marsh: I have received a number of complaints over the years about this property. In the packet it shows the house falling down. Neighbors are concerned about safety and pollution. Thank you for your work to get this torn down and to Assistant City Attorney Blake Pennington for his diligence in tracking down the owner.

Mayor Jordan: Is the owner here?

David Carver: I don't believe so.

There was no public comment.

Mayor Jordan closed the Public Hearing.

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

Resolution 47-16 as recorded in the office of the City Clerk

Raze and Removal 1180 E. Huntsville Road: A resolution to order the razing and removal of a dilapidated and unsafe structure owned by Aaron Kendall Kirk and John Paul Keary located at 1180 E. Huntsville Road in the City of Fayetteville, Arkansas, and to approve a budget adjustment.

Mayor Jordan opened the Public Hearing.

David Carver, Code Compliance Division gave a brief description of the resolution. He stated they have had good correspondence with the owners. He believes there is a good chance they won't have to raze and remove and that the property owner will be able to handle the situation.

Beverly Kirk, Property Owner: I have never received any notices. When I tried to call, they couldn't talk to me because I wasn't an owner at that time. The property is now in my name. I'm going to take care of the building. An attorney told me that as the new owner I should be afforded the same consideration of any other property owner in terms of the timeline. I have every intention of disassembling the building. I would like time to deal with the matter.

City Attorney Kit Williams: Are you related to Aaron Kendall Kirk?

Beverly Kirk: He was my son. He passed away.

City Attorney Kit Williams: I'm sorry to hear that. He was listed as one of the co-owners and that is how you became a part owner?

Beverly Kirk: Yes. I had to buy out John Keary.

City Attorney Kit Williams: When did you purchase the property?

Beverly Kirk: Yesterday. I have someone who is going to work on the property.

Mayor Jordan: If an owner is making a good faith effort to restore the building, is there a certain amount of time you will give them?

David Carver: We are always willing to work with a citizen as long as we are going towards the same goal. Procedurally, if there is a change of ownership, we are basically back to square one.

City Attorney Kit Williams: She is entitled to due process. We should table this for a month to allow her the opportunity to work with our staff.

Justin Tennant: If we do that, then city staff before 30 days could remove the razing and removal?

City Attorney Kit Williams: That's right. It will probably come back and be reported to us that it should be dismissed.

Don Marr, Chief of Staff: Our protocol is to serve the owner of record. In order to be consistent with what we do, I would rather you table it indefinitely and let us go through the process directly

with the new owner. If it gets resolved, we don't have to have it at any meeting. If it doesn't get resolved, then we will bring it back with the proper notice to the new owner of record.

Mayor Jordan closed the Public Hearing.

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

This resolution was Tabled Indefinitely

New Business:

Watershed Conservation Resource Center Task Order No. 4: A resolution to approve Task Order No. 4 with the Watershed Conservation Resource Center in the amount of \$79,500.00 for continued native vegetation establishment efforts and minor adjustments to existing restoration areas to enhance stream channel stability.

Chris Brown, City Engineer gave a brief description of the resolution.

Alderman Long: I reached out to Chris because a constituent had some concerns related to compliance through the ADEQ. Please talk about the complaints and what we have done to rectify those.

Chris Brown: We had a complaint related to our Ruppel Road project with offsite tracking due to the wet roads in the construction area and mud being tracked onto the existing Ruppel Road. We have talked to the contractor and given them specific items to correct. The contractors have been using sweepers to clean up, which is not what we want them to do. We don't want the dirt to get on there in the first place. It is a continuous process that we will work with them on.

Alderman La Tour: If we go and buy a set of tires from Sam's Club, we know what we are getting for our money. It is hard for me to understand what we get for \$79,500 of stream restoration. Help me understand what we are getting for this money.

Chris Brown: This is on an as needed basis. For example, watering the plants that have been placed as part of the stream restoration project. If we get enough rain then we wouldn't need to water them. These stream restoration projects are a natural stream restoration. There is generally no concrete involved. It is helping the stream heal itself. Those types of restorations, especially before the vegetation gets fully grown in is an integral part of maintaining the riparian area. As the vegetation grows in, the cost of maintenance will go down where you would not have to maintain it after it is fully established.

Alderman La Tour: What percentage of the \$79,500 do you think is going to go for salaries and wages?

Chris Brown stated there was a representative from the Watershed Conservation Resource Center to answer questions.

Matt Van Eps, Watershed Conservation Resource Center Associate Director: We received a Task Order approval last year to conduct this same type of maintenance. Last year we were given approval for \$62,500 and of that total amount we spent approximately \$29,000. A majority of that \$29,000 went into labor and oversight cost. This particular Task Order included carry-over of the money that was left over from last year in addition to what we would normally require to do this maintenance work. Of this Task Order, a considerable amount is going into the repair work that Chris Brown spoke about.

A discussion followed about the description of work being performed.

Alderman La Tour: How do you remove a boulder?

Matt Van Eps: We use a medium sized excavator.

Alderman La Tour: What percentage of operating budget on an annual basis comes from the City of Fayetteville?

Matt Van Eps: 20%.

Alderman La Tour: The other 80% comes from where?

Matt Van Eps: They come from grants and private foundations.

Alderman La Tour: Grants from the Federal government?

Matt Van Eps: Indirectly, yes. Through the State.

Alderman La Tour: I view this job as a duty to safeguard the purse of this city. We just raised taxes this year. The library is getting ready to ask for another tax increase. The old Firemen's Pension fund is getting ready to ask for another tax increase. We are going to spend \$79,500 to put rocks into a stream. Maybe that is important, but it seems like we need to have priorities in spending. I don't think this is a high priority.

Alderman Long requested to know Alderman Kinion's perspective, who is on the Water, Sewer, and Solid Waste Committee.

Alderman Kinion: If Alderman La Tour would attend our meetings, we have had a lot of reports on the importance of managing this to protect the water quality in Beaver Lake. The West Fork of the White River is an impaired stream. The more damage we have in the stream bed, the more sediment that we get. This gives us a higher sedimentation rate. In order to protect the quality of the water as well as the aesthetics, we have to manage the runoff. This is a sound investment that is coming from an Enterprise Fund. It is an investment in the future. For 20% of an investment in

protecting the watershed, this is a great value on the return on investment that you as a taxpayer will receive in the long run.

Mayor Jordan: I saw the stream restoration at Niokaska Creek a few years ago. The bank had eroded to where it was about six feet from people's homes. The Council took action to restore those stream banks and we saved those homes. At the Red Oak Park there was a little stream that was overdeveloped along that bank. It went from a stream to about a 24 foot wide creek that undermined part of the park. It cost us over \$400,000 to repair it. We felt if we make adjustments a little earlier, then we don't have to pay so much later.

Alderman Gray moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the resolution passed 7-1. Alderman La Tour voting no.

Resolution 48-16 as recorded in the office of the City Clerk

Northwest Arkansas Regional Planning Commission One-Year Contract: An ordinance to waive the requirements of formal competitive bidding and approve a one-year contract with the Northwest Arkansas Regional Planning Commission in the amount of \$40,488.80 for a Stormwater Education Program for 2016.

City Attorney Kit Williams read the ordinance.

Mayor Jordan: Did you say \$40,488?

City Attorney Kit Williams: Yes.

Mayor Jordan: I had \$40,017.

City Attorney Kit Williams: What number is correct Chris? The body says \$40,488.

Chris Brown, City Engineer: The \$40,488 is correct. The agenda might have been slightly incorrect.

City Attorney Kit Williams: I will read it correctly when I read the title.

Chris Brown, City Engineer gave a brief description of the ordinance.

Alderman Kinion: We have reviewed this at the Water, Sewer, and Solid Waste Committee. We have to meet specific standards set by the ADEQ. This is a portion of meeting that standard in Phase II of their regulations. We are getting a partnership where our participation is giving us a return on investment more than if we were doing this alone, dollar for dollar. It makes sense to invest in a regional program as well as it is the best thing we can do to protect the quality of the water. It will protect our risk of defying standards that are set by the ADEQ.

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

Ordinance 5850 as recorded in the office of the City Clerk

Amend the Master Street Plan: A resolution to amend the Master Street Plan by reclassifying North College Avenue between Maple Street and North Street from five lane principal arterial with an 87 foot right of way to a four lane thoroughfare with a 63 foot right of way.

Andrew Garner, City Planning Director gave a brief description of the resolution. He stated the Planning Commission recommended in favor, but would like for the Transportation Consultant to continue to look at the section of road. He stated there might be potential to evaluate having a road diet and instead of going with a four lane road, you might go to a three lane road. He believes there may be some other solutions that our consultants could come up with.

Alderman Kinion: How do we need to amend this to include the recommendations of the Planning Commission?

City Attorney Kit Williams: You need to pass this to change the Master Street Plan and then the Transportation Committee can look at the other recommendations as it goes forth. This is a State Highway and anything that we would want to do would have to pass the Highway Department's approval. They certainly would have no problem with the 63 foot right of way because basically that is all we have. This is why we almost have to pass this.

Don Marr, Chief of Staff: When the City Council is brought the Transportation Master Plan contract, we can speak about those items being included. Council members that don't want it, can amend it. For those that do want it, they could vote for it.

Alderman Petty: I was grateful to see the Planning Commission attach these recommendations to it. In the second recommendation there are a couple of options that they have asked us to look at with our Transportation Consultant. What Andrew described was probably the most extreme of those options, the road diet. I think we should look at that, but there is a less drastic option, such as lane width reductions. It has tremendous bearing with regards to public safety for the street. There has been research done by more than a dozen state DOT's, not Arkansas, and also the Federal Highway Administration. The research shows that more narrow lanes than what we have today are safer and handle the same amount of traffic. There is a section of College that are ten foot wide lanes and the Highway Department has told us that we have to widen them out to 11 feet. We have studies from 14 other states that say that is less safe. If you are ready to vote yes on

this tonight, then you need to acknowledge that you are supporting the Planning Commission's recommendations. This is important for public safety of the community.

Mayor Jordan: When we meet with our Transportation Consultant, you want us to bring these topics up and let them look into it?

Alderman Petty: I think we already have. This is the way the negotiations are going with the Transportation Consultant.

Alderman La Tour: Do we have a number on what this is going to cost?

Chris Brown, City Engineer: The project that is approved through this year's Transportation Work Plan is the east side of the sidewalk project of College. It is estimated at about a million dollars. We expect to bring the west side to Council for consideration for the Transportation Work Plan next year and it would be about the same amount.

Alderman La Tour: Two million dollars to make this street improvement?

Chris Brown: Yes. Between Maple and North.

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

Resolution 49-16 as recorded in the office of the City Clerk

VAC 15-5280 (5 W. Appleby RD./WRMC Offices): An ordinance to approve VAC 15-5280 submitted by USI Consulting Engineers, Inc. for property located at 5 W. Appleby Road to vacate portions of sewer and drainage easements.

City Attorney Kit Williams read the ordinance.

Andrew Garner, City Planning Director gave a brief description of the ordinance. The Planning Commission recommends approval.

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 Long 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 7-0. Alderman Petty was absent during the vote.

City Attorney Kit Williams read the ordinance.

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

Ordinance 5851 as recorded in the office of the City Clerk

VAC 15-5287 (SW Corner of Persimmon & Mtn. Ranch Blvd./Park Hill Mtn. Ranch): An ordinance to approve VAC 15-5287 submitted by Jorgensen and Associates, Inc. for property located at the southwest corner of Persimmon and Mountain Ranch Boulevard to vacate portions of utility easements.

City Attorney Kit Williams read the ordinance.

Andrew Garner, City Planning Director gave a brief description of the ordinance.

Alderman Long: When we first visited this rezoning, one of the issues was trash service. There was an issue specifically with the turning radius with the trash vehicles being able to go in the back alley. How specifically has that been solved?

Andrew Garner: A couple of months ago they brought an amendment to City Council that changed their layout. They got rid of the alley and trash service will be provided along the street.

Alderman Gray 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 Petty was absent during the vote.

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 5852 as recorded in the office of the City Clerk

VAC 16-5303 (4200 W. Mahogany Dr./Bradford): An ordinance to approve VAC 16-5303 submitted by Reid and Associates, Inc. for property located at 4200 West Mahogany to vacate a portion of utility easement.

City Attorney Kit Williams read the ordinance.

Andrew Garner, City Planning Director gave a brief description of the ordinance. The Planning Commission and staff recommend approval.

A discussion followed about homes being built in an easement and not properly staking property lines.

Alderman Gray: Is there something we should be doing as a city to keep this from happening?

Andrew Garner: Over the years you have probably seen less and less of these. We have caught some of these on the front end. We have been improving our inspection process. It is up to the builder to locate the property lines and easements properly.

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

City Attorney Kit Williams read the ordinance.

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

Ordinance 5853 as recorded in the office of the City Clerk

RZN 15-5240 (2514 W. Lori Rd./Razorback Golf Course): An ordinance to rezone that property described in Rezoning Petition RZN 15-5240 for approximately 128 acres located at 2514 West Lori Road from R-A, Residential-Agricultural; RSF-1, Residential Single Family one unit per acre; and RSF-4, Residential Single Family, 4 units per acre to R-A, Residential-Agricultural; RMF-24, Residential Multi-Family, 24 units per acre; NC, Neighborhood Conservation; and NS, Neighborhood Services, subject to a Bill of Assurance.

City Attorney Kit Williams read the ordinance.

City Attorney Kit Williams: The Planning Commission recommended against RMF-24. The burden is upon the applicant to win by five affirmative votes for any rezoning. This is the applicant's last request, including their Bill of Assurance. Doesn't mean it can't be amended sometime in the future or handled without any amendment.

Andrew Garner, City Planning Director gave a brief description of the ordinance. The Planning staff feels that the zoning is compatible with the surrounding residential properties. He stated the proposal to rezone the Clabber Creek floodplain to R-A along with the Bill of Assurance would be in line with the city's goals to create an enduring green network. Staff recommends approval.

The Planning Commission voted denial on the Multi-Family, but they were comfortable on the remainder of the proposal.

Alderman La Tour: Is there other property in the neighborhood that is zoned RMF-24?

Andrew Garner: If you look further to the south of this property, there are some RMF properties.

Ron Caviness, Razorback Park Golf Course Owner: The sale of this property is contingent on the rezoning in accordance with what the Lindsey Group would like to have it, to be able to build what they need to make it work. This should be an all or nothing vote as far as the rezoning goes, because without the apartments the green space doesn't work.

Hugh Jarrett, Representing the Applicant: There are several issues that we had to deal with the Planning Commission throughout the process. I would like to request permission to display a PowerPoint presentation.

City Attorney Kit Williams: The applicant is allowed to do a PowerPoint presentation.

Hugh Jarrett: After seven meetings with the neighbors and three Planning Commission meetings we have made many changes. The one thing that has remained constant is the Multi-Family aspect. We are an apartment company and that is a part of what we do. Other than the Multi-Family aspect, we have done basically everything the Planning Commission and staff has asked us to do. The R-A along the north is the Bill of Assurance that we sent in. It is about 41 acres of parkland, conservation land, and green space. In the Bill of Assurance we included that we will cap the number of residential units on the 128 acres, which is 730 residential units. If you have 300 houses in the NC, then you could have no more than 480 apartments. If the houses go really well, we could reduce the acreages. When we came in with the Bill of Assurance to do the park along the north, we have gotten substantial support from the neighbors to the north in favor of this proposal.

In regards to the problems with flooding on the east side. It is not the golf course that creates the flooding issue. On the west side the water is coming under the road and the floodplain is doing what it should do. The flooding that people talk about is all to the east of Deane Solomon. There is nothing we can do on the Razorback Golf Course property that solves the flooding created on the east side of the road. When the Single-Family portion of this develops, we are willing to pay up to \$150,000 to the city so the city can address this problem and fix the flooding in this area.

In regards to schools being overcrowded. There are 9,503 kids in the Fayetteville Public Schools. The census says there are 36,188 housing units in the City of Fayetteville. After all calculations are done there is a total of 117 school kids and so we have less with our proposal than if the entire site was RSF-4.

Every road in Fayetteville has more traffic than Deane Solomon. We will be adding about 5,300 trips per day to Deane Solomon. It leaves it at a total with existing traffic of 7,300 trips per day. To compare that with what we are dealing with in Fayetteville right now, Mission Boulevard is 16,000 trips per day. Traffic at this site is not an issue.

There is a big misconception about apartments and crime. When statistics are calculated, our apartments are six times safer than the city in general. Everybody who lives with us has to go through a background check. If they have a felony or sexually related misdemeanor on their record, they don't live with us. Fayetteville needs apartments. Right now in Fayetteville, apartments are 99.61% occupied.

Alderman Tennant: Is there Razorback transit stops anywhere close?

Hugh Jarrett: You have to request it. They won't deal with your request until you have your development done. We will try to get on the transit.

Alderman Tennant: You have a process in place?

Hugh Jarrett: Yes.

Alderman Long: I've been working with some citizens gathering public input. I would like to make a motion to suspend our rules so that a presentation can be made to save time and be more organized.

City Attorney Kit Williams explained the process of presentations being made.

Alderman Long moved to amend the agenda and add a presentation to the agenda. Alderman La Tour seconded the motion. Upon roll call the motion passed unanimously.

Don Marr, Chief of Staff clarified some numbers about crime that Mr. Jarrett used in his presentation about the actual numbers for police calls.

John Bull, Floral Court: I worked with a group of residents to organize this presentation. I will be representing 93 households who have asked me to speak on their behalf. Based on the new update to the Bill of Assurance, the numbers will be a little bit off. We would like you to try to make a logical decision if this proposal is what's best for the City of Fayetteville. We have over 1,041 people who have signed our online petition and 820 on our Facebook page who do not believe this fits.

We have nothing against the Lindsey Company. We are not against development on this course, but we want it to be responsible development. Aside from the cap of units in the Bill of Assurance, we don't believe that the R-A section provides any tangible benefits to the residents. The area that is being given is constantly flooded. The area should remain wetlands and green space. Deane Solomon is the only access to this property. There is only one way in and out.

I was told by a Planning Commissioner that the City Attorney would say, that a rezoning action is all about a determination of compatibility. Compatibility isn't a question of similarity, but if the two areas are capable of existing together in harmony. As residents, our concerns are the lack of capable infrastructure, flood concerns, environmental impact, crime, and adjacent zoning.

Alderman Marsh: You listed 93 households that you are representing. I know a couple of people and was able to check in with them. I see one household representative that is multiple. I confirmed with one person who's listed on this that they don't endorse these decisions. I see the name of another person who is deceased, as of last year. How did you get these 93 households and do they know you are representing them?

John Bull: Yes. We have a Facebook page that has about 820 followers. We requested anyone who would like me to speak on their behalf to post. The only exception to this was, The Pines. Their P.O.A. reached out and asked if anyone had a problem endorsing it. I don't know that anyone said no.

Alderman Long: Have you reached out to people through your Go Fund Me page?

John Bull: Yes. We raised a significant amount of money. Two names were removed from this list before I published it today. Six or seven new ones were added today.

Mayor Jordan: You've got over 1,000 people to sign your petition?

John Bull: About 1,041 signatures are on our petition.

Alderman Long: They said there wasn't substantial flooding on the golf course. We have seen flooding on the golf course. We talked about the environmental sensitivity in the area. What do you think more rooftops in the area are going to do?

John Bull: There was a lot of discussion at the Planning Commission about what this would mean for the runoff. There will be larger parking lots and rooftops. The runoff is much faster with a Multi-Family development than Single-Family.

A discussion followed about if the property was turned into Neighborhood Conservation it would be 450 units.

Alderman La Tour: What bothers me about your proposal is imposition of what I want on somebody else. What rubs me the wrong way is when someone wants to impose their will on somebody else. When government regulation expands, personal liberty recedes. We are taking away freedom of choice of the owner of Razorback Golf Course. I know Lindsey can't build apartments wherever he pleases. I am for freedom of people to make choices for themselves.

John Bull: You will probably find citizens that don't want anything there. We all understand that something is going to be there. We understand that Mr. Caviness has the right to sell his land. We want it to be done responsibly and safely.

Alderman La Tour: When I hear responsible development, it usually ends up being no development. We can put so many regulations on the development that nobody in his right mind is going to do it. I am concerned with the individual. Responsible development can mean a lot of things, but many times that is code for something else which concerns me.

Alderman Kinion: I appreciate what you and the other person have brought to us. It is good information. When speaking about responsible development, we can't talk about Lindsey or a specific project. What we are talking about is density and the zoning of property. This is not a Planned Zoning District. This is not a guaranteed development. Zoning is a huge responsibility. Fayetteville has unique challenges of hills, valleys, basins, wetlands and that is what we have to look at when moving forward in this discussion.

John Bull: Do you feel I addressed development more than the zoning?

Alderman Kinion: I'm saying in general.

Robert Rhoads, Law Firm of Hall Estill stated he was representing four neighborhood Property Owners Associations. He read a letter from Terri Lane, Executive Director of the Northwest Arkansas Land Trust. Ms. Lane requested that the City Council consider the important opportunity to find a win-win between a profitable and attractive built environment and the needs and role of the unique natural environment as well. Whatever development ultimately occurs on this site must certainly go above and beyond in considering a low density, low-impact design, and the preservation of habitat.

John Calhoun, Raven Lane stated Deane Solomon is a tiny farm road and can't handle the massive traffic that would be caused by rezoning. He stated citizens are not against development. He would like the development to be fiscally responsible and consider safety.

Carter Clark, Real Estate Broker Representative for Mr. Caviness spoke about making the property developable due to the terrain and floodplain. He spoke about drainage on the golf course. He spoke in favor of the ordinance.

Aubrey Shepherd spoke about drainage in the area. He stated he can't agree with anybody that says it is somebody's right to build something that will damage other adjacent property. He believes that low impact development would be best.

Brian Sorensen, 2882 Purple Phlox stated he liked the green space proposed. He spoke about the traffic issues that will be on Deane Solomon with the development. He doesn't believe student housing is harmonious with his neighborhood. He spoke in opposition of the ordinance.

Mayor Jordan: Mr. Rhoads, I believe you represent a group of folks.

Robert Rhoads: I do Mayor. Everything I was going to say has been said. Thank you.

Alderman La Tour: I am voting no on this proposal, but Mr. Jarrett's arguments prevailed. I am voting no for one reason. I told some lady I would vote against the apartments. I regret making that statement, but I will keep my word. Many of the arguments made tonight are emotional and not factual.

Alderman Long: If we aren't ready to vote tonight, then I would like to bring this up at the Ward 4 meeting for further discussion. I have had constituents reach out to me to say they don't want it.

I most likely will not be supporting this. There is a lot of flooding on the golf course. The RMF-24 portion would increase the amount of concrete for parking and would see a lot more runoff. We should look at the crime and apartment data more closely too. I would like to hold this.

Alderman Tennant: When is the Ward 4 meeting?

Alderman Long: February 29, 2016.

Alderman Gray: I always listen carefully to our staff. They are recommending this. Andrew, how can you respond to these problems?

Andrew Garner, City Planning Director: We feel that it is compatible. On a rezoning, we ask Council to decide if it is compatible from a land use standpoint. Some of the comments related to flooding, drainage and traffic are more development related. We have development codes and rules that will address those when the development comes through. In our opinion, compatibility doesn't mean it has to be the same type of building or home. Introducing housing and Multi-Family housing adjacent to Single-Family housing is appropriate in this particular case.

Alderman Marsh: I would like to clear up some assumptions that this is a Single-Family neighborhood. There are fourplexes across the street. The entire Pines development are fourplexes. It is disingenuous for us to be thinking of this as a Single-Family neighborhood.

Alderman Long: The Pines is a very small development in comparison to the Links. It has a very residential Single-Family feel to it if you drive through the neighborhood.

Alderman Marsh: I get the impression that we are talking about apartments as places where poor people live versus the Single-Family homes. I hear these concerns about crime and that somehow by introducing Multi-Family housing we are making this neighborhood less safe. We have a lot of development on the west side that employs low wage workers. Where are those people supposed to live? This is an area that is connected to the trail and people can commute to their jobs. It is close to an elementary school which enables kids to walk to school. We have to get over this bias of Single-Family homes versus apartments. Not everyone can afford to live in a Single-Family home.

The drainage concerns are valid, but we have our Drainage Criteria Manual which would apply. We have standards that deal with stormwater and traffic. If we are just looking at the rezoning and the neighborhood compatibility, then I agree with the Planning staff that this is compatible.

Alderman Long stated he didn't hear anyone reference economic or income status related to apartments. He spoke about the Drainage Criteria Manual. He believes it is not a walkable area.

Alderman Marsh stated it is not walkable, but is bikeable. She spoke about watershed and infrastructure conditions.

Mayor Jordan: We can leave it here for two weeks.

Don Marr, Chief of Staff stated that Council Chambers would be renovated for the month of March. He announced that the March 1, 2016 City Council meeting would be at the Ray Adams Leadership Center. The March 15, 2016 meeting will be at the Washington County Quorum Court building.

This ordinance was left on the First Reading

Amend §72.58 Off-Street Parking Facilities; Rules and Rates: An ordinance to Amend §72.58 Off-Street Parking Facilities; Rules and Rates (M) to limit the Mayor's authority to assign any city owned paid parking lots or on-street paid parking spaces within the Entertainment District or the closure of city streets for the use of a permitted special event to not more than two (2) days per year without express approval of the City Council.

City Attorney Kit Williams read the ordinance.

Alderman Marsh gave a brief description of the ordinance. She believes that public input should be welcomed on events and tourism policies. She stated the ordinance was initiated by local business owner Cary Arsaga.

Cary Arsaga: I got over 800 signatures on a petition for the ordinance to be heard by City Council. After being in business over 25 years in Fayetteville there is a misunderstanding on how major events affect the city. There is a common belief that if you bring more people in to the city that it helps all businesses, but that is not the case. I would like for there to be a public forum so that small businesses can come forward and let you know how it affects them.

Mayor Jordan asked Peter Nierengarten to give his report on parking.

Peter Nierengarten, Sustainability & Resilience Director gave a brief description of the existing special events permit process.

Don Marr, Chief of Staff: Alderman Tennant sent an email requesting to know if the city provided approvals for multi-day festivals for multiple years or does it do it each calendar year. The answer is that we do it each calendar year. We do not give advance approvals. Our largest festival, Bikes, Blues and Barbeque has not submitted an application for 2016 yet. We will receive that typically around June or July. We have one application pending that is for multiple days and it is from the Walton Arts Center. It is for a planned event for the reopening of the center after construction.

The final sign offs are by the Mayor. Street closures can be done by the Police Chief for public safety reasons without the Mayor's approval or it can be done by the Mayor for the event. The parking lot approvals are done by the Mayor as part of the ordinance for the 16 allowed days.

Peter Nierengarten: In 2015, the Parking Division facilitated 71 event approvals. As of today, we have 23 event applications for 2016.

Alderman Marsh: Are those multi-day events that would be affected by this ordinance?

Peter Nierengarten: No. Those are total events.

Alderman Marsh: On average how many multi-day events would be affected by this ordinance each year?

Peter Nierengarten: Since 2013, one event in 2013, one event in 2014, two events in 2015. So far this year we have one event application.

Alderman Tennant: Thank you to city staff for this information. It is important to know the process that is in place if we are going to make a decision to change it. There are multiple staff members that put in a lot of time on these events before they are brought to a final recommendation for the Mayor to sign off. Is there an average timeframe that each division spends time preparing?

Don Marr, Chief of Staff: It depends on the size of the event. The events that we are talking about, the Police Department is probably the most time consuming impact. They deal with the noise ordinance variance, access for ingress and egress, and request for street closures. They have a Special Events Coordinator at the Police Department that works with the event organizer. There are other single day events that could be time consuming such as a marathon.

Alderman Tennant: These events are fully vetted. These are not just somebody filling out a piece of paper and somebody rubber stamps them. There is a lot of city time put into this and there should be.

Alderman Marsh: At what point in the event application process is public input solicited?

Peter Nierengarten: There is no formal request for public input as part of the process. When we do receive any public input on particular events, we help facilitate that dialogue between the event applicant and public. Typically we have good luck with that process.

Alderman Marsh believes public input should be put into the process. She discussed sustainable tourism.

Alderman Tennant: It is one thing to say that we need a public input session, but why take it to another step that the Council needs to give permission as opposed to having public input and leaving it in the same decision making capability?

Alderman Marsh: We are the people's elected representatives. By bringing this to Council it provides the input session and allows us to respond to that feedback.

Alderman Long: I would like to take the information staff has presented and the ordinance that Alderman Marsh has presented and think it about for the next two weeks.

A discussion followed about leaving it on the First Reading.

Rene Hunt, Dickson Street Business Owner spoke in favor of the ordinance.

Joe Fennel, President of the Dickson Street Merchant Association spoke in opposition of the ordinance.

Alderman Kinion: Joe, do you think this would have an effect on potential activity? Do you think people would not want to consider Fayetteville in the future because of this additional burden?

Joe Fennel: No, I don't want to insinuate that.

Alderman Kinion: What is the bottom line of the argument?

Joe Fennel: This proposed amendment is structured strategically against one festival. It has nothing to do with any other festival. If we run off Bikes, Blues & Barbeque, it will go to Springdale, Rogers or Bentonville. All those bikers are still going to come to Dickson Street.

A discussion followed about keeping tax dollars in Fayetteville.

Alderman Marsh: I don't see this as a way to stop festivals, but to improve festivals.

Ben Harrison, Citizen: Is it possible to have the public input session, but still leave it up to staff to make the decision instead of City Council?

City Attorney Kit Williams: This is up to the City Council on what they want to do. There can always be amendments to this proposed amendment.

Ben Harrison: That would be amicable for both sides to not give all the power to the City Council, but allow for public input.

Kenneth Morton, Local Attorney: If this event got moved to another city, you will still have the same situation on Dickson Street. We pay the overtime for the police department for Bikes, Blues, and Barbeque. If this is moved the city is going to have to pay for overtime for police and fire for crowd control. The event will go on, but we can't do it on two days. We have given around \$1.5 million to local charities. We would like to keep the event in Fayetteville.

Tom Overbey, 211 North Block believes there should be a procedure for public input and spoke in favor of the ordinance.

Mayor Jordan: I assume we are going to hold this for two weeks.

Don Marr, Chief of Staff: I would like to clarify some information. The Roots Festival, Joe Martin and Lights of the Ozarks would have been items if this ordinance wasn't restricted to the Entertainment District, which is how it is written currently. Roots Festival is occurring on East Street, Joe Martin is both Downtown and the Entertainment District. Lights of the Ozarks is on the square. The way it is currently written, those would not fall under the scope of this ordinance.

Mayor Jordan: What is the only one that would?

City Attorney Kit Williams: There are two now.

Mayor Jordan: The Walton Arts Center and Bikes, Blues & Barbeque.

Don Marr, Chief of Staff: We have had events such as the LPGA that closed for 2.5 days for set up. The actual event occurred one day. This is not unprecedented in that area. Staff tries to give the best and most accurate information. It wasn't until we realized that it was restricted to the Entertainment District that those other events were excluded.

Alderman Marsh: I would like to work with our City Attorney to develop an amendment to make sure that this applies to our entire city, not just our Entertainment District, in order to be fair.

City Attorney Kit Williams: You want to make this city wide?

Alderman Marsh: Yes.

A discussion followed about amending the ordinance.

Alderman Marsh: We need an event review process before events get so large that we are powerless to have control over them.

This ordinance was left on the First Reading

Announcements:

Don Marr, Chief of Staff: The City of Fayetteville and Washington County have issued a burn ban due to the conditions.

The City Board of Health is relaying a flu advisory from the Centers for Disease Control.

The City Council Chambers will be renovated for the month of March. The March 1, 2016 City Council meeting will be at the Ray Adams Leadership Center. The March 15, 2016 meeting will be at the Washington County Quorum Court building.

Alderman Long: There will be a Ward 4 meeting on February 29, 2016 at 6:00 p.m. in Room 111 at City Hall.

City Council Agenda Session Presentations:

Agenda Session Presentation: Airport update by Johnny Roscoe, Airport Director.

Agenda Session Presentation: Quarterly Economic Development Presentation, Chung Tan.

City Council Tour: None

Adjournment: 9:07 p.m.

Lioneld Jordan, Mayor

Sondra E. Smith, City Clerk Treasurer

UNOFFICIAL

Handed out at the City Council
meeting 2-16-16.

Print Form

RZN 15-5240 2514 W. Lori Road
Razorback Golf Course

**BILL OF ASSURANCE
FOR THE CITY OF FAYETTEVILLE, ARKANSAS**

In order to attempt to obtain approval of a request for a zoning reclassification, the owner, developer, or buyer of this property, (hereinafter "Petitioner") JEL Land Acquisitions, LLC, hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, **substantial irreparable damage justifying injunctive relief** has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will **reasonable rely** upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers assurances that Petitioner and Petitioner's property shall be restricted as follows IF Petitioner's rezoning is approved by the Fayetteville City Council.

1. The use of Petitioner's property shall be limited to The Approximately
41 Acres Sought to be rezoned as R-A shall be used only as parkland, greenspace or conservation area.

2. Other restrictions including number and type of structures upon the property are limited to In no event shall more than 730 residential housing units be built upon the entirety of the
approximately 128 Acres sought to be rezoned.

3. Specific activities will not be allowed upon petitioner's property include

4. (Any other terms or conditions)

5. Petitioner specifically agrees that all such restrictions and terms shall run with the land and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, SEL LAND ACQUISITIONS, LLC, as the owner, developer or buyer (Petitioner) voluntarily offer all such assurances and sign my name below.

2/16/16
Date

SEL LAND ACQUISITIONS, LLC
Printed Name

Address

[Signature], MANAGER
Signature

NOTARY OATH

STATE OF ARKANSAS

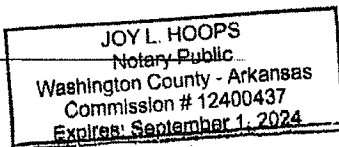
COUNTY OF WASHINGTON

} .ss

And now on this the 16th day of February, 2007, appeared before me, Joy L. Hoops, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

Joy L. Hoops
NOTARY PUBLIC

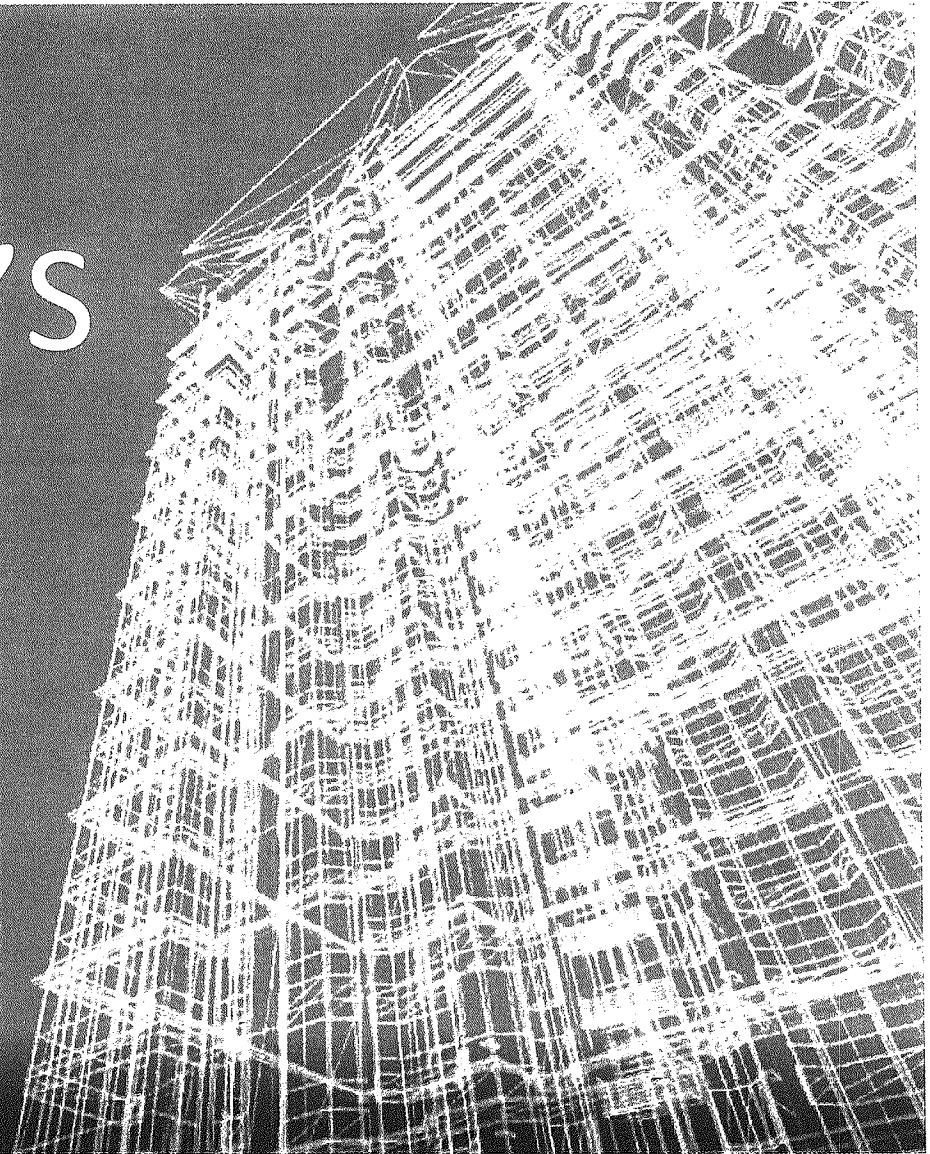
My Commission Expires:



*Handed out at the City Council meeting 2-16-16
RZN 15-5240 2514 W. Lori Road
Razorback Golf Course*

CONCERNS ABOUT LINDSEY'S RAZORBACK REZONING

On behalf of...



ON BEHALF OF 93 HOUSEHOLDS:

Belclaire Estates

1. Jeff and Dr. Kathleen Reese
2. Kevin and Kim Davison
3. Amanda and Neil Barker
4. Michelle & Keith Lacewell
5. Tim and Leigh Stidham

The Pines

6. Carol Adair
7. Valerie Angel
8. Mark and Janie Baber
9. John and Linda Baird
10. Martha & Vincent Bond
11. Stan Bond
12. Charlene Bootsma
13. Faith Bradley
14. Suzanne Bullard
15. Ray and Annette Cowen

16. Gail Devecsery
17. Jack & Pat Devore
18. Frank & Carolyn Fries
19. Gerald Golden
20. Emma Gordon
21. Marci & Mark Handley
22. Clayton Harbers
23. Jim Harvey
24. Patsy Heptig
25. Ted Herget
26. Hugh & Donna Higginbotham
27. Eleanor Hill
28. Albert & Edith Hume
29. Rodger & Betty Ann Hurt
30. Al & Marguerite Iller
31. Weldon and Ann Johnson
32. Rhonda Kirk
33. Randy Lynch

34. David Michaelis
35. Chris & Cindy Paul
36. Sue Rodemich
37. Alan & Debbie Rudolph
38. Damon Shaw
39. John and Cay Thorn
40. Bill Tucker
41. Audri & Ralph Waddell
42. Paul Waddell
43. Dick and Jane Wakefield
44. Jim & Sherry Watson
45. Bruce & Kay Williams
46. Larry Wood

Cobblestone

47. Sarah White
48. Lindsey and Jared Curry

ON BEHALF OF 93 HOUSEHOLDS:

Clabber Creek

- 49. Hannah Dierks
- 50. Ryan Clark
- 51. Ron and Valerie Green
- 52. Tiffany Cox
- 53. Jacob and Emily Ward

Prairie View Acres

- 54. John Scott and Amy Bull
- 55. Heather and Seth Carter
- 56. Amanda Stevinson
- 57. Shannon and Huy Tran
- 58. Mike & Kim Gasner
- 59. Larry & Barbara Esch
- 60. Brian & Renee Buckley
- 61. Brad and Debbie Payne
- 62. Jay and Amanda Craig
- 63. Creek Meadow
- 64. Amy Linimon

- 65. Sara and Taylor Staley
- 66. Suzette and Terry Bowen
- 67. Troy and Aggie Mack
- 68. Kym and Odie Williams
- 69. Chris and Bailey Nichols
- 70. Brand and Lauren Anderson

Crystal Springs

- 71. Gail Mills
- 72. Bob Hinton
- 73. Harold and Kathy Hubbard
- 74. Zachary and Stephanie Hulett
- 75. Mike and Heather Hammel
- 76. Bryan and Ashley Striegler
- 77. Thomas and Patricia Lucas
- 78. Daniel and Victoria Hennessey
- 79. Gary and Sharon Guthrie
- 80. Ashley Hale
- 81. Jeff and Deja Glover

- 82. Royce & Susan Robertson
- 83. Spencer & Lindsay Smith
- 84. Wes and Sarah Berry
- 85. Jonathan Unwer
- 86. Cassie Rader
- 87. Amanda Stevinson
- 88. Hayzen and Desiree Guynn
- 89. Jim Erwin
- 90. Carly Grace
- 91. Laura and Will Bryant, Salem Village
- 92. Kevin and Amanda Geng, Crofton Manor
- 93. Kelly and Lori Collier, Marigold Dr

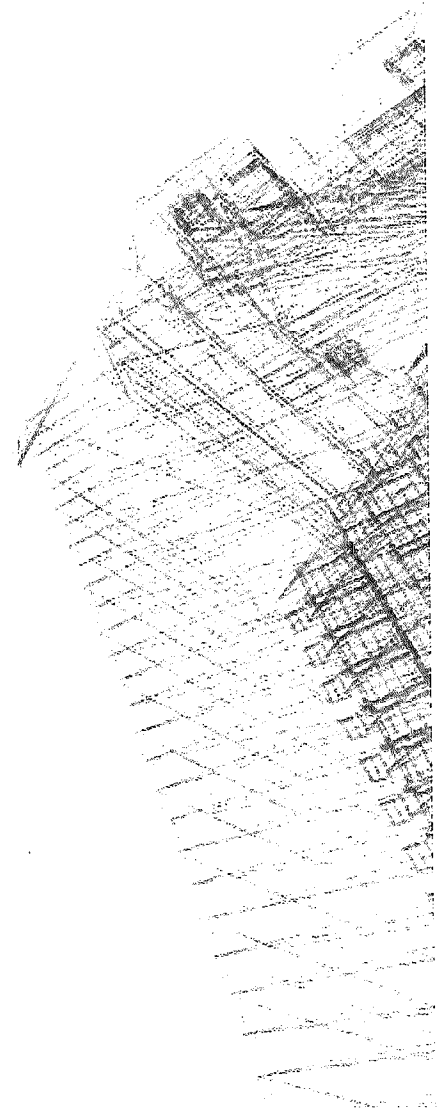
A DIFFERENT LOOK AT COMPATIBILITY

The City Attorney would say that rezoning actions are all about a *determination of compatibility*, but keep in mind that compatibility isn't simply a question of similarity, its a question of if the two areas are "capable of existing together in harmony".

- Lack of capable infrastructure in place to safely support this zoning
 - Roads – adding 2,280+ new vehicles
 - Schools – adding 1,500+ new school age children
- **Flood concerns**
- Environmental impact
- **Crime**
- **Adjacent zoning**

COMMISSIONER HOSKINS' COMMENT

At the first Planning Commission meeting, Commissioner Hoskins stated: "If this is not a plan that people would support, I guess my question is, what kind of plan would they support?"



THE REASON

Lindsey does not develop single family property. Their only interest is in apartments. Therefore, any compromise made by Lindsey would have to preclude apartments.

Further, their contract price on this property apparently prevents them from moving forward with fewer than 480 apartment units, plus the NC & NS units.

This results in a dangerous number of total units for this property and this area.

SIGNIFICANCE OF ZONING SCALE

- 128 acres of total land
- 75 acres of developable land;
roughly 1/5 of a square mile

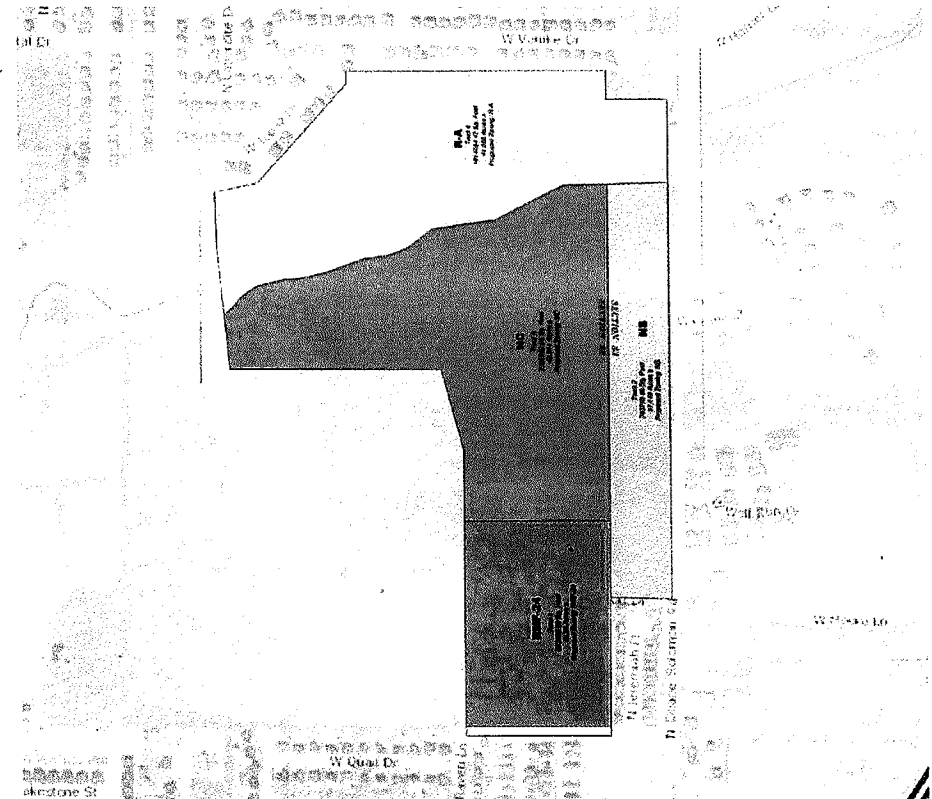
If all 75 acres was zoned	# of Units	Approximate # of Vehicles @ 2 per unit
Current Zoning (128 acres)	220	440
RSF-4	300	600
NC @ 6 units per acre	450	900
Zoning Proposal	1,140	2,280

REFERENCE FOR # OF VEHICLES

**Fayetteville Auto Park: 1,377
vehicles - parked**



**Proposed Zoning: 2,280 vehicles -
moving**



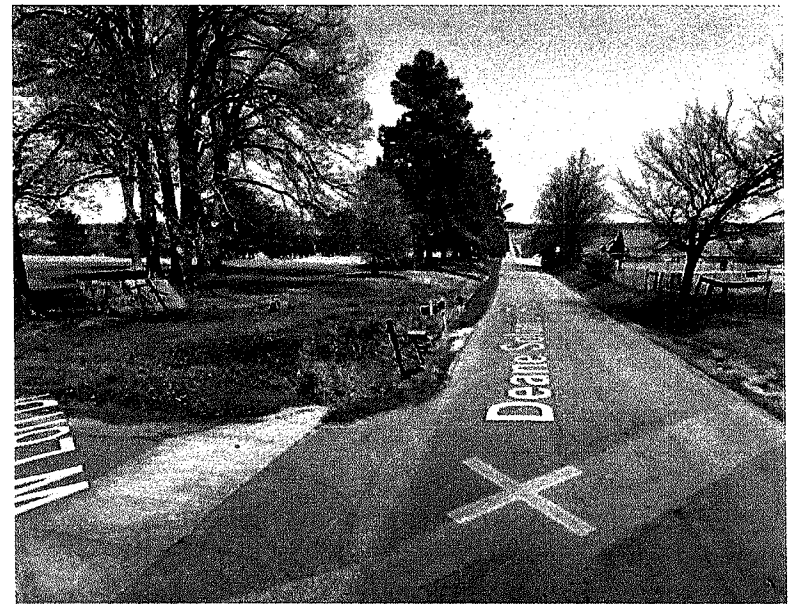
WOULD YOU PUT A SUPERCENTER ON THIS PROPERTY?

**Walmart Supercenter: 10,000
visits per day***



*The Institute of Transportation Engineers estimates that one Walmart Supercenter receives 10,000 car visits per day.

**Zoning Proposal: 9,120 entries or
exits per day****



**Assumes 2 trips per day per vehicle with 2,280 vehicles.

THE NUMBERS

Zoning request adds:

1,140 living units

2,280 vehicles

Current in the immediate area:

500+ residences

1,000+ vehicles

Combined:

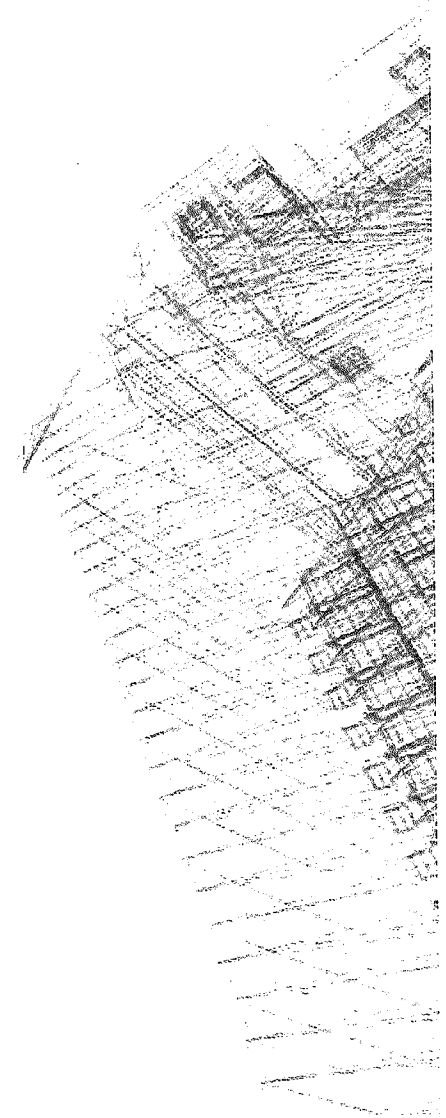
1,640+ units

3,280+ vehicles

Result: @ 2 trips per day, that is **13,120** vehicles traveling Deane Solomon each day.

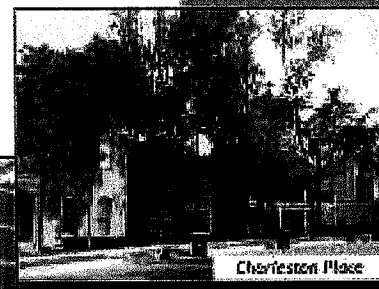
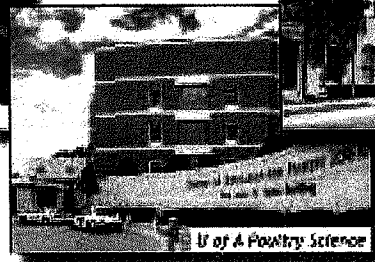
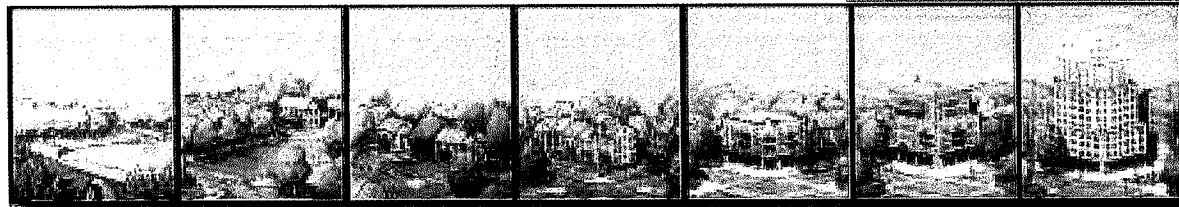
HARMONY WITH ROADS

Is it safe to approve 13,000+ vehicles per day on a residential street?



12

Guiding Policies



- 12.1 Future Land Use Plan
- 12.2 Master Street Plan
- 12.3 Annexation

**CITY
PLAN
2030**

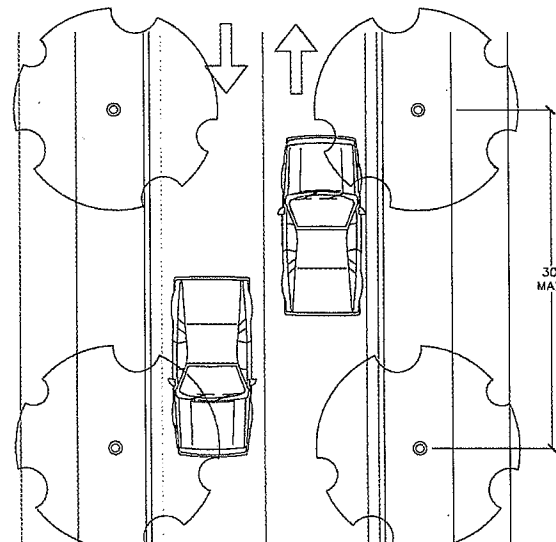
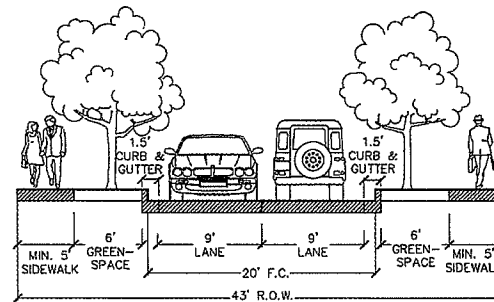
12.2.2 RESIDENTIAL STREETS

RESIDENTIAL STREETS provide for the lowest level of traffic and service. They provide access to residential property and are intended to be used only by local traffic. A high degree of street connectivity is required for easy dispersal of traffic. Residential Street block lengths shall not exceed 600 feet. Residential streets have a low level of access management, with curb cuts permitted every 50 feet.

2a RESIDENTIAL:

Design Service Volume:	< 300 vpd
Desired Operating Speed:	15-20 mph
Travel Lanes:	Two 9' lanes
Parking:	Not Allowed
Paved Width:	20' from face of curb
Right of Way:	43'
Sidewalks:	Both sides of street, min. 5' wide, located in R.O.W. at R.O.W. line
Greenspace:	Both sides of street, min. 6' wide

* ST 37 may substitute for the Residential Street cross-section urban condition.



**CITY
PLAN
2030**

12.2.5

MINOR ARTERIAL STREETS

MINOR ARTERIAL STREETS provide mobility throughout the city, encouraging multiple modes of transportation within the arterial network. Access should be limited to controlled intersections where possible. They have a moderate level of access management.

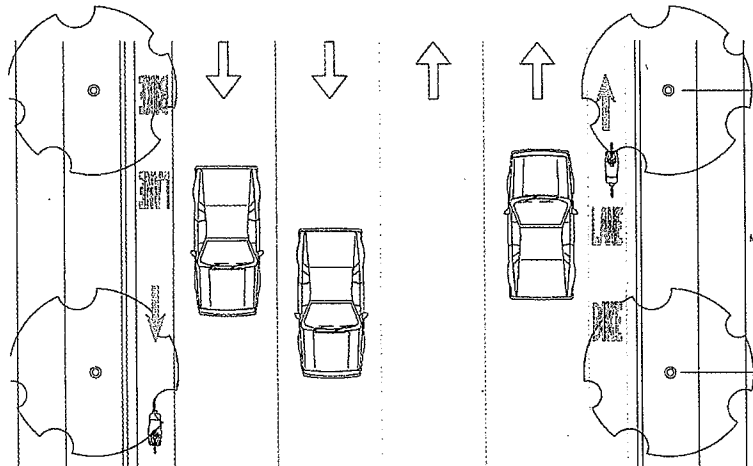
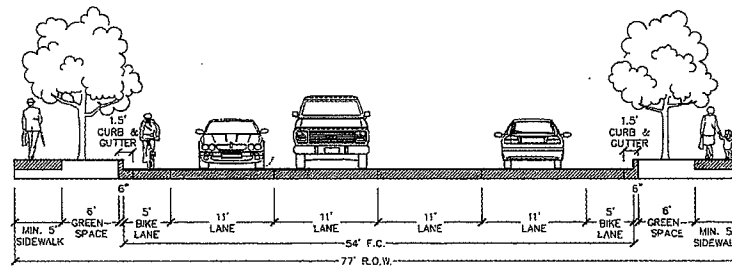
5 MINOR ARTERIAL:

Design Service Volume: < 12,200 vpd
 Desired Operating Speed: 30-40 mph
 Travel Lanes: Four 11' lanes
 Bicycle Lanes: 5' wide, both sides of street next to curb

Parking: None
 Paved Width: 54' from face of curb

Right of Way: 77'
 Sidewalks: Both sides of street, min. 5' wide, located in R.O.W. at R.O.W. line

Greenspace: Both sides of street, min. 6' wide



**CITY
PLAN
2030**

INFRASTRUCTURE: STREET WIDTH

Master Transportation Plan Guiding Policies

- Residential Street: **20 ft**
- Minor Arterial Street: **54 ft**

Deane Solomon Current Width

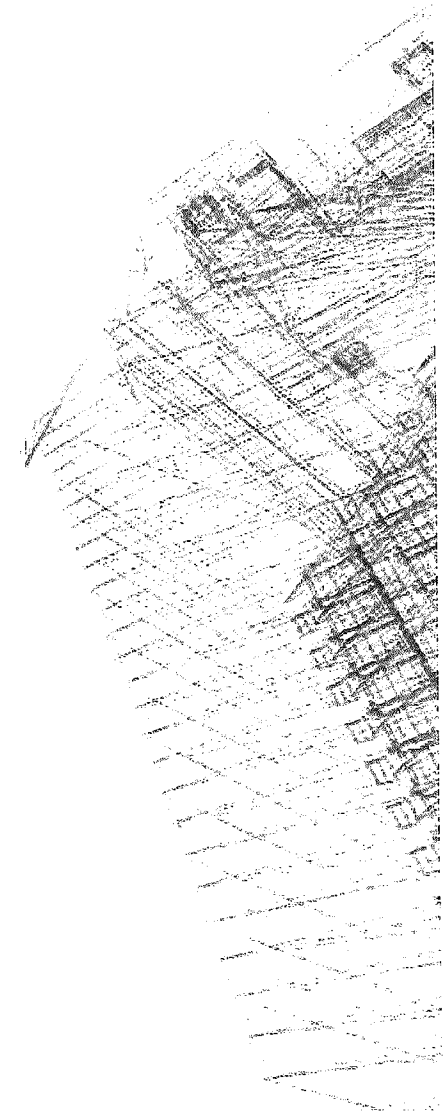
- North end near Hwy 112 intersection: **20 ft**
- At bridge near Vanike: **22.5 ft**
- At North entrance to RMF-24/Clubhouse: **18 ft**
- At South entrance to RMF-24/Emil Rd: **20 ft**

STREET STRUCTURE

Scenario	Width	Vehicles Per Day
Deane Solomon Today	20 ft	~2,000
Guiding Policy: Residential Street	20 ft	< 300
Guiding Policy: Minor Arterial Street	54 ft	< 12,200
Zoning Scenario	20 ft	13,300+

HARMONY WITH DRAINAGE

A development of this magnitude can only worsen an already significant flooding problem



FLOODING ON DECEMBER 27TH

Before



After



FLOODING ON DECEMBER 27TH

Before

After



FLOODING ON DECEMBER 27TH

Before

After



FLOODING ON DECEMBER 27TH

Before



After



POLICE CLOSE DEANE SOLOMON RD



FLOODING LAST JUNE: MODEST RAIN



FLOODING LAST JUNE: MODEST RAIN

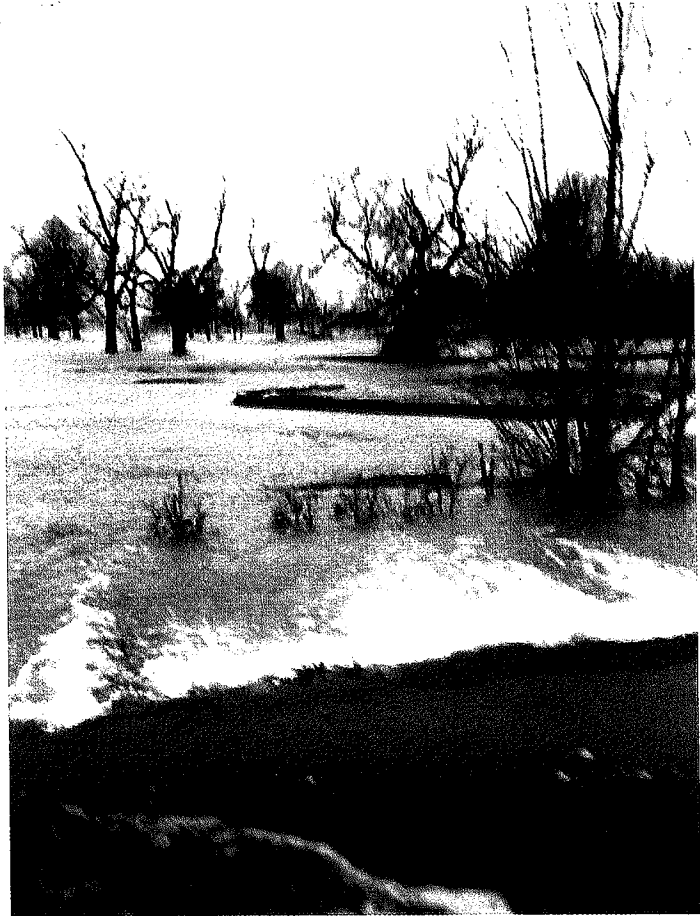
After



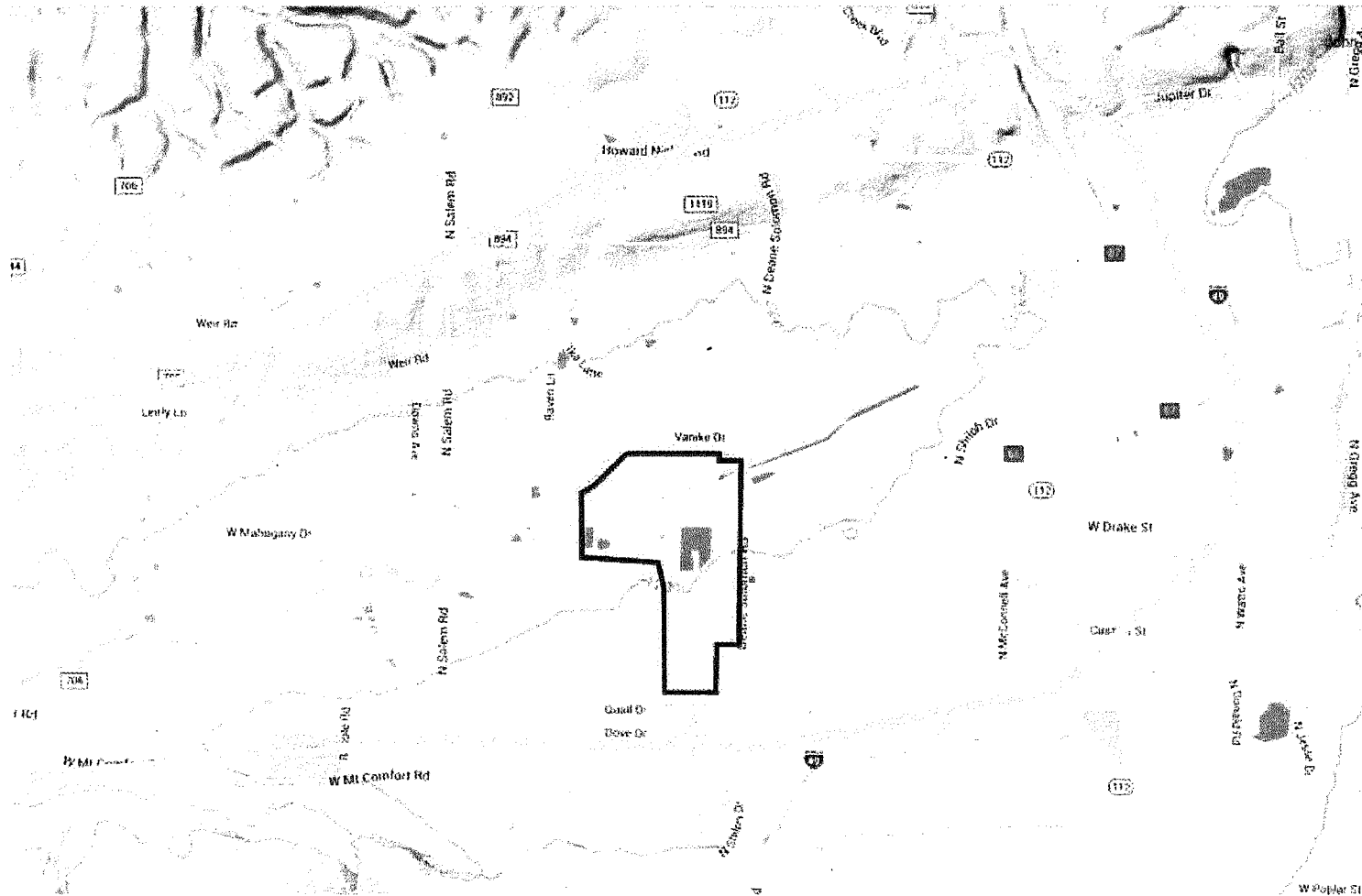
A week later



FLOODING LAST JUNE: MODEST RAIN

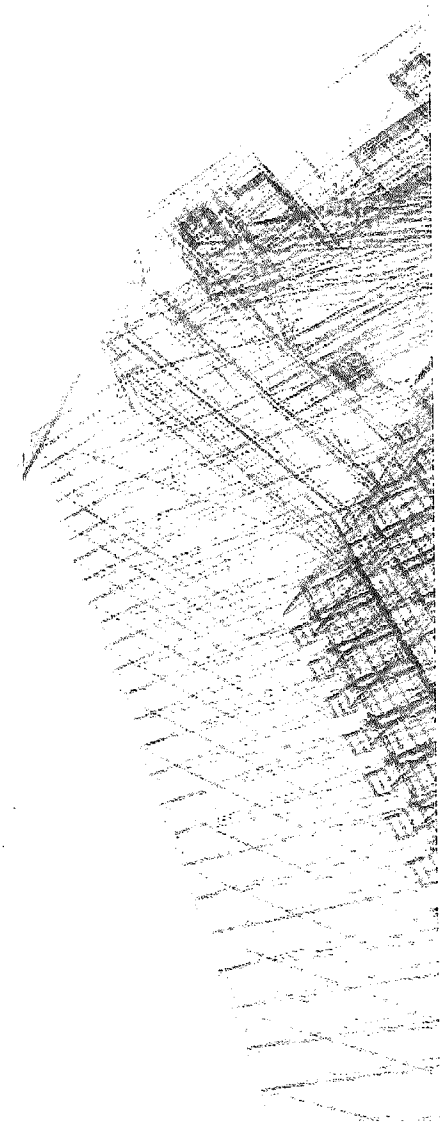


THE FLOOD PROBLEM: DRAINAGE BASIN



HARMONY WITH CRIME

If crime will increase between 700% and 1,900% due to this zoning, is that compatible?



FAYETTEVILLE CRIME DATA 2014-2015

**Surrounding
Shiloh Apartments:**

265 acres

938 calls

3.54 calls per acre

**Surrounding
The Links:**

1,280 acres

1,919 calls

1.5 calls per acre

**Surrounding
The Greens:**

370 acres

1,456 calls

3.94 calls per acre

**Surrounding
Razorback Golf Course:**

1,585 acres

330 calls

.21 calls per acre

Source: FOIA request fulfilled by the Fayetteville Police Department

COMPATIBILITY

- No other RMF-24 developments within the watershed area.
- Vast majority of zoning and development in the area is RSF-4 or less.
- Potentially Spot Zoning.



RSF-4 or Less

Other

IN CONCLUSION

We continue to believe that RMF zoning does not fit this property on the basis of compatibility with:

- Infrastructure
 - Roads
 - Schools
- Safety concerns
- Flooding
- Environmental impact
- Crime risk
- Current zoning



**NORTHWEST ARKANSAS
LAND TRUST**

TO: Fayetteville City Council

FROM: Terri Lane, Executive Director
Northwest Arkansas Land Trust

RE: Rezoning of Razorback Golf Course

2/16/16

The **Northwest Arkansas Land Trust**, a local non-profit conservation organization, owns the Wilson Springs Preserve, a 121-acre wetland adjacent to the proposed redevelopment site. Wilson Springs is a protected remnant of what was once a much larger wet prairie ecosystem.

The preserve and other lands around it provide important ecosystem services, including water purification, flood control and scenic value. The Clabber Creek bottomlands are a key piece of enduring green network for Fayetteville.

The job of a wetland/floodplain is to slow and filter storm water before it reaches our waterways. In doing so, the area buffers against stream erosion and creates habitat for many unique plant and animal species, including the Arkansas darter, a small fish which is a candidate for Federal Endangered Species listing.

We ask that city council consider this important opportunity to find a win-win between a profitable and attractive built environment and the needs and role of the unique natural environment as well.

Whatever development ultimately occurs on this site must certainly go above and beyond in considering a low density, low-impact design, and the preservation of habitat.

Thank you for your consideration,

Terri Lane
Executive Director
tlane@nwalandtrust.org

*Handed out at the City Council
meeting 2-16-16
Amend 72:58 Off-Street Parking Facilities*

Event Permit Application Instructions/Rules

These instructions are intended to help you complete your event permit application and all associated forms. Please take the time to read these instructions prior to completing your application. If you have any questions, please do not hesitate to contact us. All information must be legible and printed. Please do not use a pencil in completing this application. It is very important that our organization, as well as others, is able to read the information submitted. We want to make sure that your event is successful and without problems.

Application must be submitted with the appropriate fee amount **21 days prior to the event date.** Applicable fees may be paid by cash or check. Checks must be payable to the City of Fayetteville. Application fees are refundable if an event is cancelled or if the event permit is denied.

There are three (3) permit forms provided for the event permit application. The size and activities of your event will determine which forms you will need to submit.

- **Section I – Event Permit Application:** This form will need to be submitted for all events that take place on City property or require City resources (police assistance, parking lots, street closings, etc.).
- **Section II – Major Event Permit Application:** This form will need to accompany the Event Permit Application if your event involves certain activities such as alcoholic beverages, street closings, vendor booths, carnival rides, etc.
- **Section III – Request for Noise Ordinance Variance:** This form will need to accompany the two forms listed above and is required if your event may possibly involve sound levels that may exceed the normal requirements of the City of Fayetteville Noise Ordinance.

Return event permit applications to:

City of Fayetteville
Parking Management Division
113 W. Mountain Street
Fayetteville, AR 72701
Fax 479-575-8250
parking@ci.fayetteville.ar.us

Direct questions and inquiries to:

Parking Management Office
479-575-8280
479-575-8250 (fax)
parking@ci.fayetteville.ar.us

Event Permit Application

If at any time the application form does not provide adequate space, provide the additional information on a separate sheet and write “see attached” on the application form. Please do not write on the back side of any page of this form. When additional sheets are attached, place the event name and event date at the top of each additional sheet.

For example: **Lights of the Ozarks 11/24/04**

Event Name: Enter the name of the event. This name should be the one that you are using to advertise or promote your event.

Event Producer: Enter the name of the organization, corporation, neighborhood group, etc. that is producing the event. If the organization, corporation or group contracts with a firm or agency to produce the event, the event producer is the firm/agency contracted.

Primary Contact: Enter the name of the primary person who is to be contacted regarding the application or event.

Address, City, State, and Zip: Enter the mailing address information in these blanks of the primary contact.

Phone: Enter the telephone numbers and email address of the primary contact. It is important that the city has the ability to contact this person at all times during the event to ensure it runs smoothly and successfully.

Secondary Contact: Enter name of one additional person who can be contacted regarding application or event.

Phone: Enter telephone numbers and email address of the secondary contact. It is important that the city has the ability to contact the primary or secondary person at all times during the event to ensure it runs smoothly and successfully.

Event Location: Describe where the event will be held. *If you will be using one of the City Parks or Trails, you must complete a Special Event Application through the Parks and Recreation Department.*

Event Type: Check all boxes that apply to your event.

Event Description: Give a brief description of the event. Please describe any unique characteristics of your event (use additional page if necessary; please **do not write on the back** side of any page of this application).

Event Duration: (Starting Date, Ending Date): Enter the dates that the event will be open and closed for attendance.

Hours of operation: Enter the hours the event site will open for attendance.

Site Preparation: Enter the starting date and time that you will start to prepare the event site. If no preparation is necessary, enter the Starting Date and Time of the event.

Dismantling & Cleanup: This is the date and time it will take to dismantle and cleanup the event site. Enter the date and time when the dismantling and cleanup will be completed and the streets/or sidewalks opened again.

Total Attendance: Enter the total number of attendees that you expect for your entire event, beginning to end.

Peak Attendance: Enter the highest number of attendees you expect at any one time during the event.

Event Features: Review list of possible features and check all that apply to your event. *If you have checked any of these features, you must also complete Section II – Major Event Permit Application.*

Hold Harmless Clause: No application will be processed or permit issued for an event without the hold harmless clause being signed by the agent duly authorized by the event applicant. Proof of liability insurance may be required for a major event.

SECTION II - Major Event Permit Application

Site Map Requirement: Regardless of event location, a site map must be submitted showing the location of the event and the event features. Please review the site map requirements section of the application for all items that are required on the site map.

Street Closure: Enter the date and time of any requested street closures and the date and time the street will be reopened to traffic. Please contact the Transportation Division at 479-575-8228 to make arrangements for barricades and safety cones.

Security: It is the responsibility of an event producer to provide adequate security for an event. If security is being provided complete the security section of the event permit application.

Emergency Medical Assistance: The local Fire Chief or Fire Marshal may determine that an Emergency Response Team shall be required for major events. The fee for this service will be determined, if needed, upon review of this application.

Vendors: If you are having vendors set up at your event, then fill out this section.

Alcoholic Beverages: If you are selling alcoholic beverages, then fill out this section. Please contact the Alcoholic Beverage Control Division at 501-682-1105 to apply for a permit. When alcohol is on site, the City requires security to be present at all times. The number of security officers varies based on attendance per event. The Police Department has specific guidelines for the sale of alcohol.

Fireworks: Per City Code 94.05, Fireworks may only be discharged July 1st – July 4th. See Ordinance for times.

Electrical Service: If electrical service is required, then complete this section. Events needing more than 120 amps electricity will be required to provide an alternate power source or generators for power. Otherwise, event producers may use the City's active electrical outlets for minimal requirements. The event producer is responsible to ensure proper usage of all electrical

services, and is responsible for all electrician fees, including fees for servicing/repairing blown electrical services due to improper use of electrical supply.

Restroom Facilities: If groups of 500 or more are attending an event, the City requires the producer to supply portable restrooms. If restroom facilities (portalets) are being provided, then complete this section.

Trash, Recycling, and Clean Up Plans/Procedures: Any event producer holding an event on City property is responsible for trash removal during the event, and clean up and removal of debris after the event is concluded. Although it is not mandatory that recycling be a part of your event, it is highly recommended if aluminum or plastic drink containers will be a part of the event. Please contact the Solid Waste Division at 479-575-8397 or 479-601-4368 for all your events refuse and recycling needs.

Parking lots and vendor booth areas must be cleaned, swept, washed, and restored to its original set up once the event is concluded. Sub-contractors must load out at end of event unless pre-arranged with the City (i.e. ice merchandisers, staging, lights and sound, soft drink dispensers, signage, decorations, tables, chairs, vehicles, delivery and supply trucks, portable restrooms, etc.). Any items left will result in a day rental charge for space occupancy.

A clean up deposit is required of all major events and is payable in advance to the City of Fayetteville.

ADDITIONAL RULES

Reservation Policy: Any event that occurs annually and has had at least 3 successful events in the past 3 consecutive years, will automatically be reserved a spot on the City event reservation calendar for the event dates that are normal to the event. The producer of the "Established Event" will still be responsible for submission of all applicable permit applications by the appropriate deadlines. All other event requests submitted will be considered on a first-come-first-serve basis.

Barricades and Fencing: The event producer is responsible for placement of all required barricades, cones, fencing, etc. The producer may borrow these items by checking them out and picking them up at the Transportation Division located at 1525 Happy Hollow Road. Please call the Transportation Division at 479-575-8228 to make arrangements.

Towing of Vehicles: If the producer expects the possible need to tow any vehicles during an event, this information must be submitted with the permit application. All areas that may require towing of a vehicle must have proper signage (approved by the City) prominently displayed at each site that a vehicle(s) may be towed. If towing is necessary where the proper signage is not displayed, the producer must contact the Fayetteville Police Department at 479-587-3555 to see if they can legally tow or relocate the vehicle.

Pavement Markings: Pavement markings are strictly prohibited except with temporary spray chalk material that is approved by the City. Spray chalk can be purchased in the Parking Management Office located at 113 W. Mountain Street.

Pavement Holes/Marring: Drilling into pavement (parking lots, streets, sidewalks, curbs, etc.) is strictly prohibited. All signage and anchoring must be accomplished with weights such as sandbags or concrete filled barrels. Any holes or damage made to public property will be charged at cost to the producer of the event, but not less than \$100.00 per hole and/or marring of pavement.

Banners and Flyers: All banners and flyers must be pre-approved by the City including wording on banners and placement of banners.

Sales Tax and HMR Tax: All vendors conducting sales at the event must report and pay all applicable state and local sales taxes, including HMR taxes.

Noise Ordinance Variance: Instructions for requesting for a Noise Ordinance Variance are provided with the application in Section III.

Important Telephone Numbers:

Alcoholic Beverage Control Division	501-682-1105
Event Permit Applications (Parking Office)	479-575-8280
Farmer's Market on the Square	479-236-2910
Fire Department – Fayetteville	479-575-8365
Lights of the Ozarks	479-521-5776
Parking Management Office	479-575-8280
Police Department – Fayetteville	479-587-3555
Police Department – Univ. of Ark.	479-575-2222
Solid Waste & Recycling Division	479-575-8397
State Fire Marshal – Little Rock	501-618-8624
Transportation Division	479-575-8228
Walton Arts Center	479-443-9216

City of Fayetteville website: www.accessfayetteville.org



City of Fayetteville, Arkansas
Event Permit Application
Section I

Please read the Event Permit Application Instructions & Rules prior to completing the Event Permit Application.

I have read and understand the Instructions & Rules (signature required):

Signature of Applicant

Date

Event Name: _____

Event Date(s): _____

Event Producer: _____

***Required**

Primary Contact: _____

Primary contact is person who is to be contacted regarding the application or event

Address: _____

City: _____

State: _____

Zip: _____

Phone:

Day: _____

Night: _____

Cell: _____

Fax: _____

Email: _____

Secondary Contact: _____

Phone:

Day: _____

Night: _____

Cell: _____

Fax: _____

Email: _____

Event Location:

Event Types: Check all that apply

☐

Not for Profit

☐

Wedding Ceremony

☐

Walk/Run Footrace

☐

For Profit

☐

Wedding Reception

☐

Competition

☐

Public

☐

Meeting/Dinner

☐

Parade

☐

Private

☐

Press Conference

☐

Rally/Demonstration

☐

Concert

☐

Auction

☐

Festival

☐

Trade Show/Expo

☐

Block Party

If you will be using one of the City Parks or Trails, you must complete a Special Event Application through the Parks & Recreation Department. Phone: 479-444-3471

Event Description:

--

Event Duration:	Hours of Operation:	Start	End
Starting Date: _____	Day 1	_____	_____
Ending Date: _____	Day 2	_____	_____
	Day 3	_____	_____
Site Preparation:	Starting Date: _____	Time: _____	_____
Dismantle/Cleanup	Ending Date: _____	Time: _____	_____
Total Attendance: _____	Peak Attendance: _____	Time: _____	

Event Features: Check all that apply

☐ Alcoholic Beverages Served ☐ Alcoholic Beverages Sold ☐ Carnival Rides ☐ Crowd Control Required ☐ Elevated Noise Levels * * Section III Required ☐ EMS Required	☐ Fireworks ** ** See City Code 94.05 ☐ Parade/March ☐ Parking Lot/Spaces Needed ☐ Security Required ☐ Street Closings	☐ Temporary Electrical Service ☐ Temporary Restrooms ☐ Tents *** ☐ Vendor Booths *** ☐ Vendor Food ***
---	---	---

If you have checked any of the features above, please continue with Section II – Major Event Permit Application.

*** Refer to Temporary Structure Safety Requirements under Special Event Permits & Information / Event Permit Resources.

Hold Harmless Clause:

The City shall not be liable to user's employees, agents, invitees, licensee, visitors, or to any other person, for injury to person or damage to property on or about the leased premises caused by the negligence or misconduct of user, its agents, servant or employees, or of any other person entering upon the leased premises under express or implied invitation by user, or caused by the building improvements located on the leased premises becoming out of repair, or caused by leakage of gas, oil, water, smoke, or steam or by electricity emanating from the lease premises. The event producer agrees to indemnify and hold harmless the City from any loss, attorney's fees, and expenses or claims arising out of any such damage or injury. The City reserves the right to revoke this application at any time.

The applicant ensures compliance with the following:

- The observance of applicable laws and ordinances;
- Any stipulations or restrictions of the permit;
- Any stipulations or rules outlined in the Event Permit Application Instructions/Rules;
- The applicant assumes all liabilities that may arise by street closing and related activity.

Permit applied for and all terms and stipulations agreed to by (signature required):

Signature: _____ Date: _____

Return completed form to: parking@fayetteville-ar.gov or Fax 479.575.8250
 Parking Management, 113 W Mountain St, Fayetteville, AR 72701 / Phone 479.575.8280



SECTION II

Major Event Permit Application

Site Map Required:

Major events require a site map. Indicate on map the exact placement of the following items, if applicable.

> Gate(s)/Official Entrance(s)	> Money Rooms	> Emergency Medical Tent(s)
> Restroom Facilities/Portable Toilets	> Fencing	> Sign/Banner Placement
> Performance Areas/Lighting	> Food Areas	> Street Closures/Barricades
> Dumpsters & Trash Containers	> Alcohol Areas	> Communication Center
> Event Headquarters	> Security Tent(s)	> Communication Center
> Vendor Booths/Tents		> Parking Lot/Spaces Needed

Street Closure:

Date: _____ Time: _____

Reopen:

Date: _____ Time: _____

All businesses must be notified in writing of the street closure(s). A copy of the written notification must accompany the Event Permit Application.

List streets to be closed (Map Required):

Security:

It is the responsibility of an event producer to provide adequate security for an event, and to ensure that an adequate number of security personnel are present to manage the expected size of the event's crowd. Security must include proper crowd control. Security personnel must meet the requirements of the Fayetteville Police Department.

Number of off-duty police or private security personnel being provided: _____

Organization providing off-duty or private security: _____

Contact: _____ Phone: _____

Type of Security	Number of Personnel	Check if not Needed
Gate Security		☐
Alcohol Sales Security		☐
Money Handling Security		☐
Stage/Artists Security		☐
Parking Lot Security		☐
Overnight Security (outside of event hours)		☐

Emergency Response/Fire Team:

Special emergency response team required? Yes _____ No _____

Type of response unit required: _____ Fee: \$ _____

Vendors:

List types of vendor booths (food, clothing, crafts, etc.):

Alcoholic Beverages:

Alcoholic Beverage Vendor(s): _____

ABC License Number: _____

Fireworks:

Fireworks Provider/Handler: _____

Fireworks Permit Number: _____

Electrical Service:

How will electrical service be supplied : Public Utilities _____ Generator _____

On-call Electrician: _____

Business Phone: _____ Emergency Phone (during event): _____

Restroom Facilities:

Number of permanent facilities: _____ Number of portable facilities: _____

Company Supplying Portables: _____

Contact: _____ Phone: _____

Trash, Recycling, and Clean Up Plans/Procedures:

Please contact the Recycling and Trash Collection Division for all your events refuse and recycling needs at 479-575-8397. Event Recycling Guidelines & Tips can be found under Special Event Permits & Information / Event Recycling.

Name of trash and recycling coordinator: _____

Name of clean up coordinator: _____

Number of people on clean-up crew: _____

Number and Size of Dumpsters: _____ Type of Dumpsters: _____

Number of times to be serviced: _____

Briefly describe plan for trash and recycle removal (how will trash be collected and disposed of?):

Briefly describe plan for clean up after event is concluded:

Clean Up Deposit Required: \$500.00

This fee is payable in advance to the City of Fayetteville for clean up and removal of debris. An inspection of the event location will be performed by City personnel within 24 hours after the ending date and time of the event as established in this permit. Upon establishment of a satisfactory inspection of the site of the clean up performed by the event producer, the clean up deposit will be refunded within thirty (30) days of the inspection. If said clean up was not totally successful, then all or a portion of the deposit may be forfeited to the City in order to pay for the appropriate clean up efforts. Clean up tasks performed by the City are charged out at \$50.00 per hour. If cleanup efforts performed by the City exceed \$500.00, the event producer will be billed the additional cost.

Clean Up Deposit Received:

Date: _____ Amount: _____ Check #: _____

Refundable to:

Name: _____

Address: _____

City, St, Zip: _____

Telephone No.: _____

Return completed form to: parking@fayetteville-ar.gov or Fax 479.575.8250

Parking Management, 113 W Mountain St, Fayetteville, AR 72702 / Phone 479.575.8280

INSTRUCTIONS

CITY OF FAYETTEVILLE NOISE ORDINANCE VARIANCE REQUEST

In order for your request for a variance from the City of Fayetteville Noise Ordinance to be completed properly and meet your needs, please read the following directions:

1. The City needs to receive the completed Request for Variance application at least two (2) weeks before the date you are requesting your event to begin, but earlier if possible.
2. Carefully read Ordinance No. 3926 (the last two pages of this packet). If you do not fully understand any section, please call the Mayor's Office at 479-575-8330.
3. All requests for Variance from the Noise Ordinance must be submitted along with an Event Permit Application (Section I and II).

Once your request has been returned to the City of Fayetteville, it will follow these procedures before it is approved:

1. Your request will be sent to the Parking/Events Division, Police Department, Fire Department, and Transportation Division (respectively) for their review, comments, and approval.
2. After it has been reviewed by these departments, it is given to the Mayor or his designate for final approval.
3. **If the request is approved**, you will be contacted by phone to pick up your original request at the Parking Management Office. Please keep this approval request with you during the event in case the Police Department receives a complaint and they are sent to your event. You will need to show them the approved variance to avoid any confusion.
4. **If the Variance Request is not approved**, you will be notified immediately. However, Sections I and II of your Event Permit Application may still be approved for all other aspects of the event.

ORDINANCE NO.

AN ORDINANCE REPEALING §96.04 OF THE CODE OF FAYETTEVILLE AND SUBSTITUTING A NEW §96.04 LIMITING NOISE LEVELS WITHIN LAND USE CATEGORIES, ESTABLISHING NOISE LEVELS FOR TRANSIENT AND CONSTRUCTION SOUNDS AND PROVIDING FOR RELATED MATTER AND ADDING §96.05(D) TO THE CODE OF FAYETTEVILLE PROHIBITING OPERATION OF ANY SOUND AMPLIFICATION DEVICE WITHIN A VEHICLE PLAINLY AUDIBLE AT A DISTANCE OF 30 FEET.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. Section 96.04 of the Code of Fayetteville is hereby repealed and the following is hereby substituted in its place:

§96.04 LIMITATIONS BY LAND USE CATEGORY.

A. No person shall operate or cause to be operated, or permit, contract or allow to be operated on premises on public or private property any identifiable source of sound in such a manner as to create a sound level within the use districts in Table 1 as measured at any point on the boundary of the property from which the sound or noise is emanating. A complaint under this section must be brought by a property owner or leaseholder affected by excessive noise on their property.

<u>Use Districts</u>	<u>Time</u>	<u>Maximum Noise Levels</u>
All Residential Zones	11:00 PM to 7:00 AM	55 dB(A)
	7:00 AM to 11:00 PM	60 dB(A)
All Commercial Zones	7:00 AM to 11:00 PM	75 dB(A)
	11:00 PM to 7:00 PM	70 dB(A)
All Industrial Zones	11:00 PM to 7:00 AM	75 dB(A)
	7:00 AM to 11:00 PM	80 dB(A)

All measurements shall be taken with a sound level meter in its fast or peak level setting.

B. District Boundaries. When a noise source can be identified and its noise measured in more than one use district, the noise limits of the most restrictive use district shall apply at that district boundary.

C. Commercial Source. Notwithstanding the zoning classification of the underlying parcel, restaurants, night clubs, private clubs, auditoriums, dance halls, and rehearsal studios are defined as commercial sound sources existing in commercial zones for the purposes of this ordinance.

D. Transient Source. For a transient sound emanating in any land use category, the peak noise level shall not exceed 20 decibels above the limit set in Table 1 above.

E. Construction. Construction projects shall be subject to the limitations specified for industrial zones for the period of time allowed by the building permit.

Section 2. If any part of this ordinance or the application of the same to any person or set of circumstances, is for any reason held to be void or invalid, the validity of the remaining parts of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby.

Section 3. §96.05(D) is hereby added to the Code of Fayetteville:

§96.05 Motor Vehicle and Motorcycle Sound Limit.

D. Operating or causing to operate any sound amplification device from within a vehicle so that the sound is plainly audible at a distance of thirty feet (30) feet or more from the vehicle whether in a street, a highway, an alley, parking lot or driveway, whether public or private property is prohibited and declared to be a noise disturbance in violation of this ordinance.

PASSED AND APPROVED this 3rd day of October, 1995.

APPROVED:

By: _____
Fred Hanna, Mayor

ATTEST:

By: _____
Traci Paul, City Clerk



SECTION III
REQUEST FOR VARIANCE FROM
CITY OF FAYETTEVILLE NOISE ORDINANCE

Note: This form must be accompanied by Section I of the Event Permit Application

Section I: General Variance Information

1. Variance is requested for (date and time): _____
2. The decibel level will not exceed: _____
3. Place of event:

4. Event will be held (*check one*): Indoors ☐ Outdoors ☐
5. Number of people expected to attend: _____
6. Sound system to be used: _____
7. Description of entertainment planned:

8. Why do you **not** expect to be able to comply with normal requirements of the Noise Ordinance?

9. Actions planned by organization/applicant to assure compliance with the Noise Ordinance or with restrictions designated in Variance, if granted:

Section II: Submission

1. This request is submitted on behalf of organization/applicant by:

Name

Phone No.

Signature

e-mail address

Section III: Approvals

1. *(This Section applies only if prior approval from the University of Arkansas Student Services is required.)*

The foregoing request has been submitted and reviewed by the Office of Student Services and the Director of Arkansas Union.

Signature, Director of Campus Activities

Date

Return completed form to: parking@fayetteville-ar.gov or Fax 479.575.8250
Parking Management, 113 W Mountain St, Fayetteville, AR 72701 / Phone 479.575.8280

*Handed out at the City Council
meeting 2-16-16*

Smith, Lorinda

Amend 72.58 Off-Street Parking Facilities

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 3:34 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: annhenry1@me.com
Subject: FW: Please forward to members of council

Please review the email below. Thanks!

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov

-----Original Message-----

From: Ann Henry [mailto:annhenry1@me.com]
Sent: Tuesday, February 16, 2016 2:43 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Please forward to members of council

I support proposed amendment to parking ordinance to city of Fayetteville current laws.

We should be transparent about what is being proposed and for how long when we close public right of way and block streets in front of businesses.

Thank you for your consideration.
Ann henry

Sent from my iPhone

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 12:21 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: kevin@ftownlongboards.com
Subject: FW: Major Events Ordinance

Please see the email below.

Thanks!

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov

-----Original Message-----

From: Kevin Higgins [mailto:kevin@ftownlongboards.com]
Sent: Tuesday, February 16, 2016 12:07 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major Events Ordinance

To Whom it may concern at the City of Fayetteville,

First of all, as a business owner in the city, I appreciate your service to the city where I choose to locate my business.

I have been in copy on the majority of emails regarding a push to introduce the ordinance listed below which has a potential to impact the legacy major events as well as attract new events to the city. As a business owner in Fayetteville, I Do NOT support this proposal. I see this as an attempt for a small group of businesses to try and decide what is good for the city and in fact, discriminate against people that attend these events. I have heard of such things on social media regarding Bikes Blues and BBQ like, "those kind are not good for Fayetteville".

Bikes, Blues, and BBQ does have a negative impact on the traffic I see come through my door. However, I see the positive impact an event like this has on the city, my fellow business owners, and the charities they support. Events like this also bring together families and friends for a time of fellowship. This year we are looking at how, as a business, we

can take advantage of these major events to drive business to our store, or how we go to them with product they would purchase, again generating revenue for the city.

The Joe Martin Stage Race, Bikes Blues and BBQ, and other events bring significant sales tax revenue to Fayetteville. A small group of businesses who believe it's detrimental to their stores, haven't figured out how to capitalize on the events, or rather they do not like the biker culture to be specific, should not be able to decide what is good for this city.

In closing, even though we see traffic slow through our doors, I do NOT support this ordinance and hope everyone votes with the city's best interest in mind and not those of a very small group of businesses who appear to want to discriminate against certain events and are using this proposal to do just that.

Best regards,
Kevin Higgins
F-Town Longboards LLC

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 12:18 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: casey@greylinecreative.com
Subject: FW: Major Event Ordinance

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*



From: Casey Mayer [mailto:casey@greylinecreative.com]
Sent: Monday, February 15, 2016 8:22 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major Event Ordinance

Dear Aldermen,

I support the proposed Major Event Ordinance to provide for input by citizens and businesses for major events that fit Fayetteville. I am a small business owner in town, with my photography studio located on the square, and I am forced to shut down during Bikes, Blues and BBQ specifically. The size and traffic of this particular event keeps me from being able to use my studio, or meet clients there. It averages around a \$1200 loss for me each year. I would hope that we, citizens and business owners, could possibly find new ways to accommodate everyone for events of this size. Thank you-

Sondra Smith, City Clerk ssmith@fayetteville-ar.gov

Ward 1	Sarah Marsh	(479) 287-4054	ward1_pos2@fayetteville-ar.gov
Ward 2	Mark Kinion	(479) 442-7868	ward2_pos1@fayetteville-ar.gov

Ward 2	Matthew Petty	(479) 595-8703	citycouncil@matthewpetty.org
Ward 3	Justin Tennant	(479) 387-8462	ward3_pos1@fayetteville-ar.gov
Ward 3	Martin Schoppmeyer	(479) 935-4605	ward3_pos2@fayetteville-ar.gov
Ward 4	John La Tour	(479) 443-7878	ward4_pos1@fayetteville-ar.gov
Ward 4	Alan Long	(479) 304-0585	ward4_pos2@fayetteville-ar.gov

AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:

AN ORDINANCE TO AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

WHEREAS, the Mayor is authorized to assign any and all city owned paid parking lots in the Entertainment District Parking Lot by special event permit for up to sixteen (16) days per calendar year; and

WHEREAS, multi-day special events that close parking facilities and city streets significantly impact citizens, businesses, and institutions as well as the quality of life in our community and therefore citizens should have the opportunity for input in the decision-making process; and

WHEREAS, special events that request or need to occupy and use such city parking lots or city streets more than two (2) days should not only receive the Mayor's express approval through the Mayor's issuance of a special event permit, but must receive express approval of the City Council for any and all city owned parking lots or city street closures needed beyond the two-day limit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby repeals § 72.58 (M) and enacts a replacement § 72.58 (M) as shown below:

"(M) Special Event Permits Needed To Use City Owned Parking Lots, paid on- street parking spaces, or to close city streets

(1) Events needing the use of city owned parking lots for two days or less.

The Mayor is empowered by the issuance of a special event permit to assign any and all city owned paid parking lots and some or all on-street paid parking spaces within the Entertainment District Parking Zone for up to two days per special event for the use of a permitted special event or other necessary reason for not more than a total of sixteen (16) days per calendar year.

(2) Events requesting the use of city owned parking lot or on-street paid parking spaces or to close city streets for more than two days in a calendar year.

Subject to the overall limit of 16 days per calendar year, the Mayor may propose and the City Council may agree to or reject an expanded special event permit which would authorize the special event to use city owned paid parking lots or on-street paid parking in the Entertainment District Parking Zone for more than two and up to five days per year. The Mayor may also propose the closure of city streets for more than two days for a special event. The approval and any conditions imposed for such approval by the City Council shall be by City Council Resolution. Proposed special event permits shall be evaluated by the City Council on the basis of, but not limited to, weighing the potential benefits and detriments to the community, impact to public services, including City, schools, transportation, and medical services, and the effect on the overall quality of life to residents and businesses. Any violation of the City Council required conditions shall subject the special event permit authorization beyond two days to be voided and withdrawn by the Mayor."

Casey Mayer, Artist/Photographer
Greyline Creative
100 E Center Street Ste. 001
Fayetteville, AR 72701

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 11:54 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: adheinz1@gmail.com
Subject: FW: Major ordinance

Please see the email below.

Thanks!

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov

-----Original Message-----

From: Andrew Heinzlmann [mailto:adheinz1@gmail.com]
Sent: Tuesday, February 16, 2016 6:56 AM
To: Smith, Sondra <:ssmith@fayetteville-ar.gov>
Subject: Major ordinance

I support the major ordinance proposal that allows citizens' via their ward alderman input on city events.
Thank you
Andy Heinzlmann

Sent from my iPhone

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 11:53 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Subject: FW: Major Event Ordinance

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*

CITY OF

www.fayetteville-ar.gov

From: John Eldridge [mailto:johne@eldridgelawfirm.com]
Sent: Monday, February 15, 2016 11:11 AM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major Event Ordinance

I support the proposed Major Event Ordinance to provide for input by citizens and businesses for major events that fit Fayetteville. Please distribute to all council members.

Thanks,
John

John R. Eldridge, III
Attorney at Law
P. O. Box 580
Fayetteville, AR 72702-0580
479.443.0908
479.443.2713 fax
johne@eldridgelawfirm.com

To ensure compliance with IRS requirements, we inform you that any tax advice contained in this communication is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

This email message and any attachments are confidential. If you are not the intended recipient, please immediately reply to the sender and delete the message from your email system.

Thank you.

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 11:52 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: jayy@dcf-fay.com
Subject: FW: Please review, take action, and forward to your friends

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*



From: Jay Young [mailto:jayy@dcf-fay.com]
Sent: Monday, February 15, 2016 9:27 AM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: FW: Please review, take action, and forward to your friends

Sondra,

I am a Fayetteville resident and business owner with office located downtown.

I concur with the statements in the email below.

**Allen "Jay" Young
Development Consultants Inc.**

From: Tom Overbey [mailto:t1t1ott@gmail.com]
Sent: Monday, February 15, 2016 9:19 AM
To: Tom Overbey
Subject: Please review, take action, and forward to your friends

Major Event Ordinance for Fayetteville

Attached below is the text of a proposed ordinance that will be presented for first reading at the City Council meeting Tuesday at 5:30.

The goal is to have our city resources applied to events that promote Fayetteville in a positive way and fit within our culture. Events lasting more than two days have a significant effect on the residents and businesses. The current procedure for major events is a checklist with no opportunity for comments (unless you go directly to the mayor). A better approach for Fayetteville would be to require an event that wants to use city parking lots and/or close down public streets for more than two days be required to obtain City Council approval. This would allow our citizens to have a forum to discuss the value of the event to the city. Festivals or rallies that our city adopts help to define our community. Allowing for citizen input and approval through its elected leaders only seems fair and appropriate.

Please send an email to the Fayetteville City Council members today! Suggested wording is below. Send it to Sondra Smith, City Clerk, and it will go to all aldermen. Or, select your alderman from the list.

It is important to make a comment if a major event impacts you or your business. Several of the aldermen have said that they have not had any comments on how major events impact businesses. They have assumed the major events are all neutral or beneficial. If you have a different view, please express it. If you leave town during major events, please express your concerns.

Then, please forward this email to your friends. Thanks so much.

I support the proposed Major Event Ordinance to provide for input by citizens and businesses for major events that fit Fayetteville.

Sondra Smith, City Clerk

ssmith@fayetteville-ar.gov

Ward 1	Sarah Marsh	(479) 287-4054	ward1_pos2@fayetteville-ar.gov
Ward 2	Mark Kinion	(479) 442-7868	ward2_pos1@fayetteville-ar.gov
Ward 2	Matthew Petty	(479) 595-8703	citycouncil@matthewpetty.org
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Ward 4	John La Tour	(479) 443-7878	ward4_pos1@fayetteville-ar.gov
Ward 4	Alan Long	(479) 304-0585	ward4_pos2@fayetteville-ar.gov

AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:

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WHEREAS, multi-day special events that close parking facilities and city streets significantly impact citizens, businesses, and institutions as well as the quality of life in our community and therefor citizens should have the opportunity for input in the decision-making process; and

WHEREAS, special events that request or need to occupy and use such city parking lots or city streets more than two (2) days should not only receive the Mayor's express approval through the Mayor's issuance of a special event permit, but must receive express approval of the City Council for any and all city owned parking lots or city street closures needed beyond the two-day limit.

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Tom Overbey
T1TLOTT@gmail.com

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 1:40 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: jromine@nwark.com
Subject: FW: major event ordinance

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*



From: Jim Romine [mailto:jromine@nwark.com]
Sent: Tuesday, February 16, 2016 1:18 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: major event ordinance

I support the major event ordinance to provide for input by citizens and businesses

James C. Romine

CityClerk

From: Marsh, Sarah
Sent: Tuesday, February 16, 2016 4:46 PM
To: City_Clerk-old
Subject: Fw: Transit Issues for BBB

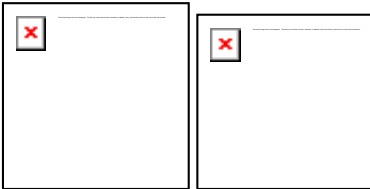
Categories: Forwarded

Sondra,

Please forward this to the other Council Members.

Thanks,
-Sarah

Sarah Marsh, bARCH, LEED AP BD+C
Vice Mayor | City Council Member, Ward 1, Position 2
City of Fayetteville, Arkansas
ward1_pos2@fayetteville-ar.gov | 479.799.0393



From: Jeff Castellano <jeffachadnezzar@gmail.com>
Sent: Tuesday, February 16, 2016 4:16 PM
To: Marsh, Sarah
Subject: Transit Issues for BBB

My name is Jeff Castellano, and during last year's BBB, I was a resident of Ward 2, not far from campus. I was a first-term student, which was an adjustment enough but compounded upon because of my unique obstacles being physically disabled. My mobility issues are unpredictable at best; some days I'm able to walk but must rest often, and bad days leave me entirely dependent on a wheelchair. Usually, this isn't too big of a deal. Fayetteville has the best public transit system anywhere, with the best staff and best conditions you could ask for. Thing is, that means nothing when it's inaccessible.

It may not seem like much, but two days is a lot of time to miss, particularly your first year. BBB is supposed to only be for the weekend, but traffic congestion started on the Tuesday before and got steadily worse until Thursday, when I just gave up and went on a mini-vacation elsewhere until everyone left. By then, it was bad enough the the brown and green lines (the only two that pass near my house on Davidson Street) were disrupted, and without those, myself and probably many other residents couldn't get around the areas around campus and Dickson. You know, two of the most important points in town. It was unnerving and way more

time-consuming than usual when the buses shut down--it normally took about twenty minutes or so to get from the front door of my apartment to Old Main. With no bus service, it took over an hour. More people are willing to behave in traffic for a person in a wheelchair, but apparently not for regular pedestrians, and I observed near-accidents happening more than once. It was so bad that this year, we actually plan on taking the entire week out of town, if possible, because it's a nightmare trying to get around otherwise. I realize that the revenue generated by the event is important, but I live here. I live here for many reasons, but one of those chief reasons is the accessibility for people like me with disabilities.

To say that I'm thrilled that someone is taking this issue seriously is an understatement. I fully support this ordinance--it takes into account the needs of all residents, including the disabled and those who don't use a car as transportation. That's very much in keeping with the values of being an inclusive community, something that Fayetteville does like no place else. Thank you!

(Anonymous, if possible?)

Jeff Castellano

Resident (Address withheld for security reasons.)

Branson, Lisa

From: Smith, Sondra
Sent: Monday, February 29, 2016 8:24 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Subject: FW: Major Event Ordinance
Attachments: Major Event Ordinance Letter.doc; ATT00001.htm

Please see the attached letter. Have a great day!

From: Glenda Satterfield [mailto:glendasatterfield@gmail.com]
Sent: Monday, February 29, 2016 8:04 AM
To: Smith, Sondra <:ssmith@fayetteville-ar.gov>
Subject: Fwd: Major Event Ordinance

Subject: Major Event Ordinance

My name is Glenda Satterfield. I have been a resident of Eureka Springs for 15 years. I am also a real estate Broker.

I find BBBQ to be a horrendous occasion for all of Northwest Arkansas. The noise level in Eureka Springs is especially bad because of our canyon like downtown area with its rock walls and stone buildings. The overwhelming cacophony forces residents indoors for a 4 day stretch (and is still a painful pounding), or to leave town. It pains me to see our beautiful, historic, healing town abused in this manner.

Please pass the Major Event Ordinance so that some control over this event can be taken back by the citizens of this area.

Sincerely,

Glenda Satterfield

CityClerk

From: CityClerk
Sent: Monday, February 29, 2016 10:53 AM
To: 'Alan Long (Longward4@gmail.com)'; 'bpennington@fayetteville-ar.gov'; 'citycouncil@matthewpetty.org'; 'dmarr@fayetteville-ar.gov'; 'geads@fayetteville-ar.gov'; 'groberts@fayetteville-ar.gov'; 'kjohnson@fayetteville-ar.gov'; 'kwilliams@fayetteville-ar.gov'; 'lbranson@fayetteville-ar.gov'; 'lbroyles@fayetteville-ar.gov'; 'ljordan@fayetteville-ar.gov'; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; 'ssmith@fayetteville-ar.gov'; 'ward1_pos1@fayetteville-ar.gov'; 'ward1_pos2@fayetteville-ar.gov'; 'ward2_pos1@fayetteville-ar.gov'; 'ward3_pos1@fayetteville-ar.gov'; 'ward3_pos2@fayetteville-ar.gov'; 'ward4_pos1@fayetteville-ar.gov'; 'ward4_pos2@fayetteville-ar.gov'
Subject: FW: Proposed Festival Ordinance

Please see the email below.

Office of the City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
479.575.8323
cityclerk@fayetteville-ar.gov
[Website](#) | [Twitter](#) | [YouTube](#)



From: MS RIKER [mailto:elitevaporpros@hotmail.com]
Sent: Monday, February 29, 2016 10:37 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Proposed Festival Ordinance

Sondra Smith ,

Good morning. I'm emailing you to let your office know I'm not at all happy about this new proposed Festival Ordinance. I'm from Eureka Springs , and this type of micro managing ruined our unique reputation to the point of no repair. Eureka will never be same after the city council made such horrendous decisions year after year to run the tourists with actual money to spend ...right out of town. They still are at it today .

I would hate to see this become another Eureka Springs story ... And this is just how that story starts.

Thanks for listening to my voice. Please have a great day.

Matt Riker

National Sales Manager
Carolina Arms Group
Mattriker@carolinaarmsgroup.com
<http://www.carolinaarmsgroup.com/>
<http://carolinaarmsgroup.tumblr.com/>
<https://www.instagram.com/carolinaarmsgroup>
<https://twitter.com/CarolinaArmsGrp>
<https://www.facebook.com/CarolinaArmsGroup>
Fax 704-360-2469
Gerald's Restaurant
417-847-1000
Zoe Crist Steel
<http://www.zoecristknives.com/>
Cell 479-244-6243
Have a great day !
Matt1911jmb@yahoo.com
Elite Vapor Pro's
870-204-6051
elitevaporpros@hotmail.com

Matt Riker
National Sales Manager
Carolina Arms Group
Mattriker@carolinaarmsgroup.com
<http://www.carolinaarmsgroup.com/>
<http://carolinaarmsgroup.tumblr.com/>
<https://www.instagram.com/carolinaarmsgroup>
<https://twitter.com/CarolinaArmsGrp>
<https://www.facebook.com/CarolinaArmsGroup>
Fax 704-360-2469
Gerald's Restaurant
417-847-1000
Zoe Crist Steel
<http://www.zoecristknives.com/>
Cell 479-244-6243
Have a great day !
Matt1911jmb@yahoo.com
Elite Vapor Pro's
870-204-6051
elitevaporpros@hotmail.com

CityClerk

From: CityClerk
Sent: Monday, February 29, 2016 10:52 AM
To: 'Alan Long (Longward4@gmail.com)'; 'bpennington@fayetteville-ar.gov'; 'citycouncil@matthewpetty.org'; 'dmarr@fayetteville-ar.gov'; 'geads@fayetteville-ar.gov'; 'groberts@fayetteville-ar.gov'; 'kjohnson@fayetteville-ar.gov'; 'kwilliams@fayetteville-ar.gov'; 'lbranson@fayetteville-ar.gov'; 'lbroyles@fayetteville-ar.gov'; 'ljordan@fayetteville-ar.gov'; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; 'ssmith@fayetteville-ar.gov'; 'ward1_pos1@fayetteville-ar.gov'; 'ward1_pos2@fayetteville-ar.gov'; 'ward2_pos1@fayetteville-ar.gov'; 'ward3_pos1@fayetteville-ar.gov'; 'ward3_pos2@fayetteville-ar.gov'; 'ward4_pos1@fayetteville-ar.gov'; 'ward4_pos2@fayetteville-ar.gov'
Subject: FW: regarding the festival ordinance - I hate Bikes/Blues

Please see the email below.

Office of the City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
479.575.8323
cityclerk@fayetteville-ar.gov
Website | Twitter | YouTube

-----Original Message-----

From: briandickinson@cox.net [mailto:briandickinson@cox.net]
Sent: Monday, February 29, 2016 10:39 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: regarding the festival ordinance - I hate Bikes/Blues

Hi Sondra.

I have not read the proposed city festival ordinance but if it has an intended outcome of spelling doom for Bikes/Blues, I'm for it.

I do enjoy a music festival but I prefer to travel across the country to attend a good one. I've been to Lollapalooza in Chicago seven times. The type of event I enjoy cannot exist in Fayetteville. We just don't have the population or the infrastructure to support it.

I love Dickson St. I will hang out at S&B and have a drink or sing a karaoke song at Uno's, or enjoy a steak at Doe's any night of the week. But the pretend biker culture -- I just don't get it. The people are scummy for the most part and I hate turning over my town to them once a year. I know a lot of business owners on/near downtown and I know that some of them depend on the once-per-year Bikes/Blues revenue as their annual profit. Still others have their business hurt by the festival. It's a hugely convoluted mixed bag. My position is - if you need an event like Bikes/Blues to make your ends meet, then there's probably a better bar waiting to take your place. I leave town or stay home when the pretend bikers are here. I have nothing in common with them. I dislike most of the entertainment that is brought to the stages for them (95% non blues).

This is my piece. There, I've said it.

Sincerely Yours,
Brian

CityClerk

From: CityClerk
Sent: Monday, February 29, 2016 7:32 AM
To: 'Alan Long (Longward4@gmail.com)'; 'bpennington@fayetteville-ar.gov'; 'citycouncil@matthewpetty.org'; 'dmarr@fayetteville-ar.gov'; 'geads@fayetteville-ar.gov'; 'groberts@fayetteville-ar.gov'; 'kjohnson@fayetteville-ar.gov'; 'kwilliams@fayetteville-ar.gov'; 'lbranson@fayetteville-ar.gov'; 'lbroyles@fayetteville-ar.gov'; 'ljordan@fayetteville-ar.gov'; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; 'ssmith@fayetteville-ar.gov'; 'ward1_pos1@fayetteville-ar.gov'; 'ward1_pos2@fayetteville-ar.gov'; 'ward2_pos1@fayetteville-ar.gov'; 'ward3_pos1@fayetteville-ar.gov'; 'ward3_pos2@fayetteville-ar.gov'; 'ward4_pos1@fayetteville-ar.gov'; 'ward4_pos2@fayetteville-ar.gov'
Subject: FW: I support this ordinance

Please see the email below.

Office of the City Clerk Treasurer

113 W. Mountain Street, Suite 308

Fayetteville, AR 72701

479.575.8323

cityclerk@fayetteville-ar.gov

[Website](#) | [Twitter](#) | [YouTube](#)

CITY OF



www.fayetteville-ar.gov

From: Mary Jo Schneider [mailto:mary.jo.schneider1944@gmail.com]
Sent: Saturday, February 27, 2016 10:43 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: I support this ordinance

I think that this is a good idea. I'd also like to see a thorough examination of the costs of this festival—including how many restaurants and other venues close or lost revenue.

A few months back I announced that I was looking for citizens to sign a petition asking our City Council to adopt a Major Event Ordinance, one which would require City Council approval for events lasting three days or longer and using city streets and/or parking lots. We received well over 800 signatures. Thanks!

We now have an ordinance before the City Council. Our first reading was at the last city council meeting. They will be making some adjustments in the original wording but the intent is still the same.

Despite what you read in the paper this is not an ordinance to do away with Bikes, Blues, and BBQ (BBB). People who are supporters of BBB have signed the petition because they believe that the decision to hold Major Events in Fayetteville should be in the hands of our elected representatives.

If you would like to support this ordinance please email our City Council members. You can do so by emailing our City Clerk and asking her to forward it to all City Council members. Her email address: cityclerk@fayetteville-ar.gov. Her name is Sondra Smith.

Mary Jo Schneider

CityClerk

From: CityClerk
Sent: Monday, February 29, 2016 7:31 AM
To: 'Alan Long (Longward4@gmail.com)'; 'bpennington@fayetteville-ar.gov'; 'citycouncil@matthewpetty.org'; 'dmarr@fayetteville-ar.gov'; 'geads@fayetteville-ar.gov'; 'groberts@fayetteville-ar.gov'; 'kjohnson@fayetteville-ar.gov'; 'kwilliams@fayetteville-ar.gov'; 'lbranson@fayetteville-ar.gov'; 'lbroyles@fayetteville-ar.gov'; 'ljordan@fayetteville-ar.gov'; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; 'ssmith@fayetteville-ar.gov'; 'ward1_pos1@fayetteville-ar.gov'; 'ward1_pos2@fayetteville-ar.gov'; 'ward2_pos1@fayetteville-ar.gov'; 'ward3_pos1@fayetteville-ar.gov'; 'ward3_pos2@fayetteville-ar.gov'; 'ward4_pos1@fayetteville-ar.gov'; 'ward4_pos2@fayetteville-ar.gov'
Subject: FW: BBBBQ

Please see the email below.

Office of the City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
479.575.8323
cityclerk@fayetteville-ar.gov
Website | Twitter | YouTube

-----Original Message-----

From: 1bwells@cox.net [mailto:1bwells@cox.net]
Sent: Saturday, February 27, 2016 10:40 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: BBBBQ

Sondra Smith,

Sending this email to you today, because I feel it is my duty to help protection the above subject.
I am against this so called ordinance for Fayetteville's BBBBQ.

Thank you!

Beverly Wells

CityClerk

From: CityClerk
Sent: Monday, February 29, 2016 7:31 AM
To: 'Alan Long (Longward4@gmail.com)'; 'bpennington@fayetteville-ar.gov'; 'citycouncil@matthewpetty.org'; 'dmarr@fayetteville-ar.gov'; 'geads@fayetteville-ar.gov'; 'groberts@fayetteville-ar.gov'; 'kjohnson@fayetteville-ar.gov'; 'kwilliams@fayetteville-ar.gov'; 'lbranson@fayetteville-ar.gov'; 'lbroyles@fayetteville-ar.gov'; 'ljordan@fayetteville-ar.gov'; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; 'ssmith@fayetteville-ar.gov'; 'ward1_pos1@fayetteville-ar.gov'; 'ward1_pos2@fayetteville-ar.gov'; 'ward2_pos1@fayetteville-ar.gov'; 'ward3_pos1@fayetteville-ar.gov'; 'ward3_pos2@fayetteville-ar.gov'; 'ward4_pos1@fayetteville-ar.gov'; 'ward4_pos2@fayetteville-ar.gov'
Subject: FW: Event ordinance

Please see the email below.

Office of the City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
479.575.8323
cityclerk@fayetteville-ar.gov
Website | Twitter | YouTube

-----Original Message-----

From: Jeff Kimbrough [mailto:jmkimbrough11@yahoo.com]
Sent: Saturday, February 27, 2016 9:53 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Event ordinance

There are to many ordinands in place already. Don't need any more.

Sent from my iPhone

CityClerk

From: CityClerk
Sent: Monday, February 29, 2016 7:30 AM
To: 'Alan Long (Longward4@gmail.com)'; 'bpennington@fayetteville-ar.gov'; 'citycouncil@matthewpetty.org'; 'dmarr@fayetteville-ar.gov'; 'geads@fayetteville-ar.gov'; 'groberts@fayetteville-ar.gov'; 'kjohnson@fayetteville-ar.gov'; 'kwilliams@fayetteville-ar.gov'; 'lbranson@fayetteville-ar.gov'; 'lbroyles@fayetteville-ar.gov'; 'ljordan@fayetteville-ar.gov'; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; 'ssmith@fayetteville-ar.gov'; 'ward1_pos1@fayetteville-ar.gov'; 'ward1_pos2@fayetteville-ar.gov'; 'ward2_pos1@fayetteville-ar.gov'; 'ward3_pos1@fayetteville-ar.gov'; 'ward3_pos2@fayetteville-ar.gov'; 'ward4_pos1@fayetteville-ar.gov'; 'ward4_pos2@fayetteville-ar.gov'
Subject: FW: please fwd to city council members

Please see the email below.

Office of the City Clerk Treasurer

113 W. Mountain Street, Suite 308

Fayetteville, AR 72701

479.575.8323

cityclerk@fayetteville-ar.gov

[Website](#) | [Twitter](#) | [YouTube](#)

CITY OF

Fayetteville
ARKANSAS

www.fayetteville-ar.gov

From: Wendy S. Finn [mailto:finnality@hotmail.com]

Sent: Friday, February 26, 2016 8:48 PM

To: CityClerk <cityclerk@fayetteville-ar.gov>

Subject: please fwd to city council members

I want to voice my support the Major Event Ordinance that requires City Council approval for events lasting three days or longer and using city streets and/or parking lots.

Thank you for your time,

Wendy Finn

CityClerk

From: CityClerk
Sent: Monday, February 29, 2016 7:30 AM
To: 'Alan Long (Longward4@gmail.com)'; 'bpennington@fayetteville-ar.gov'; 'citycouncil@matthewpetty.org'; 'dmarr@fayetteville-ar.gov'; 'geads@fayetteville-ar.gov'; 'groberts@fayetteville-ar.gov'; 'kjohnson@fayetteville-ar.gov'; 'kwilliams@fayetteville-ar.gov'; 'lbranson@fayetteville-ar.gov'; 'lbroyles@fayetteville-ar.gov'; 'ljordan@fayetteville-ar.gov'; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; 'ssmith@fayetteville-ar.gov'; 'ward1_pos1@fayetteville-ar.gov'; 'ward1_pos2@fayetteville-ar.gov'; 'ward2_pos1@fayetteville-ar.gov'; 'ward3_pos1@fayetteville-ar.gov'; 'ward3_pos2@fayetteville-ar.gov'; 'ward4_pos1@fayetteville-ar.gov'; 'ward4_pos2@fayetteville-ar.gov'
Subject: FW: City council ordinance

Please see the email below.

Office of the City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
479.575.8323
cityclerk@fayetteville-ar.gov
Website | Twitter | YouTube

-----Original Message-----

From: bekahmail@yahoo.com [mailto:bekahmail@yahoo.com]
Sent: Friday, February 26, 2016 7:42 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: City council ordinance

My name is Rebekah Schneider. I'm in favor for the major event ordinance. I think we should all be able to vote on what kinds of events we have in this town. I would like it if you forward the information to other city council members.

Thanks,
Rebekah Schneider

CityClerk

From: Doug Allen <doug@oleforjoses.com>
Sent: Friday, February 26, 2016 3:11 PM
To: CityClerk

Categories: Completed, Responded

Sondra Smith,

I hope you will take the time to let our city council know that I absolutely do not support the Fayetteville event ordinance and hope they will do the same.

Sincerely,
Doug Allen

Branson, Lisa

From: Smith, Sondra
Sent: Friday, February 26, 2016 11:00 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: tkring@uark.edu
Subject: FW: Please Distribute: "Major Event Ordinance: Do not amend 72.59"

Please see the email below.

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323



From: Tim Kring [mailto:tkring@uark.edu]
Sent: Friday, February 26, 2016 10:00 AM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Please Distribute: "Major Event Ordinance: Do not amend 72.59"

Sondra:

Please distribute to City Council members for their packet for the upcoming meeting.

Greetings;

I am a property owner in Ward 3 (901 E. Jackson, Fayetteville, AR), and am very familiar with the current request to amend Ordinance 72.59 Off Street Parking Facilities: Rules and Rates. The amendment seeks to influence the approval process of major events occurring in Fayetteville, although its sponsors are clearly focused on eliminating, or at least significantly altering, Bikes Blues and Barbeque motorcycle rally.

Conceptually, I agree with the inclusion of City Council input into all event approval (although use of this ordinance as the tool is odd). This is not a "Major Event Ordinance". Amending the ordinance as a way to specifically alter an existing event is inappropriate. If the council wants to eliminate or impose greater regulation on Bikes Blues (or any other event that might be impacted by the ordinance, like the Joe Martin Stage Race), it should do so as a separate action.

If the Council adopts this action, it should also specifically exclude current, large, annual events (like the 2 previously mentioned) that could be adversely impacted by the amended ordinance (i.e., grandfather these events into the amendment). The current ordinance has exclusions already (e.g., for First Night and Farmer's Market), so this vehicle is already available.

The benefits/difficulties of Bikes Blues BBQ should be addressed separately, not through muddying up City Ordinances dealing with off street parking. Independent economic assessments of the rally have consistently found huge economic benefits to city businesses and the region. While the majority of businesses thrive, there are a number that are adversely affected.

If the Council allows this conversation to "devolve" to a discussion of the pros and cons of Bikes Blues, I ask the council to carefully study other large rallies nationally, and how cities have attempted to manage their rallies (successfully, and not so much). Cities hosting several other rallies (notably the Daytona Beach Bike Week) through over-regulation effectively removed all city oversight of their rally when the rallies "moved" to neighboring towns. For example, if Bikes Blues BBQ were to "move" to Farmington, or Rogers, or even Bentonville or Ft. Smith, then Dickson Street and Fayetteville would still be the attraction and epicenter of motorcycle enthusiasts. Fayetteville is the crown jewel for riders. If the official home is another NW Arkansas city, there would be no infrastructure (or oversight) to manage the hundreds of thousands of visitors. Daytona Beach learned this the hard way, and has since reversed course and regained oversight. Please try to prevent Fayetteville from reinventing square wheels!

Thank you for your consideration and your service

Tim Kring

CityClerk

From: CityClerk
Sent: Monday, February 29, 2016 12:23 PM
To: 'Dave Nelson'
Subject: RE: Festival ordinance

Thank you for your email. I have forwarded to the City Council members.

Have a nice day!

Office of the City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
479.575.8323
cityclerk@fayetteville-ar.gov
Website | Twitter | YouTube

-----Original Message-----

From: Dave Nelson [mailto:clearsoundsolutionsnwa@gmail.com]
Sent: Monday, February 29, 2016 11:12 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Festival ordinance

Good morning,

I just to say that as a resident and business owner in the community, I'm very disappointed to see this even being discussed.

This area has several other real issues out there to be concerned about other than events that bring such revenue to the city and gives everything back to local charities.

It's no different when people are visiting for sporting events and such between parking and traffic issues. I feel it's things like this that have other parts of northwest thriving with the city inviting them with open arms.

This being said big events such as Bike Blues Bbq and others could very easily be moved to one of the neighboring cities as they would welcome these events and use the revenue to expand community.

Thank you,

Sent from my iPhone

CityClerk

From: Jennie <trihog98@gmail.com>
Sent: Monday, February 29, 2016 12:05 PM
To: CityClerk
Subject: Oppose the Festival Ordinance

I want to let my city council know that I oppose the Festival Ordinance that is being brought before you.

My two reasons I'm against this is first of all, I think its directly aimed at Bikes Blues and BBQ which has a great and positive impact on our city. I'm not a biker nor do I participate, but I see the importance of it to our city.

Secondly, there are already permit rules and policies in place. All events must go follow them to be approved. Why do we need additional red tape?

Thank you for your time.

Jennifer Horton
Ward 1

CityClerk

From: Jeri Hill <jerirebecca@yahoo.com>
Sent: Monday, February 29, 2016 11:30 AM
To: CityClerk
Subject: Festival Ordinance

I am against the festival ordinance.

Thanks

Jeri R. Hill The Rubber Stamp & Engraving Shop 479-973-9100 Phone 479-973-9108 Fax

CityClerk

From: Dave Nelson <clearsoundsolutionsnwa@gmail.com>
Sent: Monday, February 29, 2016 11:12 AM
To: CityClerk
Subject: Festival ordinance

Good morning,

I just to say that as a resident and business owner in the community, I'm very disappointed to see this even being discussed.

This area has several other real issues out there to be concerned about other than events that bring such revenue to the city and gives everything back to local charities.

It's no different when people are visiting for sporting events and such between parking and traffic issues. I feel it's things like this that have other parts of northwest thriving with the city inviting them with open arms.

This being said big events such as Bike Blues Bbq and others could very easily be moved to one of the neighboring cities as they would welcome these events and use the revenue to expand community.

Thank you,

Sent from my iPhone

CityClerk

From: pauline allen <paulinedallen@gmail.com>
Sent: Monday, February 29, 2016 1:19 PM
To: CityClerk
Subject: Festival Ordinance

I am against the new festival ordinance being proposed.
Pauline Allen

CityClerk

From: Phyllis Head <mamahead51@aol.com>
Sent: Monday, February 29, 2016 2:38 PM
To: CityClerk
Subject: Fwd: Ordinance about special events

Sent from my iPhone

Begin forwarded message:

From: Phyllis Head <>
Date: February 29, 2016 at 8:50:15 AM CST
To:
Subject: Ordinance about special events

Hello sandra smith, i believe that the decision to hold special events in fayetteville should be left in the hands of our elected representatives. I don't think that the city benefits from some of these events. Please forward to all of the alderman on the city Council. Thank you very much. Phyllis head, 402 ila st, fayetteville, ar

Sent from my iPhone

CityClerk

From: Jed Bullock <jedbullock@gmail.com>
Sent: Monday, February 29, 2016 11:48 PM
To: CityClerk
Subject: Proposed major event ordinance

Dear members of the Fayetteville city council,

I am writing you this evening to encourage you to not consider passing any ordinance restricting commerce & specifically major events that substantially have positive impact on your community.

The suggestion & continued discussion of even creating an ordinance that restricts major events sends a message to potential event & business developers that Fayetteville is a hostile business environment. This action could have a devastating long term impact on the community influenced by a small vocal minority concerned about their own benefits rather than what is best for the overall citizenry & businesses.

To site an example, in 1997 Eureka Springs adopted a "large vehicle ordinance" for the purpose of restricting motor coaches from traveling within the historic district. The resulting impressing to the group travel industry was that Eureka Springs did not want this business coming to town at all & ultimately lost the motor coach business that had taken decades to build. The long term impact is that many people lost their business, growth diminished & 19 years later the community in many areas is still trying to overcome this action.

I would hate to see Fayetteville fall into potentially similar pitfalls after watching such a successful growth period that's been enjoyed by both businesses & residents.

I encourage you to not only reject any notion of creating a "major events ordinance" but to further take a position that Fayetteville needs & supports such events as they are deemed vital to the business community & residents.

Respectfully,
Jed Bullock
Eureka Springs

Please forward to Fayetteville City Council Members regarding an amendment to 72.58.

I have been extremely pleased with the compromises which have been made recently regarding requirements for housing, new businesses, parking, etc. I believe this City, which I love, has become much better known for making a stronger effort of working with others to reach a common goal, satisfactory to all. I realize this has taken many hours of planning and work, but has definitely made us a City more welcoming to new and different ideas.

I am asking you to vote against the proposed amendment to 72.58 which would require all event plans requiring more than 2 days to be presented to the City Council. I believe this would take us back a step and discourage many of the events that our City has welcomed. The current process is quite detailed and reviewed by many who assist the Mayor to respond to these requests. Our Mayor is certainly one of the most approachable elected officials in our City. I have not known him to decline requests for a meeting on any detail of importance. Therefore, in my opinion, it appears the amendment would cause unnecessary meeting time for a Council who carries a full load. It also would definitely lengthen the application process, causing a possible loss of events/revenue. The Mayor is also an elected official and should have the ability to make a decision of this nature, particularly with the application process in place. I respectfully ask you to vote to leave the current process in place.

Thanks for your consideration,

Gail Eads

4190 NW Meadow Creek Circle

Fayetteville, AR 72703

Phone 479-586-0180

Branson, Lisa

From: Smith, Sondra
Sent: Monday, February 29, 2016 4:22 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Subject: FW: FV event ordinance

Please see the email below.

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*



From: Glenda Satterfield [mailto:glendasatterfield@gmail.com]
Sent: Monday, February 29, 2016 3:54 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: FV event ordinance

As a resident of Eureka Springs I support the proposed Major Event Ordinance for Fayetteville. For better or for worse all of the communities in the NWA area are being affected.

My husband and I moved to Eureka Springs two years ago with the intention of buying a home. The community is everything we expected & wanted for six months of the year. The other six months - biker season - is anywhere from annoying to unbearable.

As a direct result of the "bikers" we find ourselves less and less amenable to the idea of purchasing property here.

Anything you can do to help protect our little community will be greatly appreciated.

Thank you,

Julie & Gordon Norrell
135 North Main Street
Eureka Springs, AR 72632
Reply Reply to All Forward More

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 3:34 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: annhenry1@me.com
Subject: FW: Please forward to members of council

Please review the email below. Thanks!

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov

-----Original Message-----

From: Ann Henry [mailto:annhenry1@me.com]
Sent: Tuesday, February 16, 2016 2:43 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Please forward to members of council

I support proposed amendment to parking ordinance to city of Fayetteville current laws.

We should be transparent about what is being proposed and for how long when we close public right of way and block streets in front of businesses.

Thank you for your consideration.
Ann henry

Sent from my iPhone

City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323



Meeting Agenda - Tentative Agenda

Tuesday, February 23, 2016

4:30 PM

City Hall Room 326

City Council Agenda Session

Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

1. [2015-0639](#)
2015 4TH QUARTER FINANCIAL REPORT

Agenda Additions

A. Consent:

- A. 1 [2015-0642](#)
APPROVAL OF THE FEBRUARY 16, 2016 CITY COUNCIL MEETING MINUTES.

- A. 2 [2016-0083](#)
INSITUFORM TECHNOLOGIES, INC.:

A RESOLUTION TO APPROVE A ONE YEAR CONTRACT EXTENSION WITH INSITUFORM TECHNOLOGIES, INC. IN AN AMOUNT NOT TO EXCEED \$330,000.00 FOR SEWER REHABILITATION USING CURED-IN-PLACE SANITARY SEWER LININGS

Attachments: [2016 Insituform Legistar Packet](#)

- A. 3 [2016-0069](#)
HAWG DWELLINGS, LLC:

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$8,971.91 TO HAWG DWELLINGS, LLC AND \$7,936.56 TO SERVPRO OF FAYETTEVILLE/SPRINGDALE FOR A WASTEWATER DAMAGE CLAIM ARISING AT 902 WEST CLEVELAND STREET

Attachments: [Cleveland 902 W \(Carter\) Legistar Packet](#)

A. 4 [2016-0079](#)

**MCCLELLAND CONSULTING ENGINEERS, INC.
SUPPLEMENTAL AGREEMENT NO. 1:**

A RESOLUTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. FOR ADDITIONAL CONSTRUCTION PHASE SERVICES ASSOCIATED WITH THE OLD WIRE ROAD SEWER MAIN REPLACEMENT PROJECT WHICH WILL INCREASE THE TOTAL AMOUNT OF THE CONTRACT FROM \$228,644.00 TO AN AMOUNT NOT TO EXCEED \$250,402.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:

[MCE Ramsey-Overcrest Amendment 1 Legistar Packet](#)
[BA - McClelland Consulting Ramsey and Overcrest](#)

A. 5 [2016-0078](#)

BID #16-19 T-G EXCAVATING, INC.:

A RESOLUTION TO AWARD BID #16-19 AND AUTHORIZE A CONTRACT WITH T-G EXCAVATING, INC. IN THE AMOUNT OF \$2,373,333.00 FOR CONSTRUCTION SERVICES ASSOCIATED WITH THE OLD WIRE ROAD SEWER MAIN REPLACEMENT PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$237,333.30, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:

[TG Excavating Ramsey-Overcrest Legistar Packet](#)
[BA - TG Excavating Ramsey and Overcrest](#)

A. 6 [2016-0087](#)

HUB INTERNATIONAL CONTRACT:

A RESOLUTION TO APPROVE A ONE YEAR CONTRACT WITH HUB INTERNATIONAL IN THE AMOUNT OF \$13,000.00 WITH AUTOMATIC RENEWALS FOR THREE ADDITIONAL ONE YEAR TERMS FOR THE PROVISION OF INSURANCE BROKERAGE AND CONSULTATION SERVICES

Attachments:

[2016-0087 HUB International](#)

B. Unfinished Business:

B. 1 [2016-0061](#)

RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5240 FOR APPROXIMATELY 128 ACRES LOCATED AT 2514 WEST LORI ROAD FROM R-A, RESIDENTIAL-AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE; AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO R - A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; AND NS, NEIGHBORHOOD SERVICES, SUBJECT TO A BILL OF ASSURANCE

Attachments:

[RZN 15-5240 CC reports](#)

This Ordinance was left on the first reading at the February 16, 2016 City Council meeting.

B. 2 [2016-0057](#)

AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:

AN ORDINANCE TO AMEND § 72.58 **OFF-STREET PARKING FACILITIES; RULES AND RATES** (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS, ON-STREET PAID PARKING SPACES OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

Attachments:

[Agenda Request Form § 72.58](#)

[City Attorney Memo Ord § 72.58](#)

This Ordinance was left on the first reading at the February 16, 2016 City Council meeting.

C. New Business:

C. 1 [2016-0068](#)

AIT SERVICES, INC.:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF SPARE PARTS FOR THE THERMAL DRYING UNIT LOCATED AT THE BIOSOLIDS MANAGEMENT SITE FROM AIT SERVICES, INC. IN THE AMOUNT OF \$65,371.50 PLUS APPLICABLE TAXES, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,174.52, AND TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING FOR FUTURE PURCHASES OF PARTS AND REPAIR SERVICES THROUGH DECEMBER 31, 2018

Attachments:

[SRPacket - 2016-0068 - BMS Thermal Dryer Parts.pdf](#)

C. 2 [2016-0088](#)

**LASERFICHE DOCUMENT MANAGEMENT SYSTEM FROM
MCCI, LLC ADDITIONAL SOFTWARE USER LICENSES:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF ADDITIONAL LASERFICHE USER LICENSES, THE LASERFICHE FORMS MODULE, ANNUAL SOFTWARE MAINTENANCE, AND FUTURE SOFTWARE AND SERVICE NEEDS THROUGH THE END OF FISCAL YEAR 2017 FROM MCCI, LLC IN AN AMOUNT NOT TO EXCEED \$235,000.00 PLUS APPLICABLE TAXES

Attachments:

[Laserfiche Packet 02182016](#)

C. 3 [2016-0085](#)

RZN 15-5293 (701 E. HUNTSVILLE RD./ROSE BAUER):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5293 FOR APPROXIMATELY 36.25 ACRES LOCATED AT 701 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO CS, COMMUNITY SERVICES; NC, NEIGHBORHOOD CONSERVATION AND R-A, RESIDENTIAL-AGRICULTURAL AND SUBJECT TO A BILL OF ASSURANCE

Attachments:

[15-5293 CC REQUEST](#)

C. 4 [2016-0086](#)

RZN 16-5299 (4170 W. MLK BLVD./CALYPSO PROPERTIES):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5299 FOR APPROXIMATELY 3.4 ACRES LOCATED AT 4170 WEST MARTIN LUTHER KING BOULEVARD FROM R-O, RESIDENTIAL OFFICE TO UT, URBAN THOROUGHFARE

Attachments: [15-5299 CC REQUEST DOCS](#)

C. 5 [2016-0034](#)

**WEST AVENUE PARKING LOT - DEVELOPMENT
CONSIDERATION:**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S INTENT TO CONSIDER PROPOSALS FOR THE DEVELOPMENT AND IMPROVEMENT OF THE CITY'S 2.8 ACRE PROPERTY AT THE SOUTHWEST CORNER OF WEST AVENUE AND DICKSON STREET CURRENTLY USED AS THE WEST AVENUE PARKING LOT

Attachments: [Resolution of Intent Agenda Item](#)

C. 6 [2016-0075](#)

2016 EMPLOYEE COMPENSATION:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,220,000.00 TO FUND THE CITY-WIDE 2016 EMPLOYEE COMPENSATION ADJUSTMENT, AND TO APPROVE A CERTIFICATION PAY PLAN FOR SWORN POLICE PERSONNEL

Attachments: [2016 Employee Compensation](#)
[BA2016 - 2016-0075 ECP2016](#)

C. 7 [2016-0063](#)

AMEND § 164.19 ACCESSORY DWELLING UNITS (C):

AN ORDINANCE TO AMEND § 164.19(C) OF THE FAYETTEVILLE CODE TO REMOVE THE 5,000 SQUARE FOOT MINIMUM LOT AREA REQUIREMENT FOR AN ACCESSORY DWELLING UNIT

Attachments: [Agenda Request Packet § 164.19 \(C\)](#)

D. City Council Agenda Session Presentations:

D. 1 [2016-0055](#)

AGENDA SESSION PRESENTATION RECYCLING AND TRASH
UPDATE FOR RECYCLING PILOT PROJECTS- BRIAN PUGH

E. City Council Tour:

F. Announcements:

G. Adjournment

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

All cell phones must be silenced and may not be used within the City Council Chambers.

Below is a portion of the Rules of Order and Procedure of the Fayetteville City Council pertaining to City Council meetings:

Agenda additions: A new item which is requested to be added to the agenda at a City Council meeting should only be considered if it requires immediate City Council consideration and if the normal agenda setting process is not practical. The City Council may only place such new item on the City Council meeting's agenda by suspending the rules by two-thirds vote. Such agenda addition shall be heard prior to the Consent Agenda.

Consent Agenda: Consent Agenda items shall be read by the Mayor and voted upon as a group without discussion by the City Council. If an Alderman wishes to comment upon or discuss a Consent Agenda item, that item shall be removed and considered immediately after the Consent Agenda has been voted upon.

Old business and new business.

Presentations by staff and applicants. Agenda items shall be introduced by the Mayor and, if an ordinance, read by the City Attorney. City staff shall then present a report. An agenda applicant (city contractor, rezoning or development applicant, etc.) may present its proposal only during this presentation period, but may be recalled by an alderman later to answer questions. Staff and applicants may use electronic visual aids in a City Council meeting as part of their presentation.

Public comments. Public comment shall be allowed for all members of the audience on all items of old and new business and subjects of public hearings. No electronic visual aid presentations shall be allowed, but the public may submit photos, petitions, etc. to be distributed to the City Council. If a member of the public wishes for the City Clerk to distribute materials to the City Council before its meeting, such materials should be supplied to the City Clerk office no later than 9:00 a.m. on the day of the City Council meeting. Any member of the public shall first state his or her name and address, followed by a concise statement of the person's position on the question under discussion. Repetitive comments should be avoided; this applies to comments made previously either to the City Council or to the Planning Commission when those Planning Commission minutes have been provided to the Aldermen. All remarks shall be addressed to the Mayor or the City Council as a whole and not to any particular member of the City Council. No person other than the Aldermen and the person having the floor shall be permitted to enter into any discussions without permission of the Mayor. No questions shall be directed to an Alderman or city staff member except through the Mayor.

Courtesy and respect.

All members of the public, all city staff and elected officials shall accord the utmost courtesy and respect to each other at all times. All shall refrain from rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives or personalities. Any member of the public who violates these standards shall be ruled out of order by the Mayor, must immediately cease speaking and shall leave the podium.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 479-575-8330.

A copy of the complete City Council agenda is available at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.



City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016

Page 9 of 501

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0083

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 2

INSITUFORM TECHNOLOGIES, INC.:

A RESOLUTION TO APPROVE A ONE YEAR CONTRACT EXTENSION WITH INSITUFORM TECHNOLOGIES, INC. IN AN AMOUNT NOT TO EXCEED \$330,000.00 FOR SEWER REHABILITATION USING CURED-IN-PLACE SANITARY SEWER LININGS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby approves a one year contract extension with Insituform Technologies, Inc. in an amount not to exceed \$330,000.00 for sewer rehabilitation using cured-in-place sanitary sewer linings.

City of Fayetteville Staff Review Form

2016-0083

Legistar File ID

3/1/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Tim Nyander

2/12/2016

Water & Sewer Maintenance /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approval of a contract extension with Insituform Technologies, Inc., and approval of an authorization totaling \$330,000 for City of Fayetteville sewer rehabilitation in 2016 using cured-in-place sanitary sewer linings.

Budget Impact:

5400.5700.5815.00

Water and Sewer

Account Number

Fund

02017.2016

Sanitary Sewer Rehabilitation

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 4,731,273.00

Funds Obligated \$ 843,428.66

Current Balance **\$ 3,887,844.34**

Does item have a cost? Yes

Item Cost \$ 330,000.00

Budget Adjustment Attached? No

Budget Adjustment \$ -

Remaining Budget **\$ 3,557,844.34**

V20140710

Previous Ordinance or Resolution # 61-14

Original Contract Number: 2270

Approval Date: _____

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF MARCH 1, 2016

TO: Fayetteville City Council

THRU: Mayor Lioneld Jordan
Don Marr, Chief of Staff
Fayetteville Water and Sewer Committee

FROM: Tim Nyander, Utilities Director *TN*

DATE: February 12, 2016

SUBJECT: 2016 Sewer Rehabilitation Contract with Insituform Technologies, Inc.

RECOMMENDATION:

Staff recommends approval of a contract extension with Insituform Technologies, Inc., and approval of an authorization totaling \$330,000 for City of Fayetteville sewer rehabilitation in 2016 using cured-in-place sanitary sewer linings.

BACKGROUND:

On November 7, 2012, the City of Fayetteville accepted sealed competitive bids for sanitary sewer main line and service lateral lining services with Insituform Technologies, Inc. submitting the successful bid proposal (see attached materials). The bid schedule includes specific unit prices for various items of work; with the sanitary sewer rehabilitation program then using the same pricing to complete the annual rehabilitation program.

DISCUSSION:

The direct contracting with Insituform Technologies, Inc. allows the City of Fayetteville to execute its sanitary sewer rehabilitation program effectively and efficiently. Pipes being repaired with liners under this contract are either identified by the City through normal maintenance operations or by consultants executing Sanitary Sewer Evaluation Studies (such as the Smoke Testing Program). Either way, engineering and administrative costs are held to a bare minimum as formal plans and specifications are not required. This work is an integral part of the City's ongoing program to maintain its sewer system in the most long-term yet cost effective fashion, with cured-in-place linings being by far the lowest cost strategy for applications where it is appropriate. This will be the 4th year of a 5-year renewable contract with Insituform.

BUDGET/STAFF IMPACT:

Funds are available in the 2016 Sanitary Sewer Rehabilitation Project budget.

ATTACHMENTS:

Staff Review Form
PO Request
Bid Proposal
Resolutions 64-14 & 226-12

City of Fayetteville - Purchase Order Request (PO) (Not a Purchase Order) All PO Requests shall be scanned to the Purchasing e-mail: Purchasing@fayetteville-ar.gov. Purchase shall not be made until an actual PO has been issued.						Requisition No.: Date: 2/11/2016			
						P.O Number:			
Vendor #: 1454		Vendor Name: Insituform Technologies LLC				Mail ☒ Yes ☐ No		Legistar#: 2016-0083 Expected Delivery Date:	
Address: 17988 Edison Ave				FOB Point: Fyv		Taxable ☐ Yes ☒ No			
City: Chesterfield			State: MO		Zip Code: 63005	Ship to code:	Quotes Attached ☐ Yes ☐ No		
Requester: Diana Hendricks					Requester's Employee #: 3951		Extension: 8249		
Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number	Project.Sub#	Inventory #	Fixed Asset #
1	2016 CIPP Contract for the Sanitary Sewer Main Line& Service Lateral Cured in Place Lining	1	Lot	330,000.00	\$330,000.00	5400.5700.5815.00	02017/2016		
2					\$0.00				
3					\$0.00				
4					\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				
Special Instructions: THIS IS A 2016 PO REQUEST FOR THE 2016 CIPP Term Contract.							Subtotal: \$330,000.00 Tax: \$0.00 Total: \$330,000.00		
Approvals:									
Mayor: _____			Department Director: _____			Purchasing Manager: _____			
Chief Financial Officer: _____			Budget Director: _____			IT Director: _____			
Dispatch Manager: _____			Utilities Manager: _____			Other: _____			



BID: 12-75
DATE: 11/07/12
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 12-75, Construction - 2013 Sanitary Sewer Main Line & Service Lateral Lining

BIDDER		TOTAL COST
1 Insituform Technologies, LLC.	\$	313,251.50
2 SAK Construction, LLC.	\$	537,875.00
3 Suncoast Infrastructure, Inc.	\$	391,600.00

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

CERTIFIED:


P. VICE, PURCH MGR

WITNESS



DATE

11/07/12

Detailed Bid Tabulation - 2013 Sanitary Sewer Main Line and Service Lateral Lining, Cured in Place Pipe Method

Item No.	Item Description			Insituform Technologies, LLC		SAK Construction, LLC		Suncoast Infrastructure, Inc.	
		Approx. Qty.	Unit	Unit Price In Figures	Total	Unit Price In Figures	Total	Unit Price In Figures	Total
1	6" x 4.5mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place	2500	LF	\$ 37.00	\$ 92,500.00	\$ 48.00	\$ 120,000.00	\$ 30.00	\$ 75,000.00
2	8" x 6.0mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place	2000	LF	\$ 36.00	\$ 72,000.00	\$ 34.50	\$ 69,000.00	\$ 28.00	\$ 56,000.00
3	10" x 6.0mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place	500	LF	\$ 36.00	\$ 18,000.00	\$ 38.50	\$ 19,250.00	\$ 33.00	\$ 16,500.00
4	12" x 6.0mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place	500	LF	\$ 42.00	\$ 21,000.00	\$ 56.00	\$ 28,000.00	\$ 38.00	\$ 19,000.00
5	15" x 7.5mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place	500	LF	\$ 54.00	\$ 27,000.00	\$ 66.75	\$ 33,375.00	\$ 65.00	\$ 32,500.00
6	18" x 9mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place	500	LF	\$ 68.00	\$ 34,000.00	\$ 101.00	\$ 50,500.00	\$ 85.00	\$ 42,500.00
7	Internal reinstatement of Service Laterals	150	EA	\$ 0.01	\$ 1.50	\$ 100.00	\$ 15,000.00	\$ 50.00	\$ 7,500.00
8	Trenchless rehabilitation by CIPP of existing 4" Service Lateral	30	EA	\$ 1,350.00	\$ 40,500.00	\$ 3,300.00	\$ 99,000.00	\$ 3,345.00	\$ 100,350.00
9	Standard Mobilization (within 15 working days)	2	EA	\$ 1,000.00	\$ 2,000.00	\$ 24,500.00	\$ 49,000.00	\$ 7,500.00	\$ 15,000.00
10	Emergency Mobilization (within 3 working days)	1	EA	\$ 2,000.00	\$ 2,000.00	\$ 36,750.00	\$ 36,750.00	\$ 9,000.00	\$ 9,000.00
11	CIPP Point Repair, 6" - 12" Diameter, 10 LF	5	EA	\$ 850.00	\$ 4,250.00	\$ 3,600.00	\$ 18,000.00	\$ 3,650.00	\$ 18,250.00
	Total Bid				\$ 313,251.50		\$ 537,875.00		\$ 391,600.00

4.0 BIDDER'S PROPOSAL

4.1 ITEMIZED DESCRIPTION OF BID PRICING

TO: City of Fayetteville
Fayetteville, Arkansas

The undersigned bidder, having examined the specifications and contract documents, and being fully advised as to the extent and character of the work, propose to furnish all equipment and to perform all labor and work necessary for the completion of the work described by and in accordance with the specifications and contracts for the following prices to wit. The unit prices shall be written in words on each line below the item description. The unit price in figures and extended total in figures shall be written on the lines provided. The total bid amount shall be written in both figures and words on the lines provided.

<u>Item No.</u>	<u>Item Description</u>	<u>Approx. Qty.</u>	<u>Unit</u>	<u>Unit Price In Figures</u>	<u>Total</u>
1	6" x 4.5mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place				
	<u>Thirty seven and ^{no}/₁₀₀ dollars</u>	2500	LF	<u>\$ 37.00</u>	<u>\$ 92,500.00</u>
2	8" x 6.0mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place				
	<u>Thirty six and ^{no}/₁₀₀ dollars</u>	2000	LF	<u>\$ 36.00</u>	<u>\$ 72,000.00</u>
3	10" x 6.0mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place				
	<u>Thirty six and ^{no}/₁₀₀ dollars</u>	500	LF	<u>\$ 36.00</u>	<u>\$ 18,000.00</u>
4	12" x 6.0mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place				
	<u>Forty two and ^{no}/₁₀₀ dollars</u>	500	LF	<u>\$ 42.00</u>	<u>\$ 21,000.00</u>

<u>Item No.</u>	<u>Item Description</u>	<u>Approx. Qty.</u>	<u>Unit</u>	<u>Unit Price In Figures</u>	<u>Total</u>
5	15" x 7.5mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place				
	<u>Fifty four and ¹⁰/₁₀₀ dollars</u>	500	LF	<u>\$ 54.00</u>	<u>\$ 27,000.00</u>
6	18" x 9mm trenchless rehabilitation by CIPP of existing sewer pipe mainline, complete in place				
	<u>Sixty eight and ¹⁰/₁₀₀ dollars</u>	500	LF	<u>\$ 68.00</u>	<u>\$ 34,000.00</u>
7	Internal reinstatement of Service Laterals				
	<u>Zero and ⁰/₁₀₀ dollars</u>	150	EA	<u>\$ 0.01</u>	<u>\$ 1.50</u>
8	Trenchless rehabilitation by CIPP of existing 4" Service Lateral				
	<u>One thousand three hundred fifty and ¹⁰/₁₀₀ dollars</u>	30	EA	<u>\$ 1,350.00</u>	<u>\$ 40,500.00</u>
9	Standard Mobilization (within 15 working days)				
	<u>One thousand and ¹⁰/₁₀₀ dollars</u>	2	EA	<u>\$ 1,000.00</u>	<u>\$ 2,000.00</u>
10	Emergency Mobilization (within 3 working days)				
	<u>Two thousand and ¹⁰/₁₀₀ dollars</u>	1	EA	<u>\$ 2,000.00</u>	<u>\$ 2,000.00</u>
11	CIPP Point Repair, 6" - 12" Diameter, 10 LF				
	<u>Eight hundred fifty and ¹⁰/₁₀₀ dollars</u>	5	EA	<u>\$ 850.00</u>	<u>\$ 4,250.00</u>

TOTAL BID AMOUNT \$ 313,251.50

Three hundred thirteen thousand two hundred fifty one dollars and fifty cents
(In Writing)

The undersigned understands that this bid is for a term maintenance contract for the rehabilitation of sanitary sewer mainlines throughout Fayetteville, Arkansas and that the City of Fayetteville here may choose to purchase more, less, or none of the rehabilitation, depending upon its needs. The City of Fayetteville is under no obligation to purchase a minimum amount of any item awarded. This contract is generally for miscellaneous and unidentified rehabilitation of sanitary sewer mains and service connections using the cured-in-place pipe method.

The bidder understands that the City of Fayetteville reserves the right to reject any or all bids, and to waive informalities in the bidding.

The undersigned further agrees that the proposal guaranty may be retained by the City of Fayetteville, Arkansas, provided the undersigned is one of the lowest and most advantageous bidders, and that said proposal guaranty shall remain with the City of Fayetteville until the contract has been signed, and the bond required for the faithful performance of the contract has been made by one of the lowest responsible bidders; otherwise, proposal guaranty may be obtained from the City of Fayetteville after forty-eight hours from the time of opening of the bids.

The undersigned hereby declares that he has had sufficient time to make all test and investigations to arrive at an intelligent estimate of the cost of doing the work, and has carefully examined the specifications and documents relating to the work covered by his bid or bids, that he agrees to do the work, and that no representation made by the City of Fayetteville are in any sense a warranty, but are mere estimates for guidance of the CONTRACTOR.

Upon receipt of notice of the acceptance of the bid, we will execute the formal contract attached in quintuplicate, within ten days, and will deliver a Surety Bond for the faithful performance of the contract, and such other bonds as may have been required in the specifications. The bid security attached in the sum of 5% of the greatest amount of the total bid is (\$5%) is to become the property of the City of Fayetteville if a cashier's check, and if a bond, the principal amount shall be paid to the City of Fayetteville, in the event the contract and bond are not executed within the time set forth, and to be considered as liquidated damages because the delay and additional work caused thereby are incapable of accurate ascertainment.

RESPECTFULLY SUBMITTED

Insituform Technologies, LLC
Bidder

SIGNATURE AND TITLE

H. Douglas Thomas
V.P.-Global Procurement/Ops. Suppt.

SIGNATURE AND TITLE

Seal (If bidder is a corporation)

Business Address 17988 Edison Avenue

Chesterfield, MO 63005

Telephone Number 636-530-8000

FAX Number 636-530-0751

Arkansas Contractors License Number 0072030413

NOTE: DO NOT DETACH BID FROM OTHER PAPERS BOUND IN THIS DOCUMENT. Fill Bid Form in with ink and submit complete with all other papers bound in this document

RESOLUTION NO. 61-14

A RESOLUTION TO APPROVE A CONTRACT EXTENSION WITH INSITUFORM TECHNOLOGIES, INC. IN AN AMOUNT NOT TO EXCEED \$330,000.00 FOR SANITARY SEWER LINING SERVICES FOR CURED-IN-PLACE SANITARY SEWER LININGS

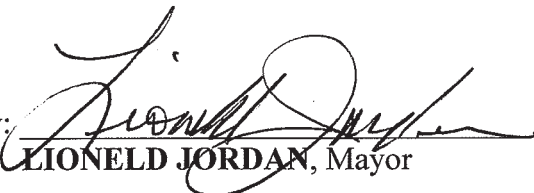
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

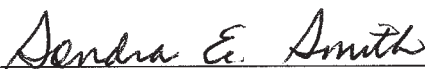
Section 1. That the City Council of the City of Fayetteville, Arkansas hereby approves a contract extension with Insituform Technologies, Inc. in an amount not to exceed \$330,000.00 for sanitary sewer lining services for cured-in-place sanitary sewer linings.

PASSED and APPROVED this 18th day of March, 2014.

APPROVED:

ATTEST:

By: 
LIONELD JORDAN, Mayor

By: 
SONDRA E. SMITH, City Clerk/Treasurer



RESOLUTION NO. 226-12

A RESOLUTION TO APPROVE BID #12-75 FOR A CONSTRUCTION CONTRACT WITH INSITUFORM TECHNOLOGIES, LLC FOR SERVICE LATERAL AND SEWER MAIN CURED IN PLACE LINING IN THE AMOUNT OF \$330,000.00.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves Bid #12-75 for a construction contract with Insituform Technologies, LLC for service lateral and sewer main cured in place lining in the amount of \$330,000.00 and authorizes Mayor Jordan to sign the construction contract.

PASSED and APPROVED this 4th day of December, 2012.

APPROVED:

ATTEST:

By:


LIONELD JORDAN, Mayor

By:


SONDRA E. SMITH, City Clerk/Treasurer





City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 20 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0069

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 3

HAWG DWELLINGS, LLC:

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C) (4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$8,971.91 TO HAWG DWELLINGS, LLC AND \$7,936.56 TO SERVPRO OF FAYETTEVILLE/SPRINGDALE FOR A WASTEWATER DAMAGE CLAIM ARISING AT 902 WEST CLEVELAND STREET

WHEREAS, pursuant to the Fayetteville Code of Ordinances Section 39.10(C)(4), the City Council must approve the payment of wastewater damage claims exceeding \$8,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas, pursuant to Fayetteville Code of Ordinances § 39.10(C)(4), authorizes the Mayor to pay \$8,971.91 to Hawg Dwellings, LLC and \$7,936.56 to Servpro of Fayetteville/Springdale for a wastewater damage claim arising at 902 West Cleveland Street.

City of Fayetteville Staff Review Form

2016-0069

Legistar File ID

3/1/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Tim Nyander

2/11/2016

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

City Administration recommends approval of a claim payment in the amount of \$8,971.91 to Philip Carter for damage to his property at 902 W. Cleveland resulting from a sewer overflow.

Budget Impact:

5400.4410.5311.04

Sewer Maintenance - Insurance Non-Vehicle

Account Number

Fund

N/A

N/A

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 35,000.00

Funds Obligated \$ 19,632.20

Current Balance \$ 15,367.80

Does item have a cost? Yes

Item Cost \$ 8,971.91

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 6,395.89

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

CITY COUNCIL AGENDA MEMO

MEETING OF MARCH 1, 2016

TO: Fayetteville City Council

THRU: Mayor Lioneld Jordan
Don Marr, Chief of Staff

FROM: Tim Nyander, Utilities Director *TN*

DATE: February 11, 2016

SUBJECT: Sewer Claim Settlement, Philip Carter, 902 W. Cleveland St.

RECOMMENDATION:

City Administration recommends approval of a claim payment in the amount of \$8,971.91 to Philip Carter for damage to his property at 902 W. Cleveland resulting from a sewer overflow.

BACKGROUND:

On December 13, 2015 a sewer backed up on W. Cleveland St. due to roots in the line. The backup caused flooding in the home at 902 W. Cleveland St. The wastewater caused damage to the carpets, floors, walls, baseboards and HVAC ducts. The home is owned by Philip Carter.

DISCUSSION:

The claim is valid for payment since the City's lines backed up causing the home to flood. The claimant, Philip Carter, will be reimbursed for the restoration of the HVAC system and plumber work done by Mayes Plumbing and Heating, as well as the Servpro restoration. The total amount that will be paid to the claimant upon approval is \$8,971.91. The remediation and a partial restoration to make the home inhabitable was done by Servpro in the amount of \$7,936.56, and has already been paid directly to Servpro by the City. The total amount that will be paid out for this claim is \$16,908.47.

The sewer maintenance crews root cut the line that caused the event. The crews also made a 20 foot repair to the line.

BUDGET/STAFF IMPACT:

Funds are available within the Water & Sewer operations budget.

Attachments:

Staff Review Form
Claim Form
Signed Legal Release
Mayes Plumbing and Heating Invoices
Servpro Invoices and Restoration Quote
Pictures of Damage



CITY OF FAYETTEVILLE CLAIM FORM

RECEIVED

JAN 6 2016

CITY OF FAYETTEVILLE
MAYOR'S OFFICE

INSTRUCTIONS: Complete this form clearly stating the reason for the claim, amount you are claiming, all contact information, and attach appropriate documentation including receipts, estimates, photos, etc. Substantive documentation (written estimates and/or receipts, proof of incident, etc.) **MUST** be provided to establish all monetary values. Additional sheets may be added. Failure to provide all information and fully substantiate your claim will result in the claim being rejected. Filing a claim does not imply approval; claims will be investigated before a decision is rendered; claims received more than 30 days after the incident will be rejected. Claims containing inaccurate or fraudulent information will be rejected. Please mail to or hand-deliver documents to:

City Administration Building, Attention: Mayor's Office
113 W. Mountain, Fayetteville, AR 72701
Phone 479-575-8330 Fax 479-575-8257

CLAIMANT INFORMATION

(please print neatly)

Full Name: Carter, Philip, D Email Address: Plarter_23@yahoo.com
Last Name, First Name, Middle Initial
Street Address: PO Box 781
City, State & Zip: Bentonville, AR 72712
Daytime Phone Number: 479-409-8926 Alternate Phone Number: _____

INCIDENT INFORMATION

Address/Location of Occurrence: 902 W Cleveland St
Date and Time of Occurrence: 12-13-15 9:30 AM Amount Being Claimed: \$ To Be Determined
Nature of Occurrence: Sewer Backup Water Street Related Other: _____
Do you have insurance which covers your damage in this incident? Y Deductible Amt. \$ 500.00
The City will not pay a claim in an amount exceeding a Claimant's insurance deductible, if covered.

The undersigned hereby files a claim against the City of Fayetteville, Arkansas for the following reason(s):
(attached additional sheet if necessary)

Busted Sewer Main Backed up into my residence.

By signing below, I acknowledge that the above-provided information is true and correct to the best of my knowledge and belief.

Claimant's Signature

Date

Tam Henson

Shaded area for City staff use only

1/6/16

Received by

Date Received

Mark R. Timm1/6/16

Referred to

Date

Department Director Signature

Date

Accepted

Amount

Account #

Denied

RELEASE OF ALL CLAIMS

KNOW ALL MEN BY THESE PRESENTS:

The undersigned does hereby acknowledge the receipt of Eight Thousand Nine Hundred Seventy One Dollars and Ninety One Cents (\$8,971.91) and further acknowledges that the City of Fayetteville has separately paid Servpro Restoration the amount of Seven Thousand Nine Hundred Thirty Six Dollars and Fifty Six Cents (\$7,936.56), all of which is accepted in full compromise, settlement and satisfaction of, and as sole consideration for, the final release and discharge of all actions, claims and demands whatsoever that now exist or may hereafter accrue against the City of Fayetteville, a municipal corporation, and the elected officials and employees thereof, charged or who or which may be charged with responsibility for injuries to the person and property of the undersigned, the treatment thereof, and all consequences flowing therefrom, as a result of an accident, casualty or event which occurred on or about the 13th day of December, 2015, at or near 902 West Cleveland Street, in the city of Fayetteville, Arkansas, and for which the undersigned claim the above-named parties are legally liable in damages (which legal liability and damages are disputed and denied), and acknowledging that nothing herein shall be construed to alter, limit or otherwise compromise that immunity afforded the City of Fayetteville under the Constitution and Statutes of the State of Arkansas; and

The undersigned warrants that no promise or inducement has been offered except as herein set forth; that this Release is executed without reliance upon any statement or representation by the party or parties released or their representatives or physicians concerning the nature and extent of any injuries or damages or legal liability therefor; that the undersigned is of legal age, is competent to execute this Release, has the authority to sign this release on behalf of Hawg Dwellings, LLC, and accepts full responsibility therefor; and

The undersigned agrees, as further consideration and inducement for this compromise and settlement, that it shall apply to all known, unknown and unanticipated injuries and damages resulting from said accident, casualty or event, as well as to those now asserted and disclosed; and

The undersigned hereby acknowledges that payment of the sums above and this release of claims shall not be effective until the claim has been approved by the City Council of the City of Fayetteville, Arkansas.

Witness my hand this 10 day of February, 2016.

HAWG DWELLINGS, LLC

By: Philip D. Carter

Philip D. Carter

Title: Member

ACKNOWLEDGMENT

Oklahoma
State of Arkansas)
Oklahoma
County of Washington)

On this the 10 day of February, 2016, before me, a Notary Public, personally appeared Philip D. Carter who stated that he is the Member of Hawg Dwellings, LLC, and known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

My commission expires:

SEAL



[Signature]
Notary Public

RECEIVED
FEB 2 2016
CITY OF FAYETTEVILLE
MAYOR'S OFFICE
P.H.

Attn: Mark Rogers

Sewer Department

479-575-8257

From: Philip Carter
902 W Cleveland St
Fayetteville, AR 72703



January 11, 2016

**HAWG DWELLING LLC
ATTN: PHILIP CARTER
PO BOX 781
BENTONVILLE, AR 72712-0781**

**RE: Claim Number: DW0000001552688
Date of Loss: 12/13/2015
Insured: HAWG DWELLING LLC**

Dear Mr. Carter:

We recently received a claim regarding sewer backup to your property located at 902 W Cleveland Street in Fayetteville, Arkansas. We have investigated this loss and determined it was caused by an obstruction or inadequacy of the sewer line located off the described premises.

Your policy only covers damage to this property caused by a peril named in your Dwelling policy with the B-544.8 Addition of Broad Perils endorsement. You should review your policy and endorsement for an exact description of each covered peril, but the perils your policy covers are:

1. Fire
2. Lightning
3. Wind
4. Hail
5. Explosion
6. Riot
7. Aircraft
8. Collision with a vehicle not owned or operated by any insured
9. Smoke
10. Vandalism
11. Glass Breakage
12. Actions of Thieves
13. Falling Objects
14. Weight or pressure of Ice, Snow or Sleet
15. Collapse of a Building
16. Cracking, Bulging, or Tearing Apart of a Heating System, Cooling System, Water Heating System, Water Softener, or Fire Protection Sprinkler System
17. Escape of Water, from within a Plumbing System, Domestic Appliance, Heating System, Cooling System, Water Heating System, Water Softener, or Fire Protection Sprinkler system...

Coverage under this peril does not extend to losses caused directly or indirectly by:

RE: DW0000001552688

2 of 2

- (b) water that overflows or escapes from a sewer or drain, if that overflow or escape is caused by an obstruction or inadequacy of a connected sewer or drain system located off the **described premises**;

18. Freezing of a Plumbing System, Domestic Appliance, Heating System, Cooling System, Water Heating System, Water Softener, or Fire Protection Sprinkler System

The cause of your damage is not a peril covered by this policy, so Shelter must deny coverage for this claim.

We did not discover any mold while investigating this claim. As mentioned, however, we did discover moisture and want you to know that water damage can lead to mold or mildew if not properly treated. Therefore, we recommend that you hire a qualified expert to find the source of this water, stop it, and dry the area. We also recommend that the expert apply an appropriate anti-microbial agent (fungicide or mildewicide) to help guard against any future mold growth. You will have to pay for these services.

If you have any other information that you believe suggests this policy or any other Shelter Insurance® policy covers this claim, please provide it to me immediately so that Shelter may review it for coverage. If you have any questions, please call me.

Sincerely,

Jay Prier
Claims Department
Phone: 479-871-5294
Fax: 888-742-5671
Email: JPrier@ShelterInsurance.com

CL43

cc:

Mayes Plumbing & Heating, Inc.

3730 Carley Rd.
Springdale, AR 72762
(479)751-8839
mayesoffice@rocketmail.com
www.mayesplumbingandheating.com

**INVOICE**

INVOICE # 57833
DATE 12/30/2015
DUE DATE 01/28/2016
TERMS Net 30

BILL TO
Phillip Carter
P.O. Box 781
Bentonville, Arkansas 72712

PAID

Please detach top portion and return with your payment.

TECHNICIAN **JOB SITE**
SFranks **802 Cleveland Fay.**

DATE	ACTIVITY	QTY	RATE	AMOUNT
12/13/2015	O/T Plumbing Service call to check sewer. Found city line stopped up. Called city and waited for them to unstop line. Advised with supervisor.	4.50	106.00	472.50
12/13/2015	Plumbing Labor Located sewer line and found line still backing up. Called city back to have them clear. Found that customer's tap is bad. The city will dig up and replace tap. Reconnected line under house that was cut loose. Pulled stops loose from bathrooms for cabinets and toilets to be removed. Reset one toilet for use.	8	70.00	560.00
12/13/2015	Helper - Plumbing TBell-4 and JMaples-4	8	40.00	320.00
12/13/2015	Materials Straight slope, wax ring with horn, PVC pipe, femcoos, etc.	1	163.69	163.69

Your business is greatly appreciated! Thank you!

SUBTOTAL	1,516.19
TAX (8.75%)	13.30
TOTAL	1,532.15
PAYMENT	1,532.15
BALANCE DUE	\$0.00

Mayes Plumbing & Heating, Inc.
3730 Carley Rd.
Springdale, AR 72762
(479)751-8839
mayesoffice@rocketmail.com
www.mayesplumbingandheating.com



INVOICE

INVOICE # 57860
DATE 12/30/2016
DUE DATE 01/28/2016
TERMS Net 30

BILL TO
Phillip Carter
P.O. Box 781
Bentonville, Arkansas 72712

PAID

Please detach top portion and return with your payment.

TECHNICIAN
BJones

JOB SITE
602 Cleveland Fay.

DATE	ACTIVITY	QTY	RATE	AMOUNT
12/15/2015	HVAC Labor Replaced damaged duct and insulation under the house. Disposed of demolished duct and insulation.	1	1,100.00	1,100.00T
12/15/2015	Materials 6", 8", and 10" sleeves, piping, and fittings, hunger strap, foil tape, screws, etc.	1	612.93	612.93T

Your business is greatly appreciated! Thank you!

SUBTOTAL	1,712.93
TAX (8.75%)	167.01
TOTAL	1,879.94
PAYMENT	1,879.94
BALANCE DUE	\$0.00

Date 1/20/2016

Invoice No.

4889028

City of Fayetteville
113 West Mountain St
Fayetteville, AR 72701

Carter
902 W Cleveland St
Fayetteville, AR 72701



Servpro of Fayetteville / Springdale
228 E Robinson Ave
Springdale, AR 72764
Independently Owned and Operated

479-419-5544

JOB DATE	REP	SOURCE
1/20/2016		

Services

Structural repairs subcontracted.
Structural repairs subcontracted.
Sales Tax

3,183.79T
1,541.13
310.43

The customer acknowledges that permanently discolored, faded and/or bleached areas on carpet, upholstery, drapery or other types of material sometimes make it impossible to restore the original color or condition. Spot Removal is not guaranteed. **PLEASE SEE THE ADDITIONAL TERMS AND CONDITIONS OF SERVICE ON THE REVERSE SIDE.**

TOTAL

\$5,035.35

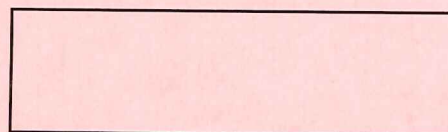
I have read the Terms and Conditions of Service on the reverse side hereof and agree to same.

(X) _____
Authorized Signature

I hereby acknowledge the satisfactory completion of the above-described work.

(X) _____
Customer Signature ☐ No One Home

TERMS OF PAYMENT: Unless otherwise specified on this invoice, payment is due in full upon completion of service. Interest will be charged at the maximum allowable by law, or at 1.5% per month, whichever is lesser, on accounts over 30 days past due.



Date 1/5/2016

Invoice No.

4888390

City of Fayetteville
113 West Mountain St
Fayetteville, AR 72701

Carter
902 W Cleveland St
Fayetteville, AR 72701



Servpro of Fayetteville / Springdale
228 E Robinson Ave
Springdale, AR 72764
Independently Owned and Operated

479-419-5544

JOB DATE	REP	SOURCE
1/5/2016		

Services

Residential water damage restoration.
Sales Tax

2,643.47T
257.74

The customer acknowledges that permanently discolored, faded and/or bleached areas on carpet, upholstery, drapery or other types of material sometimes make it impossible to restore the original color or condition. Spot Removal is not guaranteed. **PLEASE SEE THE ADDITIONAL TERMS AND CONDITIONS OF SERVICE ON THE REVERSE SIDE.**

TOTAL

\$2,901.21

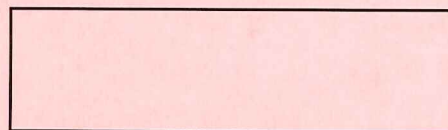
I have read the Terms and Conditions of Service on the reverse side hereof and agree to same.

(X) _____
Authorized Signature

I hereby acknowledge the satisfactory completion of the above-described work.

(X) _____
Customer Signature ☐ No One Home

TERMS OF PAYMENT: Unless otherwise specified on this invoice, payment is due in full upon completion of service. Interest will be charged at the maximum allowable by law, or at 1.5% per month, whichever is lesser, on accounts over 30 days past due.





Servpro of Fayetteville/Springdale

228 E Robinson Ave
Springdale, AR 72764
479-419-5544
Tax ID # 26-3487504

Client: City of Fayetteville - Carter
Property: 902 W Cleveland Street
Fayetteville, AR 72701

Operator: SERVPRO9

Type of Estimate: <NONE>

Date Entered: 12/14/2015

Date Assigned:

Price List: ARFA8X_DEC15

Labor Efficiency: Restoration/Service/Remodel

Estimate: CITY-OF-FAY-CARTER-R



Servpro of Fayetteville/Springdale

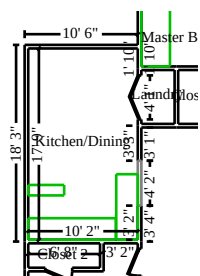
228 E Robinson Ave
Springdale, AR 72764
479-419-5544
Tax ID # 26-3487504

CITY-OF-FAY-CARTER-R

Main Level

Main Level

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
54. Floor Covering - Bid	1.00 EA		0.00	5,869.14	686.69	1,173.82	7,729.65
Total: Main Level					686.69	1,173.82	7,729.65



Kitchen/Dining

Height: 8'

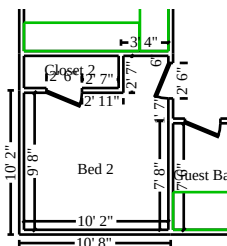
361.35 SF Walls	180.46 SF Ceiling
541.81 SF Walls & Ceiling	148.80 SF Floor
16.53 SY Flooring	32.49 LF Floor Perimeter
55.83 LF Ceil. Perimeter	

Missing Wall - Goes to Floor

4' 2" X 6' 8"

Opens into LIVING_ROOM

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
66. Detach & Reset Baseboard - 3 1/4"	19.00 LF	1.51	0.00	0.00	0.04	5.74	34.47
70. Paint baseboard - one coat	32.49 LF		0.00	0.63	0.22	4.14	24.83
67. Range - electric - Remove & reset	1.00 EA		0.00	24.06	0.00	4.82	28.88
69. Refrigerator - Remove & reset	1.00 EA		0.00	24.06	0.00	4.82	28.88
Totals: Kitchen/Dining					0.26	19.52	117.06



Bed 2

Height: 8'

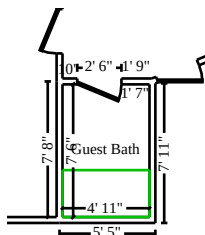
358.67 SF Walls	106.35 SF Ceiling
465.01 SF Walls & Ceiling	106.35 SF Floor
11.82 SY Flooring	44.83 LF Floor Perimeter
44.83 LF Ceil. Perimeter	

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
89. Baseboard - 3 1/4"	18.50 LF		0.00	2.08	1.82	8.06	48.36
90. Paint baseboard - one coat	44.83 LF		0.00	0.63	0.31	5.70	34.25
Totals: Bed 2					2.13	13.76	82.61



Servpro of Fayetteville/Springdale

228 E Robinson Ave
Springdale, AR 72764
479-419-5544
Tax ID # 26-3487504

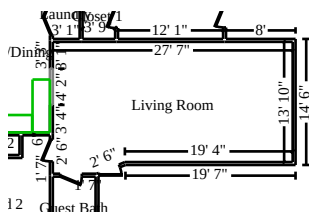


Guest Bath

Height: 8'

147.55 SF Walls	36.88 SF Ceiling
184.43 SF Walls & Ceiling	23.83 SF Floor
2.65 SY Flooring	14.61 LF Floor Perimeter
24.83 LF Ceil. Perimeter	

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
91. Vanity	2.00 LF		0.00	119.67	19.11	51.68	310.13
92. Countertop - solid surface	4.00 SF		0.00	52.44	16.42	45.24	271.42
93. (Install) Sink faucet - Bathroom	1.00 EA		0.00	50.43	0.00	10.08	60.51
94. Toilet - Reset	1.00 EA		0.00	96.99	0.48	19.50	116.97
95. Toilet flange	1.00 EA		0.00	169.16	6.25	35.10	210.51
96. 1/2" - drywall per LF - up to 2' tall	3.25 LF		0.00	4.82	0.32	3.20	19.19
97. Baseboard - 3 1/4"	6.50 LF		0.00	2.08	0.64	2.82	16.98
98. Baseboard - 2 1/4"	14.61 LF		0.00	1.74	1.01	5.28	31.71
99. Paint the walls - one coat	147.55 SF		0.00	0.46	1.58	13.90	83.35
100. Interior door - Reset - slab only	1.00 EA		0.00	7.19	0.00	1.44	8.63
Totals: Guest Bath					45.81	188.24	1,129.40



Living Room

Height: 8'

647.63 SF Walls	390.30 SF Ceiling
1,037.92 SF Walls & Ceiling	390.30 SF Floor
43.37 SY Flooring	80.26 LF Floor Perimeter
84.43 LF Ceil. Perimeter	

Missing Wall - Goes to Floor

4' 2" X 6' 8"

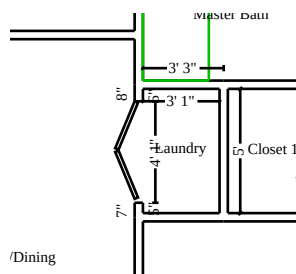
Opens into KITCHEN_DINI

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
71. 1/2" - drywall per LF - up to 2' tall	1.00 LF		0.00	4.82	0.10	0.98	5.90
72. Baseboard - 3 1/4"	8.25 LF		0.00	2.08	0.81	3.60	21.57
73. Detach & Reset Baseboard - 3 1/4"	36.00 LF	1.51	0.00	0.00	0.07	10.90	65.33
74. Paint baseboard - one coat	80.26 LF		0.00	0.63	0.55	10.24	61.35
Totals: Living Room					1.53	25.72	154.15



Servpro of Fayetteville/Springdale

228 E Robinson Ave
Springdale, AR 72764
479-419-5544
Tax ID # 26-3487504

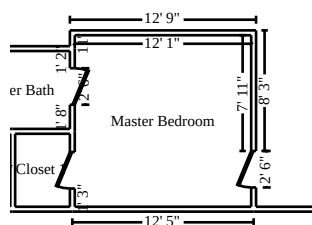


Laundry

Height: 8'

129.33 SF Walls	15.42 SF Ceiling
144.75 SF Walls & Ceiling	15.42 SF Floor
1.71 SY Flooring	16.17 LF Floor Perimeter
16.17 LF Ceil. Perimeter	

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
55. 1/2" - drywall per LF - up to 2' tall	3.00 LF		0.00	4.82	0.30	2.96	17.72
57. Baseboard - 3 1/4"	13.50 LF		0.00	2.08	1.33	5.88	35.29
59. (Install) Washer/Washing Machine - Top-loading	1.00 EA		0.00	84.05	0.00	16.82	100.87
61. (Install) Dryer - Electric	1.00 EA		0.00	40.03	0.00	8.00	48.03
63. Paint the walls - one coat	129.33 SF		0.00	0.46	1.39	12.18	73.06
65. Paint baseboard - one coat	16.17 LF		0.00	0.63	0.11	2.06	12.36
Totals: Laundry					3.13	47.90	287.33

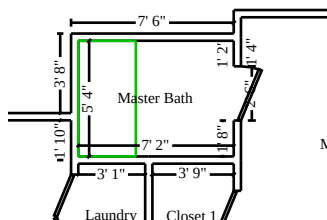


Master Bedroom

Height: 8'

381.33 SF Walls	141.98 SF Ceiling
523.31 SF Walls & Ceiling	141.98 SF Floor
15.78 SY Flooring	47.67 LF Floor Perimeter
47.67 LF Ceil. Perimeter	

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
87. Baseboard - 3 1/4"	25.00 LF		0.00	2.08	2.46	10.90	65.36
88. Paint baseboard - one coat	47.67 LF		0.00	0.63	0.33	6.06	36.42
Totals: Master Bedroom					2.79	16.96	101.78



Master Bath

Height: 8'

146.80 SF Walls	38.22 SF Ceiling
185.03 SF Walls & Ceiling	24.07 SF Floor
2.67 SY Flooring	14.36 LF Floor Perimeter
25.00 LF Ceil. Perimeter	



Servpro of Fayetteville/Springdale

228 E Robinson Ave
Springdale, AR 72764
479-419-5544
Tax ID # 26-3487504

CONTINUED - Master Bath

DESCRIPTION	QTY	RESET	REMOVE	REPLACE	TAX	O&P	TOTAL
75. Toilet - Detach & reset	1.00 EA		0.00	158.26	0.48	31.76	190.50
76. Vanity	2.00 LF		0.00	119.67	19.11	51.68	310.13
78. Countertop - solid surface	4.00 SF		0.00	52.44	16.42	45.24	271.42
80. (Install) Sink faucet - Bathroom	1.00 EA		0.00	50.43	0.00	10.08	60.51
81. Baseboard - 3 1/4"	9.00 LF		0.00	2.08	0.89	3.92	23.53
82. Paint baseboard - one coat	14.36 LF		0.00	0.63	0.10	1.84	10.99
83. Drywall patch / small repair, ready for paint	1.00 EA		0.00	35.75	0.24	7.20	43.19
84. Paint the walls - one coat	146.80 SF		0.00	0.46	1.57	13.82	82.92
Totals: Master Bath					38.81	165.54	993.19
Total: Main Level					781.15	1,651.46	10,595.17
Line Item Totals: CITY-OF-FAY-CARTER-R					781.15	1,651.46	10,595.17

Grand Total Areas:

2,455.59 SF Walls	943.45 SF Ceiling	3,399.04 SF Walls and Ceiling
884.60 SF Floor	98.29 SY Flooring	285.75 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	334.12 LF Ceil. Perimeter
884.60 Floor Area	1,024.68 Total Area	2,455.59 Interior Wall Area
1,331.73 Exterior Wall Area	147.97 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



Servpro of Fayetteville/Springdale

228 E Robinson Ave
Springdale, AR 72764
479-419-5544
Tax ID # 26-3487504

Summary for Dwelling

Line Item Total	8,162.56
Material Sales Tax	94.46
Subtotal	8,257.02
Overhead	825.73
Profit	825.73
Service Sales Tax	686.69
Replacement Cost Value	\$10,595.17
Net Claim	\$10,595.17

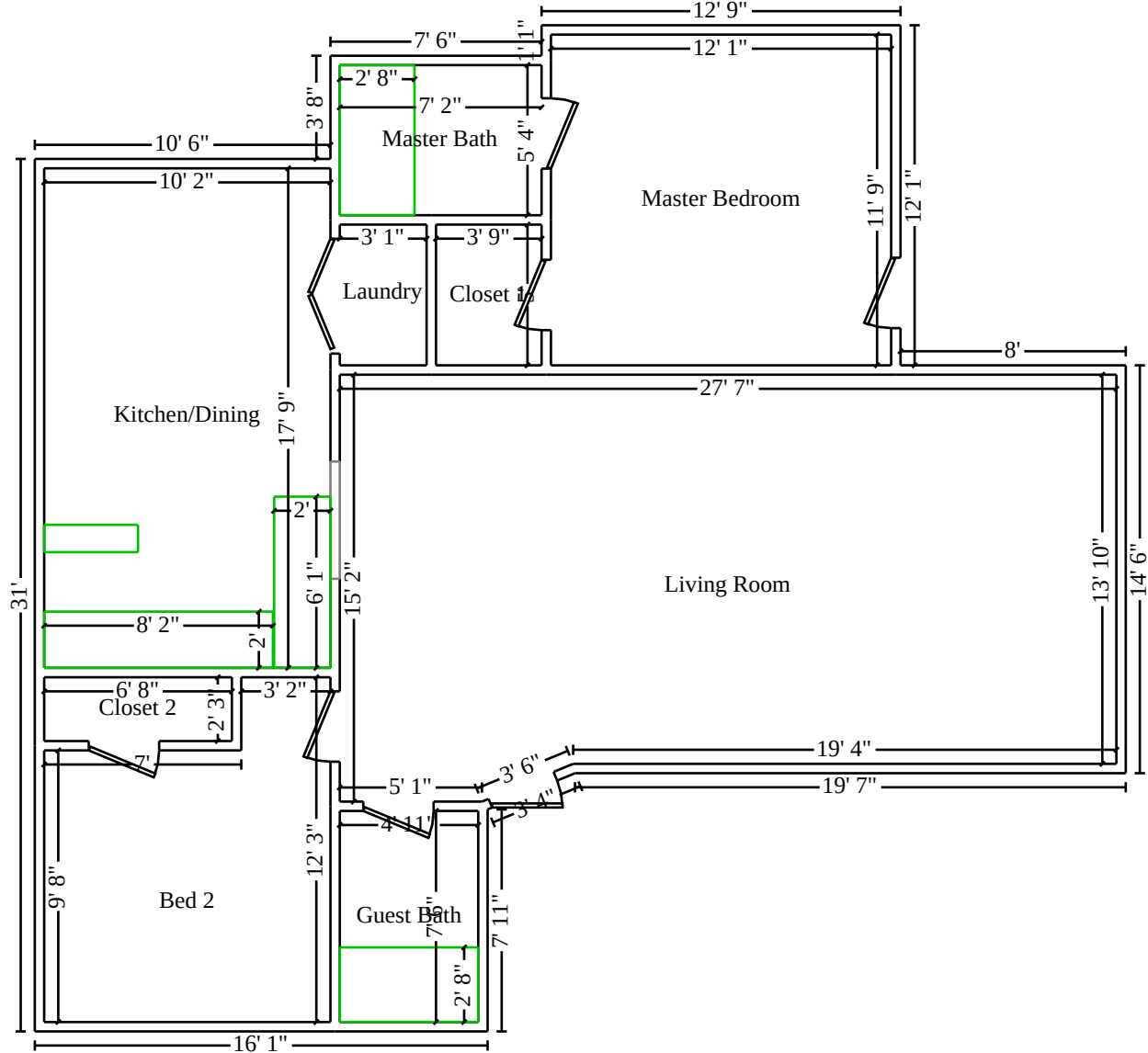


Servpro of Fayetteville/Springdale

228 E Robinson Ave
Springdale, AR 72764
479-419-5544
Tax ID # 26-3487504

Recap by Category

O&P Items	Total	%
APPLIANCES	172.20	1.63%
CABINETRY	898.20	8.48%
DOORS	7.19	0.07%
DRYWALL	70.70	0.67%
FLOOR COVERING - CARPET	5,869.14	55.39%
FINISH CARPENTRY / TRIMWORK	276.43	2.61%
PLUMBING	525.27	4.96%
PAINTING	343.43	3.24%
O&P Items Subtotal	8,162.56	77.04%
Material Sales Tax	94.46	0.89%
Overhead	825.73	7.79%
Profit	825.73	7.79%
Service Sales Tax	686.69	6.48%
Total	10,595.17	100.00%



Main Level













City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 45 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0079

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 4

MCCLELLAND CONSULTING ENGINEERS, INC. SUPPLEMENTAL AGREEMENT NO. 1:

A RESOLUTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. FOR ADDITIONAL CONSTRUCTION PHASE SERVICES ASSOCIATED WITH THE OLD WIRE ROAD SEWER MAIN REPLACEMENT PROJECT WHICH WILL INCREASE THE TOTAL AMOUNT OF THE CONTRACT FROM \$228,644.00 TO AN AMOUNT NOT TO EXCEED \$250,402.00, AND TO APPROVE A BUDGET ADJUSTMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves Supplemental Agreement No. 1 with McClelland Consulting Engineers, Inc. for additional construction phase services associated with the Old Wire Road Sewer Main Replacement Project, which will increase the total amount of the contract from \$228,644.00 to an amount not to exceed \$250,402.00.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2016-0079

Legistar File ID

3/1/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jim Beavers

2/10/2016

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approval of Supplemental Agreement (Amendment) No. 1 to the Engineering Contract with McClelland Consulting Engineers Inc. to provide supplemental Construction Phase Services associated with the Old Wire Road Sewer Main Replacement (Ramsey-Overcrest) and approval of a budget adjustment.

Budget Impact:

5400.5700.5314.00		Water/Sewer	
Account Number		Fund	
14018.1401		Sewer Rehabilitation-Ramsey/Overcrest	
Project Number		Project Title	
Budgeted Item?	Yes	Current Budget	\$ 2,670,394.00
		Funds Obligated	\$ 2,670,393.90
		Current Balance	\$ 0.10
Does item have a cost?	Yes	Item Cost	\$ 21,758.00
Budget Adjustment Attached?	Yes	Budget Adjustment	\$ 21,758.00
		Remaining Budget	\$ 0.10

V20140710

Previous Ordinance or Resolution # 178-14

Original Contract Number: 2341

Approval Date:

Comments:

MEETING OF MARCH 1, 2016

TO: Mayor Jordan and City Council

THRU: Don Marr, Chief of Staff
Tim Nyander, Utilities Director
Water & Sewer Committee

FROM: Jim Beavers, P.E. Utilities Engineer

DATE: February 10, 2016

SUBJECT: Resolution approving Supplemental Agreement (Amendment) No. 1 for \$21,758.00 to the Engineering Contract with McClelland Consulting Engineers Inc. to provide supplemental Construction Phase Services associated with the Old Wire Road Sewer Main Replacement (Ramsey-Overcrest) and approving a budget adjustment

RECOMMENDATION:

Staff recommends approval of Supplemental Agreement (Amendment) No. 1 to the Engineering Contract with McClelland Consulting Engineers Inc. to provide supplemental Construction Phase Services associated with the Old Wire Road Sewer Main Replacement (Ramsey-Overcrest) and approval of a budget adjustment.

The Supplemental Agreement No. 1 will increase the engineering contract by \$21,758.00, from a not to exceed amount of \$228,644.00 to a not to exceed amount of \$250,402.00.

BACKGROUND:

McClelland Consulting Engineers, Inc. is the Engineer of Record providing the design and bidding services for the Old Wire Road Sewer Main Replacement (Ramsey-Overcrest) rehabilitation project.

The construction bids for the Bid 16-19 Old Wire Road Sewer Main Replacement were opened on February 2, 2016 and the proposed construction contract with T-G Excavating, Inc. is a separate request for the March 1, 2016 City Council Meeting.

DISCUSSION:

This Supplemental Agreement (Amendment) No. 1 will provide part time/supplemental support to City staff during construction.

BUDGET/STAFF IMPACT:

A budget adjustment is attached to move budgeted funds that are available within the approved CIP project 02017 Sanitary Sewer Rehabilitation and will be moved to cover the amendment.

ATTACHMENTS:

Staff Review Form
Budget Adjustment
Supplemental Agreement (Amendment) No. 1 from McClelland Consulting Engineers Inc.
Copy of Original Agreement with McClelland Consulting Engineers Inc.

**Supplemental Agreement No. 1
Old Wire Road Sewer Main Replacement**

Date: _____

WHEREAS, the CITY OF FAYETTEVILLE and McClelland Consulting Engineers, Inc. (ENGINEER) entered into an Agreement for Professional Engineering Services (AGREEMENT) on October 7, 2014; and,

WHEREAS, the CITY OF FAYETTEVILLE has requested that ENGINEER perform additional services outside of the scope of the AGREEMENT.

NOW THEREFORE, the following modifications will be made to the AGREEMENT to include the additional services requested:

MODIFICATIONS:

1. Section 2.1.1 – the additional scope of services are included in the attached Appendix “A-1”.
2. Section 4.2 – The additional services will be performed during construction of the Project. Construction is anticipated to commence in March 2016. The construction contract allows 180 calendar days to Substantial Completion, and 210 calendar days to Final Completion.
3. Section 5.1 – the maximum not-to-exceed amount is increased from \$228,644.00 to **\$250,402.00**. Modifications to compensation are included in the attached Appendix “C-1”.

IN WITNESS WHEREOF, the parties execute this Supplemental Agreement No. 1, to be effective on the date set out above.

McClelland Consulting Engineers, Inc.

City of Fayetteville, Arkansas

BY: 
Daniel Barnes, PE
President, Fayetteville Office

BY: _____
Mayor Lioneld Jordan

APPENDIX 'A-1'

SCOPE OF ADDITIONAL SERVICES

PROFESSIONAL SERVICES AGREEMENT

CITY OF FAYETTEVILLE, ARKANSAS

BID NO. 16-19, CONSTRUCTION - OLD WIRE ROAD SEWER MAIN REPLACEMENT; TOWNSHIP STREET TO RAMSEY AVENUE

1. Scope of Additional Services

- a. Provide construction administration and limited construction observation services for the project, which includes approximately 6,466 linear feet (LF) of 15-inch and 16-inch PVC and/or ductile iron and/or polyethylene gravity sewer main, installed by open cut and/or by pipe bursting, as well as approximately 600 feet of 12-inch and 8-inch gravity sewer main, steel casings, street bores, manholes, sewer service wyes, sewer service connections, and related facilities.
- b. Construction is anticipated to commence in March 2016. The construction contract allows 180 calendar days to Substantial Completion, and 210 calendar days to Final Completion.

2. Basic Services

The Scope of Services of the ENGINEER as described in the Agreement are further defined and described hereinafter.

3. Construction Administration

- a. Assist City with issuing the Notice to Proceed (NTP) and obtaining executed Contract Documents from the selected Contractor, if requested by the CITY OF FAYETTEVILLE.
- b. Attend the pre-construction meeting. It is assumed that the CITY OF FAYETTEVILLE will conduct the meeting and issue meeting minutes.
- c. Review and respond to Contractor submittals for conformance to the Contract Documents, Drawings, and Specifications. Up to ten (10) submittals are anticipated on this project. The initial review and one (1) re-submittal review is

included in this scope of services. Additional re-submittal reviews will be considered Additional Services.

- d. Review Contractor's Requests for Information (RFIs) and issue clarifications as required. Up to ten (10) RFIs are anticipated on this project.
- e. Assist the CITY OF FAYETTEVILLE with the evaluation, negotiation, and processing of Contractor change order requests, if required.
- f. Review monthly Pay Estimates from the Contractor and provide recommendation for payment. A total of eight (8) pay estimates are assumed.
- g. Engineer of Record shall conduct monthly site visits and attendance at monthly progress meetings (if required) to observe progress and quality of work. A total of eight (8) site visits and meetings are assumed.
- h. Assist the CITY OF FAYETTEVILLE with the final inspection walk-through. Develop a punch list of outstanding items, and review project closeout documents.
- i. Prepare record drawings based upon information furnished by the Contractor and field representatives.

4. Construction Observation

- a. Provide a field representative to perform construction observation if requested by the CITY OF FAYETTEVILLE. Field representative shall meet with CITY OF FAYETTEVILLE field representative at least once weekly to stay informed on construction progress and any issues that may arise.
- b. It is assumed that the level of observation required by the ENGINEER will equate to an average of 12 hours per week for the duration of construction.
- c. CITY OF FAYETTEVILLE shall provide adequate notice to ENGINEER when a field representative is required. Minimum notice shall be three (3) business days, with one (1) week notice preferred.

5. Surveying Services

- a. At the request of the CITY OF FAYETTEVILLE, provide up to 32 hours of field surveying to assist in reviewing the Contractor's work and/or to address property owner questions.

6. Project Deliverables

- a. One (1) hard copy a PDF copy (if applicable) of the approved shop drawings and submittals from the Contractor.
- b. One (1) hard copy set, a PDF copy of the Record Drawings.
- c. Other electronic files as requested.

7. General

- a. All sewer construction shall follow the guidelines described in the CITY OF FAYETTEVILLE Sewer Design Standards.
 - b. Record drawings shall be provided on computer disc in AutoCAD format in addition to the reproducible drawings.
 - c. Attendance at meetings other than monthly progress meetings and the pre-construction meeting will be considered Additional Services.
- 8.** Should construction delays occur, which are beyond the control of the ENGINEER and cause the project to be completed later than 210 calendar days, the ENGINEER and CITY OF FAYETTEVILLE will review the ENGINEER's remaining budget and mutually agree upon a plan of action, whether it be a reduction in Basic Services scope to stay within the budget, or authorize Additional Services.
- 9.** Subcontracting of services by the ENGINEER shall have prior approval of the OWNER.

APPENDIX 'C-1'

COMPENSATION FOR ADDITIONAL SERVICES

PROFESSIONAL SERVICES AGREEMENT

CITY OF FAYETTEVILLE, ARKANSAS

BID NO. 16-19, CONSTRUCTION - OLD WIRE ROAD SEWER MAIN REPLACEMENT; TOWNSHIP STREET TO RAMSEY AVENUE

- The following table outlines changes to compensation amounts to include Supplemental Agreement No 1. All other terms of the Agreement dated October 7, 2014 remain in full force and effect.

<u>Phase</u>	<u>Original Contract Amount</u>	<u>Revised Amount Per Supplemental Agreement No. 1</u>
Topographic Survey	\$ 26,711	\$ 41,000
Property Resolution/Exhibit A Map Preparation	\$ 48,903	\$ 14,337
Conceptual Design Phase	\$ 44,465	\$ 44,461
Final Design Phase	\$ 91,065	\$ 74,698
Bidding Services	\$ 7,500	\$ 7,500
Stormwater Pollution Prevention Plan	\$ (N/A)	\$ 3,314
Construction Administration	\$ (N/A)	\$ 32,742
Construction Observation	\$ (N/A)	\$ 23,400
Surveying Services	\$ (N/A)	\$ 5,350
<u>Reimbursable Expenses</u>	<u>\$ 10,000</u>	<u>\$ 3,600</u>
TOTALS	\$ 228,644	\$ 250,402
NET INCREASE PER SUPPLEMENTAL AGREEMENT NO.1:		\$ 21,758

2016
McCLELLAND CONSULTING ENGINEERS, INC.
***STANDARD HOURLY RATES**
As of January 1, 2016

Clerical	\$45.00 - \$66.00
Construction Observer	\$55.00 - \$110.00
Chief Draftsman	\$75.00 - \$90.00
Draftsman	\$60.00 - \$70.00
Engineering Technician	\$55.00 - \$105.00
Environmental Scientist/Designer	\$104.00 - \$109.00
Geotech Engineer	\$84.00 - \$127.00
Principal Engineer	\$150.00 - \$220.00
Project Engineer	\$85.00 - \$200.00
Sr. Project Engineer	\$110.00 - \$120.00
Landscape Architect	\$60.00 - \$109.00
Media Specialist	\$69.00 - \$131.00
Project Accountant	\$60.00 - \$109.00
Project Manager	\$115.00 - \$135.00
Sr. Project Manager	\$140.00 - \$210.00
Registered Land Surveyor	\$102.00 - \$120.00
Soils Lab Technician	\$42.00 - \$56.00
Specification Writer	\$50.00 - \$75.00
Survey Party Chief	\$75.00 - \$80.00
Survey (2 man or Robotic) Crew	\$117.00 - \$155.00
Survey (3 man) Crew	\$135.00 - \$175.00
Survey Field (1 Man or Rodman)	\$45.00 - \$85.00
Survey Technician	\$75.00 - \$95.00
Water Lab Supervisor	\$68.00 - \$85.00
Expenses	@ Cost
Mileage	57.5/mi
	current IRS rate

** Standard Hourly Rates may be adjusted annually in accordance with the normal salary review practices of McClelland Consulting Engineers.*

Exhibit "2"
Basis for Fee Proposal
Old Wire Road Sewer Main Replacement - Services During Construction

[illegible]

RESOLUTION NO. 178-14

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC. FOR ENGINEERING DESIGN AND BIDDING SERVICES FOR THE RAMSEY AND OVERCREST SANITARY SEWER REHABILITATION PROJECT IN AN AMOUNT NOT TO EXCEED \$228,644.00, AND TO APPROVE A BUDGET ADJUSTMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby approves a professional engineering services agreement with McClelland Consulting Engineers, Inc. for engineering design and bidding services for the Ramsey and Overcrest Sanitary Sewer Rehabilitation Project in an amount not to exceed \$228,644.00.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this resolution.

PASSED and APPROVED this 7th day of October, 2014.

APPROVED:

By: 
LIONEL JORDAN, Mayor

ATTEST:

By: 
SONDRA E. SMITH, City Clerk/Treasurer





City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
479-575-83 TDD -
479-521-1316

Text File

File Number: 2014-0377

Agenda Date: 10/7/2014

Version: 1

Status: Agenda Ready

In Control: City Council

File Type: Resolution

Agenda Number: A. 8

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC. FOR ENGINEERING DESIGN AND BIDDING SERVICES FOR THE RAMSEY AND OVERCREST SANITARY SEWER REHABILITATION PROJECT IN AN AMOUNT NOT TO EXCEED \$228,644.00, AND TO APPROVE A BUDGET ADJUSTMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby approves a professional engineering services agreement with McClelland Consulting Engineers, Inc. for engineering design and bidding services for the Ramsey and Overcrest Sanitary Sewer Rehabilitation Project in an amount not to exceed \$228,644.00.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this resolution.

City of Fayetteville Staff Review Form

2014-0377

Legistar File ID

10/7/2014

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jim Beavers

9/18/2014

Water & Sewer Maintenance /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approving a contract with McClelland Consulting Engineers, Inc., Project # 14018, for \$228,644.00 on Ramsey and Overcrest Sanitary Sewer Rehabilitation Project, and approving a Budget adjustment.

Budget Impact:

5400.5700.5314.00

Water/Sewer

Account Number

Fund

14018.1401

Sewer Rehab-Ramsey and Overcrest

Project Number

Project Title

Budgeted Item? No

Current Budget

\$ -

Funds Obligated

\$ -

Current Balance

\$ -

Does item have a cost? Yes

Item Cost

\$ 228,644.00

Budget Adjustment Attached? Yes

Budget Adjustment

\$ 228,644.00

Remaining Budget

\$ -

V20140710

Previous Ordinance or Resolution # N/A

Original Contract Number: N/A

Approval Date: 10/7/14

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF OCTOBER 7, 2014

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Tim Nyander, Interim Utilities Director
Water & Sewer Committee

FROM: Jim Beavers, P.E. Utilities Engineer

DATE: September 18, 2014

SUBJECT: Approving a contract with McClelland Consulting Engineers, Inc., Project # 14018, for \$228,644.00 on Ramsey and Overcrest Sanitary Sewer Rehabilitation Project, and approving a Budget adjustment.

RECOMMENDATION:

Fayetteville Staff recommends approval of professional contract with McClelland Consulting Engineers for \$228,644.00, and a budget adjustment.

BACKGROUND:

The Ramsey and Overcrest Sanitary Sewer Rehabilitation project is an approved 2015 CIP project to address remaining known sanitary sewer overflows (SSOs). The project is identified as the first priority pipeline improvements in the Wastewater Collection System 2014 Master Plan Update. The City of Fayetteville has historically, and through the WSIP, performed very well to reduce and eliminate SSOs. Staff requests to design the project in Fall/Winter 2014 to allow construction to begin earlier in 2015 (estimated to begin May, 2015). The project includes an estimated 6,843 linear feet of 15 inch diameter sewer pipe construction.

DISCUSSION:

McClelland Consulting Engineers was selected for this project through the City's formal section procedure and purchasing requirements. The proposed contract includes survey, easement preparation, design and bidding services. Construction administration and construction observation are not included in this contract.

BUDGET/STAFF IMPACT:

Budgeted funds available in Sewer Rehab project. A BA is attached to fund the Engineering design.

Attachments:

1. Staff Review Form
2. Budget Adjustment
3. Purchase Order
4. Project Number
5. Location Map
6. Proposed Contract with McClelland Consulting Engineers

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

v.20140716

City of Fayetteville - Purchase Order Request (PO)										Requisition No.:	Date: 9/8/2014
(Not a Purchase Order) All PO Requests shall be scanned to the Purchasing e-mail: Purchasing@fayetteville-ar.gov. Purchase shall not be made until an actual PO has been issued.										P.O Number:	
Vendor #:	7460	Vendor Name:	McClelland Consulting Engineers				Legistart#:	2014-0377			
Address: 1810 N. College Avenue		City: Fayetteville		State: AR		FOB Point:		Expected Delivery Date: October 2014 - March 2015			
Requester: Jim Beavers	Description		Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number	Ship to code:	Quoted Attached	Extension:	
1	Professional Engineering Design for Ramsey/Overcrest Project		1	1	228,644.00	\$228,644.00	5400.5700.5314.00	72701	☐ Yes ☐ No	3452	
2						\$0.00			☐ Yes ☐ No		
3						\$0.00			☐ Yes ☐ No		
4						\$0.00			☐ Yes ☐ No		
5						\$0.00			☐ Yes ☐ No		
6						\$0.00			☐ Yes ☐ No		
7						\$0.00			☐ Yes ☐ No		
8						\$0.00			☐ Yes ☐ No		
9						\$0.00			☐ Yes ☐ No		
10						\$0.00			☐ Yes ☐ No		
*	Shipping/Handling			Lot		\$0.00			☐ Yes ☐ No		
Special Instructions:										Subtotal: \$228,644.00 Tax: \$0.00 Total: \$228,644.00	
Approvals:										Purchasing Manager: _____	
Mayor: _____										Department Director: _____	
Chief Financial Officer: _____										Budget Director: _____	
Dispatch Manager: _____										Utilities Manager: _____	
										IT Director: _____	
										Other: _____	

AGREEMENT
For
PROFESSIONAL ENGINEERING SERVICES
Between
CITY OF FAYETTEVILLE, ARKANSAS
And
MCCLELLAND CONSULTING ENGINEERS, INC.

THIS AGREEMENT is made as of October 7, 2014, by and between City of Fayetteville, Arkansas, acting by and through its Mayor (hereinafter called CITY OF FAYETTEVILLE) and McClelland Consulting Engineers, Inc. (hereinafter called ENGINEER).

CITY OF FAYETTEVILLE from time to time requires professional engineering services in connection with the evaluation, design, and/or construction supervision of capital improvement projects. Therefore, CITY OF FAYETTEVILLE and ENGINEER in consideration of their mutual covenants agree as follows:

ENGINEER shall serve as CITY OF FAYETTEVILLE's professional engineering consultant in those assignments to which this Agreement applies, and shall give consultation and advice to CITY OF FAYETTEVILLE during the performance of ENGINEER's services. All services shall be performed under the direction of a professional engineer registered in the State of Arkansas and qualified in the particular field.

SECTION 1 - AUTHORIZATION OF SERVICES

- 1.1 Services on any assignment shall be undertaken only upon written Authorization of CITY OF FAYETTEVILLE and agreement of ENGINEER.
- 1.2 Assignments may include services described hereafter as Basic Services or as Additional Services of ENGINEER.
- 1.3 Changes, modifications or amendments in scope, price or fees to this contract shall **not** be allowed without a formal contract amendment approved by the Mayor and the City Council **in advance** of the change in scope, costs, fees, or delivery schedule.

SECTION 2 - BASIC SERVICES OF ENGINEER

- 2.1 Perform professional services in connection with the Project as hereinafter stated.
 - 2.1.1 The Scope of Services to be furnished by ENGINEER during the Project is included in Appendix A attached hereto and made part of this Agreement.
- 2.2 ENGINEER shall coordinate their activities and services with the CITY OF FAYETTEVILLE. ENGINEER and CITY OF FAYETTEVILLE agree that ENGINEER has full responsibility for the engineering services.

SECTION 3 - RESPONSIBILITIES OF CITY OF FAYETTEVILLE

- 3.1 CITY OF FAYETTEVILLE shall, within a reasonable time, so as not to delay the services of ENGINEER.
 - 3.1.1 Provide full information as to CITY OF FAYETTEVILLE's requirements for the Project.
 - 3.1.2 Assist ENGINEER by placing at ENGINEER's disposal all available information pertinent to the assignment including previous reports and any other data relative thereto.
 - 3.1.3 Assist ENGINEER in obtaining access to property reasonably necessary for ENGINEER to perform its services under this Agreement.
 - 3.1.4 Examine all studies, reports, sketches, cost opinions, proposals, and other documents presented by ENGINEER and render in writing decisions pertaining thereto.
 - 3.1.5 The City Engineer is the CITY OF FAYETTEVILLE's project representative with respect to the services to be performed under this Agreement. The City Engineer shall have complete authority to transmit instructions, receive information, interpret and define CITY OF FAYETTEVILLE's policies and decisions with respect to materials, equipment, elements and systems to be used in the Project, and other matters pertinent to the services covered by this Agreement.
 - 3.1.6 CITY OF FAYETTEVILLE and/or its representative will review all documents and provide written comments to ENGINEER in a timely manner.

SECTION 4 - PERIOD OF SERVICE

- 4.1 This Agreement will become effective upon the first written notice by CITY OF FAYETTEVILLE authorizing services hereunder.
- 4.2 The provisions of this Agreement have been agreed to in anticipation of the orderly progress of the Project through completion of the services stated in the Agreement. ENGINEER will proceed with providing the authorized services immediately upon receipt of written authorization from CITY OF FAYETTEVILLE. Said authorization shall include the scope of the services authorized and the time in which the services are to be completed. The anticipated schedule for this project is included as Appendix B.

SECTION 5 - PAYMENTS TO ENGINEER

- 5.1 The maximum not-to-exceed amount authorized for this Agreement is **\$228,644.00**. The CITY OF FAYETTEVILLE shall compensate ENGINEER based on a hourly NTE basis as described in Appendix C.
- 5.2 Statements
 - 5.2.1 Monthly statements for each calendar month shall be submitted to CITY OF FAYETTEVILLE or such parties as CITY OF FAYETTEVILLE may designate for professional services consistent with ENGINEER's normal billing schedule. Once established, the billing schedule shall be maintained throughout the duration of the Project. Applications for payment shall be made in accordance with a format to be developed by ENGINEER and approved by CITY OF FAYETTEVILLE. Applications for payment shall

be accompanied each month by the updated project schedule as the basis for determining the value earned as the work is accomplished. Final payment for professional services shall be made upon CITY OF FAYETTEVILLE's approval and acceptance with the satisfactory completion of the study and report for the Project.

5.3 Payments

- 5.3.1 All statements are payable upon receipt and due within thirty (30) days. If a portion of ENGINEER's statement is disputed by CITY OF FAYETTEVILLE, the undisputed portion shall be paid by CITY OF FAYETTEVILLE by the due date. CITY OF FAYETTEVILLE shall advise ENGINEER in writing of the basis for any disputed portion of any statement. CITY OF FAYETTEVILLE will make reasonable effort to pay invoices within 30 days of date the invoice is approved, however, payment within 30 days is not guaranteed.

5.4 Final Payment

- 5.4.1 Upon satisfactory completion of the work performed under this Agreement, as a condition before final payment under this Agreement, or as a termination settlement under this Agreement, ENGINEER shall execute and deliver to CITY OF FAYETTEVILLE a release of all claims against CITY OF FAYETTEVILLE arising under or by virtue of this Agreement, except claims which are specifically exempted by ENGINEER to be set forth therein. Unless otherwise provided in this Agreement or by State law or otherwise expressly agreed to by the parties to this Agreement, final payment under this Agreement or settlement upon termination of this Agreement shall not constitute a waiver of CITY OF FAYETTEVILLE's claims against ENGINEER or his sureties under this Agreement or applicable performance and payment bonds, if any.

SECTION 6 - GENERAL CONSIDERATIONS

6.1 Insurance

- 6.1.1 During the course of performance of these services, ENGINEER will maintain (in United States Dollars) the following minimum insurance coverages:

<u>Type of Coverage</u>	<u>Limits of Liability</u>
Workers' Compensation Employers' Liability	Statutory \$500,000 Each Accident
Commercial General Liability Bodily Injury and Property Damage	\$1,000,000 Combined Single Limit
Automobile Liability: Bodily Injury and Property Damage	\$1,000,000 Combined Single Limit
Professional Liability Insurance	\$1,000,000 Each Claim

ENGINEER will provide to CITY OF FAYETTEVILLE certificates as evidence of the specified insurance within ten days of the date of this Agreement and upon each renewal of coverage.

- 6.1.2 CITY OF FAYETTEVILLE and ENGINEER waive all rights against each other and their officers, directors, agents, or employees for damage covered by property insurance during and after the completion of ENGINEER's services.

6.2 Professional Responsibility

- 6.2.1 ENGINEER will exercise reasonable skill, care, and diligence in the performance of ENGINEER's services and will carry out its responsibilities in accordance with customarily accepted professional engineering practices. CITY OF FAYETTEVILLE will promptly report to ENGINEER any defects or suspected defects in ENGINEER's services of which CITY OF FAYETTEVILLE becomes aware, so that ENGINEER can take measures to minimize the consequences of such a defect. CITY OF FAYETTEVILLE retains all remedies to recover for its damages caused by any negligence of ENGINEER.

6.3 Cost Opinions and Projections

- 6.3.1 Cost opinions and projections prepared by ENGINEER relating to construction costs and schedules, operation and maintenance costs, equipment characteristics and performance, and operating results are based on ENGINEER's experience, qualifications, and judgment as a design professional. Since ENGINEER has no control over weather, cost and availability of labor, material and equipment, labor productivity, construction Contractors' procedures and methods, unavoidable delays, construction Contractors' methods of determining prices, economic conditions, competitive bidding or market conditions, and other factors affecting such cost opinions or projections, ENGINEER does not guarantee that actual rates, costs, performance, schedules, and related items will not vary from cost opinions and projections prepared by ENGINEER.

6.4 Changes

- 6.4.1 CITY OF FAYETTEVILLE shall have the right to make changes within the general scope of ENGINEER's services, with an appropriate change in compensation and schedule only after Fayetteville City Council approval of such proposed changes and, upon execution of a mutually acceptable amendment or change order signed by the Mayor of the CITY OF FAYETTEVILLE and the duly authorized officer of ENGINEER.

6.5 Termination

- 6.5.1 This Agreement may be terminated in whole or in part in writing by either party in the event of substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party, provided that no termination may be effected unless the other party is given:
 - 6.5.1.1 Not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate,
 - 6.5.1.2 An opportunity for consultation with the terminating party prior to termination.

- 6.5.2 This Agreement may be terminated in whole or in part in writing by CITY OF FAYETTEVILLE for its convenience, provided that ENGINEER is given:
 - 6.5.2.1 Not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate,
 - 6.5.2.2 An opportunity for consultation with the terminating party prior to termination.
- 6.5.3 If termination for default is effected by CITY OF FAYETTEVILLE, an equitable adjustment in the price provided for in this Agreement shall be made, but
 - 6.5.3.1 No amount shall be allowed for anticipated profit on unperformed services or other work,
 - 6.5.3.2 Any payment due to ENGINEER at the time of termination may be adjusted to cover any additional costs to CITY OF FAYETTEVILLE because of ENGINEER's default.
- 6.5.4 If termination for default is effected by ENGINEER, or if termination for convenience is effected by CITY OF FAYETTEVILLE, the equitable adjustment shall include a reasonable profit for services or other work performed. The equitable adjustment for any termination shall provide for payment to ENGINEER for services rendered and expenses incurred prior to the termination, in addition to termination settlement costs reasonably incurred by ENGINEER relating to commitments which had become firm prior to the termination.
- 6.5.5 Upon receipt of a termination action under Paragraphs 6.5.1 or 6.5.2 above, ENGINEER shall:
 - 6.5.5.1 Promptly discontinue all affected work (unless the notice directs otherwise),
 - 6.5.5.2 Deliver or otherwise make available to CITY OF FAYETTEVILLE all data, drawings, specifications, reports, estimates, summaries and such other information and materials as may have been accumulated by ENGINEER in performing this Agreement, whether completed or in process.
- 6.5.6 Upon termination under Paragraphs 6.5.1 or 6.5.2 above CITY OF FAYETTEVILLE may take over the work and may award another party an agreement to complete the work under this Agreement.
- 6.5.7 If, after termination for failure of ENGINEER to fulfill contractual obligations, it is determined that ENGINEER had not failed to fulfill contractual obligations, the termination shall be deemed to have been for the convenience of CITY OF FAYETTEVILLE. In such event, adjustments of the agreement price shall be made as provided in Paragraph 6.5.4 of this clause.
- 6.6 Delays
 - 6.6.1 In the event the services of ENGINEER are suspended or delayed by CITY OF FAYETTEVILLE or by other events beyond ENGINEER's reasonable control, ENGINEER shall be entitled to additional compensation and time for reasonable costs incurred by ENGINEER in temporarily closing down or delaying the Project.

6.7 Rights and Benefits

- 6.7.1 ENGINEER's services will be performed solely for the benefit of CITY OF FAYETTEVILLE and not for the benefit of any other persons or entities.

6.8 Dispute Resolution

- 6.8.1 Scope of Paragraph: The procedures of this Paragraph shall apply to any and all disputes between CITY OF FAYETTEVILLE and ENGINEER which arise from, or in any way are related to, this Agreement, including, but not limited to the interpretation of this Agreement, the enforcement of its terms, any acts, errors, or omissions of CITY OF FAYETTEVILLE or ENGINEER in the performance of this Agreement, and disputes concerning payment.

- 6.8.2 Exhaustion of Remedies Required: No action may be filed unless the parties first negotiate. If timely Notice is given under Paragraph 6.8.3, but an action is initiated prior to exhaustion of these procedures, such action shall be stayed, upon application by either party to a court of proper jurisdiction, until the procedures in Paragraphs 6.8.3 and 6.8.4 have been complied with.

6.8.3 Notice of Dispute

- 6.8.3.1 For disputes arising prior to the making of final payment promptly after the occurrence of any incident, action, or failure to act upon which a claim is based, the party seeking relief shall serve the other party with a written Notice.

- 6.8.3.2 For disputes arising within one year after the making of final payment, CITY OF FAYETTEVILLE shall give ENGINEER written Notice at the address listed in Paragraph 6.14 within thirty (30) days after occurrence of any incident, accident, or first observance of defect or damage. In both instances, the Notice shall specify the nature and amount of relief sought, the reason relief should be granted, and the appropriate portions of this Agreement that authorize the relief requested.

- 6.8.4 Negotiation: Within seven days of receipt of the Notice, the Project Managers for CITY OF FAYETTEVILLE and ENGINEER shall confer in an effort to resolve the dispute. If the dispute cannot be resolved at that level, then, upon written request of either side, the matter shall be referred to the President of ENGINEER and the Mayor of CITY OF FAYETTEVILLE or his designee. These officers shall meet at the Project Site or such other location as is agreed upon within 30 days of the written request to resolve the dispute.

- 6.9 CITY OF FAYETTEVILLE represents that it has sufficient funds or the means of obtaining funds to remit payment to ENGINEER for services rendered by ENGINEER.

6.10 Publications

- 6.10.1 Recognizing the importance of professional development on the part of ENGINEER's employees and the importance of ENGINEER's public relations, ENGINEER may prepare publications, such as technical papers, articles for periodicals, and press releases, pertaining to ENGINEER's services for the Project. Such publications will be provided to CITY OF FAYETTEVILLE in draft form for CITY OF FAYETTEVILLE's advance review. CITY OF FAYETTEVILLE shall review such drafts promptly and provide CITY OF FAYETTEVILLE's comments to ENGINEER. CITY OF FAYETTEVILLE may require

deletion of proprietary data or confidential information from such publications, but otherwise CITY OF FAYETTEVILLE will not unreasonably withhold approval. The cost of ENGINEER's activities pertaining to any such publication shall be for ENGINEER's account.

6.11 Indemnification

- 6.11.1 CITY OF FAYETTEVILLE agrees that it will require all construction Contractors to indemnify, defend, and hold harmless CITY OF FAYETTEVILLE and ENGINEER from and against any and all loss where loss is caused or incurred or alleged to be caused or incurred in whole or in part as a result of the negligence or other actionable fault of the Contractors, or their employees, agents, Subcontractors, and Suppliers.

6.12 Ownership of Documents

- 6.12.1 All documents provided by CITY OF FAYETTEVILLE including original drawings, CAD drawings, estimates, field notes, and project data are and remain the property of CITY OF FAYETTEVILLE. ENGINEER may retain reproduced copies of drawings and copies of other documents.
- 6.12.2 Engineering documents, computer models, drawings, specifications and other hard copy or electronic media prepared by ENGINEER as part of the Services shall become the property of CITY OF FAYETTEVILLE when ENGINEER has been compensated for all Services rendered, provided, however, that ENGINEER shall have the unrestricted right to their use. ENGINEER shall, however, retain its rights in its standard drawings details, specifications, databases, computer software, and other proprietary property. Rights to intellectual property developed, utilized, or modified in the performance of the Services shall remain the property of ENGINEER.
- 6.12.3 Any files delivered in electronic medium may not work on systems and software different than those with which they were originally produced. ENGINEER makes no warranty as to the compatibility of these files with any other system or software. Because of the potential degradation of electronic medium over time, in the event of a conflict between the sealed original drawings/hard copies and the electronic files, the sealed drawings/hard copies will govern.

6.13 Notices

- 6.13.1 Any Notice required under this Agreement will be in writing, addressed to the appropriate party at the following addresses:

CITY OF FAYETTEVILLE's address:
113 West Mountain Street
Fayetteville, Arkansas 72701

ENGINEER's address:
1810 N. College Avenue
Fayetteville, Arkansas 72701

6.14 Successor and Assigns

- 6.14.1 CITY OF FAYETTEVILLE and ENGINEER each binds himself and his successors, executors, administrators, and assigns to the other party of this Agreement and to the successors, executors, administrators, and assigns of such other party, in respect to all covenants of this Agreement; except as above, neither CITY OF FAYETTEVILLE nor ENGINEER shall assign, sublet, or transfer his interest in the Agreement without the written consent of the other.

6.15 Controlling Law

- 6.15.1 This Agreement shall be subject to, interpreted and enforced according to the laws of the State of Arkansas without regard to any conflicts of law provisions.

6.16 Entire Agreement

- 6.16.1 This Agreement represents the entire Agreement between ENGINEER and CITY OF FAYETTEVILLE relative to the Scope of Services herein. Since terms contained in purchase orders do not generally apply to professional services, in the event CITY OF FAYETTEVILLE issues to ENGINEER a purchase order, no preprinted terms thereon shall become a part of this Agreement. Said purchase order document, whether or not signed by ENGINEER, shall be considered as a document for CITY OF FAYETTEVILLE's internal management of its operations.

SECTION 7 - SPECIAL CONDITIONS

7.1 Additional Responsibilities of ENGINEER

- 7.1.1 CITY OF FAYETTEVILLE's review, approval, or acceptance of design drawings, specifications, reports and other services furnished hereunder shall not in any way relieve ENGINEER of responsibility for the technical adequacy of the work. Neither CITY OF FAYETTEVILLE's review, approval or acceptance of, nor payment for any of the services shall be construed as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.
- 7.1.2 ENGINEER shall be and shall remain liable, in accordance with applicable law, for all damages to CITY OF FAYETTEVILLE caused by ENGINEER's negligent performance of any of the services furnished under this Agreement except for errors, omissions or other deficiencies to the extent attributable to CITY OF FAYETTEVILLE or CITY OF FAYETTEVILLE-furnished data.
- 7.1.3 ENGINEER's obligations under this clause are in addition to ENGINEER's other express or implied assurances under this Agreement or State law and in no way diminish any other rights that CITY OF FAYETTEVILLE may have against ENGINEER for faulty materials, equipment, or work.

7.2 Remedies

- 7.2.1 Except as may be otherwise provided in this Agreement, all claims, counter-claims, disputes and other matters in question between CITY OF FAYETTEVILLE and ENGINEER arising

out of or relating to this Agreement or the breach thereof will be decided in a court of competent jurisdiction within Arkansas.

7.3 Audit: Access to Records

7.3.1 ENGINEER shall maintain books, records, documents and other evidence directly pertinent to performance on work under this Agreement in accordance with generally accepted accounting principles and practices consistently applied in effect on the date of execution of this Agreement. ENGINEER shall also maintain the financial information and data used by ENGINEER in the preparation of support of the cost submission required for any negotiated agreement or change order and send to CITY OF FAYETTEVILLE a copy of the cost summary submitted. CITY OF FAYETTEVILLE, the State or any of their authorized representatives shall have access to all such books, records, documents and other evidence for the purpose of inspection, audit and copying during normal business hours. ENGINEER will provide proper facilities for such access and inspection.

7.3.2 Records under Paragraph 7.3.1 above, shall be maintained and made available during performance on assisted work under this Agreement and until three years from the date of final payment for the project. In addition, those records which relate to any controversy arising out of such performance, or to costs or items to which an audit exception has been taken, shall be maintained and made available until three years after the date of resolution of such appeal, litigation, claim or exception.

7.3.3 This right of access clause (with respect to financial records) applies to:

7.3.3.1 Negotiated prime agreements:

7.3.3.2 Negotiated change orders or agreement amendments in excess of \$10,000 affecting the price of any formally advertised, competitively awarded, fixed price agreement:

7.3.3.3 Agreements or purchase orders under any agreement other than a formally advertised, competitively awarded, fixed price agreement. However, this right of access does not apply to a prime agreement, lower tier subagreement or purchase order awarded after effective price competition, except:

7.3.3.3.1 With respect to record pertaining directly to subagreement performance, excluding any financial records of ENGINEER;

7.3.3.3.2 If there is any indication that fraud, gross abuse or corrupt practices may be involved;

7.3.3.3.3 If the subagreement is terminated for default or for convenience.

7.4 Covenant Against Contingent Fees

7.4.1 ENGINEER warrants that no person or selling agency has been employed or retained to solicit or secure this Agreement upon an agreement of understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by ENGINEER for the purpose of securing business. For breach or violation of this warranty, CITY OF FAYETTEVILLE shall have the right to annul this Agreement without liability or at its discretion, to deduct from the

contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

7.5 Gratuities

7.5.1 If CITY OF FAYETTEVILLE finds after a notice and hearing that ENGINEER or any of ENGINEER's agents or representatives, offered or gave gratuities (in the form of entertainment, gifts or otherwise) to any official, employee or agent of CITY OF FAYETTEVILLE, in an attempt to secure an agreement or favorable treatment in awarding, amending or making any determinations related to the performance of this Agreement, CITY OF FAYETTEVILLE may, by written notice to ENGINEER terminate this Agreement. CITY OF FAYETTEVILLE may also pursue other rights and remedies that the law or this Agreement provides. However, the existence of the facts on which CITY OF FAYETTEVILLE bases such finding shall be in issue and may be reviewed in proceedings under the Remedies clause of this Agreement.

7.5.2 In the event this Agreement is terminated as provided in Paragraph 7.5.1, CITY OF FAYETTEVILLE may pursue the same remedies against ENGINEER as it could pursue in the event of a breach of the Agreement by ENGINEER. As a penalty, in addition to any other damages to which it may be entitled by law, CITY OF FAYETTEVILLE may pursue exemplary damages in an amount (as determined by CITY OF FAYETTEVILLE) which shall be not less than three nor more than ten times the costs ENGINEER incurs in providing any such gratuities to any such officer or employee.

7.6 Arkansas Freedom of Information Act

7.6.1 City contracts and documents, including internal documents and documents of subcontractors and sub-consultants, prepared while performing City contractual work are subject to the Arkansas Freedom of Information Act (FOIA). If a Freedom of Information Act request is presented to the CITY OF FAYETTEVILLE, ENGINEER will do everything possible to provide the documents in a prompt and timely manner as prescribed in the Arkansas Freedom of Information Act (A.C.A. §25-19-101 et seq.). Only legally authorized photocopying costs pursuant to the FOIA may be assessed for this compliance.

IN WITNESS WHEREOF, CITY OF FAYETTEVILLE, ARKANSAS by and through its Mayor, and ENGINEER, by its authorized officer have made and executed this Agreement as of the day and year first above written.

CITY OF FAYETTEVILLE, ARKANSAS

ENGINEER

By: _____

Mayor, Lioneld Jordan

By: _____

ATTEST:

By: _____

City Clerk

Title: President, Fayetteville

END OF AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES



APPENDIX 'A'

SCOPE OF SERVICES

PROFESSIONAL SERVICES AGREEMENT

CITY OF FAYETTEVILLE, ARKANSAS

OLD WIRE ROAD SANITARY SEWER UPGRADE; RAMSEY TO OVERCREST

1. Scope of Project

- a. Increase the capacity of the existing sanitary sewer line on Old Wire Road from Ramsey to Overcrest. Specifically, increase the capacity of 6,843 linear feet of existing sanitary sewer from manhole I-(08)001A to manhole I-(16)189. The existing line will be increased to a 15 inch diameter line as recommended in the Draft Wastwater Collection System 2014 Master Plan update by RJN Group.
- b. The upgrade will be completed to replace existing line segments with two new line segments required: Segments I-(09)086 to I-(09)021 and I-(16)189 to I-(09)097.
- c. Evaluate trenchless technologies to complete construction in the areas with limited access, in addition to environmentally sensitive areas.
- d. Coordinate closely with the CITY OF FAYETTEVILLE regarding drainage upgrades along Old Wire Road and Ramsey Avenue. CITY OF FAYETTEVILLE is designing drainage improvements in house.
- e. Obtain required regulatory agency permits (including Arkansas Department of Health and U.S. Army Corps of Engineers).
- f. Prepare construction phasing plans necessary to maintain continued traffic flow at all times for road crossings, unless agreed otherwise with the CITY OF FAYETTEVILLE. It is anticipated Township will be bored as to not damage existing pavement and Old Wire Road will be open cut.

2. Basic Services

The Scope of Services of the ENGINEER as described in the Agreement are further defined and described hereinafter.

3. Topographic Surveys

- a. Survey control shall be established on the State Plane Coordinate System.
- b. Locate all structures, streets, driveways, storm drains, creeks, existing marked utilities, fences, walls, decorative landscaping, house corners, sewer manholes, sewer stub outs and other features within 15 feet of centerline of proposed alignment (30 ft corridor).
- c. Request location and size of existing overhead and underground utilities from the utility companies.
- d. Notification letters will be mailed out to landowners before commencement of the topographic survey.
- e. Set temporary bench marks at approximately 1,000 foot intervals.
- f. Field locate known, marked and/or observable utilities within the project area. Where conflicts with new construction will or may occur, determine elevations of existing utilities by excavation methods. Excavation and exposure of the utility facilities will be provided by the owner of the utility. In the event the utility owner cannot or will not perform the excavation to expose the utility facilities, the ENGINEER will arrange to have the necessary excavation performed. Prior to performing the excavation, the ENGINEER will coordinate the excavation operations with the utility owner and require that a representative of the utility owner be present during the excavation activities. The costs associated with this work shall be reimbursed by the CITY OF FAYETTEVILLE.
- g. All survey work will be conducted with the standards of care as outlined in the Standards of Practice No. 1 (Revised May 21, 2009, updated 8-25-08) Arkansas Standards of Practice for Property Boundary Surveys and Plats.

4. Property Resolution/Exhibit A Map Preparation

- a. CITY OF FAYETTEVILLE will provide ownership information for properties along project route including copies of recorded plats, legal descriptions for unplatted tracts and easements and right of way information.
- b. Perform field surveys to determine existing monumentation and establish land lines, ownership lines, rights-of-way and easements.

- c. Reference existing monuments for replacement after construction.
- d. Prepare Exhibit A maps for any additional right of way, easements, and/or temporary construction easements required.
- e. All survey work and related right-of-way work will be conducted with the standards of care as outlined in the Standards of Practice No. 1 (Revised May 21, 2009, updated 8-25-08) Arkansas Standards of Practice for Property Boundary Surveys and Plats.

7. Conceptual Design Phase - 30%

- a. Prepare plan drawings (horizontal alignment) showing all existing facilities.
- b. Prepare plans and data including the following information:
 - (1) Survey data, centerline and stations, existing improvements, boring locations, bench marks, existing and proposed easements and right-of-way, temporary construction easements and structures.
 - (2) Proposed horizontal alignment.
 - (3) Prepare estimate of probable construction costs for primary and alternate designs (trenchless construction methods) including unit cost and total cost.

8. Final Design Phase - 100%

- a. Prepare plan and profile drawings showing all existing facilities. Horizontal scale of drawings to be 1 inch equals 20 feet or larger and vertical scale to be 1 inch equals 5 feet. Prepare final design plans to incorporate 30% design comments and include the following:
 - (1) Design and layout all proposed sanitary sewer horizontal and vertical alignment on plan and profile sheets. Show existing utilities and associated depths.
 - (8) Draft notes on plans to fully describe the construction work to be performed.
 - (9) Prepare recommendations for sequence of construction and prepare layout

of construction phasing and use of trenchless technologies.

- b. Prepare right-of-way plans to include the following:
 - (1) Plans to be drawn at 1" = 50' scale or larger scale.
 - (2) Identify property subdivisions, existing and proposed rights-of-way and easements, ownership names, addresses, utility easements, temporary construction easements and related information.
 - (3) Provide complete information on plans for, and prepare legal descriptions for, acquisition of rights-of-way and easements including residual or severed tracts. Prepare easement and right of way acquisition documents utilizing standard CITY OF FAYETTEVILLE forms.
 - (4) Provide tabulation of tracts, ownerships, and areas (permanent and temporary construction easements) for each acquisition.
- c. Prepare construction details which depict all typical items utilizing the CITY OF FAYETTEVILLE format and standard detail drawings where applicable.
- d. Provide construction bid proposal form. Provide a computer disk containing the bid proposal form in accordance with CITY OF FAYETTEVILLE format(s).
- e. Prepare a recommendation of construction contract time.
- f. Revise and update the summary of pay quantities sheet as necessary.
- g. Submit to the Arkansas Department of Health for review/approval
- h. Prepare and submit permit application to the US Army Corps of Engineers.
- i. Complete storm water pollution prevention plan.
- j. Prepare estimate of probable construction costs.
- k. Attend monthly design progress meeting with CITY OF FAYETTEVILLE.

9. Project Deliverables

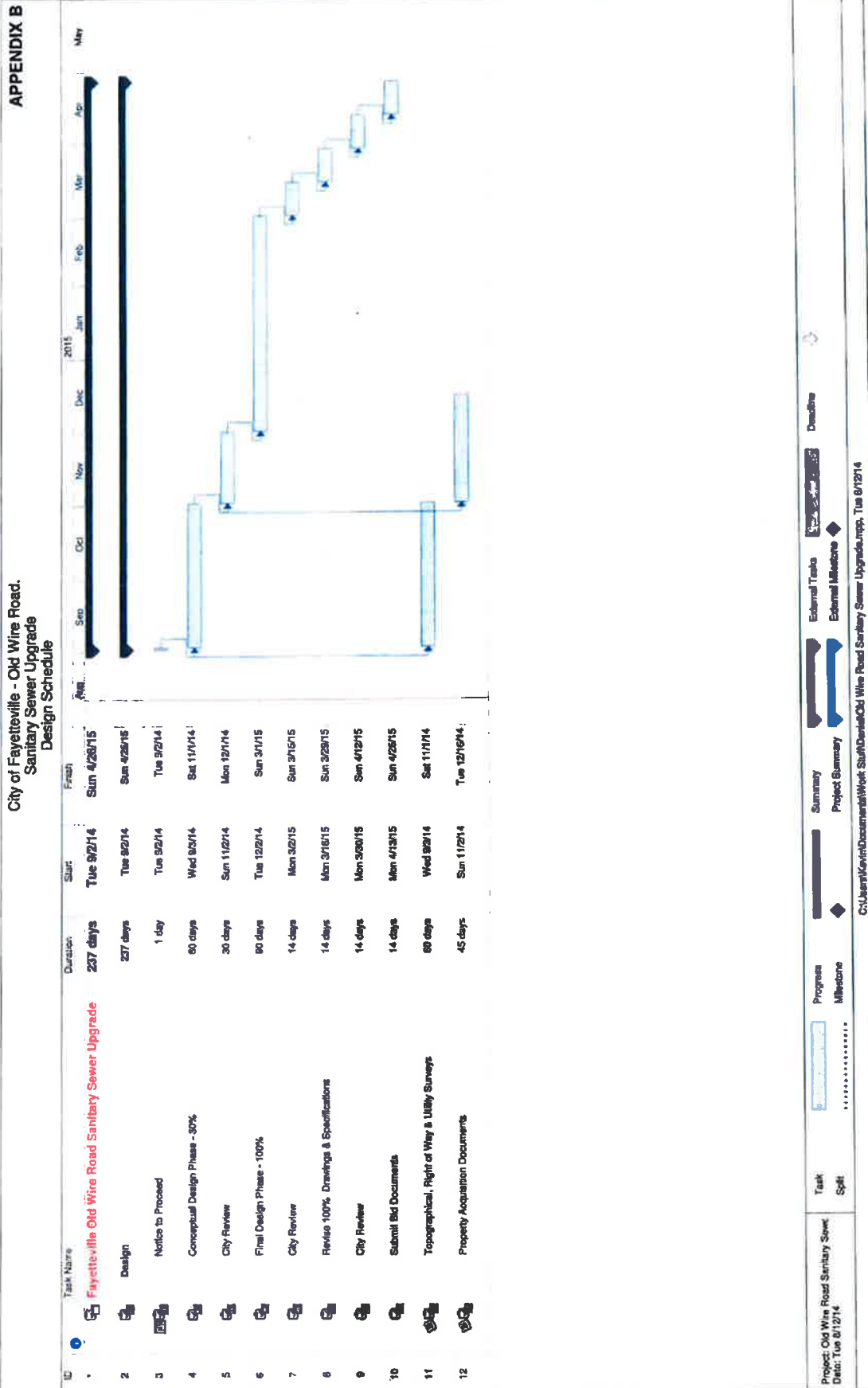
- a. Three copies of the Concept Plans (30%), design report and cost estimates.
- b. One copy of the Preliminary Plans to each potentially affected utility company.
- c. Three copies of the Final Plans, design report, cost estimates and other supporting documents.
- d. Three copies of the revised Final Plans, design summary, cost estimates and other supporting documents.
- e. Provide one copy of the construction bid proposal on a computer disc.
- f. Provide one copy of the revised Final Plans to each potentially affected utility company.
- g. Three copies of the Final Plans and Specifications to the Contractor.
- h. Three copies of the right-of-way plans, easements and acquisition documents.

10. General

- a. All sewer construction shall follow the guidelines described in the CITY OF FAYETTEVILLE Sewer Design Standards.
 - b. Plans shall be reducible, and legible, to scalable half size plans on 11" x17" sheets. One set of reproducible plans will be provided for right-of-way. In addition, provide preliminary and final plans on computer disk in a format compatible with the current AutoCAD release used by the CITY OF FAYETTEVILLE.
 - c. Record drawings shall be provided on computer disc in AutoCAD format in addition to the reproducible drawings.
 - d. Attend meetings with Owner and Agencies for plan review, project coordination and right-of-way.
- 11.** The services specified for the various phases of the Agreement shall be completed and all stipulated documents shall be submitted to the OWNER in accordance with the project schedule included as Appendix "B".
- 12.** The ENGINEER should anticipate a 30 calendar day review period by the CITY OF

FAYETTEVILLE between the completion of one phase and the beginning of the following phase. Additional time may be required for review by agencies.

13. The plans, specifications and contract documents authorized by this Agreement shall be prepared to allow construction bids to be received and construction to be performed under one construction contract.
14. Subcontracting of services by the ENGINEER shall have prior approval of the OWNER.



APPENDIX B

City of Fayetteville - Old Wire Road.
Sanitary Sewer Upgrade
Design Schedule

- 11 Topographical, Right of Way & Utility Surveys
Topographic Survey can proceed immediately/ Notice To Proceed is issued.
- 12 Property Acquisition Determinable
Detailed ROW Estimation documents will be provided once the Preliminary Design has been completed and approved

APPENDIX "C"

COMPENSATION

PROFESSIONAL SERVICES AGREEMENT

CITY OF FAYETTEVILLE, ARKANSAS

OLD WIRE ROAD SANITARY SEWER UPGRADE; RAMSEY TO OVERCREST

- CITY OF FAYETTEVILLE shall pay ENGINEER for Basic Services rendered an amount equal to the cumulative hours charged to the Project for each class of ENGINEER's employees multiplied by ENGINEER'S Hourly Rates as shown on the attached Exhibit "1", plus approved Reimbursable Expenses and ENGINEER's Consultant charges, if any. ENGINEER's Hourly Rates as shown on the attached Exhibit "1" shall be adjusted annually each January 1. For ENGINEER's Consultant charges, the CITY OF FAYETTEVILLE shall pay the ENGINEER the amount billed to the ENGINEER times a factor of 1.00.
- Basic Services: Payment by CITY OF FAYETTEVILLE based on ENGINEER's Hourly Rates shall approximate the following schedule. Payment for a specific phase shall not exceed the scheduled amount prior to completion of that phase. Underruns in one phase may be used to offset overruns in another phase as long as the contract amount is not exceeded.

Topographic Survey	\$ 26,711
Property Resolution/Exhibit A Map Preparation	\$ 48,903
Conceptual Design Phase - 30% Design	\$ 44,465
Final Design Phase - 100% Design	\$ 91,065
Bidding Services	\$ 7,500
Construction Administration	\$ (N/A)
Construction Observation	\$ (N/A)
 SUB-TOTAL Basic Services	 \$ 218,644

- Additional Services: Any and all Additional Services must be approved, and maximum amount to be paid for said services agreed to, in writing by CITY OF FAYETTEVILLE prior to rendering of same. CITY OF FAYETTEVILLE shall pay ENGINEER for Additional Services rendered an amount equal to the cumulative hours charged to the Project for each class of ENGINEER's employees multiplied by ENGINEER'S Hourly Rates as

shown on the Attached Exhibit "1", plus approved Reimbursable Expenses and ENGINEER'S Consultant charges, if any. For ENGINEER's Consultant charges, the CITY OF FAYETTEVILLE shall pay the ENGINEER the amount billed to the ENGINEER times a factor of 1.00.

- CITY OF FAYETTEVILLE shall pay ENGINEER the actual cost of Reimbursable Expenses incurred in connection with Basic and Additional Services. Reimbursable Expenses must be approved by the CITY OF FAYETTEVILLE prior to the incurrence of such expenses. The estimated amount of Reimbursable Expenses to be incurred in connection with Basic Services is:

SUB-TOTAL Reimbursable Expenses	\$ 10,000
---------------------------------	------------------

- The maximum payment to the ENGINEER for Basic Services and Reimbursable Expenses under this Agreement shall not exceed **\$ 228,644**
- ENGINEER shall submit invoices monthly for services rendered and expenses borne. The invoices shall be accompanied by a copy of the timesheets for all ENGINEER's personnel working on the project.
- The Hourly Rates used as a basis for payment mean salaries and wages (basic and incentive) paid to all personnel engaged directly on the PROJECT, including, but not limited to, engineers, architects, surveyors, designers, draftsman, specification writers, estimators, other technical personnel, stenographers, typists and clerks; plus the cost of customary and statutory benefits including, but not limited to, social security contributions, unemployment, excise and payroll taxes, workers' compensation, health and retirement benefits, bonuses, sick leave, vacation and holiday pay applicable thereto; plus operating margin or profit, non-project operating costs, and all general and administrative overhead costs, including but not limited to, furnishing and maintaining office facilities, furniture, utilities, vehicles and equipment.

Reimbursable Expenses mean the actual expenses incurred directly or indirectly in connection with the PROJECT for printing and reproduction costs and ENGINEER's consultant charges. Any and all expenditures for reimbursable expenses must be approved by the CITY OF FAYETTEVILLE prior to rendering or obtaining same. Overtime salary costs are not considered Reimbursable Expenses.

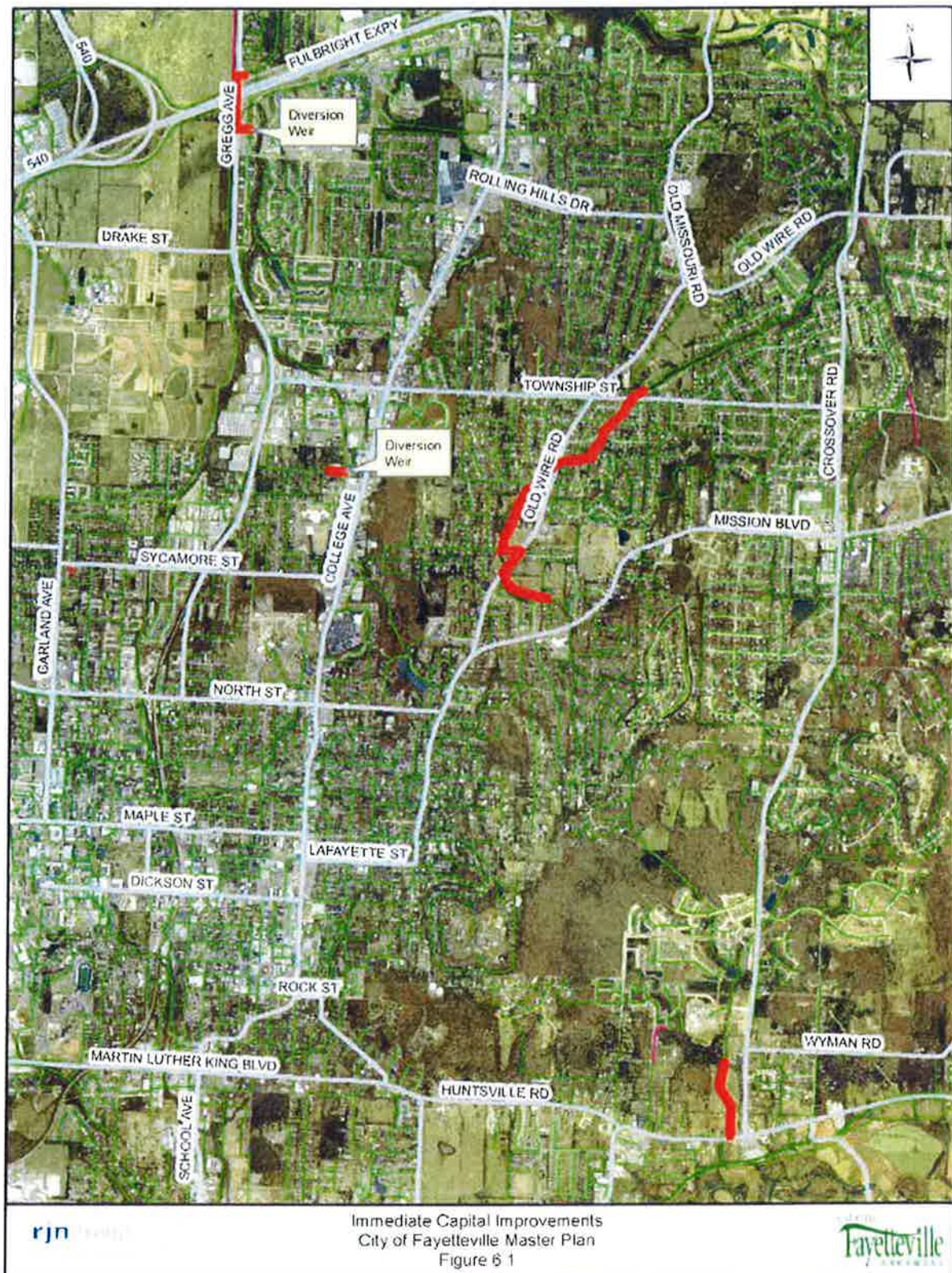


Exhibit "1"

2013 - 2014
McCLELLAND CONSULTING ENGINEERS, INC.
***STANDARD HOURLY RATES**
As of December 1, 2013

Clerical	\$45.00 - \$65.00
Construction Observer	\$55.00 - \$97.00
Chief Draftsman	\$68.00 - \$78.00
Draftsman	\$50.00 - \$69.00
Engineering Technician	\$55.00 - \$95.00
Geotech Engineer	\$84.00 - \$127.00
Principal Engineer	\$127.00 - \$175.00
Project Engineer	\$82.00 - \$128.00
Sr. Project Engineer	\$110.00 - \$120.00
Environmental Scientist/Designer	\$93.00 - \$105.00
Landscape Architect	\$60.00 - \$109.00
Media Specialist	\$55.00 - \$65.00
Project Accountant	\$60.00 - \$105.00
Project Manager	\$115.00 - \$135.00
Sr. Project Manager	\$127.00 - \$143.00
Registered Land Surveyor	\$100.00 - \$110.00
Soils Lab Supervisor	\$75.00 - \$127.00
Soils Lab Technician	\$42.00 - \$56.00
Specification Writer	\$48.00 - \$61.00
Survey Party Chief	\$75.00 - \$80.00
Survey (2 man or Robotic) Crew	\$107.00 - \$143.00
Survey (3 man) Crew	\$135.00 - \$175.00
Survey Field (1 Man or Rodman)	\$76.00 - \$80.00
Survey Technician	\$75.00 - \$95.00
Water Lab Supervisor	\$68.00 - \$85.00
Expenses	@ Cost
Mileage	56.5/mi
	current IRS rate

** Standard Hourly Rates may be adjusted annually in accordance with the normal salary review practices of McClelland Consulting Engineers.*





City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 84 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0078

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 5

BID #16-19 T-G EXCAVATING, INC.:

A RESOLUTION TO AWARD BID #16-19 AND AUTHORIZE A CONTRACT WITH T-G EXCAVATING, INC. IN THE AMOUNT OF \$2,373,333.00 FOR CONSTRUCTION SERVICES ASSOCIATED WITH THE OLD WIRE ROAD SEWER MAIN REPLACEMENT PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$237,333.30, AND TO APPROVE A BUDGET ADJUSTMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby awards Bid #16-19 and authorizes a contract with T-G Excavating, Inc. in the amount of \$2,373,333.00 for construction services associated with the Old Wire Road Sewer Main Replacement Project, and further approves a project contingency in the amount of \$237,333.30.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2016-0078

Legistar File ID

3/1/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jim Beavers

2/10/2016

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approving a construction contract with T-G Excavating, Inc. in the amount of \$2,373,333.00 for Construction Bid 16-19, Old Wire Road Sewer Main Replacement (Ramsey-Overcrest), approving a project contingency of \$237,333.30 and approving a budget adjustment.

Budget Impact:

5400.5700.5815.00		Water/Sewer	
Account Number		Fund	
14018.1		Sewer Rehabilitation-Ramsey/Overcrest	
Project Number		Project Title	
Budgeted Item?	Yes	Current Budget	\$ 2,387,227.00
		Funds Obligated	\$ 59,727.60
		Current Balance	\$ 2,327,499.40
Does item have a cost?	Yes	Item Cost	\$ 2,610,666.30
Budget Adjustment Attached?	Yes	Budget Adjustment	\$ 283,167.00
		Remaining Budget	\$ 0.10

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:

MEETING OF MARCH 1, 2016

TO: Mayor Jordan and City Council

THRU: Don Marr, Chief of Staff
Tim Nyander, Utilities Director
Water & Sewer Committee

FROM: Jim Beavers, P.E. Utilities Engineer

DATE: February 10, 2016

SUBJECT: Resolution approving a construction contract with T-G Excavating, Inc. in the amount of \$2,373,333.00 for Construction Bid 16-19, Old Wire Road Sewer Main Replacement (Ramsey-Overcrest), approving a project contingency of \$237,333.30 and approving a budget adjustment

RECOMMENDATION:

Staff recommends approving a construction contract with T-G Excavating, Inc. in the amount of \$2,373,333.00 for Construction Bid 16-19, Old Wire Road Sewer Main Replacement (Ramsey-Overcrest), approving a project contingency of \$237,333.30 and approving a budget adjustment.

BACKGROUND:

This project will rehabilitate the sanitary sewer collector from Ramsey north to Gulley Park. The project is an approved CIP project to address known sanitary sewer overflows indicated in the Master Plan.

DISCUSSION:

Public Bids were opened on February 2, 2016. The City received 4 bids as follows:

<u>Contractor/Bidder</u>	<u>Bid</u>
T-G Excavating, Inc.	\$2,373,333.00
Brothers Construction, Inc.	\$2,399,780.00
Crossland Heavy Contractors	\$2,457,188.00
Goodwin & Goodwin, Inc.	\$3,151,464.00

BUDGET/STAFF IMPACT:

Funds are available within the approved CIP projects 14018 Sewer Rehabilitation – Ramsey & Overcrest and a budget adjustment is attached to cover needed budgeted funds from the 02017 Sanitary Sewer Rehabilitation project.

ATTACHMENTS:

Staff Review Form
Purchase Order Request
Budget Adjustment
Agreement with T-G Excavating, Inc.
Bid Tabulation
Letter of Recommendation to Award, Garver Engineers
City Review Letter

City of Fayetteville - Purchase Order Request (PO) (Not a Purchase Order) All PO Requests shall be scanned to the Purchasing e-mail: Purchasing@fayetteville-ar.gov. Purchase shall not be made until an actual PO has been issued.						Requisition No.:		Date:	
Vendor #: 6779 Vendor Name: T-G Excavating, Inc.						P.O Number:			
Address: 26016 E Admiral Place FOB Point: Fayetteville						Mail ☒ Yes ☐ No		Legistar#: 2016-0078	
						Taxable ☐ Yes ☒ No			
City: Catoosa			State: OK			Zip Code: 74015		Ship to code: Fay	
Requester: Cheryl Partain						Requester's Employee #: 2548		Extension: 8224	
Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number	Project.Sub#	Inventory #	Fixed Asset #
1	Old Wire Road Sewer Main Replacement between Ramsey Avenue and Overcrest Street, Bid# 16-19	1	EA	2,373,333.00	2,373,333.00	5400.5700.5815.00	14018.1		
2					0.00				
3					\$0.00				
4					\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				
Special Instructions:						Subtotal: \$2,373,333.00			
						Tax: \$0.00			
						Total: \$2,373,333.00			
Approvals: Mayor: _____ Chief Financial Officer: _____ Dispatch Manager: _____ Department Director: _____ Budget Director: _____ Utilities Manager: _____ Purchasing Manager: _____ IT Director: _____ Other: _____									

DOCUMENT 00500 – AGREEMENT

BETWEEN OWNER AND CONTRACTOR

Contract Name/Title: Old Wire Road Sewer Replacement, Township Street to Ramsey Avenue

Contract No.:

THIS AGREEMENT is dated as of the _____ day of _____ in the year 20__ by and between The City of Fayetteville, Arkansas and _____ (hereinafter called Contractor).

ARTICLE 1 - WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The work under this Contract includes, but is not limited to:

the construction of a sewer main in the vicinity of Old Wire Road, in Fayetteville, Arkansas, including: approximately 6,650 feet of 15-inch and 16-inch PVC and/or ductile iron and/or polyethylene gravity sewer main, installed by open cut and/or by pipe bursting, as well as approximately 680 feet of 12-inch and 8-inch gravity sewer main, steel casings, street bores, manholes, sewer service wyres, sewer service connections, and related facilities.

The Contract includes work in City of Fayetteville Right-of-way and in General Utility Easements.

Refer to Section 00400-Bid Form for quantities.

ARTICLE 2 - ENGINEER

2.01 The Contract Documents have been prepared by McClelland Consulting Engineers, Inc. McClelland Consulting Engineers, Inc. assumes all duties and responsibilities, and has the rights and authority assigned to McClelland Consulting Engineers, Inc. in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

DOCUMENT 00500 – AGREEMENT (continued)

ARTICLE 3 - CONTRACT TIME

3.01 TIME OF THE ESSENCE:

- A. All time limits for milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

3.02 DATES FOR SUBSTANTIAL COMPLETION AND FINAL PAYMENT:

- A. The Work will be Substantially Completed within **180** calendar days after the date when the Contract Times commence to run as provided in the GENERAL CONDITIONS, and completed and ready for final payment in accordance with the GENERAL CONDITIONS within **210** calendar days after the date when the Contract Times commence to run.

3.03 LIQUIDATED DAMAGES:

- A. Owner and Contractor recognize that time is of the essence of this Agreement and that The City of Fayetteville will suffer financial loss if the Work is not completed within the time specified above, plus any extensions thereof allowed in accordance with the GENERAL CONDITIONS. The parties also recognize the delays, expense, and difficulties involved in proving the actual loss suffered by The City of Fayetteville if the Work is not Substantially Completed on time. Accordingly, instead of requiring any such proof, The City of Fayetteville and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay The City of Fayetteville Seven Hundred Fifty Dollars (\$750.00) for each calendar day that expires after the time specified above in Paragraph 3.02 for Substantial Completion until the Work is Substantially Complete. After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the time specified in Paragraph 3.02 for completion and readiness for final payment or any proper extension thereof granted by The City of Fayetteville, Contractor shall pay The City of Fayetteville Seven

DOCUMENT 00500 – AGREEMENT (continued)

Hundred Fifty Dollars (\$750.00) for each calendar day that expires after the time specified for completion and readiness for final payment.

ARTICLE 4 - CONTRACT PRICE

- 4.01 The CITY OF FAYETTEVILLE agrees to pay, and the CONTRACTOR agrees to accept, as full and final compensation for all work done under this agreement, the amount based on the prices bid in the Proposal (BID FORM) which is hereto attached, for the actual amount accomplished under each pay item, said payments to be made in lawful money of the United States at the time and in the manner set forth in the Specifications.
- 4.02 As provided in the General Conditions estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by ENGINEER as provided in the General Conditions. Unit prices have been computed as provided in the General Conditions.
- 4.03 Changes, modifications, or amendments in scope, price or fees to this contract shall not be allowed without a prior formal contract amendment approved by the Mayor and the City Council in advance of the change in scope, cost or fees.

ARTICLE 5 - PAYMENT PROCEDURES

- 5.01 **SUBMITTAL AND PROCESSING OF PAYMENTS:**
- A. Contractor shall submit Applications for Payment in accordance with the GENERAL CONDITIONS. Applications for Payment will be processed by Engineer as provided in the GENERAL CONDITIONS.
- 5.02 **PROGRESS PAYMENTS, RETAINAGE:**
- A. The City of Fayetteville shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment as recommended by Engineer, on or about the 15th day of each month during construction. All such payments will be measured by the schedule of values established in the GENERAL CONDITIONS (and in the case of Unit Price

DOCUMENT 00500 – AGREEMENT (continued)

Work based on the number of units completed) or, in the event there is no schedule of values, as provided in the General Requirements.

1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below, but, in each case, less the aggregate of payments previously made and less such amounts as Engineer shall determine, or The City of Fayetteville may withhold, in accordance with the GENERAL CONDITIONS.
 - a. 90% of Work Completed (with the balance being retainage). If Work has been 50% completed as determined by Engineer, and if the character and progress of the Work have been satisfactory to The City of Fayetteville and Engineer, The City of Fayetteville on recommendation of Engineer, may determine that as long as the character and progress of the Work subsequently remain satisfactory to them, there will be no additional retainage on account of Work subsequently completed, in which case the remaining progress payments prior to Substantial Completion will be an amount equal to 100% of the Work Completed less the aggregate of payments previously made; and
 - b. 100% of Equipment and Materials not incorporated in the Work but delivered, suitably stored, and accompanied by documentation satisfactory to The City of Fayetteville as provided in the GENERAL CONDITIONS.
2. Upon Substantial Completion, The City of Fayetteville shall pay an amount sufficient to increase total payments to Contractor to 95% of the Contract Price (with the balance being retainage), less such amounts as Engineer shall determine, or The City of Fayetteville may withhold, in accordance with the GENERAL CONDITIONS.

DOCUMENT 00500 – AGREEMENT (continued)

5.03 FINAL PAYMENT:

- A. Upon final completion and acceptance of the Work in accordance with the GENERAL CONDITIONS, The City of Fayetteville shall pay the remainder of the Contract Price as recommended by Engineer and as provided in the GENERAL CONDITIONS.

ARTICLE 6 - CONTRACTOR'S REPRESENTATIONS

6.01 In order to induce The City of Fayetteville to enter into this Agreement, Contractor makes the following representations:

- A. Contractor has examined and carefully studied the Contract Documents including the Addenda and other related data identified in the Bid Documents.
- B. Contractor has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, performance, and furnishing of the Work.
- C. Contractor is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, performance, and furnishing of the Work.
- D. Contractor has carefully studied all:
 - (1) Reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site; and
 - (2) Reports and drawings of a Hazardous Environmental Condition, if any, at the Site. Contractor acknowledges that The City of Fayetteville and Engineer do not assume responsibility for the accuracy or completeness of information and data shown or indicated

DOCUMENT 00500 – AGREEMENT (continued)

in the Contract Documents with respect to Underground Facilities at or contiguous to the Site.

- E. Contractor has obtained and carefully studied (or assumes responsibility of having done so) all such additional supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site or otherwise which may affect cost, progress, performance, and furnishing of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor and safety precautions and programs incident thereto.
- F. Contractor does not consider that any additional examinations, investigations, explorations, tests, studies, or data are necessary for the performing and furnishing of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.
- G. Contractor is aware of the general nature of work to be performed by The City of Fayetteville and others at the Site that relates to the Work as indicated in the Contract Documents.
- H. Contractor has correlated the information known to Contractor, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.
- I. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents and the written resolution thereof by Engineer is acceptable to Contractor.

DOCUMENT 00500 – AGREEMENT (continued)

- J. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 7 - CONTRACT DOCUMENTS

7.01 CONTENTS:

- A. The Contract Documents which comprise the entire Agreement between the City of Fayetteville and Contractor concerning the Work consist of the following and may only be amended, modified, or supplemented as provided in the GENERAL CONDITIONS:
1. This Agreement.
 2. Exhibits to this Agreement (enumerated as follows):
 - a. Notice to Proceed.
 - b. Contractor's Bid.
 - c. Documentation submitted by Contractor prior to Notice of Award.
 3. Performance, Payment, and other Bonds.
 4. Insurance Certificates.
 5. General Conditions.
 6. Supplementary Conditions.
 7. Specifications consisting of divisions and sections as listed in table of contents of Project Manual.

DOCUMENT 00500 – AGREEMENT (continued)

8. Drawings consisting of a cover sheet and sheets as listed in the table of contents thereof, with each sheet bearing the following general title:
Old Wire Road Sewer Main Replacement
Township Street to Ramsey Avenue
9. Addenda numbers Provide
10. The following which may be delivered or issued after the Effective Date of the Agreement and are not attached hereto: All Written Amendments and other documents amending, modifying, or supplementing the Contract Documents pursuant to the GENERAL CONDITIONS.

ARTICLE 8 - MISCELLANEOUS

8.01 TERMS:

- A. Terms used in this Agreement which are defined in the GENERAL CONDITIONS shall have the meanings stated in the GENERAL CONDITIONS.

8.02 ASSIGNMENT OF CONTRACT:

- A. No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by Law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

DOCUMENT 00500 – AGREEMENT (continued)

8.03 SUCCESSORS AND ASSIGNS:

- A. The City of Fayetteville and Contractor each binds himself, his partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

8.04 SEVERABILITY:

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon The City of Fayetteville and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

8.05 FREEDOM OF INFORMATION ACT:

- A. City contracts and documents prepared while performing city contractual work are subject to the Arkansas Freedom of Information Act. If a Freedom of Information Act request is presented to the City of Fayetteville, the contractor will do everything possible to provide the documents in a prompt and timely manner as prescribed in the Arkansas Freedom of Information Act (A.C.A. §25-19-101 et. seq.). Only legally authorized photocopying costs pursuant to the FOIA may be assessed for this compliance.

8.06 LIENS:

- A. **No liens against this construction project are allowed.** Arkansas law (A.C.A. §§18-44-501 through 508) prohibits the filing of any mechanics' of materialmen's liens in relation to this public construction project. Arkansas law requires and the contractor promises to provide and file with the Circuit Clerk of Washington County a bond in a sum equal to the amount of this contract. Any subcontractor or materials supplier may bring an action for

DOCUMENT 00500 – AGREEMENT (continued)

non-payment or labor or material on the bond. The contractor promises to notify every subcontractor and materials supplier for this project of this paragraph and obtain their written acknowledgement of such notice prior to commencement of the work of the subcontractor or materials supplier.

IN WITNESS WHEREOF, The City of Fayetteville and Contractor have signed this Agreement in quadruplicate. One counterpart each has been delivered to Contractor and Engineer. Two counterparts each has been delivered to The City of Fayetteville. All portions of the Contract Documents have been signed, initialed, or identified by The City of Fayetteville and Contractor or identified by Engineer on their behalf.

This Agreement will be effective on _____, 20__, which is the Effective Date of the Agreement.

CONTRACTOR: _____	CITY OF FAYETTEVILLE _____
<u>T-G EXCAVATING, INC.</u>	_____
By: <u><i>Lionel Jordan</i></u>	By: <u>Lionel Jordan</u>
Title: <u>President</u>	Title: <u>Mayor</u>

(SEAL)	(SEAL)
Attest <u><i>Ram H. Harty</i></u>	Attest _____
<u>CORPORATE SECRETARY</u>	

DOCUMENT 00500 - AGREEMENT (continued)

Address for giving notices

26016 E. ADMIRAL

CATOOSA, OK 74015

License No. 0003810116

Agent for Service of process

QUEST RESEARCH, INC.

(If Contractor is a corporation,
attach evidence of authority to
sign.)

Address for giving notices

113 W. Mountain St.

Fayetteville, AR 72701

(attach evidence of authority to
sign and resolution or other documents
authorizing execution of Agreement)

Approved As to Form:

By: _____

Attorney For: _____

END OF DOCUMENT 00500



City of Fayetteville, Arkansas

Purchasing Division
OFFICIAL BID TABULATION

Bid 16-19, Construction - Old Wire Road Sewer Main Replacement
Tuesday, February 02, 2016 at 2:00 PM, Local Time

				Brothers Construction, Inc.				Crossland Heavy Contractors				Goodwin & Goodwin, Inc.				T-G Excavating, Inc.				
ITEM	DESCRIPTION	Unit	Est Qty.	PRICE PER UNIT		TOTAL		PRICE PER UNIT		TOTAL		PRICE PER UNIT		TOTAL		PRICE PER UNIT		TOTAL		
1	Mobilization (Not to Exceed 5% of Total Contract Amount for all other items)	LS	1	x	\$	110,000.00	= \$	110,000.00	x	\$	110,000.00	= \$	110,000.00	x	\$	100,000.00	= \$	86,236.00	= \$	86,236.00
2	Bonds and Insurance	LS	1	x	\$	60,000.00	= \$	60,000.00	x	\$	45,000.00	= \$	45,000.00	x	\$	100,000.00	= \$	25,000.00	= \$	25,000.00
3	Act 291, 1993 Trench and Excavation Safety System	LS	1	x	\$	20,000.00	= \$	20,000.00	x	\$	500.00	= \$	500.00	x	\$	100,000.00	= \$	25,000.00	= \$	25,000.00
4	16-Inch Epoxy Lined Ductile Iron Sewer Main, Class 350 with Double Polywrap	LF	110	x	\$	131.00	= \$	14,410.00	x	\$	135.00	= \$	14,850.00	x	\$	240.00	= \$	230.00	= \$	25,300.00
5	16-Inch Restrained Joint Epoxy Lined Ductile Iron Sewer Main, Class 350 with Double Polywrap	LF	100	x	\$	150.00	= \$	15,000.00	x	\$	155.00	= \$	15,500.00	x	\$	260.00	= \$	270.00	= \$	27,000.00
6	15-Inch PVC Sewer Main, SDR-26	LF	3,284	x	\$	125.00	= \$	410,500.00	x	\$	58.00	= \$	190,472.00	x	\$	85.00	= \$	140.00	= \$	459,760.00
7	15-Inch Restrained Joint PVC Sewer Main, SDR-26	LF	264	x	\$	130.00	= \$	34,320.00	x	\$	88.00	= \$	23,232.00	x	\$	125.00	= \$	160.00	= \$	42,240.00
8	16-Inch Polyethylene Sewer Main, Installed By Pipe Bursting, Replacing Insituform Lined 12" VCP	LF	2,895	x	\$	135.00	= \$	390,825.00	x	\$	235.00	= \$	680,325.00	x	\$	320.00	= \$	180.00	= \$	521,100.00
9	12-Inch PVC Sewer Main, SDR-26	LF	150	x	\$	115.00	= \$	17,250.00	x	\$	50.00	= \$	7,500.00	x	\$	75.00	= \$	130.00	= \$	19,500.00
10	12-Inch Restrained Joint PVC Sewer Main, SDR-26	LF	99	x	\$	125.00	= \$	12,375.00	x	\$	68.00	= \$	6,732.00	x	\$	105.00	= \$	170.00	= \$	16,830.00
11	8-Inch PVC Sewer Main, SDR-26	LF	334	x	\$	70.00	= \$	23,380.00	x	\$	34.00	= \$	11,356.00	x	\$	60.00	= \$	120.00	= \$	40,080.00
12	8-Inch Restrained Joint PVC Sewer Main, SDR-26	LF	100	x	\$	90.00	= \$	9,000.00	x	\$	44.00	= \$	4,400.00	x	\$	65.00	= \$	140.00	= \$	14,000.00
13	4-Inch PVC Sewer Service, SCH 40, Including Trenching and Backfilling	LF	560	x	\$	35.00	= \$	19,600.00	x	\$	39.00	= \$	21,840.00	x	\$	30.00	= \$	15.00	= \$	8,400.00
14	Sewer Main Trenching and Backfilling, 0-6 Feet Deep	LF	773	x	\$	20.00	= \$	15,460.00	x	\$	25.00	= \$	19,325.00	x	\$	15.00	= \$	1.00	= \$	773.00
15	Sewer Main Trenching and Backfilling, 6-10 Feet Deep	LF	3,037	x	\$	23.00	= \$	69,851.00	x	\$	27.00	= \$	81,999.00	x	\$	25.00	= \$	1.00	= \$	3,037.00
16	Sewer Main Trenching and Backfilling, 10-14 Feet Deep	LF	134	x	\$	28.00	= \$	3,752.00	x	\$	31.00	= \$	4,154.00	x	\$	50.00	= \$	50.00	= \$	6,700.00
17	Sewer Main Trenching and Backfilling, 14-18 Feet Deep	LF	34	x	\$	40.00	= \$	1,360.00	x	\$	33.00	= \$	1,122.00	x	\$	150.00	= \$	75.00	= \$	2,550.00
18	4 Foot Diameter Standard Manhole, 0 Feet to 6 Feet Deep, with Epoxy Coated Interior	EA	28	x	\$	4,500.00	= \$	126,000.00	x	\$	3,500.00	= \$	98,000.00	x	\$	5,800.00	= \$	5,000.00	= \$	140,000.00
19	4 Foot Diameter Drop Manhole, 0 Feet to 6 Feet Deep, with Epoxy Coated Interior	EA	2	x	\$	6,000.00	= \$	12,000.00	x	\$	6,000.00	= \$	12,000.00	x	\$	7,500.00	= \$	7,000.00	= \$	14,000.00
20	Extra 4 ft Dia. Manhole Depth, Over 6 Feet Deep, with Epoxy Coated Interior	VF	60	x	\$	400.00	= \$	24,000.00	x	\$	315.00	= \$	18,900.00	x	\$	725.00	= \$	500.00	= \$	30,000.00
21	5 Foot Diameter Standard Manhole, 0 Feet to 6 Feet Deep, with Epoxy Coated Interior	EA	13	x	\$	5,500.00	= \$	71,500.00	x	\$	4,400.00	= \$	57,200.00	x	\$	6,900.00	= \$	7,000.00	= \$	91,000.00
22	Extra 5 ft Dia. Manhole Depth, Over 6 Feet Deep, with Epoxy Coated Interior	VF	19	x	\$	500.00	= \$	9,500.00	x	\$	425.00	= \$	8,075.00	x	\$	1,000.00	= \$	700.00	= \$	13,300.00
23	Remove Existing Manhole	EA	7	x	\$	1,000.00	= \$	7,000.00	x	\$	1,200.00	= \$	8,400.00	x	\$	1,000.00	= \$	400.00	= \$	2,800.00
24	Abandon Existing Manhole	EA	16	x	\$	800.00	= \$	12,800.00	x	\$	1,700.00	= \$	27,200.00	x	\$	800.00	= \$	700.00	= \$	11,200.00

25	Watertight Hinged Cover on New Manhole	EA	37	x	\$	575.00	=	\$	21,275.00	x	\$	850.00	=	\$	31,450.00	x	\$	800.00	=	\$	29,600.00	x	\$	1,100.00	=	\$	40,700.00
26	Watertight Hinged Cover Installed on Existing Manhole	EA	12	x	\$	575.00	=	\$	6,900.00	x	\$	1,000.00	=	\$	12,000.00	x	\$	1,200.00	=	\$	14,400.00	x	\$	1,200.00	=	\$	14,400.00
27	Sewer Pipeline Markers	EA	30	x	\$	75.00	=	\$	2,250.00	x	\$	150.00	=	\$	4,500.00	x	\$	100.00	=	\$	3,000.00	x	\$	100.00	=	\$	3,000.00
28	Sewer Service Wye on 15-Inch PVC, 15" SDR-26 x 4" SCH 40	EA	15	x	\$	750.00	=	\$	11,250.00	x	\$	700.00	=	\$	10,500.00	x	\$	625.00	=	\$	9,375.00	x	\$	500.00	=	\$	7,500.00
29	Sewer Service Tap on 16-Inch DIP, 16" x 4" SCH 40	EA	1	x	\$	1,500.00	=	\$	1,500.00	x	\$	1,500.00	=	\$	1,500.00	x	\$	850.00	=	\$	850.00	x	\$	450.00	=	\$	450.00
30	Sewer Service Tap on 16-Inch Polyethylene, 16" x 4" SCH 40, Machine Dug	EA	10	x	\$	1,600.00	=	\$	16,000.00	x	\$	1,700.00	=	\$	17,000.00	x	\$	1,300.00	=	\$	13,000.00	x	\$	450.00	=	\$	4,500.00
31	Sewer Service Tap on 16-Inch Polyethylene, 16" x 4" SCH 40, Hand Dug	EA	2	x	\$	2,250.00	=	\$	4,500.00	x	\$	2,000.00	=	\$	4,000.00	x	\$	2,500.00	=	\$	5,000.00	x	\$	2,000.00	=	\$	4,000.00
32	4-Inch Manhole Tap for Sewer Service	EA	3	x	\$	900.00	=	\$	2,700.00	x	\$	1,300.00	=	\$	3,900.00	x	\$	800.00	=	\$	2,400.00	x	\$	600.00	=	\$	1,800.00
33	Sewer Main Cleaning and Pre-TV Inspection of Existing Sewer to be Abandoned and/or Replaced	LF	7,900	x	\$	4.00	=	\$	31,600.00	x	\$	3.50	=	\$	27,650.00	x	\$	8.00	=	\$	63,200.00	x	\$	6.00	=	\$	47,400.00
34	Post TV Inspection of New Sewer Main	LF	7,336	x	\$	3.25	=	\$	23,842.00	x	\$	2.25	=	\$	16,506.00	x	\$	4.00	=	\$	29,344.00	x	\$	2.00	=	\$	14,672.00
35	Sewer Service Double Cleanout	EA	30	x	\$	575.00	=	\$	17,250.00	x	\$	350.00	=	\$	10,500.00	x	\$	300.00	=	\$	9,000.00	x	\$	120.00	=	\$	3,600.00
36	Plug Existing Sewer at Manhole Wall	EA	9	x	\$	500.00	=	\$	4,500.00	x	\$	850.00	=	\$	7,650.00	x	\$	1,000.00	=	\$	9,000.00	x	\$	300.00	=	\$	2,700.00
37	Flowable Fill in Existing 12" Sewer Being Abandoned	LF	1,255	x	\$	8.00	=	\$	10,040.00	x	\$	8.00	=	\$	10,040.00	x	\$	10.00	=	\$	12,550.00	x	\$	6.00	=	\$	7,530.00
38	Connect 15" or 16" Sewer to Existing Manhole, Core Drill Manhole Wall	EA	16	x	\$	2,200.00	=	\$	35,200.00	x	\$	650.00	=	\$	10,400.00	x	\$	2,000.00	=	\$	32,000.00	x	\$	600.00	=	\$	9,600.00
39	Connect 12" or 8" Sewer to Existing Manhole, Core Drill Manhole Wall	EA	3	x	\$	2,000.00	=	\$	6,000.00	x	\$	525.00	=	\$	1,575.00	x	\$	1,500.00	=	\$	4,500.00	x	\$	500.00	=	\$	1,500.00
40	Connect 4" Sewer to Existing Manhole, Core Drill Manhole Wall	EA	1	x	\$	1,000.00	=	\$	1,000.00	x	\$	425.00	=	\$	425.00	x	\$	1,000.00	=	\$	1,000.00	x	\$	400.00	=	\$	400.00
41	Concrete Dam on Gravity Sewer	EA	7	x	\$	900.00	=	\$	6,300.00	x	\$	550.00	=	\$	3,850.00	x	\$	1,000.00	=	\$	7,000.00	x	\$	500.00	=	\$	3,500.00
42	Pipe Bursting Insertion or Access Pits	EA	20	x	\$	2,650.00	=	\$	53,000.00	x	\$	1,300.00	=	\$	26,000.00	x	\$	2,500.00	=	\$	50,000.00	x	\$	800.00	=	\$	16,000.00
43	Diversion Pumping	LS	1	x	\$	41,000.00	=	\$	41,000.00	x	\$	35,000.00	=	\$	35,000.00	x	\$	120,000.00	=	\$	120,000.00	x	\$	30,000.00	=	\$	30,000.00
44	Rehabilitate Existing Manhole Interior and Apply Epoxy Coating on Interior	EA	13	x	\$	1,750.00	=	\$	22,750.00	x	\$	2,800.00	=	\$	36,400.00	x	\$	5,800.00	=	\$	75,400.00	x	\$	2,000.00	=	\$	26,000.00
45	Replace Existing Sewer at Line Sags, Prior to Pipe Bursting	LF	100	x	\$	150.00	=	\$	15,000.00	x	\$	170.00	=	\$	17,000.00	x	\$	150.00	=	\$	15,000.00	x	\$	100.00	=	\$	10,000.00
46	Point Repairs at Pipeline Obstructions, Prior to Pipe Bursting	EA	5	x	\$	1,000.00	=	\$	5,000.00	x	\$	5,000.00	=	\$	25,000.00	x	\$	2,000.00	=	\$	10,000.00	x	\$	800.00	=	\$	4,000.00
47	Abandonment of Unused Service Connections	EA	5	x	\$	300.00	=	\$	1,500.00	x	\$	60.00	=	\$	300.00	x	\$	800.00	=	\$	4,000.00	x	\$	100.00	=	\$	500.00
48	Asphalt Surface Restoration	SY	610	x	\$	70.00	=	\$	42,700.00	x	\$	41.00	=	\$	25,010.00	x	\$	85.00	=	\$	51,850.00	x	\$	100.00	=	\$	61,000.00
49	Concrete Surface Restoration	SY	70	x	\$	50.00	=	\$	3,500.00	x	\$	70.00	=	\$	4,900.00	x	\$	75.00	=	\$	5,250.00	x	\$	90.00	=	\$	6,300.00
50	Concrete Sidewalk Restoration	SY	30	x	\$	55.00	=	\$	1,650.00	x	\$	77.00	=	\$	2,310.00	x	\$	65.00	=	\$	1,950.00	x	\$	60.00	=	\$	1,800.00
51	Curb and Gutter Restoration	LF	110	x	\$	30.00	=	\$	3,300.00	x	\$	25.00	=	\$	2,750.00	x	\$	35.00	=	\$	3,850.00	x	\$	45.00	=	\$	4,950.00
52	Granular Fill	LF	915	x	\$	32.00	=	\$	29,280.00	x	\$	31.00	=	\$	28,365.00	x	\$	25.00	=	\$	22,875.00	x	\$	25.00	=	\$	22,875.00
53	Trench Stabilization Material	TON	50	x	\$	50.00	=	\$	2,500.00	x	\$	40.00	=	\$	2,000.00	x	\$	40.00	=	\$	2,000.00	x	\$	50.00	=	\$	2,500.00
54	Rip Rap	TON	200	x	\$	45.00	=	\$	9,000.00	x	\$	57.00	=	\$	11,400.00	x	\$	60.00	=	\$	12,000.00	x	\$	60.00	=	\$	12,000.00

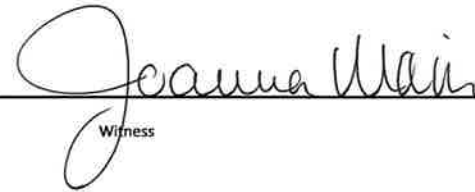
55	Sod Replacement	SY	6,000	x	\$ 5.00	=	\$ 30,000.00	x	\$ 5.75	=	\$ 34,500.00	x	\$ 8.00	=	\$ 48,000.00	x	\$ 3.00	=	\$ 18,000.00
56	30-Inch Bored Steel Casing	LF	264	x	\$ 1,000.00	=	\$ 264,000.00	x	\$ 1,200.00	=	\$ 316,800.00	x	\$ 600.00	=	\$ 158,400.00	x	\$ 750.00	=	\$ 198,000.00
57	24-Inch Bored Steel Casing	LF	99	x	\$ 715.00	=	\$ 70,785.00	x	\$ 775.00	=	\$ 76,725.00	x	\$ 475.00	=	\$ 47,025.00	x	\$ 550.00	=	\$ 54,450.00
58	16-Inch Bored Steel Casing	LF	140	x	\$ 480.00	=	\$ 67,200.00	x	\$ 485.00	=	\$ 67,900.00	x	\$ 350.00	=	\$ 49,000.00	x	\$ 350.00	=	\$ 49,000.00
59	8-Inch Direct Bury Steel Casing	LF	60	x	\$ 100.00	=	\$ 6,000.00	x	\$ 115.00	=	\$ 6,900.00	x	\$ 250.00	=	\$ 15,000.00	x	\$ 90.00	=	\$ 5,400.00
60	Erosion Control	LS	1	x	\$ 20,000.00	=	\$ 20,000.00	x	\$ 70,000.00	=	\$ 70,000.00	x	\$ 48,000.00	=	\$ 48,000.00	x	\$ 30,000.00	=	\$ 30,000.00
61	Audio/Video Tape Recordings	LS	1	x	\$ 5,000.00	=	\$ 5,000.00	x	\$ 4,200.00	=	\$ 4,200.00	x	\$ 5,000.00	=	\$ 5,000.00	x	\$ 10,000.00	=	\$ 10,000.00
62	Site Photographs	LF	1	x	\$ 5,000.00	=	\$ 5,000.00	x	\$ 2,700.00	=	\$ 2,700.00	x	\$ 3,000.00	=	\$ 3,000.00	x	\$ 5,000.00	=	\$ 5,000.00
63	Tree Protection Fencing	LF	5,000	x	\$ 1.75	=	\$ 8,750.00	x	\$ 3.25	=	\$ 16,250.00	x	\$ 8.00	=	\$ 40,000.00	x	\$ 1.00	=	\$ 5,000.00
64	Temporary Construction Fencing	LF	500	x	\$ 1.75	=	\$ 875.00	x	\$ 6.50	=	\$ 3,250.00	x	\$ 28.00	=	\$ 14,000.00	x	\$ 15.00	=	\$ 7,500.00
TOTAL BASE BID							\$ 2,399,780.00				\$ 2,457,188.00				\$ 3,151,464.00			\$ 2,373,333.00	

*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials.

Indicated Calculation Correction

CERTIFIED:


Andrea Rennie, Purchasing Manager


Witness

2-4-16

Date



1810 N. College Avenue
P.O. Box 1229
Fayetteville, AR 73703/72702-1229
479-443-2377/Fax 479-443-9241
www.mcclelland-engrs.com

February 4, 2016

Mr. Jim Beavers, PE
Utilities Engineer
City of Fayetteville
2435 Industrial Drive
Fayetteville, AR 72701

RE: Bid No. 16-19, Construction – Old Wire Road Sewer Main Replacement
Recommendation of Award

Dear Mr. Beavers:

On Tuesday, February 2, 2016 we opened bids on the referenced project and received four responsive bids. T-G Excavating, Inc. of Catoosa, OK is the low bidder with a bid in the amount of \$2,373,333.00. The certified bid tabulation detailing all bids is attached for reference.

We have reviewed T-G Excavating's bid and received good feedback from their references; therefore, we recommend awarding the bid to T-G Excavating, Inc. in the amount of \$2,373,333.00.

Please do not hesitate to call should you have any questions and as always, thanks for allowing us to be of service.

Sincerely,
McClelland Consulting Engineers, Inc.

A handwritten signature in blue ink, appearing to read "N. Batker", is written over a light blue circular stamp.

Nicholas R. Batker, PE, CFM
Project Manager

Encl: Certified Bid Tabulation

February 5, 2016

Sandra K. Herring
T-G Excavating, Inc.
26016 E. Admiral Place
Catoosa, Oklahoma 74015

Re: City of Fayetteville, Arkansas; Construction Contract, BID 16-19, Old Wire Road Sewer Main Replacement.

Ms. Herring,

The City of Fayetteville, Arkansas publicly opened bids on February 2, 2016 for BID 16-19, Old Wire Road Sewer Main Replacement. Your company is the low bidder. The Engineer of Record, McClelland Consulting Engineers (MCE), has recommended that the City award the construction contract to your company.

The City of Fayetteville's contract review process requires that you sign the proposed "Agreement" (specification section 00500) prior to staff review. The review process is an internal pdf review by many departments including budget, accounting, legal, purchasing, Chief of Staff... After successful staff review the Fayetteville City Council will review the requested contract.

Please fill in and sign, but do not date, the copy of the Agreement, section 00500 (pages 10 and 11 copy attached), and return signed pdf to me.

Please note that this request and your signing of the proposed Agreement does not guarantee that the City of Fayetteville City Council will approve the contract. This request does not obligate the City of Fayetteville but it is the start of the review process for the proposed contract. You will not have an Agreement/Contract until the City of Fayetteville City Council has approved the proposed contract, and you and the Mayor of Fayetteville have executed the approved Agreement/Contract. If the City Council approves the contract, then MCE will provide the notice of award and the formal Agreements/books for execution.

In order to submit the proposed contract for the March 1, 2016 City Council meeting I need your signed review Agreement on Monday, February 8, 2016.

I appreciate your help to start the contract review process. Please call me and/or email if you have any questions, or if I can assist in any way.

Sincerely,



Jim Beavers, P.E.
Fayetteville Utilities Engineer
479-444-3452
jbeavers@fayetteville-ar.gov
Via email, copy to MCE

A BA is needed in the Sewer Rehabilitation - Ramsey/Overcrest project to cover all of TG Excavating's construction costs. The project is an approved CIP project to address known sanitary sewer overflows indicated in the Wastewater Master Plan. The original project budgeted amount is insufficient to cover the total cost. Budgeted funds from the Sanitary Sewer Rehabilitation Project needs to be utilized to cover the construction cost.

RESOLUTION/ORDINANCE

POSTED: /

v.20150925

[illegible]



City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 105 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0087

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 6

HUB INTERNATIONAL CONTRACT:

A RESOLUTION TO APPROVE A ONE YEAR CONTRACT WITH HUB INTERNATIONAL IN THE AMOUNT OF \$13,000.00 WITH AUTOMATIC RENEWALS FOR THREE ADDITIONAL ONE YEAR TERMS FOR THE PROVISION OF INSURANCE BROKERAGE AND CONSULTATION SERVICES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby approves a one year contract with HUB International in the amount of \$13,000.00 with automatic renewals for three additional one year terms for the provision of insurance brokerage and consultation services.

City of Fayetteville Staff Review Form

2016-0087

Legistar File ID

3/1/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Andrea Rennie

2/11/2016

Purchasing /
Finance & Internal Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Award RFP 15-07 to HUB International for Insurance Broker and Consultant Services in the amount of \$13,000 per year for a one year contract with three automatic one-year renewal options.

Budget Impact:

1010.1610.5314.00

General

Account Number

Fund

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 14,000.00

Funds Obligated \$ -

Current Balance **\$ 14,000.00**

Does item have a cost? Yes

Item Cost \$ 13,000.00

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget **\$ 1,000.00**

V20140710

Previous Ordinance or Resolution # 175-10

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF MARCH 01, 2016

TO: Mayor Jordan
Fayetteville City Council

THRU: Paul A. Becker, Finance Director

FROM: Andrea Rennie, Purchasing Manager

DATE: Friday, February 12, 2016

SUBJECT: RFP 15-07, Insurance Broker of Record Services Contract

RECOMMENDATION:

Staff recommends a contract for Insurance Broker of Record Services with Hub International. This contract is for one (1) year with three (3) one-year automatic renewal options. The contract fee is set at \$13,000 per year.

BACKGROUND:

The City contracts with a broker-of-record for the marketing and placement of the City's professional and law liability, property, and casualty coverage and for providing other insurance-related broker, risk management and consultant services.

DISCUSSION:

In 2015 the City went out for a Request for Proposal (RFP) per RFP 15-07 and selected HUB International.

Proposals were received from four (4) respondents including Arthur J Gallagher & Co., Farris Insurance Agency of Springdale, HUB International and Stephens Insurance, LLC. Fees ranged from \$7,250 to \$40,000 per year. HUB International was selected by the committee.

Hub International is rated the 10th largest Insurance Broker in the United States. This provides the City with power when negotiating the City's insurance rates. Their office is located in Little Rock, Arkansas with offices all over the United States and Canada. They have approximately 8,000 employees.

BUDGET/STAFF IMPACT:

Funds exist for this purchase within budget approved by City Council.

Attachments:

- Signed contract by HUB International
- RFP 15-07 Submittal by HUB International
- PO Request to HUB International



City of Fayetteville, Arkansas

Contract for Insurance Brokerage and Consultation Services
Renewal Terms: One year with three automatic one year renewals

This contract executed this ____ day of _____, 2016, between the City of Fayetteville, Arkansas, and HUB International. In consideration of the mutual covenants contained herein, the parties agree as follows.

WITNESSETH:

WHEREAS, City has previously determined that it has a need for INSURANCE BROKERAGE & CONSULTATION SERVICES; and

WHEREAS, City, after soliciting competitive proposals for such services pursuant to City of Fayetteville RFP 15-07 (herein after referred to as Request for Proposal or RFP), City has awarded this contract to HUB International; and

WHEREAS, HUB International has represented that it is able to satisfactorily provide these services according to the terms and conditions of the RFP, which are incorporated herein by reference, and the terms and conditions are contained herein; and

NOW THEREFORE, in consideration of the above and mutual covenants contained herein, the parties agree as follows:

1. **Services to be Performed:** HUB International hereby agrees to provide the City with INSURANCE BROKERAGE SERVICES, as requested and more specifically outlined in the RFP, this agreement, and all subsequent official documents that form the Contract Documents for this Agreement. HUB International shall provide, as a minimum, professional services and dedicated personnel necessary to perform the following:

- a. Develop a complete understanding of the City's areas of exposure and consult with City representatives about short and long term solutions.
- b. Evaluate existing insurance contracts, self-retained risk and claims history and make recommendations concerning any changes, modifications, and/or additions in the terms, conditions and coverage limits needed to yield a comprehensive risk management program to protect the interests of the City.
- c. Identify programs, products and insurers capable of meeting the City's insurance needs and prepare specifications for markets capable of quoting for upcoming renewals.

- d. Approach appropriate markets on behalf of the City to obtain pricing with respect of the program adopted by the City. Competitive quotes from well rated insurance carriers will be obtained for each type of risk.
- e. Present for City consideration, in an understandable format, an evaluation of the results of each solicitation, with a comprehensive financial analysis and recommendations for selection of an insurer for each type of risk.
- f. Negotiate on the City's behalf the details of insurance contracts with selected carriers and audit resulting policies for accuracy of coverage, terms and conditions, and compliance with financial arrangements and administrative procedures acceptable to the City.
- g. Provide evaluation, basic training and education relative to loss control, safety, claims management, and related topics in the area of risk management.
- h. Provide assistance in the form of advisory services or written reports as is customarily expected from a professional insurance Broker/Consultant.
- i. Provide claims processing support with insurance carriers for all policies, and produce quarterly written reports with loss runs. Address areas of concern, including the need for training and other preventive measures.
- j. Annually, approximately first week in May, Broker/Consultant will prepare a stewardship report which will include a complete list of insurance in force, an evaluation of the overall insurance program, including recommendations for change and a forecast of market conditions and estimated premium for future budgeting purposes. HUB International assumes no liability in the event of inaccurate forecasts and premium estimates. At the time of the presentation of the stewardship report City personnel and Broker/Consultant will discuss any changes which are appropriate in services to be performed for the succeeding year.

2. **Time of Service:** Services shall be performed in a timely manner, as specified in the RFP.

3. **Compensation:** As compensation for HUB International providing services to the City as described herein, the City shall pay HUB International in arrears, based on the submission of invoices for work completed and properly authorized.

- a. Amount not to exceed \$13,000 per year, not including policy premiums to be billed separately. Payments will be made within 30 days of receipt of invoice.

b. In the event that operations change substantially by either the addition or deletion of other operations or entities or a substantial change in the scope and nature of the City's insurance program, the City will negotiate in good faith to revise compensation upward or downward as appropriate.

c. Broker/Consultant shall disclose commissions received. If commissions exceed agreed-upon compensation hereunder, excess commissions will be returned to the City if permitted by law.

4. **Insurance:** The HUB International shall provide and maintain in force at all times during the term of the services contemplated herein insurance for Workers' Compensation, Commercial General Liability, Automobile Liability, and Errors and Omissions Liability. Such policies shall be issued by companies authorized to do business in the State of Arkansas. Evidence of such coverage is to be submitted with contract approval. Minimum amount for Commercial General Liability and Errors and Omissions Liability is \$1,000,000 aggregate.

5. **Term of Agreement:** Services performed pursuant to this Contract shall commence upon execution of this agreement and continue for a period of ONE (1) year, unless canceled or terminated within thirty (30) days written notice by either party. This contract may be automatically renewed for three (3) additional one (1) year terms. This option shall be exercised only if all prices, terms and conditions remain the same. In the event of contract cancellation, claims for compensation owed by the City shall be limited to verifiable services rendered.

6. **Amendment of Contract:** This Contract may be amended only by mutual agreement of the parties.

7. **Legal Compliance:** HUB International is responsible for full and complete compliance with all applicable laws, rules, regulations and licensing requirements imposed by any public authority having jurisdiction.

8. **Approval of Agent:** The City The City reserves the right to require the Broker/Consultant to replace the assigned agent with another agent of the same company if, in the opinion of the City staff, the agent is not rendering or is incapable of rendering the quality of service and cooperation required.

9. **Auditable Records:** The HUB International shall maintain such accounts and records in connection with its performance of services for the City as may reasonably be required by the City. HUB International shall, at any reasonable time during the term and for a period of one year following the completion of work under the contract, afford the City's agents and auditors reasonable facilities and access for examination and audit of its records pertaining to its performance and shall, upon request by the City, produce and exhibit all such records.

10. **Assignment and Subcontracting:** HUB International shall perform this contract. No assignment or subcontracting shall be allowed without the prior written consent of the City. In the event of a corporate acquisition and/or merger, HUB International shall provide written notice to the City within thirty (30) business days of such notice of action or upon the occurrence of said action, whichever occurs first. The right to terminate this contract, which shall not be unreasonably exercised by the City, shall include, but not be limited to, instances

in which a corporate acquisition and/or merger represent a conflict of interest or are contrary to any local, state, or federal laws. Action by the City awarding a proposal to a Proposer, which has disclosed its intent to assign or subcontract in its response to the RFP, without exception shall constitute approval for purposes of this Agreement.

11. **Cancellation:** The City of Fayetteville reserves the right to cancel this Contract, without cause, by giving thirty (30) days' notice to HUB International of the intent to cancel, or with cause if at any time HUB International fails to fulfill or abide by any of the terms or conditions specified.

Failure of the HUB International to comply with any of the provisions of this contract shall be considered a material breach of contract and shall be cause for immediate termination of the contract at the discretion of the City of Fayetteville.

In addition to all other legal remedies available to the City of Fayetteville, the City reserves the right to cancel and obtain from another source any services which have not been provided within the period of time stated in the proposal, or if no such time is stated, within a reasonable period of time from the date of order or request, as determined by the City.

In the event that sufficient budgeted funds are not available for a fiscal period, the City shall notify HUB International of such occurrence and the Contract shall terminate on the last day of the then current fiscal period without penalty or expense to the City. The City reserves the right to terminate within the thirty (30) day notice because of budgetary issues.

12. **Permits & Licenses:** HUB International shall secure and maintain any and all permits and licenses required to complete this contract.

13. **Minimum Insurance Requirements:** HUB International shall maintain insurance in at least the amounts required in the RFP throughout the term of this contract. HUB International must provide a Certificate of Insurance in accordance with the insurance requirements listed within the RFP, evidencing such coverage prior to issuance of a purchase order or commencement of any work under this contract. HUB International shall ensure that any subcontractors or persons hired by subcontractors maintain the same level of insurance coverage as HUB International.

14. **Indemnification:** HUB International shall indemnify, pay the cost of defense, including but not limited to attorneys' fees, and hold harmless the City from all suits, actions or claims of any character brought on account of any injuries or damages received or sustained by any person, persons, or property by or from the said HUB International; or by, or in consequence of any neglect in safeguarding the work; or on account of any act or omission, neglect or misconduct of HUB International; or by, or on account of, any claim or amounts recovered

under the Workers' Compensation Law or of any other laws, by-laws, ordinances, order of decree, except only such injury or damage as shall have been occasioned by the sole negligence of the City of Fayetteville. The first ten dollars (\$10.00) of compensation received by HUB International represents specific consideration for this indemnification obligation.

Furthermore, HUB International, in performing its obligations under this contract, is acting independently and the City assumes no responsibility of liability for the HUB International's acts or omissions to third parties, and HUB International shall agree to indemnify and hold harmless, the City, its officers and employees against any and all claims, lawsuits, judgments, costs and expenses for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by HUB International's breach of the terms or provisions of contract, or by any negligent act or omission of HUB International, its officers, agents, employees, or invitee, in the performance of this contract; except that the indemnity specified in this paragraph shall not apply to any liability resulting from the sole negligence of the City, its officers, or employees. In the event of joint and concurrent negligence of both HUB International and the City, responsibility and indemnity, if any, shall be apportioned comparatively in accordance with the laws of the State of Arkansas, without, however, waiving any governmental immunity available to the City under Arkansas law and without waiving any defense of the parties under Arkansas law. This paragraph is solely for the benefit of HUB International and the City and is not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

15. Governing Law & Jurisdiction: Legal jurisdiction to resolve any disputes shall be Washington County, Arkansas with Arkansas law applying to the case.

16. Severability: The terms and conditions of this agreement shall be deemed to be severable. Consequently, if any clause, term, or condition hereof shall be held to be illegal or void, such determination shall not affect the validity of legality of the remaining terms and conditions, and notwithstanding any such determination, this agreement shall continue in full force and effect unless the particular clause, term, or condition held to be illegal or void renders the balance of the agreement impossible to perform.

17. Changes in Scope or Price: Changes, modifications, or amendments in scope, price, or fees to this contract shall not be allowed without a prior formal contract amendment approved by the Mayor and the City Council in advance of the change in scope, cost or fees.

18. Freedom of Information Act: Documents prepared while performing City contractual work are subject to the Arkansas Freedom of Information Act. If a Freedom of Information Act request is presented to the City of Fayetteville, HUB International will do everything possible to provide the documents in a prompt and timely

manner as prescribed in the Arkansas Freedom of Information Act (A.C.A. §25-19-101 et. seq.) Only legally authorized photocopying costs pursuant to the FOIA may be assessed for this compliance.

19. Documents Comprising Contract: The contract shall include this Agreement for INSURANCE BROKERAGE SERVICES, as well as the following documents, which are incorporated herein by reference.

- a. City of Fayetteville's Request for Proposal and all of its addenda and attachments;
- b. HUB International's Certificate of Insurance as required, listing the City as an additional insured;
- c. HUB International's Proposal.

If there is a conflict between the terms of this Agreement and the above referenced documents, the conflict shall be resolved as follows: the terms of this Agreement shall prevail over the other documents, and the terms of the remaining documents shall be given preference in their above listed order.

WITNESS OUR HANDS THIS _____ DAY OF _____, 2016.

HUB INTERNATIONAL

CITY OF FAYETTEVILLE, ARKANSAS

By: _____

LIONELD JORDAN, Mayor

Printed Contractor Name & Title

ATTEST:

Sondra E. Smith, City Clerk

Date Signed: _____

Business Address

City, State & Zip Code

Date Signed: _____

City of Fayetteville

Request for Proposal

Insurance Brokerage & Consulting Services

RFP-15-07

Due: Tuesday, September 22, 2015 before 2:00p.m.

Prepared by
HUB International Limited

9/18/2015



Eric Herget
HUB International of Arkansas
425 W. Capitol Ave.
Little Rock, AR 72201
501-801-5700
eric.herget@hubinternational.com

www.hubinternational.com



Executive Summary:

HUB International Limited is committed to exceeding the service requirements of the City of Fayetteville. We welcome the opportunity to contribute to the improvement and expansion of risk management services provided to your organization.

We Understand Your Needs

Your Hub team knows the public entity business. We have worked with many communities in AR through the years. We understand the processes that your purchasing department must adhere to. Budgets are tight in most cities and towns across the country. We suspect Fayetteville is no different. You have a set amount of money available to fund your risk management program and you do not like surprises that impact the risk budget.

You are insuring your buildings and other physical assets. You protect your city officials and your law enforcement team. You have parks and trails that are near railroad tracks and this poses certain risks which we understand. You have data that is on servers and laptops that is highly confidential. If there is a breach of this data, we can guide you through the process. Our risk control team can help you with emergency response, business continuity and disaster recovery planning. We can help you determine the proper values for insuring your buildings, park facilities, hangars and waste water plants. You will occasionally have special projects. I recall a rubber gorilla that needed physical damage coverage while it was in your possession. We are advising another Arkansas city on insurance for their floating WWII Submarine that accommodates overnight groups. We are insuring a Tug boat that is being towed from CA to AR through the Panama canal for this same city as well.

Hub is a global insurance leader and our over 1 million clients have many needs. We are ready to work with the City of Fayetteville to customize a program that achieves your goals.

Our Goal Is To Help You Achieve Your Goals

Your goals for your insurance and risk management program are:

- Know the City's exposures, evaluate the current program
- Know the markets and prepare quality submissions
- Assist with claims, loss control and safety

The HUB Solution Will Deliver The Following Results

The HUB Solution allows you to meet your needs and achieve your goals in the following ways:

- We know the markets for coverage's you currently purchase, we will have competitive options
- We understand the Municipal League and how their program works
- We know the City is afforded certain immunity and understand how to blend this into your liability program
- We are available to interact with your City Attorney's office as needed
- We can attend council meetings if needed
- The team assigned to your account has the experience you need and want
- We promise to handle many of your needs within minutes and I am your 24/7 contact

You can count on your team of HUB specialists for expertise, market knowledge and creativity as well as access to the collective knowledge of thousands of HUB experts across the U.S. and Canada. This proposal describes some of the HUB resources particularly relevant to your current insurance needs and risk management concerns. As your business changes your HUB Client Service Team will also change to include specialists in each line of coverage and risk management function critical to your success.

We are confident that HUB International Limited is uniquely qualified to provide the customized portfolio of top quality insurance and risk management services you need to achieve your strategic goals cost-effectively. We welcome the opportunity to put our resources to work for you.

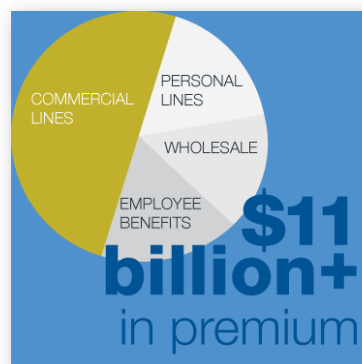
Regards,

Eric Herget
President
Hub International of AR

Part I - Business Organization: *The proposal shall include relevant historical data and identification of the office or subordinate element which will perform the work contemplated herein. The owners and principal management personnel of the firm shall be identified fully. Annual market volume by line of coverage and the number and size of accounts shall be disclosed and provided.*

The History of HUB International Limited

HUB International started with the merger of 11 independent, privately held insurance brokers in Canada in 1998. Today, we continue to grow both organically and through acquisition. We are the largest middle-market broker in Canada, the 10th largest broker in North America and ranked 11th in the world. Our acquisition strategy is focused on completing our U.S. presence as well as targeting acquisitions that advance our position in specific business channels. HUB International is a privately held global broker, headquartered in Chicago Illinois.



HUB Organizational Structure

HUB International is structured around large regional “hubs” with satellite offices strategically located throughout the United States and Canada. The “hub” that will be servicing the City of Fayetteville is located in Little Rock Arkansas under the management of Eric Herget.

We understand that local presence provides a significant competitive advantage. Personal service, individual attention and the ability to respond quickly to changing insurance needs and market influences are just a few of the benefits of our local presence.

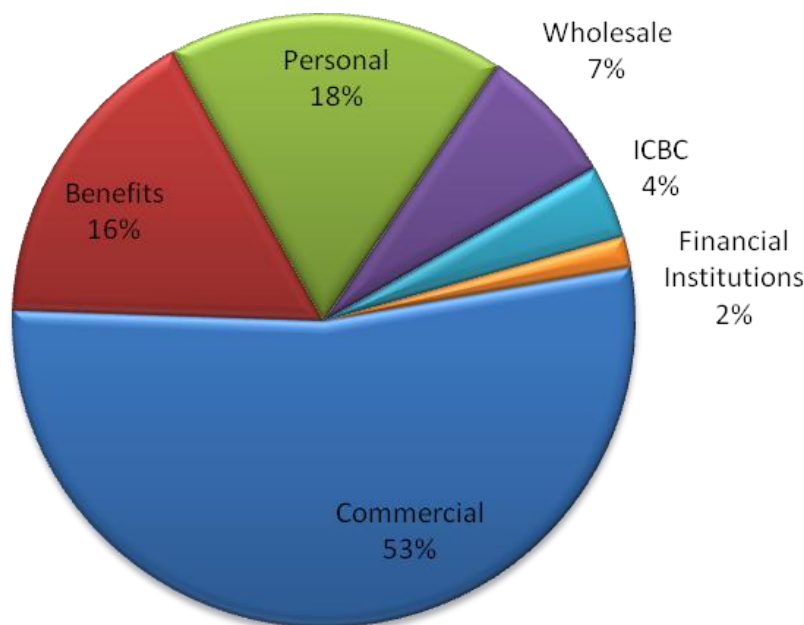
Our Executive Management Structure

We overlay our HUB structure with key areas of expertise at the corporate level that are leveraged through the organization to provide our customers with the best possible combination of local relationships and global resources. Collectively, our hubs are a knowledge powerhouse providing clients with tailor-made solutions.

Our Diversified Revenue Base

HUB International has a diversified base of revenue showing our depth in multiple disciplines to meet client needs.

Revenue by Line



P&C Revenue – \$ 5.8B _ Benefits Revenue - \$ 2B _ Personal - \$ 1.9B _ Wholesale - \$770MM

ICBC - \$440MM _ Financial Institutions \$220MM

Part II - Concept and Solution: *The respondents understanding of the tasks presented shall be defined in detail and proposed solutions outlined. A description of the firm's strengths in the marketplace should be included, along with an explanation of how the City's insurance program would be marketed. Any restrictions or limitations should be defined.*

Insurance Marketing

Philosophy

As your partner, HUB International Limited takes a proactive approach to creative program design and marketing.

Strategy

HUB approaches the marketing of any program from a risk management standpoint. Together we will:

- Review your existing exposures
- Review appropriate risk management alternatives
- Review marketing options in the current insurance environment
- Prepare a professional submission, targeting your goals
- Negotiate with underwriters for the most favorable terms and conditions
- Analyze and compare the quoted programs
- Present options

Markets

HUB has access to virtually all major insurance carriers and has effective working relationships with over 650 insurers. The volume of business we represent for these insurers further enhances the knowledge and experience

we bring to the marketing effort. Where needed, we have access to their top management and home-office decision makers. As a result, we have effectively negotiated programs of coverage for even the most difficult risks.

Did you know an estimated 70% of commercial buildings are under-insured by up to 40% of the replacement cost value?

Understated property values can result in protracted claim settlements and significantly reduced settlements.
Overstated values translate to higher insurance premiums.

Insurance to Building Valuation Check-up

1. Building valuations should be updated at least every 3 to 5 years and, in specific situations, more frequent updates may be wise.
2. A building's ISO construction classification impacts valuation.
 - If a building is classified incorrectly it can have a significant impact on the valuation. For example, the valuation difference between an ISO 1 and ISO 3 classification for a Business/Office building is \$38/square foot**. Valuation errors on buildings with multiple types of construction are common.
3. Special buildings need special valuation treatment.
 - Valuation increases when a building has special features such as atriums or clock towers, is irregularly shaped, sits on a steep grade, or has congested areas. Using a simple \$/square foot estimate will result in inaccurate valuation.
4. Not all valuations are created equal. It's important that a qualified party conduct the valuation.
5. Actual Cash Value (ACV) vs Replacement vs Reconstruction Cost
 - The way a building is valued will depend on the type of coverage provided by the insurance policy. Owners may think that they're covered for Replacement (with "like kind and quality" materials at current prices) or Reconstruction Cost (which also includes demolition, debris removal and rebuilding to current construction standards). However, they may be covered only for ACV which provides only "like kind and quality" materials **less** depreciation. Clearly, the difference in valuation can be very significant.
 - Some policies exclude rebuilding to current building codes. Coverage endorsements can be purchased to bridge this gap. However, valuation should take into account the cost of bringing the building the current codes.
6. Indexing valuation, i.e., increasing the value by an arbitrary percentage annually, is a common practice but has pitfalls since actual construction costs may change at a different rate.

Insurance to Value: Building Values

Reported property values with a reasonable degree of accuracy are important to your insurance coverage. Understated values have resulted in protracted claim settlements and significantly reduced settlements. Overstated values mean higher insurance cost.

Insurance companies typically use Marshall and Swift/Boeckh's (MSB) Building Valuation Software (BVS) to help them determine Insurance to Value at policy inception or renewal. The information presented here is an overview of the use of MSB BVS outlining some of its features and results and using some information from MSB documentation.

DEFINITIONS:

Actual Cash Value: Cost to repair or replace the damaged property with like kind and quality materials, less depreciation (impacted by effective age and condition).

Replacement Cost: Cost to construct or replace the damaged property with like kind and quality materials. This does not take into account improvements to conform to current building codes, demolition, debris removal, etc.

Reconstruction Cost: Cost to re-build at current prices and construction standards with like kind and quality materials. It also includes several site specific costs such as site access, demolition, debris removal, etc.

These cost definitions above do not include land costs and should not be confused with "Appraised Value" or "Fair Market Value" (both of which do take land into consideration. Note, an "appraisal" can **only be completed by a licensed or certified individual**.

ESTIMATED RECONSTRUCTION COST ESTIMATES:

Most buildings have a base reconstruction cost between \$100 - \$300 per square foot based on building class and occupancy. Factors other than class and occupancy (many noted above) will increase reconstruction costs beyond that range.

Shown below (*for illustrative purposes only*) are national average square foot reconstruction costs including an additional 12% (amount will vary depending on site conditions/access, etc.) for demolition, debris removal, etc. **These are rough estimates.** Specific variances in location (regional cost differences and site characteristics), construction, etc. can significantly impact valuation. For an accurate estimate, the building must be evaluated by a professional, familiar with insurance building valuations.

Square Foot Construction Cost from International Code Council Building Valuation Data Feb. 2015 (rounded to the nearest \$) with 12% added for demolition, debris removal, site access, etc.

		Building Classification					
		ISO 1	ISO 2	ISO 3	ISO 4	ISO 5	ISO 6
Occupancy Group (2012 IBC)		Frame	Joisted Masonry	Non-Combustible	Masonry Non-Combustible	Modified Fire Resistive	Fire Resistive
A2	Assembly, restaurants, bars	\$148	\$165	\$179	\$186	\$193	\$197
B	Business (offices)	\$139	\$159	\$181	\$190	\$197	\$205
E	Education	\$155	\$174	\$196	\$205	\$212	\$220
F1	Industry moderate hazard	\$74	\$91	\$105	\$110	\$116	\$122
I2	Hospitals	NP†	NP†	\$323	\$332	\$338	\$346
M	Mercantile	\$99	\$115	\$130	\$137	\$143	\$149
R1	Hotels	\$147	\$165	\$183	\$192	\$197	\$205
R2	Multiple Family (apartment)	\$114	\$149	\$149	\$158	\$164	\$175
R3	1-2 family homes	\$127	\$140	\$149	\$153	\$157	\$161
S2	Storage low hazard	\$64	\$81	\$95	\$101	\$106	\$112

† NP = Not Permitted

Customer Centric Carriers (3C)

HUB International fosters a strong collaboration with insurance carriers who understand and share our vision. In order to meet the needs of our customer segments and deliver an enhanced customer experience, we have sought out strategic relationships with a select group of carriers. We refer to these carriers as Customer Centric Carriers (3C Carriers). We have established Customer Centric Carriers on both a national and regional level.

The 3Cs are leaders in product development, underwriting, and customer service, who have the capacity to insure our customers against a diverse array of risks. These carriers share our philosophy of delivering an enhanced customer experience through the development of industry leading products, service, and competitive pricing.

There are many benefits to working closely with 3C Carriers as we build a customer-centric organization. In addition to executive-level focus on the needs of our business, these carriers have committed to helping HUB in the following ways:

- Provide access to the most experienced underwriters and claims resources
- Jointly develop and market industry leading co-branded products
- Integrate technology and increase information sharing
- Improve alignment of carrier product segments
- Provide deeper access to risk management and other customer services
- Provide the highest level capacity for future risks
- Help fund the development of new resources for our customers.

We will continue to do business with many other insurance companies in order to meet our customers' needs, however, our philosophy is to focus on fewer markets but always do the right thing for the customer.

Customer Centric Carriers (3C)



HUB 2.0 – A Service Philosophy

HUB International's service philosophy *HUB 2.0* is the driving force behind our culture. It is a business philosophy that says, "Our Client Always Comes First." It means expertise, communication and responsiveness. HUB 2.0 is the name we use to describe our vision of transforming HUB International into the leading customer-centric company in the insurance industry. We are evolving the way we do business for growth now and in the future.

People

- Recruit new talent to broaden the expertise available to our customers
- Offer enhanced training and development opportunities for all employees to enable us to keep current on things our customers need to know about
- Empower individuals and teams to define and shape the customer experience – allowing us to tailor our solutions to your needs
- Foster interaction among customers, communities, carriers and colleagues – to leverage all available resources on your behalf

Product

- Gain a deeper understanding of customer needs and build solutions and products specific to each customer segment – this means we are committed to being more than your insurance broker – we want to be a solution provider.
- Mobilize resources to focus on fewer insurance carriers within both retail and wholesale businesses. This allows us to focus on delivering the full range and depth of offerings from a narrower group of insurers. While we continue to represent all carriers, we feel a stronger partnership with a few provides delivers a better overall product and experience to our customer.
- Using our income to enable additional investment in our people and technology, leading to better customer solutions

Process

- Develop new and effective ways to communicate with and serve our customers – this has led to development of key tools such as our HUB Connects newsletters, customer portals, RMIS systems and other key resources that we deliver to help make your customer experience unique.
- Achieve greater efficiency and accuracy through the use of new technology – this allows us to better manage the quality of the service that we provide our customers and assure quality and timeliness.
- Share best practices, re-design systems and consolidate operations in order to deliver a more consistent and rewarding customer experience

Doing business with HUB means you can be assured that we will deliver constant innovation, integrity, and partnership. This discipline keeps us focused on providing state-of-the-art insurance and risk management services to all of our clients.

Part III - Program: *The respondent's technical plan to accomplish the work shall be presented, including time-related displays, graphs and charts showing tasks, subtasks, milestones, and decision points, including the point at which deliverable reports will be provided. The scope of services available in the area of risk management, loss control services, claims management, and associated functions should be described in detail.*

Client Service Standards

HUB International Limited is committed to the achievement of excellence in service to your organization via our:

- Experienced, qualified team
- Knowledge of the marketplace
- Commitment to quality
- Sense of urgency
- Creativity
- Professionalism
- Communication skills

We understand that your account requires a special kind of service. You want us to understand the marketplace, know your underwriters and be a partner with your brokerage team. Price is always an issue, but it is not the basis on which we sell and retain business. By making the buyer part of the ongoing servicing and planning of the program, HUB achieves a level of communication and trust which bonds our relationship.

Because of the importance and unique nature of your account, HUB has established performance standards that will communicate to you our commitment to excellence in client service. These standards are:

- A. The Account Manager will visit you at least once a month to review open items
- B. The Account Director will contact you at least twice a year for an appraisal of HUB service
- C. The **Renewal Timeline** will be followed. Special emphasis will be given to pre-renewal meetings to review the program with your Client Service Team. These meetings will include:
 1. A recap of current program
 2. A review of the current marketplace
 - a) alternative markets
 - b) alternative programs
 3. Status Report on Services
 - a) provided by HUB
 - b) provided by insurer
 - c) provided by other third parties
 4. A discussion of HUB projects completed during previous year
 5. Developments and trends within your operation
 6. New projects with clearly defined deadlines and responsibilities
 7. A preliminary renewal strategy with goals and deadlines including discussion of any potential competition
 8. A detailed written summary of this meeting will be prepared by the Account Manager and sent to you
- D. A minimum of an annual meeting will be planned between you and insurance company personnel.
- E. Where required, written claim and loss control procedures will be developed and distributed to your claims administrator, insurers and other service providers
- F. Stewardship meetings will be held with your senior management annually

Account Renewal Process

HUB International Limited has designed a **Renewal Timeline** to ensure complete and thorough attention to necessary details of your account. The **Renewal Timeline** spells out responsibilities and periods beginning five months before renewal and involves both the HUB Client Service Team and client representatives in the process; the **Renewal Timeline** was developed to allow sufficient time for all concerned to examine past programs and consider future alternatives.

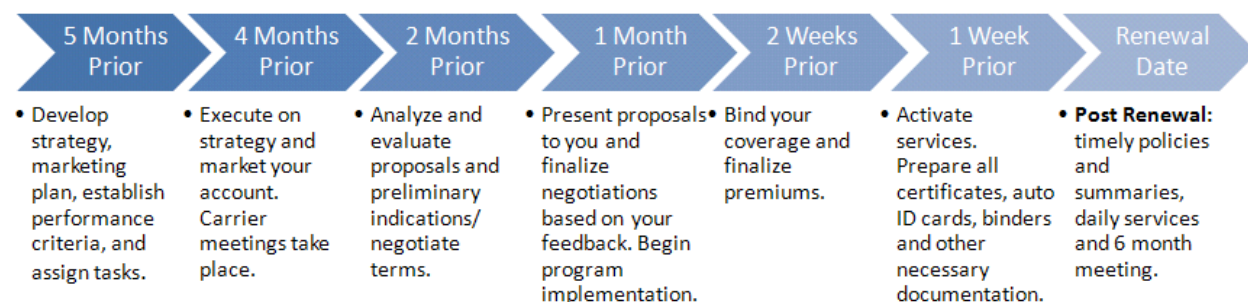
Once a program is designed, it is examined and adjusted as needed. As market conditions change, HUB studies the effects these changes will have on your organization's program. Developments and trends within your organization are also examined to determine the need for new programs and approaches. The **Renewal Timeline** will be provided to you and all members of the HUB Client Service Team prior to any renewal meetings.

The initial renewal meeting will recap the terms of the existing program and examine current market conditions. The time to look at alternative markets and programs might not have been suitable for the previous policy period but may be effective for one upcoming term. Necessary renewal activities will be identified and assigned to HUB, insurers and other service providers.

City of Fayetteville, Arkansas

Below is a table of coverage's in which HUB International would handle.

Insurance Company	Annual Premium	Effective Date	Coverage Type	Amount or Limit
Lexington/Chartis/AIG	\$121,255.00	09/30/2014	Public Official Liability	\$1m/3m
Lexington Insurance	\$200,166.00	10/01/2014	Property Coverage	\$208,258,482
Lexington Insurance	\$3,000.00	07/10/2014	Railroad Protective	\$5m/\$10m
National Insurance	\$500.00	04/06/2014	Accident Policy	\$50,000/\$10,000
Travelers Insurance	\$13,000.00	08/01/2015	Employee Fiduciary	\$5,000,000
Ace Property & Cas	\$12,900.00	03/15/2015	Hangar Keepers Liability	\$5m/&1m



Detailed Renewal Timeline

5 months prior to renewal

Establish preliminary strategy for renewal	• Review marketplace • Review alternatives • Summarize changes in client operations • Review results of projects • Analyze current carriers • Review support services (claim handling procedures, cost-containment methods, loss prevention and location coding) provided by underwriter • Review support services provided by HUB • Identify all renewal data and deadlines for securing information	HUB
--	--	-----

4½ months prior to renewal

Assign tasks and deadlines for account managers and marketers, claim analysts and loss control engineers	• Meet with entire Client Services Team to discuss strategy • Establish deadlines for all tasks	HUB
--	--	-----

4½ months prior to renewal

Establish final marketing (including support services) strategy	• You and HUB meet to agree on marketing and support services plans • Receive renewal data from your organization	HUB
---	--	-----

4 months prior to renewal

Begin marketing and support services processes	• Submissions sent to markets • Ongoing communication and data clarification	HUB
--	---	-----

2 months prior to renewal

Secure proposals and analyze	• Markets and support services present proposals • Proposals are refined and summarized • Comparisons are developed • Improvements are negotiated	HUB
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1 month prior to renewal

Present proposal to you	• Proposals are summarized and compared • HUB presents recommendations • Proposals are fine-tuned to meet requirements	HUB
Your Decision	• All questions are answered • Your organization makes final decision	HUB
Begin program implementation	• Program implementation begins - policies ordered and support services put in place • Premium financing offered on all accounts if financing is not offered by carrier	

2 weeks prior to renewal

Contact carrier to confirm premium	• Broker contacts the carrier in writing two weeks prior to the effective date to obtain finalized premium amount in writing	HUB/Carrier
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1 week prior to renewal

- Set up claims reporting procedures, provide forms to client and meet with the client claims coordinator HUB
- Prepare Certificates of Insurance, auto identification cards and posting notices for issuance

Inception

- Program takes effect
- All renewal terms and conditions are fully documented HUB
 - Services begin functioning smoothly
 - All binders and invoices are sent to you on or before the effective date
 - You are informed of all installment due dates
 - Policies are prepared

1 month after renewal

- Account executives send installment invoices to you 45 days prior to the installment due date HUB
- Prepare or update insurance summaries

6 months after renewal

- Analyze prior renewal and agree on new projects
- Meeting between you and HUB Client Service Team HUB
 - Review and summarize renewal activities
 - Provide policy digests and plan summaries

Stewardship

The Stewardship Process

The stewardship process is an essential part of the HUB partnership with your organization. This process provides an opportunity for two-way feedback between your team and your HUB Client Service Team. This process facilitates open dialogue with regard to accomplishments over the past year, status of ongoing projects and prioritization of new concerns relating to your risk management and insurance program. Because our environment is not static, your risk management strategies must be revisited frequently to ensure the most effective program is in place. By following this process, we feel that the client takes a more active role in creating an action plan for the year, thereby ensuring that the needs of your organization are met.

The process consists of two parts – a **meeting** with your team six months into the policy year to discuss all elements of the **Stewardship Report** and a **presentation** of the report to appropriate personnel within your organization 120 days prior to renewal of your program.

The proper completion of this process helps to solidify the partnership between you and HUB International Limited.

Suggested topics for a mid-year stewardship meeting include:

- A discussion of your operational goals and philosophies, changes in your business and how we can assist you in maximizing these opportunities
- A review and evaluation of completed projects from the previous year
- An open discussion of how you perceive the Client Service Team has met your service requirements
- The status of new and ongoing projects
- The review of the services provided by any outside sources
- A discussion and outline of strategies for the coming year and beyond
- A presentation of new trends in the marketplace and new products and services that are available

HUB Risk Services Division

Overview

The HUB Risk Services Division is based out of our offices in Tulsa Oklahoma with personal assigned to Arkansas, with consultants located throughout the United States and Canada.

The HUB Risk Services Division comprises corporate leadership, regional leadership, local consultants and specialty practices. This structure provides a standardized approach and creates a number of core services, but allows our local team members to be responsive to your needs, creating solutions to address your specific risk issues.

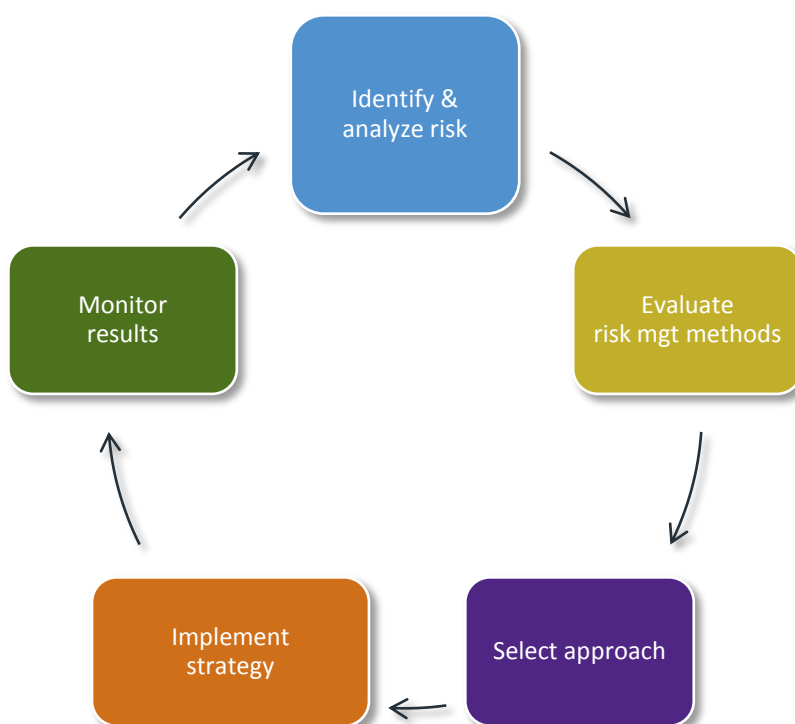
This also allows HUB the flexibility to connect to you with the specific HUB Risk Services Team Member that can best fulfill your goals and objectives.

Specialty Areas

HUB Risk Services has a number of specialty areas that can be leveraged to complement your internal capabilities, and provide niche expertise for specific issues. Our specialty areas include:

- Regulatory Compliance
- Best Practices / World Class Safety
- Safety/Environmental Management
- Enterprise Risk Management
- Ergonomics Improvement
- Fleet Safety Management
- Behavior-Based Safety
- Construction Safety Management
- Property Protection Engineering
- Security Assessments / Planning
- Crisis Management
- Emergency Response Planning
- Business Continuity Planning
- Disaster Recovery Planning
- Environmental Compliance
- Industrial Hygiene
- Training (Management / Employee)
- Clinical Risk Management

This variety of disciplines enables HUB to respond to your specific needs and objectives. Results are achieved through reduction in your Total Cost of Risk (TCOR).



Team Capabilities

The HUB Risk Services Team includes board-certified and degreed claims, safety, security, property, and environmental professionals with an average of over 20 years of experience in a variety of industries.

- Board-certified safety professionals
- Certified risk managers
- Certified property and casualty underwriters
- Certified occupational health nurses
- Certified hazardous materials managers
- Fire protection / professional engineers
- Business continuity planning professionals
- Attorneys
- Former corporate safety and environmental directors
- Former human resources managers
- Former healthcare administrators
- Former firefighters, EMTs, hazardous material responders
- Former Directors of Security
- Former risk managers
- Former carrier claims managers
- Fleet safety professionals
- Product liability professionals
- General liability professionals
- Tribometrists (slip/fall experts)
- Environmental experts

Our team members have the proven knowledge and experience to assist you in identifying current and/or potential risks, implementing controls to reduce exposure to loss, as well as collaborating with you to create claims management processes.

Available Risk Services

HUB is committed to providing a wide range of services to your organization to assist with targeting your risk issues, minimizing your exposure to loss, and addressing losses as they occur.

The following types of services available include, but are not limited to, the following:

- Client advocacy / carrier oversight
- Compliance assistance (U.S., Canada, international)
- Best practice assessments
- Safety program development
- Outsourced safety / risk management
- Development / implementation of audit and inspection processes
- Training development and implementation (conventional and web-based)
- OSHA 10/30 hour courses
- Ergonomics improvement
- Behavior-based safety
- Product liability assessments
- Client advocacy / carrier oversight
- Property audits / inspections
- Facility hazard evaluations
- Fire protection engineering
- Loss investigations / analysis
- Natural hazard assessments
- Enterprise risk management
- Emergency response planning
- Business continuity planning / disaster recovery planning
- Online training systems providers / developers
- Property / process engineering firms
- Crisis notification system providers
- Web-based BCP systems
- First aid / CPR / AED suppliers / training firms
- Environmental / industrial hygiene testing firms
- Product liability assessments
- General liability assessment / controls
- Fleet safety management program development
- Slip / fall prevention
- Safety engineering services
- Life safety evaluations
- OCIP / CCIP safety management
- Safety committee development
- Loss analysis / trending
- Employee perception surveys
- New facility construction reviews
- Real property replacement cost appraisals
- Warning system evaluations
- Protection system evaluations
- Human-element program development
- Impairment program design / monitoring
- Equipment breakdown analysis
- Crisis management planning
- Security consulting
- Industrial hygiene / environmental compliance
- RMIS system providers
- High-risk claims identification tools
- Pre-hire screening tools
- Actuarial / forensic accounting firms
- Online virtual consulting tools
- Driver accountability programs
- Online fleet risk management systems

Advanced Risk Management Information Systems (RMIS)

To meet your advanced risk management needs, HUB has partnered with Origami Risk Management to provide a complete RMIS system. Origami helps reduce the Total Cost of Risk by helping you identify:

- Premiums that are a function of claim costs
- Medical and legal costs that are continuing to increase faster than the overall economy
- The cost drivers that allow you to develop a process to manage and mitigate the **Total Cost of Risk**

Risk dashboard

- Shows trends, exceptions, performance against benchmarks and notable events
- Can be customized by user to reflect individual areas of focus
- Allows users to “drill down” into specific losses or events for more detailed analysis
- Can include policies, claims, incidents, exposures, values, policies and locations

Policies and programs

- Includes policies and programs for an unlimited number of years of history
- Scanned submissions, policies and endorsements to create a virtual electronic file
- Graphical view of policy programs
- Links to claims data for reporting across policy layers and managing costs within the retention

Collaboration

- Supports the design and implementation of sophisticated claims and loss control programs
- Includes advanced program design tools to help identify and compare various risk retention strategies
- Enables broad communication not only between broker and insured but also with field operations, legal, finance, HR and other stakeholders

Reporting and analytics

- A complete suite of reports and graphs that makes sophisticated reporting easy
- Advanced features for program analysis, safety, finance and legal reporting
- Supports “drill down” into reports that are more detailed and to a claim or location
- Easy export to Excel or PDF formats
- Scheduling of reports to a distribution list

Focus on risk

- View risk at different levels in the organization
- Controlled, secure access to users across the organization
- Flexible tools to manage changes in the organizational structure

Claims Service

Claims must be carefully managed to control costs and reduce the impact of loss on an organization. To assist you in this vital activity, HUB International Limited maintains a skilled team of claims management professionals.

The following claim services are available:

Claim Service Agreements – Create instructions detailing responsibilities and procedures for all parties directly involved with the claim handling process.

Loss Analysis – At the inception and at mid-term, a “roll up your sleeves meeting” is held to review your program, conduct analysis of the frequency, severity, and trends of loss activity for past policy periods and suggest methods for more effective claim management.

Loss Information Systems – Assess the current loss information reporting methods to determine if more effective data compilation and reporting may be needed.

Cost Containment Coordination – Work with you and your Third Party Administrator to identify and communicate the locations of the nearest capable preferred provider organizations and medical services.

Litigation Monitoring – Follow cases in litigation to monitor the effectiveness of your claims administrator in controlling litigation cost on selected cases.

Training – Provide training in effectively managing workers’ compensation claims. Monitor claims trends and analyze loss experience of companies, with emphasis on repeat claimants, repetitive motion injuries, demographic peculiarities, high/low paid trends and high/low turnover trends.

Insurer/TPA Evaluation – Review the capabilities of a current or prospective claim service provider to determine whether they meet your needs.

Claims Service Provider Audit – Conduct an audit of your workers’ compensation claims at the claim service provider’s location. Review numerous aspects of the claim handling process, including:

- Initial contact
- Investigation
- Reserving
- Medical
- Cost containment

We at HUB International Limited would welcome the opportunity to put our claims expertise to work for your company.

Risk Management Consulting Services

The Consulting Group focuses on the special and complex needs of larger clients and its resources are available to all HUB clients. Risk Management Consulting Services is an integral part of the HUB Client Service Team, working together to assist our clients in meeting their goals.

Products and services available through Risk Management Consulting Services include:

Coverage/Program Analysis – A thorough review is made of your current insurance program. The evaluation encompasses adequacy of coverage and limits, appropriateness of terms and conditions and identification of potential gaps or duplication. Where applicable, comments are offered on the desirability of the risk financing methods in place for a particular client.

Policy Form Comparisons – A side-by-side comparison of coverage terms and conditions is designed to assist in identifying differences between forms. Where possible, comments are offered regarding the significance of these differences for the specific client.

Risk Management Consulting – A wide array of services are available to assist you in establishing and achieving your strategic risk management goals. Risk management professionals within HUB can work with our clients on an individual project basis or on a long-term contracted arrangement. Services include risk management audits, assistance with strategic planning, due-diligence reviews for mergers and acquisitions as well as providing regular on-site expertise where needed. The level and type of services provided are tailored to support the organizational goals of the individual client more effectively.

Benchmarking – A broad-based comparison of your own historical performance and pertinent industry statistics as well as comparative peer group analysis. These benchmarks form the foundation for future benchmarking analysis and action planning.

Cost of Risk Allocations – Client-specific computer models are developed for the allocation of premiums, losses and expenses to operating units based on exposure, losses or a combination thereof. Where the allocation involves experience as well as exposure, your company may also determine the relative weight of each. Allocation of costs is one of the most effective methods of supporting loss control efforts and better matching revenues and expenses.

Workers' Compensation Feasibility Studies – These studies are designed to assist you in determining whether self-insurance of their workers' compensation exposure in a specific state or states would be a desirable option versus the current plan in force or compared to other options available. The report discusses the financial, administrative and coverage issues associated with such a change. The options are reviewed on a current dollar after-tax and net present value basis.

Alternative Funding Studies – Computer models allow HUB consultants to evaluate the relative desirability of various cash flow alternatives on a current dollar, after-tax and net present value basis. The fixed costs and typical flow of funds under each alternative are identified.

Workers' Compensation Test Experience Modifications – Using "SmartComp" computer software, we can develop test experience modifications with a very high degree of accuracy. This information is useful if an error has been made in the calculation of a client's modification or if there is a delay in calculating the modification. It can also assist you in evaluating acquisition and divestiture candidates.

Part IV - Account Team Personnel: *The names and titles of the team proposed for assignment to the City's account shall be identified in full, with a description of team leadership, interface and support function, and reporting relationships, along with individual backgrounds of personnel who will be actively engaged in work related to the account. The primary work assigned to each person and the corresponding amount of time shall be indicated.*

While HUB resources are available on a global basis, the service team designated to coordinate services for you is located in Little Rock, AR, allowing HUB to respond to your needs with local, timely and personal service. Your HUB Service Team prides itself on a rapid response time to any and all of your insurance needs. We strive for a response time to be less than four hours but we guarantee a time less than 24 hours.

Account Director – The Account Directors are responsible for developing and maintaining a strategic focus for HUB's partnership with your organization. Our Account Directors offer diverse risk management and insurance experience as well as superior leadership ability, which enable them to lead Client Service Teams in providing the highest quality service to our clients. Eric Herget is available 24/7 to help assist in your insurance needs.

Account Executives – Account Executives work closely with your staff and coordinate all elements of the HUB Client Service Team. HUB Account Executives are leaders in the insurance industry. They are versed in a variety of disciplines, allowing them to respond to a wide range of your needs. Your Account Executives will be your daily contact for your insurance needs. Account Executives are responsible for marketing your insurance program, issuing certificates and negotiating with the carriers.

Claims Service Team - Claims must be carefully managed to control costs and reduce the impact of loss on an organization. To assist you in this vital activity, HUB International Limited maintains a skilled team of claims management professionals.

Risk Services Division – Our highly experienced and credentialed claims, safety, security, fleet, business continuity, emergency response, fleet, enterprise risk management, and environmental professionals with hands-on experience in a wide variety of industries. Located throughout North America with partnerships around the globe they will assist your in-house resources to help prevent losses, and to better manage claims. Risk Services will connect you with the expert who can best address your needs. These solutions developed by the Risk Services Division will be scaled to fit your needs.

City of Fayetteville Service Team

Eric Herget
501.801.5701 – Office
501.773.7468 - Cell
eric.herget@hubinternational.com

Eric leads The HUB International Arkansas office, based in Little Rock. His expertise is in Energy / Power, Municipalities and Utility. Eric works in the London and Bermuda markets regularly. Complex property and casualty placements are a specialty practice area for Eric. He also has experience in manufacturing, transportation, aviation, construction and healthcare. This "Hub" is a full service brokerage for personal and commercial lines located in downtown Little Rock.

Bonnie Powell, CIC, CISR
918.359.6151
bonnie.powell@hubinternational.com

Bonnie has been in the insurance industry for more than 20 years, serving customers at a number of agencies. Her main role HUB International is to leverage that experience to assist producers and ensure prompt, quality service to our customers. Bonnie has obtained both her Certified Insurance Service Representative (CISR) and Certified Insurance Counselor (CIC) designations.

Diane Kern, CIC, CISR
918.359.6118
diane.kern@hubinternational.com

Diane handles in-house support including pre-underwriting and marketing accounts, as well as coverage analysis and account service. Her 25 plus years of experience in the insurance industry includes 2 years with a multi-line insurance company and 20 years with HUB International. Diane holds the Certified Insurance Representative (CISR) and Certified Insurance Counselor (CIC) designations and is working on her Charter Property Casualty Underwriter (CPCU) designation.

City of Fayetteville Service Team – Claims

Cheryl King
918.359.6129
cheryl.king@hubinternational.com

Cheryl has more than 20 years' experience in worker's compensation and insurance risk management, including time as the worker's compensation manager for a 17-hospital, 7,000-employee healthcare system. As claims consultant, her responsibilities include reviewing claims made by our clients and facilitating the responsiveness of the carrier's claims management team in order to resolve the issue as quickly as possible. A member of the Oklahoma Self Insured Association and the Oklahoma Safety Council, Cheryl holds a Bachelor's Degree in Business Administration from Friends University in Wichita, KS.

City of Fayetteville Service Team – Risk Services Division

Win Williams, CSP, CHMM, ARM
win.williams@hubinternational.com

Win Williams brings over 18 years of experience in the environmental health and safety industry to HUB International, currently serving as Vice President and Senior Risk Consultant in the Risk Services Division (HUB Risk Services). His team serves as a resource for the brokerage operations, providing risk control, safety, property, environmental, and workers compensation reduction guidance to HUB's clients.

In his career, Mr. Williams has served as a Safety/Environmental Consultant and Manager of Training Services for several large environmental health and safety consulting firms in the Chicago, St. Louis and Houston areas, and as a Peace Corp Volunteer working with local leaders on improving water, sanitation and hygiene conditions in rural Peru.

As a consultant, Mr. Williams performed a wide array of safety/environmental services in a variety of industries. This included safety services such as audits/inspections, training, regulatory/compliance reviews, and program development, and environmental services such as Environmental Site Assessments (ESA) and industrial hygiene exposure monitoring of industrial, agricultural, and commercial properties. Mr. Williams also has performed asbestos inspection, design, and project management activities.

As the manager of an environmental health and safety training center, Mr. Williams' primary responsibilities included developing health and safety training courses, managing a staff of instructors, and the marketing of consulting and training services. He developed and instructed EPA-approved courses and is an Illinois and Missouri approved instructor for a number of asbestos-related courses. Mr. Williams reviewed safety programs, assessed training needs and developed safety training programs for a variety of manufacturing facilities, construction trades, energy companies, government entities, hospitals and schools. He instructed training courses including confined space entry/attendant, powered industrial truck, lead and asbestos awareness, bloodborne pathogens, among others. He has developed fleet safety and ergonomics programs for clients in a variety of industries.

As a volunteer in the Peace Corp, Win was stationed in Peru for two years focusing on water, sanitation, and environmental initiatives. In this role he worked with municipalities, health posts, and water committees to improve the amount and quality of potable water, and helping to improve hygiene practices.

Mr. Williams is a Board Certified Safety Professional (CSP), a Certified Hazardous Materials Manager (CHMM), and achieved his Associate in Risk Management (ARM) designation. He holds a Bachelors of Science degree in Biology from Texas Tech University. Mr. Williams is also an OSHA-authorized Instructor for the 10- and 30-hour general industry and construction safety courses, an authorized instructor for defensive driving courses, and an Illinois Department of Public Health (IDPH) licensed asbestos building inspector, project manager and air sampling professional.

Mr. Williams is a Professional Member of the American Society of Safety Engineers (ASSE) and an active member of the American Industrial Hygiene Association (AIHA).

Part V - Corporate Experience: *Relevant Public Sector insurance placement and account handling experience and client references shall be presented in detail, with all experience cited to be recent in time and to have been performed, to a considerable degree, by members of the proposed account team. Emphasis shall be given to identifying comparable services for public sector organization and educational institutions. For each client reference, the scope of service, time performed, and name, title, address and phone number of the principal contact person should be shown.*

North Little Rock Electric Department

Ms. Jessica Stephens
501.975.8882
P.O. Box 5757
City of North Little Rock, AR 72119

Arkansas Inland Maritime Museum

Mr. Greg Zonner
521.371.8320
P.O. Box 5757
City of North Little Rock, AR 72119

Arkansas Regional Innovation HUB

Warwick Sabin
501.225.5600
201 East Broadway
North Little Rock, AR 72114

City of North Little Rock

Mr. Joe Folen
P.O. Box 5757
City of North Little Rock, AR 72119

Tulsair Beechcraft

Airport Fixed Based Operator

J.J. Lester
918.835.7651
P.O. Box 582470
Tulsa, OK 74158

Part VI - Authorized Negotiator: *The proposal shall provide the name, title, address, and telephone number of the person authorized to negotiate contract terms and render binding decisions on contract matters.*

Eric Herget
Account Director
501.801.5701 – Office
501.773.7468 – Cell
425 W. Capital Ave.
Suite 3550
Little Rock, AR 72201

Part VII - Cost Proposal: *The City seeks an all-inclusive cost structure which will allow predictability of fees and accuracy in budget planning. The respondent's plan of compensation for insurance placement and consulting services preferably should be quoted in aggregate as a flat annual fee as full remuneration for performing all services. The successful broker/consultant will be required to disclose in detail all compensation received from any source resulting from the marketing of insurance programs for the City. Whenever it is in the City's best interest to permit commissions to be paid to broker, such commissions shall be utilized to reduce the fixed price or will be rebated back to the City. If there are expenses which are considered reimbursable and are not included in the fixed fee, such expenses shall be identified and quantified in their entirety.*

Year 1:	\$13,000
Option Year 2:	\$13,000
Option Year 3:	\$13,000
Option Year 4:	\$13,000
Option Year 5:	\$13,000

Part VIII - Proof of Insurance: *Evidence of the respondent's own liability coverage, Errors and Omissions policy, and Workers' Compensation insurance as required by Arkansas State law shall be submitted prior to award of contract (not required with RFP).*

To be provided before award of contract

extent as though it were originally included therein. Proposers/Bidders should indicate their receipt of same in the appropriate blank listed herein. Failure to do so may subject vendor to disqualification.

ADDENDUM NO.	SIGNATURE AND PRINTED NAME	DATE ACKNOWLEDGED
1		09/02/2015
2		09/10/2015

4. PRICING:

Pricing shall be attached as a separate form and shall be inclusive of any and all charges, fees, expenses, etc.

5. DEBARMENT CERTIFICATION:

As an interested party on this project, you are required to provide debarment/suspension certification indicating in compliance with the below Federal Executive Order. Certification can be done by completing and signing this form.

Federal Executive Order (E.O.) 12549 "Debarment and Suspension" requires that all contractors receiving individual awards, using federal funds, and all sub-recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government.

Signature certifies that neither you nor your principal is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

Questions regarding this form should be directed to the City of Fayetteville Purchasing Division.

NAME OF COMPANY: HUB International

PHYSICAL ADDRESS: 425 W. Capital Ave. Suite 3550, Little Rock, AR 72201

MAILING ADDRESS: 425 W. Capital Ave. Suite 3550, Little Rock, AR 72201

PRINTED NAME: Eric Herget

PHONE: 501-801-5700 FAX: 918-359-6001

E-MAIL: eric.herget@hubinternational.com

SIGNATURE: _____

TITLE: Account Director DATE: 09/18/2015

City of Fayetteville - Purchase Order Request (PO)

(Not a Purchase Order)

All PO Requests shall be scanned to the Purchasing e-mail: Purchasing@fayetteville-ar.gov.
Purchase shall not be made until an actual PO has been issued.

Requisition No.:

Date:

P.O Number:

Vendor
#:

26153

Vendor
Name:

HUB International

Mail

☐ YES ☐ NO

Legistar#:

2106-0087

Address: 1350 S. Boulder Ave., Suite 1000

FOB Point:

Taxable

☐ YES ☐ NO

Expected Delivery Date:

City:

Tulsa

State:

OK

Zip Code:

74119

Ship to code:

Quotes Attached

☐ YES ☐ NO

Requester: Andrea Rennie

Requester's Employee #:

2570

Extension:

8289

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number	Project.Sub#	Inventory #	Fixed Asset #
1	2016 Broker Consulting Fees 9/30/16 through 09/30/17	1	JOB	13,000.00	\$13,000.00	1010.1610.5314.00	N/A	N/A	N/A
2					\$0.00				
3					\$0.00				
4					\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Per RFP 15-07, Resolution _____

Subtotal:

\$13,000.00

Tax:

\$0.00

Total:

\$13,000.00

Approvals:

Mayor: _____

Department Director: _____

Purchasing Manager: _____

Chief Financial Officer: _____

Budget Director: _____

IT Director: _____

Dispatch Manager: _____

Utilities Manager: _____

Other: _____



City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 142 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0061

Agenda Date: 3/1/2016

Version: 1

Status: First Reading

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: B. 1

RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5240 FOR APPROXIMATELY 128 ACRES LOCATED AT 2514 WEST LORI ROAD FROM R-A, RESIDENTIAL-AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE; AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO R-A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; AND NS, NEIGHBORHOOD SERVICES, SUBJECT TO A BILL OF ASSURANCE

WHEREAS, after three lengthy meetings with substantial public comment and opposition from neighbors in surrounding residential single family neighborhoods, the Planning Commission in a split vote recommended denial of the applicant's request for RMF-24 and approval of the remainder of the proposed rezoning; and

WHEREAS, the applicant continues to seek rezoning of the southern 20 acre portion to RMF-24.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo from R-A, Residential-Agricultural; RSF-1, Residential Single Family One Unit Per Acre; and RSF-4, Residential Single Family, 4 Units Per Acre to R-A, Residential-Agricultural; RMF-24, Residential Multi-Family, 24 Units Per Acre; NC, Neighborhood Conservation; and NS, Neighborhood Services, subject to a Bill of Assurance.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

City of Fayetteville Staff Review Form

2016-0061

Legistar File ID

2/16/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jeremy Pate

1/29/2016

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 15-5240: Rezone (2514 W. LORI RD./RAZORBACK GOLF COURSE, 285): Submitted by BLEW & ASSOCIATES, INC. for properties located at 2514 W. LORI RD. The properties are zoned R-A, RESIDENTIAL-AGRICULTURAL, RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE, AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 128.54 acres. The request is to rezone the properties to R-A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; and NS, NEIGHBORHOOD SERVICES, subject to a Bill of Assurance.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	NA	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	No	Item Cost	
Budget Adjustment Attached?	NA	Budget Adjustment	
		Remaining Budget	\$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

MEETING OF FEBRUARY 16, 2016

TO: Fayetteville City Council

FROM: Andrew Garner, City Planning Director

DATE: January 29, 2016

SUBJECT: **RZN 15-5240: Rezone (2514 W. LORI RD./RAZORBACK GOLF COURSE, 285):** Submitted by BLEW & ASSOCIATES, INC. for properties located at 2514 W. LORI RD. The properties are zoned R-A, RESIDENTIAL-AGRICULTURAL, RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE, AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 128.54 acres. The request is to rezone the properties to R-A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; and NS, NEIGHBORHOOD SERVICES, subject to a Bill of Assurance.

RECOMMENDATION:

- The Planning Commission recommend approval of an ordinance to rezone the property to R-A, Residential Agricultural; NC, Neighborhood Conservation; and NS, Neighborhood Services, they recommend denial of the request to rezone a portion of the property to RMF-24, Residential Multi-family 24 units per acre.
- Staff recommends approval to rezone the entire property as requested, including the RMF-24 tract.

BACKGROUND:

The subject property contains approximately 128.54 acres located north of Mount Comfort Road and west of Deane Solomon Road. The property has been used for many years for the Razorback Golf Course that has closed for business in recent months. The land has been cleared for decades for golf greens, fairways and paved golf course paths. There are some mature stands of trees in various areas, several ponds and water features, with Clabber Creek and its associated floodplain along the northern portion of the site. The property is zoned RSF-4, Residential Single Family Four Units per Acre; R-A, Residential Agricultural; and RSF-1, Residential Single Family One Unit per Acre.

The applicant requests to rezone the property as listed in *Table 1* and depicted on Exhibits 'A' and 'B' (attached), subject to a Bill of Assurance (attached). The applicant has indicated the intention to develop the property with multi-family along the southern portion of the site and single family on other portions of the site. The applicant is proposing to rezone a significant portion of the site (41.66 acres) to R-A. In discussions with the applicant, including review of a conceptual development layout for the site, the R-A zoning is intended for open space conservation and creation of a greenbelt along the Clabber Creek floodplain areas and areas north of the creek all the way the Crystal Springs Subdivision. This intention has been verified in writing with the

applicant submitting a Bill of Assurance indicating permanent conservation in this portion of the property. 17.12 contiguous acres adjacent to Deane Solomon Road in the southern portion of the site are proposed to be rezoned to NS, Neighborhood Services, which is a form-based zoning district that allows a mix of small scale non-residential uses as well as single, two, and three family residential dwellings. The balance of the site is proposed to be zoned to NC which is a single family zoning that provides additional variety of lot sizes and opportunity for increased density up to ten units per acre.

Table 1
Proposed Zoning

Proposed Zoning	Acres (approximate)
R-A, Residential Agricultural	41.66
NC, Neighborhood Conservation	48.81
RMF-24, Residential Multi-Family 24 Units per Acre	20.06
NS, Neighborhood Services	17.12
TOTAL	127.65*

**numbers do not add up to the total acreage of the 128.54-acre parent tract because the parent tract includes land within the very southern portion of the site that is not proposed to be rezoned*

Surrounding Land Use Compatibility: The proposed zoning is compatible with the surrounding residential properties to the north, east, and west by proposing similar single family detached zoning. Rezoning the southern 20.06 acres for multi-family residential is compatible with surrounding residential uses and zonings including multi-family to the east in the Pines at Springwoods development, a neighborhood of duplexes to the south in the Coyote Trail subdivision, and undeveloped land zoned for single family residential zoning to the west. Compatibility does not mean that the zoning has to be identical in terms of the actual zoning district, building typology allowed, or use. It refers to the ability of various zoning districts and uses being able to existing in harmony with surrounding neighborhoods. In staff's opinion, the proposal is not only compatible, it is complimentary and adds to the variety and mix of residential dwelling types and potential for small scale non-residential uses that could be a benefit to the surrounding neighborhoods.

Land Use Plan and Policy Analysis: The rezoning is consistent with planning objectives, principles, and policies put forward in City Plan 2030 and the FLUM. The FLUM designates a majority of this site as Civic and Private Open Space/Parks Areas to recognize the historical use of this site as a private golf course. This designation does not prevent the property from being rezoned and redeveloped for a different land use consistent with overall City policy. The rezoning is consistent with goals and policies of City Plan 2030 to discourage suburban sprawl by encouraging development in an area surrounded by developed neighborhoods and roadways. The proposed use of the RMF-24, NS, and NC zoning districts are consistent with the goal to make traditional town form the standard as these districts are form-based districts that have a build-to zone for buildings to define space along streets. Additionally, mixing a variety of residential zoning districts provides the opportunity for a variety of price points for residents that creates opportunities for attainable housing. The area of NS zoning along Deane Solomon Road a allows the opportunity for live-work studios or other small scale non-residential goods and services to be integrated in appropriate areas of the neighborhood. Finally, as discussed earlier in this report, the proposal to rezone 41.66 acres of the site to R-A in the configuration proposed will help assemble an enduring green network providing a benefit to the natural environment and

contributing to quality of life for residents. The proposal is consistent with the FLUM designation of Natural Area on the Clabber Creek floodplain portion of the site.

DISCUSSION:

Staff has received a substantial amount of public comments and petitions from single family neighborhoods in the area and several people spoke in person at the December 14, 2015, January 11, 2016, and January 25, 2016 Planning Commission meetings. Comments are generally opposed to the proposal to rezone the entire property for development citing concerns with a number of issues including traffic safety, drainage, use compatibility, and overall quality of life. However, there were neighbors who spoke at the January 25, 2016 meeting in favor of the request, discussing that the conservation of such a large portion of greenspace would be a benefit to them and the greater community.

BUDGET/STAFF IMPACT:

N/A

Attachments:

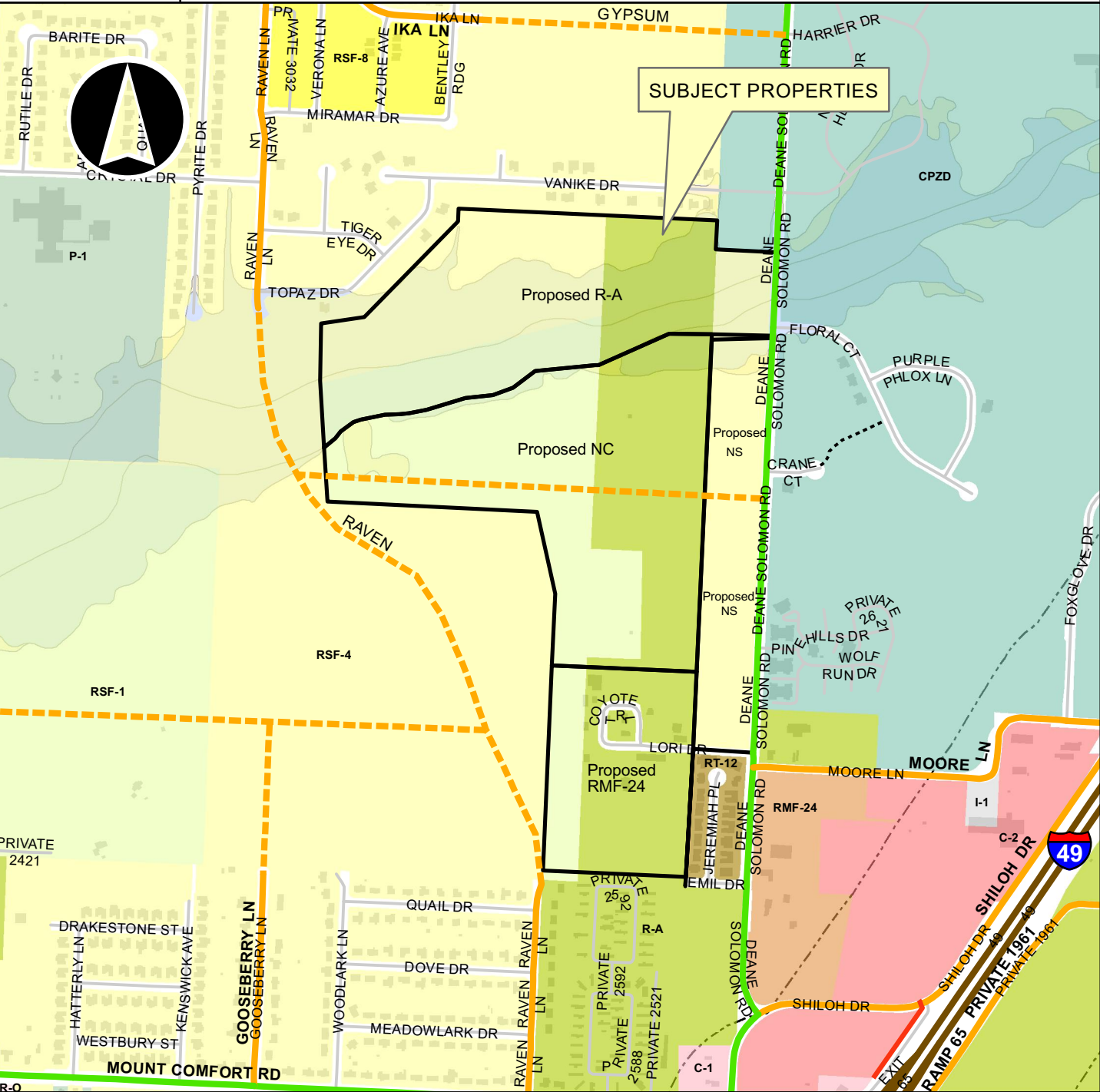
- Exhibit A
- Exhibit B
- Bill of Assurance
- Application
- Planning Commission Staff Report

EXHIBIT 'A'

RZN 15-5240

Close Up View

RAZORBACK GOLF COURSE



Legend		Proposed Zoning		Acres
	RZN15-5240	R-A, Residential Agricultural		41.66
	Fayetteville City Limits	NC, Neighborhood Conservation		48.81
	Footprints 2010	RMF-24, Residential Multi-Family 24 Units per Acre		20.06
	Design Overlay District	NS, Neighborhood Services		17.12
	Planning Area	Total		127.65

RZN 15-5240
EXHIBIT 'B'

TRACT 1 (PROPOSED RMF-24)

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N03°11'57"E 50.00' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N87°27'18"W 777.35', THENCE N02°31'33"E 1115.77', THENCE S87°28'27"E 786.26', THENCE S02°36'38"W 416.97', THENCE S03°11'57"W 699.11' TO THE POINT OF BEGINNING. CONTAINING 20.06 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

TRACT 2 (PROPOSED NS)

A PART OF THE SOUTHWEST QUARTER AND A PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N03°11'57"E 749.11' FROM THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 17 NORTH, RANGE 30 WEST AND RUNNING THENCE N86°11'43"W 329.80', THENCE N02°36'38"E 2253.77', THENCE S88°55'11"E 329.85', THENCE S02°36'38"W 2269.45' TO THE POINT OF BEGINNING. CONTAINING 17.12 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

TRACT 3 (PROPOSED NC)

A PART OF THE SOUTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N03°11'57"E 749.11' AND N02°37'18"E 416.97' FROM THE SOUTHEAST CORNER OF SAID SECTION 32 AND RUNNING THENCE N87°28'27"W 786.26', THENCE N02°31'33"E 390.21', THENCE N12°21'28"W 456.73', THENCE N87°14'46"W 1142.02', THENCE N03°19'05"W 294.76', THENCE N49°45'57"E 79.22', THENCE N38°48'25"E 46.21', THENCE N54°03'36"E 86.63', THENCE N70°31'18"E 41.74', THENCE N78°34'03"E 133.74', THENCE N88°20'05"E 77.89', THENCE N83°41'25"E 53.54', THENCE N79°03'12"E 97.69', THENCE N72°57'01"E 220.69', THENCE N83°49'04"E 150.28', THENCE N69°47'21"E 115.98', THENCE N53°40'33"E 150.23', THENCE N84°12'39"E 245.44', THENCE N85°15'50"E 81.81', THENCE N86°12'19"E 18.70', THENCE N65°48'05"E 418.87', THENCE S88°55'11"E 233.73', THENCE S02°36'38"W 1836.81' TO THE POINT OF BEGINNING. CONTAINING 48.81 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

TRACT 4 (PROPOSED R-A)

A PART OF THE SOUTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF SECTION 32, AND A PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 23, THENCE N87°30'16"W 596.72', THENCE N87°17'30"W 180.05', THENCE N02°31'33"E 1555.97', THENCE N12°21'28"W 456.73', THENCE N87°14'46"W 1142.02', THENCE N03°19'05"W 294.76' TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE N03°19'05"W 363.46', THENCE N00°43'22"E 310.72', THENCE N81°11'30"E 239.40', THENCE N44°22'50"E 726.00', THENCE N02°52'12"E 69.27', THENCE S87°23'56"E 1406.05', THENCE S02°35'43"W 157.10', THENCE S87°19'28"E 330.00', THENCE S02°36'38"W 453.69', THENCE N88°55'11"W 329.85', THENCE N88°55'11"W 233.73', THENCE S65°48'05"W 418.87', THENCE S86°12'19"W 18.70', THENCE S85°15'50"W 81.81', THENCE S84°12'39"W 245.44', THENCE S53°40'33"W 150.23', THENCE S69°47'21"W 115.98', THENCE S83°49'04"W 150.28', THENCE S72°57'01"W 220.69', THENCE S79°03'12"W 97.69', THENCE S83°41'25"W 53.54', THENCE S88°20'05"W 77.89', THENCE S78°34'03"W 133.74', THENCE S70°31'18"W 41.74', THENCE S54°03'36"W 86.63', THENCE S38°48'25"W 46.21', THENCE S49°45'57"W 79.22' TO THE POINT OF BEGINNING. CONTAINING 41.66 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

Handed out at the City Council
meeting 2-16-16.

Print Form

RZN 15-5240 2514 W. Lori Road
Razorback Golf Course

**BILL OF ASSURANCE
FOR THE CITY OF FAYETTEVILLE, ARKANSAS**

In order to attempt to obtain approval of a request for a zoning reclassification, the owner, developer, or buyer of this property, (hereinafter "Petitioner") JEL Land Acquisitions, LLC, hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, **substantial irreparable damage justifying injunctive relief** has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will **reasonable rely** upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers assurances that Petitioner and Petitioner's property shall be restricted as follows IF Petitioner's rezoning is approved by the Fayetteville City Council.

1. The use of Petitioner's property shall be limited to The Approximately
41 Acres Sought to be rezoned as R-A shall be used only as parkland, greenspace or conservation area.

2. Other restrictions including number and type of structures upon the property are limited to In no event shall more than 730 residential housing units be built upon the entirety of the
approximately 128 Acres sought to be rezoned.

3. Specific activities will not be allowed upon petitioner's property include

4. (Any other terms or conditions) _____

5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, SEL LAND ACQUISITIONS, LLC, as the owner, developer or buyer (Petitioner) voluntarily offer all such assurances and sign my name below.

2/16/16
Date

SEL LAND ACQUISITIONS, LLC
Printed Name

Address

[Signature], MANAGER
Signature

NOTARY OATH

STATE OF ARKANSAS

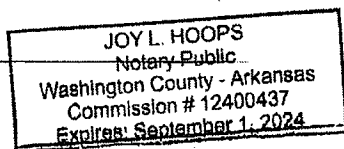
COUNTY OF WASHINGTON

} ss

And now on this the 16th day of February, 2007, appeared before me, Joy L. Hoops, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

Joy L. Hoops
NOTARY PUBLIC

My Commission Expires:



CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY	FEE: \$325.00
Date Application Submitted:	Sign Fee: \$5.00
Date Accepted as Complete:	S-T-R:
Case / Appeal Number:	PP#:
Public Hearing Date:	Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: _____ Applicant ☒ Representative

Applicant (person making request):

Representative (engineer, surveyor, realtor, etc.):

Name: LW Ren Corp Inc

Name: Blew & Associates

Buckley Blew

Address: 2514 W. Lori Drive
Fayetteville, AR

Address: 524 W. Sycamore Ste. 4 Fayetteville, AR

E-mail:

E-mail: buckley@blewinc.com

Phone:

Phone:

(479) 443-4506

Fax:

Fax:

Site Address / Location: Razorback Golf Course 2514 W. Lori Drive & 2595 W. Lori Drive

Current Zoning District: R-A, RSF-4

Requested Zoning District: RSP-4, RMF-24, R-A, N-C

Assessor's Parcel Number(s) for subject property: 765-16658-020, 765-24095-000, 765-15865-000, 765-16658-011,
765-24102-000, 765-16658-000, 765-16657-000, 765-16657-002

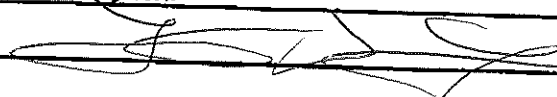
FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Buckley Blew

Date: 10/13/2015

Signature: 

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Property Owners of Record (attach additional info if necessary):

Name (printed):

Address:

Signature:

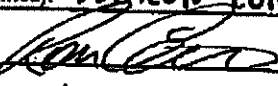
Phone:

Date:

()

Name (printed): LENTON CORP., INC.

Address:

Signature: 

Phone:

Date: 10-14-15

()

Rezoning Checklist:

Attach the following items to this application:

- (1) Payment in full of applicable fees for processing the application:
\$325.00 application fee
\$5.00 public notification sign fee
- (2) A legal description of the property to be rezoned. A survey may be required if the property description can not accurately be platted or if it is described by referring to other deeds.
- (3) CD containing a copy of the legal description in MS Word and all required submittal items should be also included on the CD in PDF format.
- (4) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website (www.co.washington.ar.us). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.



PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

FROM: Andrew Garner, City Planning Director

MEETING DATE: January 25, 2016 Updated with Planning Commission results

SUBJECT: **RZN 15-5240: Rezone (2514 W. LORI RD./RAZORBACK GOLF COURSE, 285):** Submitted by BLEW & ASSOCIATES, INC. for properties located at 2514 W. LORI RD. The properties are zoned R-A, RESIDENTIAL-AGRICULTURAL, RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE, AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 128.54 acres. The request is to rezone the properties to R-A, RESIDENTIAL-AGRICULTURAL, RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION, and NS, NEIGHBORHOOD SERVICES.

RECOMMENDATION:

Staff recommends forwarding **RZN 15-5240** to the City Council with a recommendation for approval.

BACKGROUND:

January 11, 2016 and December 14, 2015 Planning Commission Meetings: This item was tabled at the December 14, 2015 Planning Commission to give the applicant time to revise their request to address comments and concerns from the Planning Commission. The applicant submitted a revised request that was discussed again the January 11, 2016 Planning Commission meeting where the item was tabled again. The applicant has submitted another revised request as described herein and depicted on the attached rezoning exhibit.

Property Background: The subject property contains approximately 128.54 acres located north of Mount Comfort Road and west of Deane Solomon Road. The property has been used for many years for the Razorback Golf Course that has closed for business in recent months. The land has been cleared for decades for golf greens, fairways and paved golf course paths. There are some mature stands of trees in various areas, several ponds and water features, with Clabber Creek and its associated floodplain along the northern portion of the site. The property is zoned RSF-4, Residential Single Family Four Units per Acre; R-A, Residential Agricultural; and RSF-1, Residential Single Family One Unit per Acre. The surrounding land use and zoning is depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Crystal Springs Subdivision	RSF-4, Residential Single Family Four Units per Acre
South	Mobile home park; Bird Haven Subdivision (single family); Coyote Trail Subdivision (two-family)	R-A, Residential Agricultural; RT-12, Residential Two and Three Family
East	Pines at Springwoods (two- and four-family); horse farm; Prairie View Acres; conservation area	C-PZD, Springwoods (equivalent to RSF-4 and RMF-18); R-A, Residential Agricultural
West	Undeveloped	RSF-4, Residential Single Family Four Units per Acre

DISCUSSION:

Request: The applicant requests to rezone the property as listed in *Table 2* and depicted in the attached rezoning exhibit. The applicant has indicated the intention to develop the property with multi-family along the southern portion of the site and single family on other portions of the site. The applicant is proposing to rezone a significant portion of the site (41.66 acres) to R-A. In discussions with the applicant, including review of a conceptual development layout for the site, the R-A zoning is intended for open space conservation and creation of a greenbelt along the Clabber Creek floodplain areas and areas north of the creek all the way the Crystal Springs Subdivision. 17.12 contiguous acres adjacent to Deane Solomon Road in the southern portion of the site are proposed to be rezoned to NS, Neighborhood Services, which is a form-based zoning district that allows a mix of small scale non-residential uses as well as single, two, and three family residential dwellings. The balance of the site is proposed to be zoned to NC which is a single family zoning that provides additional variety of lot sizes and opportunity for increased density up to ten units per acre.

Table 2
Proposed Zoning

Proposed Zoning	Acres (approximate)
R-A, Residential Agricultural	41.66
NC, Neighborhood Conservation	48.81
RMF-24, Residential Multi-Family 24 Units per Acre	20.06
NS, Neighborhood Services	17.12
TOTAL	127.65*

**numbers do not add up to the total acreage of the 128.54-acre parent tract because the parent tract includes land within the very southern portion of the site that is not proposed to be rezoned*

Public Comment: Staff has received a substantial amount of public comments and petitions from single family neighborhoods in the area and several people spoke in person at the January 11, 2016 and December 14, 2015 Planning Commission meeting. Comments are generally opposed to the proposal to rezone the entire property for development siting concerns with a number of issues including traffic safety, drainage, use compatibility, and overall quality of life.

INFRASTRUCTURE:

Streets: The subject parcel has access to Deane Solomon Road. Along the subject parcels' frontage, the eastern half of Deane Solomon Road is fully improved with curb, gutter, sidewalk, and storm drainage. The western half is unimproved with an open earth ditch. The subject parcels also have access to Lori Drive and Emil Drive via existing street stub outs to the southeast. Street construction and dedication of right of way would be required if connections were made here. Improvements to Deane Solomon and other streets/intersections would be evaluated at the time of development.

Water: Public water is available to the site. A 12" public main is located within the Deane Solomon Road right of way and an 8" public main exists along the southernmost parcel line of the subject parcels.

Sewer: Sanitary Sewer is available to the site. An 8" public main is located within the Deane Solomon Road right of way and an 8" public main exists along the southernmost parcel line of the subject parcels.

Drainage: Any additional improvements or requirements for drainage will be determined at time of development. Clabber Creek runs east-west through the northern portion of these parcels. Clabber Creek is a protected stream per city ordinances and contains FEMA regulated floodways and Zone AE floodplains. Floodplain development permits would be required in these locations. No portions of these parcels are located within the HHOD.

Fire: This development will be protected by Engine 7 located at 835 Ruppel Road. It is 3 miles from the station to the study area with an anticipated response time of 7 minutes to the beginning of the study area. The Fire Department does not feel this rezoning will affect calls for service or response times.

Police: The Police Department have not expressed concerns with this request.

PLANNING COMMISSION ACTION: Required		
Date: <u>December 14, 2015</u> ☒ Tabled ☐ Forwarded ☐ Denied		
Motion: <u>Hoffman</u>		
Second: <u>Cook</u>		
Vote: <u>8-0-1 (Selby recused)</u>		
Date: <u>January 11, 2016</u> ☒ Tabled ☐ Forwarded ☐ Denied		
Motion: <u>Chesser</u>		
Second: <u>Hoffman</u>		
Vote: <u>8-1-1 (Commissioner Autry voted 'no'; Commissioner Selby recused)</u>		
Date: <u>January 25, 2016</u> ☐ Tabled ☒ Forwarded ☐ Denied		
<u>Motion #1</u> Motion: Chesser Second: Noble Vote: 4-4-1 (Commissioners Autry, Hoskins, Cook, and Bunch voted 'no', Commissioner Selby recused) MOTION FAILED <i>"Forward with a recommendation for approval as proposed by the applicant."</i>	<u>Motion #2</u> Motion: Hoskins Second: Autry Vote: 5-3-1 (Commissioners Chesser, Brown, and Noble voted 'no', Commissioner Selby recused) MOTION PASSED <i>"Forward with a recommendation for denial of the RMF-24 zoning on Tract 1."</i>	<u>Motion #3</u> Motion: Hoffman Second: Hoskins Vote: 5-3-1 (Commissioners Chesser, Cook, and Noble voted 'no', Commissioner Selby recused) MOTION PASSED <i>"Forward with a recommendation for NC zoning on Tract 3, NS on Tract 3, NS on Tract 2, and R-A zoning on Tract 4."</i>

CITY PLAN 2030 FUTURE LAND USE PLAN:

The City Plan 2030 Future Land Use Plan map (FLUM) identifies this area primarily as a **Civic and Private Open Space/Parks Area** with **Natural Area** in the Clabber Creek floodplain area and **Residential Neighborhood Area** north of Clabber Creek.

The site is designated as Civic and Private Open Space/Parks Area because of its historical use as a private golf course. However, this designation does not limit the property from being able to be redeveloped and transition over time into a different land use.

The study area is identified as having a high level of natural resources by the Fayetteville Natural Heritage Association (FNHA), a local non-profit group. Some habitat in the study area is classified by the FNHA as seasonal wetlands¹. As a result of the FNHA work and other City staff research, this study area was included on the Enduring Green Network (EGN) map. The EGN map resulted in designation of portions of this area as Natural Area on the FLUM. However, site specific environmental study of the project area has not been conducted to staff's knowledge. It should be noted that golf courses have had a long reputation of being harmful to the environment because of the use of chemicals (fertilizer, pesticides, herbicides, etc.), water, and other resources to maintain pristine golfing conditions.²

The applicant's proposal to rezone 41.66 acres to R-A, Residential Agricultural directly follows and expands the Natural Area designation along Clabber Creek. In addition, the R-A designation includes preservation of a large area north of Clabber Creek outside the floodplain. This provides the opportunity for future development of this site to fully meet the intent of Goal 5 of City Plan 2030, "We will assemble an enduring green network".

¹ Fayetteville Natural Heritage Association Environmental Working Group Map 2008-2009

² Audobon International. Golf and the Environment Fact Sheet. Accessed December 2015.
www.audoboninternational.org

- **Civic and Private Open Space/Parks Areas** are sites that are permanently dedicated to open space or park land. Guiding Policies for this areas are as follows:
 - a. Encourage parkland dedication and conservation easements for trails that support the Fayetteville Alternative Trails and Transportation Plan, the 10-Year Parks Master Plan and the Enduring Green Network.
 - b. Provide an integrated network of open space areas throughout the City to serve local residents as well as provide a regional asset and visitor attraction.
 - c. Plan for the long-term preservation and enhancement of open space (including undeveloped natural areas, utility corridors, and key scenic corridors) within the Fayetteville green network.
 - d. Conserve open space within the Fayetteville green network through private acquisition and other acceptable conservation methods.
 - e. Encourage the creation of connected trails and walkways between community activity areas and neighborhoods and enhance with kiosks and rest stations.
 - f. Encourage community-based “green” infrastructure such as rain gardens, vegetated drainages and bio-retention facilities.
 - g. Encourage pocket parks, especially in the urban center areas.
- **Natural Areas** consist of lands approximating or reverting to a wilderness condition, including those with limited development potential due to topography, hydrology, vegetation or value as an environmental resource. These resources can include stream and wildlife corridors, as well as natural hubs and cores, as identified in the FNHA study, many of which make up the backbone of the enduring green network. A **Natural Area** designation would encourage a development pattern that requires conservation and preservation, prevents degradation of these areas, and would utilize the principles of low impact development for all construction.

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: **Surrounding Land Use Compatibility:** The proposed zoning is compatible with the surrounding residential properties to the north, east, and west by proposing similar single family detached zoning. Rezoning the southern 20.06 acres for multi-family residential is compatible with surrounding residential uses and zonings including multi-family to the east in the Pines at Springwoods development, a neighborhood of duplexes to the south in the Coyote Trail subdivision, and undeveloped land zoned for single family residential zoning to the west. Compatibility does not mean that the zoning has to be identical in terms of the actual zoning district, building typology allowed, or use. It refers to the ability of various zoning districts and uses being able to existing in harmony with surrounding neighborhoods. In staff's opinion, the proposal is not only compatible, it is complimentary and adds to the variety and mix of residential dwelling types and potential for small scale non-residential uses that could be a benefit to the surrounding neighborhoods.

Land Use Plan and Policy Analysis: The rezoning is consistent with planning objectives, principles, and policies put forward in City Plan 2030 and the FLUM. The FLUM designates a majority of this site as **Civic and Private Open Space/Parks Areas** to recognize the historical use of this site as a private golf course. This designation does not prevent the property from being rezoned and redeveloped for a different land use consistent with overall City

policy. The rezoning is consistent with goals and policies of City Plan 2030 to discourage suburban sprawl by encouraging development in an area surrounded by developed neighborhoods and roadways. The proposed use of the RMF-24, NS, and NC zoning districts are consistent with the goal to make traditional town form the standard as these districts are form-based districts that have a build-to zone for buildings to define space along streets. Additionally, mixing a variety of residential zoning districts provides the opportunity for a variety of price points for residents that creates opportunities for attainable housing. The area of NS zoning along Deane Solomon Road allows the opportunity for live-work studios or other small scale non-residential goods and services to be integrated in appropriate areas of the neighborhood. Finally, as discussed earlier in this report, the proposal to rezone 41.66 acres of the site to R-A in the configuration proposed will help assemble an enduring green network providing a benefit to the natural environment and contributing to quality of life for residents. The proposal is consistent with the FLUM designation of *Natural Area* on the Clabber Creek floodplain portion of the site.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: Staff finds that the proposed zoning is justified and needed to accommodate development of this area. The golf course on the project site has gone out of business similar to trends across the nation with the golf industry on the decline. Given this site's proximity to existing roads, utility infrastructure, and surrounding development, it is justified to rezone the property for higher residential density.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: This rezoning will create the opportunity for development that could substantially increase traffic on surrounding roads over the existing zoning that is RSF-1, RSF-4, and R-A. Deane Solomon Road is an unimproved two-lane road and will need to be improved with any development. In addition, a bridge over Clabber Creek to the west of this site is indicated on the Master Street Plan and development of this property may need to contribute an assessment towards that offsite improvement. Mount Comfort Road/Porter Road is a Minor Arterial roadway that has been recently improved by the City and Arkansas State Highway and Transportation Department (AHTD), including signalization and interchange improvements at I-49. Mount Comfort and Deane Solomon Road will serve a large proportion of traffic in and out of this property. With on and off-site improvements required as part of development, an appreciable increase in traffic danger and congestion should not result.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: The proposed rezoning would increase the potential population density over the existing zoning, but is unlikely to undesirably increase the load on public services. An analysis of impact to city services has been included in the overall recommendation included throughout this staff report. The Police Department expressed no objections to the proposal. The Fire Department does not feel that this zoning will negatively affect service times to area. Members of the public have commented to staff that this rezoning will result in overcrowding of nearby schools. The Fayetteville School District is notified of all rezonings by the City but does not typically provide comments and have provided no input on this application.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
 - a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Existing and proposed zoning criteria
- Applicant's request letter
- Rezoning exhibit
- Public comment
- Current land use map
- Close up map
- Future land use map
- One mile map

161.03 District R-A, Residential-Agricultural

(A) *Purposes.* The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 20	Commercial recreation, large sites
Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

Units per acre	One-half
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(D) *Bulk and area regulations.*

Lot width minimum	200 ft.
Lot Area Minimum:	
Residential:	2 acres
Nonresidential:	2 acres
Lot area per dwelling unit	2 acres

(E) *Setback requirements.*

Front	Side	Rear
35 ft.	20 ft.	35 ft.

(F) *Height requirements.* There shall be no maximum height limits in the A-1 District, provided, however, that any building which exceeds the height of 15 feet shall be setback from any boundary line of any residential district a distance of 1.0 foot for each foot of height in excess of 15 feet. Such setbacks shall be measured from the required setback lines.

(G) *Building area.* None.

(Code 1965, App. A., Art. 5(1); Ord. No. 1747, 6-29-70; Code 1991, §160.030; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5195, 11-6-08; Ord. 5238, 5-5-09; Ord. 5479, 2-7-12)

161.05 District RSF-1, Residential Single-Family – One Unit Per Acre

(A) *Purpose.* A district having single-family detached residences on lots with a minimum size of one unit per acre. The district is designed to permit and encourage the development of very low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(C) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(D) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(E) *Density.*

Units per acre	1
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(F) *Bulk and area regulations.*

Lot width minimum	150 ft.
Lot area minimum	35,720 Sq. Ft.
Land area per dwelling unit	35,720 Sq. Ft.

(G) *Setback requirements.*

Front	Side	Rear
35 ft.	20 ft.	35 ft.

(H) *Building height regulations.*

Building Height Maximum	45 ft.
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Height regulations. Structures in this District are limited to a building height of 45 feet. Existing structures that exceed 45 feet in height shall be grandfathered in, and not considered nonconforming uses, (ord. # 4858).

(I) *Building area.* None.

(Code 1965, §160.44; Ord. No. 3792, §4, 5-17-94; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. 4858, 4-18-06; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5224, 3-3-09; Ord. 5462, 12-6-11)

161.07 District RSF-4, Residential Single-Family – Four Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(C) *Density.*

	Single-family dwellings	Two-family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and area regulations.*

	Single-family dwellings	Two-family dwellings
Lot minimum width	70 ft.	80 ft.
Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.
Hillside Overlay District Lot minimum width	60 ft.	70 ft.
Hillside Overlay District Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.

(E) *Setback requirements.*

Front	Side	Rear
15 ft.	5 ft.	15 ft.

(F) *Building height regulations.*

Building Height Maximum	45 ft.
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Height regulations. Structures in this District are limited to a building height of 45 feet. Existing structures that exceed 45 feet in height shall be grandfathered in, and not considered nonconforming uses, (ord. # 4858).

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 4858, 4-18-06; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5224, 3-3-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11)

161.14 District RMF-24, Residential Multi-Family – Twenty-Four Units Per Acre

(A) *Purpose.* The RMF-24 Multi-family Residential District is designed to permit and encourage the developing of a variety of dwelling types in suitable environments in a variety of densities.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 25	Professional offices
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Manufactured home park	100 ft.
Lot within a Manufactured home park	50 ft.
Single-family	60 ft.
Two-family	60 ft.
Three or more	90 ft.
Professional offices	100 ft.

(2) *Lot area minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 sq. ft.
Townhouses:	
Development	10,000 sq. ft.
Individual lot	2,500 sq. ft.
Single-family	6,000 sq. ft.
Two-family	7,000 sq. ft.
Three or more	9,000 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

(3) *Land area per dwelling unit.*

Manufactured home	3,000 sq. ft.
Apartments:	
No bedroom	1,700 sq. ft.
One bedroom	1,700 sq. ft.
Two bedroom	2,000 sq. ft.

Fraternity or Sorority	1,000 sq. ft. per resident
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(E) *Setback requirements.*

Front	Side	Rear
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 ft.	25 ft.

Cross reference(s)--Variance, Ch. 156.

(F) *Building height regulations.*

Building Height Maximum	30/45/60ft.*
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*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet, between 10-20 feet from the master street plan right-of-way a maximum height of 45 feet and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 60 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* None.

(H) *Minimum buildable street frontage.* 50% of the lot width.

(Code 1965, App. A., Art. 5(III); Ord. No. 2320, 4-6-77; Ord. No. 2700, 2-2-81; Code 1991, §160.033; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5079, 11-20-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5495, 4-17-12; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

161.26 Neighborhood Conservation

(A) *Purpose.* The *Neighborhood Conservation* zone has the least activity and a lower density than the other zones. Although *Neighborhood Conservation* is the most purely residential zone, it can have some mix of uses, such as civic buildings. *Neighborhood Conservation* serves to promote and protect neighborhood character. For the purposes of Chapter 96: Noise Control, the *Neighborhood Conservation* district is a residential zone.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 12	Limited Business *
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cottage Housing Development

(C) *Density.* 10 Units Per Acre.

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single Family	40 ft.
Two Family	80 ft.
Three Family	90 ft.

(2) *Lot area minimum.* 4,000 Sq. Ft.

(E) *Setback regulations.*

Front	A build-to zone that is located between the front property line and a line 25 ft. from the front property line.
Side	5 ft.
Rear	5 ft.
Rear, from center line of an alley	12 ft.

(F) *Building height regulations.*

Building Height Maximum	45 ft.
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(Ord. 5128, 4-15-08; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

161.16 Neighborhood Services

- (A) *Purpose.* The Neighborhood Services district is designed to serve as a mixed use area of low intensity. Neighborhood Services promotes a walkable, pedestrian-oriented neighborhood development form with sustainable and complementary neighborhood businesses that are compatible in scale, aesthetics, and use with surrounding land uses. For the purpose of Chapter 96: Noise Control, the Neighborhood Services district is a residential zone.

(B) *Uses*

(1) *Permitted uses*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 12	Limited Business
Unit 24	Home occupations
Unit 41	Accessory dwelling units
Unit 44	Cottage Housing Development

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional uses*

Unit 2	City-wide uses by conditional use
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 19	Commercial recreation, small sites
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 36	Wireless communication facilities*
Unit 40	Sidewalk cafes
Unit 45	Small scale production

(C) *Density.*

Units per acre	10 or less
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(D) *Bulk and Area*

(1) *Lot width minimum*

Single-family	35 feet
Two-family	70 feet
Three or more	90 feet
All other uses	None

(2) *Lot area minimum.*

Single-family	4,000 sq. ft.
Two-family or more	3,000 sq. ft. of lot area per dwelling unit
All other permitted and conditional uses	None

(E) *Setback regulations*

Front:	A build-to zone that is located between 10 and 25 feet from the front property line.
Side	5 feet
Rear	15 feet

(F) *Building height regulations.*

Building Height Maximum	45 ft.
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- (G) *Building area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of the lot. (Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14; Ord. 5735, 1-20-15)



Blew & Associates, P.A.

Professional Land Surveyors

524 W. Sycamore Street, Suite #4, Fayetteville, AR 72703
PH: 479-443-4506 * FAX: 479-582-1883 <http://www.blewinc.com>

RE: Rezone request for Razorback Park Golf Course

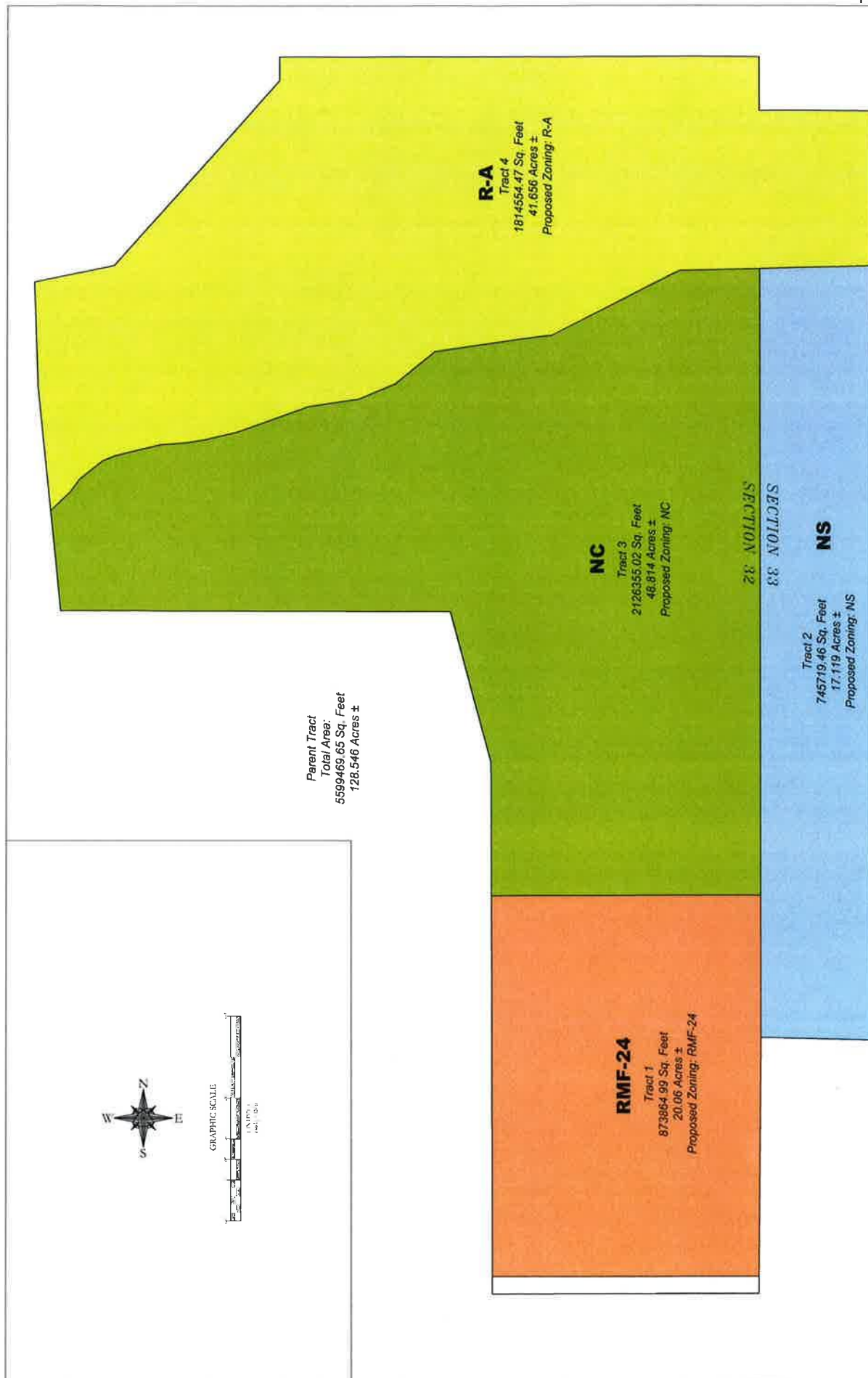
October 14, 2015

To whom it may concern:

We would like to request a rezone of the Razorback Park Golf Course from its current mix of zoning regulations (RSF-4, R-A, R-1) to a more usable mix of (RSF-4, R-A, NC, RMF-24). The current use of the property as a golf course is no longer in use. We feel that the mix of zoning regulations that we are asking for fit the cities master plan intent by providing multiple uses across a large acreage parcel located inside the City of Fayetteville. At the same time the requested R-A zoning will provide green space to connect each zoning district to the creek, future city trail, and the other green spaces provided on site. The property currently has access to all public utilities either adjacent to or located within its borders.

Sincerely,

Buckley Blew



PUBLIC COMMENT

Garner, Andrew

From: Carly Grace <carly.grace@gmail.com>
Sent: Tuesday, December 08, 2015 1:18 PM
Subject: Razorback golf course in regard to the 2030 plan

Dear Planning Staff,

I'm certain you have received plenty of communication about next week's item on the agenda of rezoning the parcel of land that is known as the Razorback Golf Course. I'd like to add to that.

Although I think there are many reasons to deny a rezoning request for this property, the main reason is because looking at the 2030 plan, neighborhoods do not fit. The parcel is planned to be private and civic parks. I understand that a lot of this land is currently zoned rsf-4, which is not parks. If the zoning changes, it should move more toward the 2030 plan, which would not include zoning for housing.

I know that the 2030 plan can be flexible, since the golf course closed, BUT I live in this area. I bike to parks in this area. I have 2 small children. For how dense the housing really is there are hardly enough park areas. The 2030 plan did well to plan the Razorback golf course to be parks/civic/private. Maybe they expected the golf course to still be there. But maybe it was providence that they planned it to be zoned that way! It's right along the proposed trail in progress. It needs to be a park.

The only park around there is salem park, which is on the other side of Salem about a mile away. Salem park is small and enclosed in a neighborhood--no room for expansion there. Holcomb elementary facilities can only be accessed during non-school hours--not helpful with little kids. The area needs more park space over there, as it is filling up with more and more houses and families. Let's stick with the 2030 plan. That area is so large. It would be perfect for a future city pool, large park comparable to Gulley park for the west side of town. Please stick to the plan and do not change the zoning toward more houses or apartments. Even though the golf course is gone, let's stick to the vision of the 2030 plan!

Carly Grace
4966 W. Chimon Way
Fayetteville, AR 72704

Garner, Andrew

From: Craig, Amanda <Amanda.Craig@tyson.com>
Sent: Monday, December 14, 2015 3:59 PM
To: Garner, Andrew
Cc: jaycraig93@yahoo.com
Subject: Razorback Golf Course Development

Dear Mr. Garner,

I am writing you to express my family's concern around the potential development of the former Razorback Golf Course. We live near the property in Prairie View Acres Subdivision on Crane Court.

We are very saddened at the potential loss of such a beautiful piece of green space in our city. Losing this land to development will destroy natural grass lands and endangered fish habitats along with many tall, lovely pine trees. West Fayetteville is an underserved area with respect to parks and green space and would benefit from preservation of this space for residents' use.

If development is going to happen, there are several issues that must be considered when determining the amount of new residents the area can accommodate. Namely, the amount of increased traffic, flooding issues and influx of students to the public schools. The infrastructure of the area is inadequate and therefore, hazardous to traffic along the Dean Solomon corridor. Adding +2,500 residents to the area will only exacerbate the issue. Also, flooding in and around this property is a problem almost every time it rains for any period of time. Water covers part of Dean Solomon Rd. near of Vanike Dr. at times and many residents deal with inches of standing water in their yards on a continual basis. Additional dense development will increase frequency and greatly worsen these instances. Lastly, both of my children attend Holcomb Elementary and its potential overcrowding and possible future rezoning is very worrisome to our family.

To date, none of the potential developer's nor the City's plans regarding this development adequately address any of the above concerns. If this beautiful, historic, unique piece of land must be developed, it needs to be done wisely. **Please keep the current zoning of no more than 4 units per acre to minimize the negative impacts to our community.**

Thank you,

Amanda and Jay Craig
2372 Crane Ct.
Fayetteville, AR 72704

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Mr. Garner,

I hope this reaches you. We don't know each other but I would like to express my concerns about the possibility of a new apartment/housing community at Razorback golf course. This situation reminds me of when Lindsey Management built their cornerstone apartments off of Porter road. They made a pond that doesn't drain properly and got away with it because of who they are. That pond still causes problems for the row of homes behind it on Megan Drive. The people went to the city but it didn't matter because Lindsey Management usually gets what it wants. Now when it rains that pond overflows into the backyards of many homes. Also, it's created a noticeable mosquito problem due to stagnant water standing behind this street. My wife and I live in Fayetteville but commute to work. When we drive to get on the highway or 112 in the mornings there is already a line of traffic down porter attempting to get to campus or on the highway. Can you imagine what 600 more apartments would do? You would have hundreds of college students trying to get to campus under a single lane bridge or jump on the highway which would be equally difficult. As you know, this will ruin the housing value of anyone who lives on the golf course. But if there's one thing that Lindsey Management lacks, it is compassion. They have zero of it. My wife and I both have lived in different Lindsey rental here in Fayetteville and Fort Smith and it was truly the worst experience ever. They don't care about their tenants or their property, they care about rental income. I love Fayetteville and believe in growth but this isn't the right option. I could give you a list of reasons why this shouldn't go through but this should suffice for now. My self and others will pray you will do what's right for this community.

Merry Christmas

Garner, Andrew

From: galileo81580@gmail.com on behalf of Kyle Smith <KyleSmith@projectgalileo.net>
Sent: Monday, December 14, 2015 7:56 PM
To: Garner, Andrew
Subject: Razorback rezoning photos

I spoke half-heartedly about the rezoning request at Razorback golf course. If we can guarantee the water flow issues are resolved without damage to Clabber Creek and the Wilson Springs preservation area, then I look forward to inviting new neighbors to the best part of Fayetteville.

I hope you will forward this to the planning commission. After work today, when it had stopped raining for a few hours, I went out to look around. The standing water covers a vast land area even before any roofs or pavement are added. This was not one of those 100-year rain events; this is the standard condition. Consider, also, the impact of anticipated residential development to the west of the property (the planned Raven connection).

This seems like a daunting problem but I hope it can be resolved in a way that results in responsible density increase and happy neighbors.

<https://goo.gl/photos/MsJpGtCY5zUYrahR9>

Kyle Smith
2801 W Dove Dr

Petition: Deny rezoning request for Razorback Golf Course



We are Fayetteville citizens who have an interest in the outcome of the rezoning of Razorback Golf Course from Residential-Agricultural to multiple designations, including Residential Multi-Family 24.

In short, we are extremely concerned about the impact of 2,500+ additional residents to an area with underdeveloped infrastructure and ongoing flooding hazards. **We think that changing the zoning to allow more density in the area will have an adverse impact on our safety and overall quality of life.**

Deane Solomon Road is a narrow with open ditches. The north end intersects with Highway 112 and presents additional hazards - such as poor visibility and a challenging s-turn. As residents of the area, our fear is that with increased traffic load comes more dangerous driving conditions. To remedy these fears it will take significant improvements to the entire length of Deane Solomon, not just the portion adjacent to the golf course property.

Flooding on the north end of the property is an ongoing problem. Clabber Creek crosses under Deane Solomon and occupies some of the lowest ground in all of Fayetteville. Groundwater sits near the surface for the majority of the year, even creating flood situations during modest rain events. We are concerned that residential construction on this part of the golf course property will create flooding issues for the existing homes to the north on Topaz and Vanike drives.

We are also concerned about the volume of storm water produced by dense development (i.e., apartments allowed under RMF-24) on the south end of the property. Rooftops and asphalt parking lots built to accommodate such a large number of residents will drive storm water downhill to Clabber Creek, towards existing and future homes.

We are of course sad to lose one of the last remaining green spaces inside Fayetteville city limits. Those of us who live near the property can attest to its natural beauty and the variety of animal species that call the area home. Wilson Springs - just upstream from the golf course property - is one of the last remaining tall grass prairies and perennial wetlands in Northwest Arkansas. It's home to the Arkansas Darter fish, a testament to just how unique and special the area is.

We are concerned that dense infill will have an adverse impact on the biological balance of the natural areas surrounding the golf course property.

Ideally the property could be preserved as an open space. The Northwest Arkansas Regional Planning Commission recently put together an open space plan for the area, and according to the Northwest Arkansas Democrat Gazette (11/28/15) there are numerous benefits to maintaining open space in our cities:

"Some recognized benefits to preserving open space in communities include creating a high quality of life that attracts tax-paying businesses and residents; stimulating commercial growth and promoting city revitalization; boosting local economies by attracting tourists and supporting outdoor recreation; floodplain protection; protecting agricultural land to safeguard the future of farming economies and communities; and safeguarding drinking water and clean air, according to regional planners."

The current owner of the golf course has no doubt been through some trying economic times in the golf industry. We do not doubt that business has been tough. We do support the current owner's right to sell and/or develop his property.

However, we feel that if development is going to take place it is in the best interest of Fayetteville as a whole to restrict the development of the golf course property to no more than four (4) units per acre.

Petition: Deny rezoning request for Razorback Golf Course

Printed on Monday, 12/14/15, 10:18am

Number	Name	City	State	Postal Code	Country	Signed On
1	Brian Sorensen	Fayetteville	Arkansas	72704	United States	11/30/2015
2	Greg Smith	Fayetteville	Arkansas	72704	United States	11/30/2015
3	Huipeng Yap	Fayetteville	Arkansas	72704	United States	11/30/2015
4	Beth Emmanuel	Fayetteville	Arkansas	72704	United States	11/30/2015
5	Ashley Hale	Fayetteville	Arkansas	72704	United States	11/30/2015
6	Taylor Staley	Fayetteville	Arkansas	72704	United States	11/30/2015
7	Jeff Reese	Fayetteville	Arkansas	72704	United States	11/30/2015
8	John Thorn	Fayetteville	Arkansas	72704	United States	11/30/2015
9	Pam Doss	Fayetteville	Arkansas	72703	United States	11/30/2015
10	Lindsay Smith	Fayetteville	Arkansas	72704	United States	11/30/2015
11	Julie Preddy	Fayetteville	Arkansas	72701	United States	11/30/2015
12	Timothy Stidham	Fayetteville	Arkansas	72704	United States	11/30/2015
13	Barri Tulgetske	Fayetteville	Arkansas	72704	United States	11/30/2015
14	Ashley Striegler	Fayetteville	Arkansas	72704	United States	11/30/2015
15	Sara Staley	Springdale	Arkansas	72764	United States	11/30/2015
16	Tim Taylor	Fayetteville	Arkansas	72704	United States	11/30/2015
17	Sarah Winders	Fayetteville	Arkansas	72701	United States	11/30/2015
18	Amanda Barker	Fayetteville	Arkansas	72704	United States	11/30/2015
19	Deborah Ahring	Fayetteville	Arkansas	72701	United States	11/30/2015
20	Gary Guyhrir	Fayetteville	Arkansas	72704	United States	11/30/2015
21	Joe Emmanuel	Fayetteville	Arkansas	72704	United States	11/30/2015
22	Kyle Joyce	Fayetteville	Arkansas	72704	United States	11/30/2015
23	Amanda Stevinson	Fayetteville	Arkansas	72704	United States	11/30/2015
24	Spencer Smith	Fayetteville	Arkansas	72704	United States	11/30/2015
25	Brenda Hoyt	Fayetteville	Arkansas	72704	United States	11/30/2015
26	Adam Stevinson	Fayetteville	Arkansas	72701	United States	11/30/2015
27	Peggy Logan	Fayetteville	Arkansas	72704	United States	11/30/2015
28	Zachary Hulett	Fayetteville	Arkansas	72704	United States	11/30/2015
29	Kathleen Reese	Fayetteville	Arkansas	72704	United States	11/30/2015
30	Amanda Harris	Fayetteville	Arkansas	72701	United States	11/30/2015
31	Sara Young	Fayetteville	Arkansas	72704	United States	11/30/2015
32	Atina King	Fayetteville	Arkansas	72704	United States	11/30/2015
33	Amy Linimon	Fayetteville	Arkansas	72704	United States	11/30/2015
34	Melinda Mock	Fayetteville	Arkansas	72703	United States	11/30/2015
35	Sarah White	Fayetteville	Arkansas	72704	United States	11/30/2015
36	Chris Nichols	Fayetteville	Arkansas	72704	United States	11/30/2015
37	Lori Collier	Fayetteville	Arkansas	72704	United States	11/30/2015
38	Lori Bremer	Fayetteville	Arkansas	72704	United States	11/30/2015
39	Suzette Bowen	Fayetteville	Arkansas	72703	United States	11/30/2015
40	Holly White	Fayetteville	Arkansas	72704	United States	11/30/2015
41	Kathleen Stocker	Fayetteville	Arkansas	72703	United States	11/30/2015
42	Terrell Bowen	Fayetteville	Arkansas	72704	United States	11/30/2015
43	Daniel Hennessey	Fayetteville	Arkansas	72704	United States	11/30/2015
44	Kevin White	Fayetteville	Arkansas	72704	United States	12/1/2015

45	Adam Schaffer	Bentonville	Arkansas	72712	United States	12/1/2015
46	Elaine Wade	Fayetteville	Arkansas	72701	United States	12/1/2015
47	Jacob Ward	Fayetteville	Arkansas	72704	United States	12/1/2015
48	Mark Baber	Fayetteville	Arkansas	72704	United States	12/1/2015
49	Stephanie Hulett	Fayetteville	Arkansas	72704	United States	12/1/2015
50	Megan Sorensen	Fayetteville	Arkansas	72704	United States	12/1/2015
51	Remington Hendrix	Fayetteville	Arkansas	72704	United States	12/1/2015
52	Lori Mertensmeyer	Fayetteville	Arkansas	72704	United States	12/1/2015
53	Karen Rorex	Fayetteville	Arkansas	72703	United States	12/1/2015
54	Casey Pianalto	Fayetteville	Arkansas	72702	United States	12/1/2015
55	Carmen Hennelly	Fayetteville	Arkansas	72701	United States	12/1/2015
56	Shannon Lee	Fayetteville	Arkansas	72704	United States	12/1/2015
57	Tiffany Yee	Fayetteville	Arkansas	72704	United States	12/1/2015
58	Tara Hoffman	Fayetteville	Arkansas	72704	United States	12/1/2015
59	Amy Bradley	Fayetteville	Arkansas	72704	United States	12/1/2015
60	Aaron Gibson	Fayetteville	Arkansas	72701	United States	12/1/2015
61	Don Lee	Siloam Springs	Arkansas	72761	United States	12/1/2015
62	Todd Halley	Fayetteville	Arkansas	72701	United States	12/1/2015
63	Heather Hammel	Fayetteville	Arkansas	72704	United States	12/1/2015
64	Amy Johnson	Springdale	Arkansas	72762	United States	12/1/2015
65	Melinda Smith	Fayetteville	Arkansas	72703	United States	12/1/2015
66	Jim Van Horn	Fayetteville	Arkansas	72704	United States	12/1/2015
67	Sarah Berry	Fayetteville	Arkansas	72704	United States	12/1/2015
68	Murry Owens	Fayetteville	Arkansas	72704	United States	12/1/2015
69	Jenny Sachs	Springdale	Arkansas	72764	United States	12/1/2015
70	Linda Starr	Fayetteville	Arkansas	72701	United States	12/1/2015
71	Brad Mize	Fayetteville	Arkansas	72701	United States	12/1/2015
72	Laura Bryant	Fayetteville	Arkansas	72704	United States	12/1/2015
73	Cori Falkner	Fayetteville	Arkansas	72704	United States	12/1/2015
74	Harold Hubbard	Fayetteville	Arkansas	72703	United States	12/1/2015
75	Jim Erwin	Fayetteville	Arkansas	72704	United States	12/1/2015
76	Victoria Hennessey	Fayetteville	Arkansas	72704	United States	12/1/2015
77	Samantha Barnes	Fayetteville	Arkansas	72704	United States	12/1/2015
78	Kathy Hubbard	Fayetteville	Arkansas	72704	United States	12/1/2015
79	Linda Fricke	Fayetteville	Arkansas	72701	United States	12/1/2015
80	Josh Garner	Fayetteville	Arkansas	72703	United States	12/1/2015
81	Kalyn Cavalier	Fayetteville	Arkansas	72704	United States	12/1/2015
82	Lora Horne	Fayetteville	Arkansas	72704	United States	12/1/2015
83	Rob Qualls	Fayetteville	Arkansas	72703	United States	12/1/2015
84	Anne Skinner	Fayetteville	Arkansas	72701	United States	12/1/2015
85	Tyler McCartney	Fayetteville	Arkansas	72704	United States	12/1/2015
86	Carlisle McCartney	Fayetteville	Arkansas	72704	United States	12/1/2015
87	Hayzen Guynn	Fayetteville	Arkansas	72704	United States	12/1/2015
88	Jennifer McGill	Fayetteville	Arkansas	72701	United States	12/1/2015
89	John Cardinal	Fayetteville	Arkansas	72704	United States	12/1/2015
90	Kayla Gussy	Fayetteville	Arkansas	72703	United States	12/1/2015
91	Georgia Lance	Elkins	Arkansas	72727	United States	12/1/2015

92	Huy Tran	Fayetteville	Arkansas	72704	United States	12/1/2015
93	Norman Delavega	Fayetteville	Arkansas	72704	United States	12/1/2015
94	Aneth Delavega	Fayetteville	Arkansas	72704	United States	12/1/2015
95	Kathleen Smoot	Fayetteville	Arkansas	72704	United States	12/1/2015
96	Korin Cardinal	Fayetteville	Arkansas	72704	United States	12/1/2015
97	Doug Chambers	Fayetteville	Arkansas	72704	United States	12/1/2015
98	Carly Grace	Fayetteville	Arkansas	72704-6960	United States	12/1/2015
99	Mark Fougerousse	Bethany	Oklahoma	73008	United States	12/1/2015
100	Suzanne Clark	Fayetteville	Arkansas	72701	United States	12/1/2015
101	Linda marquess	Fayetteville	Arkansas	72704	United States	12/1/2015
102	Kimberly Gasner	Fayetteville	Arkansas	72704	United States	12/1/2015
103	Deja Glover	Fayetteville	Arkansas	72704	United States	12/1/2015
104	Jamie Sparks	Fayetteville	Arkansas	72704	United States	12/1/2015
105	John Calhoun	Fayetteville	Arkansas	72704	United States	12/1/2015
106	Sarah Martin	Fayetteville	Arkansas	72704	United States	12/1/2015
107	Ryan Green	Fayetteville	Arkansas	72704	United States	12/1/2015
108	Jeremy Sparks	Fayetteville	Arkansas	72704	United States	12/1/2015
109	Leigh Stidham	Fayetteville	Arkansas	72704	United States	12/1/2015
110	Ryan Grace	Fayetteville	Arkansas	72703	United States	12/1/2015
111	Cassie Rader	Springdale	Arkansas	72762	United States	12/1/2015
112	Linda Estopy	Fayetteville	Arkansas	72703	United States	12/1/2015
113	Robert Gibson	Fayetteville	Arkansas	72704	United States	12/1/2015
114	Bethany Pautsch	Fayetteville	Arkansas	72704	United States	12/1/2015
115	Amy Webb	Fayetteville	Arkansas	72704	United States	12/1/2015
116	Keala Noel	Pāhoa	Hawaii	96778	United States	12/1/2015
117	Sandra Ware	Fayetteville	Arkansas	72704	United States	12/1/2015
118	Anthony Sinbandhit	Fort Smith	Arkansas	72904	United States	12/1/2015
119	Wade Story	Fayetteville	Arkansas	72703	United States	12/1/2015
120	Amanda Quinn	Fayetteville	Arkansas	72704	United States	12/1/2015
121	Matt Hall	Fayetteville	Arkansas	72704	United States	12/1/2015
122	Ginny Fuller	Siloam Springs	Arkansas	72761	United States	12/1/2015
123	Staci Ledford	Fayetteville	Arkansas	72703	United States	12/1/2015
124	Lynda Yoon	Fayetteville	Arkansas	72704	United States	12/1/2015
125	Staci Coston	Fayetteville	Arkansas	72704	United States	12/1/2015
126	Jennifer Haas	Fayetteville	Arkansas	72704	United States	12/1/2015
127	Ashley Nail	Fayetteville	Arkansas	72704	United States	12/1/2015
128	Sarah Green	Fayetteville	Arkansas	72704	United States	12/1/2015
129	Chantal Buslot	Hasselt	Texas	78756	United States	12/1/2015
130	Billie Hall	Fayetteville	Arkansas	72704	United States	12/1/2015
131	Julie Tran	Fayetteville	Arkansas	72704	United States	12/1/2015
132	Lay vilayvanh	Fayetteville	Arkansas	72704	United States	12/1/2015
133	Brittney Wheeler	Fayetteville	Arkansas	72704	United States	12/1/2015
134	Dawn Green	Fayetteville	Arkansas	72701	United States	12/1/2015
135	Billy Townsend	Fayetteville	Arkansas	72704	United States	12/1/2015
136	Vance Brock	Springdale	Arkansas	72764	United States	12/1/2015
137	Patricia Lucas	Fayetteville	Arkansas	72704	United States	12/1/2015
138	Michelle Peng	FAYETTEVILLE	Arkansas	72703	United States	12/1/2015

139	Hugh Starr	Fayetteville	Arkansas	72701	United States	12/1/2015
140	Darby Barton	Fayetteville	Arkansas	72703	United States	12/1/2015
141	Brittany Smith	Chicago	Illinois	60602	United States	12/1/2015
142	Brian Buckley	Fayetteville	Arkansas	72704	United States	12/1/2015
143	Matthew Wilson	Fayetteville	Arkansas	72701	United States	12/1/2015
144	Brandy Kinghorn	Fayetteville	Arkansas	72703	United States	12/1/2015
145	Laura Duke	Fayetteville	Arkansas	72704	United States	12/1/2015
146	Lynn Gardner	Fayetteville	Arkansas	72704	United States	12/1/2015
147	Christopher Shields	Fayetteville	Arkansas	72703	United States	12/1/2015
148	Susan Rausch	Fayetteville	Arkansas	72701-0497	United States	12/1/2015
149	Joan Philip	Fayetteville	Arkansas	72701	United States	12/1/2015
150	Leslie Smith	Fayetteville	Arkansas	72704	United States	12/1/2015
151	Patrick Smith	Fayetteville	Arkansas	72704	United States	12/1/2015
152	Jacqueline Presley	Fayetteville	Arkansas	72704	United States	12/1/2015
153	Laura Carver	Fayetteville	Arkansas	72704	United States	12/1/2015
154	mary may	Fayetteville	Arkansas	72703	United States	12/1/2015
155	Rahat Hussain	Fayetteville	Arkansas	72703	United States	12/1/2015
156	Kara Cullins	Fayetteville	Arkansas	72704	United States	12/1/2015
157	Thomas Sawyer	Fayetteville	Arkansas	72703	United States	12/1/2015
158	Grant Williams	Fayetteville	Arkansas	72701	United States	12/1/2015
159	Alex Graham	Little Rock	Arkansas	72205	United States	12/1/2015
160	Sara Sawyer	Fayetteville	Arkansas	72703	United States	12/1/2015
161	Angela Gardner	Fayetteville	Arkansas	72701	United States	12/1/2015
162	Seth Carter	Fayetteville	Arkansas	72704	United States	12/1/2015
163	Floyd Estopy	Fayetteville	Arkansas	72701	United States	12/1/2015
164	Mary Eikenberry	Fayetteville	Arkansas	72704	United States	12/1/2015
165	Pauline Parnell	Fayetteville	Arkansas	72704	United States	12/1/2015
166	John Longinotti	Fayetteville	Arkansas	72704	United States	12/1/2015
167	Paula Melody	Fayetteville	Arkansas	72701	United States	12/1/2015
168	scott young	Fayetteville	Arkansas	72704	United States	12/1/2015
169	Elizabeth Houston	Fayetteville	Arkansas	72704	United States	12/1/2015
170	Alvin Rosario	Fayetteville	Arkansas	72704	United States	12/1/2015
171	Valerie Green	Fayetteville	Arkansas	72704	United States	12/2/2015
172	Christy Dugger	Fayetteville	Arkansas	72704	United States	12/2/2015
173	Michael Wray	Fayetteville	Arkansas	72704	United States	12/2/2015
174	Tai Estopy	Fayetteville	Arkansas	72703	United States	12/2/2015
175	Hannah Dierks	Fayetteville	Arkansas	72704	United States	12/2/2015
176	David Clark	Fayetteville	Arkansas	72704	United States	12/2/2015
177	Thad Scott	Fayetteville	Arkansas	72704	United States	12/2/2015
178	Stephanie Scott	Fayetteville	Arkansas	72704	United States	12/2/2015
179	Amanda Craig	Fayetteville	Arkansas	72704	United States	12/2/2015
180	Steve Smith	Stillwater	Oklahoma	74074	United States	12/2/2015
181	Celeste Brazil	Fayetteville	Arkansas	72704	United States	12/2/2015
182	Mitzi Traxson	Fayetteville	Arkansas	72704	United States	12/2/2015
183	April Hudson	Fayetteville	Arkansas	72704	United States	12/2/2015
184	Rachel Eikenberry	Fayetteville	Arkansas	72704	United States	12/2/2015
185	Gena Bumgarner	Fayetteville	Arkansas	72704	United States	12/2/2015

186	suzy randall	fayetteville	Arkansas	72701	United States	12/2/2015
187	Jason Dustman	Fayetteville	Arkansas	72704	United States	12/2/2015
188	Lorrie Bayles	Springdale	Arkansas	72764	United States	12/2/2015
189	Monica Holland	Springdale	Arkansas	72762	United States	12/2/2015
190	Stacy Dustman	Fayetteville	Arkansas	72704	United States	12/2/2015
191	Karen Sinbandhit	Fort Smith	Arkansas	72904	United States	12/2/2015
192	Tamisha Fields	Fayetteville	Arkansas	72704	United States	12/2/2015
193	Charles Adkins	Fayetteville	Arkansas	72704	United States	12/2/2015
194	Nikki vulcano	Fayetteville	Arkansas	72704	United States	12/2/2015
195	Matt Bedwell	Fayetteville	Arkansas	72704	United States	12/2/2015
196	Ashley Jones	Fayetteville	Arkansas	72704	United States	12/2/2015
197	Jake Wheeler	Fayetteville	Arkansas	72704	United States	12/2/2015
198	Aaron Bell	Fayetteville	Arkansas	72704	United States	12/2/2015
199	Amanda Niccum	Fayetteville	Arkansas	72704	United States	12/2/2015
200	Kimberly Jarboe	Springdale	Arkansas	72764	United States	12/2/2015
201	Daniel Sherwood	Fayetteville	Arkansas	72701	United States	12/2/2015
202	Robert Kienzle	Fayetteville	Arkansas	72704	United States	12/2/2015
203	Nancy Burris	Fayetteville	Arkansas	72703	United States	12/2/2015
204	Jody Davis	Fayetteville	Arkansas	72701	United States	12/2/2015
205	Peggy LaMendola	West Fork	Arkansas	72774	United States	12/2/2015
206	Kim Fuhrman	Fayetteville	Arkansas	72704	United States	12/2/2015
207	Jeff Glover	Fayetteville	Arkansas	72704	United States	12/2/2015
208	Kevin Fitzpatrick	Fayetteville	Arkansas	72704	United States	12/2/2015
209	Heather Carter	Fayetteville	Arkansas	72704	United States	12/2/2015
210	Lisa Guthrie	Stillwater	Oklahoma	74074	United States	12/2/2015
211	Patricia Smith	Fayetteville	Arkansas	72704	United States	12/2/2015
212	Amanda Coussoule	Fayetteville	Arkansas	72704	United States	12/2/2015
213	Ali Guthrie	Fayetteville	Arkansas	72703	United States	12/2/2015
214	Larry Esch	Fayetteville	Arkansas	72704	United States	12/2/2015
215	Lauren Ainsley	Fayetteville	Arkansas	72705	United States	12/2/2015
216	Chong Thor	Summers	Arkansas	72769	United States	12/2/2015
217	Brandon Shumard	Springdale	Arkansas	72762	United States	12/2/2015
218	Tamara Dingleberry	Fayetteville	Arkansas	72703	United States	12/2/2015
219	John Berry	Fayetteville	Arkansas	72704	United States	12/2/2015
220	Kenneth Cox	Fayetteville	Arkansas	72704	United States	12/2/2015
221	Angie Watkins	Fayetteville	Arkansas	72704	United States	12/2/2015
222	Susan Robertson	Fayetteville	Arkansas	72704	United States	12/2/2015
223	Troy Mack	Fayetteville	Arkansas	72704	United States	12/2/2015
224	Gary Doss	Fayetteville	Arkansas	72704	United States	12/2/2015
225	Drew Henley	Fayetteville	Arkansas	72703	United States	12/2/2015
226	Sarah Smith	Fayetteville	Arkansas	72704	United States	12/2/2015
227	elizabeth phillips	Fayetteville	Arkansas	72703	United States	12/2/2015
228	Richard Hopkins	Oklahoma City	Oklahoma	73125	United States	12/2/2015
229	Mary Gocio	Fayetteville	Arkansas	72701	United States	12/3/2015
230	Chalice Suratt	Fayetteville	Arkansas	72704	United States	12/3/2015
231	Jimmy Litton	Fayetteville	Arkansas	72704	United States	12/3/2015
232	Travis Hawkins	Fayetteville	Arkansas	7404	United States	12/3/2015

233	cozart don	Fayetteville	Arkansas	72703	United States	12/3/2015
234	Jessica Brooks	Fayetteville	Arkansas	72704	United States	12/3/2015
235	Elsa Nail	Fayetteville	Arkansas	72704	United States	12/3/2015
236	suzannah garrison	Fayetteville	Arkansas	72701	United States	12/3/2015
237	Jennifer Rambo	Spokane	Washington	99037	United States	12/3/2015
238	Tamara Green	Fayetteville	Arkansas	72704	United States	12/3/2015
239	Catherine Thomas	Fayetteville	Arkansas	72701	United States	12/3/2015
240	Denise Garner	Fayetteville	Arkansas	72703	United States	12/4/2015
241	kellie rollins	Fayetteville	Arkansas	72703	United States	12/4/2015
242	Emily Ironside	Fayetteville	Arkansas	72704	United States	12/4/2015
243	Candy Clark	Fayetteville	Arkansas	72701	United States	12/4/2015
244	Shay Hopper	Fayetteville	Arkansas	72701	United States	12/4/2015
245	Sasha hagle	fayetteville	Arkansas	72704	United States	12/4/2015
246	JONATHAN UNWER	Fayetteville	Arkansas	72701	United States	12/4/2015
247	Benjamin Harrison	Fayetteville	Arkansas	72701	United States	12/4/2015
248	Holly Davidson	Fayetteville	Arkansas	72704	United States	12/4/2015
249	Janie Agee	Fayetteville	Arkansas	72703	United States	12/4/2015
250	Kyle Smith	Fayetteville	Arkansas	72704	United States	12/4/2015
251	Jon Tomandao	Fayetteville	Arkansas	72704	United States	12/4/2015
252	Lacy Lynch	Fayetteville	Arkansas	72704	United States	12/4/2015
253	Jim Beard	Fayetteville	Arkansas	72701	United States	12/4/2015
254	Kim Daniel	Fayetteville	Arkansas	72701	United States	12/4/2015
255	Julie Schultz	Fayetteville	Arkansas	72703	United States	12/4/2015
256	Kathi Cash	Fayetteville	Arkansas	72704	United States	12/4/2015
257	Beth Lowrey	Fayetteville	Arkansas	72704	United States	12/4/2015
258	Craig Honchell	McPherson	Kansas	67460	United States	12/4/2015
259	Mistie Oglesbee	Springdale	Arkansas	72762	United States	12/4/2015
260	Michael Oglesbee	Fayetteville	Arkansas	72704	United States	12/4/2015
261	Paula Shockley	Springdale	Arkansas	72762	United States	12/4/2015
262	Charlie Radcliffe	Fayetteville	Arkansas	72703	United States	12/4/2015
263	Wayne Oglesbee	Springdale	Arkansas	72762	United States	12/4/2015
264	David Lencho	Springdale	Arkansas	72764	United States	12/4/2015
265	Lydia Fields	Springdale	Arkansas	72762	United States	12/4/2015
266	Terry Parson	Fayetteville	Arkansas	72704	United States	12/4/2015
267	Deborah Weddle	Fayetteville	Arkansas	72704	United States	12/4/2015
268	Gustavo Gomez	Springdale	Arkansas	72764	United States	12/4/2015
269	Kim Peters	Fayetteville	Arkansas	72704	United States	12/4/2015
270	Jim Harvey	Fayetteville	Arkansas	72704	United States	12/4/2015
271	Jane Steinkraus	Fayetteville	Arkansas	72701	United States	12/4/2015
272	Jerry Bailey	Fayetteville	Arkansas	72701-6141	United States	12/5/2015
273	James Barron	Fayetteville	Arkansas	72704	United States	12/5/2015
274	Andrea Williams	Fayetteville	Arkansas	72704	United States	12/5/2015
275	Emma Lee Gordon	Fayetteville	Arkansas	72704	United States	12/5/2015
276	Charlene Bootsma	Fayetteville	Arkansas	72704	United States	12/5/2015
277	Lary Walker	Fayetteville	Arkansas	72701	United States	12/5/2015
278	Nick Davidson	Fayetteville	Arkansas	72704	United States	12/5/2015
279	Vivian Hill	Fayetteville	Arkansas	72703	United States	12/6/2015

280	Cindy Stokes	Brevard	North Carolina	28712	United States	12/6/2015
281	Brooke English	Fayetteville	Arkansas	72701	United States	12/6/2015
282	Luke Reardon	Fayetteville	Arkansas	72704	United States	12/6/2015
283	Elizabeth Reardon	Fayetteville	Arkansas	72704	United States	12/6/2015
284	Katie Austin	Springdale	Arkansas	72764	United States	12/7/2015
285	Jennifer Vaughn	Fayetteville	Arkansas	72703	United States	12/7/2015
286	Julie Rheay	Springdale	Arkansas	72762	United States	12/7/2015
287	Joe McClung	Fayetteville	Arkansas	72704	United States	12/7/2015
288	Julie Davis	Fayetteville	Arkansas	72704	United States	12/8/2015
289	Louise Mann	Fayetteville	Arkansas	72701	United States	12/8/2015
290	Amanda Bittinger	Fayetteville	Arkansas	72704	United States	12/8/2015
291	Jaye T Marshall	Fayetteville	Arkansas	72704	United States	12/8/2015
292	Leslie Oelsner	Fayetteville	Arkansas	72701	United States	12/8/2015
293	Alfred J. Iller	Fayetteville	Arkansas	72704	United States	12/8/2015
294	Marquette Bruce	Fayetteville	Arkansas	72701	United States	12/8/2015
295	Jeff Sandore	Fayetteville	Arkansas	72704	United States	12/9/2015
296	Nancy Wells	Fayetteville	Arkansas	72701	United States	12/9/2015
297	Deron Reese	Rogers	Arkansas	72758	United States	12/9/2015
298	BRAD JETT	Springdale	Arkansas	72762	United States	12/9/2015
299	Connie Leagon	Prairie Grove	Arkansas	72753	United States	12/9/2015
300	Marilyn Winberry	Springdale	Arkansas	72764	United States	12/9/2015
301	Karin Womack	Springdale	Arkansas	72762	United States	12/9/2015
302	HEATHER GWIN	Fayetteville	Arkansas	72704	United States	12/10/2015
303	John Bull	Fayetteville	Arkansas	72704	United States	12/10/2015
304	Ryan Dugger	Fayetteville	Arkansas	72704	United States	12/10/2015
305	Michelle Lacewell	Fayetteville	Arkansas	72704	United States	12/10/2015
306	Sara Chance	Fayetteville	Arkansas	72704	United States	12/10/2015
307	Lori Chalmers	Fayetteville	Arkansas	72704	United States	12/10/2015
308	Whitney Fitts	Fayetteville	Arkansas	72704	United States	12/10/2015
309	Joel Schleiff	Fayetteville	Arkansas	72703	United States	12/10/2015
310	Michelle Gray	Fayetteville	Arkansas	72704	United States	12/10/2015
311	Mike Harper	Fayetteville	Arkansas	72701	United States	12/10/2015
312	Rhonda Dillard	Fayetteville	Arkansas	72703	United States	12/10/2015
313	Jammie Fisher	Fayetteville	Arkansas	72704	United States	12/10/2015
314	Michelle Hale	Fayetteville	Arkansas	72703	United States	12/10/2015
315	Justin Parker	Fayetteville	Arkansas	72704	United States	12/10/2015
316	Abbie Stalnaker	Fayetteville	Arkansas	72704	United States	12/10/2015
317	Britten Stone	Fayetteville	Arkansas	72704	United States	12/10/2015
318	Shelby Holland	Fayetteville	Arkansas	72704	United States	12/10/2015
319	jacob craig	Fayetteville	Arkansas	72701	United States	12/10/2015
320	Shannon Price	Fayetteville	Arkansas	72703	United States	12/10/2015
321	Kimberly McCubbin	Fayetteville	Arkansas	72704	United States	12/11/2015
322	joel eikenberry	Fayetteville	Arkansas	72704	United States	12/11/2015
323	Joey Head	Fayetteville	Arkansas	72704	United States	12/11/2015
324	Beth Adams	Fayetteville	Arkansas	72704	United States	12/11/2015
325	Kelly Fougerousse	Fayetteville	Arkansas	72704	United States	12/11/2015
326	Rajiv Sabherwal	Fayetteville	Arkansas	72704	United States	12/11/2015

327	Christie Hancock	Springdale	Arkansas	72762	United States	12/11/2015
328	Deborah Payne	Fayetteville	Arkansas	72704	United States	12/11/2015
329	Brad Payne	Fayetteville	Arkansas	72701	United States	12/11/2015
330	David Rader	Fayetteville	Arkansas	72704	United States	12/11/2015
331	Vonita Carpenter	Fayetteville	Arkansas	72704	United States	12/11/2015
332	Sandra Kisor	Fayetteville	Arkansas	72704	United States	12/11/2015
333	Nora Lucey	Springdale	Arkansas	72762	United States	12/11/2015
334	Albert Campos	Fayetteville	Arkansas	72704	United States	12/11/2015
335	Derrick Gray	Fayetteville	Arkansas	72704	United States	12/11/2015
336	Catherine Dattilo	Hernando	Mississippi	38632	United States	12/12/2015
337	Rebecca Williams Lencho	Springdale	Arkansas	72764	United States	12/12/2015
338	Harlen Sams	Fayetteville	Arkansas	72703	United States	12/12/2015
339	Mike Nail	Fayetteville	Arkansas	72703	United States	12/12/2015
340	Susan Baldwin	Fayetteville	Arkansas	72704	United States	12/13/2015
341	Royce Robertson	Fayetteville	Arkansas	72704	United States	12/13/2015
342	Michael Johnson	Fayetteville	Arkansas	72701	United States	12/13/2015
343	Agnieszka Mack	Fayetteville	Arkansas	72701	United States	12/13/2015
344	Linda Clark	Fayetteville	Arkansas	72704	United States	12/14/2015

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Fayetteville citizens against rezoning Razorback Golf Course

Recipient: William Chesser, Ryan Noble, Tom Brown, Ron Autry, Tracy Hoskins, Kyle Cook, Matthew Hoffman, Janet Selby, Andrew Garner, and Sarah Bunch

Letter: Greetings,

I recently signed the petition to deny the rezoning request for Razorback Golf Course. Thank you for taking my concerns about the rezoning request in consideration.

Comments

Name	Location	Date	Comment
Greg Smith	Fayetteville, AR	2015-11-30	This area does not have the infrastructure to support the apartment complex.
Elizabeth Emmanuel	Fayetteville, AR	2015-11-30	I'm signing because I live adjacent to Razorback Golf Course on Deane Soloman Road.
Tim Taylor	Fayetteville, AR	2015-11-30	I live right off the Razorback golf course and our area and roads can't handle the influx of people
Sarah Winders	Rogers, AR	2015-11-30	I think putting more apartments in that area is a horrible idea and will bring the value of the homes already built there down a considerable amount.
Sharon guthrie	fayetteville, AR	2015-11-30	Infrastructure will not support 2500 plus more people in this area . Flooding is also a big concern!
Kyle Joyce	Fayetteville, AR	2015-11-30	I am opposed to the rezoning request.
Brenda Hoyt	Fayetteville, AR	2015-11-30	No one in the Salem community wants apartments in our area. It increases traffic much more than housing would. It will increase crime as well and our property value will decrease. Please do not consider this and vote against any apartment complexes being built...no matter where they position them on the property.
Adam Stevinson	Fayetteville, AR	2015-11-30	I believe this will adversely affect property values in this area.
Zachary Hulett	Fayetteville, AR	2015-11-30	Environmental issues (flooding and damage to endangered species nearby) and logistical issues (traffic and already overfull schools in this zone), and
Kathleen Reese	Fayetteville, AR	2015-11-30	This is just wrong. Flooding. Overcrowding at the school. Too much traffic for the infrastructure. Why? Because Lindsey wants it and no one cares about the families who purchased homes around here. Who cares about them?
Melinda Mock	Fayetteville, AR	2015-11-30	there are too many nice homes right there to have that rental property destroy good neighborhoods.
Lori Collier	Fayetteville, AR	2015-11-30	The negative impact this will have on the infrastructure, lack of adequate roads and parks on this side of town already are of great concern. The streets that this will border are already extremely busy and in no way can handle an additional 2500 residents. This rezoning is not a good fit for this area of Fayetteville.
Lori Bremer	Fayetteville, AR	2015-11-30	We must start doing infrastructure planning to coincide with development.
Kathleen Stocker	Fayetteville, AR	2015-11-30	The infrastructure is not in place to handle the additional traffic which will be caused by the development of this area.
Terrell Bowen	Fayetteville, AR	2015-11-30	I'm worried about flood control, traffic congestion and decreased property values for existing home owners.
Mark Baber	Fayetteville, AR	2015-12-01	The density issues and potential flooding hazards need to be ntelligently addressed.
Lori Mertensmeyer	Fayetteville, AR	2015-12-01	Lack of infrastructure to support this type of development. Roads, flooding, etc.
Casey Pianalto	Fayetteville, AR	2015-12-01	I own property that will be affected
Don Lee	Siloam Springs, AR	2015-12-01	Because my daughter lives in that area
Melinda Smith	Fayetteville, AR	2015-12-01	I live near by
Jim Van Horn	Fayetteville, AR	2015-12-01	Opposed to losing this open to multi-family

Name	Location	Date	Comment
Harold Hubbard	Fayetteville, AR	2015-12-01	I do not believe we have infrasture to support this kind of development, nor has a thorough environmental study been completed. Everything from roads, drainage, schools, other utility services. Also this growth in this are was not depicted on Fayetteville's growth plan. We want (if required) to have comparable (our size or larger) housing which keeps home values in check. Density should be the same or smaller as existing.
Jim Erwin	Fayetteville, AR	2015-12-01	This basically the same design as in the density as before. It us very muss leading that they dont put on the actually house per vone.
John Cardinal	Fayetteville, AR	2015-12-01	The local roads, especially both ends of Deane Soloman Rd, won't be able to handle the increase in traffic.
Mark Fougrousse	Bethany, OK	2015-12-01	I do not want this development going in beside my neighborhood. We built oue dreamhome here 4 years ago. Moving from Springdale, and with this, now beginning to wish had never move here, especially if this plan passes.
Linda marquess	Fayetteville, AR	2015-12-01	We are building our home on Topaz and I am concerned about all the water that stands on the land. The impact this zoining would do to the home owner. Dean Solomon road can not handle this much traffic.
Kimberly Gasner	Fayetteville, AR	2015-12-01	We built across the street two years ago this month. I can not believe they want to change the area from an R1/R4 to apartments! Neither the schools nor the roads can accommodate so many apartments and row homes. We were told the plans, to rezone for appartments, were no longer on the table - WRONG!
Deja Glover	Fayetteville, AR	2015-12-01	Traffic, over developing of Fayetteville, overburdening of schools in area, flooding in the area. Leave it be!
John Calhoun	Fayetteville, AR	2015-12-01	Please oppose the Rezoning request for the Razorback Golf Course property on December 14th for the following reasons:

- Adding housing will cause massive traffic/safety issues at the Deane Solomon and HWY 112 Intersection.

- o This intersection is already crowded and dangers due to the sharp turn just a few feet away near Howard Nickell Rd.

- o This would also further create problems and delays for travelers on Howard Nickell Rd.

- This does not stick with the current growth plan for the city of Fayetteville to create more park & open space on the future land use maps

- More apartments or multi-family housing will hurt property owners home values in the area.

- No additional funding has been offered by the developer to account for the traffic issues this will cause

Name	Location	Date	Comment
Jeremy Sparks	Fayetteville, AR	2015-12-01	I'm a concerned resident of this area and understand first hand that the infrastructure required to support the additional homes/units is not in place. This will have a negative impact.
Robert Gibson	Fayetteville, AR	2015-12-01	Lindsey doesn't need another "biggest, best" apt complex when the links on Wedington still has enough room for the biggest and best. Many people have spent a lot of their hard earned money building nice homes in that area, to not live by an apt complex. I am not against progress, but I am against building multi-family units in an area that doesn't have them or need them.
Amy Webb	Fayetteville, AR	2015-12-01	The infrastructure is not set up for the increased traffic. The area already floods and the development will increase flooding. Holcomb school is already full and children will have to be bused to other districts. Bad idea. Lindsey developments always eventually increase crime. Lindsey just sucks in general. Do we really want more of Jim's projects in Fayetteville? I think maybe he has enough money. Lindsey is a terrible company that cares nothing about its residents or the community as a whole. This doesn't need to happen.
Anthony Sinbandhit	FORT SMITH, AR	2015-12-01	Lindsey Properties in this area will become a dump in 10-15 years and all those people that spent several hundreds of thousands of dollars to live in a single unit family development will be subjected to living in what will be eventually a run down neighborhood that will look like the greens at lakeside because they only care to build 2 styles of apartments of which the traditional one is more profitable so they'll stick with that one. Once the 15 years past, it will be a mainstay for HUD housing which there is nothing wrong with helping others, but it's a scheme they run so they don't have to maintain the property as well and then find their next bigger and "better" development. Tax Writeoffs? They have no creativity. They don't care about their tenants - I was one and my apt leaked for an entire month before they fixed it at vantage apartments which by the way are about 5 years old. Top it off they found a way to take all my deposit because us little voices don't have time or money to fight his legion of lawyers. This is my chance to voice against them and their poor and corrupted scheme/development/crime ring.
Amanda Quinn	Springdale, AR	2015-12-01	I live in the area of this proposed development and do not want to see it adversely impacted. I also have a child at Holcomb Elementary and it is already overflowing to other schools. It couldn't possibly handle a development like that.
Barrie Fuller	Siloam Springs, AR	2015-12-01	my parents live right by this course and the land her is very wet also this is a beautiful neighborhood that does not need a busy road going through it
Vance Brock	Springdale, AR	2015-12-01	Traffic Traffic Traffic
Patricia Lucas	Fayetteville, AR	2015-12-01	It will negatively impact my neighborhood.
Matthew Wilson	Fayetteville, AR	2015-12-01	I just hate golf courses.
Brandy Kinghorn	Fayetteville, AR	2015-12-01	I'm definitely sad to see the golf course go, but I do not want to see another dilapidated Lindsey apartment in like 5 years. The amount of traffic that would create would be a nightmare in that location. Dang, I hope this doesn't happen.
mary may	Fayetteville, AR	2015-12-01	I'm looking at a home in the area, but having second thoughts.
John Longinotti	Fayetteville, AR	2015-12-01	I agree that the area is not yet ready for additional residents. There need to be more ways to access this area before adding, or it will clog mount comfort road. Connect wedington and mount comfort somewhere nearer to I49. Can the green space not be maintained somehow.

Name	Location	Date	Comment
Alvin Rosario	Fayetteville, AR	2015-12-01	We choice this place coz we love the natural environment , quite and peaceful. If this plan will push through we are very worried that we will much affected with traffic, possible of flood coz we are in low area and our safety specially our children.
Michael Wray	Fayetteville, AR	2015-12-02	This will ruin the neighborhood!!!
Amanda Craig	Fayetteville, AR	2015-12-02	Because I live on Dean Solomon road and vehemently oppose this development as currently laid out. There is no infrastructure and school capacity to support the influx of residents of this magnitude. There are also major flooding concerns that have yet to be addressed. Furthermore, this amounts to destruction and waste of a beautiful piece of green space they makes our city wonderful.
Steve Smith	Stillwater, OK	2015-12-02	Single family homes would be the best fit for this area. I do not support an apartment complex on this property.
Jason Dustman	Fayetteville, AR	2015-12-02	As former tenant of Lindsey Apartments and now home owner on Deane Solomon I do not support a new apartment complex going in. I moved to this area of Fayetteville for the beautiful green space in the area. I love seeing the wild life in the area and know an increase of population will ruin this. If the area is to be developed it should be done with larger lots and much of the creek area left as green space.
Charles Adkins	Fayetteville, AR	2015-12-02	Opposed to the development of the Razorback Golf Course into apartments, single, or multi unit housing. In addition to the reasons stated in the petition, Holcomb Elementary School will not be able to absorb the additional students as there is no room for further expansion. Additionally, traffic conditions in Crystal Springs are already unsafe during Holcomb Drop Off and Pick Up times, especially on Salem Road and Crystal Drive. Any increase in traffic will make current conditions extremely dangerous.
Aaron bell	Fayetteville, AR	2015-12-02	I live in this area and oppose this matter.
Nancy Burris	Fayetteville, AR	2015-12-02	My word I am signing.....we have got to stop jamming in so many homes. It has happened to me.....a very helpless feeling. I am trying so hard to accept what has happened in my neighborhood.....working on it. Whew, I get so frustrated, I dont' want this to happen to anyone else
Jeff Glover	Fayetteville, AR	2015-12-02	Open green space in Fayetteville is becoming a scarcity. Our growth needs to be balanced with preserving our unique landscape for now and the future. West Fayetteville is not prepared for this type of development.
Chong Thor	Summers, AR	2015-12-02	Will increase traffic in the area where there are a lot of elementary aged students.
John Berry	Fayetteville, AR	2015-12-02	The infrastructure this development would require is not in place and there are no plans to build it. It simply does not make sense to agree to this at this time.
Kenneth Cox	Fayetteville, AR	2015-12-02	I would like to maintain a greenbelt space within the Fayetteville city limits.
Lindsay Smith	Fayetteville, AR	2015-12-02	A project of this scale would increase traffic and flooding in the area, while decreasing preserved wildlife habitats, a large portion of Fayetteville's only remaining green space, and property values. Let us be reminded that when concerned residents asked a Lindsey representative why we should support this proposal he said "I am not sure why you would".
			#thenaturalstate #keepfayettevillefunky
Richard Hopkins	Oklahoma City, OK	2015-12-02	I feel the proposed building on the Razorback golf course will adversely affect my property value. The Golf course is also partially flood plain which I would like to see saved.

Name	Location	Date	Comment
cozart don	Fayetteville, AR	2015-12-03	without extensive work on north end of property it will increase an already bad problem of flooding the developer has already stated they are not concerned about north portion, only apartments on the south portion the south part is uphill to the north part and no amount of retention ponds will help if the drainage on north part is not addressed.
Tamara Green	Fayetteville, AR	2015-12-03	We do not need YET another Lindsey Apt complex!!!!
Denise Garner	Fayetteville, AR	2015-12-04	We need to meet infrastructure needs before new apartments.
Emily Ironside	Fayetteville, AR	2015-12-04	I enjoy the beautiful green space near our home and am concerned about increased traffic on N. Raven and Deane Solomon as well as the overcrowding of area schools. Better infrastructure is needed before dense residential growth.
Janie Agee	Fayetteville, AR	2015-12-04	We need the wetlands.
Kyle Smith	Fayetteville, AR	2015-12-04	Complete Density vs. Travel Island
			Leapfrogging high density development over undeveloped land is cheap, but far from does not amount to a meaningful increase in density. Concentrating dense pockets of residents far from the city core only encourages more cross-town traffic.
			This area is surrounded by neighborhoods and sensitive wetlands. It lacks infrastructure for the traffic it will generate, and it's impact on the neighborhood elementary enrollment should be considered. Commercial opportunities in the immediate area are limited to car dealerships, mini-storage units, Sam's Club, and a horse veterinarian. There isn't even a gas station nearby (yet). There is literally nothing but houses within walking distance, and it is currently beyond the reach of any public transit options.
			This sort of development should be reconsidered for a more appropriately positioned property with ready access to the amenities necessary for the residents it will attract. Should it be approved here, it should only be on the strong condition that developers implement LID efforts to minimize environmental impact to Clabber Creek, invest in significant neighborhood infrastructure connectivity improvements in accordance with the city's master street plan, and commit a substantial portion of the property to parks which are sorely lacking on the west side of town. Otherwise, it is clearly incompatible with the surrounding neighborhood.
Lacy Lynch	Fayetteville, AR	2015-12-04	I live in this area and feel this construction will be a disaster for a lot of reasons.
John Doe	McPherson, KS	2015-12-04	We are putting a huge project on a road that was not build to handle this amount of traffic. Fayetteville FINALLY has a reasonable interchange at the intersection of Mt. Comfort & Shiloh Dr. The additional road traffic from this proposed development, being brought through this intersection, would compound the congestion already being encountered along Mt. Comfort heading south. Let's be honest here, the majority of anyone living in this development will be driving south toward the university. The only way that a project this size could/would be reasonable would be to require a PZD which would require the developer to work on a cost share to make road improvements that would keep pace with the development. Just when residents on the west side thought that traffic was finally navigational, along comes another massive development to set our roads back another 20 years. We can't even get safe passage onto Ruppel Rd. and that road was improvement was talked about, and paid for I think, over ten years ago.

Name	Location	Date	Comment
Mistie Oglesbee	Springdale, AR	2015-12-04	Everything listed within this article is completely legit reasoning and my house supports that the resigning is not in the best interest of the home owners already in the area. We have been in our home for 10 years and love the small community it's been for us. We specifically selected this area for its out if main traffic and high population and traffic!
Michael Oglesbee	Fayetteville, AR	2015-12-04	Building apartments in this area is not a good idea. Nearby schools and roads can't accommodate the extra traffic.
Wayne Oglesbee	Springdale, AR	2015-12-04	I like golf & it would add extra traffic.
Lydia Fields	Fayetteville, AR	2015-12-04	I live in this area and when school is letting out it is already hard to get to and from my home. Apartments will increase this problem, and impact the reselling price of my home
James Barron	Fayetteville, AR	2015-12-05	The lack of and cost of infrastructure has not been adequately considered and is not fair to be paid for by the citizens of the city, especially when it will result in a loss of property values and quality of life for the neighborhood.
Vivian Hill	Fayetteville, AR	2015-12-06	I want us to invest in repairing our current infrastructure and I don't want us to become an apartment community like places in Texas. I do not believe there is a genuine need for more multi family housing.
Cindy Stokes	Denver, NC	2015-12-06	I care about over populating and taking over green space with high density housing.
Joe McClung	Fayetteville, AR	2015-12-07	I'm currently purchasing a home in the neighborhood and am greatly opposed to this development.
Alfred J. Iller COL USA (Ret)	Fayetteville, AR	2015-12-08	I totally agree with what is stated and a zoning of RSF-4 would be more compatible with surrounding area single family home developments which enhance the community.
Marquette Bruce	Fayetteville, AR	2015-12-08	I want us to save all the green areas we can!!!!
John Bull	Fayetteville, AR	2015-12-10	The density of this project will have a horrible impact on the quality of life of the neighboring communities and nature.
Michelle Lacewell	Fayetteville, AR	2015-12-10	The area cannot support the traffic. It floods any time it rains, and it is also part of a nature preserve.
Whitney Key	Fayetteville, AR	2015-12-10	This will diminish the property values of the homes near this. It's an attractive part of town currently and this would change that.
Joel Schleiff	Fayetteville, AR	2015-12-10	The development type does not suit the development site.
Jammie Fisher	Fayetteville, AR	2015-12-10	I am a current resident in this area and a lifelong resident of Fayetteville. Also I totally agree with the issues and concerns of this petition! !!
Kelly Fougerousse	Fayetteville, AR	2015-12-11	I want to keep Fayetteville beautiful. I don't want to turn this area into ugly Springdale - like most of Springdale. This area cannot support any more traffic flow. We need a beautiful conservation trail through this area so we can enjoy the full beauty. Due to the flooding in this area with rain, it would only cause potential lawsuits to the city for allowing housing to go on here. This would be problematic to the city in the future
Nora Lucey	Springdale, AR	2015-12-11	Too much traffic, fayetteville Arkansas is no longer the natural state, traffic here is a nightmare any time of the day.
Derrick Gray	Fayetteville, AR	2015-12-11	My home will greatly affected. Property value, traffic, over crowded and shools for my children
Catherine Dattilo	Hernando, MS	2015-12-12	I do not approve of the development for this area
Rebecca Williams Lencho	Springdale, AR	2015-12-12	Traffic congestion...needs to be single family housing or better yet a park!

Name	Location	Date	Comment
Harlen Sams	Fayetteville, AR	2015-12-12	I am against having apartments next to my property
Royce Robertson	Fayetteville, AR	2015-12-13	The area needs to be preserved for a future park
Agnieszka Mack	Fayetteville, AR	2015-12-13	I'm concerned about the environmental and infrastructural impact this project will have on one of the last open spaces in our beautiful town. Take your project elsewhere, Lindsey!
Linda Clark	Fayetteville, AR	2015-12-14	I own property near this golf course and am appalled by the narrow road and the creek area being deteriorated by Apartments and more housing.



Recipient: Adella Gray, Sarah Marsh, Mark Kinion, Matthew Petty, Justin Tennant, Martin W. Schoppmeyer Jr., Alan Long, John La Tour, Lioneld Jordan, Don Marr, Tom Brown, Ron Autry, Tracy Hoskins, Sarah Bunch, William Chesser, Ryan Noble, Kyle Cook, Matthew Hoffman, and Janet Selby

Letter: Greetings,

As a Fayetteville resident, I am asking you to vote to stop Lindsey's development of Razorback Golf Course with multi-family units.

This development has many negative impacts to the community. Some include: negative impact to current resident's property value, overcrowding, infrastructure issues with roads, infrastructure issues with schools, environmental impact on the Clabber Creek area and Wilson Springs Preserve, and a significant risk of increased flash flooding that will damage adjacent property.

I respectfully ask you to maintain the current zoning and vote against anything that supports Lindsey's ability to build multi-family and high density units on this property.

Comments

Name	Location	Date	Comment
Lindsay Smith	Fayetteville, AR	2015-06-18	I'm signing to voice my opposition in order to save a Fayetteville landmark and preserve the large protected wildlife species that exist there. This project goes against the sustainable nature of the Fayetteville that I know and love. #keepfayettevillefunky not a #concretejungle
Carly Grace	Fayetteville, AR	2015-06-18	Population density, traffic flow, drainage, conservation; This are is all residential single family homes. We want it to stay that way. The current zoning fits the 2030 plan. VOTE NO to re-zone!
Bob hinton	Fayetteville, AR	2015-06-18	I live just north of the golf course
Kathleen Reese	Fayetteville, AR	2015-06-18	I am signing because these development will significantly impact traffic on Hwy 112 (I live in Belclaire off Hwy 112) and traffic is already too heavy for the small, curving road with no shoulders. The entire area will be adversely affected by this development.
Odie & Kym Williams	Fayetteville, AR	2015-06-18	We are opposed to the proposed development by Lindsey on the Razorback Golf Course.
Amy Bradley	Fayetteville, AR	2015-06-18	I'm signing because I frequently use Mt. Comfort to stay away from the already too crowded Wedington Dr. If this project is approved, Mt. Comfort will be worse than Wedington and traffic in West Fayetteville will be ridiculous.
Brandon colley	Fayetteville, AR	2015-06-18	no more Lindsey apartments. They are an eye sore for Fayetteville.
G Mills	Rogers, AR	2015-06-18	I bought my home on a golf course. I do not believe this area can properly handle all the people and the traffic it would bring in
Sarah Harrell	Fayetteville, AR	2015-06-18	I'm signing because a multi-family development in this area would severely decrease the quality of living currently established in the surrounding neighborhoods.
Harold Hubbard	Fayetteville, AR	2015-06-18	I am opposed to the plan being proposed for several reasons.
Kari Larson	Wichita, KS	2015-06-18	I live in Belclaire Estates and don't feel this will benefit my property value and the increase in traffic will be a detriment to this 112 road.
Kathy Foster	Fayetteville, AR	2015-06-18	Very against this TYPE of development.
Barbara Hinton	Fayetteville, AR	2015-06-18	I'm signing this petition because I have family members and friends who have invested in homes in that area. They will be negatively impacted if the developmént is allow to continue as it now is designed.
Tim Stidham	Fayetteville, AR	2015-06-18	multi unit in this area will devalue the property of people who have decided to make the Deane Solomon area home.
Troy Mack	Fayetteville, AR	2015-06-18	I am signing this because I am building a home down the street and I am very worried about property devaluation, infrastructure issues, and environment issues. This is a horrible idea and needs to be stopped.
Ben Matthews	Fayetteville, AR	2015-06-18	This will increase the impermeable surface area of the city and cause an increase in excess water runoff/erosion when the storms come. Also, we need to keep at least some areas undeveloped and natural.
Sasha hagle	fayetteville, AR	2015-06-18	This a grave concern for this area.
Jenny Sachs	Springdale, AR	2015-06-18	Before any additional developments, especially those including multi family housing/apartments begin I believe we need to address educational and infrastructure issues to ensure we keep Fayetteville a great place to live and raise our families.

Name	Location	Date	Comment
Lindsey Curry	Fayetteville, AR	2015-06-18	I'm signing this because I feel as if it greatly effects my children. First of all, Holcomb Elementary is already full and I think putting apartment complexes would make it to where permanent residents of the area could lose their "spot" to people that live in this school district temporarily. Also, we moved to this area because it is away from the college students population. The fact that rentals would be so close by would make property values decrease. Also, the roads cannot handle the amount of traffic already. Bringing more people in would make it that much worse, especially since Lindsey Co has already mentioned that they would only widen the road in that one particular area or put in turning lanes. This could potentially make Deane Solomon a dangerous street, which is a huge concern for me and my family. I just really wish they would reconsider and go somewhere that could handle the traffic, school overflow, etc.
Edward Jackson	Fayetteville, AR	2015-06-18	i agree with the above points
Renee Gadberry	Priare Grove, AR	2015-06-18	This is the only open golf course without having to be a member. And I have friends that live near this
Tammy Martin	Fayetteville, AR	2015-06-18	I agree with the infrastructure aspect, also, it is definitely more compatible with single family homes
Kevin Davison	Fayetteville, AR	2015-06-18	this type of development is the worst thing for that particular area. DS road's junction with Hwy 112 is already a death trap waiting to happen. This kind of traffic load added to that situation would be asking for lots of issues that aren't pleasant.
Ashley Hale	Fayetteville, AR	2015-06-18	I am signing this petition because of my concerns over what this housing project will do to the property values of the current residents, the lack of infrastructure for this type of housing and the severe impact this WOULD have on the environment.
Laura Merts	Fayetteville, AR	2015-06-18	lindsey is taking over Fayetteville and driving down home values.
Joe Emmanuel	Fayetteville, AR	2015-06-18	There are too many issues for this development to be successful and would be detrimental to existing residents in the area on many levels (traffic, safety, schools, environmental, etc....)
Elizabeth Emmanuel	Fayetteville, AR	2015-06-18	I live at the corner of Crane Court and Deane Soloman. Though I always knew development of the golf course was a possibility, I never imagined we'd be fighting against 600+ apartments and rental row houses Lindsey intends to market to college students. Other than the fact my family and our "forever home" would be adjacent from rental row houses (as shown in Lindsey's current plan), there is not proper infrastructure in place in our neighborhood to handle the traffic, increased school enrollment, and water runoff which will worsen our already often flooded neighborhood.
Lona Robertson	Fayetteville, AR	2015-06-18	I am concerned about the ability of the schools, roads and other utilities to support the addition of the number of people who would live in the multi-family units.
Lynda Bembenek	Fayetteville, AR	2015-06-18	Compatibility with surrounding neighborhoods
Dorothy Mangold	Fayetteville, AR	2015-06-18	For all the reasons stated in the Petition.
Sara chance	Fayetteville, AR	2015-06-18	Our neighborhood school is very important to us (Holcomb). We love it. But it's already full and I don't want the problem of overflow any more than we already have.

Name	Location	Date	Comment
Jin Ma	Fayetteville, AR	2015-06-18	As a resident of Creek Meadow subdivision, right next to the Razorback golf course, I oppose the Lindsey Razorback Apartments development for the following reasons: 1. Property Devaluation 2. Infrastructure Issues related to the addition of 2,000 - 3,000 additional residents in this ~1 square mile area. 3. Environmental Impact 4. This project contradicts the City's 2030 Plan.
Sarah White	Fayetteville, AR	2015-06-18	I live in an adjacent neighborhood and think this plan is a very bad idea!!
Lauren Anderson	Fayetteville, AR	2015-06-18	I am building a home in Creek Meadow and this is the last thing West Fayetteville needs. Is another Lindsey complex the best thing for our overgrown town that is already in need of infrastructure?
Elizabeth gibbons	Fayetteville, AR	2015-06-18	I am against this development
Mindy Kazery	Fayetteville, AR	2015-06-18	I do not want these apartments built near my neighborhood.
Dan england	Fayetteville, AR	2015-06-18	fayetteville needs less development
Tim Taylor	Fayetteville, AR	2015-06-18	I own a house right off the golf course in Crystal Springs and I don't want to see this because of more traffic in my area and decrease the value of my home
Christie Hancock	Fayetteville, AR	2015-06-18	I am a land owner near the proposed apartments.
Jillian Weinreber	Fayetteville, AR	2015-06-18	I use the 112 exit daily for my commute to/from Rogers for work. When traffic is backed up too far on I49, I reroute and take 112 all the way to Rogers. There is no way I want to compete with this type of traffic for an already stressful commute.
Steven Fortner	Fayetteville, AR	2015-06-18	This will cause entirely too much traffic to this area. I am all for building and progress, but just don't think this is a great location for this type of development. I would rather see much more row homes and less apartments.
Shaheen Ghahremanpour	Fayetteville, AR	2015-06-18	I have a home in that area and I am worried the new development will have negative repercussions.
molly hogue	Dallas, TX	2015-06-18	for Jennifer!
Leslie Lancaster-Smith	Fayetteville, AR	2015-06-18	We do not have the infrastructure (roads, schools, etc) to support his development.
Ryan Green	Fayetteville, AR	2015-06-18	Opposed to this development
Barrett Baber	Fayetteville, AR	2015-06-18	The most important comment I feel I need to voice is that I/We the people who own property and live in and around this golf course are not against development. We are against this particular plan. I have long believed that the Razorback Golf Course was space that is not being utilized to its fullest potential. The space offers TONS of options that could benefit both the community and a developer like Lindsey management. I will fully support development of this land if it's done responsibly. It is my belief that this current proposal is not responsible for the many reasons listed in this petition. Please listen to the people who this directly effects. I own a house that backs up to the golf course. This development will financially ruin many citizens as property values will surely decline. I am certain that with proper planning EVERYONE can benefit including Lindsey Management, The City of Fayetteville and the people who live around the property now. Lets take a second and figure out a way for all of us to win. That's all we're asking for. Diligence. Please be an advocate for diligence
Mark Baber	Fayetteville, AR	2015-06-18	I care about the environment of the neighborhood and I care for the wildlife who don't get to sign petitions.

Name	Location	Date	Comment
Sandra Ware	Fayetteville, AR	2015-06-18	I believe in all the items detailed in the petition.
Amy Webb	Fayetteville, AR	2015-06-18	This housing development will effect the quality of my neighborhood, my property values and the my son's ability to remain at the same school.
Collin Allen	Fayetteville, AR	2015-06-18	This development is a bad idea in the current location.
Barbara Still	Fayetteville, AR	2015-06-18	I do not want the traffic and overcrowding nor do I want my property devalued because of the transient nature of Lindsey's traditional renters.
Michelle Burnett	Fayetteville, AR	2015-06-18	I agree with the roads, schools, and flooding concerns sited in the perition.
Staci Ledford	Fayetteville, AR	2015-06-18	Roads. Traffic. Schools. Property devaluation.
Sheri acuff	Fayetteville, AR	2015-06-18	I don't want Lindsey to build any apartments on this property!
Chris Nichols	Fayetteville, AR	2015-06-18	I oppose the development plans
Valerie Green	Fayetteville, AR	2015-06-18	I don't want this Lindsey development to take over our sweet West side neighborhoods!
Ryan Dugger	Fayetteville, AR	2015-06-18	there are too many multi-family and apartment complexes on the west side already and not enough infrastructure to support what already exists.
Leigh Ann Sandlin	Fayetteville, AR	2015-06-18	this would be terrible for the local residents.
John Berry	Fayetteville, AR	2015-06-18	thr proposed project will drive down my property value. I purchased my home due to the zoning around it and I see no reason for it to change.
Allison Dolan	Tampa, FL	2015-06-18	This will hurt the schools at capacity and our property values
Angela Dunkum	Fayetteville, AR	2015-06-18	I drive this road to work everyday, it is a country road and barely able to handle the traffic it gets already. This is not an area for apartments and extra people.
Lynn Waldren	Fayetteville, AR	2015-06-18	I live in the planning zone of the city off Mt. Comfort. I have no city representation but am heavily impacted by what this development will do. Another cookie cutter Lindsey development is not compatible with this area.
Tj Scarlett	Fayetteville, AR	2015-06-18	Will drive property values down
Carole Masterson	Fayetteville, AR	2015-06-18	Impact on environment and quality of neighborhood
Sharon Guthrie	fayetteville, AR	2015-06-18	Many many reasons
Jake Fout	Fayetteville, AR	2015-06-18	I'm sick of Lindsey and their trashy apartments.
Casey Pianalto	Fayetteville, AR	2015-06-18	i own a duplex on Jeremiah street and the view now is the 18th fair way and my rents enjoy that. I don't want an apartment building behind them.
Tanya Stewart	Fayetteville, AR	2015-06-18	i live in the area and dont want the value of my home minimized
Lisa Spears	Fayetteville, AR	2015-06-18	An apartment complex is a terrible idea for this area.
Pablo Reznicek Hammond	Fayetteville, AR	2015-06-18	I am part of the affected community.
Lacy Lynch	Fayetteville, AR	2015-06-18	I do not want this construction to happen.
Jenny Rainey	Fayetteville, AR	2015-06-18	Need better infrastructure first
Clenton Cash	Fayetteville, AR	2015-06-18	I am a concerned, responsible, voting citizen and stand for what's best for our wonderful city and community.
Gina Broyles	Fayetteville, AR	2015-06-18	I am a teacher at Holcomb Elementary and am well aware of the problem of overcrowding in our school. I have had to send many "overflow" students across the district to attend schools where they have room. The addition of a multi-family development of this size would greatly exacerbate this overcrowding problem. I am also building a house in Creek Meadow while trying to sell our current home in Salem Village and am greatly concerned about what this development will do to our property values.

Name	Location	Date	Comment
Shannon lee	Fayetteville, AR	2015-06-18	I am signing because I live across from the golf course and in so many ways it just wrong to bulid apts and rental home in the nice neighborhood thru dean soloman and surrounding areas!
Jamie Sparks	Fayetteville, AR	2015-06-18	Because this is going to create a huge mess with schools, traffic, safety for our childern.
Matt Jones	Fayetteville, AR	2015-06-18	I am concerned about the lack of infrastructure in our area. I also believe a development like this will devalue the property and resale market in our neighborhood.
Eleanor Hill	Fayetteville, AR	2015-06-18	I'm concerned about the environment, infrastructure impact, and property values of surrounding residential areas.
Clarice Whitmore	Fayetteville, AR	2015-06-18	All the reasons stated above.
Dale Cullins	Fayetteville, AR	2015-06-18	I don't feel this development as proposed is good for the community. Too many single family homes and the watershed would be adversely affected by this large of a development.
Bryan Striegler	Fayetteville, AR	2015-06-18	I don't believe this development is good for the city, the area, or the current residents.
Brittany Acuff	Fayetteville, AR	2015-06-18	I'm signing because my family is moving to a house right off Mount Comfort this month and this proposed development concerns me for the reasons listed in this petition.
Rustin Treat	Fayetteville, AR	2015-06-18	very concerned about this proposed high density development and connection to my street, Raven Ln. Houses and condos on the course would be a great idea, but not 600+ apartment units. I'm firmly opposed to that type of development and the effects on surrounding neighborhoods, infrastructure, and environment should be carefully considered.
Carmen Hennelly	Fayetteville, AR	2015-06-18	Another beautiful parcel in Fayetteville fallen victim to apartments?! Please no! Your permanent residents deserve to retain their property values. As council members, I hope that you will listen to the needs of permanent residents of Fayetteville as opposed to the more transient apartment dwellers. We have enough apartments in Fayetteville!
Jennifer Page	Fayetteville, AR	2015-06-18	I just bought a house in Belclaire. Street noise and traffic from hwy 112 is awful already. The roads can't handle the extra traffic.
Brittney Mohr	Fayetteville, AR	2015-06-18	This area is a nice peaceful area full of wildlife. We don't need any more developments, as this will take away from my purpose in living in this area.
Ron Green	Fayetteville, AR	2015-06-18	This type of development does not fit in the proposed location and will cause not only congestion but also lowered property values.
Don Lee	Siloam Springs, AR	2015-06-18	Signing to support my daughter's neighborhoods
Michael Riha	Fayetteville, AR	2015-06-18	i believe further discussion and thoughtful development is needed before proceeding.
Claudia Cueto	Fayetteville, AR	2015-06-18	afecta la comunidad!
Bruce Schaffer	Fayetteville, AR	2015-06-18	If approved, I would like to see the city name changed to Apartmentville. Too much strain on infrastructure from multiple dwellings!

Name	Location	Date	Comment
Kelly Freeze	Fayetteville, AR	2015-06-18	I oppose this particular development for multiple reasons. This proposal contradicts the city's 2030 plan, which many homeowners relied on when purchasing their houses. If the city chooses to change it's 2030 plan, which was developed with careful consideration for what we want our city to look like 15 years from now, many of these homeowners will owe more on their homes than what they'll become worth. I am also concerned about the environmental impact this proposal will have. The nearby wetlands and forested areas have already shrunk substantially. Putting 2,000-3,000 new residents next to this protected area is irresponsible. Finally, as mentioned in the petition, the infrastructure to support such a high-density development does not exist. While I'm sure that many residents living near the golf course would prefer that it remain green space, we also understand that this is not necessarily feasible and that the property owner has the right to sell and develop his land. We only ask that the property be developed responsibly and in accordance with current zoning laws.
ANITA BREWER	Fayetteville, AR	2015-06-18	Don't want apartments in area.
Tara Vessell	Fayetteville, AR	2015-06-18	We love the area and are concerned for the environmental impact.
Barbara Esch	Fayetteville, AR	2015-06-18	This was the perfect spot for us to build our new house here in Fayetteville. We liked that this area was neither heavily developed nor congested and it had the scenic aesthetics of the golf course but still convenient to the interstate. Please help us in the area preserve the reason why so many of us chose to live here. A development such as what Lindsey proposed has no advantage except to make them more profitable.
Pauline Prude	Springdale, AR	2015-06-18	Unsafe for our kids, bring property values down
Carolyn Fox	Fayetteville, AR	2015-06-18	Carolyn Fox
Ken Beaner	Fayetteville, AR	2015-06-18	it may not be the best use of the land and the plan may be too ad hoc without proper concern of the environment, infrastructure and the Fayettevill 2030 plan
John Rock	Fayetteville, AR	2015-06-18	The infrastructure will not be able to support the rapid growth in this area.
Alex Spinks	Fayetteville, AR	2015-06-18	I don't believe that the city should allow endangerment of the environmental preserve. In addition, it would be an egregious slap in the face to all of the property owners along Deane Solomon road and the east end of Mt. Comfort road having dealt with years of construction and property value erosion associated with the road widening. Fayetteville is in need of more housing, but the growth brought about by a new Lindsey property will not hold value. Property developers should be investing in quality, not speed and cheap housing.
Jared Phillips	Prairie Grove, AR	2015-06-18	I'm a concerned member of the Fayetteville non-profit community.
Joannie Hance	Conway, AR	2015-06-18	home owner
Amy Bull	Fayetteville, AR	2015-06-18	I am a resident of this area and am very concerned about the negative effects of this development, such as the school district and decrease in property value.
Casey Kehoe	Fayetteville, AR	2015-06-18	It's not the right type of development for the area and I care dearly about Fayetteville.
Paula Lee	Syracuse, NY	2015-06-18	I'm signing in support of my friends that live in this area.
Daniel scarbrough	Fayetteville, AR	2015-06-18	The infrastructure for this addition doesn't exist. Please improve mt comfort, 112, and the ingress/egress to i49 before creating additional load on the roads.

Name	Location	Date	Comment
Heather Stanley	Fayetteville, AR	2015-06-19	Lindsey apartments in place of razorback golf course is not realistic. We do not have the road infrastructure. The school is also at 100% capacity for this area
Erica White	Fayetteville, AR	2015-06-19	Devalue of housing
Nate Pettz	Fayetteville, AR	2015-06-19	i live on Mt Comfort road and traffic is already congested enough. The proposed development would create a traffic situation that people have moved to Fayetteville from larger cities to get away from. With the ever growing population I think we need to locate such developments in areas that can handle the influx, if that area even exists
Lydia Fields	Fayetteville, AR	2015-06-19	I travel down Deane Solomon road when out during school drop off/pick up times because it takes 30 minutes to get to my house if I travel down Salem Rd. Dean Solomon road is not wide enough to support more traffic. It is barely wide enough when there is bad weather. I have fallen in the ditch due to traffic during snow/ice on the road for the last 2 years.
Lesley Helms	Fayetteville, AR	2015-06-19	I do not agree with this
Vance Brock	Fayetteville, AR	2015-06-19	schools and the roads. Let's be honest... Try dropping of one of you kids at Holcomb or Holt. It's a two lane road. I really feel bad for people with no kids that have to head that way to go to work. No way to pass. Just sit in the long line.
Amy Jetton	Fayetteville, AR	2015-06-19	I'm signing because the traffic on Mt Comfort is already ridiculous. Furthermore Lindsey should rebuild their older apartments before building new ones.
thomas branch	Fayetteville, AR	2015-06-19	I'm tired of looking at apartments in Fayetteville. And for reasons stated.
Pat Sandlin	Fayetteville, AR	2015-06-19	We need the golf course more than more apartments which are threatening to take over Fayetteville
Patty Vicknair	Fayetteville, AR	2015-06-19	I don't want the apartments near my home cause of traffic.
Melissa Wood	Fayetteville, AR	2015-06-19	Please consider an alternative plan!
Matt Prude	Fayetteville, AR	2015-06-19	We just went from renting for the past 3 years to FINALLY purchasing our 1st home. We did this to change our surroundings from 'high density housing' to an area where people take ownership and pride in their living spaces.
			In 3 years I never witnessed 1 time ANYONE who took time to invest, maintain, or even develop the space they occupied in either of the 2 Lindsey apartments we lived in. Please do not let Lindsey come in and ruin our area and the investment my wife and I have sacrificed so much to have.
Eric Barnes	Fayetteville, AR	2015-06-19	I am a resident of Salem Village and am concerned about the increased traffic, population, and impact to property values that this development would have.
Derrick Drake	Elkins, AR	2015-06-19	As a lifetime, local resident this development cannot be sustained for all reasons presented in the petition. Really a bad idea overall.
David Hopper	Fayetteville, AR	2015-06-19	I want to see smart development, not greed driven.
Amanda Niccum	Fayetteville, AR	2015-06-19	I love in Crystal Springs and feel this would be detrimental to the area.
Maria Baez de Hicks	Fayetteville, AR	2015-06-19	the density of the development on the west side corridor is not sustainable with the current infrastructure. The schools are already at capacity and homes are not appreciating at the same rate as the east side corridor due to this. we need to rethink this project
Karah Fogerty	Fayetteville, AR	2015-06-19	I'm signing this because I live over there and don't wanna see apartments!! It's a beautiful green space and I thought that is what Fayettevilles all about!!
Todd Hastings	Fayetteville, AR	2015-06-19	We need more green space on the west side the local infrastructure will not handle that many people traffic is already congested

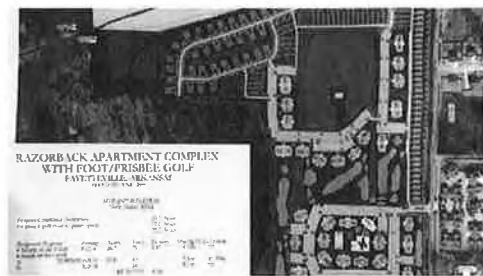
Name	Location	Date	Comment
Linda marquess	Fayetteville, AR	2015-06-20	I was at the last meeting and from what I heard from the people who presented this to all of us who live in and around where Lindsey is plan to build these apartments, row homes and condo's this would be terrible. Right now going any direction north or south there is always traffic trying to get on Mt Comfort or Hwy 112. I feel this would be a very bad place to build a complex like this with only one road in or out. All the other complexes like what they are wanting to build have access in & out from 2 or 3 different streets not just one. If they were to build such a complex and there were a fire or something that required fireman & police it would be almost impossible for them & the people living there or around there to safely get to a main road. Please consider these facts when you make your vote.
Laura Carver	fayetteville, AR	2015-06-20	Property owner in Salem Heights. Development must be limited to single family residences. Porter Road cannot handle 2 to 3 K additional residents nor can the existing neighborhood schools.
Audri Waddell	Fayetteville, AR	2015-06-20	I'm signing because I live in the condos across from the golf course and feel building of these units will decrease the areas security, openness, and the protected wildlife area will be at more risk because of more population in an already established area. This community is established with nice, developed homes and families have/are investing in them. A very nice neighborhood of new homes has just been developed close to this-why would you put apartments in a residential area that would overcrowd the neighborhood and schools?
Darlene Cassat	Fayetteville, AR	2015-06-20	Too many apartments. Holcomb is already crowded.
Brian Sorensen	Fayetteville, AR	2015-06-20	I'm signing this petition because I live next to this proposed development and I do not believe multi-family housing is an acceptable zoning when the impact to surrounding communities is considered. The current zoning is more than appropriate for future development of this property.
Doris Hastings	Fayetteville, AR	2015-06-20	These plans will have a tremendous negative impact and create an added burden to the existing infrastructure of the west side. The road planning/congestion, drainage, and green space are all major concerns in this area. Razorback Golf Course should be dedicated as a park for the West side tax paying citizens of Fayetteville like Gully, Walker and Wilson.
John Davenport	Fayetteville, AR	2015-06-20	I wish to keep as much green space in Fayetteville as possible.
jacob craig	Fayetteville, AR	2015-06-21	There are too many apartments in Fayetteville already.
Gerald Golden	Fayetteville, AR	2015-06-22	Dean Solomon Road is no place for multiple family housing. The Pines is a carefully planned and maintained community. Large expensive home are being built just North of the golf course. Multiple unites will have a negative impact on the value of everything on DSR.
Alfred J. Iller COL USA (Ret)	Fayetteville, AR	2015-06-22	For the reasons stated!
John Morgan	Fayetteville, AR	2015-06-22	This area simply cannot support such an influx of new residents!
Wendy Golden	Fayetteville, AR	2015-06-22	Infrastructure is not substantial to support this.
Faith Bradley	Fayetteville, AR	2015-06-22	Against the development
Lauren Doan	Little Rock, AR	2015-06-22	I am sick of these complexes!
David Lencho	Springdale, AR	2015-06-23	Because I strongly oppose the Lendsey development of Razorback Golf Course.
Rebecca Williams Lencho	Springdale, AR	2015-06-23	Road congestion. Too much traffic will be generated from this much housing
Carolyn Fries	Fayetteville, AR	2015-06-23	This area is not suited for this type of development.

Name	Location	Date	Comment
Mark Fougrousse	Fayetteville, AR	2015-06-23	I don't want 600+ apartments across the street from our house that I saved up 30 years to be able to now have!
Diana Barnes	Ft Collins, CO	2015-06-23	My family lives in Fayetteville and would impact them. We come to Arkansas all the time. Please do what is responsible for the community!
Terrell Bowen	Fayetteville, AR	2015-06-24	i agree with the details noted and believe that the surrounding home owners will be adversely impacted if the Lindsey expansion project is allowed to proceed as currently proposed.
suzette bowen	Eureka Springs, AR	2015-06-24	Needs to be single family, or have the city buy it for park place.
Van Dolah Glowaina	Fayetteville, AR	2015-06-24	I bought my home recently for the area and the family atmosphere. If zoning is in place for a reason....then it shouldn't be changed when there are those of us counting on it to protect our investments.
Jeannie True-Jenkins	Fayetteville, AR	2015-06-24	I am concerned about the environmental impact on the area as well as the over crowding at Holcomb Elementary over crowding busing students to other Fayetteville schools.
Jordan Meckem	Fayetteville, AR	2015-06-25	Will devalue my investment (house).
Mitchell Gwin	Lowell, AR	2015-06-25	This site is being developed right beside wetland habitat that currently sustains multiple animal species. I have personally seen deer, coyotes, turkey, various bird species, and bobcats on this land. Additionally, I live in this area and am concerned of the effects this development would have on property values.
Laura Bays	Fayetteville, AR	2015-06-25	Nearby resident in support of petition.
Brooke Peterson	Fayetteville, AR	2015-06-25	I don't believe this area can or should support a development of this magnitude.
Emma Lee Gordon	Fayetteville, AR	2015-06-27	I live in the condos directly across from the golf course, and I do not want apartments built due to the significant increase in traffic and decrease of my property value.
Kathleen Stocker	Fayetteville, AR	2015-06-29	I believe the points made are valid.
Samantha Stocker	Fayetteville, AR	2015-06-29	I agree with the points in this petition and support this.
Sarah Cox	King, NC	2015-06-29	I agree with all reasons listed, especially the traffic issues and the property devaluation and the school issues.
Mike Threlkeld	Fayetteville, AR	2015-06-29	This multi-family development would devalue my single family home and acreage. And this area can not handle that much extra traffic and people.
Gracie Pendleton	Fayetteville, AR	2015-06-30	I prefer the golf course view. I see NO need for more apartments, homes and the constant traffic in our decent neighborhood. We are fantastic the way we are. Gracie Pendleton
Donna Gwaltney	Fayetteville, AR	2015-06-30	I do not think the area roads, schools and neighborhoods can support this type of growth.
Brooke Culp	Fayetteville, AR	2015-06-30	I'm concerned about the increased traffic and property values.
Jim Waselues	Fayetteville, AR	2015-06-30	Jim Waselues
Tanya Floyd	Fayetteville, AR	2015-07-01	TOO much overbuilding, TOO much environmental impact, NOT right for existing schools
Kim Peters	Fayetteville, AR	2015-07-03	Too much density in the space and don't like the apartments in the middle of all the SFR's in the area!
Tyler Parson	Fayetteville, AR	2015-07-05	i do not want this development to proceed.

Name	Location	Date	Comment
Elizabeth Post	Fayetteville, AR	2015-07-08	Too much extra traffic and would hurt the property value of the homes. We would rather have established more permanent neighborhoods here than transient ones.
Angela Bradach	Fayetteville, AR	2015-07-13	I live near this property and I do not want this area to become more congested.
Angie Sikes	Fayetteville, AR	2015-07-15	The road feasibility study hadn't been done. The additional 2-3k is a low estimate for additional people. During previous reading they didn't even have their facts straight - @ first they were building single family homes. They now say they Lindsey won't be building the homes as previously stated. The lots will be sold off. There is a shortage of apts for college students move down towards the old
Kimberly Gasner	Fayetteville, AR	2015-07-17	Apartments plus 8-9 houses per acre is not what that area is zoned for. I built my home across the street from the golf course because of the ambience. If the oldest public golf course in NWA must be destroyed, please do so with a housing addition comparable to Prairie Acres across the street. This area (schools) can not accommodate the number of people 36 apartment complexes and 52+ row homes will add. Thank you
April Hudson	Fayetteville, AR	2015-07-18	My children attend Holcomb elem and will later attend Holt. Holcomb is overflowing already and does not have room for this many more students. Also, Dean Solomon and surrounding areas are not equipped to accommodate that much more traffic. Thank you for your time.
Elizabeth W.P.-Bretland	Delft, Netherlands	2015-07-24	Only handful and wealthy people are using golf courses. This is snobs habit, no any sport. This in indeed stupid and antisocial plan !!
Joshua Enoch	Fayetteville, AR	2015-07-26	I'm signing because I'm concerned about the traffic and the value of my home.
John Cardinal	Fayetteville, AR	2015-07-28	I'm really concerned about the ability of local roads to handle this influx of residents. Even widening Deane Soloman will not address the issues re getting to I-49.
Russ Chalmers	Springdale, AR	2015-07-31	This is not well suited for the area.
Jammie Fisher	Fayetteville, AR	2015-08-02	There is enough congestion all around town already!!!!
Brian Reed	Fayetteville, AR	2015-08-05	I'm signing this petition because I believe the current zoning of the property is of the best interest for all parties involved: NW Fayetteville residents, current wildlife, and the inevitable infrastructure issues (roads/schools).
Erin Bradford	Fayetteville, AR	2015-08-08	I live in a neighborhood near Razorback golf course and worry what an apartment complex would do to our property values.
Adam Stevinson	Fayetteville, AR	2015-08-09	As an affected property owner I am deeply concerned. This development seems completely inconsistent with the zoning and planning of the area. Also, the infrastructure is woefully inadequate to support anything close to the amount of proposed added drivers. I strongly oppose this zoning change and the accompanying development.
Mat Rawls	Fayetteville, AR	2015-08-10	We're the natural state, why the hurry to cover at the natural with buildings and golf courses?
Mark Shaffer	Rogers, AR	2015-08-13	I believe it will have a negative impact to an already established single/dual family residential community.
Jacob Ward	Fayetteville, AR	2015-08-16	I have concerns about traffic and the environmental impact (flooding) in the area.
David Rader	Tulsa, OK	2015-08-18	I own a house and my daughters own houses in the neighborhood north of the golf course. This is not consistent with the development of that part of the city to date, not consistent with the city's long term plan and completely unreasonable for the area and the available infrastructure. The city needs to keep its word with respect to future development.

Name	Location	Date	Comment
Clint Blackwood	Fayetteville, AR	2015-09-02	I live in the Crystal Springs neighborhood and this will directly affect me and all of those around me. The traffic is already getting bad with the new houses that have been added to the area, this proposed plan would make the traffic unbearable. Part of the reason I chose to purchase a house in this area was because It was not as congested as the Wedington corridor, and this plan would bring all of that congestion right on top of us. I also believe it would devalue the home that I bought a few years ago, and make this area not near as a desirable place to live. I beg our city council to reject this proposal, and leave our neighborhood and incredibly nice green areas out of Lindsey control. They are only concerned with money and how many apartments they can build, not with how they will negatively effect the lives of the residents already living in these areas. REJECT
Susan Robertson	Fayetteville, AR	2015-09-21	All of the above reasons and we just built a house on the north end of the Razorback Golf Course. Wish the city or someone would buy it and keep it as a golf course as their isn't a public course in Northwest Arkansas. The wildlife from our patio is just amazing - at this moment we are watching a Great Blue Heron and yesterday a hawk landed on our fence

Petition: Vote to stop Lindsey's development of Razorback Golf Course with multi-family units



We are a group of Fayetteville citizens who have grave concerns regarding Lindsey's proposed Razorback Apartments project on Deane Solomon Road.

As a community, we have a loud voice. Our City Council has a desire and responsibility to listen to that voice, as they are tasked with improving our city for its residents. By signing this Change.org petition, you are telling our City Council that you are opposed to this development, so long as it includes multi-family housing units.

General Considerations:

1. We understand and support that the course owners have a right to manage their business as they see fit, and sell the course if needed. No one should be held hostage to lose money, as they are now. We just need to do it responsibly and take all stakeholders into account.
2. We are not completely against development on the course, but it needs to be planned carefully. The key is to minimize the impact it has on the environment and community. We believe that multi-family units will impact both excessively.

Reasons why we oppose this development

Point 1: Property Devaluation

- a) The residents in the immediate area have made substantial investments in their homes. While development of the course is a clear possibility, a high density multifamily development will have a stark impact. This type of development will certainly devalue their investment, negatively impacting the well-being of hundreds of Fayetteville residents.
- b) As property values decline, property tax declines as well. Even though this isn't a top priority, it does impact the city. Further, the homes being built will be of lower value and pay less property tax than a more appropriate development.
- c) The current zoning (agricultural/single family) is more compatible with the surrounding neighborhoods, which are dominated by single family housing in the 1,400 - 3,600 sq ft range. There are a handful of multi-family units in the area, but they are either very low density, or upscale and supported by a homeowners association. An apartment project like the one Lindsey is proposing doesn't make sense for the area. If the land is destined for development, we think it's better served by the existing zoning.

Point 2: Infrastructure Issues related to the addition of 2,000 - 3,000 additional residents in this ~1 square mile area.

- a) Roads. The area's infrastructure is severely underdeveloped and cannot support 2,000 - 3,000 additional residents and the associated traffic. Deane Solomon Road is not - and was never intended to be - a major arterial road in Fayetteville (see http://gis2.accessfayetteville.org/GISP.../Master_Street_Plan/). This is one of the primary reasons the City of Fayetteville decided not to build a second high school on property owned by the school board on the north end of Deane Solomon. A project like the one Lindsey is proposing needs to be on a major road like Crossover Road or Wedington Drive, not a skinny country road flanked by wetlands and single family housing.
- b) Traffic. Neither the Shiloh/Mt. Comfort intersection, nor the new I49 interchange are designed to handle the amount of traffic this development will immediately generate. Widening Deane Solomon Road does not solve the issues that this development will cause near I49. Again, the road design was not intended to support this and cannot.
- c) Schools. With the influx of 2-3k people comes the need to educate around 1,000 young people. Holcomb is at 110% capacity and will be difficult to expand. If a significant development is built, students will be sent across town to Washington and Root Elementary as overflow.
- d) Flooding. See Environmental Impact below.

Point 3: Environmental Impact

- a) Wilson Springs Preserve is a protected wetlands, watershed for our area, and the headwaters of Clabber Creek - a tributary of the Illinois River. The preserve is directly adjacent to Razorback Golf Course, and the proposed development.

Here is an official statement from the NW Arkansas Land Trust, who manage Wilson Springs Preserve: “The Northwest Arkansas Land Trust encourages the permanent preservation of land the Clabber Creek headwater area surrounding the Wilson Springs Preserve. This region includes sensitive and important ecosystems and wildlife habitats, including seasonal wetlands, prairie remnants, seeps, springs, streams, groundwater and riparian areas. Increased development has drastically reduced these habitats and led to increased stormwater runoff, pollution, and flooding. Any development that goes into the Clabber Creek headwater area should be low-density and must go above and beyond the status quo in regards to low-impact design, green infrastructure preservation and storm water protection.”

b) Flooding issues are severe on the North end of the property. The purpose of a watershed is to collect rainwater from the area, filter it, and deliver it to a stream, lake or river. Green space and vegetation is important because it slows the runoff to the watershed collection area. Replacing permeable land with so many rooftops and extraordinary amounts of asphalt will send more and more storm water to this area - which is adjacent to many homes. There are many, many homeowners who are worried about storm water runoff and flooding on their properties. We've already seen it. We have the pictures to prove it. We don't want it to get any worse than it already is.

c) Both Wilson Springs and the Clabber Creek area, just downstream, are the habitat for two threatened species, which are designated for review to add to the endangered species list. Runoff, pollution and even construction will put that habitat at risk.

Point 4: This project contradicts the City's 2030 Plan.

a) Our city planners took much time to develop a plan for the future of Fayetteville. Their plan did not include highly dense development for this area of town. Only Residential Neighborhoods, Civic & Private Open Space/Parks and a touch of Civic Institutional (presumably a potential school site). Their plan took many things into consideration and their conclusion matches the community's current recommendation.

b) 2030 Plan Overview: <http://www.fayetteville-ar.gov/372/City-Plan-2030>

c) Land Use and Zoning info: <http://www.fayetteville-ar.gov/DocumentCenter/Home/View/1223>

d) Future Land Use Map: <http://www.fayetteville-ar.gov/DocumentCenter/Home/View/1231>

Petition: Vote to stop Lindsey's development of Razorback Golf Course with multi-family units

Number	Name	City	State	Postal Code	Country	Signed On
1	John Bull	Fayetteville	Arkansas	72704	United States	6/16/2015
2	Jared clark	Fayetteville	Arkansas	72704	United States	6/17/2015
3	Linda fricke	Fayetteville	Arkansas	72701	United States	6/17/2015
4	Lindsay Smith	Fayetteville	Arkansas	72704	United States	6/17/2015
5	Taylor Nash	Fayetteville	Arkansas	72703	United States	6/17/2015
6	Carly Grace	Fayetteville	Arkansas	72704	United States	6/17/2015
7	Amy Linimon	Fayetteville	Arkansas	72704	United States	6/17/2015
8	michelle gray	Fayetteville	Arkansas	72704	United States	6/17/2015
9	Bob hinton	Fayetteville	Arkansas	72704	United States	6/17/2015
10	Murry Owens	Fayetteville	Arkansas	72704	United States	6/17/2015
11	Jennifer Holland	Fayetteville	Arkansas	72703	United States	6/17/2015
12	Kathleen Reese	Fayetteville	Arkansas	72704	United States	6/17/2015
13	Hilary Selby	Fayetteville	Arkansas	72704	United States	6/17/2015
14	scott young	Fayetteville	Arkansas	72704	United States	6/17/2015
15	Jeff reese	Fayetteville	Arkansas	72704	United States	6/17/2015
16	Odie & Kym Williams	Fayetteville	Arkansas	72704	United States	6/17/2015
17	Amy Bradley	Fayetteville	Arkansas	72704	United States	6/17/2015
18	Brandon colley	Fayetteville	Arkansas	72701	United States	6/17/2015
19	Taylor Staley	Fayetteville	Arkansas	72703	United States	6/17/2015
20	gail mills	Fayetteville	Arkansas	72704	United States	6/17/2015
21	Sarah Harrell	Fayetteville	Arkansas	72704	United States	6/17/2015
22	Harold Hubbard	Fayetteville	Arkansas	72704	United States	6/17/2015
23	Jordan Eddy	Fayetteville	Arkansas	72704	United States	6/17/2015
24	Shaunna Nastasi	Fayetteville	Arkansas	72704	United States	6/17/2015
25	Kari Larson	Wichita	Kansas	67211	United States	6/17/2015
26	Larry Esch	Fayetteville	Arkansas	72704	United States	6/17/2015
27	Trina Carmon	Fayetteville	Arkansas	72704	United States	6/17/2015
28	Lauren Suggs	Springdale	Arkansas	72762	United States	6/17/2015
29	John Gossett	Fayetteville	Arkansas	72704	United States	6/17/2015
30	Susan Rausch	Fayetteville	Arkansas	72701	United States	6/17/2015
31	Kathy Foster	Fayetteville	Arkansas	72704	United States	6/17/2015
32	Lisa Guthrie	Fayetteville	Arkansas	72704	United States	6/17/2015
33	Megan Sorensen	Fayetteville	Arkansas	72704	United States	6/17/2015
34	Barbara Hinton	Fayetteville	Arkansas	72701	United States	6/17/2015
35	Tim Stidham	Fayetteville	Arkansas	72704	United States	6/17/2015
36	Troy Mack	Fayetteville	Arkansas	72704	United States	6/17/2015
37	Julie Parker	Fayetteville	Arkansas	72704	United States	6/17/2015
38	Tanya Burkin	Fayetteville	Arkansas	72704	United States	6/17/2015
39	Brian Buckley	Fayetteville	Arkansas	72704	United States	6/17/2015
40	Ben Matthews	Fayetteville	Arkansas	72703	United States	6/17/2015
41	Richard Holt	Fayetteville	Arkansas	72704	United States	6/17/2015
42	jason young	fayetteville	Arkansas	72704	United States	6/17/2015
43	Sasha Hagle	Fayetteville	Arkansas	72701	United States	6/17/2015
44	holly farlin	Fayetteville	Arkansas	72704	United States	6/17/2015

45	Matt Davis	Fayetteville	Arkansas	72701	United States	6/17/2015
46	Katie Jackson	Fayetteville	Arkansas	72704	United States	6/17/2015
47	Jenny Sachs	Springdale	Arkansas	72762	United States	6/17/2015
48	Linds�y Curry	Fayetteville	Arkansas	72704	United States	6/17/2015
49	Edward Jackson	Fayetteville	Arkansas	72704	United States	6/17/2015
50	Renee Gadberry	Prairie Grove	Arkansas	72753	United States	6/17/2015
51	Mark Griesse	Fayetteville	Arkansas	72704	United States	6/17/2015
52	Stephen thomas	Fayetteville	Arkansas	72704	United States	6/17/2015
53	Emily Rappe	Fayetteville	Arkansas	72703	United States	6/17/2015
54	Tammy Martin	Fayetteville	Arkansas	72704	United States	6/17/2015
55	spencer Smith	Fayetteville	Arkansas	72704	United States	6/17/2015
56	Carson roncketto	Fayetteville	Arkansas	72701	United States	6/17/2015
57	Justin Lipsmeyer	Fayetteville	Arkansas	72704	United States	6/17/2015
58	Candice Evans Gray	Fayetteville	Arkansas	72701	United States	6/17/2015
59	Jennifer Ford	Fayetteville	Arkansas	72704	United States	6/17/2015
60	Wendy Alexander	Fayetteville	Arkansas	72703	United States	6/17/2015
61	Sara Young	Fayetteville	Arkansas	72704	United States	6/17/2015
62	Kevin Davison	Fayetteville	Arkansas	72704	United States	6/17/2015
63	Chelsea Green	Fayetteville	Arkansas	72703	United States	6/17/2015
64	Dr. John Stiefer	Fayetteville	Arkansas	72703	United States	6/17/2015
65	Patrick Hagle	Fayetteville	Arkansas	72704	United States	6/17/2015
66	amanda barker	Fayetteville	Arkansas	72704	United States	6/17/2015
67	Sheena Calvert	Fayetteville	Arkansas	72704	United States	6/17/2015
68	Barri Tulgetske	Fayetteville	Arkansas	72704	United States	6/17/2015
69	Janie Montgomery	Fayetteville	Arkansas	72704	United States	6/17/2015
70	Agnieszka Mack	Fayetteville	Arkansas	72701	United States	6/17/2015
71	Sarah Berry	Fayetteville	Arkansas	72704	United States	6/17/2015
72	Karl Krotke	Fayetteville	Arkansas	72701	United States	6/17/2015
73	Ashley Hale	Fayetteville	Arkansas	72794	United States	6/17/2015
74	Tyler McMahan	Fayetteville	Arkansas	72704	United States	6/17/2015
75	Lori Mertensmeyer	Fayetteville	Arkansas	72704	United States	6/17/2015
76	Joe Emmanuel	Fayetteville	Arkansas	72704	United States	6/17/2015
77	Gregory Lopez	Fayetteville	Arkansas	72704	United States	6/17/2015
78	Alex Clark	Fayetteville	Arkansas	72704	United States	6/17/2015
79	Amanda Nichols	Fayetteville	Arkansas	72701	United States	6/17/2015
80	Kelly Way	Fayetteville	Arkansas	72704	United States	6/17/2015
81	Elizabeth Emmanuel	Fayetteville	Arkansas	72701	United States	6/17/2015
82	Lona Robertson	Fayetteville	Arkansas	72704	United States	6/17/2015
83	William Bryant	Fayetteville	Arkansas	72704	United States	6/17/2015
84	Lynda Bembenek	Fayetteville	Arkansas	72704	United States	6/17/2015
85	Dorothy Mangold	Fayetteville	Arkansas	72703	United States	6/17/2015
86	Sara chance	Fayetteville	Arkansas	72704	United States	6/17/2015
87	Jin Ma	Fayetteville	Arkansas	72704	United States	6/17/2015
88	Sarah White	Fayetteville	Arkansas	72704	United States	6/17/2015
89	Lauren Chesney Anderson	Fayetteville	Arkansas	72704	United States	6/17/2015
90	Cori Falkner	Fayetteville	Arkansas	72704	United States	6/17/2015
91	Krista Langston	Fayetteville	Arkansas	72701	United States	6/17/2015

92	Huy Tran	Fayetteville	Arkansas	72704	United States	6/17/2015
93	Elizabeth gibbons	Fayetteville	Arkansas	72704	United States	6/17/2015
94	Mindy Kazery	Fayetteville	Arkansas	72704	United States	6/17/2015
95	Sarah White	Fayetteville	Arkansas	72701	United States	6/17/2015
96	Jason Kaundart	Fayetteville	Arkansas	72704	United States	6/17/2015
97	Tai Le	Fayetteville	Arkansas	72704	United States	6/17/2015
98	Stefanie McReynolds	Fayetteville	Arkansas	72704	United States	6/17/2015
99	Dan england	Fayetteville	Arkansas	72703	United States	6/17/2015
100	Tim Taylor	Fayetteville	Arkansas	72704	United States	6/17/2015
101	Christie Hancock	Fayetteville	Arkansas	72703	United States	6/17/2015
102	Gennie Hirschy	Fayetteville	Arkansas	72701	United States	6/17/2015
103	Jillian Weinreber	Fayetteville	Arkansas	72703	United States	6/17/2015
104	Sarah Baber	Fayetteville	Arkansas	72704	United States	6/17/2015
105	Sarah Green	Fayetteville	Arkansas	72704	United States	6/17/2015
106	Laura Jane Baber	Fayetteville	Arkansas	72701	United States	6/17/2015
107	Danielle Allen	Fayetteville	Arkansas	72701	United States	6/17/2015
108	Grant Stephens	Fayetteville	Arkansas	72704	United States	6/17/2015
109	Lori Collier	Fayetteville	Arkansas	72704	United States	6/17/2015
110	Karen Treat	Flippin	Arkansas	72634	United States	6/17/2015
111	Jim Erwin	Miamisburg	Ohio	45342	United States	6/17/2015
112	Teresa Wilder	Fayetteville	Arkansas	72701	United States	6/17/2015
113	Katie Kirk	Fayetteville	Arkansas	72704	United States	6/17/2015
114	Anna ryneer	Fayetteville	Arkansas	72794	United States	6/17/2015
115	Steven Fortner	Fayetteville	Arkansas	72704	United States	6/17/2015
116	Greg Guillot	Fayetteville	Arkansas	72704	United States	6/17/2015
117	Shaheen Ghahremanpour	Fayetteville	Arkansas	72704	United States	6/17/2015
118	Thomas Fulcher	Fayetteville	Arkansas	72704	United States	6/17/2015
119	Rachel Fulcher	Fayetteville	Arkansas	72701	United States	6/17/2015
120	Carrie Rodriguez	Fayetteville	Arkansas	72704	United States	6/17/2015
121	Jeb Huckeba	Fayetteville	Arkansas	72704	United States	6/17/2015
122	Jami Huckeba	Fayetteville	Arkansas	72704	United States	6/17/2015
123	Tamisha fields	Fayetteville	Arkansas	72704	United States	6/17/2015
124	Sarah hoffmann	Fayetteville	Arkansas	72703	United States	6/17/2015
125	Kelly Pianalto	Fayetteville	Arkansas	72704	United States	6/17/2015
126	Molly hogue	Cambridge	Massachusetts	2139	United States	6/17/2015
127	Leslie Lancaster-Smith	Fayetteville	Arkansas	72704	United States	6/17/2015
128	Patrick Smith	Fayetteville	Arkansas	72704	United States	6/17/2015
129	Joshua Johnson	Fayetteville	Arkansas	72704	United States	6/17/2015
130	Ryan Green	Fayetteville	Arkansas	72704	United States	6/17/2015
131	Michelle yount	Fayetteville	Arkansas	72704	United States	6/17/2015
132	Barrett Baber	Fayetteville	Arkansas	72704	United States	6/17/2015
133	Kristin Grilli	Fayetteville	Arkansas	72704	United States	6/17/2015
134	Kelly Williams	Fayetteville	Arkansas	72704	United States	6/17/2015
135	Amanda Craig	Fayetteville	Arkansas	72704	United States	6/17/2015
136	Jennifer Simmons	Fayetteville	Arkansas	72704	United States	6/17/2015
137	Jael Fields	Fayetteville	Arkansas	72704	United States	6/17/2015
138	Brandon Corn	Fayetteville	Arkansas	72704	United States	6/17/2015

139	Shannon Knotts	Fayetteville	Arkansas	72704	United States	6/17/2015
140	Mark Baber	Fayetteville	Arkansas	72704	United States	6/17/2015
141	Sandra Ware	Fayetteville	Arkansas	72704	United States	6/17/2015
142	Amy Yearry	Fayetteville	Arkansas	72704	United States	6/17/2015
143	Nick Conyac	Springdale	Arkansas	72764	United States	6/17/2015
144	Kate Davis	Fayetteville	Arkansas	72703	United States	6/17/2015
145	Collin Allen	Fayetteville	Arkansas	72701	United States	6/17/2015
146	Staci Coston	Fayetteville	Arkansas	72704	United States	6/17/2015
147	Kirstin Morgan	Fayetteville	Arkansas	72704	United States	6/17/2015
148	Barbara Still	Fayetteville	Arkansas	72704	United States	6/17/2015
149	Michelle Burnett	Fayetteville	Arkansas	72703	United States	6/17/2015
150	Channin Tacito	Fayetteville	Arkansas	72704	United States	6/17/2015
151	Sara Staley	Fayetteville	Arkansas	72704	United States	6/17/2015
152	Staci Ledford	Fayetteville	Arkansas	72703	United States	6/17/2015
153	Katie Austin	Fayetteville	Arkansas	72704	United States	6/17/2015
154	Kevin Erby	Fayetteville	Arkansas	72704	United States	6/17/2015
155	Sheri acuff	Fayetteville	Arkansas	72703	United States	6/17/2015
156	Chris Nichols	Fayetteville	Arkansas	72704	United States	6/17/2015
157	Julie harmon	Springdale	Arkansas	72762	United States	6/17/2015
158	John Thorn	Fayetteville	Arkansas	72704	United States	6/17/2015
159	Meredith Henson	Fayetteville	Arkansas	72704	United States	6/17/2015
160	Valerie Green	Fayetteville	Arkansas	72704	United States	6/17/2015
161	Megan Hampel	Fayetteville	Arkansas	72704	United States	6/17/2015
162	Jeff Sanford	Fayetteville	Arkansas	72703	United States	6/17/2015
163	Hannah Dierks	Fayetteville	Arkansas	72704	United States	6/17/2015
164	Rick Betsch	Fayetteville	Arkansas	72704	United States	6/17/2015
165	Kari Fitch	Fayetteville	Arkansas	72704	United States	6/17/2015
166	Sue Ann Fulcher	Fayetteville	Arkansas	72704	United States	6/17/2015
167	LAUREN ETGES	Fayetteville	Arkansas	72701	United States	6/17/2015
168	Adam Harmon	Fayetteville	Arkansas	74704	United States	6/17/2015
169	Ron Green	Fayetteville	Arkansas	72704	United States	6/17/2015
170	Renae Hightower	Fayetteville	Arkansas	72704	United States	6/17/2015
171	Amber Rickman	Fayetteville	Arkansas	72704	United States	6/17/2015
172	Ryan Dugger	Fayetteville	Arkansas	72704	United States	6/17/2015
173	Kelly marconi	Fayetteville	Arkansas	72701	United States	6/17/2015
174	Mary Eikenberry	Fayetteville	Arkansas	72704	United States	6/17/2015
175	Leigh Ann Sandlin	Fayetteville	Arkansas	72704	United States	6/17/2015
176	John Berry	Fayetteville	Arkansas	72704	United States	6/17/2015
177	Rebekah Murphy Cox	Fayetteville	Arkansas	72704	United States	6/17/2015
178	Tammi Lea	Springdale	Arkansas	72762	United States	6/17/2015
179	Jared Curry	Fayetteville	Arkansas	72704	United States	6/17/2015
180	Kevin White	Fayetteville	Arkansas	72704	United States	6/17/2015
181	Anne Skinner	Fayetteville	Arkansas	72704	United States	6/18/2015
182	Katie Breahears	Fayetteville	Arkansas	72701	United States	6/18/2015
183	Allison Dolan	Tampa	Florida	33618	United States	6/18/2015
184	Michelle Fyfe	Fayetteville	Arkansas	72701	United States	6/18/2015
185	Angela Dunkum	Fayetteville	Arkansas	72701	United States	6/18/2015

186	kevin smith	Fayetteville	Arkansas	72704	United States	6/18/2015
187	Lynn Waldren	Fayetteville	Arkansas	72704	United States	6/18/2015
188	Paula Stephens	Fayetteville	Arkansas	72704	United States	6/18/2015
189	Marrienne Tullis	Fayetteville	Arkansas	72704	United States	6/18/2015
190	Ashley Striegler	Fayetteville	Arkansas	72704	United States	6/18/2015
191	Cassie ross	Lowell	Arkansas	72745	United States	6/18/2015
192	Tj Scarlett	Fayetteville	Arkansas	72704	United States	6/18/2015
193	Bruce williams	Fayetteville	Arkansas	72702	United States	6/18/2015
194	Carole Masterson	Fayetteville	Arkansas	72704	United States	6/18/2015
195	Sharon Guthrie	fayetteville	Arkansas	73704	United States	6/18/2015
196	Jane Corrigan	Fayetteville	Arkansas	72701	United States	6/18/2015
197	David Clark	Fayetteville	Arkansas	72704	United States	6/18/2015
198	Jake Fout	Fayetteville	Arkansas	72704	United States	6/18/2015
199	Casey Pianalto	Fayetteville	Arkansas	72702	United States	6/18/2015
200	Jennifer Vaughn	Fayetteville	Arkansas	72703	United States	6/18/2015
201	Gustavo Gomez	Fayetteville	Arkansas	72703	United States	6/18/2015
202	Tanya stewart	Fayetteville	Arkansas	72704	United States	6/18/2015
203	Lisa Spears	Fayetteville	Arkansas	72704	United States	6/18/2015
204	Christy Dugger	Fayetteville	Arkansas	72703	United States	6/18/2015
205	Pablo Reznicek	Fayetteville	Arkansas	72704	United States	6/18/2015
206	Ali Guthrie	Fayetteville	Arkansas	72704	United States	6/18/2015
207	Julie tran	Fayetteville	Arkansas	72704	United States	6/18/2015
208	Franklin Jennings	Fayetteville	Arkansas	72704	United States	6/18/2015
209	Ashley Jones	Fayetteville	Arkansas	72704	United States	6/18/2015
210	Janet Selby	Fayetteville	Arkansas	72704	United States	6/18/2015
211	Lacy Lynch	Fayetteville	Arkansas	72704	United States	6/18/2015
212	Solomon Burchfield	Fayetteville	Arkansas	72701	United States	6/18/2015
213	Stephania Russell	Fayetteville	Arkansas	72705	United States	6/18/2015
214	Alex Nichols	Fayetteville	Arkansas	72704	United States	6/18/2015
215	James yoes	Fayetteville	Arkansas	72704	United States	6/18/2015
216	Jenny Rainey	Fayetteville	Arkansas	72703	United States	6/18/2015
217	Lindsey Griesse	Fayetteville	Arkansas	72704	United States	6/18/2015
218	Sheilah Cornwell	Fayetteville	Arkansas	72704	United States	6/18/2015
219	Lauren Willey	Fayetteville	Arkansas	72704	United States	6/18/2015
220	Jennifer Ware	Fayetteville	Arkansas	72704	United States	6/18/2015
221	Clenton Cash	Fayetteville	Arkansas	72704	United States	6/18/2015
222	Eli Ivy	Fayetteville	Arkansas	72703	United States	6/18/2015
223	Pamela Waldren	Fayetteville	Arkansas	72704	United States	6/18/2015
224	Gina Broyles	Fayetteville	Arkansas	72704	United States	6/18/2015
225	Shannon lee	Fayetteville	Arkansas	72704	United States	6/18/2015
226	Lynda Yoon	Fayetteville	Arkansas	72704	United States	6/18/2015
227	drew turner	Fayetteville	Arkansas	72703	United States	6/18/2015
228	Jennifer Moreland	Fayetteville	Arkansas	72704	United States	6/18/2015
229	Shannon Raffaelli	Fayetteville	Arkansas	72703	United States	6/18/2015
230	Robert curtner	Fayetteville	Arkansas	72704	United States	6/18/2015
231	Jonathan Unwer	Fayetteville	Arkansas	72704	United States	6/18/2015
232	Gena bumgarner	Fayetteville	Arkansas	72704	United States	6/18/2015

233	Kelly Wolfe	Fayetteville	Arkansas	72704	United States	6/18/2015
234	Serena Jeffery	Fayetteville	Arkansas	72704	United States	6/18/2015
235	Jamie Sparks	Fayetteville	Arkansas	72704	United States	6/18/2015
236	Maureen Brown	Fayetteville	Arkansas	72704	United States	6/18/2015
237	April Goodlander	Fayetteville	Arkansas	72703	United States	6/18/2015
238	Anita Ulrich	Fayetteville	Arkansas	72704	United States	6/18/2015
239	John Schafer	Fayetteville	Arkansas	72704	United States	6/18/2015
240	Matt Jones	Fayetteville	Arkansas	72704	United States	6/18/2015
241	Ryan Dejarnette	Fayetteville	Arkansas	72703	United States	6/18/2015
242	Stacey Buff	Fayetteville	Arkansas	72704	United States	6/18/2015
243	Wendy McCain	West Fork	Arkansas	72774	United States	6/18/2015
244	Robert Shaw	Fayetteville	Arkansas	72704	United States	6/18/2015
245	Eleanor Hill	Fayetteville	Arkansas	72704	United States	6/18/2015
246	Tiffany Yee	Fayetteville	Arkansas	72704	United States	6/18/2015
247	Clarice Whitmore	Fayetteville	Arkansas	72704	United States	6/18/2015
248	Casey Dolan	Fayetteville	Arkansas	72703	United States	6/18/2015
249	Ashley Nail	Fayetteville	Arkansas	72704	United States	6/18/2015
250	William Cullins	Fayetteville	Arkansas	72704	United States	6/18/2015
251	Craig Pearce	Fayetteville	Arkansas	72704	United States	6/18/2015
252	Micah Stewart	Fayetteville	Arkansas	72704	United States	6/18/2015
253	Bryan Striegler	Fayetteville	Arkansas	72704	United States	6/18/2015
254	Eldridge Henley	Fayetteville	Arkansas	72704	United States	6/18/2015
255	Brittany Acuff	Fayetteville	Arkansas	72704	United States	6/18/2015
256	mary konig	Springdale	Arkansas	72764	United States	6/18/2015
257	Jordan Douglas	Fayetteville	Arkansas	72701	United States	6/18/2015
258	Stephanie Hulett	Fayetteville	Arkansas	72704	United States	6/18/2015
259	Sean Wetzal	Fayetteville	Arkansas	72704	United States	6/18/2015
260	katie carr	Fayetteville	Arkansas	72704	United States	6/18/2015
261	Bonnie King	Fayetteville	Arkansas	72704	United States	6/18/2015
262	Rustin Treat	Fayetteville	Arkansas	72704	United States	6/18/2015
263	Daniel Balls	Fayetteville	Arkansas	72703	United States	6/18/2015
264	Kelly Brown	Fayetteville	Arkansas	72703	United States	6/18/2015
265	Tu Phan	Fayetteville	Arkansas	72704	United States	6/18/2015
266	Gary guthrie	Fayetteville	Arkansas	72704	United States	6/18/2015
267	Carmen Hennelly	Fayetteville	Arkansas	72701	United States	6/18/2015
268	Jennifer Page	Fayetteville	Arkansas	72704	United States	6/18/2015
269	Melanie Johnson	Fayetteville	Arkansas	72704	United States	6/18/2015
270	Merrisa Purnomo	Fayetteville	Arkansas	72701	United States	6/18/2015
271	Megan Leslie	Fayetteville	Arkansas	72704	United States	6/18/2015
272	Adrienne Burris	Fayetteville	Arkansas	72704	United States	6/18/2015
273	Abbie Stalnaker	Fayetteville	Arkansas	72704	United States	6/18/2015
274	Wincie Esch	Fayetteville	Arkansas	72704	United States	6/18/2015
275	Brittney Mohr	Fayetteville	Arkansas	72703	United States	6/18/2015
276	Kristin Higgins	Fayetteville	Arkansas	72704	United States	6/18/2015
277	Jami williams	Livingston	Texas	77351	United States	6/18/2015
278	Ariel Segal	Fayetteville	Arkansas	72701	United States	6/18/2015
279	Don Lee	Siloam Springs	Arkansas	72761	United States	6/18/2015

280	Sara Anderson	Fayetteville	Arkansas	72704	United States	6/18/2015
281	Austin Wise	Bristol	Georgia	31518	United States	6/18/2015
282	Kevin Kirkpatrick	Fayetteville	Arkansas	72704	United States	6/18/2015
283	Shana Martin	Fayetteville	Arkansas	72704	United States	6/18/2015
284	Michael Riha	Fayetteville	Arkansas	72703	United States	6/18/2015
285	Paige Zaloudek	Fayetteville	Arkansas	72703	United States	6/18/2015
286	Tracee Williams	Fayetteville	Arkansas	72704	United States	6/18/2015
287	Helen Eaton	Fayetteville	Arkansas	72704	United States	6/18/2015
288	Becca Reinhard	Fayetteville	Arkansas	72704	United States	6/18/2015
289	Claudia Cueto	Fayetteville	Arkansas	72704	United States	6/18/2015
290	Bruce Schaffer	Fayetteville	Arkansas	72703	United States	6/18/2015
291	Kelly Freeze	Fayetteville	Arkansas	72703	United States	6/18/2015
292	Catherine Koehler	Fayetteville	Arkansas	72704	United States	6/18/2015
293	Shannon Matlock	Fayetteville	Arkansas	72703	United States	6/18/2015
294	Bethany Pautsch	Fayetteville	Arkansas	72704	United States	6/18/2015
295	Jonathan Stalnaker	Fayetteville	Arkansas	72704	United States	6/18/2015
296	Frank Ching	Fayetteville	Arkansas	72704	United States	6/18/2015
297	ANITA BREWER	Fayetteville	Arkansas	72704	United States	6/18/2015
298	Heather Bowen	Fayetteville	Arkansas	72701	United States	6/18/2015
299	Billy Townsend	Fayetteville	Arkansas	72704	United States	6/18/2015
300	Kylie Ward	Fayetteville	Arkansas	72703	United States	6/18/2015
301	Jennifer Penne	Fayetteville	Arkansas	72704	United States	6/18/2015
302	Tara Vessell	Fayetteville	Arkansas	72704	United States	6/18/2015
303	Barbara Esch	Fayetteville	Arkansas	72704	United States	6/18/2015
304	Jacob taylor	Fayetteville	Arkansas	72703	United States	6/18/2015
305	Mitzi Traxson	Fayetteville	Arkansas	72704	United States	6/18/2015
306	Alison Ashworth	Fayetteville	Arkansas	72704	United States	6/18/2015
307	Deidre leonard	Fayetteville	Arkansas	72704	United States	6/18/2015
308	Jennifer Bryant	Fayetteville	Arkansas	72704	United States	6/18/2015
309	Pauline Prude	Fayetteville	Arkansas	72704	United States	6/18/2015
310	Cara stewart	Fayetteville	Arkansas	72704	United States	6/18/2015
311	Carolyn Fox	Fayetteville	Arkansas	72704	United States	6/18/2015
312	Andrew Corn	Fayetteville	Arkansas	72703	United States	6/18/2015
313	Amy Beaty	Rogers	Arkansas	72758	United States	6/18/2015
314	Britte Stone	Fayetteville	Arkansas	72701	United States	6/18/2015
315	Kimberly Betts	Fayetteville	Arkansas	72704	United States	6/18/2015
316	Jenna Mendoza	Fayetteville	Arkansas	72704	United States	6/18/2015
317	Josh Packwood	Fayetteville	Arkansas	72704	United States	6/18/2015
318	Jacob Snelson	Fayetteville	Arkansas	72704	United States	6/18/2015
319	Will Gilchrist	Bentonville	Arkansas	72712	United States	6/18/2015
320	Catherine Barginear	Fayetteville	Arkansas	72704	United States	6/18/2015
321	Samantha Barnes	Fayetteville	Arkansas	72704	United States	6/18/2015
322	Brandon Sheard	Fayetteville	Arkansas	72704	United States	6/18/2015
323	Margaret Logan	Fayetteville	Arkansas	72704	United States	6/18/2015
324	Ken Beaner	Fayetteville	Arkansas	72704	United States	6/18/2015
325	Kelly Crenshaw	Fayetteville	Arkansas	72701	United States	6/18/2015
326	John Beebe	Fayetteville	Arkansas	72702	United States	6/18/2015

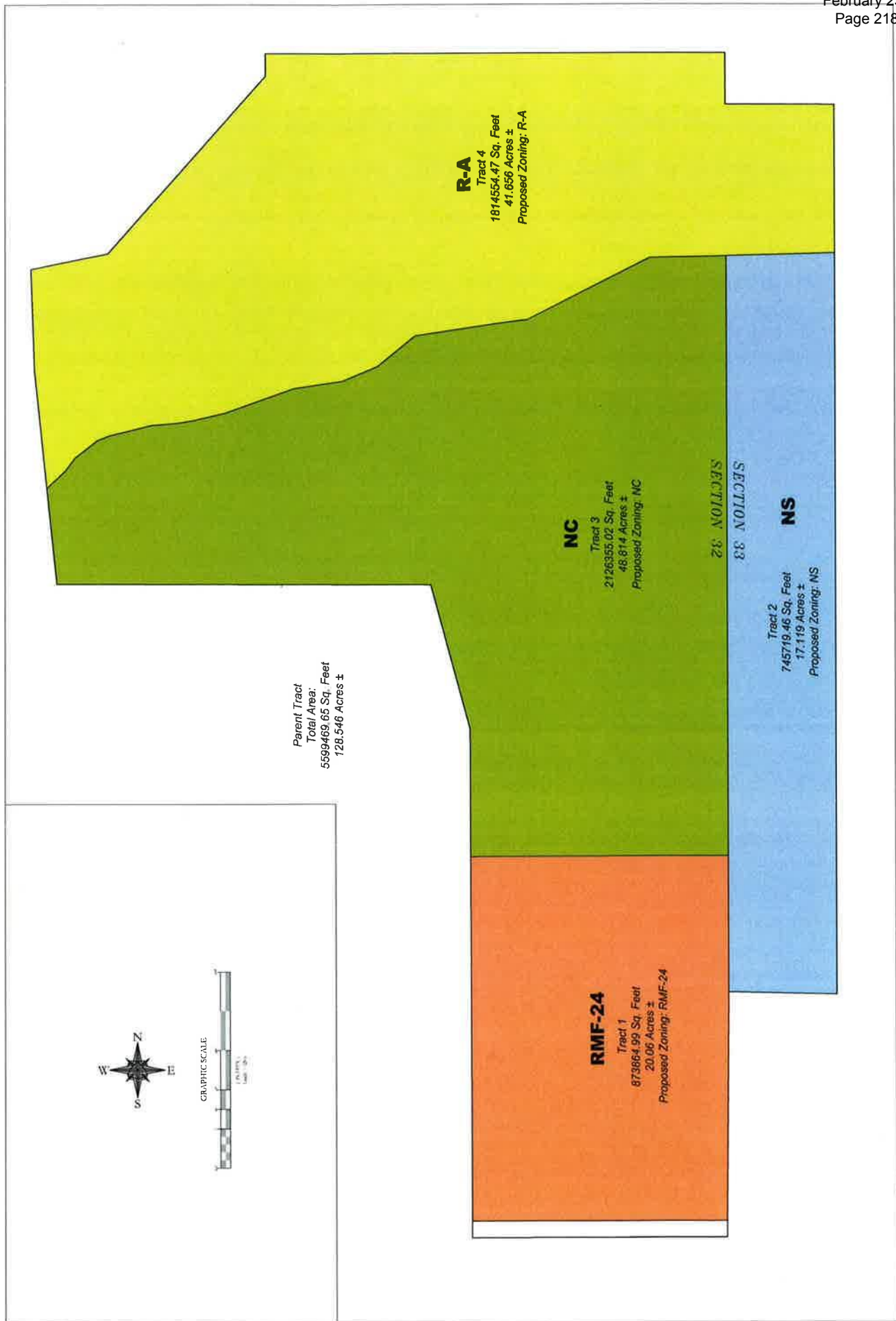
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328	Jody Davis	Fayetteville	Arkansas	72701	United States	6/18/2015
329	Bettie Patrick	Fayetteville	Arkansas	72704	United States	6/18/2015
330	Kim Davison	Fayetteville	Arkansas	72704	United States	6/18/2015
331	Michael Spinks	Fayetteville	Arkansas	72701	United States	6/18/2015
332	Ellery King	Fayetteville	Arkansas	72704	United States	6/18/2015
333	Jared Phillips	Fayetteville	Arkansas	72701	United States	6/18/2015
334	Alexandra Foster	Fayetteville	Arkansas	72704	United States	6/18/2015
335	Kris honey	Fayetteville	Arkansas	72704	United States	6/18/2015
336	Joannie Hance	Conway	Arkansas	72034	United States	6/18/2015
337	Amy Bull	Fayetteville	Arkansas	72704	United States	6/18/2015
338	Chase Priest	Fayetteville	Arkansas	72704	United States	6/18/2015
339	Casey Kehoe	Fayetteville	Arkansas	72701	United States	6/18/2015
340	Paula Lee	Syracuse	New York	13206	United States	6/18/2015
341	Daniel scarbrough	Fayetteville	Arkansas	72704	United States	6/18/2015
342	Heather stanley	Fayetteville	Arkansas	72704	United States	6/18/2015
343	Steve Stewart	Fayetteville	Arkansas	72704	United States	6/18/2015
344	Valerie Rankin	Fayetteville	Arkansas	72704	United States	6/18/2015
345	Drew McKinnon	Fayetteville	Arkansas	72704	United States	6/18/2015
346	Susan Perkins	Bella Vista	Arkansas	72715	United States	6/18/2015
347	Michael Rouse	Fayetteville	Arkansas	72704	United States	6/18/2015
348	Andi philley	Fayetteville	Arkansas	72704	United States	6/18/2015
349	Erica White	Fayetteville	Arkansas	72704	United States	6/18/2015
350	Cathy Magee	Fayetteville	Arkansas	72704	United States	6/18/2015
351	Rebecca Garrett	Fayetteville	Arkansas	72704	United States	6/18/2015
352	Donald Conley	Fayetteville	Arkansas	72704	United States	6/18/2015
353	Kori Wheatley	Fayetteville	Arkansas	72704	United States	6/18/2015
354	Nate Pettz	Fayetteville	Arkansas	72704	United States	6/18/2015
355	Deb Williams	Fayetteville	Arkansas	72704	United States	6/18/2015
356	Whitney Branch	Fayetteville	Arkansas	72704	United States	6/18/2015
357	Carmina salazar	Fayetteville	Arkansas	72704	United States	6/18/2015
358	Jenna Donnell	Fayetteville	Arkansas	72704	United States	6/18/2015
359	Cheri Coley	Fayetteville	Arkansas	72704	United States	6/18/2015
360	Suzanne Owens	Fayetteville	Arkansas	72703	United States	6/18/2015
361	Lydia Fields	Fayetteville	Arkansas	72704	United States	6/18/2015
362	Taylor Sigler	Fayetteville	Arkansas	72704	United States	6/18/2015
363	Leslie Brashears	Fayetteville	Arkansas	72701	United States	6/18/2015
364	Lesley Helms	Fayetteville	Arkansas	72704	United States	6/18/2015
365	Sarah Smith	Fayetteville	Arkansas	72704	United States	6/18/2015
366	James McCormack	Fayetteville	Arkansas	72704	United States	6/18/2015
367	Helen Urban	Fayetteville	Arkansas	72704	United States	6/18/2015
368	Vance brock	Fayetteville	Arkansas	72704	United States	6/18/2015
369	Mandy Polley	Fayetteville	Arkansas	72704	United States	6/18/2015
370	Whitney Key	Fayetteville	Arkansas	72704	United States	6/19/2015
371	Rachael reid	Little Rock	Arkansas	72223	United States	6/19/2015
372	Ashley Pettz	Fayetteville	Arkansas	72704	United States	6/19/2015
373	Amy Jetton	Fayetteville	Arkansas	72704	United States	6/19/2015

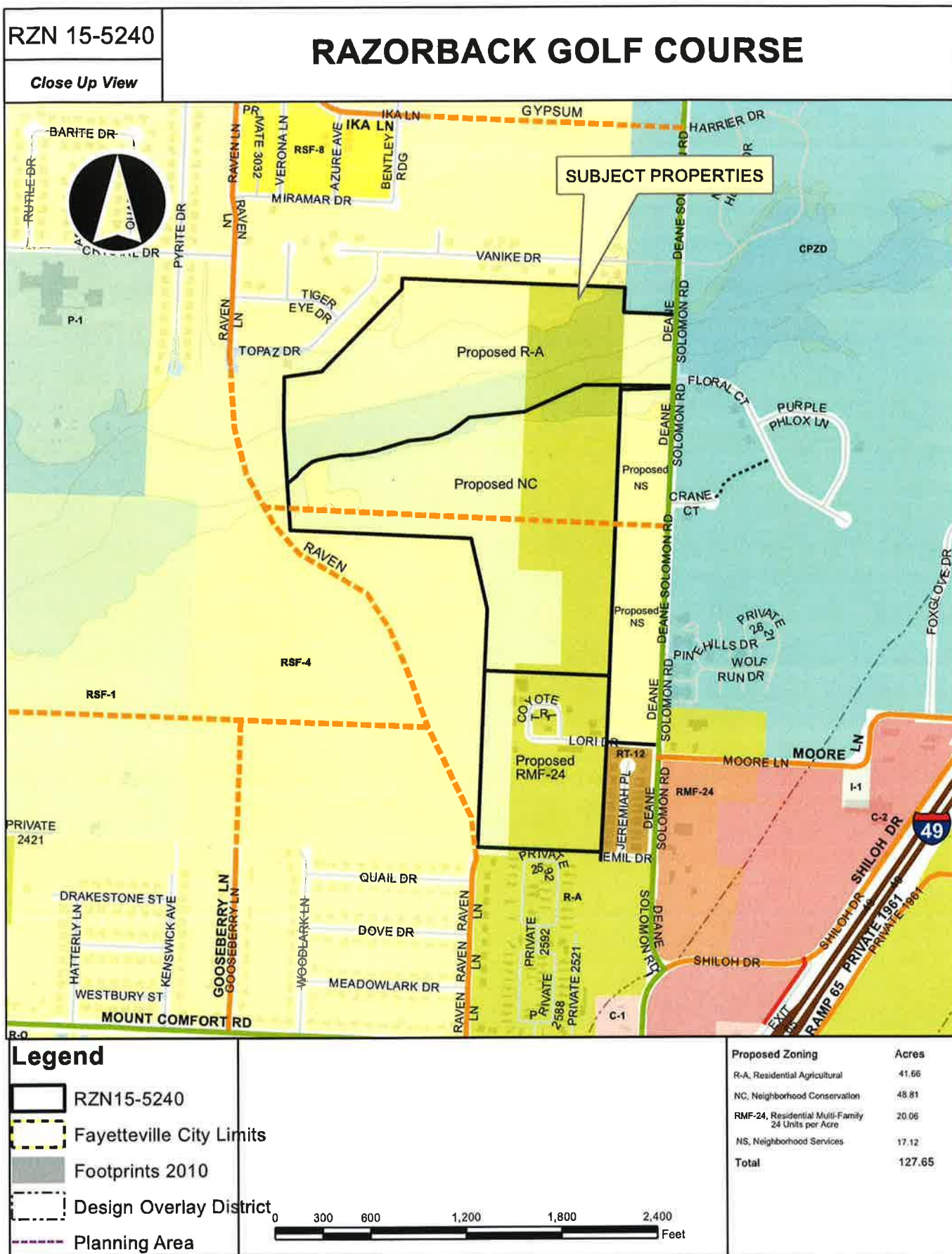
374	Cara Hartfield	Fayetteville	Arkansas	72704	United States	6/19/2015
375	bo branch	Fayetteville	Arkansas	72704	United States	6/19/2015
376	Kevin Vicknair	Fayetteville	Arkansas	72704	United States	6/19/2015
377	Michelle Hartman	Fayetteville	Arkansas	72704	United States	6/19/2015
378	Gina Yeager	Fayetteville	Arkansas	72704	United States	6/19/2015
379	Pat Sandlin	Fayetteville	Arkansas	72704	United States	6/19/2015
380	Hayzen Guynn	Fayetteville	Arkansas	72704	United States	6/19/2015
381	Heather Pribislavski	Fayetteville	Arkansas	72704	United States	6/19/2015
382	Patty Vicknair	Fayetteville	Arkansas	72704	United States	6/19/2015
383	Mellissa Wood	Fayetteville	Arkansas	72704	United States	6/19/2015
384	Linda Gaddy	Fayetteville	Arkansas	72764	United States	6/19/2015
385	Matt Prude	Fayetteville	Arkansas	72704	United States	6/19/2015
386	Eric Barnes	Fayetteville	Arkansas	72704	United States	6/19/2015
387	Gina Sorrell	Fayetteville	Arkansas	72704	United States	6/19/2015
388	Justin Parker	Fayetteville	Arkansas	72704	United States	6/19/2015
389	Derrick Drake	Elkins	Arkansas	72727	United States	6/19/2015
390	Sean Bimm	Springdale	Arkansas	72764	United States	6/19/2015
391	Suzanne Clark	Fayetteville	Arkansas	72704	United States	6/19/2015
392	Macklin Jenkins Joyce	Fayetteville	Arkansas	72704	United States	6/19/2015
393	Melissa McKinnon	Fayetteville	Arkansas	72704	United States	6/19/2015
394	Chris Sellers	Fayetteville	Arkansas	72701	United States	6/19/2015
395	Elizabeth Vanzant	Fayetteville	Arkansas	72703	United States	6/19/2015
396	David Hopper	Fayetteville	Arkansas	72703	United States	6/19/2015
397	Michael Jordan	Fayetteville	Arkansas	72704	United States	6/19/2015
398	Amanda Niccum	Fayetteville	Arkansas	72704	United States	6/19/2015
399	Cristina Priest	Fayetteville	Arkansas	72704	United States	6/19/2015
400	Maria Baez de Hicks	Fayetteville	Arkansas	72704	United States	6/19/2015
401	Karah Fogerty	Fayetteville	Arkansas	72704	United States	6/19/2015
402	Brandon Fogerty	Fayetteville	Arkansas	72704	United States	6/19/2015
403	Todd Hastings	Fayetteville	Arkansas	72704	United States	6/19/2015
404	Kelli Strachan	Fayetteville	Arkansas	72703	United States	6/19/2015
405	Kari Lawson	Fayetteville	Arkansas	72704	United States	6/19/2015
406	Shannon Grise	Fayetteville	Arkansas	72704	United States	6/19/2015
407	Jonathan Vogler	Fayetteville	Arkansas	72701	United States	6/19/2015
408	Michelle Allen	Springdale	Arkansas	72762	United States	6/19/2015
409	Kate Keller	Fayetteville	Arkansas	72704	United States	6/19/2015
410	Melissa richardson	Fayetteville	Arkansas	72703	United States	6/19/2015
411	Linda marquess	Fayetteville	Arkansas	72704	United States	6/19/2015
412	Sam Niccum	Fayetteville	Arkansas	72704	United States	6/19/2015
413	Holly Davidson	Fayetteville	Arkansas	72704	United States	6/19/2015
414	Laura Carver	fayetteville	Arkansas	732704	United States	6/20/2015
415	Audri Waddell	Fayetteville	Arkansas	72704	United States	6/20/2015
416	Darlene Cassat	Fayetteville	Arkansas	72704	United States	6/20/2015
417	Brian Sorensen	Fayetteville	Arkansas	72704	United States	6/20/2015
418	Doris Hastings	Fayetteville	Arkansas	72704	United States	6/20/2015
419	Jamie Adams	Springdale	Arkansas	72764	United States	6/20/2015
420	John Davenport	Fayetteville	Arkansas	72704	United States	6/20/2015

421	Jacob Craig	Fayetteville	Arkansas	72701	United States	6/20/2015
422	Shain Hardin	Fayetteville	Arkansas	72703	United States	6/20/2015
423	Suzy Randall	Fayetteville	Arkansas	72701	United States	6/20/2015
424	Janet Konig	Fayetteville	Arkansas	72701	United States	6/21/2015
425	Lance Spanke	Fayetteville	Arkansas	72704	United States	6/22/2015
426	Connie McGill	Fayetteville	Arkansas	72704	United States	6/22/2015
427	Cay Thorn	Fayetteville	Arkansas	72704	United States	6/22/2015
428	Gerald Golden	Fayetteville	Arkansas	72704	United States	6/22/2015
429	Alfred J. Iller COL USA (Ret)	Fayetteville	Arkansas	72704-0856	United States	6/22/2015
430	Marcella Handley	Farmington	Arkansas	72730	United States	6/22/2015
431	James Harvey	Fayetteville	Arkansas	72704	United States	6/22/2015
432	John Morgan	Fayetteville	Arkansas	72701	United States	6/22/2015
433	Wendy Golden	Fayetteville	Arkansas	72704	United States	6/22/2015
434	Faith Bradley	Fayetteville	Arkansas	72704	United States	6/22/2015
435	Damon Shaw	Fayetteville	Arkansas	72704	United States	6/22/2015
436	Linda Baird	Fayetteville	Arkansas	72704	United States	6/22/2015
437	Lauren Doan	Little Rock	Arkansas	72223	United States	6/22/2015
438	David Lencho	Springdale	Arkansas	72764	United States	6/23/2015
439	Rebecca Williams Lencho	Springdale	Arkansas	72764	United States	6/23/2015
440	Don Jones	Fayetteville	Arkansas	72704	United States	6/23/2015
441	Francis Fries	Fayetteville	Arkansas	72704	United States	6/23/2015
442	Carolyn Fries	Fayetteville	Arkansas	72704	United States	6/23/2015
443	Mark Fougerousse	Fayetteville	Arkansas	72704	United States	6/23/2015
444	Diana Barnes	Fort Collins	Colorado	80528	United States	6/23/2015
445	John Baird	Fayetteville	Arkansas	72704	United States	6/23/2015
446	Jim Watson	Fayetteville	Arkansas	72704	United States	6/23/2015
447	Jennifer Milam	Fayetteville	Arkansas	72704	United States	6/23/2015
448	Matthew Heckmann	Fayetteville	Arkansas	72701	United States	6/23/2015
449	Michelle Lacewell	Fayetteville	Arkansas	72704	United States	6/23/2015
450	Salem Algarni	Fayetteville	Arkansas	72704	United States	6/24/2015
451	Terrell Bowen	Fayetteville	Arkansas	72704	United States	6/24/2015
452	Frank McDuffee	Fayetteville	Arkansas	72704	United States	6/24/2015
453	Suzette Bowen	Fayetteville	Arkansas	72704	United States	6/24/2015
454	HEATHER GWIN	Fayetteville	Arkansas	72704	United States	6/24/2015
455	Van Dolah Glowaina	Fayetteville	Arkansas	72704	United States	6/24/2015
456	Julie Priest	Fayetteville	Arkansas	72703	United States	6/24/2015
457	Libbi Heintz	Fayetteville	Arkansas	72704	United States	6/24/2015
458	Jeannie True-Jenkins	Fayetteville	Arkansas	72704	United States	6/24/2015
459	Carol Adair	Fayetteville	Arkansas	72704	United States	6/25/2015
460	Jordan Meckem	Fayetteville	Arkansas	72704	United States	6/25/2015
461	Mitchell Gwin	Lowell	Arkansas	72745	United States	6/25/2015
462	Laura Bays	Fayetteville	Arkansas	72704	United States	6/25/2015
463	Jesdica Johnson	Fayetteville	Arkansas	72704	United States	6/25/2015
464	Amy Higdon	Fayetteville	Arkansas	72704	United States	6/25/2015
465	Courtney Bailless	Fayetteville	Arkansas	72704	United States	6/25/2015
466	Kathi Cash	Fayetteville	Arkansas	72704	United States	6/25/2015
467	Oren Bailless	Fayetteville	Arkansas	72704	United States	6/25/2015

468	Blake Kingfisher	Springdale	Arkansas	72762	United States	6/25/2015
469	Michael Evans	Fayetteville	Arkansas	72704	United States	6/25/2015
470	Brooke Peterson	Fayetteville	Arkansas	72704	United States	6/25/2015
471	Arturo Stocker	Fayetteville	Arkansas	72704	United States	6/25/2015
472	Kyle Watson	Fayetteville	Arkansas	72703	United States	6/26/2015
473	Emma Lee Gordon	Fayetteville	Arkansas	72704	United States	6/27/2015
474	Brenda Hoyt	Fayetteville	Arkansas	72704	United States	6/29/2015
475	Lisa Wheat	Fayetteville	Arkansas	72704	United States	6/29/2015
476	Kathleen Stocker	Fayetteville	Arkansas	72703	United States	6/29/2015
477	Samantha Stocker	Fayetteville	Arkansas	72704	United States	6/29/2015
478	Sarah Cox	Fayetteville	Arkansas	72703	United States	6/29/2015
479	Kristen Fitzgerald	Fayetteville	Arkansas	72704	United States	6/29/2015
480	Katharine Lindsey	Bella Vista	Arkansas	72715	United States	6/29/2015
481	Mike Threlkeld	Fayetteville	Arkansas	72704	United States	6/29/2015
482	Megan Muncie	Fayetteville	Arkansas	72701	United States	6/29/2015
483	Trudy Tolley	Fayetteville	Arkansas	72704	United States	6/29/2015
484	Barbara Waselues	Fayetteville	Arkansas	72704	United States	6/30/2015
485	Gracie Pendleton	Fayetteville	Arkansas	72704	United States	6/30/2015
486	John Goddard	Fayetteville	Arkansas	72703	United States	6/30/2015
487	Donna Gwaltney	Fayetteville	Arkansas	72704	United States	6/30/2015
488	Brooke Culp	Fayetteville	Arkansas	72704	United States	6/30/2015
489	Jim Waselues	Fayetteville	Arkansas	72701	United States	6/30/2015
490	Lynn Gardner	Fayetteville	Arkansas	72704	United States	6/30/2015
491	Ryan Jones	Fayetteville	Arkansas	72703	United States	6/30/2015
492	Daniel Hennessey	Fayetteville	Arkansas	72704	United States	7/1/2015
493	Sandra Kilpatrick	Fayetteville	Arkansas	72704	United States	7/1/2015
494	Hollianne Holt	Fayetteville	Arkansas	72704	United States	7/1/2015
495	Anna Shaw	Fayetteville	Arkansas	72704	United States	7/1/2015
496	Tanya Floyd	Fayetteville	Arkansas	72703	United States	7/1/2015
497	Marilyn Braswell	Fayetteville	Arkansas	72704	United States	7/1/2015
498	Kim Peters	Fayetteville	Arkansas	72704	United States	7/3/2015
499	Tyler Parson	Fayetteville	Arkansas	72704	United States	7/5/2015
500	Diane Morgan	Fayetteville	Arkansas	72704	United States	7/5/2015
501	Rhonda Kirk	Fayetteville	Arkansas	72704	United States	7/7/2015
502	Elizabeth Post	Fayetteville	Arkansas	72704	United States	7/8/2015
503	Royce Robertson	Fayetteville	Arkansas	72704	United States	7/8/2015
504	Angela Bradach	Fayetteville	Arkansas	72704	United States	7/13/2015
505	Joel Brown	Fayetteville	Arkansas	72704	United States	7/14/2015
506	Angie Sikes	Fayetteville	Arkansas	72703	United States	7/15/2015
507	Kimberly Gasner	Fayetteville	Arkansas	72704	United States	7/17/2015
508	Jeremy Braziel	Fayetteville	Arkansas	72704	United States	7/17/2015
509	Linda Estopy	Fayetteville	Arkansas	72703	United States	7/17/2015
510	Doreen Brock	Fayetteville	Arkansas	72704	United States	7/17/2015
511	Dawn Green	Fayetteville	Arkansas	72701	United States	7/17/2015
512	Rick Upton	Fayetteville	Arkansas	72703	United States	7/18/2015
513	April Hudson	Fayetteville	Arkansas	72704	United States	7/18/2015
514	Angie Ellington	Fayetteville	Arkansas	72703	United States	7/18/2015

515	Sjoerd de Graaf	Kamerik			Netherlands	7/19/2015
516	Elsa Nail	Fayetteville	Arkansas	72704	United States	7/22/2015
517	Jamie Sparks	Fayetteville	Arkansas	72704	United States	7/22/2015
518	Elizabeth W.P.-Bretland	Delft			Netherlands	7/24/2015
519	Joshua Enoch	Fayetteville	Arkansas	72704	United States	7/26/2015
520	Brian Kenworthy	Fayetteville	Arkansas	72704	United States	7/28/2015
521	John Cardinal	Fayetteville	Arkansas	72704	United States	7/28/2015
522	gaylon estopy	Fayetteville	Arkansas	72701	United States	7/30/2015
523	Russ Chalmers	Springdale	Arkansas	72764	United States	7/31/2015
524	Natalie Stuckey	Fayetteville	Arkansas	72703	United States	7/31/2015
525	Jammie Fisher	Fayetteville	Arkansas	72704	United States	8/2/2015
526	Brian Reed	Fayetteville	Arkansas	72704	United States	8/5/2015
527	julie rheay	Fayetteville	Arkansas	72704	United States	8/5/2015
528	Mitch laningham	Fayetteville	Arkansas	72701	United States	8/5/2015
529	Amy Webb	Fayetteville	Arkansas	72704	United States	8/5/2015
530	Kathy Hubbard	Fayetteville	Arkansas	72704	United States	8/6/2015
531	Jason Stewart	Fayetteville	Arkansas	72704	United States	8/6/2015
532	Tyler McCartney	Fayetteville	Arkansas	72704	United States	8/8/2015
533	Erin Bradford	Fayetteville	Arkansas	72704	United States	8/8/2015
534	John Bradford	Fayetteville	Arkansas	72704	United States	8/8/2015
535	Todd Charna	Fayetteville	Arkansas	72704	United States	8/8/2015
536	Kathryn Charna	Fayetteville	Arkansas	72704	United States	8/8/2015
537	Amanda Stevinson	Fayetteville	Arkansas	72704	United States	8/9/2015
538	Adam Stevinson	Fayetteville	Arkansas	72701	United States	8/9/2015
539	Heather Carter	Fayetteville	Arkansas	72704	United States	8/9/2015
540	Lauren Ainsley	Fayetteville	Arkansas	72704	United States	8/9/2015
541	Mary Broglen	Fayetteville	Arkansas	72704	United States	8/9/2015
542	Mat Rawls	Fayetteville	Arkansas	72703	United States	8/10/2015
543	Hugh Starr	Fayetteville	Arkansas	72701	United States	8/10/2015
544	David Baldwin	Fayetteville	Arkansas	72704	United States	8/12/2015
545	Kelly McCarty	Fayetteville	Arkansas	72704	United States	8/12/2015
546	Mark Shaffer	Rogers	Arkansas	72758	United States	8/13/2015
547	Jacob Ward	Fayetteville	Arkansas	72704	United States	8/16/2015
548	David Rader	Fayetteville	Arkansas	72704	United States	8/18/2015
549	Schneider Richard	Fayetteville	Arkansas	72704	United States	8/18/2015
550	Mary Lrwadowski	Fayetteville	Arkansas	72703	United States	8/29/2015
551	Angela DuBois	Fayetteville	Arkansas	72704	United States	9/1/2015
552	Clint Blackwood	Fayetteville	Arkansas	72704	United States	9/2/2015
553	Nicholas Wells	Fayetteville	Arkansas	72704	United States	9/2/2015
554	Dan Phillips	Fayetteville	Arkansas	72704	United States	9/9/2015
555	Cassidy hodes	Fayetteville	Arkansas	72704	United States	9/20/2015
556	Susan Robertson	Fayetteville	Arkansas	72704	United States	9/21/2015

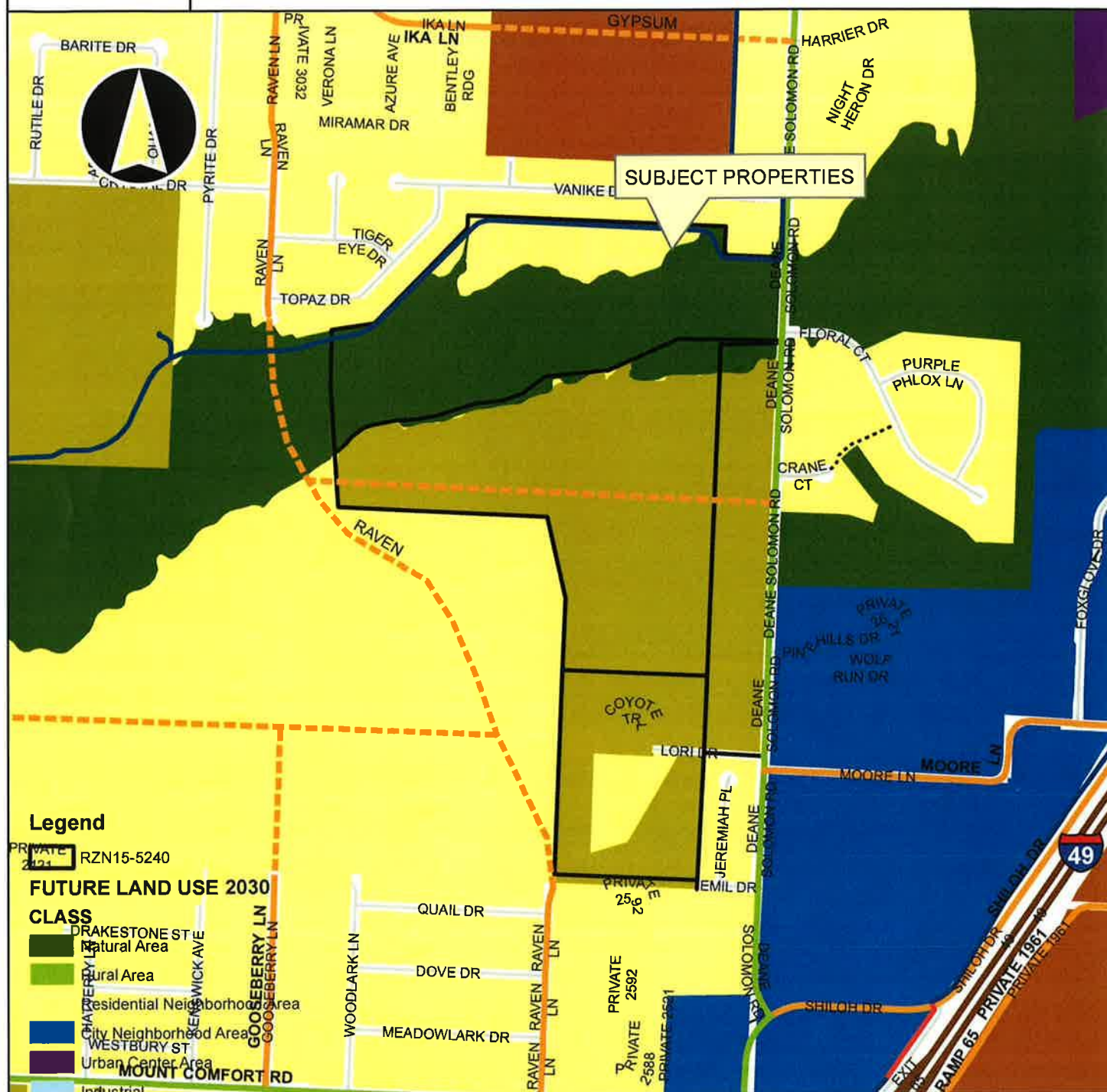




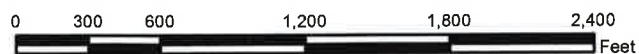
RZN15-5240

RAZORBACK GOLF COURSE

Future Land Use



 Complete Neighborhood Plan
 Civic and Private Open Space/Parks
 Civic Institutional
 Non-Municipal Government
 ROW
 Fayetteville City Limits
 Planning Area
 Design Overlay District



Planning Commission
January 25, 2016
Agenda Item 8
15-5240 Razorback Golf Course
Page 67 of 69

RZN 15-5240

RAZORBACK GOLF COURSE

Current Land Use



Legend

Overview

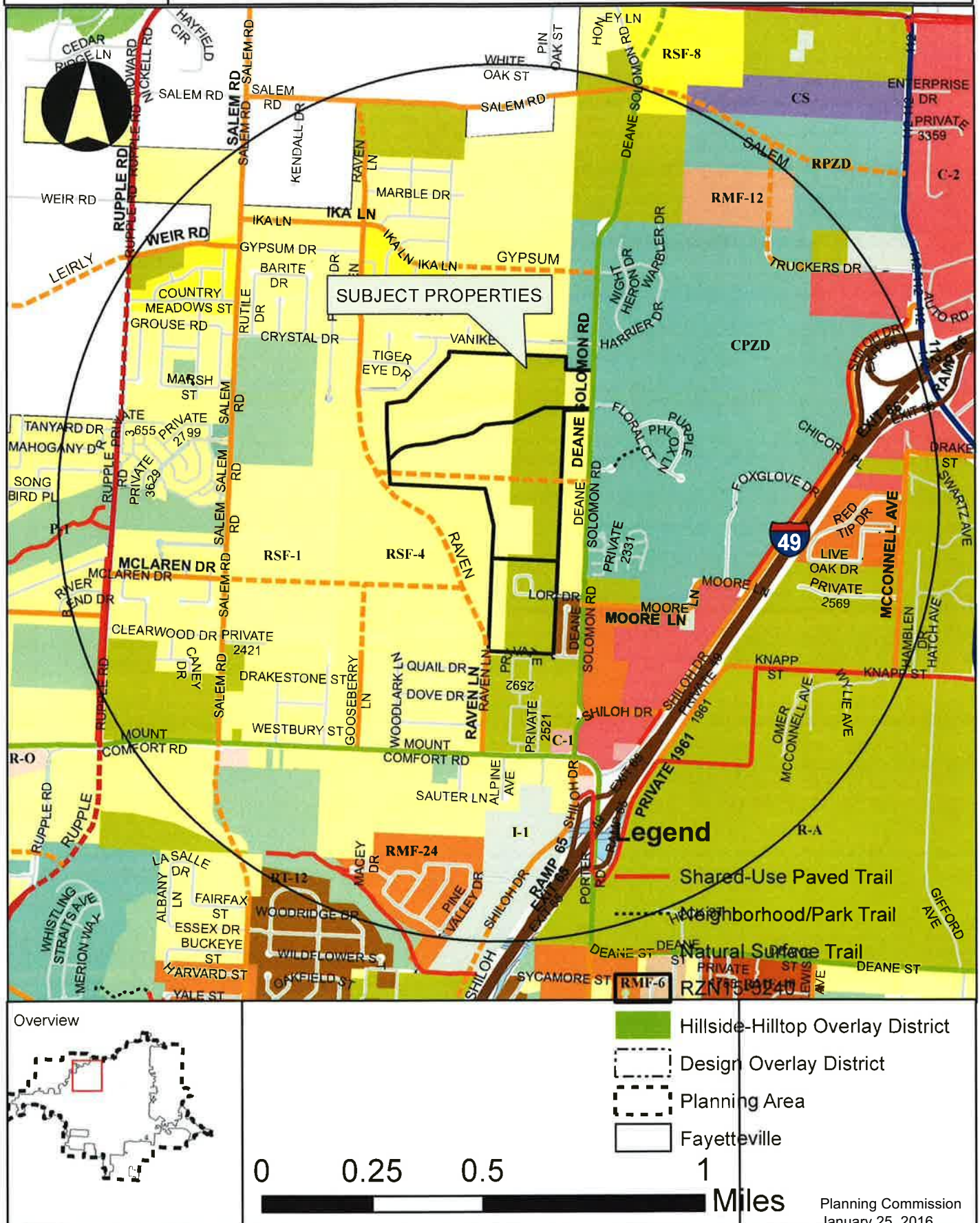
- RZN15-5240
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area



RZN 15-5240

RAZORBACK GOLF COURSE

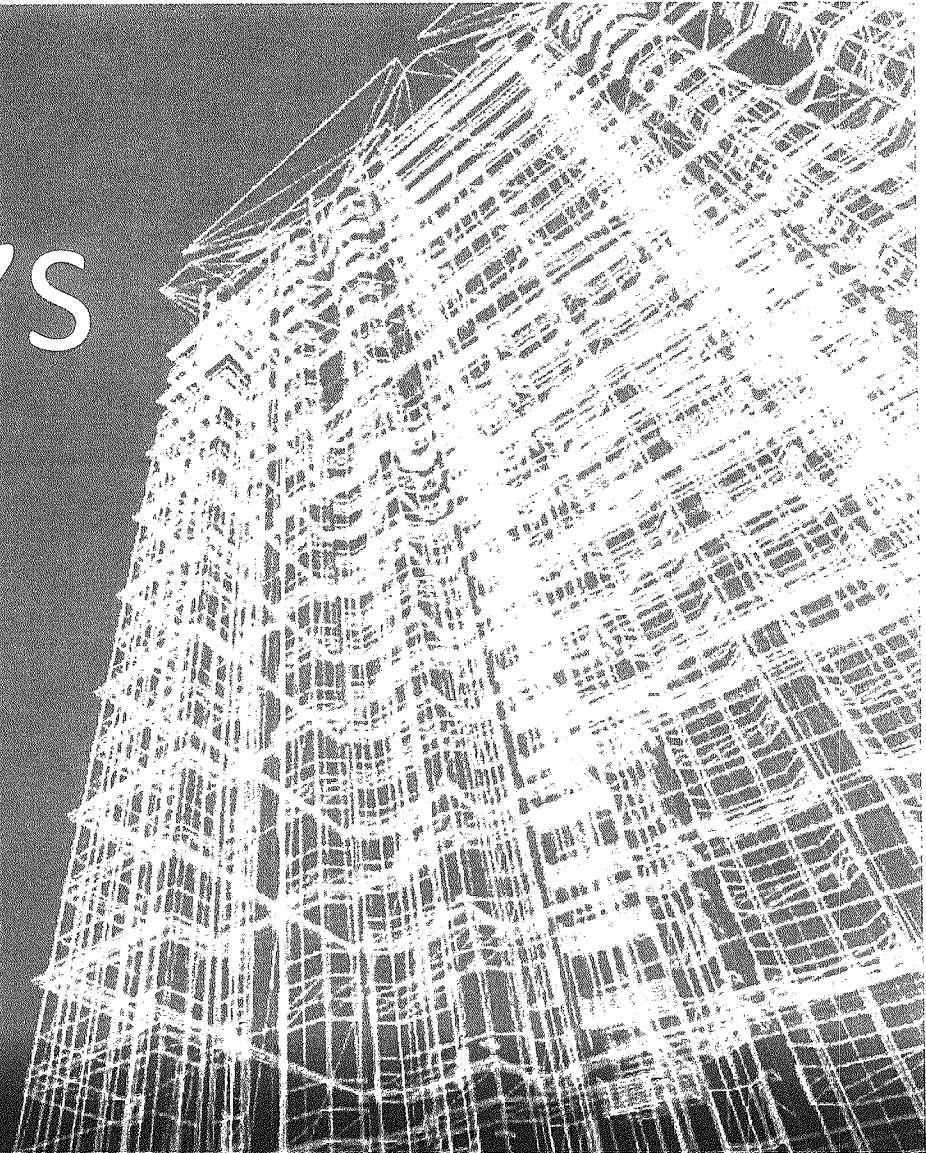
One Mile View



Handed out at the City Council meeting 2-16-16
RZN 15-5240 2514 W. Lori Road
Razorback Golf Course

CONCERNS ABOUT LINDSEY'S RAZORBACK REZONING

On behalf of...



ON BEHALF OF 93 HOUSEHOLDS:

Belclaire Estates

1. Jeff and Dr. Kathleen Reese
2. Kevin and Kim Davison
3. Amanda and Neil Barker
4. Michelle & Keith Lacewell
5. Tim and Leigh Stidham

The Pines

6. Carol Adair
7. Valerie Angel
8. Mark and Janie Baber
9. John and Linda Baird
10. Martha & Vincent Bond
11. Stan Bond
12. Charlene Bootsma
13. Faith Bradley
14. Suzanne Bullard
15. Ray and Annette Cowen

16. Gail Devecsery
17. Jack & Pat Devore
18. Frank & Carolyn Fries
19. Gerald Golden
20. Emma Gordon
21. Marci & Mark Handley
22. Clayton Harbers
23. Jim Harvey
24. Patsy Heptig
25. Ted Herget
26. Hugh & Donna Higginbotham
27. Eleanor Hill
28. Albert & Edith Hume
29. Rodger & Betty Ann Hurt
30. Al & Marguerite Iller
31. Weldon and Ann Johnson
32. Rhonda Kirk
33. Randy Lynch

34. David Michaelis
35. Chris & Cindy Paul
36. Sue Rodemich
37. Alan & Debbie Rudolph
38. Damon Shaw
39. John and Cay Thorn
40. Bill Tucker
41. Audri & Ralph Waddell
42. Paul Waddell
43. Dick and Jane Wakefield
44. Jim & Sherry Watson
45. Bruce & Kay Williams
46. Larry Wood

Cobblestone

47. Sarah White
48. Lindsey and Jared Curry

ON BEHALF OF 93 HOUSEHOLDS:

Clabber Creek

- 49. Hannah Dierks
- 50. Ryan Clark
- 51. Ron and Valerie Green
- 52. Tiffany Cox
- 53. Jacob and Emily Ward

Prairie View Acres

- 54. John Scott and Amy Bull
- 55. Heather and Seth Carter
- 56. Amanda Stevinson
- 57. Shannon and Huy Tran
- 58. Mike & Kim Gasner
- 59. Larry & Barbara Esch
- 60. Brian & Renee Buckley
- 61. Brad and Debbie Payne
- 62. Jay and Amanda Craig
- 63. Creek Meadow
- 64. Amy Linimon

- 65. Sara and Taylor Staley
- 66. Suzette and Terry Bowen
- 67. Troy and Aggie Mack
- 68. Kym and Odie Williams
- 69. Chris and Bailey Nichols
- 70. Brand and Lauren Anderson

Crystal Springs

- 71. Gail Mills
- 72. Bob Hinton
- 73. Harold and Kathy Hubbard
- 74. Zachary and Stephanie Hulett
- 75. Mike and Heather Hammel
- 76. Bryan and Ashley Striegler
- 77. Thomas and Patricia Lucas
- 78. Daniel and Victoria Hennessey
- 79. Gary and Sharon Guthrie
- 80. Ashley Hale
- 81. Jeff and Deja Glover

- 82. Royce & Susan Robertson
- 83. Spencer & Lindsay Smith
- 84. Wes and Sarah Berry
- 85. Jonathan Unwer
- 86. Cassie Rader
- 87. Amanda Stevinson
- 88. Hayzen and Desiree Gynn
- 89. Jim Erwin
- 90. Carly Grace
- 91. Laura and Will Bryant, Salem Village
- 92. Kevin and Amanda Geng, Crofton Manor
- 93. Kelly and Lori Collier, Marigold Dr

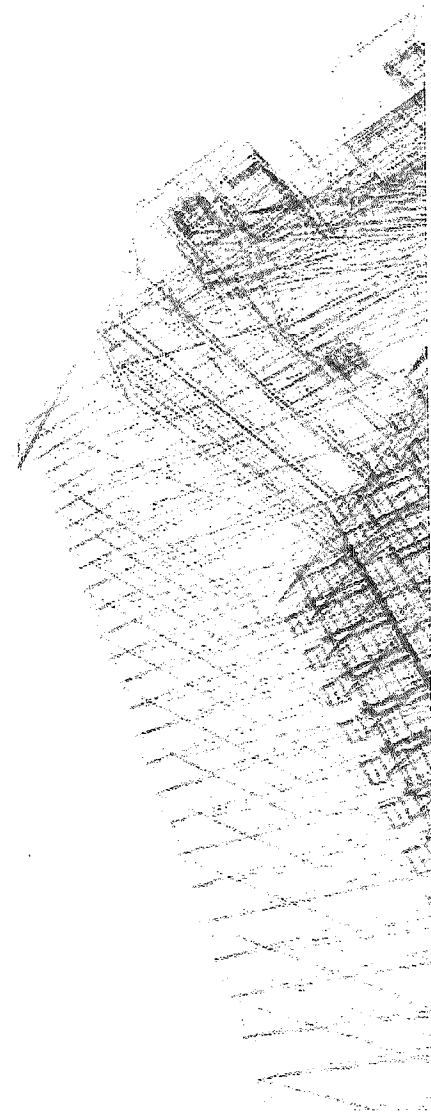
A DIFFERENT LOOK AT COMPATIBILITY

The City Attorney would say that rezoning actions are all about a *determination of compatibility*, but keep in mind that compatibility isn't simply a question of similarity, its a question of if the two areas are "capable of existing together in harmony".

- Lack of capable infrastructure in place to safely support this zoning
 - Roads – adding 2,280+ new vehicles
 - Schools – adding 1,500+ new school age children
- **Flood concerns**
- Environmental impact
- **Crime**
- **Adjacent zoning**

COMMISSIONER HOSKINS' COMMENT

At the first Planning Commission meeting, Commissioner Hoskins stated: "If this is not a plan that people would support, I guess my question is, what kind of plan would they support?"



THE REASON

Lindsey does not develop single family property. Their only interest is in apartments. Therefore, any compromise made by Lindsey would have to preclude apartments.

Further, their contract price on this property apparently prevents them from moving forward with fewer than 480 apartment units, plus the NC & NS units.

This results in a dangerous number of total units for this property and this area.

SIGNIFICANCE OF ZONING SCALE

- 128 acres of total land
- 75 acres of developable land;
roughly 1/5 of a square mile

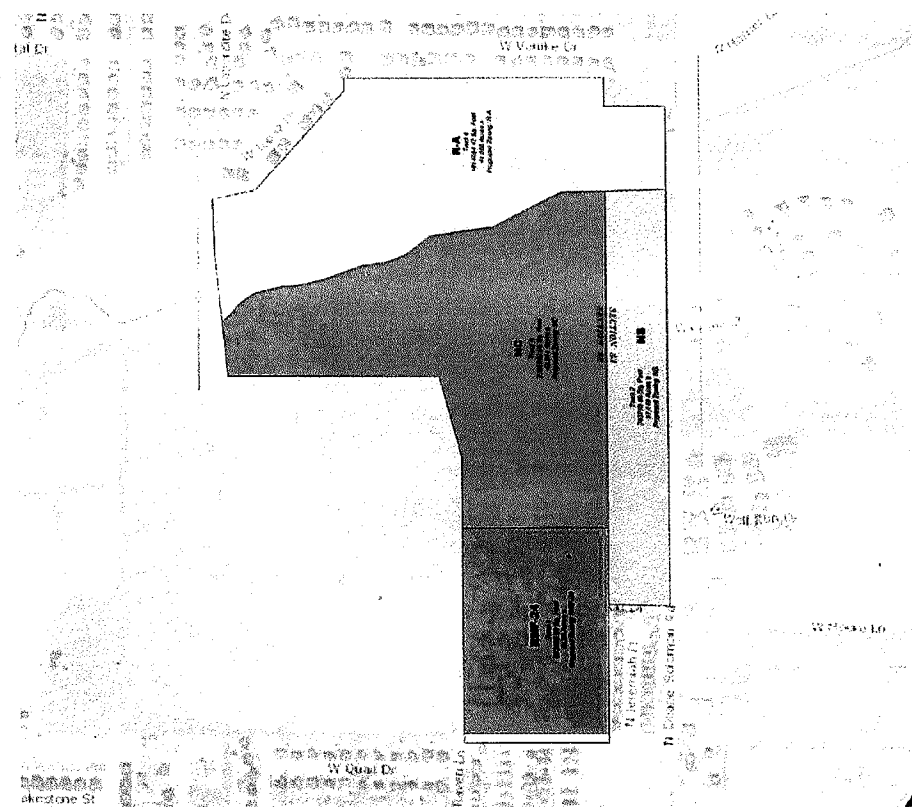
If all 75 acres was zoned	# of Units	Approximate # of Vehicles @ 2 per unit
Current Zoning (128 acres)	220	440
RSF-4	300	600
NC @ 6 units per acre	450	900
Zoning Proposal	1,140	2,280

REFERENCE FOR # OF VEHICLES

**Fayetteville Auto Park: 1,377
vehicles - parked**



**Proposed Zoning: 2,280 vehicles -
moving**



WOULD YOU PUT A SUPERCENTER ON THIS PROPERTY?

**Walmart Supercenter: 10,000
visits per day***



*The Institute of Transportation Engineers estimates that one Walmart Supercenter receives 10,000 car visits per day.

**Zoning Proposal: 9,120 entries or
exits per day****



**Assumes 2 trips per day per vehicle with 2,280 vehicles.

THE NUMBERS

Zoning request adds:

1,140 living units

2,280 vehicles

Current in the immediate area:

500+ residences

1,000+ vehicles

Combined:

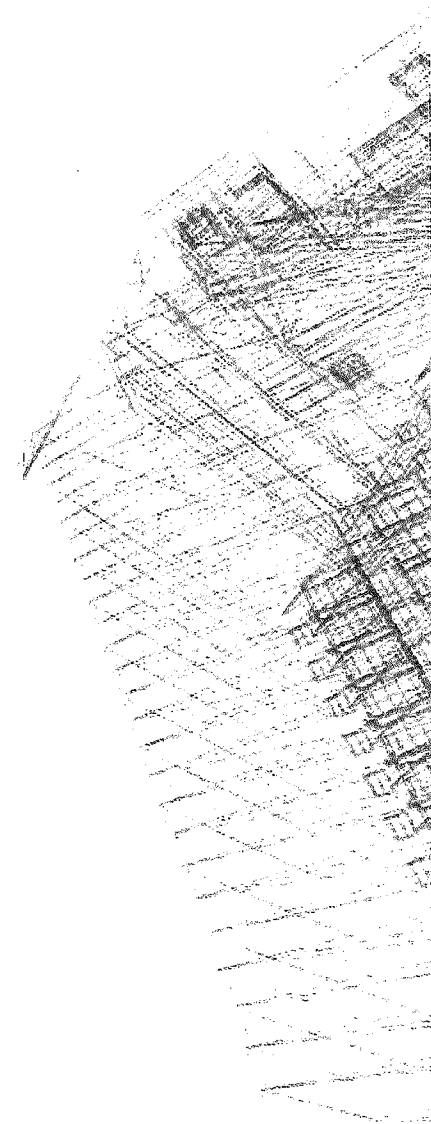
1,640+ units

3,280+ vehicles

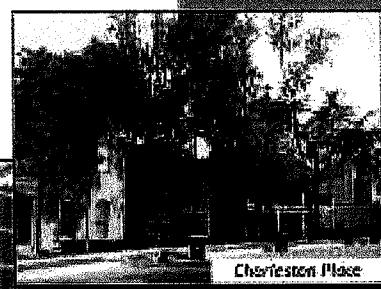
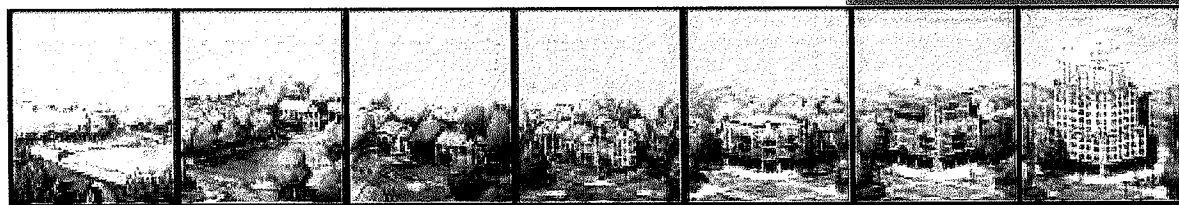
Result: @ 2 trips per day, that is **13,120** vehicles traveling Deane Solomon each day.

HARMONY WITH ROADS

Is it safe to approve 13,000+ vehicles per day on a residential street?



12 Guiding Policies



- 12.1 Future Land Use Plan
- 12.2 Master Street Plan
- 12.3 Annexation

**CITY
PLAN
2030**

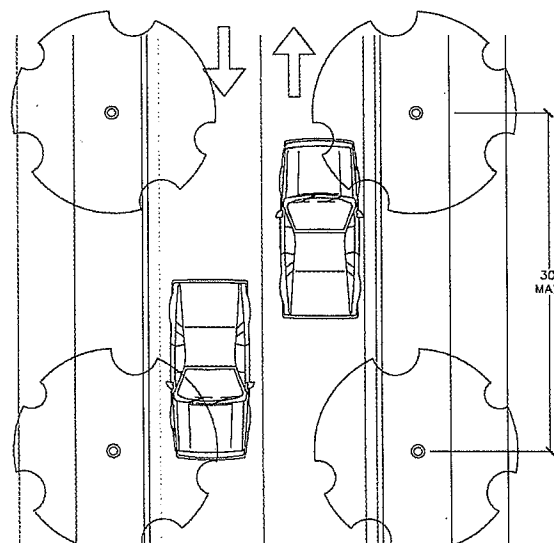
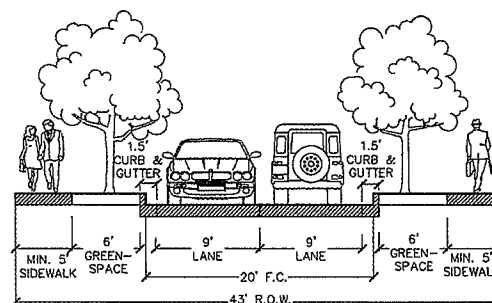
12.2.2 RESIDENTIAL STREETS

RESIDENTIAL STREETS provide for the lowest level of traffic and service. They provide access to residential property and are intended to be used only by local traffic. A high degree of street connectivity is required for easy dispersal of traffic. Residential Street block lengths shall not exceed 600 feet. Residential streets have a low level of access management, with curb cuts permitted every 50 feet.

2a RESIDENTIAL:

Design Service Volume:	< 300 vpd
Desired Operating Speed:	15-20 mph
Travel Lanes:	Two 9' lanes
Parking:	Not Allowed
Paved Width:	20' from face of curb
Right of Way:	43'
Sidewalks:	Both sides of street, min. 5' wide, located in R.O.W. at R.O.W. line
Greenspace:	Both sides of street, min. 6' wide

* ST 37 may substitute for the Residential Street cross-section urban condition.



**CITY
PLAN
2030**

12.2.5

MINOR ARTERIAL STREETS

MINOR ARTERIAL STREETS provide mobility throughout the city, encouraging multiple modes of transportation within the arterial network. Access should be limited to controlled intersections where possible. They have a moderate level of access management.

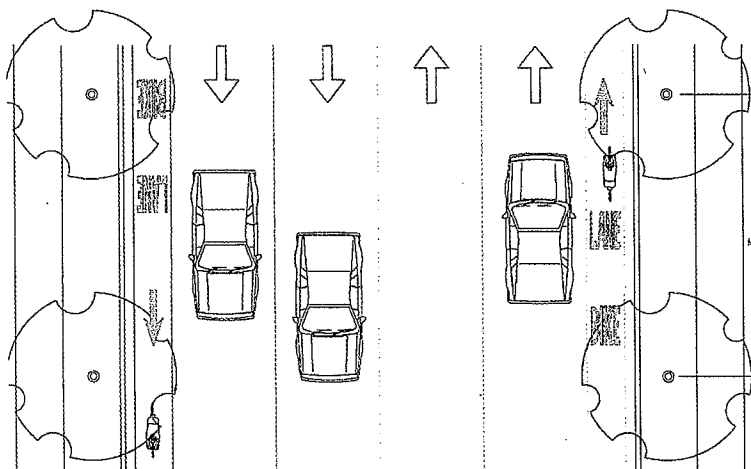
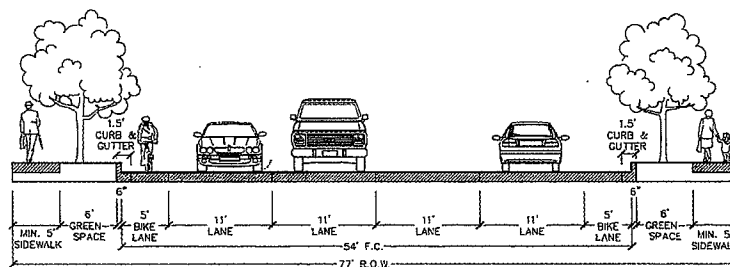
5 MINOR ARTERIAL:

Design Service Volume: < 12,200 vpd
Desired Operating Speed: 30-40 mph
Travel Lanes: Four 11' lanes
Bicycle Lanes: 5' wide, both sides of street next to curb

Parking: None
Paved Width: 54' from face of curb

Right of Way: 77'
Sidewalks: Both sides of street, min. 5' wide, located in R.O.W. at R.O.W. line

Greenspace: Both sides of street, min. 6' wide



**CITY
PLAN
2030**

INFRASTRUCTURE: STREET WIDTH

Master Transportation Plan Guiding Policies

- Residential Street: **20 ft**
- Minor Arterial Street: **54 ft**

Deane Solomon Current Width

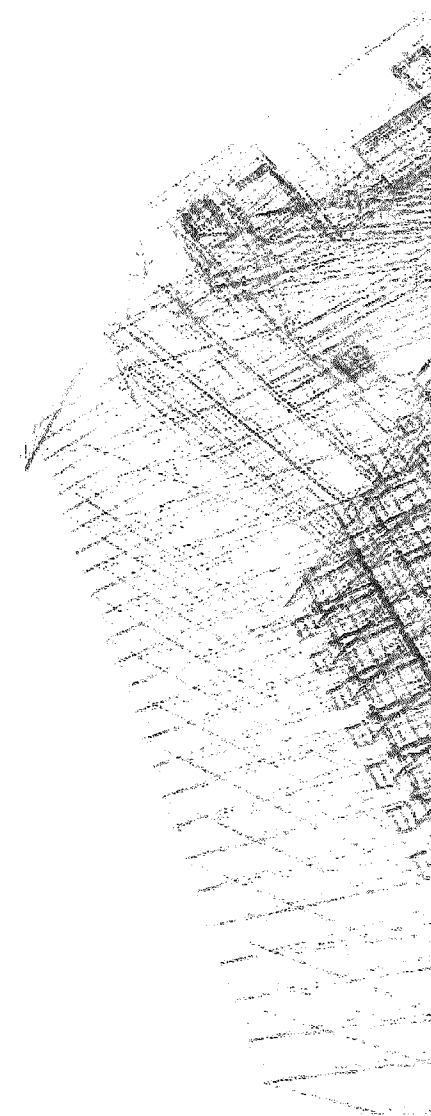
- North end near Hwy 112 intersection: **20 ft**
- At bridge near Vanike: **22.5 ft**
- At North entrance to RMF-24/Clubhouse: **18 ft**
- At South entrance to RMF-24/Emil Rd: **20 ft**

STREET STRUCTURE

Scenario	Width	Vehicles Per Day
Deane Solomon Today	20 ft	~2,000
Guiding Policy: Residential Street	20 ft	< 300
Guiding Policy: Minor Arterial Street	54 ft	< 12,200
Zoning Scenario	20 ft	13,300+

HARMONY WITH DRAINAGE

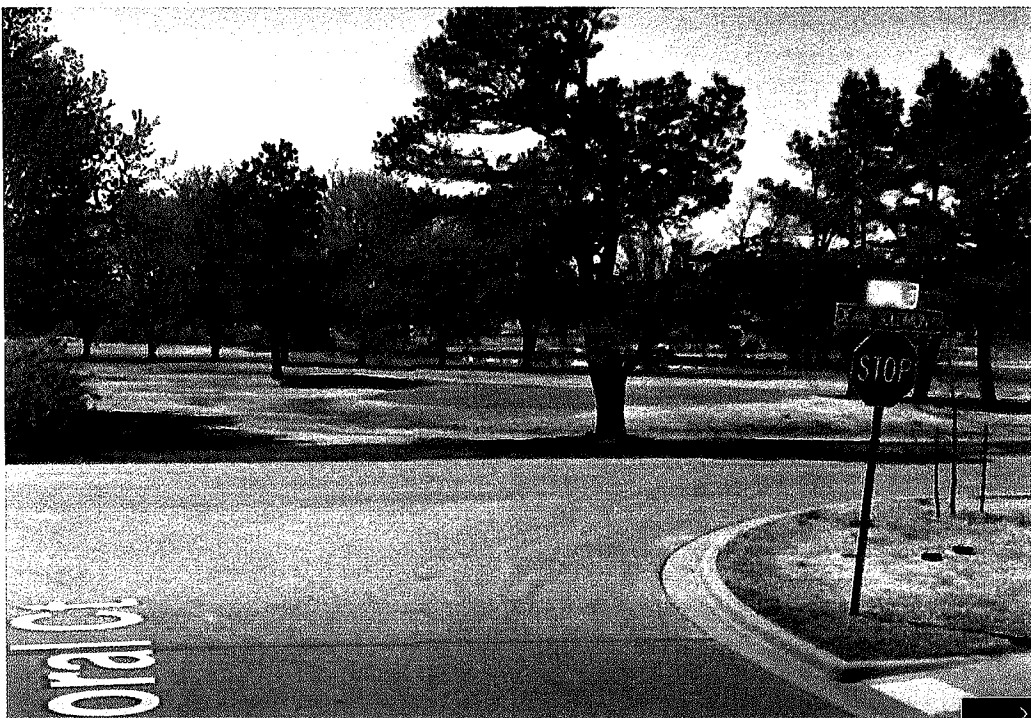
A development of this magnitude can only worsen an already significant flooding problem



FLOODING ON DECEMBER 27TH

Before

After



FLOODING ON DECEMBER 27TH

Before

After



FLOODING ON DECEMBER 27TH

Before

After



FLOODING ON DECEMBER 27TH

Before



After



POLICE CLOSE DEANE SOLOMON RD



FLOODING LAST JUNE: MODEST RAIN



FLOODING LAST JUNE: MODEST RAIN

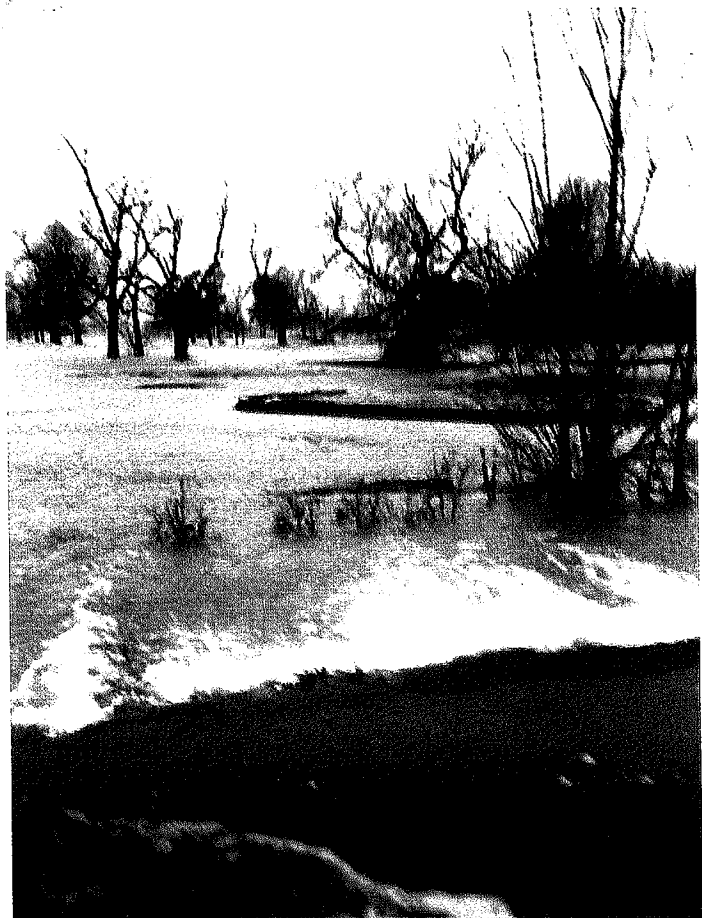
After



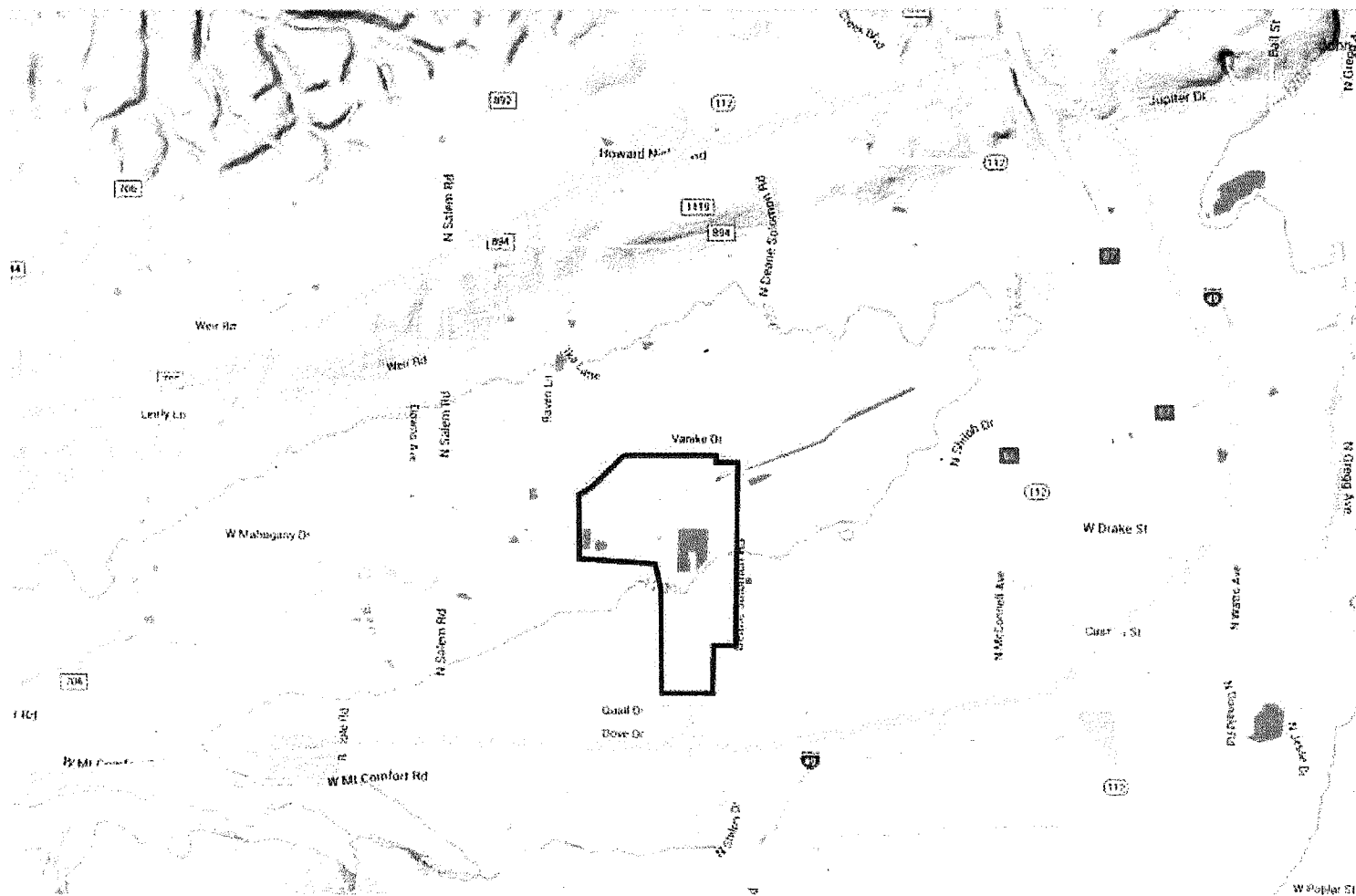
A week later



FLOODING LAST JUNE: MODEST RAIN

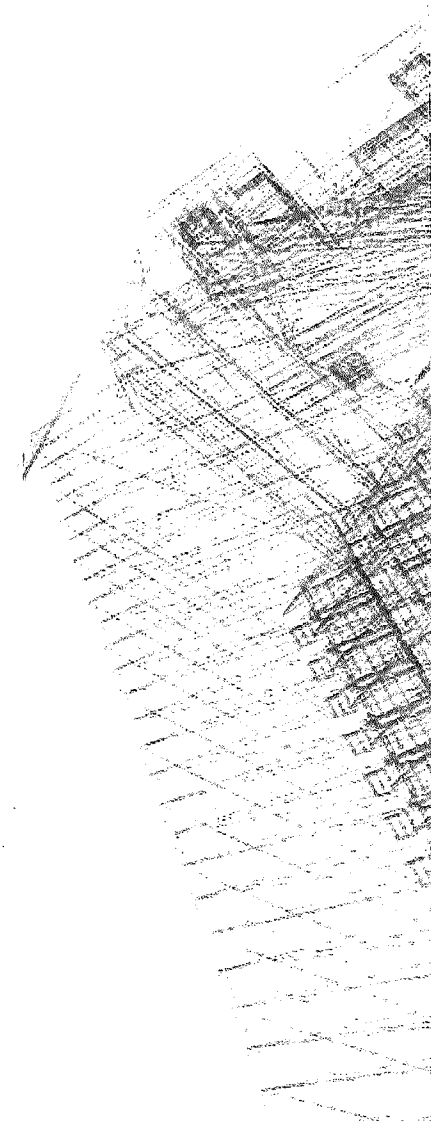


THE FLOOD PROBLEM: DRAINAGE BASIN



HARMONY WITH CRIME

If crime will increase between 700% and 1,900% due to this zoning, is that compatible?



FAYETTEVILLE CRIME DATA 2014-2015

**Surrounding
Shiloh Apartments:**

265 acres

938 calls

3.54 calls per acre

**Surrounding
The Links:**

1,280 acres

1,919 calls

1.5 calls per acre

**Surrounding
The Greens:**

370 acres

1,456 calls

3.94 calls per acre

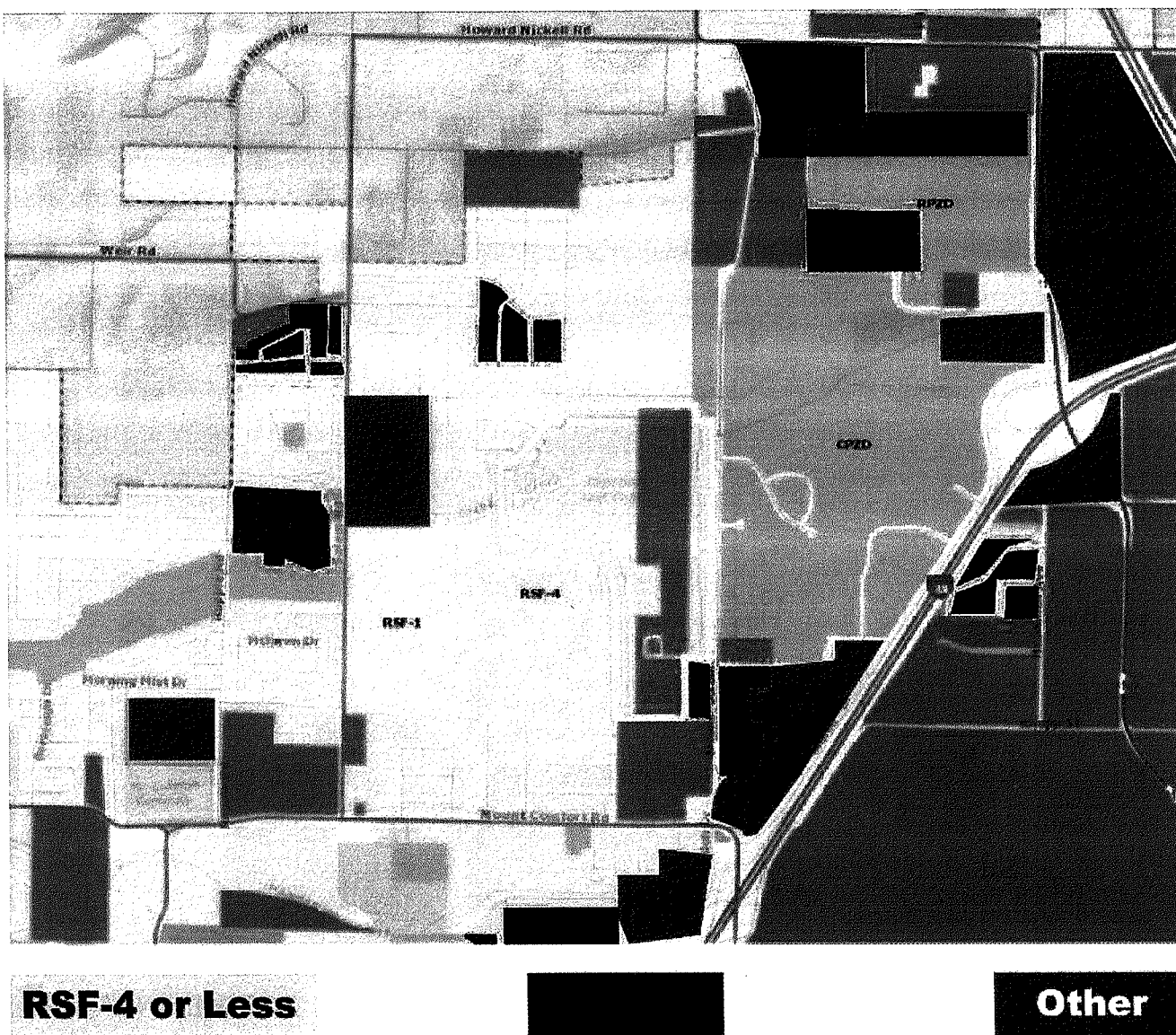
**Surrounding
Razorback Golf Course:**

1,585 acres

330 calls

.21 calls per acre

Source: FOIA request fulfilled by the Fayetteville Police Department



COMPATIBILITY

- No other RMF-24 developments within the watershed area.
- Vast majority of zoning and development in the area is RSF-4 or less.
- Potentially Spot Zoning.

IN CONCLUSION

We continue to believe that RMF zoning does not fit this property on the basis of compatibility with:

- Infrastructure
 - Roads
 - Schools
- Safety concerns
- Flooding
- Environmental impact
- Crime risk
- Current zoning



**NORTHWEST ARKANSAS
LAND TRUST**

TO: Fayetteville City Council

FROM: Terri Lane, Executive Director
Northwest Arkansas Land Trust

RE: Rezoning of Razorback Golf Course

2/16/16

The **Northwest Arkansas Land Trust**, a local non-profit conservation organization, owns the Wilson Springs Preserve, a 121-acre wetland adjacent to the proposed redevelopment site. Wilson Springs is a protected remnant of what was once a much larger wet prairie ecosystem.

The preserve and other lands around it provide important ecosystem services, including water purification, flood control and scenic value. The Clabber Creek bottomlands are a key piece of enduring green network for Fayetteville.

The job of a wetland/floodplain is to slow and filter storm water before it reaches our waterways. In doing so, the area buffers against stream erosion and creates habitat for many unique plant and animal species, including the Arkansas darter, a small fish which is a candidate for Federal Endangered Species listing.

We ask that city council consider this important opportunity to find a win-win between a profitable and attractive built environment and the needs and role of the unique natural environment as well.

Whatever development ultimately occurs on this site must certainly go above and beyond in considering a low density, low-impact design, and the preservation of habitat.

Thank you for your consideration,

Terri Lane
Executive Director
tlane@nwalandtrust.org



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Patti Mulford
Paralegal

TO: Mayor
City Council

CC: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director

FROM: Kit Williams, City Attorney

DATE: February 17, 2016

RE: **Compatibility with neighbors should be considered when determining whether or not to approve a rezoning request**

For almost 15 years, my advice to the City Council has consistently asked you to evaluate and apply the statutorily authorized and Supreme Court approved zoning considerations to an applicant's rezoning request. My advice has also been: **"Probably the most important factor and the underlying reason to have zoning in the first place is to promote COMPATIBILITY among neighboring parcels."** (City Attorney memo to City Council of November 15, 2012; emphasis in original).

There was some discussion among the citizens and Planning Commissioners during their deliberations about the Razorback Golf Course proposed rezoning that "compatibility" was subjective and maybe too general or vague to try to apply to a rezoning request. That is incorrect. Although not susceptible to mathematical formulas, it is no more vague that the "reasonable standard of care" test determined by the jury in every car accident case. "Undue hardship" must be determined by the Planning Commission for almost all variance requests. We do not ask City Council

members to leave their common sense and good judgment at the door of the Chambers, but to use them for rezoning decisions.

The first test of the constitutionality of zoning reached the United States Supreme Court in *Village of Euclid v. Ambler Realty Company* in 1926. Euclid was a small suburb of Cleveland, Ohio. Euclid wished to protect portions of its residential neighborhoods and therefore “established a comprehensive zoning plan for regulating and restricting the location of trades, industries, apartment houses, two-family houses, single-family houses, etc., the lot area to be built upon, the size and height of buildings, etc.” *Id.* 272 U.S. 365, 379-380 (1926).

Ambler Realty Company obtained an injunction against Euclid to prevent its enforcement of the zoning ordinance on Due Process grounds as the zoning ordinance restricted the uses allowed for Ambler’s property and thus devalued its property. Although the United States Supreme Court acknowledged the lessened value caused by zoning regulations, it reversed the injunction and upheld the zoning regulations. The Court did not expressly refer to “compatibility”, but it discussed how apartment buildings could be incompatible with a single family neighborhood.

“With particular reference to apartment houses, it is pointed out that the development of detached house sections is greatly retarded by the coming of apartment houses, which has sometimes resulted in destroying the entire section for private house purposes; that in such sections very often the apartment house is a mere parasite, constructed in order to take advantage of the open spaces and attractive surroundings created by the residential character of the district. Moreover, the coming of one apartment house is followed by others, interfering by their height and bulk with the free circulation of air and monopolizing the rays of the sun which otherwise would fall upon the smaller homes, and bringing, as their necessary accompaniments, the disturbing noises incident to increased traffic and business, and the occupation, by means of moving and parked automobiles, of larger portions of the streets, thus detracting from their safety and depriving children of the

privilege of quiet and open spaces for play, enjoyed by those in more favored localities, -- until, finally, the residential character of the neighborhood and its desirability as a place of detached residences are utterly destroyed." *Id.* at 394.

Ninety years later, we do not take such a dim view of apartments, but we still recognize that increased traffic on local roads, large parking lots, increased noise, etc. may still adversely affect and thus call into question their compatibility with nearby residential neighborhoods.

Although "compatibility" cannot be measured like setbacks, bulk and area requirements, height limitations, density, etc., compatibility is the underlying purpose for all such measurable zoning limitations. The dictionary defines compatibility as "capable of existing together in harmony." *Merriam-Webster's Collegiate Dictionary*, Tenth Edition.

Substantial evidence of compatibility or the lack of compatibility is found in the reasonable concerns and opinions of neighbors. *City of Lowell v. M & N Mobile Home Park* (1996); *Thomas Petroleum v. West Helena* (1992); and *Tanner v. City of Green Forrest* (1990). A primary and fundamental purpose of zoning regulations is to protect the interests of neighboring parcel owners from uses that would be unreasonably disruptive and incompatible with their neighborhood. That does not give neighbors a veto power over any new development, but their concerns should be carefully considered and weighed along with the property owner's right to make fair and reasonable use of property.

I remain convinced **COMPATIBILITY with neighboring parcels must remain the lodestar in every rezoning consideration.**

BILL OF ASSURANCE FOR THE CITY OF FAYETTEVILLE, ARKANSAS

In order to attempt to obtain approval of a request for a zoning reclassification, the owner, developer, or buyer of this property, (hereinafter "Petitioner") JEL Land Acquisitions, LLC, hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, **substantial irreparable damage justifying injunctive relief** has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will **reasonable rely** upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers assurances that Petitioner and Petitioner's property shall be restricted as follows **IF** Petitioner's rezoning is approved by the Fayetteville City Council.

1. The use of Petitioner's property shall be limited to THOSE AREAS SOUGHT TO BE RE-ZONED AS R-A SHALL BE USED ONLY AS GREENSPACE, CONSERVATION AREAS, PARK LAND OR TRAILS.

2. Other restrictions including number and type of structures upon the property are limited to NO STRUCTURES SHALL BE BUILT ON THE AREAS SOUGHT TO BE RE-ZONED AS R-A OTHER THAN THOSE STRUCTURES INCIDENTAL TO THE USES LISTED ABOVE.

3. Specific activities will not be allowed upon petitioner's property include RESIDENTIAL, COMMERCIAL, INDUSTRIAL, WAREHOUSE, OR OTHER USES NOT CONSISTENT WITH PARAGRAPH 1 ABOVE.

4. (Any other terms or conditions) _____

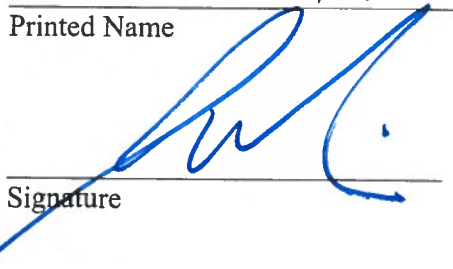
5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, JEL LAND ACQUISITIONS, LLC, as the owner, developer or buyer (Petitioner) **voluntarily offer** all such assurances and sign my name below.

1/25/16
Date

1200 E. JOYCE BLVD.
Address
FAYETTEVILLE, AR 72701

JEL LAND ACQUISITIONS, LLC
Printed Name


Signature

NOTARY OATH

STATE OF ARKANSAS }
COUNTY OF WASHINGTON } .ss

And now on this the 25th day of January, 2016, appeared before me, James Earl "Lyndy" Lindsey, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.


NOTARY PUBLIC

My Commission Expires:

JOY L. HOOPS Notary Public Washington County - Arkansas Commission # 12400437 Expires: September 1, 2024
--



City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 259 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0057

Agenda Date: 3/1/2016

Version: 1

Status: First Reading

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: B. 2

AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:

AN ORDINANCE TO AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS, ON-STREET PAID PARKING SPACES OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

WHEREAS, the Mayor is authorized to assign any and all city owned paid parking lots in the Entertainment District Parking Lot by special event permit for up to sixteen (16) days per calendar year; and

WHEREAS, multi-day special events that close parking facilities and city streets significantly impact citizens, businesses, and institutions as well as the quality of life in our community and therefor citizens should have the opportunity for input in the decision-making process; and

WHEREAS, special events that request or need to occupy and use such city parking lots or city streets more than two (2) days should not only receive the Mayor's express approval through the Mayor's issuance of a special event permit, but must receive express approval of the City Council for any and all city owned parking lots or city street closures needed beyond the two day limit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby repeals § 72.58 (M) and enacts a replacement § 72.58 (M) as shown below:

“(M) Special Event Permits Needed To Use City Owned Parking Lots, Paid On-Street Parking Spaces, Or To Close City Streets

(1) Events needing the use of city owned parking lots, paid on-street parking spaces or the closure of city streets for two days or less in a calendar year

The Mayor is empowered by the issuance of a special event permit to assign any and all city owned paid parking lots, some or all on-street paid parking spaces, or the closure of city streets for up to two days per year for the use of a permitted special event. Parking lots within the Entertainment District Parking Zone may be assigned for no more than sixteen (16) days per calendar year for all permitted special

events to ensure sufficient parking revenue is collected to pay the City's parking bonds.

(2) Events requesting the use of city owned parking lots, paid on-street parking spaces or the closure of city streets for more than two days in a calendar year

Subject to the overall limit of 16 days per calendar year for parking lots in the Entertainment District, the Mayor may propose and the City Council may agree to or reject an expanded special event permit which would authorize the special event to use city owned paid parking lots or on-street paid parking for more than two and up to five days per year. The Mayor may also propose the closure of city streets for more than two days for a special event. The approval and any conditions imposed for such approval by the City Council shall be by City Council Resolution. Proposed special event permits shall be evaluated by the City Council on the basis of, but not limited to, weighing the potential benefits and detriments to the community, impact to public services, including City, schools, transportation, and medical services, and the effect on the overall quality of life to residents and businesses. Any violation of the City Council required conditions shall subject the special event permit authorization beyond two days to be voided and withdrawn by the Mayor.

(3) Farmers' Market, First Thursday Fayetteville And Lights Of The Ozarks Exempt From Limitations

The closure of city streets and use of on-street parking spaces for § 114.02 **Farmers' Market**; § 114.03 **First Thursday Fayetteville**; and § 117.93 **Lights of the Ozarks** are not subject to the limitations or requirements of (2)."

Legistar ID No.: 2016-0057

AGENDA REQUEST FORM

FOR: Council Meeting of February 16, 2016

FROM: City Council Member Sarah Marsh

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

AN ORDINANCE TO AMEND § 72.58 **OFF-STREET PARKING FACILITIES; RULES AND RATES (M)** TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

APPROVED FOR AGENDA:



City Council Member Sarah Marsh

1/28/2016

Date



City Attorney Kit Williams
(as to form)

January 27, 2016

Date

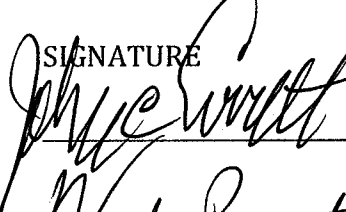
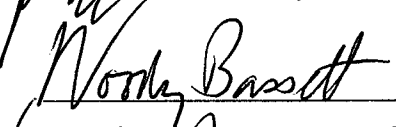
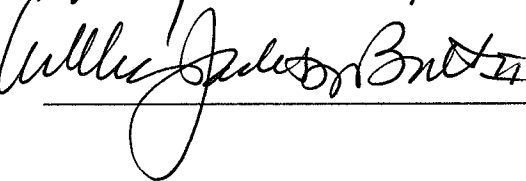
2-16-14

D.7. Amend 72.58

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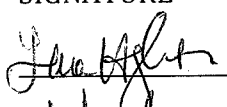
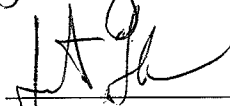
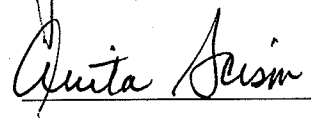
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	JOHN C. EVERETT	YES _____ NO ☒
	Noosy Bassett	YES ☒ NO _____
	Willie Jackson Brister	YES ☒ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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Or drop off at The Depot, 548 W. Dickson.

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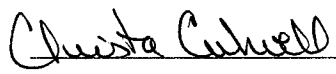
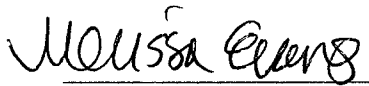
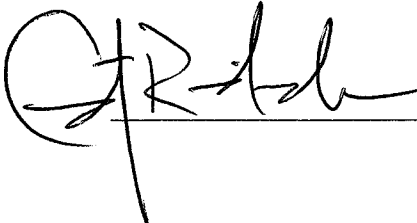
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	LARA HIGHTOWER	YES ☒ NO ☐
	JUSTIN FLETCHER	YES ☒ NO ☐
	ANITA SCISM	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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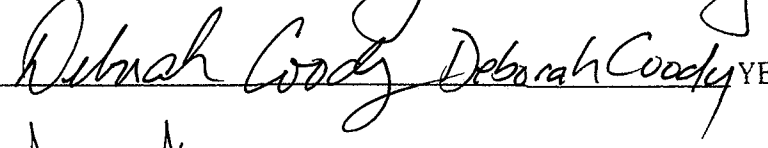
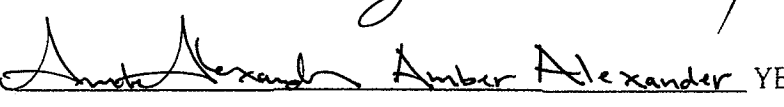
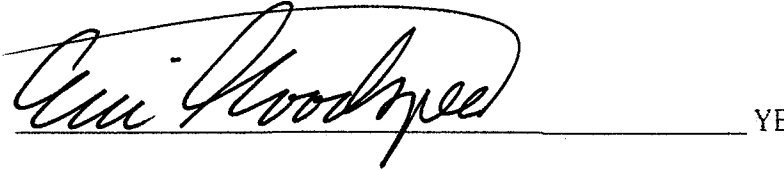
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT	
	Stacey Park	YES ☒	NO ☐
	BRET PARK	YES ☒	NO ☐
	Christa Culwell	YES ☐	NO ☒
	Melissa Evans	YES ☒	NO ☐
	Sarah Voorhees	YES ☐	NO ☒
	Alan Ostner	YES ☒	NO ☐
	Curt Richardson	YES ☒	NO ☐

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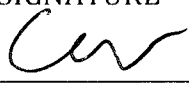
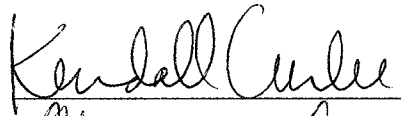
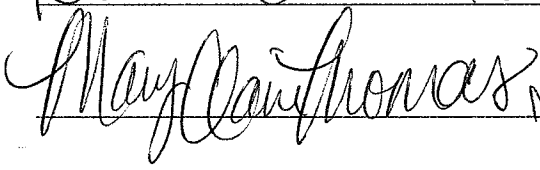
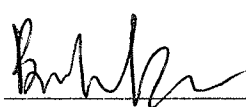
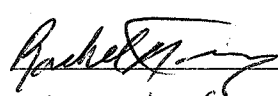
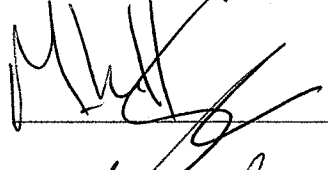
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Dan Coody	YES ☒ NO ☐
	Deborah Coody	YES ☒ NO ☐
	Amber Alexander	YES ☒ NO ☐
	Tim Woodspeed	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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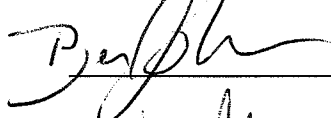
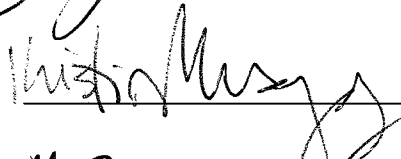
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT	
	Charmi Gooden	YES ☒	NO ☐
	Kendall Curlee	YES ☒	NO ☐
	MARY CLAIRE THOMAS	YES ☒	NO ☐
	Brooke Bullock	YES ☒	NO ☐
	Rachel Murray	YES ☒	NO ☐
	Mitchell Simpson	YES ☒	NO ☐
	Jonathan Holder	YES ☒	NO ☐

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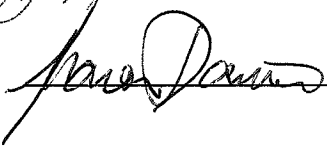
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT	
	Ben Johnson	YES ☒	NO ☐
	Kristin Musgnug	YES ☒	NO ☐
	MARK THOMAS	YES ☒	NO ☐
_____	_____	YES _____	NO _____
_____	_____	YES _____	NO _____
_____	_____	YES _____	NO _____
_____	_____	YES _____	NO _____
_____	_____	YES _____	NO _____

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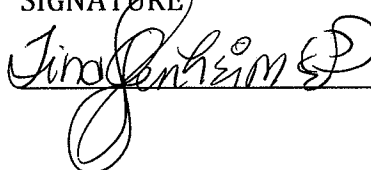
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Joseph Hutton	YES ☒ NO ☐
	Sharon Dawson	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	TINA OPPENHEIMER	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Kellie Rollins</u>	<u>Kellie Rollins</u>	YES ☒ NO ☐
<u>Christine A. Myres</u>	<u>Christine A. Myres</u>	YES ☒ NO ☐
<u>Becca Clark</u>	<u>BECCA CLARK</u>	YES ☒ NO ☐
<u>Erin Crawley</u>	<u>ERIN CRAWLEY</u>	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<i>Frances D. Alexander</i>	<i>FRANCES D. ALEXANDER</i>	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

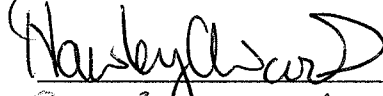
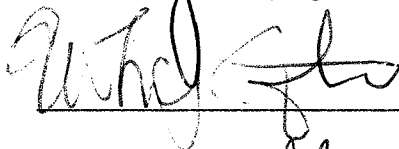
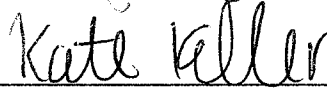
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** own commercial property in downtown Fayetteville at 116 W. Spring.*

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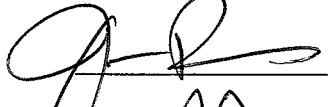
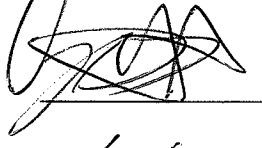
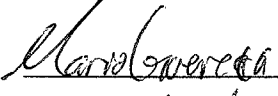
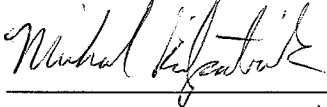
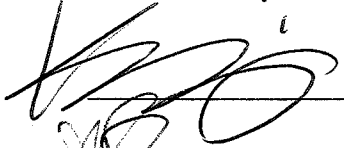
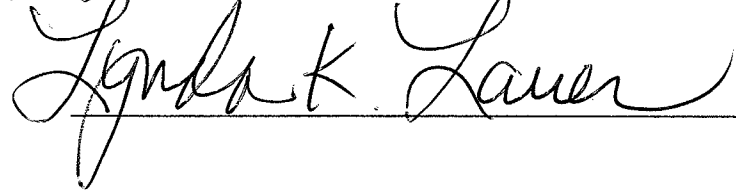
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT	
	N. Alan Hill	YES ☒	NO ☐
	Hawley Woods	YES ☒	NO ☐
	Whitney Schreder	YES ☒	NO ☐
	Kate Keller	YES ☒	NO ☐
_____	_____	YES ☐	NO ☐
_____	_____	YES ☐	NO ☐
_____	_____	YES ☐	NO ☐
_____	_____	YES ☐	NO ☐

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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	James Reavis	YES ☒ NO ☐
	Patrick Stewart	YES ☒ NO ☐
	Mario Guercia	YES ☒ NO ☐
	Michael Kilpatrick	YES ☒ NO ☐
	KATIE ZWICK	YES ☒ NO ☐
	Sarah Sprague	YES ☒ NO ☐
	Joshua Johnson	YES ☒ NO ☐
	Lynda K. Lauer	YES ☒ NO ☐

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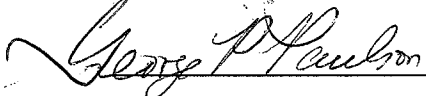
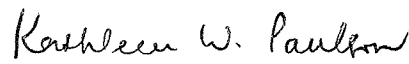
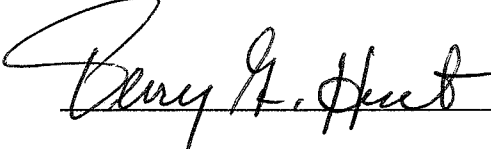
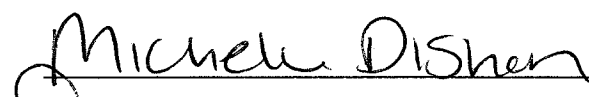
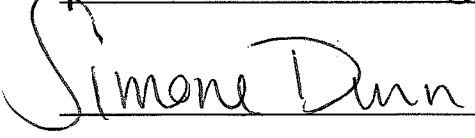
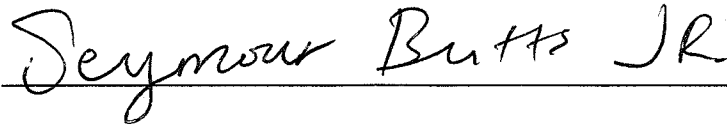
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Cindy Morgan</u>	<u>Cindy Morgan</u>	YES <u>X</u> NO <u> </u>
<u>Megan Linsing</u>	<u>Megan Linsing</u>	YES <u>X</u> NO <u> </u>
<u>Tonia Squires</u>	<u>Tonia Squires</u>	YES <u>X</u> NO <u> </u>
<u>Maui King</u>	<u>Maui King</u>	YES <u>X</u> NO <u> </u>
<u>Kara Iribarren</u>	<u>Kara Iribarren</u>	YES <u> </u> NO <u>X</u>
<u>David Bassett</u>	<u>David Bassett</u>	YES <u>X</u> NO <u> </u>
<u>Justin Adams</u>	<u>Justin Adams</u>	YES <u>X</u> NO <u> </u>
<u>Sherry Dixon</u>	<u>SHERY DIXON</u>	YES <u>X</u> NO <u> </u>

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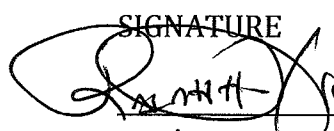
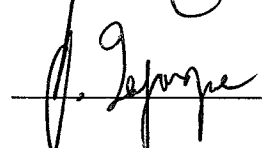
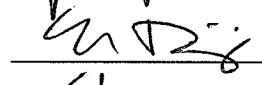
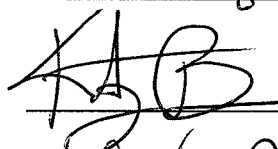
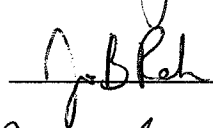
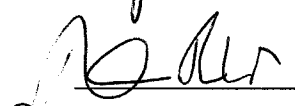
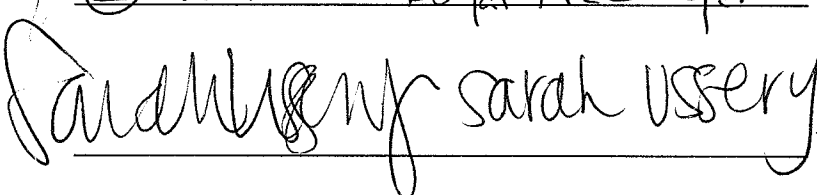
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	George P. Paulson	YES ☒ NO ☐
	Kathleen W. Paulson	YES ☒ NO ☐
	TERRY G. HUNT	YES ☒ NO ☐
	Mary Renée Hunt	YES ☒ NO ☐
	TOM TERMINELLA	YES ☒ NO ☐
	Michael Dishen	YES ☒ NO ☐
	Simone Dunn	YES ☒ NO ☐
	Seymour Butts JR	YES ☐ NO ☒

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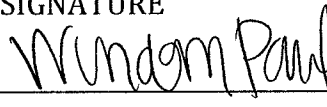
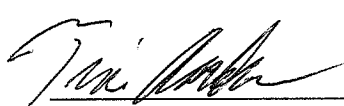
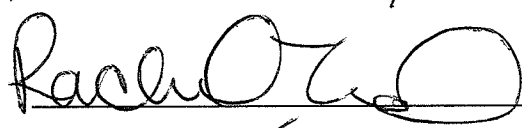
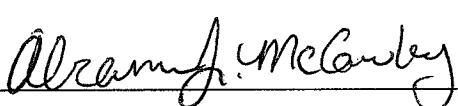
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	BALOH H. NESSON	YES ☒ NO ☐
	Jackson Lafargue	YES ☒ NO ☐
	SAGE BULLIG	YES ☒ NO ☐
	Kathy Brick	YES ☒ NO ☐
	Carolyn Dux	YES ☒ NO ☐
	John B. Robinson	YES ☒ NO ☐
	Royal McClayon	YES ☒ NO ☐
	sarah ussery	YES ☒ NO ☐

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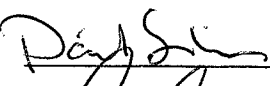
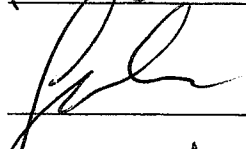
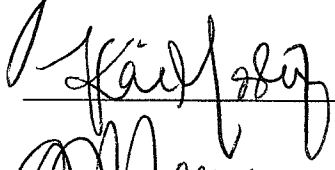
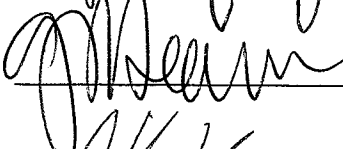
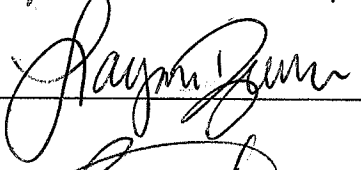
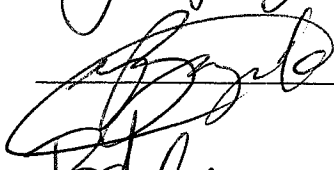
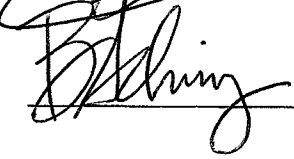
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Windom Paul	YES ☒ NO ☐
	Travis Anderson	YES ☒ NO ☐
		YES ☒ NO ☐
	Bill Putman	YES ☒ NO ☐
		YES ☒ NO ☐
		YES ☒ NO ☐

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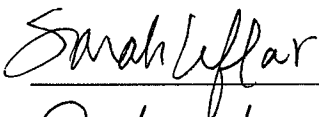
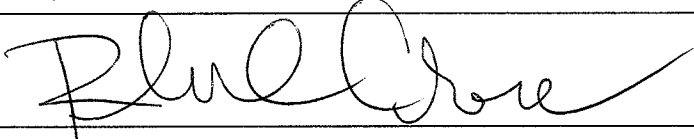
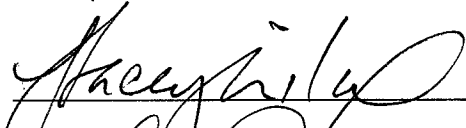
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	David Silva	YES ☒ NO ☐
	John Springer	YES ☒ NO ☐
	Kai Masley	YES ☒ NO ☐
	GREG HERMAN	YES ☒ NO ☐
	Aaron Kelzer	YES ☒ NO ☐
	Jaymi Bowman	YES ☒ NO ☐
	ECEHAN BAYRAK	YES ☒ NO ☐
	BETH SCHWEIGER	YES ☒ NO ☐

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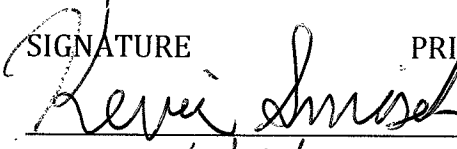
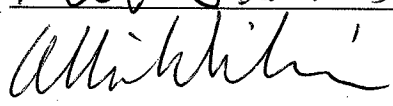
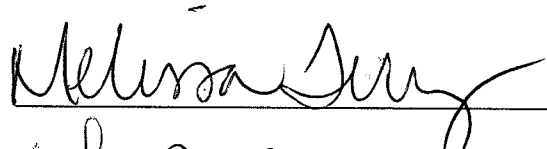
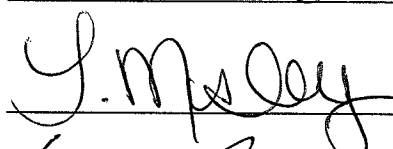
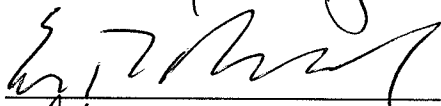
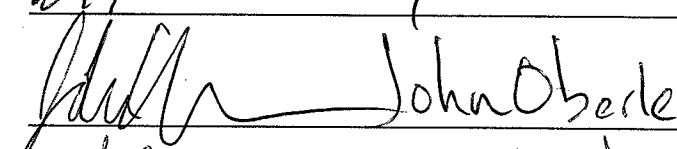
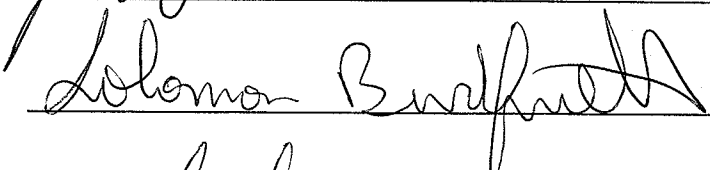
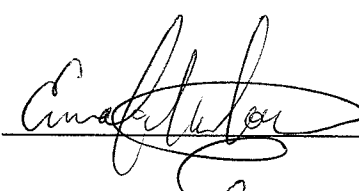
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Nick Shoups	YES ☒ NO ☐
	SARAH LEFFLER	YES ☒ NO ☐
	Deborah Ahring	YES ☒ NO ☐
	JILL ANTILES	YES ☒ NO ☐
	Phil Crow	YES ☒ NO ☐
	Tracy Hily	YES ☒ NO ☐
	Mike Goo	YES ☒ NO ☐
	P Mikkelsen	YES ☒ NO ☐

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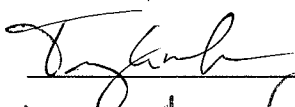
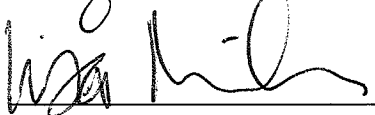
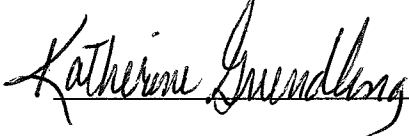
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	KEVIN SMISEK	YES ☒ NO ☐
		YES ☒ NO ☐
		YES ☒ NO ☐
		YES ☒ NO ☐
		YES ☒ NO ☐
	John Oberle	YES ☒ NO ☐
	Solomon Burdette	YES ☒ NO ☐
	EMMA FULLERTON	YES ☒ NO ☐

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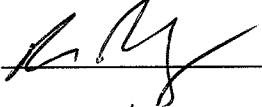
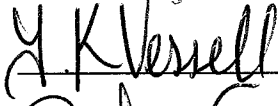
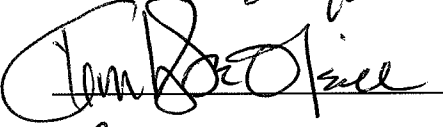
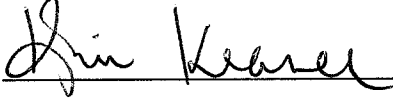
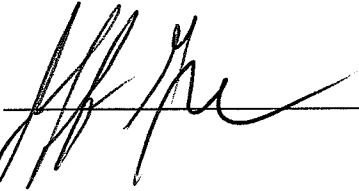
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Gann Smith	YES ☒ NO ☐
	Ed NETHERLAND	YES ☒ NO ☐
	Robin Deunir	YES ☒ NO ☐
	TAMMY D. GRAHAM	YES ☐ NO ☒
	LISA MILLER	YES ☐ NO ☒
	Anna Warshaw	YES ☒ NO ☐
	Jimmy Asher	YES ☐ NO ☒
	Katherine Guendling	YES ☒ NO ☐

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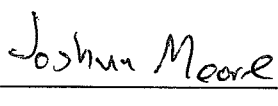
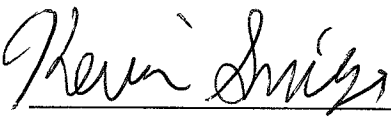
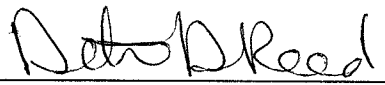
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	Drew Rodgers	YES ☒ NO ☐
	Tara Vessell	YES ☒ NO ☐
	ARCHIE SCHAFFER II	YES ☒ NO ☐
	Kim Leslie Owens	YES ☐ NO ☒ Eureka Springs
	Jim Kearney	YES ☒ NO ☐
	Jeff Glover	YES ☐ NO ☒
	Jeff Glover	YES ☒ NO ☐

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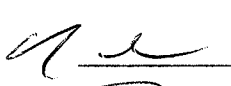
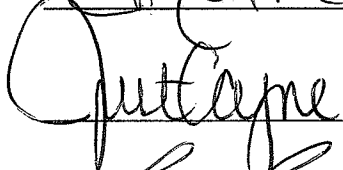
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	RALPH H. NESSON	YES ☒ NO ☐
	JOSHUA MOORE	YES ☒ NO ☐
	LESLIE TABOR	YES ☒ NO ☐
	MATT PARNELL	YES ☒ NO ☐
	KEVIN SMISEK	YES ☒ NO ☐
	COLE LEUTENBERGA	YES ☒ NO ☐
	RENEE BENNETT	YES ☒ NO ☐
	DETRA D REED	YES ☒ NO ☐

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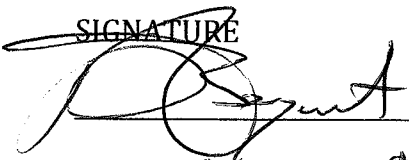
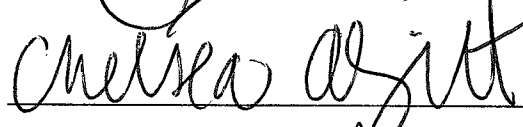
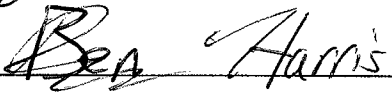
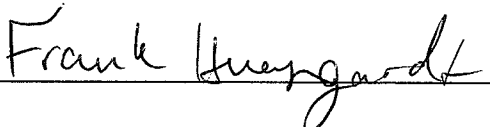
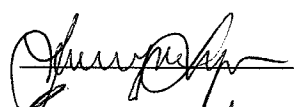
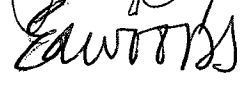
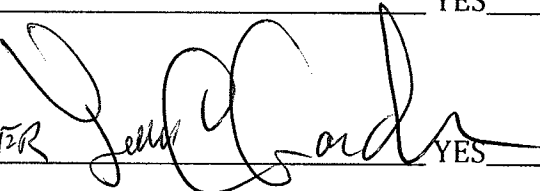
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Gina Bengaist	YES ☒ NO ☐
	Lee Nagel	YES ☒ NO ☐
	Sarah Wendell	YES ☒ NO ☐
	[unclear]	YES ☒ NO ☐
	Patricia C. Mitchell	YES ☒ NO ☐
	Justin Cayne	YES ☒ NO ☐
	[unclear]	YES ☐ NO ☒
	Bruce Bond	YES ☒ NO ☐

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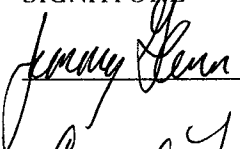
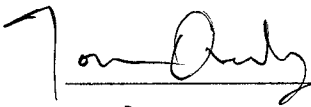
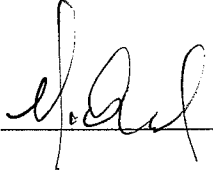
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	RT Berquist	YES ☒ NO ☐
	Chelsea Azitt	YES ☒ NO ☒
	Shannon Harris	YES ☐ NO ☐
	Ben Harris	YES ☒ NO ☐
	Frank Huerigard	YES ☒ NO ☐
	Tamara Lora	YES ☐ NO ☒
	Elizabeth Woods	YES ☒ NO ☐
	JAMES C GARNER	YES ☐ NO ☒

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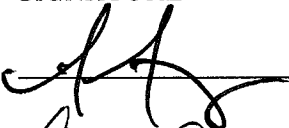
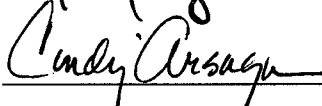
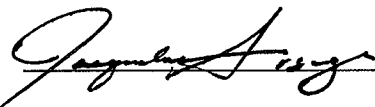
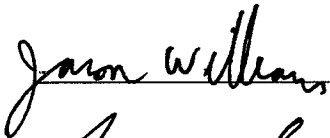
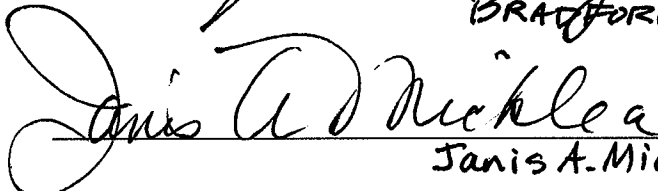
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT	
	Jimmy Glenn	YES ☒	NO ☐
	Carole Lane	YES ☒	NO ☐
	Tom Orvby	YES ☒	NO ☐
	Michael Cokeran	YES ☒	NO ☐
	DEA SELF	YES ☒	NO ☐
	MATTHEW CROUCHT	YES ☒	NO ☐
	K. EPPERSON	YES ☒	NO ☐

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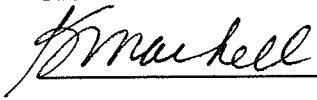
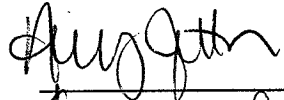
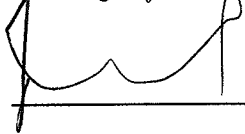
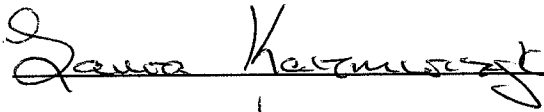
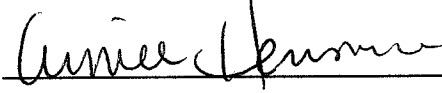
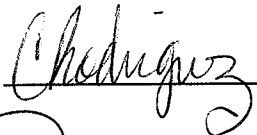
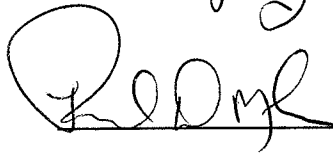
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	AVA ARSAGA	YES ☒ NO ☐
	Cindy Arsaga	YES ☒ NO ☐
	Jacqueline Arsaga	YES ☒ NO ☐
	JASON WILLIAMS	YES ☒ NO ☐
	BRADFORD L. KEYS	YES ☒ NO ☐
	JANIS A. MICKLEA	YES ☐ NO ☒
	GRETA P. AUENDOLF	YES ☒ NO ☐

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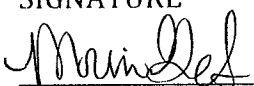
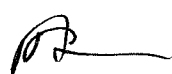
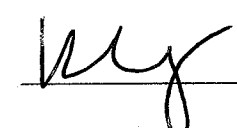
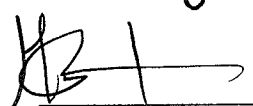
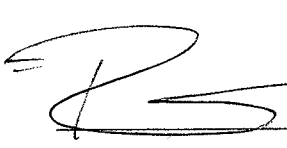
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	K. MARKELL	YES ☒ NO ☐
	Amy Jelton	YES ☒ NO ☐
	BRADLEY EDWARDS	YES ☒ NO ☐
	D. Jones	YES ☒ NO ☐
	Laura Karmus	YES ☒ NO ☐
	Arnee Henson	YES ☒ NO ☐
	Carrie Rodriguez	YES ☒ NO ☐
	Richard Mhoon	YES ☒ NO ☐

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	Marino Galibao	YES ☒	NO ☐
	Paul Deagan	YES ☐	NO ☒
	Tim K. Newman	YES ☒	NO ☐
	Patrick Lane	YES ☒	NO ☐
	Rebecca Iney	YES ☒	NO ☒
	Marcus Goster	YES ☒	NO ☐
	Robyn Bowen	YES ☒	NO ☐

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SIGNATURE	PRINTED NAME	YES	NO
<u>Chuck Rutherford</u>	<u>CHUCK RUTHERFORD</u>	YES ☒	NO ☐
<u>Donilyn Brennan</u>	<u>Donilyn Brennan</u>	YES ☐	NO ☒
<u>Becky A. Hauck</u>	<u>BECKY A. HAUCK</u>	YES ☒	NO ☐
<u>Hank Rominsky</u>	<u>HANK ROMINSKY</u>	YES ☒	NO ☐
<u>Carrie Trink</u>	<u>CARRIE TRINKA</u>	YES ☒	NO ☐
<u>William J. Browner</u>	<u>WILLIAM J. BROWNER</u>	YES ☒	NO ☐
<u>Kelsy Bishop</u>	<u>Kelsy Bishop</u>	YES ☒	NO ☐
<u>Teresa Maurer</u>	<u>Teresa Maurer</u>	YES ☐	NO ☒

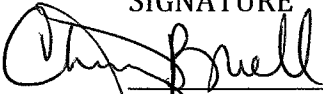
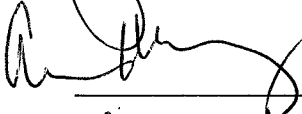
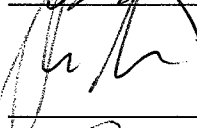
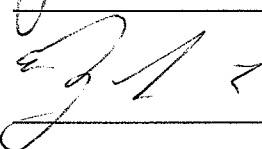
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	CHERYL BUELL	YES _____	NO ☒
	ANDREW MONEY	YES ☒	NO _____
	John Erwin	YES ☒	NO _____
	Peyton Keel	YES ☒	NO _____
	Chad Thurman	YES ☒	NO _____
	Brandon Gill	YES ☒	NO _____
	Barbara Dillon	YES ☒	NO _____
	William Deaton	YES ☒	NO _____

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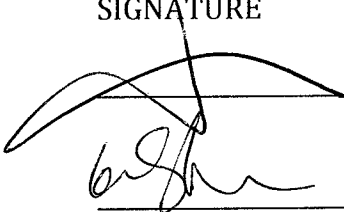
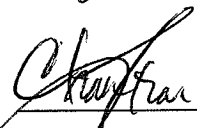
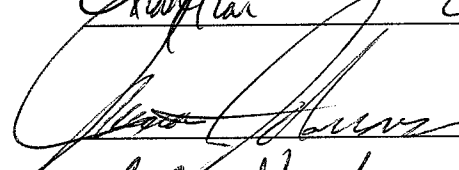
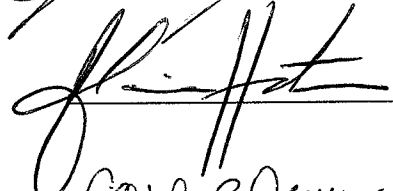
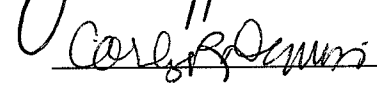
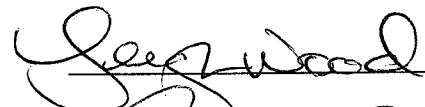
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Cleena</u>	<u>Claire Luchking</u>	YES ☒ NO ☐
<u>W. H. L. L. L.</u>	<u>W. A. Schuss</u>	YES ☐ NO ☒
<u>Art Hobson</u>	<u>Art Hobson</u>	YES ☒ NO ☐
<u>Robert A Lewis</u>	<u>Robert A Lewis</u>	YES ☒ NO ☐
<u>James Alexander</u>	<u>James Alexander</u>	YES ☐ NO ☒
<u>Marcia Doney</u>	<u>MARCIA DONEY</u>	YES ☒ NO ☐
<u>Jeff Mitchell</u>	<u>Jeff Mitchell</u>	YES ☒ NO ☐
<u>RMC Cusker</u>	<u>RMC Cusker</u>	YES ☒ NO ☐

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	Jessica McClendon	YES ☒ NO ☐
	BEN STRAWN	YES ☒ NO ☐
	CHAU TRAN	YES ☒ NO ☐
	James Johnson	YES ☒ NO ☐
	Ainaffartmas	YES ☒ NO ☐
	CARLYE R. DENNIS	YES ☒ NO ☐
	Leighwood	YES ☒ NO ☐
	Analee McDell	YES ☒ NO ☐

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SIGNATURE

PRINTED NAME

FAYETTEVILLE RESIDENT

Gallaway STEPHANIE ALEXANDER GALLAWAY YES X NO X

Greg GREG SHER YES X NO

Lowmy Karl Lowmy YES X NO

April April Wellman YES X NO

Bethany Sebesta Bethany Sebesta YES ✓ NO

Whitney Rose Chesla Whitney Rose Chesla YES X NO

Lisa Mills Lisa Mills YES ✓ NO

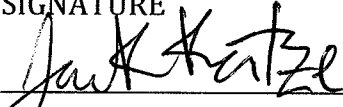
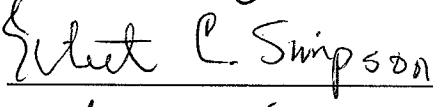
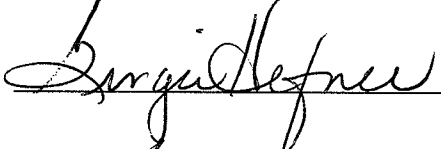
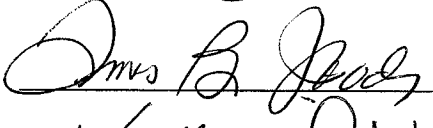
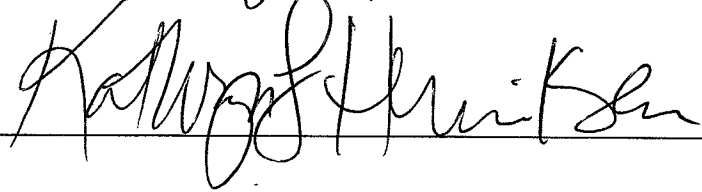
Megan Downey MEGAN DOWNEY YES X NO

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	Jack Katze	YES ☒ NO ☐
	Jennifer Braden	YES ☒ NO ☐
	Ethel C. Simpson	YES ☒ NO ☐
	Sergio Hefner	YES ☒ NO ☐
	April Reed	YES ☒ NO ☐
	Amanda Grell	YES ☒ NO ☐
	Mrs. B. Jones	YES ☒ NO ☐
	Kathryn Hinkson	YES ☒ NO ☐

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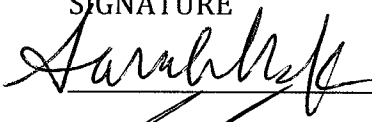
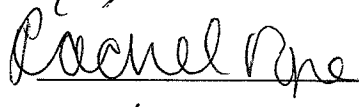
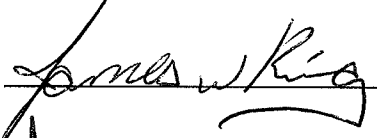
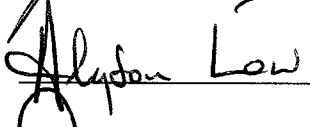
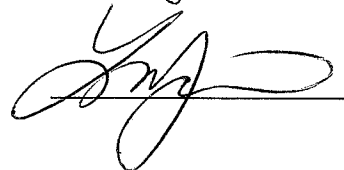
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<u>Barbara Jaguish</u>	<u>Barbara Jaguish</u>	YES <u>X</u> NO <u> </u>
<u>Jacklyn Fratesi</u>	<u>Jacklyn Fratesi</u>	YES <u>✓</u> NO <u> </u>
<u>Stuart Lane</u>	<u>Stuart Lane</u>	YES <u>✓</u> NO <u> </u>
<u>JOSEPH ENZEBEY</u>	<u>JOSEPH ENZEBEY</u>	YES <u>✓</u> NO <u> </u>
<u>Ryan Felt</u>	<u>Ryan Felt</u>	YES <u>✓</u> NO <u> </u>
<u>Ashtyn Nilser</u>	<u>ASHTYN NILSEN</u>	YES <u>✓</u> NO <u> </u>
<u>Shawn Corder</u>	<u>Shawn Corder</u>	YES <u>✓</u> NO <u> </u>
<u>Julia Brooks</u>	<u>Julia Brooks</u>	YES <u>✓</u> NO <u> </u>

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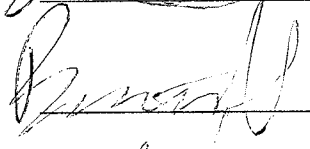
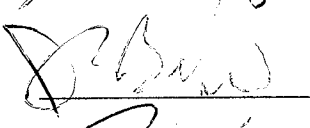
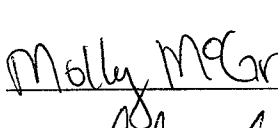
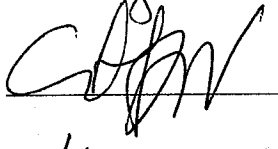
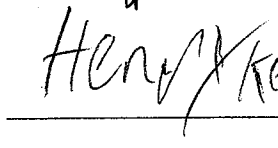
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Sarah McKenna	YES ☒ NO ☐
	David M. Merton	YES ☒ NO ☐
	Rachel Pope	YES ☒ NO ☐
	James King	YES ☒ NO ☐
	Alyson Low	YES ☒ NO ☐
	Justin Lee	YES ☒ NO ☐
	Abby Richards	YES ☒ NO ☐
	Lindsay Wilson	YES ☒ NO ☐

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	James Signorini	YES ☒ NO ☐
	Abigail Southard	YES ☒ NO ☐
	BARRETT LARSON	YES ☒ NO ☐
	John Betew	YES ☒ NO ☐
	Johnathan Jarmon	YES ☒ NO ☐
	Molly McGraw	YES ☒ NO ☐
	Crystal Johnson	YES ☒ NO ☐
	Henry Kessler	YES ☒ NO ☐

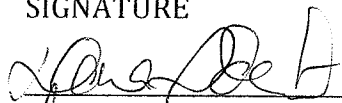
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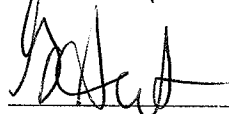
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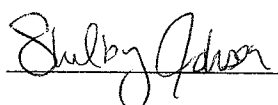
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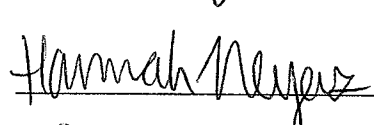
	DANA IDLET	YES ☒ NO ☐
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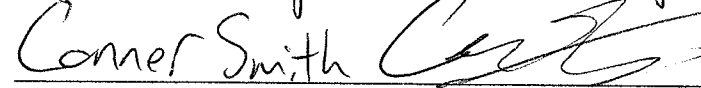
	Gabrielle Idlet	YES ☐ NO ☒
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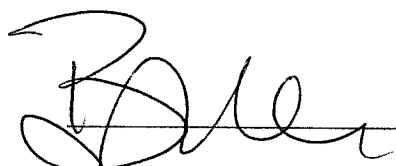
	SHELBY JOHNSON	YES ☒ NO ☐
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	Jackson Cellers	YES ☒ NO ☐
---	-----------------	---

	Sarah Hagopian	YES ☒ NO ☐
---	----------------	---

	Hannah Neyens	YES ☒ NO ☐
---	---------------	---

	Comer Smith	YES ☒ NO ☐
---	-------------	---

	Brittany Paul	YES ☒ NO ☐
---	---------------	---

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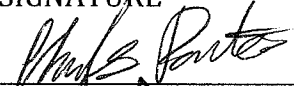
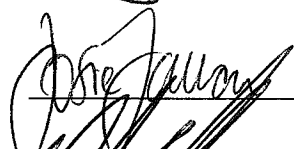
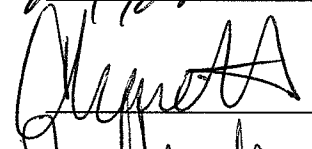
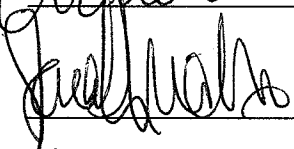
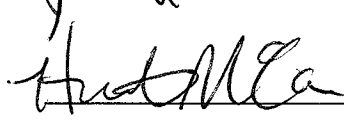
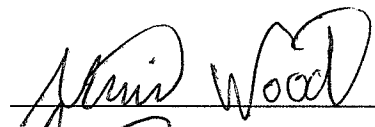
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>emilye</u>	<u>emily errin</u>	YES ☒ NO ☐
<u>[Signature]</u>	<u>Chare Swift</u>	YES ☒ NO ☐
<u>[Signature]</u>	<u>Leslie Massey</u>	YES ☒ NO ☐
<u>[Signature]</u>	<u>Esster Takacs</u>	YES ☒ NO ☐
<u>[Signature]</u>	<u>Pamish Guy</u>	YES ☒ NO ☐
<u>[Signature]</u>	<u>Lisa Marsulis</u>	YES ☒ NO ☐
<u>[Signature]</u>	<u>Mehak Gupta</u>	YES ☒ NO ☐

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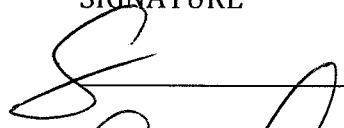
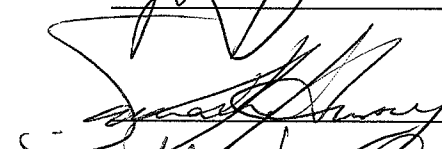
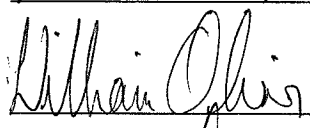
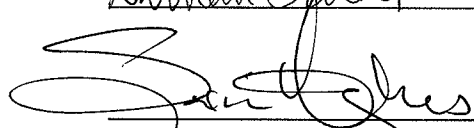
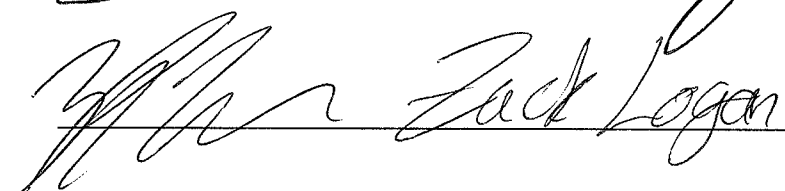
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Chuck Partain	YES <u>X</u> NO <u> </u>
	Susannah Farrar	YES <u>X</u> NO <u> </u>
	Josie Farrar	YES <u>X</u> NO <u> </u>
	Michael Thomas	YES <u>X</u> NO <u> </u>
	Chandler Martin	YES <u>X</u> NO <u> </u>
	Sarah Nichols	YES <u>X</u> NO <u> </u>
	HUNTER McCALISTER	YES <u>X</u> NO <u> </u>
	MARIAN WOOD	YES <u>X</u> NO <u> </u>
	Jon Braschler	X (yes)

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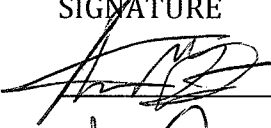
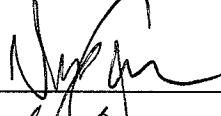
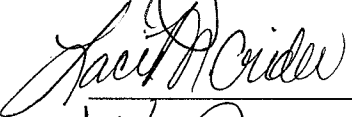
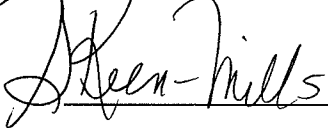
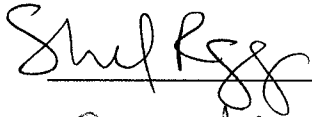
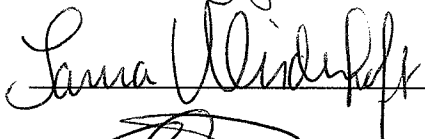
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	Susan Robinson	YES ☒ NO ☐
	Casey Harris	YES ☒ NO ☐
	Samantha Hersey	YES ☒ NO ☐
	Al W. Meel	YES ☒ NO ☐
	William Oliver	YES ☒ NO ☐
	Sakitt Highers	YES ☒ NO ☐
	[unclear]	YES ☒ NO ☐
	Zack Logan	YES ☒ NO ☐

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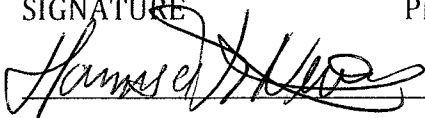
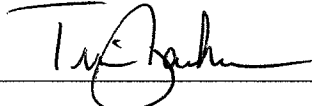
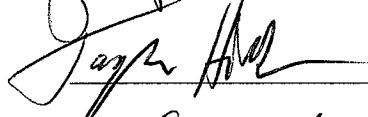
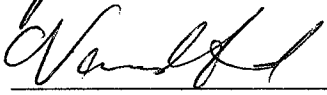
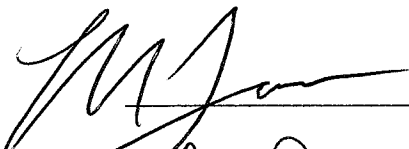
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Anos McDaniel	YES ☒ NO ☐
	Nicholas Clare	YES ☒ NO ☐
	Lacie M. Crider	YES ☒ NO ☐
	Sharla P. Koon-Mills	YES ☒ NO ☐
	Shelby Riggs	YES ☒ NO ☐
	Laura Weidenhof	YES ☒ NO ☐
	J. A. Roberts	YES ☒ NO ☐
	Greg Holmes	YES ☒ NO ☐

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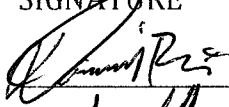
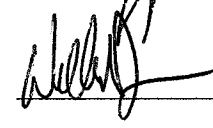
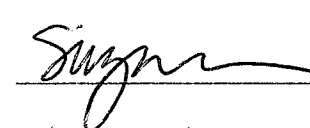
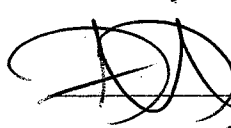
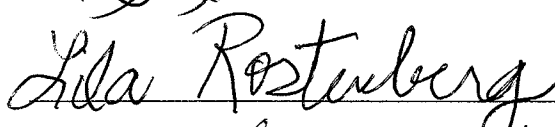
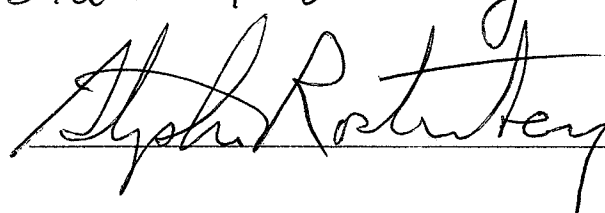
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	^{Newmark} Hamsa Kurthy	YES ☒ NO ☐
Tim PARKER		YES ☒ NO ☐
	Sofia Baygari	YES ☒ NO ☐
	Taylor Hicks	YES ☒ NO ☐
	Vanessa Hubbard	YES ☒ NO ☐
	Madison Jones	YES ☒ NO ☐
	Stena Green	YES ☒ NO ☐
	Monica Van Wille	YES ☒ NO ☐

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	Daniel Brezinski	YES ☒	NO ☐
	Adam Lettingwell	YES ☒	NO ☐
	William Schreckhise	YES ☒	NO ☐
	Suzannah Schreck	YES ☒	NO ☐
	JARED WIERMAN	YES ☒	NO ☐
	Lila Rostenberg	YES ☒	NO ☐
	Lila Rostenberg	YES ☒	NO ☐
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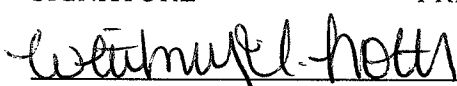
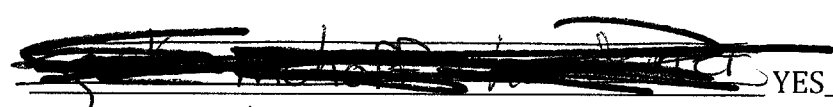
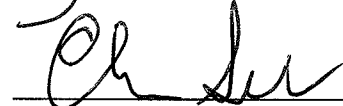
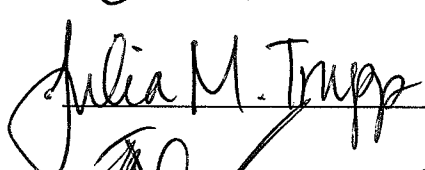
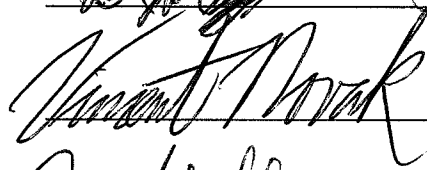
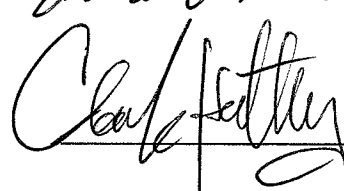
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Will Brand</u>	<u>Will Brand</u>	YES ☒ NO ☐
<u>M. Clay Wilson</u>	<u>M. Clay Wilson</u>	YES ☒ NO ☐
<u>Robin Starr</u>	<u>Robin Starr</u>	YES ☒ NO ☐
<u>S. John O'Berstki</u>	<u>S. John O'Berstki</u>	YES ☒ NO ☐
<u>Hamish Kewenau</u>	<u>Hamish Kewenau</u>	YES ☒ NO ☐
<u>Stephen Clowney</u>	<u>Stephen Clowney</u>	YES ☒ NO ☐
<u>Barrett Larson</u>	<u>Barrett Larson</u>	YES ☒ NO ☐
<u>Nathan Baickey</u>	<u>Nathan Baickey</u>	YES ☒ NO ☐

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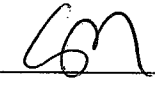
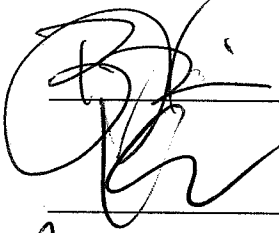
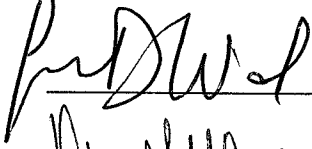
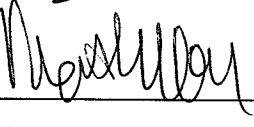
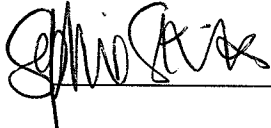
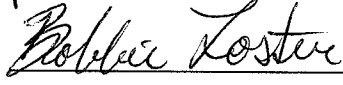
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	WHITNEY INDLE	YES ☒ NO ☐
	Ernest Arambel	YES ☒ NO ☐
		YES ☒ NO ☐
	Chris Selby	YES ☒ NO ☐
	JULIAM. TRUPP	YES ☒ NO ☐
	James B. Schlede	YES ☒ NO ☐
	Vincent Novak	YES ☒ NO ☐
	CLARK HATTEY	YES ☒ NO ☐

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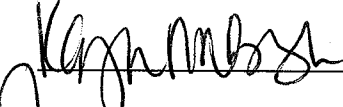
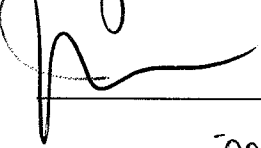
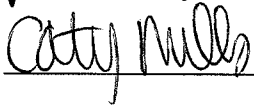
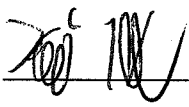
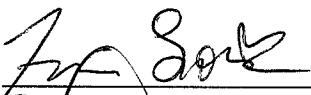
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Sadie McDonald	YES ☒ NO ☐
	William Harris	YES ☒ NO ☐
	Kale Osle	YES ☒ NO ☐
	TERRA WOOD	YES ☒ NO ☐
	Marty Marshall Lane	YES ☒ NO ☐
	Sophie Skinner	YES ☒ NO ☐
	Bobbie Foster	YES ☒ NO ☐
	Caroline Wilbourn	YES ☒ NO ☐

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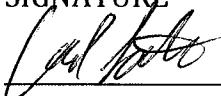
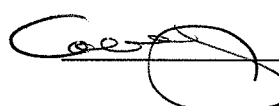
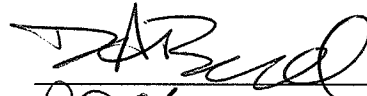
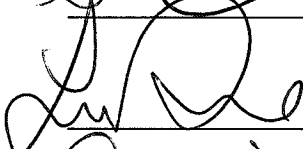
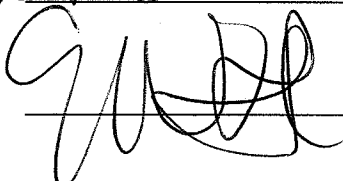
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	Kayla Norbush	YES ☒ NO ☐
	Jennifer Howell	YES ☒ NO ☐
	Caty Mills	YES ☒ NO ☐
	Kaia Hodo	YES ☒ NO ☐
	Travis Lorton	YES ☒ NO ☐
	Sam Childress	YES ☒ NO ☐
	Kelly Miller-lee	YES ☐ NO ☒ Springdale
	Olivia West	YES ☒ NO ☐

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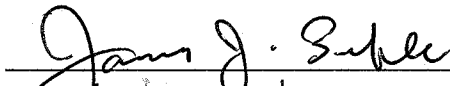
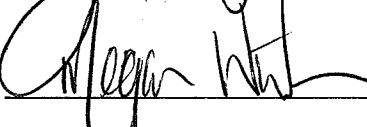
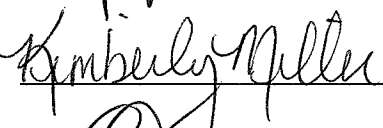
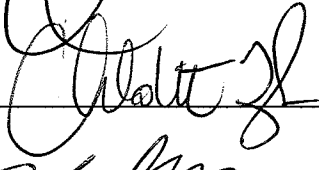
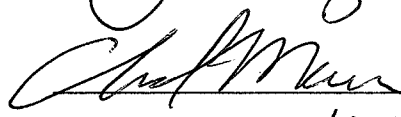
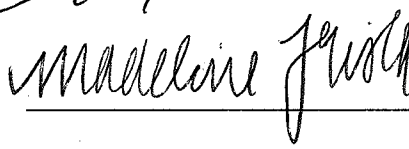
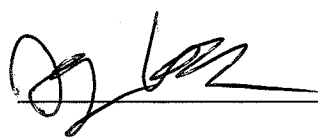
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	Abel Soster	YES ☒ NO ☐
	Courtney Healy	YES ☒ NO ☐
	Elliott E. Tobin	YES ☒ NO ☐
	Douglas A. Behr	YES ☒ NO ☐
	Sharon Graye-Jandern	YES ☒ NO ☐
	Lauren Daniels	YES ☒ NO ☐
	Erin Wright	YES ☒ NO ☐
	Kirsten Erickson	YES ☒ NO ☐

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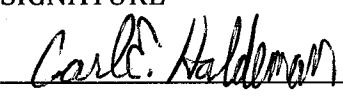
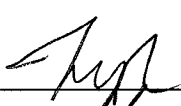
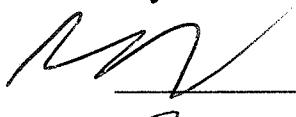
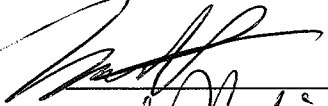
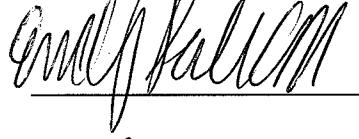
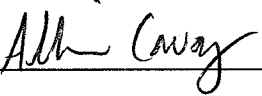
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	James J. Subler	YES ☒ NO ☐
	Megan Wanchula	YES ☒ NO ☐
	Kimberly Miller	YES ☒ NO ☐
	Nicolas McLeod	YES ☒ NO ☐
	Charlotte Taylor	YES ☒ NO ☐
	CHAD MARTIN	YES ☒ NO ☐
	Madeline Thola	YES ☒ NO ☐
	James J. Hass	YES ☒ NO ☐

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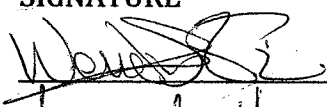
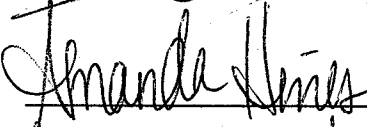
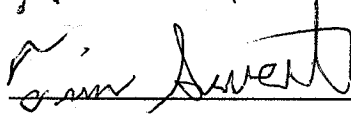
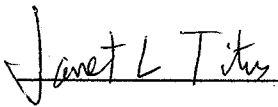
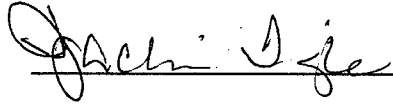
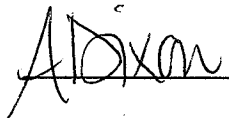
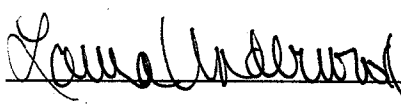
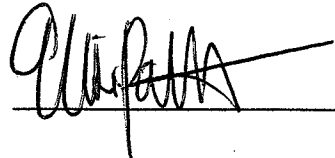
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Carl E. Haldeman	YES ☒ NO ☐
	Taylor Smith	YES ☒ NO ☐
	Mike Milburn	YES ☒ NO ☐
	Brandon Flammang	YES ☒ NO ☐
	Lindsay Albright	YES ☒ NO ☐
	Emily Pullman	YES ☒ NO ☐
	Allison Cavazos	YES ☒ NO ☐
	Sarah Adams	YES ☒ NO ☐

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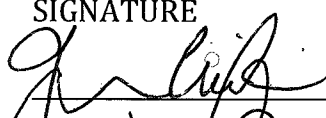
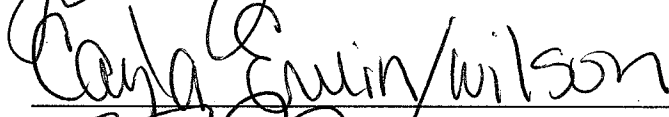
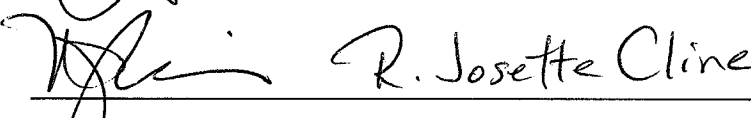
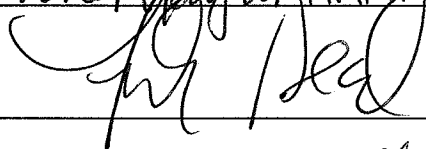
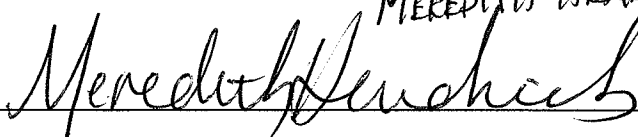
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Wendy Finn	YES ☒ NO ☐
	Amanda Hines	YES ☒ NO ☐
	Tim Sweet	YES ☐ NO ☒
	Janet Titus	YES ☒ NO ☐
	JACK TIGHE	YES ☒ NO ☐
	Amanda Dixon	YES ☒ NO ☐
	Laura Underwood	YES ☐ NO ☒
	Elie Patterson	YES ☒ NO ☐

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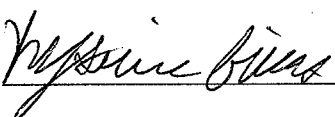
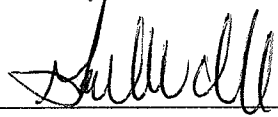
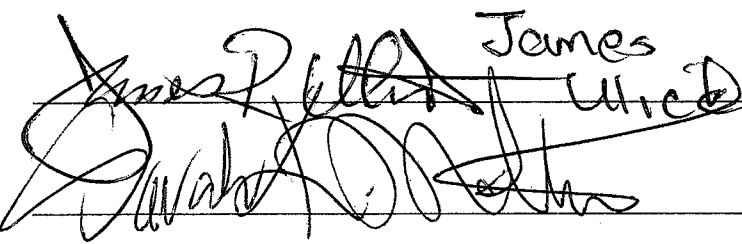
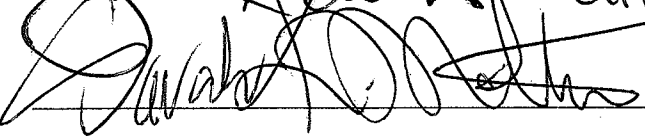
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT	
	Grace Crifasi	YES ☒	NO ☐
	Carla Ewing/Wilson	YES ☒	NO ☐
	Zach Roth	YES ☒	NO ☐
	R. Josette Cline	YES ☒	NO ☐
	Ransom Murray	YES ☒	NO ☐
	HANNAH TAYLOR	YES ☒	NO ☐
	MEREDITH HENDRICKS	YES ☒	NO ☐
	Meredith Hendricks	YES ☒	NO ☐

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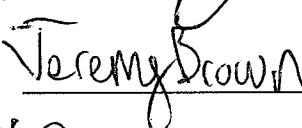
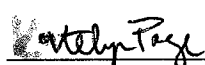
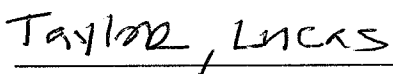
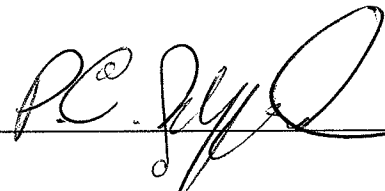
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Ben Poeschl	YES ☒ NO ☐
	Devin Gamache	YES ☒ NO ☐
	Kristina Crites	YES ☒ NO ☐
	Paul D. Smith	YES ☒ NO ☐
	Gabrielle Isaac	YES ☒ NO ☐
	James W. [unclear]	YES ☒ NO ☐
	[unclear]	YES ☒ NO ☐
	Moshe [unclear]	YES ☒ NO ☐

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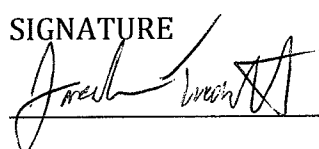
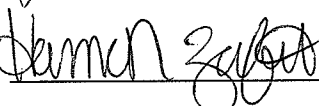
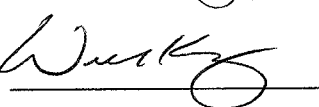
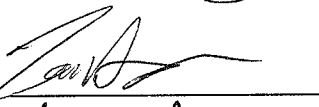
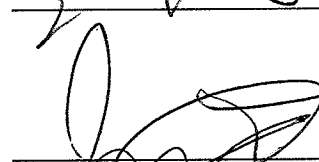
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Marlo Gohla	YES ☒ NO ☐
	Mike C. Kelley	YES ☒ NO ☐
	Jeremy Brown	YES ☒ NO ☐
	Brittany Cusamnek	YES ☒ NO ☐
	Rebekah Schneider	YES ☒ NO ☐
	Kateljn Page	YES ☒ NO ☐
	Lucas Taylor	YES ☒ NO ☐
	Philip C. Shepherd	YES ☒ NO ☐

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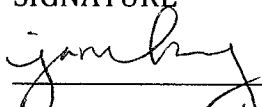
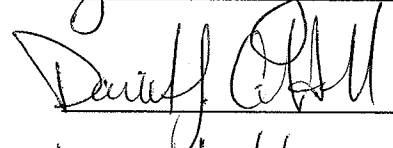
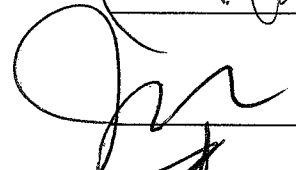
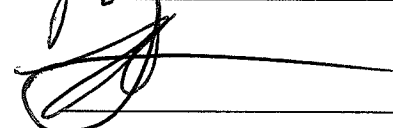
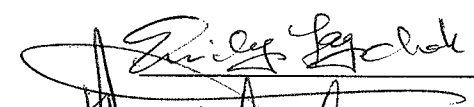
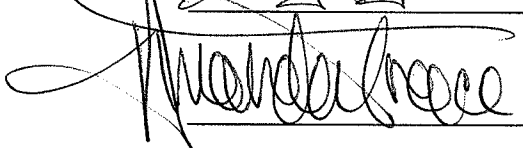
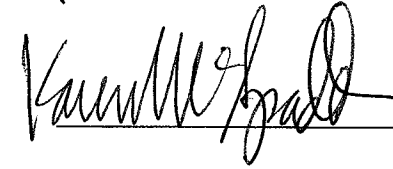
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Jacob Troutt	YES ☒ NO ☐
	Hannah Zolter	YES ☒ NO ☐
	William King	YES ☒ NO ☐
	Zane Adams	YES ☒ NO ☐
	Sara Hiatt	YES ☒ NO ☐
	Andrea Wise	YES ☒ NO ☐
	Sam King	YES ☒ NO ☐
	Joseph Largent	YES ☒ NO ☐

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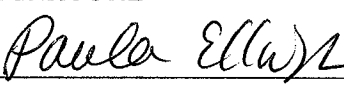
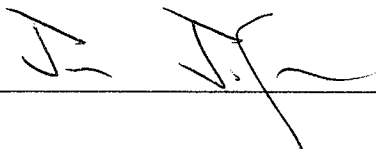
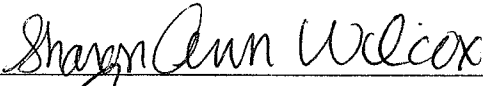
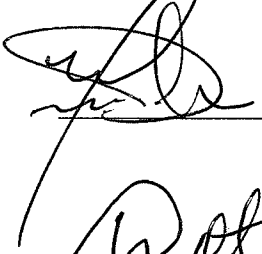
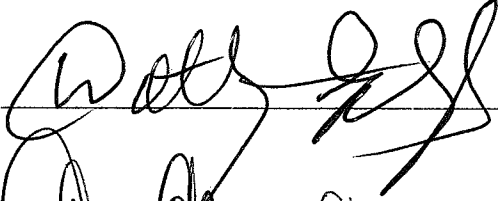
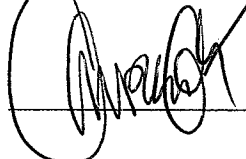
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	JANE KANG	YES ☒ NO ☐
	Daniel Caldwell	YES ☒ NO ☐
	KAT HATT	YES ☒ NO ☐
	Jane Howard	YES ☒ NO ☐
	Brent Miller	YES ☒ NO ☐
	Emily Catchak	YES ☒ NO ☐
	Amanda Treece	YES ☒ NO ☐
	Karen McSpadden	YES ☒ NO ☐

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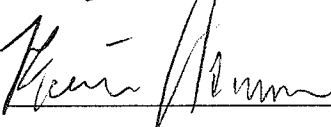
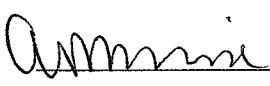
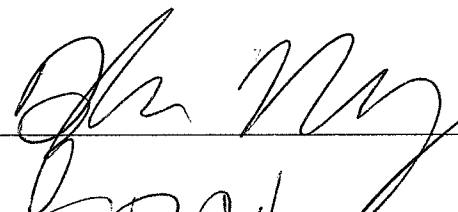
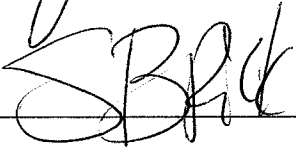
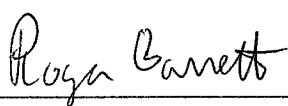
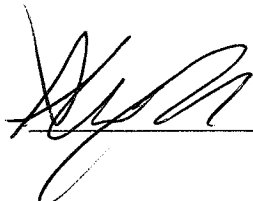
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Paula Ellington	YES ☒ NO ☐
		YES ☒ NO ☐
		YES ☐ NO ☒
	Sharon Ann Wilcox	YES ☒ NO ☐
	Fiona Davidson	YES ☒ NO ☐
		YES ☒ NO ☐
	Christina	YES ☒ NO ☐

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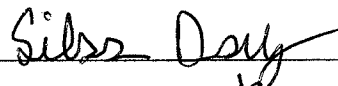
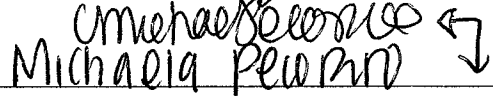
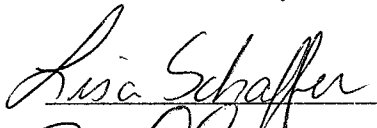
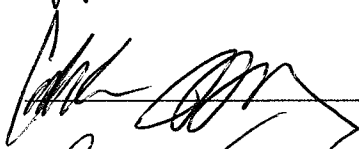
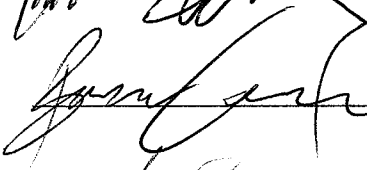
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	Whitney Dwyer	YES ☒ NO ☐
	Kourtney Hockerson	YES ☒ NO ☐
	Ashlea Milburn	YES ☒ NO ☐
	Savannah Brick	YES ☒ NO ☐
	Savannah Brick	YES ☒ NO ☐
	ROGER BARRETT	YES ☒ NO ☐
	Alex Burlison	YES ☒ NO ☐

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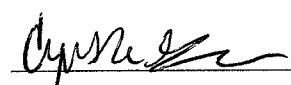
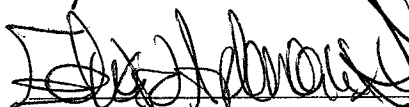
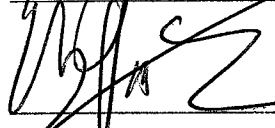
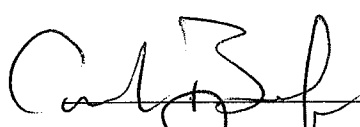
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Silas Day	YES ☒ NO ☐
	Michaela Pewmnd	YES ☒ NO ☐
	Lisa Schaffer	YES ☒ NO ☐
	BARRY OZTURK	YES ☒ NO ☐
	Nathan Bailey	YES ☒ NO ☐
	Caleb Mack	YES ☒ NO ☐
	Bryan Lowery	YES ☒ NO ☐
	Nick Finkbeiner	YES ☒ NO ☐

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	Crystal Bardin	YES ☒ NO ☐
	Cynthia Smith	YES ☒ NO ☐
	Eric Anderson	YES ☒ NO ☐
	K. Vimer	YES ☒ NO ☐
	Megan Valone	YES ☒ NO ☐
	Samuel M. Lemore	YES ☒ NO ☐
	Carline Belinfante	YES ☒ NO ☐
	Steven Parson	YES ☒ NO ☐

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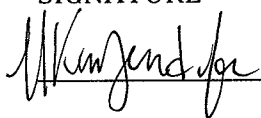
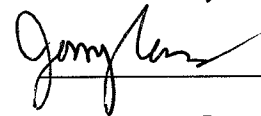
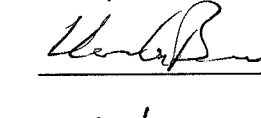
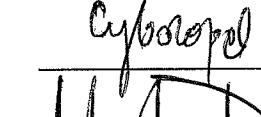
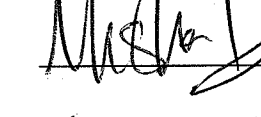
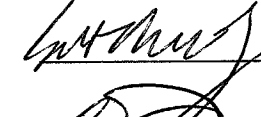
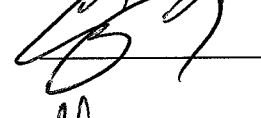
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Alison Wolf</u>	<u>Alison Wolf</u>	YES ☒ NO ☐
<u>Dana Mulhollan</u>	<u>Dana Mulhollan</u>	YES ☒ NO ☐
<u>Emily Kartz</u>	<u>Emily Kartz</u>	YES ☒ NO ☐
<u>Kelly Mulhollan</u>	<u>Kelly Mulhollan</u>	YES ☒ NO ☐
<u>Deborah Keazer</u>	<u>Deborah Keazer</u>	YES ☒ NO ☐
<u>Preston Head</u>	<u>Preston Head</u>	YES ☒ NO ☐
<u>Craig Young</u>	<u>CRAIG Young</u>	YES ☐ NO ☒
<u>Ashley Jolly</u>	<u>Ashley Jolly</u>	YES ☒ NO ☐

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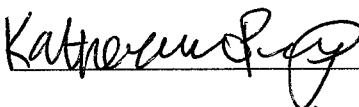
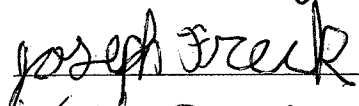
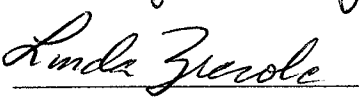
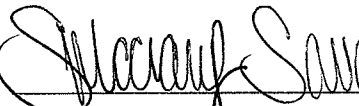
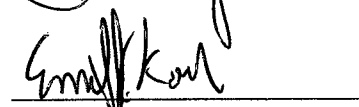
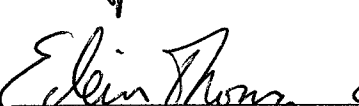
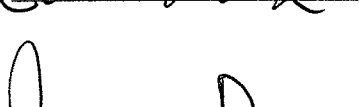
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	Maria Korzendorfer	YES ☒ NO ☐
	Jessy Lang	YES ☒ NO ☐
	Clarke Buehling	YES ☒ NO ☐
	SUVOCAREV KOSATA	YES ☒ NO ☐
	MISHA DYER	YES ☒ NO ☐
	Seth Kong	YES ☒ NO ☐
	Cynthia VanBiber	YES ☒ NO ☐
	Michele Helton	YES ☐ NO ☒

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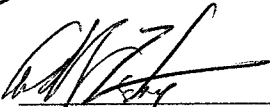
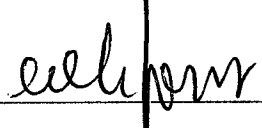
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Katherine Pickap	YES ☒ NO ☐
	Joseph Freck	YES ☒ NO ☐
	KELLY STUCKEY	YES ☒ NO ☐
	Linda Zeecola	YES ☐ NO ☒
	Savannah McCrary	YES ☐ NO ☒
	Emil J Koch	YES ☒ NO ☐
	Eileen Thoma	YES ☒ NO ☐
	Jorgin Rippe	YES ☒ NO ☐

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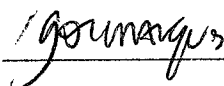
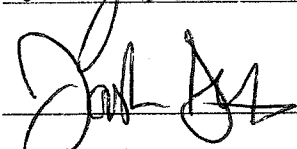
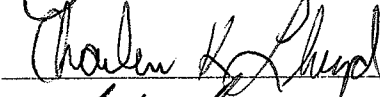
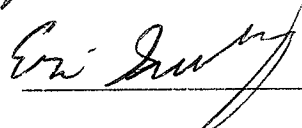
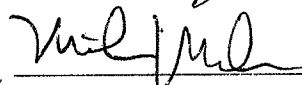
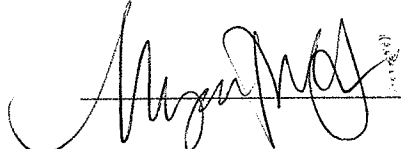
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Kathleen Biggs	YES ☒ NO ☐
	MARK CAIN	YES ☒ NO ☐
	CALEB CAIN	YES ☒ NO ☐
	Hannah Jones	YES ☐ NO ☒
	ANTONIO CARPENTER	YES ☒ NO ☐
	ELEANOR JONES	YES ☐ NO ☒
	Samantha Blackburn	YES ☒ NO ☐
	MARTY SHUTTER	YES ☒ NO ☐

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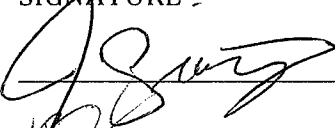
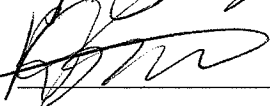
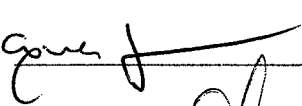
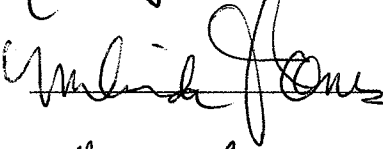
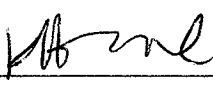
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	Iga Marques	YES ☒ NO ☐
	Amy Gillham	YES ☒ NO ☐
	Josh Stovall	YES ☒ NO ☐
	Charlene K. Lloyd	YES ☒ NO ☐
	Luke Knox	YES ☒ NO ☐
	Eric Saulsbury	YES ☒ NO ☐
	Mike Malone	YES ☒ NO ☐
	Megan Hurley	YES ☒ NO ☐

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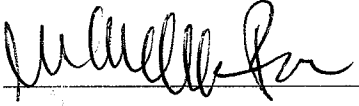
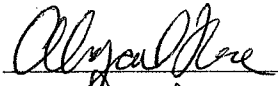
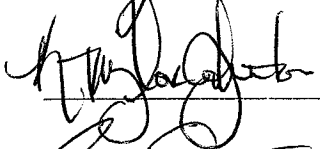
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	Joseph Sims	YES ☒ NO ☐
	Samantha Sigmon	YES ☒ NO ☐
	Lukas Taylor	YES ☐ NO ☒
	Brooke Baker	YES ☒ NO ☐
	Gregory Shorman	YES ☒ NO ☐
	Melinda Jones	YES ☒ NO ☐
	Kelly Hammond	YES ☒ NO ☐
	Andrew Crowe	YES ☒ NO ☐

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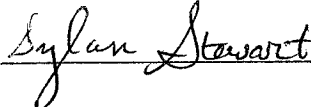
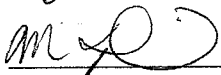
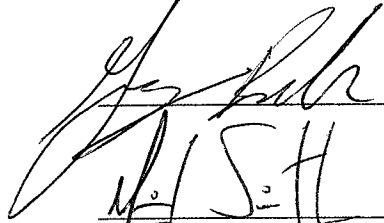
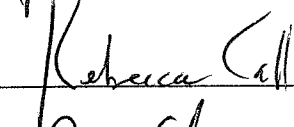
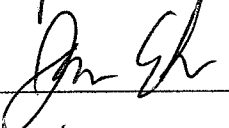
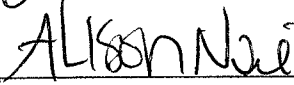
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	Robin Jones	YES ☒ NO ☐
	Michelle Parks	YES ☐ NO ☒
	ABIGAIL ROSE	YES ☒ NO ☐
	K. Taylor Johnston	YES ☒ NO ☐
	Nicholas Grager	YES ☒ NO ☐
	Robin Burch	YES ☒ NO ☐
	Stephanie Mallicote	YES ☒ NO ☐
	Caitlin Turner	YES ☒ NO ☐

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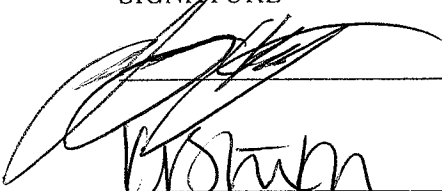
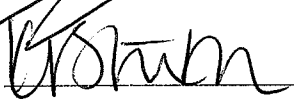
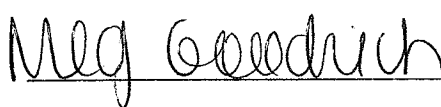
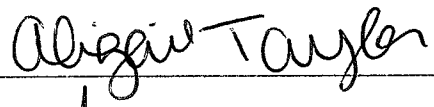
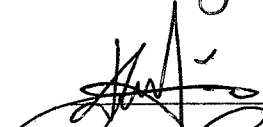
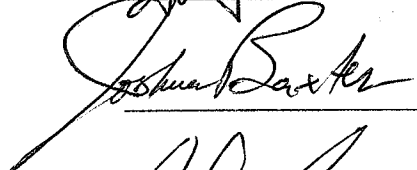
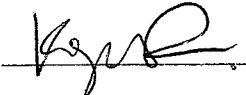
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	J. Dylan Stewart	YES ☒ NO ☐
	minam Daniel	YES ☒ NO ☐
	George Becker	YES ☒ NO ☐
	MICAH SMITH	YES ☒ NO ☐
	Rebecca Call	YES ☒ NO ☐
	James Cohen	YES ☒ NO ☐
	Alison Nae	YES ☒ NO ☐
	RAMEY MOORE	YES ☒ NO ☐

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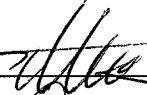
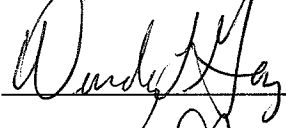
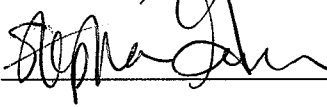
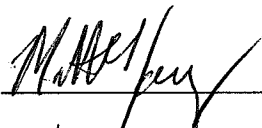
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	Jimmy Key	YES ☒ NO ☐
	KIRSTEN BAUER	YES ☒ NO ☐
	Meg Goodrich	YES ☒ NO ☐
	Abigail Taylor	YES ☒ NO ☐
	Andrew Miner	YES ☐ NO ☒
	JOSHUA BAXTER	YES ☒ NO ☐
	A.J. Douglas	YES ☒ NO ☐
	Kagan P. Puy-Reyes	YES ☒ NO ☐

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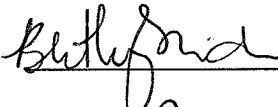
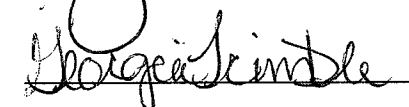
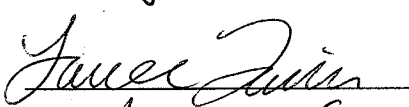
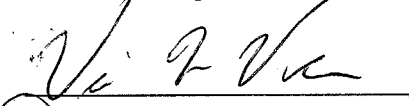
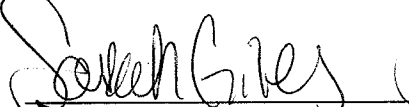
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Brandon Leal	YES ☒ NO ☐
	TIM WALKER	YES ☒ NO ☐
	WINDY GAY	YES ☒ NO ☐
	Stephanie Garman	YES ☒ NO ☐
	Aislinn Beaumont	YES ☒ NO ☐
	Matthew Garrett Young	YES ☒ NO ☐
	Bethie Stephanie Lauricchio	YES ☒ NO ☐
	GRANT ADAMS	YES ☒ NO ☐

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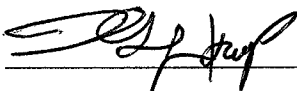
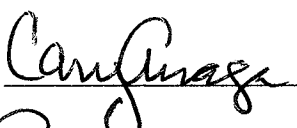
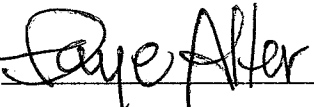
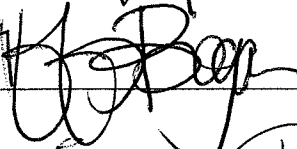
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Bentley Snider	YES ☒ NO ☐
	Bryn Bagwell	YES ☒ NO ☐
	George Trimble	YES ☒ NO ☐
	Lance Lanier	YES ☒ NO ☐
	Victoria Vek	YES ☒ NO ☐
	Sarah Gies	YES ☒ NO ☐
	Adam Driver	YES ☒ NO ☐
	Molly Hatcher	YES ☒ NO ☐

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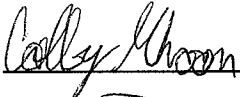
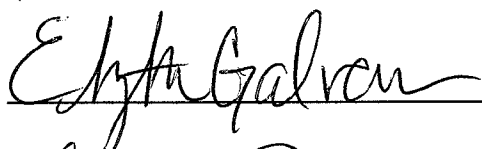
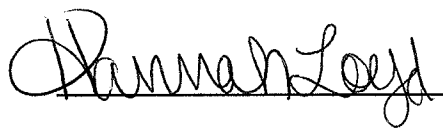
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Jess Harp	YES ☒ NO ☐
	Lane Milk	YES ☒ NO ☐
	CARY Araga	YES ☐ NO ☐
	Paula Matthews	YES ☒ NO ☐
	Michele Harrington	YES ☒ NO ☐
	FAYE ALTER	YES ☐ NO ☒ County
	Tiffany Bogan	YES ☒ NO ☐
	ERIC T Noyd	YES ☒ NO ☐

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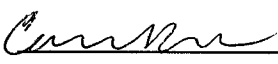
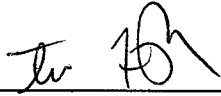
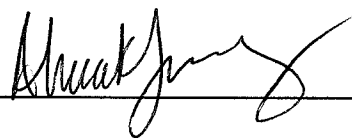
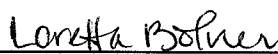
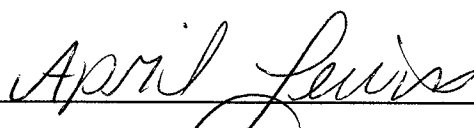
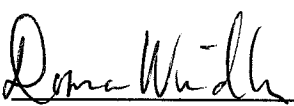
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u></u>	<u>Coby Mhoon</u>	YES ☒ NO ☐
<u></u>	<u>Marcie MacLean</u>	YES ☒ NO ☐
<u></u>	<u>Alondra Guerrero</u>	YES ☒ NO ☐
<u></u>		YES ☒ NO ☐
<u></u>		YES ☒ NO ☐
<u></u>	<u>Erika Kellieck</u>	YES ☒ NO ☐
<u></u>	<u>Geneva Harrington</u>	YES ☒ NO ☐
<u></u>	<u>Hannah Loyd</u>	YES ☒ NO ☐

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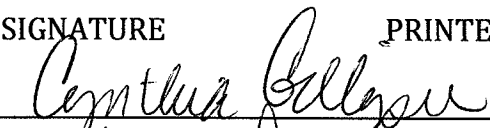
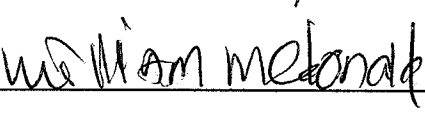
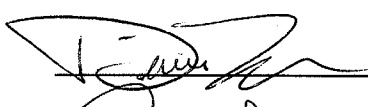
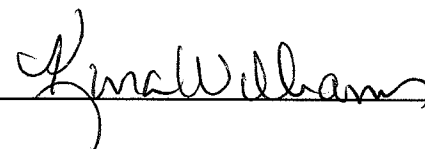
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Christopher Johnson	YES ☒ NO ☐
	Carmen Taymore	YES ☒ NO ☐
	Ted Fish	YES ☐ NO ☒
		YES ☒ NO ☐
	Loretta Bolner	YES ☐ NO ☒
	April Lewis	YES ☐ NO ☒
	Amanda Farts	YES ☐ NO ☒
	Donna Windler	YES ☒ NO ☐

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		YES ☒	NO ☐
		YES ☐	NO ☒
		YES ☒	NO ☐
		YES ☒	NO ☐
		YES ☐	NO ☒
	Lee Clara	YES ☒	NO ☐
	Joe Westfall	YES ☐	NO ☒
		YES ☒	NO ☐

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SIGNATURE	PRINTED NAME	YES	NO
<u>Aaron Beckman</u>	<u>Aaron Beckman</u>	YES ☒	NO ☐
<u>Steve Gress</u>	<u>Steve Gress</u>	YES ☒	NO ☐
<u>Chris Hale</u>	<u>Chris Hale</u>	YES ☐	NO ☒
<u>Marie Swider</u>	<u>Marie Swider</u>	YES ☒	NO ☐
<u>Emily White</u>	<u>Emily White</u>	YES ☒	NO ☐
<u>Tina Rottmann</u>	<u>Tina Rottmann</u>	YES ☒	NO ☐
<u>Kerry Jones</u>	<u>Kerry Jones</u>	YES ☒	NO ☐
<u>Franklin Welborn</u>	<u>Franklin Welborn</u>	YES ☐	NO ☒

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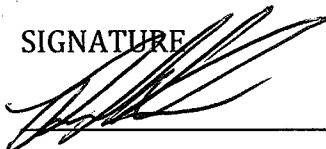
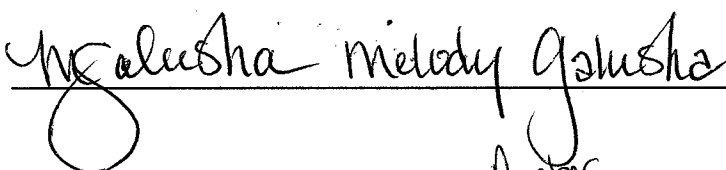
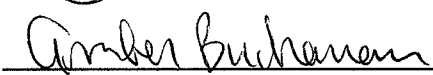
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<u>Cecil Traphagan</u>	<u>CTRAPHAGAN</u>	YES ☒ NO ☐
<u>ggy Frazier</u>	<u>Elizabeth Frazier Gandy</u>	YES ☒ NO ☐
<u>Joseph Abu</u>	<u>Lorehid Benz</u>	YES ☒ NO ☐
<u>Katelyn Porter</u>	<u>Katelyn Morton</u>	YES ☐ NO ☒
<u>Sheryl Butler</u>	<u>Sheryl Grotewold</u>	YES ☒ NO ☐
<u>J. Amos</u>		YES ☐ NO ☒
<u>Rexanne Graves</u>	<u>Rexanne Graves</u>	YES ☒ NO ☐
<u>Jennifer Johnston</u>	<u>Jennifer Johnston</u>	YES ☒ NO ☐

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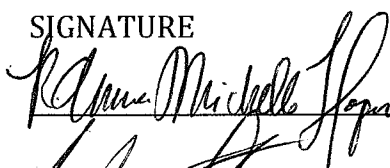
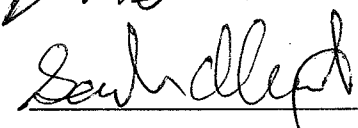
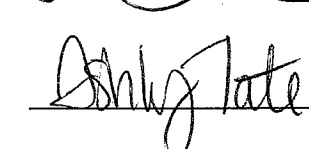
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	Rachel Hetzendorfer	YES ☒ NO ☐
	Cherie Flournoy	YES ☐ NO ☒
	Maggie Mullican	YES ☒ NO ☐
	Marsha Chriss	YES ☒ NO ☐
	Kara Welch	YES ☒ NO ☐
	Melody Galsus	YES ☒ NO ☐
	Amber Buchanan	YES ☒ NO ☐

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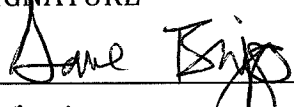
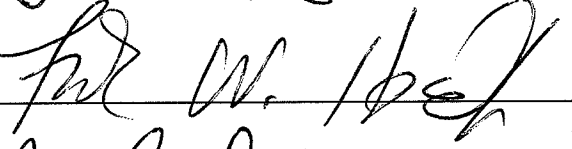
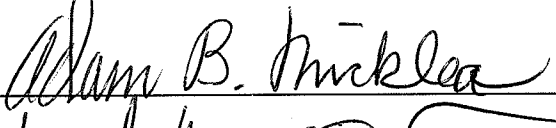
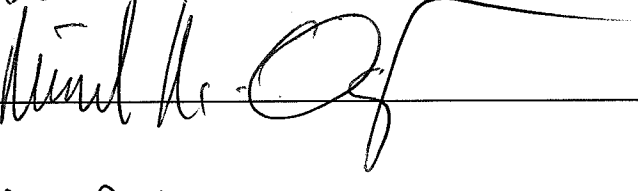
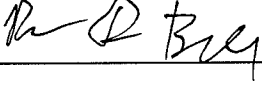
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	R. Anne-Michelle Hopwood	YES ☒ NO ☐
	Josh Stanley	YES ☒ NO ☐
	Sarah Alexander	YES ☒ NO ☐
	Shauntae Treant	YES ☒ NO ☐
	Steve Glean	YES ☒ NO ☐
	Ashly Tate	YES ☒ NO ☐
_____	_____	YES _____ NO _____
_____	_____	YES _____ NO _____

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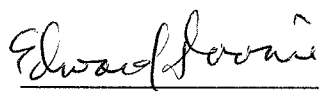
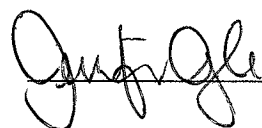
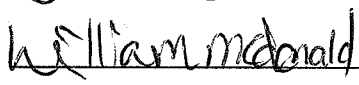
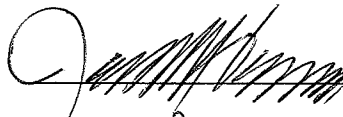
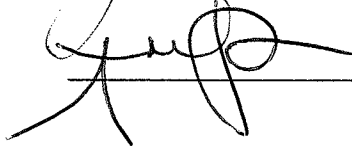
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	DAVE BRIGGS	YES ☐ NO ☒
	Stanley Rest	YES ☒ NO ☐
	Bruce L. Welsh	YES ☐ NO ☒
	Paul W. Bell	YES ☒ NO ☐
	Michael Hill	YES ☐ NO ☒
	Adam B. Nickless	YES ☐ NO ☒
	David R. O'Connell	YES ☐ NO ☒
	Braden T. Bull	YES ☒ NO ☐

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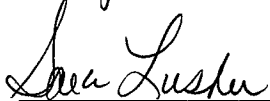
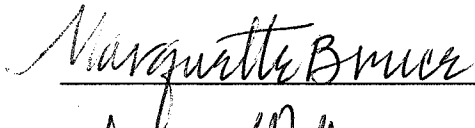
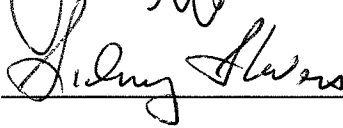
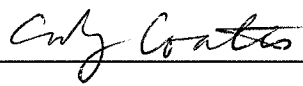
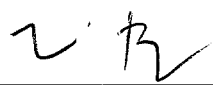
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Tascha Farris	YES ☒ NO ☐
	Frank Williams	YES ☒ NO ☐
	EDWARD DOWNIE	YES ☒ NO ☐
	JENNIFER OGLE	YES ☐ NO ☒
	William McDonald	YES ☒ NO ☐
	JAMES HORAN	YES ☒ NO ☐
	Aimee Paparicio	YES ☒ NO ☐
	Brad Andersen	YES ☒ NO ☐

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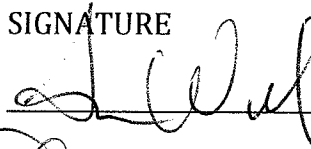
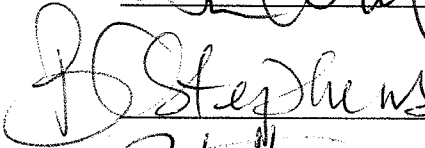
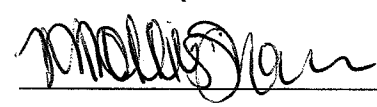
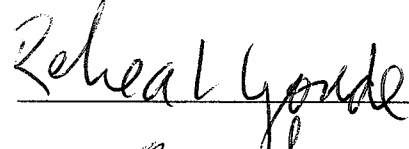
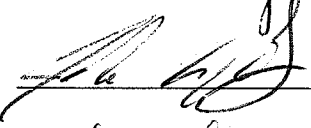
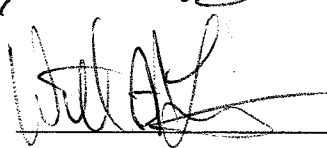
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Sidney Hall Elkins	YES ☐ NO ☒
	SARA LUSTER	YES ☐ NO ☒
	Andrew Dilatosh	YES ☒ NO ☐
	Marguerite Bruce	YES ☒ NO ☐
	Jackson Wells	YES ☐ NO ☒
	Sidney Stevens	YES ☒ NO ☐
	Andy Coates	YES ☒ NO ☐
	LACIE BRAY	YES ☒ NO ☐

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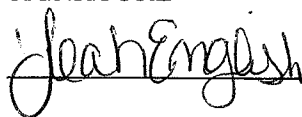
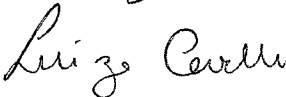
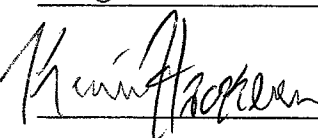
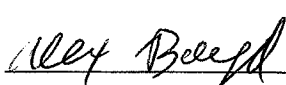
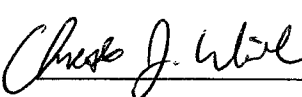
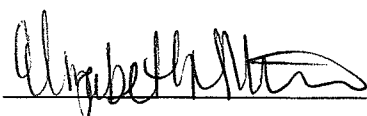
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	Sara Wilson	YES ☒ NO ☐
	Brittany Stephenson	YES ☒ NO ☐
	Peter J Hartman	YES ☒ NO ☐
	Mollie Slavin	YES ☒ NO ☐
	Keith Bern	YES ☒ NO ☐
	Reheal Youde	YES ☐ NO ☒
	Josh Carter	YES ☒ NO ☐
	William H. Little	YES ☒ NO ☐

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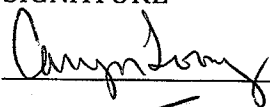
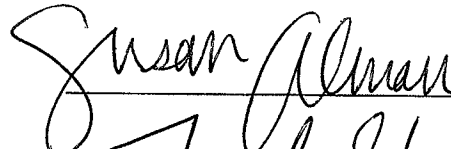
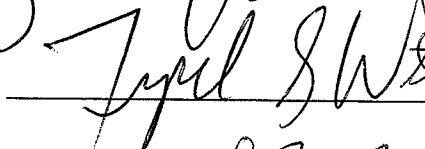
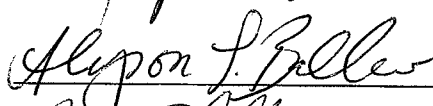
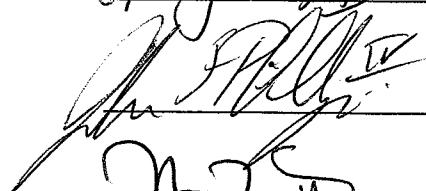
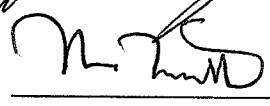
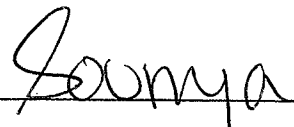
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Leah English	YES ☒ NO ☐
	E.W. Jaust	YES ☒ NO ☐
	LUIZA CARVALHO	YES ☒ NO ☐
	KEVIN HACKLER	YES ☒ NO ☐
	Alex Boyd	YES ☒ NO ☐
	Christine J. Wilson	YES ☒ NO ☐
	Dylan DeWitt	YES ☒ NO ☐
	Elizabeth Miller	YES ☒ NO ☐

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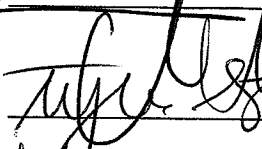
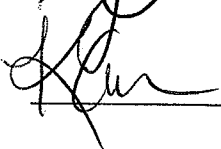
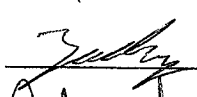
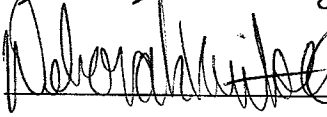
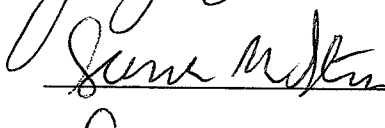
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	Canyon Looney	YES ☒ NO ☐
	Austin Eubanks	YES ☒ NO ☐
	Susan Alman	YES ☒ NO ☐
	Tyrel J. Weston	YES ☒ NO ☐
	Alyson Baller	YES ☒ NO ☐
	John F. Phillips IV	YES ☒ NO ☐
	Tim LaTorrette	YES ☒ NO ☐
	Soumya Chigurupati	YES ☒ NO ☐

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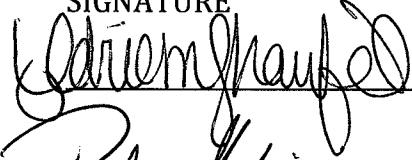
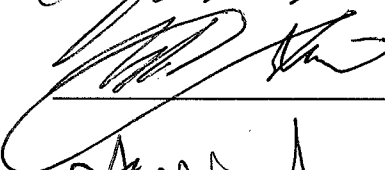
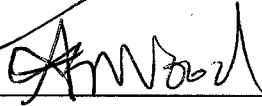
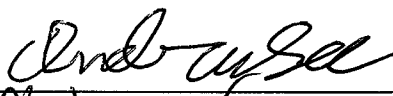
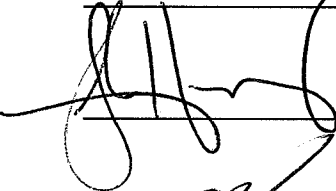
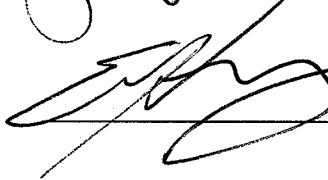
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Emma Hempstead	YES ☒ NO ☐
	Tyler Stolt	YES ☒ NO ☐
	Kathryn Cario	YES ☒ NO ☐
	Zach Hoffman	YES ☒ NO ☐
	Deborah Kintzel	YES ☒ NO ☐
	James Stogton	YES ☒ NO ☐
	Sarah M. Stanley	YES ☒ NO ☐
	Kimberly Dilke	YES ☒ NO ☐

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	Adrienne Shaunfield	YES ☒ NO ☐
	Rob Shaunfield	YES ☒ NO ☐
	Cong Emerson	YES ☒ NO ☐
	Adam Garner	YES ☒ NO ☐
	AUDREY BEST	YES ☒ NO ☐
	Andrew Lee	YES ☒ NO ☐
	S. Hunt	YES ☒ NO ☐
	ERIC HENRY	YES ☒ NO ☐

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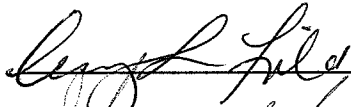
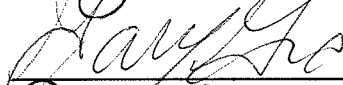
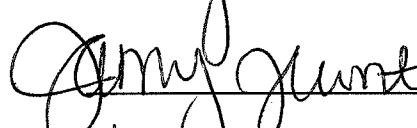
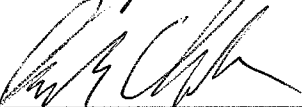
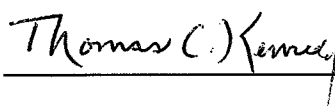
SIGNATURE.	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Katie Nichol</u>	<u>Katie Nichol</u>	YES <u>X</u> NO <u> </u>
<u>[Signature]</u>	<u>Maria Guenard</u>	YES <u>X</u> NO <u> </u>
<u>Gerry Bernard</u>	<u>Gerry Bernard</u>	YES <u>X</u> NO <u> </u>
<u>Christina Lane</u>	<u>Christina Lane</u>	YES <u>X</u> NO <u> </u>
<u>Patricia Lee</u>	<u>Patricia Lee</u>	YES <u>X</u> NO <u> </u>
<u>Devin Stanley</u>	<u>Devin Stanley</u>	YES <u>X</u> NO <u> </u>
<u>Heather Milton</u>	<u>Heather Milton</u>	YES <u>X</u> NO <u> </u>
<u>Emily Field</u>	<u>Emily Field</u>	YES <u>X</u> NO <u> </u>

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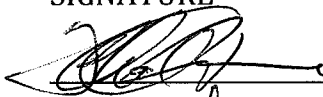
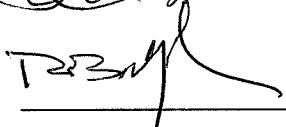
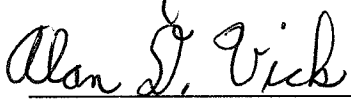
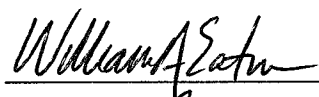
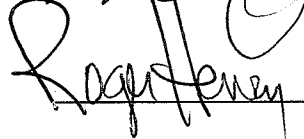
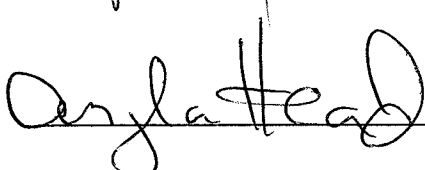
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	Amy Field	YES ☒ NO ☐
	GARY GRAY	YES ☒ NO ☐
	CASSANDRA DOMINICK	YES ☒ NO ☐
	Jany Hunter	YES ☒ NO ☐
	Michael Ferrara	YES ☐ NO ☒
	Joseph Chesla	YES ☒ NO ☐
	C. M. SMART	YES ☒ NO ☐
	Thomas C. Kennedy	YES ☒ NO ☐

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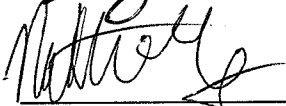
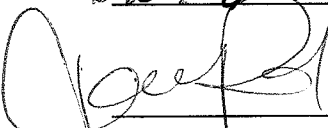
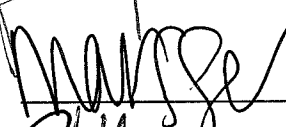
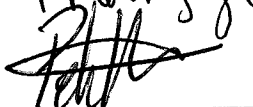
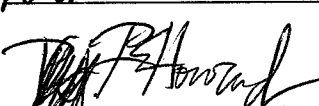
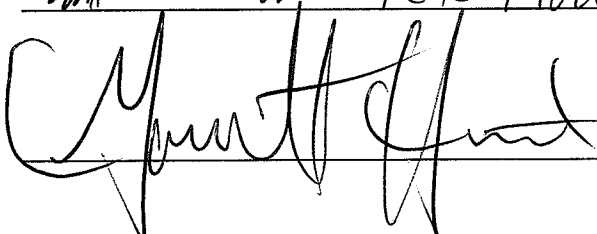
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	William A. Quinn	YES ☒ NO ☐
	ROBERT BILLINGSLEY	YES ☒ NO ☐
	Alan D. Vick	YES ☒ NO ☐
	William Eaton	YES ☒ NO ☐
	MIKE RICKARD	YES ☒ NO ☒
	Patrick Cahway	YES ☒ NO ☐
	ROGER HENRY	YES ☒ NO ☐
	ANGELA HEAD	YES ☒ NO ☐

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	Daniel C.	YES ☒ NO ☐
	Nathan Hardenburg	YES ☒ NO ☐
	Brandon Schmitt	YES ☒ NO ☐
	Jessica Peters	YES ☒ NO ☐
	Marissa Williams	YES ☒ NO ☐
	Peter J. Hartman	YES ☒ NO ☐
	Pete Howard	YES ☒ NO ☐
		YES ☒ NO ☐

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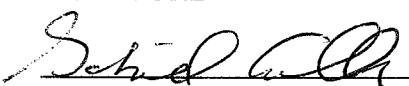
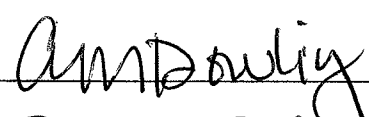
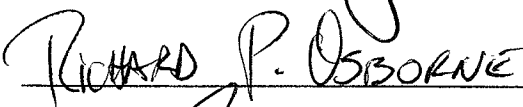
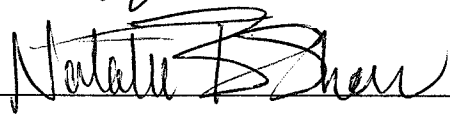
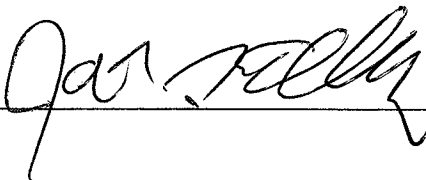
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Ann Greenwood</u>	<u>Ann Greenwood</u>	YES <u>X</u> NO <u> </u>
<u>Linda Flores</u>	<u>Linda Flores</u>	YES <u>✓</u> NO <u> </u>
<u>Rehanna Deborah Champagne</u>	<u>Rehanna Deborah Champagne</u>	YES <u>✓</u> NO <u> </u>
<u>Elizabeth Harriss</u>	<u>Elizabeth Harriss</u>	YES <u>✓</u> NO <u> </u>
<u>Edward Deymorek</u>	<u>Edward Deymorek</u>	YES <u>✓</u> NO <u> </u>
<u>Janet Borders</u>	<u>Janet Borders</u>	YES <u>X</u> NO <u> </u>
<u>Adam Butler</u>	<u>Adam Butler</u>	YES <u> </u> NO <u>X</u>
<u>Arden Kate</u>	<u>Arden Kate</u>	YES <u>X</u> NO <u> </u>
<u>Amanda K Harris</u>	<u>Amanda K Harris</u>	YES <u>✓</u> NO <u> </u>

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	Gabriel Culler	YES ☒ NO ☐
	Elizabeth Bell	YES ☒ NO ☐
	Amanda Dowling	YES ☒ NO ☐
	Richard P. Osborne	YES ☒ NO ☐
	Brandon Carter	YES ☒ NO ☐
	[illegible]	YES ☒ NO ☐
	Natalie [illegible]	YES ☒ NO ☐
	Jan Kelly	YES ☒ NO ☐

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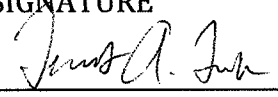
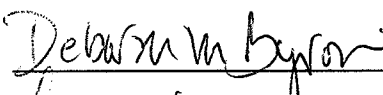
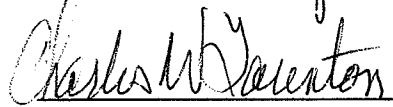
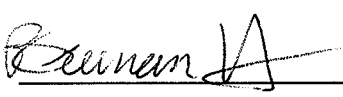
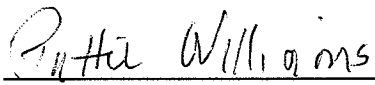
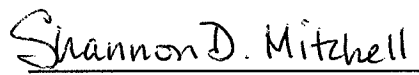
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Grant Hall</u>	<u>Grant Hall</u>	YES ☒ NO ☐
<u>Briana Kordsmeier</u>	<u>Briana Kordsmeier</u>	YES ☒ NO ☐
<u>William Taylor</u>	<u>William TAYLOR</u>	YES ☒ NO ☐
<u>Freddy Dominguez</u>	<u>Freddy DOMINGUEZ</u>	YES ☒ NO ☐
<u>Betty Weber</u>	<u>Betty Weber</u>	YES ☒ NO ☐
<u>Dylan Stewart</u>	<u>Dylan Stewart</u>	YES ☒ NO ☐
<u>Jodi Nimmo</u>	<u>Jodi Nimmo</u>	YES ☒ NO ☐
<u>Gerry Berard</u>	<u>Gerry Berard</u>	YES ☒ NO ☐

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<u></u>	<u>TERZA A. TURNER</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>GRAHAM G. H. HINES</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>DEBORAH M. BYRON</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>CHARLES W. TACKSTON</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>Drake Breshers</u>	YES <u>Student</u> NO <u> </u>
<u></u>	<u>Brennan Hicks</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>PATTIE WILLIAMS</u>	YES <u>X</u> NO <u> </u>
<u></u>	<u>Shannon D. Mitchell</u>	YES <u>X</u> NO <u> </u>

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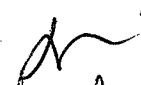
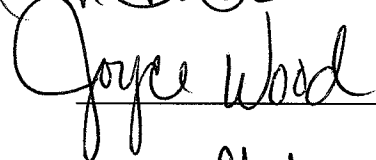
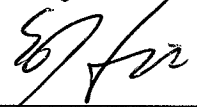
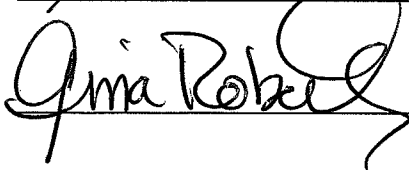
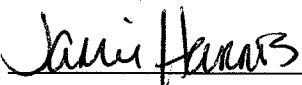
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
<u>Brian Hertzog</u>	<u>Brian Hertzog</u>	YES <u>X</u> NO <u> </u>
<u>Alyson Reaves</u>	<u>Alyson Reaves</u>	YES <u> </u> NO <u>X</u>
<u>Betony Maringer</u>	<u>Betony Wearley-Maringer</u>	YES <u> </u> NO <u>X</u>
<u>LEILANI LAW</u>	<u>LEILANI LAW</u>	YES <u>✓</u> NO <u> </u>
<u>Call Rebecca Suzanne</u>	<u>Call Rebecca Suzanne</u>	YES <u>✓</u> NO <u> </u>
<u>Allyson Lord</u>	<u>Allyson Lord</u>	YES <u>✓</u> NO <u> </u>
<u>BETH CARO</u>	<u>BETH CARO</u>	YES <u>✓</u> NO <u> </u>
<u>Kylee Scott</u>	<u>Kylee Scott</u>	YES <u> </u> NO <u>X</u>

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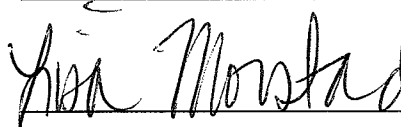
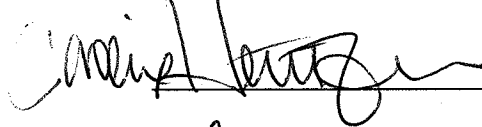
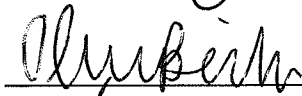
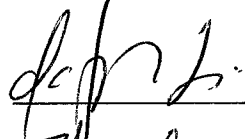
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	Daniel Ferris	YES ☒	NO ☐
	Dave Proctor	YES ☒	NO ☐
	Heather Wilson	YES ☒	NO ☐
	Joyce Wood	YES ☒	NO ☐
	Nick	YES ☒	NO ☐
	Eric Holle	YES ☐	NO ☒
	Gina Robel	YES ☐	NO ☒
	Jamie Harris	YES ☒	NO ☐

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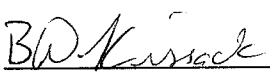
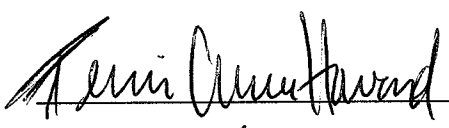
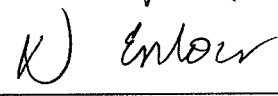
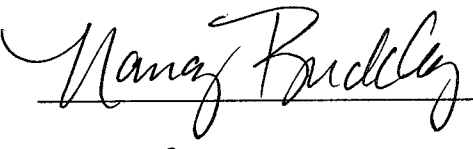
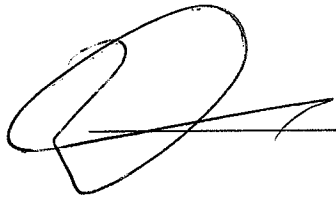
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	Matthew Sheppard	YES ☒ NO ☐
	LISA MORSTAD	YES ☒ NO ☐
	Bill Birnie	YES ☒ NO ☐
	Nicole Shipley	YES ☒ NO ☐
	Caroline Heitzman	YES ☒ NO ☐
	Olivia Becker	YES ☒ NO ☐
	Ian Sheu	YES ☒ NO ☐
	Patrick O'Brien	YES ☒ NO ☐

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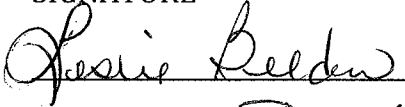
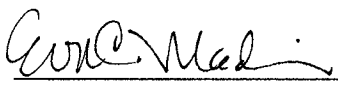
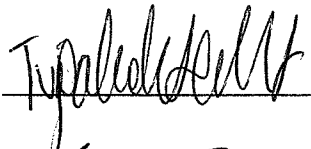
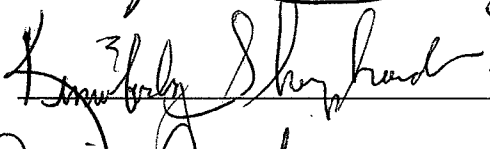
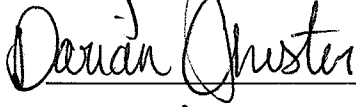
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	Brandon Lissack	YES ☒ NO ☐
	Michelle Hunter	YES ☒ NO ☐
	Terri Ann Howard	YES ☒ NO ☐
	Elliott E. Tobin	YES ☒ NO ☐
	David Enlow	YES ☒ NO ☐
	Nancy Buckley	YES ☒ NO ☐
	Elizabeth Stripling	YES ☒ NO ☐
	Zachary Enlow	YES ☒ NO ☐

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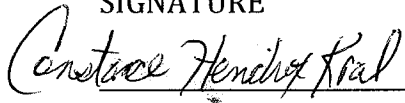
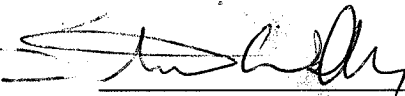
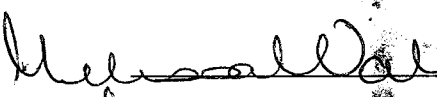
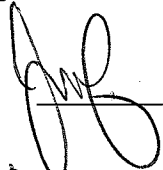
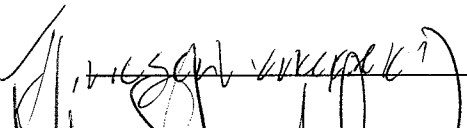
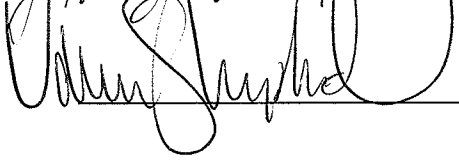
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Leslie Beben	YES ☒ NO ☐
	Marla Steele	YES ☒ NO ☐
	Eva C. Madison	YES ☒ NO ☐
	Tugue Utecht	YES ☒ NO ☐
	Kagan D. Puy-Reddy	YES ☒ NO ☐
	Kimberly Shepherd	YES ☒ NO ☐
	Darian Chester	YES ☒ NO ☐
	Terrod Shaffer	YES ☒ NO ☐

Mail or deliver to Major Event Ordinance; 3572 S School Suite A; Fayetteville, AR 72701
Or drop off at The Depot, 548 W. Dickson.

At this time, the city of Fayetteville has no forum for citizen input in the permitting process for major events and festivals. If an organization wishes to get a Major Event Permit, they must fill out standard forms and obtain the signature of the Major.

We believe there is a better approach for Fayetteville. If an organization wishes to host an event that would use city parking lots and/or parks and close down public streets for MORE than two days, this should require City Council approval. This process would allow citizens a forum to discuss the value of the event to the city. Major festivals affect our entire city and help define our community. Allowing for citizen input and approval through our elected leaders is fair and appropriate.

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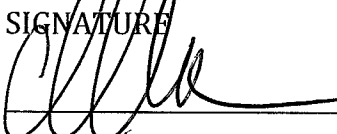
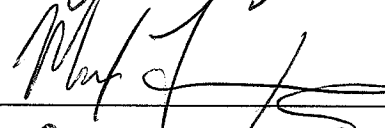
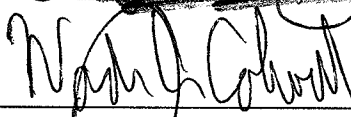
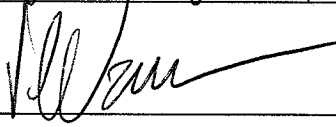
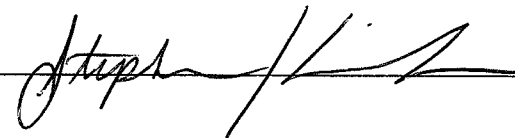
SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	Constance Hensley Kral	YES ☒ NO ☐
	Stuart Walker	YES ☒ NO ☐
	Melissa Walker	YES ☒ NO ☐
	JIM GOZA	YES ☒ NO ☐
	Derek Dellinger	YES ☒ NO ☐
	INOGEN WAKEFIELD	YES ☒ NO ☐
	Valerie Shepherd	YES ☒ NO ☐
	John Beebe	YES ☒ NO ☐

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Or drop off at The Depot, 548 W. Dickson.

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SIGNATURE	PRINTED NAME	FAYETTEVILLE RESIDENT
	CHRIS DYE	YES ☒ NO ☐
	Beth Stockdell	YES ☒ NO ☐
	Bryan Jones	YES ☒ NO ☐
	Max Fanning	YES ☒ NO ☐
		YES ☒ NO ☐
	Wade Colwell	YES ☒ NO ☐
	Van Horn	YES ☒ NO ☐
		YES ☒ NO ☐

Mail or deliver to Major Event Ordinance; 3572 S School Suite A; Fayetteville, AR 72701
Or drop off at The Depot, 548 W. Dickson.

Handed out at the City Council
meeting 2-16-16

Smith, Lorinda

Amend 72.58 Off-Street Parking Facilities

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 3:34 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: annhenry1@me.com
Subject: FW: Please forward to members of council

Please review the email below. Thanks!

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov

-----Original Message-----

From: Ann Henry [mailto:annhenry1@me.com]
Sent: Tuesday, February 16, 2016 2:43 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Please forward to members of council

I support proposed amendment to parking ordinance to city of Fayetteville current laws.

We should be transparent about what is being proposed and for how long when we close public right of way and block streets in front of businesses.

Thank you for your consideration.
Ann henry

Sent from my iPhone

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 12:21 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: kevin@ftownlongboards.com
Subject: FW: Major Events Ordinance

Please see the email below.

Thanks!

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov

-----Original Message-----

From: Kevin Higgins [mailto:kevin@ftownlongboards.com]
Sent: Tuesday, February 16, 2016 12:07 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major Events Ordinance

To Whom it may concern at the City of Fayetteville,

First of all, as a business owner in the city, I appreciate your service to the city where I choose to locate my business.

I have been in copy on the majority of emails regarding a push to introduce the ordinance listed below which has a potential to impact the legacy major events as well as attract new events to the city. As a business owner in Fayetteville, I Do NOT support this proposal. I see this as an attempt for a small group of businesses to try and decide what is good for the city and in fact, discriminate against people that attend these events. I have heard of such things on social media regarding Bikes Blues and BBQ like, "those kind are not good for Fayetteville".

Bikes, Blues, and BBQ does have a negative impact on the traffic I see come through my door. However, I see the positive impact an event like this has on the city, my fellow business owners, and the charities they support. Events like this also bring together families and friends for a time of fellowship. This year we are looking at how, as a business, we

can take advantage of these major events to drive business to our store, or how we go to them with product they would purchase, again generating revenue for the city.

The Joe Martin Stage Race, Bikes Blues and BBQ, and other events bring significant sales tax revenue to Fayetteville. A small group of businesses who believe it's detrimental to their stores, haven't figured out how to capitalize on the events, or rather they do not like the biker culture to be specific, should not be able to decide what is good for this city.

In closing, even though we see traffic slow through our doors, I do NOT support this ordinance and hope everyone votes with the city's best interest in mind and not those of a very small group of businesses who appear to want to discriminate against certain events and are using this proposal to do just that.

Best regards,
Kevin Higgins
F-Town Longboards LLC

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 12:18 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: casey@greylinecreative.com
Subject: FW: Major Event Ordinance

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*



From: Casey Mayer [mailto:casey@greylinecreative.com]
Sent: Monday, February 15, 2016 8:22 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major Event Ordinance

Dear Aldermen,

I support the proposed Major Event Ordinance to provide for input by citizens and businesses for major events that fit Fayetteville. I am a small business owner in town, with my photography studio located on the square, and I am forced to shut down during Bikes, Blues and BBQ specifically. The size and traffic of this particular event keeps me from being able to use my studio, or meet clients there. It averages around a \$1200 loss for me each year. I would hope that we, citizens and business owners, could possibly find new ways to accommodate everyone for events of this size. Thank you-

Sondra Smith, City Clerk ssmith@fayetteville-ar.gov

Ward 1	Sarah Marsh	(479) 287-4054	ward1_pos2@fayetteville-ar.gov
Ward 2	Mark Kinion	(479) 442-7868	ward2_pos1@fayetteville-ar.gov

Ward 2	Matthew Petty	(479) 595-8703	citycouncil@matthewpetty.org
Ward 3	Justin Tennant	(479) 387-8462	ward3_pos1@fayetteville-ar.gov
Ward 3	Martin Schoppmeyer	(479) 935-4605	ward3_pos2@fayetteville-ar.gov
Ward 4	John La Tour	(479) 443-7878	ward4_pos1@fayetteville-ar.gov
Ward 4	Alan Long	(479) 304-0585	ward4_pos2@fayetteville-ar.gov

AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:

AN ORDINANCE TO AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

WHEREAS, the Mayor is authorized to assign any and all city owned paid parking lots in the Entertainment District Parking Lot by special event permit for up to sixteen (16) days per calendar year; and

WHEREAS, multi-day special events that close parking facilities and city streets significantly impact citizens, businesses, and institutions as well as the quality of life in our community and therefore citizens should have the opportunity for input in the decision-making process; and

WHEREAS, special events that request or need to occupy and use such city parking lots or city streets more than two (2) days should not only receive the Mayor's express approval through the Mayor's issuance of a special event permit, but must receive express approval of the City Council for any and all city owned parking lots or city street closures needed beyond the two-day limit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby repeals § 72.58 (M) and enacts a replacement § 72.58 (M) as shown below:

"(M) Special Event Permits Needed To Use City Owned Parking Lots, paid on- street parking spaces, or to close city streets

(1) Events needing the use of city owned parking lots for two days or less.

The Mayor is empowered by the issuance of a special event permit to assign any and all city owned paid parking lots and some or all on-street paid parking spaces within the Entertainment District Parking Zone for up to two days per special event for the use of a permitted special event or other necessary reason for not more than a total of sixteen (16) days per calendar year.

(2) Events requesting the use of city owned parking lot or on-street paid parking spaces or to close city streets for more than two days in a calendar year.

Subject to the overall limit of 16 days per calendar year, the Mayor may propose and the City Council may agree to or reject an expanded special event permit which would authorize the special event to use city owned paid parking lots or on-street paid parking in the Entertainment District Parking Zone for more than two and up to five days per year. The Mayor may also propose the closure of city streets for more than two days for a special event. The approval and any conditions imposed for such approval by the City Council shall be by City Council Resolution. Proposed special event permits shall be evaluated by the City Council on the basis of, but not limited to, weighing the potential benefits and detriments to the community, impact to public services, including City, schools, transportation, and medical services, and the effect on the overall quality of life to residents and businesses. Any violation of the City Council required conditions shall subject the special event permit authorization beyond two days to be voided and withdrawn by the Mayor."

Casey Mayer, Artist/Photographer
Greyline Creative
100 E Center Street Ste. 001
Fayetteville, AR 72701

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 11:54 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: adheinz1@gmail.com
Subject: FW: Major ordinance

Please see the email below.

Thanks!

Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov

-----Original Message-----

From: Andrew Heinzlmann [mailto:adheinz1@gmail.com]
Sent: Tuesday, February 16, 2016 6:56 AM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major ordinance

I support the major ordinance proposal that allows citizens' via their ward alderman input on city events.

Thank you

Andy Heinzlmann

Sent from my iPhone

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 11:53 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Subject: FW: Major Event Ordinance

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*

CITY OF

www.fayetteville-ar.gov

From: John Eldridge [mailto:johne@eldridgelawfirm.com]
Sent: Monday, February 15, 2016 11:11 AM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: Major Event Ordinance

I support the proposed Major Event Ordinance to provide for input by citizens and businesses for major events that fit Fayetteville. Please distribute to all council members.

Thanks,
John

John R. Eldridge, III
Attorney at Law
P. O. Box 580
Fayetteville, AR 72702-0580
479.443.0908
479.443.2713 fax
johne@eldridgelawfirm.com

To ensure compliance with IRS requirements, we inform you that any tax advice contained in this communication is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

This email message and any attachments are confidential. If you are not the intended recipient, please immediately reply to the sender and delete the message from your email system.

Thank you.

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 11:52 AM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: jayy@dcf-fay.com
Subject: FW: Please review, take action, and forward to your friends

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*



From: Jay Young [mailto:jayy@dcf-fay.com]
Sent: Monday, February 15, 2016 9:27 AM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: FW: Please review, take action, and forward to your friends

Sondra,

I am a Fayetteville resident and business owner with office located downtown.

I concur with the statements in the email below.

**Allen "Jay" Young
Development Consultants Inc.**

From: Tom Overbey [mailto:t1t1t1@gmail.com]
Sent: Monday, February 15, 2016 9:19 AM
To: Tom Overbey
Subject: Please review, take action, and forward to your friends

Major Event Ordinance for Fayetteville

Attached below is the text of a proposed ordinance that will be presented for first reading at the City Council meeting Tuesday at 5:30.

The goal is to have our city resources applied to events that promote Fayetteville in a positive way and fit within our culture. Events lasting more than two days have a significant effect on the residents and businesses. The current procedure for major events is a checklist with no opportunity for comments (unless you go directly to the mayor). A better approach for Fayetteville would be to require an event that wants to use city parking lots and/or close down public streets for more than two days be required to obtain City Council approval. This would allow our citizens to have a forum to discuss the value of the event to the city. Festivals or rallies that our city adopts help to define our community. Allowing for citizen input and approval through its elected leaders only seems fair and appropriate.

Please send an email to the Fayetteville City Council members today! Suggested wording is below. Send it to Sondra Smith, City Clerk, and it will go to all aldermen. Or, select your alderman from the list.

It is important to make a comment if a major event impacts you or your business. Several of the aldermen have said that they have not had any comments on how major events impact businesses. They have assumed the major events are all neutral or beneficial. If you have a different view, please express it. If you leave town during major events, please express your concerns.

Then, please forward this email to your friends. Thanks so much.

I support the proposed Major Event Ordinance to provide for input by citizens and businesses for major events that fit Fayetteville.

Sondra Smith, City Clerk

ssmith@fayetteville-ar.gov

Ward 1	Sarah Marsh	(479) 287-4054	ward1_pos2@fayetteville-ar.gov
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Ward 4	John La Tour	(479) 443-7878	ward4_pos1@fayetteville-ar.gov
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WHEREAS, the Mayor is authorized to assign any and all city owned paid parking lots in the Entertainment District Parking Lot by special event permit for up to sixteen (16) days per calendar year; and

WHEREAS, multi-day special events that close parking facilities and city streets significantly impact citizens, businesses, and institutions as well as the quality of life in our community and therefor citizens should have the opportunity for input in the decision-making process; and

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Tom Overbey
T1TLOTT@gmail.com

Branson, Lisa

From: Smith, Sondra
Sent: Tuesday, February 16, 2016 1:40 PM
To: Alan Long (Longward4@gmail.com); Pennington, Blake; citycouncil@matthewpetty.org; Marr, Don; Eads, Gail; Roberts, Gina; Johnson, Kimberly; Williams, Kit; Branson, Lisa; Broyles, Lana; Jordan, Lioneld; Mulford, Patti; Norton, Susan; Pate, Jeremy; Smith, Lorinda; Smith, Sondra; Gray, Adella; Marsh, Sarah; Kinion, Mark; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan
Cc: jromine@nwark.com
Subject: FW: major event ordinance

Please see the email below.

Thanks!

Sondra

*Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
(479) 575-8323
ssmith@fayetteville-ar.gov*



From: Jim Romine [mailto:jromine@nwark.com]
Sent: Tuesday, February 16, 2016 1:18 PM
To: Smith, Sondra <ssmith@fayetteville-ar.gov>
Subject: major event ordinance

I support the major event ordinance to provide for input by citizens and businesses

James C. Romine

CityClerk

From: Marsh, Sarah
Sent: Tuesday, February 16, 2016 4:46 PM
To: City_Clerk-old
Subject: Fw: Transit Issues for BBB

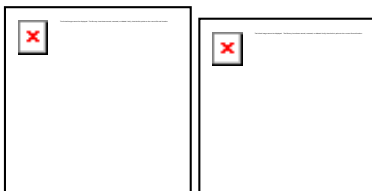
Categories: Forwarded

Sondra,

Please forward this to the other Council Members.

Thanks,
-Sarah

Sarah Marsh, bARCH, LEED AP BD+C
Vice Mayor | City Council Member, Ward 1, Position 2
City of Fayetteville, Arkansas
ward1_pos2@fayetteville-ar.gov | 479.799.0393



From: Jeff Castellano <jeffachadnezzar@gmail.com>
Sent: Tuesday, February 16, 2016 4:16 PM
To: Marsh, Sarah
Subject: Transit Issues for BBB

My name is Jeff Castellano, and during last year's BBB, I was a resident of Ward 2, not far from campus. I was a first-term student, which was an adjustment enough but compounded upon because of my unique obstacles being physically disabled. My mobility issues are unpredictable at best; some days I'm able to walk but must rest often, and bad days leave me entirely dependent on a wheelchair. Usually, this isn't too big of a deal. Fayetteville has the best public transit system anywhere, with the best staff and best conditions you could ask for. Thing is, that means nothing when it's inaccessible.

It may not seem like much, but two days is a lot of time to miss, particularly your first year. BBB is supposed to only be for the weekend, but traffic congestion started on the Tuesday before and got steadily worse until Thursday, when I just gave up and went on a mini-vacation elsewhere until everyone left. By then, it was bad enough the the brown and green lines (the only two that pass near my house on Davidson Street) were disrupted, and without those, myself and probably many other residents couldn't get around the areas around campus and Dickson. You know, two of the most important points in town. It was unnerving and way more

time-consuming than usual when the buses shut down--it normally took about twenty minutes or so to get from the front door of my apartment to Old Main. With no bus service, it took over an hour. More people are willing to behave in traffic for a person in a wheelchair, but apparently not for regular pedestrians, and I observed near-accidents happening more than once. It was so bad that this year, we actually plan on taking the entire week out of town, if possible, because it's a nightmare trying to get around otherwise. I realize that the revenue generated by the event is important, but I live here. I live here for many reasons, but one of those chief reasons is the accessibility for people like me with disabilities.

To say that I'm thrilled that someone is taking this issue seriously is an understatement. I fully support this ordinance--it takes into account the needs of all residents, including the disabled and those who don't use a car as transportation. That's very much in keeping with the values of being an inclusive community, something that Fayetteville does like no place else. Thank you!

(Anonymous, if possible?)

Jeff Castellano

Resident (Address withheld for security reasons.)

*Handed out at the City Council
meeting 2-16-16*

Amend 72:58 Off-Street Parking Facilities

Event Permit Application Instructions/Rules

These instructions are intended to help you complete your event permit application and all associated forms. Please take the time to read these instructions prior to completing your application. If you have any questions, please do not hesitate to contact us. All information must be legible and printed. Please do not use a pencil in completing this application. It is very important that our organization, as well as others, is able to read the information submitted. We want to make sure that your event is successful and without problems.

Application must be submitted with the appropriate fee amount **21 days prior to the event date**. Applicable fees may be paid by cash or check. Checks must be payable to the City of Fayetteville. Application fees are refundable if an event is cancelled or if the event permit is denied.

There are three (3) permit forms provided for the event permit application. The size and activities of your event will determine which forms you will need to submit.

- **Section I – Event Permit Application:** This form will need to be submitted for all events that take place on City property or require City resources (police assistance, parking lots, street closings, etc.).
- **Section II – Major Event Permit Application:** This form will need to accompany the Event Permit Application if your event involves certain activities such as alcoholic beverages, street closings, vendor booths, carnival rides, etc.
- **Section III – Request for Noise Ordinance Variance:** This form will need to accompany the two forms listed above and is required if your event may possibly involve sound levels that may exceed the normal requirements of the City of Fayetteville Noise Ordinance.

Return event permit applications to:

City of Fayetteville
Parking Management Division
113 W. Mountain Street
Fayetteville, AR 72701
Fax 479-575-8250
parking@ci.fayetteville.ar.us

Direct questions and inquiries to:

Parking Management Office
479-575-8280
479-575-8250 (fax)
parking@ci.fayetteville.ar.us

Event Permit Application

If at any time the application form does not provide adequate space, provide the additional information on a separate sheet and write “see attached” on the application form. Please do not write on the back side of any page of this form. When additional sheets are attached, place the event name and event date at the top of each additional sheet.

For example: **Lights of the Ozarks 11/24/04**

Event Name: Enter the name of the event. This name should be the one that you are using to advertise or promote your event.

Event Producer: Enter the name of the organization, corporation, neighborhood group, etc. that is producing the event. If the organization, corporation or group contracts with a firm or agency to produce the event, the event producer is the firm/agency contracted.

Primary Contact: Enter the name of the primary person who is to be contacted regarding the application or event.

Address, City, State, and Zip: Enter the mailing address information in these blanks of the primary contact.

Phone: Enter the telephone numbers and email address of the primary contact. It is important that the city has the ability to contact this person at all times during the event to ensure it runs smoothly and successfully.

Secondary Contact: Enter name of one additional person who can be contacted regarding application or event.

Phone: Enter telephone numbers and email address of the secondary contact. It is important that the city has the ability to contact the primary or secondary person at all times during the event to ensure it runs smoothly and successfully.

Event Location: Describe where the event will be held. *If you will be using one of the City Parks or Trails, you must complete a Special Event Application through the Parks and Recreation Department.*

Event Type: Check all boxes that apply to your event.

Event Description: Give a brief description of the event. Please describe any unique characteristics of your event (use additional page if necessary; please **do not write on the back** side of any page of this application).

Event Duration: (Starting Date, Ending Date): Enter the dates that the event will be open and closed for attendance.

Hours of operation: Enter the hours the event site will open for attendance.

Site Preparation: Enter the starting date and time that you will start to prepare the event site. If no preparation is necessary, enter the Starting Date and Time of the event.

Dismantling & Cleanup: This is the date and time it will take to dismantle and cleanup the event site. Enter the date and time when the dismantling and cleanup will be completed and the streets/or sidewalks opened again.

Total Attendance: Enter the total number of attendees that you expect for your entire event, beginning to end.

Peak Attendance: Enter the highest number of attendees you expect at any one time during the event.

Event Features: Review list of possible features and check all that apply to your event. *If you have checked any of these features, you must also complete Section II – Major Event Permit Application.*

Hold Harmless Clause: No application will be processed or permit issued for an event without the hold harmless clause being signed by the agent duly authorized by the event applicant. Proof of liability insurance may be required for a major event.

SECTION II - Major Event Permit Application

Site Map Requirement: Regardless of event location, a site map must be submitted showing the location of the event and the event features. Please review the site map requirements section of the application for all items that are required on the site map.

Street Closure: Enter the date and time of any requested street closures and the date and time the street will be reopened to traffic. Please contact the Transportation Division at 479-575-8228 to make arrangements for barricades and safety cones.

Security: It is the responsibility of an event producer to provide adequate security for an event. If security is being provided complete the security section of the event permit application.

Emergency Medical Assistance: The local Fire Chief or Fire Marshal may determine that an Emergency Response Team shall be required for major events. The fee for this service will be determined, if needed, upon review of this application.

Vendors: If you are having vendors set up at your event, then fill out this section.

Alcoholic Beverages: If you are selling alcoholic beverages, then fill out this section. Please contact the Alcoholic Beverage Control Division at 501-682-1105 to apply for a permit. When alcohol is on site, the City requires security to be present at all times. The number of security officers varies based on attendance per event. The Police Department has specific guidelines for the sale of alcohol.

Fireworks: Per City Code 94.05, Fireworks may only be discharged July 1st – July 4th. See Ordinance for times.

Electrical Service: If electrical service is required, then complete this section. Events needing more than 120 amps electricity will be required to provide an alternate power source or generators for power. Otherwise, event producers may use the City's active electrical outlets for minimal requirements. The event producer is responsible to ensure proper usage of all electrical

services, and is responsible for all electrician fees, including fees for servicing/repairing blown electrical services due to improper use of electrical supply.

Restroom Facilities: If groups of 500 or more are attending an event, the City requires the producer to supply portable restrooms. If restroom facilities (portalets) are being provided, then complete this section.

Trash, Recycling, and Clean Up Plans/Procedures: Any event producer holding an event on City property is responsible for trash removal during the event, and clean up and removal of debris after the event is concluded. Although it is not mandatory that recycling be a part of your event, it is highly recommended if aluminum or plastic drink containers will be a part of the event. Please contact the Solid Waste Division at 479-575-8397 or 479-601-4368 for all your events refuse and recycling needs.

Parking lots and vendor booth areas must be cleaned, swept, washed, and restored to its original set up once the event is concluded. Sub-contractors must load out at end of event unless pre-arranged with the City (i.e. ice merchandisers, staging, lights and sound, soft drink dispensers, signage, decorations, tables, chairs, vehicles, delivery and supply trucks, portable restrooms, etc.). Any items left will result in a day rental charge for space occupancy.

A clean up deposit is required of all major events and is payable in advance to the City of Fayetteville.

ADDITIONAL RULES

Reservation Policy: Any event that occurs annually and has had at least 3 successful events in the past 3 consecutive years, will automatically be reserved a spot on the City event reservation calendar for the event dates that are normal to the event. The producer of the "Established Event" will still be responsible for submission of all applicable permit applications by the appropriate deadlines. All other event requests submitted will be considered on a first-come-first-serve basis.

Barricades and Fencing: The event producer is responsible for placement of all required barricades, cones, fencing, etc. The producer may borrow these items by checking them out and picking them up at the Transportation Division located at 1525 Happy Hollow Road. Please call the Transportation Division at 479-575-8228 to make arrangements.

Towing of Vehicles: If the producer expects the possible need to tow any vehicles during an event, this information must be submitted with the permit application. All areas that may require towing of a vehicle must have proper signage (approved by the City) prominently displayed at each site that a vehicle(s) may be towed. If towing is necessary where the proper signage is not displayed, the producer must contact the Fayetteville Police Department at 479-587-3555 to see if they can legally tow or relocate the vehicle.

Pavement Markings: Pavement markings are strictly prohibited except with temporary spray chalk material that is approved by the City. Spray chalk can be purchased in the Parking Management Office located at 113 W. Mountain Street.

Pavement Holes/Marring: Drilling into pavement (parking lots, streets, sidewalks, curbs, etc.) is strictly prohibited. All signage and anchoring must be accomplished with weights such as sandbags or concrete filled barrels. Any holes or damage made to public property will be charged at cost to the producer of the event, but not less than \$100.00 per hole and/or marring of pavement.

Banners and Flyers: All banners and flyers must be pre-approved by the City including wording on banners and placement of banners.

Sales Tax and HMR Tax: All vendors conducting sales at the event must report and pay all applicable state and local sales taxes, including HMR taxes.

Noise Ordinance Variance: Instructions for requesting for a Noise Ordinance Variance are provided with the application in Section III.

Important Telephone Numbers:

Alcoholic Beverage Control Division	501-682-1105
Event Permit Applications (Parking Office)	479-575-8280
Farmer's Market on the Square	479-236-2910
Fire Department – Fayetteville	479-575-8365
Lights of the Ozarks	479-521-5776
Parking Management Office	479-575-8280
Police Department – Fayetteville	479-587-3555
Police Department – Univ. of Ark.	479-575-2222
Solid Waste & Recycling Division	479-575-8397
State Fire Marshal – Little Rock	501-618-8624
Transportation Division	479-575-8228
Walton Arts Center	479-443-9216

City of Fayetteville website: www.accessfayetteville.org



City of Fayetteville, Arkansas
Event Permit Application
Section I

Please read the Event Permit Application Instructions & Rules prior to completing the Event Permit Application.

I have read and understand the Instructions & Rules (signature required):

Signature of Applicant

Date

Event Name: _____

Event Date(s): _____

Event Producer: _____

***Required**

Primary Contact: _____

Primary contact is person who is to be contacted regarding the application or event

Address: _____

City: _____

State: _____ **Zip:** _____

Phone:

Day: _____

Night: _____

Cell: _____

Fax: _____

Email: _____

Secondary Contact: _____

Phone:

Day: _____

Night: _____

Cell: _____

Fax: _____

Email: _____

Event Location:

Event Types: Check all that apply

☐

Not for Profit

☐

Wedding Ceremony

☐

Walk/Run Footrace

☐

For Profit

☐

Wedding Reception

☐

Competition

☐

Public

☐

Meeting/Dinner

☐

Parade

☐

Private

☐

Press Conference

☐

Rally/Demonstration

☐

Concert

☐

Auction

☐

Festival

☐

Trade Show/Expo

☐

Block Party

If you will be using one of the City Parks or Trails, you must complete a Special Event Application through the Parks & Recreation Department. Phone: 479-444-3471

Event Description:

--

Event Duration:	Hours of Operation:	Start	End
Starting Date: _____	Day 1	_____	_____
Ending Date: _____	Day 2	_____	_____
	Day 3	_____	_____
Site Preparation:	Starting Date: _____	Time: _____	_____
Dismantle/Cleanup	Ending Date: _____	Time: _____	_____
Total Attendance: _____	Peak Attendance: _____	Time: _____	

Event Features: Check all that apply

☐ Alcoholic Beverages Served ☐ Alcoholic Beverages Sold ☐ Carnival Rides ☐ Crowd Control Required ☐ Elevated Noise Levels * * Section III Required ☐ EMS Required	☐ Fireworks ** ** See City Code 94.05 ☐ Parade/March ☐ Parking Lot/Spaces Needed ☐ Security Required ☐ Street Closings	☐ Temporary Electrical Service ☐ Temporary Restrooms ☐ Tents *** ☐ Vendor Booths *** ☐ Vendor Food ***
---	--	---

If you have checked any of the features above, please continue with Section II – Major Event Permit Application.

*** Refer to Temporary Structure Safety Requirements under Special Event Permits & Information / Event Permit Resources.

Hold Harmless Clause:

The City shall not be liable to user's employees, agents, invitees, licensee, visitors, or to any other person, for injury to person or damage to property on or about the leased premises caused by the negligence or misconduct of user, its agents, servant or employees, or of any other person entering upon the leased premises under express or implied invitation by user, or caused by the building improvements located on the leased premises becoming out of repair, or caused by leakage of gas, oil, water, smoke, or steam or by electricity emanating from the lease premises. The event producer agrees to indemnify and hold harmless the City from any loss, attorney's fees, and expenses or claims arising out of any such damage or injury. The City reserves the right to revoke this application at any time.

The applicant ensures compliance with the following:

- The observance of applicable laws and ordinances;
- Any stipulations or restrictions of the permit;
- Any stipulations or rules outlined in the Event Permit Application Instructions/Rules;
- The applicant assumes all liabilities that may arise by street closing and related activity.

Permit applied for and all terms and stipulations agreed to by (signature required):

Signature: _____ Date: _____

Return completed form to: parking@fayetteville-ar.gov or Fax 479.575.8250
Parking Management, 113 W Mountain St, Fayetteville, AR 72701 / Phone 479.575.8280



SECTION II

Major Event Permit Application

Site Map Required:

Major events require a site map. Indicate on map the exact placement of the following items, if applicable.

> Gate(s)/Official Entrance(s)	> Money Rooms	> Emergency Medical Tent(s)
> Restroom Facilities/Portable Toilets	> Fencing	> Sign/Banner Placement
> Performance Areas/Lighting	> Food Areas	> Street Closures/Barricades
> Dumpsters & Trash Containers	> Alcohol Areas	> Communication Center
> Event Headquarters	> Security Tent(s)	> Communication Center
> Vendor Booths/Tents		> Parking Lot/Spaces Needed

Street Closure:

Date: _____ Time: _____

Reopen:

Date: _____ Time: _____

All businesses must be notified in writing of the street closure(s). A copy of the written notification must accompany the Event Permit Application.

List streets to be closed (Map Required):

Security:

It is the responsibility of an event producer to provide adequate security for an event, and to ensure that an adequate number of security personnel are present to manage the expected size of the event's crowd. Security must include proper crowd control. Security personnel must meet the requirements of the Fayetteville Police Department.

Number of off-duty police or private security personnel being provided: _____

Organization providing off-duty or private security: _____

Contact: _____ Phone: _____

Type of Security	Number of Personnel	Check if not Needed
Gate Security		☐
Alcohol Sales Security		☐
Money Handling Security		☐
Stage/Artists Security		☐
Parking Lot Security		☐
Overnight Security (outside of event hours)		☐

Emergency Response/Fire Team:

Special emergency response team required? Yes _____ No _____
Type of response unit required: _____ Fee: \$ _____

Vendors:

List types of vendor booths (food, clothing, crafts, etc.):

--

Alcoholic Beverages:

Alcoholic Beverage Vendor(s): _____
ABC License Number: _____

Fireworks:

Fireworks Provider/Handler: _____
Fireworks Permit Number: _____

Electrical Service:

How will electrical service be supplied : Public Utilities _____ Generator _____
On-call Electrician: _____
Business Phone: _____ Emergency Phone (during event): _____

Restroom Facilities:

Number of permanent facilities: _____ Number of portable facilities: _____
Company Supplying Portables: _____
Contact: _____ Phone: _____

Trash, Recycling, and Clean Up Plans/Procedures:

Please contact the Recycling and Trash Collection Division for all your events refuse and recycling needs at 479-575-8397. Event Recycling Guidelines & Tips can be found under Special Event Permits & Information / Event Recycling.

Name of trash and recycling coordinator: _____

Name of clean up coordinator: _____

Number of people on clean-up crew: _____

Number and Size of Dumpsters: _____ Type of Dumpsters: _____

Number of times to be serviced: _____

Briefly describe plan for trash and recycle removal (how will trash be collected and disposed of?):

Briefly describe plan for clean up after event is concluded:

Clean Up Deposit Required: \$500.00

This fee is payable in advance to the City of Fayetteville for clean up and removal of debris. An inspection of the event location will be performed by City personnel within 24 hours after the ending date and time of the event as established in this permit. Upon establishment of a satisfactory inspection of the site of the clean up performed by the event producer, the clean up deposit will be refunded within thirty (30) days of the inspection. If said clean up was not totally successful, then all or a portion of the deposit may be forfeited to the City in order to pay for the appropriate clean up efforts. Clean up tasks performed by the City are charged out at \$50.00 per hour. If cleanup efforts performed by the City exceed \$500.00, the event producer will be billed the additional cost.

Clean Up Deposit Received:

Date: _____ Amount: _____ Check #: _____

Refundable to:

Name: _____

Address: _____

City, St, Zip: _____

Telephone No.: _____

Return completed form to: parking@fayetteville-ar.gov or Fax 479.575.8250

Parking Management, 113 W Mountain St, Fayetteville, AR 72702 / Phone 479.575.8280

INSTRUCTIONS

CITY OF FAYETTEVILLE NOISE ORDINANCE VARIANCE REQUEST

In order for your request for a variance from the City of Fayetteville Noise Ordinance to be completed properly and meet your needs, please read the following directions:

1. The City needs to receive the completed Request for Variance application at least two (2) weeks before the date you are requesting your event to begin, but earlier if possible.
2. Carefully read Ordinance No. 3926 (the last two pages of this packet). If you do not fully understand any section, please call the Mayor's Office at 479-575-8330.
3. All requests for Variance from the Noise Ordinance must be submitted along with an Event Permit Application (Section I and II).

Once your request has been returned to the City of Fayetteville, it will follow these procedures before it is approved:

1. Your request will be sent to the Parking/Events Division, Police Department, Fire Department, and Transportation Division (respectively) for their review, comments, and approval.
2. After it has been reviewed by these departments, it is given to the Mayor or his designate for final approval.
3. **If the request is approved**, you will be contacted by phone to pick up your original request at the Parking Management Office. Please keep this approval request with you during the event in case the Police Department receives a complaint and they are sent to your event. You will need to show them the approved variance to avoid any confusion.
4. **If the Variance Request is not approved**, you will be notified immediately. However, Sections I and II of your Event Permit Application may still be approved for all other aspects of the event.

ORDINANCE NO.

AN ORDINANCE REPEALING §96.04 OF THE CODE OF FAYETTEVILLE AND SUBSTITUTING A NEW §96.04 LIMITING NOISE LEVELS WITHIN LAND USE CATEGORIES, ESTABLISHING NOISE LEVELS FOR TRANSIENT AND CONSTRUCTION SOUNDS AND PROVIDING FOR RELATED MATTER AND ADDING §96.05(D) TO THE CODE OF FAYETTEVILLE PROHIBITING OPERATION OF ANY SOUND AMPLIFICATION DEVICE WITHIN A VEHICLE PLAINLY AUDIBLE AT A DISTANCE OF 30 FEET.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. Section 96.04 of the Code of Fayetteville is hereby repealed and the following is hereby substituted in its place:

§96.04 LIMITATIONS BY LAND USE CATEGORY.

A. No person shall operate or cause to be operated, or permit, contract or allow to be operated on premises on public or private property any identifiable source of sound in such a manner as to create a sound level within the use districts in Table 1 as measured at any point on the boundary of the property from which the sound or noise is emanating. A complaint under this section must be brought by a property owner or leaseholder affected by excessive noise on their property.

<u>Use Districts</u>	<u>Time</u>	<u>Maximum Noise Levels</u>
All Residential Zones	11:00 PM to 7:00 AM	55 dB(A)
	7:00 AM to 11:00 PM	60 dB(A)
All Commercial Zones	7:00 AM to 11:00 PM	75 dB(A)
	11:00 PM to 7:00 PM	70 dB(A)
All Industrial Zones	11:00 PM to 7:00 AM	75 dB(A)
	7:00 AM to 11:00 PM	80 dB(A)

All measurements shall be taken with a sound level meter in its fast or peak level setting.

B. District Boundaries. When a noise source can be identified and its noise measured in more than one use district, the noise limits of the most restrictive use district shall apply at that district boundary.

C. Commercial Source. Notwithstanding the zoning classification of the underlying parcel, restaurants, night clubs, private clubs, auditoriums, dance halls, and rehearsal studios are defined as commercial sound sources existing in commercial zones for the purposes of this ordinance.

D. Transient Source. For a transient sound emanating in any land use category, the peak noise level shall not exceed 20 decibels above the limit set in Table 1 above.

E. Construction. Construction projects shall be subject to the limitations specified for industrial zones for the period of time allowed by the building permit.

Section 2. If any part of this ordinance or the application of the same to any person or set of circumstances, is for any reason held to be void or invalid, the validity of the remaining parts of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby.

Section 3. §96.05(D) is hereby added to the Code of Fayetteville:

§96.05 Motor Vehicle and Motorcycle Sound Limit.

D. Operating or causing to operate any sound amplification device from within a vehicle so that the sound is plainly audible at a distance of thirty feet (30) feet or more from the vehicle whether in a street, a highway, an alley, parking lot or driveway, whether public or private property is prohibited and declared to be a noise disturbance in violation of this ordinance.

PASSED AND APPROVED this 3rd day of October, 1995.

APPROVED:

By:

Fred Hanna, Mayor

ATTEST:

By:

Traci Paul, City Clerk



SECTION III
REQUEST FOR VARIANCE FROM
CITY OF FAYETTEVILLE NOISE ORDINANCE

Note: This form must be accompanied by Section I of the Event Permit Application

Section I: General Variance Information

1. Variance is requested for (date and time): _____
2. The decibel level will not exceed: _____
3. Place of event:

4. Event will be held (*check one*): Indoors ☐ Outdoors ☐
5. Number of people expected to attend: _____
6. Sound system to be used: _____
7. Description of entertainment planned:

8. Why do you **not** expect to be able to comply with normal requirements of the Noise Ordinance?

9. Actions planned by organization/applicant to assure compliance with the Noise Ordinance or with restrictions designated in Variance, if granted:

Section II: Submission

1. This request is submitted on behalf of organization/applicant by:

Name

Phone No.

Signature

e-mail address

Section III: Approvals

1. *(This Section applies only if prior approval from the University of Arkansas Student Services is required.)*

The foregoing request has been submitted and reviewed by the Office of Student Services and the Director of Arkansas Union.

Signature, Director of Campus Activities

Date

Return completed form to: parking@fayetteville-ar.gov or Fax 479.575.8250
Parking Management, 113 W Mountain St, Fayetteville, AR 72701 / Phone 479.575.8280



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Patti Mulford
Paralegal

TO: **Mayor Jordan**
City Council

CC: **Don Marr**, Chief of Staff
Paul Becker, Finance Director

FROM: **Kit Williams**, City Attorney

DATE: **February 18, 2016**

RE: **Proposed change to City Council Member Marsh's Ordinance to require City Council approval of special events utilizing city infrastructure more than two days per year**

City Council Member Marsh requested to expand the scope of her proposed amendment from the Entertainment Parking District to all of Fayetteville. I have attempted to do so with the attached amended draft ordinance.

Expanding this requirement into the downtown area required consideration of the current "events" such as the Farmer's Market, First Thursday Fayetteville and Lights of the Ozarks which have already been approved for parking spaces and road closures of more than two days by City Council ordinance codified into the Fayetteville Code. Accordingly, I needed to add (3) to remove these already authorized events from the more than two day event limitations and requirements of (2). Also attached are the code sections for each of these events.

ORDINANCE NO.

AN ORDINANCE TO AMEND § 72.58 **OFF-STREET PARKING FACILITIES; RULES AND RATES** (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS, ON-STREET PAID PARKING SPACES OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

WHEREAS, the Mayor is authorized to assign any and all city owned paid parking lots in the Entertainment District Parking Lot by special event permit for up to sixteen (16) days per calendar year; and

WHEREAS, multi-day special events that close parking facilities and city streets significantly impact citizens, businesses, and institutions as well as the quality of life in our community and therefor citizens should have the opportunity for input in the decision-making process; and

WHEREAS, special events that request or need to occupy and use such city parking lots or city streets more than two (2) days should not only receive the Mayor's express approval through the Mayor's issuance of a special event permit, but must receive express approval of the City Council for any and all city owned parking lots or city street closures needed beyond the two day limit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby repeals § 72.58 (M) and enacts a replacement § 72.58 (M) as shown below:

“(M) Special Event Permits Needed To Use City Owned Parking Lots, Paid On-Street Parking Spaces, Or To Close City Streets

(1) Events needing the use of city owned parking lots, paid on-street parking spaces or the closure of city streets for two days or less in a calendar year

The Mayor is empowered by the issuance of a special event permit to assign any and all city owned paid parking lots, some or all on-street paid parking spaces, or the closure of city streets for up to two days per year for the use of a permitted special event. Parking lots within the Entertainment District Parking Zone may be assigned for no more than sixteen (16) days per calendar year for all permitted special events to ensure sufficient parking revenue is collected to pay the City's parking bonds.

(2) Events requesting the use of city owned parking lots, paid on-street parking spaces or the closure of city streets for more than two days in a calendar year

Subject to the overall limit of 16 days per calendar year for parking lots in the Entertainment District, the Mayor may propose and the City Council may agree to or reject an expanded special

event permit which would authorize the special event to use city owned paid parking lots or on-street paid parking for more than two and up to five days per year. The Mayor may also propose the closure of city streets for more than two days for a special event. The approval and any conditions imposed for such approval by the City Council shall be by City Council Resolution. Proposed special event permits shall be evaluated by the City Council on the basis of, but not limited to, weighing the potential benefits and detriments to the community, impact to public services, including City, schools, transportation, and medical services, and the effect on the overall quality of life to residents and businesses. Any violation of the City Council required conditions shall subject the special event permit authorization beyond two days to be voided and withdrawn by the Mayor.

(3) Farmers' Market, First Thursday Fayetteville And Lights Of The Ozarks Exempt From Limitations

The closure of city streets and use of on-street parking spaces for § 114.02 **Farmers' Market**; § 114.03 **First Thursday Fayetteville**; and § 117.93 **Lights of the Ozarks** are not subject to the limitations or requirements of (2)."

PASSED and **APPROVED** this 1st day of March, 2016.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

FAYETTEVILLE CODE OF ORDINANCES
TITLE XI BUSINESS REGULATIONS

CHAPTER 114: FOOD SALES

114.01 Drive-In Restaurants

(A) A drive-in restaurant, within the meaning of this chapter, shall be deemed to be any restaurant where meals, sandwiches, ice cream, or other food, is served directly to or is permitted to be consumed by patrons in automobiles, motorcycles, or other vehicles parked on the premises.

(B) Prohibited Acts.

(1) It shall be unlawful for any person, while on or adjacent to the premises of a drive-in restaurant, to race the motor of any car, to suddenly start or stop any car, or to make or cause to be made, any other loud or unseemly noise.

(2) It shall also be unlawful for any other person parked on the premises of such restaurant, to blow or cause to be blown any automobile horn or motorcycle horn at any time while so parked.

(3) It shall be unlawful for any patron or other person on the premises of a drive-in restaurant, whether in or out of an automobile, to drink any intoxicating beverage of any nature.

(4) It shall be unlawful for a group of three or more persons to congregate and linger at any location on the premises of a drive-in restaurant. Persons so congregating and lingering shall be deemed guilty of loitering. No person shall drive a motor vehicle on to the premises of a drive-in restaurant and then from said premises without parking such motor vehicle, unless there is no unoccupied parking space available on said premises.

(5) It shall be unlawful for any person to leave any unoccupied motor vehicle on any drive-in restaurant parking lot and to leave the premises thereof, except with the knowledge and consent of the operator of the restaurant.

(Code 1965, §§7A-1, 7A-3, 7A-4; Ord. No. 1706, 10-6-69; Code 1991, §114.01)

Cross reference(s)--Penalty, §114.99(A).

114.02 Farmer's Market

(A) *Operation of the Farmers' Market on the Square.*
The nonprofit Rural Mountain Producers Exchange

is authorized to continue to operate the Farmers' Market on the Fayetteville Square in conformance with the following conditions. This marketplace shall be located on the interior parking spaces (those parking spaces adjoining the Old Post Office) of the Downtown Square. Vendors shall be permitted to park their vehicles at right angles to street curbs provided that no vehicle shall be permitted to extend into the street in such a manner as to obstruct the free flow of traffic, and no vehicle shall be parked within 15 feet of any fire plug. All public sidewalks around the Square shall remain freely available to the public with the inside two-thirds width of the sidewalks free from any tables, booths or displays. Farmers' Market vendors may occupy no more than one-third of the width of the sidewalk directly in front of their assigned parking space. As long as pedestrian traffic is not obstructed or hindered, the corners of the Square's sidewalks and any unoccupied space around the outside third of the sidewalk can be used during the authorized hours and days of the Farmers' Market for governmental communications, free speech and acoustic music purposes. No sound amplification may be used unless approved by the City through its Special Event Permit Process.

(B) *Expanded Saturday use of the Square.*

(1) Three streets around the Square: East, Mountain and Block shall be closed to vehicular traffic. The exterior parking spaces for these three streets around the Square shall be available for vendors and exhibitors pursuant to subsection (3) below as assigned by the Rural Mountain Producers' Exchange management by closing these streets and parking spaces to non-vendor vehicular traffic. Vendors using large commercial delivery vehicles, such as box trucks, shall either be located on the interior parking spaces around the Old Post Office Building or outside the designated market area to maintain storefront visibility. No vendor parking is allowed on the west side of Block Avenue, except for food trucks which shall be limited to the southernmost and northernmost parking spaces.

(2) Pedestrian aisles. To facilitate the flow of pedestrians between storefront and the streets, midblock pedestrian aisles of at least five feet in width shall be maintained on both sides of each closed street if both sides of the street are occupied by vendors or exhibitors (as further shown on Exhibit A which shall

CD114:3

FAYETTEVILLE CODE OF ORDINANCES
TITLE XI BUSINESS REGULATIONS

remain attached to this ordinance for future reference, but not codified). On the west side of East Avenue, the Old Post Office access easement shall be such an aisle. On the south side of Mountain Street, the opening into the Town Center Plaza shall be used for the aisle.

- (3) Exhibition spaces. A minimum of twenty eight (28) feet on either side of all three closed streets shall be set aside, integrated and managed by the Rural Mountain Producers Exchange management as exhibition space for nonprofit charitable corporations and free speech entities including issue campaigns and candidates. The Exchange management shall make available an online form for the reservation of exhibition space on a first-come, first-served basis. No vehicles may be parked within exhibit spaces. Unclaimed exhibition space shall be managed by the Rural Mountain Producers Exchange management and may be used by store owners for sidewalk sales, as temporary seating or by market vendors.
- (4) Prepared food vendors. Vendors serving prepared food for consumption at the Farmers' Market shall not be located directly in front of any restaurant storefront without the written permission of the restaurant owner. Prepared food vendors must supply their own garbage container, ensure the area around their vending location remains constantly clean and litter free throughout their operation and prior to leaving and remove all of their equipment and the garbage container, the contents of which must be properly disposed of in a private (not public) dumpster to which they have legal access.
- (5) Animal Services corner. The City of Fayetteville Animal Services Division may continue to occupy its normal location in the intersection of Mountain Street and East Avenue for its pet adoption program and other uses.
- (C) Days and hours. The Farmers' Market may be open and operating Tuesdays and Thursdays from 6:00 a.m. until 1:00 p.m. and on Saturdays from 6:00 a.m. until 2:00 p.m. from April until Thanksgiving.
- (D) *Articles permitted to be sold.* The following articles may be sold at the marketplace established hereby: vegetables, honey, raw juices, molasses, fruit, and other produce grown by the vendor thereof, plants, art work, craft work, and other processed farm products produced by the vendor thereof. All products sold at the marketplace must be produced in compliance with all applicable regulations of the State Department of Health and have all appropriate permits. Food prepared by local vendors including baked goods from local bakeries, nuts, coffee, tea, non-alcoholic beverages, and items from approved food trucks may also be sold.
- (E) *Sanitation.* At the close of each market day, each vendor shall be required to leave the marketplace in a clean and sanitary condition, free from debris and insects.
- (F) *Use of public streets for business prohibited; exception.* It shall be unlawful for any person to use any public street, public parking place, or public sidewalk, as a place of business except as authorized by this section; provided, any merchant whose building is adjacent to a public sidewalk may conduct business thereon if pedestrian traffic is not obstructed thereby; provided further, the City Council may approve temporary use of a public street, place, or sidewalk as a marketplace where such use is part of an event, activity, or celebration of general public interest. The City Council may impose reasonable conditions on such use as are necessary to safeguard the public health, safety, and welfare.
- (G) *City laws and regulations prevail over Rural Mountain Producers Exchange Board policies.* If the Mayor determines that a policy of the Rural Mountain Producers Exchange Board concerning its operation of the Farmers' Market on city property violates the law or city regulations, such policy shall be revoked and no longer operative. The Rural Mountain Producers Exchange Board may appeal such revocation of any of its policies to the City Council.
- (H) *Dogs on the Square during Farmers' Market.* The presence of properly leashed and socialized dogs shall be allowed on the Square during Farmers' Market. Each person with a leashed dog shall immediately clean up and remove any and all feces from their dog. The available plastic bag must be immediately shown to any Fayetteville Animal Control Officer or Police Officer when requested. If a dog damages any vendor's produce or product, the owner or handler shall immediately pay the full value to the vendor for such damaged produce or product. Any unprovoked dog that acts aggressively toward other dogs or provokes other dogs, and any dog that growls or acts aggressively toward any person shall immediately be removed from the entire Square area by its owner or handler and never returned until properly socialized not to

FAYETTEVILLE CODE OF ORDINANCES
TITLE XI BUSINESS REGULATIONS

be aggressive to humans, dogs or other animals. A Fayetteville Animal Control Officer or Police Officer can order any owner or handler to immediately remove a dog from the Farmers' Market area if in their opinion the dog is not properly socialized or is otherwise a safety or other type of problem. Failure to obey such lawful orders or any other violation of any provision of this subsection can be punished by a fine of up to \$250.00.

- (I) *Annual report to City Council.* The Rural Mountain Producers Exchange shall present its annual written report and answer questions about the operation and revenues received and expended in the Rural Mountain Producers Exchange to the City Council during its first meeting in March of each year. This written report shall include year-to-year changes in gross revenues and expenditures and the portion of revenue that is used for administrative overhead, and not actual sales numbers. It shall also provide this same information relative to its operation on any other City property such as the Botanical Gardens at the Lake Fayetteville Park. This information will not be combined, but differentiated between the Square and other locations. The Rural Mountain Producers Exchange shall publish a map of the Square showing the locations of vendor and nonprofit exhibit spaces and provide for online reservation for nonprofits.

- (J) *Vendor fees.* The Rural Mountain Producers Exchange shall not adjust the fees it charges to vendors except by a vote of its full membership.

(Code 1965, §13-14; Ord. 2040, 8-20-74; Ord. No. 2846, 8-17-82; Ord. No. 2862, 10-5-82; Ord. No. 2925, 6-7-83; Code 1991, §114.03; Ord. No. 4045, §1, 7-15-97; Ord. No. 4246, 6-6-00; Ord. 5309, 4-6-10; Ord. No. 5587, 6-4-13)

Cross reference(s)--Penalty, §10.99.

State law reference(s)--Maintenance and regulation of markets, A.C.A. §14-140-101.

114.03 First Thursday Fayetteville

- (A) *Establishment, hours and dates.* First Thursday Fayetteville is hereby established. This monthly event shall run on the first Thursday of every month from April through November during the hours of 3:00 P.M. through 10:00 P.M.
- (B) *Location, parking restrictions and administration.* First Thursday Fayetteville shall be located and have control over the public parking spaces along both sides of East Avenue between Mountain Street and Center Street, along both sides of Center Street between East Avenue and Block

Avenue, along both sides of Block Avenue between Center Street and Mountain Street, and along both sides of Mountain Street between East Avenue and Block Street during its hours of operation. The Fayetteville Convention and Visitors Bureau shall administer First Thursday Fayetteville and is authorized to remove or request the ticketing of vehicles parked within the allocated areas on East Avenue, Center Street, Block Avenue and Mountain Street between 3:00 P.M. and 10:00 P.M. on days of the event. The Bureau is further authorized to close East Avenue between Mountain Street and Center Street, Center Street between East Avenue and Block Avenue, Block Avenue between Center Street and Mountain Street and Mountain Street between East Avenue and Block Street to vehicular traffic during the First Thursday Fayetteville event.

- (C) *Articles permitted to be sold.* Only objects of art or craft produced and sold by a local artist or craftsman may be sold at the First Thursday Fayetteville event. The Fayetteville Convention and Visitors Bureau is empowered to assign precise locations for any vendors wishing to display or sell their personally created art or craft work.

- (D) *Sanitation.* At the close of a vendor's operation (no later than 10:00 P.M.), the vendor shall clean the immediate area around the vendor's operation and ensure that all trash and debris are removed and properly discarded.

(Ord. 5307, 3-16-10; Ord. 5392, 3-15-10; Ord. 5487, 3-6-12; Ord. 5682, 4-15-14)

114.04-114.98 Reserved

114.99 Penalty

Any person found guilty of violating any of the provisions of §114.01 shall be deemed guilty of a misdemeanor and shall be fined not more than \$100.00.

(Code 1965, §7A-2, 11-5; Ord. No. 786, 9-2-35; Ord. No. 1706, 10-6-69; Code 1991, §114.99; Ord. No. 4045, 7-15-97)

FAYETTEVILLE CODE OF ORDINANCES
TITLE XI BUSINESS REGULATIONS

- (a) A holder or driver shall, at all times, provide and maintain in good operating condition the following equipment for each nonmotorized passenger transport vehicle:
- (i) Headlights;
 - (ii) Tail lights;
 - (iii) Flashing lights;
 - (iv) Approved braking system;
 - (v) Rubber on all wheels;
 - (vi) A "slow moving vehicle" sign attached to the rear of the vehicle;
 - (vii) Evidence of insurance;
 - (viii) A copy of this article.

- (2) *Helmets.* Unless the operator, holder, or handler of a pony, horse, camel or dromedary ride keeps all of its mounted ponies, horses, camels or dromedaries adequately and safely tethered to a ring apparatus, the operator, holder or handler shall ensure that every rider wears an equestrian or bicycle-type safety helmet while riding on horseback, camelback or dromedaryback.

(Ord. No. 3931, §9, 10-3-95; Ord. No. 4396, Ex. A, 5-21-02; Code 1991, §117.87; Ord. 4497 06-17-03; Ord. 4939, 10-17-06)

117.88 Transfer Of Certificate

No Certificate of Public Convenience and Necessity may be sold, assigned, mortgaged, or otherwise transferred without the consent of the Public Transit Board.

(Ord. No. 3931, §10, 10-3-95; Ord. No. 4396, Ex. A, 5-21-02; Code 1991, §117.88)

117.89 License Fees

No certificate shall be issued or continued in operation unless the holder thereof has paid annual license fee of \$250.00 for the right to operate a nonmotorized passenger transport service under a Certificate of Public Convenience and Necessity. The license fees shall be for the calendar year and shall be in addition to any other license fees or charges established by proper authority and applicable to the holder.

(Ord. No. 3931, §11, 10-3-95; Ord. No. 4396, Ex. A, 5-21-02; Code 1991, §117.89)

117.90 Suspension, Revocation Of Certificate

- (A) A certificate issued under the provisions of this article may be revoked or suspended by the Public Transit Board if the holder thereof has:
- (1) Violated any of the provisions of this article;
 - (2) Violated any ordinances of the city, or the laws, federal or state, the violations of which reflect unfavorably on the fitness of the holder to offer public transportation.
- (B) Prior to suspension or revocation, the holder shall be given notice of the proposed action to be taken and shall have an opportunity to be heard.

(Ord. No. 3931, §12, 10-3-95; Ord. No. 4396, Ex. A, 5-21-02)

117.91 A.D.A. Compliance

Holder shall comply with all applicable provisions of the Americans with Disabilities Act.

(Ord. No. 3931, §13, 10-3-95; Ord. No. 4396, Ex. A, 5-21-02; Code 1991, §117.91)

117.92 Authority To Summon Veterinarian

The police department is hereby authorized to immediately summon the City Veterinarian (or other licensed veterinarian as available) if at any time an officer reasonably believes a horse, pony, camel or dromedary is ill, overtired, undernourished, overloaded, injured, or lame or whose health or life may otherwise be in imminent danger.

(Ord. No. 3931, §14, 10-3-95; Ord. No. 4396, Ex. A, 5-21-02; Code 1991, §117.92; Ord. 4939, 10-17-06)

ARTICLE VIII LIGHTS OF THE OZARKS

117.93 Lights Of The Ozarks

- (A) *Establishment, location and parking restrictions.* The Lights of the Ozarks celebration is hereby established in the city as an annual celebration beginning after the end of Farmers' Market (around Thanksgiving) and running through January 1 of the next year. This event shall be located on those interior parking spaces (adjoining the old post office) of the downtown square and on the sidewalks adjoining those parking spaces as well as those portions of the Town Center Plaza needed for this event's success. The block of East Avenue between Mountain Street and Center Street may be restricted to horse-drawn carriages, pony rides, or

FAYETTEVILLE CODE OF ORDINANCES
TITLE XI BUSINESS REGULATIONS

other event vendors. No vendor shall obstruct pedestrian traffic on public sidewalks nor shall more parking spaces be utilized for vendors than absolutely necessary. The Fayetteville Advertising and Promotion Commission and Fayetteville Town Center staff are empowered to manage and administer all vendors operating on the Fayetteville Square during Lights of the Ozarks.

- (B) *Hours of operations.* Vendors for the Lights of the Ozarks shall be managed by the Fayetteville Town Center staff such that active operation of pony rides, carriage rides, etc. shall not commence, nor shall East Street be impeded from normal traffic prior to 6:00 P.M. nor obstructed later than midnight except for New Years when such use will be extended one hour until 1:00 a.m. on New Year's Day.
- (C) *Sanitation.* At the close of each Lights of the Ozarks business evening, each vendor must ensure that the area in which the vendor was located or operating is completely clean, sanitary and free of trash, debris, manure, etc. Failure to properly clean up shall be grounds to revoke that vendor's license or permission to operate during Lights of the Ozarks.
- (D) *Vendors and licenses.* Any vendors operating within the area of the Lights of the Ozarks shall have all proper, necessary and valid licenses applicable to the vendor's business and keep all such licenses available for inspection and in good standing while operating during Lights of the Ozarks. Any event or other reasonable fee charged by the Town Center Staff or the City of Fayetteville to defray costs to manage Lights of the Ozarks must be paid or the vendor shall be prohibited from operating in this event.
- (E) *Sidewalk vendors.* Sidewalk vendors must comply with §178.03 of the Unified Development Code and obtain proper permits from the Zoning and Development Administrator as well as the Fayetteville Town Center staff {which shall constitute compliance with §178.03(E)(2)}.

(Ord. 5286, 11-17-09)

117.94-117.97 Reserved

117.98 Prohibited Activity

No person or company shall provide or offer to provide motor vehicle rides to passengers if such service resembles a taxicab or limousine service unless the person and company have fully complied with Article IV **Taxicabs** or Article V **Limousine Service**. It shall not be a defense under this section if rides are offered to

passengers for tips or gratuities only.

(Ord. No. 4623, 10-05-04)

117.99 Penalty

- (A) Violation of any provision of this chapter for which another penalty is not already otherwise provided, shall subject the person in violation to the penalty provisions of §10.99.
- (B) Any person or company violating any of the provisions of Article IV § 117.30 through § 117.50 and Article V § 117.60 through § 117.63 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding \$250.00. Each occurrence and each day's continuance shall be considered a separate offense. In addition, the city shall have a right to revoke the permit or license required by § 117.37 and § 117.61 for any person or company convicted of violating Article IV or Article V.
- (C) Any person violating the provisions of § 117.98 **Prohibited Activity** shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500.00. A second and any subsequent convictions of § 117.98 within a one year period by the same person shall result in fines not to exceed \$1,000.00 per occurrence.
- (D) Any person who shall violate any of the provisions of §117.75 through §117.77 shall, upon conviction, be punishable by a fine of not less than \$5.00 nor more than \$250.00.

(Code 1965, §20-53; Ord. No. 1261, 4-10-61; Code 1991, §117.99; Ord. No. 4623, 10-05-04)

**ARTICLE IX
PEDICABS**

117.100 Definitions

For the purpose of this article, the following words and terms have the meaning ascribed thereto:

Driver. An individual who operates a pedicab.

Holder. A person who is granted a Certificate of Public Convenience and Necessity under this article to provide pedicab service in the city.

Motorized electric powered tricycle. A tricycle that is equipped with an electric assist motor.

Pedicab. A tricycle or a motorized electric powered tricycle, not wider than fifty-four (54) inches at its widest point, which transports or is held out to the public as

CD117:19



City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 403 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0068

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: C. 1

AIT SERVICES, INC.:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF SPARE PARTS FOR THE THERMAL DRYING UNIT LOCATED AT THE BIOSOLIDS MANAGEMENT SITE FROM AIT SERVICES, INC. IN THE AMOUNT OF \$65,371.50 PLUS APPLICABLE TAXES, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,174.52, AND TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING FOR FUTURE PURCHASES OF PARTS AND REPAIR SERVICES THROUGH DECEMBER 31, 2018

WHEREAS, the thermal dryer located at the City's Biosolids Management Site, which helped save the City approximately \$1,000,000.00 in landfill costs and generated \$60,000.00 in revenue through fertilizer sales to the public in 2015, currently has no spare parts and the failure of any one of its critical components could shut down the dryer for as much as six months; and

WHEREAS, AIT Services, Inc. is the sole provider of replacement parts for the thermal dryer.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and authorizes the purchase of spare parts for the thermal drying unit located at the Biosolids Management Site from AIT Services, Inc. in the amount of \$65,371.50 plus applicable taxes, and further approves a project contingency in the amount of \$7,174.52.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and authorizes the future purchase of parts and repair services from AIT Services, Inc. through December 31, 2018.

City of Fayetteville Staff Review Form

2016-0068

Legistar File ID

3/1/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Billy Ammons

1/27/2016

Wastewater Treatment Plant /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of a Bid Waiver with AIT Services, Inc. for current and future parts purchases and repairs for the Thermal Drying unit located at the Biosolids Management Site, and approval to purchase critical spare parts in the amount of \$65,371.50 plus \$6,373.72 tax, plus a 10% contingency of \$7,174.52, totaling \$78,919.74.

Budget Impact:

5400.5800.5414.00		Water/Sewer	
Account Number		Fund	
02069.1		Plant, Pumps and Equipment - WWTP	
Project Number		Project Title	
Budgeted Item?	Yes	Current Budget	\$ 673,090.46
		Funds Obligated	\$ 247,499.00
		Current Balance	\$ 425,591.46
Does item have a cost?	Yes	Item Cost	\$ 71,745.22
Budget Adjustment Attached?	No	Budget Adjustment	\$ -
		Remaining Budget	\$ 353,846.24

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:

MEETING OF MARCH 1ST 2016

TO: Mayor and Fayetteville City Council

THRU: Don Marr, Chief of Staff
Water, Sewer, and Solids Waste Committee
Tim Nyander, Utilities Director

FROM: Billy Ammons, Wastewater Treatment

DATE: January 27, 2016

SUBJECT: Approval of a Bid Waiver with AIT Services, Inc. for current and future parts purchases and repairs for the Thermal Drying unit located at the Biosolids Management Site, and approval to purchase critical spare parts in the amount of \$65,371.50 plus applicable taxes plus a 10% contingency.

RECOMMENDATION:

City Administration recommends approval of a Bid Waiver with AIT Services, Inc. for current and future parts purchases and repairs for the Thermal Drying unit located at the Biosolids Management Site (BMS), and approval to purchase critical spare parts in the amount of \$65,371.50 plus \$6,373.72 tax, plus a 10% contingency of \$7,174.52, totaling \$78,919.74.

BACKGROUND:

Biosolids are the finished product from the wastewater treatment process. Prior to 2012, these biosolids were disposed of in landfills. In 2012, the City implemented a heat drying process that eliminates harmful organisms found in untreated wastewater turning the biosolids into Class A organic based fertilizer that is sold for public use. The main piece of equipment in this process is the Thermal Dryer. In 2015, the BMS processed approximately 21,000 wet tons of biosolids creating nearly 3,000 tons of fertilizer. This drying process saved the City nearly \$1,000,000 in landfill costs and generated approximately \$60,000 in revenue from fertilizer sales last year.

DISCUSSION:

The Thermal Dryer drum rotates and is supported by two large bearings. In 2015, one of the bearing units failed and was replaced; fortunately, a critical spare was on hand. These bearings are manufactured on a per order basis, resulting in a lead time up to six months. If a bearing fails during peak biosolids drying season and the City did not have a critical spare readily available, it would cost the City more than \$600,000 in landfill costs while waiting for the parts to be manufactured and for the repair to be completed. AIT Services, Inc. is the sole source provider for parts and repairs for the Fenton Thermal Dryer located at the BMS.

The City received a quote from AIT Services, Inc. in the amount of \$65,371.50 plus tax for a bearing unit for each end of the Thermal Dryer and for a swivel assembly to have as critical spare parts. Because AIT Services, Inc. is the sole source provider, City Administration

recommends approving a bid waiver to for current and future parts purchases and repairs for the Thermal Dryer.

BUDGET/STAFF IMPACT:

Funds are available in the Wastewater Treatment Plant CIP - Plant Pumps and Equipment.

ATTACHMENTS:

Staff Review Form

Purchase Order

Quote for Parts

City of Fayetteville - Purchase Order Request (PO) (Not a Purchase Order) All PO Requests shall be scanned to the Purchasing e-mail: Purchasing@fayetteville-ar.gov . Purchase shall not be made until an actual PO has been issued.						Requisition No.:		Date: 1/27/2016		
						P.O Number:				
Vendor #: 24953		Vendor Name: AIT Service, Inc.				Mail ☐ Yes ☐ No		Legistar#: 2016-0068 Expected Delivery Date:		
Address: P.O. Box 2333, 1100 CR 134				FOB Point: Biosolids Management Site		Taxable ☒ Yes ☐ No				
City: Brownwood		State: Texas		Zip Code: 76804	Ship to code: 72701	Quotes Attached ☒ Yes ☐ No				
Requester: Billy Ammons					Requester's Employee #: OMI		Extension: 479-443-3292			
Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number	Project.Sub#	Inventory #	Fixed Asset #	
1	Cooper Bearing Cartridge and all internal parts (locking) for Fenton Thermal Dryer 72/14	1	EA	20,977.50	\$20,977.50	5400.5800.5414.00	02069.1			
2	Cooper Bearing Cartridge and all internal parts (floating) for Fenton Thermal Dryer 72/14	1	EA	23,644.00	\$23,644.00	5400.5800.5414.00	02069.1			
3	Complete Rotary Swivel assembly for the Fenton Thermal Dryer 72/14, including inlet/outlet flanges, cooper ring gaskets, all internal packing and tension springs.	1	EA	19,500.00	\$19,500.00	5400.5800.5414.00	02069.1			
4					\$0.00					
5					\$0.00					
6					\$0.00					
7					\$0.00					
8					\$0.00					
9					\$0.00					
10					\$0.00					
*	Shipping/Handling	1	Lot	1,250.00	\$1,250.00					
Special Instructions: <u>50% down payment required to order/manufacture parts.</u>							Subtotal: \$65,371.50			
							Tax: \$6,373.72			
							Total: \$71,745.22			
Approvals:										
Mayor: _____			Department Director: _____			Purchasing Manager: _____				
Chief Financial Officer: _____			Budget Director: _____			IT Director: _____				
Dispatch Manager: _____			Utilities Manager: _____			Other: _____				

AIT Services, INC.

QUOTE

1100 CR 134
Brownwood, TX 76801

Phone: 325-646-9754
Fax: 325-649-9658
Prepared by: Chad Bolton

DATE	1/1/2016
QUOTE #	1001
CUSTOMER ID	
VALID UNTIL	1/31/2016

CUSTOMER

City of Fayetteville

DESCRIPTION	UNIT PRICE	QTY	TAXED	AMOUNT
Cooper Bearing Cartridge and all internal parts (locking)	20,977.50	1		20,977.50
Cooper Bearing Cartridge and all internal parts (floating)	23,644.00	1		23,644.00
(warranty attached for bearings) (22 weeks lead time)	-			-
Rotary Swivel (1 year warranty)	19,500.00	1		19,500.00
(8-10 weeks)				-
**All parts for Fenton thermal dryer				-
esimated shipping for all pieces	1,250.00	1		1,250.00
				-
				-
				-
				-
				-
				-
				-
				-

Subtotal	\$ 65,371.50
Taxable	\$ -
Tax rate	
Tax due	\$ -
Shipping	\$ -
TOTAL	\$ 65,371.50

TERMS AND CONDITIONS

1. Customer will be billed 50% after indicating acceptance of this quote
 2. 50% net 30 days after delivery.
 3. Please fax or mail the signed price quote to the address above
- Customer Acceptance (sign below):*

x _____
Print Name:

If you have any questions about this price quote, please contact
Chad Bolton, 325-642-3578, cbolton@aittx.com
Thank You For Your Business!



City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 409 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0088

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: C. 2

LASERFICHE DOCUMENT MANAGEMENT SYSTEM FROM MCCI, LLC ADDITIONAL SOFTWARE USER LICENSES:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF ADDITIONAL LASERFICHE USER LICENSES, THE LASERFICHE FORMS MODULE, ANNUAL SOFTWARE MAINTENANCE, AND FUTURE SOFTWARE AND SERVICE NEEDS THROUGH THE END OF FISCAL YEAR 2017 FROM MCCI, LLC IN AN AMOUNT NOT TO EXCEED \$235,000.00 PLUS APPLICABLE TAXES

WHEREAS, on August 18, 2015, the City Council approved the purchase of a new enterprise resource planning system from New World Systems Corporation which included a new document management system called Laserfiche; and

WHEREAS, City staff anticipate that the number of user licenses needed by City staff will continue to grow beyond the initial thirty five owned by the City and the ability to purchase additional user licenses, annual maintenance, software and service in the future will address additional electronic document management needs of City staff; and

WHEREAS, the purchase of a new forms module will significantly improve the usability of the City's online forms and how citizens and businesses digitally interact with the City; and

WHEREAS, Laserfiche does not sell licenses or software modules directly and requires all purchases to be made through the original vendor which is MCCi, LLC, the largest vendor of Laserfiche to government entities in the United States.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and authorizes the purchase of additional Laserfiche user licenses, the Laserfiche forms module, annual software maintenance, and future software and service needs through the end of fiscal year 2017 from MCCi, LLC in an amount not to exceed \$235,000.00 plus applicable taxes.

City of Fayetteville Staff Review Form

2016-0088

Legistar File ID

3/1/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Keith Macedo

2/11/2016

Information Technology /
Chief of Staff

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends an ordinance waiving the requirements of formal competitive bidding and approving purchases with MCCi, LLC, for additional Laserfiche user licenses, the Laserfiche Forms module, annual software maintenance, and future software and services needs through fiscal year 2017, in the amount not to exceed \$235,000.00, and applicable taxes, to enhance the management of City documents.

Budget Impact:

4470.9470.5801.00

Sales Tax Capital Improvements

Account Number

Fund

02094.1

Document Management

13007.1

Enterprise Data Warehouse System

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 160,086.00

Funds Obligated \$ -

Current Balance **\$ 160,086.00**

Does item have a cost? Yes

Item Cost \$ 64,805.40

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget **\$ 95,280.60**

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



STAFF MEMO

TO: Mayor Jordan

THRU: Don Marr, Chief of Staff

FROM: Keith Macedo, Information Technology Director
Augusta Branham, Website Content Manager

DATE: February 18, 2016

SUBJECT: To approve the purchase of additional software user licenses, a new forms module, annual software maintenance, and additional services through fiscal year 2017, to support our Laserfiche document management system

RECOMMENDATION:

Staff recommends an ordinance waiving the requirements of formal competitive bidding and approving purchases with MCCi, LLC, for additional Laserfiche user licenses, the Laserfiche Forms module, annual software maintenance, and future software and services needs through fiscal year 2017, in the amount not to exceed \$235,000.00, and applicable taxes, to enhance the management of City documents.

BACKGROUND:

As part of our ERP project that was approved by City Council on August 18, 2015, the City purchased a new document management system called Laserfiche to replace our existing system. The new system integrates with our new ERP system and provides significant functionality improvements over our existing document management system. Our initial implementation of Laserfiche was primarily focused within the City Clerk, Finance, and Police departments. Since November, the City has been in the process of deploying Laserfiche and converting our existing processes and data to Laserfiche. Laserfiche is an application that is not only an image archiving tool but provides document management tools to automate document processes, workflow approval, routing of documents, and automated archival of documents. Staff recommends expanding the implementation of Laserfiche to other areas of the City which requires the purchase of additional licenses.

With the implementation of our new CivicPlus website and Utility Billing payment system, the City has made great strides in improving the technology infrastructure the public interacts with on a daily basis. While researching how to improve the methods our customers digitally interact with the City, staff identified a significant need to improve our online forms. The City currently lacks a comprehensive online forms tool to manage our various form needs. Forms are currently created as a PDF or through the CivicPlus online form center, both methods have significant deficiencies in functionality that are required to address our form needs.

Laserfiche is sold through resellers, and Fayetteville selected MCCi as their Laserfiche reseller due to their relationship with our ERP vendor New World System Inc. Mcci is currently the largest government reseller of Laserfiche in the United States. They have a proven track record of supporting over 700 government agencies.

DISCUSSION:

The City currently owns thirty five (35) Laserfiche full client licenses that are all allocated to City staff. The attached quote provides an additional twenty five (25) licenses to increase our license count to address additional department electronic document management needs.

The Laserfiche Forms module will provide staff a common forms development tool that will significantly increase the usability of our online forms while also improving the management of collected information. The new module will be utilized to replace our current online forms and will include features such as online signatures, workflow, and secure form submission. A great feature of Laserfiche Forms is they are optimized for various mobile platforms, which is important in our ever changing environment, with our latest analytics showing 43 percent of the City's web traffic coming from users on a mobile or tablet device. The addition of the Laserfiche Forms module will significantly improve our online forms to support our ongoing goal to improve how citizens and businesses digitally interact with the City.

In addition to the attached software license and forms quotes, staff is requesting approval to purchase additional software, associated software maintenance, and services from MCCi, through fiscal year 2017, to support our ongoing expansion of our document management needs. Staff expects our software license needs to double, to approximately 120 user licenses, over the next two (2) years. We are confident the expansion of this software system provides significant improvements in document management and staff efficiency to justify the continued investment in Laserfiche.

BUDGET/STAFF IMPACT:

The proposed purchases will enable the City to continue our Laserfiche expansion to additional staff and implement a new Laserfiche Forms module to automate many of the City's internal and external forms. The total cost of software products, software maintenance, and services, in the amount not to exceed \$235,000.00, and applicable taxes. Funding is allocated for the expansion of our document management needs within the 2016 Capital Improvements Plan budget while software maintenance and services is funded within the General Fund Information Technology operating budget.

Attachments:

Staff Review Form
Staff Review Memo
Quotes

PO Box 2235
Tallahassee, FL 32316
850.701.0725
850.564.7496 fax

Complete and return to:
finance@mccinnovations.com

Client Name: Fayetteville, AR

Order Date: January 21, 2016

Product Description:	Qty.	Cost	Total
<u>ECM SOFTWARE LICENSING FOR RIO</u>			
☒ Rio Pilot - Records Management 50-99 Users <i>Includes Unlimited Laserfiche Servers, Records Management Edition, Workflow, WebAccess (including the SharePoint integration web parts and WebAccess Light), Advanced Audit Trail, Snapshot, and Email</i> Document Management Software and Licenses Total	25	\$917.00	\$22,925.00
			\$22,925.00
<u>ANNUAL SOFTWARE SUPPORT - BASIC LSAP</u>			
☒ Rio Pilot - Records Management 50-99 Users <i>Includes Unlimited Laserfiche Servers, Records Management Edition, Workflow, WebAccess (including the SharePoint integration web parts and WebAccess Light), Advanced Audit Trail, Snapshot, and Email</i> Annual Support Total	25	\$193.20	\$4,830.00
<i>For budgetary purposes, the Client should include \$4,830.00 in annual budget for renewal of the items quoted above.</i>			\$4,830.00
Total Project Cost			\$27,755.00

This completed form will constitute as an order and will be in accordance with the terms and conditions of the existing contract between MCCI and the Client. Pricing is valid for 30 days from date appearing on this order. MCCI will invoice one hundred percent (100%) of the software and support upon delivery of software. If services are included, the balance of the total project will be invoiced upon completion of the proposed professional services, which may be broken up based on the completion date of specific services. Sales tax will be included where applicable. Payment will be due upon receipt of an invoice.

Note: MCCI will prorate the support of this additional software to be congruent with your current Laserfiche system's support (LSAP) dates, the purpose of which is to align all software with one support date so maintenance of your account is made easy. MCCI will bill for the actual amount of support, which may be higher or lower than quoted. To ensure you are budgeting correctly for future renewals, please add the amount listed in the budgetary note above to your current budgeted renewal amount. Laserfiche software and help files are provided electronically. If hard copy manuals or software is desired, there is a \$50 additional charge. This will need to be requested.

This is NOT an invoice. Please use this confirmation to initiate your purchasing process.



Laserfiche Order

PRICING PROPOSAL

PO Box 2235
Tallahassee, FL 32316
850.701.0725
850.564.7496 fax

Complete and return to:
finance@mccinnovations.com

Client Name: Fayetteville, AR

Order Date: February 18, 2016

Product Description:		Qty.	Cost	Total
<u>ELECTRONIC FORMS FOR RIO</u>				
☒	LF Forms 50-99 Users (10% Add-on to all Named Users)	60	\$83.30	\$4,998.00
☒	LF Forms Portal *Allows Forms Portal to be activated on a Forms server. Multiple licenses are needed if multiple activations are required. Allows form submission only, from unlicensed (public) and non-authenticated users.	2	\$7,995.00	\$15,990.00
Electronic Forms Total				\$20,988.00
<u>ANNUAL SOFTWARE SUPPORT - BASIC LSAP</u>				
☒	LF Forms 50-99 Users (10% Add-on to all Named Users)	60	\$17.54	\$1,052.40
☒	LF Forms Portal *Allows Forms Portal to be activated on a Forms server. Multiple licenses are needed if multiple activations are required. Allows form submission only, from unlicensed (public) and non-authenticated users.	2	\$1,680.00	\$3,360.00
Annual Support Total				\$4,412.40
<i>For budgetary purposes, the Client should include \$4,412.40 in annual budget for renewal of the items quoted above.</i>				
<u>MCCi PROFESSIONAL SERVICES</u>				
☒	LF Forms Configuration Service (per form)- Level 3 (see MCCi Advanced Implementation Services for details)	2	\$2,800.00	\$5,600.00
☒	LF Forms Training - Comprehensive (see MCCi Advanced Implementation Services for details)	1	\$4,400.00	\$4,400.00
☒	MCCi Project Management Services **Up to 10 Hours	1	\$1,650.00	\$1,650.00
Professional Services Total				\$11,650.00
Total Project Cost				\$37,050.40

MCCi STANDARD SERVICES

To determine which services and products are included with your project, please refer to the Pricing Proposal above.

MCCi prides itself in providing high quality professional services and support. Providing the most advanced level of tech support via the web, e-mail and phone, you can rest assured that MCCi will provide you with profession installation, training and support services. Our clients can rely on us to provide a continual flow of information through our technical bulletins and newsletters.

MCCi PROJECT MANAGEMENT SERVICES

MCCi Project Managers are CDIA-certified and Laserfiche Certified. The CDIA (Certified Document Imaging Architect) is awarded after a comprehensive and rigorous exam focused on a broad spectrum of document and records management objectives. There are multiple Laserfiche Certifications and MCCi focuses on maintaining all of them. MCCi Project Managers administer these services and concentrate on defining business requirements and the deliverables that follow. The MCCi Project Manager will work with the client's point of contact to put together a project plan that clearly defines the scope of services of the Project Management services. These services are included to ensure the Client is prepared for the final project implementation.

Implementation

Client Consultation - The assigned MCCi Project Manager will perform a remote pre-installation solution development plan including configuration of security rules for the Client prior to installation and training. This consultation will include a review of current document organization and retrieval practices to determine desired indexing methods, as well as other basic system set up needs. Once this information has been gathered and provided to the MCCi project manager, the basic folder structure, document naming scheme, scheme, and template set-up will be configured prior to onsite training.

Remote Installation and Configuration – Software installation and configuration may occur remotely as part of the Project Management services to ensure the onsite time purchased is focused on the direct objective. Please refer to the pricing proposal to determine if the onsite time will include installation and configuration.

Remote Training – Project Management services may be utilized for training administrators or users remotely if not providing onsite training. Please refer to the pricing proposal to determine the training model quoted.

LASERFICHE BASE SOFTWARE TRAINING SERVICES

The client is provided with either instructor-led hands-on training or train-the-trainer training in the operation of the Laserfiche Software and Plug-ins, and the scope of all training services to be performed is notated in the Pricing Proposal. These services will be provided onsite or remote, please refer to the Pricing Proposal to determine which has been quoted. Below are some sample outlines based on user-roles and system modules:

System Administration Training

- Client and Server Installation Procedure
- Users and Groups – Active Directory
- Security
- Templates
- Tags
- Document Relationships

- Records Management
- Volumes
- System Settings
- Back Up Procedures
- Troubleshooting Procedures
- Technical Support Overview

Full User Training

- Introduction to Laserfiche
- Folders and the Folder Browser
- Scanning and Importing
- OCR and Full Text Indexing
- Document Display
- Index Card/Templates
- Document Retrieval by Index Fields or Text (Searching)
- Annotations
- Extracting a Document from Laserfiche
- Briefcasing and Migrating Documents
- Customize Laserfiche
- Volumes
- Security
- Advanced Features – Plug-ins

MCCi ADVANCED IMPLEMENTATION SERVICES

**The following services listed have been included in your Pricing Proposal based on the recommendation of your Account Executive. Please consult with them for any questions.*

To determine which services and products are included with your project, please refer to the Pricing Proposal above.

LASERFICHE FORMS SERVICES

MCCi's Laserfiche Forms Services are designed to be highly collaborative. The goal is to provide a customized package for your organization. Whether you need direct assistance implementing Laserfiche Forms, or hands-on training to empower your organization to create and maintain electronic forms, or both, MCCi has options available. Please see your Pricing Proposal for the specific Laserfiche Forms Services quoted.

Forms Training Services Provided	Overview	Comprehensive
Training Duration	Up to 5 hours Remote	Up to 2 Days Remote/Onsite
Forms Designer	Yes	Yes
Process Modeler	Yes	Yes
Workflow Configuration (For Forms Process Modeler Integration, and Filing Only)	No	Yes
Forms Configuration (Up to 1 - Level 1 Form)	0	1

Forms Configuration Services Per Form	Level 1	Level 2	Level 3
Forms Design Services	Up to 15 Fields	Up to 30 Fields	Up to 50 Fields
Form Field and Data Look-up Rules*	Up to 10 Rules	Up to 20 Rules	Up to 40 Rules
Process Modeler Configuration	Up to 5 Steps	Up to 10 Steps	Up to 20 Steps
Workflow Configuration (For Forms Process Modeler Integration, and Filing Only)	No	Yes	Yes
Custom Scripting (JScript or CSS)*	Call for Quote	Call for Quote	Call for Quote

**Please note:*

- Users submitting through the Forms Portal are limited to forms submission. Users cannot participate in the workflow/routing process within Laserfiche Forms Process Modeler or Laserfiche Workflow, unless they have a Laserfiche Named User License.
- All Forms Configuration Services are conducted remotely due to multiple decision points throughout the configuration, which may cause delays.
- Field Look-ups: Database Views and Queries must exist or be created by the customer prior to MCCi database lookup configuration.
- Java Script and CSS Scripting (if needed) are not included, unless otherwise notated in the pricing section of the Pricing Proposal.

SOFTWARE DESCRIPTIONS

LASERFICHE AVANTE

Laserfiche Avante solution is a named user model and starts out with a feature rich system that is based on the number of people who will be using the system. It is designed for small to mid-size organizations and helps you capture, manage, distribute, and work with information in diverse working environments. Avante comes with Laserfiche Workflow and allows your organization to move beyond simple document routing to automate everyday tasks, optimize business processes, and share information with a wide variety of applications. Avante systems allow you to choose from multiple database platforms and incrementally expand the system with records management edition and other plug-ins such as Auditing, Web Access, Digital Signatures, and Batch Processing. The Laserfiche Avante pricing structure makes it simple and affordable to add new features and functionality to your Laserfiche system as your needs change.

LASERFICHE RIO

MCCi recommends the Laserfiche RIO solution for Enterprise clients that have a large volume of users, as well as the need for test environments and multiple servers/repositories. RIO and each RIO license comes coupled with Workflow, Web Access, Mobile Access, Snapshot, Email, Digital Signatures, and Advanced Audit Trail. This licensing structure makes it much easier on IT administration, especially when dealing with a large user base. In addition, RIO supports an unlimited number of application servers, as well as repositories, making it well suited for expansion and testing needs. RIO can connect either to MSSQL or Oracle for the backend database, and of course many of the same optional Laserfiche modules such as the Records Management, Batch Processing and Weblink Public Portal licenses are available with RIO.

LASERFICHE SOFTWARE FEATURES AND LICENSING

Feature	Avante	Rio	Comments
Database Options	SQL Express, SQL, Oracle	SQL, Oracle	
Retrieval Concurrent Users	Public Portal (Weblink)	Public Portal (Weblink)	
Full Named Users	Unlimited	25 – Unlimited	Includes Workflow, Email and Snapshot for Avante; Includes Workflow, Email, Snapshot, Digital Signatures, Web Access and Advanced Audit Trail for Rio.
Retrieval Named Users	n/a	200 – Unlimited	Includes Email capability. Minimum of 200 must be purchased.
Application Servers	1	Unlimited	
User License Model	Named	Named	
Repositories	1	Up 15 per Application Server	Avante: Up to 14 additional (for a total of 15) Repositories can be added at an additional cost. RIO: Each Application Server can have up to 15 Repositories attached. RIO allows for an unlimited number of Application Servers.

SOFTWARE DESCRIPTIONS

<i>Workflow</i>	Included	Included	
<i>Snapshot</i>	Included	Included	
<i>Email</i>	Included	Included	
<i>WebAccess (Thin client access for named users)</i>	Add-on option	Included	
<i>Mobile Access</i>	Requires WebAccess	Included	
<i>Digital Signatures</i>	Add-on option	Included	
<i>Audit Trail</i>	Add-on option (Options for Starter, Standard, Advanced)	Includes Advanced Audit Trail	
<i>Public Portal (Weblink) Options</i>	Weblink Public Portal license package options (5,10, 25, 50, Unlimited Single Processor, Unlimited Dual Processor, Unlimited Multi Processor)	Weblink Public Portal license package options (50, Unlimited Single Processor, Unlimited Dual Processor, Unlimited Multi Processor)	Avante Public Portal: The 5 concurrent license only allows for one security profile to be set. Unlimited versions are licensed per Laserfiche application server, and per processor. The licensed number of processors must be equal to or greater than the number of processors (CPUs) on the correlating Laserfiche application server. Note: Additional copies of the Unlimited Public Portal are needed if there is a need to connect the Public Portal to more than 1 Application Server.
<i>Records Management</i>	Add-on option	Add-on option	
<i>Laserfiche Versions</i>	Lf 8.1 and later	Lf 8.0.1 and later	
<i>Web Admin Console</i>	Included	Included	
<i>Laserfiche Forms Users</i>	Add-on option	Add-on option	The Laserfiche Forms User is a required add-on to all Laserfiche Full Named User licenses, and is a pre-requisite to all other Forms licensing options. This add-on will give the current Laserfiche Full Named Users full access (submission, process involvement, and approval rights) to Laserfiche Forms Server. The Laserfiche Forms Server can be installed multiple times, however each instance can only be associated with one Laserfiche application Server.
<i>Laserfiche Forms Portal</i>	Add-on option	Add-on option	Laserfiche Forms Users licensing is a prerequisite to being able to purchase Forms Portal licensing. The Forms Portal license allows Form submission from unlicensed (public) users. Forms Portal was also designed primarily for non-internal/public user submissions, therefore there is no Windows Authentication security validation provided. The

SOFTWARE DESCRIPTIONS

			users that access Forms through the Forms Portal can only submit forms (these users cannot participate in the business process after a form has been submitted). The Forms Portal is licensed to a specific Forms instance/server, rather than to the Laserfiche Application Server. Please note that if an organization desires to have a Forms Portal for internal users, as well as a Forms Portal for external users, and security protocol requires that these two Forms Portals reside on separate servers (one internal one external), multiple Forms Portal licenses are required.
<i>Laserfiche Enterprise Forms Portal</i>	Add-on option	Add-on option	The Enterprise Forms Portal License is recommended for Laserfiche Rio Customers that have multiple Laserfiche Application Servers, as well as for Laserfiche Avante (Avante only allows for one Laserfiche Application Server), but require more than two Forms Portal licenses (see Forms Portal description above). Enterprise Forms Portal is, indeed, unlimited Portals. Instead of allocating one or more Forms Servers as Portals, they all are automatically Forms Portals.
<i>Laserfiche Authenticated Participants</i>	Add-on option	Add-on option	Laserfiche Forms Users licensing is a prerequisite to being able to purchase Forms Authenticated Participant licensing. Forms Authenticated Participant licenses allow Non-Laserfiche Users to participate in Laserfiche Forms Process Modeler Business Processes, and allow for secure authentication when interacting with Laserfiche Forms. Forms Authenticated Participant licensing is recommended for all internal users that require authentication and/or intend to participate in more than just the Forms submission process, and for those users that do not have Laserfiche Full Named User licensing, but have a need to authenticate and participate in Laserfiche Forms Business Processes. A Forms Authenticated Participant license is required for each Forms Server that the user needs to submit to.
<i>Upgrade Path</i>	Rio	n/a	

LASERFICHE PLUG-INS

Laserfiche Plug-Ins, Utilities, and Tools

MCCi can provide additional Laserfiche Plug-ins Utilities, & Tools software. Laserfiche offers a selection of modules and development tools designed to let you tailor Laserfiche to meet your needs. Certain Plug-Ins may be bundled differently based on the Laserfiche platform. Please refer to the pricing page/pricing proposal to determine which modules have been proposed.

Electronic Forms

- **Laserfiche Forms** allows organizations to create Web forms for collection and processing information electronically.
- Laserfiche Forms has flexible design options to meet your organization's needs. You can:
 - Create custom forms from a library of field or selection elements.
 - Apply preset or custom themes, including page logo, colors, buttons, fonts, and more.
 - Configure form elements to dynamically be displayed or hidden depending on user inputs or to be populated with data from external data sources.
 - Automate business processes for form data to follow, such as decision-making, emailing, or approvals.
 - Create custom form layouts and dynamic behaviors with CSS and JavaScript.
- Role-based security is included to allow and restrict access to necessary functions for form submitters, reviewers, approvers, form creators, and system administrators.
- Reporting tools allow different views of details on submitted forms such as:
 - User view of details about all submitted forms.
 - Approver "dashboard" of submissions awaiting approval.
 - Administrator views of all submissions by form and approval status.
- Forms can be used internally or externally (with the appropriate licensing). Publication options include login to forms system, public URL, secure URL, or embedded into a Web page.
- Submitted data can be exported for further analysis or distribution.
- Submitted forms can be utilized to initiate an email notification or start a workflow rule within Laserfiche.

HARDWARE REQUIREMENTS

MCCi will provide necessary consultation upon request, as to the compatibility of current hardware with the Laserfiche System. Changes and recommendations will be made at the time of consultation. See system requirements below. Please keep in mind that these are the minimum system requirements as recommended by MCCi, and should be considered independently rather than collectively. Additionally, overhead for virtualization has not been factored in to these requirements.

MCCi does not recommend any version of Windows that is approaching or is beyond the “End of Extended Support Date” specified by Microsoft.

Scanning Station PC

OS	Windows 8 (32 or 64), Windows 7 (32 or 64), Windows Vista
CPU	2.8 GHz processor or faster
Memory	2 GB RAM or more
Communications	TCP/IP
Web browser	Internet Explorer 6.0 or higher

Client

OS	Windows 8 (32 or 64), Windows 7 (32 or 64), Windows Vista
CPU	1 GHz Processor or better, Performing OCR: Dual Core 2.8 GHz or faster processor
Memory	1 GB RAM or more, Performing OCR: 2 GB RAM
Communications	TCP/IP
Web browser	Internet Explorer 6.0 or higher

Batch Processing Quick Fields Machine

OS	Windows 8 (32 or 64), Windows 7 (32 or 64), Windows Vista, Windows XP Professional (Service Pack 3 or later)
CPU	2.8 GHz Processor or better, Performing OCR: Dual Core 2.8 GHz or faster processor
Memory	4 GB RAM or more
Communications	TCP/IP
High Volume Recommendation	Windows 7 x64 with 8 GB RAM, Intel Core 2 Duo Processors 3.33GHz

Laserfiche Application Server

OS	Windows Server 2012 R2, Windows Server 2012, Windows 2008 R2, Server 2008 (Service Pack 2 or Higher)
CPU	Quad-Core Processor, 2.5 GHz Processor or better
Memory	4 - 8 GB RAM
Communications	TCP/IP

Image/File Server Storage

Typical usage factoring is 18,000 black/white standard size images per GB. Clients typically use a Network Attached Storage (NAS), Storage Area Network (SAN), or a Local Storage Device.

HARDWARE REQUIREMENTS

Database Management System

Avante SQL or Rio SQL	SQL Server 2012, SQL Server 2008 R2 Standard, Microsoft SQL Server 2005 (Service Pack 3 or later), Oracle 9i Release 2 (9.2.0.8+), Oracle 10g (10.2.0.4+), Oracle 11g (11.1.0.6+). For MSSQL, MCCi recommends storing the MDF and LDF on different drives. Growth of MDF to 10% – 15% and Log to 5% to 10% of cumulative Laserfiche Volume size is anticipated.
Avante SQL Express	Microsoft SQL Server 2008 Express Edition
	*Note: Oracle or Microsoft SQL Server must be purchased separately. You must additionally purchase enough licensing for your DBMS to support your Laserfiche installation.

Laserfiche Workflow Server

OS	Windows Server 2012 R2, Windows Server 2012, Windows 2008 R2, Server 2008, (Service Pack 2 or Higher)
CPU	4 Core Processor, 2 GHz Processor or better
Memory	4 GB RAM
Communications	TCP/IP

Laserfiche Audit Trail Server

OS	Windows Server 2012 R2, Windows Server 2012, Windows 2008 R2, Server 2008 (Service Pack 2 or Higher)
CPU	Dual Core Processor, 2 GHz Processor or better
Memory	2 – 4 GB RAM
Communications	TCP/IP
Local Storage	C:\ Drive with 40GB or greater available

Web Module Server(s)

Required if	Installing "Web Access" or Public Portal- Weblink"
OS	Windows Server 2012 with IIS 8, Windows Server 2008 R2 with IIS 7
CPU	Dual Core 2.8 GHz or faster processor
Memory	2 GB RAM or more
Viewer	Web Browser (minimum versions): Laserfiche Web products operate most efficiently when using Internet Explorer 9. Other supported browsers are Firefox, Safari and Chrome

HARDWARE REQUIREMENTS

Note	Clients are responsible for any additional security protocol setup/associated fees that are required to provide internal/external web access. An example would be setting up “Kerberos” for thin client active directory authentication, or setting up VPN access to allow Laserfiche’s iPad/iPhone applications to connect through the Web Access server. Laserfiche Public Portal – Weblink Per Processor (Unlimited) licensing specifics: The Public Portal License allows unlimited connections per processor, however a large number of connections may affect the Laserfiche application server performance (one processor can handle roughly 100 to 150 concurrent retrieval connections). The client must have one Public Portal License for each Laserfiche application server they desire to connect to, and the Public Portal license must be licensed by the appropriate number of processors, which is required to match or exceed the CPUs/processors on the Laserfiche application server that the Public Portal will connect to. For example, the client must have a dual-processor or multiprocessor Public Portal license in order to connect to a Laserfiche Application Server that has two or more processors. Public Portal View Only Licenses may only be used with WebLink; they are not available for other applications.
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OCR Scheduler for Laserfiche

OS	Windows Operation Systems: 32 & 64 bit
Requirements	Laserfiche Version 8 Server (runs as a service), Laserfiche Version 8 Client.
Recommendation	1 dedicated LF Named User license

Scanners

Must use ISIS drivers to be compatible with Laserfiche ScanConnect software. Scanner compatibility should be confirmed by referencing the most up to date Laserfiche published supported scanner list at: http://laserfiche.com/static/Resources/scanlist.html.

Laserfiche Forms

Laserfiche Server	Version 8.3.2 or higher, Avante or Rio licensing model
Web Server	Windows Server 2008 or Windows 7 with IIS 7 or 7.5, Windows Server 2012
CPU	2.9 GHz or faster processor
Memory	8 GB RAM or more
Database Server	Microsoft SQL Server 2008, 2008 R2, and 2012, and 2012 R2
Client	Laserfiche Forms can be viewed in Chrome, Firefox 3.5 and higher, Internet Explorer 7 and higher, Opera, and Safari (Mac only). It also support mobile browsing from iPad 2 and higher. For best results we recommend using Internet Explorer 9 or higher, Firefox 12 or higher, or Chrome 6 or higher
Note	Internet Explorer 7 users should install Microsoft security update 947864 (MS08-024)

City of Fayetteville - Purchase Order Request (PO)

(Not a Purchase Order)

All PO Requests shall be scanned to the Purchasing e-mail: Purchasing@fayetteville-ar.gov.

Purchase shall not be made until an actual PO has been issued.

Requisition No.:

Date:

P.O Number:

Vendor
#:

26354

Vendor
Name:

MCCi LLC

Mail

☒ YES ☐ NO

Legistar#:

2016-0088

Address: 1958 A Commonwealth Ln

FOB Point:

Taxable

☒ YES ☐ NO

Expected Delivery Date:

City:

Tallahassee

State:

FL

Zip Code:

32303

Ship to code:

Quotes Attached

☒ YES ☐ NO

Requester: Brad Fulmer

Requester's Employee #:

2273

Extension:

8217

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number	Project.Sub#	Inventory #	Fixed Asset #
1	Laserfiche Forms	1		37,050.40	\$37,050.40	4470.9470.5801.00	13007.1		6340
2	Laserfiche Licenses	1		27,755.00	\$27,755.00	4470.9470.5209.00	02094.1		
3					\$0.00				
4					\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal:

\$64,805.40

Tax:

\$6,318.53

Total:

\$71,123.93

Approvals:

Mayor: _____

Department Director: _____

Purchasing Manager: _____

Chief Financial Officer: _____

Budget Director: _____

IT Director: _____

Dispatch Manager: _____

Utilities Manager: _____

Other: _____



City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 426 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0085

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: C. 3

RZN 15-5293 (701 E. HUNTSVILLE RD./ROSE BAUER):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5293 FOR APPROXIMATELY 36.25 ACRES LOCATED AT 701 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO CS, COMMUNITY SERVICES; NC, NEIGHBORHOOD CONSERVATION AND R-A, RESIDENTIAL-AGRICULTURAL AND SUBJECT TO A BILL OF ASSURANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo From RSF-4, Residential Single Family, 4 Units Per Acre to CS, Community Services; NC, Neighborhood Conservation and R-A, Residential-Agricultural and subject to a Bill of Assurance.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

City of Fayetteville Staff Review Form

2016-0085

Legistar File ID

3/1/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jeremy Pate

2/12/2016

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 15-5293: Rezone (701 E. HUNTSVILLE RD./ROSE-BAUER, 564): Submitted by BLEW & ASSOCIATES, INC. for properties at 701 E. HUNTSVILLE RD. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 36.25 acres. The request is to rezone the properties to CS, COMMUNITY SERVICES and NC, NEIGHBORHOOD CONSERVATION, and R-A, Residential-Agricultural subject to a Bill of Assurance.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF MARCH 1, 2016

TO: Mayor, Fayetteville City Council

FROM: Quin Thompson, Current Planner

THRU: Andrew Garner, Planning Director

DATE: February 12, 2016

SUBJECT: **RZN 15-5293: Rezone (701 E. HUNTSVILLE RD./ROSE-BAUER, 564):**
Submitted by BLEW & ASSOCIATES, INC. for properties at 701 E. HUNTSVILLE RD. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 36.25 acres. The request is to rezone the properties to CS, COMMUNITY SERVICES and NC, NEIGHBORHOOD CONSERVATION, and R-A, Residential-Agricultural subject to a Bill of Assurance.

RECOMMENDATION:

The Planning Commission and planning staff recommend approval of an ordinance to rezone the property to R-A, Residential-Agricultural, NC, Neighborhood Conservation, and CS, Community services as proposed, subject to a Bill of Assurance.

BACKGROUND:

The subject property is a 67 acre parcel located on the southeast corner of Morningside Drive and Huntsville Road. The parcel is currently zoned RSF-4 Approximately a third of the parcel is within the Enduring Green Network (EGN). The property is developed with a single-family residence and several small agricultural buildings, and is currently in agricultural use. The applicant proposes rezoning the northern 36.25 acres, roughly speaking, the northern half of the parcel. The request is to rezone the property from RSF-4 to CS (2.87 acres), NC (31.18 acres) and R-A (2.19 acres) as shown in the following exhibits:

- Exhibit 'A', rezone map
- Exhibit 'B', legal description
- Exhibit 'C', Bill of Assurance

The applicant has indicated that the rezone is being sought in order to allow development of higher density single-family housing, with potential for future commercial and/or mixed-use development at the southeast corner of Huntsville Road and Morningside Drive. The applicant proposes to rezone a riparian corridor that traverses the property from north to south through the eastern third of the parcel to R-A, Residential-Agricultural subject to a Bill of Assurance. The Bill of Assurance would limit the R-A portion of this site to open space conservation uses, with the exception of two road crossings for future development.

Land Use Compatibility: The proposed zoning is generally compatible with the surrounding mixture of residential and non-residential uses. The immediate area contains a range of single-family and multi-family development types, but all share a low to moderate densities, where the proposal of 31 acres NC zoning would allow increased density, encouraging a pattern of development staff finds compatible with existing properties, including existing single-family homes that would be surrounded on three sides by this proposal.

Land Use Plan Analysis: The proposed zoning is generally compatible with the Future Land Use Map (FLUM) for the portion of property designated as City Neighborhood Area. The proposed zoning is also compatible with that portion designated as Natural Area. Natural Areas are intended for development that encourages conservation or preservation of these areas, as proposed with the R-A zoning and Bill of Assurance.

The goals of City Plan 2030 include discouraging urban sprawl and making the traditional town form the standard. The CS and NC zoning districts have been developed to achieve these land use goals, in part through the use of increased densities and development forms that create connected, pedestrian friendly communities. Rezoning the bulk of this parcel to the NC district should encourage development exhibiting traditional town form. The surrounding buildings are generally a mix of building types and densities.

DISCUSSION:

On January 11, 2016 the Planning Commission forwarded this item to the City Council with a recommendation for approval by a vote of 7-2-0, with Commissioners Hoffman and Brown voting against. At the meeting, one nearby property owner made comment, saying that his preference for development that would be similar to the residential patterns along Morningside Drive.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- Exhibit A
- Exhibit B
- Application
- Planning Commission Staff Report

ROSE-BAUER

 RZN15-5293
 Fayetteville City Limits
 Footprints 2010
 Design Overlay District
 Planning Area



15-5293
EXHIBIT 'B'

PARENT TRACT - PER DEED BOOK 966, PAGE 786/PROPERTY NOT SURVEYED

THE WEST HALF OF THE NORTH-EAST QUARTER OF SECTION TWENTY-TWO (22) IN TOWNSHIP SIXTEEN (16) NORTH, OF RANGE THIRTY (30) WEST OF THE 5TH PRINCIPAL MERIDIAN, EXCEPT THE FOLLOWING DESCRIBED PART THEREOF, TO-WIT: BEGINNING AT THE SOUTH EAST CORNER OF SAID EIGHTY ACRE TRACT, AND RUNNING, THENCE WEST TWENTY-EIGHT AND ONE-HALF (28 1/2) RODS; THENCE NORTH THIRTY-FOUR (34) RODS TO THE NORTH LINE OF THE OLD RIGHT OF WAY OF THE PACIFIC & GREAT EASTERN RAILROAD; THENCE IN AN EASTERLY DIRECTION WITH SAID RIGHT OF WAY TO A POINT ON THE EAST LINE OF SAID EIGHTY ACRE TRACT WHICH IS FORTY-SIX (46) RODS AND EIGHT (8) LINKS NORTH OF THE BEGINNING POINT; THENCE SOUTH FORTY-SIX (46) RODS AND EIGHT (8) LINKS TO THE PLACE OF BEGINNING, BEING 6.07 ACRES, MORE OR LESS, AND LEAVING HEREIN CONTAINED 73.93 ACRES, MORE OR LESS, LESS AND EXCEPT 40 FEET OF EQUAL UND UNIFORM WIDTH OFF OF THE WEST SIDE OF THE ABOVE DESCRIBED PROPERTY. ALSO PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 22, TOWNSHIP 16 NORTH, RANGE 30 WEST OF THE 5TH P.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID 40 ACRE TRACT, AND RUNNING THENCE SOUTH 61 YARDS, THENCE EAST 12 CHAINS 87 1/2 LINKS, THENCE NORTH 61 YARDS, THENCE WEST 12 CHAINS 87 1/2 LINKS TO THE POINT OF BEGINNING. SUBJECT TO ALL ROADWAYS AND EASEMENTS OF RECORD, IF ANY.

TRACT 1

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, IN TOWNSHIP 16 OF RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT A POINT WHICH IS THE NORTHWEST CORNER THEREOF, AND RUNNING EAST 307.52'; THENCE S00°04'36"E 407.06'; THENCE WEST 308.06'; THENCE NORTH 407.06' TO THE POINT OF BEGINNING, CONTAINING 2.87 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF THE PUBLIC ROADS OVER AND ACROSS THE NORTH AND WEST SIDES THEREOF.

TRACT 2

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, IN TOWNSHIP 16 OF RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT A POINT WHICH IS EAST 518.67' OF THE NORTHWEST CORNER THEREOF, THENCE EAST 144.45'; THENCE S00°00'01"E 76.64'; THENCE S42°32'01"E 93.00'; THENCE S07°24'13"E 132.39'; THENCE S59°56'49"E 53.22'; THENCE S01°26'51"E 226.40'; THENCE S04°56'15" 74.70'; THENCE S03°51'39"W 91.65'; THENCE S13°09'26"E 92.37'; THENCE S00°32'38"E 473.74'; THENCE S89°28'54"W 820.64'; THENCE NORTH 859.32'; THENCE EAST 308.06'; THENCE N85°53'00"E 211.15'; THENCE NORTH 391.90' TO THE POINT OF BEGINNING, CONTAINING 17.91 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF THE PUBLIC ROAD OVER AND ACROSS THE NORTH SIDE THEREOF.

TRACT 3

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, IN TOWNSHIP 16 OF RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT A POINT WHICH IS EAST 663.12' OF THE NORTHWEST CORNER THEREOF, THENCE NORTH 60.00'; THENCE S00°00'01"E 53.29'; THENCE S42°32'01"E 88.64'; THENCE S07°24'13"E 121.77'; THENCE S59°56'49"E 121.71'; THENCE S01°26'51"E 251.15'; THENCE S33°40'54"W 91.25'; THENCE S03°51'39"W 63.22'; THENCE S13°09'26"E 90.03'; THENCE S00°32'38"E 480.39'; THENCE S89°28'54"W 60.00'; THENCE N00°32'38"W 473.74'; THENCE N13°09'26"W 92.37'; THENCE N03°51'39"E 91.65'; THENCE N04°56'15"W 74.70'; THENCE N01°26'51"W 226.40'; THENCE N59°56'49"W 53.22'; THENCE N07°24'13"W 132.39'; THENCE N42°32'01"W 93.00'; THENCE N00°00'01"W 76.64' TO THE POINT OF BEGINNING, CONTAINING 2.19 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF THE PUBLIC ROAD OVER AND ACROSS THE NORTH SIDE THEREOF.

TRACT 4

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, IN TOWNSHIP 16 OF RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT A POINT WHICH IS EAST 723.12' OF THE NORTHWEST CORNER THEREOF, THENCE EAST 596.88'; THENCE SOUTH 1254.44'; THENCE S89°28'54"W 439.41'; THENCE N00°32'38"W 480.39'; THENCE N13°09'26"W 90.03'; THENCE N03°51'39"E 63.22'; THENCE N33°40'54"E 91.25'; THENCE N01°26'51"W 251.15'; THENCE N59°56'49"W 121.71'; THENCE N07°24'13"W 121.77'; THENCE N42°32'01"W 88.64'; THENCE N00°00'01"W 53.29' TO THE POINT OF BEGINNING, CONTAINING 13.27 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF THE PUBLIC ROAD OVER AND ACROSS THE NORTH SIDE THEREOF.

15-5293
EXHIBIT 'C'

BILL OF ASSURANCE FOR THE CITY OF FAYETTEVILLE, ARKANSAS

In order to attempt to obtain approval of a request for a zoning reclassification, the owner, developer, or buyer of this property, (hereinafter "Petitioner") ~~Barth Bauer~~ Charles P. Rose Testamentary Trust, hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Chancery/Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, **substantial irreparable damage justifying injunctive relief** has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will **reasonable** rely upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers assurances that Petitioner and Petitioner's property shall be restricted as follows IF Petitioner's rezoning is approved by the Fayetteville City Council.

1. The use of Petitioner's property shall be limited to NC, CS and RA zoned areas

2. Other restrictions including number and type of structures upon the property are limited to Section of property zoned RA shall be deemed a Conservation Area with minimal disturbance in said area, with the exception of two "2" proposed street crossings and a city trail.

3. Specific activities will not be allowed upon petitioner's property include No development will be allowed in portion of property zoned RA with the exception of the afore mentioned two "2" street crossings.

4. (Any other terms or conditions) _____

5. Petitioner specifically agrees that all such restrictions and terms shall run with the land and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, Curtis E. Hogue, Trustee of Trust, as the owner, developer or buyer (Petitioner) voluntarily offer all such assurances and sign my name below.

Feb 8, 2016
Date

175 N. Gast Ave. Ste. 402
Address
Fayetteville AR 72701

Curtis E. Hogue, Trustee
Printed Name Charles P. Rose Trust

Curtis E. Hogue, Trustee
Signature

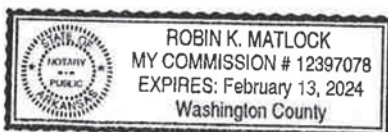
NOTARY OATH

STATE OF ARKANSAS }
COUNTY OF WASHINGTON }

And now on this the 8th day of February, 2016, appeared before me, Curtis E. Hogue, Trustee and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

Robin K. Matlock
NOTARY PUBLIC

My Commission Expires:
Feb. 13, 2024



CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

15-5293

FEE: \$325.00

Sign Fee: \$5.00

S-T-R:

PP#:

Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: ☒ Applicant ☐ Representative

Applicant (person making request):

Representative (engineer, surveyor, realtor, etc.):

Name: BART BAUER

Name: _____

Address: 1417 N. ADDINGTON AVE.
FAYETTEVILLE AR 72703

Address: _____

E-mail: bauerpat@sbglobal.net

E-mail: _____

Phone: (479) 283-0153

Phone: ()

Fax: ()

Fax: ()

Site Address / Location: 701 E. HUNTSVILLE ROAD

Current Zoning District: RSF 4

Requested Zoning District: CS + NS

Assessor's Parcel Number(s) for subject property: 765-15088-000

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

BART BAUER, PURCHASER ON REAL ESTATE CONTRACT

CHARLES P. ROSE TESTAMENTARY TRUST, SELLER

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): BART BAUER Date: 12/15/15
Signature: *Bart Bauer* 12/15/15

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. *(If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)*

Property Owners of Record (attach additional info if necessary):

Name (printed): CHARLES P. ROSE TESTA Address: 75 N. East Ave Suite 402
MENTARY TRUST Fayetteville, AR 72705
Signature: *Charles P. Rose, Trustee* Phone: (479) 973-5200
Date: 12/15/15

Name (printed): CURTIS E. HOGUE, TRUSTEE Address: _____
Signature: _____
Date: _____ Phone: () _____

Rezoning Checklist:

Attach the following items to this application:

- (1) Payment in full of applicable fees for processing the application:
\$325.00 application fee
\$5.00 public notification sign fee
- (2) A legal description of the property to be rezoned. A survey may be required if the property description can not accurately be platted or if it is described by referring to other deeds.
- (3) CD containing a copy of the legal description in MS Word and all required submittal items should be also included on the CD in PDF format.
- (4) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website (www.co.washington.ar.us). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.

- (5) A *written description* of this request addressing the following items:
- a. Current ownership information and any proposed or pending property sales.
 - b. Reason (need) for requesting the zoning change.
 - c. Statement of how the proposed rezoning will relate to surrounding properties in terms of land use, traffic, appearance, and signage.
 - d. Availability of water and sewer (state size of lines). This information is available from the City Engineering Division.
 - e. The degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.
 - f. Whether the proposed zoning is justified and/or needed at the time of the request.
 - g. Whether the proposed zoning will create or appreciably increase traffic danger and congestion.
 - h. Whether the proposed zoning will alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.
 - i. Why it would be impractical to use the land for any of the uses permitted under its existing zoning classification.
- (6) The applicant is responsible for meeting the public notification requirements for a Rezoning listed on the Notification Requirements pages in this application.

Notice: Resources including current zoning regulations, City Plan 2030, Future Land Use Plan, Master Street Plan and Zoning maps are available for review on our website, www.accessfayetteville.org and in the Planning Office.

All applicants should meet with a staff Planner prior to completing a Rezoning application.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Quin Thompson, Current Planner

MEETING DATE: ~~February 8, 2016~~ **UPDATED FEBRUARY 10, 2016**

SUBJECT: **RZN 15-5293: Rezone (701 E. HUNTSVILLE RD./ROSE-BAUER, 564):**
Submitted by BLEW & ASSOCIATES, INC. for properties at 701 E. HUNTSVILLE RD. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 36.25 acres. The request is to rezone the properties to CS, COMMUNITY SERVICES and NC, NEIGHBORHOOD CONSERVATION, and R-A, Residential-Agricultural subject to a Bill of Assurance

RECOMMENDATION:

Staff recommends approval of **RZN 15-5293** based on the findings herein.

BACKGROUND:

The subject property is a 67 acre parcel located on the southeast corner of Morningside Drive and Huntsville Road. The parcel is currently zoned RSF-4 Approximately a third of the parcel is within the Enduring Green Network (EGN). The property is developed with a single-family residence and several small agricultural buildings, and is currently in agricultural use. The applicant proposes rezoning the northern 36.25 acres, roughly speaking, the northern half of the parcel.

Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Residential	RSF-4, Residential Single-Family
South	Undeveloped	RSF-4, Residential Single-Family/RMF-24, Residential Multi-family
East	Multi-family Residential/ Seven Hills	RSF-4, Residential Single-Family/RMF-12, Residential Multi-family
West	Residential/Senior Housing	NC, Neighborhood Conservation/DG, Downtown General

Request: The request is to rezone the property from RSF-4 to CS (2.87 acres), NC (31.18 acres) and R-A (2.19 acres), in order to allow development of higher density single-family housing, with potential for future commercial and/or mixed-use development at the northwest corner of Huntsville Road and Morningside Drive. The applicant proposes to rezone a riparian corridor that traverses the property from north to south through the eastern third of the parcel to R-A, Residential-Agricultural subject to a Bill of Assurance. The Bill of Assurance would limit the R-A

portion of this site to open space conservation uses, with the exception of two road crossings for future development.

Public Comment: Staff has received public comment from one resident of Fayetteville, objecting generally to commercial development in this area.

INFRASTRUCTURE:

Streets: The subject parcel has access to Huntsville Road, a collector street, to the north and Morningside Drive, a Collector street, to the east. The southern portion of Huntsville Road has been improved with sidewalk and storm drainage along these parcel's frontage. Any additional street improvements would be determined at time of development. Proposed Tracts 1 and 3 would have street frontage along Morningside Drive to the west. The eastern side of Morningside Drive in this area is unimproved with open ditches. Construction of curb, gutter, and sidewalk would be required at time of development to conform to the master street plan in this area. Improvements will be determined at time of development.

Water: Public water is available to the site. 6" public water mains are located along the property frontage of both Morningside Drive and Huntsville Road.

Sewer: Sanitary Sewer is available to the proposed Tract 1, an existing 6" public sewer main is located in Huntsville Road. Sanitary Sewer is available to Tract 3, an existing 6" public sewer main is located in Morningside Drive. However, sewer is not currently available to the proposed Tract 2 and offsite extensions would be required at time of development.

Drainage: Any additional improvements or requirements for drainage will be determined at time of development. Portions of proposed Tracts 1, 2, or 3 lie within the 100 year flood hazard area. No portions of these parcels are located in the HHOD. No protected streams are located within these parcels.

Fire: The Fire Department did not express any concerns with the request.

Police: The Police Department did not express any concerns with this request.

CITY PLAN 2025 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates the properties within the proposed rezone as **City Neighborhood Area** and **Natural Area**.*

- **City Neighborhood Areas** are more densely developed than residential neighborhood areas and provide a varying mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types.
- **Natural Areas** consist of lands approximating or reverting to a wilderness condition, including those with limited development potential due to topography, hydrology, vegetation or value as an environmental resource. These resources can include stream and wildlife corridors, as well as natural hubs and cores, as identified in the FNHA study, many of which make up the backbone of the enduring green network. A Natural Area designation would encourage a development pattern that requires conservation and preservation, prevents degradation of these areas, and would utilize the principles of low impact development for all construction.

The portion designated on the FLUM as 'Natural Area' has been identified as having high environmental value by the Fayetteville Natural Heritage Association (FNHA), a local non-profit group. As a result of the FNHA work and other City staff research, this study area was included on the Enduring Green Network (EGN) map. The EGN map resulted in designation of portions of this area as Natural Area on the FLUM. Due to the environmental sensitivity of the study area, staff recommends that land identified as **Natural Area** be zoned R-A, Residential-Agricultural. This zoning should result in conservation along these riparian corridors in exchange for higher density in other areas. The applicant's proposal for R-A zoning along this corridor, along with a Bill of Assurance, is consistent with the Natural Area designation.

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: *Land Use Compatibility:* The proposed zoning is generally compatible with the surrounding mixture of residential and institutional uses. The immediate area contains a range of single-family and multi-family development types, but all share a low to moderate densities, where the proposal of 31 acres NC zoning would allow increased density and some potential for commercial use, encouraging a pattern of development staff finds compatible with existing properties, including existing single-family homes that would be surrounded on three sides by this proposal.

Land Use Plan Analysis: The proposed zoning is generally compatible with the Future Land Use Map (FLUM) for the portion of property designated as City Neighborhood Area. The proposed zoning is also compatible with that portion designated as Natural Area. Natural Areas are intended for development that encourages conservation or preservation of these areas, as proposed with the R-A zoning and Bill of Assurance.

The goals of City Plan 2030 include discouraging urban sprawl and making the traditional town form the standard. The CS and NC zoning districts have been developed to achieve these land use goals, in part through the use of increased densities and development forms that create connected, pedestrian friendly communities. However, rezoning the bulk of this parcel to the NC district should encourage development exhibiting traditional town form. The surrounding buildings are generally a mix of building types and densities.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: The applicant has requested the zoning change in order develop the property with a variety of residential development. The proposed zoning districts would beneficially increase residential densities above those allowed under the current 4 unit per acre limit, thereby discouraging sprawling development, a goal of the City Plan 2030. The property is located less than one mile from the city center, and in staff opinion, the pattern of development

should reflect that with increased density and traditional town form as indicated by the goals of City Plan 2030.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: The site has access to Huntsville Road (AR HWY 16 E) and Morningside Drive, both partially improved 'Collector' streets. The rezone that encourages development would increase traffic on this property, however, development of the area is unlikely to have significant negative impact on safety and congestion in the area.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: Rezoning the property from RSF-4 to a combination of NC and CS would certainly alter future population density, but should not undesirably affect load on public services. The Police and Fire Departments have expressed no objections to the proposal. A significant amount of street improvement would likely be required to fully develop this site, and would be reviewed in detail at the time of development.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
 - a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

RECOMMENDATION: Staff recommends approval of RZN 15-5293 based on the findings discussed throughout this report, subject to a Bill of Assurance.

PLANNING COMMISSION ACTION: Required YES

Date: February 8, 2016 ☐ Tabled ☒ Forwarded ☐ Denied

MOTION #1: HOFFMAN, MOTION TO FORWARD AN AMENDED REQUEST WITH NS ZONING TO REPLACE CS.
SECOND: BROWN

VOTE: 2-7-0, HOSKINS, AUTRY, SELBY, CHESSER, NOBLE, BUNCH, AND COOK VOTED 'NO', MOTION
FAILED.

MOTION #2: CHESSER, MOTION TO FORWARD FORWARD AS PROPOSED BY APPLICANT.

SECOND: AUTRY

VOTE: 7-2-0, HOFFMAN AND BROWN VOTED 'NO', MOTION PASSES.

CITY COUNCIL ACTION: Required YES

Date: March 1, 2016 ☐ Approved ☐ Denied

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code sections 161.03, 161.07, 161.19, & 161.26
- Request letter
- Applicant's rezone exhibit
- Bill of Assurance
- One Mile Map, Close-Up Map, Current Land Use Map, Future Land Use Map

161.07 District RSF-4, Residential Single-Family – Four Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(C) *Density.*

	Single-family dwellings	Two-family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and area regulations.*

	Single-family dwellings	Two-family dwellings
Lot minimum width	70 ft.	80 ft.
Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.
Hillside Overlay District Lot minimum width	60 ft.	70 ft.
Hillside Overlay District Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.

(E) *Setback requirements.*

Front	Side	Rear
-------	------	------

15 ft.	5 ft.	15 ft.
--------	-------	--------

(F) *Building height regulations.*

Building Height Maximum	45 ft.
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Height regulations. Structures in this District are limited to a building height of 45 feet. Existing structures that exceed 45 feet in height shall be grandfathered in, and not considered nonconforming uses, (ord. # 4858).

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 4858, 4-18-06; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5224, 3-3-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11)

161.03 District R-A, Residential-Agricultural

(A) *Purposes.* The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 20	Commercial recreation, large sites
Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

Units per acre	One-half
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(D) *Bulk and area regulations.*

Lot width minimum	200 ft.
Lot Area Minimum:	
Residential:	2 acres
Nonresidential:	2 acres
Lot area per dwelling unit	2 acres

E) *Setback requirements.*

Front	Side	Rear
35 ft.	20 ft.	35 ft.

(F) *Height requirements.* There shall be no maximum height limits in the A-1 District, provided, however, that any building which exceeds the height of 15 feet shall be setback from any boundary line of any residential district a distance of 1.0 foot for each foot of height in excess of 15 feet. Such setbacks shall be measured from the required setback lines.

(G) *Building area.* None.

(Code 1965, App. A., Art. 5(1); Ord. No. 1747, 6-29-70; Code 1991, §160.030; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5195, 11-6-08; Ord. 5238, 5-5-09; Ord. 5479, 2-7-12)

161.26 Neighborhood Conservation

(A) *Purpose.* The *Neighborhood Conservation* zone has the least activity and a lower density than the other zones. Although *Neighborhood Conservation* is the most purely residential zone, it can have some mix of uses, such as civic buildings. *Neighborhood Conservation* serves to promote and protect neighborhood character. For the purposes of Chapter 96: Noise Control, the *Neighborhood Conservation* district is a residential zone.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 12	Limited Business *
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cottage Housing Development

(C) *Density.* 10 Units Per Acre.

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single Family	40 ft.
Two Family	80 ft.
Three Family	90 ft.

(2) *Lot area minimum.* 4,000 Sq. Ft.

(E) *Setback regulations.*

Front	A build-to zone that is located between the front property line and a line 25 ft. from the front property line.
Side	5 ft.
Rear	5 ft.
Rear, from center line of an alley	12 ft.

(F) *Building height regulations.*

Building Height Maximum	45 ft.
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(Ord. 5128, 4-15-08; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

CITY OF FAYETTEVILLE UNIFIED DEVELOPMENT CODE

161.19 Community Services

(A) *Purpose.* The *Community Services* district is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas and is intended to provide for adaptable mixed use centers located along commercial corridors that connect denser development nodes. There is a mixture of residential and commercial uses in a traditional urban form with buildings addressing the street. For the purposes of Chapter 96: Noise Control, the Community Services district is a commercial zone. The intent of this zoning district is to provide standards that enable development to be approved administratively.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 13	Eating places
Unit 15	Neighborhood Shopping goods
Unit 18	Gasoline service stations and drive-in/drive through restaurants
Unit 24	Home occupations
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density.* None

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Dwelling	18 ft.
All others	None

(2) *Lot area minimum.* None

(E) *Setback regulations.*

Front:	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.
Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	56 ft.
-------------------------	--------

(G) *Minimum buildable street frontage.* 50% of the lot width.

(Ord. 5312, 4-20-10; Ord. 5339, 8-3-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS

February 2, 2016

City of Fayetteville
113 W. Mountain St.
Fayetteville.

SUBJECT:

To Whom It May Concern:

Current Owner:

Testamentary Trust A, Testamentary Trust B
C/O Curtis E. Houge
75 N. East Ave. Ste. 402
Fayetteville, AR 72701

Pending Property Owner:
Bart Bauer
1417 N. Addington Ave.
Fayetteville, AR 72703

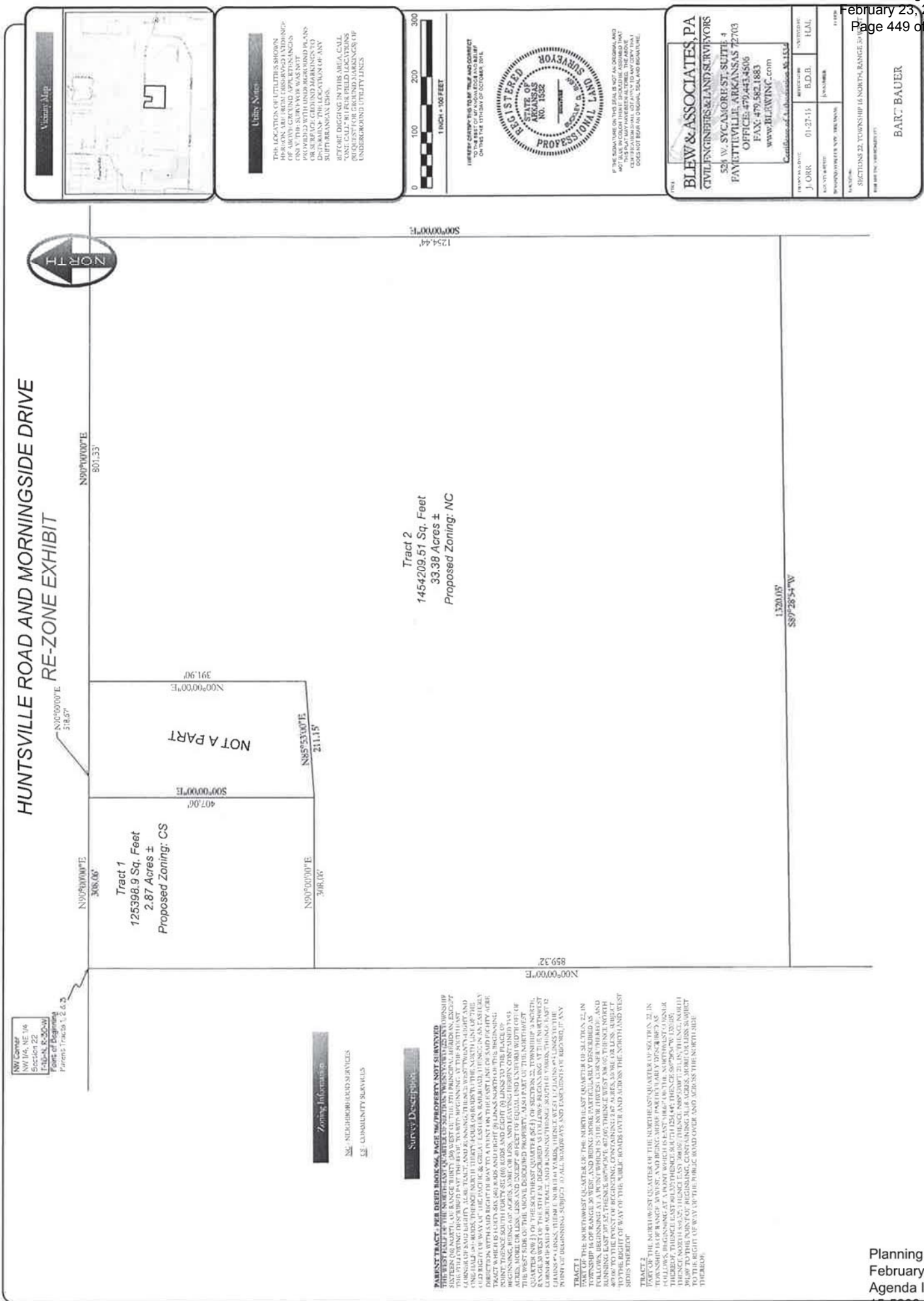
This zoning change is necessary for development of this property to allow a mix of residential developments. Additionally, the proposed zoning NC (31.18 Ac.), a strip of RA (2.19 Ac.) to preserve the natural way and the small corner of CS (2.87 Ac.) will promote more variable types of transportation, housing and a pedestrian friendly neighborhoods also a scenic natural way along the existing water way that divides the property . Water is located along Morningside Dr. (6"and 24" waterlines) and Huntsville Rd. (8" waterline), Sewer is located along Morningside Dr. (6" Sewer line).

The proposed zoning follows the City Plan 2030 Master Plan, allowing for a more diverse and low intensity development that is consistent with adjacent property. The zoning is needed to comply with the City Plan 2030 and to be more consistent with surrounding land uses. With this type of development alternative methods of transportation are more readily available to the neighborhood, in turn lowering the traffic congestion and danger. The developer is looking to utilize a smaller lot size that is not permitted under the current zoning, also while providing a natural area that will split the property and allow for a very unique subdivision.

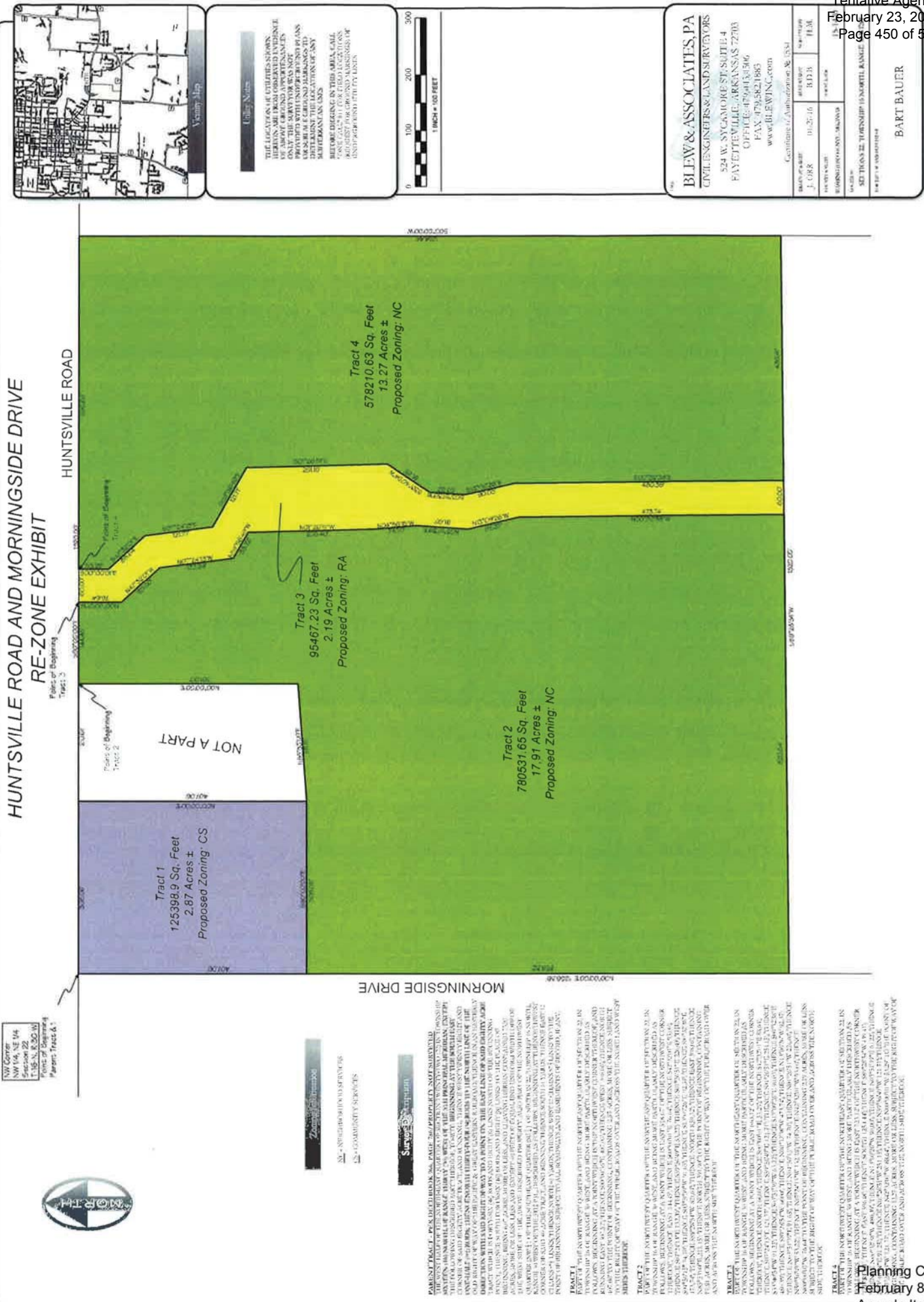
Sincerely,

Joseph Orr
Blew & Associates, PA

524 W. SYCAMORE ST, SUITE 4 • FAYETTEVILLE / ARKANSAS • 72703
P H O N E : 4 7 9 - 4 4 3 - 4 5 0 6 • F A X : 4 7 9 - 5 8 2 - 1 8 8 3



HUNTSVILLE ROAD AND MORNINGSIDE DRIVE
RE-ZONE EXHIBIT



BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS
524 W. SYCAMORE ST. SUITE 4
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479-401-5106
FAX: 479-582-1885
www.BLEWING.com

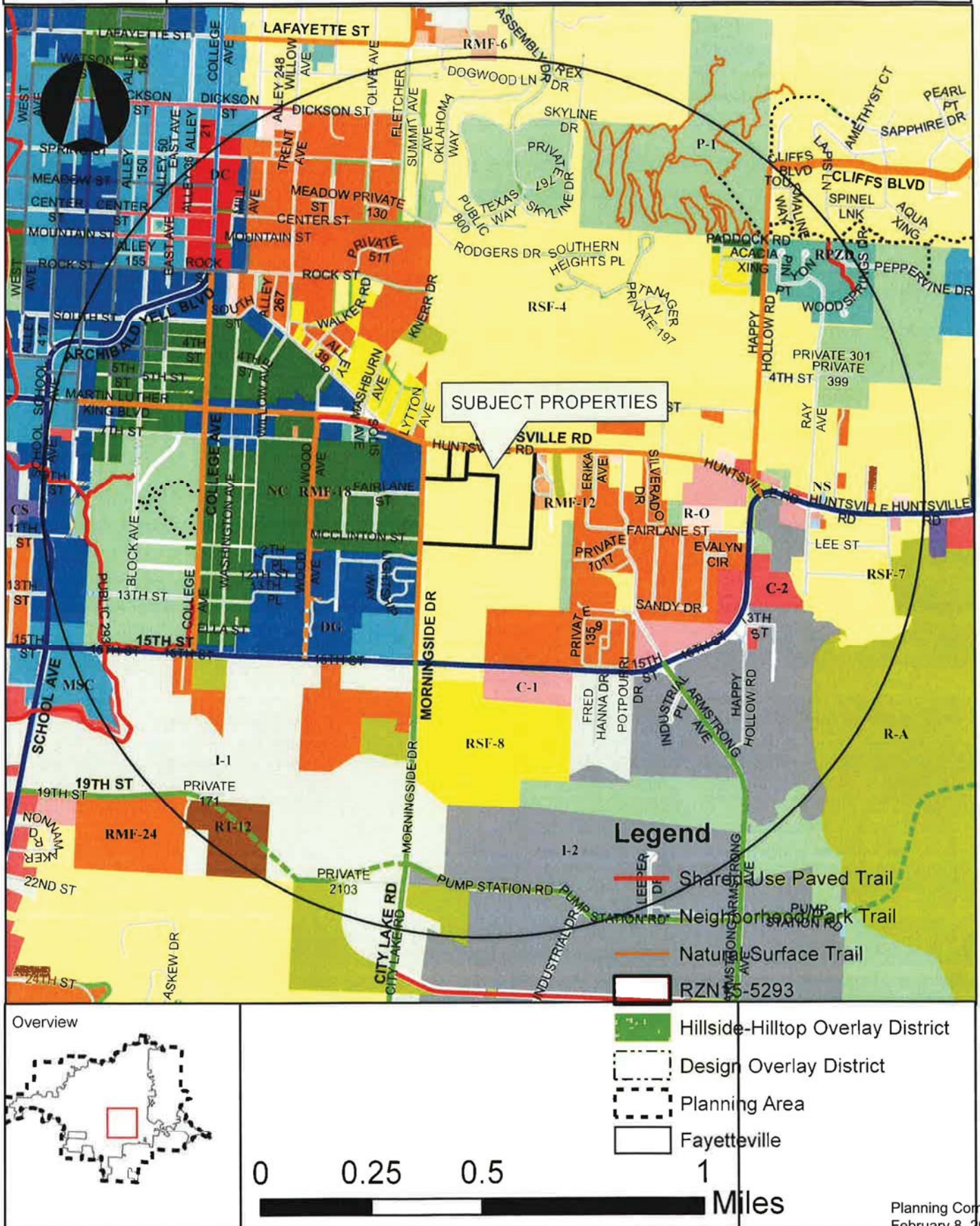
BART BAUER

Planning Commission
February 8, 2016
Agenda Item 7
15-5293 Rose-Bauer
Page 13 of 17

RZN 15-5293

ROSE-BAUER

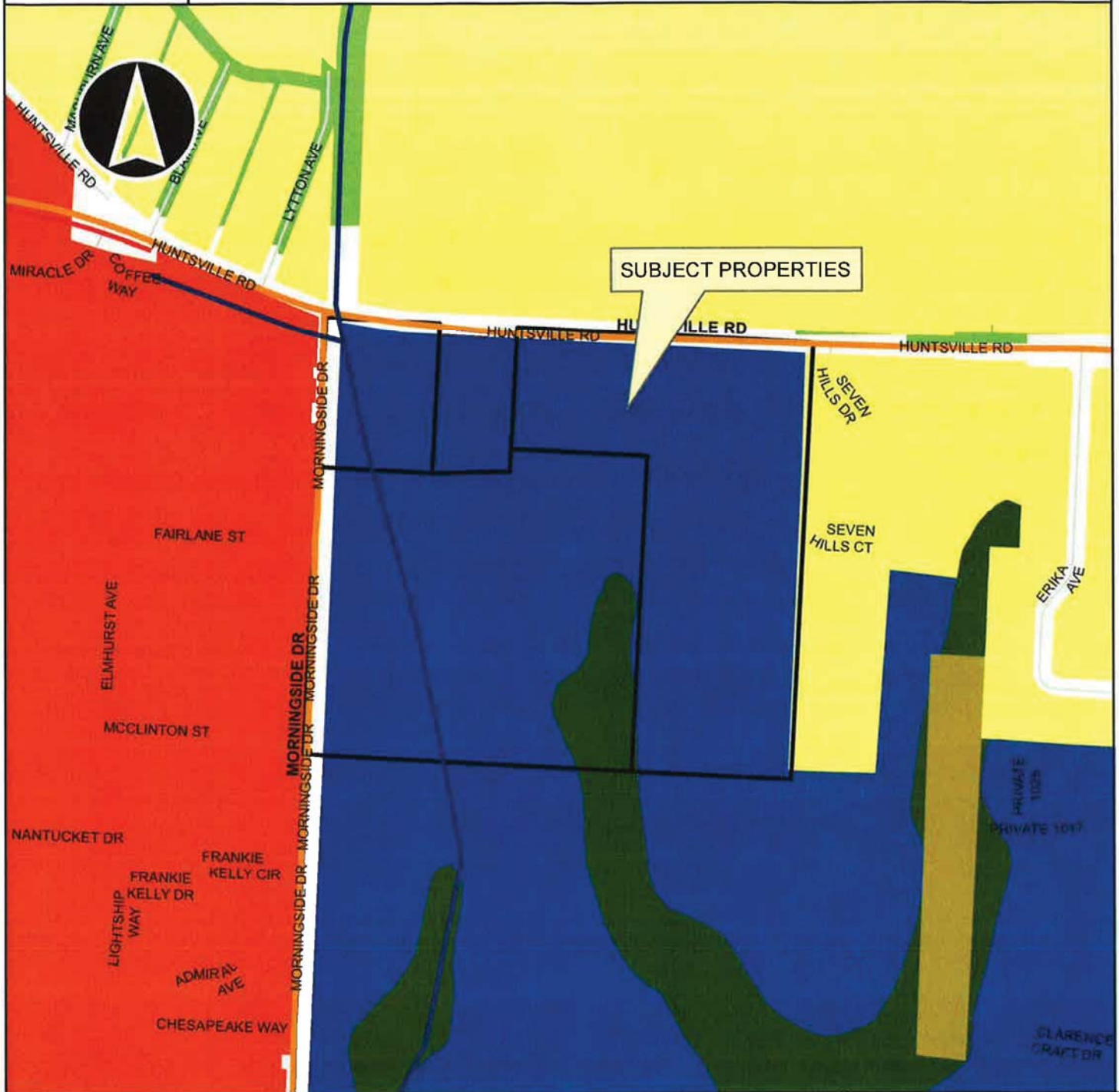
One Mile View



RZN15-5293

ROSE-BAUER

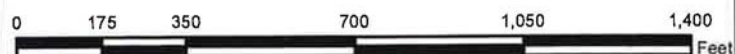
Future Land Use



Overview

Legend

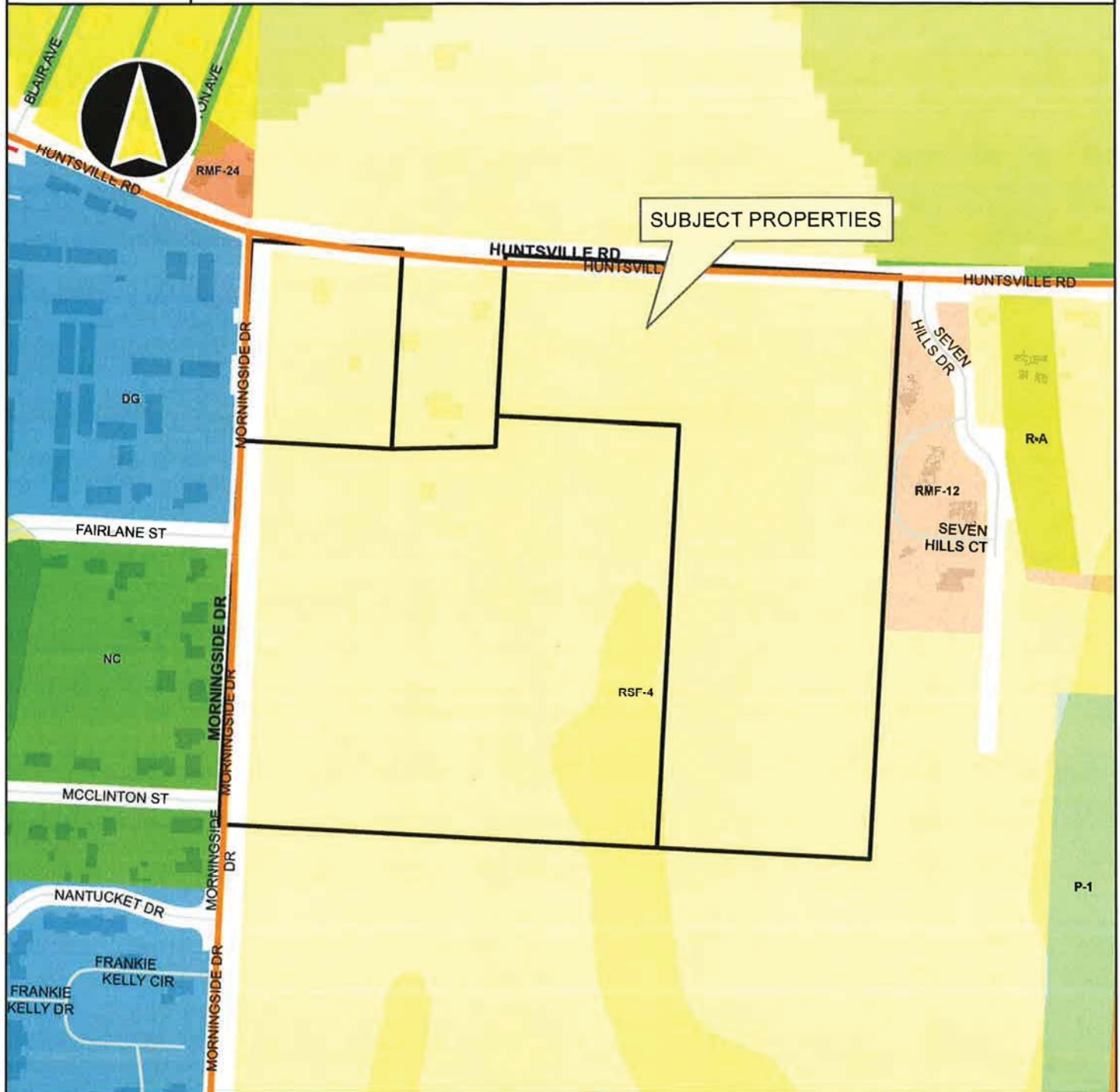
- RZN15-5293
- Fayetteville City Limits
- Planning Area
- Design Overlay District



RZN 15-5293

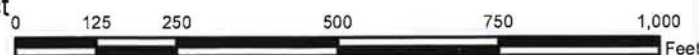
ROSE-BAUER

Close Up View



Legend

- RZN15-5293
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area



RZN 15-5293

ROSE-BAUER

Current Land Use



Legend

- RZN15-5293
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area

0 175 350 700 1,050 1,400 Feet



City of Fayetteville, Arkansas

Tentative Agenda

February 23, 2016

Page 455 of 501

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323

Text File

File Number: 2016-0086

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: C. 4

RZN 16-5299 (4170 W. MLK BLVD./CALYPSO PROPERTIES):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5299 FOR APPROXIMATELY 3.4 ACRES LOCATED AT 4170 WEST MARTIN LUTHER KING BOULEVARD FROM R-O, RESIDENTIAL OFFICE TO UT, URBAN THOROUGHFARE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo from R-O, Residential Office to UT, Urban Thoroughfare.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

City of Fayetteville Staff Review Form

2016-0086

Legistar File ID

3/1/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jeremy Pate

2/12/2016

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 16-5299: Rezone (4170 W. MLK BLVD./CALYPSO PROPERTIES, 595): Submitted by BEN ISRAEL for property at 4170 W. MLK BLVD. The property is zoned R-O, RESIDENTIAL OFFICE and contains approximately 3.40 acres. The request is to rezone the properties to UT, URBAN THOROUGHFARE.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF MARCH 1, 2016

TO: Mayor, Fayetteville City Council

FROM: Quin Thompson, Current Planner

THRU: Andrew Garner, Planning Director

DATE: February 12, 2016

SUBJECT: **RZN 16-5299: Rezone (4170 W. MLK BLVD./CALYPSO PROPERTIES, 595):** Submitted by BEN ISRAEL for property at 4170 W. MLK BLVD. The property is zoned R-O, RESIDENTIAL OFFICE and contains approximately 3.40 acres. The request is to rezone the properties to UT, URBAN THOROUGHFARE.

RECOMMENDATION:

The Planning Commission and staff recommend approval of an ordinance to rezone the property to UT, Urban Thoroughfare as shown in the attached Exhibits 'A' and 'B'. The applicant originally requested C-1, but changed the request at the start of the Planning Commission meeting. Staff's Land Use Compatibility and Land Use Plan Analysis below reflects the updated request for UT, Urban Thoroughfare.

BACKGROUND:

The subject property is a 3.4 acre parcel located at 4170 and 4148 Martin Luther King Boulevard. The parcel is currently zoned R-O. The property is developed with an office complex of approximately 23,700 square feet built in 2006. The parcel is within the Enduring Green Network (EGN) and is affected by floodway and floodplain at the rear of the property.

In 1994, the owner of the property requested the property be rezoned C-2, Thoroughfare Commercial and requested approval for a conditional use to allow the development of a commercial shopping center and warehouse/mini-storage. The Planning Commission denied the request.

In December 2004, the owner of the property requested to rezone the property from R-A to C-1 in anticipation of developing the property for retail use. Staff recommended denial of the proposal suggesting instead a zoning of R-O. The Planning Commission recommended and the City Council made the policy decision to rezone the property to R-O. Subsequently, the property owner received approval for development of the property.

In August of 2006, the owner of the property requested to rezone (RZN 06-2180) the property from R-O to C-1, subject to a Bill of Assurance. The Planning Commission voted unanimously to deny the request with a vote of 9-0-0.

The primary reasoning for denial of all of these previous requests has been City Council and Planning Commission concern with allowing commercial strip development patterns along State Highway 62. This policy has continued to be reflected in the adopted land use goals and policies of the City in recent years.

Land Use Compatibility: The proposed zoning is consistent with the form-based development to the west and with zonings to the north and east. The subject property is developed with a newer office complex, constructed in 2006. The immediately surrounding properties are undeveloped, however property to the north and east is zoned UT, Urban thoroughfare, a form-based zoning that allows a variety of commercial and residential uses in a traditional development pattern. Property on the same side of the road to the west has been recently developed with a beauty school and drive-through doughnut shop within the CS, Community Services zoning district for heavy commercial use. A rezoning to UT would require the subject property to be redeveloped in a pattern and intensity consistent with its location at the future intersection of Ruppel Road and Martin Luther King Boulevard, where a future commercial or mixed-use node is desirable.

Land Use Plan Analysis: The proposed zoning is compatible with the Future Land Use Map (FLUM). The enumerated goals of City Plan 2030 include making the traditional town form the standard. The UT zoning district encourages patterns of development that result in realizing this goal when the property is redeveloped in the future, consistent with the goals of City Plan 2030.

DISCUSSION:

At the January 11, 2016 Planning Commission meeting, the applicant amended the request, seeking the UT zoning district rather than C-1 as shown in the attached Planning Commission staff report. The Planning Commission forwarded the request to City Council with a recommendation for approval by a vote of 9-0-0.

BUDGET/STAFF IMPACT:

N/A

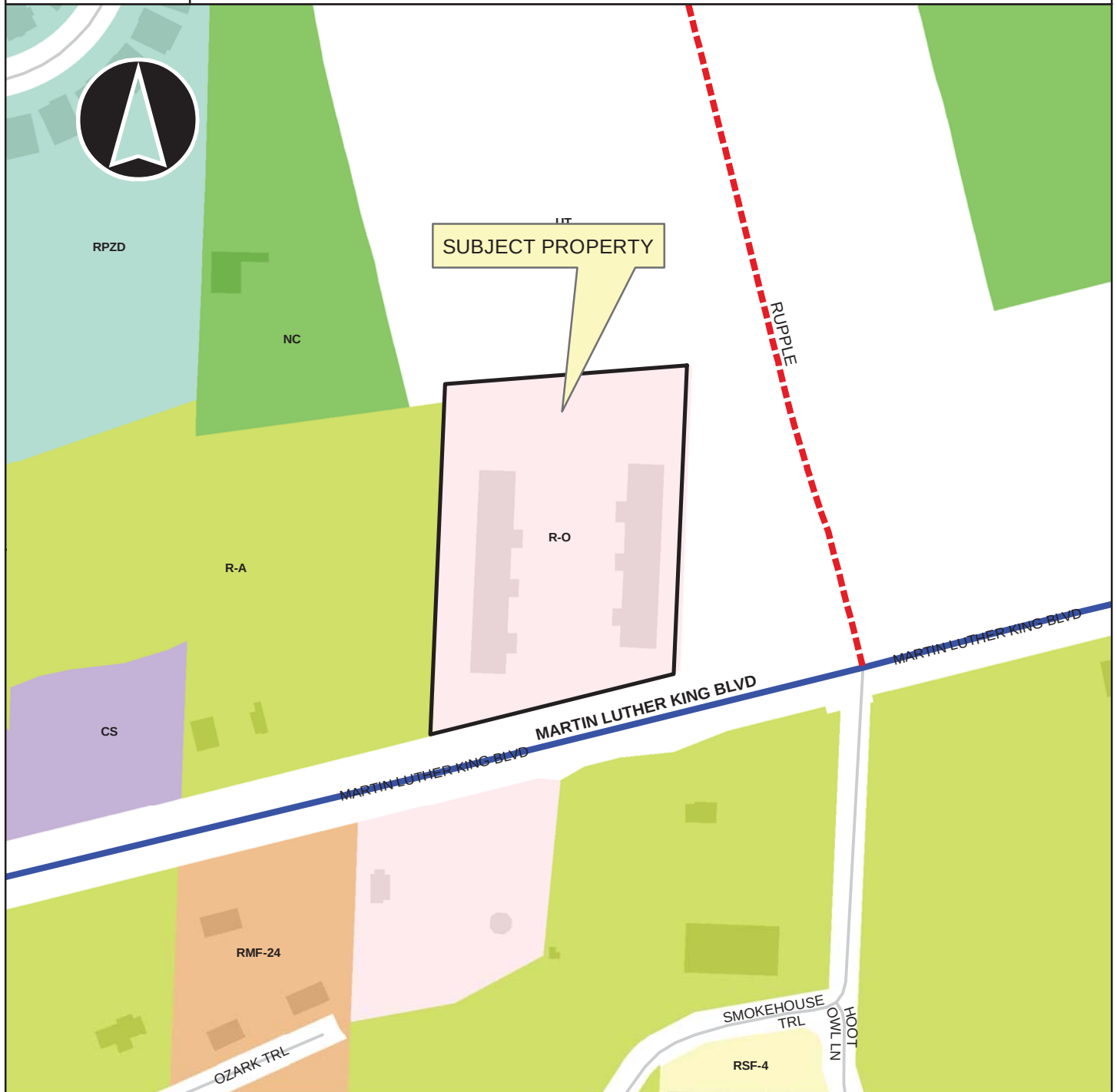
Attachments:

- Exhibit A
- Exhibit B
- Application
- Planning Commission Staff Report

RZN 16-5299

Close Up View

CALYPSO PROPERTIES



Legend

- RZN16-5299
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area



16-5299
EXHIBIT 'B'

PT W/2 NW SE 3.31AC FURTHER DESCRIBED FROM 2015-28511 AS: A Part of the West half of the Northwest Quarter of the Southeast Quarter of Section 24, Township 16 North, Range 31 West of the 5th Principal Meridian, more particularly described as follows: Commencing at the Northwest corner of said 20 acre tract; thence East along the North line of said 20 acre tract 663.00 feet, thence South 00 degrees 06 minutes 10 seconds East along the East line of said 20 acre tract 223.87 feet to the point of beginning; thence South 83 degrees 05 minutes 24 seconds West 328.54 feet; thence South 00 degrees 06 minutes 10 seconds East 476.19 feet to the Northerly right of way of U.S. Highway 62; thence North 73 degrees 32 minutes 00 seconds East along said right of way 340 feet to the East line of said 20 acre tract; thence North 00 degrees 06 minutes 10 seconds West 419.34 feet to the point of beginning, containing 3.35 acres, more or less.

CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY	FEE: \$325.00
Date Application Submitted:	Sign Fee: \$5.00
Date Accepted as Complete:	S-T-R:
Case / Appeal Number:	PP#:
Public Hearing Date: 16-5299	Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: ☐ Applicant ☒ Representative

Applicant (person making request):

Representative (engineer, surveyor, realtor, etc.):

Name: _____

Name: Ben Israel

Address: _____

Address: 4477 W. Wedge DR

Fayetteville, AR 72704

E-mail: _____

E-mail: ben.israel@cedwellbaker.com

Phone: _____

Phone: _____

() _____

(479) 530-4327

() _____

() _____

Fax: _____

Fax: _____

() _____

(479) 717-2408

Site Address / Location: 4170 W. MLK BLVD

Current Zoning District: R-0

Requested Zoning District: C-1

Assessor's Parcel Number(s) for subject property: 765-16284-000

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

Calyso Properties, LLC

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Ben B. Israel

Date: 12-18-15

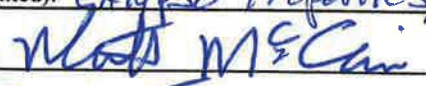
Signature: 

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. *(If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)*

Property Owners of Record (attach additional info if necessary):

Name (printed): Calypso Properties, LLC

Address: 4148 W. MARTIN LUTHER KING BLVD.
FAYETTEVILLE, AR 72704 Suite 1

Signature: 

Date: 12-21-15

Phone:

(479)

Name (printed): Matt McCain

Address:

Signature:

Phone:

Date:

()

Rezoning Checklist:

Attach the following items to this application:

- (1) Payment in full of applicable fees for processing the application:
\$325.00 application fee
\$5.00 public notification sign fee
- ✓(2) A legal description of the property to be rezoned. A survey may be required if the property description can not accurately be platted or if it is described by referring to other deeds.
- (3) CD containing a copy of the legal description in MS Word and all required submittal items should be also included on the CD in PDF format.
- (4) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website (www.co.washington.ar.us). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Quin Thompson, Current Planner

MEETING DATE: ~~February 8, 2016~~ **UPDATED FEBRUARY 10, 2016**

SUBJECT: **RZN 16-5299: Rezone (4170 W. MLK BLVD./CALYPSO PROPERTIES, 595):** Submitted by BEN ISRAEL for property at 4170 W. MLK BLVD. The property is zoned R-O, RESIDENTIAL OFFICE and contains approximately 3.40 acres. The request is to rezone the properties to C-1, NEIGHBORHOOD COMMERCIAL.

RECOMMENDATION:

Staff recommends denial of **RZN 16-5299** based on the findings herein.

BACKGROUND:

The subject property is a 3.4 acre parcel located at 4170 and 4148 Martin Luther King Boulevard. The parcel is currently zoned R-O. The property is developed with an office complex of approximately 23,700 square feet built in 2006. The parcel is within the Enduring Green Network (EGN) and is affected by floodway and floodplain at the rear of the property.

In 1994, the owner of the property requested the property be rezoned C-2, Thoroughfare Commercial and requested approval for a conditional use to allow the development of a commercial shopping center and warehouse/mini-storage. The Planning Commission denied the request.

In December 2004, the owner of the property requested to rezone the property from R-A to C-1 in anticipation of developing the property for retail use. Staff recommended denial of the proposal suggesting instead a zoning of R-O. The Planning Commission recommended and the City Council made the policy decision to rezone the property to R-O. Subsequently, the property owner received approval for development of the property.

In August of 2006, the owner of the property requested to rezone (RZN 06-2180) the property from R-O to C-1, subject to a Bill of Assurance. The Planning Commission voted unanimously to deny the request with a vote of 9-0-0.

The primary reasoning for denial of all of these previous requests has been City Council and Planning Commission concern with allowing commercial strip development patterns along State Highway 62. This policy has continued to be reflected in the adopted land use goals and policies of the City in recent years.

Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Residential	UT, Urban Thoroughfare
South	Residential/Commercial warehousing & retail	R-O, Residential Office/ R-A, Residential Agricultural
East	Multi-family Residential/ Seven Hills	UT, Urban Thoroughfare
West	Residential/Commercial	R-A, Residential Agricultural

Request: The request is to rezone the parcel (approximately 3.4 acres) of the property from R-O to C-1, Neighborhood Commercial, in order more easily lease the commercial units to a variety of businesses currently allowed only by Conditional Use Permit in the R-O zone.

Public Comment: Staff has received no public comment.

INFRASTRUCTURE:

- Streets:** The subject parcel has access to Martin Luther King Jr. Boulevard, a fully improved principal arterial. The site frontage has been improved with sidewalk during previous development. Any further street improvements would be determined at time of development.
- Water:** Public water is available to the site. An 8" water main runs through the subject parcel in a utility easement.
- Sewer:** Public sewer is available to the site. An 8" sewer main runs through the subject parcel in a utility easement.
- Drainage:** Any additional improvements or requirements for drainage would be determined at time of development. The northern portion of this parcel lies within the FEMA designated 100-yr floodplain. Goose Creek adjoins the property to the north and is a protected stream. No portion of this parcel lies within the HHOD.
- Fire:** The Fire Department did not express any concerns with the request.
- Police:** The Police Department did not express any concerns with this request.

CITY PLAN 2025 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates the properties within the proposed rezone as **City Neighborhood Area**.*

- **City Neighborhood Areas** are more densely developed than residential neighborhood areas and provide a varying mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types.

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: *Land Use Compatibility:* The proposed zoning is not consistent with the form-based development to the west, where the structures have been placed closer to the street and parking to the side and rear. The property is developed with a newer office complex, constructed in 2006. The immediately surrounding properties are undeveloped, however property to the north and east is zoned UT, Urban thoroughfare, a form-based zoning that allows a variety of commercial and residential uses in a traditional development pattern. Property on the same side of the road to the west has been recently developed with a beauty school and drive-through doughnut shop within the CS, Community Services zoning district for heavy commercial use. A rezoning to C-1 would allow the subject property to be redeveloped in a strip commercial pattern, inconsistent with existing and planned development patterns in this area.

Land Use Plan Analysis: The proposed zoning is not compatible with the Future Land Use Map (FLUM).

The enumerated goals of City Plan 2030 include making the traditional town form the standard. The C-1 zoning district does not encourage patterns of development that result in realizing this goal, rather, this proposal would encourage strip highway commercial development when the property is redeveloped in the future, in direct opposition to the goals of City Plan 2030.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: The applicant has requested the zoning change in order more easily lease units within the existing retail center. However, a conditional use permit is still an appropriate process for commercial use on this property rather than the proposed C-1 zoning, given the City Council and Planning Commission's previous concerns to prevent strip commercial development on this property. Additionally, a zoning such as CS, Community Services would allow the property to be leased for commercial use and would be more consistent with previous policy decisions and recent development along this corridor for form-based commercial development patterns.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: The site has access to Martin Luther King Boulevard (AR HWY 62 W) a fully improved 'Principal Arterial' street. The C-1 zoning would allow retail and restaurant use by right which would likely increase traffic compared to the existing, primarily office, use. However, the surrounding street system has adequate capacity to handle increased traffic.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: Rezoning the property from R-O to C-1 would not alter population density or undesirably increase load on public services.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

RECOMMENDATION: Staff recommends denial of RZN 16-5299 based on the findings discussed throughout this report.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>February 8, 2016</u>	☐ Tabled	☒ Forwarded	☐ Denied
Motion: CHESSER			
Second: HOFFMAN			
Vote: 9-0-0			
CITY COUNCIL ACTION:		Required	<u>YES</u>
Date: <u>March 1, 2016</u>	☐ Approved	☐ Denied	

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code sections 161.18 & 161.17
- Request letter
- One Mile Map, Close-Up Map, Current Land Use Map, Future Land Use Map

161.18 District C-1, Neighborhood Commercial

(A) *Purpose.* The Neighborhood Commercial District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 5	Government Facilities
Unit 13	Eating places
Unit 15	Neighborhood shopping
Unit 18	Gasoline service stations and drive-in/drive through restaurants
Unit 25	Offices, studios, and related services
Unit 44	Cottage Housing Development
Unit 45	Small scale production

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 16	Shopping goods
Unit 34	Liquor stores
Unit 35	Outdoor music establishments*
Unit 36	Wireless communications facilities*
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and area regulations.* None.

(E) *Setback regulations.*

Front	15 ft.
Front, if parking is allowed between the right-of-way and the building	50 ft.
Side	None
Side, when contiguous to a residential district	10 ft.
Rear	20 ft.

(F) *Building height regulations.*

Building Height Maximum	56 ft.*
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*Any building which exceeds the height of 20 feet shall be setback from any boundary line of any residential district a distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1965, App. A., Art. 5(V); Ord. No. 2603, 2-19-80; Ord. No. 1747, 6-29-70; Code 1991, §160.035; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5195, 11-6-08; Ord. 5312, 4-20-10; Ord. 5339, 8-3-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14; Ord. 5735, 1-20-15)

161.17 District R-O, Residential Office

(A) *Purpose.* The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 12	Limited business
Unit 25	Offices, studios, and related services
Unit 44	Cottage Housing Development

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 11	Manufactured home park*
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities*
Unit 42	Clean technologies
Unit 45	Small scale production

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and area regulations.*

(Per dwelling unit for residential structures)

(1) *Lot width minimum.*

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single-family	60 ft.
Two-family	60 ft.
Three or more	90 ft.

(2) *Lot area minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 sq. ft.
Townhouses: Development	10,000 sq. ft.

Individual lot	2,500 sq. ft.
Single-family	6,000 sq. ft.
Two-family	6,500 sq. ft.
Three or more	8,000 sq. ft.
Fraternity or Sorority	1 acre

(3) *Land area per dwelling unit.*

Manufactured home	3,000 sq. ft.
Townhouses & apartments:	
No bedroom	1,000 sq. ft.
One bedroom	1,000 sq. ft.
Two or more bedrooms	1,200 sq. ft.
Fraternity or Sorority	500 sq. ft. per resident

(E) *Setback regulations.*

Front	15 ft.
Front, if parking is allowed between the right-of-way and the building	50 ft.
Front, in the Hillside Overlay District	15 ft.
Side	10 ft.
Side, when contiguous to a residential district	15 ft.
Side, in the Hillside Overlay District	8 ft.
Rear, without easement or alley	25 ft.
Rear, from center line of public alley	10 ft.
Rear, in the Hillside Overlay District	15 ft.

(F) *Building height regulations.*

Building Height Maximum	60 ft.
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Height regulations. Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot.

(Code No. 1965, App. A., Art. 5(x); Ord. No. 2414, 2-7-78; Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.041; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 4726, 7-19-05; Ord. 4943, 11-07-06; Ord. 5079, 11-20-07; Ord. 5195, 11-6-08; Ord. 5224, 3-3-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5735 1-20-15)

APPLICANT'S REQUEST LETTER

Rezoning Request Written Information about the Property

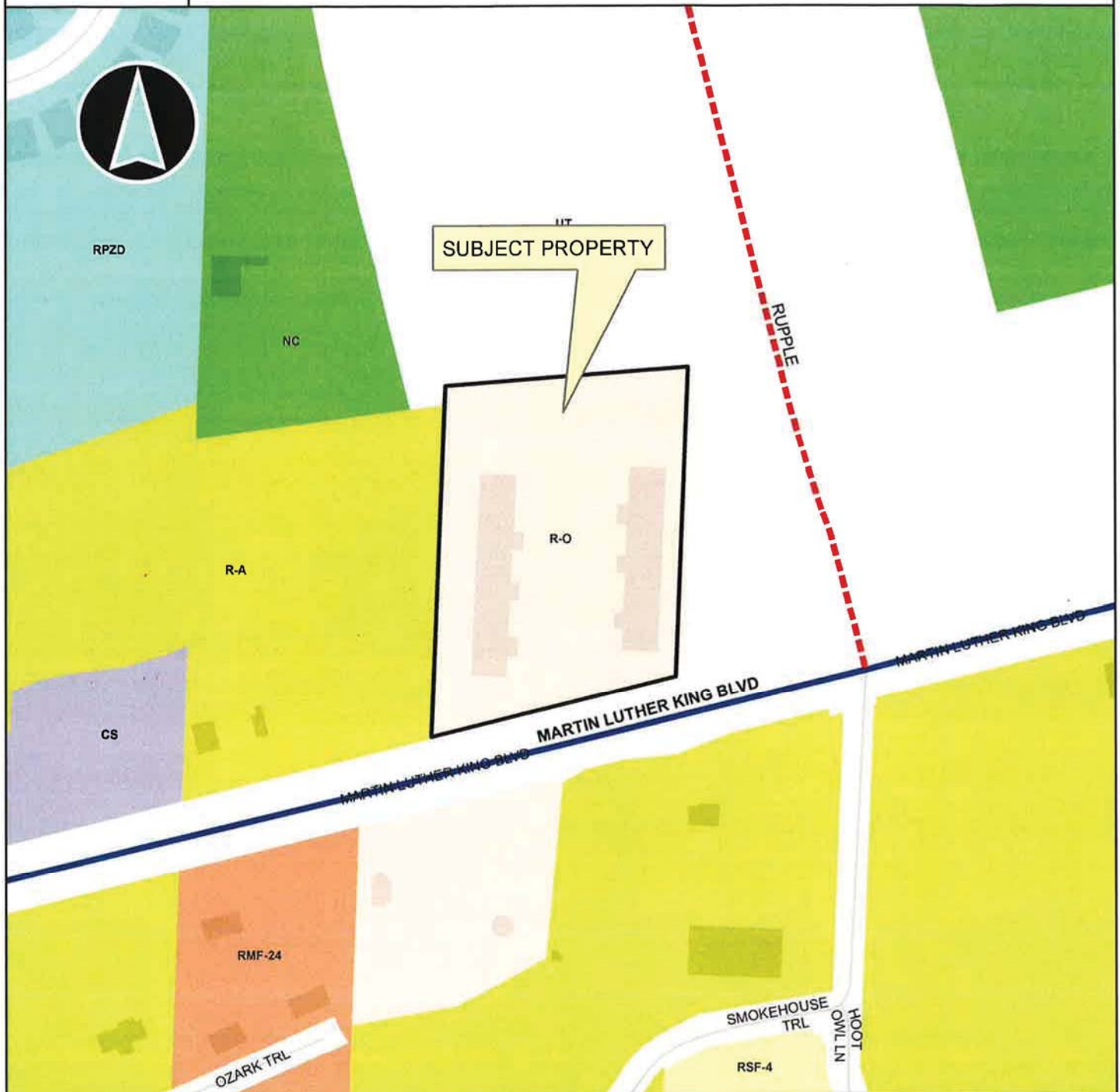
- a. Property is currently owned by Calypso Crossing, LLC and there are no plans to sell any part of the parcel to be re-zoned.
- b. The reason for a rezoning request is to be able to present the property to prospective tenants without having to wait on the City of Fayetteville to approve under the "conditional use" permit.
 - a. The property is complete and is available for office and retail as well as small restaurants and other business types. It is not likely that any business that would be allowed under this new zoning would be offensive to neighbors.
- c. The requested zoning will have no effect on traffic, appearance or signing for the neighborhood since it is already constructed and is not objectionable.
- d. Water and sewer are available to the extent necessary for the businesses in the building and any retail or office that would be considered.
 - a. 8" Water line
 - b. 8" Sewer Line
 - c. 12" Sewer main on the property
- e. There is C-1 property in the area as well as this property being bounded on two sides by Urban Thoroughfare (UT) Zoning. This would be a consistent use with this already developed and built out property.
- f. Re-zoning is justified in that the owner does not desire to tear down practically new buildings or change them in such a way as to be damaging to any neighboring business or office space.
- g. The changed zoning should have no bearing on traffic congestion or increased traffic other than that created by full rather than empty buildings.
- h. Re-zoning will not alter the population density of the neighborhood and there will be no additional increase in the load on schools, water and sewer facilities. The project was designed to take care of needs of office space and small retail shops.
- i. It is impractical for each tenant wishing to establish a business in this location to delay that decision until a "conditional use permit" can be obtained from the City. The project already being completed leaves no room for any objectionable business to occupy these premises.



RZN 16-5299

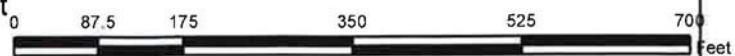
CALYPSO PROPERTIES

Close Up View

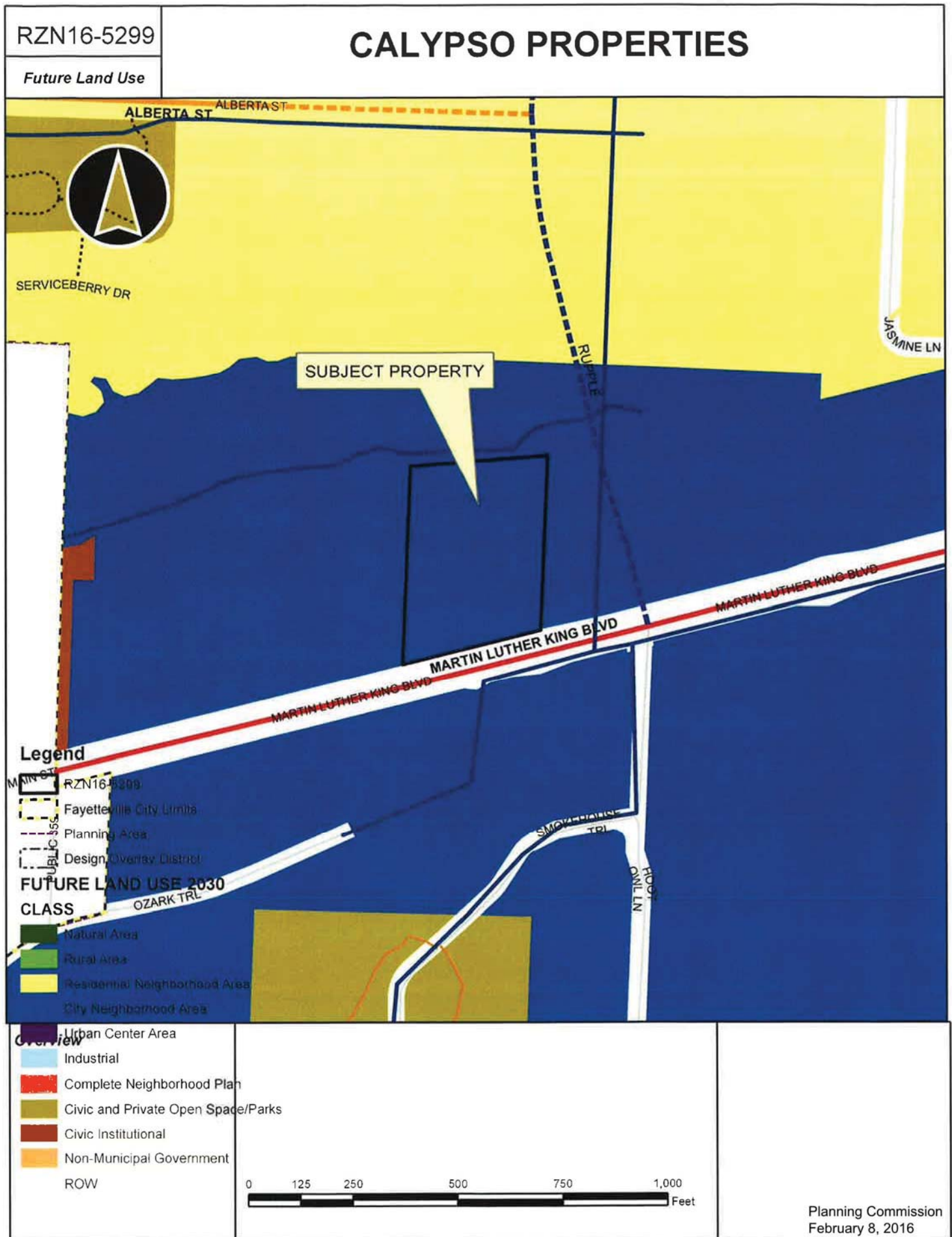


Legend

- RZN16-5299
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area



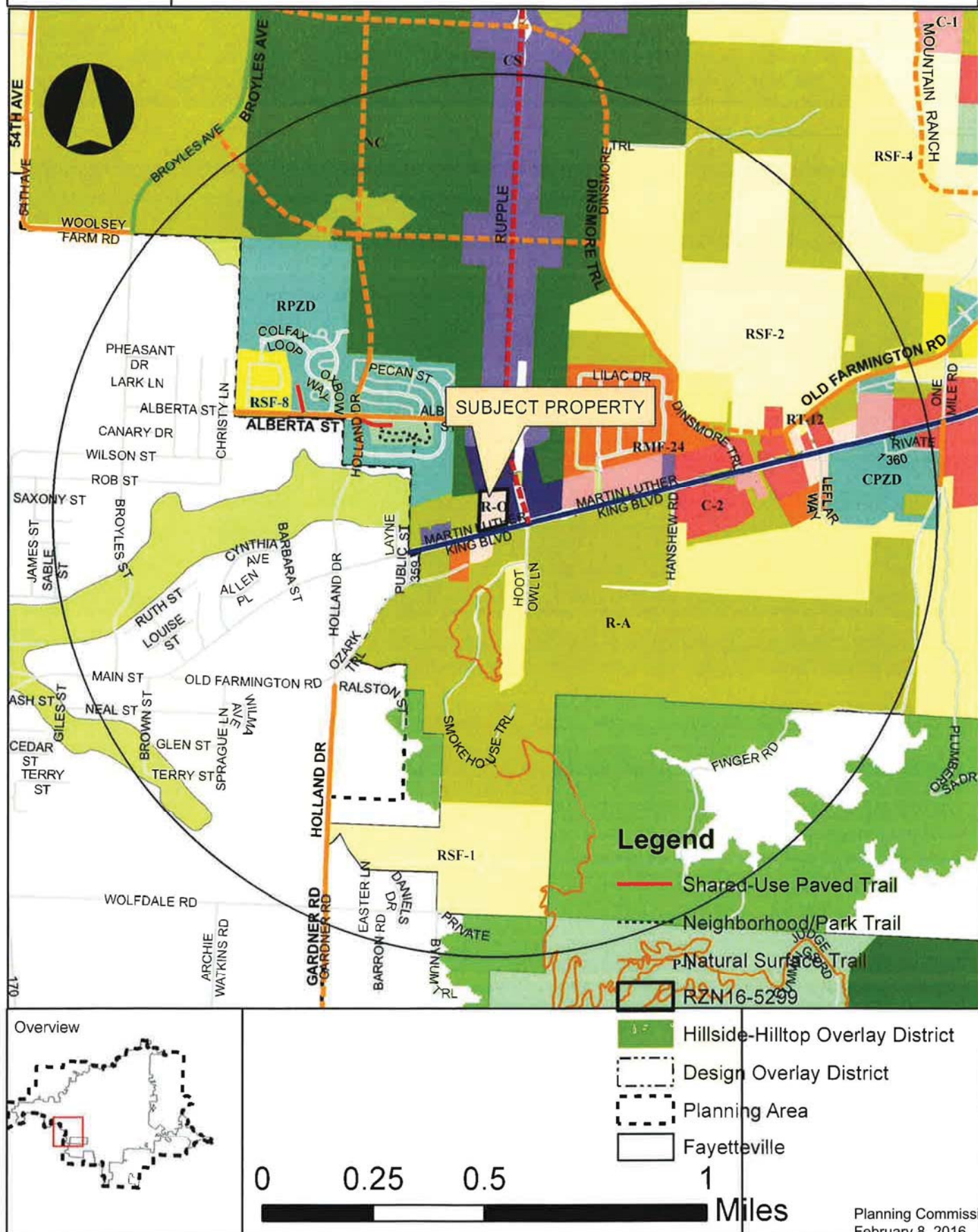
Planning Commission
February 8, 2016



RZN 16-5299

CALYPSO PROPERTIES

One Mile View





City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 474 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0034

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 5

WEST AVENUE PARKING LOT - DEVELOPMENT CONSIDERATION:

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S INTENT TO CONSIDER PROPOSALS FOR THE DEVELOPMENT AND IMPROVEMENT OF THE CITY'S 2.8 ACRE PROPERTY AT THE SOUTHWEST CORNER OF WEST AVENUE AND DICKSON STREET CURRENTLY USED AS THE WEST AVENUE PARKING LOT

WHEREAS, the West Avenue Parking Lot was identified in the 2004 Downtown Master Plan as a "strategic location for infill development...with a parking garage and mix of uses lining the structure"; and

WHEREAS, interest has been expressed to the City by multiple parties for the development of this property and the City desires to conduct an open, transparent, and equitable process for considering development proposals.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby expresses its intent to consider proposals for the development and improvement of the City's 2.8 acre property at the southwest corner of West Avenue and Dickson Street, which is currently used as the West Avenue Parking Lot.

City of Fayetteville Staff Review Form

2016-0034

Legistar File ID

2/2/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jeremy Pate

1/15/2016

Development Services /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A Resolution expressing the City Council's intent to consider the development and improvement of the City of Fayetteville's 2.8-acre property at the southwest corner of West Avenue and Dickson Street, known as the West Avenue Parking Lot

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

MEETING OF FEBRUARY 02, 2016

TO: Fayetteville City Council

THRU: Mayor Lioneld Jordan

FROM: Jeremy Pate, Development Services Director 

DATE: January 14, 2016

SUBJECT: West Avenue Parking Lot – Development Consideration

RECOMMENDATION:

A Resolution expressing the City Council's intent to consider the development and improvement of the City of Fayetteville's 2.85-acre property at the southwest corner of West Avenue and Dickson Street, known as the West Avenue Parking Lot

BACKGROUND:

In the early 1990s the City developed a 290-space surface parking lot at the southwest corner of Dickson Street and West Avenue, with the primary goal of providing parking for the new Walton Arts Center that opened in 1992 and the reviving Dickson Street entertainment district. According to Tony Wappel's *Once Upon Dickson*, the property was first developed in 1885 as a wholesale grocery store. After several expansions, changes of ownership and the addition of private switch yards and loading docks along West Avenue, the business changed from Fayetteville Grocer Company to Ozark Grocer Company. Eventually the Ozark Grocer Company closed in 1968. Following its closure, the building was used for storage and transfer along the railroad. The historic grocer building burned in 1974. In the 1970's and 80's the lot, which contained a portion of Town Branch creek traversing the site flowing from the northeast corner to the southwest, became overgrown with vegetation and according to reports was a place for unsavory characters and "mischievous deeds." After the Walton Arts Center was completed the City made the decision to clear the site, fill it in and construct the parking lot. Dickson Street was a very different place before the Walton Arts Center began to transform the Entertainment District into what we know it as today.

The site today is much like it was last developed in the 1990s; it contains 290 parking spaces, a large underground storm drain system, and is accessed via both Dickson Street and West Avenue. Along the western boundary is the Arkansas-Missouri railroad, still an active freight and excursion passenger line, and the Scull Creek Trail, part of the 36-mile Razorback Greenway. A small stone grotto with fish ponds was developed when the parking lot was constructed, using stone from the ruins of the Ozark Grocer building. The water for this pond system is piped from natural springs occurring east of the property underneath the Walton Arts Center. It is also the site of multiple festivals and outdoor performances throughout the year, the largest of which is the annual Bikes, Blues and BBQ festival, drawing thousands of citizens and visitors to the Entertainment District each fall. Parking today in this lot draws an annual revenue of

approximately \$433,000 from daily paid parking, tickets and event parking associated with large Walton Arts Center performances.

This property was featured and discussed extensively during the development of the Downtown Master Plan adopted in 2004. This site was identified as a “strategic location for infill development...with a parking garage and mix of uses lining the structure.” Concepts were developed to complete the street edges along Dickson and West, and to “create an urban street scene” along the southern edge of the lot which faces Nadine Baum Studios and the mixed-use Metro District buildings.

In 2007 the City issued a Request for Proposals for a public-private partnership to develop the subject property. A proposal was selected and a development agreement negotiated to construct two parking structures and a mixture of retail/commercial liner buildings. However, the construction of the development agreement did not pass legal review tests for a variety of reasons. About this time, the “Great Recession” hit our region along with the rest of the nation, and talks on this project ceased.

In 2014 and 2015, two major expansions impacting this property began. The City broke ground on a 235-space parking deck serving the Entertainment District, along with an administrative office building replacement and expansion for the Walton Arts Center. In 2015, the Walton Arts Center began a \$23 million expansion and renovation project. The parking deck project was completed in October of 2015, and construction on the expansion and renovation is scheduled for completion near the end of 2016.

DISCUSSION:

In December the Mayor communicated that he would be bringing to the City Council a Resolution of Intent to determine if the Council is interested and willing to consider development proposals on the property. As you are aware, the opening of the Spring Street Parking Deck in October has provided additional parking capacity in the downtown entertainment district. Because of the successful completion of this important piece of infrastructure in the Dickson Street area, the City has received renewed interest from multiple parties in the potential for re-development of the West Avenue Parking lot at the corner of Dickson and West. The Mayor’s Office has spoken to a number of interested parties whose proposals vary dramatically in impact to the property, scale of development, and financial consideration. A primary factor in all of these conversations, from the mayor’s perspective, is to not reduce parking capacity. Rather, if the property is to be developed in accordance with the adopted Downtown Master Plan and continue to support the growing arts, entertainment, retail and residential uses now occurring in our thriving downtown, proposals need to find a way to replace and/or expand public parking.

In an effort to conduct an open, transparent, and equitable process, the Mayor decided to bring forward this item to get the Council involved in the conversation early; after all, Dickson Street’s influence and impact is greater than its physical area, for residents and visitors alike. Long considered the heartbeat of the region, Dickson Street and the surrounding area is a valuable asset to the City, and the development of this property should be taken deliberately with all due consideration. Should the Council be interested in considering private development proposals, we are recommending that you pass a Resolution of Intent thus beginning a Request For Proposal process with a clear schedule and questions to be answered, such as: how parking is proposed to be replaced or enhanced, how a proposal fits with the Downtown Master Plan, how current festival and event venue space is to be managed, proof of financial feasibility, purchase/lease proposals, and a timetable for development, among other items.

We welcome the Council's input in this process and look forward to the public dialogue on the future of this important property in our Downtown Entertainment District.

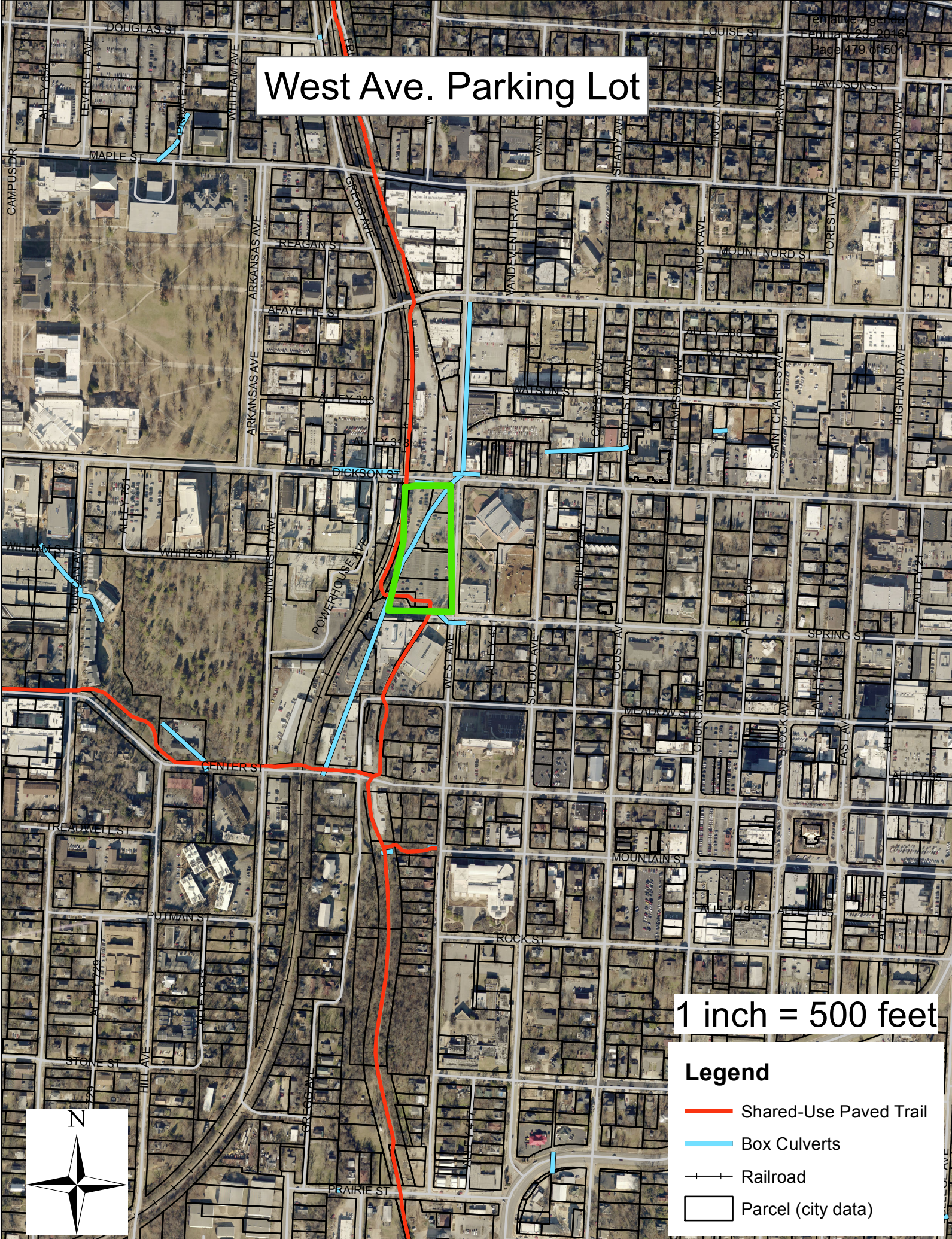
BUDGET/STAFF IMPACT:

At the direction of the Mayor, staff will develop a Request for Proposals and advertise for responses. Jeremy Pate will lead this process with the assistance of appropriate staff as needed. A selection committee of the Council as a whole is proposed to be developed to consider valid proposals, and to make any final decisions to move forward on parts of, all of or none of the proposals received.

Attachments:

Downtown Master Plan documents

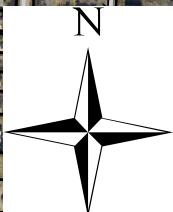
West Ave. Parking Lot



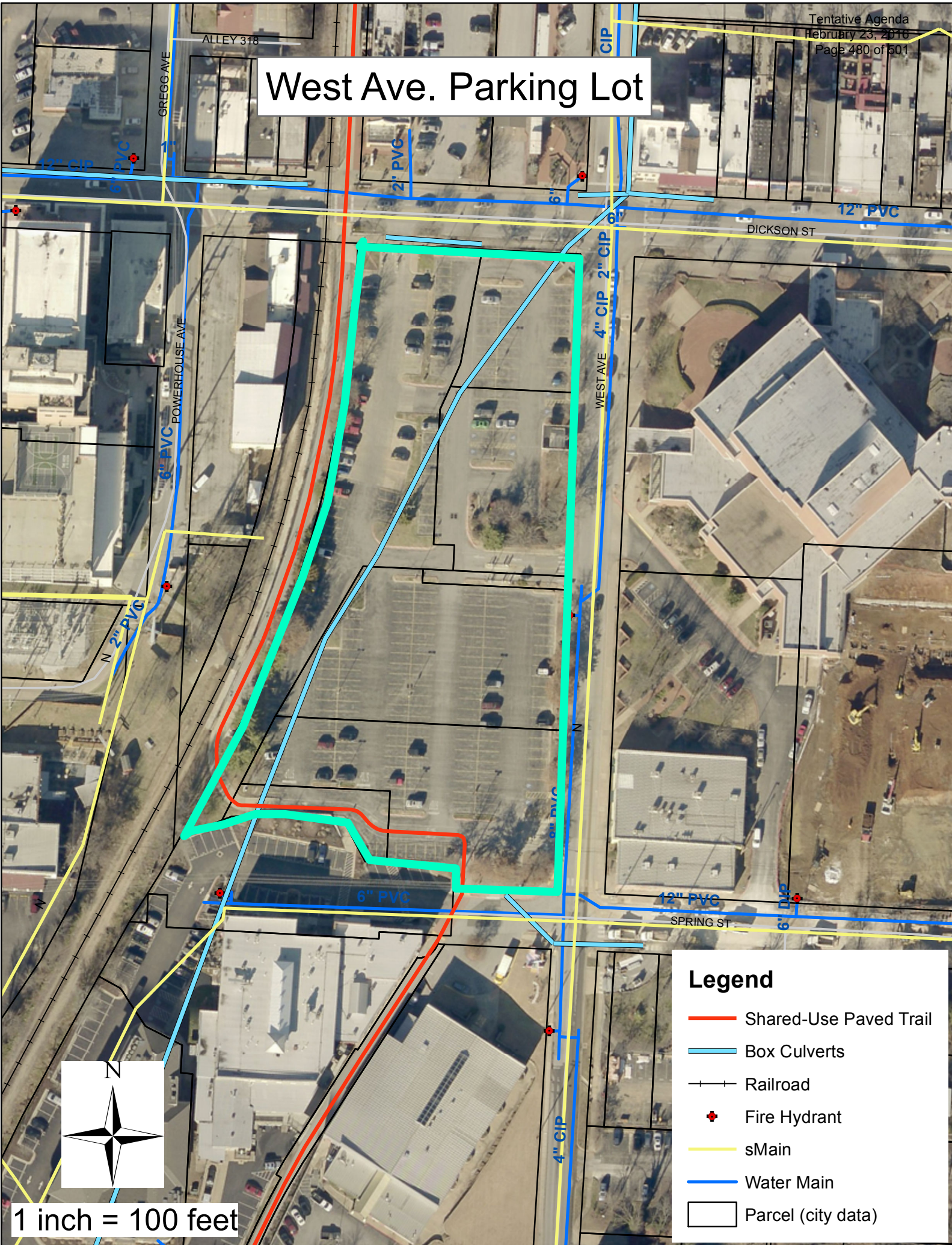
1 inch = 500 feet

Legend

- Shared-Use Paved Trail
- Box Culverts
- Railroad
- Parcel (city data)



West Ave. Parking Lot



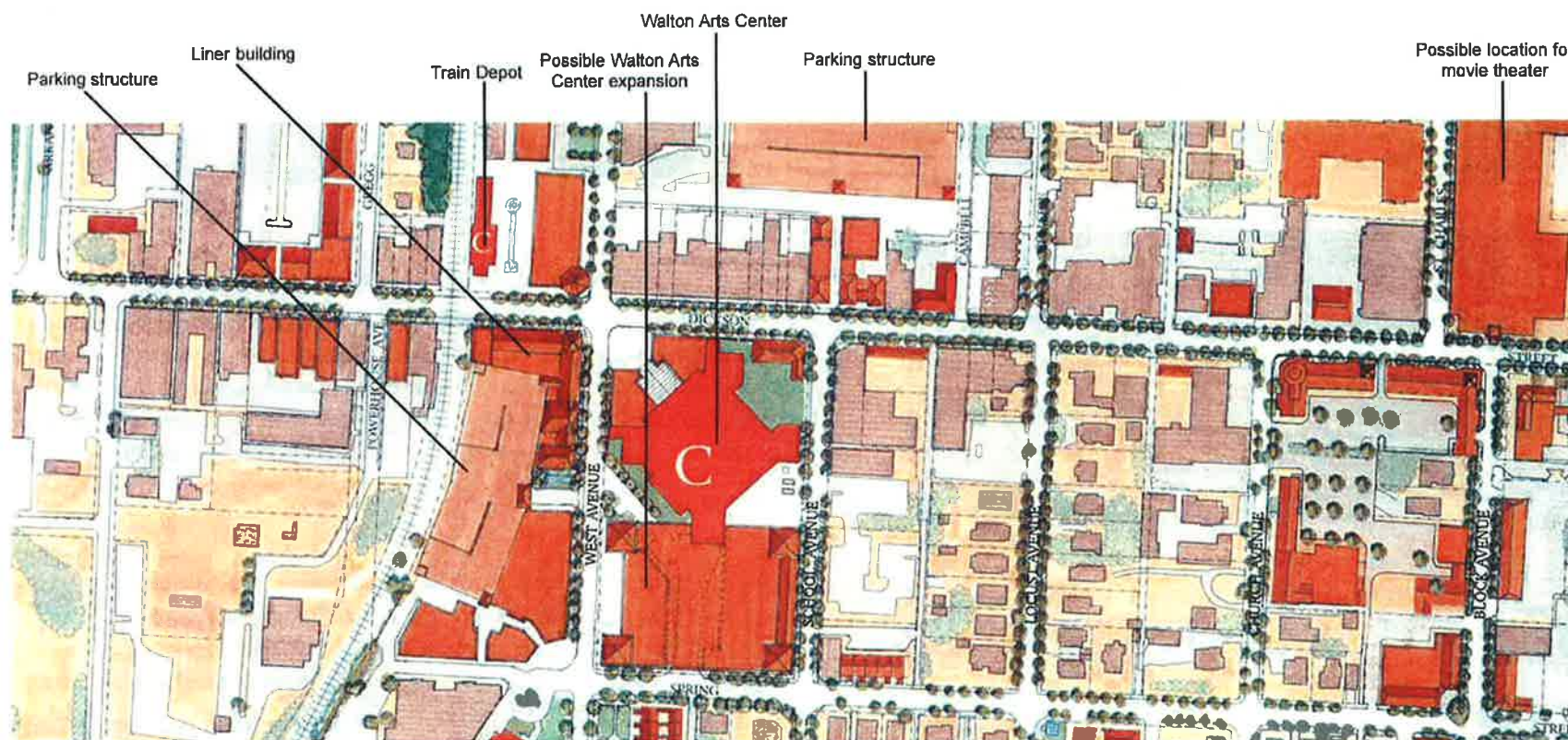
Legend

- Shared-Use Paved Trail
- Box Culverts
- Railroad
- Fire Hydrant
- sMain
- Water Main
- Parcel (city data)

1 inch = 100 feet

Dickson Street is the social and entertainment backbone of Downtown. A mix of shops, restaurants, bars, and civic institutions are located along the street. The area has experienced recent reinvestment with the construction of the "Three Sisters" Building and other new developments and rehabilitation projects. In addition, the completion of recent street and infrastructure improvements have improved the street's physical form and character as a pedestrian-friendly area. The Downtown Master Plan provides for continued infill development and location of entertainment activities along Dickson Street.

The portion of Dickson Street from West Avenue to Block Avenue is highlighted in the plan as a centerpiece of the Cultural and Entertainment Overlay District. Specific sites for infill development are noted. The buildings are to front the street and are to create a walkable environment that connects the destinations north and south of Dickson Street. Parking is to be located both along the street and behind the buildings in parking garages.



A Parking Lot Transformed

The City parking lot adjacent to the Walton Arts Center is a strategic location for infill development. The natural spring is to be preserved and protected and the lot is to be redeveloped as a parking garage with a mix of uses lining the structure. By doing so, the street edges are to be completed along Dickson Street. In addition, the southern edge of the lot which faces the Nadine Baum Studios, and recently developed mixed-use building, will create an urban street scene where buildings face buildings. West Spring Street will become whole again.



W. Spring Street [at Nadine Baum Studios] today.



W. Spring Street [at Nadine Baum Studios] tomorrow.



City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 483 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0075

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 6

2016 EMPLOYEE COMPENSATION:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,220,000.00 TO FUND THE CITY-WIDE 2016 EMPLOYEE COMPENSATION ADJUSTMENT, AND TO APPROVE A CERTIFICATION PAY PLAN FOR SWORN POLICE PERSONNEL

WHEREAS, the most recent forecast shows that City will have a net operating surplus for the General Fund of about \$1,600.00 for 2015; and

WHEREAS, Mayor Jordan's proposed Employment Compensation Adjustment will cost the General Fund about \$819,000.00 for 2016 for General Fund employees; and

WHEREAS, including all employees (Water and Sewer, Recycling and Trash Collection, etc. as well as General Fund employees), the cost will be about \$1,220,000.00 for 2016; and

WHEREAS, Mayor Jordan and Chief Tabor also recommends the approval of a certification pay plan for sworn police officers which will pay the amount of \$25.00 per month for each certificate achieved by an officer beyond the basic certificate at a cost of approximately \$77,000.00 for the remainder of 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution and made a part hereof, in the amount of \$1,220,000.00 to fund the city-wide 2016 Employee Compensation Adjustment.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves the proposed certification pay plan for sworn police officers which will pay the amount of \$25.00 per month for each certificate achieved by an officer beyond the basic certificate.

City of Fayetteville Staff Review Form

2016-0075

Legistar File ID

3/1/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Paul A. Becker

2/11/2016

Chief Financial Officer /

Finance & Internal Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A RESOLUTION APPROVING A BUDGET AMENDMENT IN THE AMOUNT OF \$1,220,000 TO FUND A CITY-WIDE 2016 EMPLOYEE COMPENSATION ADJUSTMENT.

Budget Impact:

xxxx.xxxx.51xx.xx	CITYWIDE
Account Number	Fund
N/A	N/A
Project Number	Project Title
Budgeted Item? Yes	Current Budget \$ 50,221,870.00
	Funds Obligated \$ 6,222,399.15
	Current Balance \$ 43,999,470.85
Does item have a cost? No	Item Cost \$ -
Budget Adjustment Attached? Yes	Budget Adjustment \$ 1,220,000.00
	Remaining Budget \$ 45,219,470.85

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:

MEETING OF MARCH 1, 2016

TO: Mayor and City Council

FROM: Paul A. Becker, Chief Financial Officer

DATE: February 11, 2016

SUBJECT: Appropriation Authority for Employee Compensation Adjustments

RECOMMENDATION:

The Mayor's recommendation is for the City Council to appropriate funds to provide for the compensation package outlined above.

DISCUSSION:

As discussed during the 2016 Budget process, the Mayor is recommending a compensation package to the City Council based on the fiscal results of 2015 operations. The operating results from the fourth quarter of 2015 have been forecasted to be a net operating surplus of approximately \$1.6 million in the General Fund.

This surplus was achieved through both expense control and revenue increases as the Administration was able, through good management, to hold expenditures under budget.

Other operating funds such as the Street, Parks Development, Water & Sewer and Recycling & Trash Collection funds have the capacity to afford these salary increases.

The Mayor's Guiding Philosophy

- Recommendation supports on-going funding without risking future layoffs.
- Non-uniformed employees with at least six (6) months of service to the City qualify for an appropriate increase in compensation.

Based on these results, the Mayor is recommending the following compensation package to the Council:

- The plan would provide for a one step increase for eligible Police and Fire uniformed personnel beginning 3/14/2016 keeping everyone in a step.
- The plan would provide for merit increases for other employees comparable to the amount provided for a step to uniformed personnel, to be distributed based on merit (3.7% merit pools will be created for that purpose).
- Amounts to merit employees will be based on performance as determined by the appropriate department/division head. These increases will go into effect beginning 3/14/2016.
- Employees at the top of their ranges will be eligible for a single year service award which will not be factored into the employee's base pay.
- To be eligible merit employees must have completed at least six (6) months of service as of 3/31/2016.
- Uniformed personnel must have completed at least one year of service as of 3/31/2016 to receive a step increase.
- The 2016 cost of this plan is projected to be \$819,000 in the General Fund. The 2016 cost for all funds would be \$1,220,000.
- The on-going cost of the plan in future years will be \$1,065,000 for the General Fund and \$1,585,000 for all funds.

BUDGET/STAFF IMPACT:

The impact of this proposal would be to increase the budgets for various funds as follows:

FUNDING SOURCE	PARTIAL IMPACT	ANNUAL IMPACT	% IMPACT
1010 - General	819,000	1,065,000	3.70%
2100 - Street	79,000	103,000	3.70%
2130 - Parking	11,000	14,000	3.70%
2180 - Community Development Block Grant	7,000	9,000	3.70%
2250 - Parks Development	37,000	48,000	3.70%
2930 - Drug Law Enforcement	8,000	10,000	3.70%
5400 - Water & Sewer	138,000	179,000	3.70%
5500 - Recycling & Trash Collection	81,000	105,000	3.70%
5550 - Airport	14,000	18,000	3.70%
9700 - Shop	26,000	34,000	3.70%
Total	1,220,000	1,585,000	3.70%



CITY COUNCIL AGENDA MEMO

MEETING OF MARCH 1, 2016

TO: Mayor and City Council
FROM: Greg Tabor, Chief of Police 
DATE: February 18, 2016
SUBJECT: Certificate Pay for Police Officers

RECOMMENDATION:

Staff recommends the approval of a certificate pay plan for sworn police personnel.

BACKGROUND:

The State of Arkansas Commission on Law Enforcement Standards and Training (CLEST) offers five (5) law enforcement certificates (Basic, General, Intermediate, Advanced, and Senior) based upon a combination of experience, training, and education. All but one other similarly sized municipal law enforcement agency in Arkansas have a certificate pay plan in place (see attached).

DISCUSSION:

Our Certificate Pay Plan will not include the basic certificate. Our plan will offer \$25 per month for each certificate achieved beyond the basic certificate. We believe implementation of this certificate pay plan will assist in our recruitment and retention efforts, and make us more comparable to other law enforcement agencies. Implementation of our certificate pay plan is projected to be approximately \$77,000 for the remainder of 2016.

BUDGET/STAFF IMPACT:

Funds are currently budgeted within the Police Department's 2016 Annual Budget and Capital Improvements Program.

Attachments:

Certificate and entry level salary comparison
CLEST Specification S-15

Police Departments' Starting Officer Pay with Incentives, 02012016

AGENCY	OFFICER STARTING PAY	INCENTIVES
Little Rock PD	40,119	Certificate Pay, Educational Pay, Language Pay, Tuition Reimbursement, Shift Differential
North Little Rock PD	38,600	Certificate Pay, Educational Pay (Either/or, not both)
Texarkana PD	38,386	Certificate Pay, Educational Pay
Fort Smith PD	36,233	Certificate Pay, Educational Pay, Language Pay, Longevity Pay, Tuition Reimbursement
Hot Springs PD	36,088	Certificate Pay, Educational Pay, Longevity Pay
Fayetteville PD	35,656	FTO Pay
Conway PD	35,594	N/A
Bentonville PD	34,029	Certificate Pay, Tuition Reimbursement, Special Assignment Pay
Rogers PD	33,280	Certificate Pay, Educational Pay, Language Pay, Tuition Reimbursement, Longevity Pay
Springdale PD	32,902	Certificate Pay, Language Pay, FTO Pay
Jonesboro PD	32,382	Certificate Pay, Educational Pay, Language Pay, Fitness Pay
Pine Bluff PD	30,846	Certificate Pay, Educational Pay

Created by J. Fields, January
2016

SPECIFICATION S-15

S-15

TITLE: CERTIFICATION OF LAW ENFORCEMENT OFFICERS

This specification supplements Section 1010, 1011, and 1012 of the Regulations which provides for the issue of Basic, General, Intermediate, Advanced, Senior, Part-time I, Part-time II and Auxiliary Certificates to law enforcement officers meeting prescribed standards of training, education and experience.

REQUIREMENTS

1. GENERAL PROVISIONS

- (a) To be eligible for the award of a certificate, each applicant must be a law enforcement officer appointed by a law enforcement unit located within the State of Arkansas. (Refer to Regulation 1001(9))
- (b) Each applicant shall meet the Commission's prescribed minimum standards for employment established pursuant to Regulation 1002 except those Full-time law enforcement officers who were employed before January 1, 1978. Those persons are "grandfathered" and exempt from meeting any selection or training requirements, provided they have been continually employed by the same agency since December 31, 1977. Amended by Act 1472 of 1999.
- (c) Each applicant should attest that he subscribes to the Law Enforcement Code of Ethics.
- (d) All applications for an award of the Basic, General, Intermediate, Advanced or Senior Certificates shall be completed on the Form F-7, Application for Award of Law Enforcement Officer Certificate.
- (e) In addition to the requirements set forth above for the award of a General, Intermediate, Advanced or Senior Certificate, each applicant shall have completed the designated education and training combined with the prescribed law enforcement experience.

- (e) College credits earned in law enforcement related subjects may be counted for either training points or education points, whichever is to the advantage of the applicant.

4. **LAW ENFORCEMENT EXPERIENCE**

Experience acquired as a sworn law enforcement officer employed full-time and having statutory authority to enforce state or federal criminal, traffic, or highway laws may be approved. Experience acquired with a police agency whose standards are lower than minimum standards established by the Commission will be rejected.

Law Enforcement experience claimed is subject to staff evaluation and final approval of the Commission.

5. **ELIGIBILITY QUESTIONS**

When determination of "eligibility of certification" of persons defined in Act 452 of 1975, becomes necessary for establishing qualifications to apply for, file for, or hold certain positions or elective office, as required by laws, the following procedures shall apply:

- (a) The applicant shall submit a letter to the commission requesting voluntary participation in the certification program. The commission also reserves the right to initiate the exploration of eligibility.
- (b) Any person approved for certification will be required to meet the minimum standards for employment or appointment as defined in Regulation 1002 and the training requirements established or approved by the Commission.
- (c) The acceptance of previous military police experience will be determined on an individual basis. That experience which is limited to the enforcement of the Uniform Code of Military Justice is not acceptable as being the equivalent experience of a federal, state, county, or municipal law enforcement officer who enforces the criminal, traffic, or highway laws of the Federal Government or a state.

- (a) Shall possess or be eligible to possess a General Certificate.
- (b) Shall have satisfactorily completed six (6) semester hours of college English or its equivalent from a college or university, approved in accordance with Specification S-8, paragraph (a) with at least a 2.0 grade average on a 4.0 point scale. (Note: Equivalency will be determined in writing from the English Department Head of the college or university granting credit for the course)
- (c) Shall have acquired the following combinations of education and training points combined with the prescribed years of law enforcement experience:

Education Points And/or Training Points	30	45	60	75	Associate Degree
AND	&	&	&	&	&
Years of Experience	8	7	6	5	4

9. THE ADVANCED CERTIFICATE

In addition to the requirements set forth in Section 1 of this specification, the following are required for the award of the Advanced Certificate:

- (a) Shall possess or be eligible to possess the Intermediate Certificate.
- (b) Shall have acquired the following combinations of education and training points combined with the prescribed years of law enforcement experience and have attained the college level indicated with an overall grade average of at least 2.0:

Semester Hours	6	15	30	45	Associate Degree	Bachelor's Degree
Training Hours	420	360	300	240	210	210
Years of Experience	16	14	12	10	8	6

City of Fayetteville, Arkansas - Budget Adjustment Form (Legistar)

Budget Year	Division: Citywide	Adjustment Number
2016	Dept.: Citywide	
	Requestor: Barbara Fell	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

\$1,213,000 in additional funding is requested Citywide in Salary Contingency for 2016 Employee Compensation Adjustments. The \$1,213,000 will come from the Use of Fund Balance accounts Citywide and the \$7,000 will come from within existing grant funds

RESOLUTION/ORDINANCE	COUNCIL DATE:	3/1/2016
	LEGISTAR FILE ID#:	2016-0075
	<i>Barbara Fell</i> 2/11/2016 11:17 AM	
	Budget Director	Date
	TYPE:	
	DESCRIPTION:	
	GLDATE:	
	POSTED:	/

TOTAL	1,213,000	1,213,000					v.20150925
	Increase / (Decrease)		Project.Sub#				
Account Number	Expense	Revenue	Project	Sub	AT	Account Name	
1010.0001.4999.99	-	819,000			RE	Use of Fund Balance	
1010.6600.5100.01	819,000				EX	Salary Contingency	
2100.0910.4999.99		79,000			RE	Use of Fund Balance	
2100.4100.5100.01	79,000				EX	Salary Contingency	
2130.0913.4999.99		11,000			RE	Use of Fund Balance	
2130.9130.5100.01	11,000				EX	Salary Contingency	
2180.4930.5100.01	7,000				EX	Salary Contingency	
2180.4930.5120.01	(7,000)				EX	Personnel Services Adjustments (Turnove	
2250.0925.4999.99		37,000			RE	Use of Fund Balance	
2250.9250.5100.01	37,000	-			EX	Salary Contingency	
2930.0993.4999.99	-	8,000			RE	Use of Fund Balance	
2930.2960.5100.01	8,000	-			EX	Salary Contingency	
5400.0940.4999.99	-	138,000			RE	Use of Fund Balance	
5400.4000.5100.01	138,000	-			EX	Salary Contingency	
5500.0950.4999.99	-	81,000			RE	Use of Fund Balance	
5500.5000.5100.01	81,000	-			EX	Salary Contingency	
5550.0955.4999.99	-	14,000			RE	Use of Fund Balance	
5550.3940.5100.01	14,000	-			EX	Salary Contingency	
9700.0970.4999.99	-	26,000			RE	Use of Fund Balance	
9700.1910.5100.01	26,000	-			EX	Salary Contingency	
	-	-					
	-	-					

Account Number	Increase / (Decrease)		Project.Sub#			Account Name
	Expense	Revenue	Project	Sub	AT	
	-	-				



City of Fayetteville, Arkansas

Tentative Agenda
February 23, 2016
Page 495 of 501
113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0063

Agenda Date: 3/1/2016

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: C. 7

AMEND § 164.19 ACCESSORY DWELLING UNITS (C):

AN ORDINANCE TO AMEND § 164.19 (C) OF THE FAYETTEVILLE CODE TO REMOVE THE 5,000 SQUARE FOOT MINIMUM LOT AREA REQUIREMENT FOR AN ACCESSORY DWELLING UNIT

WHEREAS, an “Accessory Dwelling Unit is a separate dwelling unit from the principal dwelling unit, located on a single family zoned lot; (t)he owner of the lot shall permanently reside in either the principal dwelling unit or the accessory dwelling unit located on the property” § 150.01 **Definitions**; and

WHEREAS, there are several development requirements for an accessory dwelling unit to make it compatible with the principal dwelling; and

WHEREAS, the current requirement that allows the construction and use of an accessory dwelling unit as of right in a single family zoned district only for “lots containing 5,000 square feet or more” should be amended to remove this lot area requirement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby amends § 164.19 (C) of the Fayetteville Code by removing “on lots containing 5,000 square feet or more” from the introductory sentence and by enacting a new subsection (9) as follows:

“(9) RSF - 18 Residential Single Family - Eighteen Units per Acre.”

Legistar ID No.: 2016-0063

AGENDA REQUEST FORM

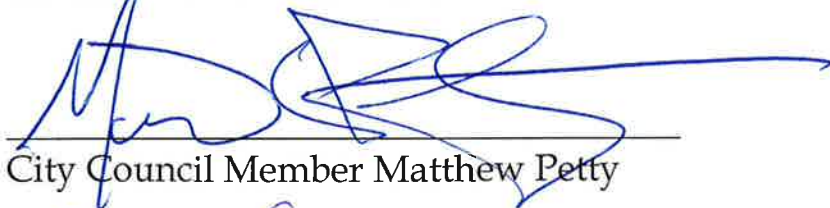
FOR: Council Meeting of February 16, 2016

FROM: City Council Member Matthew Petty

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

AN ORDINANCE TO AMEND § 164.19 (C) OF THE FAYETTEVILLE CODE TO REMOVE THE 5,000 SQUARE FOOT MINIMUM LOT AREA REQUIREMENT FOR AN ACCESSORY DWELLING UNIT

APPROVED FOR AGENDA:


City Council Member Matthew Petty

1/29/2016
Date


City Attorney Kit Williams
(as to form)

January 28, 2016
Date



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Patti Mulford
Paralegal

TO: **Mayor Jordan**
City Council

CC: **Don Marr**, Chief of Staff
Jeremy Pate, Development Services Director
Andrew Garner, Planning Director

FROM: **Kit Williams**, City Attorney

DATE: **January 28, 2016**

RE: **Amendment of § 164.19 Accessory Dwelling Units to remove the current 5,000 square feet minimum lot area requirement**

Alderman Matthew Petty is proposing an amendment to § 164.19 **Accessory Dwelling Units** to remove the current 5,000 square foot minimum lot area requirement. No other changes to this code section is being proposed at this time. Attached is § 151.01 **Definitions** for "Accessory Dwelling Unit" and § 164.19 **Accessory Dwelling Units** showing the current law.

TITLE XV UNIFIED DEVELOPMENT CODE

CHAPTER 151: DEFINITIONS

151.01 Definitions

For the purpose of Title XV, Unified Development Code, the following definitions shall apply to the divider sections, chapters, sections or subsections, unless the context clearly indicates or requires a different meaning.

A

Abbreviated Tree Preservation Plan. (Tree Preservation and Protection) A shorter, less formal tree preservation plan required of applicants seeking building, grading, or parking lot permits, but who are not subject to the requirements for large scale developments or subdivisions.

Accent Lighting (Outdoor Lighting) means any directional lighting which emphasizes a particular object or draws attention to a particular area.

Accessory community structures. (Manufactured Homes and Parks) (Manufactured Homes and Parks opened or expanded after 4-20-72) A structure or a portion of a structure for commercial use that is located in a manufactured home park and which is intended solely for the convenience of the residents or occupants of the manufactured home park.

Accessory Dwelling Unit. (Zoning) An Accessory Dwelling Unit is a separate dwelling unit from the principal dwelling unit, located on a single family zoned lot. The owner of the lot shall permanently reside in either the principal dwelling unit or the accessory dwelling unit located on the property.

Accessory structures. (Manufactured Homes and Parks) (Manufactured Homes and Parks opened or expanded, 4-20-72) Any structural addition to the manufactured home such as awnings, cabanas, carports, Florida rooms, porches, patio covers, and similar additions.

Accessory use or structure. A use or structure on the same lot with, of a nature and size of 50% or less, and customarily incidental and subordinate to, the principal use or structure.

Act. (Wireless Telecommunications Facilities) The Communications Act of 1934, as it has been amended from time to time, including the Telecommunications Act of 1996, shall include any future amendments.

Active open space. (Development) An area intended for rigorous activity such as tennis, baseball, badminton, and other games requiring physical exertion.

Administrative determination. (Tree Preservation and Protection) Final action by the landscape administrator to either approve, conditionally approve or disapprove a tree preservation plan. Administrative determinations apply only to those projects which do not require Planning Commission approval.

Adult arcade. (Zoning) Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled image producing devices are maintained to show images to five or fewer viewers at one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical area."

Adult bookstore or adult video store. (Zoning) A commercial establishment whose principal business purpose is to offer for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, or video reproductions, slides or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas."

Adult cabaret. (Zoning) A nightclub, bar, restaurant, or similar commercial establishment which regularly features:

- (A) Persons who appear in a state of nudity; or
- (B) Live performances which are characterized by the exposing of "specified sexual activities" or "specified anatomical areas;" or
- (C) Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction of "specified sexual activities" or "specified anatomical areas."

Adult motion picture theater. (Zoning) A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown, excluding those which are characterized by the exposure of "specified sexual activities" or "specified anatomical areas."

Adult theaters. (Zoning) A theater, concert hall, auditorium, or similar commercial establishment, which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified sexual activities" or "specified anatomical areas."

Airport. (Airport Zone) Fayetteville Airport (Drake Field).

Fayetteville Code of Ordinances

- (4) *Number of horses permitted.* The number of horses permitted on premises used for a riding stable shall be limited to one horse for every three-fourths (3/4) acre of undeveloped land.

- (D) Towing impound yards. An impound yard shall be subject to the following:

- (1) Motor vehicles shall not be stored on the premises longer than 45 days.
- (2) Impound yards shall be surrounding on all sides by a minimum 6 foot tall wood board privacy fence.

(Code 1965, App. A., Art. 7(9) (22)(23); Ord. No. 1747, 6-29-70; Ord. No. 1870, 6-19-72; Ord. No. 2122, 7-15-75; Ord. No. 2123, 7-25-75; Ord. No. 2126, Ord. No. 2380, 9-21-77; 7-15-75; Code 1991, §160.092; §160.084; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. 5271, 9-1-09; Ord. 5339, 8-3-10; Ord. 5348, 9-7-10)

164.19 Accessory Dwelling Units (ADU)

- (A) *Purpose.* The purpose of the accessory dwelling unit ordinance is to authorize accessory dwelling units in certain zoning districts on lots already developed or that will be developed concurrently with single-family dwellings.

- (B) *Intent.* Planning Staff shall evaluate the following criteria for the review and approval of an accessory dwelling unit application:

- (1) Exterior design of the accessory dwelling unit should be compatible with the principal dwelling unit through architectural use of building forms, height, construction materials, and colors.
- (2) The property shall have infrastructure (water, sewer, gas, electric, etc.) that meets City standards to serve the accessory dwelling unit.
- (3) The location and design of the accessory dwelling unit shall meet the required setbacks of the zoning district.
- (4) A two-story accessory dwelling unit should generally limit the major access stairs, decks, entry doors, and major windows to the walls facing the principal dwelling, or to the alley if applicable. Windows that impact the privacy of the neighboring side or rear yard should be minimized. The design of the accessory unit should relate to the design of the principal residence and not visually dominate it or the surrounding properties.
- (5) The orientation and location of buildings, structures, open spaces and other features

of the site should protect and maintain natural resources including significant trees and shrubs to the extent feasible and minimize alteration of natural land forms. Building profiles, location and orientation should relate to natural land forms.

- (6) The site plan should incorporate low impact storm water mitigation techniques, such as cisterns, rain barrels, permeable pavers, rain gardens, indigenous plants and landscape berms.

- (C) *Permitted Zoning Districts:* Accessory dwelling units shall be exempt from the density requirements of the underlying zoning district and shall be permitted by-right on lots containing 5,000 square feet or more in the following Zoning districts:

to be removed

- (1) R-A Residential Agricultural
- (2) RSF – 0.5 Residential Single Family – One Half Unit per Acre
- (3) RSF – 1 Residential Single Family – One Unit per Acre
- (4) RSF – 2 Residential Single Family – Two Units per Acre
- (5) RSF – 4 Residential Single Family – Four Units per Acre
- (6) RSF – 7 Residential Single Family – Seven Units per Acre
- (7) RSF – 8 Residential Single Family – Eight Units per Acre
- (8) NC Neighborhood Conservation

- (D) *Administrative Design Review and Approval.* All accessory dwelling units shall meet the following standards for administrative approval by the Zoning and Development Administrator. Prior to approval of an accessory dwelling unit, the Zoning and Development Administrator shall find that:

- (1) *Maximum Square Feet and Number of Bedrooms.* The accessory dwelling unit shall not be greater than 600 square feet of habitable space with a maximum of one bedroom. Detached accessory dwelling units located above garage space shall be permitted so long as they meet the height requirement herein.
- (2) *Zoning.* The accessory dwelling unit shall comply with all underlying zoning requirements including but not limited to

TITLE XV UNIFIED DEVELOPMENT CODE

building area, bulk and area, and setbacks with the exception of density.

- (3) *Parking.* One parking space shall be provided on-site for each accessory dwelling unit. Required parking for the accessory dwelling unit is in addition to the required parking for the principal dwelling unit. On-street parking may be counted towards the total parking requirement where it is allowed in the public right-of-way adjacent to the subject property.
- (4) *Existing Development on Lot.* A single-family dwelling shall exist on the lot or shall be constructed in conjunction with the accessory dwelling unit. No building permit shall be issued until this requirement is satisfied.
- (5) *Maximum Number of Accessory Dwelling Units per Lot.* A maximum of one accessory dwelling unit shall be permitted for each lot.
- (6) *Other Code Requirements.* The accessory dwelling unit shall comply with the requirements of the City of Fayetteville Uniform Building Code.
- (7) *Water and Sewer.* Water and sewer service for the accessory dwelling unit shall be connected directly to the public water and sewer system, where reasonably accessible in accordance with all applicable regulations, and shall be metered separately from the principal residence.
- (8) *Occupancy.* The property owner must permanently occupy either the principal or accessory dwelling unit.
- (9) *Maximum Occupancy of the Accessory Dwelling Unit.* A maximum of two persons shall reside in an accessory dwelling unit.
- (10) *Registration of Dwelling Units.* The principal and accessory dwelling unit shall be registered on an annual basis, from the date of approval, with the Planning Division to verify occupancy requirements.
- (11) *Tree Preservation.* To protect existing tree canopy to the greatest extent possible, prior to application for an accessory dwelling unit, the applicant shall consult with the Urban Forester, to prepare a site plan illustrating the location of all significant trees. All significant trees on the property shall be adequately protected during construction. Any proposed removal of significant trees on the site will require the following of the property owner:

- (a) The applicant must show that the removal of a significant tree or trees is necessary in order to locate the accessory dwelling unit on the lot and also meet all contributing location requirements such as building setbacks, utility or drainage easements, topography, etc.
- (b) For every significant tree removed the property owner shall replace said tree with a total of two (2) two-inch caliper large species shade trees from the list of approved tree species in a location deemed appropriate by the Urban Forester.
- (c) Should the Urban Forester find justifiable cause to determine a significant tree or trees were removed in an attempt to thwart the intent of this ordinance prior to application for an accessory dwelling unit, the application shall not be approved administratively.

(12) *Building Height and Stories.*

- (a) A one-story detached accessory dwelling unit shall be a maximum of 20 feet in height to the roof peak measured from the existing adjacent grade.
- (b) A detached accessory dwelling unit above one story shall be a maximum of 25 feet in height to the roof peak measured from the existing adjacent grade.
- (c) An attached accessory dwelling unit may occupy a first or second story of a principal dwelling unit and shall not in any instance be taller than the roof line of the principal dwelling unit.

(13) *Building Design.* The architectural design of the accessory dwelling unit shall relate to the design of the principal dwelling by the use of similar exterior wall materials, window types, door and window trims, roofing materials and roof pitch. The following materials must be submitted for review of an application:

- (a) A material sample board indicating type of materials and colors to be used on the exterior of the building.
- (b) An architectural elevation drawing of all sides of the proposed structure.
- (c) Images or architectural elevations of the principal dwelling unit.

Fayetteville Code of Ordinances

(E) *Site Plan Requirements.* Three sets of detailed site plans are required with the following information:

- (1) Scale no smaller than 1" = 30' (one inch equals thirty feet)
- (2) A north arrow
- (3) Property lines
- (4) Locations and dimensions of all rights-of-way, utility, drainage and tree preservation easements, and building setbacks
- (5) All existing and proposed structures with accompanying uses
- (6) Size of parcel in square feet or acres.
- (7) Size of all existing and proposed structures in square feet
- (8) Name of the applicant or property owner, plan preparer, project name and project address in a title block
- (9) Pertinent special features such as drainage features, berms, fences, and retaining walls
- (10) Parking areas, including driveways, with paving materials and dimensions
- (11) A landscape plan showing the location of all proposed landscaping, size of plant materials and species
- (12) Tree protection plan including all significant trees and protection measures

(F) *Deed Restrictions.* Before obtaining a building permit for an accessory dwelling unit the property owner shall file with the Washington County Clerk's Office a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:

- (1) The accessory dwelling unit shall not be sold separately from the principal residence.
- (2) The accessory unit is restricted to the approved size.
- (3) The property owner shall at all times reside on the property.
- (4) The above restrictions are binding upon any successor in ownership of the property and shall run with the property.

(G) *Planning Commission Approval.* An applicant may request approval from the Planning Commission of a variance from the maximum requirements for size (square feet), height, and materials for an accessory dwelling unit, where unique circumstances exist and the effect will not adversely affect adjoining or neighboring property owners. Applicants may ask for a variance from the requirement for separate water and sewer taps if a hardship exists, such as difficult access or topography. The applicant shall provide notification to adjacent property owners prior to the date of the meeting.

(H) *Existing Detached Second (Accessory) Dwelling Units.*

(1) *Conforming Units.* Existing detached second dwelling units approved by the Planning Commission by conditional use and constructed shall be considered a legal conforming accessory dwelling on the property. Property owners shall register the principal and accessory dwelling on an annual basis with the Planning Division.

(2) *Nonconforming Units.* Existing detached second dwelling units that were not approved by the Planning Commission shall be considered nonconforming. An application for administrative approval may be made to convert an existing nonconforming detached second dwelling unit to a conforming legal detached second dwelling unit, where the existing unit can meet the requirements herein. Where an existing nonconforming second dwelling unit exists as of the date of the adoption of this ordinance that can not meet the requirements herein, the applicant may apply for a variance of the requirements stated.

(I) *Non-Conforming Structures.* Non-conforming structures may not be converted into an accessory dwelling unit unless a variance has been granted by the Board of Adjustment.

(J) If the property owner no longer resides on the property, the owner shall remove the cooking facilities from the Accessory Dwelling Unit or the City shall turn off water service to the Accessory Dwelling Unit.

(K) *Violation.* Violation of the requirements herein shall be prosecuted to the maximum extent of the law.

(Ord 5128, 4-15-08)

164.20 Approval Of Vital Municipal Facilities

Agenda Session 2/23/16

City of Fayetteville, Arkansas

*113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323*



Meeting Agenda - Tentative Agenda

Tuesday, February 23, 2016

4:30 PM

City Hall Room 326

City Council Agenda Session

*Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4*

ELECTED OFFICIALS:
*Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith*

Call To Order

Roll Call

Pledge of Allegiance

⑧ Mayor's Announcements, Proclamations and Recognitions

*Add: Bulldog
Proclamation*

City Council Meeting Presentations, Reports and Discussion Items:

1. 2015-0639

2015 4TH QUARTER FINANCIAL REPORT

Agenda Additions

A. Consent:

✓ A. 1 2015-0642

APPROVAL OF THE FEBRUARY 16, 2016 CITY COUNCIL MEETING MINUTES.

✓ A. 2 2016-0083

INSITUFORM TECHNOLOGIES, INC.:

A RESOLUTION TO APPROVE A ONE YEAR CONTRACT EXTENSION WITH INSITUFORM TECHNOLOGIES, INC. IN AN AMOUNT NOT TO EXCEED \$330,000.00 FOR SEWER REHABILITATION USING CURED-IN-PLACE SANITARY SEWER LININGS

Attachments:2016 Insituform Legistar Packet✓ A. 3 2016-0069

HAWG DWELLINGS, LLC:

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$8,971.91 TO HAWG DWELLINGS, LLC AND \$7,936.56 TO SERVPRO OF FAYETTEVILLE/SPRINGDALE FOR A WASTEWATER DAMAGE CLAIM ARISING AT 902 WEST CLEVELAND STREET

Attachments:Cleveland 902 W (Carter) Legistar Packet

✓A. 4

2016-0079**MCCLELLAND CONSULTING ENGINEERS, INC.
SUPPLEMENTAL AGREEMENT NO. 1:**

A RESOLUTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. FOR ADDITIONAL CONSTRUCTION PHASE SERVICES ASSOCIATED WITH THE OLD WIRE ROAD SEWER MAIN REPLACEMENT PROJECT WHICH WILL INCREASE THE TOTAL AMOUNT OF THE CONTRACT FROM \$228,644.00 TO AN AMOUNT NOT TO EXCEED \$250,402.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:MCE Ramsey-Overcrest Amendment 1 Legistar PacketBA - McClelland Consulting Ramsey and Overcrest

✓A. 5

2016-0078**BID #16-19 T-G EXCAVATING, INC.:**

A RESOLUTION TO AWARD BID #16-19 AND AUTHORIZE A CONTRACT WITH T-G EXCAVATING, INC. IN THE AMOUNT OF \$2,373,333.00 FOR CONSTRUCTION SERVICES ASSOCIATED WITH THE OLD WIRE ROAD SEWER MAIN REPLACEMENT PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$237,333.30, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:TG Excavating Ramsey-Overcrest Legistar PacketBA - TG Excavating Ramsey and Overcrest

✓A. 6

2016-0087**HUB INTERNATIONAL CONTRACT:**

A RESOLUTION TO APPROVE A ONE YEAR CONTRACT WITH HUB INTERNATIONAL IN THE AMOUNT OF \$13,000.00 WITH AUTOMATIC RENEWALS FOR THREE ADDITIONAL ONE YEAR TERMS FOR THE PROVISION OF INSURANCE BROKERAGE AND CONSULTATION SERVICES

Attachments:2016-0087 HUB International**B. Unfinished Business:**

B.12016-0061**RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5240 FOR APPROXIMATELY 128 ACRES LOCATED AT 2514 WEST LORI ROAD FROM R-A, RESIDENTIAL-AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE; AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO R-A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; AND NS, NEIGHBORHOOD SERVICES, SUBJECT TO A BILL OF ASSURANCE

Attachments:RZN 15-5240 CC reports

This Ordinance was left on the first reading at the February 16, 2016 City Council meeting.

B.22016-0057**AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:**

AN ORDINANCE TO AMEND § 72.58 **OFF-STREET PARKING FACILITIES; RULES AND RATES** (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS, ON-STREET PAID PARKING SPACES OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

Attachments:Agenda Request Form § 72.58City Attorney Memo Ord § 72.58

This Ordinance was left on the first reading at the February 16, 2016 City Council meeting.

C. New Business:

✓ C. 1

2016-0068**AIT SERVICES, INC.:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF SPARE PARTS FOR THE THERMAL DRYING UNIT LOCATED AT THE BIOSOLIDS MANAGEMENT SITE FROM AIT SERVICES, INC. IN THE AMOUNT OF \$65,371.50 PLUS APPLICABLE TAXES, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,174.52, AND TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING FOR FUTURE PURCHASES OF PARTS AND REPAIR SERVICES THROUGH DECEMBER 31, 2018

Attachments:SRPacket - 2016-0068 - BMS Thermal Dryer Parts.pdf

✓ C. 2

2016-0088**LASERFICHE DOCUMENT MANAGEMENT SYSTEM FROM MCCI, LLC ADDITIONAL SOFTWARE USER LICENSES:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF ADDITIONAL LASERFICHE USER LICENSES, THE LASERFICHE FORMS MODULE, ANNUAL SOFTWARE MAINTENANCE, AND FUTURE SOFTWARE AND SERVICE NEEDS THROUGH THE END OF FISCAL YEAR 2017 FROM MCCI, LLC IN AN AMOUNT NOT TO EXCEED \$235,000.00 PLUS APPLICABLE TAXES

Attachments:Laserfiche Packet 02182016

✓ C. 3

2016-0085**RZN 15-5293 (701 E. HUNTSVILLE RD./ROSE BAUER):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5293 FOR APPROXIMATELY 36.25 ACRES LOCATED AT 701 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO CS, COMMUNITY SERVICES; NC, NEIGHBORHOOD CONSERVATION AND R-A, RESIDENTIAL-AGRICULTURAL AND SUBJECT TO A BILL OF ASSURANCE

Attachments:15-5293 CC REQUEST

(*) C. 4 2016-0086

RZN 16-5299 (4170 W. MLK BLVD./CALYPSO PROPERTIES):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5299 FOR APPROXIMATELY 3.4 ACRES LOCATED AT 4170 WEST MARTIN LUTHER KING BOULEVARD FROM R-O, RESIDENTIAL OFFICE TO UT, URBAN THOROUGHFARE

Attachments:

15-5299 CC REQUEST DOCS

C. 5 2016-0034

**WEST AVENUE PARKING LOT - DEVELOPMENT
CONSIDERATION:**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S INTENT TO CONSIDER PROPOSALS FOR THE DEVELOPMENT AND IMPROVEMENT OF THE CITY'S 2.8 ACRE PROPERTY AT THE SOUTHWEST CORNER OF WEST AVENUE AND DICKSON STREET CURRENTLY USED AS THE WEST AVENUE PARKING LOT

Attachments:

Resolution of Intent Agenda Item

C. 6 2016-0075

2016 EMPLOYEE COMPENSATION:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,220,000.00 TO FUND THE CITY-WIDE 2016 EMPLOYEE COMPENSATION ADJUSTMENT, AND TO APPROVE A CERTIFICATION PAY PLAN FOR SWORN POLICE PERSONNEL

Attachments:

2016 Employee Compensation

BA2016 - 2016-0075 ECP2016

(*) C. 7 2016-0063

*Remove from
agenda per
Kit.*

AMEND § 164.19 ACCESSORY DWELLING UNITS (C):

AN ORDINANCE TO AMEND § 164.19(C) OF THE FAYETTEVILLE CODE TO REMOVE THE 5,000 SQUARE FOOT MINIMUM LOT AREA REQUIREMENT FOR AN ACCESSORY DWELLING UNIT

Attachments:

Agenda Request Packet § 164.19 (C)

D. City Council Agenda Session Presentations:

D. 1 2016-0055

AGENDA SESSION PRESENTATION RECYCLING AND TRASH
UPDATE FOR RECYCLING PILOT PROJECTS- BRIAN PUGH

E. City Council Tour:**F. Announcements:****G. Adjournment****NOTICE TO MEMBERS OF THE AUDIENCE**

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

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Consent Agenda: Consent Agenda items shall be read by the Mayor and voted upon as a group without discussion by the City Council. If an Alderman wishes to comment upon or discuss a Consent Agenda item, that item shall be removed and considered immediately after the Consent Agenda has been voted upon.

Old business and new business.

Presentations by staff and applicants. Agenda items shall be introduced by the Mayor and, if an ordinance, read by the City Attorney. City staff shall then present a report. An agenda applicant (city contractor, rezoning or development applicant, etc.) may present its proposal only during this presentation period, but may be recalled by an alderman later to answer questions. Staff and applicants may use electronic visual aids in a City Council meeting as part of their presentation.

Public comments. Public comment shall be allowed for all members of the audience on all items of old and new business and subjects of public hearings. No electronic visual aid presentations shall be allowed, but the public may submit photos, petitions, etc. to be distributed to the City Council. If a member of the public wishes for the City Clerk to distribute materials to the City Council before its meeting, such materials should be supplied to the City Clerk office no later than 9:00 a.m. on the day of the City Council meeting. Any member of the public shall first state his or her name and address, followed by a concise statement of the person's position on the question under discussion. Repetitive comments should be avoided; this applies to comments made previously either to the City Council or to the Planning Commission when those Planning Commission minutes have been provided to the Aldermen. All remarks shall be addressed to the Mayor or the City Council as a whole and not to any particular member of the City Council. No person other than the Aldermen and the person having the floor shall be permitted to enter into any discussions without permission of the Mayor. No questions shall be directed to an Alderman or city staff member except through the Mayor.

Courtesy and respect.

All members of the public, all city staff and elected officials shall accord the utmost courtesy and respect to each other at all times. All shall refrain from rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives or personalities. Any member of the public who violates these standards shall be ruled out of order by the Mayor, must immediately cease speaking and shall leave the podium.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 479-575-8330.

A copy of the complete City Council agenda is available at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.

Pre Agenda Meeting 2/17/16

City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323



Meeting Agenda - Tentative Agenda

Tuesday, February 23, 2016

4:30 PM

City Hall Room 326

City Council Agenda Session

Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

✓ 2015-0639 2015 4TH QUARTER FINANCIAL REPORT

Agenda Additions

A. Consent:

✓ AV1 2015-0642 APPROVAL OF THE FEBRUARY 16, 2016 CITY COUNCIL MEETING MINUTES.

✓ AV2 2016-0083 **INSITUFORM TECHNOLOGIES, INC.:**

A RESOLUTION TO APPROVE A ONE YEAR CONTRACT EXTENSION WITH INSITUFORM TECHNOLOGIES, INC. IN AN AMOUNT NOT TO EXCEED \$330,000.00 FOR SEWER REHABILITATION USING CURED-IN-PLACE SANITARY SEWER LININGS

Attachments: 2016 Insituform Legistar Packet

✓ AV3 2016-0069

HAWG DWELLINGS, LLC:

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$8,971.91 TO HAWG DWELLINGS, LLC AND \$7,936.56 TO SERVPRO OF FAYETTEVILLE/SPRINGDALE FOR A WASTEWATER DAMAGE CLAIM ARISING AT 902 WEST CLEVELAND STREET

Attachments: Cleveland 902 W (Carter) Legistar Packet

AV4

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SUPPLEMENTAL AGREEMENT NO. 1:**

A RESOLUTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. FOR ADDITIONAL CONSTRUCTION PHASE SERVICES ASSOCIATED WITH THE OLD WIRE ROAD SEWER MAIN REPLACEMENT PROJECT WHICH WILL INCREASE THE TOTAL AMOUNT OF THE CONTRACT FROM \$228,644.00 TO AN AMOUNT NOT TO EXCEED \$250,402.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:MCE Ramsey-Overcrest Amendment 1 Legistar PacketBA - McClelland Consulting Ramsey and Overcrest

AV5

2016-0087**HUB INTERNATIONAL CONTRACT:**

A RESOLUTION TO APPROVE A ONE YEAR CONTRACT WITH HUB INTERNATIONAL IN THE AMOUNT OF \$13,000.00 WITH AUTOMATIC RENEWALS FOR THREE ADDITIONAL ONE YEAR TERMS FOR THE PROVISION OF INSURANCE BROKERAGE AND CONSULTATION SERVICES

Attachments:2016-0087 HUB International**B. Unfinished Business:**

BV1

2016-0061**RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5240 FOR APPROXIMATELY 128 ACRES LOCATED AT 2514 WEST LORI ROAD FROM R-A, RESIDENTIAL-AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE; AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO R-A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; AND NS, NEIGHBORHOOD SERVICES, SUBJECT TO A BILL OF ASSURANCE

Attachments:RZN 15-5240 CC reports

This Ordinance was left on the first reading at the February 16, 2016 City Council meeting.

*Noted: RZA
Withdrawn
by Applicant*

B 2

2016-0057**AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:**

AN ORDINANCE TO AMEND § 72.58 **OFF-STREET PARKING FACILITIES; RULES AND RATES** (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

Attachments:Agenda Request Form § 72.58

This Ordinance was left on the first reading at the February 16, 2016 City Council meeting.

C. New Business:

C 2

2016-0078**BID #16-19 T-G EXCAVATING, INC.:**

A RESOLUTION TO AWARD BID #16-19 AND AUTHORIZE A CONTRACT WITH T-G EXCAVATING, INC. IN THE AMOUNT OF \$2,373,333.00 FOR CONSTRUCTION SERVICES ASSOCIATED WITH THE OLD WIRE ROAD SEWER MAIN REPLACEMENT PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$237,333.30, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:TG Excavating Ramsey-Overcrest Legistar PacketBA - TG Excavating Ramsey and Overcrest

C 2

2016-0068**AIT SERVICES, INC.:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF SPARE PARTS FOR THE THERMAL DRYING UNIT LOCATED AT THE BIOSOLIDS MANAGEMENT SITE FROM AIT SERVICES, INC. IN THE AMOUNT OF \$65,371.50 PLUS APPLICABLE TAXES, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,174.52, AND TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING FOR FUTURE PURCHASES OF PARTS AND REPAIR SERVICES THROUGH DECEMBER 31, 2018

Attachments:SRPacket - 2016-0068 - BMS Thermal Dryer Parts.pdf

C. 3

2016-0088**LASERFICHE DOCUMENT MANAGEMENT SYSTEM FROM
MCCI, LLC ADDITIONAL SOFTWARE USER LICENSES:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF TWENTY FIVE ADDITIONAL SOFTWARE USER LICENSES AND A NEW FORMS MODULE FOR THE CITY'S LASERFICHE DOCUMENT MANAGEMENT SYSTEM FROM MCCI, LLC IN THE AMOUNT OF \$64,805.00 PLUS APPLICABLE TAXES

Attachments:Laserfiche Packet.pdf

C. 4

2016-0085**RZN 15-5293 (701 E. HUNTSVILLE RD./ROSE BAUER):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5293 FOR APPROXIMATELY 36.25 ACRES LOCATED AT 701 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO CS, COMMUNITY SERVICES; NC, NEIGHBORHOOD CONSERVATION AND R-A, RESIDENTIAL-AGRICULTURAL AND SUBJECT TO A BILL OF ASSURANCE

Attachments:15-5293 CC REQUEST

C. 5

2016-0086**RZN 16-5299 (4170 W. MLK BLVD./CALYPSO PROPERTIES):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5299 FOR APPROXIMATELY 3.4 ACRES LOCATED AT 4170 WEST MARTIN LUTHER KING BOULEVARD FROM R-O, RESIDENTIAL OFFICE TO UT, URBAN THOROUGHFARE

Attachments:15-5299 CC REQUEST DOCS

C.V.6

2016-0034**WEST AVENUE PARKING LOT - DEVELOPMENT
CONSIDERATION:**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S INTENT TO CONSIDER PROPOSALS FOR THE DEVELOPMENT AND IMPROVEMENT OF THE CITY'S 2.8 ACRE PROPERTY AT THE SOUTHWEST CORNER OF WEST AVENUE AND DICKSON STREET CURRENTLY USED AS THE WEST AVENUE PARKING LOT

Attachments:Resolution of Intent Agenda Item

C.V.7

2016-0075**2016 EMPLOYEE COMPENSATION:**

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Attachments:2016 Employee CompensationBA2016 - 2016-0075 ECP2016

C.V.8

2016-0063**AMEND § 164.19 ACCESSORY DWELLING UNITS (C):**

AN ORDINANCE TO AMEND § 164.19 (C) OF THE FAYETTEVILLE CODE TO REMOVE THE 5,000 SQUARE FOOT MINIMUM LOT AREA REQUIREMENT FOR AN ACCESSORY DWELLING UNIT

Attachments:Agenda Request Packet § 164.19 (C)**D. City Council Agenda Session Presentations:**D. 1 2016-0055**E. City Council Tour:****F. Announcements:****G. Adjournment**

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