

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, J
Ward 4 Position 1 – Rhonda Adams
Ward 4 Position 2 – Alan T. Long

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

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

Mayor Jordan called the meeting to order.

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

ABSENT: Alderman Justin Tennant and Alderman Martin Schoppmeyer

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions: None

City Council Meeting Presentations, Reports and Discussion Items:

Nominating Committee Report

Alderman Gray presented the Nominating Committee Report.

A copy of the report is attached.

Alderman Gray moved to approve the Nominating Committee Report. Alderman Kinion seconded the motion. Upon roll call the motion passed 6-0. Alderman Tennant and Schoppmeyer were absent.

Agenda Additions: None

Consent:

Approval of the March 05, 2013 City Council meeting minutes.

Approved

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.

Resolution 50-13 as recorded in the office of the City Clerk.

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.

Resolution 51-13 as recorded in the office of the City Clerk.

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.

Resolution 52-13 as recorded in the office of the City Clerk.

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.

Resolution 53-13 as recorded in the office of the City Clerk.

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.

Resolution 54-13 as recorded in the office of the City Clerk.

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.

Resolution 55-13 as recorded in the office of the City Clerk.

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.

Resolution 56-13 as recorded in the office of the City Clerk.

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.

Resolution 57-13 as recorded in the office of the City Clerk.

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.

Resolution 58-13 as recorded in the office of the City Clerk.

Alderman Gray moved to approve the Consent Agenda as read. **Alderman Adams** seconded the motion. Upon roll call the motion passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

Unfinished Business:

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.*

Peter Nierengarten, Director Sustainability and Strategic Planning gave a brief description of the Wedington Corridor Neighborhood Master Plan.

Kevin Mitchell, business owner stated there is a way to make a round about at Wedington that will relieve all the traffic on the I-540/Wedington interchange with minimal amount of interruption to traffic. It would help the Wedington area greatly.

Alderman Adams: Thank you Mr. Mitchell for your comments and participation. Thanks to the city staff for this neighborhood plan. I keep hearing that we need to find the heart of the west side of town whether that is a central place or a feeling that you capture. I also heard a lot about urban agri and community gardens.

Alderman Petty moved to approve the resolution. **Alderman Marsh** seconded the motion. Upon roll call the resolution passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

Resolution 59-13 as recorded in the office of the City Clerk.

New Business:

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

City Attorney Kit Williams read the ordinance.

City Attorney Kit Williams: This should say *shall be compensated a monthly amount*

Alderman Adams moved to amend the ordinance to read *shall be compensated a monthly amount*. Alderman Long seconded the motion. Upon roll call the motion passed 6-0. Alderman Tennant and Schoppmeyer were absent.

Alderman Long: I appreciate the City Attorney and the Mayor acting so quickly on this. I brought this forward because I thought it was important for our city to make it as feasible as possible for professionals who otherwise might not be able to serve without compensation on our Planning Commission. I think this will attract more people to that role that is very important for our city. I appreciate the support from the Council.

Alderman Gray: I think this is excellent and I will support it.

Alderman Gray moved to suspend the rules and go to the second reading. Alderman Kinion seconded the motion. Upon roll call the motion passed 6-0. Alderman Tennant and Schoppmeyer were 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 6-0. Alderman Tennant and Schoppmeyer were absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 6-0. Alderman Tennant and Schoppmeyer were absent.

Ordinance 5572 as Recorded in the office of the City Clerk.

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.

City Attorney Kit Williams read the ordinance.

Jeremy Pate, Development Services Director gave a brief description of the easements.

Alderman Kinion moved to suspend the rules and go to the second reading. **Alderman Marsh** seconded the motion. Upon roll call the motion passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

City Attorney Kit Williams read the ordinance.

Alderman Long moved to suspend the rules and go to the third and final reading. **Alderman Adams** seconded the motion. Upon roll call the motion passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

Ordinance 5573 as Recorded in the office of the City Clerk.

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.

City Attorney Kit Williams read the ordinance.

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

Alderman Long moved to suspend the rules and go to the second reading. **Alderman Kinion** seconded the motion. Upon roll call the motion passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

City Attorney Kit Williams read the ordinance.

Alderman Gray moved to suspend the rules and go to the third and final reading. **Alderman Adams** seconded the motion. Upon roll call the motion passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

Ordinance 5574 as Recorded in the office of the City Clerk.

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.

City Attorney Kit Williams read the ordinance.

Sarah Wrede, Staff Engineer gave a brief description of the agreement.

Alderman Gray moved to suspend the rules and go to the second reading. **Alderman Kinion** seconded the motion. Upon roll call the motion passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

City Attorney Kit Williams read the ordinance.

Alderman Gray moved to suspend the rules and go to the third and final reading. **Alderman Adams** seconded the motion. Upon roll call the motion passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

Ordinance 5575 as Recorded in the office of the City Clerk.

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.

Peter Nierengarten: Nationally one in six Americans are fighting hunger and in Fayetteville that statistic is one in four. Arkansas leads the nation with 19% of our population who are defined as food insecure. 15% of Washington County residents are food insecure. According to the state Washington County has the second highest food stamp usage rate in the state. These problems appear to be increasing. Several local organizations have demonstrated an interest in food security. Several of these groups recently completed some community surveys that asked residents to comment on how Fayetteville could improve the city's food security situation and improve access to urban agricultural and healthy fresh foods. We identified items that we could address through city policy or expanding the ability to sell food on site where grown. We also reviewed our animal and fowl ordinance for possible expansion, the use of left over space to plant food, establish more community gardens, and provide or expand composting services.

Passage of this resolution would request staff to work with stake holders and develop a list of potential changes to city ordinances that would address these items with any interest of promoting urban agriculture and addressing food insecurity in Fayetteville. These changes would be brought back to the City Council in approximately six months at which time you would be able to debate the merits of the proposed changes.

Mayor Jordan: We started talking about this in 2009. This is something I am interested in exploring and that we need to look at. Some of the reports I have read have said that 18,000 children in the world die of starvation each day. If we can grow local food and alleviate some of that burden on people I think it is something we need to study. I want to thank the food groups and Alderman Petty and others that have worked on this.

Alderman Gray: I wish we would have started this six months ago. I think it is a great idea.

Alderman Marsh: We discussed this resolution at the Environmental Action Committee and voted unanimously in support of the resolution. We recommend the Council pass the resolution.

Alderman Petty: A lot of times we do not realize how secure we have it. I have such great access to food that I have the luxury of complaining when I could not purchase my favorite cheddar cheese. There are quite a few people that do not have those luxuries. One in four in Washington County doesn't know where their next meal is coming from. The best case scenario, for the event of climate change on food production, says our ability to produce food will be lessened by 10%. Our food travels an average of 1,500 miles to get to us and for big box grocers the average is 3,000 miles. As the cost of fuel goes up the cost of food goes up on the production side and transportation side. I might be able to lower my disposable spending to be able to make up that difference but there are a lot of families out there that can't. We need to investigate how to produce food locally. This is the first step.

Alderman Adams: Thank you Matthew for your work. I am excited about the fact that we have the University here and that we can work together with the expertise we have to help. We think about this in other countries. It is time to do something in our own city.

Don Bennett, Tri Cycle Farms thanked the Mayor, Matthew Petty and Sarah Marsh. He gave a brief summary of his farm and their mission. He stated the true sustainability of a community is our food. Food is our problem and food is our solution.

Joanna Pollock thanked the Mayor for his leadership on this issue and ensuring that we are going to pursue a comprehensive urban agri policy and food policy for our city. Thank you to the Council and planners as well. I support pursuing a comprehensive urban agri policy for Fayetteville. It is the right thing to do. It keeps money in the local economy, supports farmers, and creates new ones.

Mark Cain, Dripping Springs Garden: I would advise you to take a look at what types of land the city might have access to that could be converted into urban gardens that could be rented as plots by people.

Aubrey Shepherd: The soil is the most important thing. There needs to be education about where the best soil is.

City Attorney Kit Williams: Home owners can grow gardens now. We have a community garden at the Jefferson School. We have made steps in the direction of community gardens.

Mayor Jordan thanked several people and organizations that have been very involved in this.

Alderman Gray moved to approve the resolution. **Alderman Marsh** seconded the motion. Upon roll call the resolution passed 6-0. **Alderman Tennant** and **Schoppmeyer** were absent.

Resolution 60-13 as recorded in the office of the City Clerk.

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.

City Attorney Kit Williams read the ordinance.

Alderman Petty: This ordinance would allow the Farmers Market to close and control the south side of Mountain Street, be able to use sound amplification under a special permit from the city, and allow them to set their own fees for vendors.

Lori Boatright, Farmers Market gave a brief description of the ordinance change.

Alderman Petty asked **Lori Boatright** to explain how they will make sure that the advocacy groups and other non profits on the south side will still have space to do their work.

Lori Boatright: We have moved them to the Town Center Plaza. It is actually a thoroughfare for them and they like the space better.

Mayor Jordan: What about the candidates they are usually on that side of the street?

Lori Boatright: During the last election season they were in the Town Center Plaza, different places on the sidewalk, and the wider areas where pedestrians flow through. We worked with everyone individually for what best suited their needs, allowed traffic to flow, and business to continue.

Mayor Jordan: What about the Animal Services adoption of dogs, would they still be allowed to set up?

Lori Boatright: Yes. That will not change.

Alderman Long: Last year when I was campaigning on the square you said that one of the issues that you thought needed to be looked at was the limited amount of space that people had to exercise free speech. This does not address the amount of space they have.

Lori Boatright: No. That is something we could still look at.

City Attorney Kit Williams: The Town Center Plaza is controlled by the A&P Commission and not by the city or the Farmers Market. The Farmers Market is great. One of the things I like about it is you can go there to buy food and meet people. I am concerned about making sure we have space for the Animal Shelter, candidates, and issue organizers that need a space that is not out of the way.

Lori Boatright: Last year we worked with each candidate and non profit individually to suit their needs. We can do that on a case by case basis.

Alderman Kinion: I am also worried about the access for advocacy groups. You do a great job and it is recognized as one of the best Farmers Market in the United States. As we move forward I want to be sure we protect what we have that makes it special.

Lori Boatright: We are proud of the fact that there are many different types of people that attend the Farmers Market for so many different reasons. We are constantly working to keep that balance in check. That is not something that we want to push completely out of the market or stick in a corner somewhere. We are very proud that is part of who we are. We have been working to become more of a community partner with some of those non profits and different city entities.

Alderman Kinion: It is not just city functions it is also the diversity of community organizations that are advocacy groups. I think we have to guarantee the respect and accessibility of a very broad nature in the area.

Lori Boatright: We are partnering with some of those groups. I understand where you are from a policy view.

Alderman Kinion: Social advocacy is what I am talking about as much as anything. I embrace everything that happens there but I also embrace the open exchange of ideas so that we have social issue advocacy. That is what I want to protect as we move forward.

Alderman Petty: I think we all have the same intent here. I am willing to give this more time so everyone is comfortable with it. The Farmers Market is what enables so many businesses on the square, Center, and Block Street to exist. They are at a point where they need more space.

A discussion followed on leaving this on the first reading and the A&P Commission lease of the Town Center Plaza.

Aubrey Shepherd asked about the rate increases or changes. He voiced his concern about the street musicians and regulating the sound from their speakers.

Mark Cain: I have seen the market grow since I have been on the Farmers Market Board. I respect the comments about socializing at the market. We have a point system based on attendance and sales for spots around the market. That permanence of location for vendors is something that has worked for a very long time for vendors. Farmers Market sales went up last year so there are more and more people coming to the market. The Board has had to continually struggle with the popularity of the Market for vendors and the public. How do we make the market a streamline situation where it does not become so chaotic that the customers are disgruntled because they can't walk around the square. We are constantly getting applications from growers who want to sell there. You have to understand what it is like to try to manage this, the growers, the public and non profits that want a space.

This ordinance was left on the First Reading

City Council Agenda Session Presentations:

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

City Council Tours:

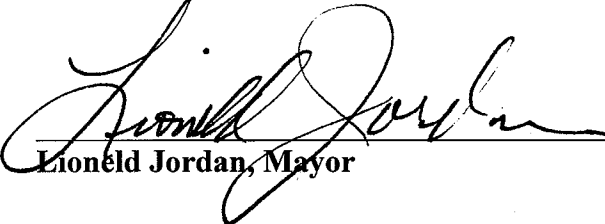
March 25, 2013 5:00 PM
Fayetteville Public Library

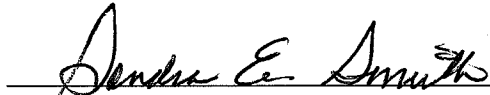
April 8, 2013 5:00 PM
Westside Wastewater Treatment Plant

May 6, 2013 5:00 PM
Woolsey Wet Prairie

Announcements:

Adjournment: 7:55 p.m.


Lioneld Jordan, Mayor


Sondra E. Smith, City Clerk/Treasurer

Nominating Committee Report

Meeting: Monday, March 11, 2013

City Hall, Room 326, 5:00 p.m.

Members Present – Adella Gray, Justin Tennant, Rhonda Adams, and Mark Kinion

The Committee recommends the following candidates for appointment:

ADVERTISING AND PROMOTION COMMISSION

The Commissioners recommend the following appointments to the Advertising and Promotion Commission with the approval of the City Council.

- Matt Behrend – One Unexpired Tourism Industry Term Ending 03/31/15

FAYETTEVILLE PUBLIC LIBRARY BOARD

The Mayor recommends the following appointments to the Fayetteville Public Library Board with the approval of the City Council.

- Suzanne Clark - One Term Ending 04/01/18
- Charles Adams - One Term Ending 04/01/18

ANIMAL SERVICES ADVISORY BOARD

- Lea Criss – One Unexpired Term Ending 06/30/14

AUDIT COMMITTEE

- No applications were received

CITY BOARD OF HEALTH

- No applications were received

CIVIL SERVICE COMMISSION

- Nancy Allen - One Term Ending 03/31/19
- Betty Martin - One Unexpired Term Ending 03/31/14

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEAL

- Bill Hairston – One Term Ending 3/31/18
- John Dupree - One Unexpired Term Ending 3/31/17
- Jules Beck - One Unexpired Alternate Member Term Ending 3/31/13

HOUSING AUTHORITY BOARD OF COMMISSIONERS

- No applications were received

PLANNING COMMISSION

- Sarah Bunch - One Term Ending 03/31/16
- William Chesser - One Term Ending 03/31/16
- Ron Autry - One Term Ending 03/31/16

Revised Nominating Committee Report

Meeting: Monday, March 11, 2013

City Hall, Room 326, 5:00 p.m.

Members Present – Adella Gray, Justin Tennant, Rhonda Adams, and Mark Kinion

The Committee recommends the following candidates for appointment:

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEAL

- Jules Beck - One Unexpired Alternate Member Term Ending 3/31/14