

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

**Final Agenda
City of Fayetteville Arkansas
City Council Meeting
March 19, 2013**

A meeting of the Fayetteville City Council will be held on March 19, 2013 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

City Council Meeting Presentations, Reports and Discussion Items:

1. Nominating Committee Report

Agenda Additions:

A. Consent:

1. Approval of the March 05, 2013 City Council meeting minutes. **APPROVED**
2. **Portable Changeable Message Sign:** A resolution approving a budget adjustment in the total amount of \$14,500.00 to provide funding for the purchase of a portable changeable message sign for the Transportation Department.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 50-13

3. **Bid #13-12 North Point Ford:** A resolution awarding Bid #13-12 and authorizing the purchase of three (3) Ford F-550 service body trucks from North Point Ford of North Little Rock in the total amount of \$121,812.00 for use by the Water and Sewer Division.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 51-13

4. **Bid #13-13 North Point Ford:** A resolution awarding Bid #13-13 and authorizing the purchase of one (1) Ford F-250 utility truck from North Point Ford of North Little Rock in the amount of \$32,969.00 for use by the Transportation Department.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 52-13

5. **North Point Ford – Information Technology Division:** A resolution authorizing the purchase of one (1) Ford F-150 pickup truck in the amount of \$18,492.00, pursuant to a state procurement contract, from North Point Ford of North Little Rock for use by the Information Technology Division, and approving a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 53-13

6. **Bale Chevrolet – Transportation Department:** A resolution authorizing the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Transportation Department, and approving a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 54-13

7. **Bale Chevrolet – Solid Waste Division:** A resolution authorizing the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Solid Waste Division.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 55-13

8. **Mountain Street and College Avenue Sidewalk Improvements:** A resolution approving a budget adjustment in the amount of \$60,600.00 recognizing revenue for improvements to sidewalks on Mountain Street and College Avenue.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 56-13

9. **Crafton Tull:** A resolution approving a contract with Crafton Tull in an amount not to exceed \$42,430.00 for architectural and bidding services related to renovations of pool buildings at Wilson Park.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 57-13

10. **Rubble Road Improvements:** A resolution expressing the willingness of the City of Fayetteville to utilize federal-aid funds for reconstruction and relocation of Rubble Road from Wedington Drive to Mount Comfort Road.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 58-13

B. Unfinished Business:

1. **Wedington Corridor Neighborhood Master Plan:** A resolution to adopt the Wedington Corridor Neighborhood Master Plan vision document and illustrative master plan. *This item was tabled at the March 05, 2013 City Council meeting to the March 19, 2013 City Council meeting.*

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 59-13

C. New Business:

1. **Amend §33.108 Compensation:** An ordinance to amend §33.108 Compensation relating to the Planning Commissioners and to approve a budget adjustment.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5572

2. **VAC 12-4203 (Halsell Road Sewer Easements):** An ordinance approving VAC 12-4203 submitted by the City of Fayetteville for several blanket easements along Halsell Road, Maple Street and Oliver Avenue.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5573

3. **First Community Bank of Crawford County Cost Share Agreement:** An ordinance waiving the requirements of formal competitive bidding and approving a \$64,000.00 cost-share agreement with First Community Bank of Crawford County for the milling and paving of streets within the Sunbridge Villas Development, and approving a budget adjustment of \$64,000.00 recognizing revenue from letters of credit.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5574

4. **U.S. Geological Survey Agreement:** An ordinance waiving the requirements of formal competitive bidding and approving an agreement with the U.S. Geological Survey (U.S. Department of the Interior) in the amount of \$21,528.00 for the operation and maintenance of three (3) urban stream gauging stations in the City for calendar year 2013.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5575

5. **ADM 13-4331 Local Foods Ordinance Review:** A resolution to request city staff review the Unified Development Code and prepare amendments to allow residents to raise farm animals and sell crops, animals and animal products in non-agriculturally zoned areas to provide greater food security for Fayetteville residents.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 60-13

6. **Amend §114.02 Farmers' Market:** An ordinance to amend §114.02 **Farmers' Market** to transfer the current free use of the south parking spaces on Mountain Street to the control of the Rural Mountain Producers Exchange Board, to close Mountain Street to traffic, to permit sound application during Farmers' Market and to make other changes.

THIS ITEM WAS LEFT ON THE FIRST READING

D. City Council Agenda Session Presentations:

1. Entertainment District Parking Deck Update and Public Input Session – David Jurgens, Utilities Director and Team

E. City Council Tour:

1. **March 25, 2013 5:00 PM**
Fayetteville Public Library
2. **April 8, 2013 5:00 PM**
Westside Wastewater Treatment Plant
3. **May 6, 2013 5:00 PM**
Noland Wastewater Treatment Plant and Biosolids Management Site

F. Announcements:

Adjournment: 7:55 p.m.

NOTICE TO MEMBERS OF THE AUDIENCE

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

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

Old business and new business.

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

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City Council Meeting:

March 19, 2013

Adjourn: 7:55 pm

Subject:	Roll				
Alderman Tennant =& Schoppmeyer	Long	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	absent			
	Schoppmeyer	absent			
	Adams	✓			
	Mayor Jordan	✓			

7-0

Subject:	Nominating Committee Report				
Motion To:		Approve			
Motion By:		Gray			
Seconded:		Kinion			
<u>Passed</u>	Long	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	absent			
	Schoppmeyer	absent			
	Adams	✓			
	Mayor Jordan				

6-0

Subject:	Consent				
Motion To:		Approve			
Motion By:		Gray			
Seconded:		Adams			
Alderman Tennant & Schoppmeyer Absent Minutes Approved 50-13 thru 58-13	Long	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	Absent			
	Schoppmeyer	absent			
	Adams	✓			
	Mayor Jordan				

6-0

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

Subject:	Wedington Corridor Neighborhood Master Plan				
Motion To:		Approve			
Motion By:		Petty			
Seconded:		Marsh			
B. 1 Unfinished Business <u>passed</u> 59-13	Long	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	absent			
	Schoppmeyer	absent			
	Adams	✓			
	Mayor Jordan				

60

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

Subject:		Amend §33.108 Compensation			
Motion To:		<i>Monthly (Amended to read)</i>	<i>2nd Read</i>	<i>3rd Read</i>	<i>Pass</i>
Motion By:		<i>Adams</i>	<i>Gray</i>	<i>Gray</i>	
Seconded:		<i>Long</i>	<i>Kinion</i>	<i>Kinion</i>	
C. 1 New Business <i>passed</i> 5572	Long	✓	✓	✓	✓
	Gray	✓	✓	✓	✓
	Marsh	✓	✓	✓	✓
	Kinion	✓	✓	✓	✓
	Petty	✓	✓	✓	✓
	Tennant	<i>absent</i>	<i>absent</i>	<i>absent</i>	<i>absent</i>
	Schoppmeyer	<i>absent</i>	<i>absent</i>	<i>absent</i>	<i>absent</i>
	Adams	✓	✓	✓	✓
	Mayor Jordan				
		<i>6-0</i>	<i>6-0</i>	<i>6-0</i>	<i>6-0</i>

Subject:		VAC 12-4203 (Halsell Road Sewer Easements)			
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Pass</i>	
Motion By:		<i>Kinion</i>	<i>Long</i>		
Seconded:		<i>Marsh</i>	<i>Adams</i>		
C. 2 New Business <i>passed</i> 5573	Long	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	<i>absent</i>	<i>absent</i>	<i>absent</i>	
	Schoppmeyer	<i>absent</i>	<i>absent</i>	<i>absent</i>	
	Adams	✓	✓	✓	
	Mayor Jordan				
		<i>6-0</i>	<i>6-0</i>	<i>6-0</i>	

Subject:		First Community Bank of Crawford County Cost Share Agreement			
Motion To:		2nd Read	3rd Read	Pass	
Motion By:		Long	Gray	—	
Seconded:		Kinion	Adams	—	
C. 3 New Business <u>passed</u> 5574	Long	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	absent	absent	absent	
	Schoppmeyer	absent	absent	absent	
	Adams	✓	✓	✓	
	Mayor Jordan				

6-0

6-0

6-0

Subject:		U.S. Geological Survey Agreement			
Motion To:		2nd Read	3rd Read	Pass	
Motion By:		Gray	Gray	—	
Seconded:		Kinion	Adams	—	
C. 4 New Business <u>passed</u> 5575	Long	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	absent	absent	absent	
	Schoppmeyer	absent	absent	absent	
	Adams	✓	✓	✓	
	Mayor Jordan				

6-0

6-0

6-0

Subject:		ADM 13-4331 Local Foods Ordinance Review			
Motion To:					
Motion By:					
Seconded:					
C. 5 New Business <i>Passed</i> 60-13	Long	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	Absent			
	Schoppmeyer	Absent			
	Adams	✓			
	Mayor Jordan				

6-0

Subject:		Amend §114.02 Farmers' Market			
Motion To:					
Motion By:					
Seconded:					
C. 6 New Business <i>Left on the First Reading</i>	Long				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Tennant				
	Schoppmeyer				
	Adams				
	Mayor Jordan				



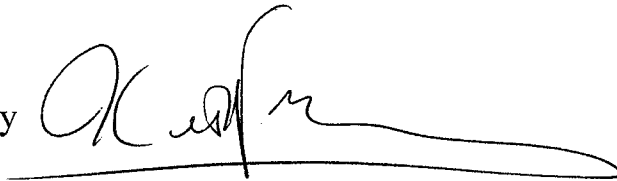
Kit Williams
City Attorney

Jason B. Kelley
Assistant City Attorney

TO: Mayor Jordan

THRU: Sondra Smith, City Clerk

FROM: Kit Williams, City Attorney



DATE: March 20, 2013

RE: Resolutions and Ordinances prepared by the City Attorney's Office and passed at the City Council meeting of March 19, 2013

1. Portable Changeable Message Sign: A resolution approving a budget adjustment in the total amount of \$14,500.00 to provide funding for the purchase of a portable changeable message sign for the Transportation Department.

2. Bid #13-12 North Point Ford: A resolution awarding Bid #13-12 and authorizing the purchase of three (3) Ford F-550 service body trucks from North Point Ford of North Little Rock in the total amount of \$121,812.00 for use by the Water and Sewer Division.

3. Bid #13-13 North Point Ford: A resolution awarding Bid #13-13 and authorizing the purchase of one (1) Ford F-250 utility truck from North Point Ford of North Little Rock in the amount of \$32,969.00 for use by the Transportation Department.

4. North Point Ford – Information Technology Division: A resolution authorizing the purchase of one (1) Ford F-150 pickup truck in the amount of \$18,492.00, pursuant to a state procurement contract, from North Point Ford of North Little Rock for use by the Information Technology Division, and approving a budget adjustment.

5. Bale Chevrolet – Transportation Department: A resolution authorizing the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Transportation Department, and approving a budget adjustment.

6. Bale Chevrolet – Solid Waste Division: A resolution authorizing the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Solid Waste Division.

7. Mountain Street and College Avenue Sidewalk Improvements: A resolution approving a budget adjustment in the amount of \$60,600.00 recognizing revenue for improvements to sidewalks on Mountain Street and College Avenue.

8. Crafton Tull: A resolution approving a contract with Crafton Tull in an amount not to exceed \$42,430.00 for architectural and bidding services related to renovations of pool buildings at Wilson Park.

9. Ruppel Road Improvements: A resolution expressing the willingness of the City of Fayetteville to utilize federal-aid funds for reconstruction and relocation of Ruppel Road from Wedington Drive to Mount Comfort Road.

10. Wedington Corridor Neighborhood Master Plan: A resolution to adopt the Wedington Corridor Neighborhood Master Plan vision document and illustrative master plan.

11. Amend §33.108 Compensation: An ordinance to amend §33.108 Compensation relating to the Planning Commissioners and to approve a budget adjustment.

12. VAC 12-4203 (Halsell Road Sewer Easements): An ordinance approving VAC 12- 4203 submitted by the City of Fayetteville for several blanket easements along Halsell Road, Maple Street and Oliver Avenue.

13. First Community Bank of Crawford County Cost Share Agreement: An ordinance waiving the requirements of formal competitive bidding and approving a \$64,000.00 cost-share agreement with First Community Bank of Crawford County for the milling and paving of streets within the Sunbridge Villas Development, and approving a budget adjustment of \$64,000.00 recognizing revenue from letters of credit.

14. U.S. Geological Survey Agreement: An ordinance waiving the requirements of formal competitive bidding and approving an agreement with the U.S. Geological Survey (U.S. Department of the Interior) in the amount of \$21,528.00 for the operation and maintenance of three (3) urban stream gauging stations in the City for calendar year 2013.

15. Local Food Ordinance Review: A resolution to request city staff review the UDC and prepare amendments to allow residents to raise farm animals and sell crops, animals and animal products in non-agriculturally zoned areas to provide greater food security for Fayetteville residents.

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FOR: COUNCIL MEETING OF ~~APRIL 2, 2013~~ March 19, 2013

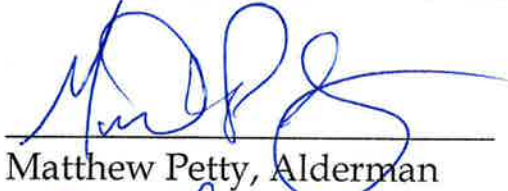
FROM:

ALDERMAN MATTHEW PETTY

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

An Ordinance To Amend §114.02 Farmers' Market To Transfer The Current Free Use Of The South Parking Spaces On Mountain Street To The Control Of The Rural Mountain Producers Exchange Board, To Close Mountain Street To Traffic, To Permit Sound Application During Farmers' Market And To Make Other Changes

APPROVED FOR AGENDA:


Matthew Petty, Alderman

3-12-13
Date


City Attorney
(as to form)

3-12-13
Date

ORDINANCE NO. _____

AN ORDINANCE TO AMEND §114.02 **FARMERS' MARKET** TO TRANSFER THE CURRENT FREE USE OF THE SOUTH PARKING SPACES ON MOUNTAIN STREET TO THE CONTROL OF THE RURAL MOUNTAIN PRODUCERS EXCHANGE BOARD, TO CLOSE MOUNTAIN STREET TO TRAFFIC, TO PERMIT SOUND APPLICATION DURING FARMERS' MARKET AND TO MAKE OTHER CHANGES

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby amends §114.02 **Farmers' Market** (A) *Establishment, location and parking restrictions* of the Fayetteville Code by amending the third sentence to include "and on the south side of Mountain Street" and amending the last sentence to allow amplified music by special event permit so that §114.02(A) shall read:

"(A) *Establishment, location and parking restrictions.* A farmers' market is hereby established in the city. This marketplace shall be located on the interior parking spaces (those parking spaces adjoining the Old Post Office) of the Downtown Square. In addition, on Saturdays only, parking spaces on the east side of East Avenue and on the south side of Mountain Street on the Downtown Square shall be available for vendors by closing the street to through traffic. Vendors shall be permitted to park their vehicles at right angles to street curbs provided that no vehicle shall be permitted to extend into the street in such a manner as to obstruct the free flow of traffic, and no vehicle shall be parked within 15 feet of any fire plug. All public sidewalks around the Square shall remain freely available to the public with the inside two-thirds width of the sidewalks free from any tables, booths or displays. Farmers' Market vendors may occupy no more than one-third of the width of the sidewalk directly in front of their assigned parking space. As long as pedestrian traffic is not obstructed or hindered, the

corners of the Square's sidewalks and any unoccupied space around the outside third of the sidewalk can be used during the authorized hours and days of the Farmers' Market for government communication, free speech and acoustic music purposes. No sound amplification may be used unless approved by the Rural Mountain Producers Exchange Board and City through its Special Event Permit Process.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends §114.02 (C) *Articles permitted to be sold* by adding "and have all appropriate permits" to the last sentence.

Section 3: That the City Council of the City of Fayetteville, Arkansas hereby amends §114.02 (E) *Fee* by repealing it and relettering subsections (F) & (G) appropriately.

PASSED and **APPROVED** this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

From: Matthew Petty - Fayetteville Ward 2 <citycouncil@matthewpetty.org>
To: Kit Williams <kwilliams@ci.fayetteville.ar.us>
Date: 3/7/2013 1:27 PM
Subject: Re: Farmers' Market Ordinance

Good afternoon, I just wanted to follow up on this. I really want the Council to have an opportunity to consider this at the next meeting before the Market season really gets going.

-M

On Mon, Mar 4, 2013 at 11:13 AM, Matthew Petty - Fayetteville Ward 2 <citycouncil@matthewpetty.org> wrote:

> Good morning, Kit -
>
> I'd like bring forward an ordinance making the following four changes to
> the existing Farmers' Market ordinance. These changes were requested by the
> Market.
>
> Can we work these up in time for inclusion with the next agenda?
>
> Thanks,
> M
> * Farmers' Market Ordinance ChangesCity Ordinance XI Chapter 114.02 (A)
>
> - Add the south side of Mountain St to the space which shall be
> available for vendors by closing the street to through traffic.
> - Append to last sentence such that "No sound amplification devices
> may be used unless aproved by City special event permit issued to the
> Farmers' Market. No other organization or individual may apply for this
> permit during Farmers' Market hours of operations without written approval
> by the Farmers' Market.
>
> (C)
>
> - append "and have all appropriate permits" to the end.
>
> (E)
>
> - Remove this section.
>
> *
>

Current law

FAYETTEVILLE CODE OF ORDINANCES
TITLE XI BUSINESS REGULATIONS

CHAPTER 114: FOOD SALES

114.01 Drive-In Restaurants

(A) A drive-in restaurant, within the meaning of this chapter, shall be deemed to be any restaurant where meals, sandwiches, ice cream, or other food, is served directly to or is permitted to be consumed by patrons in automobiles, motorcycles, or other vehicles parked on the premises.

(B) Prohibited Acts.

- (1) It shall be unlawful for any person, while on or adjacent to the premises of a drive-in restaurant, to race the motor of any car, to suddenly start or stop any car, or to make or cause to be made, any other loud or unseemly noise.
- (2) It shall also be unlawful for any other person parked on the premises of such restaurant, to blow or cause to be blown any automobile horn or motorcycle horn at any time while so parked.
- (3) It shall be unlawful for any patron or other person on the premises of a drive-in restaurant, whether in or out of an automobile, to drink any intoxicating beverage of any nature.
- (4) It shall be unlawful for a group of three or more persons to congregate and linger at any location on the premises of a drive-in restaurant. Persons so congregating and lingering shall be deemed guilty of loitering. No person shall drive a motor vehicle on to the premises of a drive-in restaurant and then from said premises without parking such motor vehicle, unless there is no unoccupied parking space available on said premises.
- (5) It shall be unlawful for any person to leave any unoccupied motor vehicle on any drive-in restaurant parking lot and to leave the premises thereof, except with the knowledge and consent of the operator of the restaurant.

(Code 1965, §§7A-1, 7A-3, 7A-4; Ord. No. 1706, 10-6-69; Code 1991, §114.01)

Cross reference(s)--Penalty, §114.99(A).

114.02 Farmer's Market

(A) *Establishment, location, and parking restrictions.* A farmers' market is hereby established in the city.

This marketplace shall be located on the interior parking spaces (those parking spaces adjoining the Old Post Office) of the Downtown Square. In addition, on Saturdays only, parking spaces on the east side of the East Street on the Downtown Square shall be available for vendors by closing the street to through traffic. Vendors shall be permitted to park their vehicles at right angles to street curbs provided that no vehicle shall be permitted to extend into the street in such a manner as to obstruct the free flow of traffic, and no vehicle shall be parked within 15 feet of any fire plug. All public sidewalks around the Square shall remain freely available to the public with the inside two-thirds width of the sidewalks free from any tables, booths or displays. Farmers' Market vendors may occupy no more than one-third of the width of the sidewalk directly in front of their assigned parking space. As long as pedestrian traffic is not obstructed or hindered, the corners of the Square's sidewalks and any unoccupied space around the outside third of the sidewalk can be used during the authorized hours and days of the Farmers' Market for government communication, free speech and acoustic music purposes. No sound amplification devices may be used.

(B) *Days and hours.* The Farmers' Market may be open and operating Tuesdays and Thursdays from 6:00 a.m. until 1:00 p.m. and on Saturdays from 6:00 a.m. until 2:00 p.m. from April until Thanksgiving.

(C) *Articles permitted to be sold.* The following articles may be sold at the marketplace established hereby: vegetables, honey, raw juices, molasses, fruit, and other produce grown by the vendor thereof, plants, art work, craft work, and other processed farm products produced by the vendor thereof. All products sold at the marketplace must be produced in compliance with all applicable regulations of the State Department of Health.

(D) *Sanitation.* At the close of each market day, each vendor shall be required to leave the marketplace in a clean and sanitary condition, free from debris and insects.

(E) *Fee.* The fee to be paid by each vendor for the use of the marketplace shall be \$5.00 per year plus ten percent of gross proceeds realized by the vendor from sales at the marketplace.

(F) *Use of public streets for business prohibited; exception.* It shall be unlawful for any person to use any public street, public parking place, or public

CD114:3

to be removed

Amended

FAYETTEVILLE CODE OF ORDINANCES
TITLE XI BUSINESS REGULATIONS

sidewalk, as a place of business except as authorized by this section; provided, any merchant whose building is adjacent to a public sidewalk may conduct business thereon if pedestrian traffic is not obstructed thereby; provided further, the City Council may approve temporary use of a public street, place, or sidewalk as a marketplace where such use is part of an event, activity, or celebration of general public interest. The City Council may impose reasonable conditions on such use as are necessary to safeguard the public health, safety, and welfare.

- (G) *City laws and regulations prevail over Rural Mountain Producers Exchange Board policies.* If the Mayor determines that a policy of the Rural Mountain Producers Exchange Board concerning its operation of the Farmers' Market on city property violates the law or city regulations, such policy shall be revoked and no longer operative. The Rural Mountain Producers Exchange Board may appeal such revocation of any of its policies to the City Council.

(Code 1965, §13-14; Ord. 2040, 8-20-74; Ord. No. 2846, 8-17-82; Ord. No. 2862, 10-5-82; Ord. No. 2925, 6-7-83; Code 1991, §114.03; Ord. No. 4045, §1, 7-15-97; Ord. No. 4248, 6-6-00; Ord. 5309, 4-6-10)

Cross reference(s)--Penalty, §10.99.

State law reference(s)--Maintenance and regulation of markets, A.C.A. §14-140-101.

114.03 First Thursday Fayetteville

- (A) Establishment, hours and dates. First Thursday Fayetteville is hereby established. This monthly event shall run on the first Thursday of every month from April through November during the hours of 4 P.M. through 10 P.M.
- (B) *Location, parking restrictions and administration.* First Thursday Fayetteville shall be located and have control over the public parking spaces along both sides of East Avenue between Mountain Street and Center Street, along both sides of Center Street between East Avenue and Block Avenue, along both sides of Block Avenue between Center Street and Mountain Street, and along both sides of Mountain Street between East Avenue and Block Street during its hours of operation. The Fayetteville Convention and Visitors Bureau shall administer First Thursday Fayetteville and is authorized to remove or request the ticketing of vehicles parked within the allocated areas on East Avenue, Center Street, Block Avenue and Mountain Street between 4:00 P.M. and 10:00 P.M. on days of the event. The Bureau is further

authorized to close East Avenue between Mountain Street and Center Street, Center Street between East Avenue and Block Avenue, Block Avenue between Center Street and Mountain Street and Mountain Street between East Avenue and Block Street to vehicular traffic during the First Thursday Fayetteville event.

- (C) *Articles permitted to be sold.* Only objects of art or craft produced and sold by a local artist or craftsman may be sold at the First Thursday Fayetteville event. The Fayetteville Convention and Visitors Bureau is empowered to assign precise locations for any vendors wishing to display or sell their personally created art or craft work.
- (D) *Sanitation.* At the close of a vendor's operation (no later than 10:00 P.M.), the vendor shall clean the immediate area around the vendor's operation and ensure that all trash and debris are removed and properly discarded.

(Ord. 5307, 3-16-10; Ord. 5392, 3-15-10; Ord. 5487, 3-6-12)

114.04-114.98 Reserved

114.99 Penalty

Any person found guilty of violating any of the provisions of §114.01 shall be deemed guilty of a misdemeanor and shall be fined not more than \$100.00.

(Code 1965, §§7A-2, 11-5; Ord. No. 786, 9-2-35; Ord. No. 1706, 10-6-69; Code 1991, §114.99; Ord. No. 4045, 7-15-97)

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
March 05, 2013**

A meeting of the Fayetteville City Council was held on March 05, 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, Alan Long, Mayor Lioneld Jordan, City Attorney Kit Williams, City Clerk Treasurer Sondra Smith, Staff, Press, and Audience.

ABSENT: Alderman Rhonda Adams

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions: N/A

City Council Meeting Presentations, Reports and Discussion Items: N/A

Agenda Additions: None

Consent:

Approval of the February 19, 2013 City Council meeting minutes.

Approved

2013 Overlay/Sidewalk Projects: A resolution approving the Transportation Division Overlay/Sidewalk Projects list for 2013.

Resolution 37-13 as recorded in the office of the City Clerk.

Transportation Bond Trail Improvements: A resolution approving a budget adjustment in the total amount of \$4,296.00 recognizing unappropriated bond monies for trail improvements.

Resolution 38-13 as recorded in the office of the City Clerk.

Ozarks Electric Cooperative Corporation Easement: A resolution authorizing the transfer of an easement interest to Ozarks Electric Cooperative Corporation on certain city-owned property near the Noland Wastewater Treatment Facility to provide for a relocation of electrical utility service.

Resolution 39-13 as recorded in the office of the City Clerk.

Bid #13-16 Scurlock Industries: A resolution awarding Bid #13-16 and authorizing the purchase of precast box culvert sections from Scurlock Industries of Fayetteville in the total amount of \$71,404.71 for the construction of a trail tunnel for the TSA LA GI Trail, and approving a five percent (5%) project contingency.

Resolution 40-13 as recorded in the office of the City Clerk.

Mahler Property Donation: A resolution authorizing acceptance of a donation of 1.21 acres of property from Lori and Alex Mahler near Cato Springs Road to be utilized for the future Cato Springs Trail Trailhead.

Resolution 41-13 as recorded in the office of the City Clerk.

Garland Avenue Widening and Improvement Project: A resolution approving a settlement agreement with Glen David Wilson, Trustee, Timothy Hinkle, Trustee, and Linda Hinkle regarding condemnation litigation filed as part of the N. Garland Avenue Widening and Improvement Project.

Resolution 42-13 as recorded in the office of the City Clerk.

Alderman Tennant moved to approve the Consent Agenda as read. Alderman Kinion seconded the motion. Upon roll call the motion passed 7-0. Alderman Adams was absent.

Unfinished Business:

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 resolution was tabled at the February 19, 2013 City Council meeting to the March 5, 2013 City Council meeting.***

Chris Brown, City Engineer stated they met with the member of the public that had the concerns and came up with a revised contract. You have the revised contract that shows the changes that we made as part of our discussion. We recommend approval of the revised contract with the additional change requested by the Arkansas State Highway Department.

Paula Marinoni thanked everybody for listening to her concerns. She reviewed the contract and the changes that were made.

Mayor Jordan thanked Ms. Marinoni.

Alderman Gray thanked Ms. Marinoni for her work on the contract.

Alderman Gray moved to approve the resolution. Alderman Petty seconded the motion. Upon roll call the resolution passed 7-0. Alderman Adams was absent.

Resolution 43-13 as recorded in the office of the City Clerk.

New Business:

Senate Bill 101 Opposition: A resolution to express the City Council's opposition to Senate Bill 101, The Video Services Act, and to request our Senators and Representatives and all Arkansas Legislators to reject this unfair and unneeded bill.

Lindsley Smith: Communication Director gave a brief description of Senate Bill 101.

Alderman Petty: Do you think we should add a section to request the Governor to veto the Bill?

City Attorney Kit Williams: I would say no. It passed very strongly and the Governor's veto can be overridden by a simple majority.

Lindsley Smith, I think that is a wise opinion based on what we have seen this session.

Alderman Petty: This is a taking of the citizen's rights to manage their own space. We manage our streets and right of ways in trust for our citizens who chose us to do that for them. This is a taking of the citizen's rights and turning it over to corporations.

Mayor Jordan: We certainly have come out against it.

Alderman Long: I appreciate Administration keeping an eye on this. I contacted my representatives and people in Little Rock because this is a bad bill. This is bad for the people of Arkansas and it is bad for people who live in municipalities. I am very disappointed in Arkansas Legislators for passing this.

Alderman Petty: With the passage of this we can probably expect that our franchise revenue will be disappearing.

City Attorney Kit Williams: It will not happen for the first couple of years I do not think.

Alderman Petty moved to approve the resolution. Alderman Gray seconded the motion. Upon roll call the resolution passed 7-0. Alderman Adams was absent.

Resolution 44-13 as recorded in the office of the City Clerk.

Senate Bill 367 Opposition: A resolution to oppose Senate Bill 367's endangering all of Fayetteville's development regulations.

City Attorney Kit Williams: This would endanger all of our developmental regulations because if they are applied to a property being developed and the landowner says that is reducing my value by 10% then the taxpayers have to pay. Pre-existing development regulations would be affected by this Bill the way I read it. This same Bill came forward in 1995, and it never made it out of committee. I think this is a very dangerous and serious Bill.

Mayor Jordan: What we have at risk is your Streamside Protection, city fire code, landscape regulations, our sidewalk program and street programs.

City Attorney Kit Williams: It is not needed. We have specific provisions in our Unified Development Code that if a developer thinks that we are taking more than what is constitutionally allowed they can appeal to the Planning Commission and get it reduced. In the last dozen years we have never had a land developer challenge the city in court saying you are taking too much property. We are careful not to do that. This would spark a tremendous amount of litigation.

Jeremy Pate, City Planner: I agree this does not bode well for Fayetteville. This Bill diminishes the ability for local elected officials to effectively govern citizens. It is a quality of life issue. Our development regulations are for the health, safety, and welfare of our citizens. We are concerned about this legislation. On a development or rezoning application not everyone goes away happy on every issue but you make the best decision that is fair and balanced and try to achieve what the vision of the city is. I feel this Bill strips away the ability for the city to do that.

Don Marr, Chief of Staff: This goes way beyond your voting in opposition for a Bill. It has such a significant impact on Fayetteville and its development code and its protection of residents that we hope, if this passes, you will contact your representatives. I think it is important that these people are held accountable for their votes. Elections have consequences. I think it is important that citizens get involved when they see things impact the things we value in our city.

Alderman Petty: The affect of this Bill would be to strip away every good thing Fayetteville has done for land use in the last decade.

Alderman Petty moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the resolution passed 7-0. Alderman Adams was absent.

Resolution 45-13 as recorded in the office of the City Clerk

Avfuel Corporation Contract: An ordinance waiving the requirements of formal competitive bidding and approving a contract with Avfuel Corporation to provide interim aviation fuel and refueler trucks to the Fayetteville Executive Airport for a period not to exceed ninety (90) days, pending a permanent competitively solicited and awarded contract.

City Attorney Kit Williams read the ordinance.

Ray Boudreaux, Airport Director: This is an interim agreement that we may or may not enact until we can bid a permanent contract of the sale of fuel.

Alderman Gray moved to suspend the rules and go to the second reading. Alderman Long seconded the motion. Upon roll call the motion passed 6-0. Alderman Petty was absent during the vote. Alderman Adams was absent.

City Attorney Kit Williams read the ordinance.

Alderman Long moved to suspend the rules and go to the third and final reading. Alderman Tennant seconded the motion. Upon roll call the motion passed 6-0. Alderman Petty was absent during the vote. Alderman Adams was absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 6-0. Alderman Petty was absent during the vote. Alderman Adams was absent.

Ordinance 5566 as Recorded in the office of the City Clerk.

Kum & Go Land Sale Proceeds: A resolution stating the intent of the City Council of the City of Fayetteville to use the majority of the proceeds from the land sale to Kum & Go, LC for improvements to the remaining city-owned property and adjacent neighborhoods.

Alderman Petty: We have heard from some that there may be better uses for the money. We will entertain any amendment that preserves the intent of the resolution. I think it is important that we make a statement about the recycling of the materials. I think it is important that we set the wheels in motion to create a plan for the property.

Alderman Marsh: This is a really important site. It is a high traffic area around the box that surrounds our city. It is the gateway to our commerce district and a good potential connection

point for the trail that will eventually run along the west fork of the White River. It is also adjacent to Happy Hollow School. This area is a food desert and has many residents that are economically challenged. We are requesting city staff too develop a master plan for the site that is consistent with our 2030 City Plan. We are asking to look for opportunities to recycle, salvage and repurpose pieces of the old factory building.

City Attorney Kit Williams: City staff is looking at selling the above ground portion of this. We have a very tight demolition schedule. We will have to ask Kum and Go if they are willing to push back the demolition date, if they are not we have to comply with the contract as is. If we take out the easy salvageable material then other companies may not want to bid on the removal of the site.

David Jurgens, Utilities Director: We believe the Gov Deals is a doable function. If we do not get the Kum and Go time extension we would try to do the Gov Deals on a reduced timeline but I have concerns that would fail.

City Attorney Kit Williams: Kum and Go might be able to adjust the time table. One advantage of the Gov Deal is this will reduce their cost. If they do not grant us an extension with the time frame then we have to get it demolished because that is what our contract says.

Alderman Petty: Do you see the potential for this holding up the process as being significant?

David Jurgens: The only way a contractor can remove this material is if he is going to receive revenue from what is there.

Alderman Petty: Do you think this resolution is likely to impact the timeline?

David Jurgens: If we had to slow the timeline down to do an evaluation I think it could. If we simply allow the process that we have underway to set the timeline and consider that as meeting the spirit of the resolution then it would not slow it down. If we require more from the contractors or subtract items that are available for salvage from the contractors those could slow down the timeline.

Mayor Jordan: The number one thing I wanted to do in this process is to get the building down because it is unsafe and is what I would consider blight. We are going to recycle materials. I would like to put a lot of the proceeds back into economic development. We want to make that land reusable.

Alderman Gray: I can not support this because I feel it is premature. To tie up the revenue that we will be receiving is premature.

Alderman Tennant: I agree with what Adella just said. Tying up a percentage of this money without being able to predict the future is difficult for me to do. There is a lot we can do for this neighborhood later.

Alderman Long: I think tying up the money is premature. The area did receive a new fire station and intersection and those are important things that go into the quality of life in that area. I think I could support this resolution if we amended it to remove section one.

Aubrey Shepherd: It is not good for a community garden site. I think there is no reason not to remove the amendment.

Candice Hoggatt, Ward 4: I have a problem with ear marking funds. I support the amendment.

Alderman Long moved to amend the resolution to remove Section 1. Alderman Petty seconded the motion. Upon roll call the motion passed 7-0. Alderman Adams was absent.

David Jurgens: The word ensure in section five is beyond our ability for us to ensure.

Don Marr: Maybe the word should be strive to meet that requirement.

Alderman Petty: Doesn't current law in Fayetteville require us to document the end source of our recyclables and to account for that?

Don Marr: We have a current resolution on our curbside recycling program to do so.

Alderman Petty: Why is this any different? Why would we not require that accountability for construction and demolition waste?

Don Marr: I think the issue is what markets would we sell it to and have we identified those markets. We have very clear markets on our curbside recycling. Our goal all along has been to reuse as much of this as possible.

Alderman Petty: This is merely a request, a goal. Setting goals that are high is important sometimes. If we do not meet it then we will know why but it does not get anybody in trouble if we don't.

Alderman Marsh: Section five is based LEED new construction credit. How you quantify this is by weight or by volume. I do not anticipate we will have any difficulty meeting the 75% recycling goal.

Mayor Jordan: If we leave it in what if we can't meet that?

Alderman Petty: Then we would know much more than when we started. I think everyone trusts you and the staff to make a good faith effort.

Alderman Long moved to approve the resolution as amended. Alderman Petty seconded the motion. Upon roll call the resolution passed 7-0. Alderman Adams was absent.

Resolution 46-13 as recorded in the office of the City Clerk

Planning Commission Compensation: A resolution to request the Administration to resume paying monthly compensation to the Fayetteville Planning Commissioners.

Alderman Long moved to amend the resolution to state \$375.00 per month. Alderman Petty seconded the motion. Upon roll call the resolution passed 7-0. Alderman Adams was absent.

Alderman Long: In 2009 it looked like this would be short term. The Planning Commission puts in a lot of work. I think by compensating them it will motivate and encourage professionals to apply for this job.

Alderman Gray: I am glad Alderman Long brought this forward. Thank you and I support it.

Alderman Petty thanked Alderman Long for bringing this forward.

Alderman Tennant thanked Alderman Long for bringing this forward. These are not city employees but in my mind extension of city employees. I believe this is something we should do.

Alderman Tennant moved to approve the resolution as amended. Alderman Marsh seconded the motion. Upon roll call the resolution passed 7-0. Alderman Adams was absent.

Resolution 47-13 as recorded in the office of the City Clerk

VAC 13-4298 (1253 W. Showroom Dr./Fiat of Fayetteville): An ordinance approving VAC 13-4298 submitted by Crafton Tull and Associates for property located at 1253 West Showroom Drive to vacate an utility easement, a total of 0.08 acres.

City Attorney Kit Williams read the ordinance.

Jeremy Pate gave a brief description of the vacation.

Alderman Gray moved to suspend the rules and go to the second reading. Alderman Long seconded the motion. Upon roll call the motion passed 7-0. Alderman Adams was absent.

City Attorney Kit Williams read the ordinance.

Alderman Gray moved to suspend the rules and go to the third and final reading. Alderman Kinion seconded the motion. Upon roll call the motion passed 7-0. Alderman Adams was absent.

City Attorney Kit Williams read the ordinance.

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

Ordinance 5567 as Recorded in the office of the City Clerk.

Illinois River Watershed Partnership: An ordinance waiving the requirement for bids by applying §34.23(F) Purchases and Contracts Not in Excess of \$20,000.00 of the Fayetteville Code of Ordinances and approving a contract with the Illinois River Watershed Partnership in the amount of \$10,000.00 for watershed education and planning services.

City Attorney Kit Williams read the ordinance.

Sarah Wrede gave a brief description of the ordinance.

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

City Attorney Kit Williams read the ordinance.

Alderman Tennant moved to suspend the rules and go to the third and final reading. Alderman Long seconded the motion. Upon roll call the motion passed 7-0. Alderman Adams was absent.

City Attorney Kit Williams read the ordinance.

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

Ordinance 5568 as Recorded in the office of the City Clerk.

Regional Urban Stormwater Education Program: An ordinance waiving the requirements of formal competitive bidding and approving a Memorandum of Understanding with the MS4 Jurisdictions and the Northwest Arkansas Regional Planning Commission in the amount of \$42,240.78 for the Regional Urban Stormwater Education Program to be provided by the University of Arkansas Cooperative Extension Service to satisfy portions of the NPDES Phase II Stormwater Permit requirements.

City Attorney Kit Williams read the ordinance.

City Attorney Kit Williams: This is fulfilling our Federal requirements. We have to do this.

Sarah Wrede: We meet monthly with the extension agents and they report their activities. We have to do this.

Alderman Kinion moved to suspend the rules and go to the second reading. Alderman Gray seconded the motion. Upon roll call the motion passed 7-0. Alderman Adams was absent.

City Attorney Kit Williams read the ordinance.

Alderman Gray moved to suspend the rules and go to the third and final reading. Alderman Tennant seconded the motion. Upon roll call the motion passed 7-0. Alderman Adams was absent.

City Attorney Kit Williams read the ordinance.

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

Ordinance 5569 as Recorded in the office of the City Clerk.

Amend Chapter 166 Development: An ordinance amending subsection 166.04(l)(ii)(f) of Chapter 166 Development of the Unified Development Code to change the dedication ratios related to Parkland Dedications.

City Attorney Kit Williams read the ordinance.

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

Alderman Kinion moved to suspend the rules and go to the second reading. Alderman Long seconded the motion. Upon roll call the motion passed 6-0. Alderman Petty was absent during the vote. Alderman Adams was absent.

City Attorney Kit Williams read the ordinance.

Alderman Kinion moved to suspend the rules and go to the third and final reading. Alderman Tennant seconded the motion. Upon roll call the motion passed 7-0. Alderman Adams was absent.

City Attorney Kit Williams read the ordinance.

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

Ordinance 5570 as Recorded in the office of the City Clerk.

Wedington Corridor Neighborhood Master Plan: A resolution to adopt the Wedington Corridor Neighborhood Master Plan vision document and illustrative master plan.

Alderman Long moved to table the resolution to the March 19, 2013 City Council meeting. Alderman Marsh seconded the motion. Upon roll call the motion passed 7-0. Alderman Adams was absent.

This resolution was Tabled to March 19, 2013.

Employee Compensation Adjustment for 2013: A resolution approving a budget adjustment in the amount of \$1,330,000.00 to facilitate city-wide employee compensation adjustments for 2013, and approving Police and Fire Pay Plan Grids.

Paul Becker, Finance Director: When you approved the 2013 budget the Mayor indicated he would come back with a compensation plan depending on the revenue outlook and how we closed 2012. We had a surplus of about \$1.2 million. We have a reserve level in the General Fund of about \$13.6 million. We need roughly \$5.7 million to keep a 60 day reserve. Based on this the Mayor is bringing forward the compensation plan. This compensation plan incorporates the salary survey. We are requesting a 4% amount for the employees. The impact would be about \$1.4 million on the General Fund.

Don Marr gave a brief summary of the changes to the pay plan that was handed out. He also explained the pay plan changes.

Alderman Tennant: When would this go into effect if it passes and when can it be revisited?

Paul Becker: This would be on the employees first pay check in April. I believe the Mayor's plan is to continue as we have and revisit this yearly at the end of the first quarter.

Alderman Petty: I am proud to support this. I think it is about time. The market study proves that because of the hard choices we have had to make they have fallen behind. I am very happy and would like to thank Paul Becker. We have the capacity to do this. When the economy is going well we should be able to take care of our people. I am grateful that we are in this position. I want to thank the Mayor for bringing this forward.

Aubrey Shepherd: I am happy that it is possible to raise the employees' salaries.

Jeremy Ashley, President of Fayetteville Firefighters Association thanked the Mayor and staff for their time and commitment that was put into this. We have always enjoyed a good relationship and had strong support from the Mayor and city staff and I appreciate it. We also appreciate the support from the City Council.

Citizen: I know you say that things are growing but I am not so sure they are growing in the people that are paying the taxes.

Jamie Thornton: I am not a city employee and do not have relatives on the police or fire department. I pay the HMR tax every month to the City of Fayetteville. I am 100% behind this bill. If anyone needs to be paid market share in the City of Fayetteville it should definitely be our firefighters and police officers because they do such a great job.

Alderman Gray: This is a very exciting day for me. I have wanted this every single year. I am very happy we can see our way clear to do this. Thank you Paul and the Mayor for pushing this and bringing it along. We all know that our personnel are our strongest asset so we need to take care of them.

Alderman Tennant: The city is in the position that we are now because of the staff and what they have done over the years. We run this city the right way, we have done the right things and we have asked for sacrifices and they have been done and done willingly. This is the correction of that. We have an administration and staff that when they say they are going to do something they actually do it. This is definitely something we need to do.

Alderman Marsh: As a new Council member I have been so impressed by the professionalism of the city staff and amazed at the amount they are able to accomplish on a very modest budget. I know what it is like to be under paid. Under paying our employees is bad for morale and it leads to increased turnover. One of the most important investments we can make is in our city staff. I want our city to be able to attract the best and brightest so we continue to be a great place to live. I am a strong supporter of this.

Alderman Long: Thank you Mayor for bringing this forward. I support this plan because I think it is the right thing to do. I think we need to be competitive. We need to take care of our number one asset first and that is our people.

Don Marr: In 2009 the city staff cut \$1.8 million from the budget. Much of that was from head count reduction. To move to this pay grid and do this change is probably more than a one year growth in our budget. I want to remind the citizens that the staff saved \$1.3 million in 2012 in unspent approved expenditures in our budget, this request is \$1 million, and so while we are using reserves, we deposited a surplus of \$1.3 million into the reserves of unused expenditures that were approved last year. Talk about pay for performance. I think performing in the savings that we have done and demonstrating fiduciary responsibility is a success story. I also want to thank you. I want to thank the employees and everyone. We have an incredible leader in our Mayor and his passion for employees and treating them well and having them well paid. We want to thank him as well.

Mayor Jordan: When I came into this office in 2009 the economy was tanking, we had a budget we could not meet, an ice storm and I did not know exactly what to do. I knew when I saw the study we were going to fix it. I have been fortunate to have a wonderful staff and great Council to work with. I have been truly blessed as a Mayor to have that. This is the time to do it.

Alderman Petty moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the resolution passed 7-0. Alderman Adams was absent.

Resolution 48-13 as recorded in the office of the City Clerk

Announcements:

City Council Agenda Session Presentations:

Tyson Building Demolition Plan Discussion – David Jurgens and Paul Becker

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: 8:10 p.m.

Lioneld Jordan, Mayor

Sondra E. Smith, City Clerk/Treasurer

Handed out at the 3/19/13 City Council Meeting.

March 19, 2013

Dear Fayetteville City Council,

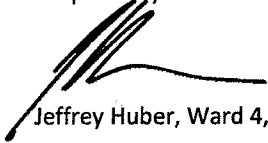
I would like to offer my support to the Local Foods Ordinance Review or *The Development of an Agrarian Urbanism Code and Framework*.

Consider this; fifty percent of Fayetteville's built environment projected to exist by 2030 has not yet been built. Fayetteville will essentially reproduce another Fayetteville—approximately 100 million square feet including 28,000 housing units (currently Fayetteville has an estimated 32,000 housing units)—within its boundaries over the next 20 years. What if we envisioned a Fayetteville Food City that is based on food security, linking local food production to urban development?

There was once a strong relationship between cities and their surrounding agricultural lands; many preindustrial cities even had developed agricultural landscapes within their urban cores (e.g., Mormon, New England, and Mediterranean cities). Local land once reserved for agriculture has been replaced with suburban development while food products produced by a global industrialized system now travel more than an average 1,500 miles to local markets and can lose up to 80% of their nutritional value. Michael Pollan notes that before 1920 one calorie of energy expended by agricultural production generated two calories of food energy. Today, chemical-dependent industrial agriculture uses more than 10 calories of fossil fuel energy to produce just one calorie of food. Industrial agriculture has diminished access to locally-available food and generated a host of unintended environmental problems, while erasing local agricultural heritages. We have forgotten from where food comes, how to grow it, when to harvest it, and how to preserve it. Compared to our parents and grandparents we are agriculturally illiterate. Most cities generally have a three-day supply of food sourced from a global supply chain, what they call the "nine meals from anarchy" dilemma. The replacement of locally based food chains by global and centralized systems dependent on intensive transportation and energy inputs creates vulnerability to supply disruptions.

If Fayetteville provides public services through potable water, police and fire protection, sewage treatment, waste management, and transportation infrastructure, how might a sustainable "food utility" become an ecological amenity scaled to the community rather than to an industrial economy? While pragmatic reasoning favors location of agriculture outside of the city, there are compelling economic, environmental, and social reasons to integrate agriculture within the city. First, the convenience provided by proximity to growing systems demystifies farming and positions it to be a tool for local economic development and jobs creation. Second, urban land costs promote development of high-quality, intensive farming economy with higher yields per acre (in both volume and nutritional content) that makes farming feasible at a small scale once again. Third, well-designed agricultural systems can be used to advance delivery of community-wide ecosystem services, including conservation of urban ecosystems like riparian corridors, legacy prairies or meadows, and urban tree canopies. Fourth, productive landscapes contribute to cities' open space systems requirements, enhancing livability and access to outdoor activities otherwise unavailable. Keep in mind, when the bike trails were originally proposed they were not popular, now it seems we cannot live without them. Code retooling approaches should consider more than shifting from "four hens to six" they should change the development game. I am hopeful that the city could reassert its design role of traditional urban services offered by street networks, urban fabrics, open space systems, neighborhoods, and buildings around the production of food. A city designed like that would be unlike any other and I am intrigued.

Respectfully Submitted,



Jeffrey Huber, Ward 4, 3691 Tower Circle

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

**Tentative Agenda
City of Fayetteville Arkansas
City Council Meeting
March 19, 2013**

A meeting of the Fayetteville City Council will be held on March 19, 2013 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

City Council Meeting Presentations, Reports and Discussion Items:

1. Nominating Committee Report

Agenda Additions:

A. Consent:

1. Approval of the March 05, 2013 City Council meeting minutes.
2. **Portable Changeable Message Sign:** A resolution approving a budget adjustment in the total amount of \$14,500.00 to provide funding for the purchase of a portable changeable message sign for the Transportation Department.

3. **Bid #13-12 North Point Ford:** A resolution awarding Bid #13-12 and authorizing the purchase of three (3) Ford F-550 service body trucks from North Point Ford of North Little Rock in the total amount of \$121,812.00 for use by the Water and Sewer Division.
4. **Bid #13-13 North Point Ford:** A resolution awarding Bid #13-13 and authorizing the purchase of one (1) Ford F-250 utility truck from North Point Ford of North Little Rock in the amount of \$32,969.00 for use by the Transportation Department.
5. **North Point Ford – Information Technology Division:** A resolution authorizing the purchase of one (1) Ford F-150 pickup truck in the amount of \$18,492.00, pursuant to a state procurement contract, from North Point Ford of North Little Rock for use by the Information Technology Division, and approving a budget adjustment.
6. **Bale Chevrolet – Transportation Department:** A resolution authorizing the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Transportation Department, and approving a budget adjustment.
7. **Bale Chevrolet – Solid Waste Division:** A resolution authorizing the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Solid Waste Division.
8. **Mountain Street and College Avenue Sidewalk Improvements:** A resolution approving a budget adjustment in the amount of \$60,600.00 recognizing revenue for improvements to sidewalks on Mountain Street and College Avenue.
9. **Crafton Tull:** A resolution approving a contract with Crafton Tull in an amount not to exceed \$42,430.00 for architectural and bidding services related to renovations of pool buildings at Wilson Park.
10. **Rupple Road Improvements:** A resolution expressing the willingness of the City of Fayetteville to utilize federal-aid funds for reconstruction and relocation of Rupple Road from Wedington Drive to Mount Comfort Road.

B. Unfinished Business:

1. **Wedington Corridor Neighborhood Master Plan:** A resolution to adopt the Wedington Corridor Neighborhood Master Plan vision document and illustrative master plan. *This item was tabled at the March 05, 2013 City Council meeting to the March 19, 2013 City Council meeting.*

C. New Business:

1. **Amend 33.108 Compensation:** An ordinance to amend §33.108 Compensation relating to the Planning Commissioners and to approve a budget adjustment.
2. **VAC 12-4203 (Halsell Road Sewer Easements):** An ordinance approving VAC 12-4203 submitted by the City of Fayetteville for several blanket easements along Halsell Road, Maple Street and Oliver Avenue.

3. **First Community Bank of Crawford County Cost Share Agreement:** An ordinance waiving the requirements of formal competitive bidding and approving a \$64,000.00 cost-share agreement with First Community Bank of Crawford County for the milling and paving of streets within the Sunbridge Villas Development, and approving a budget adjustment of \$64,000.00 recognizing revenue from letters of credit.
4. **U.S. Geological Survey Agreement:** An ordinance waiving the requirements of formal competitive bidding and approving an agreement with the U.S. Geological Survey (U.S. Department of the Interior) in the amount of \$21,528.00 for the operation and maintenance of three (3) urban stream gauging stations in the City for calendar year 2013.
5. **ADM 13-4331 Local Foods Ordinance Review:** A resolution to request city staff review the Unified Development Code and prepare amendments to allow residents to raise farm animals and sell crops, animals and animal products in non-agriculturally zoned areas to provide greater food security for Fayetteville residents.

D. City Council Agenda Session Presentations:

1. Entertainment District Parking Deck Update and Public Input Session – David Jurgens, Utilities Director and Team

E. City Council Tour:

1. **April 8, 2013 5:00 PM**
Westside Wastewater Treatment Plant
2. **May 6, 2013 5:00 PM**
Noland Wastewater Treatment Plant and Biosolids Management Site

F. Announcements:

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

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

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

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

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

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

Old business and new business.

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

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

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

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

A copy of the complete City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.

City Council Agenda Items
and
Contracts, Leases or Agreements

March 19, 2013

City Council Meeting Date
Agenda Items OnlyDennis Pratt / Barbara Olsen

Submitted By

Fleet Operations

Division

Transportation

Department

Action Required:

A resolution approving a Budget Adjustment to move funds from Fleet fund balance to the Fleet expense account.

\$ 14,500.00
Cost of this request\$ 974,500.00
Category / Project BudgetOther vehicles / equipment
Program Category / Project Name9700.1920.5802.00
Account Number\$ 39,690.00
Funds Used to DateVehicles and Equipment
Program / Project Category Name02080.2013
Project Number\$ 934,810.00
Remaining BalanceShop Fund
Fund NameBudgeted Item ☒Budget Adjustment Attached ☒Tim J. Kelly 3-1-13
Department Director Date

Previous Ordinance or Resolution # _____

Joe Kelly 3-1-13
City Attorney Date

Original Contract Date: _____

Original Contract Number: _____

Paul A. Beuhr 3-1-2013
Finance and Internal Services Director DateReceived in City Clerk's Office 03-01-13 P03:34 RCVD
KingJim Man 3-1-13
Chief of Staff Date

Received in Mayor's Office

Lionel J. Parker 3/4/13
Mayor Date

Comments:



www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS
DEPARTMENT CORRESPONDENCE

CITY COUNCIL AGENDA MEMO

To: Mayor/City Council

Thru: Terry Gulley, Director of Transportation *12/11*

From: Dennis Pratt, Fleet Operations Supt. *DD*

Date: March 1, 2013

Subject: Budget Adjustment to move funds for purchase of message sign

PROPOSAL: That City Council approve a budget adjustment to move funds from Fleet fund balance to the Fleet expense account.

RECOMMENDATION: Transportation's unit #9067 is a 2004 Portable Changeable Message Sign that died several months ago and needs to be replaced.

Fleet has received three written quotes, and recommends purchase of the lowest priced unit from Banner Sign & Barricade of Little Rock as it meets specs. Purchase price is \$14,475 including shipping and tax

BUDGET IMPACT: Fleet didn't budget to replace this unit in 2013, so a Budget Adjustment is needed to move funds from Fleet fund balance to Fleet expense account. Monthly operating charges were budgeted for the old unit so those funds will be used for the new unit.

RESOLUTION NO. _____

A RESOLUTION APPROVING A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$14,500.00 TO PROVIDE FUNDING FOR THE PURCHASE OF A PORTABLE CHANGEABLE MESSAGE SIGN FOR THE TRANSPORTATION DEPARTMENT

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached as Exhibit "A", in the total amount of \$14,500.00 to provide funding for the purchase of a portable changeable message sign for the Transportation Department.

PASSED and APPROVED this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

**City of Fayetteville, Arkansas
Budget Adjustment Form**

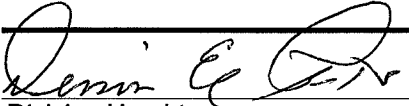
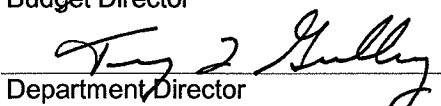
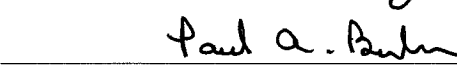
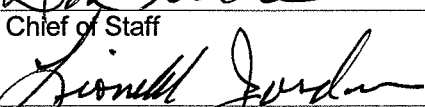
A. 2 V12.0724
Portable Changeable Message Sign

Page 4 of 6

Budget Year 2013	Division: Fleet Operations Department: Transportation Services	Request Date 3/19/2013	Adjustment Number
--------------------------------	---	--------------------------------------	--------------------------

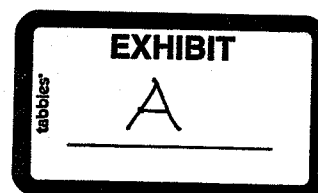
BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION

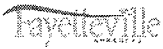
Funds are requested to purchase a portable changeable message sign board to replace #9067 (TRAN_F049 - a 2004 Message sign board). Fleet didn't budget to replace it in 2013, but the old unit died.
Sufficient funds are available to meet City objectives.

 Division Head	<u>2-28-13</u> Date	Prepared By: <u>Barbara Olsen</u> bolsen
 Budget Director	<u>3-1-13</u> Date	Reference: _____
 Department Director	<u>3-1-13</u> Date	Budget & Research Use Only
 Finance Director	<u>3-1-2013</u> Date	Type: A B C D E P
 Chief of Staff	<u>3-1-13</u> Date	General Ledger Date _____
 Mayor	<u>3/4/13</u> Date	Posted to General Ledger _____ Initial _____ Date _____
		Checked / Verified _____ Initial _____ Date _____

TOTAL BUDGET ADJUSTMENT

TOTAL BUDGET ADJUSTMENT			14,500	14,500	
			Increase / (Decrease)		Project.Sub
Account Name	Account Number		Expense	Revenue	Number
Vehicles and equipment	9700.1920.5802.00	EX	14,500	-	02080 . 2013
Use of fund balance	9700.0970.4999.99	RF	-	14,500	.
					.
					.





City of Fayetteville, Arkansas
Purchasing Department
Request and Quotations Form - Revised 8/25/2005

Amount	Quote Requirements	Notes
\$1000-\$2499.99	3 Verbal Quotes	Please put vendor names and quote amount in comment section of your P-Card/PO request. Please write "sole source" if it applies.
\$2500-\$20,000	3 Written Quotes	Purchases \$2500 and up cannot be processed by using a P-Card, you MUST USE A PO. Please make sure that your quotes are attached to your PO Request before you send it to Purchasing.
\$20,000 - above	Contact Purchasing Division	Formal Bid Process - Contact Purchasing Division

Quote Number: _____
Your records only

GL Account Number: 9700.1920.5802.00, project 02080.2013

Date: 2/25/2013

Purchase Order Number: _____
Please use a P-Card if possible. Only order after request is approved (P-Cards) or after obtaining a PO Number first.

Date Needed: 3/4/2013

Department: Operations - Fleet Operations

Taken By: Jesse Beeks

Description of Item (s):
One portable changeable Message Sign, trailer mounted

Quantity: One

Vendor List	Qty	Item Description	Price Each	Total Price	Remarks
Vendor #1 Banner Sign & Barricade, Inc	1	Silent Messenger III	\$14,475.00		
Address					
City, St Zip					
				\$14,475.00	includes shipping & tax
Vendor #2 Fleet Safety Equipment	1	silent Messenger III	\$17,829.55		
Address					
City, St Zip					
				\$17,829.55	Tax extra
Vendor #3 Give 'Em A Brake Safety	1	NTCIP message sign	\$14,550.00		
Address					
City, St Zip					
				\$14,550.00	Tax extra

Comments:

City Of Fayetteville - Purchase Order (PO) Request

(Not a Purchase Order)

All purchases under \$2500 shall be used on a P-Card unless medical or 1099 service related. (Call x256 with questions)

All PO Request shall be scanned to the Purchasing e-mail: Purchasing@ci.fayetteville.ar.us

Requisition No.:
 Date: **3/1/2013**
 Changeable Message Sign
 P.O Number:
 Expected Delivery Date:

Vendor #: 11480	Vendor Name: BANNER SIGN AND BARRICADE	Mail Yes: ☐ No: ☒
Address:		Taxable Yes: ☐ No: ☒
City:	State:	Quotes Attached Yes: ☐ No: ☒
Zip Code:	Ship to code: 50	Divison Head Approval: BSO
Requester: BARBARA OLSEN		Requester's Employee #: 1940
		Extension: 485

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Numbers	Project/Subproject #	Inventory #	Fixed Asset #
1	2013 SILENT MESSENGER III PORTABLE	1	EA	14,475.00	\$14,475.00	9700.1920.5802.00	02080.2013		709174
2	CHANGEABLE MESSAGE SIGN BOARD PER				\$0.00				
3	QUOTE, TO BE UNIT 9174, FIXED ASSET 709174				\$0.00				
4	PRICE INCLUDES SHIPPING AND TAXES				\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal: **\$14,475.00**

Total: **\$14,475.00**

Approvals:

Mayor: _____

Department Director: _____

Purchasing Manager: _____

Finance & Internal Services Director: _____

Budget Manager: _____

IT Manager: _____

Dispatch Manager: _____

Utilities Manager: _____

Other: _____

City of Fayetteville Staff Review Form

A. 3
 Bid #13-12 North Point Ford
 Page 1 of 6

City Council Agenda Items
 and
 Contracts, Leases or Agreements

3/19/2013

City Council Meeting Date
 Agenda Items Only

Dennis Pratt / Barbara Olsen

Submitted By

Fleet Operations

Division

Transportation

Department

Action Required:

A resolution awarding Bid #13-12 to North Point Ford of North Little Rock in the amount of \$121,812 for the purchase of three Ford F550 Service body trucks for use by Water & Sewer.

\$ 121,812.00

Cost of this request

\$ 687,600.00

Category / Project Budget

Light/Medium Utility Vehicles

Program Category / Project Name

9700.1920.5802.00

Account Number

\$ 154,427.00

Funds Used to Date

Vehicles and Equipment

Program / Project Category Name

02078.2013

Project Number

\$ 533,173.00

Remaining Balance

Shop Fund

Fund Name

Budgeted Item

☒

Budget Adjustment Attached

☐

Timothy J. Gully
 Department Director

2-28-13

Date

Previous Ordinance or Resolution #

Original Contract Date:

John A. Kelly
 City Attorney

2-1-13

Date

Original Contract Number:

Paul A. Becher
 Finance and Internal Services Director

3-1-2013

Date

Received in City
 Clerk's Office

02-23-13 P03:35 RCVD

Kim G.

Ann Man
 Chief of Staff

3-1-13

Date

Received in
 Mayor's Office

ENTERED
 3/11/13
PA

Lionel Jordan
 Mayor

3/4/13

Date

Comments:



www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS
DEPARTMENT CORRESPONDENCE

CITY COUNCIL AGENDA MEMO

To: Mayor/City Council

Thru: Terry Gulley, Director of Transportation *TG*

From: Dennis Pratt, Fleet Operations Supt. *DP*

Date: February 27, 2013

Subject: Purchase of three Service body trucks for Water & Sewer

PROPOSAL: That City Council approve the purchase of three Ford F550 service body trucks for use by Water & Sewer in the amount of \$121,812 from North Point Ford of North Little Rock.

RECOMMENDATION: Water & Sewer (Sewer Maintenance program) has three service body trucks that need to be replaced. #330 and #331 are both 2002 Ford F550 trucks; unit #342 is a 2004 Ford F550 truck in a high use application. All three trucks are no longer dependable for full time front line use.

Bid #13-12 was opened January 18th 2013. Seven bids were received. The bid from North Point Ford (Option 2) of North Little Rock is the lowest bid that meets specs at a price of \$40,604 each, for a total of \$121,812. A bid tab sheet is attached. The low bid (also from North Point Ford) did not have the body specified.

Fleet recommends purchasing three Ford F550s with Reading bodies off Bid #13-12, from North Point Ford of North Little Rock.

This purchase was unanimously approved by the Equipment Committee on February 26, 2013.

BUDGET IMPACT: These replacements were budgeted for on both the capital and operating sides.

RESOLUTION NO. _____

A RESOLUTION AWARDING BID #13-12 AND AUTHORIZING THE PURCHASE OF THREE (3) FORD F-550 SERVICE BODY TRUCKS FROM NORTH POINT FORD OF NORTH LITTLE ROCK IN THE TOTAL AMOUNT OF \$121,812.00 FOR USE BY THE WATER AND SEWER DIVISION

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby awards Bid #13-12 and authorizes the purchase three (3) Ford F-550 service body trucks from North Point Ford of North Little Rock in the total amount of \$121,812.00 for use by the Water and Sewer Division.

PASSED and APPROVED this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer



BID: 13-12
01/18/13
2:00 PM
CITY OF FAYETTEVILLE

Bid 13-12, Service Body Trucks with HD Chassis

BIDDER	DESCRIPTION	MANUFACTURER/MODEL	Quantity	Unit Price	TOTAL BID PRICE
1	Bill Knight Ford (truck)/ Casco Truck Body (bed)				
5	Item 1	19,000 GVWR Extended cab and chassis Ford F-550	3	\$ 33,950.00	\$ 101,850.00
	Item 2	9' Utility type truck body installed on above chassis (Item 1) Reading HD108ABDW	3	\$ 9,115.00	\$ 27,345.00
					\$ 129,195.00
2	Country Ford				
3	Item 1	19,000 GVWR Extended cab and chassis Ford F-550	3	\$ 35,338.38	\$ 108,015.08
	Item 2	9' Utility type truck body installed on above chassis (Item 1) Dakota CBG11094VHSS	3	\$ 7,000.00	\$ 21,000.00
					\$ 129,015.08
1	3 North Point Ford (Option 1)				
	Item 1	19,000 GVWR Extended cab and chassis Ford F-550	3	\$ 32,959.00	\$ 98,877.00
	Item 2	9' Utility type truck body installed on above chassis (Item 1) Dakota CBG11094VHSS	3	\$ 6,989.00	\$ 20,967.00
				\$ 39,948.00	\$ 119,844.00
2	4 North Point Ford (Option 2)				
	Item 1	19,000 GVWR Extended cab and chassis Ford F-550	3	\$ 32,459.00	\$ 97,377.00
	Item 2	9' Utility type truck body installed on above chassis (Item 1) Reading HD108AB	3	\$ 8,145.00	\$ 24,435.00
				\$ 40,604.00	\$ 121,812.00
6	5 Republic Ford Lincoln, Inc.				
	Item 1	19,000 GVWR Extended cab and chassis Ford F-550 Supercab with chassis 4x4 DRW	3	\$ 35,017.00	\$ 105,051.00
	Item 2	9' Utility type truck body installed on above chassis (Item 1) Knapheide 7108D54J1 108" Service Body	3	\$ 9,147.00	\$ 27,441.00
					\$ 132,492.00
7	6 The Larson Group				
	Item 1	19,000 GVWR Extended cab and chassis Ford F-550 4X4 Supercab	3	\$ 38,500.00	\$ 118,500.00
	Item 2	9' Utility type truck body installed on above chassis (Item 1) Reading U108ABHH	3	\$ 8,145.00	\$ 24,435.00
					\$ 142,935.00
4	7 Terex Equipment Service				
	Item 1	19,000 GVWR Extended cab and chassis Ford Super Duty F-550 DRW 4WD	3	\$ 34,370.00	\$ 103,110.00
	Item 2	9' Utility type truck body installed on above chassis (Item 1) Reading U108ABHH	3	\$ 8,145.00	\$ 24,435.00
					\$ 127,545.00

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

CERTIFIED: P. Vice, PURCH MGR

WITNESS

DATE

01/22/13

City Of Fayetteville - Purchase Order (PO) Request

(Not a Purchase Order)

All purchases under \$2500 shall be used on a P-Card unless medical or 1099 service related. (Call x256 with questions)

All PO Request shall be scanned to the Purchasing e-mail: Purchasing@ci.fayetteville.ar.us

Requisition No.:	Date: A. 3 2/27/2013
P.O Number:	Expected Delivery Date: #13-12 North Point Ford

Vendor #: 6481	Vendor Name: NORTH POINT FORD	Mail Yes: No: X
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Address:	Fob Point:	Taxable Yes: No: X	Quotes Attached Yes: No: X
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City:	State:	Zip Code:	Ship to code: 50	Division Head Approval: <i>[Signature]</i>
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Requester: BARBARA OLSEN	Requester's Employee #: 1940	Extension: 485
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Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Numbers	Project/Subproject #	Inventory #	Fixed Asset #
1	2013 FORD F550 SERVICE BODY TRUCKS PER	3	EA	40,604.00	\$121,812.00	9700.1920.5802.00	02078.2013		
2	BID SPECS, BID #13-12, TO BE UNITS:				\$0.00				
3	377, FIXED ASSET #700377				\$0.00				700377
4	378, FIXED ASSET #700378 AND				\$0.00				700378
5	379, FIXED ASSET #700379				\$0.00				700379
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal: \$121,812.00

Total: \$121,812.00

Approvals:		
Mayor: _____	Department Director: _____	Purchasing Manager: _____
Finance & Internal Services Director: _____	Budget Manager: _____	IT Manager: _____
Dispatch Manager: _____	Utilities Manager: _____	Other: _____

City of Fayetteville Staff Review Form

A. 4
 Bid #13-13 North Point Ford
 Page 1 of 6

City Council Agenda Items
 and
 Contracts, Leases or Agreements

3/19/2013

City Council Meeting Date
 Agenda Items Only

Dennis Pratt / Barbara Olsen

Submitted By

Fleet Operations

Division

Transportation

Department

Action Required:

A resolution awarding Bid #13-13 to North Point Ford of North Little Rock in the amount of \$32,969 for the purchase of one Ford F250 Utility Truck for use by Transportation Traffic Division.

\$ 32,969.00

Cost of this request

\$ 687,600.00

Category / Project Budget

Light/Medium Utility Trucks

Program Category / Project Name

9700.1920.5802.00

Account Number

\$ 276,239.00

Funds Used to Date

Vehicles and Equipment

Program / Project Category Name

02078.2013

Project Number

\$ 411,361.00

Remaining Balance

Shop Fund

Fund Name

Budgeted Item

☒

Budget Adjustment Attached

☐

Tracy L. Kelly
 Department Director

2-28-13
 Date

Previous Ordinance or Resolution #

Dr. B. Kelly
 City Attorney

3-1-13
 Date

Original Contract Date:

Original Contract Number:

Paul A. Behn
 Finance and Internal Services Director

3-1-2013
 Date

Received in City 03-23-13 P03:35 RCVD
 Clerk's Office

Don Mann
 Chief of Staff

3-1-13
 Date

Received in
 Mayor's Office

Donald Jordan
 Mayor

3/4/13
 Date

Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor/City Council

Thru: Terry Gulley, Director of Transportation *TG*

From: Dennis Pratt, Fleet Operations Supt. *DP*

Date: February 27, 2013

Subject: Purchase of one ¾ ton Pickup for Transportation Traffic Division

PROPOSAL: That City Council approve the purchase of one Ford F250 service body truck for use by Transportation Traffic Division in the amount of \$32,969 from North Point Ford of North Little Rock.

RECOMMENDATION: Transportation, Traffic Control unit #2051 is a 2002 F250 pickup that is no longer dependable for full time front line use and needs to be replaced. It was due for replacement in 2012, but was pushed back to 2013.

Bid #13-13 was opened Jan 18th, 2013. Seven bids were received. A bid tab sheet is attached.

Fleet recommends purchasing a Ford F250 pickup off Bid #13-13. The bid from North Point Ford (Option 2) of North Little Rock is the low bid that meets specs at a price of \$32,969.

This purchase was unanimously approved by the Equipment Committee on February 27, 2013.

BUDGET IMPACT: This replacement was budgeted for on both the capital and operating sides.

RESOLUTION NO. _____

A RESOLUTION AWARDDING BID #13-13 AND AUTHORIZING THE PURCHASE OF ONE (1) FORD F-250 UTILITY TRUCK FROM NORTH POINT FORD OF NORTH LITTLE ROCK IN THE AMOUNT OF \$32,969.00 FOR USE BY THE TRANSPORTATION DEPARTMENT

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby awards Bid #13-13 and authorizes the purchase one (1) Ford F-250 utility truck from North Point Ford of North Little Rock in the total amount of \$32,969.00 for use by the Transportation Department.

PASSED and **APPROVED** this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

Bid 13-13, HD 4X4 Utility Truck

BIDDER	DESCRIPTION	MANUFACTURER/MODEL	Quantity	Unit Price	TOTAL BID PRICE
6 1 Bill Knight Ford (truck)/Casco Truck Body (bed)	Full size Heavy Duty (3/4 ton) Extended Cab 4 Wheel Drive with utility body and tow package	Ford F-250 Reading 98FABSW	1	\$ 33,850.00	\$ 33,850.00
1 2 Country Ford	Full size Heavy Duty (3/4 ton) Extended Cab 4 Wheel Drive with utility body and tow package	Ford F-250	1	\$ 29,753.52	\$ 29,753.52
2 3 North Point Ford - (Option 1)	Full size Heavy Duty (3/4 ton) Extended Cab 4 Wheel Drive with utility body and tow package	Ford F-250	1	\$ 31,697.00	\$ 31,697.00
4 4 North Point Ford - (Option 2)	Full size Heavy Duty (3/4 ton) Extended Cab 4 Wheel Drive with utility body and tow package	Ford F-250	1	\$ 32,989.00	\$ 32,989.00
7 5 Republic Ford Lincoln, Inc. - (Option 1)	Full size Heavy Duty (3/4 ton) Extended Cab 4 Wheel Drive with utility body and tow package	Ford w/ Knapheide Ser. Body #796J1 F-250 XLT Supercab with box delete 4X4 SRW	1	\$ 35,674.00	\$ 35,674.00
3 6 Republic Ford Lincoln, Inc. - (Option 2)	Full size Heavy Duty (3/4 ton) Extended Cab 4 Wheel Drive with utility body and tow package	Ford w/ Knapheide Ser. Body #796J1 F-250 XL Supercab with box delete 4X4 SRW	1	\$ 31,970.00	\$ 31,970.00
5 7 Terex Equipment Service	Full size Heavy Duty (3/4) Extended Cab 4 Wheel Drive with utility body and tow package	Ford Super Duty F-250 SRW 4WD	1	\$ 33,795.00	\$ 33,795.00

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

CERTIFIED:

P. Vice, PURCH MGR

WITNESS

DATE

01/22/13

City Of Fayetteville - Purchase Order (PO) Request

(Not a Purchase Order)

All purchases under \$2500 shall be used on a P-Card unless medical or 1099 service related. (Call x256 with questions)
All PO Request shall be scanned to the Purchasing e-mail: Purchasing@ci.fayetteville.ar.us

Requisition No.:	Date: A. 4 2/27/2013
P.O Number:	Expected Delivery Date:

Vendor #:	6481	Vendor Name:	NORTH POINT FORD	Mail Yes: No: X
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Address:	Fob Point:	Taxable Yes: No: X	Quotes Attached Yes: No: x
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City:	State:	Zip Code:	Ship to code: 50	Division Head Approval: <i>[Signature]</i>
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Requester: BARBARA OLSEN	Requester's Employee #: 1940	Extension: 485
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Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Numbers	Project/Subproject #	Inventory #	Fixed Asset #
1	2013 f250 4X4 UTILITY TRUCK PER SPECS ON	1	EA	32,969.00	\$32,969.00	9700.1920.5802.00	02078.2013		
2	BID #13-13. TO BE UNIT #2160, F.A. #702160				\$0.00				702160
3					\$0.00				
4					\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal: \$32,969.00

Total: \$32,969.00

Approvals:		
Mayor: _____	Department Director: _____	Purchasing Manager: _____
Finance & Internal Services Director: _____	Budget Manager: _____	IT Manager: _____
Dispatch Manager: _____	Utilities Manager: _____	Other: _____

City of Fayetteville Staff Review Form

A. 5
North Point Ford – Information
Technology Division
Page 1 of 6

City Council Agenda Items
and
Contracts, Leases or Agreements

3/19/2013

City Council Meeting Date
Agenda Items Only

Dennis Pratt / Barbara Olsen

Submitted By

Fleet Operations

Division

Transportation

Department

Action Required:

A resolution approving the purchase of one Ford F150 pickup truck off the State Vehicle contract from North Point Ford of North Little Rock in the amount of \$18,492 and approval of a Budget Adjustment to move funds to the Fleet expense account.

\$ 18,492.00

Cost of this request

\$ 687,600.00

Category / Project Budget

Light/Medium Utility Vehicles

Program Category / Project Name

9700.1920.5802.00

Account Number

\$ 135,935.00

Funds Used to Date

Vehicles and Equipment

Program / Project Category Name

02078.2013

Project Number

\$ 551,665.00

Remaining Balance

Shop Fund

Fund Name

Budgeted Item

☒

Budget Adjustment Attached

☒

Tracy S. Gullett
Department Director

2-28-13

Date

Previous Ordinance or Resolution #

Original Contract Date:

Chris Kelly
City Attorney

3-1-13

Date

Original Contract Number:

Paul A. Bush
Finance and Internal Services Director

3-1-2013

Date

Received in City
Clerk's Office

Don M. M...
Chief of Staff

3-1-13

Date

Received in
Mayor's Office

Donald Johnson
Mayor

3/4/13

Date



Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor/City Council

Thru: Terry Gulley, Director of Transportation *TG*

From: Dennis Pratt, Fleet Operations Supt. *DP*

Date: February 27, 2013

Subject: Purchase of one F150 pickup truck for Information Technology

PROPOSAL: That City Council approve the purchase of one Ford F150 pickup truck off the State Vehicle contract from North Point Ford of North Little Rock in the amount of \$18,492 and approve a Budget Adjustment to move funds to the Fleet expense account.

RECOMMENDATION: For the last dozen years IT has had hand-me-down used units that were nearly worn out as they didn't put many miles on the vehicles. Now that IT Network Services is moving to the Airport, they will need a vehicle to transport people and equipment between buildings within the City on a daily basis.

As this is a new unit for which negligible replacement has been collected, it is treated as an expansion according to the Fleet Policy. Capital funds have been placed in the IT budget for the 2013 budget year. A Budget adjustment will be required to move funds to the Fleet expense account.

IT is currently driving #1052U which is a 1999 Ford Explorer. Their needs will be better served with a pickup truck. Fleet recommends purchasing a 2013 Ford F150 half-ton pickup, 2x4 off the state contract for \$18,492. Fleet will also purchase up-fit items locally: lights (since it will be used at the Airport), and a camper shell. Sufficient funds were placed in the capital budget for these items.

Fleet recommends the purchase off the state contract of one half-ton pickup from North Point Ford of North Little Rock in the amount of \$18,492.

This purchase was unanimously approved by the Equipment Committee on February 26, 2013.

BUDGET IMPACT: This purchase was budgeted for on both the capital and operating sides.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) FORD F-150 PICKUP TRUCK IN THE AMOUNT OF \$18,492.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FROM NORTH POINT FORD OF NORTH LITTLE ROCK FOR USE BY THE INFORMATION TECHNOLOGY DIVISION, AND APPROVING A BUDGET ADJUSTMENT

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes the purchase of one (1) Ford F-150 pickup truck in the amount of \$18,492.00, pursuant to a state procurement contract, from North Point Ford of North Little Rock for use by the Information Technology Division.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached as Exhibit "A".

PASSED and APPROVED this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

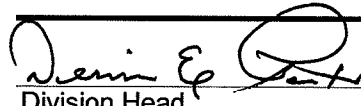
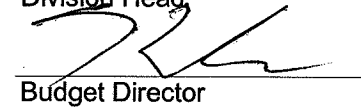
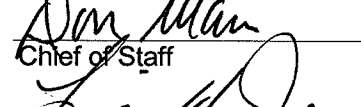
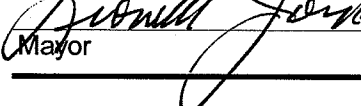
**City of Fayetteville, Arkansas
Budget Adjustment Form**

A. 5 V12.0724
North Point Ford – Information

Budget Year	Division: Fleet Operations Department: Transportation Services	Request Date	Adjustment Number
2013		2/6/2013	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION

Funds are requested to purchase an expansion pickup truck Unit 2168, ITOP_F001 for IT to use to carry personnel and equipment to and from the airport location and between buildings in the City. This BA includes an amount for lights (as it will be based at the airport) and a camper shell which are not part of the state contract price.

	2-6-13
Division Head	Date
	3-1-2013
Budget Director	Date
	2-6-13
Department Director	Date
	3-1-2013
Finance Director	Date
	3-1-13
Chief of Staff	Date
	3/4/13
Mayor	Date

Prepared By: Barbara Olsen bolsen

Reference: _____

Budget & Research Use Only

Type: A B C E P

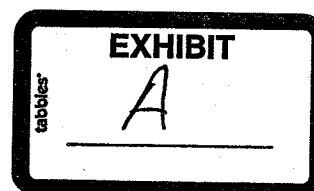
General Ledger Date: _____

Posted to General Ledger Initial _____ Date _____

Checked / Verified Initial _____ Date _____

TOTAL BUDGET ADJUSTMENT

		27,500		27,500	
		Increase / (Decrease)			
Account Name	Account Number	Expense	Revenue	Project.Sub Number	
Fixed assets	1010.6600.5801.00	EX (27,500)		.	
Transfer to Shop	1010.6600.7602.70	EX 27,500		.	
Transfer from General	9700.0970.6602.01	RE	27,500	02078 . 2013	
Vehicles and equipment	9700.1920.5802.00	EX 27,500		02078 . 2013	
				.	
				.	



City Of Fayetteville - Purchase Order (PO) Request

(Not a Purchase Order)

All purchases under \$2500 shall be used on a P-Card unless medical or 1099 service related. (Call x256 with questions)

All PO Request shall be scanned to the Purchasing e-mail: Purchasing@ci.fayetteville.ar.us

Requisition No.:	Date: 5/27/2013
P.O Number:	Expected Delivery Date: 06/01/2013

Vendor #:	6481	Vendor Name:	NORTH POINT FORD	Mail Yes: No: X
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Address:	Fob Point:	Taxable Yes: No: X	Quotes Attached Yes: No: x
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City:	State:	Zip Code:	Ship to code:	Divison Head Approval:
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Requester:	Requester's Employee #:	Extension:
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BARBARA OLSEN

1940

485

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Numbers	Project/Subproject #	Inventory #	Fixed Asset #
1	2013 FORD F150 2X4 PICKUP TRUCK WITH	1	EA	18,492.00	\$18,492.00	9700.1920.5802.00	02078.2013		
2	XO TOW PACKAGE, AND LS LIMITED SLIP PER				\$0.00				
3	STATE CONTRACT PRICES. TO BE UNIT 2168				\$0.00				
4	FIXED ASSET #702168				\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal: \$18,492.00

Total: \$18,492.00

Approvals:	Mayor: _____	Department Director: _____	Purchasing Manager: _____
	Finance & Internal Services Director: _____	Budget Manager: _____	IT Manager: _____
	Dispatch Manager: _____	Utilities Manager: _____	Other: _____

City of Fayetteville Staff Review Form

A. 6

Bale Chevrolet – Transportation Department
Page 1 of 6City Council Agenda Items
and
Contracts, Leases or Agreements

3/19/2013

City Council Meeting Date
Agenda Items Only

Dennis Pratt / Barbara Olsen

Submitted By

Fleet Operations

Division

Transportation

Department

Action Required:

A resolution approving the purchase of one Chevy Tahoe off the State Vehilce contract from Bale Chevrolet of Little Rock in the amount of \$28,789 for use by Transportation, and approving a Budget Adjustment to move funds to the Fleet expense account.

\$ 28,789.00
Cost of this request

\$ 329,000.00
Category / Project Budget

Police / Passenger Vehicles
Program Category / Project Name

9700.1920.5802.00
Account Number

\$ 53,882.00
Funds Used to Date

Vehicles and Equipment
Program / Project Category Name

02081.2013
Project Number

\$ 275,118.00
Remaining Balance

Shop Fund
Fund Name

Budgeted Item ☒Budget Adjustment Attached ☒

Tim J. Gully
Department Director

2-28-13
Date

Previous Ordinance or Resolution #

Chris Kelly
City Attorney

3-1-13
Date

Original Contract Date:

Original Contract Number:

Paul A. Becher
Finance and Internal Services Director

3-1-2013
Date

Received in City 02-23-13 P03:35 RCVD
Clerk's Office

Kim G.

Don Mann
Chief of Staff

3-1-13
Date

Received in
Mayor's Office



David Jordan
Mayor

3/4/13
Date

Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor/City Council

Thru: Terry Gulley, Director of Transportation *TG*

From: Dennis Pratt, Fleet Operations Supt. *DP*

Date: February 27, 2013

Subject: Purchase of one Chevy Tahoe for use by Transportation

PROPOSAL: That City Council approve the purchase of one Chevrolet Tahoe 4x4 off the State Vehicle contract from Bale Chevrolet of Little Rock for use by Transportation, and approve a Budget Adjustment to move funds to the Fleet Expense account.

RECOMMENDATION: Transportation is currently using #1127U (a used 2005 Ford Taurus) for the Transportation Director and the Assistant Transportation Manager. It needs to be replaced with a suitable vehicle for emergency response so they do not have to drive personal 4x4 vehicles to respond to locations around the City.

Fleet recommends purchasing a 2013 Chevy Tahoe 4x4 off the State Vehicle contract in the amount of \$28,789 from Bale Chevrolet of Little Rock. This vehicle will be part of Fleet's dual fuel pilot project. It will be able to run on either propane or gasoline.

This purchase was unanimously approved by the Equipment Committee on February 26, 2013.

BUDGET IMPACT: Unit 1127U was budgeted for on the operating side; these funds will be used for the replacement unit.

Fleet did not budget to replace #1127U in 2013 so a Budget adjustment is attached to move funds from fund balance into the Fleet expense project.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) CHEVROLET TAHOE IN THE AMOUNT OF \$28,789.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FROM BALE CHEVROLET OF LITTLE ROCK FOR USE BY THE TRANSPORTATION DEPARTMENT, AND APPROVING A BUDGET ADJUSTMENT

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Transportation Department.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached as Exhibit "A".

PASSED and APPROVED this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

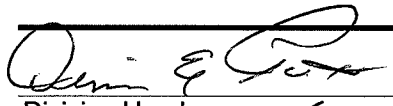
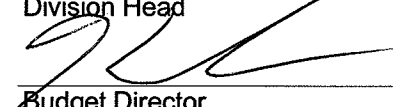
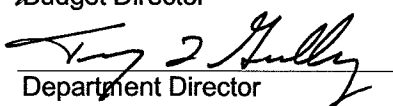
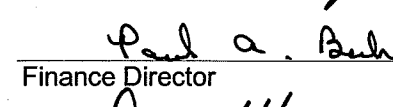
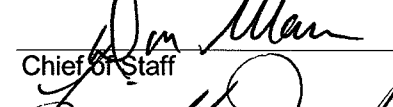
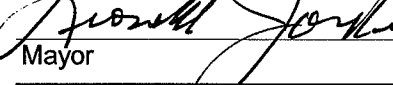
**City of Fayetteville, Arkansas
Budget Adjustment Form**

A. 6 V12.0724
Bale Chevrolet - Transportation Department
Page 4 of 6

Budget Year 2013	Division: Fleet Operations Department: Transportation Services	Request Date 3/19/2013	Adjustment Number
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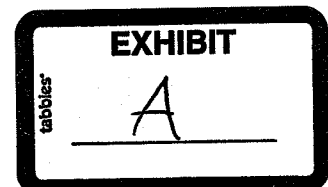
BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION

Transportation staff has elected to trade in unit #1127U (TRAN_F105). Fleet did not budget to replace this unit in 2013, so a Budget Adjustment is needed to move funds from fund balance.

 Division Head	<u>2-7-13</u> Date	Prepared By: <u>Barbara Olsen</u> Reference: _____ Budget & Research Use Only
 Budget Director	<u>2-7-13</u> Date	
 Department Director	<u>2-7-13</u> Date	Type: A B C D E P
 Finance Director	<u>3-1-2013</u> Date	General Ledger Date _____
 Chief of Staff	<u>3-1-13</u> Date	Posted to General Ledger Initial _____ Date _____
 Mayor	<u>3/4/13</u> Date	Checked / Verified Initial _____ Date _____

TOTAL BUDGET ADJUSTMENT

		TOTAL BUDGET ADJUSTMENT		29,000	29,000	Project.Sub Number
				Increase / (Decrease)		
Account Name	Account Number	Expense	Revenue			
Vehicles and equipment	9700.1920.5802.00	EX	29,000	-		02081 . 2013
Use of fund balance	9700.0970.4999.99	RF	-	29,000		.
						.
						.



City Of Fayetteville - Purchase Order (PO) Request

(Not a Purchase Order)

All purchases under \$2500 shall be used on a P-Card unless medical or 1099 service related. (Call x256 with questions)

All PO Request shall be scanned to the Purchasing e-mail: Purchasing@ci.fayetteville.ar.us

Requisition No.: 6	Date: 2/28/2013
Bale Chevrolet	Transportation Department
P.O Number: Page 5 of 5	Expected Delivery Date:

Vendor #: 13292	Vendor Name: BALE CHEVROLET	Mail Yes: No: X
-----------------	-----------------------------	-----------------

Address:	Fob Point:	Taxable Yes: No: X	Quotes Attached Yes: No: x
----------	------------	--------------------	----------------------------

City:	State:	Zip Code: 50	Ship to code:	Divison Head Approval:
-------	--------	--------------	---------------	------------------------

Requester: BARBARA OLSEN	Requester's Employee #: 1940	Extension: 485
--------------------------	------------------------------	----------------

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Numbers	Project/Subproject #	Inventory #	Fixed Asset #
1	2013 CHEVROLET TAHOE 4X4 PER STATE	1	EA	28,789.00	\$28,789.00	9700.1920.5802.00	02081.2013		701261
2	VEHICLE CONTRACT, TO BE UNIT 1261,				\$0.00				
3	FIXED ASSET #701261				\$0.00				
4					\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal: \$28,789.00

Total: \$28,789.00

Approvals:		
Mayor: _____	Department Director: _____	Purchasing Manager: _____
Finance & Internal Services Director: _____	Budget Manager: _____	IT Manager: _____
Dispatch Manager: _____	Utilities Manager: _____	Other: _____

City of Fayetteville Staff Review Form

A. 7
 Bale Chevrolet – Solid Waste Division
 Page 1 of 4

City Council Agenda Items
 and
 Contracts, Leases or Agreements

3/19/2013

City Council Meeting Date
 Agenda Items Only

Dennis Pratt / Barbara Olsen

Submitted By

Fleet Operations

Division

Transportation

Department

Action Required:

A resolution approving the purchase of one Chevy Tahoe off the State Vehicle contract from Bale Chevrolet of Little Rock in the amount of \$28,789 for use by Solid Waste Division.

\$ 28,789.00
 Cost of this request

\$ 329,000.00
 Category / Project Budget

Police / Passenger Vehicles
 Program Category / Project Name

9700.1920.5802.00
 Account Number

\$ 25,093.00
 Funds Used to Date

Vehicles and Equipment
 Program / Project Category Name

02081.2013
 Project Number

\$ 303,907.00
 Remaining Balance

Shop Fund
 Fund Name

Budgeted Item ☒Budget Adjustment Attached ☐

Tony G. Gully
 Department Director 2-28-13
 Date

Previous Ordinance or Resolution # _____

Joe Miller
 City Attorney 3-1-13
 Date

Original Contract Date: _____

Original Contract Number: _____

Paul A. Bueh
 Finance and Internal Services Director 3-1-2013
 Date

Received in City Clerk's Office 02-23-13 P03:35 RCVD

Don M...
 Chief of Staff 3-1-13
 Date

Received in Mayor's Office



Donald Joseph
 Mayor 3/4/13
 Date

Comments:



www.accessfayetteville.org

CITY COUNCIL AGENDA MEMO

To: Mayor/City Council

Thru: Terry Gulley, Director of Transportation *TG*

From: Dennis Pratt, Fleet Operations Supt. *DP*

Date: February 27, 2013

Subject: Purchase of one Chevy Tahoe for use by Solid Waste Division

PROPOSAL: That City Council approve the purchase of one Chevrolet Tahoe 4x4 off the State Vehicle contract from Bale Chevrolet of Little Rock for use by Solid Waste Division

RECOMMENDATION: Solid Waste uses unit #1093 - a 2002 Ford Explorer 4x4 that is no longer dependable for full time front line use and needs to be replaced. It was due for replacement in 2010 but was pushed back to 2013.

Fleet recommends purchasing a 2013 Chevy Tahoe 4x4 off the State Vehicle contract in the amount of \$28,789 from Bale Chevrolet of Little Rock. This vehicle is used for emergency response to locations around the City.

This vehicle will be part of Fleet's dual fuel pilot project. It will be able to run on either propane or gasoline.

This purchase was unanimously approved by the Equipment Committee on February 26, 2013.

BUDGET IMPACT: This purchase was budgeted for on both the capital and operating sides.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) CHEVROLET TAHOE IN THE AMOUNT OF \$28,789.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FROM BALE CHEVROLET OF LITTLE ROCK FOR USE BY THE SOLID WASTE DIVISION

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Solid Waste Division.

PASSED and APPROVED this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

City Of Fayetteville - Purchase Order (PO) Request

(Not a Purchase Order)

All purchases under \$2500 shall be used on a P-Card unless medical or 1099 service related. (Call x256 with questions)

All PO Request shall be scanned to the Purchasing e-mail: Purchasing@ci.fayetteville.ar.us

Requisition No.: A. 7	Date: 2/28/2013
P.O Number:	Bale Chevrolet - Solid Waste Division
	Expected Delivery Date:

Vendor #: 13292	Vendor Name: BALE CHEVROLET	Mail Yes: No: X
Address:	Fob Point:	Taxable Yes: No: X
City:	State:	Zip Code: 50
Requester: BARBARA OLSEN	Requester's Employee #: 1940	Extension: 485

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Numbers	Project/Subproject #	Inventory #	Fixed Asset #
1	2013 CHEVROLET TAHOE, 4X4 PER STATE	1	EA	28,789.00	\$28,789.00	9700.1920.5802.00	02081.2013		701260
2	VEHICLE CONTRACT, TO BE UNIT 1260,				\$0.00				
3	FIXED ASSET #701260				\$0.00				
4					\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal: \$28,789.00

Total: \$28,789.00

Approvals:

Mayor: _____

Department Director: _____

Purchasing Manager: _____

Finance & Internal Services Director: _____

Budget Manager: _____

IT Manager: _____

Dispatch Manager: _____

Utilities Manager: _____

Other: _____

City of Fayetteville Staff Review Form

A. 8
Mountain Street and College
Avenue Sidewalk Improvements
Page 1 of 4

**City Council Agenda Items
and
Contracts, Leases or Agreements**

3/19/2013

City Council Meeting Date
Agenda Items Only

John Nelson

Submitted By

Transportation

Division

Transportation Services

Department

Action Required:

A resolution approving a budget adjustment in the amount of \$60,600 recognizing revenue for improvements to sidewalks on Mountain Street and College Avenue.

\$ -
Cost of this request

\$ 115,000.00
Category / Project Budget

Sidewalk Improvements
Program Category / Project Name

4470.9470.5814.00
Account Number

\$ 44,150.00
Funds Used to Date

Transportation Improvements
Program / Project Category Name

02053
Project Number

\$ 70,850.00
Remaining Balance

Sales Tax Cap Imp
Fund Name

Budgeted Item ☒Budget Adjustment Attached ☒

Terry J. Gulley 2-26-13
Department Director Date

Previous Ordinance or Resolution # _____

Dr. Billie 3-1-13
City Attorney Date

Original Contract Date: _____

Original Contract Number: _____

Paul A. Babin 3-1-2013
Finance and Internal Services Director Date

Received in City 02-23-13 P03:35 RCVD
Clerk's Office

Am. Man 3-1-2013
Chief of Staff Date

Donald Jordan 3/4/13
Mayor Date

Received in
Mayor's Office



Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Don Marr, Chief of Staff
Terry Gulley, Transportation Services Director *T28*

From: John Nelson, Management Accounting Coordinator *jl*

Date: February 26, 2013

Subject: Mountain Street and College Avenue Sidewalk Improvements

PROPOSAL:

A resolution approving a budget adjustment in the amount of \$60,600 recognizing revenue for improvements to sidewalks on Mountain Street and College Avenue.

RECOMMENDATION:

The Planning Commission approved a request for a temporary parking lot on property located on the northwest corner of College Avenue and Mountain Street with variances to allow for delayed landscaping and sidewalk improvements. Due to non-performance by the applicant, guarantee funds were deposited in an interest bearing escrow account for the city to construct the improvements.

The Transportation Division overlay/sidewalk projects list for 2012 (Res. No. 215-11) included Center Street, Mountain Street, and College Avenue sidewalk improvements. The funds received from the guarantee will go towards the construction costs for completing the required improvements along the frontage of the parking lot.

BUDGET IMPACT:

Construction of the sidewalk, curb and related improvements to sidewalks was funded by the Sidewalk Improvements capital project. Revenue funds contributed will reimburse the capital project.

Reference: CUP 09-3095

RESOLUTION NO. _____

A RESOLUTION APPROVING A BUDGET ADJUSTMENT IN THE
AMOUNT OF \$60,600.00 RECOGNIZING REVENUE FOR
IMPROVEMENTS TO SIDEWALKS ON MOUNTAIN STREET AND
COLLEGE AVENUE

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a
budget adjustment, a copy of which is attached as Exhibit "A", in the total amount of \$60,600.00
recognizing revenue for improvements to sidewalks on Mountain Street and College Avenue.

PASSED and APPROVED this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

**City of Fayetteville, Arkansas
Budget Adjustment Form**

A. 8 V11.0425
Mountain Street and College
Avenue Sidewalk Improvements
Page 4 of 4

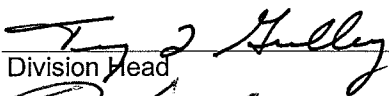
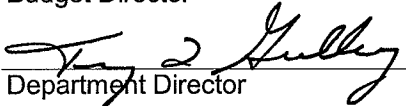
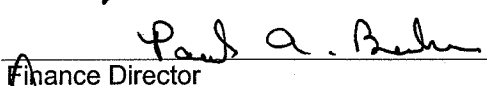
Budget Year 2013	Division: Transportation Services Department: Transportation Services	Request Date 3/19/2013	Adjustment Number
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BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION

Contribution from developer for landscaping and sidewalk improvements on Mountain Street and College Avenue.

This budget adjustment recognizes revenue in the off-site improvements escrow account.

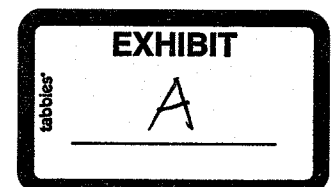
Reference: CUP 08-3095

 Division Head	<u>2-26-13</u> Date	Prepared By: <u>John Nelson</u> <i>jln</i>	
 Budget Director	<u>3-1-13</u> Date	Reference: _____	<i>jnelson</i>
 Department Director	<u>2-26-13</u> Date	Budget & Research Use Only	
 Finance Director	<u>3-1-2013</u> Date	Type: A B C D E P	
 Chief of Staff	<u>3-1-13</u> Date	General Ledger Date _____	
 Mayor	<u>3-1-13</u> Date	Posted to General Ledger _____	Initial Date
	<u>3/4/13</u> Date	Checked / Verified _____	Initial Date

TOTAL BUDGET ADJUSTMENT

60,600		60,600	
Increase / (Decrease)			
Expense	Revenue	Project.Sub Number	
	60,600	02053	1
60,600		02053	1
		.	
		.	

Account Name	Account Number
Pymts by property owners	4470.0947.4420.00
Sidewalks	4470.9470.5814.00



City of Fayetteville Staff Review Form

City Council Agenda Items
and
Contracts, Leases or Agreements

3/19/2013

City Council Meeting Date
Agenda Items Only

Carole Jones 
Submitted By

Park Planning
Division

Parks
Department

Action Required:

Staff recommends a resolution approving the agreement for architectural and bidding services between the City of Fayetteville and Crafton Tull in an amount not to exceed \$42,430 for architectural design associated with the renovation of the Wilson Park pool buildings.

\$42,430.00
Cost of this request

\$ 519,000.00
Category / Project Budget

Community Park Improvements
Program Category / Project Name

2250.9255.5314.00
Account Number

\$ -
Funds Used to Date

Wilson Park Improvements
Program / Project Category Name

13001.1101
Project Number

\$ 519,000.00
Remaining Balance

Parks Development
Fund Name

Budgeted Item ☒

Budget Adjustment Attached ☐


Department Director

3-8-13
Date

Previous Ordinance or Resolution # _____


City Attorney

2-1-13
Date

Original Contract Date: _____

Original Contract Number: _____

Paul a. Bell
Finance and Internal Services Director

3-1-2013
Date

Received in City Clerk's Office 3-1-13 PG2:02 RCVD


Jim Mann
Chief of Staff

3-1-13
Date

Received in Mayor's Office

ENTERED
3/11/13
P.H.


Mayor

3/4/13
Date

Comments:



www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS
DEPARTMENT CORRESPONDENCE

CITY COUNCIL AGENDA MEMO

To: Mayor Lioneld Jordan and City Council

Thru: Don Marr, Chief of Staff
Connie Edmonston, Parks and Recreation Director *C.E.*
Alison Jumper, Park Planning Superintendent *aj*

From: Carole Jones, Park Planner II *Caf*

Date: March 1, 2013

Subject: Resolution to approve a contract for architectural services with Crafton Tull
Agenda Request for March 19, 2013 Meeting

PROPOSAL:

The Wilson Park swimming pool is the only municipal pool within the City of Fayetteville and had over 20,000 visitors in 2012 during the eight week summer season. The original Wilson Park pool buildings were built between the 1930s and the 1960s. The last significant renovation of the buildings was in 1983.

In 2012, the pool and deck surfaces were repaired and resurfaced as the first phase of the Wilson Park Pool renovation. The renovation of the buildings was approved as part of the 2013 CIP as the next phase of the pool renovation project. Improvements to the pool house and concession building will increase efficiency in use of space, increase ventilation, provide better ADA access and update the restroom and shower facilities.

A selection committee was formed per RFQ 13-01 and met on February 20, 2013. Crafton Tull was selected and has provided the attached scope of services and contract price for the requested architectural and bidding services. If approved, architectural services will be provided from April through June. Once a final design is approved, a contract amendment for construction phase services will be submitted to the City Council for approval at a later date. Construction of the project is expected to begin in early September after the pool closes for the season.

RECOMMENDATION:

Staff recommends a resolution approving the agreement for architectural and bidding services between the City of Fayetteville and Crafton Tull in an amount not to exceed \$42,430 for architectural design associated with the renovation of the Wilson Park pool buildings.

BUDGET IMPACT:

This project is funded with Parks Development Funds. The cost of \$42,430 is accounted for in project number 13001.1101 - Wilson Park Improvements.

Attachments:

Staff Review Form
Agreement Signed by Architect
PO Request

RESOLUTION NO. _____

A RESOLUTION APPROVING A CONTRACT WITH CRAFTON TULL IN AN AMOUNT NOT TO EXCEED \$42,430.00 FOR ARCHITECTURAL AND BIDDING SERVICES RELATED TO RENOVATION OF POOL BUILDINGS AT WILSON PARK

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a contract with Crafton Tull in an amount not to exceed \$42,430.00, a copy of which is attached as Exhibit "A", for architectural and bidding services related to renovation of pool buildings at Wilson Park.

PASSED and APPROVED this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

AGREEMENT
For
PROFESSIONAL ARCHITECTURAL SERVICES
Between
CITY OF FAYETTEVILLE, ARKANSAS
And
CRAFTON TULL

THIS AGREEMENT is made as of _____, 2013, by and between City of Fayetteville, Arkansas, acting by and through its Mayor (hereinafter called CITY OF FAYETTEVILLE) and CRAFTON TULL (hereinafter called CRAFTON TULL).

CITY OF FAYETTEVILLE from time to time requires professional architectural services in connection with the evaluation, design, and/or construction supervision of capital improvement projects. Therefore, CITY OF FAYETTEVILLE and CRAFTON TULL in consideration of their mutual covenants agree as follows:

CRAFTON TULL shall serve as CITY OF FAYETTEVILLE's professional architectural consultant in those assignments to which this Agreement applies, and shall give consultation and advice to CITY OF FAYETTEVILLE during the performance of CRAFTON TULL's services. All services shall be performed under the direction of a professional architect registered in the State of Arkansas and qualified in the particular field.

SECTION 1 - AUTHORIZATION OF SERVICES

- 1.1 Services on any assignment shall be undertaken only upon written Authorization of CITY OF FAYETTEVILLE and agreement of CRAFTON TULL.
- 1.2 Assignments may include services described hereafter as Basic Services or as Additional Services of CRAFTON TULL.
- 1.3 Changes, modifications or amendments in scope, price or fees to this contract shall **not** be allowed without a formal contract amendment approved by the Mayor and the City Council **in advance** of the change in scope, costs, fees, or delivery schedule.

SECTION 2 - BASIC SERVICES OF ARCHITECT

- 2.1 Perform professional services in connection with the Project as hereinafter stated.
 - 2.1.1 The Scope of Services to be furnished by CRAFTON TULL during the Project is included in Exhibit A attached hereto and made part of this Agreement.
- 2.2 CRAFTON TULL shall coordinate their activities and services with the CITY OF FAYETTEVILLE. CRAFTON TULL and CITY OF FAYETTEVILLE agree that CRAFTON TULL has full responsibility for the architectural services.



SECTION 3 - RESPONSIBILITIES OF CITY OF FAYETTEVILLE

- 3.1 CITY OF FAYETTEVILLE shall, within a reasonable time, so as not to delay the services of CRAFTON TULL.
 - 3.1.1 Provide full information as to CITY OF FAYETTEVILLE's requirements for the Project.
 - 3.1.2 Assist CRAFTON TULL by placing at CRAFTON TULL's disposal all available information pertinent to the assignment including previous reports and any other data relative thereto.
 - 3.1.3 Assist CRAFTON TULL in obtaining access to property reasonably necessary for CRAFTON TULL to perform its services under this Agreement.
 - 3.1.4 Examine all studies, reports, sketches, cost opinions, proposals, and other documents presented by CRAFTON TULL and render in writing decisions pertaining thereto.
 - 3.1.5 The Parks and Recreation Project Manager is the CITY OF FAYETTEVILLE's project representative with respect to the services to be performed under this Agreement. The Parks and Recreation Project Manager shall have complete authority to transmit instructions, receive information, interpret and define CITY OF FAYETTEVILLE's policies and decisions with respect to materials, equipment, elements and systems to be used in the Project, and other matters pertinent to the services covered by this Agreement.
 - 3.1.6 CITY OF FAYETTEVILLE and/or its representative will review all documents and provide written comments to CRAFTON TULL in a timely manner.

SECTION 4 - PERIOD OF SERVICE

- 4.1 This Agreement will become effective upon the first written notice by CITY OF FAYETTEVILLE authorizing services hereunder.
- 4.2 The provisions of this Agreement have been agreed to in anticipation of the orderly progress of the Project through completion of the services stated in the Agreement. CRAFTON TULL will proceed with providing the authorized services immediately upon receipt of written authorization from CITY OF FAYETTEVILLE. Said authorization shall include the scope of the services authorized and the time in which the services are to be completed. The anticipated schedule for this project is included as Exhibit A.

SECTION 5 - PAYMENTS TO ARCHITECT

- 5.1 The maximum not-to-exceed amount authorized for this Agreement is \$ 42,430.00. The CITY OF FAYETTEVILLE shall compensate CRAFTON TULL based on a Lump Sum basis as described in Exhibit A.
- 5.2 Statements
 - 5.2.1 Monthly statements for each calendar month shall be submitted to CITY OF FAYETTEVILLE or such parties as CITY OF FAYETTEVILLE may designate for professional services consistent with CRAFTON TULL's normal billing schedule. Once established, the billing schedule shall be maintained throughout the duration of the Project. Applications for payment shall be made in accordance with a format to be developed by CRAFTON TULL and approved by CITY OF FAYETTEVILLE. Applications for payment

shall be accompanied each month by the updated project schedule as the basis for determining the value earned as the work is accomplished. Final payment for professional services shall be made upon CITY OF FAYETTEVILLE's approval and acceptance with the satisfactory completion of the study and report for the Project.

5.3 Payments

- 5.3.1 All statements are payable upon receipt and due within thirty (30) days. If a portion of CRAFTON TULL's statement is disputed by CITY OF FAYETTEVILLE, the undisputed portion shall be paid by CITY OF FAYETTEVILLE by the due date. CITY OF FAYETTEVILLE shall advise CRAFTON TULL in writing of the basis for any disputed portion of any statement. CITY OF FAYETTEVILLE will make reasonable effort to pay invoices within 30 days of date the invoice is approved, however, payment within 30 days is not guaranteed.

5.4 Final Payment

- 5.4.1 Upon satisfactory completion of the work performed under this Agreement, as a condition before final payment under this Agreement, or as a termination settlement under this Agreement, CRAFTON TULL shall execute and deliver to CITY OF FAYETTEVILLE a release of all claims against CITY OF FAYETTEVILLE arising under or by virtue of this Agreement, except claims which are specifically exempted by CRAFTON TULL to be set forth therein. Unless otherwise provided in this Agreement or by State law or otherwise expressly agreed to by the parties to this Agreement, final payment under this Agreement or settlement upon termination of this Agreement shall not constitute a waiver of CITY OF FAYETTEVILLE's claims against CRAFTON TULL or his sureties under this Agreement or applicable performance and payment bonds, if any.

SECTION 6 - GENERAL CONSIDERATIONS

6.1 Insurance

- 6.1.1 During the course of performance of these services, CRAFTON TULL will maintain (in United States Dollars) the following minimum insurance coverages:

<u>Type of Coverage</u>	<u>Limits of Liability</u>
Workers' Compensation Employers' Liability	Statutory \$500,000 Each Accident
Commercial General Liability Bodily Injury and Property Damage	\$1,000,000 Combined Single Limit
Automobile Liability: Bodily Injury and Property Damage	\$1,000,000 Combined Single Limit
Professional Liability Insurance	\$1,000,000 Each Claim

CRAFTON TULL will provide to CITY OF FAYETTEVILLE certificates as evidence of the specified insurance within ten days of the date of this Agreement and upon each renewal of coverage.

- 6.1.2 CITY OF FAYETTEVILLE and CRAFTON TULL waive all rights against each other and their officers, directors, agents, or employees for damage covered by property insurance during and after the completion of CRAFTON TULL's services.

6.2 Professional Responsibility

- 6.2.1 CRAFTON TULL will exercise reasonable skill, care, and diligence in the performance of CRAFTON TULL's services and will carry out its responsibilities in accordance with customarily accepted professional architectural practices. CITY OF FAYETTEVILLE will promptly report to CRAFTON TULL any defects or suspected defects in CRAFTON TULL's services of which CITY OF FAYETTEVILLE becomes aware, so that CRAFTON TULL can take measures to minimize the consequences of such a defect. CITY OF FAYETTEVILLE retains all remedies to recover for its damages caused by any negligence of CRAFTON TULL.

6.3 Cost Opinions and Projections

- 6.3.1 Cost opinions and projections prepared by CRAFTON TULL relating to construction costs and schedules, operation and maintenance costs, equipment characteristics and performance, and operating results are based on CRAFTON TULL's experience, qualifications, and judgment as a design professional. Since CRAFTON TULL has no control over weather, cost and availability of labor, material and equipment, labor productivity, construction Contractors' procedures and methods, unavoidable delays, construction Contractors' methods of determining prices, economic conditions, competitive bidding or market conditions, and other factors affecting such cost opinions or projections, CRAFTON TULL does not guarantee that actual rates, costs, performance, schedules, and related items will not vary from cost opinions and projections prepared by CRAFTON TULL.

6.4 Changes

- 6.4.1 CITY OF FAYETTEVILLE shall have the right to make changes within the general scope of CRAFTON TULL's services, with an appropriate change in compensation and schedule only after Fayetteville City Council approval of such proposed changes and, upon execution of a mutually acceptable amendment or change order signed by the Mayor of the CITY OF FAYETTEVILLE and the duly authorized officer of CRAFTON TULL.

6.5 Termination

- 6.5.1 This Agreement may be terminated in whole or in part in writing by either party in the event of substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party, provided that no termination may be effected unless the other party is given:
 - 6.5.1.1 Not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate,
 - 6.5.1.2 An opportunity for consultation with the terminating party prior to termination.

- 6.5.2 This Agreement may be terminated in whole or in part in writing by CITY OF FAYETTEVILLE for its convenience, provided that CRAFTON TULL is given:
- 6.5.2.1 Not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate,
 - 6.5.2.2 An opportunity for consultation with the terminating party prior to termination.
- 6.5.3 If termination for default is effected by CITY OF FAYETTEVILLE, an equitable adjustment in the price provided for in this Agreement shall be made, but
- 6.5.3.1 No amount shall be allowed for anticipated profit on unperformed services or other work,
 - 6.5.3.2 Any payment due to CRAFTON TULL at the time of termination may be adjusted to cover any additional costs to CITY OF FAYETTEVILLE because of CRAFTON TULL's default.
- 6.5.4 If termination for default is effected by CRAFTON TULL, or if termination for convenience is effected by CITY OF FAYETTEVILLE, the equitable adjustment shall include a reasonable profit for services or other work performed. The equitable adjustment for any termination shall provide for payment to CRAFTON TULL for services rendered and expenses incurred prior to the termination, in addition to termination settlement costs reasonably incurred by CRAFTON TULL relating to commitments which had become firm prior to the termination.
- 6.5.5 Upon receipt of a termination action under Paragraphs 6.5.1 or 6.5.2 above, CRAFTON TULL shall:
- 6.5.5.1 Promptly discontinue all affected work (unless the notice directs otherwise),
 - 6.5.5.2 Deliver or otherwise make available to CITY OF FAYETTEVILLE all data, drawings, specifications, reports, estimates, summaries and such other information and materials as may have been accumulated by CRAFTON TULL in performing this Agreement, whether completed or in process.
- 6.5.6 Upon termination under Paragraphs 6.5.1 or 6.5.2 above CITY OF FAYETTEVILLE may take over the work and may award another party an agreement to complete the work under this Agreement.
- 6.5.7 If, after termination for failure of CRAFTON TULL to fulfill contractual obligations, it is determined that CRAFTON TULL had not failed to fulfill contractual obligations, the termination shall be deemed to have been for the convenience of CITY OF FAYETTEVILLE. In such event, adjustments of the agreement price shall be made as provided in Paragraph 6.5.4 of this clause.
- 6.6 Delays
- 6.6.1 In the event the services of CRAFTON TULL are suspended or delayed by CITY OF FAYETTEVILLE or by other events beyond CRAFTON TULL's reasonable control, CRAFTON TULL shall be entitled to additional compensation and time for reasonable costs incurred by CRAFTON TULL in temporarily closing down or delaying the Project.

6.7 Rights and Benefits

- 6.7.1 CRAFTON TULL's services will be performed solely for the benefit of CITY OF FAYETTEVILLE and not for the benefit of any other persons or entities.

6.8 Dispute Resolution

- 6.8.1 Scope of Paragraph: The procedures of this Paragraph shall apply to any and all disputes between CITY OF FAYETTEVILLE and CRAFTON TULL which arise from, or in any way are related to, this Agreement, including, but not limited to the interpretation of this Agreement, the enforcement of its terms, any acts, errors, or omissions of CITY OF FAYETTEVILLE or CRAFTON TULL in the performance of this Agreement, and disputes concerning payment.

- 6.8.2 Exhaustion of Remedies Required: No action may be filed unless the parties first negotiate. If timely Notice is given under Paragraph 6.8.3, but an action is initiated prior to exhaustion of these procedures, such action shall be stayed, upon application by either party to a court of proper jurisdiction, until the procedures in Paragraphs 6.8.3 and 6.8.4 have been complied with.

6.8.3 Notice of Dispute

- 6.8.3.1 For disputes arising prior to the making of final payment promptly after the occurrence of any incident, action, or failure to act upon which a claim is based, the party seeking relief shall serve the other party with a written Notice.

- 6.8.3.2 For disputes arising within one year after the making of final payment, CITY OF FAYETTEVILLE shall give CRAFTON TULL written Notice at the address listed in Paragraph 6.14 within thirty (30) days after occurrence of any incident, accident, or first observance of defect or damage. In both instances, the Notice shall specify the nature and amount of relief sought, the reason relief should be granted, and the appropriate portions of this Agreement that authorize the relief requested.

- 6.8.4 Negotiation: Within seven days of receipt of the Notice, the Project Managers for CITY OF FAYETTEVILLE and CRAFTON TULL shall confer in an effort to resolve the dispute. If the dispute cannot be resolved at that level, then, upon written request of either side, the matter shall be referred to the President of CRAFTON TULL and the Mayor of CITY OF FAYETTEVILLE or his designee. These officers shall meet at the Project Site or such other location as is agreed upon within 30 days of the written request to resolve the dispute.

- 6.9 CITY OF FAYETTEVILLE represents that it has sufficient funds or the means of obtaining funds to remit payment to CRAFTON TULL for services rendered by CRAFTON TULL.

6.10 Publications

- 6.10.1 Recognizing the importance of professional development on the part of CRAFTON TULL's employees and the importance of CRAFTON TULL's public relations, CRAFTON TULL may prepare publications, such as technical papers, articles for periodicals, and press releases, pertaining to CRAFTON TULL's services for the Project. Such publications will be provided to CITY OF FAYETTEVILLE in draft form for CITY OF FAYETTEVILLE's advance review. CITY OF FAYETTEVILLE shall review such drafts promptly and provide

CITY OF FAYETTEVILLE's comments to CRAFTON TULL. CITY OF FAYETTEVILLE may require deletion of proprietary data or confidential information from such publications, but otherwise CITY OF FAYETTEVILLE will not unreasonably withhold approval. The cost of CRAFTON TULL's activities pertaining to any such publication shall be for CRAFTON TULL's account.

6.11 Indemnification

- 6.11.1 CITY OF FAYETTEVILLE agrees that it will require all construction Contractors to indemnify, defend, and hold harmless CITY OF FAYETTEVILLE and CRAFTON TULL from and against any and all loss where loss is caused or incurred or alleged to be caused or incurred in whole or in part as a result of the negligence or other actionable fault of the Contractors, or their employees, agents, Subcontractors, and Suppliers.

6.12 Ownership of Documents

- 6.12.1 All documents provided by CITY OF FAYETTEVILLE including original drawings, CAD drawings, estimates, field notes, and project data are and remain the property of CITY OF FAYETTEVILLE. CRAFTON TULL may retain reproduced copies of drawings and copies of other documents.
- 6.12.2 Architectural documents, computer models, drawings, specifications and other hard copy or electronic media prepared by CRAFTON TULL as part of the Services shall become the property of CITY OF FAYETTEVILLE when CRAFTON TULL has been compensated for all Services rendered, provided, however, that CRAFTON TULL shall have the unrestricted right to their use. CRAFTON TULL shall, however, retain its rights in its standard drawings details, specifications, databases, computer software, and other proprietary property. Rights to intellectual property developed, utilized, or modified in the performance of the Services shall remain the property of CRAFTON TULL.
- 6.12.3 Any files delivered in electronic medium may not work on systems and software different than those with which they were originally produced. CRAFTON TULL makes no warranty as to the compatibility of these files with any other system or software. Because of the potential degradation of electronic medium over time, in the event of a conflict between the sealed original drawings/hard copies and the electronic files, the sealed drawings/hard copies will govern.

6.13 Notices

- 6.13.1 Any Notice required under this Agreement will be in writing, addressed to the appropriate party at the following addresses:

CITY OF FAYETTEVILLE's address:
113 West Mountain Street
Fayetteville, Arkansas 72701

CRAFTON TULL's address:
901 N. 47th Street Suite 200
Rogers, Arkansas 72756

6.14 Successor and Assigns

- 6.14.1 CITY OF FAYETTEVILLE and CRAFTON TULL each binds himself and his successors, executors, administrators, and assigns to the other party of this Agreement and to the successors, executors, administrators, and assigns of such other party, in respect to all covenants of this Agreement; except as above, neither CITY OF FAYETTEVILLE nor CRAFTON TULL shall assign, sublet, or transfer his interest in the Agreement without the written consent of the other.

6.15 Controlling Law

- 6.15.1 This Agreement shall be subject to, interpreted and enforced according to the laws of the State of Arkansas without regard to any conflicts of law provisions.

6.16 Entire Agreement

- 6.16.1 This Agreement represents the entire Agreement between CRAFTON TULL and CITY OF FAYETTEVILLE relative to the Scope of Services herein. Since terms contained in purchase orders do not generally apply to professional services, in the event CITY OF FAYETTEVILLE issues to CRAFTON TULL a purchase order, no preprinted terms thereon shall become a part of this Agreement. Said purchase order document, whether or not signed by CRAFTON TULL, shall be considered as a document for CITY OF FAYETTEVILLE's internal management of its operations.

SECTION 7 - SPECIAL CONDITIONS

7.1 Additional Responsibilities of CRAFTON TULL

- 7.1.1 CITY OF FAYETTEVILLE's review, approval, or acceptance of design drawings, specifications, reports and other services furnished hereunder shall not in any way relieve CRAFTON TULL of responsibility for the technical adequacy of the work. Neither CITY OF FAYETTEVILLE's review, approval or acceptance of, nor payment for any of the services shall be construed as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.
- 7.1.2 CRAFTON TULL shall be and shall remain liable, in accordance with applicable law, for all damages to CITY OF FAYETTEVILLE caused by CRAFTON TULL's negligent performance of any of the services furnished under this Agreement except for errors, omissions or other deficiencies to the extent attributable to CITY OF FAYETTEVILLE or CITY OF FAYETTEVILLE-furnished data.
- 7.1.3 CRAFTON TULL's obligations under this clause are in addition to CRAFTON TULL's other express or implied assurances under this Agreement or State law and in no way diminish any other rights that CITY OF FAYETTEVILLE may have against CRAFTON TULL for faulty materials, equipment, or work.

7.2 Remedies

- 7.2.1 Except as may be otherwise provided in this Agreement, all claims, counter-claims, disputes and other matters in question between CITY OF FAYETTEVILLE and CRAFTON TULL

arising out of or relating to this Agreement or the breach thereof will be decided in a court of competent jurisdiction within Arkansas.

7.3 Audit: Access to Records

7.3.1 CRAFTON TULL shall maintain books, records, documents and other evidence directly pertinent to performance on work under this Agreement in accordance with generally accepted accounting principles and practices consistently applied in effect on the date of execution of this Agreement. CRAFTON TULL shall also maintain the financial information and data used by CRAFTON TULL in the preparation of support of the cost submission required for any negotiated agreement or change order and send to CITY OF FAYETTEVILLE a copy of the cost summary submitted. CITY OF FAYETTEVILLE, the State or any of their authorized representatives shall have access to all such books, records, documents and other evidence for the purpose of inspection, audit and copying during normal business hours. CRAFTON TULL will provide proper facilities for such access and inspection.

7.3.2 Records under Paragraph 7.3.1 above, shall be maintained and made available during performance on assisted work under this Agreement and until three years from the date of final payment for the project. In addition, those records which relate to any controversy arising out of such performance, or to costs or items to which an audit exception has been taken, shall be maintained and made available until three years after the date of resolution of such appeal, litigation, claim or exception.

7.3.3 This right of access clause (with respect to financial records) applies to:

7.3.3.1 Negotiated prime agreements:

7.3.3.2 Negotiated change orders or agreement amendments in excess of \$10,000 affecting the price of any formally advertised, competitively awarded, fixed price agreement:

7.3.3.3 Agreements or purchase orders under any agreement other than a formally advertised, competitively awarded, fixed price agreement. However, this right of access does not apply to a prime agreement, lower tier subagreement or purchase order awarded after effective price competition, except:

7.3.3.3.1 With respect to record pertaining directly to subagreement performance, excluding any financial records of CRAFTON TULL;

7.3.3.3.2 If there is any indication that fraud, gross abuse or corrupt practices may be involved;

7.3.3.3.3 If the subagreement is terminated for default or for convenience.

7.4 Covenant Against Contingent Fees

7.4.1 CRAFTON TULL warrants that no person or selling agency has been employed or retained to solicit or secure this Agreement upon an agreement of understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by CRAFTON TULL for the purpose of securing business. For breach or violation of this warranty, CITY OF FAYETTEVILLE shall have the right to annul this Agreement without liability or at its discretion, to deduct

from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

7.5 Gratuities

7.5.1 If CITY OF FAYETTEVILLE finds after a notice and hearing that CRAFTON TULL or any of CRAFTON TULL's agents or representatives, offered or gave gratuities (in the form of entertainment, gifts or otherwise) to any official, employee or agent of CITY OF FAYETTEVILLE, in an attempt to secure an agreement or favorable treatment in awarding, amending or making any determinations related to the performance of this Agreement, CITY OF FAYETTEVILLE may, by written notice to CRAFTON TULL terminate this Agreement. CITY OF FAYETTEVILLE may also pursue other rights and remedies that the law or this Agreement provides. However, the existence of the facts on which CITY OF FAYETTEVILLE bases such finding shall be in issue and may be reviewed in proceedings under the Remedies clause of this Agreement.

7.5.2 In the event this Agreement is terminated as provided in Paragraph 7.5.1, CITY OF FAYETTEVILLE may pursue the same remedies against CRAFTON TULL as it could pursue in the event of a breach of the Agreement by CRAFTON TULL. As a penalty, in addition to any other damages to which it may be entitled by law, CITY OF FAYETTEVILLE may pursue exemplary damages in an amount (as determined by CITY OF FAYETTEVILLE) which shall be not less than three nor more than ten times the costs CRAFTON TULL incurs in providing any such gratuities to any such officer or employee.

7.6 Arkansas Freedom of Information Act

7.6.1 City contracts and documents, including internal documents and documents of subcontractors and sub-consultants, prepared while performing City contractual work are subject to the Arkansas Freedom of Information Act (FOIA). If a Freedom of Information Act request is presented to the CITY OF FAYETTEVILLE, CRAFTON TULL will do everything possible to provide the documents in a prompt and timely manner as prescribed in the Arkansas Freedom of Information Act (A.C.A. §25-19-101 et seq.). Only legally authorized photocopying costs pursuant to the FOIA may be assessed for this compliance.

IN WITNESS WHEREOF, CITY OF FAYETTEVILLE, ARKANSAS by and through its Mayor, and CRAFTON TULL, by its authorized officer have made and executed this Agreement as of the day and year first above written.

CITY OF FAYETTEVILLE, ARKANSAS

CRAFTON TULL

By: _____
Mayor, Lioneld Jordan

By:  _____

ATTEST:

By: _____
City Clerk

Title: SR VICE PRESIDENT

END OF AGREEMENT FOR PROFESSIONAL ARCHITECTURAL SERVICES



www.accessfayetteville.org

February 20, 2013

Crafton Tull has been selected by the City of Fayetteville to assist the Parks and Recreation Department with the Wilson Park Pool Buildings Renovation Project. Included in the project are renovations to the pool house, concession and chemical equipment buildings. The City would like to request a proposal for the following scope of work:

I. Services:

1. Provide design and prepare bid documents and cost estimate for the construction of the project which may include but is not limited to the following:
 - Changes to the main pool house entrance including removal of concrete wall(s) for new entrance and adding structural support if required;
 - Renovation of pool house office area including possible replacement or relocation of check in window, replacement of built-in cabinets/furniture, addition of storage space, replacement of windows on north and south to doorways and addition of climate control (equipment, insulation, etc.);
 - Renovation of ceilings and floors of entire pool house building. Renovations to include elimination or replacement of drop ceilings, painting or renovating the existing wood ceilings and renovating the existing concrete floors (tile or decorative concrete);
 - Renovation of bathrooms including replacement of shower and toilet fixtures, addition of partitions in showers, the addition of ceiling fans in both bathrooms and the addition of a changing station in men's restroom;
 - Replacement of existing and addition of grates above windows along north and south sides of restroom areas to create air flow and cross ventilation;
 - Improve efficiency of interior layout in concession building, including but not limited to, replacing built-in cabinets/furniture; and
 - Improvements to exterior of pool house, concession and chemical equipment buildings including veneer.
2. Ensure all new construction meets current ADA requirements, where applicable.
3. Assure all improvements meet current building and Arkansas Department of Health codes and regulations. Assist owner in obtaining all necessary permits which may include but is not limited to City of Fayetteville building permits and Arkansas Department of Health permits. Fees for City of Fayetteville permits will be waived.
4. Provide bidding phase services including reviewing submittals, issuing addendums (as required), attending pre-bid meeting, pre-construction meeting, etc.
5. Provide construction phase services such as review of submittals, review of pay requests, part time construction observation and attendance at progress meetings and inspections.

II. Schedule:

1. Agreement and Proposal for services due to Parks staff by noon Friday, March 1, 2013 to meet the deadline for March 19, 2013 City Council meeting. Agreement must be in the required format approved by the City of Fayetteville City Attorney.
2. Conceptual design (30%) due to Parks staff by Friday, April 12, 2013.
3. Preliminary design (60%) due to Parks staff by Tuesday, April 30, 2013.
4. Final design (100%) including construction bid documents and cost estimate due to Parks staff by Friday, May 17, 2013
5. Advertise for bids no later than Wednesday, May 22, 2013.
6. Bid opening due no later than Wednesday, June 12, 2013 to meet deadline for July 2, 2013 City Council meeting.
7. Construction contract must be approved by the Fayetteville City Council no later than Tuesday, August 6, 2013.

Please let me know if you have any questions or need additional information. You may reach me at 479-444-3472 or cdones@ci.fayetteville.ar.us. Regards,

Carole Jones, P.E.
 Park Planner II



Exhibit A Cont. Architectural Scope of Basic Services For:

Project:	Wilson Park Pool Building Renovations
Client:	City of Fayetteville
Location of Project:	Fayetteville, AR
Discipline:	Architecture
Discipline Manager:	Wes Burgess
Project Manager:	Wes Burgess
Proposal Date:	2/28/13
Billing Type:	Fixed Fee
Fee/Estimate:	\$25,730.00
Description of the Construction Project:	Renovations of Bath house and Concession Buildings at Wilson Park Pool. Total project budget is \$500,000.

The services to be provided by the Architect, as outlined below, shall include submittal for the Owner's approval a schedule for the performance of the Architect's services to include allowances for periods of time required for the Owner's review and for approval of submissions by authorities having jurisdiction over the project. Time limits established by this schedule approved by the Owner shall not, except for reasonable cause, be exceeded by the Architect or Owner.

Conceptual Design Phase - Anticipated Schedule March 20, 2013-April 12, 2013:

- Review Owner's project program and concept to establish project requirements.
- Provide preliminary evaluation of Owner's program, schedule and construction budget.
- Review with the owner alternative approaches to design and construction of the project.
- Based on the mutually agreed-upon program, schedule and construction budget requirements, the architect shall prepare, for the Owner's approval, Conceptual Design Documents as indicated below:
 - Floor plans and other drawings necessary to convey intent for 2-3 conceptual schemes.
 - Relative preliminary opinions of probable cost for each scheme.

Preliminary Design Phase - Anticipated Schedule April 13-April 30, 2013:

- Based on the selected final Conceptual Design and any adjustments authorized by the Owner in the program, schedule or construction budget, the Architect shall prepare, for approval by the Owner, Preliminary Design documents consisting of drawings and other documents as indicated below:
 - Floor Plans, Elevations, Ceiling Plan, Finish Schedule

Final Design (Construction Documents) Phase - Anticipated Schedule May 1-May 17, 2013:

- Based on the approved Preliminary Design Documents and any further adjustments in scope, quality, schedule or construction budget authorized by the Owner, the Architect shall prepare, for approval by the Owner, Construction Documents consisting of Drawings and Specifications setting forth in detail the requirements for the construction of the project.

- Assist the Owner in preparation of necessary bidding information, bidding forms, the Conditions of the contract, and the form of Agreement between the Owner and the Contractor.
- Assist the Owner with the filing of required documents for approval of the authorities having jurisdiction over the project.
- Provide an updated opinion of probable cost for all work contained in Construction Documents.

Bidding & Negotiating Phase - Anticipated Schedule May 18-July 2, 2013:

- Assist the owner in obtaining bids or negotiated proposals and award of contracts.
- Respond to contractor's request for information regarding clarification of the contract documents.
- Review substitution requests for products specified on project.
- Prepare addendum and supplemental drawings as needed.

Construction Administration Phase:

- No services provided under this agreement.

Additional Services:

It may become necessary from time to time to incorporate changes to the contract documents to accommodate changes in the project program and /or other requirements. These changes will be made on time and material basis and billed to the Owner per the attached billing rate schedule for additional services.

- Provide revisions to approved documents when requested and approved in writing by the Owner.
- These services shall not be provided without prior written approval by the owner.

Owner's Responsibilities:

The Owner shall be responsible for providing the following information:

- Any special requirements not typically provided by the Architect's scope which are necessary to complete the design of the project.

Excluded Items:

The following items are excluded from this proposal but may be provided at the request of the Owner for additional fee to be addressed by separate agreement

- Design and documentation of or owner provided or special systems.
- Any required environmental permitting associated with the site is assumed to have been evaluated prior to the beginning of design through appropriate due diligence by the owner or contractor and is not required for the project site including:
 - FEMA Permitting (CLOMR/LOMR)
 - Corps of Engineers 404 Permitting
 - Wetlands Determination
 - Environmental Assessment and remediation

This is the scope of services for the Project. Should there be additions to this scope of services, those services shall be compensated for additional fee.



Exhibit A Cont.
Mechanical/Electrical/Plumbing Scope of Basic Services For:

Project:	Wilson Park Pool Building Renovations
Client:	City of Fayetteville
Location of Project:	Fayetteville, AR
Discipline:	Mechanical, Electrical, Plumbing
Discipline Manager:	Richard Godfrey
Project Manager:	Wes Burgess
Proposal Date:	2/28/13
Billing Type:	Fixed Fee
Fee/Estimate:	\$12,600
Description of the Construction Project:	Renovations of Bath house and Concession Buildings at Wilson Park Pool. Total project budget is \$500,000.

Mechanical design shall consist of ventilation, and air conditioning (HVAC) systems design. Air conditioning shall be limited to office area only. Mechanical design shall be in general conformance with the 2006 Arkansas Mechanical Code. HVAC design shall include the following items presented at the following project phases:

Conceptual Design Phase - Anticipated Schedule March 20, 2013-April 12, 2013:

- Develop mechanical systems and mechanical space requirements for narrative.

Preliminary Design Phase - Anticipated Schedule April 13-April 30, 2013:

- Locate major mechanical equipment.
- Single line ductwork plan.
- Preliminary equipment schedules.
- Specification index.

Final Design (Construction Documents) Phase - Anticipated Schedule May 1-May 17, 2013:

- Final plans including: equipment/ductwork layout, piping plans, schedules, and details.
- Specifications.

Bidding & Negotiation:

- Provide addenda information as required for clarification regarding construction documents.

Construction Administration:

- No services provided under this agreement.

Plumbing design shall consist of design for domestic water, natural gas, and sanitary sewer. Plumbing design shall be in general conformance with the 2009 International Plumbing Code. Plumbing design shall include the following items presented at the following project phases:

Conceptual Design Phase - Anticipated Schedule March 20, 2013-April 12, 2013:

- Develop plumbing systems and plumbing space requirements for narrative.

Preliminary Design Phase - Anticipated Schedule April 13-April 30, 2013:

- Locate plumbing fixtures and equipment.
- Preliminary plumbing fixture schedule.
- Preliminary one line piping plans.
- Specification index.

Final Design (Construction Documents) Phase - Anticipated Schedule May 1-May 17, 2013:

- Final plans including domestic water, sanitary sewer and natural gas distribution plans, plumbing fixtures, schedules and details.
- Final rough-in plumbing design to be based on input from City personnel.
- Specifications.

Bidding & Negotiation:

- Provide addenda information as required for clarification regarding construction documents.

Construction Administration:

- No services provided under this agreement.

Electrical design shall consist of design for power, lighting, and communications systems (if required). Electrical design shall be in general conformance with the 2011 National Electrical Code. Electrical design shall include the following items presented at the following project phases:

Conceptual Design Phase - Anticipated Schedule March 20, 2013-April 12, 2013:

- Develop electrical systems and electrical space requirements for narrative.

Preliminary Design Phase - Anticipated Schedule April 13-April 30, 2013:

- Preliminary electrical power plans indicating panels, distribution and receptacles.
- Preliminary communication plans indicating low voltage (data, phone, cable) outlets.
- Preliminary Lighting plans.
- Preliminary lighting fixture schedule.
- Specification index.

Final Design (Construction Documents) Phase - Anticipated Schedule May 1-May 17, 2013:

- Final electrical power plans indicating panels, distribution and receptacles.
- Final communication plans indicating low voltage (data, phone, cable) outlets.
- Final lighting plans.
- Final lighting fixture and panel schedules.
- Performance based fire alarm plans.
- Backbox only plans for owner provided access control locations.
- Specifications.

Bidding & Negotiation:

- Provide addenda information as required for clarification regarding construction documents.

Construction Administration:

- No services provided under this agreement.

Provide design for fire protection system via a performance specification if fire protection system is determined to be required by Architect.

Drawings will be in *Revit* format and will be presented in hardcopy format. Electronic copies of drawing files can also be provided in PDF format, only, for archiving purposes.

Drawings will be made available in *AutoCAD* format to the Architect, upon request, for coordination with the other design professionals. These files will be transferred via the Engineer's file exchange server. These files are to be used by members of the design team, only, and shall not be transferred to contractors, sub-contractors, other design professionals, etc., without written permission from Crafton, Tull, & Associates, Inc.

Mechanical, electrical, and plumbing design, drawings, and responsibility shall terminate five (5) feet outside of the building, except as required for feeders from transformers beyond this distance, site lighting, parking lot lighting and branch circuiting. Outside plant telecommunications empty conduit shall terminate 5'-0" outside of building.

Scope of Basic Services does NOT include the following:

- Site sewer, water, gas, or drainage design.
- Detailed energy analysis and/or life-cycle cost analysis.
- Design for Backup power to systems (UPS or generator).
- Preparation of energy code compliance documentation.
- Fire protection system hydraulic calculations and/or preparation of shop drawings.
- Fire alarm system battery calculations, foot candela levels and/or preparation of shop drawings.
- Specification and/or design of security, access control and surveillance system.
- Specification and/or design of audio and video systems.
- Specification and/or design of theatrical production lighting.
- Detailed equipment and/or materials take-off.
- Preparation of "As-Built" drawings.

- Lightning protection system.
- LEED design or documentation.
- Specification and/or design of foodservice equipment.
- Construction administration services.
- Specification and/or design of site lighting.

Note: Services listed can be provided for additional fee.

This is the scope of services for the Project. Should there be additions to this scope of services, those services shall be compensated for additional fee.

**Exhibit A Cont.
Scope of Basic Services
For Survey:**

Project:	Wilson Park Pool Building Renovations
Client:	City of Fayetteville
Location of Project:	Wilson Park Pool – west end of pool admissions building
Discipline:	<i>Surveying (for Project Design)</i>
Discipline Manager:	Al Harris
Project Manager:	Wes Burgess
Proposal Date:	2/28/2013
Billing Type:	Fixed Fee
Fee/Estimate:	\$1,500 for partial Topographic Survey at west end of pool admissions building
Description of the Construction Project:	Proposed improvements to the existing admissions building and handicap ramps for parking lot. The area for the survey is as shown on attached Exhibit "C" Survey Site.

1. Our survey crew will set a minimum of two semi-permanent survey control monuments/benchmarks on the site that will be tied to the city coordinate & elevation datum to which all survey data will be referenced.
2. We will provide a partial topographic survey of the project area site as shown on the aerial map attached as Exhibit "C". Sufficient ground elevation shots will be taken for the creation of 1'-contours across the proposed improvement site. We will locate the exterior corners of the existing building on the site and determine the finish floor elevation. The project site for the topographic survey will include approximately 4,350 square feet.
3. We will locate all visible utility lines within the project area site, and will include the sizes & flow lines of visible drainage inlets and pipes, and sewer manhole tops & inverts.
4. A portion of the existing parking lot will be located in the vicinity of the northwest corner of the admissions building. We will survey the location and elevations of the curb, edge of asphalt and sidewalk.
5. We will prepare a base survey drawing of the topographic survey for the proposed improvement area site, which will be used for architectural and/or engineering design purposes.
6. Scope of Basic Services does NOT include the following:
 - a. Tree surveys.
 - b. Easement dedication plat, easement documents, tract split plats, or similar type plats as may be required by the governing agency for approval of this project. Surveys and plats of the property for financing, sales, or for purposes other than as previously described, such as an as-built survey.
 - c. Surveys of offsite utility, street or drainage improvements not within the project area.
 - d. Surveys for environmental studies, including wetland delineation.
 - e. Surveys for flood data or studies for Corps of Engineer, FEMA or other special government agency permitting.
 - f. Surveys for location of geotechnical soil borings or pits, and construction services or staking.

Note: Services listed under Item 6 can be provided for additional fee.

7. Client shall provide:
 - a. Disclosure of known buried tanks or environmental concerns within the proposed improvement site area that will be required to be shown on the survey.
 - b. Access for our survey crew personnel to enter the property to conduct the surveys.

This is the scope of services for the Project. Should there be additions to this scope of services, those services shall be compensated for additional fee.

WILSON PARK POOL BUILDING RENOVATIONS EXHIBIT A Cont.

Phase Name	Employee/Class Name	Billable Rate	Hours	Cost
Conceptual Design				
	Director of Architecture	\$ 145.00	34	\$ 4,930.00
	Intern Architect III	\$ 95.00	12	\$ 1,140.00
	Engineer Intern II	\$ 85.00	8	\$ 680.00
	Sr. Professional Surveyor	\$ 120.00	2	\$ 240.00
	Professional Surveyor	\$ 90.00	4	\$ 360.00
	Survey Party Chief	\$ 60.00	7	\$ 420.00
	Survey Technician II	\$ 40.00	12	\$ 480.00
Sub-Total			79	\$ 8,250.00
Preliminary Design				
	Director of Architecture	\$ 145.00	8	\$ 1,160.00
	Intern Architect III	\$ 95.00	46	\$ 4,370.00
	Sr. Engineering Manager	\$ 140.00	4	\$ 560.00
	Engineering Designer III	\$ 95.00	20	\$ 1,900.00
	BIM Coordinator III	\$ 70.00	8	\$ 560.00
Sub-Total			86	\$ 8,550.00
Final Design / Const. Docs				
	Director of Architecture	\$ 145.00	40	\$ 5,800.00
	Intern Architect III	\$ 95.00	49	\$ 4,655.00
	Vice President of Engineering	\$ 150.00	2	\$ 300.00
	Sr. Engineering Manager	\$ 140.00	8	\$ 1,120.00
	Project Engineer	\$ 100.00	8	\$ 800.00
	Engineering Designer III	\$ 95.00	44	\$ 4,180.00
	Engineer Intern II	\$ 85.00	16	\$ 1,360.00
	Engineer Intern I	\$ 75.00	5	\$ 375.00
	BIM Coordinator III	\$ 70.00	32	\$ 2,240.00
Sub-Total			204	\$ 20,830.00
Bidding & Negotiating				
	Director of Architecture	\$ 145.00	6	\$ 870.00
	Intern Architect III	\$ 95.00	14	\$ 1,330.00
Sub-Total			20	\$ 2,200.00
Reimbursable Expenses				
	Survey Expenses			\$ 250.00
	Mileage			\$ 250.00
	Postage			\$ 100.00
	Printing			\$ 1,500.00
	Health Dept. Review Fee			\$ 500.00
Sub-Total				\$ 2,600.00
Total			389	\$ 42,430.00



Exhibit "B"
 Standard Hourly Rate Schedule
 Effective February 5, 2013

Category	Hourly Rate
ARCHITECTURE	
VICE PRESIDENT OF ARCHITECTURE	\$ 150
DIRECTOR OF ARCHITECTURE	\$ 145
DIRECTOR OF QUALITY ASSURANCE	\$ 145
SR. PROJECT MANAGER	\$ 140
PROJECT MANAGER	\$ 125
SR. PROJECT ARCHITECT	\$ 105
PROJECT ARCHITECT	\$ 95
INTERN ARCHITECT III	\$ 95
INTERN ARCHITECT II	\$ 85
INTERN ARCHITECT I	\$ 75
SR. DESIGNER	\$ 110
DESIGNER III	\$ 95
DESIGNER II	\$ 85
DESIGNER I	\$ 75
BIM COORDINATOR III	\$ 70
BIM COORDINATOR II	\$ 55
BIM COORDINATOR I	\$ 40
INTERIOR DESIGN	
VICE PRESIDENT OF INTERIOR DESIGN ..	\$ 105
DIRECTOR OF INTERIOR DESIGN	\$ 95
INTERIOR DESIGN PROJECT MANAGER ..	\$ 90
SR. PROJECT INTERIOR DESIGNER	\$ 85
PROJECT INTERIOR DESIGNER	\$ 80
INTERIOR DESIGNER III	\$ 75
INTERIOR DESIGNER II	\$ 70
INTERIOR DESIGNER I	\$ 65
CIVIL ENGINEERING	
ENGINEERING PRINCIPAL	\$ 150
SR. ENGINEERING MANAGER	\$ 140
ENGINEERING MANAGER	\$ 125
SR. PROJECT ENGINEER	\$ 110
PROJECT ENGINEER	\$ 100
ENGINEER INTERN II	\$ 85
ENGINEER INTERN I	\$ 75
SR. ENGINEERING DESIGNER	\$ 110
ENGINEERING DESIGNER III	\$ 95
ENGINEERING DESIGNER II	\$ 85
ENGINEERING DESIGNER I	\$ 75
ENGINEERING CAD TECHNICIAN III	\$ 70
ENGINEERING CAD TECHNICIAN II	\$ 55
ENGINEERING CAD TECHNICIAN I	\$ 40
LANDSCAPE ARCHITECTURE	
SR. LANDSCAPE ARCHITECT	\$ 115
PROJECT LANDSCAPE ARCHITECT	\$ 90
LANDSCAPE ARCHITECTURE DESIGNER ..	\$ 80
LANDSCAPE ARCHITECT INTERN	\$ 55
PLANNING	
PLANNING MANAGER	\$ 125
SR. PLANNER	\$ 110
PLANNER	\$ 90
INSPECTION	
SR. INSPECTOR	\$ 90
INSPECTOR II	\$ 80
INSPECTOR I	\$ 65

Category	Hourly Rate
STRUCTURAL & MEP ENGINEERING	
VICE PRESIDENT OF ENGINEERING	\$ 150
DIRECTOR OF ENGINEERING	\$ 145
SR. PROJECT MANAGER	\$ 140
PROJECT MANAGER	\$ 125
SR. PROJECT ENGINEER	\$ 110
PROJECT ENGINEER	\$ 100
ENGINEER INTERN III	\$ 95
ENGINEER INTERN II	\$ 85
ENGINEER INTERN I	\$ 75
SR. ENGINEERING DESIGNER	\$ 110
ENGINEERING DESIGNER III	\$ 95
ENGINEERING DESIGNER II	\$ 85
ENGINEERING DESIGNER I	\$ 75
BIM COORDINATOR III	\$ 70
BIM COORDINATOR II	\$ 55
BIM COORDINATOR I	\$ 40
SURVEYING	
PROFESSIONAL SURVEYOR PRINCIPAL	\$ 150
SR. PROFESSIONAL SURVEYOR	\$ 120
PROFESSIONAL SURVEYOR	\$ 90
SURVEY COORDINATOR	\$ 70
SURVEYOR INTERN	\$ 75
SURVEY PARTY CHIEF	\$ 60
SURVEY TECHNICIAN III	\$ 55
SURVEY TECHNICIAN II	\$ 40
SURVEY TECHNICIAN I	\$ 30
GEOGRAPHIC INFORMATION SYSTEMS	
GIS MANAGER	\$ 95
GIS ANALYST	\$ 85
GIS TECHNICIAN II	\$ 55
GIS TECHNICIAN I	\$ 40
ADMINISTRATIVE	
ADMINISTRATIVE PRINCIPAL	\$ 150
ADMINISTRATIVE MANAGER	\$ 120
ADMINISTRATIVE IV	\$ 80
ADMINISTRATIVE III	\$ 60
ADMINISTRATIVE II	\$ 45
ADMINISTRATIVE I	\$ 35
REIMBURSABLE EXPENSES	
GPS Equipment.....	\$35/Hour
Robotic Survey Equipment.....	\$20/Hour
Job Related Mileage.....	\$0.56/Mile
Per Diem for Out of Town Crews.....	Per GSA Allowable
Airfare and other travel related expenses.....	At Cost
Black and white 8.5"x11" Copies	\$0.15/sheet
Color 8.5"x11" Copies	\$1.50/sheet
Photo Paper Color Plan Sheet Copies	\$0.75/sq. ft.
Reproducible Plan Copies (Vellum)	\$1.50/sq. ft.
Reproducible Plan Copies (Bond)	\$0.35/sq. ft.
<i>All rates are subject to change without notice.</i>	

EXHIBIT "C"
SURVEY SITE LOCATION
WILSON PARK POOL



City of Fayetteville Staff Review Form

A. 10
Rubble Road Improvements
Page 1 of 6City Council Agenda Items
and
Contracts, Leases or Agreements

3/19/2013

City Council Meeting Date
Agenda Items OnlyChris Brown *CB*
Submitted ByEngineering
DivisionDevelopment Services
Department

Action Required:

A resolution expressing the willingness of the City of Fayetteville to utilize Federal-aid funds for Improvements to Rubble Road from Wedington Drive to Mount Comfort Road.

\$ 3,700,000.00

Cost of this request

\$ 298,213

Category / Project Budget

Transportation Bond Street Improvements

Program Category / Project Name

4470.9470.5809.00

Account Number

\$ -

Funds Used to Date

Sales Tax Construction Bonds

Program / Project Category Name

06008.001

Project Number

\$ 298,213

Remaining Balance

Sales Tax Construction Fund 2006

Fund Name

Budgeted Item ☒Budget Adjustment Attached ☐*W. S. C. Pate*
Department Director*03-01-2013*
Date

Previous Ordinance or Resolution #

J. Blalock
City Attorney*3-1-13*
Date

Original Contract Date:

Original Contract Number:

Paul A. Buh
Finance and Internal Services Director*3-1-2013*
DateReceived in City
Clerk's Office*Jim Mann*
Chief of Staff*3-1-13*
Date*Lionel Jordan*
Mayor*3/4/13*
DateReceived in
Mayor's Office

Comments:

CITY COUNCIL AGENDA MEMO

Council Meeting of March 19, 2013

To: Mayor and City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director

From: Chris Brown, City Engineer *CB*

Date: February 28, 2013

Subject: **A Resolution expressing the willingness of the City of Fayetteville to utilize Federal-aid funds for Improvements to Rupple Road from Wedington Drive to Mount Comfort Road**

BACKGROUND:

Federal Aid - Surface Transportation Program-Attributable (STP-A) funds are now available to Northwest Arkansas after the Census Bureau determined the urbanized population to be over 200,000 and the FHWA designated Northwest Arkansas as a Transportation Management Area (TMA). In becoming a TMA, the Northwest Arkansas Regional Planning Commission, of which Fayetteville is a member, will have STP-A discretionary funding available at approximately \$7M per year. Under current legislation, these STP-A funds can be utilized for all permitted transportation projects at the discretion of the TMA Policy Committee. Northwest Arkansas has been officially designated a TMA and approximately \$6.5M are available to the area for 2013.

An application for federal funding for Rupple Road between Wedington Drive & Mount Comfort Road was submitted to and approved by the Northwest Arkansas Regional Planning Commission. However, the subject project should be considered Phase I of the overall project limits. The total project (Phase I) estimate is \$3,700,000. The design phase is estimated at \$400,000 which was submitted for FY 2013 funding. On January 23, the NWARPC approved funding of the design phase for \$320,000 (80%) from the Surface Transportation Program-Attributable (STP-A), but the City must provide a 20% match of \$80,000. The remainder of the project funding will be submitted for future year's available STP-A funding.

PROPOSAL:

The next step in this process is appropriation of matching funds by the City. Therefore, a City Council resolution expressing the willingness of the City to utilize federal aid funds, and to provide matching funds for the federal aid dollars is needed. The Street Committee reviewed this item at the February 4th meeting and recommended that this project be presented to the City Council for their approval.

RECOMMENDATION:

Staff recommends approval of the attached resolution to reconstruct Ruppel Road from Wedington Drive to Mount Comfort Road. The resolution provides for:

- The City understands that Federal-aid Surface Transportation Program-Attributable funds are available for certain city projects using the participating ratio of 80% Federal/20% City.
- The City will participate in accordance with its designated responsibilities for this project.
- The Mayor, or his designee, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this city project.
- The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department (AHTD) to initiate action to implement this project.

If the resolution is approved, the Mayor may sign the forthcoming AHTD agreement, and then work on this project may proceed.

BUDGET IMPACT:

This project will be based on an Agreement Of Understanding with AHTD in which Federal-aid money will pay 80% of the project amount and the City will pay 20%. Based on the total estimate of \$3.7 million, the Federal-aid portion will be \$2.96 million and the City's portion \$740,000. (These numbers are subject to change as the project is developed and more detailed estimates are provided.) The Federal portion will be paid from the Surface Transportation Program-Attributable (STP-A) funds. City funds will be from the Transportation Bond Program or CIP Fund.

RESOLUTION NO. _____

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO UTILIZE FEDERAL-AID FUNDS FOR RECONSTRUCTION AND RELOCATION OF RUPPLE ROAD FROM WEDINGTON DRIVE TO MOUNT COMFORT ROAD

WHEREAS, the City of Fayetteville understands that Federal-aid Surface Transportation Program-Attributable funds are available for reconstruction and relocation of Ripple Road from Wedington Drive to Mount Comfort Road (the "Project") using the following participating ratios:

<u>Work Phase</u>	<u>Federal %</u>	<u>City %</u>
Preliminary Engineering	80%	20%
Right-of-Way/Utilities	80%	20%
Construction	80%	20%
Construction Engineering	80%	20%

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines that the City will participate in accordance with its designated responsibilities in this Project.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby authorizes the Mayor, or his designee, to execute all appropriate agreements and contracts necessary to expedite the construction of this Project.

Section 3: That the City Council of the City of Fayetteville, Arkansas pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this Project.

PASSED and APPROVED this 19th day of March, 2013.

APPROVED:

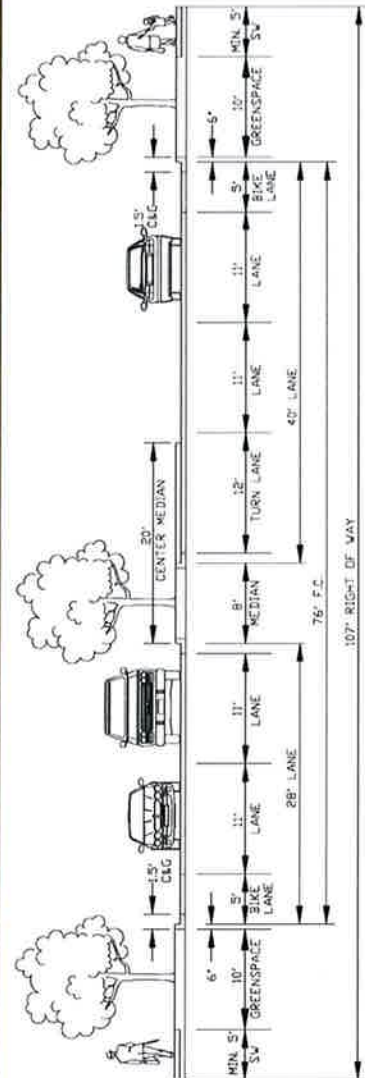
ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer



- Future project to be constructed as funding allows.



PRINCIPAL ARTERIAL PARKWAY

⑬ RUPPLE ROAD IMPROVEMENTS
STARRY NIGHT VIEW TO MT COMFORTS
CONCEPT PLAN

FEDERAL-AID PROJECT RESOLUTION

RESOLUTION NO. _____

**A RESOLUTION EXPRESSING THE WILLINGNESS OF
THE CITY OF FAYETTEVILLE
TO UTILIZE FEDERAL-AID FUNDS FOR
THE FOLLOWING CITY PROJECT:**

**Reconstruction & Relocation of Rupple Road from
Wedington Drive to Mount Comfort Road in Fayetteville**

WHEREAS, the City Fayetteville understands that Federal-aid Surface Transportation Program-Attributable funds are available for certain city projects using the following participating ratios:

<u>Work Phase</u>	<u>Federal%</u>	<u>City%</u>
Preliminary Engineering	80%	20%
Right-of-Way/Utilities	80%	20%
Construction	80%	20%
Construction Engineering	80%	20%

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

SECTION I: The City will participate in accordance with its designated responsibilities in this project.

SECTION II: The Mayor, or his designee, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this city project.

SECTION III: The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.

THIS RESOLUTION adopted this _____ day of _____, 2013.

Lioneld Jordan
Mayor

ATTEST: _____
(SEAL)

City of Fayetteville Staff Review Form

B. 1
Wedington Corridor Neighborhood Master Plan
Page 1 of 48

**City Council Agenda Items
and
Contracts, Leases or Agreements**

3/5/2013

City Council Meeting Date
Agenda Items Only

Leif Olson
Submitted By

Division

Sustainability and Strategic Planning
Department

Action Required:

Staff requests approval of a resolution to adopt the Wedington Corridor Plan Vision Document and Illustrative Plan.

N/A

Cost of this request

N/A

Category / Project Budget

N/A

Program Category / Project Name

N/A

Account Number

N/A

Funds Used to Date

N/A

Program / Project Category Name

N/A

Project Number

N/A

Remaining Balance

N/A

Fund Name

Budgeted Item

Budget Adjustment Attached

Department Director

2/15/13
Date

Previous Ordinance or Resolution #

Original Contract Date:

Original Contract Number:

City Attorney

2-15-13
Date

Finance and Internal Services Director

2-18-2013
Date

Received in City Clerk's Office
2-15-13 P02:48 RCVD

Chief of Staff

2-18-13
Date

Received in Mayor's Office

Mayor

2/19/13
Date

Comments:

Tabled at the 3/5/13 CC mtg. to the 3/19/13 CC mtg.

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Don Marr, Chief of Staff
Peter Nierengarten, Sustainability and Strategic Planning Director *pn*

From: Leif Olson, Associate Planner *LO*

Date: February 14, 2013

Subject: ADM 13-4318 Wedington Corridor Plan

RECOMMENDATION:

Staff requests approval of a resolution to adopt the Wedington Corridor Plan vision document and illustrative plan with amendments provided by the Planning Commission.

BACKGROUND:

The City Council adopted City Plan 2030 on July 5, 2011. City Plan 2030 set a goal of using a charrette process to generate a complete neighborhood plan every other year for key areas of the City. These plans were intended to incorporate key principles of City Plan 2030, including appropriate infill and revitalization, traditional neighborhood development and attainable housing. The Wedington Drive Corridor was selected by the City Council on August 7, 2012 as the fourth complete neighborhood plan project.

The criteria used to select this area included: 1) Meets the City's goals as outlined in the City Council's Strategic Plan and City Plan 2030; 2) Is experiencing development pressure; 3) Has a high percentage of vacant or underutilized land; and 4) Has potential for significant public participation. The Wedington Drive Corridor met all of these criteria.

DISCUSSION:

During October and November 2012 City Staff led a community charrette where public input was solicited on the Wedington Corridor. This input was used to guide the development of the Illustrative Plan and the Vision Document which contains four plan fundamentals: 1) Refine Wedington Drive as Wedington Parkway, 2) Envision the "Heart" of the Neighborhood Along Ruppel Road, 3) Support Active Transportation Options, 4) Designate a North-South Oriented "Greenway" Connecting the Hamstring and Owl Creek Watersheds.

The Planning Commission recommended forwarding of the Wedington Corridor Plan to City Council at its February 11, 2013 meeting with an amendment to the implementation timeline for the realization of access management goals.

BUDGET IMPACT:

None

RESOLUTION NO. _____

**A RESOLUTION TO ADOPT THE WEDINGTON CORRIDOR
NEIGHBORHOOD MASTER PLAN VISION DOCUMENT
AND ILLUSTRATIVE MASTER PLAN**

WHEREAS, The City of Fayetteville developed City Plan 2030 through a collaborative planning process in 2011; and

WHEREAS, City Plan 2030 calls for a comprehensive neighborhood master plan to be prepared every other year; and

WHEREAS, the Wedington Corridor Neighborhood Plan was developed through an intensive and inclusive charrette process involving all stakeholders;

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a resolution to adopt the Wedington Corridor Neighborhood Master Plan vision document and illustrative master plan.

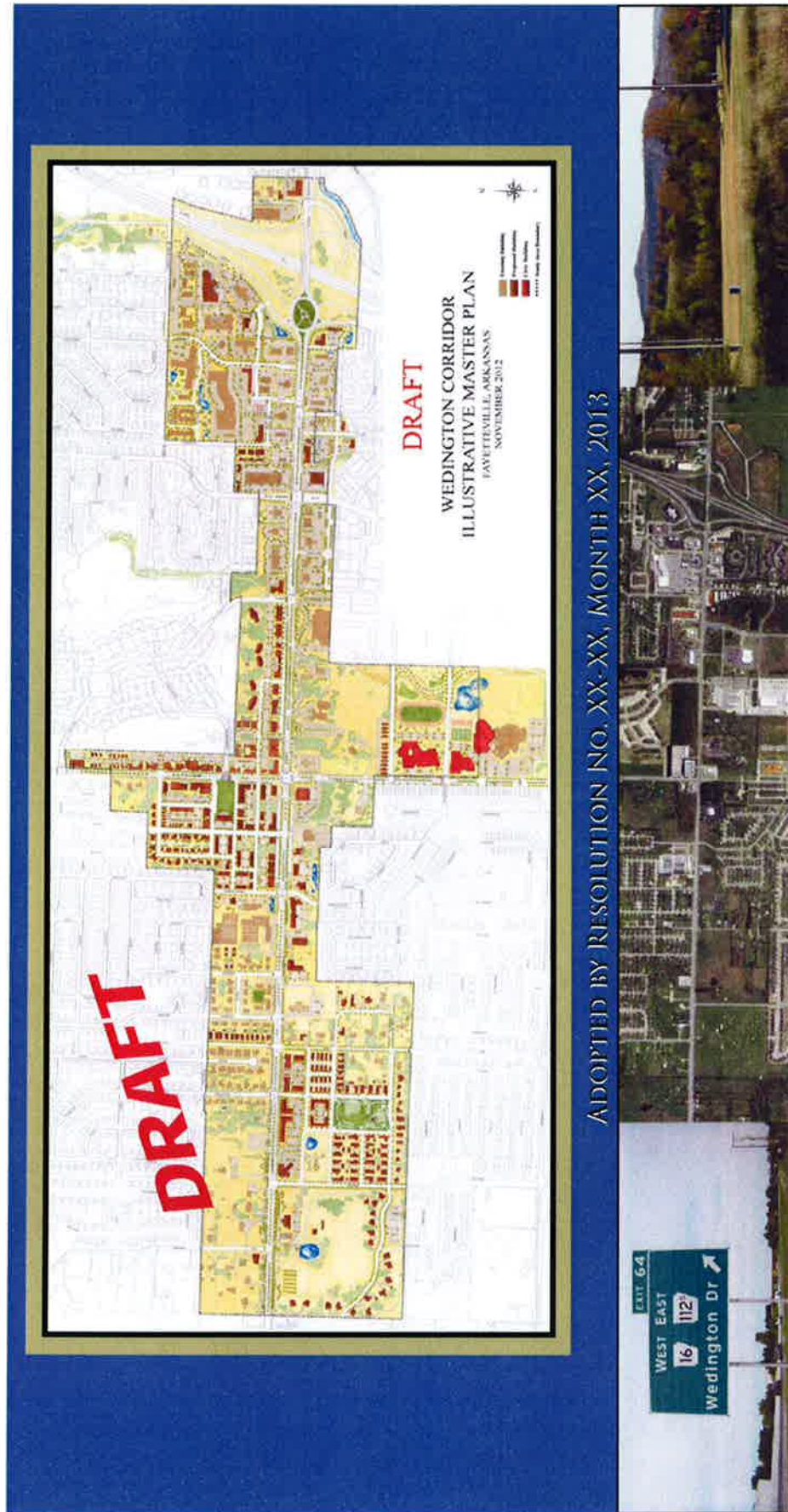
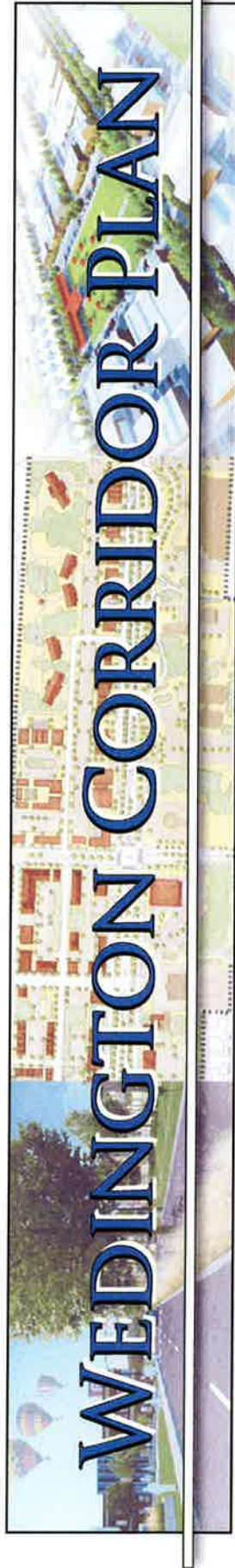
PASSED and APPROVED this the 5th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer



ADOPTED BY RESOLUTION NO. XX-XX, MONTH XX, 2013



Fayetteville
ARKANSAS

DRAFT

DESIGN TEAM	CITY COUNCIL	PLANNING COMMISSION	SPECIAL THANKS TO.....
Jesse Fulcher	Mayor Lioneld Jordan	Sarah Bunch	Fayetteville Boys and Girls Club
Andrew Garner	Rhonda Adams	Matthew Cabe	Fayetteville Chamber of Commerce
John Goddard	Adella Gray	William Chesser	Fayetteville Ward 4
Kristina Jones	Mark Kinion	Kyle Cook	University of Arkansas Community Design Center
Alison Jumper	Alan Long	Craig Honchell	Tim Conklin
Matt Mihalevich	Sarah Marsh	Tracy Hoskins	Rob Sharp
Peter Nierengarten	Matthew Petty	Ryan Noble	Jeff Huber
Leif Olson	Martin W. Schoppmeyer Jr.	Blake Pennington	Paula Marinoni
Jeremy Pate	Justin Tennant	Porter Winston	Hal Poole
Quin Thompson			Tony Wappel
Nielsen Architects, LLC			Denny Wood
(Nick Pierce, Designer)			And Design Team family members who tolerated a week of late nights and weekend work.

PARTICIPANTS

Adam Barnes	Connie Edmonston	Harlie Holman	Vince Massanelli	Mike Phips	Sandra Smith
Valarie Beindara	Mike Emery	Beth Hopkins	Bryan McBride	Deborah Quinn	Brian Stahl
Ted Belden	Cande Erbe	Tracy Hoskins	Jack McCormack	James Quinn	Debra Stendel
Benjamin Bendall	Bob Estes	Celeste Hoskins	Garry McDonald	Wade Ramer	Chung Tan
Erica Blansit	Kyle Fugett	Tim Baker	Ryan Miller	Laurie Reh	Christine Tan
Dave Bolen	Ericka Gergerich	Richard Johnson	Penny Millian	Susan Richmond	Aaron Tan
Mike Bowles	John Grilli	David Johnson	Scott Milsap	Brian Scott	Brina Teague
Daniel Carnahan	Jim Hagen	Bill Jowlers	Kevin Mitchell	Robert Sharp	Ellen Thompson
Pam Clome	Susan Harder	Harry Krushiker	Eric Neilsen	Brian Shores	Todd Walters
Terry Coberly	Laurence Hare	Rebecca Kulawick	Carol Norman	Micheal Sinclair	Micheal Ward
Corey Collett	Christine Hare	Mary Larson	J. P. Peters	David Siskowski	Barbara Wright
Carolyn Conn	Bob Harrington	Jim Laubler	Robert Page	Charles Sloan	Jason Young
Katherine Dees	Guy Headland	Sarah Lewis	Wanda Page	Cindy Sloan	Stephen Zisner
Richard Dees	Bob Hofmann	Alan Long	Victor Parkerson	Steve Smith	
Diane Didier	Candace Hoggatt	Karen Marshall	Sandra Parkerson	Gretta Smith	

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EXECUTIVE SUMMARY

The Wedington Corridor Plan (the Plan) area is located north and south of Wedington Drive from the I-540 intersection west past 51st Ave. The Plan area has been transformed in the last 20 years from an outlying agricultural region with a very small population to a booming suburban residential and commercial corridor.

The Plan area was chosen by the City Council as the location for a City neighborhood plan in August 2012. After the Plan area was chosen, City staff conducted several months of background research and stakeholder meetings that culminated in a week-long public charrette in October 2012. The Plan is based upon the following four principles that emerged from the charrette process:

- Redefine Wedington Drive as Wedington Parkway
- Envision the heart of the neighborhood at Wedington Drive and Ruppel Road
- Support active and public transportation options
- Designate a greenway connecting Hamemstring and Owl Creek watersheds

Analysis in the Plan indicates that rapid growth without cohesive planning in the area has led to a number of challenges common in suburban sprawl areas where the prevailing development pattern is auto dependent in nature. The primary challenges include lack of street connectivity, poor pedestrian and bicycle access, congestion at the Wedington Drive/I-540 interchange, and lack of a neighborhood center. The Plan attempts to overcome these challenges by providing alternatives to suburban sprawl, improving traffic congestion, and placing a priority on active transportation options (pedestrians and cyclists).

To achieve these goals the Plan guides not only the location, but also the development pattern and form of future growth. The Plan prescribes increased density, mixed land uses, improved street connectivity, and active

transportation options close to the I-540 corridor. As development patterns and land uses transition further west of I-540, these areas are envisioned to be left primarily rural with low density residential development in a conservation development pattern that preserves meaningful open space. Non-residential uses west of Broyles Avenue should be very limited and small in scale.

The goals of the Plan can be encouraged in part by utilizing form based zoning districts, requiring an interconnected network of streets and by creating a new conservation development code. The final authority to discourage sprawl and encourage infill in desired locations lies with appointed and elected officials who approve or deny annexation and zoning requests. These decisions should be made with the understanding that growth allowed to occur on the far western fringe of the City diminishes the capacity to create a complete, compact, and connected neighborhood closer to the I-540 corridor.

Each of the Plan fundamentals is instrumental in creating a livable neighborhood for this area of the City. The Plan identifies a set of implementation steps in order to achieve the four principles and establishes a timeline for their completion.

The principal goals of City Plan 2030 (CP 2030) are the overarching framework that staff and appointed and elected officials use to guide future neighborhood development and redevelopment. They are used to set metrics for the measurement of future success, and the neighborhood planning process is always viewed through the lens of these six goals:

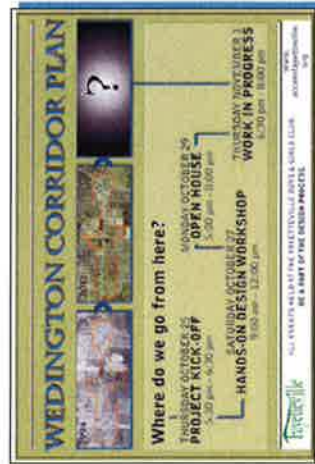
We will make appropriate infill and revitalization our highest priority
We will discourage suburban sprawl
We will make traditional town form the standard
We will grow a livable transportation network
We will assemble an enduring green network
We will create opportunities for attainable housing

I. HOW THE PLAN WAS CREATED

City Plan 2030 was adopted unanimously by the Fayetteville City Council in July 2011 and serves as Fayetteville's comprehensive land use plan, which establishes a vision for what Fayetteville can achieve. One of the stated objectives in City Plan 2030 is to produce a complete neighborhood or corridor plan every other year utilizing a charrette process. A design charrette process maximizes public participation and ownership of the plan. The Wedington Drive area was chosen and approved by the City Council for this corridor plan on August 7, 2012. A City-led design team consisting of staff from the City's Planning Division and the Sustainability and Strategic Planning Department facilitated the October 27th design charrette at the Boys and Girls Club on Ruppel Road. The City also hired Nick Pierce from Nielsen Architecture to create conceptual illustrations of the plan using a computer generated sketch-up model. Over the course of the design process approximately 100 community residents, business owners, civic and community organization members, transportation and design experts and elected and appointed officials offered input for the corridor vision.



CHARRETTE PREPARATION

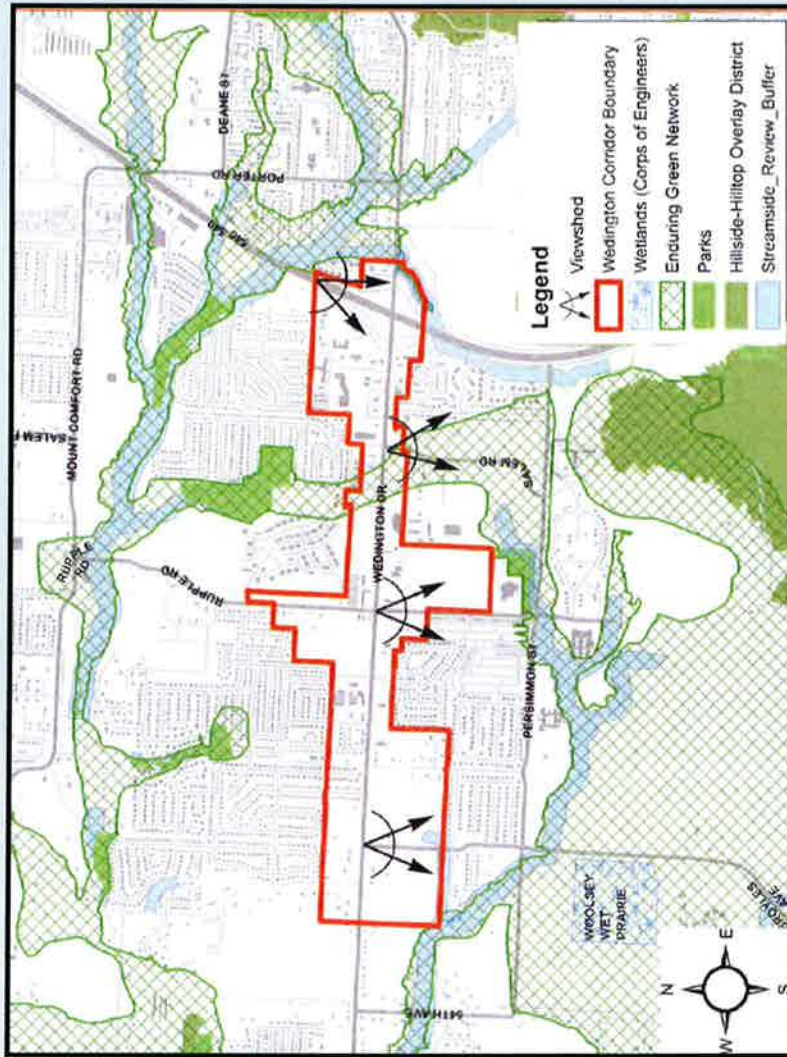


In the months leading up to the charrette, staff gathered and analyzed information and began visiting with groups and individual stakeholders in the Wedington Drive area. The charrette team compiled a series of maps that examined the existing street, sidewalk and trails network, land use, property ownership, environmental constraints, zoning and future planned infrastructure improvements. The charrette team held a meeting with City staff from the Transportation, Engineering, Water and Sewer, Solid Waste, Parks and Recreation, Police, Fire and Geographic Information Systems Divisions to talk about opportunities and constraints that their individual divisions manage in the Wedington Corridor Plan area.

In order to maximize public participation the charrette team utilized a variety of advertising mediums including: print ads in the NWA Times and the Arkansas Traveler, save-the-date postcards to all property owners within the corridor and personally delivering flyers to local businesses and churches. The Fayetteville Flyer featured an online story prior to the charrette week and the NWA Times published an article the day before the community charrette. Staff publicized the charrette through presentations at a Ward 4 meeting, an Environmental Action Committee meeting, a joint City Council and Planning Commission tour and a business owner meeting at City Hall. Multiple television news crews interviewed participants throughout the progress of the event, as well.



ANALYSIS MAPS: ENVIRONMENTAL RESOURCES & ENDURING GREEN NETWORK



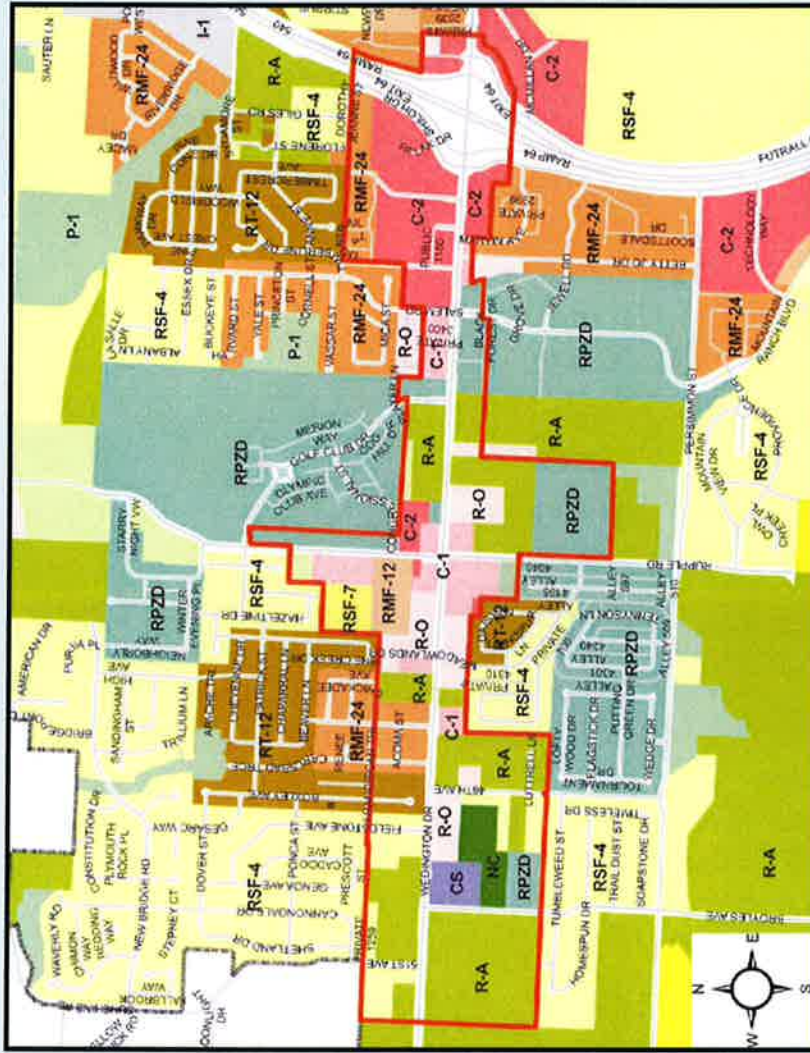
"The Enduring Green Network connects people and nature through a mapped system of trails and green infrastructure. This network recognizes and assembles the ecological assets in Fayetteville that need to be preserved while providing a lasting connected corridor for wildlife. The strength, function and appreciation of the Enduring Green Network will develop over time as our community experiences these natural areas and distinct ecosystems."

From City Plan 2030, Fayetteville Arkansas

There are no known sensitive or endangered species, impaired watersheds or significant creeks or waterways in the Wedington Corridor Boundary. However, the overall visual environment offers scenic views of the rolling topography, undeveloped fields, and tree-covered hills immediately south of the study area. These scenic views were noted by staff and members of the public before and during the charrette process, and were incorporated into elements of the plan. These views are considered significant natural resources indicative of the visual character of Fayetteville.

The land within the Wedington Corridor boundary is primarily uplands consisting of the Captina-Nixa-Pickwick Association soils. These soils are commonly found in Washington County in areas that have broad plateaus with a gentle gradient of 1 to 8 percent. This soil association is well suited to farming and has few limitations for non-farm development. The lands adjacent to the corridor on the north and south are bisected by significant streams, Hamestring and Owl Creek respectively. The Enduring Green Network (see page 28 for explanation) encompasses both the Hamestring and Owl Creek riparian corridors, though accessibility to these resources is limited. Additionally, variously sized wetlands exist in close proximity to the Wedington corridor, most notably the Woolsey Wetland Prairie at the Fayetteville Westside Wastewater Treatment Plant.

ANALYSIS MAPS: CURRENT ZONING



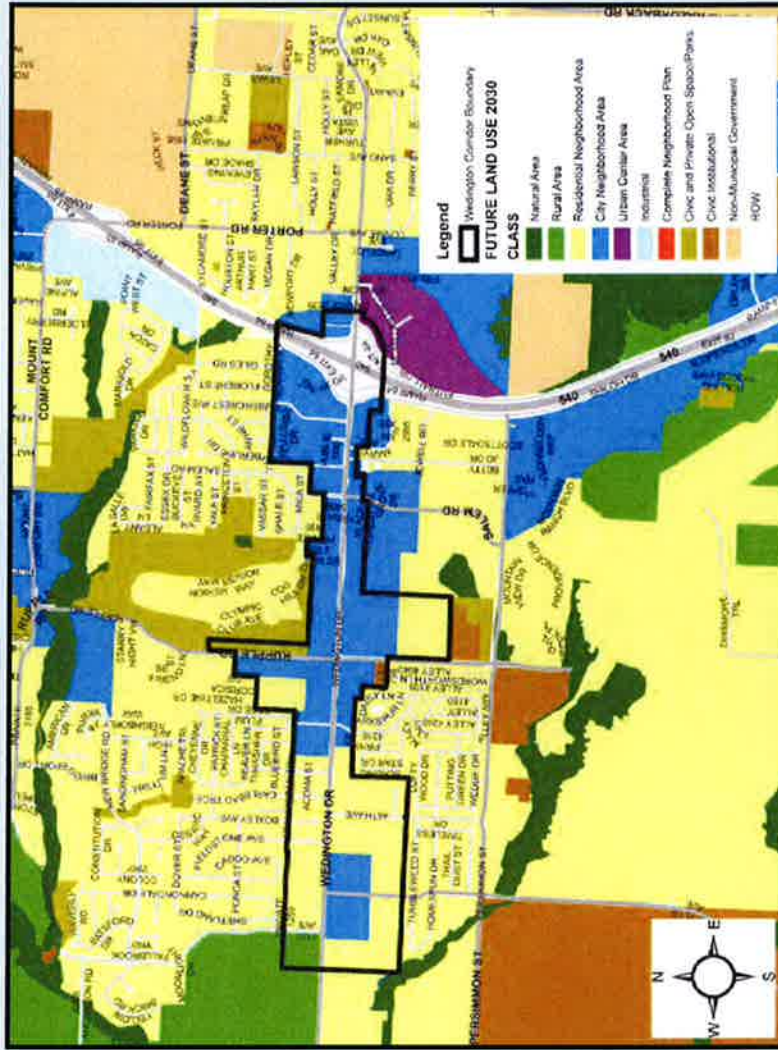
Historically this area was primarily agricultural with a very low residential density. With the completion of the State Highway 71 by-pass in 1975, now I-540, annexations brought much of this area into the City in the 1970s and 1980s. As land was annexed it was rezoned for the many different land uses that we see in the Wedington corridor area today. Areas north and south of Wedington Drive are predominately residentially zoned with a wide variety of density. The land directly adjacent to Wedington Drive has primarily been zoned for commercial and office use with a large area of Thoroughfare Commercial (C-2) zoning located at the I-540 interchange. In recent years developers have utilized the City's Planned Zoning District (PZD) process to create more urban development patterns that allow for varied residential densities mixed with commercial uses. Staff anticipates that the remaining agriculturally zoned lands in direct proximity to Wedington Drive will likely have rezoning requests in the near future as this area continues to develop.

Wedington Infrastructure

The City of Fayetteville provides water and sewer service to the entire Wedington Corridor and the influence area east of Double Springs Road. Much of the existing Water & Sewer Infrastructure on the West side of Interstate 540 is relatively new with adequate storage and capacity for continued infill development. During the recent construction of the West Side Wastewater Treatment Facility, pump stations and sewer collection mains were upgraded in this area. Water infrastructure has a good one mile grid of minimum 12 inch waterlines in developed areas; this grid should continue as build out happens. Infrastructure connections south of Persimmon are currently limited but are projected to improve with the construction of Ruple Road south to Hwy 62.



ANALYSIS MAPS: CITY PLAN 2030 - FUTURE LAND USE



The Wedington corridor is primarily envisioned as a City Neighborhood Area in the future that will accommodate a large variety of residential and commercial uses. City Neighborhood Areas encourage complete, compact and connected neighborhoods. Lands further west along Wedington Drive are identified as Residential Neighborhood areas characterized by predominantly residential uses with strong street connectivity. Overall, the large areas of vacant and underutilized land in the Wedington corridor provide opportunities for growth and for the preservation of existing rural residential uses.

City Neighborhood Areas are characterized as a dense and primarily residential urban fabric. Mixed-use and low-intensity commercial uses are usually confined to corner locations. These areas have a wide range of residential building types: single-family, multi-plexes, sideyard and rowhouses. Setbacks and landscaping are variable. Streets typically define medium sized blocks with a high level of connectivity between neighborhoods. City Neighborhood Areas recognize conventional strip commercial developments but encourage complete, compact and connected neighborhoods.

Residential Neighborhood Areas are almost exclusively residential in nature with naturalistic planting and varied setbacks. This designation recognizes conventional single use residential subdivision development but encourages traditional neighborhood development that incorporates low-intensity commercial uses. All new development should create a strong sense of pedestrian, bicycle and vehicular connectivity.

Rural Areas consist of lands in an open or cultivated state or sparsely settled. These may include woodlands, agricultural lands or grasslands. These areas have only the infrastructure and public services to support low-density zoning.

Natural Areas consist of lands approximating or reverting to a wilderness condition, including lands with limited development potential due to topography, hydrology, vegetation or its value as an environmental resource.

WEST WEDINGTON AREA OF INFLUENCE CENSUS DATA ANALYSIS

For this project the design team created an area of influence in order to understand the population that utilized the Wedington corridor for transportation and commerce. The area of influence boundary is roughly lands located south of Mount Comfort Road, west of I-540, north of Highway 62 and east of the western city limits near Double Springs Road. The following lists some of the pertinent demographic information for this area:

- The total population of the area of influence is 14,781 people or about 19.7% of the total Fayetteville population. Of this, 29% of males and 28% of females are over 25 years of age, and 43% are less than 25 years old. The median male age is 22-24 and the median female age is 25-29. The average number of people per household is 2.43.
- There are a total of 7,713 households in the area of influence. Of these 72% are family households, 28% are non-family and 5% are single person households.
- The median income of the area is \$44,000 to \$49,999. This is the same as the City as a whole.

The census data informs us that the population in the area of influence is relatively young with a high number of families with small children. There is also a significant population of young adults, probably college students, which live in this area.

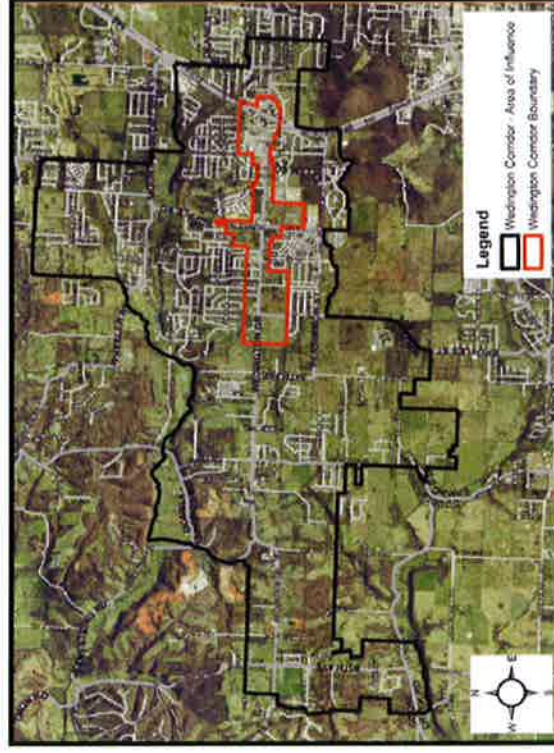
The City's GIS department also tracks housing data and the following numbers reinforce the census data that this area is made up of predominantly young families and college students.

- A total of 7,532 occupiable housing units exist in the area of influence.

Of these 59% are single family, 30% are multi-family and 11% are duplexes or mobile homes.

The City also keeps track of land use City wide. According to the latest analysis the land use for the Wedington area of influence is the following: 42% undeveloped or agriculture, 39% residential, 10% street right-of-way, 3 % entertainment and recreation, 2% general sales or services, 2% communication and utilities and 2% for education and health care.

The Northwest Arkansas Regional Planning Commission develops population projections for the municipalities in the region. Their most recent population projection estimates that in 2035 Fayetteville will have a population of 116,445 people. This is an increase of 41,343 people in the next 20 years or so. Due to the fact that there are large areas of easily developable land in the Wedington area of influence a substantial amount of that population growth will likely occur here.



Wedington area of influence

WEDINGTON AREA HISTORY

Wedington Drive takes its name from William Lewis Weddington, a prominent land owner who settled west of Fayetteville near the present day Lake Weddington in the early 1800s. Recorded history of the area dates back to the use of the Wedington Drive corridor as a passage for Native Americans before the area was settled by pioneers. This transportation corridor later became known as 'Wedington Gap.' The area was first settled by Anglos in the late 1820s, Washington County being established soon thereafter. One of the first families to settle in this part of Washington County was the Woolsey family, Samuel D. and his wife, Matilda. The Woolseys moved from Illinois in 1830, settling a farm of 80 acres acquired through public land grants at \$1.25/acre, which is today located on City property off of Broyles Road near the City Westside Wastewater Treatment Plant, about one mile southwest of the Wedington Corridor Plan area. Much of the Woolsey homestead and burial ground has been preserved in its original location. As part of the construction of the City's new wastewater treatment plant adjacent to this homestead, a wetland mitigation site called the Woolsey Wet Prairie has been installed and is being maintained to restore the tall grass wet prairie that was once common to the area.

Like the Woolsey property, much of the area west of Fayetteville was settled with small homesteads in the mid- to late 1800s and had much less hardwood forest than exists today, with large areas of tall grass prairie. Bison, elk, deer, beaver and other game were plentiful and hunting and trapping was a common occupation.

The eastern part of the Wedington Neighborhood Plan Area was annexed into the City of Fayetteville in 1967 with annexations gradually extending west over the decades with the westernmost portion of the study area annexed in 2006. Until the 1980s this area of Fayetteville/Washington County was primarily rural, with a number of family farms and rural residences. More recent agricultural activities primarily consist of livestock and hay farming and still exist today on several large parcels of land adjacent to Wedington Drive. There were not many non-residential services or uses in the study area until the past 30 years. However, one hub at a crossroads in the area was a small grocery store called the Earl Williams Grocery that was located at the northeast corner of what is now Wedington Drive and Ruppel Road.

Some of the well established non-residential uses still in existence along this corridor are Airways Freight offices, Westwood Gardens plant nursery, the First United Pentecostal Church, Catfish Hole restaurant, and Ozarks Electric office and equipment yard. The construction of the State Highway 71 bypass in the

Lake Weddington History



Lake Weddington, 12 miles west of Fayetteville, was built through the Rural Resettlement Administration, a New Deal program under the Roosevelt administration and was established in order to take low quality agricultural lands out of production, creating a "natural and scenic area for recreational and educational purposes" and resettling farmers on better agricultural lands. The project displaced 163 families but yielded work for 500 people building cabins and other structures, a dam, planting 350,000 trees and reworking 6000 acres of pasture planted for grazing. Lake Weddington officially opened in April 1938. Source: <http://www.historicwashingtoncountynh.com/lakeweddington.html>



early 1970s (the current I-540 corridor) introduced major changes to this rural landscape. The 71 bypass connected the Fayetteville Airport north to the regional mall and opened up this area for development including a gas station, strip malls, hotels, the Betty Jo Apartments, and eventually single family neighborhoods and the Harps grocery store into the 1990s and early 2000s. The construction of I-540 provided connection through the entire northwest Arkansas area and was completed and officially opened in January 1999.

Most of the commercial and residential development in this study area has been developed within the past 15 – 20 years. Comparisons between 1994 and 2012 aerial photography of the area show significant change in the amount of development in the area. See Appendix B for references.



NEIGHBORHOOD TOURS



The charrette hosted multiple walking tours of the Wedington Corridor in the weeks leading up to the design charrette. Additionally, a driving and walking tour with members of the Planning Commission and City Council allowed the charrette team to gather early feedback. Multiple tours of the area allowed the charrette team to assess existing conditions within and around the Wedington Corridor Plan Area, familiarize themselves with the neighborhoods, and identify traffic and congestion issues, street and block patterns, alternative transportation opportunities and constraints, existing land uses and possible infill and open space sites, in advance of the charrette week events.

THE CHARRETTE KICK-OFF

The design charrette began with a kick-off event at the Boys and Girls Club on Thursday, October 25th. Peter Nierengarten, Sustainability and Strategic Planning Director and City Council member Rhonda Adams started by welcoming everyone to the kick-off event and encouraging them to participate during the charrette week. City Planner Jesse Fulcher gave an overview of the history of the Wedington area and its past agricultural significance to provide historical context to the area.

Attendees completed a survey at the kick-off event that asked about the challenges and opportunities in the Wedington corridor area. The challenges most frequently identified were traffic volumes, high rates of speed and congested access, especially at the I-540 interchange. The top opportunities included making the area walkable, bikeable and transit friendly.



Wedington Corridor Survey

The Sustainability & Strategic Planning Department is working with stakeholders to create a vision for the Wedington Corridor. Please answer the questions below. Your input is important!

What are your two favorite places in Northwest Arkansas?

1. Town Square, Hinkle State Park, Brown Lake
2. Crystal Bridges, Downtown Rogers

What are your two least favorite places in Northwest Arkansas?

1. Walmart Mall Area, Walmart parking lots
2.

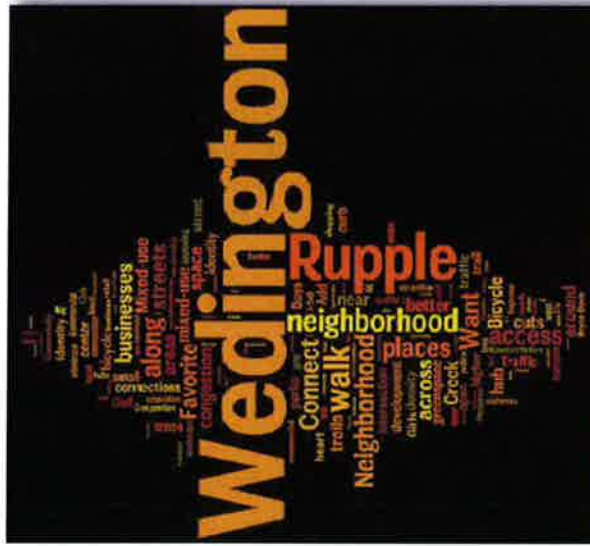
What are some of the opportunities and challenges for the Wedington Corridor? (Use the back if you need more room.)

Opportunity: pedestrian corridor, public transportation
Challenge: too much asphalt, road, green space
What to do about the bridge over 540?
Need more public amenities, high speed traffic

THE HANDS-ON DESIGN WORKSHOP

The hands-on design workshop was held on Saturday, October 27th. About 40 community members and stakeholders gathered for the three hour brainstorming and design session. Mayor Jordan kicked off the event with opening remarks, followed by Planner Jesse Fulcher, who presented a visual preference survey, a tool used to obtain public feedback on physical design alternatives. Peter Nierengarten gave a “food for thought” presentation that highlighted the existing conditions in the Wedington Drive area. Participants then worked in small groups of 6 to 8 people through a series of design questions provided by the facilitator. The groups worked on brainstorming ideas and drawing on maps to illustrate concepts and design thoughts. Participants were challenged to develop a vision of what the Wedington area could become; they identified traffic and alternative transportation limitations and solutions, and they recognized the missing pieces needed to complete the neighborhood.

At the conclusion of the design session each of the six groups selected a representative to present their table’s ideas to the larger group. A number of common elements emerged that included:



Wordcloud software source: wordle.com

LLC to produce 3D renderings and character sketches of key places in the neighborhood plan area. The public was encouraged to check in on the status of the plan and look over the designers' shoulders to make sure that their ideas were represented in the developing illustrative plan. The citizens' maps and idea boards displayed in the hallway outside of the design studio showed the development of the plan from the first rough sketches and idea boards. Dozens of people dropped by during the design week to check in on the plan as it progressed.

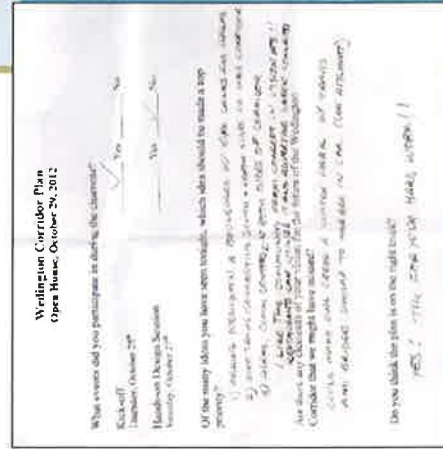
The design team requested that Tim Conklin, a transportation planning professional in the region and Jeff Huber, project designer at the University of Arkansas Community Design Center, to review the public input and offer constructive criticism of the proposed design solutions. Both Tim Conklin and Jeff Huber offered an insightful critique of the progressing plan especially in respect to traffic and congestion issues and the boulevard design. Additionally, the design team

- Wedington Drive as a boulevard or parkway.
- Improve the Wedington I-540 interchange and improve multi-modal transportation options.
- Develop a node or "heart" of the neighborhood at Wedington Drive and Ruppel Road
- Create a north-south oriented greenway with trails bisecting Wedington Drive

A "word cloud" of the table representatives' presentations was created immediately following their presentations and shared with the participants. The word cloud correlates word-size with frequency used, offering insight into the top ideas that were discussed based on how often they were mentioned. Ultimately, the hands-on design workshop generated maps and ideas for the design team to utilize as they began to create an illustrative map based upon this citizen input.

THE OPEN DESIGN STUDIO

The design team held an open design studio at the Boys and Girls Club from Sunday until Thursday. The primary task of the design team was to draw an illustrative master plan of the plan area that would graphically depict the ideas and concepts from the charrette. Along with the illustrative master plan the City hired Nielson Architects,



hosted an open house on October 29th where initial design alternatives were displayed for various areas in the Wedington corridor. This event was well attended, and public feedback was positive and re-enforced that the design team was heading in the right direction with the plan.

CHARRETTE CONCLUSION WITH WORK-IN-PROGRESS PRESENTATION

A work-in-progress presentation at the Boys and Girls Club on November 1st, 2012 concluded the charrette. Approximately 40 people came out to see the draft illustrative plan and to hear the design team's proposals. Peter Nierengarten reviewed the week's events and shared the four main goals that were developed based upon citizen input. This presentation gave the public an understanding of the future vision for the Wedington corridor and some practical solutions for achieving it.



II. PLAN FUNDAMENTALS

The following four guiding principles were developed through the design charrette process based upon citizen and staff input. They serve as the fundamental framework of the plan and will be utilized as the basis for developing implementation action steps to achieve the vision of the plan. This chapter explains and illustrates in detail the significance of each fundamental principle. The four principles are:

1. Redefine Wedington Drive as Wedington Parkway
2. Envision the “Heart” of the Neighborhood Along Ruppel Road
3. Support Active and Public Transportation Options
4. Designate a North-South Oriented “Greenway” Connecting the Hamstring and Owl Creek Watersheds.

1) REDEFINE WEDINGTON DRIVE AS WEDINGTON PARKWAY

Wedington Drive is both a state highway and a principal arterial city street that serves as the primary commercial corridor for this area. Wedington Drive is maintained by the Arkansas Highway and Transportation Department and provides access to, from and across Interstate 540. The Wedington corridor has approximately 30,000 vehicle trips per day and the existing four and five lane cross-section is primarily designed for high speed (40 – 45 mph) automobile travel.

This area has experienced rapid growth in the last 10 years. Coupled with older policies related to access management, this has produced an incremental development pattern characterized by numerous curb cuts and poorly aligned street intersections. The haphazard alignment of curb cuts and the continuous center turn lane leads to a dangerous driving condition, especially when coupled with high traffic speeds and large volumes. The fact that the Wedington Drive and I-540 intersection is the only point of crossing, serving thousands of residents in the immediate area creates considerable congestion at peak driving times. The morning traffic moving eastward is backed up by the required left turn movement to access I-540 north. Similarly in the evening, traffic is backed up moving west along Wedington Drive and at the interchange’s southbound exit ramp. During the charrette week participants repeatedly mentioned that the lack of street connectivity, access to, and across, I-540 were the primary generators of traffic congestion in the area.

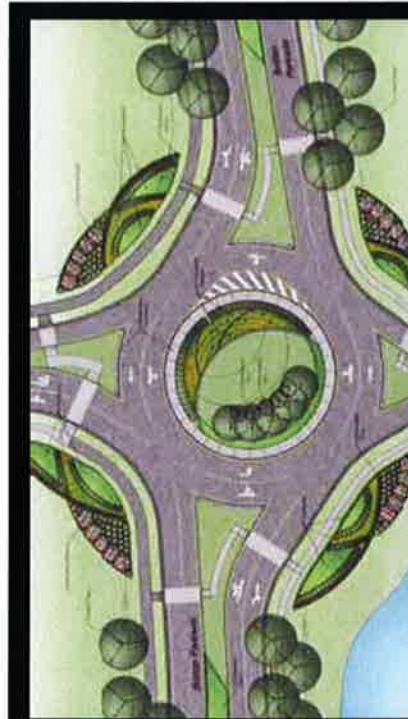
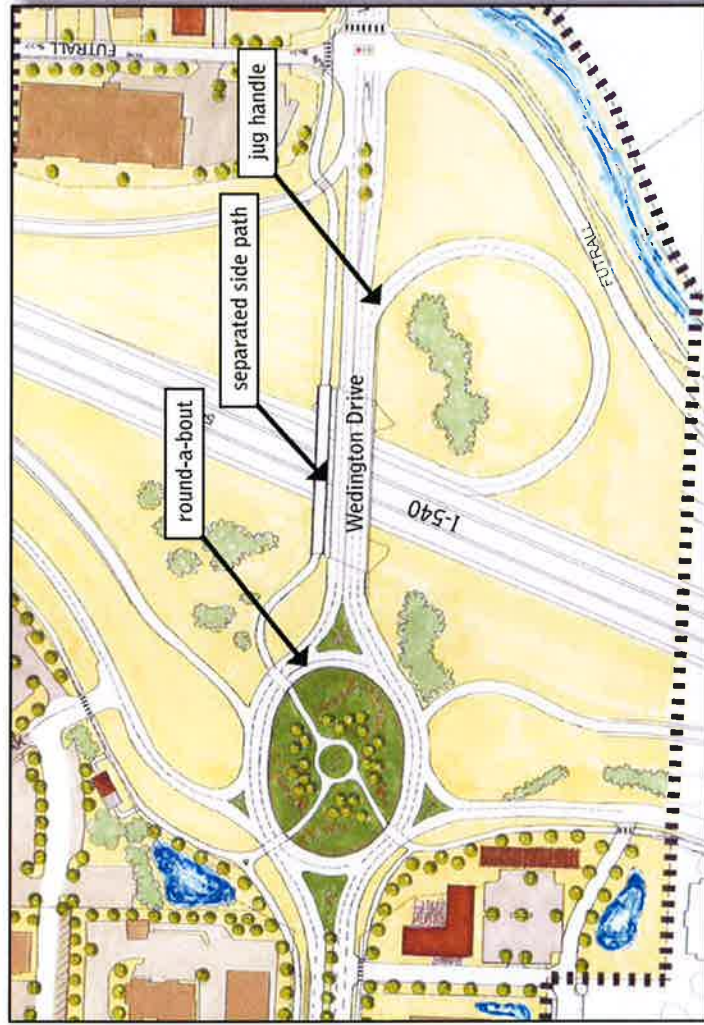
An array of design solutions were discussed and proposed. Ultimately, residents expressed a strong desire to remake Wedington Drive into a street that reduces congestion near I-540, provides pedestrians and cyclists with safe and efficient means of travel, is designed to limit vehicular traffic to appropriate speeds and is consequently more attractive.



PROVIDE BETTER ACCESS TO/ACROSS I-540

In order for an interchange to accommodate high volumes of vehicular traffic and function effectively it should be designed to minimize disruptions to traffic flow and reduce conflict points. Alternative intersection designs such as round-a-bouts, diverging diamonds or continuous flow intersections can improve traffic flow by reducing the number of traffic signals. Safely separating pedestrians and cyclists from vehicular traffic and reducing left turn vehicle movements can help reduce conflicts and improve the flow of vehicular traffic.

The proposed interchange design for I-540 and Wedington Drive, shown at the left, replaces the existing left turn for east bound Wedington Drive vehicles onto I-540 North with a free right "jug handle" and also eliminates one traffic signal on the east side of I-540. A round-a-bout on the west end of the existing bridge replaces two traffic signals (one at Wedington & Shiloh and one at Wedington & I-540 on/off ramps). The round-a-bout provides more continuous traffic flow while improving the safety of the intersection due to the reduced severity of potential vehicle accidents. A separated side path will reduce conflicts with pedestrian and bicyclists and connect to multi-use paths on the west side of I-540.

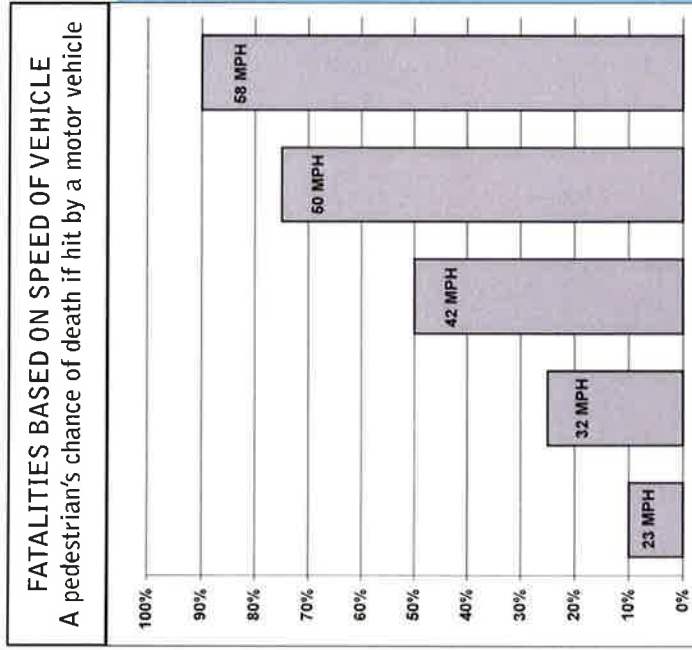


Typical round-a-bout configuration. Image courtesy of EMH&T.

Alternative intersection designs such as round-a-bouts (pictured above), diverging diamonds or continuous flow intersections can improve traffic flow by reducing the number of traffic signals. Safely separating pedestrians and cyclists from vehicular traffic and reducing left turn vehicle movements can help reduce conflicts and improve the flow of vehicular traffic.

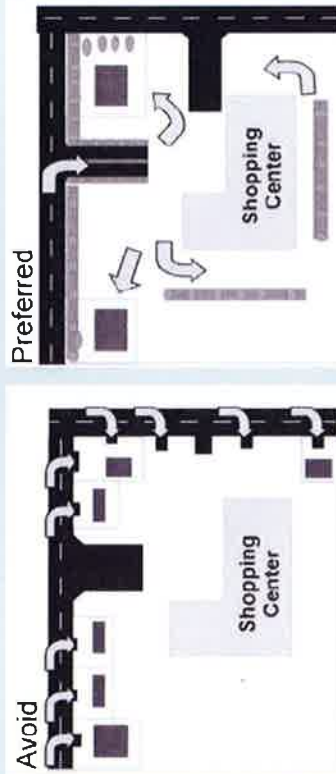
MANAGE SPEED, ACCESS & CONGESTION

Reduced vehicle speed on streets improves safety for all road users; motorists, pedestrians and cyclists. Vehicular accidents are less likely at lower speeds and when they do occur they are less injurious. Lower speed collisions between vehicles and pedestrians or cyclists are also much less likely to result in a fatality. The graph to the right illustrates a pedestrian's chance of death if hit by a motor vehicle at varying speeds.



Data Source: 2011 AAA Foundation for Traffic Safety

Access management is a term used by planners and traffic engineers that refers to the regulation of intersections, driveways and median openings to a roadway. The objective of an access management plan is to allow access to adjacent land uses while maintaining safety by controlling access locations, spacing and design. This is especially important for major thoroughways that have large traffic volumes and high traffic speeds.



Source: Guide for Analysis of Corridor Management Policies and Practices, Florida Department of Transportation, 2007.

An access management plan is a key tool in managing both safety and congestion along major thoroughfares. Access management can be accomplished by combining multiple entrances/exits into one combined driveway. The use of a boulevard cross-section can help reduce congestion and accidents by controlling left turns from thoroughfares into developments.

TREE LINED BOULEVARD OR PARKWAY

A boulevard is usually a wide multi-lane thoroughfare with a center median that may be tree lined. The center median is broken in key locations to provide controlled left turn movements and cross access at intersections. The principal advantage that boulevards offer over a street with a continuous turn lane is the reduction in conflicts due to control of cross access and left turn movements. If properly landscaped and maintained they can provide beautification and reduced heat-island effect due to shading of paved surfaces. In addition, the center median can provide a refuge space for pedestrians at crossing locations. This is especially helpful for mid-block crossings where there isn't a signalized intersection.

Multi-Way Boulevards were imported to the United States from Europe as part of the park movement in the late nineteenth century. A multi-way boulevard allows the arterial street to serve its primary function of enabling high volume through traffic to move efficiently through the area. The use of parallel, low-speed slip lanes allows continuous access and parking for adjoining properties. The slip lane also functions as a shared travel lane for bicycles. Generally, multi-way boulevards have tree lined parking spaces or green space between the opposing travel lanes and the slip lane. Sidewalks adjacent to the slip lane provide an enhanced pedestrian experience and access to the adjoining buildings. Proper use of a multi-way boulevard can beautify a corridor, reduce congestion, manage access and provide safe spaces for all road users.



The lack of median at Wedington near Shiloh Drive makes safe crossing difficult.

The center median along Garland Ave. creates a safe, beautiful and environmentally friendly street.



Proposed Multi-way Boulevard for Franklin Boulevard in Eugene, OR.



Crosswalk on Canyon Blvd. in Boulder, CO.



Rendering of eastern end of Wedington Drive

BETTER PEDESTRIAN CROSSINGS

A pedestrian crossing is a chosen point along a roadway that is designed to safely keep pedestrians together as they cross vehicular traffic. Pedestrian crossings are often located at intersections but may also be located at any point where higher numbers of pedestrians are likely to cross arterial streets or where crossing a busy road is unsafe. Safe pedestrian crossings are an important component of a complete streets network and are necessary to support a walkable development pattern. The Wedington Corridor Plan proposes pedestrian crossings at new signalized intersections at Marvin/Tahoe, Golf Club Dr., Meadowlands and Fieldstone.

PEDESTRIAN FATALITY FACTS

A 2003 National Highway Traffic Safety Administration study titled "Pedestrian Roadway Fatalities" concludes that between 1975 and 2001 nationwide:

- Pedestrians accounted for about 12% of all highway fatalities involving motor vehicles
- Almost two-thirds of pedestrian fatalities occurred on urban roadways
- Most pedestrian fatalities occur at non-intersections (over 75%) and roadways without crosswalks (over 40%)
- Most pedestrian fatalities occurred at night between 6 PM and 6 AM (64%)

WEDINGTON DRIVE STREET DESIGN: THREE DISTINCT STREET CROSS-SECTIONS

GOLF CLUB DRIVE TO MEADOWLANDS DRIVE:

This section of Wedington Drive is predominately undeveloped with a continuous double yellow line dividing two travel lanes in each direction. A multi-way boulevard with a tree lined median and tree lined green space between the travel lanes and slip lane is proposed in this area. Parallel parking for future businesses and residences is provided along the slip lane. Bicycles transition into the slip lane and sharrow in the slip lane indicate the shared use between low speed vehicles and cyclists. This section of roadway is envisioned to have additional pedestrian and bicycle crossing locations, most notably at Wedington and Golf Club Drive and at Wedington Drive and Meadowlands Drive.



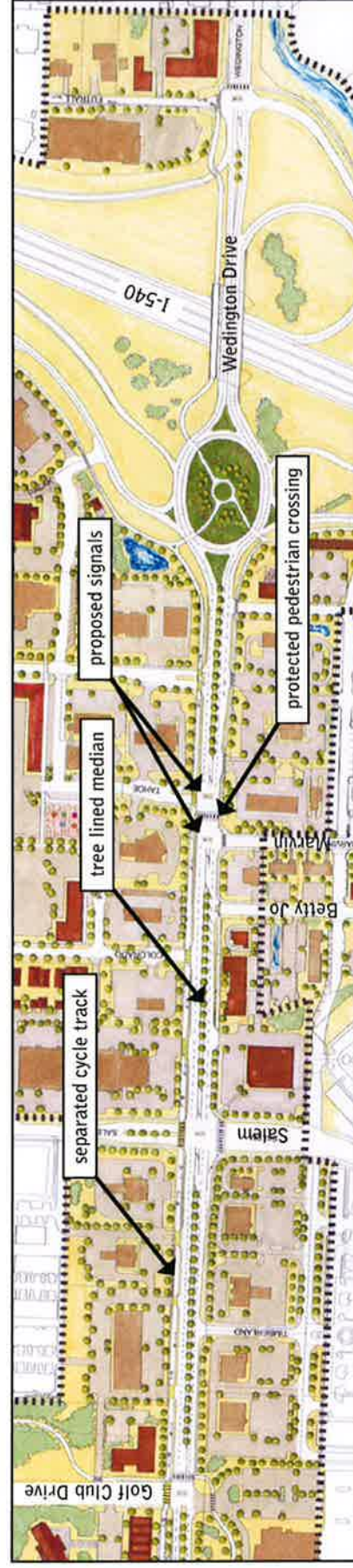
MEADOWLANDS DRIVE TO 51ST AVE:

This five lane section of Wedington Drive is relatively undeveloped with a continuous middle turn lane and two travel lanes in each direction. The proposed design for this section of Wedington Drive includes a tree lined median to replace the center turn lane allowing for controlled access points at intersections and a tree lined green space with bicycle and pedestrian sidepaths adjacent to both sides of the street. The proposed parkway design provides an appropriate urban to rural transition for this outlying area of the City of Fayetteville.



I-540 TO GOLF CLUB DRIVE:

This five lane section of Wedington Drive is highly developed on both sides of the street with a continuous middle turn lane. A traditional boulevard with a tree lined median and a separated cycle track along the north side of the street is proposed for this section. Proposed traffic signals at the offset intersection of Wedington & Tahoe Pl. and Marvin Ave. would allow left turn access for vehicles and also provide a protected pedestrian crossing of Wedington Drive.



2) ENVISION THE "HEART" OF THE NEIGHBORHOOD ALONG RUPPLE ROAD

Wedington Drive serves as the principal and most convenient commercial corridor for residents living west of Interstate 540 roughly between Mount Comfort Road and Martin Luther King Jr. Drive (Hwy 62). As mentioned previously, approximately 20% of Fayetteville's population lives in the Wedington influence area. During the Wedington Corridor Charrette residents were asked to envision where the "heart" or central hub of activity of this area of Fayetteville should be developed over time. The overwhelming preference by citizens was for it to be located near the intersection of Wedington Drive and Ruppel Road.

Three of the four corners of the intersection of Wedington Drive and Ruppel Road are currently developed, but much of the immediate area beyond the intersection is undeveloped or underdeveloped.

Charrette participants expressed a desire to make the "heart" of the neighborhood walkable with an urban form much like a traditional "Main Street." This form of development sustains small businesses, supports mixed-use buildings and often contains a central community space. In addition, they envisioned that missing neighborhood services, resources and housing options should be located within walkable proximity to the "heart" of the neighborhood at Wedington and Ruppel, thereby creating west Fayetteville's first truly urban district.

ENHANCE WALKABILITY AND A "MAIN STREET" FEEL

Traditional "Main Streets" and town centers, developed prior to World War II and the advent of auto dominant development patterns, were designed at a human scale with buildings placed close to the street in contiguous and uninterrupted rows. Streets were generally designed with a slow traffic speed and wide, accommodating sidewalks with appropriate parking adjacent to the street or in the interior of the block. These traditional "Main Streets" were variable in scale from a small town square to elaborate shopping districts in larger cities. In the post war period this pattern of development was largely replaced by the auto centric, high speed arterial roadways that currently dominate the suburban retail districts across the country. The Wedington Corridor Plan envisions the area along Ruppel Rd. to be designed in the traditional town form with smaller retail and mixed use development. This "Main Street" development pattern coupled with the close proximity of residential areas will promote a highly walkable heart for the neighborhood.



The intersection of Ruppel and Wedington was picked by charrette participants as a future "heart" of the neighborhood. The area currently boasts several eateries and commercial businesses and has development potential with a 21 acre tract for sale and prime street frontage along Ruppel to the west of the Links.



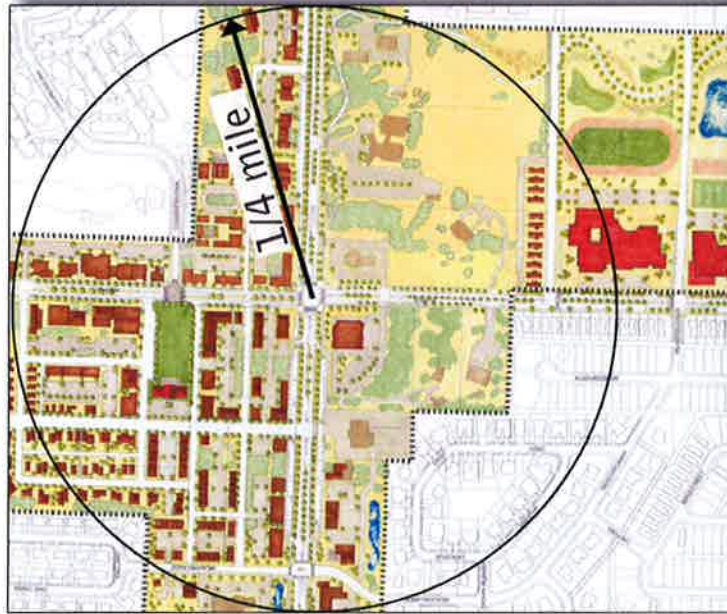
Typical midwest "main street"

If streets are designed to be walkable, studies have shown that most people will walk a distance of approximately ¼ mile (1,320 feet) before turning back or opting to drive a car or ride a bike. Most neighborhoods built before World War II are ¼ mile from center to edge. This dimension is a constant in the way people have settled for centuries. This distance relates to the manner in which people define the edges of their own neighborhoods. Of course, neighborhoods are not necessarily circular in design, nor is that desirable. The ¼ mile radius is a benchmark for creating a neighborhood unit that is manageable in size and feel and is inherently walkable.

INFILL OF NEIGHBORHOOD SERVICES/RESOURCES

The residential subdivisions that were developed in this area from the 1990s until today have created the demand for the more recent civic, institutional and commercial land uses that provide goods and services to the newly developing neighborhood. Eventually, the infill of additional or missing services will reduce residents' need to drive longer distances out of the neighborhood to meet or find those goods or services. Developing these neighborhood businesses in a walkable urban form within close proximity to nearby residential areas may ultimately eliminate the need for many automobile trips thereby reducing congestion in the Wedington Area. The following lists provide insight into the places that residents value and goods or services that need to be provided to create a more sustainable neighborhood, as identified by charrette participants:

FAVORITE PLACES IN THE NEIGHBORHOOD			NEEDED GOODS/ SERVICES OR AMENITY		
Yogurt Shop	Boys & Girls Club	Branch Library	Post Office	Drug Store	More Schools
Goodwill Store	Harps	Owner Occupied	Senior Center	Farmer's Market	Transit
Gusano's Pizza	Dog Park	Town Houses	Theater	Community Building	Hardware Store
Cat Fish Hole	Wal-Mart	Cottage Courts	Bakery	Auto Shop	
Golf Course	Hunan Restaurant	Upscale Grocery	Brewery	Meeting Rooms	
West Wood	Green Space	Store	More Restaurants	Bike/Ped Trails	
Gardens	Cross Church	Police Sub-Station	Neighborhood Center	Museum	



The ability for a resident to satisfy most of their daily needs by having a wide variety of goods, services and daily destinations within a quarter mile lends itself to creating a walkable, sustainable neighborhood.

INFILL OF "MISSING MIDDLE" NEIGHBORHOOD HOUSING

The term "Missing Middle" housing refers to medium density housing types such as duplexes, fourplexes, bungalow courts, and live-work units that support walkable urban living. They are classified as missing because of the relatively small number of these housing types have been constructed during the post-World War II era. These types of housing can provide effective transitions or buffers between lower density single family detached housing and commercial corridors or other more urbanized areas. Quality Missing Middle housing is characterized by the following: they are constructed in mixed densities that often seem lower than they actually are, they are compact, well designed and simply constructed units on sites that are not designed around off-street parking (this is not so say that off-street parking cannot exist), and most importantly missing middle neighborhoods are supremely walkable thereby creating community through the creative use of shared space. For the Wedington Corridor Plan missing middle housing is envisioned in the heart of the neighborhood as a mix of small single family homes, duplexes, triplexes, town homes and live/work units. These housing units help create a mixing of uses along Rupple Rd. and Wedington Dr. and provide transition between existing single family housing and more intensely developed retail areas.

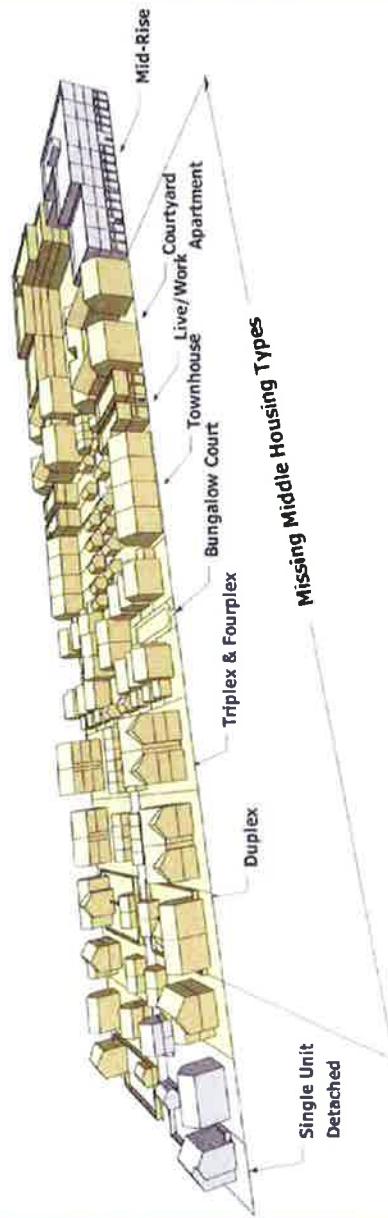


Illustration of the "Missing Middle." Source: Blog Post by Dan Parolek, Better! Cities & Towns, April 13, 2012

EXAMPLES OF "MISSING MIDDLE" HOUSING



Duplex bungalow

Modern duplex



Rowhouse

Townhome



Fourplex

Bungalow court



Courtyard apartment

Live work unit

ENABLE A CENTRAL COMMUNITY/SOCIAL SPACE

Many participants in the Wedington Charrette expressed a need for a central community space in the Wedington area. Outdoor community spaces can provide opportunities for a variety of activities such as farmers markets, outdoor festivals, or other community gatherings. If designed and programmed correctly these spaces will regularly attract people thereby supporting surrounding retail and providing the anchor for the “heart” of the neighborhood.



Rendering of central community square along Ruppel Road, (NW of Ruppel & Wedington) by Neilson Architects, LLC.



Rendering of Community Center and Junior High School along Ruppel Road (South of Ruppel & Wedington) by Neilson Architects, LLC.

3) SUPPORT ACTIVE AND PUBLIC TRANSPORTATION OPTIONS

SUPPORT INTEGRATED TRANSPORTATION CONNECTIVITY

As previously discussed, the relationship between congestion and the lack of street, bicycle, pedestrian and transit connectivity across I-540 was a major concern of many charrette participants. The public overwhelmingly pointed out that the pedestrian and bicycle infrastructure along the Wedington Corridor was fragmented and inferior to that of other neighborhoods within the City. For instance, the sidewalk location along Wedington Drive has a narrow 3-4 foot greenspace separating it from the high speed driving lanes. This creates an uncomfortable situation for a pedestrian along the street. Pedestrian crossings are located at the intersection of Wedington Drive and Shiloh, Salem and Ruppel Road. However, these crossings are not necessarily in the most convenient locations for pedestrians wanting to cross. This leads to people running across the street and dodging traffic. Bicycle infrastructure has been installed in some locations along the corridor with the Salem Road and Ruppel Road intersecting Wedington Drive having well marked sharrows or bike lanes. However, Wedington Drive itself lacks a dedicated bike lane and the I-540 overpass is especially dangerous for bicyclists.

And finally, the public acknowledged the need for improved transit access for residents in the area. The linking of a number of local, regional and inter-regional bus services at the existing Jefferson Bus Lines transit station is a strategically positioned resource that this area should draw upon.

CITY STREETS: DYNAMIC PUBLIC PLACES

"Streets require vast amounts of land. In the United States, from 25 to 35 percent of a city's developed land is likely to be in public rights-of-way, mostly in streets. Streets are almost always public: owned by the public, and when we speak of the public realm we are speaking in large measure of streets. What is more, streets change. They are tinkered with constantly: curbs are changed to make sidewalks narrower or (in fewer cases) wider, they are repaved, lights are changed, the streets are torn up to replace water and sewer lines or cables and again repaved. The buildings along them change and in doing so change the streets. Every change brings with it the opportunity for improvement. If we can develop and design streets so that they are wonderful, fulfilling places to be, community building places, attractive public places for all people of cities and neighborhoods, then we will have successfully designed about one third of the city directly and will have had an immense impact on the rest."

Excerpt from "Great Streets" by Allan B. Jacobs, 1993



Narrow green space along Wedington and on Wedington Bridge creates an uncomfortable experience for pedestrians and cyclists.

The Jefferson Bus Lines transit station, shown above, is located at the southwest corner of the intersection of Wedington Drive and I-540.

CONNECT MISSING LINKS – STREETS, SIDEWALKS AND TRAILS

The street network of a neighborhood determines the way those streets are utilized. In traditional development patterns an interconnected street network provided opportunities for all modes of transportation due to the short blocks laid out in a grid. Traditional residential blocks were welcoming to vehicles, bicycles and pedestrians by their slow speed design. The disconnected nature of the post war suburban development pattern interrupted the grid with cul-de-sac subdivisions that had limited access thereby funneling traffic onto the higher classification streets. This leads to the need to provide expansive collector and arterial streets to handle large volumes of traffic that otherwise could have been dispersed through a well connected street network.

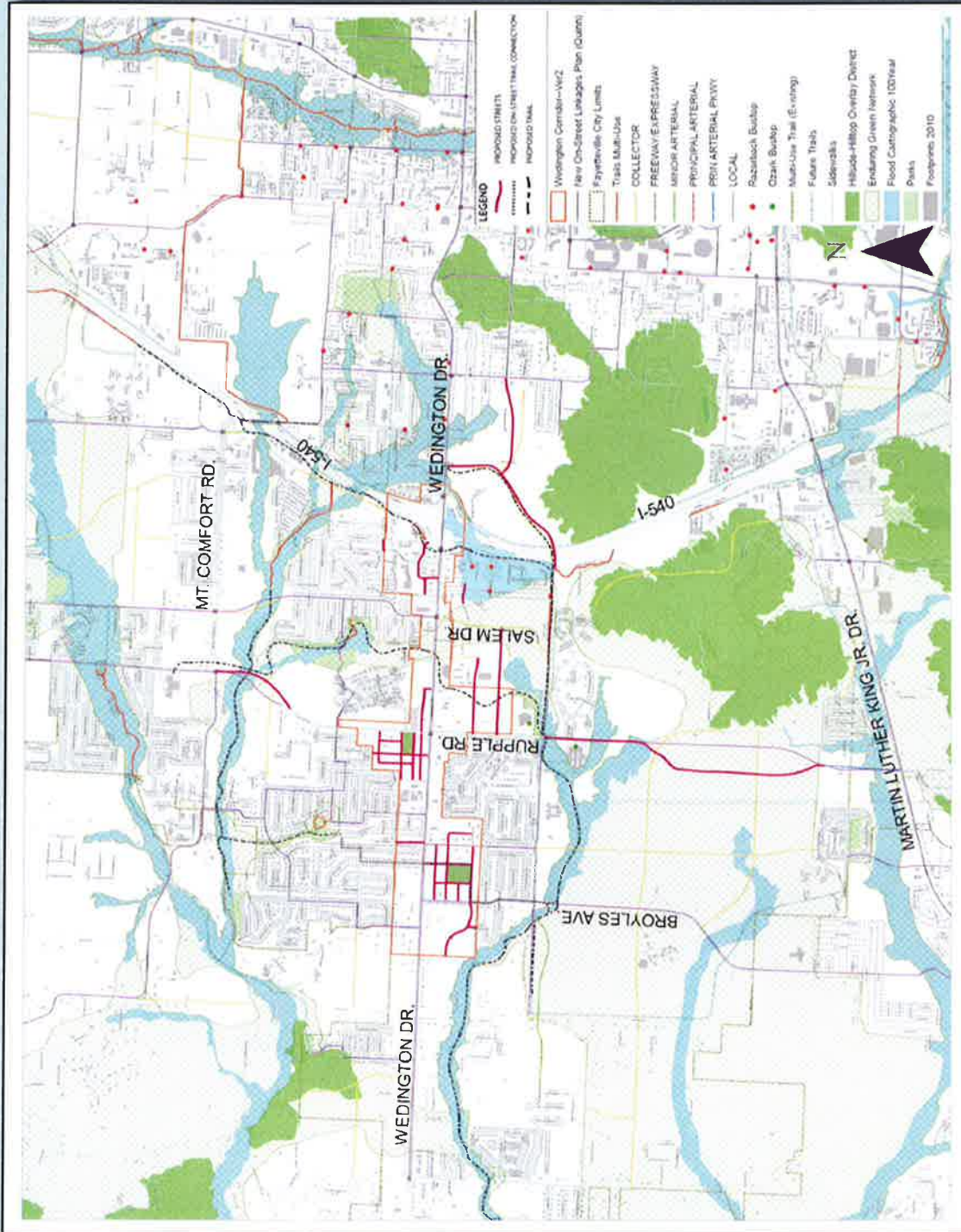
Therefore, a consciously designed, well-connected network of streets, sidewalks and trails is essential for the dispersal of traffic into, out-of and through the corridor. For the most part, the current street network that intersects Wedington Drive is fragmented. This is principally due to the incremental nature of development that has happened in the last two decades. A number of opportunities for increased street connectivity were missed in the past, for instance the dead-end of Steamboat Drive. Fortunately this area is only partially built out, thereby providing the City with the opportunity to plan for completing a street network that addresses these missing connections. In 2008 the City adopted an Access Management and Street Connectivity ordinance that mandates curb-cut separation distance requirements and requires an interconnected public street network prohibiting cul-de-sac streets. In the proposed Wedington Illustrative Plan the larger un-developed parcels located in the plan area represent a model for creating an interconnected local street network.



Master Transportation Connections Map

The proposed interchange design and the conversion of Wedington Drive into a boulevard cross-section will change traffic patterns and access along the corridor. The removal of the center turning lane will restrict left turn movements to street intersections and major access points to the adjacent properties. This makes the need for cross access and a connected street grid very important. Pedestrian infrastructure such as sidewalks and crosswalks are required for any proposed street design.

The trail infrastructure that is proposed to cross Wedington Drive at Salem Road will create the opportunity to penetrate the Wedington corridor with off-street active transportation facilities. Trail infrastructure serves multiple purposes including transportation options, health benefits and preserving natural or open spaces through the use of greenways. Trail and street transportation connections both within and into/out of the Wedington Area are shown on the Master Transportation Connections Map.



Master Transportation Connections Map

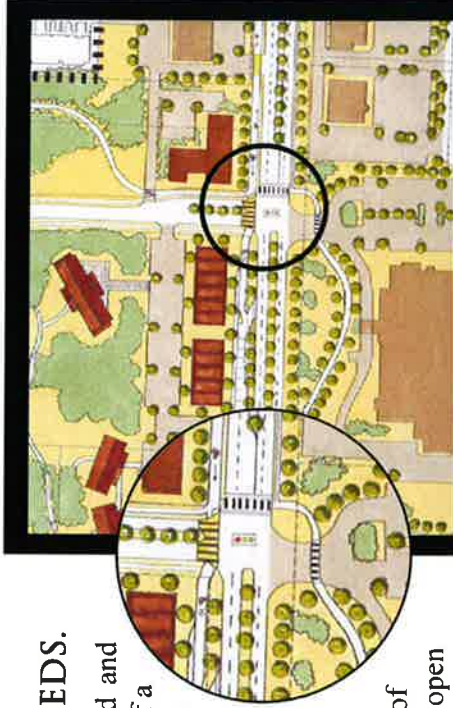
4) DESIGNATE A NORTH-SOUTH ORIENTED "GREENWAY" CONNECTING THE HAMESTRING AND OWL CREEK WATERSHEDS.

With the adoption of City Plan 2030 an Enduring Green Network (EGN) was identified and mapped (See map page 6). The EGN is a tool for guiding land use decisions and is a part of a larger development framework. It was developed as a means to connect people and nature through a mapped system of trails and green infrastructure. This network recognizes and assembles the natural resources of Fayetteville that should be preserved to provide lasting connected corridors for wildlife, trails, waterways, and passive open space. The EGN map was created by identifying and inventorying the existing natural resources and linking them together with parks and linear trail networks. The EGN was mapped as a broad boundary for use in locating possible properties that could eventually become a contiguous network of greenspace and trails. The EGN as realized will likely be narrow corridors connecting larger open spaces. Over time, the function and appreciation of the Enduring Green Network will be enhanced as its pieces are fitted together and it becomes inter-connected and easily accessible.

In urban contexts, these narrow ribbons of greenspace are typically termed "Greenways" from the combination of green belt and parkway. Greenways are characterized as vegetated and linear, often containing bicycle and pedestrian infrastructure in narrow corridors.

At this time, a portion of the EGN bisects the Wedington corridor at the intersection of Salem Road. Commercial development currently occurring here limits the viability of the EGN in this location. Staff proposes amending the EGN map and moving its location west to the intersection of Golf Club Road. This location is favorable for connecting the existing and planned green spaces to the north and south of Wedington Drive. This connection will favorably impact a multitude of residential, civic, open space and commercial uses in the Wedington area, most notably the Hamestring and Owl Creek trail corridors, public elementary and middle schools, the Boys and Girls Club, the Links Golf Course and Bryce Davis Park.

This greenway connection is further strengthened by the view of Millsap's Mountain and Mount Kessler to the south, an asset of the area identified by citizens during the hands-on design workshop. A greenway in this location will ensure that a perpetual watershed is established and maintained.



The trail crossing at Wedington and Golf Club Road provides a safe crossing for pedestrians and cyclists and connects the Enduring Green Network across Wedington Drive.



The view of Millsap's Mountain southeast of the Boys and Girls Club provides a visual reminder of the ecological resources once abundant and still existing in the Wedington area today.

IMPLEMENTATION TOOLS/LAND ACQUISITION



Meadow Valley trail at the U of A Farm

There are a number of policies and regulations currently existing that may be utilized to acquire identified greenspace, the foremost being the Parkland Dedication Ordinance and the Fayetteville Alternative Transportation and Trails Master Plan. As the remainder of the Wedington Corridor develops, this north and south greenway should be incorporated into development plans on the now vacant lands adjacent or contiguous with the planned route.

The Fayetteville Alternative Transportation Plan should be amended to recognize this very important north-south greenway connection and to ensure that space for this corridor is prioritized in any future development plans for these properties.

In addition, the City should create a "Conservation" development ordinance that would allow for sustainable land use development for lands in the EGN that protect environmental features such as viewsheds, natural wildlife habitats, environmentally sensitive areas or farmlands in perpetuity. A conservation design for neighborhood development may be appropriate in areas where there are important natural resources to protect or where the development form of the surrounding area is primarily rural or agricultural. This form of development typically sets aside half or more of the land area to be designated as undivided, permanent open space. This result is achieved in a density neutral manner whereby the overall number of dwellings is the same as what would be allowed in a conventional layout. This results in residential neighborhoods that are more compact and with smaller lots. The central goal is the preservation of lands to create a contiguous community wide open space network. This may be accomplished through partnerships of private and public land owners, land trusts and/or local governments. This pattern of land development is particularly appropriate for the urban fringe or edge of the city where urban services are not available and where low density residential development is a given.

Advantages of a conservation subdivision are:

- less infrastructure for developer to install
- smaller lots for owners to maintain
- less infrastructure for City to maintain
- common/shared space for neighborhood to utilize

Conventional Subdivision



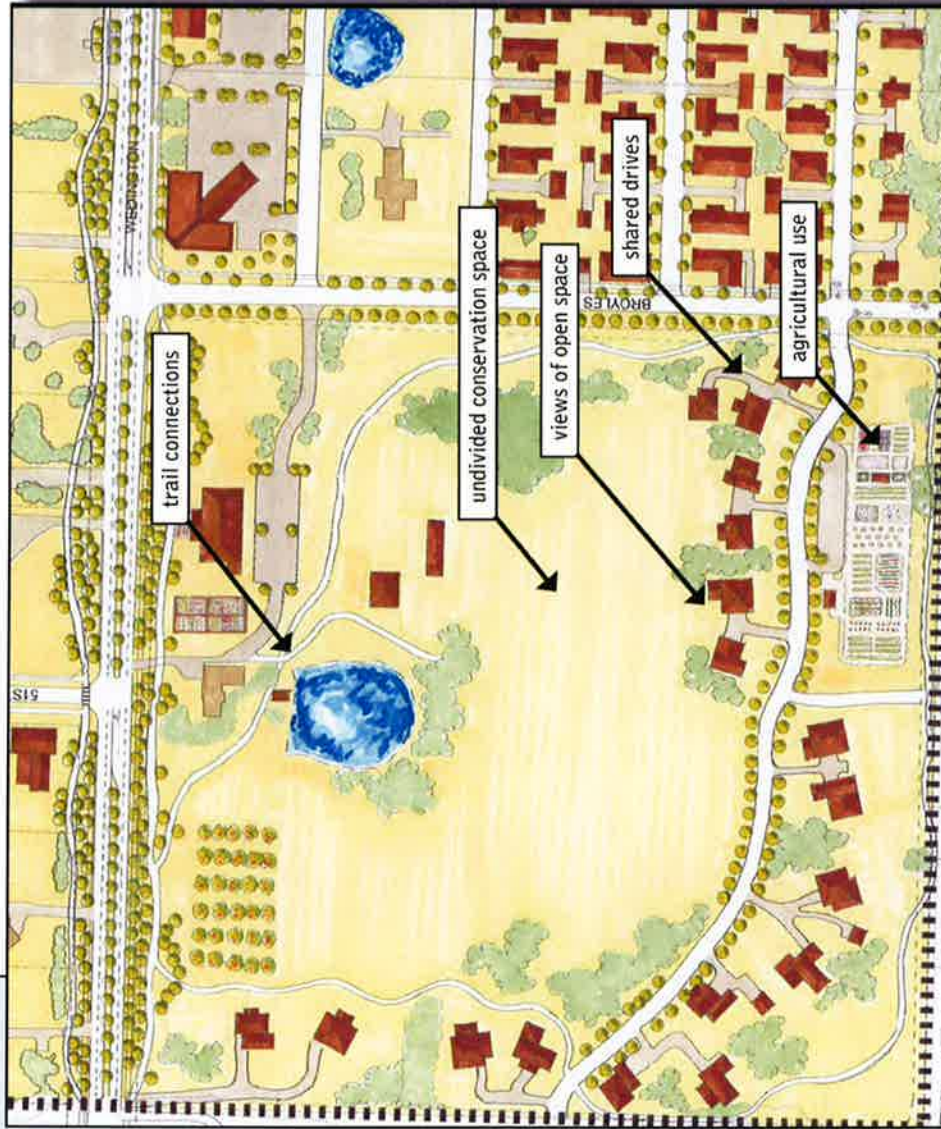
Conservation Subdivision



Source: Wells National Estuarine Research Reserve

FOUR STEPS FOR CREATING A CONSERVATION SUBDIVISION:

1. Identify potential conservation areas on the property: This includes wetlands, forested slopes, streams and valuable agricultural lands.
2. Identify home sites on the property: Home sites should be identified that will take advantage of the open space viewsheds and by providing pedestrian access.
3. Design the street alignment and trails: Provide adequate access to each home and share driveway curb cuts when possible. Design street alignments to maximize views into the open space. Minimize dead end streets and connect to adjoining properties. Provide trail connections through the conservation spaces allowing the neighborhood to access and appreciate the greenspace.
4. Create small lots that do not divide the conservation open space. Achieve a density neutral design that is flexible in terms of lot width, area, setbacks and frontage requirements. Open space lots should be left as large contiguous parcels. A land management plan with maintenance responsibilities must be established to ensure the long term viability of the conservation space.



Conceptual conservation subdivision

III. CHARRETTE OUTCOMES: ILLUSTRATIVE PLAN COMPONENTS

The Wedington Corridor Illustrative Master Plan shows only one of many alternatives or scenarios for development within the corridor in the next 15 – 20 years. Many of the features in the illustrative plan reflect ideas and opportunities that were identified by charrette participants. The implementation of some of the more significant components within the plan will be controlled by entities or organizations outside of city government. These include a Branch Library, a Junior High School, a Community Center, a Farmers Market, future street connections and a round-a-bout interchange at I-540.

PLACES AND SPACES

BRANCH LIBRARY

The Fayetteville Public Library currently houses their entire circulation and operations within one building located in Downtown Fayetteville. Since this building was completed in 2004 the number of active library card holders has skyrocketed to over 65,000 people. Use by these cardholders has exceeded the capacity for the current building, which has prompted the library to update their 20 year master plan.

One option within this master planning process may be to open a branch library. Several considerations will influence the location choice for a branch library including; community desire, distance from the existing library, existing and future population growth and available funding. A branch library envisioned by charrette participants near the intersection of Rupple Rd. and Wedington Dr. would seem to satisfy several of these criteria as it would be located approximately 5 miles from the existing downtown library, in a neighborhood with high growth potential and in relatively close proximity to nearly 15,000 current Fayetteville residents.

JUNIOR HIGH SCHOOL

The Fayetteville Public School District is the oldest school district in the State of Arkansas. The district provides K–12 education with a current enrollment of over 9,000 students. In recent years, the district has seen a steady increase in enrollment that corresponded with the growth of Fayetteville's population. In an effort to accommodate this growth, three new middle schools have been constructed in the past 12 years and Fayetteville High School is currently undergoing a major expansion and renovation. Conversely Woodland Junior High School and Ramey Junior High School, both serving 8th and 9th grades, were built in 1960 and 1966 respectively, and new plans for junior high facilities have not surfaced in recent years.

The current school district forecasts for student growth do not point toward the need for any new buildings within the next 9 years. However, a continuation of Fayetteville's population growth to over 110,000 people in the next 20 years according to the Northwest Arkansas Regional Planning Commission, would indicate the need for a new Junior High School before 2030. With much of this growth projected for the west side of Fayetteville, locating a future Junior High School within the Wedington Corridor seems reasonable.



COMMUNITY CENTER

During the Wedington Corridor charrette, one of the stronger messages that citizens articulated was the desire for a community space for an expanded set of users. This space was envisioned to be flexible for a wide variety of uses such as a community meeting space, a senior center, community programs, branch library and athletic activities. While citizens acknowledged some overlap of these potential uses with the adjacent Boys and Girls Club, which is a membership organization, they envisioned a building that was open without charge to the public. Capital and operations funding would need to be developed to make a community space viable.



FARMERS' MARKET

Multiple groups during the hands-on design workshop expressed strong support for a space that could be utilized as a farmers market and for other similar outdoor events. Existing farmers' markets located on the Downtown Square and at the Botanical Gardens are very popular with Fayetteville residents. Strong community support for these markets helped the Fayetteville Farmers Market win the 2012 American Farmland Trust's – Favorite Large Farmers' Market Award.



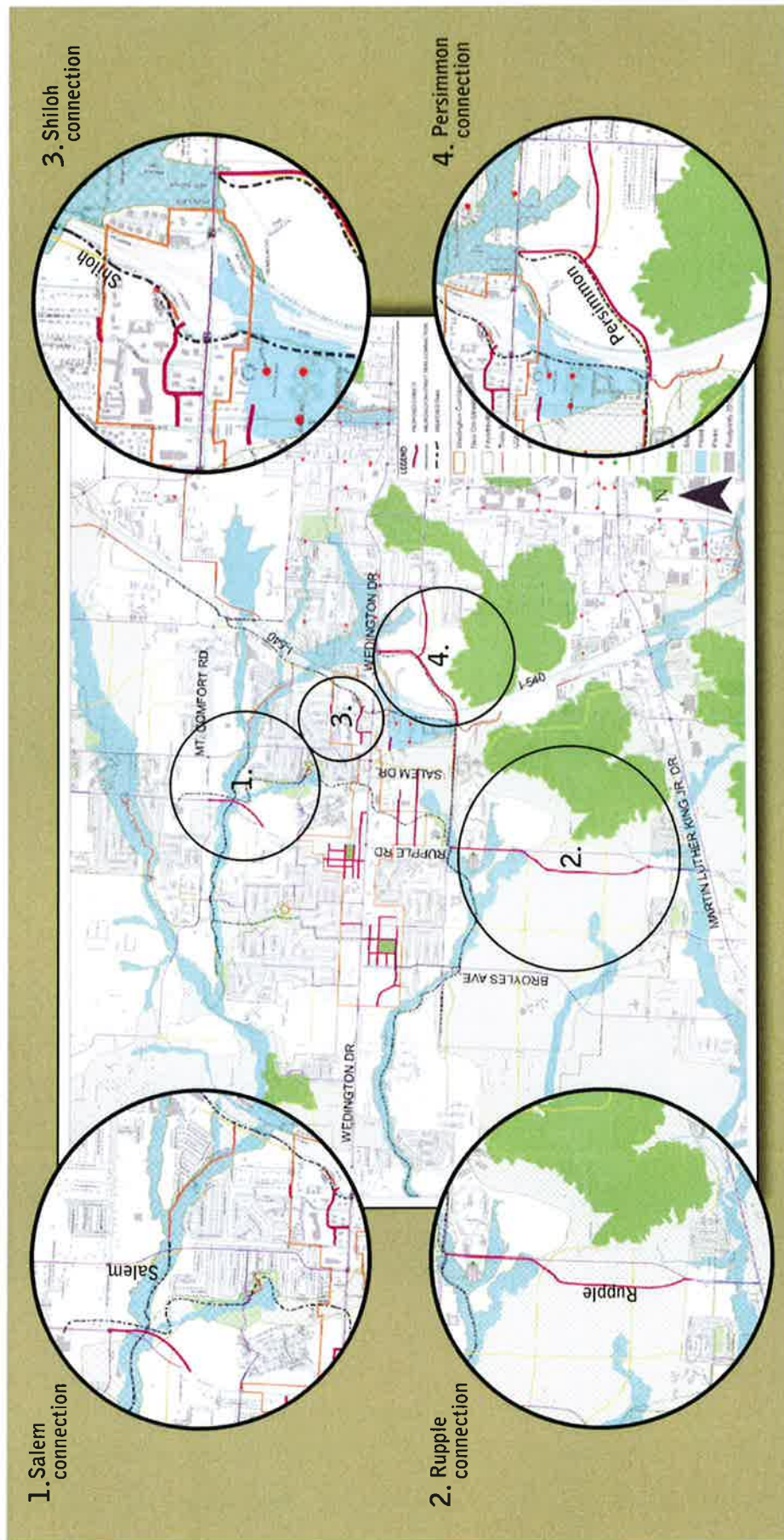
Some communities with vibrant farmers' markets are now supporting the concept of having smaller neighborhood scale farmers' markets that compliment the larger markets by adding convenience. These markets tend to have reduced number of vendors and are scheduled on days that do not conflict with larger centrally located markets, often on weekday afternoon/evenings. Centrally locating this market near a walkable retail district could help anchor the heart of the Wedington neighborhood.

FUTURE STREET NETWORK COMPONENTS

City Plan 2030 goal six states that "We will grow a livable transportation network." One of the tools that the City utilizes to implement this goal is the adoption of a Master Transportation Plan. One component of this is the Master Street Plan map, on which the City identifies future collector and arterial street connections: These streets are the larger functional classification roadways that have higher traffic volumes. The alignments shown on the map are approximate and may change slightly due to physical constraints in the field. Typically, these streets are constructed through a combination of public and private means such as City bond issues and construction cost share agreements with the approval of development projects. The network of local and residential streets is regulated through the City's street connectivity ordinance that guides alignment and intersection spacing of these smaller streets.

In the Wedington Corridor analysis the design team focused on four important street extensions shown on the Master Street Plan in the Wedington corridor area: Salem Road, Shiloh Drive, Persimmon St. and Ruppel Road. All of these connections are vital for future growth to occur in this area because the carrying capacity of Wedington Drive across I-540 is inherently limited even with future interchange improvements.

It is important to note that the connection between land use and streets is inseparable and complementary, with land use typically instructing the street function and design. A useful efficiency or sustainability metric for a street network, or individual street segment, is density or intensity of land use per linear foot of street. A lower ratio of linear street frontage per dwelling unit or square feet of commercial use is more efficient. Therefore, the efficient use of land is important for sustainable city services and future maintenance needs. Development projects that are proposed far out on the western fringe of the City will actually diminish the possibility of creating a complete neighborhood in the Wedington Corridor Plan area by siphoning off this future growth and reducing the overall development capacity of the area nearest to the City center.



TRAFFIC MODEL FROM NWARPC

As a part of this project the design team examined the future collector and arterial streets shown on the City's Master Street Plan for their impacts on traffic congestion at the Wedington Drive and I-540 interchange. This included the extension of Persimmon St. over I-540, the extension of Ruppel Road south to Highway 62/MLK, the extension of Salem Drive north to Mt. Comfort Road and the extension of Shiloh Drive north to Porter Road.

The Northwest Arkansas Regional Planning Commission (NWARPC) maintains a Travel Demand Model for macro-level analysis of automobile traffic in Benton and Washington Counties. Streets that are proposed on the Wedington Corridor Transportation Connection Map can be inserted into this model to determine their impact on existing and projected traffic patterns. The design team requested that NWARPC model results for the future streets classified as Collector and Arterial. The model predicted the following:

- Connecting Ruppel Road South to Hwy 62 would accommodate 5200 vehicles per day
- A new bridge across I-540 along Persimmon would accommodate 7900 vehicles per day and divert 2000 vehicles per day from the Wedington Bridge over I-540

All models are predictive by nature and the results are determined, in part, by the baseline assumptions that form the model's framework. The design team holds the opinion that the NWARPC's traffic model is very instructive for modeling the traffic pattern changes for street extensions in relation to the current built environment and for answering questions such as how many cars would travel this newly extended street if it was completed and opened tomorrow.

These types of transportation models are less accurate for modeling multiple future street connections if assumptions on future growth are based upon extrapolating past development and density patterns. The vast amount of data needed to run such a model can skew the final result significantly. For example, if the population growth projections are off significantly or other data inputs are inadequate the model may produce an incomplete or inaccurate projection. These challenges must be kept in mind when analyzing model results that combine street connectivity and future growth scenarios.

IV. IMPLEMENTATION

This planning document serves as a vision statement of what the Wedington Corridor could eventually become. The achievement of this vision is dependent on developing a comprehensive strategy and timeline for implementing changes or improvements that the City can initiate. However, many of the concepts developed in the plan and shown on the illustrative build out plan are not directly controlled or directed by the City. For instance, highway improvements are ultimately determined by the AHTD and school locations and expansions are decided by the Fayetteville School District. However, the ability of the City to regulate and control development patterns creates numerous opportunities to direct growth and development towards achieving the four guiding principles of this plan. This is achieved by developing specific implementation action steps and timelines. These steps are separated into near term (0-5 years) and long term (5-20 years). The near term steps are primarily regulatory changes and planned or funded infrastructure improvements. The long term implementation steps will require capital investment and are largely focused on transforming the existing Wedington Drive from a five lane arterial roadway into a grand boulevard. Ultimately, the success of this plan is dependent upon the implementation of the following initiatives:

SHORT TERM STEPS:

1. WEDINGTON SPEED STUDY

The posted speed limit along Wedington Drive west of I-540 is predominately 45 mph. During the Wedington Corridor charrette many participants suggested that the posted speed limit within the corridor was too high for this area and intuitively deduced that high speed limits lead to accidents that are more severe. Also noted was that the high speed of traffic is detrimental to the safety and welfare of pedestrians and cyclists.



The Arkansas Highway and Transportation Department (AHTD) requires that a speed study be conducted in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) in order to adjust the posted speed limits on State highways. Guidance in the MUTCD suggests that the posted speed be set to within 5 mph of the speed at which 85% of the free flowing traffic in the study area is traveling. The manual further suggests that other subjective factors such as road characteristics, roadside development, pedestrian activity and the number of accidents may be considered when determining the posted speed. The City should conduct a speed study of this area to see if a speed reduction is possible. Then the City may elect to request that AHTD conduct a speed study along Wedington Drive in order to make a change in posted speed limit signage. If the speed study supports the existing posted speed limits, 45 mph, then the City should pursue physical design changes to the roadway, in conjunction with AHTD to encourage lower traffic speeds.

2. NEW I-540 INTERCHANGE

The Arkansas Highway and Transportation Department (AHTD) is planning to start construction on a new interchange at Wedington and I-540 by late 2014. This work will likely involve construction of a new bridge over I-540 along with changes to the existing freeway on and off ramps.

Preliminary AHTD conceptual plans for this interchange include additional lanes along Wedington Drive, elimination of one traffic signal on the east side of I-540, increased spacing of the traffic signals on the west side of I-540, and the addition of a two-lane free right turn "jug handle" on-ramp for west-bound Wedington traffic to enter north-bound I-540. AHTD is conducting traffic models for this preliminary intersection concept and have agreed to also model the proposed round-a-bout shown in the Wedington Corridor Illustrative Master Plan. Ultimately, the modeling results will determine the viability of the round-a-bout envisioned for the west side of the I-540 and Wedington interchange. Regardless of the infrastructure improvements that are ultimately selected, it is imperative that the City work with AHTD to make sure that these improvements are in line with the City Plan 2030 goal of "growing a livable transportation network" that accommodates all users.



AHTD's recognition of the mapped on-street bicycle linkage shown on the Fayetteville Alternative Trails and Transportation (FATT) Plan along Wedington Drive over I-540 would normally facilitate the inclusion of bicycle lanes in addition to automatic pedestrian sidewalks on the new bridge. However the likely free right turn associated with the new two-lane "jug handle" I-540 on-ramp on the south side of the bridge makes safe sidewalks and bicycle lanes on the south side of the bridge very impractical. Instead a combined bicycle/pedestrian sidepath on the north side of the bridge (as shown on the illustrative master plan) would provide safe connections across I-540 for non-motorized users. City staff will continue to work with AHTD to incorporate safe and effective pedestrian and bicycle facilities on the new bridge.

3. PROPOSE ZONING CHANGES FOR THE CORE OF THE NEIGHBORHOOD AT THE INTERSECTION OF WEDINGTON DRIVE AND RUPPLE ROAD

City Plan 2030 goal number three calls for “making traditional town form the standard.” Traditional town form is identified by an urban development pattern that prioritizes an interconnected street network with buildings that are placed near the street and parking located to the side or preferably the rear of the site. Currently, the Wedington Corridor is primarily zoned utilizing suburban commercial, office and multi-family zoning districts. These zoning districts prescribe the existing suburban development pattern seen today along the corridor and it has created unintended consequences that should not be repeated going forward if the goal is to create a walkable urban core in this area.

At the charrette the public overwhelmingly expressed a desire to see a walkable urban center develop at the intersection of Wedington Drive and Ruppel Road. At this time, a number of sizable parcels of land are undeveloped northwest of this intersection. The illustrative plan envisions this area as a complete, compact and connected neighborhood with civic, residential and commercial uses. The utilization of the City’s form based zoning districts will be essential to ensure that the development pattern prescribed here is walkable and urban. Form based zoning districts are also much more flexible in allowing for a variety of residential and commercial densities and intensities. This encourages a diverse mixture of building types, scales and uses that are not separated from each other but instead are co-mingled to create a unified, sustainable and cohesive whole.



4. AMEND THE FAYETTEVILLE ALTERNATIVE TRAILS AND TRANSPORTATION PLAN AND THE ENDURING GREEN NETWORK TO RECOGNIZE THE ILLUSTRATED TRAIL CROSSING OF WEDINGTON DRIVE

City Plan 2030 goal number five states that the City will “assemble an enduring green network.” The Fayetteville Alternative Transportation and Trails Master Plan (FATT Plan) plays an integral role in achieving this goal because it is the most prevalent and useful tool for preserving linkages between nodes such as parks in the overall Enduring Green Network (EGN).

The FATT Plan, which consists of a guiding document and a map showing the existing and future trail and on-street bicycle alignments, is updated on a five year basis and is utilized by staff and elected officials to prioritize short, medium and long term trail expansion projects and on-street bicycle linkages. The FATT plan, by design, mirrors in many ways the EGN, both uniting green infrastructure with active transportation routes.

The EGN currently is shown intersecting Wedington Drive between Timberland Ln. and Salem Road. Unfortunately, this area has approved development plans that include the existing Walmart Neighborhood Market and a number of commercially developable out-lots making a trail connection within a greenway unlikely. The design team recommends moving the EGN to the west at the intersection of Wedington Drive and Golf Club Drive. This is a natural location for a trail to cross Wedington Drive and link the Hamestrung and Owl Creek watersheds.



The FATT plan is due for an update in 2015. Staff proposes an update of the FATT plan document that was first adopted in 2001 and amending the FATT plan and EGN maps to include the trail and open spaces illustrated in the Wedington Corridor Plan.

5. PRIORITIZE PARKLAND DEDICATION ACREAGES AND FUNDS THAT ARE COLLECTED IN THESE QUADRANTS TO ACQUIRE THE PARKLANDS ILLUSTRATED IN THE WEDINGTON CORRIDOR PLAN

When residential development occurs in the City, a portion of land or money in lieu is collected for the acquisition and/or development of parklands. Currently, the formula is 0.23 acres for each single family residential unit and .014 acres per multi-family residential unit. At the time of development, Parks staff makes a recommendation to the Parks and Recreation Advisory Board on whether a land dedication or money in-lieu is more appropriate given the existing facilities in the area and other criteria as adopted by the Parks and Recreation Board. The money in-lieu option allows developers to pay a one time fee of \$920 for a single family home or \$560 for a multi-family unit. This is based upon a land value estimate in 2012 of \$40,000 per acre. The money collected is saved in escrow for subsequent acquisition and/or development of parkland within the quadrant that the development occurred. These funds are utilized to create larger neighborhood oriented parks that benefit a broader area than a single residential subdivision.

In the Wedington Illustrative Plan the design team identified potential locations for two new parks. The first is a central square space that is envisioned for a new development that would occur directly northwest of the intersection of Ruppel Road and Wedington Drive. This small park could serve as a central green for a complete, compact and connected development node in this location. The park illustrated here is approximately 2 acres and would require a land match equal to 83 single family homes or 224 multi-family units or the approximate equivalent of \$80,000. The second park is shown between 46th St. and Broyles Ave. and is approximately 3.8 acres and would require a land match of 158 single family homes or 224 multi-family units or the approximate equivalent of \$152,000.



As the Wedington corridor continues to develop the City's Parks and Recreation staff should identify suitable locations that would serve the identified needs and goals of the plan for future strategic or financial planning processes. A combination of funding or land dedication from multiple public and private sources will likely be needed in order to realize the parkland illustrated in the Wedington Corridor Plan.

6. DEVELOP A CONSERVATION DEVELOPMENT DESIGN PROCESS FOR NEIGHBORHOODS IN ENVIRONMENTALLY SENSITIVE OR RURAL AREAS

The Wedington corridor area of influence contains a lot of undeveloped and rural lands held in large parcels. These lands will be increasingly pressured to be developed into low density residential uses. Unfortunately, this type of residential subdivision development typically happens in a leap frog fashion that is determined by market forces. The resulting haphazard development pattern is not well thought out and is unsustainable given the vast amount of resources required to construct and maintain it. The outcome is development that does not pay for itself given the City's investment in services, maintenance and infrastructure such as streets, water and sewer lines, fire and police services, etc. in perpetuity. Therefore, it is incumbent upon appointed and elected officials to adhere to the City Plan goals of discouraging suburban sprawl and prioritizing appropriate infill and revitalization.

A conservation design for neighborhood development is an appropriate tool to utilize for areas of the City that are designated as Enduring Green Network and possibly for tracts of rural lands on the City's fringe. City staff should research the possibility of a conservation development ordinance, which would include a process for identifying appropriate lands and the creation of efficient and equitable conservation development guidelines.



7. DEVELOP AN ACCESS MANAGEMENT PLAN FOR WEDINGTON DRIVE

City Plan 2030 calls for growing a “livable transportation network” that is safe and efficient for all users. An integral component of a livable transportation network is the ability to control the access onto arterial and collector roadways in order to maintain their through traffic capacity while making it safe and accessible for pedestrians and bicyclists. This can be accomplished through the development of an access management plan for major roadways.

An access management plan is used to regulate intersections, driveways and median openings to a roadway. The objective is to allow access to land uses while maintaining roadway safety and mobility. In order to implement the boulevard cross-sections shown in the illustrative plan, an access management plan will be necessary and must be agreed upon by the City of Fayetteville and the Arkansas Highway and Transportation Department (AHTD). This should occur prior to the design phase of any proposed roadway improvements.

The general design framework provided in the access management plan will address the efficient spacing of local, collector and arterial street intersections. Driveway locations and access to parcels fronting Wedington Drive should be minimized with access to intersecting side and parallel streets required. The implementation of a landscaped median will require a thorough analysis of the existing and future intersections, left turn lanes and parallel slip lanes. Special consideration should be paid to pedestrian and bicycle comfort and safety especially at intersections and mid-block crossings.

The timing of creating an access management plan will depend on the AHTD and the City’s priorities for this project. At a minimum a near-term partial analysis will be needed for the reconfiguration of the Wedington Drive / I-540 interchange. Due to the large amount of undeveloped land that exists along the corridor, the sooner an access management plan happens the better. Ultimately, the access restrictions to Wedington Drive imposed upon these undeveloped lands will positively influence the site designs and street networks needed to serve these developments while preserving the throughput capacity of the roadway.



LONG TERM STEPS:

1. REDEVELOP AND RENAME WEDINGTON DRIVE AS WEDINGTON PARKWAY

Public input during the charrette repeatedly recommended that the five lane cross section of Wedington Drive should be redesigned as a boulevard cross section. The design team followed through with this suggestion when developing the illustrative plan and developed a design that is flexible enough to endure changes as existing or future conditions warrant. The Wedington Parkway design envisioned in the illustrative plan is in line with City Plan 2030 goal number three of “growing a livable transportation network.”

The most important aspect of completing the vision of a redesigned Wedington Parkway is to secure Arkansas Highway and Transportation Department (AHTD) approval and to find the necessary funding. Previously, the AHTD has partnered with Fayetteville and other cities to transform portions of State Highways into more attractive, safe and efficient roadways through the development of access management plans. Local examples include Garland Avenue (Highway 112) and Crossover Road (Highway 265) in Fayetteville. A similar approach is needed to correct some of the issues noted along Wedington Drive that have been mentioned previously in this plan.

To this end, it is imperative that the City work with AHTD to develop an I-540 interchange design that is safe and efficient for all users. This will most likely be accomplished in the next 5 years, but the relatively recent widening improvements to Wedington Drive will likely push additional roadway improvements to the corridor west of I-540 to a second phase.

The City could potentially fund improvements and the reconstruction of this roadway through a street bond issue, the City’s Capital Improvement Project (CIP) funds, AHTD or Federal monies or a combination of any of the above. Due to the accelerated growth in this area, preparations and access management planning should start in the near term with the final completion of this project happening in a 5-20 year timeline. At the completion of this project the roadway should be renamed Wedington Boulevard or Parkway.



V. CONCLUSION

The Wedington Corridor plan document and illustrative map provide a vision and a framework for transforming and taming an arterial roadway and interstate interchange while creating a more livable neighborhood that is complete and connected. This vision is based on input expressed by the community that resulted in the creation of four main guiding principles: redefining Wedington Drive as Wedington Parkway; creating the heart of the neighborhood at Wedington Drive and Ruppel Road; supporting an active transportation network; and designating a greenway to connect the Hamestring and Owl Creek watersheds.

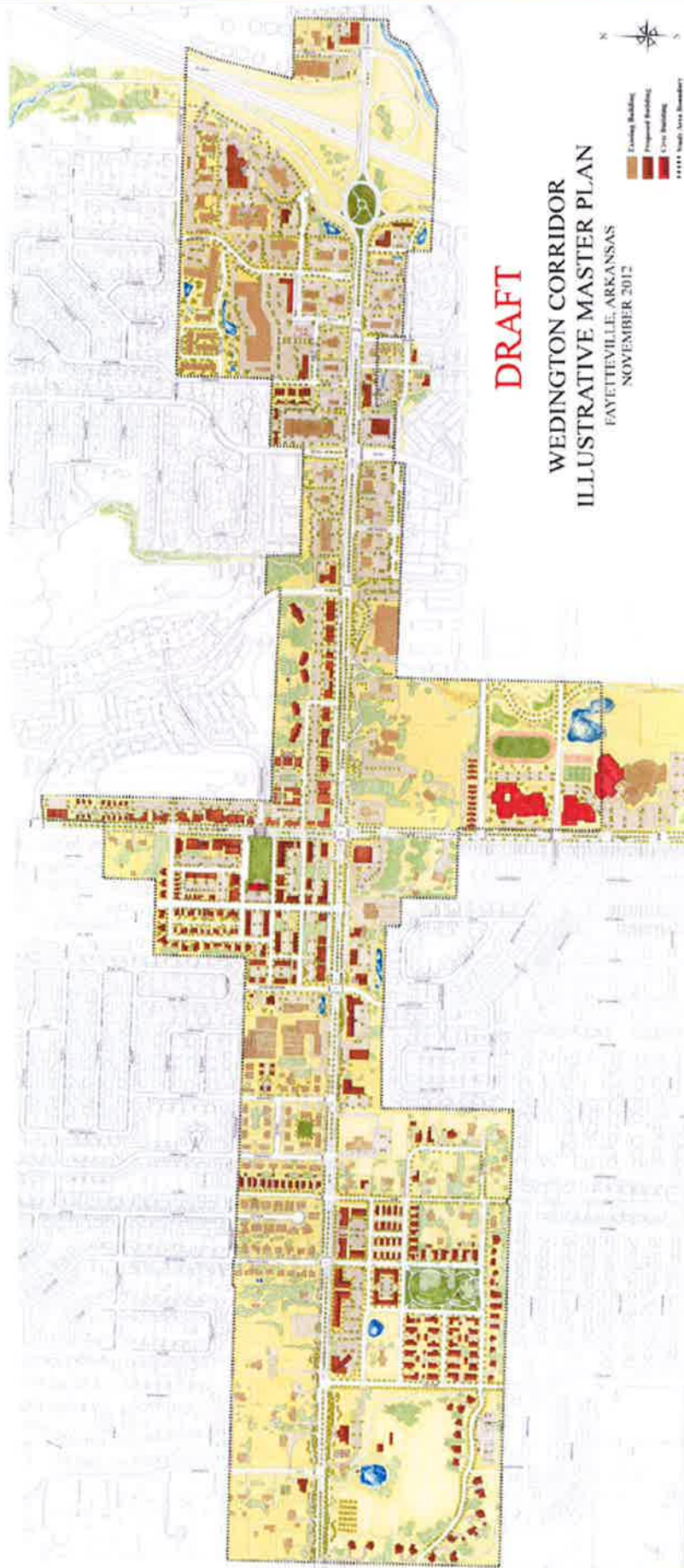
The vision document provides a timeline for developing policies and programs. Wedington Drive has the potential to be transformed from a five lane arterial roadway, with all of its attendant problems such as high speed, congestion and dangerous curb cuts, into a beautiful slow speed multi-modal boulevard. The changes proposed for this street cross-section are envisioned to transform the pattern of development from a suburban development model with large front setbacks and conspicuous parking to an urban development pattern with buildings set at the street edge with side or rear parking. This urban pattern is crucial to creating the "heart" of the neighborhood at Wedington Dr. and Ruppel Rd. as shown in the illustrative plan. The inclusion and promotion of active and public transportation is evident throughout the plan and is vital to fulfill the functionality of the urban design. Planned greenway connections provide for the preservation of important riparian areas, green spaces and viewsheds that are critical for creating an enduring green network that links people and commerce through the natural environment.

The implementation of the plan will require adherence to the four guiding principles and the cooperation of multiple sectors, public and private, over a period of years. The opportunities for this corridor to become a safe, inviting and well designed neighborhood are limitless and the incremental nature of the development process should not overshadow the long term success of realizing the vision of the Wedington Corridor Plan.



VI. APPENDICES

A: WEDINGTON CORRIDOR ILLUSTRATIVE MASTER PLAN



B: DOCUMENT REFERENCES

- City of Fayetteville, Arkansas History <http://www.fayettevillehistory.com/>
- City Plan 2030, Fayetteville http://www.accessfayetteville.org/government/planning/Master_Plan/index.cfm
- Downtown Master Plan, 2004, Fayetteville http://www.accessfayetteville.org/government/planning/Master_Plan/Downtown_Master_Plan.cfm
- Fayette Junction Master Plan, 2009, Fayetteville http://www.accessfayetteville.org/government/planning/Master_Plan/Fayette_Junction.cfm
- Jacobs, Allan B.; MacDonald, Elizabeth; Rofe, Yoden. *The Boulevard Book: History, Evolution, Design of Multiway Boulevards*. Boston: Massachusetts Institute of Technology, 2002.
- Shiloh Museum, Springdale, Arkansas. <http://www.shilohmuseum.org/>
- Smart Growth Network. *Getting to Smart Growth II: 100 More Policies for Implementation*. International City/County Management Association: <http://www.smartgrowth.org/pdf/gettosg2.pdf>
- US Department of Transportation: Federal Highway Administration. *Manual on Uniform Traffic Control Devices: Chapter 3C. Roundabout Markings* 2009 rev May 2012. <http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>
- Arkansas Department of Parks and Tourism. Places to Go. Lakes and Rivers. Lake Wedington. Retrieved August 30, 2012 from <http://www.arkansas.com/places-to-go/lakes-rivers/>
- Arkansas State Highway and Transportation Department. Historical Review - Volume Two Arkansas State Highway Commission and Arkansas State Highway and Transportation Department 1913 - 2003. April 2004.
- City of Fayetteville, Annexation Ordinances 1529, 1556, 2395, 2457, 2857, 3685, 4355, 4588
- Environmental Consulting Operations, Inc. website. Retrieved September 19, 2012 from <http://ecoarkansas.com/info/woolsey/history.html>
- Fayetteville History Website. Timeline. Retrieved August 30, 2012 from <http://fayettevillehistory.typepad.com/main/timeline/>
- Goodspeed Publishing Company. History of Benton, Washington, Carroll, Madison, Crawford, Franklin, and Sebastian Counties, Arkansas. The Goodspeed Publishing Company. Chicago. 1889.
- Marinoni, Paula, personal communication, September 5, 2012.
- Poole, Arlen Dee. Historic Washington County Arkansas Website. Retrieved August 30, 2012 from <http://www.historicwashingtoncounty.org/lakewedington.html>
- Poole, Hal, personal communication, September 10, 2012.
- RootsWeb website. Genealogy of Samuel Woolsey. Retrieved September 19, 2012 from http://freepages.genealogy.rootsweb.ancestry.com/~woolsey/resources/descends/woolgen/wlsamuelgilbert1791_1858.html
- Wappel, Tony, personal communication, August 30, 2012.
- Wood, Denny, personal communication, September 10, 2012.

C: WORK-IN-PROGRESS AND OPEN HOUSE SURVEYS

Do you think the plan is on the right track

YES – 89%

NO - 11%

Are there any elements of your vision for the future of the Wedington Corridor that we may have missed?

- Public transit and alternative transportation connection potential needs to be embraced by the “drivers”. Perhaps build it and they will come will cause a cultural change.
- Trolley system along Wedington Drive.
- Area needs an additional Fire Station
- A nice park and green space on Wedington that can be easily accessed by kids from both the north and the south side and maybe an elevated pedestrian crossing over Wedington that provides access. Since 20% of Fayetteville’s population lives here it seems like a large city pool/park/playground/skate ramps would be well used.
- Some elements of the illustrative plan may cause more flooding.
- Owl Creek area near the School could be made into a water park.
- Pedestrian bridges over Wedington instead of crosswalks.

AGENDA REQUEST

C. 1
Amend 33.108 Compensation
Page 1 of 6

FOR: COUNCIL MEETING OF MARCH 19, 2013

FROM:

**PAUL BECKER, FINANCE DIRECTOR and
KIT WILLIAMS, CITY ATTORNEY**

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

An Ordinance To Amend §33.108 **Compensation** Relating To The Planning Commissioners

APPROVED FOR AGENDA:

Paul A. Becker

Finance Director

3-6-2013

Date

Kit Williams

City Attorney

3-6-13

Date

03-06-13 POT:01 RCVD

Kim G.





Kit Williams
City Attorney

Jason B. Kelley
Assistant City Attorney

TO: Mayor Jordan
City Council

FROM: Kit Williams, City Attorney

A handwritten signature in blue ink, appearing to read 'Kit Williams', with a long horizontal line extending to the right.

DATE: March 6, 2013

RE: Planning Commissioner Compensation

Pursuant to the Resolution that the City Council passed unanimously on March 5, 2013, I have prepared an ordinance to amend the Fayetteville Code which had stated that the "members of the Planning Commission shall serve without compensation." To effectuate your Resolution, my proposed amendment would state that the Planning Commissioners shall be compensated at a monthly rate of \$375.00.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND §33.108 COMPENSATION RELATING TO THE PLANNING COMMISSIONERS AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, the Fayetteville City Council passed a Resolution on March 5, 2013 requesting that Planning Commissioners be compensated in the amount of \$375.00 monthly and requesting that the Administration prepare the necessary documents for this to be accomplished.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby amends §33.108 **Compensation** of the Fayetteville Code by repealing it and enacting a replacement §33.108 at follows:

“§33.108 Compensation

The members of the Planning Commission shall be compensated in the amount of \$375.00 for their service.”

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves the attached budget adjustment in order to pay this compensation.

PASSED and APPROVED this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

**City of Fayetteville, Arkansas
Budget Adjustment Form**

C. 1 V12.0724
Amend 33 108 Compensation
Page 4 of 6

Budget Year	Division: City Planning Department: Development Services	Request Date	Adjustment Number
2013		3/5/2013	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION

Pay for planning commissioners beginning in March, 2013.

Division Head Date 2-28-2013 Budget Director Date Department Director Date 3-6-2013 Finance Director Date Chief of Staff Date 3-6-13 Chief of Staff Date Mayor Date 3/7/13 Mayor Date	Prepared By: _____ <i>Fell, Barbara</i> Reference: _____ Budget & Research Use Only Type: A B C <u>D</u> E P General Ledger Date _____ Posted to General Ledger _____ Initial Date Checked / Verified _____ Initial Date
---	---

TOTAL BUDGET ADJUSTMENT

TOTAL BUDGET ADJUSTMENT		36,850	36,850	Project.Sub Number
		Increase / (Decrease)		
Account Name	Account Number	Expense	Revenue	
ADDSalaries and wages	1010.6305.5100.00	33,750	-	.
ADDFICA taxes	1010.6305.5105.00	3,100		.
Use of fund balance	1010.0001.4999.99		36,850	.
				.
				.

FAYETTEVILLE CODE OF ORDINANCES
TITLE III ADMINISTRATION

State law reference(s)--Municipal planning commissions generally, A.C.A., §15-56-401 et seq.

33.106 Composition

The Planning Commission ("commission") shall consist of nine members, all of who shall be citizens of Fayetteville, and at least two-thirds of whom shall not hold any municipal office or appointment. No two members of the commission ("commissioners") shall be related by blood or marriage in the third degree, nor shall any two commissioners have direct financial involvement. All commissioners must disclose annually all real estate holdings in Fayetteville and the Fayetteville planning area, and any business or financial interest which could affect, or be affected by, decisions of the commission. All commissioners shall have a demonstrated interest, experience, or expertise in land use planning.

(Code 1965, §2-81; Ord. No. 956, 9-12-49; Ord. No. 3872, §1, 2-21-95; Code 1991, §33.106)

State law reference(s)--Appointment of members, A.C.A. §14-56-405.

33.107 Terms Of Members

Each commissioner, unless appointed to fill an unexpired term, shall be appointed to serve a term of three years. Such terms shall be staggered, with three commissioners being appointed each year. All terms shall begin on April 1.

(Code 1965, §2-82; Ord. No. 1126, 3-25-57; Ord. No. 2404, 12-6-77; Ord. No. 3872, §1, 2-21-95; Code 1991, §33.107)

33.108 Compensation

The members of the Planning Commission shall serve without compensation.

(Code 1965, §2-83; Ord. No. 956, 9-12-49; Code 1991, §33.108; Ord. No. 4892, 06-20-06; Ord. 5295, 12-15-09)

State law reference(s)--Compensation of members, A.C.A. §15-56-409.

33.109 Powers And Duties

The Planning Commission shall have such powers and duties as are now or hereafter prescribed or granted by state statute.

(Code 1965, §2-84; Ord. No. 956, 9-12-49; Code 1991, §33.109)

State law reference(s)--Powers and duties of commission, A.C.A. §14-56-412.

33.110 Appointment Procedures

When vacancies on the Planning Commission occur because of resignation or term expiration, the city shall follow the following procedure:

(A) The Rules of Order and Procedure, Fayetteville City Council, Revised and Adopted March 4, 2003, Section H, Citizens committees, as may be amended from time to time, shall be incorporated and made a part hereof as if set forth word for word.

(B) The application form for appointment to city boards, commissions, and committees, as may be amended from time to time, is herein incorporated and made a part of this ordinance. Applicants shall describe their philosophy and approach to land use planning issues as they impact the City of Fayetteville.

(C) Applicants shall disclose all real estate holdings in Fayetteville and the Fayetteville planning area, and any business or financial interest which could affect, or be affected by, decisions of the Planning Commission.

(Ord. No. 3872, §2, 2-21-95; Code 1991, §33.110)

State law reference(s)--Appointment of members, A.C.A. §14-56-405.

33.111 Removal of Planning Commissioners

By a vote of two-thirds of the City Council, any Planning Commissioner may be removed from the office for cause. Cause shall include, but not be limited to, the following:

(A) Chronic discourteous behavior to other commissioners, staff, or members of the public.

(B) Ongoing lack of familiarity with staff-prepared material.

(C) Planning Commissioners must attend at least 60% of Agenda setting sessions and tours unless that commissioner is currently on the Subdivision Committee. If job requirements do not permit a member to attend agenda meetings or tours prior to 5:00 P.M., the meetings and tours will be scheduled for after normal working hours or such member shall be excused from the requirements of attending the agenda meetings and tours.

(D) Planning Commissioners shall serve on the Subdivision Committee for one-third of their

CD33:14

Current law

RESOLUTION NO. _____

**A RESOLUTION TO REQUEST THE ADMINISTRATION TO RESUME
PAYING MONTHLY COMPENSATION TO THE FAYETTEVILLE
PLANNING COMMISSIONERS**

WHEREAS, the Fayetteville Planning Commission has the most legal authority and impact upon the planning and development of the City of Fayetteville of any appointed city committee; and

WHEREAS, the Fayetteville Planning Commissioners meet twice a month for their agenda session and tours and twice a month for Planning Commission meetings, and serve on the subdivision committee and ad hoc planning committees; and

WHEREAS, the Planning Commission conducts public hearings to decide Conditional Use Permits, Large Scale Developments, Preliminary Plats, Variance requests and other Planning issues and to make recommendations to the City Council for Rezoning and Annexations; and

WHEREAS, because of their very important positions and the extreme demands on their time to properly perform their positions as Planning Commissioners, the City Council had previously determined they should be compensated at a monthly rate of \$375.00 which had to be ended when the Great Recession lowered the City's revenues in 2009; and

WHEREAS, the City revenues have now recovered enough to renew compensating the Planning Commissioners.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby requests that the Administration resume paying monthly compensation to the Planning Commissioners and bring whatever budget adjustment or other document which might be necessary to accomplish this to the City Council for its final decision.

PASSED and APPROVED this 5th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

City of Fayetteville Staff Review Form

C. 2
 VAC 12-4203 (Halsell
 Road Sewer Easements)
 Page 1 of 54

City Council Agenda Items
 and
 Contracts, Leases or Agreements

3/19/2013

City Council Meeting Date
 Agenda Items Only

Quin Thompson
 Submitted By

Planning
 Division

Development Services
 Department

Action Required:

VAC 12-4203: Vacation (HALSELL ROAD SEWER EASEMENTS, 482): Submitted by PLANNING STAFF for properties located on HALSELL ROAD, OLIVER AVENUE AND MAPLE STREET. All properties are zoned RSF-4, Residential Single-family, 4 units per acre. The request is to vacate several existing "blanket" easements in the neighborhood.

Cost of this request

\$

Category / Project Budget

Program Category / Project Name

Account Number

\$

Funds Used to Date

Program / Project Category Name

Project Number

\$

Remaining Balance

Fund Name

Budgeted Item ☐Budget Adjustment Attached ☐

Quin Thompson
 Department Director

03-01-2013
 Date

Previous Ordinance or Resolution #

Quin Thompson
 City Attorney

3-1-13
 Date

Original Contract Date:

Original Contract Number:

Paula A. Bahr
 Finance and Internal Services Director

3-1-2013
 Date

Received in City
 Clerk's Office

03-01-13 A10:57 RCVD

Jim Mann
 Chief of Staff

3-1-13
 Date

Received in
 Mayor's Office

Lowell Jordan
 Mayor

3/4/13
 Date

Comments:

CC: Jesse Fulcher

CITY COUNCIL AGENDA MEMO

To: Mayor Jordan, City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director X

From: Jesse Fulcher, Current Planner

Date: February 13, 2013

Subject: VAC 12-4203 (Halsell Road Sewer Easements)

RECOMMENDATION

The Planning Commission and staff recommend approval of an ordinance to vacate several "blanket" easements along Halsell Road, Oliver Avenue and Maple Street.

BACKGROUND

The subject properties are located on Halsell Road, Oliver Avenue and Maple Street. There are a total of 11 separate parcels that are impacted by "blanket" water and sewer easements that were obtained by the City of Fayetteville in the 1950's. The Utilities Department for the City of Fayetteville has reviewed the matter and determined that the blanket easements can be replaced with a standard 20 foot easement centered on the existing sewer line.

The City of Fayetteville, on behalf of multiple property owners, is requesting to vacate the existing blanket easements shown on the attached maps and replace them with a standard 20 foot utility easement.

Because the subject easement is only for water and sewer use, staff did not contact representatives from other utility providers. All adjacent property owners were notified of the vacation, pursuant to State law and City ordinance.

Each of the impacted property owners were required to sign and return application forms agreeing to the vacation. Staff sent two separate letters to the owners; however, only seven (7) owners responded. The remaining blanket easements will remain in place unless signed authorization is received before the vacation is reviewed by the City Council on March 19, 2013. The remaining property owners may apply for a vacation at any time in the future.

DISCUSSION

On February 25, 2013 the Planning Commission forwarded this item to the City Council with a recommendation of approval with a vote of 9-0-0.

BUDGET IMPACT

None.

ORDINANCE NO.

AN ORDINANCE APPROVING VAC 12-4203 SUBMITTED
BY THE CITY OF FAYETTEVILLE FOR SEVERAL
BLANKET EASEMENTS ALONG HALSELL ROAD, MAPLE
STREET AND OLIVER AVENUE.

WHEREAS, the City Council has the authority under A.C.A. § 14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes; and

WHEREAS, the City Council has determined that the following described portion of the platted utility easements are not required for corporate purposes;

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby vacates and abandons the following described utility easements in Exhibit B (attached).

Section 2: That a copy of this Ordinance duly certified by the City Clerk along with the map attached and labeled Exhibit A shall be filed in the office of the Recorder of the County and recorded in the Deed Records of the County.

Section 3: That this vacation approval is subject to the following Conditions of Approval and shall not be in effect until the condition is met.

1. The vacation shall not be valid until a 20 foot water and sewer easement has been dedicated by the property owner. Each property owner is responsible for completing this task independently.

PASSED and APPROVED this day of , 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

EXHIBIT "A"



EXHIBIT "B"
VAC 12-4203

765-14493-000

420 N. OLIVER AVENUE (EARL ALLEN)

BOOK 489 PAGE 15

PART OF THE NW/4 NE/4 SEC. 17-16N-30W, DESCRIBED AS BEGINNING AT A POINT 209 FEET WEST AND 416.5 FEET SOUTH OF THE NE/C OF SAID 40-ACRE TRACT, RUNNING THENCE SOUTH 153.5; THENCE WEST 190 FEET; THENCE 153.5 NORTH; THENCE EAST 190 FEET TO THE PLACE OF BEGINNING.

765-14501-000

1623 W. MAPLE STREET (JACQUELINE WILLIAMS)

BOOK 489 PAGE 16

PART OF THE NW/4 NW/4 NE/4 SEC. 17-16N-30W, DESCRIBED AS BEGINNING AT A POINT WHICH IS 296 FEET EAST OF THE NW/C OF SAID 10-ACRE TRACT AND RUNNING THENCE SOUTH 330 FEET; THENCE EAST 100 FEET; THENCE NORTH 330 FEET; THENCE WEST 100 FEET TO THE PLACE OF BEGINNING, CONTAINING .76 ACRES MORE OR LESS.

765-14472-000

410 N. OLIVER AVENUE (JOHN LATOUR)

BOOK 489 PAGE 17

PART OF THE NW/4 NE/4 SEC. 17-16N-30W, DESC. AS BEGINNING AT A POINT WHICH IS 209 FEET WEST AND 570 FEET SOUTH OF THE NE/C OF SAID 40 ACRE TRACT, AND RUNNING THENCE SOUTH 90 FEET; THENCE WEST 190 FEET; THENCE NORTH 90 FEET; THENCE EAST 190 FEET TO THE PLACE OF BEGINNING.

EXHIBIT "B"
VAC 12-4203

765-14505-000

1641 W. HALSELL ROAD (WILLIAM ORTON)

BOOK 489 PAGE 18

COMMENCING AT A POINT WHICH IS 264 FEET EAST AND 330 FEET NORTH OF THE SW/C OF THE NW/4 NE/4 SEC. 17-16N-30W, THENCE RUNNING NORTH 330 FEET; THEN WEST 264 FEET; THENCE SOUTH 330 FEET; THENCE EAST 264 FEET TO THE PLACE OF BEGINNING, EXCEPT A ROAD OR STREET ON THE NORTHERN SIDE, CONTAINING 2 ACRES, MORE OR LESS.

765-14504-000

1663 W. HALSELL ROAD (LISA ORTON)

BOOK 489 PAGE 18

COMMENCING AT A POINT WHICH IS 264 FEET EAST AND 330 FEET NORTH OF THE SW/C OF THE NW/4 NE/4 SEC. 17-16N-30W, THENCE RUNNING NORTH 330 FEET; THEN WEST 264 FEET; THENCE SOUTH 330 FEET; THENCE EAST 264 FEET TO THE PLACE OF BEGINNING, EXCEPT A ROAD OR STREET ON THE NORTHERN SIDE, CONTAINING 2 ACRES, MORE OR LESS.

765-14490-000

1647 W. MAPLE STREET (LARRY & JUDITH LANINGHAM)

BOOK 489 PAGE 20

PART OF THE NW/4 NE/4 SEC. 17-16N-30W, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 196 FEET EAST OF THE NW/C OF SAID 40 ACRE TRACT, AND RUNNING THENCE EAST 100 FEET; THENCE SOUTH 330 FEET; THENCE WEST 100 FEET; THENCE NORTH 330 FEET TO THE PLACE OF BEGINNING, CONTAINING .76 OF AN ACRE.

EXHIBIT "B"
VAC 12-4203

765-14494-000

426 OLIVER AVENUE (SEAN & KIMBERLY VOLLENDORF)

BOOK 489 PAGE 21

PART OF THE NW/4 NE/4 SEC. 17-16N-30W DESCRIBED AS FOLLOWS; BEGINNING 209 FEET WEST AND 316.5 FEET SOUTH OF NE/C OF SAID 40-ACRE TRACT, THENCE RUNNING SOUTH 100 FEET; THENCE WEST 190 FEET; THENCE NORTH 100 FEET; THENCE EAST 190 FEET TO PLACE OF BEGINNING.

765-14486-000

1660 W. MARKHAM ROAD (ROGER & KATHRYN WIDDER)

BOOK 489 PAGE 22

PART OF THE NW/4 NE/4 SEC. 17-16N-30W DESCRIBED AS FOLLOWS: BEGINNING 20 FEET EAST OF SW/C OF SAID 40-ACRE TRACT, THENCE RUNNING EAST 90 FEET; THENCE NORTH 330 FEET; THENCE WEST 110 FEET; THENCE SOUTH 210 FEET; THENCE EAST 20 FEET; THENCE SOUTH 120 FEET TO THE PLACE OF BEGINNING.

765-14482-000 (1666 W. HALSELL ROAD)

765-14482-001 (UNDEVELOPED)

765-14480-000 (1624 W. HALSELL ROAD)

BOOK 489 PAGE 24

PART OF THE NW/4 NE/4 SEC. 17-16N-30W, DESCRIBED AS BEGINNING AT A POINT WHICH IS 330 FEET SOUTH OF NW/C OF SAID 40-ACRE TRACT, AND RUNNING THENCE EAST 396 FEET; THENCE SOUTH 300 FEET; THENCE WEST 396 FEET; THENCE NORTH 330 FEET TO THE POINT OF BEGINNING, CONTAINING 2.98 ACRES, MORE OR LESS.



PC Meeting of February 25, 2013

THE CITY OF FAYETTEVILLE, ARKANSAS

125 W. Mountain St.
Fayetteville, AR 72701
Telephone: (479) 575-8267

PLANNING DIVISION CORRESPONDENCE

TO: Fayetteville Planning Commission
FROM: Jesse Fulcher, Current Planner
THRU: Jeremy Pate, Development Services Director
DATE: ~~February 20, 2013~~ Updated February 28, 2013

VAC 12-4203: Vacation (HALSELL ROAD SEWER EASEMENTS, 482): Submitted by PLANNING STAFF for properties located on HALSELL ROAD, OLIVER AVENUE AND MAPLE STREET. All properties are zoned RSF-4, Residential Single-family, 4 units per acre. The request is to vacate several existing "blanket" easements in the neighborhood. Planner: Jesse Fulcher

Findings:

Property Description and Background: The subject properties are located on Halsell Road, Oliver Avenue and Maple Street. There are a total of 11 separate parcels that are impacted by "blanket" water and sewer easements that were obtained by the City of Fayetteville in the 1950's. The Utilities Department for the City of Fayetteville has reviewed the matter and determined that the blanket easements can be replaced with a standard 20 foot easement centered on the existing sewer line.

Request: The City of Fayetteville, on behalf of multiple property owners, is requesting to vacate the existing blanket easements shown on the attached maps and replace them with a standard 20 foot utility easement.

Notification: Because the subject easement is only for water and sewer use, staff did not contact representatives from other utility providers. All adjacent property owners were notified of the vacation, pursuant to State law and City ordinance.

Each of the impacted property owners were required to sign and return application forms agreeing to the vacation. Staff sent two separate letters to the owners; however, only seven (7) owners responded. The remaining blanket easements will remain in place unless signed authorization is received before the vacation is reviewed by the City Council on March 19, 2013. The remaining property owners may apply for a vacation at any time in the future.

CITY OF FAYETTEVILLE:

RESPONSE

Water/Sewer

No Objection. A 20 foot easement shall be dedicated over the existing utility lines.

Public Comment: Staff has spoken with many of the property owner and neighbors in this area. No one has objected to the vacation.

Recommendation: Staff recommends forwarding **VAC 12-4203** to the City Council with a recommendation for approval subject to the following condition:

1. A new 20 foot water and sewer shall be dedicated to the City of Fayetteville before this approval is valid.

CITY COUNCIL ACTION: Required

PLANNING COMMISSION ACTION: Required

Planning Commission Action: ☒ Forwarded ☐ Denied ☐ Tabled

Date: February 25, 2013

Motion: Cook

Second: Hoskins

Vote: 9-0-0

Notes: _____

UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND UTILITY EASEMENT VACATIONS

DATE: 02/20/2013

UTILITY COMPANY: City of Fayetteville WVS

APPLICANT NAME: _____ APPLICANT PHONE: _____

REQUESTED VACATION (*applicant must check all that apply*):

Utility Easement

Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.

Alley

Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address (referring to attached document- must be completed**)

**

(ATTACH legal description and graphic representation of what is being vacated-SURVEY)

UTILITY COMPANY COMMENTS:

No objections to the vacation(s) described above.

☒ No objections to the vacation(s) described above, provided following described easements are retained.
(State the location, dimensions, and purpose below.)

Retain 20' Easement centered on water or sewer lines as
currently installed

No objections provided the following conditions are met:

M. Jones
Signature of Utility Company Representative

Utilities Engineer
Title

Right-of-Way, Easement or Alley VACATION

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

~~FEE:~~ \$200.00~~Sign Fee:~~ \$5.00

S-T-R:

PPH:

Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:Indicate one contact person for this request: ☒ Applicant ☐ Representative**Applicant (person making request):****Representative (engineer, surveyor, realtor, etc.):**

Name: City of Fayetteville (Jesse Fulcher)

Name: _____

Address: 125 W. Mountain Street

Address: _____

Phone: (479) 575-8267

Phone: () _____

Email: jfulcher@ci.fayetteville.ar.us

Email: _____

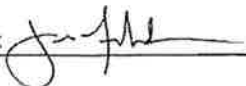
Fax: (479) 575-8202

Fax: () _____

Site Address / Location: 1647 & 1623 Maple; 426, 420 & 410 Oliver; 1641, 1663, 1624 & 1666 Halsell; 1660 Markham

Legal description of area to be vacated (attach separate sheet if necessary): See attachedCurrent Zoning District: RSF-4Assessors Parcel Number(s) for subject property: 765-14493-000, 765-14501-000, 765-14472-000, 765-14505-000, 765-14529-000, 765-14490-000, 765-14494-000, 765-14486-000, 765-14482-000, 765-14482-001, 765-14480-000

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Jesse Fulcher Date: 11/13/12Signature: 

August 2012

Page 1

February 25, 2013
Planning Commission
VAC 12-4203 Halsell Road
Agenda Item 2
Page 4 of 48

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Owners (attach additional info if necessary):

Name (printed): SEAN VOLLENDORF

Signature: [Signature]

Date: 1-6-2013

Address: 426 N. OLIVER AVE
FAYETTEVILLE AR 72701

Phone: (479) 283-9694

Name (printed): KIM VOLLENDORF

Signature: [Signature]

Date: 1-6-2013

Address: 426 N. OLIVER AVE
FAYETTEVILLE AR 72701

Phone: (479) 283-7699

**SIGN
HERE**

PROPERTY OWNER NOTIFICATION FORM

FOR RIGHT- OF- WAY, ALLEY, AND EASEMENT VACATION REQUESTS

Date: 12/3/2012

Address / location of vacation: 426 N. Oliver

Property address: 426 N. Oliver

Lot: _____ Block: _____ Subdivision: Fayetteville outlots

REQUESTED VACATION:

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

Part of the NW/4 NE/4 Sec. 17-16N-30W described as follows; Beginning 209 feet West and 316.5 feet South of NE/c of said 40-acre tract, thence running South 100 feet; thence West 190 feet; thence North 100 feet; thence East 190 feet to place of beginning.

ADJACENT PROPERTY OWNERS COMMENTS:

☐ I have been notified of the requested vacation and decline to comment.

☒ I *do not object* to the vacation described above.

☐ I *do object* to the requested vacation because:

Project Name

SEAN And Kim Vollendorf

Name of Property Owner (*printed*)

Kimberly Vollendorf

Signature of Property Owner

B

SEWER LINE EASEMENT

BOOK 489 PAGE 21

KNOW ALL MEN BY THESE PRESENTS:

That we, Jennie Cate, and hereinafter styled grantors, for and in consideration of the payment of One Dollar and other valuable considerations to us in hand paid, do hereby grant, sell and convey to the City of Fayetteville, a municipal corporation, Washington County, Arkansas, its successors and assigns, a right of way and easement to construct, maintain, lay, remove, relay and operate a sewer line and appurtenances thereto, on, over, across and under the following described lands situate in Washington County, Arkansas, to-wit:

Part of the NW/4 NE/4 Sec. 17-16N-30W desc. as follows: Beginning 209' West and 316 1/2' South of NE/c of said 40-acre tract, thence running South 100'; thence West 190'; thence North 100'; thence East 190' to place of beginning.

TO HAVE AND TO HOLD unto the City of Fayetteville, its successors and assigns, so long as such line and/or appurtenances thereto shall be maintained, with ingress to and egress from the premises for the purpose of constructing, inspecting, repairing, maintaining and operating said line and appurtenances, and the removal and renewal of such line at will, in whole or in part.

And I, Jennie Cate, wife of the said Jennie Cate for and in consideration of said sum of money paid as consideration for the foregoing, do hereby release and relinquish unto the City of Fayetteville, aforesaid, all my rights of dower and homestead in and to the above described lands to the extent of the rights hereinabove granted.

All covenants and agreements herein contained shall extend to and be binding upon the heirs, executors, administrators, legal representatives and assigns of the parties hereto.

IN WITNESS WHEREOF we have hereunto set our hands this 28 day of Feb, 1958.

Jennie Cate

Acknowledgment

STATE OF ARKANSAS)
COUNTY OF WASHINGTON)

BE IT REMEMBERED that on this day came before the undersigned, a Notary Public, within and for the County aforesaid, duly commissioned and acting Jennie Cate to me well known as the grantors in the foregoing instrument and stated that they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 28 day of February, 1958.

FILED FOR RECORD

WASHINGTON COUNTY ARKANSAS

My commission expires:

Sept. 1, 1958

SEP 5 1956

AT

Leedy M. Sewer
CIRCUIT CLERK

Fayetteville, Arkansas

Chad No 10108

CITY OF FAYETTEVILLE, ARKANSAS

Right-of-Way, Easement or Alley VACATION

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

~~FEE:~~ \$200.00

~~Sign Fee:~~ \$5.00

S-T-R:

PPI:

Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: ☒ Applicant ☐ Representative

Applicant (person making request):

Representative (engineer, surveyor, realtor, etc.):

Name: City of Fayetteville (Jesse Fulcher)

Name:

Address: 125 W. Mountain Street

Address:

Phone: (479) 575-8267

Phone: ()

Email: jfulcher@ci.fayetteville.ar.us

Email:

Fax: (479) 575-8202

Fax: ()

Site Address / Location: 1647 & 1623 Maple; 426, 420 & 410 Oliver; 1641, 1663, 1624 & 1666 Halsell; 1660 Markham

Legal description of area to be vacated (attach separate sheet if necessary): See attached

Current Zoning District: RSF-4

Assessors Parcel Number(s) for subject property: 765-14493-000, 765-14501-000, 765-14472-000, 765-14505-000, 765-14529-000, 765-14490-000, 765-14494-000, 765-14486-000, 765-14482-000, 765-14482-001, 765-14480-000

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Jesse Fulcher

Date: 11/13/12

Signature: 

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Owners (attach additional info if necessary):

Name (printed): Roger H. Widder

Address: _____

Signature: Roger H. Widder

Date: Feb. 4, 2013

Phone: () _____

Name (printed): KATHRYN H. WIDDER

Address: _____

Signature: Kathryn H. Widder

Date: 2/4/2013

Phone: () _____

**SIGN
HERE**

August 2012

PROPERTY OWNER NOTIFICATION FORM

FOR RIGHT- OF- WAY, ALLEY, AND EASEMENT VACATION REQUESTS

Date: 12/3/2012

Address / location of vacation: 1660 W. Markham Road

Property address: 1660 W. Markham Road

Lot: _____ Block: _____ Subdivision: Fayetteville outlots

REQUESTED VACATION:

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

Part of the NW/4 NE/4 Sec. 17-16N-30W described as follows: Beginning 20 feet East of SW/c of said 40-acre tract, thence running East 90 feet; thence North 330 feet; thence West 110 feet; thence South 210 feet; thence East 20 feet; thence South 120 feet to the place of beginning.

ADJACENT PROPERTY OWNERS COMMENTS:

☐ I have been notified of the requested vacation and decline to comment.

☒ I do not object to the vacation described above.

☐ I do object to the requested vacation because:

Project Name

Roger H. Widder

Name of Property Owner (*printed*)

Roger H. Widder

Signature of Property Owner

SEWER EASEMENT

BOOK 489 PAGE 22

KNOW ALL MEN BY THESE PRESENTS:

That we, Roger H. Widder and Kathryn H. Widder
his wife, hereinafter styled grantors, for and in consideration of the payment
of One Dollar and other valuable considerations to us in hand paid, do hereby
grant, sell and convey to the City of Fayetteville, a municipal corporation,
Washington County, Arkansas, its successors and assigns, a right of way and
easement to construct, maintain, lay, remove, relay and operate a sewer line
and appurtenances thereto, on, over, across and under the following described
lands situate in Washington County, Arkansas, to-wit:

Part of NW/4 NE/4 Sec. 17-16N-30W desc. as follows: Beginning 20' East of
SW/c of said 40-acre tract, thence running East 90'; thence North 330';
thence West 110'; thence South 210'; thence East 20'; thence South 120'
to place of beginning.

NOTE: It being expressly understood that the City, within a reasonable
time, shall restore any area disturbed by future maintenance to as near as
possible the existing condition at the time of the disturbance. Also that
this Easement is for Sanitary Sewer Mains as Constructed by Fayetteville
Sewer Improvement District No. 2, and as existing as of this date.
TO HAVE AND TO HOLD unto the City of Fayetteville, its successors and
assigns, so long as such line and/or appurtenances thereto shall be maintained,
with ingress to and egress from the premises for the purpose of constructing,
inspecting, repairing, maintaining and operating said line and appurtenances,
and the removal and renewal of such line at will, in whole or in part.

And I, Kathryn H. Widder, wife of the said Roger H. Widder
for and in consideration of said sum of money paid as consideration for the
foregoing, do hereby release and relinquish unto the City of Fayetteville,
aforesaid, all my rights of dower and homestead in and to the above described
lands to the extent of the rights hereinabove granted.
All covenants and agreements herein contained shall extend to and be
binding upon the heirs, executors, administrators, local representatives and
assigns of the parties hereto.

IN WITNESS WHEREOF we have hereunto set our hands this 24 day of April
1956.

Roger H. Widder
Kathryn H. Widder

Acknowledgment

STATE OF ARKANSAS)
COUNTY OF WASHINGTON)

BE IT REMEMBERED that on this day came before the undersigned, a Notary Public,
within and for the County aforesaid, duly commissioned and acting
to me well known as the grantors in the foregoing
instrument and stated that they had executed the same for the consideration
and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 24 day of April, 1956.

FILED FOR RECORD

My commission expires: WASHINGTON COUNTY ARKANSAS

February 14, 1960

SEP 5 1956

AT 1048 1/2 103 103 103
Hand measure
CIRCUIT CLERK

Right-of-Way, Easement or Alley VACATION

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

FEE: \$200.00

Sign-Fee: \$5.00

S-T-R:

PP#:

Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:Indicate one contact person for this request: ☒ Applicant ☐ Representative***Applicant (person making request):******Representative (engineer, surveyor, realtor, etc.):***

Name: City of Fayetteville (Jesse Fulcher)

Name: _____

Address: 125 W. Mountain Street

Address: _____

Phone: (479) 575-8267

Phone: () _____

Email: jfulcher@ci.fayetteville.ar.us

Email: _____

Fax: (479) 575-8202

Fax: () _____

Site Address / Location: 1647 & 1623 Maple; 426, 420 & 410 Oliver; 1641, 1663, 1624 & 1666 Halsell; 1660 Markham

Legal description of area to be vacated (attach separate sheet if necessary): See attachedCurrent Zoning District: RSF-4Assessors Parcel Number(s) for subject property: 765-14493-000, 765-14501-000, 765-14472-000, 765-14505-000, 765-14529-000, 765-14490-000, 765-14494-000, 765-14486-000, 765-14482-000, 765-14482-001, 765-14480-000

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Jesse FulcherDate: 11/13/12Signature: 

August 2012

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Owners (attach additional info if necessary):

Name (printed): Barbara Fraleigh

Address: _____

Signature: Barbara Fraleigh

Date: 1/31/2013

Phone: () _____

Name (printed): _____

Address: _____

Signature: _____

Date: _____

Phone: () _____

**SIGN
HERE**

PROPERTY OWNER NOTIFICATION FORM

FOR RIGHT- OF- WAY, ALLEY, AND EASEMENT VACATION REQUESTS

Date: 12/3/2012

Address / location of vacation: 1624 W. Halsell Road (Two Parcels: 765-14482-001 & 765-14480-000)

Property address: 1624 W. Halsell Road (Two Parcels: 765-14482-001 & 765-14480-000)

Lot: _____ Block: _____ Subdivision: Fayetteville outlots

REQUESTED VACATION:

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

Part of the NW/4 NE/4 Sec. 17-16N-30W, described as beginning at a point which is 330 feet South of NW/c of said 40-acre tract, and running thence East 396 feet; thence South 300 feet; thence West 396 feet; thence North 330 feet to the point of beginning, containing 2.98 acres, more or less.

ADJACENT PROPERTY OWNERS COMMENTS:

☐ I have been notified of the requested vacation and decline to comment.

☒ I *do not object* to the vacation described above.

☐ I *do object* to the requested vacation because:

Project Name

Barbara Fraleigh Barbara Fraleigh
Name of Property Owner (*printed*)

Barbara Fraleigh
Signature of Property Owner

Parcel No. 765-14482-001
Parcel No. 765-14480-000

WATER/SEWER EASEMENT

BE IT KNOWN BY THESE PRESENTS:

THAT **Barbara Fraleigh, formerly Barbara McCluskey, a single person**, hereinafter called GRANTOR, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby GRANT, SELL and CONVEY unto the **City of Fayetteville, Arkansas, a municipal corporation**, hereinafter called GRANTEE, and unto Grantee's successors and assigns, a permanent easement to construct, lay, remove, relay, inspect, enlarge and/or operate a water and/or sanitary sewer pipe line or lines, manholes, and appurtenances thereto, on, over, across, and under the following described land situated in the County of Washington, State of Arkansas, to-wit:

PROPERTY DESCRIPTION: (Deed Book 1410 at Page 331 and Deed Ref. 92-55656)

Part of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section Seventeen (17), Township Sixteen (16) North, Range Thirty (30) West of the Fifth Principal Meridian, being more particularly described as follows, to-wit: Beginning at a point that is 330.0 feet South and 226.0 feet East of the Northwest (NW) corner of said forty (40) acre tract and running thence East 70 feet, thence South 310 feet, thence West 70 feet, thence North 310 feet, to the point of beginning.

AND

Part of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section Seventeen (17) in Township Sixteen (16) North of Range Thirty (30) West, being more particularly described as follows, to-wit: Beginning at a point 330 feet South and 296 feet East of the Northwest Corner (NW/C) of said 40-acre tract, and running thence South 330 feet, thence East 100 feet, thence North 300 feet, thence West 100 feet to the point of beginning.

PERMANENT EASEMENT DESCRIPTION:

A twenty (20) foot wide permanent easement, being ten (10) feet either side of the centerline of the sewer line as constructed across the property hereinabove described and as shown in the attached Exhibit "A". This easement is to correct and replace that which was recorded in Deed Book 489 at Page 24.

Together with the rights, easements, and privileges in or to said lands which may be required for the full enjoyment of the rights herein granted.

TO HAVE AND TO HOLD unto said Grantee, its successors and assigns, so long as such pipe line or lines, manholes and/or appurtenances thereto shall be maintained, together with free ingress to and egress from the real estate first hereinabove described for the uses and purposes hereinabove set forth.

The said Grantor is to fully use and enjoy the said premises except for the purposes hereinbefore granted to the said Grantee, which hereby agrees to bury all pipes, where feasible, to a sufficient depth so as not to interfere with cultivation of soil, and that manholes will be constructed flush with the surface of the ground except in bottom lands where they shall be at a height above high water.

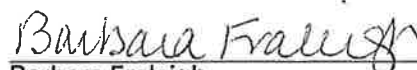
The Grantor agrees not to erect any buildings or structures in said permanent easement.

The Grantee shall have the right to construct additional pipe lines upon the above described easement at any time in the future and agrees to pay any damages as a result of such future construction as set out in this easement.

The consideration first above recited as being paid to Grantor by Grantee is in full satisfaction of every right hereby granted. All covenants and agreements herein contained shall extend to and be binding upon the respective heirs, legal representatives, successors and assigns of the parties hereto.

It is hereby understood and agreed that the party securing this document in behalf of the Grantee is without authority to make any covenant or agreement not herein expressed.

WITNESS the execution hereof on this the 31st day of January, 2017. 3


Barbara Fraleigh,
formerly Barbara McCluskey

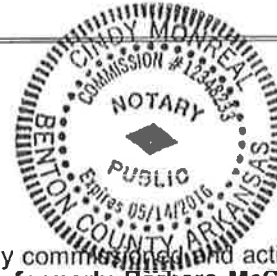
February 25, 2013
Planning Commission
VAC 12-4203 Halsell Road
Agenda Item 2
Page 15 of 48

WATER/SEWER EASEMENT
Page 2 of 2

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF ~~WASHINGTON~~ BENTON } ss.



BE IT REMEMBERED, that on this date, before the undersigned, a duly commissioned and acting Notary Public within and for said County and State, personally appeared **Barbara Fraleigh, formerly Barbara McCluskey, a single person**, to me well known as the person who executed the foregoing document, and who stated and acknowledged that she had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and seal on this 31st day of JANUARY, 2013

MY COMMISSION EXPIRES:

05/14/2016


Notary Public

KNOW ALL MEN BY THESE PRESENTS

BOOK 289 PAGE 24

I, John P. Johnson, hereinafter called grantor, for and in consideration of the payment in full of all and other valuable considerations to be hereinafter set forth, do hereby convey to the City of Fayetteville, a limited and exclusive easement, right, privilege, power and authority, together with all and singular appurtenances thereto in anywise by law in anywise connected with or necessary to the proper use, removal, relay and operation of sewer lines and appurtenances thereon, to be done and under the following conditions and covenants and liabilities, to wit:

Part of NW 1/4 NE 1/4 Sec. 17, T. 1 N., R. 10 E., S. 36 N., described as beginning at a point which has 250 feet north of 217 1/2 feet said 40-acre tract, then running thence East 250 feet; thence North 250 feet; thence West 250 feet to point of beginning, containing 1.25 acres, more or less.

TO HAVE AND TO HOLD unto the City of Fayetteville, its successors and assigns, so long as such line and/or appurtenances thereto shall be maintained with ingress to and egress from the premises for the purpose of constructing, inspecting, repairing, maintaining and operating said line and appurtenances, and the removal and renewal of such line, at will, in whole, or in part.

And I, John P. Johnson, wife of the said John P. Johnson, for and in consideration of said sum of money paid as consideration for the foregoing, do hereby release and relinquish unto the City of Fayetteville, aforesaid, all my rights of dower and homestead in and to the above described lands to the extent of the rights herein above granted.

All covenants and agreements herein contained shall extend to and be binding upon heirs, executors, administrators, legal representatives and assigns of the parties hereto.

IN WITNESS WHEREOF we have hereunto set our hands this 25 day of April, 1956.

John P. Johnson

John P. Johnson

Acknowledgement

STATE OF ARKANSAS)
COUNTY OF WASHINGTON)

BEFORE ME, John P. Johnson, on this day came before the undersigned, a Notary Public, within and for the County aforesaid, duly commissioned and acting in and to me well known as the grantor in the foregoing instrument and stated that they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 25 day of April, 1956.

FILED FOR RECORD
WASHINGTON COUNTY, ARKANSAS

My commission expires

Dec. 28, 1956

John P. Johnson

John P. Johnson

P₁NW 1/4 NE 1/4 17-16-30
489-24

CITY OF FAYETTEVILLE, ARKANSAS

Right-of-Way, Easement or Alley VACATION

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

~~FEE: \$200.00~~

~~Sign Fee: \$5.00~~

S-T-R:

PPH:

Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: ☒ Applicant ☐ Representative

Applicant (person making request):

Representative (engineer, surveyor, realtor, etc.):

Name: City of Fayetteville (Jesse Fulcher)

Name:

Address: 125 W. Mountain Street

Address:

Phone: (479) 575-8267

Phone: ()

Email: jfulcher@ci.fayetteville.ar.us

Email:

Fax: (479) 575-8202

Fax: ()

Site Address / Location: 1647 & 1623 Maple; 426, 420 & 410 Oliver; 1641, 1663, 1624 & 1666 Halsell; 1660 Markham

Legal description of area to be vacated (attach separate sheet if necessary): See attached

Current Zoning District: RSF-4

Assessors Parcel Number(s) for subject property: 765-14493-000, 765-14501-000, 765-14472-000, 765-14505-000, 765-14529-000, 765-14490-000, 765-14494-000, 765-14486-000, 765-14482-000, 765-14482-001, 765-14480-000

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed):

Date:

Signature:

1/31/13
2/3/13

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Owners (attach additional info if necessary):

Name (printed): JACQUELINE WILLIAMS Address: _____
Signature: Jacqueline Williams _____
Date: 2/3/2013 Phone: () _____

Name (printed): _____ Address: _____
Signature: _____
Date: _____ Phone: () _____

PROPERTY OWNER NOTIFICATION FORM

FOR RIGHT- OF- WAY, ALLEY, AND EASEMENT VACATION REQUESTS

Date: 11/13/2012

Address / location of vacation: 1623 W. Maple Street

Property address: 1623 W. Maple Street

Lot: _____ Block: _____ Subdivision: Fayetteville outlots

REQUESTED VACATION:

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

Part of the NW/4 NW/4 NE/4 Sec. 17-16N-30W, described as beginning at a point which is 296 feet East of the NW/c of said 10-acre tract and running thence South 330 feet; thence East 100 feet; thence North 330 feet; thence West 100 feet to the place of beginning, containing .76 acres more or less.

ADJACENT PROPERTY OWNERS COMMENTS:

- ☐ I have been notified of the requested vacation and decline to comment.
- ☒ I do not object to the vacation described above.
- ☐ I do object to the requested vacation because:

Project Name _____

Reguline Jackson Williams
Name of Property Owner (printed)

Reguline Jackson Williams
Signature of Property Owner

Parcel No. 765-14501-000

WATER/SEWER EASEMENT

BE IT KNOWN BY THESE PRESENTS:

THAT **Jacqueline A. Williams, Executrix of the Estate of Carl L. Williams, M.D., deceased**, hereinafter called GRANTOR, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby GRANT, SELL and CONVEY unto the **City of Fayetteville, Arkansas, a municipal corporation**, hereinafter called GRANTEE, and unto Grantee's successors and assigns, a permanent easement to construct, lay, remove, relay, inspect, enlarge and/or operate a water and/or sanitary sewer pipe line or lines, manholes, and appurtenances thereto, on, over, across, and under the following described land situated in the County of Washington, State of Arkansas, to-wit:

PROPERTY DESCRIPTION: (Deed Ref. 2012-00030116 and 99-082137)

Part of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of Section Seventeen (17) in Township Sixteen (16) North of Range Thirty (30) West, more particularly described as beginning at a point which is two hundred ninety six (296) feet East of the Northwest corner of said ten acre tract, and running, thence South three hundred thirty (330) feet; thence East one hundred (100) feet; thence North three hundred thirty (330) feet; thence West one hundred (100) feet to the Point of Beginning, containing seventy six hundredth (0.76) of an acre, more or less.

PERMANENT EASEMENT DESCRIPTION:

A twenty (20) foot wide permanent easement, being ten (10) feet either side of the centerline of the sewer line as constructed across the property hereinabove described and as shown in the attached Exhibit "A". This easement is to correct and replace that which was recorded in Deed Book 489 at Page 16.

Together with the rights, easements, and privileges in or to said lands which may be required for the full enjoyment of the rights herein granted.

TO HAVE AND TO HOLD unto said Grantee, its successors and assigns, so long as such pipe line or lines, manholes and/or appurtenances thereto shall be maintained, together with free ingress to and egress from the real estate first hereinabove described for the uses and purposes hereinabove set forth.

The said Grantor is to fully use and enjoy the said premises except for the purposes hereinbefore granted to the said Grantee, which hereby agrees to bury all pipes, where feasible, to a sufficient depth so as not to interfere with cultivation of soil, and that manholes will be constructed flush with the surface of the ground except in bottom lands where they shall be at a height above high water.

The Grantor agrees not to erect any buildings or structures in said permanent easement.

The Grantee shall have the right to construct additional pipe lines upon the above described easement at any time in the future and agrees to pay any damages as a result of such future construction as set out in this easement.

The consideration first above recited as being paid to Grantor by Grantee is in full satisfaction of every right hereby granted. All covenants and agreements herein contained shall extend to and be binding upon the respective heirs, legal representatives, successors and assigns of the parties hereto.

It is hereby understood and agreed that the party securing this document in behalf of the Grantee is without authority to make any covenant or agreement not herein expressed.

WITNESS the execution hereof on this the _____ day of _____, 2012.

Jacqueline A. Williams
Executrix of the Estate of Carl L. Williams, M.D. deceased

WATER/SEWER EASEMENT
Page 2 of 2

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF WASHINGTON

}
}
ss.

BE IT REMEMBERED, that on this date, before the undersigned, a duly commissioned and acting Notary Public within and for said County and State, personally appeared **Jacqueline A. Williams, Executrix of the Estate of Carl L. Williams, M.D., deceased**, to me well known as the person who executed the foregoing document, and who stated and acknowledged that she had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and seal on this _____ day of _____, 2012.

MY COMMISSION EXPIRES:

Notary Public

Sewer Easement

BOOK 489 PAGE 16

That we, William A. Lewis and Pauline B. Lewis,
do hereby grant, sell and convey to the City of Fayetteville, a municipal corporation, Washington County, Arkansas,
the easements and interests in and to the following described land, to construct, maintain, lay,
remove, relay and operate a Sewer line and appurtenances thereto, on, over,
across and under the following described lands situated in Washington County, Arkansas,
to wit:
Part of the NW/4 NW/4 NE/4 Sec. 17-16N-30W, described as beginning at a point which is 296 feet East of the NW/4 of said 10-acre tract and running thence South 330 feet; thence East 100 feet; thence North 330 feet; thence West 100 feet to place of beginning, containing .76 acres more or less.

TO HAVE AND TO HOLD unto the City of Fayetteville, its successors and assigns, so long as such line and/or appurtenances thereto shall be maintained with ingress to and egress from the premises for the purpose of constructing, inspecting, repairing, maintaining, operating said line and appurtenances, and the removal and renewal of such line at will, in whole, or in part.

And I, Pauline B. Lewis, wife of the said W. A. Lewis, for and in consideration of said sum of money paid as consideration for the foregoing, do hereby release and relinquish unto the City of Fayetteville, aforesaid, all my right of claim and hereinafter to the above described lands to the extent of the rights hereinbefore granted.

All covenants and agreements herein contained shall extend to and be binding upon heirs, executors, administrators, legal representatives and assigns of the parties hereto.

IN WITNESS WHEREOF we have hereunto set our hands this 29 day of August, 1956.

Pauline B. Lewis
William A. Lewis

Acknowledgment

STATE OF ARKANSAS
COUNTY OF WASHINGTON

TO IT BE REMEMBERED that on this day came before the undersigned, a Notary Public, within and for the County aforesaid, duly commissioned and acting William A. Lewis and Pauline B. Lewis, his wife to be well known as the grantors in the foregoing instrument and stated that they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESSES my hand and seal of my office as Notary Public this 22 day of August, 1956.

FILED FOR RECORD

WASHINGTON COUNTY, ARKANSAS

My commission expires 1957

P NW/4 NW/4 NE/4 17-16-30

489 16

Right-of-Way, Easement or Alley VACATION

FOR STAFF USE ONLY	FEE: \$200.00
Date Application Submitted:	Sign-Fee: \$5.00
Date Accepted as Complete:	S-T-R:
Case / Appeal Number:	PP#:
Public Hearing Date:	Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: ☒ Applicant ☐ Representative

Applicant (person making request):

Representative (engineer, surveyor, realtor, etc.):

Name: City of Fayetteville (Jesse Fulcher)

Name:

Address: 125 W. Mountain Street

Address:

Phone: (479) 575-8267

Phone: ()

Email: jfulcher@ci.fayetteville.ar.us

Email:

Fax: (479) 575-8202

Fax: ()

Site Address / Location: 1647 & 1623 Maple; 426, 420 & 410 Oliver; 1641, 1663, 1624 & 1666 Halsell; 1660 Markham

Legal description of area to be vacated (attach separate sheet if necessary): See attached

Current Zoning District: RSF-4

Assessors Parcel Number(s) for subject property: 765-14493-000, 765-14501-000, 765-14472-000, 765-14505-000, 765-14529-000, 765-14490-000, 765-14494-000, 765-14486-000, 765-14482-000, 765-14482-001, 765-14480-000

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Jesse Fulcher Date: 11/13/12

Signature: 

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Owners (attach additional info if necessary):

Name (printed): Elizabeth M. LaTour

Signature: [Signature]

Date: 12-6-12 + Elizabeth M. LaTour

Address: 112 W. Center, Ste. 560
Fayetteville, AR 72701

Phone: (479) 283-3433

Name (printed):

Signature: [Signature]

Date: 12-5-12

(office)
Address: 112 W. Center St., Ste. 560
Fayetteville, AR 72701

Phone: (479) 443-7878

**SIGN
HERE**

PROPERTY OWNER NOTIFICATION FORM

FOR RIGHT- OF- WAY, ALLEY, AND EASEMENT VACATION REQUESTS

Date: 12/3/2012

Address / location of vacation: 410 N. Oliver Avenue

Property address: 410 N. Oliver Avenue

Lot: _____ Block: _____ Subdivision: Fayetteville outlots

REQUESTED VACATION:

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

Part of the NW/4 NE/4 Sec. 17-16N-30W, desc. as beginning at a point which is 209 feet West and 570 feet South of the NE/c of said 40 acre tract, and running thence South 90 feet; thence West 190 feet; thence North 90 feet; thence East 190 feet to the place of beginning.

ADJACENT PROPERTY OWNERS COMMENTS:

☐ I have been notified of the requested vacation and decline to comment.

☒ I do not object to the vacation described above.

☐ I do object to the requested vacation because:

Project Name

John LaTour
Name of Property Owner (*printed*)

John D. LaTour
Signature of Property Owner

← **SIGN
HERE**

Parcel No. 765-14472-000

WATER/SEWER EASEMENT

BE IT KNOWN BY THESE PRESENTS:

THAT **John S. LaTour**, a ^{married} ~~single~~ person, hereinafter called GRANTOR, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby GRANT, SELL and CONVEY unto the **City of Fayetteville, Arkansas, a municipal corporation**, hereinafter called GRANTEE, and unto Grantee's successors and assigns, a permanent easement to construct, lay, remove, relay, inspect, enlarge and/or operate a water and/or sanitary sewer pipe line or lines, manholes, and appurtenances thereto, on, over, across, and under the following described land situated in the County of Washington, State of Arkansas, to-wit:

PROPERTY DESCRIPTION: (Deed Book 1212 at Page 194)

Part of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section Seventeen (17), Township Sixteen (16) North, Range Thirty (30) West, described as beginning at a point which is South 89 degrees 31 minutes 09 seconds West 209 feet and South 0 degrees 30 minutes 41 seconds West 570 feet from the Northeast corner of said 40 acre tract; thence South 0 degrees 30 minutes 41 seconds West 102.37 feet to an existing iron pipe; thence North 89 degrees 31 minutes 16 seconds West 190 feet; thence North 0 degrees 30 minutes 41 seconds East 99.18 feet; thence North 89 degrees 31 minutes 09 seconds East 190 feet to the point of beginning, being situated in the City of Fayetteville, Arkansas.

PERMANENT EASEMENT DESCRIPTION:

A twenty (20) foot wide permanent easement, being ten (10) feet either side of the centerline of the sewer line as constructed across the property hereinabove described and as shown in the attached Exhibit "A". This easement is to correct and replace that which was recorded in Deed Book 489 at Page 17.

Together with the rights, easements, and privileges in or to said lands which may be required for the full enjoyment of the rights herein granted.

TO HAVE AND TO HOLD unto said Grantee, its successors and assigns, so long as such pipe line or lines, manholes and/or appurtenances thereto shall be maintained, together with free ingress to and egress from the real estate first hereinabove described for the uses and purposes hereinabove set forth.

The said Grantor is to fully use and enjoy the said premises except for the purposes hereinbefore granted to the said Grantee, which hereby agrees to bury all pipes, where feasible, to a sufficient depth so as not to interfere with cultivation of soil, and that manholes will be constructed flush with the surface of the ground except in bottom lands where they shall be at a height above high water.

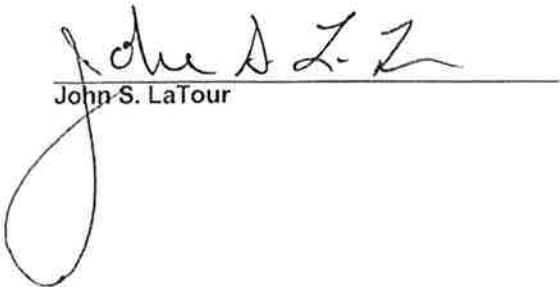
The Grantor agrees not to erect any buildings or structures in said permanent easement.

The Grantee shall have the right to construct additional pipe lines upon the above described easement at any time in the future and agrees to pay any damages as a result of such future construction as set out in this easement.

The consideration first above recited as being paid to Grantor by Grantee is in full satisfaction of every right hereby granted. All covenants and agreements herein contained shall extend to and be binding upon the respective heirs, legal representatives, successors and assigns of the parties hereto.

It is hereby understood and agreed that the party securing this document in behalf of the Grantee is without authority to make any covenant or agreement not herein expressed.

WITNESS the execution hereof on this the 5th day of December, 2012.


John S. LaTour


[spouse]

WATER/SEWER EASEMENT
Page 2 of 2

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF WASHINGTON

ss.

BE IT REMEMBERED, that on this date, before the undersigned, a duly commissioned and acting Notary Public within and for said County and State, personally appeared **John S. LaTour** and Elizabeth M. LaTour, to me well known as the person(s) who executed the foregoing document, and who stated and acknowledged that he/they had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and seal on this 5TH day of DECEMBER, 2012.

MY COMMISSION EXPIRES:

AUG 31 2020



Stan Rodgers
Notary Public

SEVEN PAGE INSTRUMENT

BOOK 489 PAGE 17

KNOW ALL MEN BY THESE PRESENTS:

That we, E. J. Ball and Gladys B. Ball, his wife, hereinafter styled grantors, for and in consideration of the payment of One Dollar and other valuable considerations to us in hand paid, do hereby grant, sell and convey to the City of Fayetteville, a municipal corporation, Washington County, Arkansas, its successors and assigns, a right of way and easement to construct, maintain, lay, remove, relay and operate a sewer line and appurtenances thereto, on, over, across and under the following described lands situate in Washington County, Arkansas, to-wit:

Part of the NW/4 NE/4 Sec. 17-16N-30W, desc. as beginning at a point which is 209' West and 570' South of the NE/4 of said 40 acre tract, and running thence South 90'; thence West 190'; thence North 90'; thence East 190' to the place of beginning.

TO HAVE AND TO HOLD unto the City of Fayetteville, its successors and assigns, so long as such line and/or appurtenances thereto shall be maintained, with ingress to and egress from the premises for the purpose of constructing, inspecting, repairing, maintaining and operating said line and appurtenances, and the removal and renewal of such line at will, in whole or in part.

And I, Gladys B. Ball, wife of the said E. J. Ball, for and in consideration of said sum of money paid as consideration for the foregoing, do hereby release and relinquish unto the City of Fayetteville, aforesaid, all my rights of dower and homestead in and to the above described lands to the extent of the rights hereinabove granted.

All covenants and agreements herein contained shall extend to and be binding upon the heirs, executors, administrators, legal representatives and assigns of the parties hereto.

IN WITNESS WHEREOF we have hereunto set our hands this 20 day of February, 1956.

E. J. Ball
Gladys B. Ball

Acknowledgment

STATE OF ARKANSAS)
COUNTY OF WASHINGTON)

BE IT REMEMBERED that on this day came before the undersigned, a Notary Public, within and for the County aforesaid, duly commissioned and acting E. J. Ball & Gladys B. Ball to me well known as the grantors in the foregoing instrument and stated that they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 20 day of February, 1956.

FILED FOR RECORD

My commission expires: WASHINGTON COUNTY ARKANSAS

March 10, 1957

SEP 5, 1956

AT Levy P. McDaniel
CIRCUIT CLERK

CITY OF FAYETTEVILLE, ARKANSAS

Right-of-Way, Easement or Alley VACATION

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

~~Fee~~— \$200.00

~~Sign Fee~~— \$5.00

S-T-R:

PPH:

Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: ☒ Applicant ☐ Representative

Applicant (person making request):

Representative (engineer, surveyor, realtor, etc.):

Name: City of Fayetteville (Jesse Fulcher)

Name:

Address: 125 W. Mountain Street

Address:

Phone: (479) 575-8267

Phone: ()

Email: jfulcher@ci.fayetteville.ar.us

Email:

Fax: (479) 575-8202

Fax: ()

Site Address / Location: 1647 & 1623 Maple; 426, 420 & 410 Oliver; 1641, 1663, 1624 & 1666 Halsell; 1660 Markham

Legal description of area to be vacated (attach separate sheet if necessary): See attached

Current Zoning District: RSF-4

Assessors Parcel Number(s) for subject property: 765-14493-000, 765-14501-000, 765-14472-000, 765-14505-000, 765-14529-000, 765-14490-000, 765-14494-000, 765-14486-000, 765-14482-000, 765-14482-001, 765-14480-000

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Jesse Fulcher

Date: 11/13/12

Signature: 

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Owners (attach additional info if necessary):

Name (printed): _____

Address: _____

Signature: _____

Date: _____

Phone: () _____

Name (printed): Lisa M. Orton

Address: 1663 W. Halsell Rd.

Signature: Lisa M. Orton

Fayetteville, Arkansas

Date: 12/10/2012

72701

Phone: (416) 674-8440

PROPERTY OWNER NOTIFICATION FORM

FOR RIGHT- OF- WAY, ALLEY, AND EASEMENT VACATION REQUESTS

Date: 12/3/2012

Address / location of vacation: 1663 Halsell Road

Property address: 1663 Halsell Road

Lot: _____ Block: _____ Subdivision: Fayetteville outlots

REQUESTED VACATION:

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

Commencing at a point which is 264 feet East and 330 feet North of the SW/c of the NW/4 NE/4 Sec. 17-16N-30W, thence running North 330 feet; then west 264 feet; thence South 330 feet; thence East 264 feet to the place of beginning, except a road or street on the northern side, containing 2 acres, more or less.

ADJACENT PROPERTY OWNERS COMMENTS:

- ☐ I have been notified of the requested vacation and decline to comment.
- ☒ I do not object to the vacation described above.
- ☐ I do object to the requested vacation because:

Project Name

Lisa M. Orton

Name of Property Owner (*printed*)

Lisa M. Orton

Signature of Property Owner

Parcel No. 765-14504-000

WATER/SEWER EASEMENT

BE IT KNOWN BY THESE PRESENTS:

THAT **Lisa Marion Orton**, hereinafter called GRANTOR, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby GRANT, SELL and CONVEY unto the **City of Fayetteville, Arkansas, a municipal corporation**, hereinafter called GRANTEE, and unto Grantee's successors and assigns, a permanent easement to construct, lay, remove, relay, inspect, enlarge and/or operate a water and/or sanitary sewer pipe line or lines, manholes, and appurtenances thereto, on, over, across, and under the following described land situated in the County of Washington, State of Arkansas, to-wit:

PROPERTY DESCRIPTION: (Deed Ref. 2012-00014743)

Part of the South Half of the Northwest Quarter of the Northeast Quarter of Section Seventeen (17) Township Sixteen (16) North, of Range Thirty (30) West, described as follows: Beginning at a point which is One Hundred Thirty-two (132) feet East and Three Hundred Thirty (330) feet North of the Southwest corner of said twenty acre tract, and running thence North Three Hundred Thirty (330) feet; thence West One Hundred Thirty-two (132) feet; thence South Three Hundred Thirty (330) feet, thence East One Hundred Thirty-two (132) feet to the place of beginning, containing one (1) acre, more or less, except the road or street on the North side thereof. Subject to covenants, easements and rights of way, if any. Subject to all prior mineral reservations and oil and gas leases.

PERMANENT EASEMENT DESCRIPTION:

A twenty (20) foot wide permanent easement, being ten (10) feet either side of the centerline of the sewer line as constructed across the property hereinabove described and as shown in the attached Exhibit "A". This easement is to correct and replace that which was recorded in Deed Book 489 at Page 18.

Together with the rights, easements, and privileges in or to said lands which may be required for the full enjoyment of the rights herein granted.

TO HAVE AND TO HOLD unto said Grantee, its successors and assigns, so long as such pipe line or lines, manholes and/or appurtenances thereto shall be maintained, together with free ingress to and egress from the real estate first hereinabove described for the uses and purposes hereinabove set forth.

The said Grantor is to fully use and enjoy the said premises except for the purposes hereinbefore granted to the said Grantee, which hereby agrees to bury all pipes, where feasible, to a sufficient depth so as not to interfere with cultivation of soil, and that manholes will be constructed flush with the surface of the ground except in bottom lands where they shall be at a height above high water.

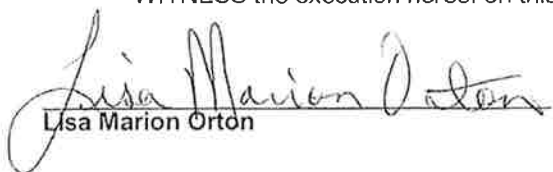
The Grantor agrees not to erect any buildings or structures in said permanent easement.

The Grantee shall have the right to construct additional pipe lines upon the above described easement at any time in the future and agrees to pay any damages as a result of such future construction as set out in this easement.

The consideration first above recited as being paid to Grantor by Grantee is in full satisfaction of every right hereby granted. All covenants and agreements herein contained shall extend to and be binding upon the respective heirs, legal representatives, successors and assigns of the parties hereto.

It is hereby understood and agreed that the party securing this document in behalf of the Grantee is without authority to make any covenant or agreement not herein expressed.

WITNESS the execution hereof on this the 3 day of Jan, 2013


Lisa Marion Orton

N/A
[spouse]

WATER/SEWER EASEMENT
Page 2 of 2

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF WASHINGTON

ss.

BE IT REMEMBERED, that on this date, before the undersigned, a duly commissioned and acting Notary Public within and for said County and State, personally appeared **Lisa Marlon Orton** and _____, to me well known as the person(s) who executed the foregoing document, and who stated and acknowledged that she/they had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and seal on this 3 day of January, 2013

MY COMMISSION EXPIRES:

Aug 2 2016

Tandi L. Taylor
Notary Public

TANDI L. TAYLOR
Washington County
Notary Public - Arkansas
My Commisison Expires: Aug. 2, 2016

SEWER LINE EASEMENT

BOOK 489 PAGE 18

KNOW ALL MEN BY THESE PRESENTS:

That we, WILLIAM R. ORTON, JR. and MARION R. ORTON
Louise A. Loden and Louise A. Loden
his wife, hereinafter styled grantors, for and in consideration of the payment
of One Dollar and other valuable considerations to us in hand paid, do hereby
grant, sell and convey to the City of Fayetteville, a municipal corporation,
Washington County, Arkansas, its successors and assigns, a right of way and
easement to construct, maintain, lay, remove, relay and operate a sewer line
and appurtenances thereto, on, over, across and under the following described
lands situate in Washington County, Arkansas, to-wit:

Commencing at a point which is 264' East and 330' North of the SW/c of the
NW/4 NE/4 Sec. 17-16N-30W, thence running North 330'; thence West 264';
thence South 330'; thence East 264' to the place of beginning, except
a road or street on the northern side, containing 2 acres, more or less..

TO HAVE AND TO HOLD unto the City of Fayetteville, its successors and
assigns, so long as such line and/or appurtenances thereto shall be maintained,
with ingress to and egress from the premises for the purpose of constructing,
inspecting, repairing, maintaining and operating said line and appurtenances,
and the removal and renewal of such line at will, in whole or in part.

And I, MARION R. ORTON wife of the said WILLIAM R. ORTON, JR.
Louise A. Loden for and in consideration of said sum of money paid as consideration for the
foregoing, do hereby release and relinquish unto the City of Fayetteville,
aforesaid, all my rights of dower and homestead in and to the above described
lands to the extent of the rights hereinabove granted.

All covenants and agreements herein contained shall extend to and be
binding upon the heirs, executors, administrators, local representatives and
assigns of the parties hereto.

IN WITNESS WHEREOF we have hereunto set our hands this 21 day of March,
1956.

William R. Orton, Jr.
Marion R. Orton

Acknowledgment

STATE OF ARKANSAS)
COUNTY OF WASHINGTON)

BE IT REMEMBERED that on this day came before the undersigned, a Notary Public,
within and for the County aforesaid, duly commissioned and acting William R.
Orton & Marion R. Orton to me well known as the grantors in the foregoing
instrument and stated that they had executed the same for the consideration
and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 21 day of March, 1956.

FILED FOR RECORD E. M. Ball

My commission expires: WASHINGTON COUNTY ARKANSAS

5-5-56

SEPS 1956

AT Lloyd McCombs

Right-of-Way, Easement or Alley VACATION

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

~~FEE:~~ \$200.00~~Sign-Fee:~~ \$5.00

S-T-R:

PP#:

Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:Indicate one contact person for this request: ☒ Applicant ☐ Representative***Applicant (person making request):******Representative (engineer, surveyor, realtor, etc.):***

Name: City of Fayetteville (Jesse Fulcher)

Name:

Address: 125 W. Mountain Street

Address:

Phone: (479) 575-8267

Phone: ()

Email: jfulcher@ci.fayetteville.ar.us

Email:

Fax: (479) 575-8202

Fax: ()

Site Address / Location: 1647 & 1623 Maple; 426, 420 & 410 Oliver; 1641, 1663, 1624 & 1666 Halsell; 1660 Markham

Legal description of area to be vacated (attach separate sheet if necessary): See attachedCurrent Zoning District: RSF-4Assessors Parcel Number(s) for subject property: 765-14493-000, 765-14501-000, 765-14472-000, 765-14505-000, 765-14529-000, 765-14490-000, 765-14494-000, 765-14486-000, 765-14482-000, 765-14482-001, 765-14480-000

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Jesse FulcherDate: 11/13/12Signature: 

August 2012

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Owners (attach additional info if necessary):

Name (printed): _____

Address: _____

Signature: _____

Date: 1/22/13

Phone: () _____

Name (printed): William R. Ortman III

Address: _____

Signature: *William R. Ortman III*

Date: 1/22/13

Phone: () _____

**SIGN
HERE**

August 2012

PROPERTY OWNER NOTIFICATION FORM

FOR RIGHT- OF- WAY, ALLEY, AND EASEMENT VACATION REQUESTS

Date: 12/3/2012

Address / location of vacation: 1641 W. Halsell Rd.

Property address: 1641 W. Halsell Rd.

Lot: _____ Block: _____ Subdivision: Fayetteville outlots

REQUESTED VACATION:

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

Commencing at a point which is 264 feet East and 330 feet North of the SW/c of the NW/4 NE/4 Sec. 17-16N-30W, thence running North 330 feet; then west 264 feet; thence South 330 feet; thence East 264 feet to the place of beginning, except a road or street on the northern side, containing 2 acres, more or less.

ADJACENT PROPERTY OWNERS COMMENTS:

☐ I have been notified of the requested vacation and decline to comment.

☒ I *do not object* to the vacation described above.

☐ I *do object* to the requested vacation because:

Project Name

William R. Orten III
Name of Property Owner (*printed*)

W. R. Orten
Signature of Property Owner

Parcel No. 765-14505-000

WATER/SEWER EASEMENT

BE IT KNOWN BY THESE PRESENTS:

THAT **William R. Orton, III**, hereinafter called GRANTOR, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby GRANT, SELL and CONVEY unto the **City of Fayetteville, Arkansas, a municipal corporation**, hereinafter called GRANTEE, and unto Grantee's successors and assigns, a permanent easement to construct, lay, remove, relay, inspect, enlarge and/or operate a water and/or sanitary sewer pipe line or lines, manholes, and appurtenances thereto, on, over, across, and under the following described land situated in the County of Washington, State of Arkansas, to-wit:

PROPERTY DESCRIPTION: (Deed Ref. 2012-00014744)

Part of the South Half of the Northwest Quarter of the Northeast Quarter of Section Seventeen (17) Township Sixteen (16) North, of Range Thirty (30) West, described as follows: Beginning at a point which is One Hundred Thirty-two (132) feet East and Three Hundred Thirty (330) feet North of the Southwest corner of said twenty acre tract, and running thence North Three Hundred Thirty (330) feet; thence East One Hundred Thirty-two (132) feet; thence South Three Hundred Thirty (330) feet, thence West One Hundred Thirty-two (132) feet to the place of beginning, containing one (1) acre, more or less, except the road or street on the North side thereof. Subject to covenants, easements and rights of way, if any. Subject to all prior mineral reservations and oil and gas leases.

PERMANENT EASEMENT DESCRIPTION:

A twenty (20) foot wide permanent easement, being ten (10) feet either side of the centerline of the sewer line as constructed across the property hereinabove described and as shown in the attached Exhibit "A". This easement is to correct and replace that which was recorded in Deed Book 489 at Page 18.

Together with the rights, easements, and privileges in or to said lands which may be required for the full enjoyment of the rights herein granted.

TO HAVE AND TO HOLD unto said Grantee, its successors and assigns, so long as such pipe line or lines, manholes and/or appurtenances thereto shall be maintained, together with free ingress to and egress from the real estate first hereinabove described for the uses and purposes hereinabove set forth.

The said Grantor is to fully use and enjoy the said premises except for the purposes hereinbefore granted to the said Grantee, which hereby agrees to bury all pipes, where feasible, to a sufficient depth so as not to interfere with cultivation of soil, and that manholes will be constructed flush with the surface of the ground except in bottom lands where they shall be at a height above high water.

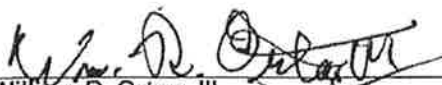
The Grantor agrees not to erect any buildings or structures in said permanent easement.

The Grantee shall have the right to construct additional pipe lines upon the above described easement at any time in the future and agrees to pay any damages as a result of such future construction as set out in this easement.

The consideration first above recited as being paid to Grantor by Grantee is in full satisfaction of every right hereby granted. All covenants and agreements herein contained shall extend to and be binding upon the respective heirs, legal representatives, successors and assigns of the parties hereto.

It is hereby understood and agreed that the party securing this document in behalf of the Grantee is without authority to make any covenant or agreement not herein expressed.

WITNESS the execution hereof on this the 10 day of December, 2012.


William R. Orton, III

[spouse]

WATER/SEWER EASEMENT
Page 2 of 2

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF WASHINGTON

}
} ss.

TANDI L. TAYLOR
Washington County
Notary Public - Arkansas
My Commission Expires: Aug. 2, 2018

BE IT REMEMBERED, that on this date, before the undersigned, a duly commissioned and acting Notary Public within and for said County and State, personally appeared **William R. Orton, III** and _____, to me well known as the person(s) who executed the foregoing document, and who stated and acknowledged that he/they had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and seal on this 10 day of December, 2012.

MY COMMISSION EXPIRES:

8-2-16

Tandi Taylor
Notary Public

SEWER LINE EASEMENT

BOOK 489 PAGE 18

KNOW ALL MEN BY THESE PRESENTS:

That we, WILLIAM R. ORTON, JR and MARION R. ORTON
Lucas H. Eaden and Louise M. Eaden
his wife, hereinafter styled "grantors," for and in consideration of the payment
of One Dollar and other valuable considerations to us in hand paid, do hereby
grant, sell and convey to the City of Fayetteville, a municipal corporation,
Washington County, Arkansas, its successors and assigns, a right of way and
easement to construct, maintain, lay, remove, relay and operate a sewer line
and appurtenances thereto, on, over, across and under the following described
lands situate in Washington County, Arkansas, to-wit:

Commencing at a point which is 264' East and 330' North of the SW/c of the
NW/4 NE/4 Sec. 17-16N-30W, thence running North 330'; thence West 264';
thence South 330'; thence East 264' to the place of beginning, except
a road or street on the northern side, containing 2 acres, more or less.

TO HAVE AND TO HOLD unto the City of Fayetteville, its successors and
assigns, so long as such line and/or appurtenances thereto shall be maintained,
with ingress to and egress from the premises for the purpose of constructing,
inspecting, repairing, maintaining and operating said line and appurtenances,
and the removal and renewal of such line at will, in whole or in part.

And I, MARION R. ORTON, wife of the said WILLIAM R. ORTON, JR
Lucas H. Eaden, for and in consideration of said sum of money paid as consideration for the
foregoing, do hereby release and relinquish unto the City of Fayetteville,
aforesaid, all my rights of dower and homestead in and to the above described
lands to the extent of the rights hereinabove granted.

All covenants and agreements herein contained shall extend to and be
binding upon the heirs, executors, administrators, local representatives and
assigns of the parties hereto.

IN WITNESS WHEREOF we have hereunto set our hands this 21 day of March,
1956.

William R. Orton, Jr
Marion R. Orton

Acknowledgment

STATE OF ARKANSAS)
COUNTY OF WASHINGTON)

BE IT REMEMBERED that on this day came before the undersigned, a Notary Public,
within and for the County aforesaid, duly commissioned and acting William R. Orton, Jr
Marion R. Orton to me well known as the grantors in the foregoing
instrument and stated that they had executed the same for the consideration
and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 21 day of March, 1956.

FILED FOR RECORD E. J. Ball

My commission expires: WASHINGTON COUNTY, ARKANSAS

5-5-56

SEP 5 1956

AT Lloyd McCaskey



www.accessfayetteville.org

EXAMPLE:
LETTER #1

C. 2
VAC 12-4203 (Halsell
Road Sewer Easements)
Page 49 of 54

THE CITY OF FAYETTEVILLE, ARKANSAS

TDD (Telecommunications Device for the Deaf)
(479) 521-1316

PLANNING DIVISION CORRESPONDENCE

December 3, 2012

Roger & Kathryn Widder
1660 W. Markham Road
Fayetteville, AR 72701

Re: 1660 W. Markham Road – water and sewer easement

Mr. & Mrs. Widder,

This letter is in regards to a water and sewer easement located across your property at 1660 W. Markham Road. A property owner on Halsell Road brought to our attention a large easement across their property that was obtained by the City of Fayetteville in the 1950's. During our research it was discovered that there are in fact 11 separate properties in this area that are impacted, and the easements cover the entire property (blanket easement). Because of the limitations imposed by a utility easement, we feel that the easements should be reduced to only what is necessary to allow continued service and maintenance of the existing utility lines. The Utilities Department for the City of Fayetteville has reviewed the matter and determined that the blanket easement could be replaced with a standard 20 foot easement centered on the existing sewer line.

The process to vacate a utility easement is set by Arkansas state law and requires that the affected property owner agree to the vacation. Attached is a vacation application and property owner notification form. If you would like the City to replace the existing blanket easement that impacts your entire property with a standard 20 foot easement that impacts only the area where the utility line is located, then please sign the second page of the application and mark the "I do not object" box on the notification form. The attached water and sewer easement document must also be signed, but a notary needs to be present at the time. The City has several notaries on staff that can be available at a time that is convenient for you.

The vacation request will be presented to the Planning Commission and City Council. However, the exact date of the meetings won't be determined until we've made contact with each of the affected property owners. We will contact each owner again once these dates have been set.

This is somewhat unique situation, so please don't hesitate to contact me if you have any questions or concerns. Thank you for taking time to review this information.

Sincerely,

Jesse Fulcher
Current Planner
City of Fayetteville

cc: Jeremy Pate, Development Services Director
David Jurgens, Utilities Director



www.accessfayetteville.org

EXAMPLE :

LETTER # 2

C. 2
VAC 12-4203 (Halsell
Road Sewer Easements)
Page 50 of 54

THE CITY OF FAYETTEVILLE, ARKANSAS

TDD (Telecommunications Device for the Deaf)
(479) 521-1316

PLANNING DIVISION CORRESPONDENCE

January 18, 2013

Roger & Kathryn Widder
1660 W. Markham Road
Fayetteville, AR 72701

Re: 1660 W. Markham Road – water and sewer easement

Mr. & Mrs. Widder,

This is a follow-up to my letter dated December 3, 2012 concerning the blanket water and sewer easement on your property. In the last month I've spoken with several of your neighbors on Halsell, Oliver and Maple that are also impacted by this blanket easement. I informed them that the City would process the vacation applications for those that returned signed applications and notification forms. To date I've received four signed applications.

In order to keep moving forward towards a resolution for the impacted properties, staff will be presenting these four vacation requests to the Planning Commission on February 25, 2013 and the City Council on March 19, 2013. If you would like to be a part of this joint request then we must receive the signed vacation application and notification form no later than February 6, 2013. You can always submit your signed documents at a later date, either individually or with another group of property owners.

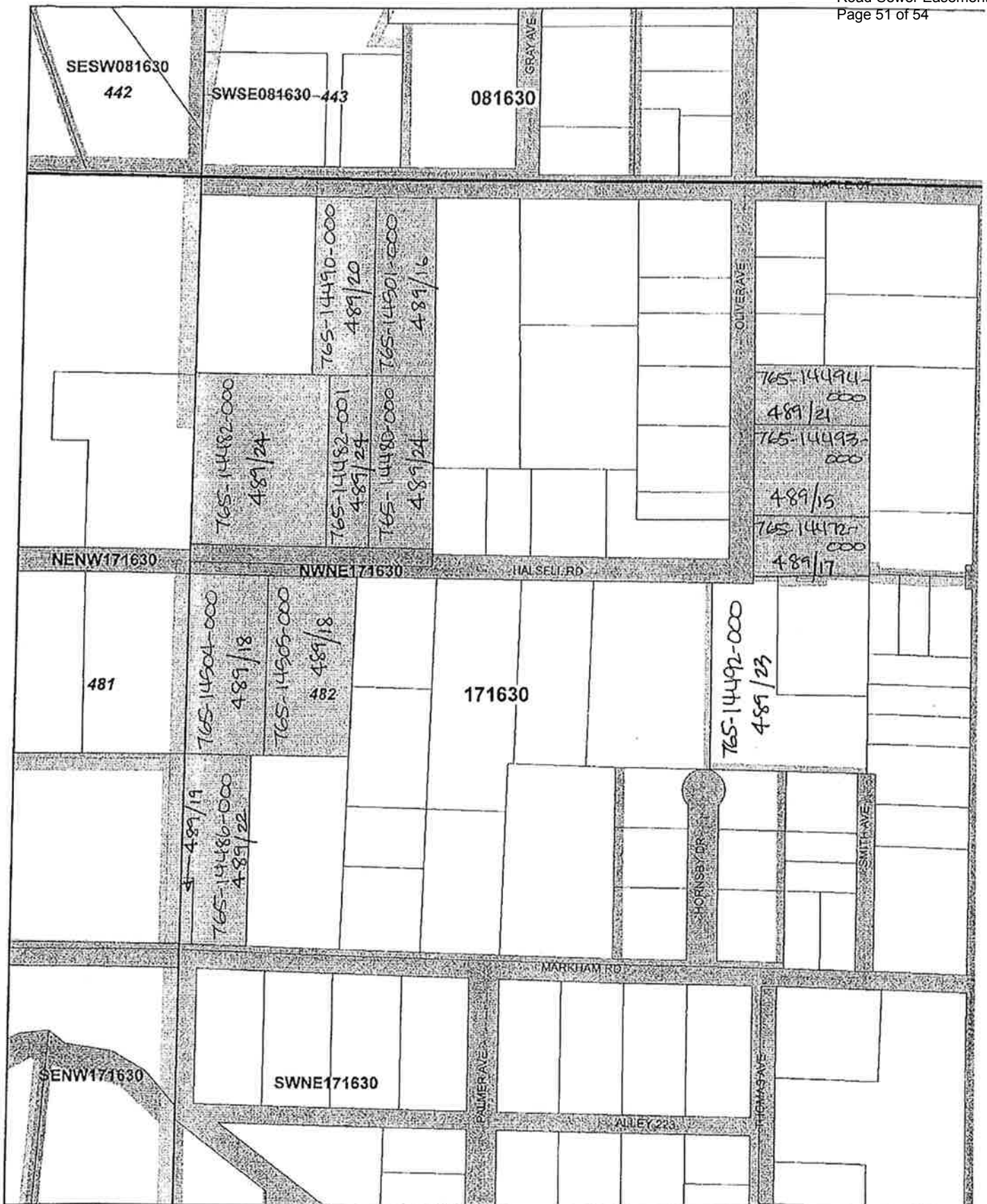
There is no obligation for any property owner who returns the signed application to attend the public meetings. However, you are welcome to attend and speak at both meetings. Staff is attempting to correct this situation and limit the amount of time that the property owners have to devote to the matter.

Please don't hesitate to contact me if you have any questions or concerns. Thank you for taking time to review this information.

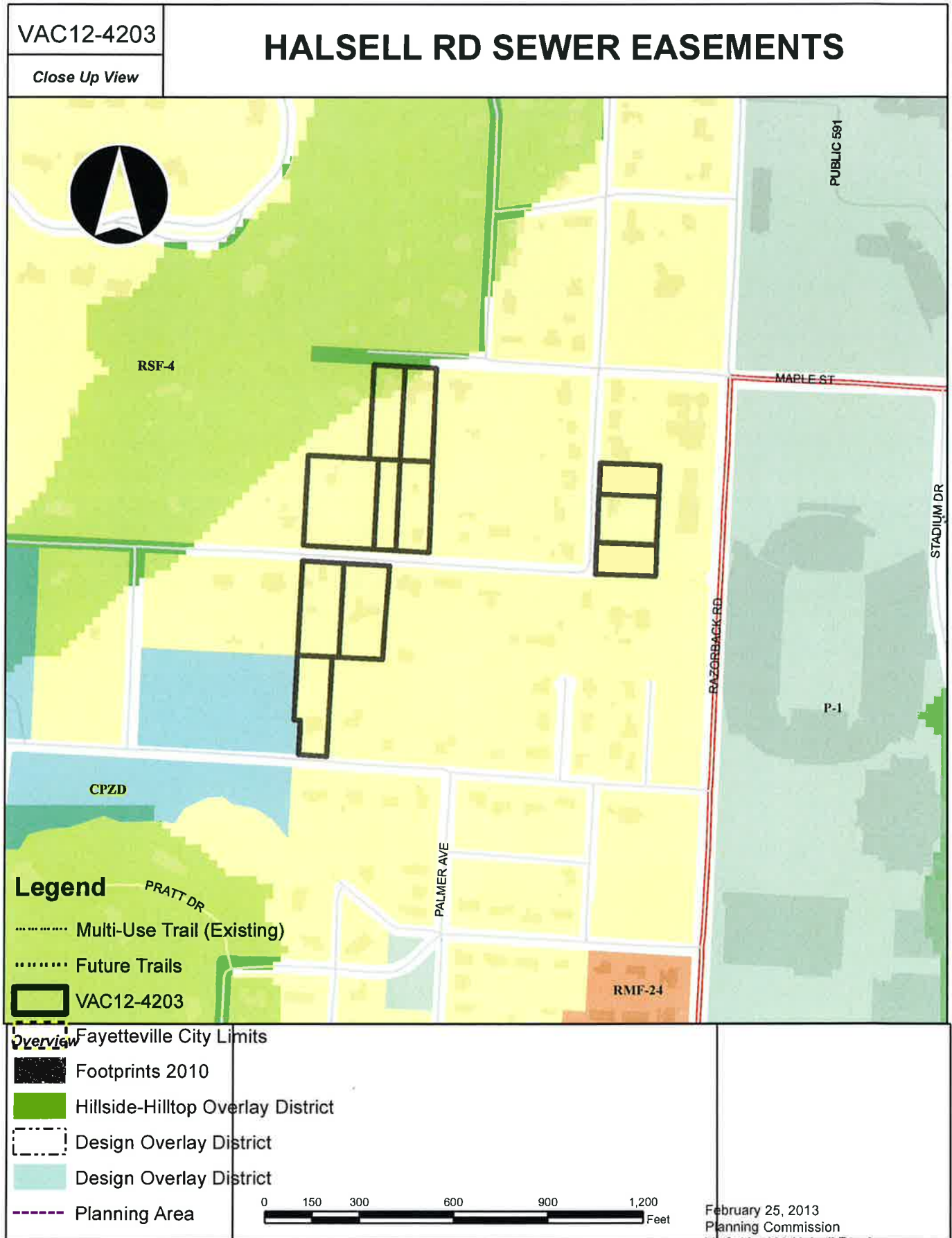
Sincerely,

Jesse Fulcher
Current Planner
City of Fayetteville

cc: Jeremy Pate, Development Services Director
David Jurgens, Utilities Director



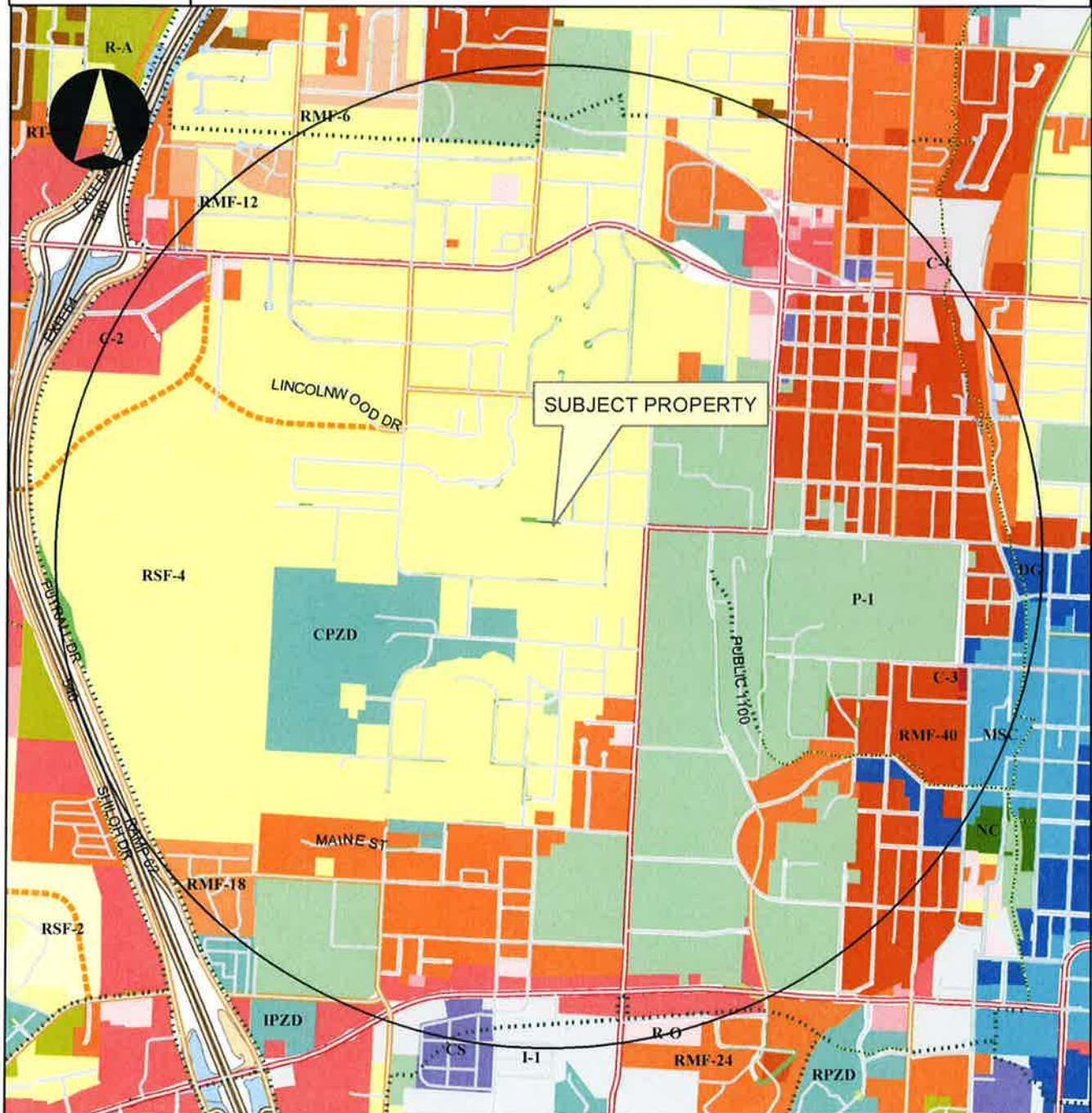
0 200 400 800 Feet



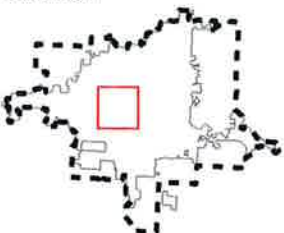
VAC12-4203

One Mile View

HALSELL RD SEWER EASEMENTS



Overview



Legend

Subject Property

VAC12-4203

Boundary



City of Fayetteville Staff Review Form

C. 3
 First Community Bank of Crawford
 County Cost Share Agreement
 Page 1 of 10

**City Council Agenda Items
 and
 Contracts, Leases or Agreements**

3/19/2013

City Council Meeting Date
 Agenda Items Only

Chris Brown ^{CB}

Engineering

Development Services

Submitted By

Division

Department

Action Required:

Approval of a cost-share and bid waiver in the amount of \$64,000.00, with First Community Bank of Crawford County for the milling and paving of the streets within the Sunbridge Villas Development and a budget adjustment acknowledging the receipt of \$64,000 from letters of credit.

\$ 64,000.00
 Cost of this request

\$ 432,293.31
 Category / Project Budget

Street, ROW, Int. Cost Sharing
 Program Category / Project Name

4470.9470.5809.00
 Account Number

\$ -
 Funds Used to Date

Street Improvements
 Program / Project Category Name

02116
 Project Number

\$ 432,293.31
 Remaining Balance

Sales Tax Capital Improvements
 Fund Name

Budgeted Item ☐Budget Adjustment Attached ☒

Wing C. B. -
 Department Director

02-26-2013
 Date

Previous Ordinance or Resolution # _____

[Signature]
 City Attorney

2-28-13
 Date

Original Contract Date: _____

Original Contract Number: _____

Paul A. Behm
 Finance and Internal Services Director

2-28-2013
 Date

Received in City 02-23-13 A10:11 RCVD
 Clerk's Office

[Signature]
 Chief of Staff

3-1-13
 Date

Received in
 Mayor's Office

[Signature]
 Mayor

3/1/13
 Date

ENTERED
2/28/13
[Signature]

Comments:

To: Fayetteville City Council

Thru: Mayor Lioneld Jordan
Don Marr, Chief of Staff

From: Chris Brown, City Engineer *CB*

Date: February 15, 2013

Subject: Approval of a cost-share and bid waiver in the amount of \$64,000.00, with First Community Bank of Crawford County for the milling and paving of the streets within the Sunbridge Villas Development and a budget adjustment acknowledging the receipt of \$64,000 from letters of credit.

RECOMMENDATION

City Administration recommends approval of an ordinance for a cost-share and bid waiver in the amount of \$64,000.00 with First Community Bank of Crawford County for the milling and paving of the streets within the Sunbridge Villas Development and a budget adjustment acknowledging the receipt of \$64,000 from letters of credit.

BACKGROUND

Sunbridge Villas Subdivision is located north of Sunbridge Drive, just west of College Avenue. In 1970, the subject property was developed as the Villa Mobile home park. The park included 141 mobile home lots and one lot for a community laundry and playground area. All streets within the development were private asphalt paved streets with curb and gutter. A minimum amount of storm sewer was installed at that time.

In 2006, the City Council approved the R-PZD for Sunbridge Villas. Sunbridge Villas is a residential subdivision with 138 lots and one community space area. This development utilized the existing street infrastructure to provide access to the lots. The storm sewer, public water and public sanitary sewer lines were all replaced or expanded to meet current code requirements and the time of development. Street lights, sidewalks and an asphalt overlay of all the private streets were required with the PZD. The developer submitted two letters of credit for a total of \$64,000 for the asphalt overlay of the streets.

On August 21, 2012, the Fayetteville City Council passed a resolution to accept the dedication of street right-of-way and maintenance responsibility for the streets within the Sunbridge Villas development upon completion of the required milling and overlay of the streets.

DISCUSSION

At this time, the First Community Bank of Crawford County has hired a contractor to perform the milling and paving of the streets within the development to bring them up to City standards. The City has called the two letters of credit that were submitted for the guarantee and has received the \$64,000 from the two banks involved. The current cost of the work required is significantly more than the original guaranteed amount. First Community Bank of Crawford will be paying for the additional expense above the \$64,000 covered by the letters of credit.

Bank's Share	\$ 66,752.00
City's Share	<u>\$ 64,000.00</u>
Total	\$130,752.00

BUDGET IMPACT

A budget adjustment is required to acknowledge the receipt of the \$64,000 from the letters of credit and to place the funds in the Street, ROW, and Intersection Cost Sharing account. The payment to First Community Bank of Crawford will be made from this account.

ORDINANCE NO. _____

AN ORDINANCE WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVING A \$64,000.00 COST-SHARE AGREEMENT WITH FIRST COMMUNITY BANK OF CRAWFORD COUNTY FOR THE MILLING AND PAVING OF STREETS WITHIN THE SUNBRIDGE VILLAS DEVELOPMENT, AND APPROVING A BUDGET ADJUSTMENT OF \$64,000.00 RECOGNIZING REVENUE FROM LETTERS OF CREDIT

WHEREAS, the City Council adopted a resolution accepting the dedication of street right-of-way and maintenance responsibility for previously private streets within the Sunbridge Villas development, upon completion of required milling and overlay of the said streets; and

WHEREAS, two (2) letters of credit totaling \$64,000.00 posted by the previous owner and developer to guarantee street improvements required as part of an R-PZD approved in 2006 were called by the City as the required improvements had not been completed; and

WHEREAS, First Community Bank of Crawford County is now owner of the development and desires to enter into a cost-share agreement with the City to complete street improvements whereby the City's only financial obligation would be to contribute the \$64,000.00 obtained through the letters of credit,

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and approves a \$64,000.00 cost-share agreement with First Community Bank of Crawford County (marked as Exhibit "A" attached hereto and made a part hereof) for the milling and paving of streets within the Sunbridge Villas development.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, attached as Exhibit "B", recognizing revenue from letters of credit.

PASSED and APPROVED this 5th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

CONTRACTUAL AGREEMENT

This Agreement, made and entered into this _____, by and between the City of Fayetteville, Arkansas and First Community Bank of Crawford County, Witnesseth:

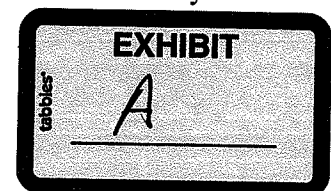
WHEREAS, First Community Bank of Crawford County, has hired a contractor to mill and pave the existing streets within the Sunbridge Villas Development; and

WHEREAS, the former developers of this development submitted two letters of credit for \$32,000 each with the City of Fayetteville to guarantee the paving of these streets; and

WHEREAS, First Community Bank of Crawford County will be paying the additional costs involved in this paving contract; and in order for the City of Fayetteville to pay First Community Bank of Crawford County the \$64,000 from the letters of credit, a cost share agreement must be entered between First Community Bank of Crawford County and the City of Fayetteville

NOW, THEREFORE, the City of Fayetteville and First Community Bank of Crawford County agree as follows:

1. Upon the City Council and/or the Mayor approving the street paving Cost-Share, the City of Fayetteville agrees to:
 - A. Pay for \$64,000 of the construction costs for the milling and paving of the streets within the Sunbridge Villas development.
 - B. Make all efforts to provide payment to First Community Bank of Crawford County within thirty (30) days after receipt of the invoice(s) but cannot guarantee the thirty day schedule.
2. First Community Bank of Crawford County LP agrees to:
 - A. Provide the necessary and normal project management, inspection, and testing as necessary for a complete and acceptable pavement construction.
 - B. Provide a copy of the invoice(s) from the Contractor and a completed lien waiver executed by the Contractor upon acceptance of the pavement installation.
 - C. Not proceed with the proposed construction unless/until the proposed contractual agreement is approved by the City Council and/or the Mayor.
3. It is further understood that the contract for construction is between First Community Bank of Crawford County and his Contractor and that the City has no



contractual obligation with the Contractor. The City's only obligation shall be to participate in a contractual agreement with a not-to-exceed amount of \$64,000.00 for the street milling and paving.

**IN AGREEMENT WITH ALL THE TERMS AND CONDITIONS ABOVE, WE
SIGN BELOW:**

CITY OF FAYETTEVILLE

First Community Bank of Crawford County

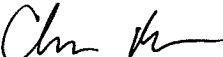
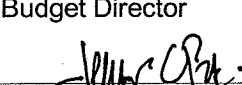
By: _____
LIONELD JORDAN, Mayor

By: Jerry D. Cassm, Pres.

Attest: _____

C. 3
First Community Bank of Crawford
County Cost Share Agreement

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION

	2/26/13
Division Head	Date
	2/28/13
Budget Director	Date
	02.26.13
Department Director	Date
	2-28-2013
Finance Director	Date
	3-1-13
Chief of Staff	Date
	3/1/13
Mayor	Date

Checked / Verified

Initial	Date
---------	------

tabbles®

EXHIBIT

B

City Of Fayetteville - Purchase Order (PO) Request

(Not a Purchase Order)

All purchases under \$2500 shall be used on a P-Card unless medical or 1099 service related. (Call x256 with questions)

All PO Request shall be scanned to the Purchasing e-mail: Purchasing@ci.fayetteville.ar.us

Requisition No.:	Date: C. 3 2/26/2016
P.O Number:	First Community Bank of Crawford Expected Delivery Date: _____ Share Agreement Page 9 of 10

Vendor #: 23009	Vendor Name: First Community Bank of Crawford County	Mail Yes:____ No:____
Address:	Fob Point:	Taxable Yes:____ No:____
City:	State:	Quotes Attached Yes:____ No:____
	Zip Code:	Divison Head Approval:
	Ship to code: PUR	
Requester: Tandi Taylor		Requester's Employee #: 3062
		Extension: 8206

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Numbers	Project/Subproject #	Inventory #	Fixed Asset #
1	Cost share-First Communtiy Bank of Crawford				\$64,000.00	4470.9470.5009.00 5009.00 5900.00	02116. /		
2	for the milling and paving of the streets within the				\$0.00				
3	Sunbridge Villas Development				\$0.00				
4					\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal: **\$64,000.00**
Tax: _____
Total: **\$64,000.00**

Approvals:

Mayor: _____ Department Director: _____ Purchasing Manager: _____
Finance & Internal Services Director: _____ Budget Manager: _____ IT Manager: _____
Dispatch Manager: _____ Utilities Manager: _____ Other: _____

City of Fayetteville Staff Review Form

C. 4
U.S. Geological Survey Agreement
Page 1 of 6

City Council Agenda Items
and
Contracts, Leases or Agreements

3/19/2013

City Council Meeting Date
Agenda Items Only

Sarah Wrede *CP*
Submitted By

Engineering
Division

Development Services
Department

Action Required:

A Contract with the U.S. Geological Survey in the amount of \$21,528.00 for the operation and maintenance of 3 rainfall-runoff stations located at Niokaska Creek at Township, College Branch at Highway 62, and Town Branch Tributary at Highway 16 in the City of Fayetteville for the 2013 calendar year.

\$ 21,528.00
Cost of this request

\$ 228,499.99
Category / Project Budget

Stormwater Quality Mgmt/Nutrient Reduct
Program Category / Project Name

4470.9470.5817.00
Account Number

\$ 53,576.86
Funds Used to Date

Bridge & Drainage Improvements
Program / Project Category Name

02097
Project Number

\$ 174,923.13
Remaining Balance

Sales Tax Capital Improvement
Fund Name

Budgeted Item ☒

Budget Adjustment Attached ☐

[Signature]
Department Director

03-9-2013
Date

Previous Ordinance or Resolution #

[Signature]
City Attorney

3-4-13
Date

Original Contract Date:

Original Contract Number:

Paul A. Babin
Finance and Internal Services Director

3-4-2013
Date

Received in City
Clerk's Office

Don Man
Chief of Staff

3-4-13
Date

Received in
Mayor's Office

Lionel Jordan
Mayor

3/4/13
Date

Comments:

CITY COUNCIL AGENDA MEMO

Council Meeting of March 19, 2013

To: Mayor and City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director *JP*
Chris Brown, City Engineer

From: Sarah Wrede, Staff Engineer *SMW*

Date: March 1, 2013

Subject: Approval to continue a joint funding agreement with the USGS for \$21,528 (City's share) for the operation and maintenance of three urban stream gauging stations in Fayetteville for the year 2013.

PROPOSAL: Since 1998, the City of Fayetteville has participated in a joint funding agreement with the U.S. Geological Survey (USGS) for three urban stream gauging stations. This agreement consists of a cost-share for maintenance and data collection for rainfall and runoff recording stations located at:

Niokaska Creek at Township (in Gulley Park)
College Branch at State Highway 62
Town Branch Tributary at State Highway 16 (in Walker Park)

The attached agreement is for the 2013 calendar year, and requires payment of \$21,528 by the City and \$5,802 by the USGS.

The USGS collects rainfall and runoff data at these three sites, and provides this information to the City. In addition to providing urban rainfall and streamflow data for future drainage studies, these gauges also provide valuable information for the EPA Phase 2 NPDES stormwater monitoring requirements.

RECOMMENDATION: Staff recommends approval of the joint funding agreement for 2013.

BUDGET IMPACT: Funding in the amount of \$21,528 is available in the Stormwater Quality Management and Nutrient Reduction Plan Budget. This contract will be paid from those funds.

ORDINANCE NO. _____

AN ORDINANCE WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVING AN AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY (U.S. DEPARTMENT OF THE INTERIOR) IN THE AMOUNT OF \$21,528.00 FOR THE OPERATION AND MAINTENANCE OF THREE (3) URBAN STREAM GAUGING STATIONS IN THE CITY FOR CALENDAR YEAR 2013

WHEREAS, since 1998, the City of Fayetteville has participated in a joint funding agreement with the U.S. Geological Survey (U.S. Department of the Interior) for the operation and maintenance of three urban stream gauging stations to record data concerning rainfall and runoff at Niokaska Creek in Gulley Park, College Branch at State Highway 62 and Town Branch Tributary in Walker Park; and

WHEREAS, the information obtained provides urban rainfall and streamflow data for future drainage studies as well as provides information for the City's EPA Phase 2 NPDES stormwater monitoring requirements; and

WHEREAS, the cost of the agreement to the City for 2013 now exceeds \$20,000.00 and would otherwise require competitive bidding unless the requirement is waived.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and approves an agreement (marked as Exhibit "A" attached hereto and made a part hereof) between the City and the U.S. Geological Survey (U.S. Department of the Interior) in the amount of \$21,528.00 for the operation and maintenance of three (3) urban stream gauging stations in the City for calendar year 2013.

PASSED and APPROVED this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

Form 9-1366

**U.S. DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY**

JOINT FUNDING AGREEMENT

Customer #: AR026
Agreement #: 13E4AR026AR0270
Project #:
TIN #: 71-6018462
Fixed Cost YES
Agreement

FOR

Water Resources Investigations

THIS AGREEMENT is entered into as of the, 27th day of February, 2013 by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the CITY OF FAYETTEVILLE, party of the second

1. The parties hereto agree that subject to availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation operation and maintenance of 3 rainfall-runoff stations located at Town Branch at Business Route 62, Town Branch Tributary at Highway 16, and Mud Creek at Township Street in the City of Fayetteville herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50; and 43 USC 50b.
2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) includes In-Kind Services in the amount of
 - (a) by the party of the first part during the period

Amount	Date	to	Date
\$5,802.00	January 1, 2013		December 31, 2013
 - (b) by the party of the second part during the period

Amount	Date	to	Date
\$21,528.00	January 1, 2013		December 31, 2013
 - (c) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
 - (d) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.
3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.



JOINT FUNDING AGREEMENT (CONTINUATION)

Customer Number
AR026

Agreement Number
13E4AR026AR0270

Project Number

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.
7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.
8. The maps, records, or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records, or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at costs, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records, or reports published by either party shall contain a statement of the cooperative relations between the parties.
9. USGS will issue billings utilizing Department of the Interior Bill for Collection (form DI-1040). Billing documents are to be rendered annually. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983).

**U.S. GEOLOGICAL SURVEY
UNITED STATES
DEPARTMENT OF THE INTERIOR**

USGS POINT OF CONTACT

Name: David A. Freiwald, Director
Address: USGS Arkansas Water Science Center
Telephone: (501) 228-3618
Email: freiwald@usgs.gov

SIGNATURE AND DATE

Signature:

Date:

Name:

Title:

 2/27/13

David A. Freiwald

Director, USGS AR Water Science Center

CITY OF FAYETTEVILLE

CUSTOMER POINT OF CONTACT

Name: Lioneld Jordan, Mayor
Address: City of Fayetteville
Telephone: (479) 575-8330
Email: mayor@ci.fayetteville.ar.us

SIGNATURE AND DATE

Signature:

Date:

Name:

Title:

Lioneld Jordan

Mayor, City of Fayetteville

City of Fayetteville Staff Review Form

C. 5
ADM 13-4331 Local
Foods Ordinance Review
Page 1 of 8

**City Council Agenda Items
and
Contracts, Leases or Agreements**

~~3/1/2013~~ 3-19-13
City Council Meeting Date
Agenda Items Only

Kristina Jones
Submitted By

Division

Sustainability & Strategic Planning
Department

Action Required:

A resolution requesting staff to examine Fayetteville's Unified Development Code and recommend amendments that will promote residents' ability to grow and sell plant and animal based food products and provide greater food security.

N/A
Cost of this request

N/A
Category / Project Budget

N/A
Program Category / Project Name

N/A
Account Number

N/A
Funds Used to Date

N/A
Program / Project Category Name

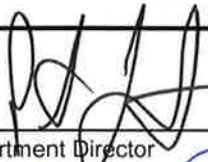
N/A
Project Number

N/A
Remaining Balance

N/A
Fund Name

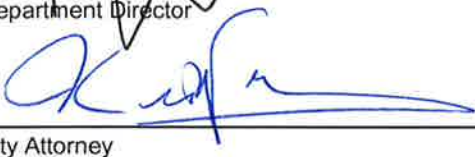
Budgeted Item ☐

Budget Adjustment Attached ☐


Department Director

3/1/13
Date

Previous Ordinance or Resolution # _____


City Attorney

3/1/13
Date

Original Contract Date: _____

Original Contract Number: _____

Paul a. Bulmer 3-1-2013
Finance and Internal Services Director Date

03-01-13 12:59 RCYD
Received in City
Clerk's Office 

Am Man 3-1-13
Chief of Staff Date

Lionel J. Foster 3/4/13
Mayor Date

Received in
Mayor's Office


Comments:



www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS
DEPARTMENT CORRESPONDENCE

CITY COUNCIL AGENDA MEMO

To: Mayor Lioneld Jordan and City Council

Thru: Don Marr, Chief of Staff

Jeremy Pate, Development Services Director

Peter Nierengarten, Sustainability & Strategic Planning Director *PW*

From: Kristina Jones, Sustainability & Strategic Planning Project Designer and Coordinator *KJ*

Date: March 1, 2013

Subject: ADM 13-4331 Local Foods Ordinance Review

PURPOSE

Mayor Lioneld Jordan is sponsoring a resolution requesting City Council support for his request to have city staff examine the Unified Development Code and recommend amendments for City Council consideration that will make it easier for residents to grow and sell plant and animal based food products. This item has Alderman Matthew Petty's endorsement.

BACKGROUND

Along with timber resources and wild game, the grasslands of this region initially attracted settlers to Washington County who grew wheat, oats, corn, hay, strawberries, beans, tomatoes, tobacco, and eventually apples and other fruit crops, as well as chickens, pigs, oxen and dairy cattle. This began to change however, starting with Great Depression of the 1930s and the subsequent decline in rural population, coupled with the advent of modern-day conveniences and rising land costs. Today much of the agricultural tradition that sustained families in this area in the past has disappeared.

However, the last few decades have seen a rebirth of interest in locally produced foods and products. A local foods movement strives to build a locally based, sustainable food economy where production, processing and distribution are integrated with an emphasis on social health benefits and environmentally sustainable local food crops and products. Additionally, supporting a strong local foods system is essential to addressing the issues of hunger and nutrition. When an individual or family can easily grow food, more residents have access to affordable, high-quality nutrition. Nationally, one in six Americans is fighting hunger; in Fayetteville, the statistic is one in four, and Arkansas leads the nation with 19% of our population who are "food insecure," lacking consistent access to enough food for active healthy living. Feeding America has determined that 15% of Washington County's residents are food insecure, and according to the Arkansas Department of Human Services, Washington County also has the second highest SNAP (food stamp) enrollment rate in Arkansas. And these problems appear to be increasing. A 2009 study by the Arkansas Hunger Relief Alliance shows that the number of people in Northwest Arkansas served weekly by the Northwest Arkansas Food Bank rose from 6,200 in 2005 to 25,900 in 2009 - a 318% increase in families receiving food assistance in only four years.

Recent activity and interest in the realm of local foods has been demonstrated by local organizations, programs, and initiatives including the following:

- Apple Seeds Inc., established in 2007, provides outreach and programs that help students and their families establish sustainable, lifelong, healthy eating habits.
- SNAP-Ed, a program administered through the Washington County Extension Service in partnership with Arkansas DHS and the U of A, is focused on educating food stamp recipients and low income families about healthy diet and exercise choices.
- The Fayetteville Community Garden Coalition was founded in 2009. Fayetteville currently boasts 20 community and school gardens and urban farms.
- Fayetteville Public Schools (FPS) educational gardens at ten schools demonstrate a local commitment to food and agriculture knowledge from the ground up. FPS is also currently introducing students to local foods and agriculture through their newly formed Farm to School program, with emphasis on local food procurement and healthy food education.
- Feed Fayetteville, formed in 2011, is an organization committed to alleviating hunger and cultivating a sustainable food network through strategic partnerships and making connections between organizations working on opposite ends of food issues to extend their reach and amplify their effectiveness.
- University of Arkansas Community Design Center was awarded \$15,000 in seed money in 2012 from the American Institute of Arkansas to begin developing “Fayetteville: 2030 Food City Scenario,” a plan for “healthy and safe food systems at a local scale...to build agrarian urbanism, where everything is designed around food production and how people live.” The plan is one response to Fayetteville’s increasing population, subsequent sprawl and the strain it places on the land, as well as a disconnect from food sources and a need for access to nutritious, sustainable food.

In the fall of 2009 Alderman Matthew Petty requested that the City begin looking at Fayetteville’s capacity for growing food in publicly owned open space. He met with the Sustainability Department in the spring of 2011, and staff began researching local foods movements in other cities and how city governments can have effective involvement. In October 2012, Feed Fayetteville solicited a community food survey including a question soliciting suggestions for Mayor Jordan about how to improve Fayetteville’s community food system, urban agriculture, and access to fresh food. The following are the most frequent comments that the Sustainability and Strategic Planning Department felt could be evaluated through City policy:

- use leftover space, such as in parks and excess rights-of-way, to plant food bearing vegetation;
- establish more community gardens and expand the animals and fowl ordinance;
- modify the zoning code to ease restrictions on farming and selling produce in town;
- provide and/or expand food composting services; and
- secure more partnerships with and support for local organizations and non-profits.

Through a second survey, the Fayetteville Forward Local Foods group ranked these priorities, the top three being: 1) Unified Development Code review and modification; 2) expanded ability to sell food onsite where grown; and 3) review of the Animals and Fowl ordinance for possible expansion.

Mayor Jordan has requested that staff assemble a group of stakeholders to review these priorities. Staff will meet with a small group consisting of farmers, agricultural law students, and food security professionals to study Fayetteville’s Unified Development Code and recommend amendments that will promote residents’ ability to grow and sell locally produced plant and animal based food products.

BUDGET IMPACT

None.

RESOLUTION NO. _____

A RESOLUTION TO REQUEST CITY STAFF REVIEW THE UNIFIED DEVELOPMENT CODE AND PREPARE AMENDMENTS TO ALLOW RESIDENTS TO RAISE FARM ANIMALS AND SELL CROPS, ANIMALS AND ANIMAL PRODUCTS IN NON-AGRICULTURALLY ZONED AREAS TO PROVIDE GREATER FOOD SECURITY FOR FAYETTEVILLE RESIDENTS

WHEREAS, 15% of Washington County's population is food insecure, which means lacking consistent access to enough food for active healthy living, and Arkansas ranks number nine in the nation in child food insecurity at 28%, while only 0.1% of Arkansas's food is sold in state directly to consumers; and

WHEREAS, expanding access to healthy food, reducing hunger, and encouraging healthier diets are of critical importance to our community's health and the reduction of our food insecurity rate; and

WHEREAS, a sustainable local food system requires community support for buying local and promoting sustainable agriculture, and working together through partnerships is important and necessary to reach the goal of a strong and sustainable local food system; and

WHEREAS, the many recent community programs and initiatives including Fayetteville Public Schools Farm to School program, the Fayetteville Community Garden Coalition, the creation of the Nation's first SNAP garden and the success of and demand for more Fayetteville Farmers' Market locations from citizens and farmers alike, all illustrate Fayetteville's support for local agriculture; and

WHEREAS, the Fayetteville Forward Local Food Group and Feed Fayetteville conducted community surveys gathering information on food priorities for Fayetteville; and

WHEREAS, the Unified Development Code should be studied to possibly authorize residents to practice animal husbandry and to sell crops, animals and animal products in non-agriculturally zoned areas.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby recognizes that a robust local food system will provide accessible, affordable nutrition for our citizens and economic stability for our community, and hereby requests the Sustainability and Strategic Planning Division work with local stakeholders to study Fayetteville's Unified Development Code and recommend changes that will promote citizens' ability to raise farm animals and sell crops, animals and animal products in non-agriculturally zoned areas to provide greater food security for Fayetteville residents.

PASSED and **APPROVED** this 19th day of March, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

Fayetteville Community Food Survey:

What suggestions do you have for Mayor Jordan about how to improve our community food system, urban agriculture, and access to fresh food?

Gardens/Public Space	
Use leftover space (City Lands/ Parks/ROW/Schools/POA properties) to plant food bearing vegetation in, accessible to all.	14
More Community Gardens and promotion of	8
City encourage/require planting food bearing landscape plants & trees as part of landscape reqs/mitigation	3
City position dedicated to Community Gardens	2
Make community gardens easier to establish and access.	1
Offer SNAP in all community gardens	1
City Ordinances/Policies/Programs	
Amend chicken ordinance to allow for more and expand to goats and other animals.	9
Create/modify zoning for Urban Agriculture/Conservation- make it easier to farm in town	5
Tax incentives for donated garden land/ sustainable garden set ups	2
City Composting	1
Overturn POA rules stating that residents cannot grow vegetables in front flower beds	1
Research and implement a more wholistic local food shed scenario.	1
Carbon tax on non local foods	1
Encourage and make rooftop gardens the norm	1
Farmers' Market	
More, easily accessible (pedestrians and outskirts of town), and larger Farmers' Markets, at different times of day	8
Support Local: Local Farmers and local food in restaurants/grocery stores	7
Support/Promote Farmers' Market	3
More evening markets	2
More education on SNAP Benefits at Market and follow through on program	2
Market at U of A	1
Farmers' market vouchers for City employees	1
More value added products at Farmers' Market	1
Create opportunities for selling of food outside of Farmers' Market- difficult to get in	1
Support partnerships btwn Farmer's market and local stores	1
Education	
Campaign/educate promoting the benefits of local foods/gardening- make it popular	8
Local food & gardening education in school	4
Food Preservation Classes/Canning programs	3
Encourage healthy good food in schools	2
Seed saving /food growing classes	2
Gardening assistance/ garden planning education	1
Organizations & Partnerships	
Partnerships- University, Fayetteville Schools, Surrounding area	5
Support local food non profits	1
Support/Promote Botanical Garden	1
Online Resources	
Website with local foods resources	1
Create a space to advertise available gardening land	1
Provide links to gardening resources and provide garden related donations	1
Community exchange program for goods- produce,compost etc.	1
Food & Local Food- General	
More local/health foods stores- need lower prices	4
Encourage City facilities and businesses to source food locally	2
Push for accurate food labeling	1
Encourage local restaurants to donate leftover foods	1
Facilitate food donations and distribution	1
Other	
Community building - neighborhood community kitchens/block parties	2
Create a place that houses emergency food stores for those in need.	1
Hire a group to conduct a regional local food assessment	1
Open a food preservation center	1

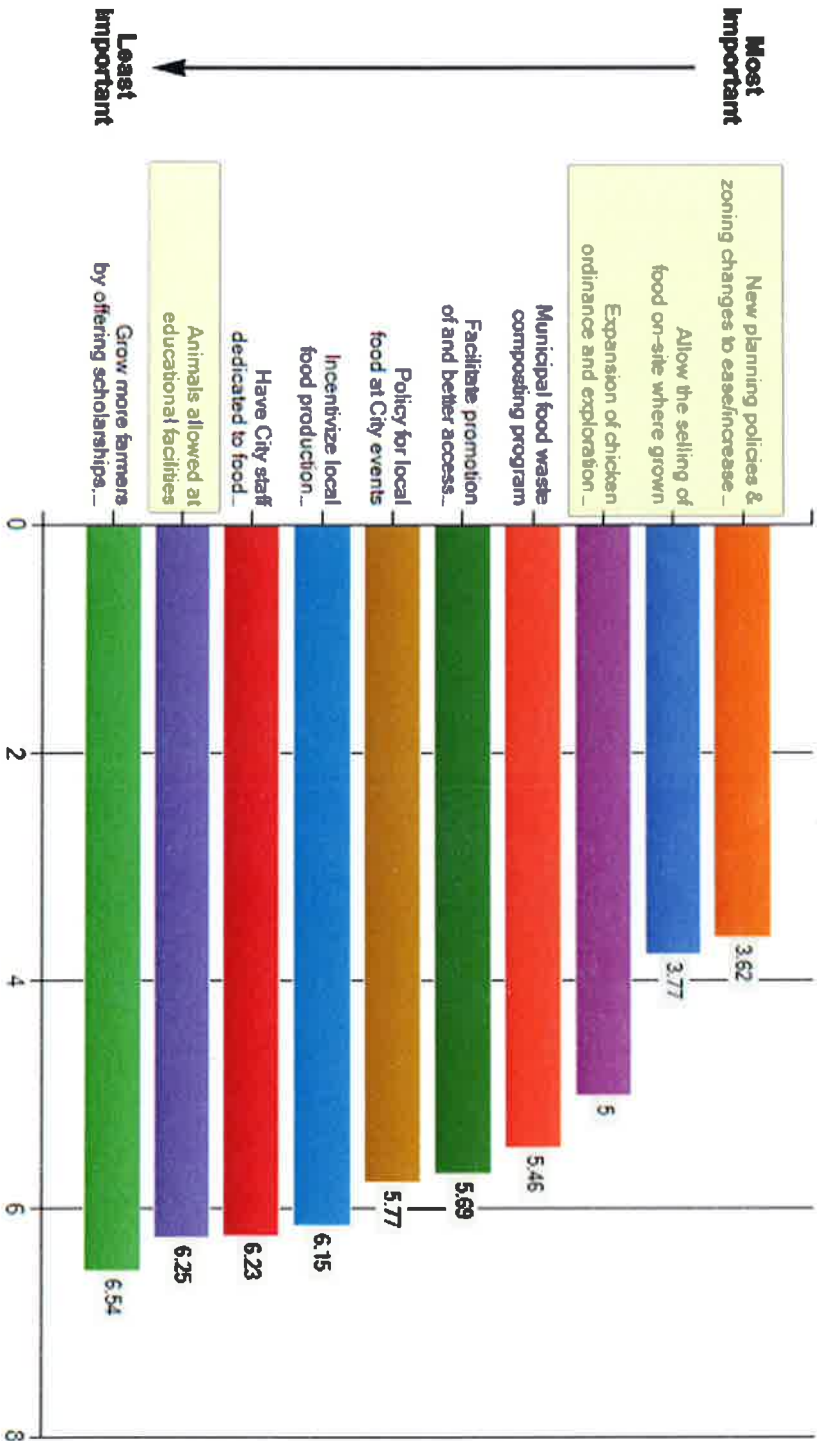


Short Term, City of Fayetteville Sustainability & Strategic Planning Department
LongTerm, Other City of Fayetteville Departments



FAYETTEVILLE FORWARD LOCAL FOOD GROUP FOOD POLICY SURVEY

Based upon Community Food Survey results and Local Foods Action Group replies, the following preferences have been chosen to represent citizens' input. Please rank these priorities with 1 being most important to you in the City's commitment to local foods and community food security and 10 being least important.



CITY OF FAYETTEVILLE
 SHORT TERM ACTION

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

**Tentative Agenda
City of Fayetteville Arkansas
City Council Meeting
March 19, 2013**

A meeting of the Fayetteville City Council will be held on March 19, 2013 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

City Council Meeting Presentations, Reports and Discussion Items:

1. **Nominating Committee Report**

Agenda Additions:

A. Consent:

1. Approval of the March 05, 2013 City Council meeting minutes.
2. **Portable Changeable Message Sign:** A resolution approving a budget adjustment in the total amount of \$14,500.00 to provide funding for the purchase of a portable changeable message sign for the Transportation Department.

3. **Bid #13-12 North Point Ford:** A resolution awarding Bid #13-12 and authorizing the purchase of three (3) Ford F-550 service body trucks from North Point Ford of North Little Rock in the total amount of \$121,812.00 for use by the Water and Sewer Division.
4. **Bid #13-13 North Point Ford:** A resolution awarding Bid #13-13 and authorizing the purchase of one (1) Ford F-250 utility truck from North Point Ford of North Little Rock in the amount of \$32,969.00 for use by the Transportation Department.
5. **North Point Ford – Information Technology Division:** A resolution authorizing the purchase of one (1) Ford F-150 pickup truck in the amount of \$18,492.00, pursuant to a state procurement contract, from North Point Ford of North Little Rock for use by the Information Technology Division, and approving a budget adjustment.
6. **Bale Chevrolet – Transportation Department:** A resolution authorizing the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Transportation Department, and approving a budget adjustment.
7. **Bale Chevrolet – Solid Waste Division:** A resolution authorizing the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Solid Waste Division.
8. **Mountain Street and College Avenue Sidewalk Improvements:** A resolution approving a budget adjustment in the amount of \$60,600.00 recognizing revenue for improvements to sidewalks on Mountain Street and College Avenue.
9. **Crafton Tull:** A resolution approving a contract with Crafton Tull in an amount not to exceed \$42,430.00 for architectural and bidding services related to renovations of pool buildings at Wilson Park.
10. **Rupple Road Improvements:** A resolution expressing the willingness of the City of Fayetteville to utilize federal-aid funds for reconstruction and relocation of Rupple Road from Wedington Drive to Mount Comfort Road.

B. Unfinished Business:

1. **Wedington Corridor Neighborhood Master Plan:** A resolution to adopt the Wedington Corridor Neighborhood Master Plan vision document and illustrative master plan. *This item was tabled at the March 05, 2013 City Council meeting to the March 19, 2013 City Council meeting.*

C. New Business:

1. **Amend 33.108 Compensation:** An ordinance to amend §33.108 Compensation relating to the Planning Commissioners and to approve a budget adjustment.
2. **VAC 12-4203 (Halsell Road Sewer Easements):** An ordinance approving VAC 12-4203 submitted by the City of Fayetteville for several blanket easements along Halsell Road, Maple Street and Oliver Avenue.

3. **First Community Bank of Crawford County Cost Share Agreement:** An ordinance waiving the requirements of formal competitive bidding and approving a \$64,000.00 cost-share agreement with First Community Bank of Crawford County for the milling and paving of streets within the Sunbridge Villas Development, and approving a budget adjustment of \$64,000.00 recognizing revenue from letters of credit.
4. **U.S. Geological Survey Agreement:** An ordinance waiving the requirements of formal competitive bidding and approving an agreement with the U.S. Geological Survey (U.S. Department of the Interior) in the amount of \$21,528.00 for the operation and maintenance of three (3) urban stream gauging stations in the City for calendar year 2013.
5. **ADM 13-4331 Local Foods Ordinance Review:** A resolution to request city staff review the Unified Development Code and prepare amendments to allow residents to raise farm animals and sell crops, animals and animal products in non-agriculturally zoned areas to provide greater food security for Fayetteville residents.

D. City Council Agenda Session Presentations:

1. Entertainment District Parking Deck Update and Public Input Session – David Jurgens, Utilities Director and Team

E. City Council Tour:

1. **April 8, 2013 5:00 PM**
Westside Wastewater Treatment Plant
2. **May 6, 2013 5:00 PM**
Noland Wastewater Treatment Plant and Biosolids Management Site

F. Announcements:

Adjournment:

*ADD: Amend 114.02 Farmer's Market
(NB #6)*

NOTICE TO MEMBERS OF THE AUDIENCE

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

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

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

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

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

Old business and new business.

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

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

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

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

A copy of the complete City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.

The Agenda Meeting 3/6/13

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.
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City of Fayetteville Arkansas
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5. **North Point Ford – Information Technology Division:** A resolution authorizing the purchase of one (1) Ford F-150 pickup truck in the amount of \$18,492.00, pursuant to a state procurement contract, from North Point Ford of North Little Rock for use by the Information Technology Division, and approving a budget adjustment.
- ✓ 6. **Bale Chevrolet – Transportation Department:** A resolution authorizing the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Transportation Department, and approving a budget adjustment.
- ✓ 7. **Bale Chevrolet – Solid Waste Division:** A resolution authorizing the purchase of one (1) Chevrolet Tahoe in the amount of \$28,789.00, pursuant to a state procurement contract, from Bale Chevrolet of Little Rock for use by the Solid Waste Division.
- ✓ 8. **Mountain Street and College Avenue Sidewalk Improvements:** A resolution approving a budget adjustment in the amount of \$60,600.00 recognizing revenue for improvements to sidewalks on Mountain Street and College Avenue.
- ✓ 9. **Crafton Tull:** A resolution approving a contract with Crafton Tull in an amount not to exceed \$42,430.00 for architectural and bidding services related to renovations of pool buildings at Wilson Park.
- ✓ 10. **Rupple Road Improvements:** A resolution expressing the willingness of the City of Fayetteville to utilize federal-aid funds for reconstruction and relocation of Rupple Road from Wedington Drive to Mount Comfort Road.
11. **ADM 13-4331 Local Foods Ordinance Review:** A resolution to request city staff review the Unified Development Code and prepare amendments to allow residents to raise farm animals and sell crops, animals and animal products in non-agriculturally zoned areas to provide greater food security for Fayetteville residents.

B. Unfinished Business:

- ✓ 1. **Wedington Corridor Neighborhood Master Plan:** A resolution to adopt the Wedington Corridor Neighborhood Master Plan vision document and illustrative master plan. *This item was tabled at the March 05, 2013 City Council meeting to the March 19, 2013 City Council meeting.*

C. New Business:

- ✓ 1. **VAC 12-4203 (Halsell Road Sewer Easements):** An ordinance approving VAC 12-4203 submitted by the City of Fayetteville for several blanket easements along Halsell Road, Maple Street and Oliver Avenue.
- ✓ 2. **First Community Bank of Crawford County Cost Share Agreement:** An ordinance waiving the requirements of formal competitive bidding and approving a \$64,000.00 cost-share agreement with First Community Bank of Crawford County for the milling and paving of streets within the Sunbridge Villas Development, and approving a budget adjustment of \$64,000.00 recognizing revenue from letters of credit.
- ✓ 3. **U.S. Geological Survey Agreement:** An ordinance waiving the requirements of formal competitive bidding and approving an agreement with the U.S. Geological Survey (U.S. Department of the Interior) in the amount of \$21,528.00 for the operation and maintenance of three (3) urban stream gauging stations in the City for calendar year 2013.
- # NB 4. **Amend 33:108 Compensation:** An ordinance to amend the Planning Commission Compensation. In route for signatures.

D. City Council Agenda Session Presentations:

1. *Entertainment District Parking Deck Update and Public Input Session, David Swagins & Consultant.*

E. City Council Tour:

1. **April 8, 2013 5:00 PM**
Westside Wastewater Treatment Plant
2. **May 6, 2013 5:00 PM**
Noland Wastewater Treatment Plant and Biosolids Management Site

F. Announcements:

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

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

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

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

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

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

Old business and new business.

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

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

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

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

A copy of the complete City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.

From: David Jurgens
To: Branson, Lisa; City Clerk
CC: Parking Deck Team
Date: 3/6/2013 12:45 PM
Subject: Parking Deck Update after City Council Agenda Session- March 12

Lisa,

Please add the following onto the March 12 agenda session as the last item:

Entertainment District Parking Deck Update and Public Input Session.

This has been staffed through Don Marr and the Mayor.

We are providing an update to the Council, immediately followed by the public input session at the same location (room 326).

Thank you,

David