

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith



Aldermen

Ward 1 Position 1 – Adella Gray
Ward 1 Position 2 – Sarah Marsh
Ward 2 Position 1 – Mark Kinion
Ward 2 Position 2 – Matthew Petty
Ward 3 Position 1 – Justin Tennant
Ward 3 Position 2 – Martin W. Schoppmeyer, Jr.
Ward 4 Position 1 – Rhonda Adams
Ward 4 Position 2 – Alan T. Long

**City of Fayetteville Arkansas
City Council Meeting Minutes
February 19, 2013**

A meeting of the Fayetteville City Council was held on February 19, 2013 at 6:00 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville,

Mayor Jordan called the meeting to order.

PRESENT: Alderman Adella Gray, Sarah Marsh, Mark Kinion, Matthew Petty, Justin Tennant, Martin Schoppmeyer, Rhonda Adams, Alan Long, Mayor Lioneld Jordan, City Attorney Kit Williams, City Clerk Treasurer Sondra Smith, Staff, Press, and Audience.

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

City Council Meeting Presentations, Reports and Discussion Items:

City of Distinction Award - Crews and Associates

Nathan Rutledge, Director with Crews and Associates presented the Mayor with the City of Distinction Award for Technology Advancement – Technology Park and the City of Distinction Award for Green Initiatives – Reducing Waste.

Mayor Jordan thanked the City Council and staff.

Agenda Additions: None

Consent:

Approval of the February 5, 2013 City Council meeting minutes.

Approved

Safe Routes to Schools Grant: A resolution to approve and support a grant application to the Arkansas State Highway and Transportation Department in the amount of \$81,248.00 for partial funding for the Clabber Creek Trail Bridge along Salem Road as part of the Safe Routes to Schools Program.

Resolution 29-13 as recorded in the office of the City Clerk.

Springdale Dodge: A resolution approving the purchase of one (1) 2013 Dodge Ram 1500 pickup truck from Springdale Dodge in the amount of \$24,200.00, pursuant to a state procurement contract, for use by the Police Department.

Resolution 30-13 as recorded in the office of the City Clerk.

North Point Ford: A resolution approving the purchase of two (2) Ford F-150 pickup trucks from North Point Ford of North Little Rock in the total amount of \$30,140.00, pursuant to a state procurement contract.

Resolution 31-13 as recorded in the office of the City Clerk.

Riggs Cat of Springdale: A resolution approving the purchase of four (4) Caterpillar 420F backhoe/loaders from Riggs Cat of Springdale in the total amount of \$399,640.00, pursuant to a state procurement contract, and approving a budget adjustment.

Resolution 32-13 as recorded in the office of the City Clerk.

Williams Tractor of Fayetteville: A resolution approving the purchase of five (5) Hustler Super Z mowers from Williams Tractor of Fayetteville in the total amount of \$66,595.00, pursuant to a state procurement contract, and approving a budget adjustment.

Resolution 33-13 as recorded in the office of the City Clerk.

Ranger's Pantry Pet Food Bank: A resolution approving a budget adjustment in the total amount of \$2,631.00 representing donation revenue to the Community Services Division Ranger's Pantry Pet Food Bank.

Resolution 34-13 as recorded in the office of the City Clerk.

Community Development Block Grant (CDBG): A resolution authorizing the Mayor to execute the Community Development Block Grant (CDBG) agreement for 2013 when received in the estimated amount of \$540,787.00.

Resolution 35-13 as recorded in the office of the City Clerk.

McClelland Consulting Engineers: A resolution approving a professional engineering design services agreement with McClelland Consulting Engineers in the amount of \$279,045.55 for the

rehabilitation of the historic Maple Street and Lafayette Street bridges, and approving a budget adjustment recognizing federal grant revenue in the amount of \$223,257.00.

This item was removed from the Consent Agenda for discussion.

Meadow Valley Trail Airspace Permit: A resolution approving an airspace permit agreement with the Arkansas State Highway and Transportation Department for the Meadow Valley Trail.

Resolution 36-13 as recorded in the office of the City Clerk.

Alderman Gray moved to approve the Consent Agenda as read with McClelland Consulting Engineers removed for discussion. Alderman Tennant seconded the motion. Upon roll call the motion passed unanimously.

The following resolution was removed from the Consent Agenda for discussion:

McClelland Consulting Engineers: A resolution approving a professional engineering design services agreement with McClelland Consulting Engineers in the amount of \$279,045.55 for the rehabilitation of the historic Maple Street and Lafayette Street bridges, and approving a budget adjustment recognizing federal grant revenue in the amount of \$223,257.00.

Chris Brown City Engineer: This project has been on the Transportation Bond Program since 2006. In 2011 we were able to secure \$1 million of Federal funding which helped to move this project forward. Chris gave a brief description of the project, design, and funding process.

Alderman Kinion: The question that came up was the difference between restoration and rehabilitation, it is historically significant. From a historical point of view, preservationists would rather have a preserved bridge that is restored as close to the original plans as possible. The concern on rehabilitation is a semantic difference but also a concern of protecting the historical integrity of the original design as well as the heritage.

Chris Brown: There are a lot of different terms when you talk about historic bridges. As we go through the process of design with the Highway Department and the State Historic Preservation Office you try to restore everything where possible but in some cases it is not possible. The railings do not meet current structural requirements. There is some interest in looking at the pedestrian capacity. We would like to look at a wider sidewalk to provide more pedestrian capacity. It will be a lot of give and take between these entities to work through those to come up with the best solution in the end.

Alderman Kinion: I think the real concern is that we restore the bridge and that we do not just cosmetically replicate something that is similar and destroy any of the original fundamental historical value as we go through the rehabilitation. It takes a specialist to know what is historically significant that can be preserved from a preservationists stand point. I want to have an assurance that there is nothing destroyed that might be of historical significance though the rehabilitation of this bridge.

Chris Brown: The State Historic Preservation Office is the entity that handles the National Historic Register and does the work related to that. They are involved in this project because it is a historic bridge and because we have Federal aid funding they have even more of a role. The bridge in the information that we submitted structurally was not sound so the deck had to be replaced. The substructure was left in place and the historical integrity of that was maintained.

Daniel Barnes, McClelland Consulting Engineers: We understand the historical significance of the bridge both for the city as well as the citizens. Not only are we concerned about the historical significance as engineers we are concerned about the health, safety and welfare of the general public. We want to ensure they are safe while they access this structure and utilize it for years to come.

Alderman Kinion: Tell me a little about preservation.

Daniel Barnes: We had a report completed on both structures. The intent is to not come in and remove the entire bridge nor the entire deck or sidewalk if we can keep from it. We have to look at a detailed analysis, if we only remove a part of that deck, we have to analyze that structure to ensure that it will not fail when we remove it and put construction equipment on it to correct that. That is some of the analysis I really do not know at this point.

Alderman Kinion: The Highway Department has a specialist that will be consulted?

Daniel Barnes: That is correct.

Don Marr, Chief of Staff: This is a design contract. Whether it is restoration or preservation it is actually done through a construction contract which the Council would have to approve prior to any work being done regardless of what is designed. We felt like with the oversight of the State Historic Preservation Office to ensure that any work that was done would be evaluated from a standpoint of ensuring that it remained a registered property was ultimately some of the best protection that we could provide.

A discussion followed on a possible amendment to the resolution. No amendment was made.

Paula Marinoni thanked the new Aldermen for their service to the City of Fayetteville. She also thanked Mayor Jordan and staff for the work in bringing these bridges forward. I am excited this is coming forward. I want this to be right. I have been through a number of historic preservation projects. Rehabilitation even if it starts out with restoring is not the same as restoration, which means there is not an understanding of what is to take place. I have been told it is the intent of the contract. The time to establish intent in a contract is before you sign it. I am suggesting we sit down and change the contract and say it correctly.

Ms Marinoni voiced her concern with the size of the sidewalks. She reviewed portions of the contract that she had concerns with.

Alderman Petty: I appreciate a lot of what was said. It seems some of the suggestions are more appropriate in the construction contract than in the design contract. I do not think the mere consideration of expanded sidewalks should be seen as sub-threatening.

Alderman Kinion moved to table the resolution to the March 5, 2013 City Council meeting. Alderman Marsh seconded the motion. Upon roll call the motion to table passed unanimously.

This resolution was tabled to the March 5, 2013 City Council meeting.

Unfinished Business: None

New Business:

Amend Chapter 50 Garbage and Trash: An ordinance amending Sections 50.01 Definitions, 50.20 Service Requirements and 50.40 Rates for Services of Chapter 50: Garbage and Trash of the Code of Fayetteville.

City Attorney Kit Williams read the ordinance.

Don Marr: This has been to the Water and Sewer Committee and was approved by them. All rates are staying the same as are previously established by any rate studies or Council actions. He gave a brief explanation of the changes to the ordinance.

Jason Drummond gave a brief explanation of how they establish services.

Alderman Marsh: There are areas in town where waste receptacles block sidewalk access. I want to make sure that we keep clean access for everyone in our community,

Alderman Marsh moved to amend 50.20 Subsection D of the ordinance. Alderman Gray seconded the motion. Upon roll call the motion to amend passed unanimously.

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

City Attorney Kit Williams read the ordinance.

Alderman Kinion moved to suspend the rules and go to the third and final reading. Alderman Long seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

Alderman Adams: I appreciate the hard work our city staff does. Thank you staff for your great work in this area.

Don Marr introduced Glenda Eden, Jason Drummond and Brian Pugh with the Solid Waste Division who worked on the revisions to the ordinance.

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

Ordinance 5565 as Recorded in the office of the City Clerk.

City Council Agenda Session Presentations:

Economic Development Contract Quarterly Report - Chung Tan & Steve Clark

Announcements:

City Council Tours:

April 8, 2013 5:00 PM

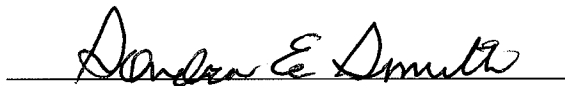
Westside Wastewater Treatment Plant

May 6, 2013 5:00 PM

Noland Wastewater Treatment Plant and Biosolids Management Site

Adjournment: 7:00 p.m.


Lionel Jordan, Mayor


Sondra E. Smith, City Clerk/Treasurer