A G E N D A

FAYETTEVILLE CITY COUNCIL MEETING
January 20, 1998

THE AGENDA FOR THE COUNCIL MEETING WAS SET ON THE TUESDAY BEFORE THIS MEETING. ANY ITEM A CITIZEN WANTS PRESENTED TO THE COUNCIL NOT ON THIS AGENDA MUST BE INTRODUCED AT THE NEXT AGENDA SESSION OR BE BROUGHT UP BY AN ALDERMAN AT THAT SESSION FOR DISCUSSION AT THE FOLLOWING MEETING.

NOMINATIONS FROM THE NOMINATING COMMITTEE

Nominations to the Library Board, the Parks & Recreation Advisory Board, and the Fayetteville Housing Authority Board of Commissioners; **0.01**

---

1 **CONSENT AGENDA:** Consideration of items which may be approved be motion, or contracts and leases which can be approved be resolution, and which may be grouped together and approved simultaneously under a "Consent Agenda":

A. Minutes of the January 6, regular City Council meeting;

---

2 **OLD BUSINESS:** Items that have been brought before the Council but were tabled or no decision made to allow further discussion or more information to be presented.

A. **ANNEXATION RZA97-17 & REZONING RZ97-20:** Ordinances annexing and rezoning 76.95 acres located north of Mission Blvd. and east of Blue Mesa Drive as submitted by Marc Crandall on behalf of Gary Atha. Request is to annex the property and rezone it from A-1, Agricultural to R-1, Low Density Residential.

These ordinances were left on the second reading at the January 6 Council meeting.

B. **ANNEXATION RZA97-24 & REZONING RZ97-25:** Ordinances annexing and rezoning 1.68 acres located at 4015 East Huntsville Road as submitted by William Greenhaw on behalf of Wanda Sims. Request is to annex the property and rezone it from A-1, Agricultural to R-1, Low Density Residential.

These ordinances were left on the second reading at the January 6 Council meeting.

C. **ALDERMEN/STAGGERED TERMS:** An ordinance providing a method to stagger the four year aldermanic terms required by statute when a Mayor-Council city reaches a population of 50,000 or more; **01-02**

This ordinance was left on the second reading at the January 6 Council meeting.

---

3 **CURBSIDE BIN RECYCLING:** A resolution approving a proposal to change the method in which recyclable materials are collected in the residential sector.

---

4 **CONSTRUCTION MATERIALS:** A resolution awarding bids for construction materials utilized by various City departments.

---

5 **PROPERTY ACQUISITION & SALES:** A resolution approving the sale of 20.6 acres located at the south east quadrant of the intersection of Cato Springs Rd. and Razorback Rd., approving the acquisition of 14.02 acres of land near the City's Happy Hollow Operations Facility, and approval of a budget adjustment recognizing the sale of the land, the acquisition of land, and a commitment for the replacement of current facilities.

---

6 **NEW STEP RATES:** A resolution adopting new step rates for civil service, fire, and police pay ranges as recommended by staff effective with 1998 payroll No. 2 beginning December 29, 1997.

---

7 **OTHER BUSINESS:** Consideration by the Council of items that may have been presented after the agenda was prepared and distributed.

Only items presented by the City Council or City Staff may be discussed at this time. If the public has an item they wish the Council to consider, the item has to be presented at a Council Agenda Session which is held on Tuesday preceding the Council meeting at 4:30 p.m. in Room 326 of City Hall. Or, a citizen may contact an alderman and request the item be presented at the Agenda Session to be placed on an agenda.

8 **INFORMATIONAL ITEMS:**

A. City Investments; **01-04**

B. Cable Board Agenda & Minutes; **05-10**

C. PRAB Agenda, Minutes & Back-up; **11-34**

VOTING RECORD
Meeting of the City Council
January 20, 1998

	ROLL	NOMINATIONS		
		LIBRARY PARK	LAWRENCE LUTTRELL MATT C.	HOUSING
WILLIAMS	Y		Y	
SCHAPER	Y		Y	
DANIEL	Y	1)	Y	
YOUNG	Y		Y	
ZURCHER	Y		Y	
TRUMBO	Y		Y	
PETTUS	Y	2)	Y	
MILLER	Y		Y	
MAYOR HANNA	N			

	CONSENT
WILLIAMS	Y
SCHAPER	1) Y
DANIEL	Y
YOUNG	Y
ZURCHER	Y
TRUMBO	Y
PETTUS	Y
MILLER	Y
MAYOR HANNA	

VOTING RECORD
Meeting of the City Council
January 20, 1998

2 HOURS

	RZA97-17			RZ97-20			RZA97-24		
	MOVE TO 3RD READING	(3)	AMEND	MOVE TO 3RD READING	(3)		MOVE TO 3RD	(3)	
WILLIAMS	Y		Y	Y	Y		Y	Y	
SCHAPER	Y		Y	Y	Y		1) Y	Y	
DANIEL	Y		2) Y	Y	Y		2) Y	Y	
YOUNG	Y		Y	Y	Y		Y	Y	
ZURCHER	Y		N	Y	Y		Y	Y	
TRUMBO	Y		1) Y	Y	1) Y		ABSENT	Y	
PETTUS	Y		Y	Y	Y		Y	Y	
MILLER	1) Y		Y	Y	2) Y		Y	Y	
MAYOR HANNA									
		ORD.			ORD.			ORD.	

	RZ97-25			ALDERMANIC TERMS			RECYCLING		
	MOVE TO 3RD	(3)		MOVE TO 3RD	(3)	AMEND			
WILLIAMS	Y	Y		Y		N Y		Y	
SCHAPER	Y	Y		Y		Y Y		Y	
DANIEL	Y	Y		Y		N Y		Y	
YOUNG	Y	Y		Y		N Y		Y	
ZURCHER	Y	Y		Y		1) Y Y		Y	
TRUMBO	Y	Y		Y		2) N Y		Y	
PETTUS	Y	Y		Y		Y Y		Y	
MILLER	1) Y	Y		Y		N Y	1)	Y	
MAYOR HANNA									
		ORD.			ORD.				

VOTING RECORD
Meeting of the City Council
January 20, 1998

	CONST. MATERIALS	PROP. ACQ. & SALE	STEP RATES	
WILLIAMS	1) Y	Y	N 1) OLD PLAN Y	
SCHAPER	Y	Y	N Y	
DANIEL	Y	1) Y	N Y	
YOUNG	Y	Y	1) Y Y	
ZURCHER	Y	Y	2) N Y	
TRUMBO	Y	Y	1) N Y	
PETTUS	Y	Y	NO 2ND N Y	
MILLER	Y	Y	N 2) Y	
MAYOR HANNA				
	RES.	TABLE	NEW PLAN COMPROMISE	

WILLIAMS	ANNOUNCEMENTS & COMMENTS
SCHAPER	
DANIEL	
YOUNG	Adj. 10:40
ZURCHER	
TRUMBO	
PETTUS	
MILLER	
MAYOR HANNA	

FINAL AGENDA INFORMATION
for
Jan. 20, 1998, Council Meeting

Given to you at Agenda Session:

- additional back up re Atha rezoning (number this 2A.01-2A.09)
- additional back up re staggered terms, ballot (number this 2.03)
- additional info re construction materials (number this 4.13-4.16)
- new item--property acquisition & sale (number this 5.01-5.17)
- new item--new step rates (number this 6.01-6.08)

Attached here:

- Final Agenda
- Minutes of the Jan. 6 meeting
- Informationals (#8)

AGENDA SESSION DISTRIBUTION CHECKLIST

DATE: 1-13-98

HANDOUTS:

CATO SPRINGS LAND OFFER
BEMIS - PROPOSAL ON TERMS (#2C)
STREET CONST. MATERIALS ADDITIONAL INFO. (#4)
PAY PLAN / FIRE & POLICE

DISTRIBUTED TO:

- X Stephen Miller
- X Kit Williams
- X Cyrus Young
- X Randy Zurcher
- X Trent Trumbo
- X Donna Pettus
- ___ Len Schaper
- X Heather Daniel
- X Mayor Hanna
- X Phyllis Rice
- X Ben Mayes
- X Kevin Crosson
- X Charlie Venable
- X Jerry Rose
- X Alett Little
- X Steve Davis
- X NWAT
- X M. News
- X KIX
- X Democrat-Gazette
- X Robyn/Lana
- X Jane

NOTES:

GET PACKETS FROM ATHA. (6)
CLERK'S FILE
PRESS X 3
MAYOR'S OFFICE X 2

A MEETING OF THE FAYETTEVILLE CITY COUNCIL

A meeting of the Fayetteville City Council was held on Tuesday, January 6, 1998, at 6:30 p.m., in the Council Room of the City Administration Building, 113 W. Mountain, Fayetteville, Arkansas.

PRESENT: Aldermen Stephen Miller, Kit Williams, Len Schaper, Heather Daniel, Cyrus Young, Randy Zurcher, and Donna Pettus; City Attorney Jerry Rose; City Clerk/Treasurer Traci Smith; staff; press; and audience.

ABSENT: Mayor Fred Hanna, Alderman Trent Trumbo

Alderman Williams, acting as Assistant Mayor, called the meeting to order with seven aldermen present.

CONSENT AGENDA

Alderman Williams introduced consideration of items which may be approved by motion or contracts and leases which can be approved by resolution and which may be grouped together and approved simultaneously under a consent agenda:

A. Minutes of the December 16 regular City Council meeting.

B. A resolution approving an engineering contract with Anderson-Green Engineers, Inc., in an estimated amount of $30,500 for engineering services in conjunction with the proposed HVAC system upgrade project;

RESOLUTION 1-98 AS RECORDED IN THE CITY CLERK'S OFFICE.

C. COPS MORE Grant; removed from consent agenda; now first item of new business.

D. Approval of the application for continuation of the Federal grant to support the Fourth Judicial District Drug Task Force and a funding resolution in the amount of $42,247.00;

RESOLUTION 2-98 AS RECORDED IN THE CITY CLERK'S OFFICE.

E. A resolution approving the acquisition ($50,000) plus closing costs for the property and improvements from the estate of Ella Elizabeth Caudle located at 295 North Crossover Road in association with the widening of Highway 265 and approval of a budget adjustment;

RESOLUTION 3-98 AS RECORDED IN THE CITY CLERK'S OFFICE.

Alderman Miller moved the consent agenda. Alderman Schaper seconded. Upon roll call, the motion carried on a vote of 7 to 0.

OLD BUSINESS

ANNEXATION RZA97-17 & REZONING RZ97-20

Alderman Williams introduced ordinances annexing and rezoning 76.95 acres located north of Mission Blvd. and east of Blue Mesa Drive as submitted by Marc Crandall on behalf of Gary Atha. Request is to annex the property and rezone it from A-1, Agricultural, to R-1, Low Density Residential. These ordinances were left on first reading at the December 16 Council meeting.

City Attorney Rose read RZA97-17 for the second time.

City Attorney Rose read RZ97-20 for the second time.

Alderman Daniel stated her objection remains that there is only one access at this point.

Mike Henry, president of the Savannah Property Owners Association, stated his concerns primarily regard infrastructure. He stated Vandergriff Elementary School is at capacity. He is concerned about what impact the 160 homes proposed for this development will have on the already crowded conditions of that school. He asked what plans the City has to deal with this.

Alderman Daniel responded that the new middle school will ease school crowding.

Alderman Pettus added that a school board member has indicated to her that school district lines will eventually have to be redrawn. She felt this will be done whether the Council approves the annexation or not.

Mr. Henry stated issues concerning the sewer system are still unresolved.

Alderman Williams agreed this is a concern, but the City is taking measures to reduce inflow from storm water.

Alderman Miller stated one of the major problems is accumulation, but this is a straight shot and doesn't go through any pump stations. He stated there is a water pressure problem in this area and construction of a water tank is planned for this year.

Mr. Henry asked if there is a proposed access point off Township.

Alderman Williams replied there are several possible access points. The developer does not own the land between the end of Township and this property. Township would have to cross one or two creeks, making it extremely expensive. It is not in the City's capital improvement project list. It would almost have to be 100% paid by the developer.

Mr. Henry asked if Township were used, would public funds to build the bridges not be a consideration.

Alderman Williams could not rule anything out, but stated it is not on the five-year plan at this time.

Kevin Crosson, Public Works Director, agreed.

Robert Dunn, president of the Brookbury Woods Property Owners Association, stated the Association has the same concerns as Mr. Henry regarding infrastructure. He stated they are also concerned that the proposed development is inconsistent with Brookbury as far as the size and price of homes. He stated their main concern is the suggestion that Brookbury Crossing would be extended for through traffic to this new development. Adding 200 to 400 more vehicles would be a significant traffic and safety problem, especially to children walking to the school bus.

Alderman Schaper stated the presence of a stubout indicates it is meant to be connected.

Jill Salazar, Brookbury Woods, commented on water runoff. She stated the creek behind her home was recently raging and flooded neighboring back yards and homes. She stated increased high density building will make this worse. She stated the road structure will not accommodate the increased traffic volume, as it is a narrow entryway.

A resident of Brookbury Crossing stated a housing development not of the stature of what Savannah or Brookbury is concerns him from the standpoint of land value. Putting in a housing development of lesser value doesn't help the City or either development.

A member of the board of directors of the Savannah Homeowners Association stated this type of density is not why current residents moved to this area. He stated there has been very little effort to contact the associations and discuss what is being put in. He stated there are four or five subdivisions along Mission Blvd. that are not even close to being built out and asked why the City continues to approve developments. If all these lots are sold in the next year, it would be a problem for the sewer system and infrastructure.

Alderman Williams reiterated there is no proposal to extend Township by the City.

Glenn Johannsen, Timbercrest, addressed building lower cost housing. He stated he'd lived in a very nice community in southern California where a developer went broke after starting out building high density housing, primarily because the area didn't accommodate that type of family structure. Existing property values began to decline. He shared concerns about existing unsold property.

Marc Crandall, representing Mr. Atha, stated the annexation and rezoning decision is not supposed to have anything to do with what is planned for the property. He stated there are misconceptions of what is planned. He took exception to the suggestion that they have been hiding from adjacent and nearby property owners. He stated they are trying to get beyond this process in order to get to the proper forum for addressing problems and concerns. He stated the smallest lot is planned to be 90' by 130' and the development is patterned after the Brookbury subdivision.

Alderman Zurcher stated the Council cannot ignore the issue of the cost of sprawl on infrastructure. We can't just annex and rezone and hope it is taken care of.

Alderman Williams stated he has concerns regarding access to more than just Mission Blvd. and the fact that we are pushing the upper limits of the sewer system. If land is annexed, there must be a strong reason why it is good for Fayetteville.

David Glasser, University of Arkansas Community Design Center, stated they'd been working with Mr. Crandall and his partners on this project. He stated they are against urban sprawl and are for urban density. The inner-city site should be developed with compactness and as a pedestrian environment. Fayetteville has not developed that way. The vast number of people in the market seem to prefer the detached home in a suburban setting. This project is commendable, as the developers came to the Center with the view to establish a level of quality and land conservation not typical of most new developments. Twenty percent of the land is being saved in perpetuity, and a section is being developed along the lines of the historic district downtown. This project will be a model for a new kind of development.

A resident of Brookbury Crossing, thinking the Council has already decided in favor of this, limited his remarks to a question. He asked the if the Council is prepared to put enough police out there to protect the children on Brookbury Crossing, if it is extended.

Alderman Williams stated the City always tries to do what is possible with the police department to enforce the law. There are families with children throughout the town. He stated it is a misconception that this is a done deal. The Council has shown that they look at these developments very carefully. The Council does not automatically accept the Planning Commission's recommendation.

Don Cozart stated he has a financial interest in this project. He stated an adequate need for this project could be demonstrated. Nearly half the lots are presold, meaning there are letters of intent from builders if this is annexed and rezoned. He stated there are people pre-committed, at one point in excess of 70 of the 160. He stated this subdivision will blend in well.

A resident of the Timbercrest subdivision stated he has yet to receive a letter from anyone indicating this land will be developed and has learned about it from the newspaper. He is concerned about the traffic at the intersection of Highway 45 and Highway 265 in the mornings. He stated the people of Timbercrest are concerned about drainage issues and problems.

Tamara Greene, Savannah subdivision, stated the major part of this development borders Savannah. The density will create a patchwork effect and not be in line with what is already there.

Alderman Williams closed the public hearing and explained that the third and final reading would be at the next meeting.

COPS MORE GRANT

Alderman Williams introduced a resolution accepting the COPS MORE Grant in the amount of $80,999 for the purchase of mobile computing equipment, the hiring of a civilian report taker, and approving a budget adjustment.

Rick Hoyt, Assistant Police Chief, stated this was applied for in late 1996. Approval was received in late 1997. This will increase productivity by getting more officers on the streets through hiring civilians and increasing technology. The technology dovetails with a computer project approved earlier. He explained what mobile computing terminals are. This will free up overworked radio channels and speed up the process. The grant will also fund a civilian report taker, which will free up detective time.

Alderman Williams stated this is a good idea and noted civilians do not cost the City as much as uniformed officers.

Alderman Miller stated this would enhance the safety of our officers, especially when approaching cars at night.

Alderman Daniel hoped this would help prevent high-speed chases.

Officer Hoyt stated other police departments have had their recovered-stolen-vehicle ratio go up tremendously because of having laptops in the police cars.

Alderman Schaper moved the resolution. Alderman Miller seconded. Upon roll call, the motion carried on a vote of 7 to 0.

RESOLUTION 4-98 AS RECORDED IN THE CITY CLERK'S OFFICE.

REZONING RZA97-24

Alderman Williams introduced an ordinance annexing 1.68 acres located at 4015 East Huntsville Road as submitted by William Greenhaw on behalf of Wanda Sims. The Planning Commission voted 8-0-0 to recommend the annexation.

City Attorney Rose read the ordinance for the first time.

There were no comments from the audience.

Alderman Williams noted this is bounded by property recently annexed by the City and by other City property.

Alderman Schaper moved to suspend the rules and go to the second reading. Alderman Miller seconded. Upon roll call, the motion carried on a vote of 7 to 0.

City Attorney Rose read the ordinance for the second time.

This was left on its second reading.

REZONING RZ97-25

Alderman Williams introduced an ordinance rezoning 1.68 acres located at 4015 East Huntsville Rd. from A-1, Agricultural, to R-1, Low Density Residential, as requested by William Greenhaw on behalf of Wanda Sims. The Planning Commission voted 8-0-0 to recommend the rezoning.

City Attorney Rose read the ordinance for the first time.

Alett Little, Planning Director, stated there is a house on the front part of the property, which is already in the city. The part being discussed for annexation/rezoning is vacant. The total acreage is about 3 acres, as a guess. The parcel already in the city is zoned R-1. The petitioner has already applied for and received a lot split to separate this from the piece in the city. The 1.68 acres is not adequate to meet the A-1 lot size. When the

street is built for a nearby subdivision, the petitioner will likely undertake a small development on this, one or two lots.

Alderman Miller moved to suspend the rules and go to the second reading. Alderman Daniel seconded. Upon roll call, the motion carried on a vote of 7 to 0.

City Attorney Rose read the ordinance for the second time.

This was left on its second reading.

EQUIPMENT PURCHASE

Alderman Williams introduced a resolution awarding Bid 97-60 to the qualified bidder meeting specifications, Shipley Motor Co., for the purchase of a cement truck in the amount of $130,317 and approving a budget adjustment.

Alderman Miller, chairman of the Equipment Committee, stated this is an unusual situation, as this was the highest bid. There were five bids for this unit. One was rejected for not meeting specifications. He showed a belt chain from a rejected unit and compared it to what they are proposing to buy. He explained how this will save money, be able to mix on demand, and pay for itself quickly. It is rare to take the highest bid, but the Committee all agreed that this is the best purchase from what there was to pick from.

There were no comments from the audience.

Alderman Zurcher moved the resolution. Alderman Schaper seconded. Upon roll call, the motion carried on a vote of 7 to 0.

RESOLUTION 5-98 AS RECORDED IN THE CITY CLERK'S OFFICE.

WATER & SEWER SYSTEM IMPROVEMENTS

Alderman Williams introduced a resolution approving a construction contract with Fayette Tree and Trench in the amount of $115,489.50 plus a project contingency of $20,000 for water and sanitary sewer system improvements on Sherman Ave. and Fifth St. and approving a budget adjustment.

Kevin Crosson, Public Works Director, reminded the Council that in November, 1996, it approved a resolution for the participation with Habitat for Humanity in a cost share for water and sewer improvements. This resolution is for the City to manage the contract.

Jim Beavers, City Engineer, stated Habitat for Humanity is building four or five homes. This will add fire protection to an estimated 15 houses.

Alderman Daniel moved the resolution. Alderman Young second. Upon roll call, the motion carried on a vote of 7 to 0.

RESOLUTION 6-98 AS RECORDED IN THE CITY CLERK'S OFFICE.

ALDERMEN/STAGGERED TERMS

Alderman Williams introduced an ordinance to bring aldermanic elections into compliance with State law requiring staggered terms.

Alderman Williams stated the City Attorney had been asked to prepare an alternative ordinance, which would also comply with State law.

Alderman Schaper stated that now that Fayetteville has more than 50,000 people, we have to do something about our 1998 election. He stated the State law is confusing in that it requires a transition from two-year terms to four-year terms for aldermen. The four-year terms are supposed to be staggered, one from each ward being elected each two years. There is no provision, according to Attorney General opinion, that specifies how that is to happen. There is a precedent for what this ordinance proposes, Act. 707 passed by the State legislature pertaining to mayors. The term length for mayors doesn't change, but the year of election changes to the presidential year. The State legislature extended mayors' terms through 2000. Based on that, one way to do the transition we need to make would be to extend half the aldermen's terms for two years. The philosophy is that people should not have to run for terms less than they are entitled to.

Alderman Schaper stated the Attorney General has said State law is silent on how the aldermanic elections are to be handled and it is left to the City to figure out.

City Attorney Rose agreed with Alderman Schaper's remarks. He added that a similar situation occurred when the City changed from the a city manager government to the aldermanic form. Then, the legislature chose to provide that staggering be determined by lot, providing a two year election for some and a four year election for others. The alternate ordinance provides for the two-year and four-year terms.

City Attorney Rose read Alderman Schaper's ordinance extending some terms until 2000.

Alderman Williams stated he would prefer not to extend terms.

Alderman Daniel stated voters should have an option.

Alderman Pettus disagreed that applying Act 707 is in the public interest; it is in the public interest for everyone to run the next time.

Alderman Miller stated he would be uncomfortable if his term is extended two years without a vote of the people.

Alderman Zurcher stated it is most undemocratic to automatically extend terms.

Alderman Young opposed the extension of terms to accomplish the staggering and opposed even having four year terms for aldermen. Extending the terms would mean half the Council is unelected. The people would be denied their right to elect their government.
Ben Ross, citizen, stated he treasures his right to vote and is upset about Act 707, which extends the terms of the Mayor and City Clerk. As a voter, he has been cut out of the loop and the electoral process was suspended. He has been researching this act regarding its effects and the reasoning behind it. He has discovered that Act 707 was created to answer two questions. Regarding whether a special census qualifies as a Federal census, the Attorney General's opinion is that it does not. Act 707 serves to include a special Federal census in the term Federal census. That brings in Fayetteville. Regarding how a city is to make the change, Act 707 says the equitable thing to do is to extend the terms rather than elect shorter intermediate terms.
Mr. Ross stated he does not understand how it is more equitable to skip an election without consent of the voters.

Mr. Ross asked the Council not to vote for Alderman Schaper's ordinance. He stated City Attorney Rose's ordinance is closer to what we need. It does lack the Council taking a stand on Act 707. He would like the Council to support an ordinance requesting the Mayor and City Clerk to voluntarily submit to a re-election at the expiration of their terms.

Alderman Williams stated this is not the subject of this agenda. He explained that the State legislature is above city government. The Council cannot tell them to do anything or do anything contrary to what we've been told to do.

Mr. Ross stated the State legislature does not meet until 1999. This gives us no recourse through the State legislature, which is a circumvention of democracy. He asked the City Attorney to comment on possible resignations of the Mayor and City Clerk.

Rose responded there are statutes on what happens when a mayor resigns and for when a city clerk resigns. In most cases, a special election would take place. This does not pertain to what to do with the aldermen.

Alderman Williams stated further comments about the legislative act would be out of order.

Mr. Ross stated he has drafted an ordinance to accomplish what he has suggested.

Alderman Williams advised Mr. Ross to approach an alderman prior to the next agenda session.

Alderman Daniel suggested giving copies to the City Clerk to distribute to the aldermen.

Jeff Erf, citizen, urged the Council to oppose Alderman Schaper's ordinance and wished Mayor Hanna was present to hear the Council's comments regarding Act 707.

Alderman Schaper stated he agrees with the Council that this would be a lousy ordinance. He stated he proposed it in order to bring up the issue. He stated he would be happy to withdraw the ordinance and have City Attorney Rose read the alternate ordinance.

Alderman Pettus moved to table Alderman Schaper's ordinance. Alderman Zurcher seconded. Upon roll call, the motion carried on a vote of 7 to 0.

City Attorney Rose read the alternate ordinance, which provides for one alderman from each ward to be elected to a four year term and one alderman from each ward to be elected to a two year term in 1998, for the first time.

Alderman Miller moved to suspend the rules and go to the second reading. Alderman Zurcher seconded. Upon roll call, the motion carried on a vote 7 to 0.

City Attorney Rose read the ordinance for the second time.

Kinley Johnson, resident of Fayetteville, stated he took offense at Alderman Schaper's taking up time with an ordinance he did not fully support.

A consensus of opinion left this on its second reading.

HIGHWAY DEPARTMENT

Alderman Williams introduced a resolution concurring in the Arkansas Highway and Transportation Department's proposed design of State Highway 265.

Charles Venable, Assistant to the Public Works Director, stated the State highway department held a public hearing in April, 1996, where they had proposed a five-lane segment from Highway 45 to Highway 16. Most people were opposed to that design. The City received a letter just before Christmas saying the State now proposes to build a four-lane section from Highway 16 north to somewhere in the vicinity of Lovers' Lane and left-turn lanes at major street intersections. They are proposing a five-lane section from just south of Lovers' Lane north, because of the number of intersections. The five lanes will be four lanes with a continual left turn. Venable stated the City is going to ask the State to add a right-turn lane to Highway 16. We will also ask them to widen Highway 45 a little.

Alderman Pettus relayed a constituent's concern regarding turning left out of Highland Park in the morning, going toward Happy Hollow School. There is a blind spot there because of the grade. Venable stated the State should look at this. He stated he would mention this along with other issues that have been discussed, sidewalks being one of them.

Alderman Schaper stated it is very clear the State is not going to build a boulevard. There should at least be a median between the sidewalk and the asphalt and the City should be allowed to plant some trees in that space. He feels this needs to be made clear to the State.

Venable agreed to pass this along to the State.

Alderman Williams stated this will lend itself to a trail away from the road but parallelling it.

Alderman Schaper stated the five lanes the State originally wanted to put in would cost more than four lanes and take the same amount of right of way as the Council is asking to be included in the amenities.

Alderman Williams thanked the State highway department for modifying their plans to make them much more desirable to the City and to citizens.

Alderman Schaper also expressed his appreciation of the State highway department. He stated there is a qualitative difference between a four-lane road and a five-lane road. We have managed,

with the cooperation of the State highway department, to save the residential character of that corridor.

Alderman Zurcher asked if there has been any negotiations regarding cost share for putting a planting median in the middle and trees on the side, which is what the Council voted for and the majority of the people at the public hearing voted for.

Kevin Crosson, Public Works Director, replied that the City did try to talk to them about the project. The State highway department would not discuss it after the public hearing.

Alderman Zurcher stated it is important to point out we are compromising to the point of doing something completely different from what the people want.

Alderman Williams stated that staff never had authority to ask for a cost share.

Alderman Zurcher recommended not passing this at this time, allowing plenty of time for discussion.

Venable stated he does not know when the contract will be let. The Federal Aid Highway Act has not been passed, but the they have indicated they would probably try to go to contract in 1999. It will take a year to get the rights of way and everything worked out.

Alderman Williams stated we have to support this or we would be shooting ourselves in the foot and create terrible transportation problems. Many citizens have said we have to do something about the road. Here, the State highway department is going to do it and we are considering delaying or telling them we don't want to do it. We ought to pass this resolution. He stated he would be in favor of spending City money to build a trail, possibly on only one side, even if the State won't participate. He felt if we maintain good relations with the State highway department, they will work with us.

Jeff Erf, 2711 Woodcliff Road, stated the five-lane road design speed was 40 miles an hour. Planting trees is not a problem, as long as there is a gutter. He stated the City's master bike plan shows a bike lane there.

Alderman Miller agreed about the bike plan and stated this is what the Council is fighting for.

Mr. Erf stated he is not in favor of the State highway department's design. He asked if we should not be protecting the right of way for the eastern bypass.

Ian Beard, 1365 Vandeventer Ave., stated there has been a history of bad ideas for Highway 265. He stated widening Highway 265 instead of following the 2020 Plan is another bad idea. We need to keep our city from becoming ugly.

Mike Green, chairman of the Fayetteville Chamber of Commerce, urged the Council to move ahead and not miss this opportunity and not alienate the highway department.

Mr. Erf stated speed is associated with noise and hoped the design will be 40 miles an hour.

Venable stated the speed can be determined after the road is opened.

Becky Maxwell, 1125 Crossover, stated that a median would prevent her from turning north coming from her driveway. She realized something needs to be done. She asked who has the authority to decide which side of the street this property is going to be taken from.

Alderman Young replied that each individual parcel is considered by the highway department.

Ms. Maxwell stated a speed limit higher than 40 miles an hour would be a nightmare. She also hopes that mature trees would not be taken down and fears citizens' voices will be lost. She asked how the property is taken and about the utility poles.

Alderman Miller replied they usually try to take property evenly. In this case, one house will have to be removed. The utility poles are pretty far off.

Venable further answered her question regarding the utility poles.

Mike Maxwell, Crossover, stated he inspected the plans for the boulevard when it was first proposed and it seemed there were some inequities on the right of way. There was about 10' of right of way taken on the east. On the west, there was about 75' with a back fill. It takes out 10 or 15 trees. He stated the highway department said it would be the same for four lanes, as far as the rights of way. He asked if a request could be made to ensure fairness.

Alderman Williams assured him those kinds of requests will be made, to make it as equitable as possible.

Alderman Schaper asked if the Council wants to add additional language to the resolution to indicate our wishes, making them stronger than just verbalized.

Alderman Williams stated we need to work with the highway department, but we can't dictate to them. They have complied to some extent with our desires and concerns. He stated he would rather go forward with the resolution.

Alderman Pettus moved to pass the resolution. Alderman Young seconded. Upon roll call, the motion carried on a vote of 6 to 1, with Alderman Zurcher voting no.

RESOLUTION 7-98 AS RECORDED IN THE CITY CLERK'S OFFICE.

CONDEMNATION

Alderman Williams introduced a resolution authorizing the City Attorney to seek condemnation of certain lands along Gregg Avenue in Fayetteville and Wilkerson Avenue in the City of Johnson, Arkansas, in conjunction with the required right of way and temporary easements for the Mud Creek Bridge improvement and approaches thereto.

Alderman Pettus stated she would be recusing from this issue because of an attorney-client relationship with one of the parties.

Charles Venable, Assistant to the Public Works Director, stated this is the Mud Creek Bridge project. It is a Federal aid bridge-replacement project. The plans are finished. The highway department will let this job in February. There is a one-lane bridge there now with around 7,000 vehicles a day using it. This will provide for four lanes. We have to condemn because of the time frame. There are nine properties and we have acquired five of them. The right of way has to be certified by January 15, 1998. The next letting is in April. Chances of them completing the project this year would be slim if we wait until then.

City Attorney Rose explained that the City goes to the court to get possession of the property. We then deposit the money we think the property is worth into the court. The landowner at that point can collect that money, continue negotiations, or go to court.

Venable stated the highway department has done the appraisals and the negotiations. We have accepted the appraisals, but citizens can get a counter-appraisal.

Alderman Schaper discussed each tract individually. The value of Tract 1 is being greatly increased and we should not be paying anything for it. Tract 2's owner is unknown and it is vacant. The third tract is also vacant. The fourth tract has a brick house 120' from the existing road, a very different case from taking vacant property. In this case, we are taking almost half the front yard. He stated the letter offering $5,600 for the realty and $0

for damage is insulting. They have to relocate their driveway and parking area, and this seriously impacts their quality of life. This offer should be raised.

Venable stated this could be done after the condemnation procedures.

Alderman Williams stated this project needs to be done before the next holiday shopping season, when citizens don't want to have a one-lane bridge, or no bridge, over Mud Creek. The issues brought up are handled either by negotiation or in court.

Alderman Young stated the problem is if it doesn't come back to the Council.

City Attorney Rose stated anyone who has his land condemned has a right to just compensation. He tells juries nobody in city government wants to pay a penny less than what is just; it is Constitutionally required. He also tells juries to balance that against the fact that he is dealing with tax dollars, which have to be spent carefully. He stated he, as an attorney, is ethically obligated to bring to the Council every settlement offer.

Tom Bramlett, tract 4 property owner, stated that over the past two years he has met with City officials and was assured that every one of his concerns would be met. Now that it comes time to do the project, the assurances have been tossed out the window. He stated there has been no negotiation process. He has been offered one price. He stated this price is deceptive as it includes $1,700 for a concrete turn-around. The actual price of the land is a little over $3,000.

Alderman Williams asked what kind of assurances Mr. Bramlett had been given and who had given them.

Mr. Bramlett stated some of these people are not with the City any more, people in the engineering department. He stated that when they built Joyce Street, one concern was water runoff. As they were building it, he was flooded several times. He has replaced damaged siding and should have replaced carpet. He had pictures of washed-down gravel that had filled his yard and boards and other debris. He stated the City has built a drain which has helped. People have driven through his yard. There is a concern that in icy weather, cars will slide into his house. He stated he was told that nothing could be done because of possible legal ramifications. He stated since they took the turnout, he wanted it replaced and was told the City would do so. When his wife had a day care business there, they were told a privacy fence would be built.

Mr. Bramlett stated that when he was originally approached, he had no qualms that the road needed to be built and it looked like the City would make every effort to work with him. Since then, he has been ignored and just told what is going to happen.

Alderman Williams stated that even if the condemnation goes forward, it does not mean there is no negotiation. He stated Mr. Bramlett is free to provide any evidence of damages suffered that the highway department did not take into account.

Mr. Bramlett stated no one has approached him and given him an opportunity to negotiate. He stated he had made a counteroffer. He stated the lady at the highway department said she was authorized to go 10% above the original offer.

Alderman Williams encouraged the Council to go forward and vote. A one-lane bridge is very dangerous and we need to replace it. The traffic on that road seems to be increasing dramatically.

Alderman Young moved the resolution. Alderman Daniel seconded. Upon roll call, the motion carried on a vote of 4-2-1, with Aldermen Schaper and Zurcher voting no and Alderman Pettus abstaining.

RESOLUTION 8-98 AS RECORDED IN THE CITY CLERK'S OFFICE.

NOMINATING COMMITTEE

Alderman Williams introduced a resolution making the Nominating Committee a committee of the whole of the Fayetteville City Council.

Alderman Zurcher stated the Nominating Committee is one of the most important committees the City has. The four-member committee puts forth nominations to the Council as a motion, so there is no discussion at the Council meeting. He is concerned that because there is no discussion, this is not as democratic as it should be and does not represent the full populace of Fayetteville.

Alderman Daniel, chairman of the Nominating Committee, stated having the whole Council be the committee would make it not a committee. She stated her goal is to choose the best qualified applicant and to keep a balance. The process allows an alderman to vote against a nominee or to nominate someone else who has submitted an application.

Alderman Miller stated he has taken any concerns he's had about a nomination to the Committee and made recommendations. He stated he is on six or seven committees now and does not want to be on this one.

Alderman Zurcher asked what it would hurt to change this to a committee of the whole or to allow any alderman to have a vote on the Committee. It would not be unusual for an important committee.

Alderman Schaper stated paperwork for the applicants gets circulated only to the Nominating Committee. It is the ultimate in a democratic process to have everyone on the Council be on the Committee. He stated part of the problem is that the Mayor has selected the members of the Nominating Committee.

City Clerk/Treasurer Traci Smith stated a list of applicants is given to each Council member every time there is a vacancy. The applications are available for review at any time.

Alderman Daniel stated anyone is welcome to attend the Committee meeting and have input. It is a public meeting.

Alderman Zurcher stated minutes are not kept and it is not on television. There is no way to find out what happened.

Alderman Williams pointed out this is true of most of the committees.

Alderman Zurcher suggested every public meeting should be on television or have minutes. There should be a record.

Alderman Schaper felt having interviews televised might have a chilling effect on applicants.

Alderman Young stated that though technically an alderman could make another nomination, first it is the Nominating Committee's recommendation that is voted on. If it is passed, there are no more nominations. He suggested trying it this way for a year.

There were no comments from the public.

Alderman Daniel suggested waiting until Alderman Trumbo, who is a member of the Nominating Committee, was present.

Alderman Daniel moved to table the motion. Alderman Miller seconded. Upon roll call, the motion failed on a vote of 4 to 3, with Aldermen Schaper, Young, and Zurcher voting no.

Alderman Zurcher moved to pass the resolution. Alderman Schaper seconded. Upon roll call, the motion failed on a vote of 3 to 4, with Aldermen Miller, Williams, Daniel, and Pettus voting no.

PARKING REQUIREMENTS

Alderman Williams introduced an ordinance repealing Ord. 3962 (parking waivers in C-3 and C-4) and adopting sections of Ord. 3870, repealed by Ord. 3962, thereby returning parking requirements in C-3 and C-4 to the original requirements in Ord. 3870.

Alderman Young explained that a year or two ago, merchants on Dickson Street came to the City concerned about parking requirements. Any time a building was redone, they had to get a variance. There were a lot of meetings, the result of which was an agreement and new ordinance. The agreement was basically that the parking around Dickson at the time was adequate to serve existing buildings and an ordinance would eliminate the requirement for waivers. Any new construction or enlarging of buildings would need new parking.

Alderman Young stated there has now been brought forward a proposal by a developer who doesn't want to build parking places for the development, contrary to the agreement. He suggested eliminating the agreement and going back to the original ordinance. Then each developer could come forward for a request for variance. He stated the developer claims to want to make a partnership with the City to redevelop.

Alett Little, Planning Director, stated the ordinance allows a request for waiver only in C-3 and C-4, with two conditions: either they pay an in-lieu fee of $1,200 for each parking space waived or they present a document providing for shared parking.

Alderman Schaper stated the interesting issue is in the case of mixed-use development, when there is an inherent shared use.

Little stated this is addressed as well in the Code of Fayetteville.

Alderman Williams stated this development presents a problem not anticipated. That is when parking is built over current parking.

Little stated that in C-3 and C-4 zoning districts, parking requirements are waived for any existing structure with a change of use. Parking will be provided for new construction. This has been interpreted to mean you have to replace the parking spaces you take and provide parking for the space you are adding. She stated there are two ways of figuring it: count the parking that is there and add what needs to be added or look at the entire development and calculate the parking for that. Whichever is less should be adequate.

Alderman Young stated it was his understanding that the waiver provision does not apply for Dickson Street.

Bootsie Ackerman, Downtown Dickson Enhancement Project, stated the intent of the original ordinance was to stimulate private investment on Dickson Street. It has done this very, very well. There is a process for this developer to go through that he has not been through yet. This may not be a problem at this point in time.

Alderman Young agreed to not having the ordinance read at this time. He may bring it up another time.

ADJOURNMENT

Alderman Williams adjourned the meeting at 10:20.

CITY OF FAYETTEVILLE
BID QUOTATIONS #1

Purchase Date December 31, 1997

Investment Offered $2,000,000.00 (T-Bill Only)

Maturity Date Requested June 18, 1998

Number of Days 169 Days

	NATIONSBANK	MCILROY	BANK OF FAYE	BANK OF ARK
SETTLEMENT DATE	12/31/97	12/31/97	12/31/97	12/31/97
MATURITY DATE	06/18/98	06/18/98	06/18/98	06/18/98
DISCOUNT OR COUPON RATE				
YIELD		5.370		
DAYS BID	169	169	169	169
T-BILL BIDS				
CALCULATED YIELD		5.370		
FACE VALUE		2,000,000.00		
BOOK VALUE		1,951,480.00		
HANDLING FEE	2.00			
T-BILL INTEREST EARNINGS		48,520.00		
T-NOTE/OTHER BIDS				
FACE VALUE				
BOOK VALUE				
HANDLING FEE	2.00			
T-NOTE INTEREST EARNINGS				
CALCULATED YIELD				
DISCOUNT/(PREMIUM)				
PURCHASE INTEREST				
CD BID				
CD INTEREST EARNINGS INTEREST ON INTEREST BASIS				
CD EFFECTIVE YIELD	No Bid		No Bid	No Bid
T-BILL EFFECTIVE YIELD		5.370		
T-NOTE/OTHER EFFECTIVE YIELD				

INVESTMENT NUMBER T 2664

LOGGED ON COMPUTER 12/31/97 BY EB

LOGGED OFF COMPUTER 12/31/97 BY EB

ADMINISTRATIVE SERVICES DIRECTOR
OR DESIGNEE

8.02

CITY OF FAYETTEVILLE
BID QUOTATIONS #1

Purchase Date December 31, 1997

Investment Offered $2,000,000.00 (T-Bill Only)

Maturity Date Requested June 18, 1998

Number of Days 169 Days

	A. G. EDWARDS	DEAN WITTER	LLAMA CO.	AWARDED MERRILL LYNCH
SETTLEMENT DATE	12/31/97	12/31/97	12/31/97	12/31/97
MATURITY DATE	06/18/98	06/18/98	06/18/98	06/18/98
DISCOUNT OR COUPON RATE	5.189	5.170	5.210	5.210
YIELD	5.393	5.372	5.415	5.415
DAYS BID	169	169	169	169
T-BILL BIDS				
CALCULATED YIELD	5.393	5.372	5.415	5.415
FACE VALUE	2,000,000.00	2,000,000.00	2,000,000.00	2,000,000.00
BOOK VALUE	1,951,277.78	1,951,460.00	1,951,083.89	1,951,083.80
HANDLING FEE		2.35		
T-BILL INTEREST EARNINGS	48,722.22	48,540.00	48,916.11	48,916.20
T-NOTE/OTHER BIDS				
FACE VALUE				
BOOK VALUE				
HANDLING FEE		2.35		
T-NOTE INTEREST EARNINGS				
CALCULATED YIELD				
DISCOUNT/(PREMIUM)				
PURCHASE INTEREST				
CD BID				
CD INTEREST EARNINGS INTEREST ON INTEREST BASIS				
CD EFFECTIVE YIELD				
T-BILL EFFECTIVE YIELD	5.393	5.372	5.415	5.415
T-NOTE/OTHER EFFECTIVE YIELD				

INVESTMENT NUMBER T2664

LOGGED ON COMPUTER 12/3/97 BY EB

LOGGED OFF COMPUTER 12/3/97 BY EB

ADMINISTRATIVE SERVICES DIRECTOR
OR DESIGNEE

BID QUOTATIONS #1

Purchase Date January 8, 1998

Investment Offered $925,000.00 ($950,000.00 if T-Bill)

Maturity Date Requested July 9, 1998

Number of Days 182 Days

	NATIONSBANK	MCILROY	BANK OF FAYE	AWARDED BANK OF ARK
SETTLEMENT DATE	01/08/98	01/08/98	01/08/98	01/08/98
MATURITY DATE	07/09/98	07/09/98	07/09/98	07/09/98
DISCOUNT OR COUPON RATE				
YIELD				
DAYS BID	182	182	182	182
T-BILL BIDS				
CALCULATED YIELD				
FACE VALUE				
BOOK VALUE				
HANDLING FEE	2.00			
T-BILL INTEREST EARNINGS				
T-NOTE/OTHER BIDS				
FACE VALUE				
BOOK VALUE				
HANDLING FEE	2.00			
T-NOTE INTEREST EARNINGS				
CALCULATED YIELD				
DISCOUNT/(PREMIUM)				
PURCHASE INTEREST				
CD BID	No Bid	5.270	No Bid	5.300
CD INTEREST EARNINGS INTEREST ON INTEREST BASIS		24,920.39		25,063.84
CD EFFECTIVE YIELD		5.403		5.434
T-BILL EFFECTIVE YIELD				
T-NOTE/OTHER EFFECTIVE YIELD				

INVESTMENT NUMBER 5670000266

LOGGED ON COMPUTER _____ BY _____

LOGGED OFF COMPUTER _____ BY _____

ADMINISTRATIVE SERVICES DIRECTOR
OR DESIGNEE

8.04

CITY OF FAYETTEVILLE
BID QUOTATIONS #1

Purchase Date January 8, 1998

Investment Offered $925,000.00 ($950,000.00 if T-Bill)

Maturity Date Requested July 9, 1998

Number of Days 182 Days

	A. G. EDWARDS	DEAN WITTER	LLAMA CO.	MERRILL LYNCH
SETTLEMENT DATE	01/08/98	01/08/98	01/08/98	01/08/98
MATURITY DATE	07/09/98	07/09/98	07/09/98	07/09/98
DISCOUNT OR COUPON RATE	5.054	5.070		
YIELD	5.260	5.270		
DAYS BID	182	182	182	182
T-BILL BIDS				
CALCULATED YIELD	5.259	5.276		
FACE VALUE	950,000.00	950,000.00		
BOOK VALUE	925,725.90	925,649.92		
HANDLING FEE		2.35		
T-BILL INTEREST EARNINGS	24,274.10	24,350.08		
T-NOTE/OTHER BIDS				
FACE VALUE				
BOOK VALUE				
HANDLING FEE		2.35		
T-NOTE INTEREST EARNINGS				
CALCULATED YIELD				
DISCOUNT/(PREMIUM)				
PURCHASE INTEREST				
CD BID			No bid	No bid
CD INTEREST EARNINGS INTEREST ON INTEREST BASIS				
CD EFFECTIVE YIELD				
T-BILL EFFECTIVE YIELD	5.259	5.275		
T-NOTE/OTHER EFFECTIVE YIELD				

INVESTMENT NUMBER 5670000266

LOGGED ON COMPUTER _____ BY _____

LOGGED OFF COMPUTER _____ BY _____

BCM

ADMINISTRATIVE SERVICES DIRECTOR
OR DESIGNEE

CABLE TELEVISION BOARD MEETING
AGENDA

January 15, 1998
5:15 PM
ROOM 219
CITY ADMINISTRATION BUILDING.
113 W. MOUNTAIN ST.

1. Call to order.

2. Roll call.

3. Approval of the minutes from December 11, 1997.

4. Adoption of the agenda.

5. Report from the C.A.T. Manager, Jim May.

6. Franchise Renewal
   A. Needs and Interests Assessment

7. Report from the TCA representative.

8. Telecommunication legislation and regulation news.

9. Report from the Cable Administrator, Marvin Hilton.

10. Additional Board member comments.

11. Citizen Comments.

12. Other business.

13. Change in meeting time from the second to the third Thursday.

14. Agenda for the next meeting February 19, 1997.

15. Adjournment.

Cable Television Board Meeting

December 11, 1997

1. Call to Order

The meeting was called to order at 5:15 p.m.

2. Roll Call

A quorum was present including:
Katherine Shurlds, Woody Charlton, Christopher Corke, and Lloyd Calhoun.

3. Approval of the Minutes

Board Member Katherine Shurlds said that on page two, under B, in the last paragraph, should read that she was raising question -- not making a statement of fact-- on whether or not capital expenditures could be asked of the franchise and not passed on to the subscriber's cable bill.

The minutes were approved as corrected.

4. Report from UATV, Channel 2

Larry Foley, Associate Professor of Journalism at the University of Arkansas, reported that UATV just completed its third full semester not counting the summer broadcasts. UATV produced sixteen original thirty-minute news programs. The last three were live. They did their monthly On the Hill series. UATV averaged seven to ten live nightly news briefs an evening. They had a couple of central high seminars on the air. They broadcast the Jack Valente Speech when he spoke on campus and plan to broadcast future speeches by Dale Bumpers and Mac McCordy. They had two originally produced live one hour interviews with Chancellor White of different formats.

Also, Mr. Foley said that having a UATV on campus helped encourage students to produce their own programs such as a very popular live sports call-in show by Mike Stansberry, Vernon Tarver, and Bobby Edwards. Another student produced program is a weekly series called "The Juice", produced by Markee Swade about African American students on campus.

For March, a town-hall format for Chancellor White is planned. Student Government debates will be broadcast. In the future, there are some exciting things developing with TCA cable on the possible expansion of their coverage area which will be talked about in early 1998.

At this point Mr. Foley read the commercial policy that they formulated and operate on.
It is the policy of UATV to operate as a noncommercial television station. UATV does not solicit or receive advertising revenue. UATV student produced programs are required to be commercial free. Broadcast of programs with commercial advertisements provided to UATV free of charge and targeted for a college television audience will be kept to a minimum. These programs will not be

broadcast without advanced notification to the Fayetteville cable television board.

Mr. Foley pointed out that this past semester UATV continued to broadcast the Burly Bear Network which has commercial advertising in it. The Burly Bear network is targeted to students and is popular on campus. The program is given free because commercial sponsors have invested in it. Mr. Foley said that they will continue to monitor it to make sure it is of high quality. UATV may plan to broadcast the Extreme Sports show which has commercial advertising although they are unsure whether they will broadcast it or not.

Ms. Shurlds asked how the policy might affect a program that interviews, for example, a person who owns a T-shirt shop. Mr. Foley said that occasionally a student will produce a program that is too commercial and they won't run it. Mr. Foley pointed out that UATV does not plan to change its noncommercial status.

Mr. Calhoun asked if the Burley Bear Network was previewed. Mr. Foley said that they spot check the programs which they consider are improving in quality. Mr. Calhoun gave recent examples of what he considered objectional material. Mr. Foley said that they are not in the business of censorship and that they have never received complaints on the Burley Bear Network. They do receive compliments from students because it is targeted for them. Mr. Foley said to Mr. Calhoun that he respected his opinion but that a program needs to be entertaining to the college audience to keep them. Mr. Calhoun complimented UATV for the Black Bayou Series and the Forests of Arkansas, which sets a high standard. Mr. Foley pointed out that they must run the programs a lot in order for people to see them.

Mr. Charlton asked what is the current status of rating programs according to parental guidance. Ms. Shurlds said that the rating system adopted by the networks is voluntary and it only applies to the broadcast networks. She also said that there was very little government regulation of the cable relative to the broadcast networks. Mr. Foley said that if they received negative feedback on a particular show they would consider removing it if they decided that it was objectional. Ms. Shurlds suggested that they could consider running questionable programs later at night. Mr. Foley said that the last thing UATV wanted to do was run objectional programming because their primary goal is educational.

5. Franchise Renewal

Board Member Katherine Shurlds reported that two more Focus Groups, including the University and the Non-Profit groups, had met. This leaves the Government, Business, Subscribers and the Public Schools Focus Groups remaining. They have until May to get this information.

Mr. Calhoun said that he would like to prepare a survey card for the subscribers to get their opinions. This was put on the January agenda. Ms. Shurlds pointed out that Marvin has been playing interviews on Channel 3 with a tag requesting ideas. Mr. Calhoun pointed out that the budgets in cities with even smaller subscriber populations have much higher public channel budgets than the P.E.G. center. Ms. Shurlds said the reason for this is that their public access centers receive the entire franchise fee revenue unlike Fayetteville.

Ms. Shurlds pointed out that the first public hearing on the Needs Assessment was held on November 17. Mr. Charlton said that there was a lot of interest on the high-speed Internet access via cable but that they would like to get more thoughts about the Cable service from the TV viewing public.

6. TCA Cable Report.

Dennis Yocum, president of TCA cable, thanked TCA cable customers for their patience for the changes they are undergoing with their billing system and new office locations.

Marvin Hilton, Cable Administrator, asked if TCA had plans in place for an emergency alert system. Mr. Yocum said that they have had tentative plans and funds in the budget ever since it was announced. He pointed out that the dates of implementation had been moved back. Mr. Yocum has met with the emergency people to coordinate matters for all of Washington County. There will be interruptions to deal with during the programming. The emergency alert services will be on every channel.

Mr. Yocum said that although he couldn't be at the public hearing he watched the tape. The interest in high speed Internet service with cable modems did not surprise him. Mr. Yocum said that they are testing these systems in two separate markets, one in Lafayette, Louisiana and one in Bryan College Station, Texas. Mr. Yocum said that the technology works very well but they are working on getting their pricing down and determining what size markets these systems will work in. They are testing two separate technologies. To put in a typical system in a community the size of Fayetteville may take up to two and a half to three years.

Katherine Shurlds suggested looking at a larger community of 250,000 for Washington and Benton County as a market rather than just Fayetteville. Mr. Yocum said that this is what we are doing. The problem is that all the systems can't be done at the same time. It may be better to introduce a hybrid system -- one that sends out signals at a lower speed on a regular phone line and receives signals via the cable modem at a high speed -- rather than attempt to convert the entire system to two-way high speed cable all at once. They don't know this and that is what they are testing in Louisiana and Texas

Ms. Shurlds also asked if TCA had any interest in doing a market survey on what people's uses and needs are in computer and Internet activities. Mr. Yocum said that the commercial interest is not a question. There is a market for high speed Internet services in North West Arkansas. However, TCA has to get its plant ready. Mr. Yocum said that there is an urgency to put a system in place because there are competing technologies.

Board Member Woody Charlton suggested three options for cable: 1. high speed into your house and low speed out of the house via telephone lines, 2. High speed into the house via cable and low speed out via the cable and, 3. high speed both directions via cable. Mr. Yocum said that they were testing the first and third options. Mr. Yocum explained that with the two-way you need to rebuild the basic architecture of the system into a fiber node. Most people, Mr.Yocum said, would probably be satisfied with a hybrid of just the high speed coming in for downloading purposes.

Ms Shurlds asked if we would get a hybrid system first and then a high-speed two-way later. Mr. Yocum said no decisions have been made yet. He pointed out that it would be much faster to install the hybrid system and then go to the cable modem both ways once the plant is rebuilt.

Board Member Lloyd Calhoun asked what is involved in replacing the conventional coaxial cable with the new cable? Mr. Yocum explained that there is a good amount of cable that could be used. However, the cable that needs to be replaced is the 4-12 in diameter, the smallest cable out there. At 750 megahertz the signal can travel only so far down the three-quarter inch trunk cable before it has to be re-amplified. At that point you have to put in another amplifier. At 450 megahertz you can go a further distance with that signal before it has to be re-amplified but the channel capacity has shrunk. The limiting factor is the bandwidth that those amplifiers will pass. And right now they are stuck at 450 megahertz. Every piece of electronics has to be changed to 750 or 550. Most of the drops would be replaced to be on the safe side. All of the tap-off devices would have to be changed because they are not at 750 megahertz and won't pass that frequency range. The architecture of the plant has always been a trunk and branch with a distribution system that comes off it. The fiber node system is racially different in that you have a piece of fiber that serves a pocket or node of seven hundred to a thousand homes. The return line is independent from the rest of the operation and will not interfere with any other part of the plant.

Mr. Calhoun asked about Cable Labs. Mr. Yocum explained that Cable Labs is a joint venture in the cable industry that conducts research into new technology and new improvements. Cable Administrator Marvin Hilton said that he saw that Cable Labs was developing a digital set top box that would allow for interactive services and video conferencing. Mr. Hilton asked if this was in TCA's plans. Mr. Yocum said his guess was that the next converter box system would be a digital box. TCA could take three analog channels and turn them into eighty digital channels. This may be part of the solution in the rebuild. This would save expenses and prevent the need to disrupt a lot of back yards. Mr. Calhoun asked if TCA had a rough percentage of how many customers had underground cable. Mr. Yocum said that there was probable as much as 40 percent was underground.

6. Report from the Cable Administrator, Marvin Hilton.

Mr. Hilton said that there was not a lot to add except that the emergency alert system should be in place by December 31, 1998 on every channel.

Ms. Shurlds asked about the question of capital vs. operating expenditures. Mr. Hilton said that he has not found any clear answer on this so far. Ms. Shurlds said that she would look through any information on this subject.

Mr. Charlton asked if Mr. Hilton keeps a running list of requests from the public regarding the franchise renewal. Mr. Charlton has received a lot of requests for UPN for example. Mr. Hilton said that they always keep a list of questions, complaints or compliments from the public but that he can keep a record regarding requests for networks.

7. Additional Board member comments.

None

8. Citizens' Comments

None.

9. Other Business.

None.

10. Agenda for the next meeting.

Mr. Calhoun will have a report.

11. Adjournment

The meeting adjourned at 6:13 p.m.

CITY CLERK

8.11

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

TO: PARKS AND RECREATION ADVISORY BOARD

FROM: PARKS AND RECREATION DIVISION

DATE: December 29, 1997

SUBJECT: PRAB MEETING ON MONDAY, January 5, 1997, AT 5:30 PM IN ROOM 219 OF THE CITY ADMINISTRATION BUILDING

I. Approval of PRAB Minutes - December 1, 1997 Meeting

II. Park Superintendent - Selection Process - Kevin Crosson, Public Works Director

III. Bates Elementary Green Space fund proposal - Faye Jones, Principal

IV. Old Water Treatment Facility on Mt. Sequoyah - Dan Coody

V. Washington School Lease Agreement update - Dugwyler

VI. Nomination and election of Chairman and Vice Chairman - Ackerman

VII. Report on Parks and Recreation Advisory Board position openings - Rogers

VIII. Description of committees - Rogers

IX. Preparation of the Annual Report - Rogers

X. OTHER BUSINESS

ATTACHMENTS:

- *Monthly Green Space Report by Kim Rogers*
- *Monthly HMR Report by Kim Rogers*
- *Bates Elementary playground project proposal*
- *January Parks Newsletter*
- *December 1, 1997 P.R.A.B. Minutes*
- *Facilities Committee Special Meeting dated December 8, 1997 concerning Asbell gym, FYC parking, Davis Park, Davis Park Pond, Lake Fayetteville Trail, Botanical Garden Society of the Ozarks, Mudcreek trail (near Gulley Park)*
- *Letter to the Botanical Garden Society of the Ozarks from the Fayetteville Parks & Recreation Division Staff and the Fayetteville Parks and Recreation Advisory Board on the subject of completion of the land lease agreement*
- *"Botanical garden society gets grant" article from the NWA Times dated December 11, 1997*
- *"Abandoned time bomb" article from the NWA Times dated December 11, 1997 - subject on the Mt. Sequoyah city property*
- *"Lake Fayetteville trail project is on hold" article by Aaron Bleidt in the NWA Times dated December 21, 1997*

8.13

MONTH NOVEMBER - 1997 GREEN SPACE REPORT
AS OF DECEMBER 1997

NORTHEAST PARK DISTRICT

BALANCE	YR TO BE SPENT
$0.00	1997
$0.00	1998
$14,801.00	1999
$1,352.28	2000

$16,153.28 Total 1997 - 2000
- Approved Expenditures:

$12,250.00 LF&Sequoyah Boatdock RR-'94 W.Newman($13,250)
$12,250.00 Total Approved Expenditures

$3,903.28 Total Unencumbered 1997-2000

SOUTHEAST PARK DISTRICT

BALANCE	YR TO BE SPENT
$0.00	1997
$57,519.18	1998
$8,456.62	1999
$4,929.07	2000

$70,904.87 Total 1997 - 2000
- Approved Expenditures:

$50,000.00 Request Grant-Ark.Dept.Parks&Tourism Outdr Rec-Walker Playgrd Imprvmt
$25,000.00 Sr. Citizens Complex
$75,000.00 Total Approved Expenditures

($4,095.13) Total Unencumbered 1997-2000

NORTHWEST PARK DISTRICT

BALANCE	YR TO BE SPENT
$0.00	1997
$17,983.46	1998
$26,314.40	1999
$19,737.94	2000

$64,035.80 Total 1997 - 2000
- Approved Expenditures:

$42,459.85 Girls Softball Complex-apprvd $50,000 Phase I
(spent $7540.15 on gsball complex)
$42,459.85 Total Approved Expenditures

$21,575.95 Total Unencumbered 1997-2000

SOUTHWEST PARK DISTRICT

BALANCE	YR TO BE SPENT
$0.00	1997
$0.00	1998
$51,133.60	1999
$46,742.13	2000

$97,875.73 Total 1997 - 2000
- Approved Expenditures:

$8,200.00 Washington-80x80concrete pad, 4 basketball poles, bkboards,rims,nets apprvd 9/8/97 - when lease is signed
$$$??????? Possibly expend Wilson retrofit RR & Greathouse Bridge ($76,000)
$8,200.00 Total Approved Expenditures

$89,675.73 Total Unencumbered 1997-2000

**** { see above possibility of an expenditure... } *****

THIS LEAVES ABOUT $20,000.00 UNENCUMBERED IN THIS QUADRANT

JANUARY 1998 - HMR REVENUE REPORT

**Report created at the end of December for the November PRAB meeting*

The City of Fayetteville Parks & Recreation Department collected $45,806.24 in Hotel, Motel, and Restaurant (HMR) tax revenues in the month of December for the month of November at this point in time.

The Top Ten HMR Restaurants for October - Collected in November

1. Rio Bravo
2. Ryan's Family Steakhouse
3. AQ Chicken
4. Red Lobster
5. Ozark Brewing Co.
6. Dixie Cafe
7. Chili's
8. Applebee's
9. McDonald's 50's (6th Street)
10. McDonald's (College)

****

January's Revenue:	**$69,087.64**	***Collected by January 20th for Dec. '96***
February's Revenue:	**$68,628.09**	***Collected by February 20th for January***
March's Revenue:	**$74,567.49**	***Collected by March 20th for February***
April's Revenue:	**$85,917.13**	***Collected by April 20th for March***
May's Revenue:	**$85,946.86**	***Collected by May 20th for April***
June's Revenue:	**$84,188.52**	***Collected by June 20th for May***
July's Revenue:	**$79,634.40**	***Collected by July 20th for June***
August's Revenue:	**$83,211.47**	***Collected by August 20th for July***
September's Revenue:	**$82,973.59**	***Collected by September 20th for August***
October's Revenue:	**$94,835.71**	***Collected by October 20th for September***
November's Revenue:	**$88,136.98**	***Collected by November 20th for October***
December's Revenue: None Reported by Acctg.		***Collected by December 20th for November***

****

Total Revenue for Fiscal 1997 is $897,127.88

96 Revenue collected: $*16,229.22 After the Jan. 20, 1996 deadline-Prior Yr Acct.*

Total Revenue for 1996 (including Revenue collected after the January 20th deadline for December 1996 from the Prior Year account) is $884,082.95

The Accounting Department's Revenue for the 1996 Fiscal Year from the actual money collected in 1996 is $867,853.73

BATES ELEMENTARY SCHOOL

Faye Jones, Principal

601 So. Buchanan
Fayetteville, AR 72701
(501) 444-3083

December 1997

BATES PLAYGROUND PROJECT

The playground project grew from the need for a play area at Bates School. Many students at Bates have outstanding needs in many areas. Discipline has been a problem at Bates, particularly in the fourth, fifth, and sixth grades. Physical violence is the "norm" in many of these student's lives. It was no surprise it was acted out in school.

Appointing a new principal in July gave Bates an opportunity to break this cycle. In assessing the school, with the vision of improvement, the most glaring need was a playground that accommodated these pre-adolescent kids where energy and activity could be properly channeled. A great number of previous discipline incidents were reported during recess and P.E. period.

Visiting with a member of the Washington County Historical Society, I was informed of the efforts of that group to move the Cherokee Trail of Tears marker that is on the corner of Bates's campus. Having a personal interest in both historical Fayetteville and the story of the Cherokees, I became very interested in both joining the effort and ways to involve Bates's students in this event . I also became aware of the activities of the City of Fayetteville and the University of Arkansas in this project.

Since Bates School is located on the old Stone Farm where the Cherokee Tribe was reported to have camped on their long, sad

journey, I believed an opportunity existed for a unique partnership between these entities. The school had parking slots available immediately across the street from the proposed marker/park which could be utilized by local visitors and tourists who will make a stop at the historical marker. I also still had the pressing need for a playground for my upper grade kids.

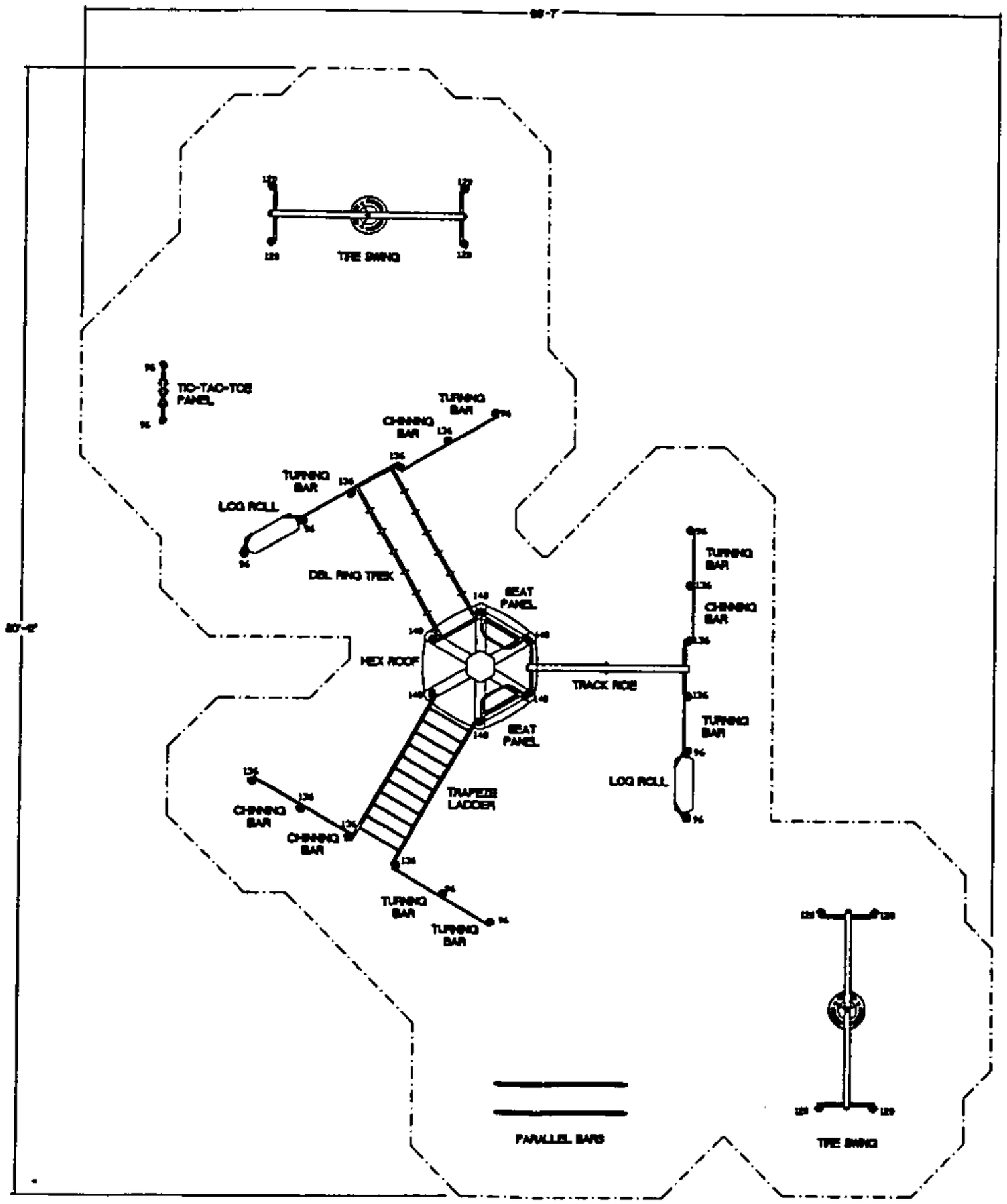
I remembered the city and the school district had a working agreement in the past to jointly build playgrounds on school properties , but the individual school was responsible for providing one fourth of the money with the district going one fourth and the city the other one half. Seizing that chance, and realizing that Bates Parent group had no funds or means to raise our one fourth, I approached the Walton Family Foundation through McIlroy Bank about a grant to fund our part. I received confirmation of the funding in October.

After consulting with Mr. Fred Turrentine and Mr. Roy Karr and receiving approval from the Superintendent, I proceeded with the equipment salesperson to design the playground and park which will join the Trail of Tears Marker Park located on land provided by the U.of A. It will be a very attractive, historical area in which the city, county, school district, university, and the Cherokees will take a great deal of pride. The objective of a playground for three hundred and fifty needy students is also achieved and if I may say so, in grand form.

Thank you for your consideration in this project. I appreciate the time and efforts you give.

BATES ELEMENTARY
PLAYGROUND PROJECT
SPRING, 1998

SITE PREPARATION	$ 1,200
CONCRETE FOR FOOTPRINT (44 CU.YDS @ $55)	2,420
POURED IN PLACE FALL MEDIA	26,000
EQUIPMENT (INCLUDES SNAKE AND FREIGHT)	18,919
RETAINING WALL	1,800
FENCING	2,400
PICNIC TABLES, TWO EACH (2)	1,162
BENCHES, FOUR EACH (4)	1,156
INSTALLATION (180 HOURS)	1,800
	$56,857



Minimal recommended fallzone
Area 3062 sq. feet
Perimeter 300 feet

little tikes®
commercial play systems

Project: Bates Elem.

LTCPS rep:
Kim Kyle
Diversified Recreation
501-228 9191

Kid Builders:
Post Material: Galvanized
Post Color: Forest Green
Accent Color: Tan
Panel Color: Tan
Slide Color: [None]
Roof Color: Tan-Forest Green
Mounting: Buried

Drawn by: Rich McCarver
Date: 10/17/97
DWG Name: QT57722
Scale: 1"=10'
Approved by: [illegible]

LTCPS - Farmington
One Iron Mountain Drive
Farmington, Missouri 63640
Voice: 1-800-325-8828
Fax: 573-756-0319

GENERAL NOTES

1. All deck heights are measured from top of ground cover.
2. Fall absorbing ground cover is required under and around all play equipment.
3. The minimum recommended fall zone around the entire playstructure is shown. This zone is to be free of all tripping or collision hazards (i.e. roots, rocks, border material, etc.).
4. This structure(s) is approved for children ages 5–12 years of age.
5. All post lengths are identified by text showing the post lengths, i.e. 96 represents a 96 inch post.

PRAB
REGULAR MEETING
DECEMBER 1, 1997

The meeting was called to order by Chairman Ackerman at 5:30 p.m. in Room 326 of the City Administration Building.

Members Present: Ackerman, Bleidt, James, Judy, King, Staggs, Thiel, Waite

Staff Present: Clark, Dugwyler, Nelson, Paschal, Rogers

Guests Present: Rex McGill, President, Fayetteville Fall Baseball; Gary Atha, Treasurer, Fayetteville Fall Baseball; Hung Duong, President, Fayetteville Soccer Association; Ken Zantow, Bill Craft, Ken Ball, Robert Twiggs - Fayetteville Soccer Association; Peggy Smith - Fayetteville Chamber of Commerce / Fayetteville Jaycees

Media Present: Rusty Garrett, *Northwest Arkansas Times*
Jill Smith, *Morning News*

BUSINESS:

I. **MOTION: JAMES/BLEIDT**
The Minutes from the November 3, 1997, PRAB regular meeting were approved unanimously 8-0.

II. Annual Report from Fayetteville Fall Baseball - Rex McGill / Gary Atha

Rex McGill, President of Fayetteville Fall Baseball presented an annual report to the Parks and Recreation Advisory Board. Current goals of Fayetteville Fall Baseball include 1) to provide an opportunity for young people to play competitive baseball which otherwise does not exist in Fayetteville; 2) to teach the fundamentals of baseball in a competitive environment using major league baseball rules; 3) to promote good sportsmanship and teamwork; 4) to offer a relatively short season with a 20-25 game format; 5) to improve the quality and competitiveness of Fayetteville Baseball. Since the inception of fall baseball, Fayetteville All-Star teams have gotten more competitive on a statewide level each year. In 1997, Fayetteville won the state tournament in the 15- and 13-year-old division, while the 11- and 10-year-old teams finished second in their state tournaments.

There are two divisions in Fayetteville Fall Baseball; there is a 10 & Under division and a 12 & Under division. Approximately 220 players participated in the 1997 Fall Baseball season. There were 90 players in the 10-year-old division and 130 players in the 12-year-old division. There were also 45 coaches participating in the program in 1997. Fayetteville

Fall Baseball Board Members predict 300 baseball players for 1998 and 1999.

Gary Atha, Treasurer, presented the financial report for 1997. The Fall organization purchased sod for improvements to three fields at Walker Park. Mr. Atha stated that the $500 team registration fee generated $7500 (for the 15 teams) and concessions revenue was $10,210 for a total income of $17,710. Expenses included insurance costs, concession costs of goods sold, concession labor, trophies, baseballs, utilities, grounds maintenance, umpires, and miscellaneous expenses for a total of $17,333.

Goals for the next five years include: 1) to establish a more flexible system using a combination of league play and tournament play; 2) to develop a trial girls fast pitch softball league using fields presently not used; 3) to attract more teams from the area through better advertising; 4) to build a program which would include a division for each age group (9, 10, 11, 12); 5) to sponsor more pitching and coaching clinics; 6) to generate revenue for Walker Park improvements; 7) to continue to improve the competitiveness of Fayetteville baseball on a statewide and regional level; 8) to get City help maintaining fields during active season; and 9) to help teams from within the program attend national tournaments.

Mr. McGill also presented the following capital improvement needs for the Walker Park baseball facility: 1) batting cages; 2) a press box; 3) repairs to gates, fencing, and dugouts; and 4) dirt work on fields 4, 5, 6, and 8. The Fall Baseball Board has voted to contribute funds toward the addition of batting cages. McGill estimated the required netting would cost around $3,000. Additional costs would be incurred on poles and other materials. However, volunteer labor could be utilized in the installation of batting cages.

Chairman Ackerman suggested Fayetteville Fall Baseball Board Members evaluate each capital improvement needs, develop a priority list, get cost estimates, prepare a proposal, and present the information to the Parks and Recreation Advisory Board for consideration.

III. Annual Report from Fayetteville Soccer Association - Hung Duong

Fayetteville Soccer Association President, Hung Duong, presented an annual report for the soccer program. The primary mission of the Fayetteville Soccer Association is 'Promoting Soccer as Recreational Activity to the Majority of the Fayetteville Youth'. Goals of the organization include: 1) affordable (players fees range from $35 to $55 depending on age group); 2) developmental (players are not chosen according to skill; novices are taught soccer skills); 3) focusing on the majority; and 4) provide a positive environment for youth.

Mr. Duong reported over 900 players participated in the soccer program during 1997. Statistics indicate that soccer is most popular among youth 12-years-old and younger. Upper age groups make up only 1/6 of the overall population. There were 850 players

Fall Baseball Board Members predict 300 baseball players for 1998 and 1999.

Gary Atha, Treasurer, presented the financial report for 1997. The Fall organization purchased sod for improvements to three fields at Walker Park. Mr. Atha stated that the $500 team registration fee generated $7500 (for the 15 teams) and concessions revenue was $10,210 for a total income of $17,710. Expenses included insurance costs, concession costs of goods sold, concession labor, trophies, baseballs, utilities, grounds maintenance, umpires, and miscellaneous expenses for a total of $17,333.

Goals for the next five years include: 1) to establish a more flexible system using a combination of league play and tournament play; 2) to develop a trial girls fast pitch softball league using fields presently not used; 3) to attract more teams from the area through better advertising; 4) to build a program which would include a division for each age group (9, 10, 11, 12); 5) to sponsor more pitching and coaching clinics; 6) to generate revenue for Walker Park improvements; 7) to continue to improve the competitiveness of Fayetteville baseball on a statewide and regional level; 8) to get City help maintaining fields during active season; and 9) to help teams from within the program attend national tournaments.

Mr. McGill also presented the following capital improvement needs for the Walker Park baseball facility: 1) batting cages; 2) a press box; 3) repairs to gates, fencing, and dugouts; and 4) dirt work on fields 4, 5, 6, and 8. The Fall Baseball Board has voted to contribute funds toward the addition of batting cages. McGill estimated the required netting would cost around $3,000. Additional costs would be incurred on poles and other materials. However, volunteer labor could be utilized in the installation of batting cages.

Chairman Ackerman suggested Fayetteville Fall Baseball Board Members evaluate each capital improvement needs, develop a priority list, get cost estimates, prepare a proposal, and present the information to the Parks and Recreation Advisory Board for consideration.

III. Annual Report from Fayetteville Soccer Association - Hung Duong

Fayetteville Soccer Association President, Hung Duong, presented an annual report for the soccer program. The primary mission of the Fayetteville Soccer Association is 'Promoting Soccer as Recreational Activity to the Majority of the Fayetteville Youth'. Goals of the organization include: 1) affordable (players fees range from $35 to $55 depending on age group); 2) developmental (players are not chosen according to skill; novices are taught soccer skills); 3) focusing on the majority; and 4) provide a positive environment for youth.

Mr. Duong reported over 900 players participated in the soccer program during 1997. Statistics indicate that soccer is most popular among youth 12-years-old and younger. Upper age groups make up only 1/6 of the overall population. There were 850 players

(33% growth) for the fall season which ended November 2, a total of 70 teams, 140 coaches, and an average of ten games and ten practices for the fall season. There was also a high turnover for older age groups which is consistent with surrounding areas.

Treasurer, Ken Ball, presented an overview of the Association's income and expenses over the past three and one half years. $30,348 was raised in registration fees for the fall season alone. Sponsorships and other income accounted for $8,846.66. Total expenses for the fall season were $31,229.42. The Association expects to make a profit for the first time in a number of years. Mr. Ball also presented copies of tax returns and financial statements.

Short term goals for 1998 include: 1) financial stability; 2) coaches' training, clinics, license, games; 3) better equipment and uniforms; 4) development of web pages; 5) Constitution revision (May '98 objective); and 6) early registration (electronic, internet, telephone) to expedite processing.

Mr. Duong also stated that he was happy to see non FSA members using the facilities when they are not in use and feels positive effects are generated such as creating an interest in fitness and school interest in the sport of soccer. However, a serious issue was raised regarding facility control. The Fayetteville Soccer Association recommends more fields and parking, better field and facility conditions, facility control, and other soccer interests. One problem is not having control over non FSA groups who utilize the fields and do not understand the importance of letting fields recover from heavy use. Mr. Duong feels it is important to look at different grass mixtures to better suit the younger players and better prevent accidents. He also stated that FSA is the only group which contributes to the facility, but other [non contributing] groups use it.

PRAB member, Thiel asked Mr. Duong how he would keep other groups from using the fields. The logistic is to not necessarily prevent other groups from using the fields, but to find a happy medium. Clark said the fields should be reserved through the Parks Division, and FSA should be given primary scheduling rights. The Parks Division must be in control of the scheduling before being able to police the fields. In the past, the game schedule and practice schedule has been delegated by the Fayetteville Soccer Association. The Parks Division has not been involved in this process.

Chairman Ackerman suggested FSA form a subcommittee to work with the Parks Division to develop methods and procedures to coordinate activities and make decisions which will aid in the accomplishment of what is needed within the facilities restraint. The constant growth the program is experiencing needs to be communicated consistently to the Parks Division. Collectively, suitable solutions should be derived.

IV. Girls Softball Complex Phase II update (bid status) - Clark

Clark reported that bids received on Phase II exceeded the budgeted amount of $550,000.

Because the deductive alternates did not bring us within this range, the project will be re-bid in January. The dirt work will be bid as the first phase, the concession bid as the second phase, and the fence work will probably be bid separately.

V. Daily Work Summary Report - Nelson

Nelson reported that in October 1996, he distributed a daily work summary form to Parks Maintenance personnel on which to record their daily work duties. The form was designed in a simplistic manner to avoid taking valuable time away from work activities. The data is input into a database from which information is drawn. From these entries, the amount of time spent in each park location and the type of work activity performed can be determined. Information from these reports are also used to determine performance measures for budgeting purposes. Each month copies of this report are distributed to the Parks Director, the Assistant Parks Director, and the Parks Maintenance Supervisor for their review as to how and where work hours are performed. As a side note, Nelson also stated his concern for the volume of paper used daily for the work summary forms. Both sides of the paper is used and one form is used for each crew performing the same tasks.

VI. Green Space money in lieu formula update from the November 4 City Council Meeting – Dugwyler
(copy attached) Ordinance to be updated every two years

Dugwyler reported that City Council approved the request to change the Green Space money in lieu formula, and they added an amendment to review every two years. The past ordinance was based on the market price of $12,000 per acre; the amended amount is $15,000 per acre. We will begin collecting on new developments as of November 4, 1997. This will be a November PRAB agenda item every two years.

VII. Lake Fayetteville Trail update - Dugwyler

Two public workshops have been conducted to generate public input. PRAB member, King suggested paving across the dam and north toward the Environmental Study Center and make a loop, and pave the south toward the Botanical Garden Society and make a loop, and leave the rest natural. He suggested developing a year to year maintenance contract for the upkeep of the natural trail. There are several options which would accomplish our goals.

Chairman Ackerman suggested that the PRAB review all the facts and the input received and evaluate the information to determine what is needed at Lake Fayetteville. There are a lot of things to be taken into consideration, primarily cost, and this project will have to be phased over a period of years. Additional public comment may be needed as the PRAB

Because the deductive alternates did not bring us within this range, the project will be re-bid in January. The dirt work will be bid as the first phase, the concession bid as the second phase, and the fence work will probably be bid separately.

V. Daily Work Summary Report - Nelson

Nelson reported that in October 1996, he distributed a daily work summary form to Parks Maintenance personnel on which to record their daily work duties. The form was designed in a simplistic manner to avoid taking valuable time away from work activities. The data is input into a database from which information is drawn. From these entries, the amount of time spent in each park location and the type of work activity performed can be determined. Information from these reports are also used to determine performance measures for budgeting purposes. Each month copies of this report are distributed to the Parks Director, the Assistant Parks Director, and the Parks Maintenance Supervisor for their review as to how and where work hours are performed. As a side note, Nelson also stated his concern for the volume of paper used daily for the work summary forms. Both sides of the paper is used and one form is used for each crew performing the same tasks.

VI. Green Space money in lieu formula update from the November 4 City Council Meeting – Dugwyler
(copy attached) Ordinance to be updated every two years

Dugwyler reported that City Council approved the request to change the Green Space money in lieu formula, and they added an amendment to review every two years. The past ordinance was based on the market price of $12,000 per acre; the amended amount is $15,000 per acre. We will begin collecting on new developments as of November 4, 1997. This will be a November PRAB agenda item every two years.

VII. Lake Fayetteville Trail update - Dugwyler

Two public workshops have been conducted to generate public input. PRAB member, King suggested paving across the dam and north toward the Environmental Study Center and make a loop, and pave the south toward the Botanical Garden Society and make a loop, and leave the rest natural. He suggested developing a year to year maintenance contract for the upkeep of the natural trail. There are several options which would accomplish our goals.

Chairman Ackerman suggested that the PRAB review all the facts and the input received and evaluate the information to determine what is needed at Lake Fayetteville. There are a lot of things to be taken into consideration, primarily cost, and this project will have to be phased over a period of years. Additional public comment may be needed as the PRAB

begins evaluating all of the information.

Clark stated that he felt the interest shown for the project did not justify the expense. There are other projects which can be focused upon. PRAB member, Waite stated there wasn't a lot of interest in the trails at Gulley and Wilson either in the beginning, but both trails are now used heavily. Clark said he felt the development of a trail was a good idea, but there are a lot of issues the PRAB need to address and make a decision.

VIII. Walker Park parking lot design update - Dugwyler

Dugwyler reported that herself, Clark, the Public Works Director, and the Traffic Department had met regarding the Walker Park parking lot. The intersection of Block St. and 13th Street will be striped. A meeting with the City Planning Department and the City Tree Coordinator is planned for the end of the week to work on a few aspects of the design. Cost estimates will be developed, and the project will go to bid. Parks Maintenance can clear underbrush in the area during the winter months.

IX. Parks Board volunteered hours for 1997 - Clark

Clark expressed his appreciation for the number of hours each PRAB member has volunteered during 1997 and thanked them for their support. Waite's and James' terms end this year, and Clark thanked them for being spokespersons and for their devotion and efforts.

X. Announcement that the Parks Ordinance was established 30 years ago this year - Clark

Clark announced that the Parks Department was established in 1967. This is the thirtieth year the ordinance has been in effect.

XI. Parks' Project Status Report - Clark

Clark reported that the Lewis soccer fields additions will go before large scale development and will require the widening of Mt. Comfort Road and the construction of sidewalks. We are going to appeal to the Planning Commission and the City Council that this be moved up on the Street priority list. The Mt. Comfort improvements need to be done, but it is our opinion that it should not be funded from the Parks budget.

Drainage improvements are being made at Willow Springs. This level area will be made available for playground or soccer field development.

Clark asked that the Facilities Committee evaluate the Asbell gym in the near future. The school is developing a renovation project of which they want us to participate.

XII. OTHER BUSINESS

Clark announced that this is his last meeting as the Parks Director. Beginning January 1, 1998, Mr. Clark will concentrate his efforts on the Fayetteville Youth Center. He will remain active in recreation and as a consultant. Chairman Ackerman informed the group that Mr. Clark had served the parks and the community for 27 years. He has implemented many programs and has worn two hats for many years. Under Clark's guidance, the program has grown astronomically over the past twenty-five years. Mr. Clark has a wealth of information that we all will continue to call upon.

PRAB member King announced that this is his last meeting as well because he is moving to Fort Smith, Arkansas.

Meeting adjourned at 7:38 p.m.

MINUTES APPROVED:_____

MINUTES TAKEN BY: John L. Nelson
John L. Nelson

First Run 1.Dec.97 11:45 p.m.

Second Run 3.Dec.97 4:30 p.m.

Clark announced that this is his last meeting as the Parks Director. Beginning January 1, 1998, Mr. Clark will concentrate his efforts on the Fayetteville Youth Center. He will remain active in recreation and as a consultant. Chairman Ackerman informed the group that Mr. Clark had served the parks and the community for 27 years. He has implemented many programs and has worn two hats for many years. Under Clark's guidance, the program has grown astronomically over the past twenty-five years. Mr. Clark has a wealth of information that we all will continue to call upon.

PRAB member, King announced that this is his last meeting as well because he is moving to Fort Smith, Arkansas.

Meeting adjourned at 7:38 p.m.

MINUTES APPROVED:_____

MINUTES TAKEN BY: John L. Nelson
John L. Nelson

First Run 1.Dec.97 11:45 p.m.

Second Run 3.Dec.97 4:30 p.m.

FACILITIES COMMITTEE
SPECIAL MEETING
DECEMBER 8, 1997

P.R.A.B. Members Present:	Ackerman, Bleidt, James, King, Waite
Parks Staff Present:	Clark, Nelson, Rogers
School Representative:	Fred Turrentine, Fayetteville School Maintenance Director
Media Present:	None
SUBJECTS DISCUSSED:	•Asbell gym interior ceiling, lights, & paint •FYC parking violations •Davis Park - acquiring more acreage •Davis Park Pond - Lily pad and filling it at a later time •Lake Fayetteville Trail - Phase I will be complete after receiving the final design from Landplan •Lake Fayetteville Trail - boundaries to be permanently staked •BGSO - Parks Dept. to set permanent stakes to mark the boundaries according to their lease agreement •Mudcreek (near Gulley) trail to be done with the help of Sweetser's $10,000 commitment

The Facilities Committee met at 5:30 p.m. on December 8, 1997 at the Asbell School gymnasium. Committee members visually inspected the facilities; the current ceiling tiles are in need of repair. Turrentine proposed replacing the ceiling tiles with Tectum-brand acoustical panels to reduce the echo inside the gymnasium. Turrentine also stated that the school system has used this material in the past and it is more durable and sound absorbent. Turrentine has received price quotes from Nabholtz Client Service ranging from $17,648 to $21,485. Nabholtz would temporarily remove lighting, remove and dispose of existing ceiling tiles, install grid or furring of chosen type, install chosen type of ceiling tiles, paint ceiling if applicable, and reinstall lighting. For an additional fee of $2,351, Nabholtz would install new light fixtures which match four of the existing ones installed one year ago by

Marrs Electric. Batten strips and edge trim were excluded from the quote.

Turrentine stated that once the panels were installed with hold-down clips, School Maintenance personnel would maintain and replace any damaged tiles from stock. Renovation plans for the Asbell gymnasium also include painting the interior of the facilities, the application of a washable epoxy paint on the restroom walls, and the application of enamel paint on doors. Turrentine initially stated that the school would supply the labor (painter) in exchange for the City supplying an $1,000 for paint; however, when Ackerman suggested a 50%/50% split, Turrentine said he would want to include the $10.80 per hour painter's wages in the split.

MOTION: WAITE/JAMES
The Facilities Committee moved to approve up to but not to exceed $10,000 for the renovation of the Asbell School gymnasium with the school system providing labor and the City providing $1,000 for paint and up to $9,000 for the replacement of the interior ceiling panels and light fixtures subject to a match of funds from the school system.

Motion approved unanimously 5-0.

Committee member James inquired about possible roof damages. Turrentine said Franklin and Sons had not evaluated it, but it was his opinion that minor repairs would probably not exceed $450 to $500.

Turrentine told the group that the current school millage would generate 18.4 million dollars. The district would like to spend 14 million dollars on the construction of two new middle schools. The balance of over 4 million dollars is tentatively ear marked for the renovation of all school gyms.

FAYETTEVILLE YOUTH CENTER PARKING

Clark reported that signage is being acquired to help alleviate the parking problems at the Fayetteville Youth Center. The area will be striped and designated restricted parking. Vehicles must display a FYC or school parking sticker. Clark has been in contact with University of Arkansas officials regarding the matter. Notes on windshields warning violators may be incorporated initially.

8.27

FAYETTEVILLE

THE CITY OF FAYETTEVILLE ARKANSAS

PARKS AND RECREATION DIVISION

TO. Botanical Garden Society of the Ozarks

FROM: The Fayetteville Parks and Recreation Division Staff and the Fayetteville Parks and Recreation Advisory Board

DATE: November 3, 1997

SUBJECT. Completion of a Land Lease Agreement

It is with great excitement and anticipation that we offer our congratulations on the recent approval by the City Council of the Botanical Garden Land Lease Agreement. This agreement will enable the City of Fayetteville, the Fayetteville Parks and Recreation Division, the Fayetteville Parks and Recreation Advisory Board and the Botanical Garden Society of the Ozarks to work together to create the first botanical garden in Arkansas.

As a basis for our future working relationship we would like to establish some basic operating procedures between our organizations.

Communications between the organizations will be in memorandum form from the President of the Botanical Garden Society to the Chair of the Parks and Recreation Advisory Board. The Parks and Recreation Director will be copied on all correspondence for staff files. Any items that need Advisory Board action will be added to the next months agenda upon receipt of a request to the Advisory Board Chair. Parks staff must receive this a minimum of eight working days before the next monthly Board meeting.

The Advisory Board requests a maintenance plan and a risk management plan for the Land Lease area. This is to include the period December 1, 1997 thru December 31, 1998.

The Advisory Board asks that a copy of your Commercial General Liability Insurance policy as well as the Botanical Garden Society's corporate charter and a complete copy of the Bylaws be provided to be placed in staff files.

As per section 6.1 of Resolution No. 83-97 please submit to the Advisory Board for review all construction, alterations and improvements to the Land Lease area. This should include but not be limited to volunteer work, plantings, maintenance and any other activity planned for this area.

Once a year the Botanical Garden Society will submit to the Parks and Recreation Advisory Board and to City Council an annual progress review. The Advisory Board asks that this be

13 WEST MOUNTAIN 72701
FAYETTEVILLE, AR 72701
501-444 3471
FAX 501-442-3982

presented by September 30 of each year.

We are looking forward to a great relationship between our organizations. Please feel free to address the Advisory Board at any time. The Board will make every effort to act on the Society's requests in a timely manner.

The Botanical Garden of the Ozarks will be an exciting journey for us all. We look forward to providing this educational and recreational opportunity for our citizens.

Botgar01
#4

NWA Times 12/11/92

Botanical garden society gets grant

By RUSTY GARRETT

Times Staff Writer

The Botanical Garden Society of the Ozarks has received a $20,000 grant that will enable the organization to hire a part-time director.

Tuesday night the garden society board voted to name Donna Porter, president of the board, to the position. Porter resigned her presidency and the board elected vice president Bill Wickizeramer to the post.

Porter said the grant from the Stanley Smith Horticultural Trust of Berkeley, Calif., can be renewed for another year.

Porter said she assumes her new job in January. She said the grant was only the second she had written, and she intends to seek more funds to hire an administrative assistant.

The society earlier this year entered a lease with the Fayetteville City Council granting the society use of 100 acres of park land at Lake Fayetteville for developing a botanical garden.

The lease designates the land, south and east of the lake, "for the establishment, construction, maintenance and operation ... of a botanical garden." It sets a 25-year term on the lease, with an option for another 25 years.

The lease gives the city title to the grounds and all future buildings on the site. It gives the society operational and supervisory authority over groups, buildings and personnel of the garden.

The Botanical Society is responsible for primary fund-raising.

The society envisions construction of the garden in three phases over the next 12 years.

Included in the first phase are a parking lot, a timber-frame pavilion and some other improvements aimed at attracting people to the site. Intensive fund-raising efforts will also occur during the phase, lasting 1-3 years.

During the second phase, 3-7 years from now, most of the components of the garden, including a visitor center, will be installed.

Completion of the final phase is anticipated in 7-12 years, according to officials.

FAYETTEVILLE'S OLD WATER PLANT

NWA Times 12/11/97

Abandoned time bomb

Liability grows after 27 years of neglect

By RUSTY GARRETT

Times Staff Writer

© Northwest Arkansas Times

A facility Fayetteville once relied on to furnish citizens with clean, safe water, has become an eyesore and a potentially dangerous spot near the crest of Mount Sequoyah, overlooking the city, the *Times* has found.

The old city water plant, vacant and neglected for some 27 years, has caused increasing concerns from Fayetteville residents who live around it.

Property owners around the plant said they worry about the dangers and shoddy appearance of the area.

"I see kids there regularly, and I have brought it to the attention of city services several times and nothing gets done," said Ken Pummill, who lives on Southern Heights, parallel to the old plant.

"The city keeps making rules about beautifying the city while it owns some of the very worst kept of all.

"I've been driving by it for years. In the summer time, you'll see kids in there every day," Pummill said.

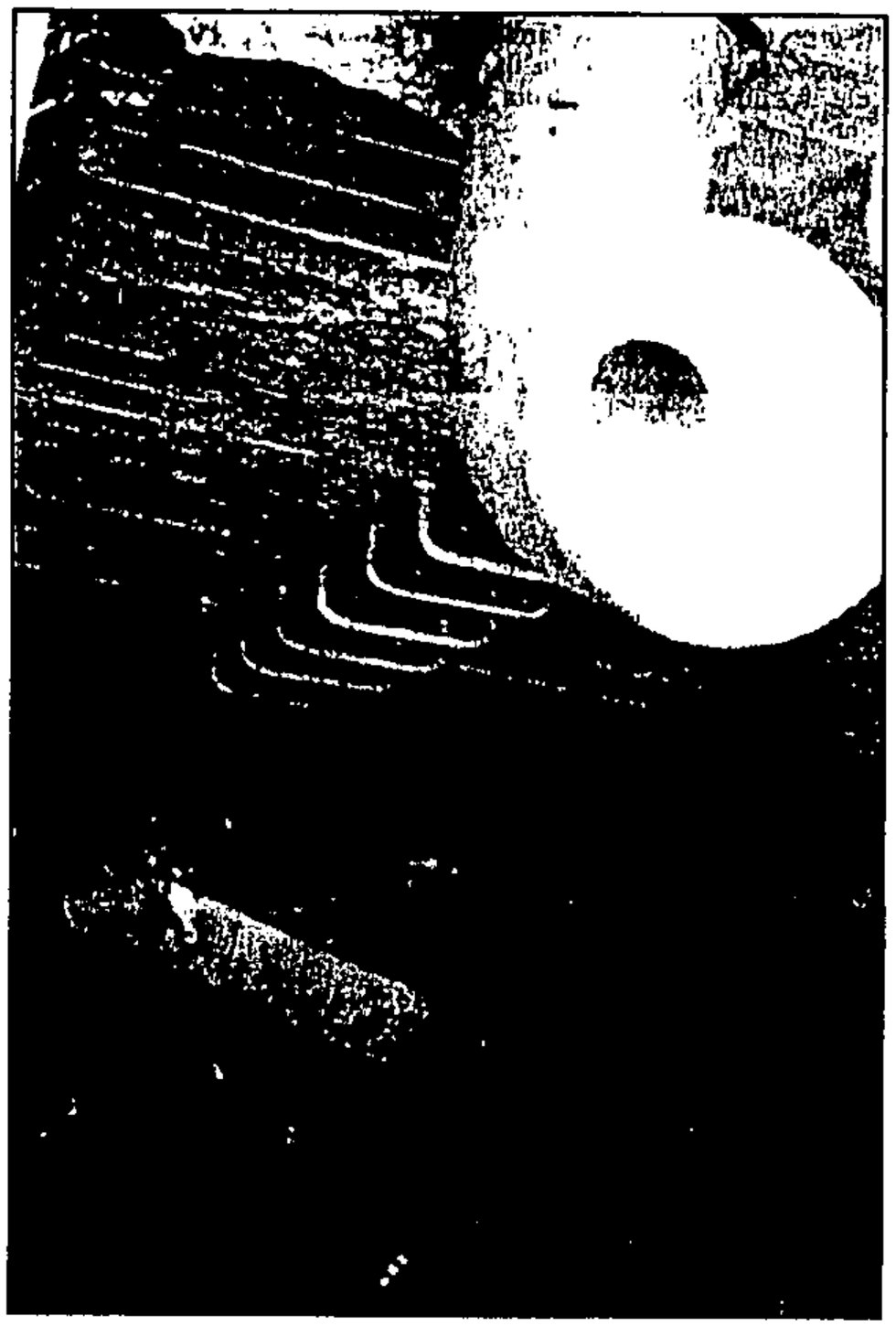
At the plant site, a pile of junk sits in the driveway just behind a double-padlocked gate.

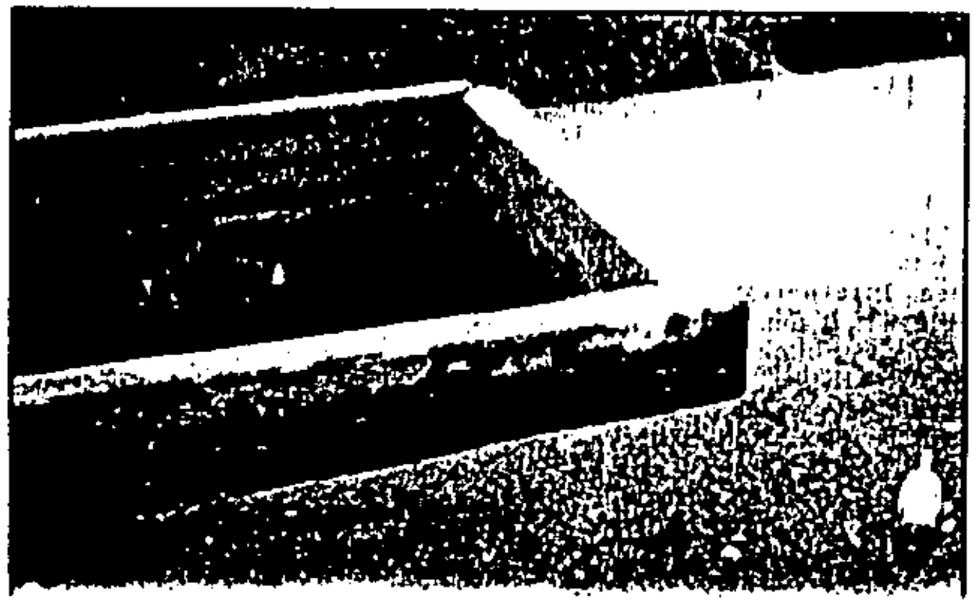
Two brick buildings house remnants of a water treatment plant and an assortment of furniture, clothing, equipment and odds and ends.

City records, some packed in cardboard boxes, others simply piled on desks and old furniture, litter the building.

Although city Water and Sewer Maintenance Superintendent David Jergens said the city has

■ See Plant / A6





Far right top, the steep drop from the rooftop of the crumbling water containment building to its dark interior is about 40 feet onto a concrete floor. Far right bottom, this rectangular opening is on the westernmost side of the massive building overlooking downtown Fayetteville. Right, is an example of the shambles left inside the old water plant work buildings on Mount Sequoyah.

8.30

Plant

■ Continued from A1

removed all the hazardous materials from the site, buckets and bags of chemicals are stacked against the walls.

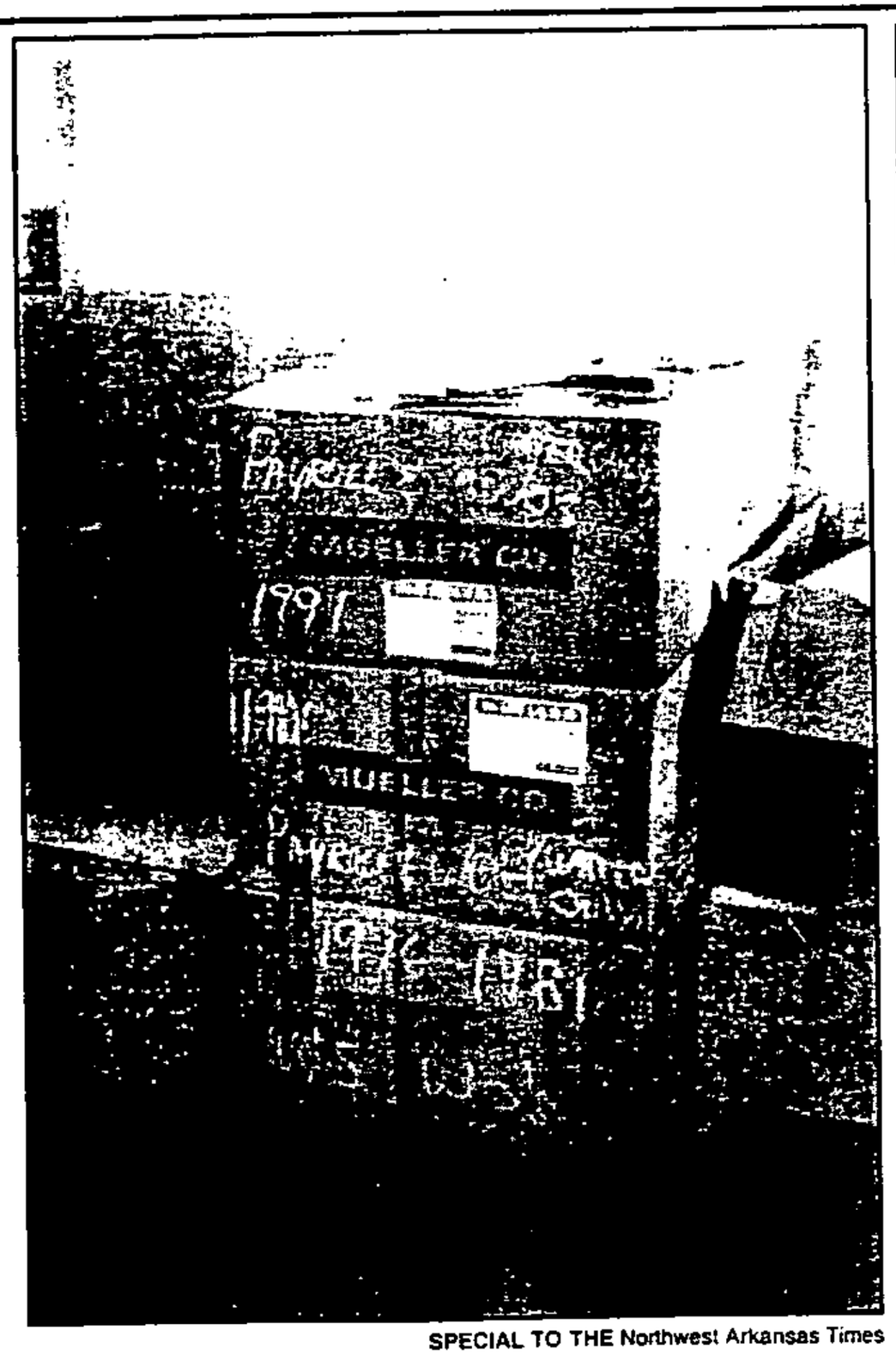
Shattered windows and jimmied doors bear evidence to break-ins and vandalism at the site.

The storage tank poses another hazard. Several covers allowing entry to the tank from the roof have been moved, allowing braver intruders access to the bottom of the emptied tank 40 feet below.

On a recent visit, rain water pooled on the roof. Pressure cracks, crumbling concrete and buckled walls reinforced with steel girders bear witness to years of use and neglect.

The tank, office building and filter building of the old water plant were built on the site off Fletcher Avenue in the early 1950s, when Lake Fayetteville was created north of Fayetteville to provide water for a growing population. City Engineer Don Bunn said water was pumped to the site where it was filtered, treated with chemicals and stored in the 6-million-gallon concrete tank for distribution throughout the city.

The location may have also been the location of another facility in the city's water system. Jurgens said



SPECIAL TO THE Northwest Arkansas Times

Left and far left, boxes a. boxes of city records have been stacke in an open room off the entryway to the old wate plant administrati building. Below, bags that read ammonium nitrate, including or that is open are stacked upstairs wit other clutte the old administrati building.

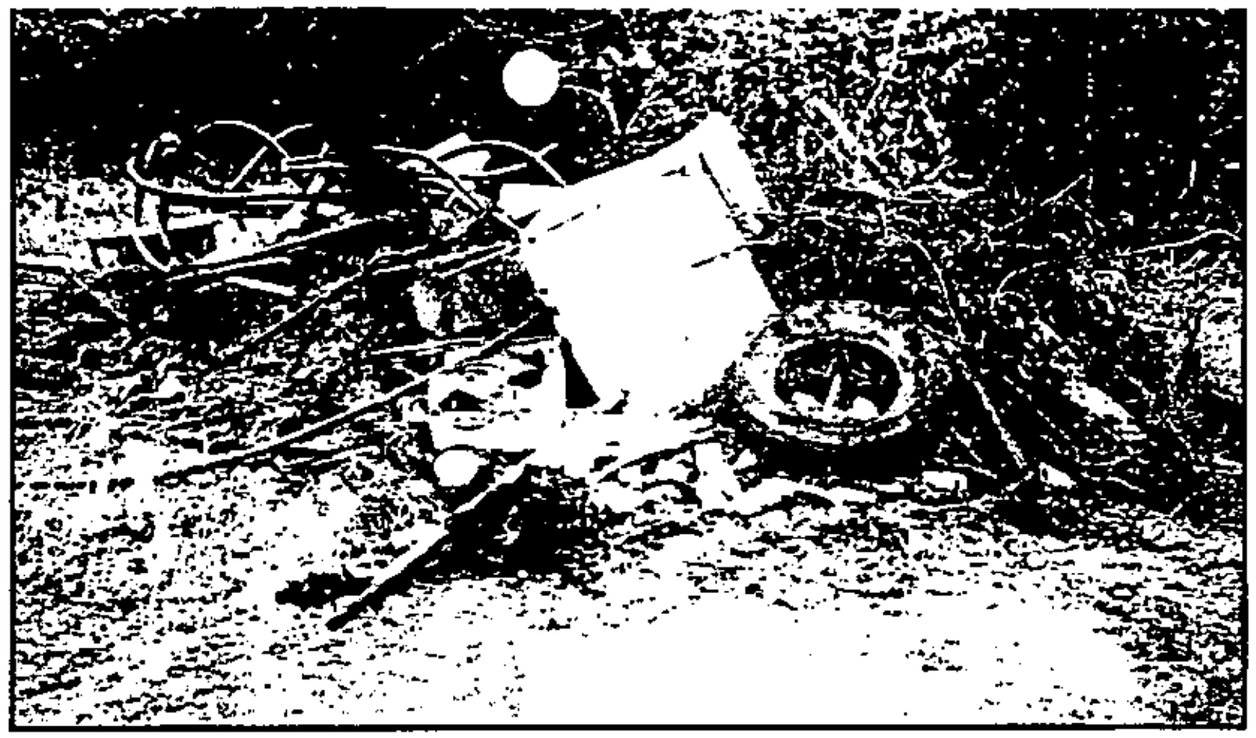
8.31

system. Jurgens said there is evidence pipes installed in the early years of the century carried water up the hill where it was processed.

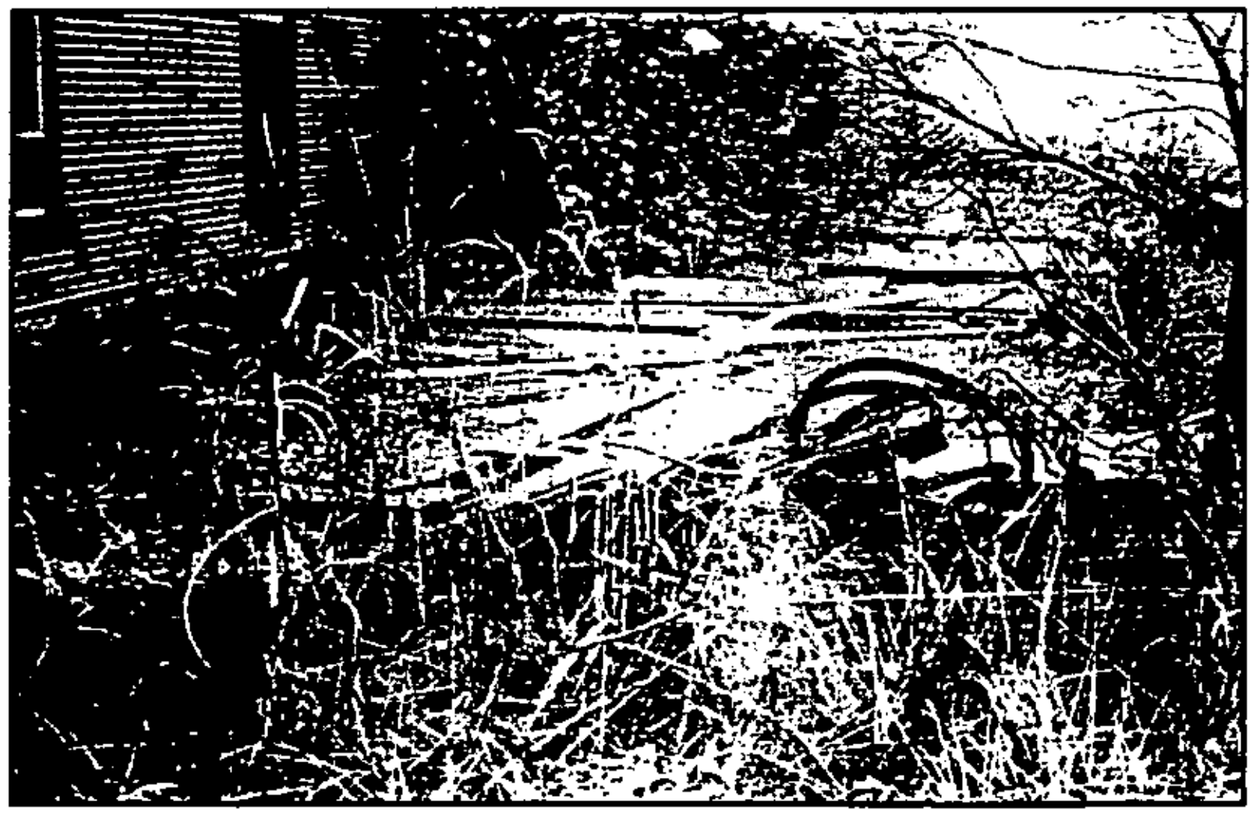
City Public Works Director Kevin Crosson said the city bought part of the 2.4-acre site in 1907 and purchased the remainder of the land in 1944.

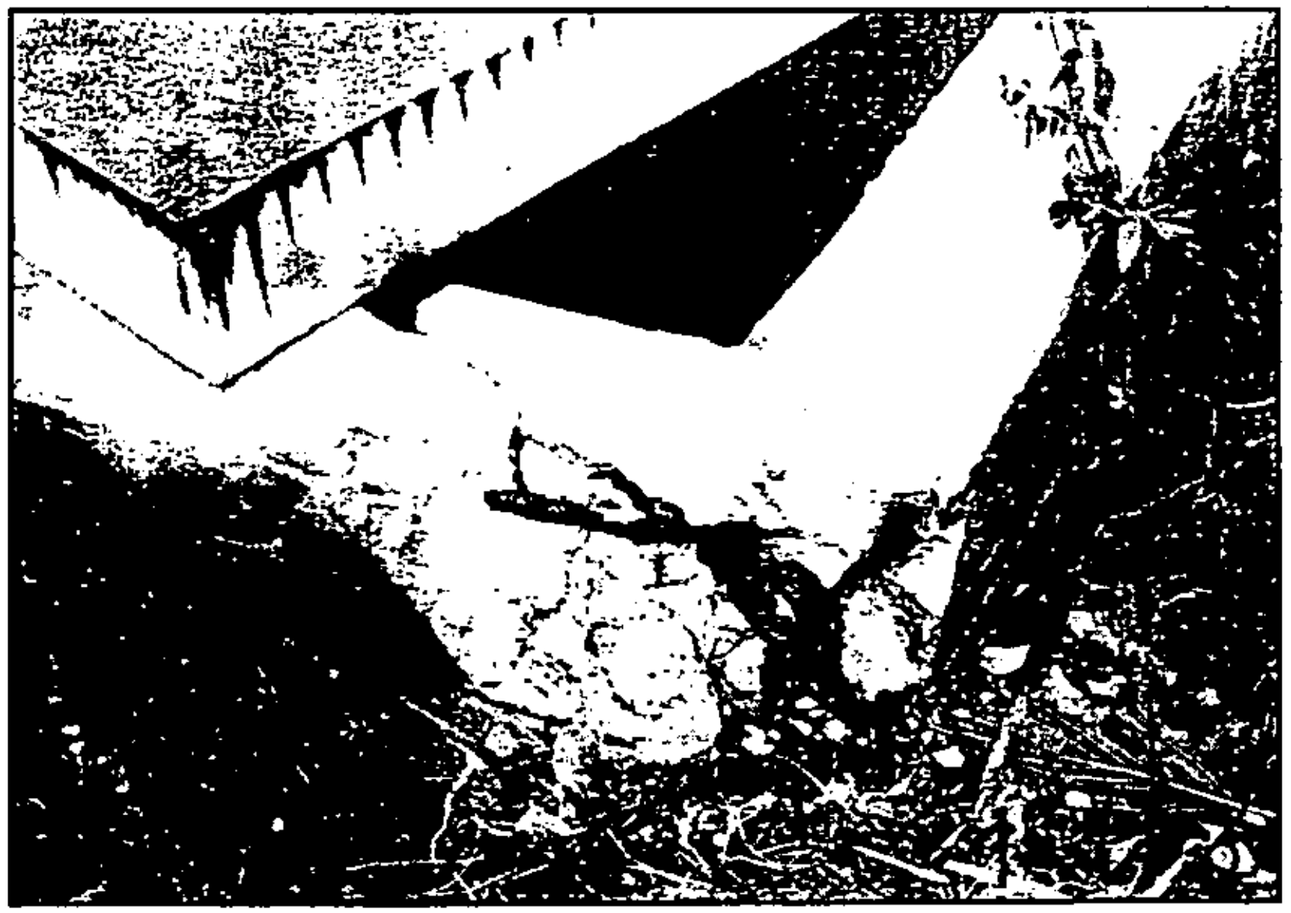
Treatment of water ended there in 1970 when the Beaver Water District began providing treated water from the recently created Beaver Lake. Bunn said the city continued to operate the plant sporadically, a day or two a week, but in 1972 shut it down. Some of the equipment was sold and the city used the buildings for other purposes for several years. The site was abandoned altogether 12 years ago.

Jurgens

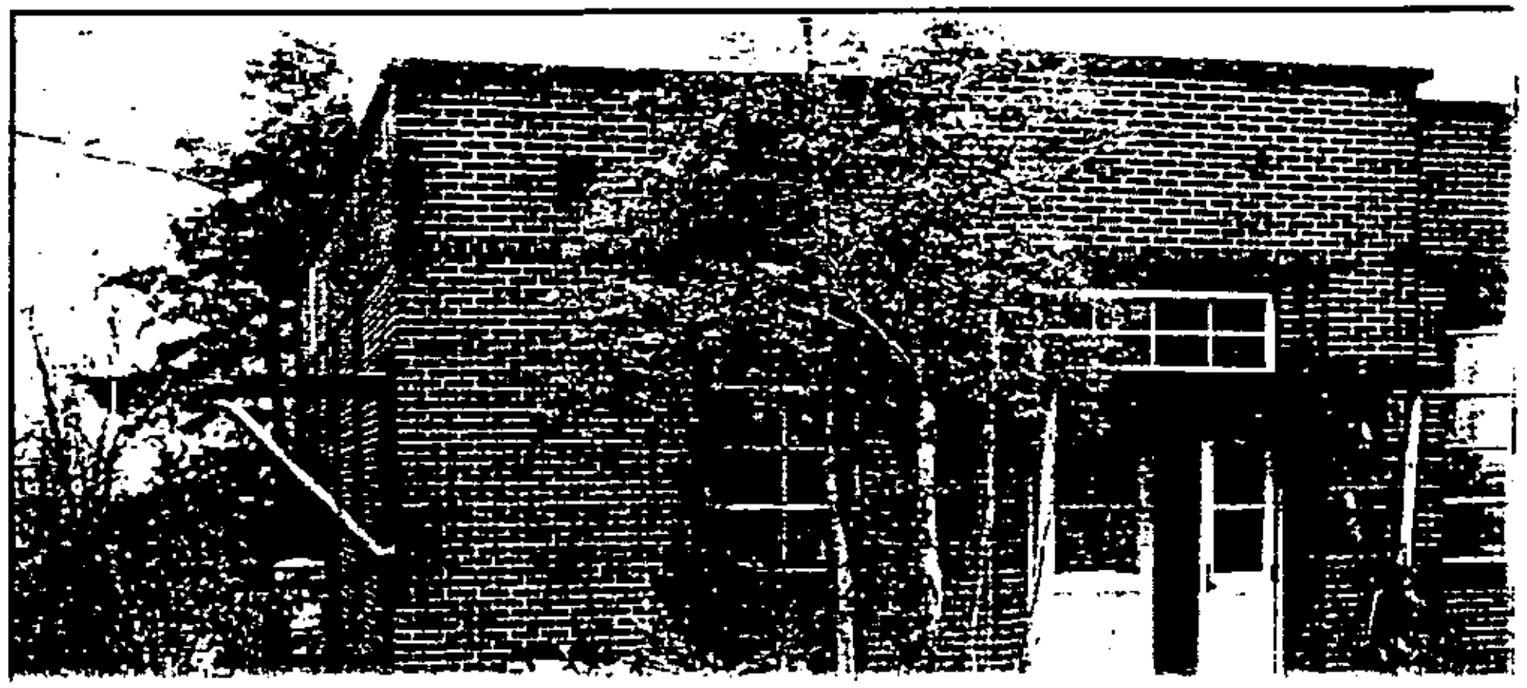


Above and below, piles of rubbish and unkempt overgrowth cover the grounds of the city's old water plant off Fletcher Avenue.





Left, the rooftop of the crumbling former water containment building contains numerous rectangular openings covered only by metal tops that can be moved, as evidenced by this photograph.



several years. The site was abandoned altogether 12 years ago.

Jurgens said at a recent City Council meeting the city uses the tank site to store "things we don't want to see again."

Above, the dilapidated former city water processing building now stands open an abandoned, littered inside with tools, desks, machinery, records, broken glass, benches an deep and potentially dangerous cement processing troughs. Left, the concrete walls of th building that once retained water pumped from Lake Sequoyah are literally disintegratin after some 50 years of standing upright. On the building's roof is the rectangular open dro to the floor.

Two weeks ago, Dan Coody, a Mount Sequoyah property owner, urged the Fayetteville City Council to consider budgeting money for demolition of the unsafe structures. He suggested a mini-park could be created on the site, which affords a striking view of Fayetteville to the west.

Crosson said clearing the site was part of the city's capital improvement program in 1992. Estimated cost of demolition totaled $77,000 and another $26,000 was proposed for removing asbestos from the buildings.

A lawsuit challenging the city sales tax for capital improvements caused the project to be shelved.

The city reconsidered the project in the 1995-1999 capital improvement program. Demolition costs then were put at $135,000, Crosson said.

The project was given low priority on the plan.

City Councilwoman Donna Pettus this week asked city staff members to explore the uses of the site. A recommendation on the land is expected early next year.

"I definitely want to solve the problem one way or another," Pettus said. "I think a park is a wonderful idea.

"I do not believe it is responsible for a city to maintain a safety hazard like that."

Crosson said the city intends to explore the idea of a park and any other possible uses for the site and buildings.

Crosson said the tank is "probably deteriorated to the point it needs to be torn down."

If it is found usable, he said use of the tank for winter storage of vehicles is possible, or even the installation of racquetball or handball courts.

If a park is developed on the site, the remaining buildings could be used for offices.

"It will cost a lot of money to tear it down," he said. Crosson acknowledged he had received complaints about the site, usually from new residents to the area who happen upon the rundown lot and learn the city owns it. But he said Coody's request for action is the first call he's received in two to three years.

Jurgens said the city had received offers to purchase the property, appraised at $167,000. Crosson said Coody recently offered to buy the land for $100.

But Crosson said he would hesitate to sell because of the potential liability to the city because of the condition of the property.

Crosson also recalls the problems the city experienced in selling an unused building on South School Avenue several years ago. After acquiring the site, the new owner left it unimproved for several years.

"I'd love to see the city do something," said Greg House, who lives immediately east of the plant. He said the structure is an eyesore to the neighborhood, and its remote location makes it "a hangout for parking or being rowdy."

House said the open hatches and 40-foot drop in the tank are dangerous. "I'd love to see it razed," he said.

Jerry Jansma, who has lived 23 years on nearby Lighton Trail, said he regularly passes the plant site on foot and in his auto.

"I think it's a great idea for the city to do something. It's not the safest place for kids to be playing," Jansma said.

Charles Wallace of the Methodist Retreat on Mount Sequoyah also said he has bee concerned about conditions both in and around the old water plant property.

"I have seen kids in there playing on and around those old buildings more than once," he said. "Something should be done about having it all cleane up as soon as possible."

8.33

Kim Rogers
521-7714

Lake Fayetteville trail project is on hold

OPEN SPACES

Aaron Bleidt

In what seems to be becoming a ritual in the 'Open Spaces' column, I would like to start with an update on the Lake Fayetteville trail. In response to the many calls I received concerning this issue, I am happy to announce that the Parks Board has decided what they are going to do regarding the future of the project.

I want to inform you that at a special board meeting, members decided to hold off on the immediate development of a trail at Lake Fayetteville.

However, they voted to keep the project "on the table" to be open for discussion some time in the future. It was also agreed that the contracted engineering firm, LandPlan, would fulfill its contractual obligation to produce a preliminary trail concept plan.

The board felt that it would be nice to have this plan to reference in the event the project is "reopened."

All of these decisions were made pursuant to the two public hearings and much input from Fayetteville citizens. The board, however, maintains its interest in preserving and enhancing the existing facilities at the lake.

With that said, I am going to switch gears and get into the holiday spirit.

Let me start out by wishing you and your family the very best this holiday season. A few weeks ago, I shared with you some great places to go and see the changing colors of fall.

Christmas lights are everywhere in Fayetteville, and I guess that's no surprise seeing as though we are home to Lights of the Ozarks.

With more than 40,000 lights added this year to that project, Fayetteville's love of lights is clearly growing exponentially. Residents and visitors alike flock to the Square every night to see the wondrous display.

Aside from the Lights of the Ozarks, many Fayetteville residents choose to illuminate their homes and yards with every imaginable color. One of the most brilliant scenes is from the crest of Mount Sequoyah, which is also no surprise.

From the overlook, you can see the bright Square and hundreds of shining homes in central and west Fayetteville.

A route I found very appealing while looking at the fall colors, which also lends itself well to the "light sighting," is the All Seasons Trail.

This trail winds through the many historic areas of Fayetteville. Many of the homes and businesses you will pass are lit up.

I hope you decide to take time out to see the sights of Fayetteville during this great season. It is an experience you will not want to pass up.

Like I always say, we are really lucky to be in Fayetteville — it is truly a unique town. Have a safe and happy holiday.

Aaron Bleidt serves on the City of Fayetteville Parks and Recreation Board. Please direct questions and comments to him in care of this newspaper.

TENTATIVE AGENDA

FAYETTEVILLE CITY COUNCIL MEETING
January 20, 1998

THE AGENDA FOR THE COUNCIL MEETING WAS SET ON THE TUESDAY BEFORE THIS MEETING. ANY ITEM A CITIZEN WANTS PRESENTED TO THE COUNCIL NOT ON THIS AGENDA MUST BE INTRODUCED AT THE NEXT AGENDA SESSION OR BE BROUGHT UP BY AN ALDERMAN AT THAT SESSION FOR DISCUSSION AT THE FOLLOWING MEETING.

NOMINATIONS FROM THE NOMINATING COMMITTEE

Nominations to the Library Board, the Parks & Recreation Advisory Board, and the Fayetteville Housing Authority Board of Commissioners; **0.01**

---

1 **CONSENT AGENDA:** Consideration of items which may be approved be motion, or contracts and leases which can be approved be resolution, and which may be grouped together and approved simultaneously under a "Consent Agenda":

A. Minutes of the January 6, regular City Council meeting;

---

2 **OLD BUSINESS:** Items that have been brought before the Council but were tabled or no decision made to allow further discussion or more information to be presented.

A. **ANNEXATION RZA97-17 & REZONING RZ97-20:** Ordinances annexing and rezoning 76.95 acres located north of Mission Blvd. and east of Blue Mesa Drive as submitted by Marc Crandall on behalf of Gary Atha. Request is to annex the property and rezone it from A-1, Agricultural to R-1, Low Density Residential.

These ordinances were left on the second reading at the January 6 Council meeting.

B. **ANNEXATION RZA97-24 & REZONING RZ97-25:** Ordinances annexing and rezoning 1.68 acres located at 4015 East Huntsville Road as submitted by William Greenhaw on behalf of Wanda Sims. Request is to annex the property and rezone it from A-1, Agricultural to R-1, Low Density Residential.

These ordinances were left on the second reading at the January 6 Council meeting.

C. **ALDERMEN/STAGGERED TERMS:** An ordinance providing a method to stagger the four year aldermanic terms required by statute when a Mayor-Council city reaches a population of 50,000 or more; **01-02**

This ordinance was left on the second reading at the January 6 Council meeting.

---

3 **CURBSIDE BIN RECYCLING:** A resolution approving a proposal to change the method in which recyclable materials are collected in the residential sector.

---

4 **CONSTRUCTION MATERIALS:** A resolution awarding bids for construction materials utilized by various City departments.

---

5 **OTHER BUSINESS:** Consideration by the Council of items that may have been presented after the agenda was prepared and distributed.

Only items presented by the City Council or City Staff may be discussed at this time. If the public has an item they wish the Council to consider, the item has to be presented at a Council Agenda Session which is held on Tuesday preceding the Council meeting at 4:30 p.m. in Room 326 of City Hall. Or, a citizen may contact an alderman and request the item be presented at the Agenda Session to be placed on an agenda.

FAYETTEVILLE HOUSING AUTHORITY

#1 NORTH SCHOOL AVE.
FAYETTEVILLE, AR. 72701-5928
PH: (501) 521-3850 FAX (501) 442-6771

RECEIVED
DEC 29 1997
CITY OF FAYETTEVILLE
MAYOR'S OFFICE

December 27, 1997

Honorable Mayor Fred Hanna
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Dear Mayor Hanna,

The Fayetteville Housing Authority Board of Commissioners met in monthly meeting December 17, 1997, and re-elected Christine M. Childress to the board. Her five year term will run to December 28, 2002.

We would appreciate the City Board's confirmation of this election at their next regular board meeting.

Sincerely yours

Bromo Wilson
Executive Director

ORDINANCE NO.____

AN ORDINANCE PROVIDING A METHOD TO STAGGER THE FOUR YEAR ALDERMANIC TERMS REQUIRED BY STATUTE WHEN A MAYOR-COUNCIL CITY REACHES A POPULATION OF 50,000 OR MORE.

WHEREAS, the City of Fayetteville has reached a population greater than 50,000, as determined by special federal census, and;

WHEREAS, cities of the first class having a population of 50,000 or more are required to elect aldermen for four year terms, with one of the two aldermen from each ward being elected every two years, and;

WHEREAS, state law provides no method for staggering the terms of aldermen in the situation where a city subsequently reaches a population of 50,000, as stated in attorney general Opinion 97-283, which concludes that such a procedure falls within a city's powers relating to "municipal affairs", and;

WHEREAS, the public interest will best be served by following the legislative preference found in Act 176 of 1959 which provided that at the general election of 1960 one alderman from each ward be elected to a four year term and one alderman from each ward be elected to a two year term until 1962 when staggered four year terms would occur.

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

Section 1. At the general election in the year 1998 one alderman (either position one or position two uniformly) from each ward of the city will be elected to a four year term and one alderman (either position one or position two uniformly) from each ward of the city will be elected to a two year term.

Section 2. At the general election in the year 2000 and each general election thereafter aldermen shall be elected to four year terms as set forth in A.C.A.§14-43-303.

Section 3. The determination of whether position one in all wards shall be two years or position two in all wards shall be two years in the 1998 general election shall be made by lot at the next regular meeting of the city council following the passage of this ordinance.

PASSED AND APPROVED this _____ day of _____, 1998.

APPROVED:

By:_____
Fred Hanna, Mayor

ATTEST:

By:_____
Traci Smith, City Clerk

STAFF REVIEW FORM

XX AGENDA REQUEST
_____ CONTRACT REVIEW
_____ GRANT REVIEW

For the Council meeting of _____

FROM:

Cheryl Zotti	Solid Waste	Public Works
Name	Division	Department

ACTION REQUESTED: Staff request approval of a proposal to change the method in which we collect recyclable materials in the residential sector. The proposal is detailed in the attached document and executive summary. Please see attached memorandum and documentation for information.

COST TO CITY: **Funding for costs will be provided in different accounts in the Solid Waste Fund, depending on category of each expense.**

$162,000	$ 845,840	$Recycling Program
Cost of this request	Category/Project Budget	Category/Project NAME
	0	
Account Number	Funds Used to Date	Program Name
	845,840	Solid Waste
Project Number	Remaining balance	Fund

BUDGET REVIEW:

XX Budgeted Item _____ Budget Adjustment Attached

Budget Coordinator — Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

Marilyn J. Cramer	12-19-97	GRANT AGENCY:	
Accounting Manager	Date		
J. E. Lor	12-23-97		
City Attorney	Date	ADA Coordinator	Date
P Vice	12-30-97	Yolanda Fields	12-31-97 ✓
Purchasing Officer	Date	Internal Auditor	Date

STAFF RECOMMENDATION:

C Zotti	12-19-97	
Division Head	Date	Cross Reference
Kevin D. Crosson	19DEC97	New Item: **Yes** **No**
Department Director	Date	
		Prev Ord/Res #:
Admin. Services Director	Date	
		Orig Contract Date:
Mayor	Date	

3.02

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

TO: Fayetteville City Council

THRU: Fred Hanna, Mayor
Kevin Crosson, Public Works Director

FROM: Cheryl Zotti, Environmental Affairs Administrator

DATE: December 19, 1997

SUBJECT: CURBSIDE BIN RECYCLING PROGRAM

You received a document in early December from the solid waste staff entitled **PROPOSAL-CURBSIDE BIN RECYCLING- VOLUME BASED RATES**. In this document, staff proposes to change the method in which we collect recyclable materials and household garbage. This agenda item is in reference to that document. Staff has attached an executive summary of the document; however, we request that you refer to the full document for details.

The document is separated into two proposals which we have made dependent upon each other. The first proposal is to change the method in which we collect recyclable materials in the residential sector. We are proposing to change from collecting recyclable material in blue bags to collecting recyclable material in a plastic bin. Residents will continue commingling all the same materials in the plastic bin, with the exception of newsprint and cardboard. We are proposing to collect the materials using compartmentalized vehicles and process the materials collected at our recycling center. This change in collection method will increase yearly operational costs by $162,000 per year. The attached executive summary and your document details this proposal.

The document proposes two methods to generate revenue for the additional operational costs. One of the methods, the second proposal of the document, is implementing volume based rates in the residential waste collection program. Our current residential waste collection program allows residents to place an unlimited amount of waste at the curb for a flat fee of $8.50 per month (this fee will increase to $8.75 per month in 1998). We are proposing to maintain the monthly fee, but limit the number of waste bags residents can place-out for collection for that fee. We are proposing to issue each resident 104 trash bags every 12 months. Only waste in these designated bags will be collected. Residents needing additional bags will be required to purchase bags for $1.50 per bag. The attached executive summary and your document details this proposal.

The document was presented to the Environmental Concerns Committee on November 19 and December 17. During the December 17, meeting, a public hearing was conducted. The Environmental Concerns Committee voted unanimously in support of passing to the City Council the proposal to change the method in which we collect recyclables to a curbside bin program. The

Committee elected to continue evaluating the second part of the document, volume based rates. The Committee agreed to pass the volume based rate proposal forward in the near future. The Committee supports volume based rates. However, there are details, like the size and number of trash bags, they would like to further evaluate. This additional time will also allow staff to conduct one more public hearing.

The reason the recycling proposal was moved forward is so that the necessary equipment can be ordered and arrive in time for the expected August start date of this program. Fulton Sanitation notified the City that they would no longer process material in blue bags beginning July of 1998. Given that deadline, staff needs to order equipment, as proposed in the document, by February of 1998, in order to be capable of implementing the new program in August.

The Environmental Concerns Committee approved the change to a curbside bin program as proposed, with the exception that they added the collection of mixed paper. The Committee requested and staff agreed to begin collecting mixed paper (junk mail) when we begin the new program.

Staff is requesting that the City Council approve the proposal to change to a curbside bin program as proposed in the original document that you received, referenced above. If you need an additional copy of the original document, please contact me at 444-3498. Staff requests that you retain the document to reference when the volume based rate proposal is placed on your agenda for approval in the future. If you have questions or would like to meet prior to your agenda meeting, staff is available at your convenience. Thank you.

EXECUTIVE SUMMARY

CURBSIDE BIN RECYCLING

We have experienced tremendous success with our residential recycling program since it was implemented in 1995, maintaining a city-wide participation rate of 68%. We have enjoyed a program that is successful, efficient and cost effective.

At the July 2 Council meeting, Fulton Sanitation announced that they were giving the City twelve months to stop bringing recyclables in blue bags. Fulton Sanitation has elected to stop operating a picking line and only process source separated materials. The City has contracted with Fulton Sanitation to process the materials collected in our residential recycling program since it was implemented.

Staff has maintained a contingency plan should our processing contract with Fulton be terminated or dramatically interrupted, as has been done. Part of the planning has included allocating funding in our 1997 Capital Improvements Program for curbside recycling bins; conducting pilot projects on different types of collection methods; visiting other cities and evaluating their recycling programs; conducting cost analysis of different collection methods; and researching different collection methods.

Two Different Collection Methods

We narrowed our research to seeking a method which would be cost effective, convenient for the residents, and allow us to process the materials in our recycling center, while avoiding systems which would greatly increase our operational costs. Our research indicated that it would be cost prohibitive to continue with a blue bag program and install a picking line in our recycling center to process the materials. Staff believes that implementing a curbside bin program in the best option for the City at this time.

A Curbside Bin Program

We are proposing to implement a curbside bin program which provides sorting of recyclable materials before reaching the recycling center. With a curbside bin program, residents would place their recyclables in one or more recycling bins and place their materials at their curb for collection. The most beneficial aspect of this system is that it requires a separation of materials before they reach the recycling center, which reduces processing costs. One of the biggest decisions to make is who is going to do the separation. We can require the resident to do all of the separation or we can do the separation with the routesman. We are proposing a combination of both. We are proposing that the resident perform two primary sorts in their home and our routesman will provide the remaining sorts on the curb.

Operational Plan

About The Bins

We are proposing to provide each resident with an 18 gallon bin. We will ask each resident to place all of their recyclable materials in the bin, except newsprint and cardboard. We will ask that residents place their newsprint either in a bag (brown paper or plastic) or bundle it and place on top of the bin. We will continue collecting cardboard boxes placed next to the bin. During inclement weather, they can place their newsprint on top of the recyclable materials in the bin and place the lid on it. With this method of sorting, they have performed two sorts before their bin reaches the curb.

We elected to combine some sorting in the home and some sorting on the curb. We believe that this will be a successful combination. Newsprint constitutes 45% of the total volume of materials being recycled by households. By requiring that residents sort this material from the containers, the routesman will save a significant amount of time. Using only one bin will keep the program convenient for our residents which increases participation rates.

About Collections

Once a bin is placed at the curb, city crews will sort the materials into a compartmentalized vehicle. The vehicle will have a separate compartment for each type of material collected. The routesman will then sort the materials by type into the correct compartment.

We do not currently have compartmentalized vehicles as part of our fleet. We would be required to purchase this type of specialized equipment. We are proposing five routes to collect our recyclable materials. We are proposing to purchase six vehicles, five for daily routes and one as a spare. We would operate five, one-man, routes each day, four days per week. We

currently have four employees that work on our recycling routes. We would be required to add one additional position in order to operate five routes.

Recycling Center Operations
In the future, materials collected in our residential recycling program will be processed in our recycling center. This will be a significant change from the current operation. Our recycling center is currently being used to process the materials collected in our commercial recycling programs.

Sorting materials on the curb will allow us to receive a separated stream of materials when the compartmentalized vehicles unload at the recycling center. Each route will unload the materials at the end of each collection day at the recycling center. Each material will be stored in designated storage areas until enough volume is accumulated to bale the material.

Along with processing all materials collected in the program, we will also market the materials. We will sell all materials for the purpose of reuse. The materials will either be sold individually or we may elect to enter into a contract to sell all of our materials to one broker or recycling mill. We may also elect to do a combination of both.

About Costs
Our financial analysis has indicated that it would cost approximately an additional $162,000 each year in operational costs to switch to a curbside bin program, as proposed. This extra cost is largely due to requiring additional equipment and personnel. We currently use three vehicles for blue bag collection. With this new program, we would require six vehicles and would necessitate four additional positions.

Our current rate structure will not support additional operational costs in the amount of $162,000 per year. We are proposing two options to generate the required revenue: 1) volume based rates or 2) increasing current solid waste rates. We will need approval of one of these two options before implementing the curbside bin recycling program.

VOLUME BASED RATES

Current Method
Currently, residents pay a monthly sanitation fee of $8.50 per month. Every resident pays this amount regardless of waste generation habits. There is no limit on the bags of waste any household can place out for collection. For $8.50 per month, one household can dispose of 5 bags of waste each week while their neighbor who also pays $8.50 per month only disposes of 2 bags of waste each week. This obviously is not equitable.

What Is Volume Based
Volume based, also known as variable rate pricing or pay-as-you-throw, is a system which requires residents to pay for municipal waste management services by the unit of waste collected rather than through a fixed fee. Unit pricing takes into account variations in waste generation rates by charging households or residents based on the amount of trash they place at the curb, thereby offering individuals an incentive to reduce the amount of waste they generate and dispose of each week.

Benefits Of Volume Based Systems

Waste reduction. Volume based systems reduce the amount of waste disposed of by residents. Because residents pay more if they generate more, they learn to generate less. Some communities with volume based pricing report that they reduced their waste disposed of by 25 to 45 percent.

Reduced waste disposal costs. When the amount of waste reduces, the amount of funds expended in waste disposal fees reduces. The amount paid to waste disposal facilities (landfills, incinerators, etc..) decreases. The revenue previously spent on disposal fees can then be allocated to recycling, composting or other diversion activities.

Increased waste prevention. Residents will typically modify their traditional purchasing and consumption patterns to reduce the amount of waste they produce. These behavioral changes have beneficial environmental effects beyond reduced waste generation, often including reduced energy usage and materials conservation.

EXECUTIVE SUMMARY

CURBSIDE BIN RECYCLING

We have experienced tremendous success with our residential recycling program since it was implemented in 1995, maintaining a city-wide participation rate of 68%. We have enjoyed a program that is successful, efficient and cost effective.

At the July 2 Council meeting, Fulton Sanitation announced that they were giving the City twelve months to stop bringing recyclables in blue bags. Fulton Sanitation has elected to stop operating a picking line and only process source separated materials. The City has contracted with Fulton Sanitation to process the materials collected in our residential recycling program since it was implemented.

Staff has maintained a contingency plan should our processing contract with Fulton be terminated or dramatically interrupted, as has been done. Part of the planning has included allocating funding in our 1997 Capital Improvements Program for curbside recycling bins; conducting pilot projects on different types of collection methods; visiting other cities and evaluating their recycling programs; conducting cost analysis of different collection methods; and researching different collection methods.

Two Different Collection Methods

We narrowed our research to seeking a method which would be cost effective, convenient for the residents, and allow us to process the materials in our recycling center, while avoiding systems which would greatly increase our operational costs. Our research indicated that it would be cost prohibitive to continue with a blue bag program and install a picking line in our recycling center to process the materials. Staff believes that implementing a curbside bin program in the best option for the City at this time.

A Curbside Bin Program

We are proposing to implement a curbside bin program which provides sorting of recyclable materials before reaching the recycling center. With a curbside bin program, residents would place their recyclables in one or more recycling bins and place their materials at their curb for collection. The most beneficial aspect of this system is that it requires a separation of materials before they reach the recycling center, which reduces processing costs. One of the biggest decisions to make is who is going to do the separation. We can require the resident to do all of the separation or we can do the separation with the routesman. We are proposing a combination of both. We are proposing that the resident perform two primary sorts in their home and our routesman will provide the remaining sorts on the curb.

Operational Plan

About The Bins

We are proposing to provide each resident with an 18 gallon bin. We will ask each resident to place all of their recyclable materials in the bin, except newsprint and cardboard. We will ask that residents place their newsprint either in a bag (brown paper or plastic) or bundle it and place on top of the bin. We will continue collecting cardboard boxes placed next to the bin. During inclement weather, they can place their newsprint on top of the recyclable materials in the bin and place the lid on it. With this method of sorting, they have performed two sorts before their bin reaches the curb.

We elected to combine some sorting in the home and some sorting on the curb. We believe that this will be a successful combination. Newsprint constitutes 45% of the total volume of materials being recycled by households. By requiring that residents sort this material from the containers, the routesman will save a significant amount of time. Using only one bin will keep the program convenient for our residents which increases participation rates.

About Collections

Once a bin is placed at the curb, city crews will sort the materials into a compartmentalized vehicle. The vehicle will have a separate compartment for each type of material collected. The routesman will then sort the materials by type into the correct compartment.

We do not currently have compartmentalized vehicles as part of our fleet. We would be required to purchase this type of specialized equipment. We are proposing five routes to collect our recyclable materials. We are proposing to purchase six vehicles, five for daily routes and one as a spare. We would operate five, one-man, routes each day, four days per week. We

3.06 *Increased participation in composting and recycling programs.* Under volume based pricing, recycling and composting programs become opportunities for residents to divert wastes for which they otherwise would pay. Participation in recycling and yard waste programs usually increase substantially.

More equitable waste management fee structure. With the current flat fee rates, residents who generate a small amount of waste subsidize the greater generation rates of their neighbors. Under volume based pricing, waste removal charges are based on waste generation. This is similar to the way residents pay for their other utilities, like water, gas and electric.

Different Methods

Volume based systems have two basic forms. Residents can be charged by:

1. Weight of waste, with the municipality measuring at the curbside the weight of waste set out for collection.
2. Volume of wastes, using bags, tags or stickers, or prescribed sizes of waste cans.

We have analyzed different methods and ways of implementing a volume based system. We narrowed our research to a system that would fit into Fayetteville's environment. We evaluated programs which would bring equity to our system but not require large increases in the fees that we charge our residents. The elements which would require large fee increases are increasing personnel and purchasing different collection equipment. We, therefore, eliminated systems which would require replacement of current equipment, like weight based systems which requires equipment that weighs the cans as they mechanically dump it. We carefully evaluated different volume based methods using cans, stickers or tags, or bags.

BAG SYSTEM

We believe that a bag system is the best option for our city. We are proposing that we maintain our base solid waste rate of $8.50 per month, with the originally scheduled rate increases. We are further recommending that we issue residents 104 waste bags every 12 months. The residents will be required to place their waste in these designated bags, and we will not collect any waste from the residential sector that is not in the designated bags. If a resident needs more than 104 bags in 12 months, they will be required to buy the additional bags for $1.50 per bag. The bags will be available at the City's Solid Waste Division and possibly in area grocery stores.

Why 104 Bags

Our monthly sanitation fee of 8.50 per month is designed to collect an average of 60 gallons of waste from each household each week. This is an average, some households place two bag out for collection while others place 5 bags out for collection.

We believe residents are familiar with receiving and using bags, as a result of our current curbside recycling program. Most people also understand reasonable quantities. If we properly reach and educate our public, we can present them with a program that we believe is reasonable. For $8.50 per month, we believe that two bags per week is reasonable. If they want to generate more, then they pay more. It especially becomes reasonable when we educate the public about other programs available like our recycling programs, bulk pick-up program, yard waste program, and household hazardous waste round-ups.

It is important to staff that we build a community consensus which favors or at least understands why we are implementing this program. By giving the resident a supply of bags, we make the program more convenient and user friendly.

By supplying the resident with a yearly supply (104 bags), they may place one bag out for collection one week and three bags out the next. This becomes especially equitable during times when households are on vacation or away from their home. They can utilize their bags at a later date, like holidays. We calculated 104 bags per year based on there being 52 weeks in a year and allowing each resident two bags per week.

About The Bag

We are recommending a 30 gallon bag which is a distinguishable color and displays the "The City of Fayetteville" and logo on each bag. We will specify that the bag be high quality (capable of holding 50 lbs.) and have a draw string. The bags will be distributed in two rolls of 52.

Accounting For All Those Bags

We will distribute the waste bags once per year. We will distribute them in the same manner that we do our blue recycling bags. We will distribute the first supply of bags at the same time that we distribute the initial installment of recycling bins. This will allow for only one distribution cost for the City and one day for the resident to remember to collect their materials. We will distribute the bins and bags with solid waste crews.

How Residents Get Extra Bags

When a resident needs additional bags, they will have two options:

Solid Waste Offices The bags will be available at the solid waste offices. We will sell the bags for $1.50 per bag in rolls of twenty. Our office hours for bag sales will be 7:00 am until 5:00 pm.

Grocery Outlets We may also request that area grocery supplying outlets stock the trash bags. In our area this would be at grocery stores and WalMart Superstores. We most likely would not seek use of these outlets until after the first year of operating the new program, and only if we sell a large enough quantity to justify the use of these outlets.

What About Revenue And Costs

Revenue: We estimate that if volumetric rates are implemented, the amount of waste disposed of in the residential sector will be reduced by 10% the first year and 25% by the third year. This will result in reduced disposal costs. Reduced disposal cost will generate additional revenue. We estimate that 30% of the residents will buy at least one roll (20 bags) of extra bags during the first twelve months of the program. This will generate additional revenue as well. The additional revenue generated from implementation of volume based rates will be used to support the additional operational costs of the proposed curbside bin program.

What About Illegal Dumping

One of the biggest concerns when implementing a volume based system is illegal dumping. Rather than purchase the additional bags, will residents illegally dump their extra waste. Some communities have faced increases in illegal dumping. We believe that our illegal dumping will not increase significantly for three different reasons:

1. Commercial dumpsters often become the target for dumping extra waste. We have ordered container locks for dumpsters in our City. We have worked several years with different companies to develop a reliable container lock system which allows our routesman to dump the container without unlocking it. We have found a system which works well with our containers. We plan to place a locking system on all of our newly leased containers and also sell the locks to our business community at our cost. Trends show that locking systems greatly reduce dumping problems.

2. By charging residents a base fee, giving them 104 waste bags and free recycling options, we believe that our residents will find it easy to make our proposed program work for their household. They will be paying for the service regardless, so they will most likely take advantage of curbside collection.

3. Data from other cities indicated that bulky items represent the majority of illegal dumping problems, not bags of trash. We will continue offering our residents collection services for bulky items (furniture, appliances, metal items, ..) for no additional charge. We will include information about this service in our education program.

SUMMARY

Staff has been working on building an integrated solid waste management program for the City of Fayetteville over the past four years. This has involved many changes. We have brought security to not only our waste disposal programs but also our recycling programs. We believed that we had to implement a curbside recycling program and allow it to become stable before implementing volume based rates. Residents must have the option or means to reduce their household garbage before they are introduced to a volume based billing system.

With the volume based program we are proposing, residents will learn to do several things to prevent using more than 104 waste bags per year:

1. Residents will take advantage of our free recycling program. We will supply information about our

Increased participation in composting and recycling programs. Under volume based pricing, recycling and composting programs become opportunities for residents to divert wastes for which they otherwise would pay. Participation in recycling and yard waste programs usually increase substantially.

More equitable waste management fee structure. With the current flat fee rates, residents who generate a small amount of waste subsidize the greater generation rates of their neighbors. Under volume based pricing, waste removal charges are based on waste generation. This is similar to the way residents pay for their other utilities, like water, gas and electric.

Different Methods

Volume based systems have two basic forms. Residents can be charged by:

1. Weight of waste, with the municipality measuring at the curbside the weight of waste set out for collection.
2. Volume of wastes, using bags, tags or stickers, or prescribed sizes of waste cans.

We have analyzed different methods and ways of implementing a volume based system. We narrowed our research to a system that would fit into Fayetteville's environment. We evaluated programs which would bring equity to our system but not require large increases in the fees that we charge our residents. The elements which would require large fee increases are increasing personnel and purchasing different collection equipment. We, therefore, eliminated systems which would require replacement of current equipment, like weight based systems which requires equipment that weighs the cans as they mechanically dump it. We carefully evaluated different volume based methods using cans, stickers or tags, or bags.

BAG SYSTEM

We believe that a bag system is the best option for our city. We are proposing that we maintain our base solid waste rate of $8.50 per month, with the originally scheduled rate increases. We are further recommending that we issue residents 104 waste bags every 12 months. The residents will be required to place their waste in these designated bags, and we will not collect any waste from the residential sector that is not in the designated bags. If a resident needs more than 104 bags in 12 months, they will be required to buy the additional bags for $1.50 per bag. The bags will be available at the City's Solid Waste Division and possibly in area grocery stores.

Why 104 Bags

Our monthly sanitation fee of 8.50 per month is designed to collect an average of 60 gallons of waste from each household each week. This is an average, some households place two bag out for collection while others place 5 bags out for collection.

We believe residents are familiar with receiving and using bags, as a result of our current curbside recycling program. Most people also understand reasonable quantities. If we properly reach and educate our public, we can present them with a program that we believe is reasonable. For $8.50 per month, we believe that two bags per week is reasonable. If they want to generate more, then they pay more. It especially becomes reasonable when we educate the public about other programs available like our recycling programs, bulk pick-up program, yard waste program, and household hazardous waste round-ups.

It is important to staff that we build a community consensus which favors or at least understands why we are implementing this program. By giving the resident a supply of bags, we make the program more convenient and user friendly.

By supplying the resident with a yearly supply (104 bags), they may place one bag out for collection one week and three bags out the next. This becomes especially equitable during times when households are on vacation or away from their home. They can utilize their bags at a later date, like holidays. We calculated 104 bags per year based on there being 52 weeks in a year and allowing each resident two bags per week.

About The Bag

We are recommending a 30 gallon bag which is a distinguishable color and displays the "The City of Fayetteville" and logo on each bag. We will specify that the bag be high quality (capable of holding 50 lbs.) and have a draw string. The bags will be distributed in two rolls of 52.

Accounting For All Those Bags

recycling program and how it can be used to reduce the amount of waste a household disposes of as trash.

2. People that participate in our recycling program will learn to carefully examine all items they dispose of to see if they are recyclable. We have found that people often dispose of plastic and paperboard containers that are recyclable in our program. Careful evaluation of all containers will result in an increase in recycled materials and a decrease in disposed materials.

3. People will learn to change some of their habits. They will look for items that are sold in recyclable containers. They will consider buying in bulk. This is a change that will have effects reaching much further than Fayetteville's recycling program. This is often referred to as closing the loop, when people buy with recycling in-mind and recycle the item when it is discarded. We want our educational program to not only teach diversion of materials but also reduction of materials. Therefore, we will educate on reduction.

By implementing volume based rates with our new recycling system, residents will be able to see how to put it together.

INCREASING RESIDENTIAL RATES

The other option to raise the additional revenue required for a bin based recycling program is to increase our residential rates. This would only be needed if the Council elects not to implement a volume based system. We estimate that rates will need to increase by $1.00 per month, to generate at least an additional $162,000 per year.

When rates were approved in 1995, the Council approved a solid waste rate study which increases rates over the next five year period, as detailed below. Residential rates are scheduled to increase as follows:

1997	1998	1999	2000	2001
$8.50	$8.75	$9.00	$9.25	$9.25

If increasing rates is selected over volume based rates, staff recommends increasing rates in 1998 by $1.00 more than the scheduled increase, raising the rate to $9.75. We recommend future increases to $10.00 in 1999 and $10.25 in 2000.

Increasing rates would be the easiest method to generate the needed revenue. We would still, however, have a rate system which is not equitable and does not reward residents for reducing their waste generation and disposal habits.

CONCLUSION

Staff recommends approval of a conversion of our existing recycling program to a curbside bin program. We have no other alternative but to change our recycling program, because of Fulton Sanitation's decision to no longer accept our recyclables in blue bags. Our financial analysis indicates that a curbside bin program is the most economical method to collect and process our materials.

With implementation of a new recycling program, our operational costs will increase. We will be required to generate additional revenue to fund the additional costs. In this proposal, we propose one of two options: 1) implementing volume based rates or 2) increasing residential rates. Staff believes that implementing volume based rates would bring equity to our solid waste collection program. Volume based rates would also encourage recycling efforts. Implementing volume based rates would be a more difficult transition for our residents. It would also be more difficult to administer for the Solid Waste Division. However, staff recommends this option over increasing rates.

STAFF REVIEW FORM

4.01

X AGENDA REQUEST
____ CONTRACT REVIEW
____ GRANT REVIEW

For the Fayetteville City Council meeting of January 20, 1998

FROM:

Randy Allen	Street	Public Works
Name	Division	Department

ACTION REQUIRED: Award bids for construction materials utilized by various City departments.

COST TO CITY:

$ NTE 1,000,861	$ See Agenda Attachment	See Agenda Attach.
Cost of this request	Category/Project Budget	Category/Project Name
See Agenda Attachment	See Agenda Attachment	See Agenda Attachment
Account Number	Funds Used to Date	Program Name
See Agenda Attachment	See Agenda Attachment	See Agenda Attachmetn
Project Number	Remaining Balance	Fund

BUDGET REVIEW: X Budgeted Item ____ Budget Adjustment Attached

Budget Coordinator 1/7/98

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW: GRANTING AGENCY:_____

Marilyn J Cramer 1-7-98
Accounting Manager Date

ADA Coordinator Date

City Attorney 7 Jan '98
Date

Internal Auditor Date

PVice 1-7-98
Purchasing Officer Date

STAFF RECOMMENDATION:

Randy Allen 1-6-98
Division Head Date

Cross Reference

New Item: YES NO

Department Director 7JAN98
Date

Prev Ord/Res #:_____

Administrative Services Director 1-7-98
Date

Orig. Contract Date:_____

Mayor Date

4.02

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

TO: Fayetteville City Council

THRU: Fred Hanna, Mayor

FROM: Kevin Crosson, Public Works Director KOC
Randy Allen, Street Superintendent R.A.

DATE: January 7, 1998

SUBJECT: Material Bids for 1998

Bids were opened recently for materials utilized by the Public Works Department and various other divisions on an annual basis. These bids will remain in effect throughout fiscal year 1998.

Staff recommends awarding the following bids;

- Apac Arkansas, Inc. McClinton-Anchor Division for asphalt and limestone products. This recommendation is based on cost, availability, locations and haul capability.
- Les Rogers, Inc. for hillside gravel. This recommendation is based on cost, delivery capabilities, and location.
- Time Striping, Inc. for thermoplastic pavement markings. This recommendation is based on cost, sole bidder, product life, and reflectivity.
- Sweetser Construction, Inc. for curb and gutter. This recommendation is based on cost, sole bidder, and workmanship.
- Arkhola Sand and Gravel Company for ready-mix concrete. This recommendation is based on cost, history of delivery times, and availability.
- Mobley Contractors, Inc. for ADA curb ramp installation. This recommendation is based on cost and past history.

Bid tabulations have been included for your review. Two items have been rebid as a result of no bidders and will be opened 1-12-98. Staff recommendation will be made at the agenda session for these two items.

City of Fayetteville
Agenda Attachment

Schedule of Funds Available for Ready-Mix Concrete, Asphalt and Related Materials, Limestone Products, Hillside, Thermoplastic Striping and Curb Ramps.

Account #	Account/Project Name	Project #	Amount
4470-9470-5809.00	In-House Pavement Imp.	97022	$698,100
4470-9470-5809.00	24th Street		60,000
4470-9470-5814.00	In-House Sidewalk Imp.	96041	265,000
2100-4120-5215.00	Hot Mix, Asphalt, & Gravel	Operations	113,082
5400-4310-5216.00	Construction Materials	Operations	45,000
5400-4410-5216.00	Construction Materials	Operations	30,000
	Total Funds Available		$1,211,182
	Funds Committed/Used		210,321
	Funds Remaining		$1,000,861

Funds committed include labor and equipment for the in-house paving program of $46,854 and $163,467 respectively.

4.04

ORIGINAL

INVITATION TO BID

SHARDS LOCATION

BID #	DATE ISSUED:	DATE AND TIME OF OPENING:
97-77	12/5/97	12/22/97 at 2:00 p.m.

BUYER:	DATE REQUIRED:
City of Fayetteville, AR	30 DAYS ARO

F. O. B.	BUYER'S PHONE #	GUARANTEED DELIVERY DATE:
Fayetteville, AR	(501) 575-8289	All Material Subject To Availability

ITEM #	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
1	Agricultural Lime	TON	NO BID	
2	Coarse Lime	TON	NO BID	
3	Block Chat	TON	NO BID	
4	Abrasive-LS (Grit)	TON	NO BID	
5	1 1/4" Concrete Aggregate	TON	NO BID	
6	Class 7 Base (SB-2)	TON	4.90 + tax	
7	Fill Material	TON	1.25 + tax	
8	Surge Pile (8" Minus)	TON	NO BID	
9	Rip Rap (Sized Rock)	TON	6.40 + tax	
10	Shot Rock	TON	3.75 + tax	
11	TY-2 HM SURF-LS 1993 Spec. AHTD	TON	22.75 + tax	
12	TY-3 HM SURF-LS 1993 Spec. AHTD	TON	22.75 + tax	
13	TY-2 HM SURF-SS 1993 Spec. AHTD	TON	24.00 + tax	
14	TY-3 HM SURF-SS 1993 Spec. AHTD	TON	24.00 + tax	
15	SUPERPAVE SURFACE	TON	25.25 + tax	
16	SUPERPAVE BINDER	TON	24.25 + tax	
17	SUPERPAVE BLACK BASE	TON	23.25 + tax	
18	Premix-Coarse	TON	25.00 + tax	
19	HM Base (Black Base) 1993 Spec. AHTD	TON	21.00 + tax	
20	TY-1 HM Binder 1993 Spec. AHTD	TON	22.50 + tax	
21	TY-2 HM Binder 1993 Spec. AHTD	TON	22.50 + tax	
22	Delivery price to City of Fayetteville Corporate City Limits	TON		
	RESTRICTIONS OR EXCEPTIONS TO THE BID MUST BE NOTED: Unit Prices Reflect City of Fayetteville's Discount Subject to Availability	Aggregate Asphalt Riprap	2.80 + tax 3.10 + tax 3.80 + tax	

EXECUTION OF BID

Upon signing this Bid, the bidder certifies that they have read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agrees to furnish these articles at the prices stated.

UNSIGNED BIDS WILL BE REJECTED	NAME OF FIRM: APAC-Arkansas, Inc. McClinton-Anchor Division	PHONE: 521-3550	FEDERAL ID#: 58-140-1469	
	BUSINESS ADDRESS: P.O. Box 1367 240 North Black Street	CITY AND STATE: Fayetteville, Arkansas		ZIP: 72702
	AUTHORIZED SIGNATURE: James A. Cole	TITLE: Vice President		DATE: 12/17/97

OK 4.05

INVITATION TO BID

WESTFORK LOCATION

BID #	DATE ISSUED:	DATE AND TIME OF OPENING:
97-77	12/5/97	12/22/97 at 2:00 p.m.

BUYER:	DATE REQUIRED:
City of Favetteville, AR	30 DAYS ARO

F. O. B.	BUYER'S PHONE #	GUARANTEED DELIVERY DATE:
Favetteville, AR	(501) 575-8289	All Material Subject To Availability

ITEM #	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
1	Agricultural Lime	TON	5.65 +tax	
2	Coarse Lime	TON	4.90 +tax	
3	Block Chat	TON	6.90 +tax	
4	Abrasive-LS (Grit)	TON	5.40 +tax	
5	1 1/4" Concrete Aggregate	TON	6.90 +tax	
6	Class 7 Base (SB-2)	TON	5.40 +tax	
7	Fill Material	TON	0.90 +tax	
8	Surge Pile (8" Minus)	TON	5.65 +tax	
9	Rip Rap (Sized Rock)	TON	6.40 +tax	
10	Shot Rock	TON	3.65 +tax	
11	TY-2 HM SURF-LS 1993 Spec. AHTD	TON	22.75 +tax	
12	TY-3 HM SURF-LS 1993 Spec. AHTD	TON	22.75 +tax	
13	TY-2 HM SURF-SS 1993 Spec. AHTD	TON	24.00 +tax	
14	TY-3 HM SURF-SS 1993 Spec. AHTD	TON	24.00 +tax	
15	SUPERPAVE SURFACE	TON	25.25 +tax	
16	SUPERPAVE BINDER	TON	24.25 +tax	
17	SUPERPAVE BLACK BASE	TON	23.25 +tax	
18	Premix-Coarse	TON	25.00 +tax	
19	HM Base (Black Base) 1993 Spec. AHTD	TON	21.00 +tax	
20	TY-1 HM Binder 1993 Spec. AHTD	TON	22.50 +tax	
21	TY-2 HM Binder 1993 Spec. AHTD	TON	22.50 +tax	
22	Delivery price to City of Fayetteville Corporate City Limits	TON		
	RESTRICTIONS OR EXCEPTIONS TO THE BID MUST BE NOTED: Unit Prices Reflect City of Fayetteville's Discount. Subject to Availability	Aggregate Asphalt Riprap	2.15 +tax 2.45 +tax 3.15 +tax	

EXECUTION OF BID

Upon signing this Bid, the bidder certifies that they have read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agrees to furnish these articles at the prices stated.

UNSIGNED BIDS WILL BE REJECTED	NAME OF FIRM: APAC-Arkansas, Inc. McClinton-Anchor Division	PHONE: 521-3550	FEDERAL ID#: 58-140-1469
	BUSINESS ADDRESS: P.O. Box 1367 240 North Block Street	CITY AND STATE: Fayetteville, Arkansas	ZIP: 72702
	AUTHORIZED SIGNATURE: James A. Cole	TITLE: Vice President	DATE: 12/17/97

BID: 97-78
DATE: 12/22/97
TIME: 2:00 PM
CITY OF FAYETTEVILLE

4.06

DESCRIPTION: HILLSIDE GRAVEL

BIDDER	ITEM #1	ITEM #2	
LES ROGERS	$1.10	$2.40	incl loading
ROGERS SAND & GRAVEL	$0.81	$3.24 zone 1 $3.78 zone 2	$1.08 loading chg $1.08 loading chg

CERTIFIED BY: PVice R Williams 12/22/97

PURCHASING MANAGER WITNESS DATE

BID: 97-79
DATE: 12/22/97
TIME: 2:00 PM
CITY OF FAYETTEVILLE

DESCRIPTION: THERMOPLASTIC

BIDDER	ITEM #1	ITEM #2	ITEM #3	ITEM #4	ITEM #5	ITEM #6	ITEM #7
TIME STRIPING	.035	100.00	175.00	750.00	242.50	1.10	9.00

CERTIFIED BY: PVice B Williams 12/22/97
PURCHASING MANAGER WITNESS DATE

4.07

BID: 97-80
DATE: 12/22/97
TIME: 2:00 PM
CITY OF FAYETTEVILLE

DESCRIPTION: ASPHALT OILS

	ITEM #1	ITEM 32	ITEM #3	ITEM #4
SORCO	0.6975	0.6975	0.7575	0.7975
NATIONAL	no bid	no bid	no bid	no bid

CERTIFIED BY: P Vice R Williams 12/22/97
PURCHASING MANAGER WITNESS DATE

BID: 97-81
DATE: 12/22/97
TIME: 2:00 PM
CITY OF FAYETTEVILLE

DESCRIPTION: GEOTEXTILE FABRIC

	ITEM #1
CHOTAW	0.38 sq yd min 10,000 sq yd shipment

CERTIFIED BY: P Vice R Williams 12/22/97
PURCHASING MANAGER WITNESS DATE

4.09

BID: 97-83
DATE: 12/22/97
TIME: 2:00 PM
CITY OF FAYETTEVILLE

DESCRIPTION: CURB & GUTTER

	ITEM #1	ITEM #2	ITEM #3
SWEETSER	$8.35	$7.35	$4.55

CERTIFIED BY: P Vice R Williams 12/22/97

PURCHASING MANAGER WITNESS DATE

BID: 97-85
DATE: 12/22/97
TIME: 2:00 PM
CITY OF FAYETTEVILLE

DESCRIPTION: ADA RAMPS

	RAMP	SIDEWALK
MOBLEY CONSTRUCTION	$840.00	$6.97 sq ft
SWEETSER	$1,250.00	$4.55 sq ft

CERTIFIED BY: PVice R Williams 12/22/97

PURCHASING MANAGER WITNESS DATE

4.11

BID" 97-84
DATE: 12/22/97
TIME: 2:00 PM
CITY OF FAYETTEVILLE

DESCRIPTION: CONCRETE

	ITEM #1	ITEM #2	ITEM #3	ITEM #4	ITEM #5	ITEM #6	ITEM #7	ITEM #8	ITEM #9	ITEM #10
BEAVER LAKE **min load chg 3 yds**	$55.00	$57.00	$59.00	$63.00	$1.50	$3.00	N/C	$1.50	$2.00	$49.00
MID CONTINENT **min load chg 3 yds**	$55.45	$57.58	$59.71	$63.98	$1.60	$3.20	N/C	$1.07	$2.13	$39.45
ARKHOLA **min load chg 2 yds**	$53.74	$55.87	$58.00	$64.40	$1.28	$2.56	$0.53	$1.07	$0.53	$43.72

CERTIFIED BY: P Vice R W Williams 12/22/97

PURCHASING MANAGER WITNESS DATE

BALLOT DURING REGULAR ELECTION IN 1998

Vote here for one ward position in your Ward to be elected for a four-year term in 1998. You may vote for only one ward position to receive a four-year term. This position will be voted upon again in 2002.

RECEIVED
FROM JIM BEMIS
CITY CLERK'S OFFICE
1-13-98

Note to voters: To meet provisions of Act 707, in 1998 only, you may vote so that only one alderman position in your Ward will serve for four years, the other will serve for two years. The alderman who is elected to the position that gains the most votes in this special balloting for the four-year term will serve until the year 2002. The alderman elected to the other position will serve only until the year 2000. After the year 2000, in alternate elections every two years, each of our aldermen will be elected for four-year terms, as required by Act 707.

This "staggered" vote is required because the 1997 special census shows that Fayetteville has reached a population of over 50,000. A recently enacted state law entitled Act 707 requires that the terms of office for alderman in such Class A cities must be staggered after the year 2000, so that half the alderman will be elected in the year 2000 and half in each of the aldermen elections after the year 2000.

Because Act 707 was not clear on how cities should meet this requirement, the Fayetteville City Council has passed an ordinance (??????) that calls for a vote,in 1998 only, so that one of the two alderman in each of Fayetteville's four wards will receive four-year terms. On the ballot today, you are asked to decide which of the two positions (Position 1 or Position 2) should receive a four-year term. The alderman who is elected to the Ward Position that receives most votes for the four year term will serve from 1998 to 2002. The alderman in the other position, which today receives fewer votes for the four-year term, will serve from 1998 to the elections in the year 2000, when that position will be voted be voted upon for a four-year term.

The purpose of this voting procedure is to assure that one-half of our alderman will receive two-year terms in 1998 and the other one-half will receive 4-year terms, Thus, from the year 2000 onward, in alternate election each two year, all alderman positions will be elected for four-year terms.

Act 707 also requires that the Mayor and the City Clerk terms be extended automatically for two years, in 1998 only, and Fayetteville voters will not vote on these positions in 1998. The positions of Mayor and City Clerk will be voted on again in the year 2000, when they will be elected for four year terms.

Please mark the position that you prefer to receive the four-year term.

I vote for Ward Position 1 to receive a four - year term .....

I vote for Ward Position 2 to receive the four-year term. .....

******

The above is to lay out the logic. I'm sure there are some legal hoops to jump through.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

TO: Fayetteville City Council

THRU: Fred Hanna, Mayor

FROM: Kevin Crosson, Public Works Director KWC
Randy Allen, Street Superintendent R.A.

DATE: January 14, 1998

SUBJECT: Award of Bids

Bids were opened on 1-12-98 for portland cement, asphaltic oils, and deicing salt. Staff is recommending the award of these bids to the lowest bidders.

- Portland Cement -- Blue Circle Cement Company.
- Deicing Salt -- Bruce Oakley, Inc.
- Asphaltic Oils -- Koch Materials, Inc. for SS-1 oil.
  Lion Oil, Inc. for AC-30, AC-20, and Prime.

The items above had to be re-bid because of no bidders during the initial bid process.

BID: 97-89
DATE: 1/12/98
TIME: 2:00 PM
CITY OF FAYETTEVILLE

DESCRIPTION: DE-ICING SALT

BIDDER	ITEM #1
MORTON SALT	$58.95 ton
CARGILL INC SALT DIV	$50.00 ton
BRUCE OAKLEY INC	$47.50 ton

CERTIFIED BY: P Vice _____ Rena Williams 1/12/98
PURCHASING MANAGER WITNESS DATE

BID: 97-87
DATE: 1/12/98
TIME: 2:00 PM
CITY OF FAYETTEVILLE

DESCRIPTION: PORTLAND CEMENT

BIDDER	ITEM #1		
BLUE CIRCLE CEMENT	$79.72 ton	alternate	$4.75 sack
LONE STAR IND	$90.32 ton		
HOLNAM INC	$83.55 ton		

CERTIFIED BY: P Vice
PURCHASING MANAGER

Rena Williams 1/12/98
WITNESS DATE

BID: 97-88
DATE: 1/12/98
TIME: 2:00 PM
CITY OF FAYETTEVILLE

DESCRIPTION: ASPHALT OIL

BIDDER	ITEM #1	ITEM #2	ITEM #3	ITEM #4
KOCH MATERIALS	no bid	no bid	$0.7258	no bid
LION OIL	$0.6808	$0.5808	no bid	$0.8488

CERTIFIED BY: P Vice — Bena Williams 1/12/98

PURCHASING MANAGER — WITNESS — DATE

STAFF REVIEW FORM

X AGENDA REQUEST
____ CONTRACT REVIEW
____ GRANT REVIEW

For the Fayetteville City Council meeting of January 20, 1998

FROM:

Name	Division	Department
Don Bailey	Personnel	Administrative Services

ACTION REQUIRED:

Adopt new step rates for civil service, Fire, and Police pay ranges as recommended by Staff effective with 1998 payroll No. 2 beginning December 29, 1997.

COST TO CITY:

$170,555.00	$ 205,707.00	Personnel Services
Cost of this Request	Category/Project Budget	Category/Project Name
Various	$ 0.00	Various
Account Number	Funds Used To Date	Program Name
N/A	$ 205,707.00	General
Project Number	Remaining Balance	Fund

BUDGET REVIEW: X Budgeted Item ____ Budget Adjustment Attached

Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

Marilyn J Cramer 1-13-98
Accounting Manager Date

City Attorney Date

PVice 1-13-98
Purchasing Officer Date

GRANTING AGENCY:

Yolanda Fields 1-13-98
Internal Auditor Date

ADA Coordinator Date

STAFF RECOMMENDATION:

Approve revised pay ranges.

Division Head Date

Department Director Date

RGM 1-13-98
Administrative Services Director Date

Mayor Date

Cross Reference

New Item: **Yes** **No**

Prev Ord/Res #: _____

Orig Contract Date: _____

D:\DATA\WP-DATA\PAYRANGE.CON

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

TO: Mayor Fred Hanna and the City Council

FROM: Ben R. Mayes, Administrative Services Director
Don Bailey, Personnel Director

DATE: January 13, 1998

SUBJECT: Recommendation For Police and Fire Pay Plan Revisions

Acting at the request of the Council, a new Police and Fire salary survey has been completed which is limited to base compensation. The methodology and comparative calculations utilized in this proposal are identical to those used for calendar year 1996 and previous pay plan revisions.

Based on this survey we recommend step rate increases as follows:

Firefighter	5%
Fire Captain	2%
Battalion Chief	1%
Police Officer	3%
Police Sergeant	1%
Police Lieutenant	2%

A Police and Fire pay range comparison summary prepared in support of the recommendation and the actual 1998 Step Rates are attached as exhibits A, B, and C.

For your information, a copy of the Hay Group pay comparisons and step rates dated October 29, 1997, not adopted at the December 2, 1997 Council meeting, are also included and noted as attachments one, two, and three.

RANGE
FIRE PAY COMPARISION

	FIREFIGHTER			FF/DRIVER OPERATOR		FIRE CAPTAIN			BATTALION CHIEF		
	MIN	MID		MID	MAX	MIN	MID	MAX	MIN	MID	MAX
Survey A	20,168	22,820		26,675	29,279	28,291	31,207	34,122	31,348	35,539	39,729
Survey K	22,147	25,241		28,400	32,441	29,030	33,678	38,326	34,671	40,058	45,444
Survey M	21,998	25,670		28,646	32,752	28,277	33,612	38,946	33,720	39,633	45,546
Survey O	20,920	24,723		29,151	32,254	29,984	33,287	36,590	33,018	37,111	41,203
Total Survey	20,845		25,866*		30,856	28,775	32,333	35,890	32,520	37,079	41,637
City of Fayetteville	20,948		24,078		28,770	27,693	31,831	35,969	32,071	36,863	41,655
% Diff. Over, (Under)	0%		7%		7%	4%	2%	0%	1%	1%	0%
Avg. % Diff.			5%				2%			1%	

RANGE
POLICE PAY COMPARISON

	POLICE OFFICER			POLICE SERGEANT			POLICE LIEUTENANT			POLICE CAPTAIN		
	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX
Survey A	20,744	24,761	28,778	26,632	29,458	32,283	29,472	32,486	35,500	33,770	37,199	40,627
Survey K	23,790	28,897	34,004	29,140	34,005	38,869	32,223	38,496	44,768	35,852	43,533	51,213
Survey M	23,329	27,678	32,027	28,584	34,948	41,311	31,704	37,442	43,180	34,237	41,491	48,744
Survey O	21,068	25,695	30,322	30,555	33,142	35,728	34,242	37,123	40,003	36,924	42,021	47,117
Total Survey	21,546	25,878	30,210	28,082	31,572	35,061	31,191	34,982	38,773	34,824	39,630	44,435
City of Fayetteville	21,732	24,979	28,226	27,146	31,202	35,258	30,037	34,525	39,013	33,960	39,032	44,104
% Diff. Over, (Under)	<1%>	4%	7%	3%	1%	<1%>	4%	1%	<1%>	3%	2%	1%
Avg. % Diff.		3%			1%			2%			2%	

Survey A - State of Arkansas Fire and Police Departments

Survey K- State of Kansas Fire and Police Departments

Survey M - State of Missouri Fire and Police Departments

Survey O - State of Oklahoma Fire and Police Departments

Total Survey - The KMO Survey Average + Survey A

*Survey midpoints of FF and FF/Driver Operator averaged

EXHIBIT A

1998 POLICE STEP RATES

		STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	YEAR 10	YEAR 15	YEAR 20
POLICE CAPTAIN	BASE PAY	32278.21	33885.73	35495.12	37101.72	38709.25	40317.70	41925.23	42391.18	42857.13	43323.08
	HOLIDAY PAY	1365.62	1433.63	1501.72	1569.69	1637.70	1705.75	1773.76	1793.47	1813.19	1832.90
	EXTRA HOL PAY	993.17	1042.64	1092.16	1141.59	1191.05	1240.54	1290.01	1304.34	1318.68	1333.02
	TOTAL PAY	34637.00	36362.00	38089.00	39813.00	41538.00	43264.00	44989.00	45489.00	45989.00	46489.00
	RT PAY RATE 1	15.518	16.291	17.065	17.837	18.610	19.384	20.156	20.380	20.604	20.828
	OT PAY RATE 2	16.652	17.482	18.312	19.141	19.970	20.800	21.629	21.870	22.110	22.350
POLICE LIEUTENANT	BASE PAY	28551.54	29973.62	31395.70	32817.78	34239.86	35661.93	37084.01	37549.96	38015.91	38481.86
	HOLIDAY PAY	1207.95	1268.11	1328.28	1388.44	1448.61	1508.77	1568.94	1588.65	1608.36	1628.08
	EXTRA HOL PAY	878.51	922.26	966.02	1009.78	1053.53	1097.29	1141.05	1155.38	1169.72	1184.06
	TOTAL PAY	30638.00	32164.00	33690.00	35216.00	36742.00	38268.00	39794.00	40294.00	40794.00	41294.00
	RT PAY RATE 1	13.727	14.410	15.094	15.778	16.461	17.145	17.829	18.053	18.277	18.501
	OT PAY RATE 2	14.730	15.463	16.197	16.931	17.664	18.398	19.132	19.372	19.613	19.853
POLICE SERGEANT	BASE PAY	25549.89	26822.87	28094.91	29367.88	30640.86	31912.90	33185.88	33651.83	34117.78	34583.73
	HOLIDAY PAY	1080.96	1134.81	1188.63	1242.49	1296.34	1350.16	1404.02	1423.73	1443.44	1463.16
	EXTRA HOL PAY	786.15	825.32	864.46	903.63	942.79	981.93	1021.10	1035.44	1049.78	1064.11
	TOTAL PAY	27417.00	28783.00	30148.00	31514.00	32880.00	34245.00	35611.00	36111.00	36611.00	37111.00
	RT PAY RATE 1	12.284	12.896	13.507	14.119	14.731	15.343	15.955	16.179	16.403	16.627
	OT PAY RATE 2	13.181	13.838	14.494	15.151	15.808	16.464	17.121	17.361	17.601	17.842
POLICE OFFICER	BASE PAY	20858.71	21897.78	22936.84	23975.91	25014.98	26054.05	27093.12	27559.07	28025.02	28490.97
	HOLIDAY PAY	882.48	926.44	970.40	1014.36	1058.33	1102.29	1146.25	1165.96	1185.67	1205.39
	EXTRA HOL PAY	641.81	673.78	705.75	737.72	769.69	801.66	833.63	847.97	862.31	876.64
	TOTAL PAY	22383.00	23498.00	24613.00	25728.00	26843.00	27958.00	29073.00	29573.00	30073.00	30573.00
	RT PAY RATE 1	10.028	10.528	11.027	11.527	12.026	12.526	13.026	13.250	13.474	13.698
	OT PAY RATE 2	10.761	11.297	11.833	12.369	12.905	13.441	13.977	14.218	14.458	14.699

P1 HOURS 2232
P2 HOURS 2080

EXHIBIT B

1998 FIRE STEP RATES

		TRAINEE	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	STEP H	YEAR 10	YEAR 15	YEAR 20
BATTALION CHIEF	BASE PAY	NA	29041.10	30487.24	31934.28	33380.41	34826.55	36273.59	37719.72	NA	38168.00	38616.27	39064.55
	HOLIDAY PAY		2632.84	2763.95	2895.14	3026.24	3157.35	3288.54	3419.64		3460.28	3500.92	3541.56
	EXTRA HOL PAY		718.05	753.80	789.58	825.34	861.09	896.87	932.63		943.71	954.79	965.88
	TOTAL PAY		32392.00	34005.00	35619.00	37232.00	38845.00	40459.00	42072.00		42572.00	43072.00	43572.00
	RT PAY RATE 1		9.973	10.470	10.966	11.463	11.960	12.457	12.953		13.107	13.261	13.415
	OT PAY RATE 2		11.124	11.678	12.232	12.786	13.340	13.894	14.448		14.620	14.791	14.963
BATTALION CHIEF	TOTAL PAY		32392.00	34005.00	35619.00	37232.00	38845.00	40459.00	42072.00	NA	42572.00	43072.00	43572.00
(DAY SHIFT)	40 HR WK RT RATE		15.573	16.349	17.125	17.900	18.675	19.451	20.227		20.467	20.708	20.948
FIRE CAPTAIN	BASE PAY	NA	25324.90	26586.34	27847.79	29109.24	30369.79	31631.24	32892.69	NA	33340.96	33789.24	34237.52
	HOLIDAY PAY		2295.94	2410.30	2524.66	2639.02	2753.30	2867.66	2982.03		3022.67	3063.31	3103.95
	EXTRA HOL PAY		626.16	657.35	688.54	719.73	750.90	782.09	813.28		824.36	835.44	846.53
	TOTAL PAY		28247.00	29654.00	31061.00	32468.00	33874.00	35281.00	36688.00		37188.00	37688.00	38188.00
	RT PAY RATE 1		8.697	9.130	9.563	9.996	10.429	10.862	11.296		11.450	11.603	11.757
	OT PAY RATE 2		9.700	10.183	10.667	11.150	11.633	12.116	12.599		12.771	12.942	13.114
FIRE CAPTAIN	TOTAL PAY		28247.00	29654.00	31061.00	32468.00	33874.00	35281.00	36688.00	NA	37188.00	37688.00	38188.00
(DAY SHIFT)	40 HR WK RT RATE		13.580	14.257	14.933	15.610	16.286	16.962	17.638		17.879	18.119	18.360
FIREFIGHTER	BASE PAY	18737.03	19719.65	20702.28	21684.00	22666.62	23649.24	24630.96	25613.59	*	26061.86	26510.14	26958.41
	HOLIDAY PAY	1698.69	1787.77	1876.85	1965.86	2054.94	2144.02	2233.02	2322.11		2362.75	2403.39	2444.03
	EXTRA HOL PAY	463.28	487.57	511.87	536.14	560.44	584.73	609.00	633.30		644.38	655.47	666.55
	TOTAL PAY	20899.00	21995.00	23091.00	24186.00	25282.00	26378.00	27473.00	28569.00		29069.00	29569.00	30069.00
	RT PAY RATE 1	6.434	6.772	7.109	7.446	7.784	8.121	8.458	8.796		8.950	9.104	9.258
	OT PAY RATE 2	7.177	7.553	7.930	8.306	8.682	9.058	9.434	9.811		9.982	10.154	10.326
										26596.21	27044.48	27492.76	27941.03
										2411.19	2451.83	2492.47	2533.11
										657.60	668.68	679.76	690.85
										29665.00	30165.00	30665.00	31165.00
										9.133	9.287	9.441	9.595
										10.187	10.359	10.531	10.702
FIREFIGHTER	TOTAL PAY	20899.00	21995.00	23091.00	24186.00	25282.00	26378.00	27473.00	28569.00		29069.00	29569.00	30069.00
(DAY SHIFT)	40 HR WK RT RATE	10.048	10.575	11.101	11.628	12.155	12.682	13.208	13.735		13.975	14.216	14.456
										29665.00	30165.00	30665.00	31165.00
	P1 HOURS 3248									14.262	14.502	14.743	14.983
	P2 HOURS 2912												

EXHIBIT C

RANGE
FIRE PAY COMPARISON

	FIREFIGHTER		FF/DRIVER OPERATOR			FIRE CAPTAIN			BATTALION CHIEF		
	MIN	MID		MID	MAX	MIN	MID	MAX	MIN	MID	MAX
Survey A	20,209	23,069		27,670	30,249	29,885	32,202	34,548	33,664	37,127	40,590
Survey K	22,527	26,182		29,585	33,335	29,822	35,314	40,805	36,585	44,607	52,624
Survey M	21,804	25,869		28,888	33,456	28,029	33,826	39,622	33,189	38,846	44,503
Survey O	22,071	25,732		29,822	33,276	30,163	34,192	38,220	34,288	39,375	44,461
Total Survey	21,666		26,534*		31,794	29,686	33,294	36,901	34,203	38,934	43,664
City of Fayetteville	**20,948**		**24,078**		**30,270**	**27,693**	**31,831**	**37,469**	**32,071**	**36,863**	**43,155**
% Diff. Over,(Under)	1%		10%		5%	7%	5%	(2%)	7%	6%	1%
Avg. % Diff.			5%				3%			5%	

RANGE
POLICE PAY COMPARISON

	POLICE OFFICER			POLICE SERGEANT			POLICE LIEUTENANT			POLICE CAPTAIN		
	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX
Survey A	20,753	25,064	29,385	27,201	29,947	32,692	30,746	33,333	35,919	34,759	38,337	41,915
Survey K	24,615	30,550	36,485	30,126	36,647	43,168	34,220	41,507	48,794	35,852	43,533	51,213
Survey M	21,901	27,412	32,923	28,584	34,210	39,835	31,632	38,902	44,552	33,465	41,017	48,568
Survey O	22,141	26,520	30,898	31,171	34,655	38,139	35,216	39,220	43,223	38,796	43,948	49,100
Total Survey	21,680	26,369	31,057	28,679	32,468	36,257	32,351	36,409	40,467	35,792	40,690	45,587
City of Fayetteville	**21,732**	**24,979**	**29,726**	**27,146**	**31,202**	**36,758**	**30,037**	**34,525**	**40,513**	**33,960**	**39,032**	**45,604**
% Diff. Over,(Under)	0%	6%	4%	6%	4%	(1%)	8%	5%	0%	5%	4%	0%
Avg. % Diff.		3%			3%			4%			3%	

Survey A - State of Arkansas Fire and Police Departments
Survey K - State of Kansas Fire and Police Departments
Survey M - State of Missouri Fire and Police Departments
Survey O - State of Oklahoma Fire and Police Departments
Total Survey - The KMO Survey Average + Survey A
*Survey midpoints of FF and FF/Driver Operator averaged

Chart 7

Att.:1

10/29/97

HayGroup

1998 POLICE STEP RATES

		STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	YEAR 10	YEAR 15	YEAR 20
POLICE CAPTAIN	BASE PAY	32595.05	34218.42	35841.79	37465.16	39088.53	40711.90	42335.27	42801.22	43267.17	43733.12
	HOLIDAY PAY	1379.02	1447.70	1516.38	1585.06	1653.74	1722.43	1791.11	1810.82	1830.53	1850.25
	EXTRA HOL PAY	1002.92	1052.87	1102.82	1152.77	1202.72	1252.67	1302.62	1316.96	1331.30	1345.63
	TOTAL PAY	34977.00	36719.00	38461.00	40203.00	41945.00	43687.00	45429.00	45929.00	46429.00	46929.00
	RT PAY RATE 1	15.671	16.451	17.232	18.012	18.793	19.573	20.353	20.578	20.802	21.026
	OT PAY RATE 2	16.816	17.653	18.491	19.328	20.166	21.003	21.841	22.081	22.322	22.562
POLICE LIEUTENANT	BASE PAY	29110.68	30560.72	32010.75	33460.79	34910.82	36360.86	37810.89	38276.84	38742.79	39208.74
	HOLIDAY PAY	1231.61	1292.95	1354.30	1415.65	1477.00	1538.34	1599.69	1619.40	1639.12	1658.83
	EXTRA HOL PAY	895.71	940.33	984.95	1029.56	1074.18	1118.79	1163.41	1177.75	1192.08	1206.42
	TOTAL PAY	31238.00	32794.00	34350.00	35906.00	37462.00	39018.00	40574.00	41074.00	41574.00	42074.00
	RT PAY RATE 1	13.996	14.693	15.390	16.087	16.784	17.481	18.178	18.402	18.626	18.850
	OT PAY RATE 2	15.018	15.766	16.514	17.263	18.011	18.759	19.507	19.747	19.988	20.228
POLICE SERGEANT	BASE PAY	26055.91	27354.05	28651.25	29949.39	31247.53	32544.73	33842.87	34308.82	34774.77	35240.72
	HOLIDAY PAY	1102.36	1157.29	1212.17	1267.09	1322.01	1376.89	1431.81	1451.53	1471.24	1490.95
	EXTRA HOL PAY	801.72	841.66	881.58	921.52	961.46	1001.38	1041.32	1055.65	1069.99	1084.33
	TOTAL PAY	27960.00	29353.00	30745.00	32138.00	33531.00	34923.00	36316.00	36816.00	37316.00	37816.00
	RT PAY RATE 1	12.527	13.151	13.775	14.399	15.023	15.647	16.271	16.495	16.719	16.943
	OT PAY RATE 2	13.442	14.112	14.781	15.451	16.121	16.790	17.460	17.700	17.940	18.181
POLICE OFFICER	BASE PAY	20858.71	21897.78	22936.84	23975.91	25014.98	26054.05	27093.12	27559.07	28025.02	28490.97
	HOLIDAY PAY	882.48	926.44	970.40	1014.36	1058.33	1102.29	1146.25	1165.96	1185.67	1205.39
	EXTRA HOL PAY	641.81	673.78	705.75	737.72	769.69	801.66	833.63	847.97	862.31	876.64
	TOTAL PAY	22383.00	23498.00	24613.00	25728.00	26843.00	27958.00	29073.00	29573.00	30073.00	30573.00
	RT PAY RATE 1	10.028	10.528	11.027	11.527	12.026	12.526	13.026	13.250	13.474	13.698
	OT PAY RATE 2	10.761	11.297	11.833	12.369	12.905	13.441	13.977	14.218	14.458	14.699

P1 HOURS 2232
P2 HOURS 2080

Att.:2

1998 FIRE STEP RATES

		TRAINEE	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	STEP H	YEAR 10	YEAR 15	YEAR 20
BATTALION CHIEF	BASE PAY	NA	30190.48	31694.00	33198.41	34701.93	36205.45	37709.86	39213.38	NA	39661.65	40109.93	40558.21
	HOLIDAY PAY		2737.05	2873.35	3009.74	3146.05	3282.36	3418.75	3555.06		3595.70	3636.34	3676.98
	EXTRA HOL PAY		746.47	783.64	820.84	858.01	895.19	932.38	969.56		980.64	991.73	1002.81
	TOTAL PAY		33674.00	35351.00	37029.00	38706.00	40383.00	42061.00	43738.00		44238.00	44738.00	45238.00
	RT PAY RATE 1		10.368	10.884	11.401	11.917	12.433	12.950	13.466		13.620	13.774	13.928
	OT PAY RATE 2		11.564	12.140	12.716	13.292	13.868	14.444	15.020		15.192	15.363	15.535
BATTALION CHIEF (DAY SHIFT)	TOTAL PAY		33674.00	35351.00	37029.00	38706.00	40383.00	42061.00	43738.00	NA	44238.00	44738.00	45238.00
	40 HR WK RT RATE		16.189	16.996	17.802	18.609	19.415	20.222	21.028		21.268	21.509	21.749
FIRE CAPTAIN	BASE PAY	NA	25573.24	26847.24	28120.34	29403.31	30668.34	31941.45	33215.45	NA	33663.72	34112.00	34560.27
	HOLIDAY PAY		2318.45	2433.95	2549.37	2665.68	2780.37	2895.79	3011.29		3051.93	3092.57	3133.21
	EXTRA HOL PAY		632.30	663.80	695.28	727.00	758.28	789.76	821.26		832.34	843.43	854.51
	TOTAL PAY		28524.00	29945.00	31365.00	32796.00	34207.00	35627.00	37048.00		37548.00	38048.00	38548.00
	RT PAY RATE 1		8.782	9.220	9.657	10.097	10.532	10.969	11.406		11.560	11.714	11.868
	OT PAY RATE 2		9.795	10.283	10.771	11.262	11.747	12.235	12.723		12.894	13.066	13.238
FIRE CAPTAIN (DAY SHIFT)	TOTAL PAY		28524.00	29945.00	31365.00	32796.00	34207.00	35627.00	37048.00	NA	37548.00	38048.00	38548.00
	40 HR WK RT RATE		13.713	14.397	15.079	15.767	16.446	17.128	17.812		18.052	18.292	18.533
FIREFIGHTER	BASE PAY	18737.03	19719.65	20702.28	21684.00	22666.62	23649.24	24630.96	25613.59		26061.86	26510.14	26958.41
	HOLIDAY PAY	1698.69	1787.77	1876.85	1965.86	2054.94	2144.02	2233.02	2322.11		2362.75	2403.39	2444.03
	EXTRA HOL PAY	463.28	487.57	511.87	536.14	560.44	584.73	609.00	633.30		644.38	655.47	666.55
	TOTAL PAY	20899.00	21995.00	23091.00	24186.00	25282.00	26378.00	27473.00	28569.00		29069.00	29569.00	30069.00
	RT PAY RATE 1	6.434	6.772	7.109	7.446	7.784	8.121	8.458	8.796		8.950	9.104	9.258
	OT PAY RATE 2	7.177	7.553	7.930	8.306	8.682	9.058	9.434	9.811		9.982	10.154	10.326
										26596.21	27044.48	27492.76	27941.03
										2411.19	2451.83	2492.47	2533.11
										657.60	668.68	679.76	690.85
										29665.00	30165.00	30665.00	31165.00
										9.133	9.287	9.441	9.595
										10.187	10.359	10.531	10.702
FIREFIGHTER (DAY SHIFT)	TOTAL PAY	20899.00	21995.00	23091.00	24186.00	25282.00	26378.00	27473.00	28569.00		29069.00	29569.00	30069.00
	40 HR WK RT RATE	10.048	10.575	11.101	11.628	12.155	12.682	13.208	13.735		13.975	14.216	14.456
										29665.00	30165.00	30665.00	31165.00
	P1 HOURS 3248									14.262	14.502	14.743	14.983
	P2 HOURS 2912												

Att.:3

STAFF REVIEW FORM

xxxxx Agenda Request
_____ Contract Review
_____ Grant Review

FOR THE FAYETTEVILLE CITY COUNCIL MEETING OF January 20, 1998

FROM:

Ben Mayes	Administrative Services	Administrative Services
Name	Division	Department

ACTION REQUESTED:

Consideration of the sale of 20.6 acre tract of land located at the south east quadrant of the intersection of Cato Springs Rd. and Razorback Rd. Consideration and approval of the acquisition of 14.02 acres of land near the City's Happy Hollow Operations Facility. Approval of a budget adjustment recognizing this sale of land, the acquisition of land, and a commitment for the replacement of current facilities.

COST TO THE CITY:

$1,100,000 - Revenue

$1,053,000 - Cost	-0-	See Budget Adj Form
Cost of this request	Category/Project Budget	Category/Project Name
See Budget Adj Form	-0-	
Account Number	Funds used to date	Program Name
	-0-	Water & Sewer and General Fund
Project Number	Remaining Balance	Fund

BUDGET REVIEW:

_____ Budgeted Item xxxxxx Budget Adjustment Attached

Budget Coordinator Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY: _____

Marilyn J Cramer	1-13-98	Yolanda Fields	1-13-98
Accounting Manager	Date	Internal Auditor	Date
	1-13-98		
City Attorney	Date	ADA Coordinator	Date

Purchasing Officer Date

STAFF RECOMMENDATION:

Division Head Date **Cross Reference**

Department Director Date New Item: Yes No

	1-13-98	
Administrative Services Director	Date	Prev Ord/Res #: _____

Mayor Date Orig. Contract Date: _____

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

To: Mayor Fred Hanna and Members of the Fayetteville City Council

From: Ben Mayes, Kevin Crosson, Charles Venable

Date: January 13, 1998

Subject: City of Fayetteville Property Acquisition and Sales

The City of Fayetteville owns a 20.6 acre tract of land located at the south east quadrant of the intersection of Cato Springs Rd. and Razorback Rd. (State Highway 112). This area is currently being utilized by the City's Water & Sewer Maintenance operation and the Children's House.

We have received an offer from D. S. Hammond & Associates, Inc. of Austin, Texas to purchase this tract of land in the amount of $1.1 million. (A copy of the offer and acceptance contract is attached). It is my understanding that the buyer is interested in constructing approximately 200 apartment units on this site.

If the City does accept this offer, we will have to vacate the property within 10 months from the date of closing, which is set for no later than April 12, 1998. During this time period, it will be necessary to relocate the Children's House and the Water & Sewer Maintenance Department.

The City has, for a number of years, been working towards a consolidation of all Public Works-related operations at the Happy Hollow facility. Recent relocations to this facility include Parks & Recreation and Traffic. Since the last department to be moved to the site, which will basically complete the consolidation plan, is Water & Sewer Maintenance we have been exploring the possibility of acquiring additional property located on Happy Hollow Road and Highway 16 which is adjacent to the City's Shop area and Solid Waste Transfer site. There are three property owners involved, for land totaling approximately 14 acres. (A map is attached showing the location of this property along with a memo discussing the approximate value of these properties, totaling $225,000). One of the tracts has a 3200 sq. ft. metal building which is in good condition and can be modified to provide office space.

If this property is acquired, the Water & Sewer Maintenance operation could be relocated to this site. It would require remodeling the existing metal building and construction of an additional building (approximately 5000 sq. ft.) to house the Water & Sewer Department.

It will also be necessary to relocate the Children's House. At this time we are in the process of acquiring a parcel of land at the junction of Wyman Rd. & Highway 265 for the future widening of Highway 265. There will be approximately 1-1/2 acres of land remaining after the widening of the State highway which could be used to construct a new Children's House on if so desired.

A rough cost estimate was made for the purchase and development of the properties to house the Water & Sewer Department and to relocate the Children's House.

This estimate is as follows:

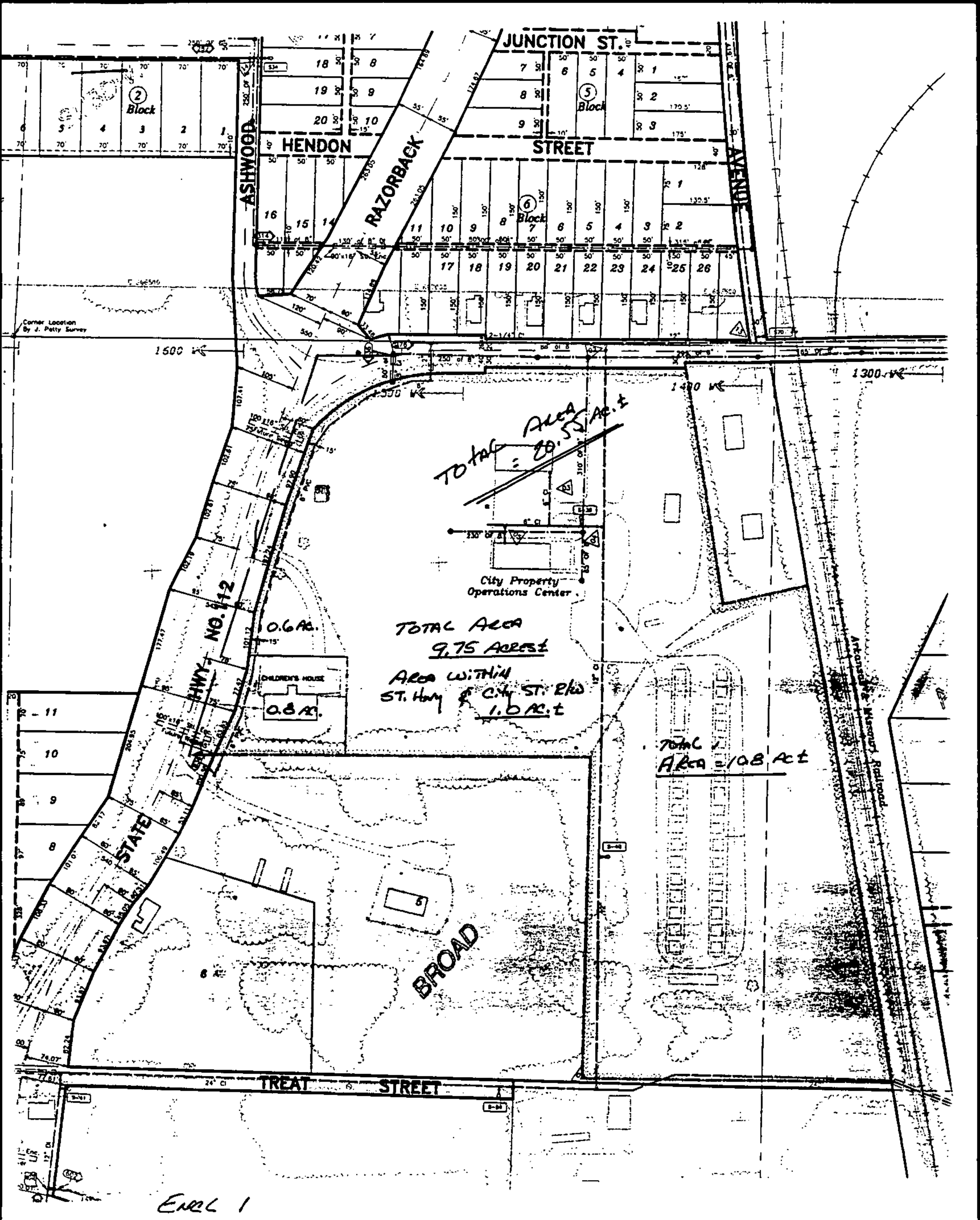
1.	Acquisition of property	
	A. Mabry Tract (5.16 acres)	$ 145,000
	B. Mahler Tract (2.60 acres)	55,000
	C. Osborn Tract (6.26 acres)	25,000
		$ 225,000
2.	Remodel existing metal building	$ 50,000
3.	Construct 5,000 sq. ft. metal building	$ 200,000
4.	Construct 3,600 sq. ft. Childrens' House	$ 250,000
5.	Construct streets, parking, etc.	$ 100,000
6.	Contingencies @ 15%	$ 118,000
		$ 943,000
Sale of Property		$1,100,000
Less 10%		110,000
		$ 990,000

It appears the sale of the land will cover the estimated cost of the purchase of additional land and the construction of the facilities necessary to house the Children's House and the Water & Sewer Department.

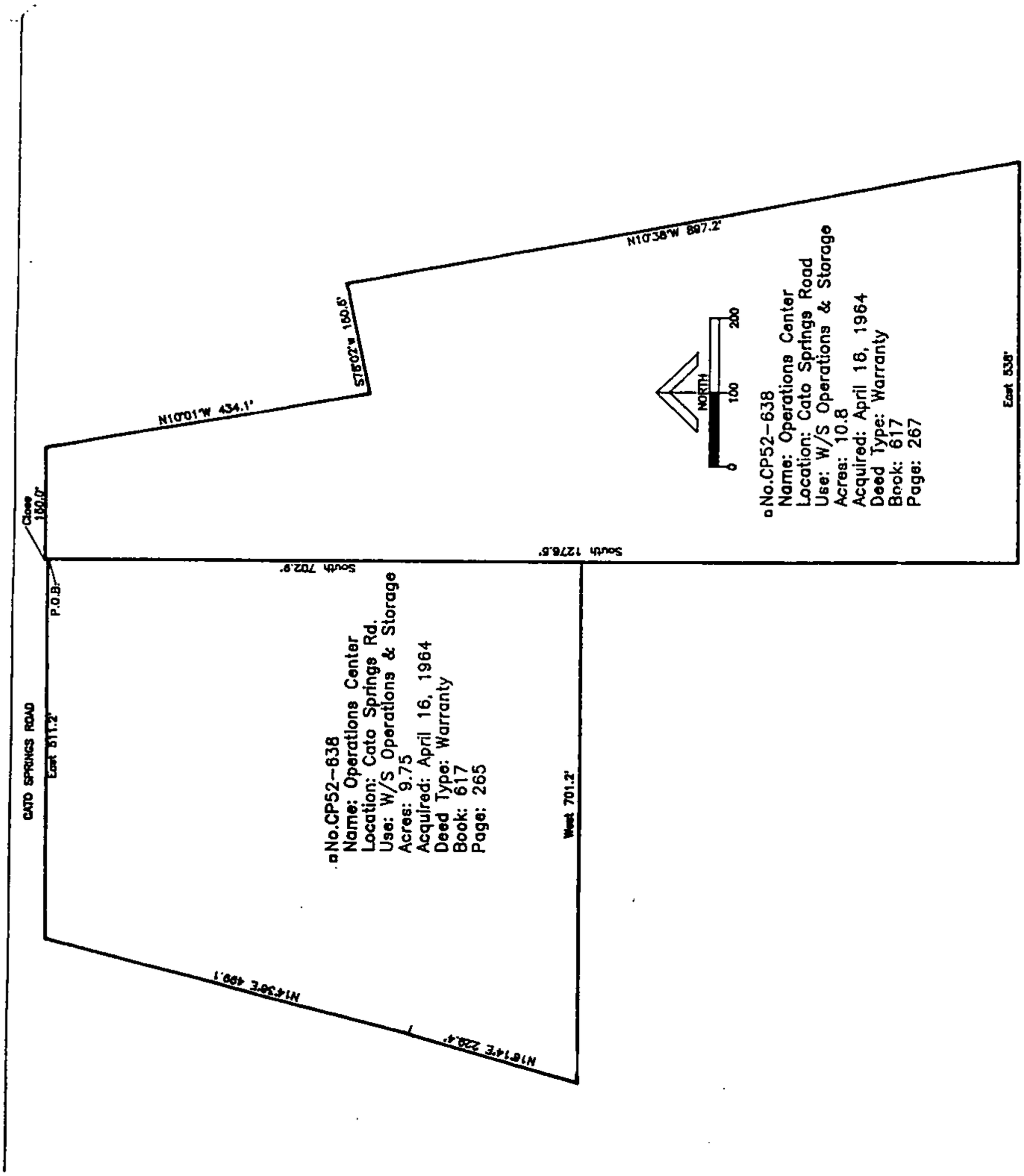
Even if the sale of the land does not occur, it is recommended that the City proceed with the acquisition of the 14 acres located adjacent to the City's property to be used for future expansion.

I will be more than happy to discuss this matter in more detail.

Enclosures:
1. Location of City Property
2. Offer & Acceptance
3. Location of Happy Hollow Rd. Property
4. Appraisal memo


JUNCTION ST.
HENDON
STREET
ASHWOOD
RAZORBACK
AVENUE
Block
Corner Location By J. Petty Survey
1600 W
1500 W
1400 W
1300 W
TOTAL AREA = 20.55 Ac.±
City Property Operations Center
0.6 Ac.
TOTAL AREA 9.75 Acres±
AREA WITHIN ST. Hwy & City ST. R/W 1.0 Ac.±
CHILDREN'S HOUSE
0.8 Ac.
TOTAL AREA = 10.8 Ac±
HWY. NO. 112
STATE
BROAD
TREAT
STREET
Arkansas & Missouri Railroad

ENCL 1



Exc/-/

On this day of April, 19 64, before undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in

OFFER AND ACCEPTANCE CONTRACT

1. Buyer, D.J. Hammond and Associates, Inc., a Texas corporation, its nominee or assignee, offers to buy, subject to the terms and conditions set forth herein, the following described property of the Seller, the City of Fayetteville, Arkansas, a municipal corporation:

   A part of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section Twenty-Nine (29), Township Sixteen (16) North, Range Thirty (30) West, more particularly described as follows, to-wit: Beginning at a point which is 44.3 feet South and 305.6 feet West 701.2 feet to the East line of Cato Springs Road, thence North 16 degrees 14' East along the East line of said road 229.4 feet; thence North 14 degrees 36' East along the East line of said road 499.1 feet; thence East 511.2 feet to the point of beginning, containing 9.75, more or less.

   A part of the North half (N½) of the Northeast Quarter (NE¼) of Section Twenty-Nine (29), Township Sixteen (16) North, Range Thirty (30) West, described as follows, to-wit: Beginning at a point which is 44.3 feet South and 305.6 feet West of the Northeast corner of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of said section 29; thence running South 1276.5 feet, thence North 89 degrees 43 minutes, East 538 feet to the St. Louis and San Francisco Railroad right of way 897.2 feet; thence South 78 degrees 2 minutes West 150.5 feet; thence North 10 degrees 1 minute West 434.1 feet to the south line of the Cato Springs Road; thence West 150 feet to the point of beginning, containing 10.8 acres, more or less.

2. Purchase Price: Subject to the following conditions the Buyer shall pay for the property at closing the total and cash payment of ONE MILLION ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($1,100,000.00).

3. Earnest Money Deposit: The Buyer herewith tenders a check for TWENTY-FIVE THOUSAND AND NO/100 DOLLARS ($25,000) ("Earnest Money") to the Seller as earnest money, which shall apply on the purchase price. If the Seller fails to fulfill any obligations under this contract, the earnest money shall be promptly refunded to the Buyer. If Buyer fails to fulfill his obligations under this contract or, after all conditions have been met, Buyer fails to close this transaction the earnest money may at the option of the Seller, become liquidated damages to the Seller.

4. Conveyance: Conveyance will be made to Buyer by general warranty deed, except it shall be subject to recorded instruments and easements, if any, which do not materially affect the value of the property.

5. Time of Essence: All parties hereto recognize and agree that time is of the essence. Therefore, unless this offer and acceptance is signed by both Buyer and Seller on or before

February 6, 1998, the Buyers offer shall become null and void, and neither party shall have any liability to the other.

6. Title Insurance: Seller shall furnish at Seller's expense, a policy of title insurance covering the property in the amount of the purchase price. Seller shall provide at Buyer's request, true, complete and legible copies of all instruments necessary to fully explain the extent, scope and effect of any matters which may be listed as title exceptions in the policy.

7. Survey: Within fourteen (14) days after the execution of this contract Seller agrees, at Sellers expense, to deliver to Buyer a survey of the property. Such survey shall show the location of the property, of all improvements, fences, easements, roads and right-of-way.

8. Closing Costs: Any costs not specifically covered by this contract will be borne in the same manner as is customary in Washington County, Arkansas in connection with the sale of real estate of the type contemplated by this contract.

9. Legal Fees: Buyer and Seller each shall pay their own legal fees, if any, for this transaction.

10. Commission and Fees: At closing, Seller is responsible for paying any commissions or fees which shall be due to Equitable Realty Advisors, Inc., Austin, Texas and Metro Brokers, Inc., 3810 Front Street, Suite 10, Fayetteville, Arkansas. Said commission shall be ten percent (10%) which shall be split equally between Equitable Realty Advisors, Inc. and Metro Brokers, Inc. Purchaser shall have no obligation to pay any sales commissions, and Seller shall indemnify Purchaser against claims for any sales commissions.

11. Feasibility Period: Buyers shall have until the close of business on March 12, 1997 ("Feasibility Period") to conduct such physical inspections and other tests, examinations, studies, and appraisals of the property as buyer deems necessary. Buyer shall have the right during the Feasibility Period to enter on to the property and Seller agrees to provide any information in its possession or cause to be provided any reasonable information requested by the Buyer and will be available to the Buyer to answer any questions which the Buyer may reasonably ask concerning the property and its operations. ←

12. Notice of Election not to Proceed: If the Buyer elects during the Feasibility Period not to proceed with this transaction for any reason and at Buyer's sole discretion, Buyer shall notify the Seller in writing of such election and all earnest money shall be returned to the Buyer within three (3) business days of such notice and all parties shall have no further obligations or duties with respect to this contract which shall be null and void.

13. Rezoning: Notwithstanding anything to the contrary contained in Paragraph 11 above or elsewhere in this Contract, if Buyer is unable to obtain the appropriate zoning to allow the construction of at least 162 units by the Closing Date, as herein defined, this Contract will be deemed by all parties to be null and void and all Earnest Money shall be returned to Buyer. Buyer shall be required to make application for such rezoning within 21 days from the date this Contract is accepted by all parties.

14. Property Address Change: This agreement is expressly made contingent upon the property address being officially changed to reflect Razorback Road as its address.

15. Seller's Vacation of Property: Sellers shall have ten (10) months from the date of closing to remove from the property any and all materials, structures, fixtures, or equipment it desires. Seller agrees to leave the property in a generally clean and reasonable manner upon vacation. Buyers must remove any materials, structures, fixtures or equipment remaining on the property at their own expense.

16. Proration of Taxes: Taxes and special assessments due on or before Seller's vacation of the property shall be paid by the Seller. Insurance, general taxes, ad valorem taxes, special assessments and rental payments, if any, shall be prorated as of the date of Seller's vacation of the property.

17. Risk of Loss: Risk of loss or damage to the property by fire or other casualty occurring up to the time of Seller's vacation of the property is assumed by the Seller and Seller shall provide acceptable evidence to Buyer that sufficient loss coverage is in effect.

18. Governing Law: This contract shall be governed by the laws of the State of Arkansas.

19. Closing: Closing shall occur on or before April 12, 1998 (the "Closing Date"). However, funding of the purchase price shall not occur until Seller has vacated the property in accordance with paragraph 15.

20. No Personal Liability: It is an express condition on which this contract is made and accepted, and a condition upon which the contract pursuant hereto shall be made and accepted, that no officer, trustee, or beneficiary executing this contract shall ever be made personally liable for the obligations thereof.

21. Entire Contract: This Contract, when executed by both Buyer and Seller shall contain the entire understanding and agreement of the parties with respect to the matters referred to herein and shall supersede all price or contemporaneous agreements, representations and understanding with respect to such matters, and no oral representations or statements shall be considered a part hereof.

22. **NOTICE:** SELLER ASSERTS AND BUYER HEREBY ACKNOWLEDGES THAT THIS OFFER IS EXPRESSLY CONTINGENT UPON THE CITY OF FAYETTEVILLE'S CITY COUNCIL'S FORMAL APPROVAL BY RESOLUTION OF THIS OFFER OF PURCHASE AND THAT THE FAILURE OF THE CITY COUNCIL TO SO APPROVE WILL MAKE ALL PORTIONS OF THIS OFFER NULL AND VOID, INCLUDING, BUT NOT LIMITED TO, THE RETURN TO BUYER OF THE $25,000 EARNEST MONEY DEPOSIT.

D. J. HAMMOND & ASSOCIATES, INC.
A Texas Corporation.

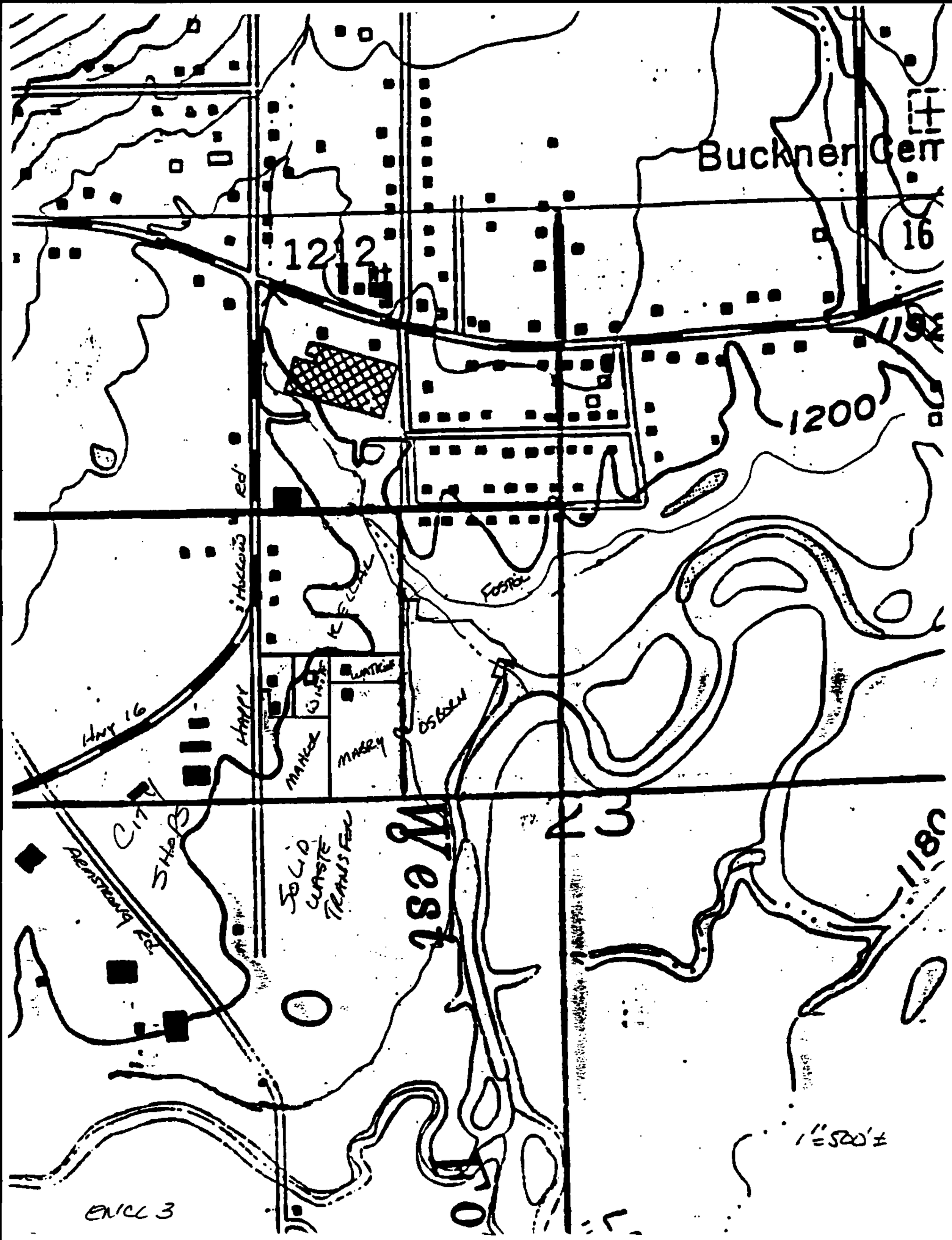
BUYER	Date
BUYER	Date

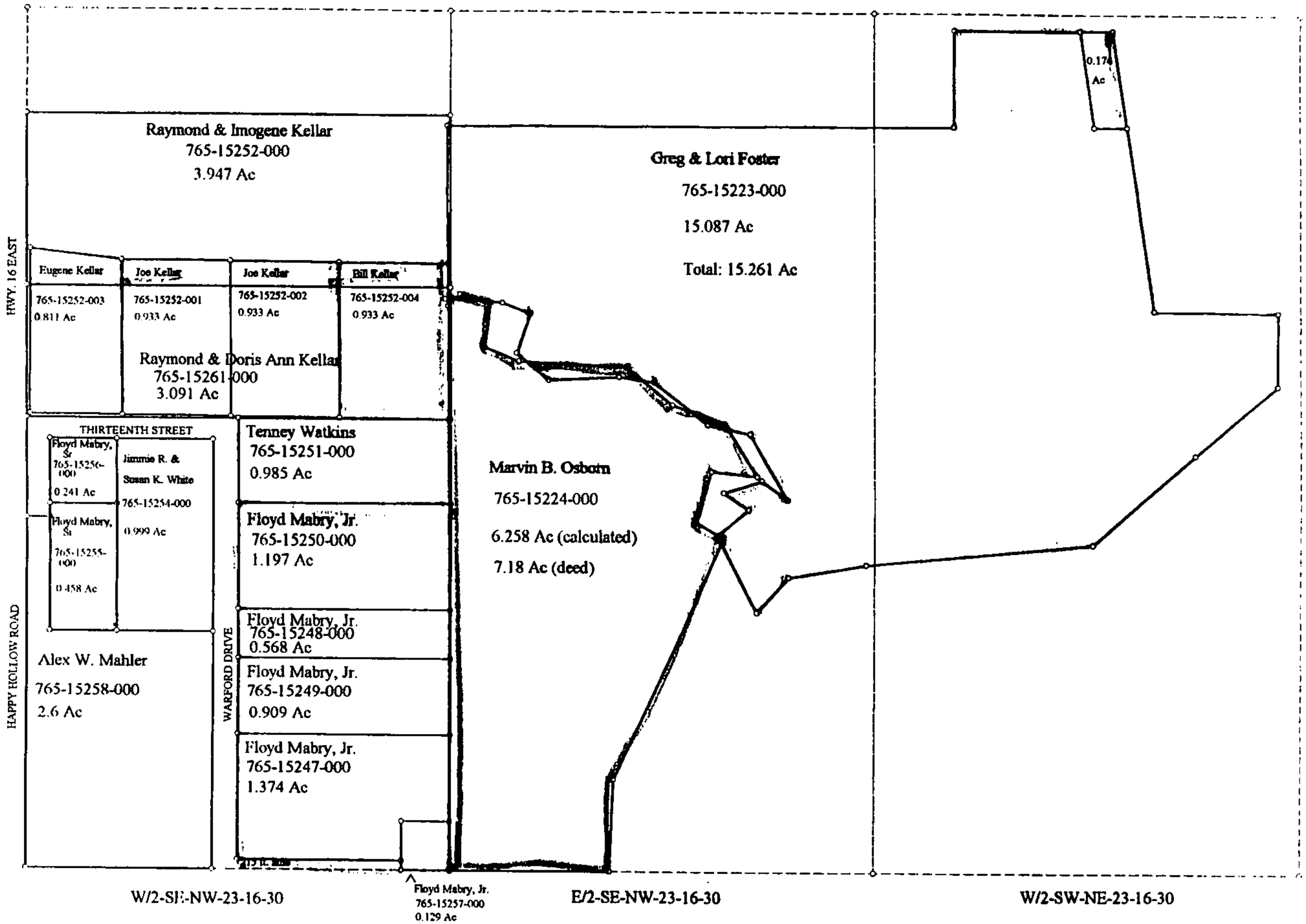
CITY OF FAYETTEVILLE, ARKANSAS
A Municipal Corporation.

MAYOR	Date

ATTEST:

CITY CLERK


Buckner Cem
16
1212
1192
1200
1180
Fossil
Hwy 16
Pennsylvania Rd
Solid Waste Transfer
Mary Osborn
Manuel
Watkins
1" = 500' ±
ENCL 3


Raymond & Imogene Kellar
765-15252-000
3.947 Ac
Greg & Lori Foster
765-15223-000
15.087 Ac
Total: 15.261 Ac
0.174 Ac
HWY. 16 EAST
Eugene Kellar
765-15252-003
0.811 Ac
Joe Kellar
765-15252-001
0.933 Ac
Joe Kellar
765-15252-002
0.933 Ac
Bill Kellar
765-15252-004
0.933 Ac
Raymond & Doris Ann Kellar
765-15261-000
3.091 Ac
THIRTEENTH STREET
Floyd Mabry, Sr
765-15256-000
0.241 Ac
Jimmie R. & Susan K. White
765-15254-000
0.999 Ac
Floyd Mabry, Sr
765-15255-000
0.458 Ac
Tenney Watkins
765-15251-000
0.985 Ac
Floyd Mabry, Jr.
765-15250-000
1.197 Ac
Floyd Mabry, Jr.
765-15248-000
0.568 Ac
Floyd Mabry, Jr.
765-15249-000
0.909 Ac
Floyd Mabry, Jr.
765-15247-000
1.374 Ac
Marvin B. Osborn
765-15224-000
6.258 Ac (calculated)
7.18 Ac (deed)
HAPPY HOLLOW ROAD
WARFORD DRIVE
Alex W. Mahler
765-15258-000
2.6 Ac
Floyd Mabry, Jr.
765-15257-000
0.129 Ac
W/2-SE-NW-23-16-30
E/2-SE-NW-23-16-30
W/2-SW-NE-23-16-30

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

RECEIVED

DEC 18 1997

CITY OF FAYETTEVILLE
MAYOR'S OFFICE

DEPARTMENTAL CORRESPONDENCE

MEMORANDUM

DATE: December 16, 1997

TO: Kevin Crosson, Public Works Director
Charles Venable, Assistant Public Works Director

FROM: Jill Goddard, Land Agent JSG

THRU: Don Bunn, City Engineer Don Bunn

SUBJECT: Appraisals on Properties East of Happy Hollow Road

We are in receipt of the appraisals on the three properties east of Happy Hollow Road and north of (adjacent to) City property. Below is a summary, including the Mahler property:

Property Owner	Acreage	Appraised Value
Floyd Mabry, Jr.	5.16 acres (including 3200 SF metal building)	$145,000*
Marvin B. Osborn	6.26 acres (floodplain)	$25,000*
~~Tenney Watkins~~	~~0.99 acre (including house currently occupied)~~	~~$28,000*~~
Alex W. Mahler	2.60 acres	$55,000
TOTAL		**$253,000**
		225,000

*Please note that the above amounts could increase by as much as 20%, contingent upon negotiations.

If you have any questions or need more information, please feel free to contact Ed Connell at Ext. 415 or myself at Ext. 407.

/jsg

EXCL- 4

Troy Belote MAI • Nikki Belote Bradley

Belote & Associates
REAL ESTATE APPRAISERS

APPRAISALS • ANALYSIS • COUNSELING • MARKET FEASIBILITY

November 17, 1997

Edward D. Connell, City Land Agent
City of Fayetteville
113 W. Mountain Street
Fayetteville, AR. 72701

Re: Complete Analysis — Summary Report
Tract A containing 7.518 acres
1475 W. Cato Springs Road
Fayetteville, Arkansas

Dear Mr. Connell:

In response to your authorization, I have conducted the required investigation, gathered the necessary data and made certain analyses that have enabled me to form an opinion of the Market Value of the fee simple interest in the above captioned property.

Based on the inspection of the property and the investigation and analyses undertaken, I have formed the opinion that, as of November 6, 1997, and subject to the assumptions and limiting conditions set forth within the body of this report, the subject has the following value.

MARKET VALUE (assuming rezoning to permit commercial use)..... $490,000

This conclusion of value does not include personal property or other non-realty items. The narrative appraisal report that follows sets forth the identification of the property, the assumptions and limiting conditions, pertinent facts about the area and the subject property, comparable data, the results of the investigations and analyses and the reasoning leading to the conclusions set forth.

Respectfully submitted,

Troy Belote

Troy N. Belote MAI
STATE CERTIFIED GENERAL APPRAISER NO. CG0108

ARKANSAS APPRAISER LICENSING & CERTIFICATION BOARD
STATE CERTIFIED GENERAL
NO. CG0108

P.O. BOX 389 FAYETTEVILLE, ARKANSAS 72702 PHONE (501) 521-6338 FAX (501) 521-5261

Troy Belote MAI • Nikki Belote Bradley

Belote & Associates
REAL ESTATE APPRAISERS

APPRAISALS • ANALYSIS • COUNSELING • MARKET FEASIBILITY

November 17, 1997

Edward D. Connell, City Land Agent
City of Fayetteville
113 W. Mountain Street
Fayetteville, AR 72701

Re: Complete Analysis — Summary Report
Tract B containing 10.838 acres
1475 W. Cato Springs Road
Fayetteville, Arkansas

Dear Mr. Connell:

In response to your authorization, I have conducted the required investigation, gathered the necessary data and made certain analyses that have enabled me to form an opinion of the Market Value of the fee simple interest in the above captioned property.

Based on the inspection of the property and the investigation and analyses undertaken, I have formed the opinion that, as of November 6, 1997, and subject to the assumptions and limiting conditions set forth within the body of this report, the subject has the following value.

MARKET VALUE (as is) $195,000

This conclusion of value does not include personal property or other non-realty items. The narrative appraisal report that follows sets forth the identification of the property, the assumptions and limiting conditions, pertinent facts about the area and the subject property, comparable data, the results of the investigations and analyses and the reasoning leading to the conclusions set forth.

Respectfully submitted,

Troy N. Belote MAI
STATE CERTIFIED GENERAL APPRAISER NO. CG0108

ARKANSAS APPRAISER LICENSING & CERTIFICATION BOARD
STATE CERTIFIED GENERAL No. CG0108
TROY N. BELOTE

P.O. BOX 389 FAYETTEVILLE, ARKANSAS 72702 PHONE (501) 521-6338 FAX (501) 521-5261

Troy Belote MAI • Nikki Belote Bradley

Belote & Associates
REAL ESTATE APPRAISERS

APPRAISALS • ANALYSIS • COUNSELING • MARKET FEASIBILITY

November 17, 1997

Edward D. Connell, City Land Agent
City of Fayetteville
113 W. Mountain Street
Fayetteville, AR. 72701

Re: Complete Analysis — Summary Report
Tract C containing Children's House and 1.332 acres
Razorback Road and Cato Springs Road
Fayetteville, Arkansas 72701

Dear Mr. Connell:

In response to your authorization, I have conducted the required investigation, gathered the necessary data and made certain analyses that have enabled me to form an opinion of the Market Value of the fee simple interest in the above captioned property.

Based on the inspection of the property and the investigation and analyses undertaken, I have formed the opinion that, as of November 11, 1997, and subject to the assumptions and limiting conditions set forth within the body of this report, the subject has the following value.

MARKET VALUE (assuming rezoning to permit commercial use)..... $170,000

This conclusion of value does not include personal property or other non-realty items. The narrative appraisal report that follows sets forth the identification of the property, the assumptions and limiting conditions, pertinent facts about the area and the subject property, comparable data, the results of the investigations and analyses and the reasoning leading to the conclusions set forth.

Respectfully submitted,

Troy N. Belote MAI
STATE CERTIFIED GENERAL APPRAISER NO. CG0108

P.O. BOX 389 FAYETTEVILLE, ARKANSAS 72702 PHONE (501) 521-6338 FAX (501) 521-5281

City of Fayetteville, Arkansas
Budget Adjustment Form

Budget Year	Department: Public Works	Date Requested	Adjustment #
1998	Division: Water & Sewer	Jan 13, 1998	
	Program:		

Project or Item Requested:
Funding is requested to purchase land, perform building improvements for Water & Sewer Maintenance and Water & Sewer Meter Operations as well as construct building improvements for Children's House.

Project or Item Deleted:
None. Land sale proceeds from Cato Springs facility is proposed for this adjustment.

Justification of this Increase:
The land and buildings requested will be needed if the Cato Springs property is sold.

Justification of this Decrease:
An offer to purchase the Cato Springs property is submitted for City Council consideration.

Increase Expense (Decrease Revenue)

Account Name	Amount	Account Number					Project Number	
Land Acquisition	225,000	5400	5600		5805	00		
Building Cost	368,000	5400	5600		5804	00		
Parking Improvements	100,000	5400	5600		5819	00		
Professional Services	110,000	5400	5600		5314	00		
Building Cost	250,000	1010	6600		5804	00		

Decrease Expense (Increase Revenue)

Account Name	Amount	Account Number					Project Number	
Gain/Loss on Sale of Assets	803,000	5400	0940		6881	02		
Gain/Loss on Sale of Assets	250,000	1010	0001		4881	02		

Approval Signatures

Requested By	Date
Budget Coordinator	Date 1/13/98
Department Director	Date
Admin. Services Director	Date
Mayor	Date

Budget Office Use Only

Type: A B C (D) E

Date of Approval _____

Posted to General Ledger _____ _____

Posted to Project Accounting _____ _____

Entered in Category Log _____ _____

Blue Copy: Budget & Research / Yellow Copy: Requester

ORDINANCE NO._____

AN ORDINANCE PROVIDING A METHOD TO STAGGER THE FOUR YEAR ALDERMANIC TERMS REQUIRED BY STATUTE WHEN A MAYOR-COUNCIL CITY REACHES A POPULATION OF 50,000 OR MORE.

WHEREAS, the City of Fayetteville has reached a population greater than 50,000, as determined by special federal census, and;

WHEREAS, cities of the first class having a population of 50,000 or more are required to elect aldermen for four year terms, with one of the two aldermen from each ward being elected every two years, and;

WHEREAS, state law provides no method for staggering the terms of aldermen in the situation where a city subsequently reaches a population of 50,000, as stated in attorney general Opinion 97-283, which concludes that such a procedure falls within a city's powers relating to "municipal affairs", and;

WHEREAS, the public interest will best be served by following the legislative preference found in Act 176 of 1959 which provided that at the general election of 1960 one alderman from each ward be elected to a four year term and one alderman from each ward be elected to a two year term until 1962 when staggered four year terms would occur.

WHEREAS, it is in the best interest of democracy that the qualified electors of the City of Fayetteville decide which ward position shall be for 2 years and which ward position shall be for 4 years.

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

Section 1. At the general election in the year 1998 one alderman (either position one or position two uniformly) from each ward of the city will be elected to a four year term and one alderman (either position one or position two uniformly) from each ward of the city will be elected to a two year term.

Section 2. At the general election in the year 2000 and each general election thereafter aldermen shall be elected to four year terms as set forth in A.C.A.§14-43-303.

Section 3. The determination of whether position one (1) in all wards shall be four years or position two (2) in all wards shall be four years shall be made by the qualified electors of the City of Fayetteville at the 1998 general election which shall be placed on the ballot in substantially the following form:

VOTE ON THE POSITION THAT YOU PREFER TO RECEIVE THE FOUR YEAR TERM BY PLACING AN "X" IN THE SQUARE OPPOSITE THE POSITION, EITHER WARD POSITION 1 OR WARD POSITION 2:

I VOTE FOR WARD POSITION 1
TO RECEIVE A FOUR YEAR TERM ..... ☐

I VOTE FOR WARD POSITION 2
TO RECEIVE A FOUR YEAR TERM ..... ☐

PASSED AND APPROVED this _____ day of _____, 1998.

REVISED

APPROVED:

By:_____
Fred Hanna, Mayor

DRAFT

ATTEST:

By:_____
Traci Smith, City Clerk

1/20/98

Fayetteville Public Library
217 E. Dickson Street
Fayetteville, AR 72701

January 21, 1998

Tracy,

Would you please give these library questionnaires to Kit Williams for tonight's Council meeting? He has agreed to do a ceremonial distribution of them to the aldermen right after old business and say words of encouragement to the public about filling them out. He asked me to ask you to remind him after old business to do the announcement. Thanks for your help. Louise Schaper

Here's the announcement for Kit:

The City of Fayetteville has provided additional funding to extend the hours of the Public Library. Now the library is open M,W, F 9-5 and T,TH 9-7 and all day Saturday 9-5. With these additional funds the library has the opportunity to extend its evening hours and possibly add Sunday afternoon hours. The library staff are asking citizens to complete a questionnaire to help decide which hours to be open. This short questionnaire is available until February 7 at the Fayetteville Public Library, City Administration Building, and most locations of the Bank of Fayetteville, Nation's Bank, and McIlroy Bank.

There are about 17,000 visits to the library each month. We know there are many more people out there who want to use the library but cannot get there when it is open. We encourage all of you who use the library and those who are unable to get there when it is open to complete this survey.

Fayetteville Public Library Customer Survey

The City of Fayetteville has increased our funding so that we may extend our hours. Please help us decide which days and hours are best for the whole community by completing the questions below. Also included are some questions about our customer service. Thank you for your time and thoughtfulness.

1. When is it most convenient for you to use the Fayetteville Public Library?
(please circle all that apply)

Adult Library	Children's Library	Genealogy Library
Weekday mornings	Weekday mornings	Weekday mornings
Weekday afternoons	Weekday afternoons	Weekday afternoons
Weekday evenings	Weekday evenings	Weekday evenings
Saturday	Saturday	Saturday
Sunday	Sunday	Sunday
Don't use	Don't use	Don't use

2. What are the best evening hours for you to use the library? *(please circle all that apply)*

6 p.m. to 7 p.m. 7 p.m. to 8 p.m. 8 p.m. to 9 p.m. Will not use at night

3. What are the best morning hours for you to use the library? *(please circle all that apply)*

8 a.m. to 9 a.m. 9 a.m. to 10 a.m. 10 a.m. to 11 a.m. 11 a.m. to 12 noon Will not use in morning

4. Please let us know what you think of our customer service by circling the appropriate grade for each item below.

A=excellent B=good C=average D=below average F=failing

1. Hours and days of operation	A	B	C	D	F	Does not apply
2. Comfort of facility	A	B	C	D	F	Does not apply
3. Cleanliness of facility	A	B	C	D	F	Does not apply
4. Accessibility for people with special needs	A	B	C	D	F	Does not apply
5. Availability and functioning of copiers	A	B	C	D	F	Does not apply
6. Ease of parking	A	B	C	D	F	Does not apply
7. Convenience to your home or work	A	B	C	D	F	Does not apply
8. Helpfulness and knowledge of staff	A	B	C	D	F	Does not apply
9. Courtesy of staff	A	B	C	D	F	Does not apply
10. Attitude of staff	A	B	C	D	F	Does not apply
11. Availability of material	A	B	C	D	F	Does not apply
12. Ease in finding materials	A	B	C	D	F	Does not apply
13. Ease in checking out material	A	B	C	D	F	Does not apply
14. Ease of returning materials	A	B	C	D	F	Does not apply

5. Please let us know which 5 items above are most important to you when you use the library. Write the numbers of the items in the boxes below.

Please Turn Over --
More on Other Side

6. About how often have you used the Fayetteville Public Library during the past year? *(please check one)*
- ❑ Almost daily
- ❑ 1-3 times a week
- ❑ 1-3 times a month
- ❑ 1-3 times a year
- ❑ 0

7. Do you live in the City of Fayetteville? *(please check one)*
- ❑ Yes
- ❑ No 6b. If no, where _____

8. About how far do you live from the Fayetteville Public Library? *(please check one)*
(located on E. Dickson behind the Washington County Court House)
- ❑ 0 to 1 mile
- ❑ 1 to 5 miles
- ❑ 5 to 10 miles
- ❑ more than 10 miles

9. Are you presently: *(please check one)*
- ❑ Student
- ❑ Employed with set schedule; for example 8 a.m. to 5 p.m.
- ❑ Employed with flexible or part-time schedule
- ❑ Housewife or househusband
- ❑ Retired
- ❑ Other(please specify) _____

10. What is your age? *(please check one)*
- ❑ under 13
- ❑ 13-17
- ❑ 18-34
- ❑ 35-49
- ❑ 50-64
- ❑ 65 and over

11. What is your gender? *(please check one)*
- ❑ Female
- ❑ Male

12. Have you completed this survey before? *(please check one)*
- ❑ Yes
- ❑ No

13. Please share your thoughts and ideas about the Fayetteville Public Library below.

Thank you for your time and thoughts.

Please place your completed survey in the large marked box.

1-20-98 C.C.

Exhibit #1

	Acreage	Less: Green Space	Developed Acreage	# of Lots	Average Acreage per Lot
Savanna	85	-1	84	107	**0.79**
Brookbury Woods	50	-1	49	94	**0.52**
Proposed Annexation Subdivision	76	-10	66	160	**0.41**

Exhibit #2

The Facts

There are 150 lots available within one mile of annexation rezoning development property.

Ridgemont View	16
Ridgemont Estates	3
Barrington Park Phase 1	26
Barrington Park Phase 2	49 (out of 134 total)
Madison	9
Brookbury Woods	12
Savanna	15
Boardwalk	20

*Every subdivision except Savanna and Boardwalk only have one entrance.

Total lots left	150
Plus proposed subdivision	**160**
Total potential available lots	310

Homes for sale in the Northeast part of Fayetteville:

Vandergriff School District	72
Root School District	62
Butterfield School District	68
Total	202

Existing Homes for sale	202
Developed Lots for sale	150
Proposed Annexation Development	**160**
Total	512

This Quarter Activity: 01/01/98 - 01/16/98

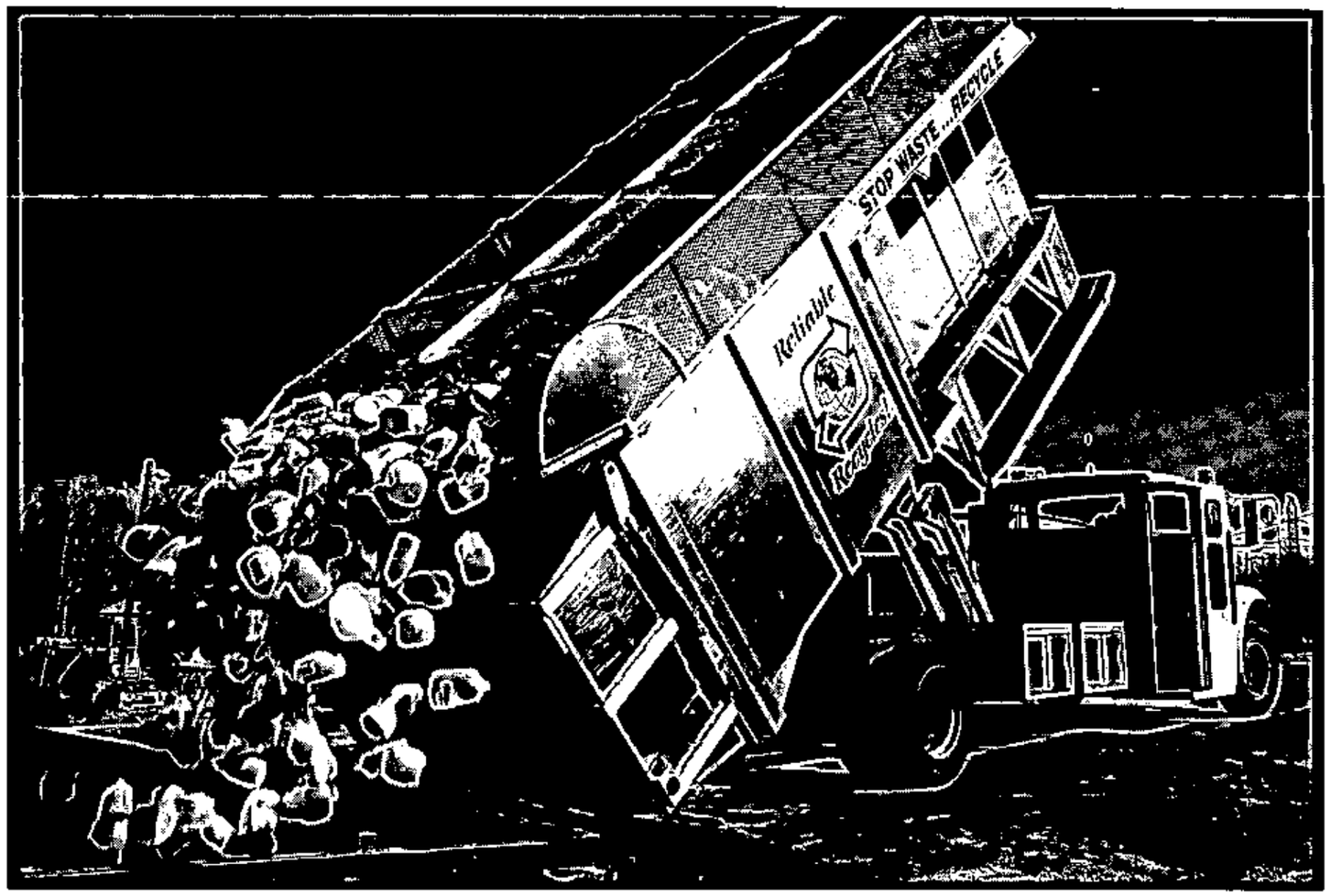
Type/Area	Total Active	New	Pend	Sold	Sold Volume	Average Sale Price	Average Mkt Days	% Of List	Coop Sales	Coop Volume	Expired	Withdraw	Backon
RS-FAYETTEVILLE	528	29	5	5	649,860	129,972	184	94.7	3	326,500	45	7	
RS-SPRINGDALE	519	24		7	680,250	97,179	156	94.6	4	330,250	34	7	
RS-ROGERS/BENTONVI	224	16	5								11	2	1
RS-OTHER TOWNS	458	27	5	3	214,000	71,333	144	96.5			33	3	
RS-BEAVER LAKE HOM	12										1		
RS-LAKEVIEW/LAKEFR	15											1	
LP-LAKE PROPERTY	82			2	289,500	144,750	235	97.2	1	134,500	6		2
FR-FARMS & RANCHES	128	2	1								11		
MH-MOBILE HOMES	28	1									3		
RL-RESIDENTIAL LOT	201	10		1	48,000	48,000	720	96.1	1	48,000	23		
LA-LAND & ACREAGE	459	20		3	159,000	53,000	62	81.9	3	159,000	23	1	
CI-COMMERCIAL/INDU	328	11	3	1	100,000	100,000	160	85.1			23	2	
IN-INCOME PROPERTY	151	8									10	1	
LS-LEASE PROPERTY	41	1										1	
LM-LOTS MISCELLANE	205	3									39	2	
Totals	3379	152	19	22	2,140,610	97,300	181	93.6	12	998,250	262	27	3

THE SEPARATOR By SAC

SAC 4200

SAC
RECYCLING SYSTEMS, INC.

WHERE SEPARATION PAYS!



PAYBACK TIME IS HERE!

Since 1988, **SAC** has specialized in building recycling trucks that are designed for **S**eparation **A**t **C**urbside, creating marketable products right at the curb. With markets booming, it's time to start sorting out profits!

THE SEPARATOR By SAC

All Aluminum Construction

42 Cubic Yards • 25,000 GVW

10,000 lbs. Capacity

Hydraulic Bubble Gate

Single Station Sorting

You can sort up to 15 items from our 8' long single station area - the fastest and most efficient design ever made - into a 42 yard all aluminum body - the largest capacity for a manually loaded recycling body in America. This truck holds up to 15 separated items from 500 homes or 20 lbs. per home. (Up to 21 cubic yards for news and other paper alone.)

Integrated Body / Cab

After sorting, drop the recycling bin and walk directly from the single station sorting area into the cab. This two step process - step out, step up, saves 1,000 steps per day, reducing driver fatigue while increasing efficiency.

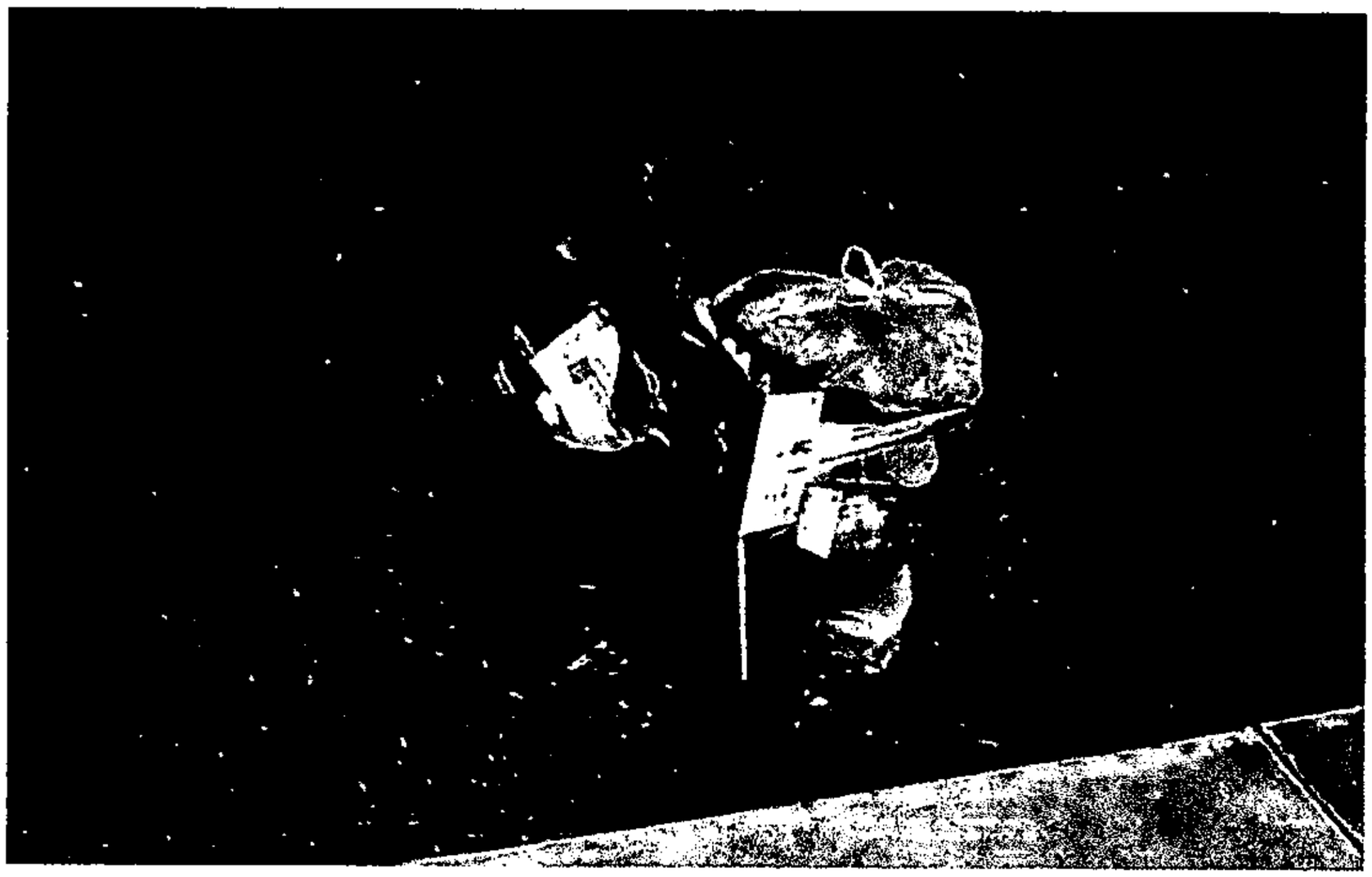
Separates up to 15 Items

Brown Glass • Green Glass • Clear Glass
Tin Cans • Alum. Cans • Cardboard • Batteries
#1 PET • #2 HDPE natural • #2 HDPE colored
Newspaper • Junk Mail / Mags • Pots / Pans
Used Clothing • Waste Oil

SAC RECYCLING SYSTEMS
600 Nutmeg Road No., South Windsor, CT 06074
Phone **(203) 282-8282** Fax **(203) 291-9062**

Appendix B(1)

Current Commingled Blue Bag



Proposed Commingled Recycling Bin

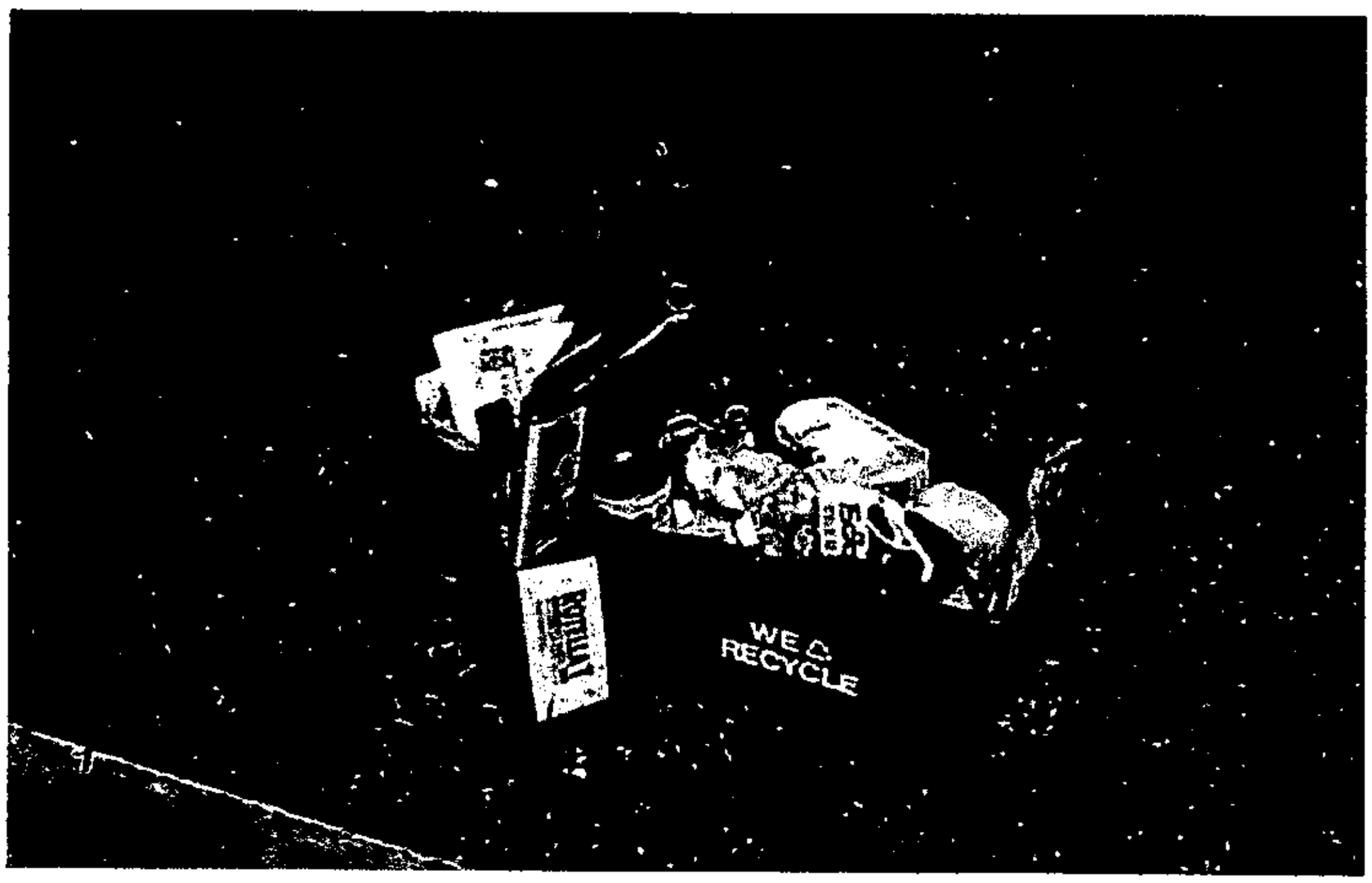


Table of Contents

Overview ..... *i*

The Dinerstein Companies ..... *ii*

- *Corporate Summary*
- *Profiles on Principals*
- *List of Properties Developed*
- *List of Properties Acquired*
- *List of Properties Rehabilitated*
- *Property Photographs*
- *Financial References*

D. J. Hammond & Associates, Inc. ..... *iii*

- *History and Corporate Philosophy*
- *Professional Services*

Summary of Need ..... *iv*

REALTY EXECUTIVES

METRO BROKERS, INC.
3810 Front Street, Suite 10
Fayetteville, AR 72701

Office: (501) 521-6000
Fax: (501) 521-3113

MARK A. BREWER, GRI
Realtor® Associate
Multi-Million Dollar Club
Mobile: (501) 530-SOLD (7653)
Fax: (501) 973-HOME (4663)

Overview

For over thirteen years, **D. J. Hammond & Associates** and **The Dinerstein Companies** have collaborated on multi-family transactions. To date, these transactions have totaled approximately $500 million, and have involved financing, equity, acquisitions, sales, note purchases, new construction and rehabilitation.

In a typical transaction involving the two companies, **D. J. Hammond & Associates'** responsibilities would be as follows:

- Site/property selection and evaluation
- Proposed improvement evaluation (including unit mix, size, rental rates, operating expense analysis, etc.)
- Assist with floorplan and site plan design
- Negotiation and execution of Purchase Contracts
- Zoning and permitting issues
- Financing and Equity (including underwriting, preparation of proposals, property inspections and day-to-day discussions)
- Coordination with architects, engineers, attorneys and other professionals
- Closing the transaction

The Dinerstein Companies' responsibilities would be as follows:

- Final improvement design and engineering
- Construction cost estimating and final bidding
- Construction
- Leasing and Management

In addition to the above listed duties, in tax credit/tax exempt bond transactions D. J. Hammond & Associates is responsible for applying for the credits, negotiating with neighborhood groups, negotiating with the local governments, and selecting and negotiating with the tax credit purchaser.

As the following corporate resumes reflect, the talents and experience of the two companies complement one another. This working relationship, which has been forged over many years, has proven time and again to be invaluable, and has enabled both companies to diversify within the multi-family industry.

THE DINERSTEIN COMPANIES

Apartment

Acquisition ◆◆ Development ◆◆ Management

6363 Woodway, Suite 1000
Houston, Texas 77057
(713) 977-4844

Corporate Profile

The Dinerstein Companies

THE **DINERSTEIN** COMPANIES HISTORY

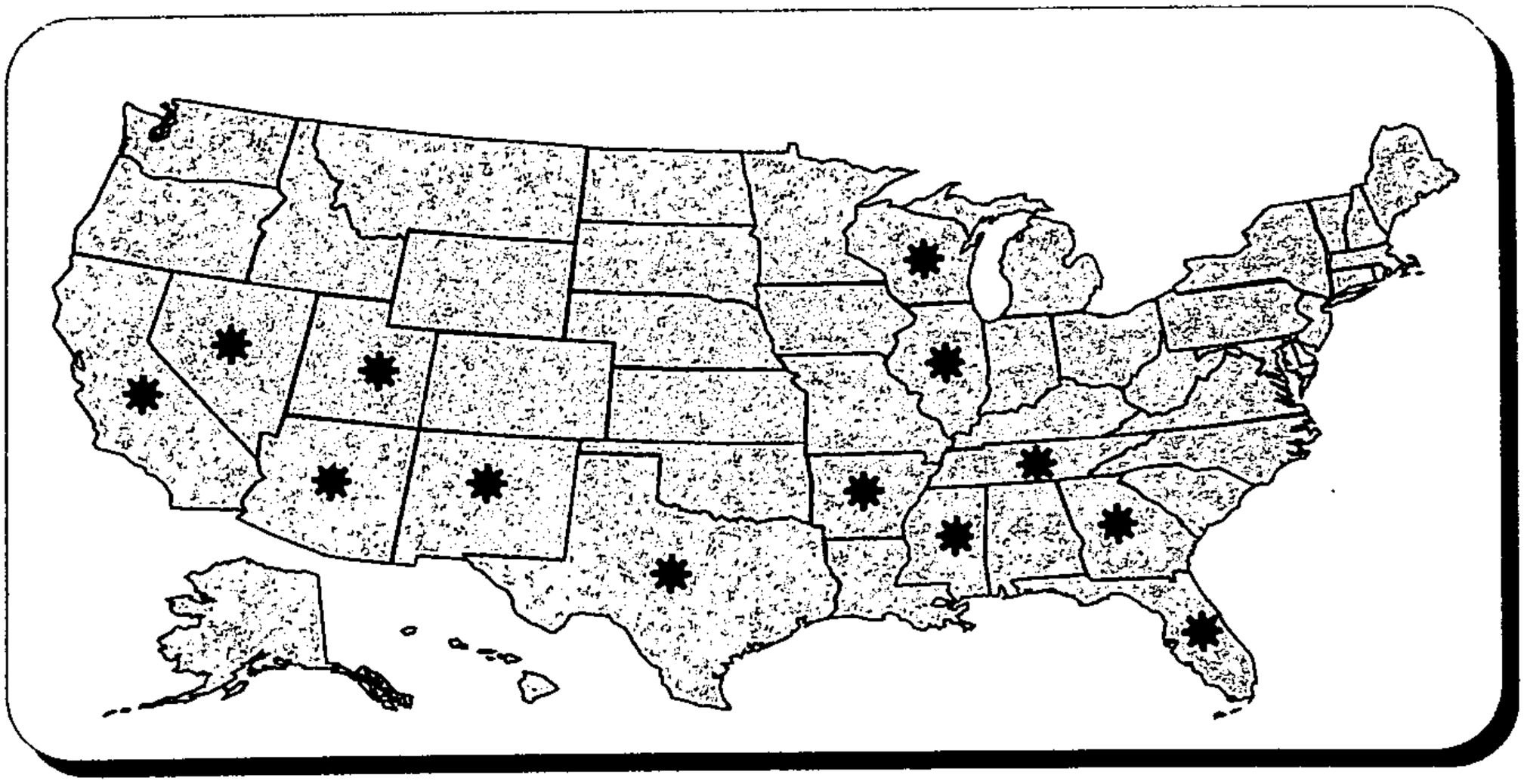
The Dinerstein Companies, organized in 1955, consists of DMC Management Co., Ltd., DMC Builders Co., Inc., DMC Realty Investment Group, Inc. Among the nation's leading developers, this Houston-based organization now represents an extensive network of income producing properties. The Dinerstein Companies, under the direction of its corporate principals, control and participate in every phase of operations and development. The Company has been in business for 41 years and employs in excess of 350 employees.

The Dinerstein Companies successfully:

- Acquired approximately 12,000 units valued in excess of $254 million;
- Developed in excess of 22,000 units in 12 states at a cost in excess of 1 billion;
- Sold in excess of $1.5 billion in apartment properties;
- Manages over 10,000 apartment units in 17 cities in 7 states; and
- Presence in 13 states and in over 40 cities.

The Dinerstein Companies combines well researched development with careful implementation and management to create outstanding communities that are built to endure.

The Dinerstein Companies presence has included Arizona, Arkansas, California, Utah, New Mexico, Texas, Wisconsin, Mississippi, Tennessee, Georgia, Illinois, and Florida.



Central to Dinerstein success are two generations of family ownership.

PRINCIPAL	AGE	YEARS WITH COMPANY
Jack Dinerstein	46	25
V.T. "Tom" Caltagirone	44	19
T.H. "Ted" Dinerstein	65	42

Each company principal has a pragmatic sense of market opportunities and trends, developed through years of experience.

The Dinerstein Companies recruit bright, highly qualified staff and works closely with them encouraging independent observation and creative input. The result is a foundation of capability and trust, inspiring corporate loyalty and team work among employees, suppliers and contractors. By combining flexibility, competence, and market knowledge, The Dinerstein Companies strive to produce profitable ventures for all involved parties.

THE **DINERSTEIN** COMPANIES PROFILES

Jack Dinerstein. (Age 46) With 25 years of multi-family administrative experience as President and Chief Executive Officer of The Dinerstein Companies, Jack oversees all activities of the holding company which include market analyses, site selection, financing, construction, advertising, public relations, and coordinating all management activities. In 1994, Jack was the Houston Apartment Association's Hall of Fame honoree, the youngest ever inducted. His experience as past President of the Houston Apartment Association and as a Director of the National Apartment Association brings enhanced administrative skills and national recognition to The Dinerstein Companies.

V. T. (Tom) Caltagirone, III. (Age 44) A CPA, Tom brings 23 years of financial and accounting experience to the endeavor. As the Chief Operating Officer of The Dinerstein Companies, a portion of his duties include the structuring of Joint Ventures and sale of properties which, to date, exceeds $1 billion. Tom is also the Chief Operating Officer of all DMC operating companies and properties, as well as the director of all legal and accounting activities.

T. H. Dinerstein. (Age 65) Ted is a life director and member of the National Association of Home Builders, as well as a past President of the Greater Builders Association. Ted was elected to the National Housing Center, Washington, D.C. Hall of Fame in 1985 and Builder of the Year. A Papal Citation and the Torch of Liberty Award represent only a small faction of the awards for his nearly 4 decades of business and civic contribution. A co-founder of The Dinerstein Companies in 1955, Ted continues to have an active presence with several additional local Boards including religious and educational organizations.

THE **DINERSTEIN** COMPANIES

SUMMARY OF PROPERTIES DEVELOPED

PROPERTY	UNITS	CITY	BUILT	FINANCING
SWT Student Housing	152	San Marcos, TX	1997 *	Conventional
Baylor Student Housing	172	Waco, TX	1997 *	Conventional
Texas A&M Student Housing	220	College Station, TX	1997 *	Conventional
Hightower	160	Peoria, IL	1997 *	Tax Credit
Wildewood Forest	252	The Woodlands, TX	1996*	Conventional
The Colonnade	288	Hermitage, TN	1996*	Conventional
The Vinings	240	Stafford, TX	1996	Conventional
Pinnacle Heights	240	Antioch, TN	1995	Conventional
Crossing @ N. Loop	112	Sacramento, CA	1995	Tax Credit
Lexington	190	Biloxi, MI	1995	Conventional
Alpine Meadows	222	Sandy City, UT	1994	Conventional
The Seasons	216	Houston, TX	1994	Conventional
Missions @ Vista	208	Santa Fe, NM	1994	Conventional
Palms South Shore	240	League City, TX	1990	Conventional
St. James Place	236	Milwaukee, WI	1989	Conventional
Regency House	177	Margate, FL	1987	Bonds
Lakes of Margate	280	Margate, FL	1987	Bonds
Lighthouse	280	Sunrise, FL	1986	Bonds
Boardwalk	291	Tamarac, FL	1986	Bonds
Regency Court	136	Pt. Richey, FL	1985	Bonds
The Breakers	208	Daytona Beach, FL	1984	Conventional
Shadowood	236	Austin, TX	1984	Conventional

PROPERTY	UNITS	CITY	BUILT	FINANCING
Silverado	256	Albuquerque, NM	1984	Bonds
Baywater	176	Tampa, FL	1984	Bonds
Harbor Walk	200	Tampa, FL	1984	Bonds
Sandstone	200	Tampa, FL	1984	Bonds
Alvarado	210	Albuqueruqe, NM	1984	Bonds
Windsor	300	Garland, TX	1983	Conventional
Tanglewood	298	Garland, TX	1983	Conventional
Brookfield	250	Houston, TX	1983	Conventional
Sugartree	250	Corpus Christi, TX	1983	Conventional
Vineyard	256	Austin, TX	1983	Conventional
Summer Valley	260	Austin, TX	1983	Conventional
Polo Club	288	Ft. Worth, TX	1982	Conventional
Pavillion	350	Garland, TX	1982	Conventional
Peachtree	400	Webster, TX	1982	Conventional
Apache Springs	296	Houston, TX	1982	Conventional
Copper Creek	300	Houston, TX	1982	Conventional
Barrington	308	Houston, TX	1982	Conventional
Chestnut Hill	460	Houston, TX	1982	Conventional
Coopers Mill	366	Houston, TX	1981	Conventional
Parkway	348	Houston, TX	1981	Conventional
Westbridge	416	Houston, TX	1981	Conventional
High Plains	396	Odessa, TX	1981	Conventional
Westfield Phase I	424	Houston, TX	1981	Conventional
Westfield Phase II	360	Houston, TX	1981	Conventional
Milstone	308	Midland, TX	1981	Conventional
Indian Run	256	Abilene, TX	1981	Conventional
Sunchase	300	Odessa, TX	1981	Conventional
Silvermine	216	Victoria, TX	1981	Conventional
The Junction	212	Midland, TX	1980	Conventional
Windmill Park	228	Midland, TX	1980	Conventional
Four Winds	404	Corpus Chrisit, TX	1980	Conventional
Wildewood	260	Clute, TX	1980	Conventional

PROPERTY	UNITS	CITY	BUILT	FINANCING
Fieldstone	270	Houston, TX	1980	Conventional
Sails	324	Houston, TX	1980	Conventional
Sunset, Ltd.	288	Houston, TX	1980	Conventional
Woodtrails	324	San Antonio, TX	1979	Conventional
Sun Forest	178	Lake Jackson, TX	1979	Conventional
Telegraph Hill	288	Austin, TX	1979	Conventional
Lakeshire	304	Houston, TX	1979	Conventional
Foxfire	260	Houston, TX	1979	Conventional
River Oaks	220	Tyler, TX	1978	Conventional
Northcross	188	Austin, TX	1978	Conventional
Woodbridge	220	Houston, TX	1978	Conventional
Somerset	104	Houston, TX	1978	Conventional
Cedar Mill	220	Houston, TX	1978	Conventional
Quail Creek	192	Houston, TX	1977	Conventional
North Oak	256	Houston, TX	1977	Conventional
Northgate	154	Houston, TX	1977	Conventional
Gessner Place	296	Houston, TX	1977	Conventional
Bayou West	248	Houston, TX	1977	Conventional
Westwood	194	Houston, TX	1976	Conventional
Richwood Place	228	Houston, TX	1976	Conventional
Garland Oaks	144	Lake Jackson, TX	1973	Conventional
Oakwood	153	Lake Jackson, TX	1973	Conventional
York Manor	192	Houston, TX	1973	Conventional
Pendleton Green	180	Harlingen, TX	1973	Conventional
Laredo	100	Houston, TX	1972	Conventional
Creekwood	285	Houston, TX	1972	Conventional
Port-O-Spain	234	Houston, TX	1970	Conventional
Chateau Int'l	144	Houston, TX	1970	Conventional
Almeda Chateau	208	Houston, TX	1970	Conventional
Braeswood	176	Houston, TX	1969	Conventional
Chateau Parker	200	Houston, TX	1968	Conventional
Casa Espana	120	Houston, TX	1967	Conventional

PROPERTY	UNITS	CITY	BUILT	FINANCING
Kingsbrook	450	Houston, TX	1965	Conventional
Galveston I-II	310	Galveston, TX	1965	Conventional
Kimberley	60	Houston, TX	1965	Conventional
The Louvre	150	Houston, TX	1965	Conventional
Apollo Athena	160	Houston, TX	1961	Conventional
Maryland I-II	110	Houston, TX	1960	Conventional
Collins	46	Houston, TX	1960	Conventional
San Souci	59	Houston, TX	1960	Conventional
Virginia	52	McAllen, TX	1960	Conventional
Old South	100	Pasadena, TX	1960	Conventional
TOTAL	22,933			

* Under Construction

THE
DINERSTEIN
COMPANIES

SUMMARY OF PROPERTIES ACQUIRED

PROPERTY	UNITS	LOCATION	SELLER	PRICE	ACQUIRED
Riverbend Manor	184	Ft. Worth, TX	Riverside Drive, Inc.	$ 1,000,000	1995
Parkway Place	294	Dallas, TX	Niagara Asset Group	$ 1,919,000	1994
Brookwood	220	Norcross, GA	}	}	1994
Brookchase	226	Doraville, GA	}A.G. Spanos Co.	$ 15,000,000	1994
Windsor Pointe	220	Norcross, GA	}	}	1994
Nob Hill	320	Atlanta, GA	Sentinel Real Estate	$ 7,400,000	1994
Riverbluff	400	Atlanta, GA	Alexander Properties	$ 8,325,000	1993
Pavillion	500	Dallas, TX	Tower Holdings NY	$ 5,100,000	1992
Shadow Lake	296	Little Rock, AR	N.W. Fed'l Savings	$ 6,300,000	1992
Foxfire	260	Houston, TX	RTC	$ 1,750,000	1991
Baywater	176	Tampa, FL	Turner Properties	$ 4,750,000	1991
Boardwalk	291	Tamarac, FL	RTC	$ 10,400,000	1991
Lighthouse	280	Sunrise, FL	RTC	$ 10,400,000	1991
Carriage House	288	Arlington, TX	RTC	$ 6,600,000	1991
Sorrento	304	Round Rock, TX	}	}	1991
Summer Valley	260	Austin, TX	}	}	1991
Woodhollow	108	Austin, TX	}RTC	}$13,490,000	1991
Woodland Heights	288	Austin, TX	}	}	1991
Brookfield	250	Houston, TX	Turner Properties	$ 5,600,000	1991
Citiscape	231	Dallas, TX	Metropolitan Fed'l	$ 1,666,000	1991

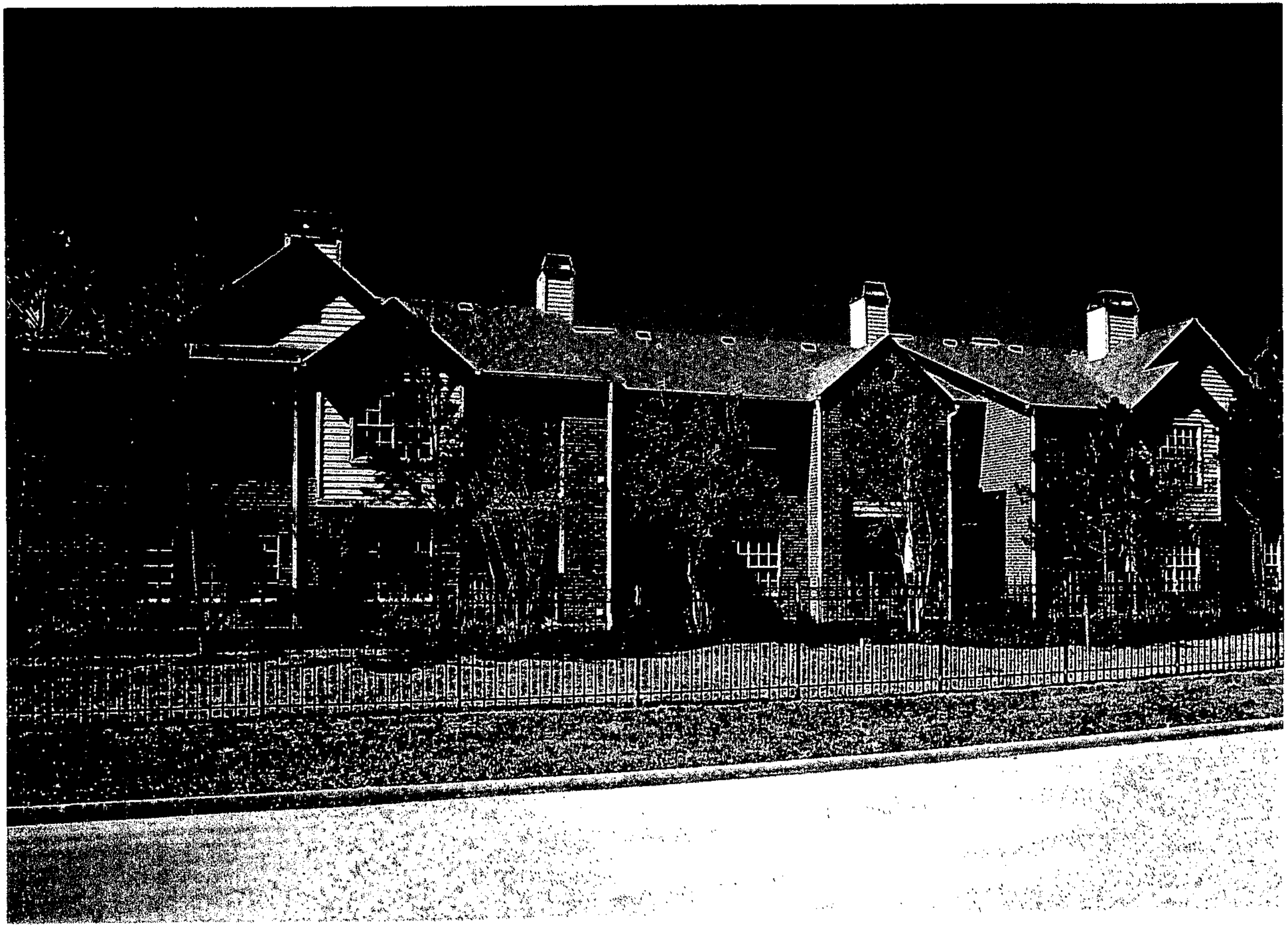
PROPERTY	UNITS	LOCATION	SELLER	PRICE	ACQUIRED
Coral Club	220	Houston, TX	RTC	$ 1,560,000	1990
Preston Oaks	200	Dallas, TX	Beverly Hills Savings	$ 5,680,000	1990
Oaks Hills	244	Irving, TX	RTC/Gill Savings	$ 7,865,000	1990
Catalina & Bellaire	208	Lewisville, TX	RTC/Sunbelt Savings	$ 3,750,000	1990
Eastchase Terrace	272	Ft. Worth, TX	RTC/Gill Savings	$ 6,450,000	1990
Randol Mill Hills	224	Arlington, TX	RTC/Gill Savings	$ 4,785,000	1990
Stadium Way	105	Arlington, TX	NCNB-Trustee	$ 400,000	1990
Voss Village	130	Houston, TX	Bluebonnet Savings	$ 2,250,000	1990
Celery Stalk	410	Dallas, TX	Beverly Hills Savings	$ 12,000,000	1990
The Creek	154	Round Rock, TX	Sunbelt Savings	$ 3,100,000	1990
The Gables	188	Round Rock, TX	Sunbelt Savings	$ 4,350,000	1990
Hunter's Ridge	144	Round Rock, TX	Sunbelt Savings	$ 2,340,000	1990
Wilcrest Woods	195	Houston, TX	}	}	1989
Quail Hollow	336	Houston, TX	}Industrial Indemnity	$ 6,800,000	1989
Tahoe Oaks	264	Houston, TX	}	}	1989
Timbers Deerbrook	260	Humble, TX	Mutual Benefit	$ 5,600,000	1989
Apache Springs	296	Houston, TX	UFSA/RTC	$ 8,700,000	1988
Barrington	308	Houston, TX	UFSA/RTC	$ 9,673,000	1988
Chestnut Hill	460	Houston, TX	UFSA/RTC	$ 14,465,000	1988
Cooper's Mill	366	Houston, TX	UFSA/RTC	$ 9,872,000	1988
Parkway	348	Houston, TX	UFSA/RTC	$ 10,331,000	1988
Autumnwood	320	Arlington, TX	}	}	1988
Cobblestone	344	Arlington, TX	}	}	1988
Lakeridge	244	Irving, TX	}SW Savings	$ 34,500,000	1988
Preston Trace	228	Dallas, TX	}	}	1988
Wimbledon Court	312	Lewisville, TX	}	}	1988
TOTAL	11,992			$254,171,000	

THE
DINERSTEIN
COMPANIES

A Dinerstein Community
Alpine Meadows Apartments - Sandy City, Utah

THE
DINERSTEIN
COMPANIES

A Dinerstein Community
The Vinings Apartments - Stafford, Texas



THE DINERSTEIN COMPANIES REFERENCES

Financial

WELLS FARGO BANK ..... (713) 250-7157
First Interstate Bank Plaza
1000 Louisiana
Houston, Texas 77002-5093
David Williams, Vice President

TEXAS COMMERCE BANK ..... (713) 216-5597
712 Main, 5th Floor
Houston, TX 77001
Nicolas E. Gonzalez, Vice President

COMPASS BANK ..... (713) 993-8569
24 Greenway Plaza, Suite 1402
Houston, TX 77042
Denise Traylor, Senior Vice President

BANK ONE ..... (713) 751-3831
910 Travis, 7th Floor
Houston, TX 77252
Barry Kelly, Vice President

GUARANTY FEDERAL SAVINGS ..... (512) 320-1000
301 Congress
Austin, TX 78701
Phyllis Milstead, Vice President

DELOITTE & TOUCHE ..... (713) 756-2530
Certified Public Accountants
333 Clay, Suite 2300
Houston, TX 77002
Ron Begnaud, Partner

CITICORP REAL ESTATE, INC. ..... (212) 559-1128
909 Third Avenue, 30th Floor
New York, New York 10022
Rich Gamba

WELLS FARGO REALTY ADVISORS ..... (303) 741-0800
4643 South Ulster Street, #1400
Denver, CO 80237
Deborah Behrend

FIRST HEIGHTS FSA ..... (713) 869-3411
204 West 19th Street
Houston, TX 77008

SUNBELT FEDERAL SAVINGS ..... (214) 541-2000
300 East Carpenter Freeway
Irving, TX 75016

REAL ESTATE CORPORATION OF AMERICA ..... (713) 780-1797
6363 Woodway
Houston, TX 77057
Bernard Aptaker

LAWRENCE RUBEN CO., INC. ..... (212) 319-5627
600 Madison Avenue
New York, NY 10022-1654
Martin J. Sumner

JEFFERSON REALTY COMPANY ..... (713) 651-8980
600 Jefferson, Suite 850
Houston, TX 77002
Robert H. White

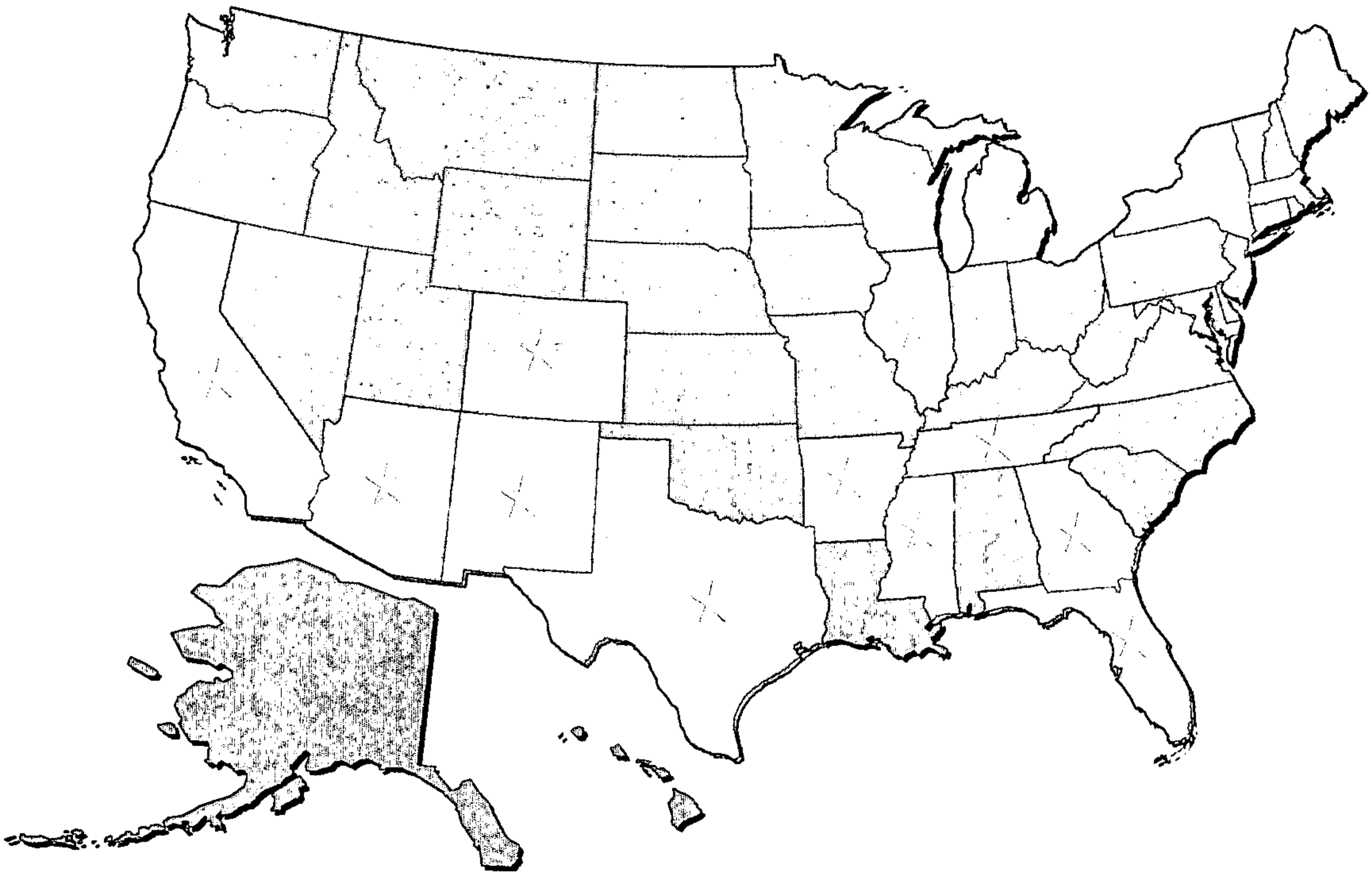
BASIC CAPITAL MANAGEMENT ..... (214) 692-4813
10670 North Central Expressway, Suite 600
Dallas, Texas 75231
James D. Danon III

D. J. Hammond & Associates, Inc.

Specializing in
Multi-family Real Estate

D. J. Hammond & Associates

NATIONAL MULTIFAMILY EXPERIENCE



History and Corporate Philosophy

D. J. Hammond & Associates was founded in 1984 with the vision of creating a firm which placed as its primary focus the multi-family industry. The Principals of D. J. Hammond & Associates have over 75 years of hands on experience in the real estate industry. From a background deeply rooted in the lending business, with a strong emphasis in the multi-family arena, a company was created that was relationship-oriented and which would provide a full range of multi-family related services.

The company elected to expand its scope of services when the national real estate collapse, which was prompted by the 1986 tax reform, caused the failure of numerous commercial banks and savings & loan associations. D. J. Hammond & Associates received numerous requests from all segments of the real estate industry for representation in renegotiating and restructuring debt, negotiating settlements, purchasing notes, analyzing and pricing portfolios for purchase at deep discounts, and representing clients in formal mediation. Due to the wide spectrum of clients served and the variety of projects undertaken on behalf of these clients, the individuals within the Company have been involved in all facets of the real estate industry including:

- The management and marketing of over 8,000 assets with a book value in excess of $2 billion dollars on behalf of the RTC, FDIC and private sector clients
- Consulting engagements involving over $750 million dollars in real estate related debt
- Negotiating the restructuring of debt in the amount of $300 million dollars
- Performing due diligence projects for the acquisition of both loan and real estate owned portfolios in the hundreds of millions of dollars
- Negotiating and closing the acquisition of over $106 million in multi-family properties
- Successfully packaging, advertising and closing bulk loan sales of both performing and non-performing assets with a book value of several hundred million dollars
- Participating in the planning and execution of national sales events that allowed the RTC and FDIC to meet the goals set forth by Congress

For the past fourteen years, D. J. Hammond & Associates has enjoyed a reputation among apartment owners/developers, lenders, and equity providers as an expert in the field of multi-family investments.

The company places special emphasis on the following transactions:

- TAX CREDIT TRANSACTIONS
- PRIVATE ACTIVITY BOND FINANCING (TAX-EXEMPT BONDS)
- CONVENTIONAL APARTMENT DEVELOPMENT
- STUDENT APARTMENT DEVELOPMENT
- MULTI-FAMILY EVALUATION AND ANALYSIS
- CONSTRUCTION AND PERMANENT FINANCING
- EQUITY INVESTMENT
- ACQUISITION AND SALES BROKERAGE

TAX CREDIT TRANSACTIONS

In 1994, D. J. Hammond & Associates elected to expand our arena of operation to include affordable housing. Combining our expertise in all phases of conventional multi-family properties with years of experience in financing tax-exempt bond transactions, we quickly came to be recognized as a unique and valuable source for developers desiring to participate in the Section 42 Low Income Housing Tax Credit market. Section 42 tax credit transactions are perhaps the most complicated of all real estate transactions; however, they can also be the most profitable. Each year we identify the cities in the United States where these types of transactions are needed. We locate suitable properties, negotiate options, meet with the appropriate municipalities and neighborhood groups, work with the design architects, prepare and submit the applications for credits (securing interim and permanent financing), negotiate the sale of the credits, and close the transactions. After closing we become the liaison between the municipalities, neighborhood groups, lenders and the developer. In short, through our efforts this most difficult, complicated process becomes seamless for the developer.

EQUITY

Because of the sheer volume of projects undertaken by our clients each year, many of them require third-party equity investors. We have provided a wide range of services to our clients in these transactions from locating the equity, to assisting with the structure of the investment, to negotiating the transaction with the investor. Here again, great emphasis is placed upon the building of relationships between the developer, the investor, and D. J. Hammond & Associates.

ACQUISITIONS

In addition to constructing multi-family units, many of our clients seek to acquire existing properties where circumstances permit the creation of additional value. We have represented our clients in locating, contracting to purchase, and closing over $200 million in multi-family properties. In many cases, we have located, analyzed and secured assignable purchase contracts prior to ever approaching our clients. In other situations, our clients have utilized our expertise to evaluate and negotiate the purchase of properties they have identified. We have represented our clients in purchasing properties from individuals, the RTC, the FDIC, bankruptcy trustees, asset management companies, commercial banks, savings banks, and life insurance companies. The key to our success in this arena is being "deal-makers", while maintaining investment judgement based upon our experience and effective evaluation techniques.

DEBT PLACEMENT

Since 1990, D. J. Hammond & Associates has secured approximately $300 million in multi-family financing for its clients located throughout the country. This financing includes FNMA, conventional, construction, rehabilitation, refinancing, permanent, and HUD's 221 programs. We have arranged the financing through life insurance companies, commercial banks, savings associations, and private sources.

The Company's greatest accomplishments in the financing area of our business should not, however, be defined in terms of numbers. We recognize the importance of financing to the eventual success of an apartment property. Many otherwise successful projects have failed simply because the terms of the financing were not suitable. Therefore, it is our foremost goal to seek and secure innovative financing which is best suited the individual needs of the property. We can only accomplish this goal by developing a close working relationship with our client, and by having a complete understanding of the property.

PORTFOLIO AND SINGLE ASSET SALES

A large percentage of our clients could best be defined as "Merchant Builders". That is, they create value by constructing or rehabilitating a property, stabilizing the operations, and then they immediately recognize the value by selling. In other cases, our clients have elected to sell all or a portion of their portfolio in one transaction. In the past six years alone, we have been directly responsible for selling over $100 million in multi-family properties for our clients. We have sold these properties to institutional investors, pension advisors, REITs, life insurance companies, and individuals. Maximizing profits for our clients can only be achieved by having a complete understanding of the market and the product, and knowing which purchasers are most appropriate for that product. With some of our clients, we are asked to be involved in the property from its inception in order to develop strategies that maximize value. In other situations, we are retained to ready the property for sale by analyzing the operations and preparing the offering package.

NOTE PURCHASES

In the course of conducting its core business, D. J. Hammond & Associates has identified promissory notes secured by multi-family properties that, for various reasons, represent excellent investments for our clients. We have successfully purchased and compromised approximately $90 million in such notes over the past few years. In every case, our clients realized remarkable profits within a very short period of time. In these transactions, we identified the notes, conducted the due diligence, negotiated the purchase, secured the financing, secured the equity, and closed the purchase. After closing, we managed the assets and conducted all of the settlement negotiations.

BROKERAGE

Through its subsidiary and brokerage network, Equitable Realty Advisors, Inc., the D. J. Hammond company is able to offer insight not normally found with conventional brokerage companies. Due to the varied disciplines, experience and backgrounds possessed by the Hammond team members, they are able to analyze, evaluate and offer strategies not readily apparent to other brokerage companies. To date they have been involved in the negotiation of over $2 billion dollars in transactions and assets numbering in the thousands. With many years' experience in the pricing, purchasing, value enhancement and marketing of billions of dollars of both distressed and non-distressed assets of all types, they stand ready to offer exacting exit strategies for all their clients.

DEBT RESTRUCTURE AND LENDER MEDIATION

To date, we have successfully assisted our clients in direct lender negotiations involving over $750 million in debt. While most real estate markets have rebounded from the collapse, there are still situations where, for various reasons, our clients request that we intercede with their lender.

For additional information please call 512-328-0166 or 512-469-5980:

Donald J. Hammond, Jr.
Danny M. Harvey
Thomas M. (Mac) Jones
Kim McGee
Virginia Wheeler

TAX CREDIT TRANSACTIONS

Each year, the Federal Government gives each state tax credits equal to $1.25 per person living in that state. Each $1 in Federal tax credits means that the ultimate user can deduct $1 directly from its taxes owed. The tax credit may be applied each year for ten years; therefore, a $1 tax credit actually has a value of $10. These credits are given with the stipulation that the tax savings must be used to provide *affordable housing* within that state.

The guidelines for what constitutes *affordable housing* in the eyes of our Federal Government are, as you might expect, fairly complex. Basically, the units must be leased to families or individuals earning less than the median income for the city. This program is very different from the old HUD Section 8 or Government Housing Project programs though. For the most part, the tenants in these units are gainfully employed, have good credit, and must pass tenant screening.

After the tax credits are awarded, they are typically sold to large corporations (IRS rules limit individuals to a maximum of $9,900 in tax credits in any given tax year). As an example, if you were awarded $1 million in tax credits in the 1997 allocation, the actual value is determined by multiplying times ten (remember you will receive $1 million in credit each year for ten years). The $10 million in tax credits would be sold (probably through a major syndicator) to a corporation for a price of approximately $.65 per credit or $6,500,000 in cash. The difference between the $1 and the $.65 is the reason why a corporation would buy the credits in the first place. They get $1 off of their tax liability for the price of $.65. The $6,500,000 would then be used as cash equity required to build the project. The rest of the funds would come from conventional lending sources.

Basically, a tax credit transaction would look something like this:

Total Cost of Project:	$12,000,000
Equity from Sale of Tax Credits:	($ 6,500,000)
Conventional Loan Amount:	$ 5,500,000

Since the equity is so large and requires no debt service, we are able to lease the units for an amount that is dictated by the program.

The tax credit program has become very popular among developers. This is because it poses less risk and is very profitable. The problem is, there are a limited number of tax credits available each year and an ever-growing appetite for them from the development community. For example, Texas allocates approximately $23 million per year in tax credits, and it receives applications from developers that total almost $100 million. As you can see, the state has to have some way to make a decision on who gets these credits. As a result, the states have adopted a very competitive program to decide who will get what number of credits.

Typically, a state will award tax credit once a year. This time is referred to as the "cycle". It is almost always held early in the year (generally in the first quarter). Each state publishes a manual called a Qualified Allocation Plan (QAP), which informs applicants of the rules adopted by that state, provides the application, and tells how the application will be graded. Most states

award "points" for certain criteria being met, then grant tax credit allocations to the applicants with the most points.

When submitting an application for tax credits, location of the property within a city is also of importance. Whenever possible, we want to locate the property in what is called a Qualified Census Tract (QCT). A QCT is a census tract within a city, which was identified, in the last Census (1990) as having a population in which 50% or more of the households have an income that is 60% of the area median gross income. Bonuses are awarded to developers for locating a project in one of these tracts. A Census Tract Map can be obtained from your City Planning Department or its equivalent.

We have successfully built tax credit properties all over the country, and have decided to seek a tax credit site in your city. We need your help in locating property with the following characteristics:

- ✓ A minimum of 12 acres
- ✓ A maximum of 16 acres
- ✓ A site that is zoned, or can easily and quickly be zoned for multi-family
- ✓ Preferably, although it may not be essential, located within a Qualified Census Tract
- ✓ A site that is *buildable* (i.e. no steep slopes or other characteristics which would make development extraordinarily expensive)

The tax credit program also works for rehabilitation of existing properties, although it is much more difficult. Rehab properties should have the following characteristics:

- ✓ A minimum of 150 units
- ✓ A maximum of 200 units
- ✓ A project that is located within a Qualified Census Tract
- ✓ The project must have been owned by the Seller for a minimum of ten years (This is an IRS requirement)
- ✓ The acquisition price must be low and the cost to rehabilitate must be high (This relates to qualified costs vs. acquisition costs)

TAX EXEMPT BOND/TAX CREDIT TRANSACTIONS

Each year the Federal Government gives each state the authority to issue tax-exempt bonds for affordable housing. Tax-exempt bonds will allow a developer to borrow funds at significantly lower interest rates than conventional sources would offer, and therefore a larger loan can be obtained. The tax-exempt bonds can also be used in conjunction with Federal tax credits to provide the necessary equity.

The major difference between this program and using the tax credit program by itself is that fewer credits are awarded. The theory is this: since tax-exempt bonds allow you to borrow more money, you do not need as many tax credits. Also, where tax credits are awarded only during a certain cycle, tax credits used in conjunction with tax exempt bonds may be awarded at any time during the year. The tax credit program is explained in some detail elsewhere in this document. Otherwise, this program is very similar with respect to the targeted tenant profile, earning restrictions, and rent restrictions.

Typically, a state will award tax-exempt bonds on a first-come-first-served basis beginning in January of each year. In order to make an application, the proposed project must receive the support of the local housing authority (the support is often referred to as the *inducement letter).*

Location of the property within a city is also of importance. When at all possible, we want to locate the property in what is called a Qualified Census Tract (QCT). A QCT is a census tract within a city, which was identified in the last Census (1990) as having a population in which 50% or more of the households have an income which is 60% of the area median gross income. Bonuses are awarded to developers for locating a project in one of these tracts. A Census Tract Map can be obtained from your City Planning Department or its equivalent.

We have successfully built tax-exempt bond/tax credit properties all over the country, and have decided to seek an opportunity in your city. We need your help in locating property with the following characteristics:

- ✓ A minimum of 12 acres, and a maximum of 16 acres
- ✓ A site that is zoned, or can easily and quickly be rezoned for multi-family
- ✓ Preferably, although it may not be essential, located within a Qualified Census Tract
- ✓ A site that is *buildable* (i.e. no steep slopes or other characteristics which would make development extraordinarily expensive)

The tax-exempt bond/tax credit program also works for rehabilitation of existing properties, although it is much more difficult. Rehab properties should have the following characteristics:

- ✓ A minimum of 150 units, and a maximum of 200 units
- ✓ A project that is located within a Qualified Census Tract
- ✓ The project must have been owned by the Seller for a minimum of ten years (This is an IRS requirement)
- ✓ The acquisition price must be low and the cost to rehabilitate must be high (This relates to qualified costs vs. acquisition costs)

STUDENT HOUSING TRANSACTIONS

We are currently seeking suitable building sites for the construction of multi-family housing designed and marketed entirely to college students. As opposed to other student housing developers, we are not seeking joint ventures with the schools, or to build the units on university owned property. These properties are strictly conventionally financed and privately owned.

These developments are designed to replace older, functionally obsolete properties, which are now commanding such high rental rates because they cater to students. Our properties have very large two, three and four bedroom units, with fully equipped kitchens and full-size washers and dryers. Property amenities include huge state-of-the-art exercise rooms, extra large swimming pools with hot tubs, sand volleyball pits, and other features designed especially for the students. The properties and the units themselves are beautifully designed and constructed.

We are seeking the following:

- ✓ A site containing a minimum of 15 acres
- ✓ A site containing a maximum of 20 acres
- ✓ A site located reasonably close to the school
- ✓ A site that is properly zoned or than can be easily rezoned
- ✓ A site which is reasonably flat (no steep grades or other physical characteristics which would significantly increase development costs)

1/13/98

To: Fayetteville City Council
Re: Annexation and Rezoning request/ Gary Atha

We would like to submit the attached information for your review of the above referenced request:

I. This attachment, produced by the Fayetteville Planning Office, shows the surrounding subdivisions and their respective densities. We have added the proposed subdivision and a proposed density based on our latest layout and lot arrangement. As can be seen, a density of 2.14 units/acre is well below the allowable R-1 density (54%) and compares favorably with the densities of adjacent properties.

II. This attachment is provided in response to the question of need for the project. This survey was done on 1/7/98 and was accomplished by driving each of the subdivisions and counting For Sale signs on either empty lots or existing homes. As the numbers show, there is clearly not and overabundance of either lots or homes in this area. In fact, the project most closely resembling the proposed project, Brookbury Woods is nearly sold out.

III. This attachment is the proposed layouts of two possible additional accesses to the property . Also attached are the engineering cost estimates of the two proposals. Recognizing the need for additional access and the need for the City of Fayetteville to help us in acquiring the land for either proposal, we suggest the following solution.

1. We will guarantee funding for 100% of the least expensive alternative of the above proposals. Our figures indicate that this would be Alternative #2 at a total cost of approximately $ 200,000 including land acquisition. Should the City of Fayetteville decide that Alternative #1 is a better solution, we would contribute the above amount in a cost sharing with the City toward that project. Our estimate of the cost of Alternative #1 is approximately $ 350,000 including land acquisition. We have met with the City Engineering department who concur with these estimates.

2. Prior to the final vote on this proposal we will enter into a contract with the city to provide these funds, contingent on obtaining the required approvals.

We hope this information will answer some of the questions raised at your last meeting and allow your favorable consideration of this proposal.

JORGENSEN & ASSOCIATES
CONSULTING ENGINEERS, INC.

#2

BROOKBURY EXTENSION
COST ESTIMATE
1/12/98
(31' B to B 1200' Long)

Clear Grub	$ 15,000.00
Shape & Compact	$ 16,000.00
2240' C & G @ 6.50/LF	$ 14,560.00
750 SY Concr. Str. @ 18/SY	$ 13,500.00
2610 SY Asph. Str. @ 12.75/ SY	$ 33,277.50
4 curb inl. w/ext. @ 2000/ea	$ 8,000.00
31' of 24" RCP @ 34.00/LF	$ 1,054.00
31' of 36" RCP @ 45.00/LF	$ 1,395.00
300' of 36" CMP @ 30.00/LF	$ 9,000.00
1600 CY Hillside @ 10/CY	$ 16,000.00
Backfill C & G	$ 2,200.00
2240' of Sidewalk @ 8.00/LF	$ 17,920.00
Final Grade & Cleanup	$ 5,000.00
Lab Test	$ 1,500.00
Bond	$ 1,500.00
Eng./Surv./Constr.Stake/Insp.	$ 16,000.00
TOTAL	$171,906.50

2013 GREEN ACRES RD., SUITE A • FAYETTEVILLE, ARKANSAS 72703 • (501) 442-9127

1/7/98

Lot and Home availability

Subdivision	Total Lots	Lots for Sale	Homes for Sale
Savannah Estates	109	0	11
Brookbury Woods	96	1	2
Timbercrest	58	1	4
Ridgemont Estates	30	0	1
Barrington Park	114	28	11

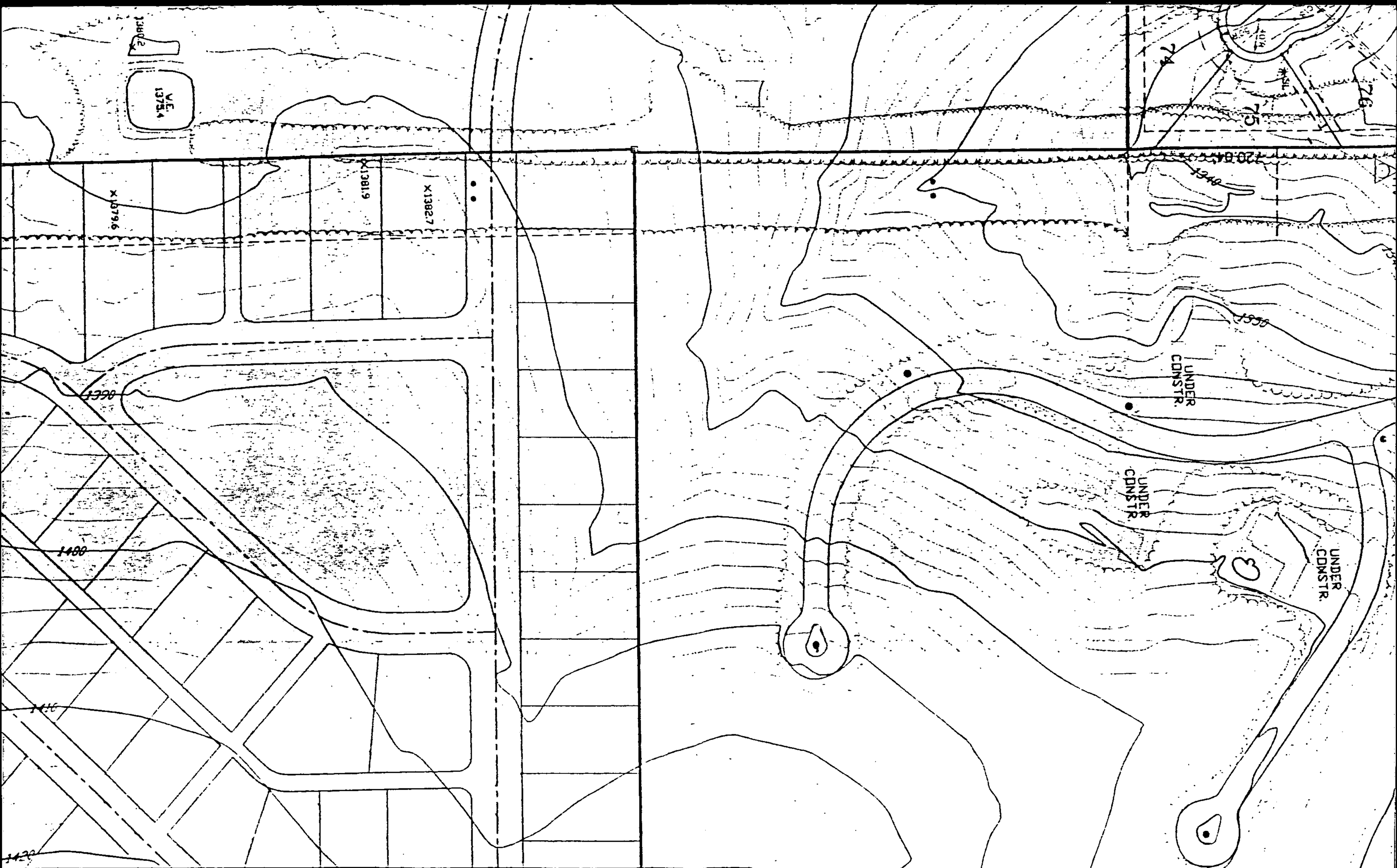
JORGENSEN & ASSOCIATES
CONSULTING ENGINEERS, INC.

TOWNSHIP EXTENSION
FROM END OF EXISTING TO ATHA PROPERTY
(APPR. 1450' OF 31' B. TO B.)

PRELIMINARY COST ESTIMATE

1)	Clear & Grub	$ 15,000.00
2)	Shape & Compact	$ 20,400.00
3)	2660 Curb & Gutter @ 6.50/L.F.	$ 17,290.00
4)	4000 SY Concr. Str. @ 18.00/S.Y.	$ 72,000.00
5)	2-4'x6' Box Culvert Complete	$ 40,000.00
6)	2-4'x8' Box Culvert Complete	$ 42,000.00
7)	Backfill C & G	$ 2,750.00
8)	2660' Sidewalk @ $8.00/L.F.	$ 21,280.00
9)	Bond Street & Drainage	$ 4,000.00
10)	Lab Testing Fees	$ 950.00
11)	7500 CY Hillside @ $10/cy	$ 75,000.00
12)	Eng/Surv./Constr. Stake/Insp.	$ 30,000.00
	TOTAL	$ 340,670.00

2013 GREEN ACRES RD., SUITE A • FAYETTEVILLE, ARKANSAS 72703 • (501) 442-9127

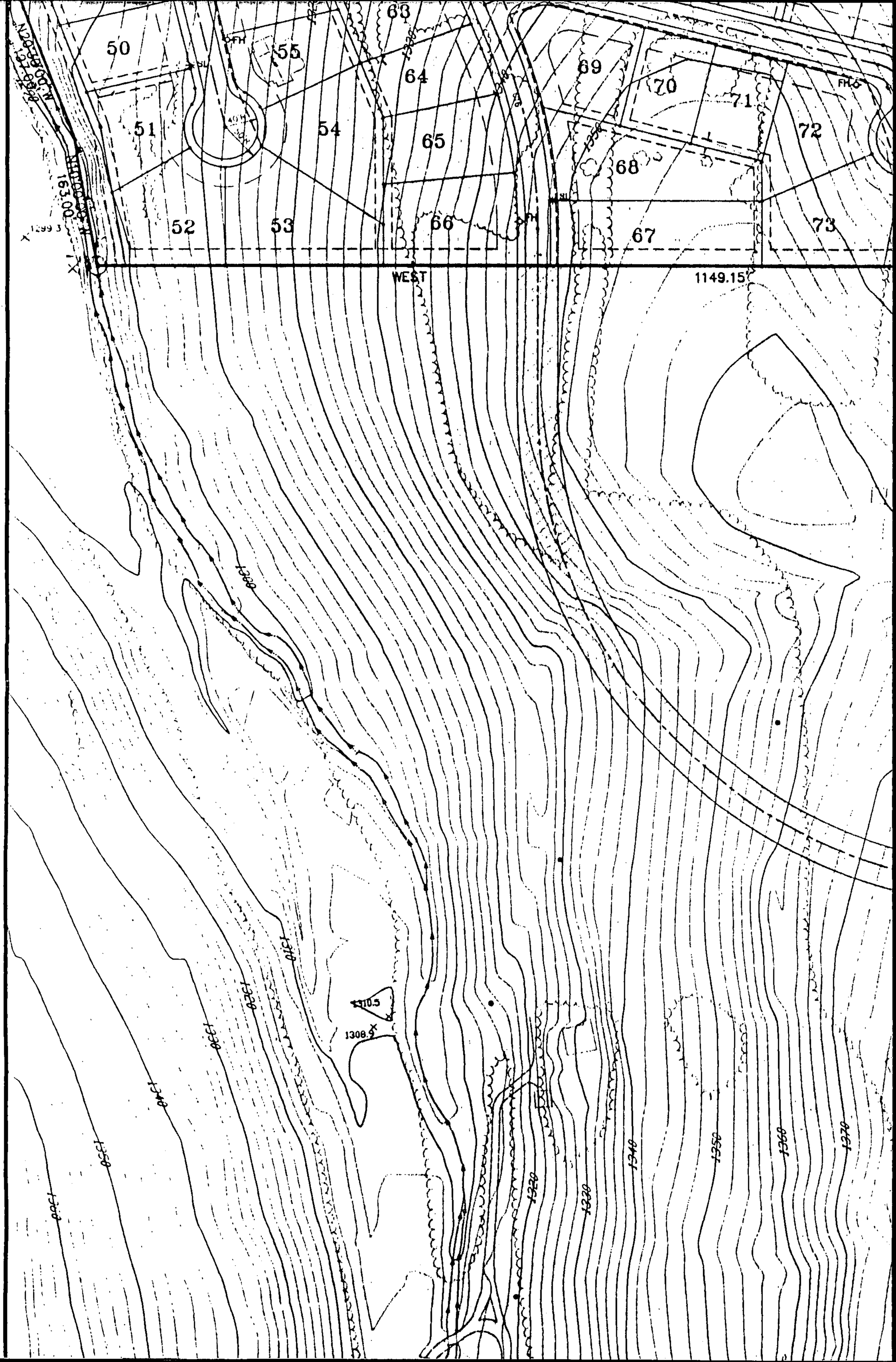


JORGENSEN & ASSOCIATES
CONSULTING ENGINEERS, INC.
2013 GREEN ACRES ROAD
FAYETTEVILLE, ARKANSAS 72703

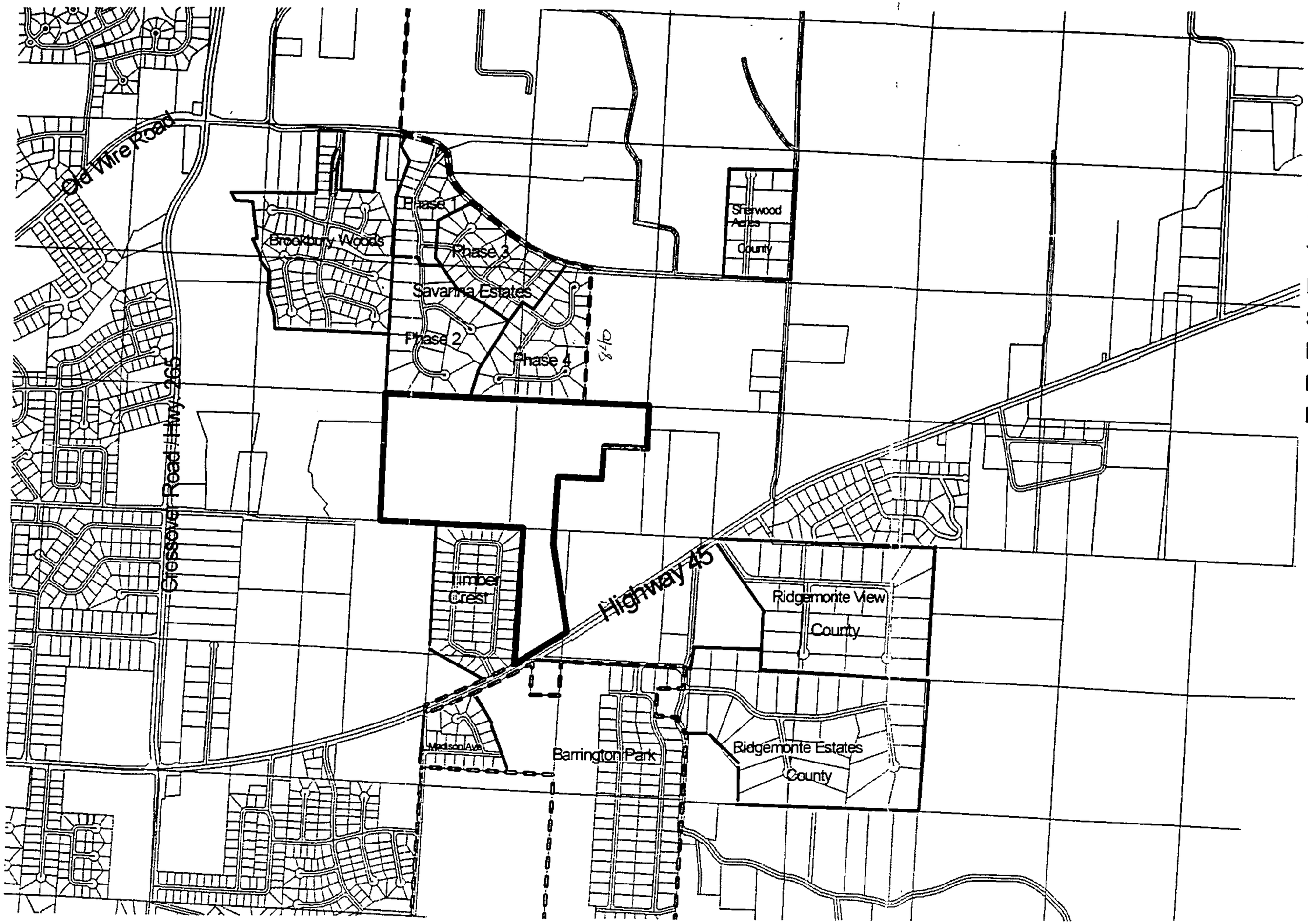
SCALE: 1" = 100'	JOB No.	CHECKED BY	DRAWN BY
09JAN96		DLJ	BTAH

BROOKBURY WOODS — 1/1

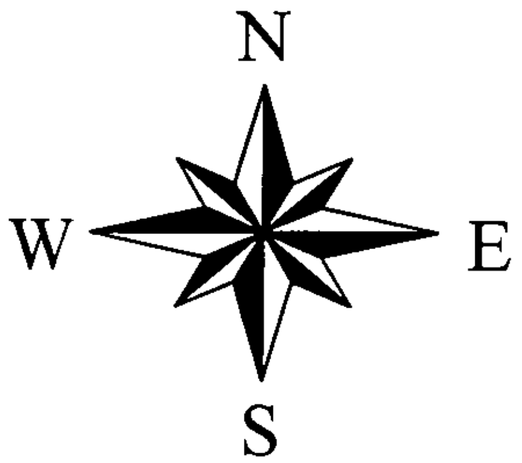
ROAD EXTENSION


50
51
52
53
54
55
63
64
65
66
67
68
69
70
71
72
73
N20°38'00"W
121.88
163.00
N10°00'00"W
1299.3
WEST
1149.15
1310.5
1308.9
1300
1310
1320
1330
1340
1350
1360
1370
1380
1390
1400
1410
1420
1430
1440
1450
1460
1470
1480
1490
1500

Surrounding Subdivision Information



	No. of Lots	Acres	Density
Savanna Phase I	20	13.22	1.51
Savanna Phase 2	22	28.60	.77
Savanna Phase 3	34	18.08	1.88
Savanna Phase 4	33	24.67	1.34
Brookbury Woods	96	49.65	1.93
Timber Crest	58	27.52	2.11
Barrington Parke Ph 1	114	49.80	2.29
Sherwood Acres	15	15.81	.95
Ridgemonte View	28	55.58	.51
Madison Ave.	23	10.18	2.26
Ridgemonte Estates	30	71.26	.42
Proposed	165	76.95	2.14



2000 0 2000 4000 Feet

Brookbury
x'sing

NEW
Development

file with Agenda Pack 1-20-98