

Alderman Adella Gray
Ward 1 Position 1

Alderman Sarah Marsh
Ward 1 Position 2

Alderman Mark Kinion
Ward 2 Position 1

Alderman Matthew Petty
Ward 2 Position 2



Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. Smith

Alderman Justin Tennant
Ward 3 Position 1

Alderman Sarah Bunch
Ward 3 Position 2

Alderman John La Tour
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

**City of Fayetteville Arkansas
City Council Meeting
February 7, 2017**

A meeting of the Fayetteville City Council was held on February 7, 2017 at 5:30 p.m. 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. ORT-Ozark Regional Transit - Semi-Monthly Report

APPROVED.

2. Fayetteville Natural Heritage Association Check Presentation

APPROVED.

3. Kessler Mountain Regional Park Rotary Playground Project Presentation - Presented by Rotary Club President Harrison Pittman

APPROVED.

Agenda Additions

A. Consent:

1. Approval of the January 17, 2017 City Council Meeting Minutes.

Approved

2. **BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY:** A resolution to award Bid No. 16-65 and authorize the purchase of a Genie S-45 Telescopic Boom Lift from J.A. Riggs Tractor Company of Springdale in the amount of \$64,710.96 for use at the Biosolids Management Site.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 32-17

3. **BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY:** A resolution to award Bid No. 16-66 and authorize the purchase of an Elgin Crosswind Street Sweeper from Scruggs Equipment Company of Memphis, Tennessee in the amount of \$202,265.00 for use by the transportation services department.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 33-17

4. **BID NO. 16-67 SWEETSER CONSTRUCTION, INC.:** A resolution to award Bid No. 16-67 and authorize a contract with Sweetser Construction, Inc. in the amount of \$158,422.00 for the construction of a bridge along Salem Road for the Clabber Creek Trail, and to approve a project contingency in the amount of \$7,921.00.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 34-17

5. **SANDERS CREST, INC:** A resolution to approve a one year lease agreement with an option to renew for three additional one year terms with Sanders Crest, Inc. for office space in the airport terminal building in the amount of \$780.16 per month for the first year.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO 35-17

6. **FRANKLIN AND SON, INC.:** A resolution to award Bid No. 17-21 and approve a construction contract with Franklin and Son, Inc. of Farmington, Arkansas for the Airfield Roof Rehabilitation Project at Drake Field in the amount of \$378,253.00, and to approve a project contingency in the amount of \$79,374.00.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 36-17

7. **BANK OF FAYETTEVILLE DONATION REVENUE:** A resolution to approve a budget adjustment in the amount of \$1,000.00 representing donation revenue from the Bank of Fayetteville to the Fayetteville Fire Department for the annual employee service awards event.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 37-17

8. **CH2M HILL ENGINEERS, INC. AMENDMENT NO. 7:** A resolution to approve a two month extension of Amendment No. 7 to the contract with CH2M Hill Engineers, Inc. beginning January 1, 2017 and ending February 28, 2017 at a cost of \$656,019.58 per month for operations, maintenance and management services.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO 38-17

9. **DAVIS LAW FIRM WATER DAMAGE CLAIM :** A resolution pursuant to Fayetteville Code of Ordinances Section 39.10(C)(4) to authorize the Mayor to pay the amount of \$26,759.34 to Davis, Clark, Butt, Carithers & Taylor, PLC for a water damage claim at 15 and 19 East Mountain Street.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 39-17

10. **DANIEL AND MEGAN KELSEY SEWER DAMAGE CLAIM:** A resolution pursuant to Fayetteville Code of Ordinances Section 39.10(C)(4) to authorize the Mayor to pay the amount of \$13,903.57 to Daniel and Megan Kelsey as reimbursement for damage to their real and personal property in addition to previous payments of \$6,587.78 to Servpro for water damage mitigation services, \$350.00 to WFC, INC. for bathroom repair work.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 40-17

11. **LAKE SEQUOYAH DREDGING FACILITIES:** A resolution to approve a New Capital Project for continued construction of dredging facilities at Lake Sequoyah, and to approve a budget adjustment in the amount of \$503,242.00 to fund the project.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 41-17

12. **FAYETTEVILLE RENTALS, LLC :** A resolution to approve a 50/50 cost share agreement with Fayetteville Rentals, LLC for construction of a sewer main along a portion of South Street between South College Avenue and South Washington Avenue at a total estimated cost of \$10,174.86 including a 20% project contingency.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 42-17

13. **BID NO. 17-22 BLUE RIBBON LAWNS, INC.:** A resolution to award Bid No. 17-22 and authorize a contract with Blue Ribbon Lawns, Inc. in the amount of \$169,810.24 for the installation of trees and shrubs within the median of Ruppel Road between West Persimmon Street and West Martin Luther King, Jr. Boulevard, and to approve a project contingency in the amount of \$15,000.00.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 43-17

B. Unfinished Business:

- 1. PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT APPEAL** A resolution to grant the appeal of City Council Member Adella Gray and to deny preliminary plat 16-5574 (Mountain Vista Subdivision) because such development would create or compound a dangerous traffic condition in violation of § 166.02 (c)(2)(a)(iv) of the unified development code.

THIS RESOLUTION FAILED AT THE FEBRUARY 7, 2017 CITY COUNCIL MEETING

C. New Business: None

- 1. WALTON FAMILY FOUNDATION MATCHING GRANT:** A resolution to accept a Walton Family Foundation matching grant in the amount of \$210,000.00 for the implementation of a portion of the Kessler Mountain Master Trails Plan, to authorize Mayor Jordan to sign the grant agreement, and to approve a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 44-17

- 2. 2017 ENERGY ACTION PLAN:** A resolution to express the City Council's support for the study and development of an energy action plan in 2017

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 45-17

- 3. CH2M HILL ENGINEERS, INC. AMENDMENT NO. 8:** A resolution to approve amendment No. 8 to the agreement for operations, maintenance and management services between the City of Fayetteville, Arkansas and CH2M Hill Engineers, Inc. in the amount of \$7,807,453.00 for services in 2017

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 46-17

- 4. 21 WEST, LLC COST SHARE:** An ordinance to waive the requirements of formal competitive bidding and approve a cost share agreement with 21 West, LLC for the installation of sewer main along a portion of Meadow Street between West Avenue and Gregg Avenue, with the estimated amount to be paid by the City of Fayetteville not to exceed \$36,128.00, and to approve a project contingency in the amount of \$7,225.60.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5947

- 5. CRUSE UNIFORMS AND EQUIPMENT, INC.:** An ordinance to waive the requirements of formal competitive bidding through December 31, 2018 and authorize the purchase of police service weapons and holsters from Cruse Uniforms and Equipment, Inc. in the amount of \$109,237.00, and to approve a budget adjustment.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5948

- 6. RZN 16-5677 (3535 E. HUNTSVILLE RD./HARRIS):** An ordinance to rezone about 1.27 acres described in rezoning petition 16-5677 located at 3535 East Huntsville Road from rsf-4, residential single family-four units per acre to r-a, residential agriculture.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO 5949

- 7. AMEND §164.02 ACCESSORY STRUCTURES AND USES:** An ordinance to amend §164.02 accessory structures and uses of the Unified Development Code to allow the construction of shared accessory structures.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5950

- 8. AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION:** An ordinance to amend §151.01 Definitions and §174.09 Sign Illumination of the unified development code to repeal unneeded definitions and to remove a requirement that sign illumination in the i-540 overlay district be indirect.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5951

D. City Council Agenda Session Presentations

- E. City Council Tour:** February 6, 2017 4:30 pm - Preliminary Plat 16-5574.

Announcements

Adjournment: 8:01 p.m.

City Council Meeting:

February 7, 2017

Adjourn: 8:01 pm

Subject:	Roll				
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Tennant	✓			
	Bunch	✓			
	La Tour	✓			
	Long	✓			
	Mayor Jordan	✓			

9-0

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

Subject:	Consent				
Motion To:					
Motion By:		<i>Approves</i>			
Motion By:		<i>Marsh</i>			
Seconded:		<i>Long</i>			
A. 1-13 <i>Approved</i> <i>32 17</i> <i>through</i> <i>43-17</i>	Gray	<i>✓</i>			
	Marsh	<i>✓</i>			
	Kinion	<i>✓</i>			
	Petty	<i>✓</i>			
	Tennant	<i>✓</i>			
	Bunch	<i>✓</i>			
	La Tour	<i>✓</i>			
	Long	<i>✓</i>			
	Mayor Jordan				

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

Subject:	PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT APPEAL				
Motion To:		<i>Send to ORE Table</i>	<i>Approve</i>		
Motion By:		<i>Gray</i>	<i>Gray</i>		
Seconded:		<i>Long</i>	<i>Petty</i>		
B. 1 Unfinished Business <i>Failed</i>	Gray	<i>✓</i>	<i>N</i>		
	Marsh	<i>N</i>	<i>N</i>		
	Kinion	<i>N</i>	<i>N</i>		
	Petty	<i>N</i>	<i>N</i>		
	Tennant	<i>N</i>	<i>N</i>		
	Bunch	<i>N</i>	<i>N</i>		
	La Tour	<i>N</i>	<i>N</i>		
	Long	<i>✓</i>	<i>N</i>		
	Mayor Jordan				

2-6

0-8

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

Subject:	WALTON FAMILY FOUNDATION MATCHING GRANT				
Motion To:		<i>Approve</i>			
Motion By:		<i>Long</i>			
Seconded:		<i>Petty</i>			
C. 1 New Business <i>Approved</i> 44-17	Gray	<i>✓</i>			
	Marsh	<i>✓</i>			
	Kinion	<i>✓</i>			
	Petty	<i>✓</i>			
	Tennant	<i>✓</i>			
	Bunch	<i>✓</i>			
	La Tour	<i>✓</i>			
	Long	<i>✓</i>			
	Mayor Jordan				

8-0

Subject:	2017 ENERGY ACTION PLAN				
Motion To:		<i>Approve</i>			
Motion By:		<i>Petty</i>			
Seconded:		<i>Long</i>			
C. 2 New Business <i>Approved</i> 45-17	Gray	<i>✓</i>			
	Marsh	<i>✓</i>			
	Kinion	<i>✓</i>			
	Petty	<i>✓</i>			
	Tennant	<i>✓</i>			
	Bunch	<i>✓</i>			
	La Tour	<i>✓</i>			
	Long	<i>✓</i>			
	Mayor Jordan				

7-1

Subject:	CH2M HILL ENGINEERS, INC. AMENDMENT NO. 8				
Motion To:		<i>Approve</i>			
Motion By:		<i>Kinion</i>			
Seconded:		<i>Long</i>			
C. 3 New Business <i>Approved</i> <i>46-17</i>	Gray	<i>✓</i>			
	Marsh	<i>✓</i>			
	Kinion	<i>✓</i>			
	Petty	<i>✓</i>			
	Tennant	<i>✓</i>			
	Bunch	<i>✓</i>			
	La Tour	<i>✓</i>			
	Long	<i>✓</i>			
	Mayor Jordan				

8-0

Subject:	21 WEST, LLC COST SHARE				
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Approve</i>	
Motion By:		<i>Kinion</i>	<i>Kinion</i>		
Seconded:		<i>Marsh</i>	<i>Marsh</i>		
C. 4 New Business <i>Approved</i> <i>5947</i>	Gray	<i>✓</i>	<i>✓</i>	<i>✓</i>	
	Marsh	<i>✓</i>	<i>✓</i>	<i>✓</i>	
	Kinion	<i>✓</i>	<i>✓</i>	<i>✓</i>	
	Petty	<i>✓</i>	<i>✓</i>	<i>✓</i>	
	Tennant	<i>✓</i>	<i>✓</i>	<i>✓</i>	
	Bunch	<i>✓</i>	<i>✓</i>	<i>✓</i>	
	La Tour	<i>✓</i>	<i>✓</i>	<i>✓</i>	
	Long	<i>✓</i>	<i>✓</i>	<i>✓</i>	
	Mayor Jordan				

8-0

8-0

8-0

Subject: CRUSE UNIFORMS AND EQUIPMENT, INC.					
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Approve</i>	
Motion By:		<i>Marsh</i>	<i>Gray</i>		
Seconded:		<i>Long</i>	<i>Tennant</i>		
C. 5 New Business <i>Approved</i> <i>5948</i>	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Bunch	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

8-0

Subject: RZN 16-5677 (3535 E. HUNTSVILLE RD./HARRIS)					
Motion To:		<i>2nd Read</i>	<i>3rd Read</i>	<i>Approve</i>	
Motion By:		<i>Long</i>	<i>Marsh</i>		
Seconded:		<i>Marsh</i>	<i>Gray</i>		
C. 6 New Business <i>Approved</i> <i>5949</i>	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Bunch	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

8-0

Subject: AMEND §164.02 ACCESSORY STRUCTURES AND USES					
Motion To:		2nd Read	3rd Read	Approve	
Motion By:		Kinion	Kinion		
Seconded:		Marsh	Gray		
C. 7 New Business <u>Approved</u> 5950	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Bunch	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
Mayor Jordan					

8-0

8-0

8-0

Subject: AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION					
Motion To:		2nd Read	3rd Read	Approve	
Motion By:		Long	Kinion		
Seconded:		Kinion	Tennant		
C. 8 New Business 5951	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Tennant	✓	✓	✓	
	Bunch	✓	✓	✓	
	La Tour	✓	✓	✓	
	Long	✓	✓	✓	
Mayor Jordan					

8-0

8-0

8-0



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Patti Mulford
Paralegal

TO: Mayor Jordan

THRU: Sondra Smith, City Clerk

FROM: Kit Williams, City Attorney

DATE: February 8, 2017

RE: Resolutions and Ordinances prepared by the City Attorney's Office and passed at the City Council meeting of February 7, 2017

1. A resolution to award bid no. 16-65 and authorize the purchase of a Genie S-45 telescopic boom lift from J.A. Riggs Tractor Company of Springdale in the amount of \$64,710.96 for use at the Biosolids Management Site
2. A resolution to award bid no. 16-66 and authorize the purchase of an Elgin Crosswind street sweeper from Scruggs Equipment Company of Memphis, Tennessee in the amount of \$202,265.00 for use by the Transportation Services Department
3. A resolution to award bid no. 16-67 and authorize a contract with Sweetser Construction, Inc. in the amount of \$158,422.00 for the construction of a bridge along Salem Road for the Clabber Creek Trail, and to approve a project contingency in the amount of \$7,921.00
4. A resolution to approve a one year lease agreement with an option to renew for three additional one year terms with Sanders Crest, Inc. For office space in the airport terminal building in the amount of \$780.16 per month for the first year
5. A resolution to award bid no. 17-21 and approve a construction contract with Franklin and Son, Inc. Of Farmington, Arkansas for the airfield roof rehabilitation project at Drake Field in the amount of \$378,253.00, and to approve a project contingency in the amount of \$79,374.00
6. A resolution to approve a budget adjustment in the amount of \$1,000.00 representing donation revenue from the Bank of Fayetteville to the Fayetteville Fire Department for the annual employee service awards event
7. A resolution to approve a two month extension of amendment no. 7 to the contract with CH2M Hill Engineers, Inc. Beginning January 1, 2017 and ending February 28, 2017 at a cost of \$656,019.58 per month for operations, maintenance and management services

8. A resolution pursuant to Fayetteville Code of Ordinances section 39.10(c)(4) to authorize the mayor to pay the amount of \$26,759.34 to Davis, Clark, Butt, Carithers & Taylor, PLC for a water damage claim at 15 and 19 East Mountain Street
9. A resolution pursuant to Fayetteville Code of Ordinances section 39.10(c)(4) to authorize the Mayor to pay the amount of \$13,903.57 to Daniel and Megan Kelsey as reimbursement for damage to their real and personal property in addition to payments previously made in the amount of \$6,587.78 to Servpro for water damage mitigation services and \$350.00 to WFC, Inc. For bathroom repair work
10. A resolution to approve a new capital project for continued construction of dredging facilities at Lake Sequoyah, and to approve a budget adjustment in the amount of \$503,242.00 to fund the project
11. A resolution to approve a 50/50 cost share agreement with Fayetteville Rentals, LLC for construction of a sewer main along a portion of South Street between South College Avenue and South Washington Avenue at a total estimated cost of \$10,174.86 including a 20% project contingency
12. A resolution to award bid no. 17-22 and authorize a contract with Blue Ribbon Lawns, Inc. In the amount of \$169,810.24 for the installation of trees and shrubs within the median of Ruppel Road between West Persimmon Street and West Martin Luther King, Jr. Boulevard, and to approve a project contingency in the amount of \$15,000.00
13. A resolution to accept a Walton Family Foundation Matching Grant in the amount of \$210,000.00 for the implementation of a portion of the Kessler Mountain Master Trails Plan, to authorize Mayor Jordan to sign the grant agreement, and to approve a budget adjustment
14. A resolution to express the City Council's support for the study and development of an Energy Action Plan in 2017
15. A resolution to approve Amendment no. 8 to the agreement for operations, maintenance and management services between the City of Fayetteville, Arkansas and CH2M Hill Engineers, Inc. In the amount of \$7,807,453.00 for services in 2017
16. An ordinance to waive the requirements of formal competitive bidding and approve a cost share agreement with 21 West, LLC for the installation of sewer main along a portion of Meadow Street between West Avenue and Gregg Avenue, with the estimated amount to be paid by the City of Fayetteville not to exceed \$36,128.00, and to approve a project contingency in the amount of \$7,225.60
17. An ordinance to waive the requirements of formal competitive bidding through December 31, 2018 and authorize the purchase of police service weapons and holsters from Cruse Uniforms and Equipment, Inc. In the amount of \$109,237.00, and to approve a budget adjustment

18. An ordinance to rezone about 1.27 acres described in rezoning petition 16-5677 located at 3535 East Huntsville Road from RSF-4, Residential Single Family-four units per acre to R-A, Residential Agriculture.

19. An ordinance to amend §164.02 Accessory Structures and Uses of the Unified Development Code to allow the construction of Shared Accessory Structures

20. An ordinance to amend §151.01 definitions and §174.09 Sign Illumination of the Unified Development Code to repeal unneeded definitions and to remove a requirement that sign illumination in the I-540 overlay district be indirect

City of Fayetteville, Arkansas

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



Meeting Agenda - Final Agenda

Tuesday, February 7, 2017

5:30 PM

City Hall Room 219

City Council Meeting

*Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Sarah Bunch Ward 3
John S. La Tour Ward 4
Alan Long Ward 4*

ELECTED OFFICIALS:

*Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith*

Call To Order**Roll Call****Pledge of Allegiance****Mayor's Announcements, Proclamations and Recognitions****1. [2017-0031](#)**

ORT-OZARK REGIONAL TRANSIT - SEMI-MONTHLY REPORT

2. [2017-0009](#)

FAYETTEVILLE NATURAL HERITAGE ASSOCIATION CHECK PRESENTATION

3. [2017-0042](#)

KESSLER MOUNTAIN REGIONAL PARK ROTARY PLAYGROUND PROJECT
PRESENTATION - PRESENTED BY ROTARY CLUB PRESIDENT HARRISON
PITTMAN

City Council Meeting Presentations, Reports and Discussion Items:**Agenda Additions:****A. Consent:****A. 1 [2016-0568](#)**

APPROVAL OF THE JANUARY 17, 2017 CITY COUNCIL MEETING MINUTES.

A. 2 [2017-0011](#)**BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY:**

A RESOLUTION TO AWARD BID NO. 16-65 AND AUTHORIZE THE PURCHASE OF
A GENIE S-45 TELESCOPIC BOOM LIFT FROM J.A. RIGGS TRACTOR COMPANY OF
SPRINGDALE IN THE AMOUNT OF \$64,710.96 FOR USE AT THE BIOSOLIDS
MANAGEMENT SITE

Attachments: [BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY](#)

A. 3 [2017-0010](#)**BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY:**

A RESOLUTION TO AWARD BID NO. 16-66 AND AUTHORIZE THE PURCHASE OF AN ELGIN CROSSWIND STREET SWEEPER FROM SCRUGGS EQUIPMENT COMPANY OF MEMPHIS, TENNESSEE IN THE AMOUNT OF \$202,265.00 FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT

Attachments: [BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY](#)

A. 4 [2016-0639](#)**BID NO. 16-67 SWEETSER CONSTRUCTION, INC.:**

A RESOLUTION TO AWARD BID NO. 16-67 AND AUTHORIZE A CONTRACT WITH SWEETSER CONSTRUCTION, INC. IN THE AMOUNT OF \$158,422.00 FOR THE CONSTRUCTION OF A BRIDGE ALONG SALEM ROAD FOR THE CLABBER CREEK TRAIL, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,921.00

Attachments: [BID 16-67 SWEETSER CONSTRUCTION, INC.](#)

A. 5 [2017-0038](#)**SANDERS CREST, INC.:**

A RESOLUTION TO APPROVE A ONE YEAR LEASE AGREEMENT WITH AN OPTION TO RENEW FOR THREE ADDITIONAL ONE YEAR TERMS WITH SANDERS CREST, INC. FOR OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF \$780.16 PER MONTH FOR THE FIRST YEAR

Attachments: [SANDERS CREST, INC.](#)

A. 6 [2017-0043](#)**FRANKLIN AND SON, INC.:**

A RESOLUTION TO AWARD BID NO. 17-21 AND APPROVE A CONSTRUCTION CONTRACT WITH FRANKLIN AND SON, INC. OF FARMINGTON, ARKANSAS FOR THE AIRFIELD ROOF REHABILITATION PROJECT AT DRAKE FIELD IN THE AMOUNT OF \$378,253.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$79,374.00

Attachments: [FRANKLIN AND SON, INC.](#)

A. 7 [2017-0013](#)**BANK OF FAYETTEVILLE DONATION REVENUE:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,000.00 REPRESENTING DONATION REVENUE FROM THE BANK OF FAYETTEVILLE TO THE FAYETTEVILLE FIRE DEPARTMENT FOR THE ANNUAL EMPLOYEE SERVICE AWARDS EVENT

Attachments:[BANK OF FAYETTEVILLE DONATION REVENUE](#)[BA BANK OF FAYETTEVILLE DONATION REVENUE](#)**A. 8** [2017-0007](#)**CH2M HILL ENGINEERS, INC. AMENDMENT NO. 7:**

A RESOLUTION TO APPROVE A TWO MONTH EXTENSION OF AMENDMENT NO. 7 TO THE CONTRACT WITH CH2M HILL ENGINEERS, INC. BEGINNING JANUARY 1, 2017 AND ENDING FEBRUARY 28, 2017 AT A COST OF \$656,019.58 PER MONTH FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES

Attachments:[CH2M HILL ENGINEERS, INC. AMENDMENT NO. 7:](#)**A. 9** [2017-0032](#)**DAVIS LAW FIRM WATER DAMAGE CLAIM:**

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$26,759.34 TO DAVIS, CLARK, BUTT, CARITHERS & TAYLOR, PLC FOR A WATER DAMAGE CLAIM AT 15 AND 19 EAST MOUNTAIN STREET

Attachments:[DAVIS LAW FIRM WATER DAMAGE CLAIM](#)

A. 10 [2017-0045](#)**DANIEL AND MEGAN KELSEY SEWER DAMAGE CLAIM:**

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$13,903.57 TO DANIEL AND MEGAN KELSEY AS REIMBURSEMENT FOR DAMAGE TO THEIR REAL AND PERSONAL PROPERTY IN ADDITION TO PAYMENTS PREVIOUSLY MADE IN THE AMOUNT OF \$6,587.78 TO SERVPRO FOR WATER DAMAGE MITIGATION SERVICES AND \$350.00 TO WFC, INC. FOR BATHROOM REPAIR WORK

Attachments: [DANIEL AND MEGAN KELSEY SEWER DAMAGE CLAIM](#)

A. 11 [2017-0014](#)**LAKE SEQUOYAH DREDGING FACILITIES:**

A RESOLUTION TO APPROVE A NEW CAPITAL PROJECT FOR CONTINUED CONSTRUCTION OF DREDGING FACILITIES AT LAKE SEQUOYAH, AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$503,242.00 TO FUND THE PROJECT

Attachments: [LAKE SEQUOYAH DREDGING FACILITIES](#)
 [BA_LAKE SEQUOYAH DREDGING FACILITIES](#)

A. 12 [2017-0048](#)**FAYETTEVILLE RENTALS, LLC:**

A RESOLUTION TO APPROVE A 50/50 COST SHARE AGREEMENT WITH FAYETTEVILLE RENTALS, LLC FOR CONSTRUCTION OF A SEWER MAIN ALONG A PORTION OF SOUTH STREET BETWEEN SOUTH COLLEGE AVENUE AND SOUTH WASHINGTON AVENUE AT A TOTAL ESTIMATED COST OF \$10,174.86 INCLUDING A 20% PROJECT CONTINGENCY

Attachments: [FAYETTEVILLE RENTALS, LLC](#)

A. 13 [2017-0040](#)**BID NO. 17-22 BLUE RIBBON LAWNS, INC.:**

A RESOLUTION TO AWARD BID NO. 17-22 AND AUTHORIZE A CONTRACT WITH BLUE RIBBON LAWNS, INC. IN THE AMOUNT OF \$169,810.24 FOR THE INSTALLATION OF TREES AND SHRUBS WITHIN THE MEDIAN OF RUPPLE ROAD BETWEEN WEST PERSIMMON STREET AND WEST MARTIN LUTHER KING, JR. BOULEVARD, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00

Attachments: [BLUE RIBBON LAWNS, INC.](#)

B. Unfinished Business:**B. 1** [2016-0674](#)**PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT APPEAL:**

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO DENY PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) BECAUSE SUCH DEVELOPMENT WOULD CREATE OR COMPOUND A DANGEROUS TRAFFIC CONDITION IN VIOLATION OF § 166.02 (C)(2)(a)(iv) OF THE UNIFIED DEVELOPMENT CODE

Attachments: [PRELIMINARY PLAT 16-5574 \(MOUNTAIN VISTA SUBDIVISION\) GRANT APP](#)

At the January 3, 2017 City Council Meeting this resolution was tabled to the February 7, 2017 City Council Meeting.

C. New Business:**C. 1** [2017-0034](#)**WALTON FAMILY FOUNDATION MATCHING GRANT:**

A RESOLUTION TO ACCEPT A WALTON FAMILY FOUNDATION MATCHING GRANT IN THE AMOUNT OF \$210,000.00 FOR THE IMPLEMENTATION OF A PORTION OF THE KESSLER MOUNTAIN MASTER TRAILS PLAN, TO AUTHORIZE MAYOR JORDAN TO SIGN THE GRANT AGREEMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [WALTON FAMILY FOUNDATION MATCHING GRANT](#)
[BA_WALTON FAMILY FOUNDATION MATCHING GRANT](#)

C. 2 [2017-0033](#)**2017 ENERGY ACTION PLAN:**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE STUDY AND DEVELOPMENT OF AN ENERGY ACTION PLAN IN 2017

Attachments: [2017 ENERGY ACTION PLAN](#)

C. 3 [2017-0029](#)**CH2M HILL ENGINEERS, INC. AMENDMENT NO. 8:**

A RESOLUTION TO APPROVE AMENDMENT NO. 8 TO THE AGREEMENT FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$7,807,453.00 FOR SERVICES IN 2017

Attachments: [CH2M HILL ENGINEERS, INC. AMENDMENT NO. 8](#)

C. 4 [2017-0030](#)**21 WEST, LLC COST SHARE:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH 21 WEST, LLC FOR THE INSTALLATION OF SEWER MAIN ALONG A PORTION OF MEADOW STREET BETWEEN WEST AVENUE AND GREGG AVENUE, WITH THE ESTIMATED AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$36,128.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,225.60

Attachments: [21 WEST LLC](#)

C. 5 [2017-0012](#)**CRUSE UNIFORMS AND EQUIPMENT, INC.:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING THROUGH DECEMBER 31, 2018 AND AUTHORIZE THE PURCHASE OF POLICE SERVICE WEAPONS AND HOLSTERS FROM CRUSE UNIFORMS AND EQUIPMENT, INC. IN THE AMOUNT OF \$109,237.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [CRUSE UNIFORMS AND EQUIPMENT, INC.](#)
 [BA_CRUSE UNIFORMS AND EQUIPMENT, INC.](#)

C. 6 [2017-0017](#)**RZN 16-5677 (3535 E. HUNTSVILLE RD./HARRIS):**

AN ORDINANCE TO REZONE ABOUT 1.27 ACRES DESCRIBED IN REZONING PETITION 16-5677 LOCATED AT 3535 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY-FOUR UNITS PER ACRE TO R-A, RESIDENTIAL AGRICULTURE.

Attachments: [RZN 16-5677 \(3535 E. HUNTSVILLE RD./HARRIS\)](#)

C. 7 [2016-0524](#)**AMEND §164.02 ACCESSORY STRUCTURES AND USES:**

AN ORDINANCE TO AMEND §164.02 ACCESSORY STRUCTURES AND USES OF THE UNIFIED DEVELOPMENT CODE TO ALLOW THE CONSTRUCTION OF SHARED ACCESSORY STRUCTURES

Attachments: [AMEND §164.02 ACCESSORY STRUCTURES AND USES](#)

C. 8 [2017-0015](#)**AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION:**

AN ORDINANCE TO AMEND §151.01 **DEFINITIONS** AND §174.09 **SIGN ILLUMINATION** OF THE UNIFIED DEVELOPMENT CODE TO REPEAL UNNEEDED DEFINITIONS AND TO REMOVE A REQUIREMENT THAT SIGN ILLUMINATION IN THE I-540 OVERLAY DISTRICT BE INDIRECT

Attachments: [AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION](#)

D. City Council Agenda Session Presentations:**E. City Council Tour: FEBRUARY 6, 2017 4:30 PM - PRELIMINARY PLAT 16-5574****F. Announcements:****G. Adjournment**

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may appear and address the City Council on Unfinished Business, New Business, and Public Hearings at City Council meetings. If you wish to address the City Council on an agenda item, please wait for the Mayor or Chair to request public comment then queue behind the podium. When the Mayor or Chair recognizes you, approach the podium and give your name and address. Comments are to be addressed to the Mayor or Chair. The Mayor or Chair will direct your comments to the appropriate elected officials, staff, or others for response. Keep your comments respectful, brief, to the point, and relevant to the agenda item being considered. Each speaker from the public will be allowed one turn at the microphone for discussion of an agenda item.

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. City staff, City Council members, and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item.

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. A simple majority of the City Council members, present and voting, may authorize a representative of a Fayetteville citizens' group opposing the ordinance or resolution to present an electronic visual aid not to exceed five minutes, but no other electronic visual aid presentations will be allowed; however, 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's 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 Telecommunications Device for the Deaf (TDD), for hearing impaired are available for all City Council meetings, a 72-hour advance notice is required. For further information or to request an interpreter, please call 479-575-8330.

A copy of the complete City Council agenda is available on our website at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas (479) 575-8323.

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

Alderman Adella Gray
Ward 1 Position 1

Alderman Sarah Marsh
Ward 1 Position 2

Alderman Mark Kinion
Ward 2 Position 1

Alderman Matthew Petty
Ward 2 Position 2



Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. Smith

Alderman Justin Tennant
Ward 3 Position 1

Alderman Sarah Bunch
Ward 3 Position 2

Alderman John La Tour
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

**City of Fayetteville Arkansas
City Council Meeting
January 17, 2017**

A meeting of the Fayetteville City Council was held on January 17, 2017 at 5:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Mayor Jordan called the meeting to order.

PRESENT: Alderman Sarah Marsh, Mark Kinion, Matthew Petty, Sarah Bunch, John La Tour, Mayor Lioneld Jordan, City Attorney Kit Williams, Deputy City Clerk Lisa Branson, Staff, Press, and Audience.

Alderman Long, Gray, and Tennant were absent.

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions: None

City Council Meeting Presentations, Reports, and Discussion Items:

City Board of Health Appointment Confirmation

Alderman Kinion presented the City Board of Health Appointment Confirmation report. He read Mayor Jordan's reappointment request for Dr. David Crittenden, Dr. Robert Patton, Don Moore, Rick Johnson, Shana Kasperek, and Ex-Officio, Mayor Lioneld Jordan. He submitted the appointments for consideration.

A copy of the report is attached.

Alderman Kinion moved to approve the City Board of Health Appointments. Alderman Marsh seconded the motion. Upon roll call the motion passed 5-0. Alderman Long, Gray, and Tennant were absent.

Presentation of the City of Fayetteville Martin Luther King Brotherhood Award - Kit Williams

City Attorney Kit Williams: I have been privileged to select a City of Fayetteville employee to receive the Dr. Martin Luther King Jr. Brotherhood Award. This award is given annually in recognition to a city employee whose service to our city and our community best exemplifies Dr. King's dream of equality, justice, and brotherhood. This year's honoree has exemplified Dr. Martin Luther King's spirit of equality and legacy of service. She has worked for the last decade to help those citizens most in need in our community. Her successful efforts are dear to my heart. My daughter was born six weeks premature and very ill. My daughter's life was saved in part by a blood transfusion. Most city employees know who has spearheaded every city blood drive for the past 10 years and that is Bonnie Bolinger, Administrative Assistant in the Mayor's office. Thank you Bonnie for helping so many of the city's generous blood donors to provide the gift of life. Bonnie has organized and chaired the city's United Way Campaign for the last decade and has been instrumental in accomplishing an overall increase in the city's giving. Bonnie has also organized and chaired the city staff participating in the annual heart walk to raise awareness and funds for the Heart Association. Bonnie has ensured many city staff have donated and are dressed in red clothes for the National Wear Red Day to raise awareness of women's heart and stroke health issues. Bonnie handles many telephone calls and walk in visits from our citizens to the Mayor's office. Her politeness and tact help keep everything on an even keel in the Mayor's office. Bonnie's kind and consistent service to our community exemplifies Dr. Martin Luther King's dream of equality, justice, brotherhood, and service to others and our community. It is my honor to present the 2017 City of Fayetteville Dr. Martin Luther King Jr. Brotherhood Award to Bonnie Bolinger.

Mayor Jordan: Thank you, Bonnie. Congratulations and well deserved.

State of the City Address - Mayor Lioneld Jordan

Mayor Lioneld Jordan read the State of the City Address.

A copy is attached.

Consent:

Approval of the January 3, 2017 City Council Meeting Minutes.

Approved

Creamer Pilot Services Lease Agreement: A resolution to approve a lease agreement with Creamer Pilot Services, LLC for 276 square feet of office space in the Airport Terminal building in the amount of \$253.00 per month through the end of 2017, after which time the lease shall automatically renew on a month-to-month basis.

Resolution 28-17 as recorded in the office of the City Clerk

Garver, LLC Task Order No. 7: A resolution to approve Task Order No. 7 with Garver, LLC in the amount of \$49,800.00 for preparation of a Preliminary Engineering Report for the Taxiway B Widening and Rehabilitation Project, to express the city's willingness to utilize Federal Aviation Administration funds for the project, and to approve a budget adjustment.

Resolution 29-17 as recorded in the office of the City Clerk

JL Bryson, Inc. Change Order No. 2: A resolution to approve Change Order No. 2 to the contract with JL Bryson, Inc. in the amount of \$23,276.00 for additional structural concrete associated with installation of the BlueInGreen ozone disinfection system at the Noland Wastewater Treatment Plant, and to approve a budget adjustment.

Resolution 30-17 as recorded in the office of the City Clerk

Alderman Marsh moved to accept the Consent Agenda as read. Alderman Kinion seconded the motion. Upon roll call the motion passed 5-0. Alderman Long, Gray, and Tennant were absent.

Unfinished Business:

Amend Chapters 160, 161, 162, 164, 166, 167, and 169: An ordinance to amend Chapters 160, 161, 162, 164, 166, 167, and 169 of the Unified Development Code to create two new zoning districts: Residential Intermediate - Urban and Neighborhood Services - General and New Use Unit 12 b. General Business and to make further changes to incorporate these amendments into the Unified Development Code. *At the December 3, 2017 City Council Meeting this ordinance was left on the first reading.*

Alderman Marsh moved to suspend the rules and go to the second reading. Alderman Kinion seconded the motion. Upon roll call the motion passed 6-0. Mayor Jordan voting yes. Alderman Long, Gray, and Tennant were absent.

City Attorney Kit Williams read the ordinance.

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

Alderman Marsh 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. Mayor Jordan voting yes. Alderman Long, Gray, and Tennant were absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 5-0. Alderman Long, Gray, and Tennant were absent.

Ordinance 5945 as Recorded in the office of the City Clerk

Preliminary Plat 16-5642 (Park Meadows) Grant Appeal: A resolution to grant the appeal of City Council member Adella Gray and to deny Preliminary Plat 16-5642 (Park Meadows) as amended pursuant to an agreement between planning and the applicant to extend the left turn lane on Huntsville. *At the December 3, 2017 City Council Meeting this resolution was tabled to the January 17, 2017 City Council Meeting.*

Jeremy Pate, Director of Development Services gave a brief description of the resolution. He spoke about amending the exhibit to have the applicant construct the trail as opposed to the bike lanes through this turn lane section.

A discussion followed about a trail being constructed.

Alderman Marsh moved to amend the ordinance to include the trail exhibit. Alderman Kinion seconded the motion. Upon roll call the motion passed 5-0. Alderman Long, Gray, and Tennant were absent.

Jesse Fulcher, Rausch Coleman: The appeal was an opportunity for us to continue to work with staff and provide some more information to the neighborhood as well as to the recommended street improvements. We have continued to work with staff over the last four weeks to work out the improvements. We have extended the turn lane along Morningside Drive. We are working with Matt Mihalevich, Trails Coordinator. We felt it would be a better solution over the long term to look at the trail improvements along our property versus constructing bike lanes. The improvements are in addition to the money we will be contributing to the hopeful future installation of a traffic signal at Huntsville and Morningside, as well as the full improvements at Morningside. The neighbors have had concerns about traffic congestion and speeding along Morningside. Those are conditions that exist today. It has nothing to do with this development. It is on us as the development group to figure out how to help that situation. We have been trying through the traffic study and improvements we have shown on our plans. We can help with speeding on Morningside Drive by providing on street parking. These are ways to help the situation and not make them worse. We started this in October and are hopeful we can move forward with this great project for the area. We have checked every box of the City Plan 2030 goals.

Alderman Kinion: How are we going to move forward with guaranteeing there will be a stoplight at this intersection?

City Attorney Kit Williams: We aren't guaranteeing there will be, because it still has to meet warrants, which means enough traffic to justify it.

Jeremy Pate: At the last Council meeting some citizens were interested in a full warrant analysis. We asked the applicant to provide that and it indicated a traffic signal would not be needed with the development of this project. We anticipate that this is a fast growing area of our city and there will be other projects. Rather than wait for the next project, we will plug this into whatever time frame we need as directed by the Mayor, Transportation Director, and City Engineer to do our own warrant analysis. We have committed to this internally as staff. We know it won't be for at least a few years because this project will take several years to build out.

Curtis Hogue, Appointed Trustee for the Charles P. Rose Testamentary Trust: I am the trustee, and the two surviving beneficiaries are getting on up in years. It is important for them to get closed on the sale of this property to the developer. The beneficiaries are no longer able to maintain the property. We believe the developer has met all requirements.

Ralph Nesson, 1007 Morningside Drive voiced his concerns about traffic safety. He believes there is a need for a sidewalk from Morningside Drive to Wood Avenue. He wants a four way stop sign to be placed at the corner of Morningside and McClinton Street. He thanked city staff for their patience with the concerns brought to them from the neighborhood.

Alderman Petty: Kit, would you mind refreshing us on what a vote up or a vote down means?

City Attorney Kit Williams: When a preliminary plat is presented for review by either the Planning Commission or on appeal to City Council you are required by ordinances, you all have enacted into the Unified Development Code, to look at factors to see whether or not it must be approved. It is clear all of the conditions of the UDC have been met with the exception of an argument about traffic safety and that is why Alderman Gray brought it forward. At this point a traffic study has been completed. City Engineers and Planning staff have agreed that this is not going to create or compound a dangerous traffic situation. Many things have been done or will be done by the developer to alleviate the potential traffic problems that are already there. It is not traffic congestion. Traffic congestion can be considered during a rezoning, but not during the approval of a preliminary plat. This land has already been zoned for high density residential. We can't consider if 290 homes here are appropriate. The Supreme Court has said that if a developer has fulfilled all the requirements the city has set forth in its code section, then the development must be approved. This developer has gone beyond what is normally required.

A discussion followed about clarification on what a vote no or a vote yes would mean.

Alderman Petty: I believe we are in a better position than we were two weeks ago. Some of the suggestions from the neighbors about a stop sign at McClinton and a stoplight at Morningside are prescient. It may be the system for calculating warrants are miscalibrated. If we look historically at intersections in the city, we find a lot of intersections today that have traffic signals or stop signs that would not meet the warrant conditions we are required to follow now. We miss sometimes whenever we focus these site discussions so much on metrics. We miss the opportunity to have a

conversation about what those kinds of infrastructure improvements may mean beyond traffic control. There's a lot of cases where adding a stoplight to an intersection with so many new developments planned around it may be an economic development opportunity for the parcels at the corners. For reasons of either legal or cultural we aren't able to have those kinds of discussions.

Alderman Marsh: Kit, please clarify. If we vote no, then we aren't granting the appeal or if we vote yes, we are granting the appeal?

City Attorney Kit Williams: If you vote yes, then you are granting the appeal and adding all these new conditions. If you vote no, then the resolution that was an appeal is denied and the Planning Commission decision will be put back in place.

Alderman Marsh: Thank you. In hearing from the neighbors there doesn't seem to be much of an objection to having more people and homes here. The primary objections are to the vehicle traffic this will generate. I would like to see developers have an alternative transportation master plan incentivizing people in their development to use alternatives to single occupancy vehicles. This entire neighborhood is within easy biking distance to get to the South School and MLK business districts. I don't see a lot of emphasis on the part of the developer in getting people to utilize alternative transportation.

Alderman Petty: I want to make a motion to approve the resolution. With so few Council members here do we need to wait for Alderman La Tour to return?

City Attorney Kit Williams: He has left due to a commitment at 6:45 p.m.

Alderman Petty: It takes five affirmative votes to pass a resolution. The Mayor is allowed to vote?

City Attorney Kit Williams: That is correct.

Alderman Petty moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the resolution passed 5-0. Alderman Marsh, Kinion, Petty, and Bunch voting yes. Mayor Jordan voting yes. Alderman La Tour was absent during the vote. Alderman Long, Gray, and Tennant were absent.

Resolution 31-17 as recorded in the office of the City Clerk

New Business: None

Announcements:

Susan Norton, Communications & Marketing Director: The end of January is the deadline to have Christmas trees picked up at the curb by our Recycling and Trash Division.

Last week Mayor Jordan and several of us were able to attend the Arkansas Municipal League. This is the 7th year the City of Fayetteville has received the volunteer community of the year award. Mayor Jordan received the award from Governor Asa Hutchinson.

Our wastewater provider, CH2M Hill received an award from the Arkansas Department of Labor for having 10 years in a row of work for the city with no injuries on the job.

Registration is now open for the ladies Duathlon that will be held this summer.

City Attorney Kit Williams: The oral argument for the Arkansas Supreme Court has been scheduled for February 2, 2017. I will be presenting the case of the citizens who passed the ordinance, even though it has been challenged by the Attorney General as well as another group.

City Council Agenda Session Presentations: None

City Council Tour:

February 6, 2017 4:30 p.m. - Preliminary Plat 16-5574 (Mountain Vista Subdivision) Grant Appeal.

Adjournment: 6:52 p.m.

Lioneld Jordan, Mayor

Sondra E. Smith, City Clerk Treasurer

Mountain Vista Subdivision

RESIDENTIAL

P E T I T I O N

FOR

SAFER ENTRANCE/EXIT

RECEIVED

FEB 03 2017

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

HOUSE
NUMBER

STREET

NAME

W. 26th Circle

40	W. 26 th Circle	CLUCK-PACE	Rhonda	
41	W. 26 th Circle	HAYES	Jonathan	Hannah
55	W. 26 th Circle	EDRINGTON	Tammie	
56	W. 26 th Circle	MARTIN		Vickie
74	W. 26 th Circle	NORTHFELL	Erik	Amanda
88	W. 26 th Circle	BRINSON	Gary	Freda
102	W. 26 th Circle	LILES	Alex	Rebecca
108	W. 26 th Circle	HOGLE		Rose Marie
115	W. 26 th Circle	RODMAN	John	Chelsea
137	W. 26 th Circle	HUTCHINS		Ada
145	W. 26 th Circle	OUS	Daniel	Colleen
160	W. 26 th Circle	SCHUMACHER		Ann L.

E. 27th Circle

25	E. 27 th Circle	DANIELS	Floyd	Jennifer
33	E. 27 th Circle	TOTH	Steve	Stephanie
48	E. 27 th Circle	SHAW	Jeffrey	Kathy
49	E. 27 th Circle	SMITH	Roger	Nancy
64	E. 27 th Circle	STICKNEY	Phillip	Andrea
65	E. 27 th Circle	DUNN	Brad	LeAnn

E. 28th Circle

2	E. 28 th Circle	BLAKE	Maurice	Diana
4	E. 28 th Circle	KIRKWOOD	Lyle	Carlene
5	E. 28 th Circle	SIDD	James	
11	E. 28 th Circle	MOORE		Elizabeth
11	E. 28 th Circle	WILLIAMS		Katharine
12	E. 28 th Circle	HAWKINS	James	Carol
14	E. 28 th Circle	MAXEY		Betty

NAME	DATE	TIME	LOCATION	REMARKS
1	10/10/50	10:00	1000	1000
2	10/10/50	10:05	1000	1000
3	10/10/50	10:10	1000	1000
4	10/10/50	10:15	1000	1000
5	10/10/50	10:20	1000	1000
6	10/10/50	10:25	1000	1000
7	10/10/50	10:30	1000	1000
8	10/10/50	10:35	1000	1000
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59	10/10/50	14:50	1000	1000
60	10/10/50	14:55	1000	1000
61	10/10/50	15:00	1000	1000
62	10/10/50	15:05	1000	1000
63	10/10/50	15:10	1000	1000
64	10/10/50	15:15	1000	1000
65	10/10/50	15:20	1000	1000
66	10/10/50	15:25	1000	1000
67	10/10/50	15:30	1000	1000
68	10/10/50	15:35	1000	1000
69	10/10/50	15:40	1000	1000
70	10/10/50	15:45	1000	1000
71	10/10/50	15:50	1000	1000
72	10/10/50	15:55	1000	1000
73	10/10/50	16:00	1000	1000
74	10/10/50	16:05	1000	1000
75	10/10/50	16:10	1000	1000
76	10/10/50	16:15	1000	1000
77	10/10/			

1. CONFLICT CHECK BUTLERFORD (FOR ADMINISTRATION 55-4297) AND REQUEST BY CITY MOBILE.

Mountain Vista Subdivision

 RESIDENTIAL
 PETITION
 FOR
 SAFER ENTRANCE/EXIT

<u>HOUSE NUMBER</u>	<u>STREET</u>	<u>NAME</u>		
<u>E. 29th Circle</u>				
6	E. 29 th Circle	PHELAN		Diane
16	E. 29 th Circle	SOLOMON	David	
20	E. 29 th Circle	BRONSON		Vicki
21	E. 29 th Circle	WEBER	Steven	Mariah
25	E. 29 th Circle	WARUSZEWSKI	Kevin	Jill
29	E. 29 th Circle	GRACE	David	Patti
37	E. 29 th Circle	MITCHELL	Marvin	Marie
41	E. 29 th Circle	NEWELL	Mike	Ann-Hanna
<u>W. 29th Court</u>				
47	W. 29 th Court	LAND	Ross	Holly
99	W. 29 th Court	LYALL	Donald	JoAnn
125	W. 29 th Court	CALE	Charles	Sherlyn
159	W. 29 th Court	MIRONOFF	Alex	Hana
193	W. 29 th Court	FLETCHER	Justin	
193	W. 29 th Court	HIGHTOWER		Lara
230	W. 29 th Court	WILSON	James	Katharine
515	<u>Amen Corner</u>	IGLINSKY	Clyde	Mary
<u>S. Club Oak Drive</u>				
2803	S. Club Oak Drive	HORNE	David	Cathy
2817	S. Club Oak Drive	WILLIAMS	John D. Jr.	Connie
2824	S. Club Oak Drive	GARLAND	Brete	Camille
2835	S. Club Oak Drive	RODMAN	Joe	Margaret
2840	S. Club Oak Drive	WILSON	Ray	Janet
2848	S. Club Oak Drive	CALAWAY	Ron	Sue
2851	S. Club Oak Drive	DAVIES	David	Sandra
2876	S. Club Oak Drive	CALHOUN	Mike	Kristin
2892	S. Club Oak Drive	SALMONSON	Stan	Linda
2903	S. Club Oak Drive	SKOCH	Martha J.	
2927	S. Club Oak Drive	FOSTER	Ron	Gayle

(3)
Mountain Vista Subdivision
RESIDENTIAL
PETITION
FOR
SAFER ENTRANCE/EXIT

HOUSE
NUMBER

STREET

NAME

S. College Drive

2488	S. College Drive	SWAGERTY	Darren P.	
2489	S. College Drive	LUNGARO	Mark	Coveta
2522	S. College Drive	SIEPIELSKI	Adam	Tracey
2555	S. College Drive	DEVECSERY	Todd	Huong
2556	S. College Drive	KATROSH	Kris	
2556	S. College Drive	AHRING		Deborah
2583	S. College Drive	DAILY	Boyd	
2697	S. College Drive	CLINTON	Roy	Hattie
2702	S. College Drive	DORRE	Tom	Connie
2735	S. College Drive	BURNETT	Jim	Angelia
2766	S. College Drive	WOOD	James	Gwyn
2780	S. College Drive	MILLER	Lindsey	Rita
2817	S. College Drive	NOLAN	Justin	
2831	S. College Drive	YEARGAN		Jane
2834	S. College Drive	JONES	Ron	Vicki
2855	S. College Drive	KEMP	B. Seth	Jinger
2914	S. College Drive	JAMES	Duane	
2930	S. College Drive	VAUGHN	Dennis	
2952	S. College Drive	JORDAN	Robert	
2952	S. College Drive	ANABAL-WALKER	Alison	
2957	S. College Drive	COOPER	Bob	Pat
2979	S. College Drive	ARNOLD	Richard	Bette
2991	S. College Drive	HOLLAND	Skip	Kay

S. Country Club Drive

2730	S. Country Club Drive	BIXBY	Paul	Frankie
2851	S. Country Club Drive	DRAMIS	John	Pamela
2864	S. Country Club Drive	HALL	Grant	Audley
2875	S. Country Club Drive	MORRISON	Pat	Ann
2882	S. Country Club Drive	CHAPMAN		Sarah
2883	S. Country Club Drive	GEPHART	Kevin	Jennifer
2891	S. Country Club Drive	JONES	Lon	Frances
2932	S. Country Club Drive	SCHNEIDER	William	Mary Jo
2943	S. Country Club Drive	SHUMP		JoAnn
2943	S. Country Club Drive	PHILLIPS	Henry	
2958	S. Country Club Drive	KARCHER	Doug	Wendy
3419	S. Country Club Drive	VILINSKI	Ted	Sandy

505 E. Double Eagle Place

SOUTH

Barron

Melinda



**Bates &
Associates, Inc.**
Civil Engineering & Surveying
www.batesinc.com

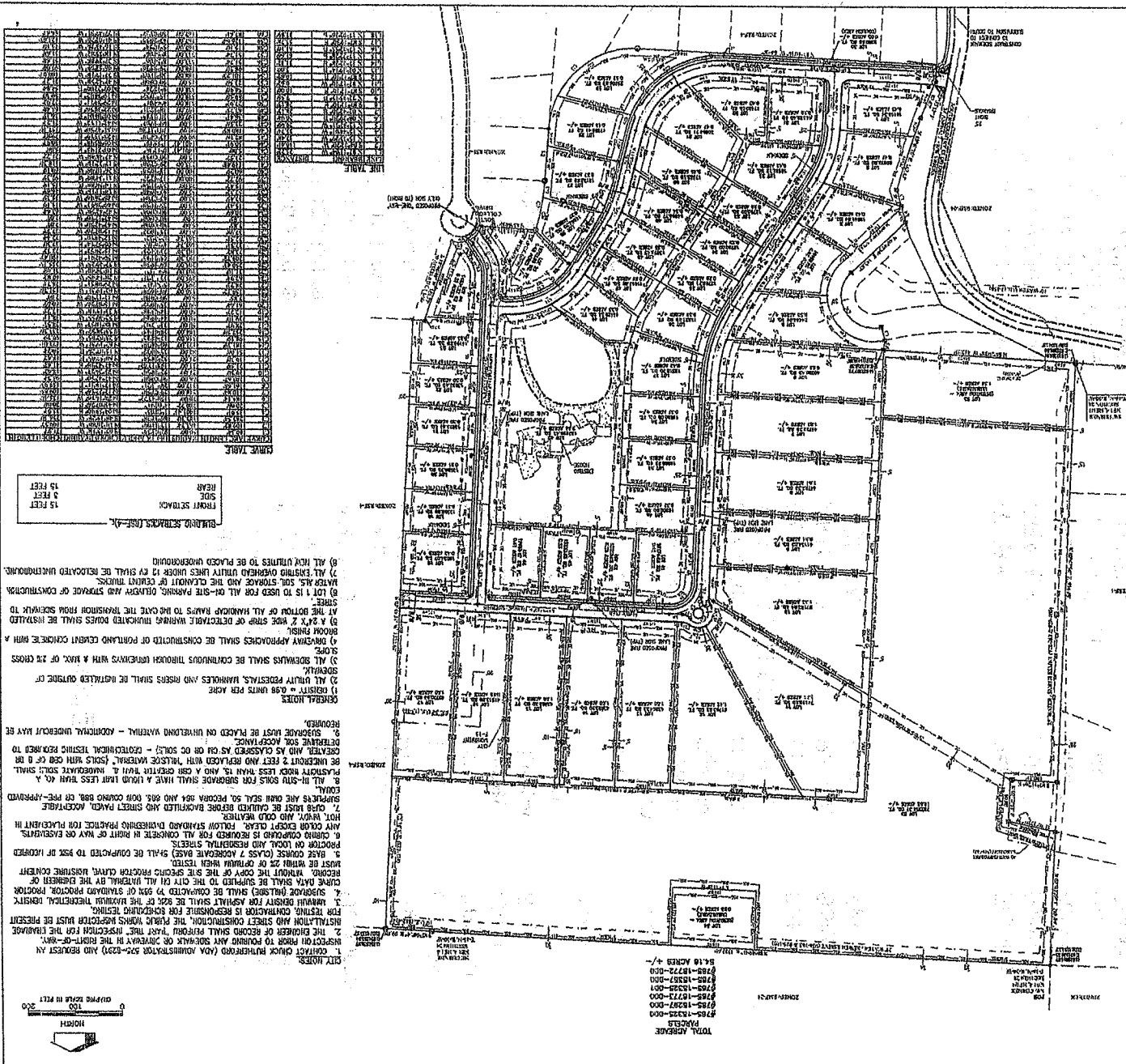
MOUNTAIN VISTA SUBDIVISION
PRELIMINARY PLAT

PLAT

PLAT PAGE 640 FAYETTEVILLE, AR

[illegible]

STATE OF
ARKANSAS
REGISTERED
PROFESSIONAL
ENGINEER



(4)
Mountain Vista Subdivision
RESIDENTIAL
PETITION
FOR
SAFER ENTRANCE/EXIT

<u>HOUSE NUMBER</u>	<u>STREET</u>	<u>NAME</u>		
<u>E. Fairway Lane</u>				
300	E. Fairway Lane	COLLINS	Stanley	Tanya
310	E. Fairway Lane	LANDMA	Michael	Janie
314	E. Fairway Lane	STOWELL	David	
330	E. Fairway Lane	GROH	Jack	Jan
345	E. Fairway Lane	OLSON	Tyler	Laura
356	E. Fairway Lane	GAZZOLA		Janie
359	E. Fairway Lane	GRAMMER	Frank	Sandy
422	E. Fairway Lane	BONINE	Steve	Lisa
438	E. Fairway Lane	CLARK	Steve	Suzanne
445	E. Fairway Lane	DeISOTO	Richard	Amanda
210	<u>Ravenswood Lane</u>	STARR		Billie J.
2953	<u>S. Sandtrap</u>	JEWELL		Betty S.
<u>S. Wright Place</u>				
2894	S. Wright Place	BRADLEY	Mike	Vicki
2911	S. Wright Place	FALCONG	Nick	
2912	S. Wright Place	STARNES		Kristina
2915	S. Wright Place	JACOBS	Chris	Joy

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

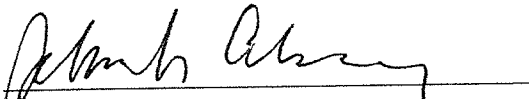
To: Mayor Jordan and Council Members:

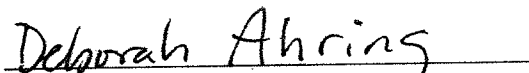
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

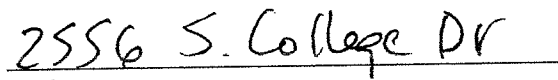
1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

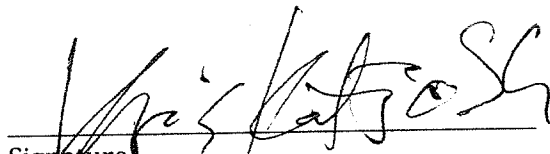
2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

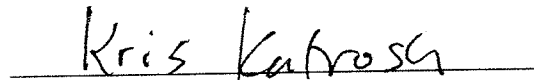
Respectfully submitted:


Signature


Name


Address


Signature


Name

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

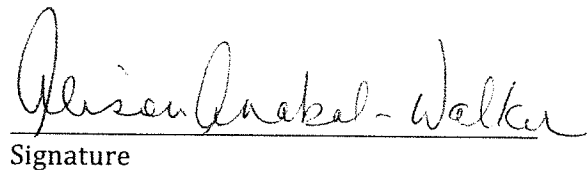
1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:


Signature

ROBERT A. JORDAN
Name


Signature

Alison Anabal-Walker
Name

2952 S. College Dr, Fayetteville 72701
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

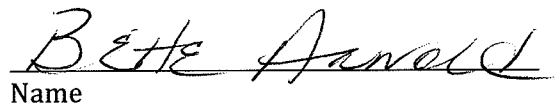
2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

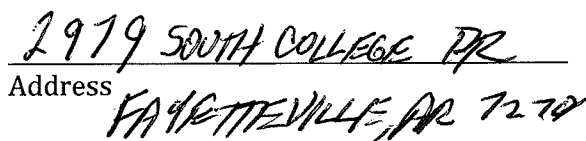
Respectfully submitted:


Signature


Name


Signature


Name


Address

1-30-17

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

← Bad weather
MUST 25 years
tells me this

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

PAUL & FRANKIE Bixby
Name

2730 S. Country Club Dr
Address

Paul W. Bixby
Frankie Bixby

I walk my dog in this area multiple times a day. I know what cars do & how fast they go. While talking to the city guys doing the study, two vehicles sped by way over the limit. One was a construction vehicle, the other a resident (I know....) You did a great job fixing the road years ago. Don't set us back by doing this!!! We need a safe road to a great community!

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Maurice G. Blake
Signature

Diana M. Blake
Signature

Maurice 'Gibbs' Blake
Name

Diana M. Blake
Name

2 E. 28TH CIR
Address Fayetteville AR
72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

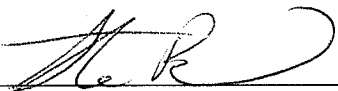
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

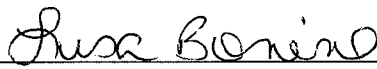
Respectfully submitted:



Signature

STEVE BONINE

Name



Signature

LISA BONINE

Name

422 E. Fairway Ln, Fayetteville

Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Mike Bradley
Signature

Mike Bradley
Name

2894 S. Wright Place
Address

Vicki Bradley
Signature

Vicki Bradley
Name

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Freda Brinson

Signature

Gary Brinson

Signature

Freda Brinson

Name

Gary Brinson

Name

88 E. 26 Circle

Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

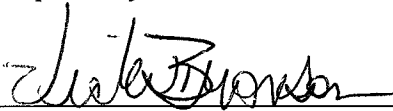
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

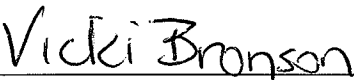
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2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:



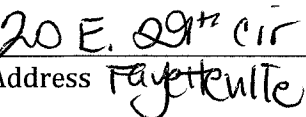
Signature



Name

Signature

Name



Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

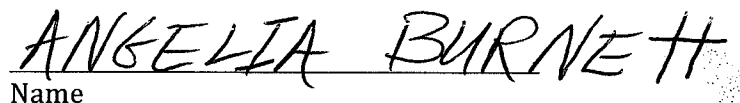
2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

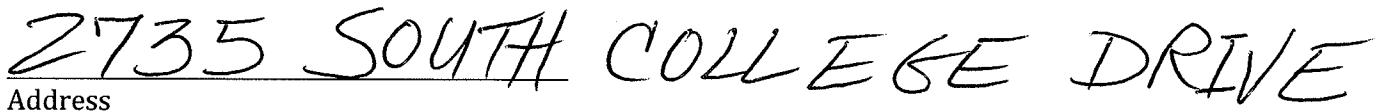
Respectfully submitted:


Signature


Signature


Name


Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Charles Cade MD
Signature

CHARLES CALE, MD
Name

Sherlyn K Cade
Signature

SHERLYN CALE
Name

125 W. 29th COURT
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

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Respectfully submitted:

Ron Calaway
Name
1-27-17

2848 S. Club OAK DR
Address
Fayetteville, AR
72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

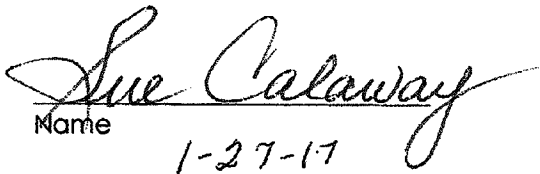
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:


Name
1-27-17

2848 S. Club Oak Dr.
Address
Fayetteville, AR 72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

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We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:



Signature

MIKE CALHOUN

Name



Signature

Kristin Calhoun

Name

2876 S. CLUB DR. DR.

Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Sarah Chapman
Name

2882 S. County Club Dr.
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

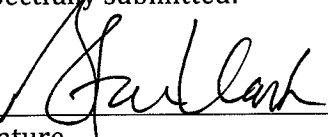
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

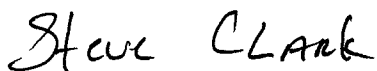
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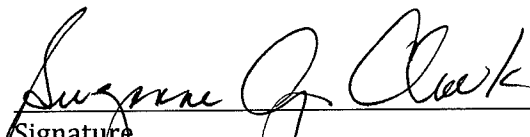
Respectfully submitted:



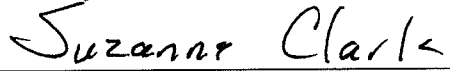
Signature



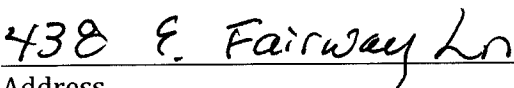
Name



Signature



Name



Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Signature

Name

Address

Signature

Name

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Rhonda & Chuck - Pace
Name

#40 26th Circle, Fay.
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Janie Gazzoia
Name

356 E FAIRWAY Lane
Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

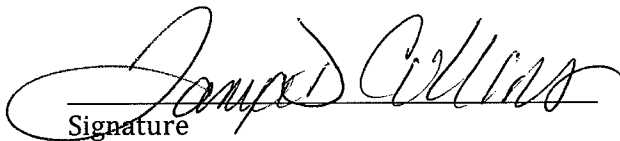
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

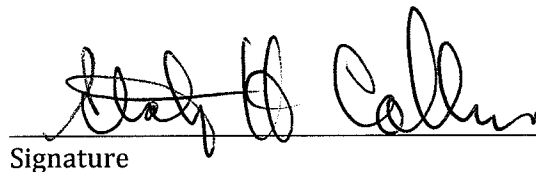
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Respectfully submitted:


Signature

TANYA D COLLINS
Name


Signature

Stanley H. Collins
Name

300 E. FAIRWAY LANE
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

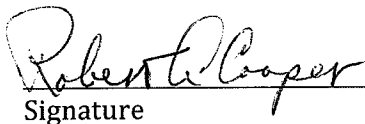
To: Mayor Jordan and Council Members:

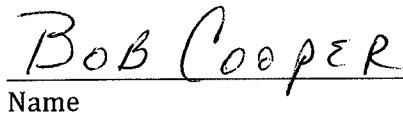
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

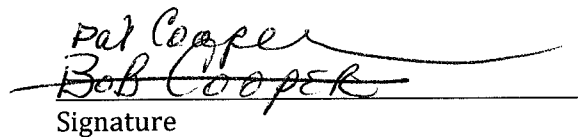
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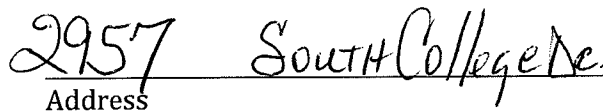
Respectfully submitted:


Signature


Name


Signature


Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

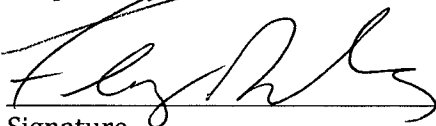
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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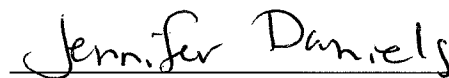
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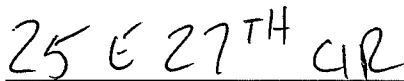
Respectfully submitted:


Signature


Name


Signature


Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

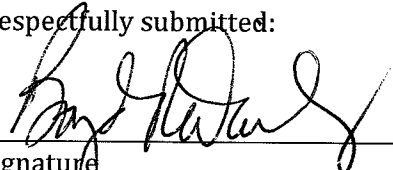
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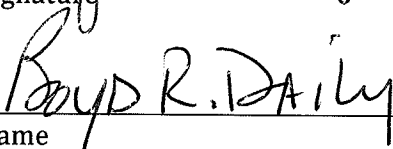
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Respectfully submitted:



Signature



Name

Signature

Name

2583 S. COLLEGE DR.
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

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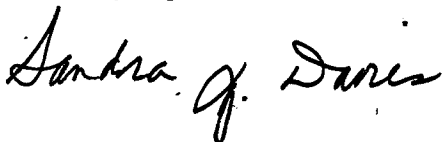
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Respectfully submitted:


Name

2851 S. Club Oak Dr.
Address



Sandra + David Davies

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Richard DelSoto
Signature

Amanda DelSoto
Signature

Richard DelSoto
Name

Amanda DelSoto
Name

445 E. Fairway Ln., Fayetteville
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

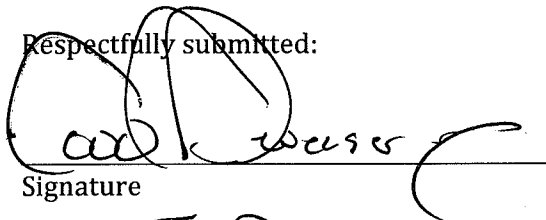
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:


Signature

John F. Devesery
Name


Signature

Hong Devesery
Name

P.O. Box 1471 / 2555 S. College Drive
Address
Fayetteville, AR 72702

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

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Respectfully submitted:

Pamela J. Dramis
Signature

John
Signature

Pamela Dramis
Name

John Dramis
Name

2851 S. Country Club Dr
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

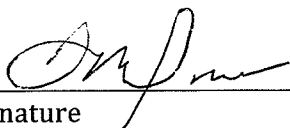
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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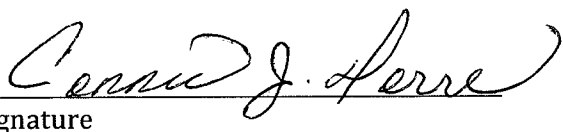
Respectfully submitted:



Signature

Tom Dorre

Name



Signature

Connie Dorre

Name

2702 S. College Drive

Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

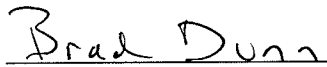
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

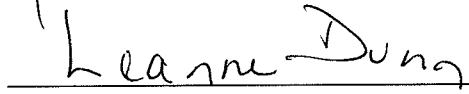
2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

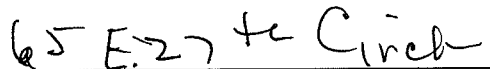
Respectfully submitted:


Signature


Name


Signature


Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

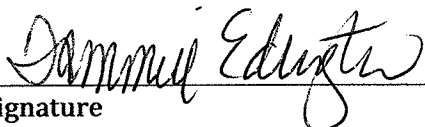
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:


Signature

Signature


Name

Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

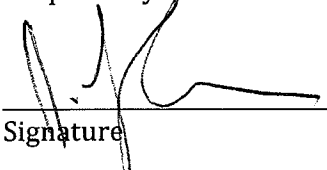
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:



Signature

NICK FALCONE

Name

2911 S WRIGHT PL

Address

S. H1,

N. I GUESS WATER PRESSURE
ISNT AS SIGNIFICANT AS
SAFETY?

WHAT IS THE INCLING ANGLE
OF 24TH STREET WHERE IS
PROPOSED ENTRANCE IS?

NICK

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

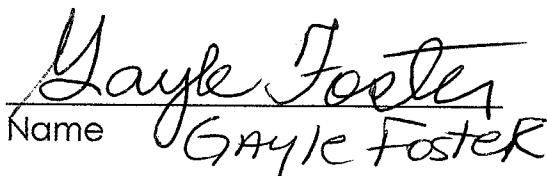
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes will be seriously impacted by the proposed subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will diminish the values of our homes.

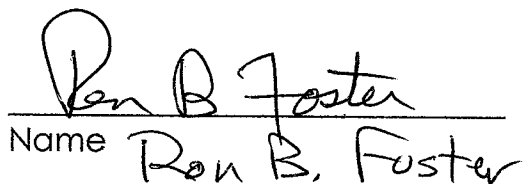
1. In the interests of safety, we petition the City to deny the subdivision application as presently designed and assist the developer to utilize an alternate entrance, further downhill on 24th Street. This lower entrance has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. City assistance should include obtaining any needed additional property and appropriate cost sharing as well as constructing a left-hand turn lane left into Mountain Vista at the new entrance so that uphill traffic does not lose momentum on the climb up 24th St. When that is completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and hillside protection, we petition the City to amend the Hillside Overlay District ordinances so that considerations of traffic safety can apply to subdivision applications on property in those locations; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops if those properties do not have adequate, safe access commensurate to the numbers of homes.

Respectfully submitted:


Name Gayle Foster

2927 S. Club Oak Dr
Address Fayetteville AR
72701


Name Ron B. Foster

2927 S. Club Oak Dr
Address Fayetteville, AR

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

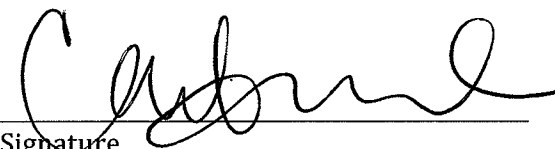
2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

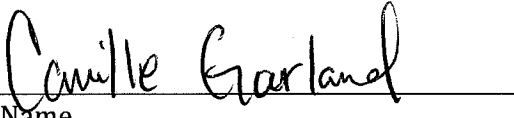
Respectfully submitted:


Signature


Name


Address


Signature


Name

PETITION TO FAYETTEVILLE CITY COUNCIL

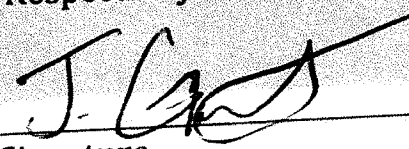
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

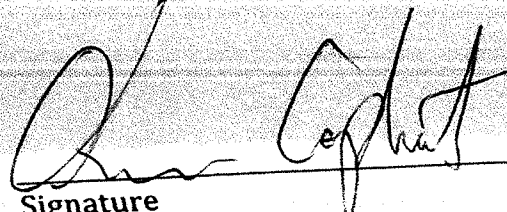
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive / 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.
2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:


Signature

Jennifer Gephart
Name


Signature

Kevin Gephart
Name

2883 S. Country Club Dr.
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

David Grace
Signature

Patti Grace
Signature

DAVID GRACE
Name

Patti Grace
Name

29 East 29 Circle
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:


Signature

FRANK C. GRAMMER
Name


Signature

Sandra Grammer
Name

359 FAIRWAY LANE
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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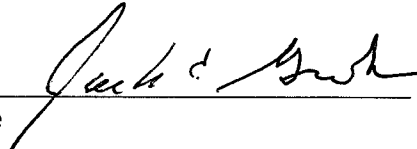
Respectfully submitted:



Signature

JAN GROH

Name



Signature

Jack C. Groh

Name

330 FAIRWAY LANE

Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Grant Hall
Grant Hall
Name

2864 S. County Club Dr
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

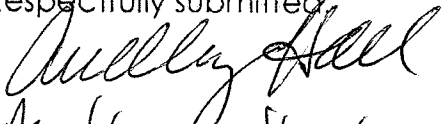
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted,


Audrey Hall
Name

2864 S. Country Club
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Carol Hawkins
Signature

James S. Hawkins
Signature

Carol Hawkins
Name

JAMES S. HAWKINS
Name

12 EAST 28TH CIRCLE
Address
FAYETTEVILLE, AR.
72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

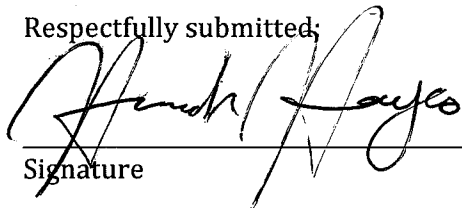
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

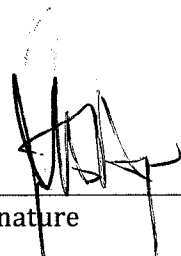
Respectfully submitted;



Signature

Hannah Hayes

Name



Signature

JONATHAN HAYES

Name

41 W 26th Cir

Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

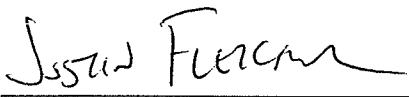
1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

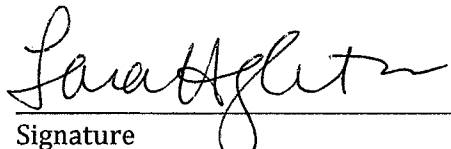
Respectfully submitted:



Signature



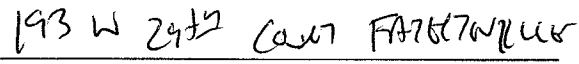
Name



Signature



Name



Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Rose Marie Hogle
Signature

Signature

Rose Marie Hogle
Name

Name

108 W. 24 Circle
Address
Fayetteville, AR.

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

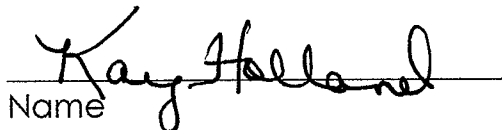
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:




Name

2991 S College Dr

2991 S. College Dr.
Address

MEMORANDUM TO FAYETTEVILLE CITY COUNCIL
RE: Mountain View Subdivision and Milling Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain View subdivision with respect to issues of safety and hillside protection. Your solutions to these issues will also determine the nature of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County (Jude Drive) / 24th Street collector. The proposed entrance, close to the intersection with 24th Street, is largely blind, as alternate entrances, lower down the 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain View Subdivision. The developer admits that he is evaluating the feasibility and costs associated with using this location and we petition the City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left hand turn lane for uphill bound traffic turning onto Mountain View is necessary so that other vehicles do not lose momentum at the check up / Jude Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinance to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills, to be effective, this must be done before any additional applications for development are submitted for these areas. The City must not permit unrestricted growth on our hillside and valleys without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted,

Daniel Idman

Cathy Horne

David Horne

Cathy Horne

2803 S. Club Oak Dr.
Fayetteville, AL 36701

137 26th crl.
Address 8thville

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Clyde Iglinisky
Signature

Clyde Iglinisky
Name

Mary Iglinisky
Signature

MARY IGLINSKY
Name

515 AMEN CORNER
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

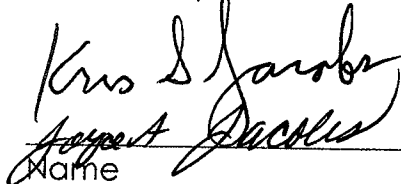
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:


Name

2915 S. WRIGHT PL
Address
FAYETTEVILLE

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:



Signature

Signature

Duane L. James

Name

Name

2914 S. College Dr.
Fayetteville, AR. 72701-9136

Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Betty S. Jewell
Signature

Signature

Betty S. Jewell
Name

Name

2953 S. Sandtrap Lane
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

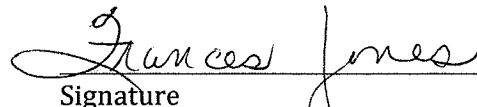
Respectfully submitted:



Signature



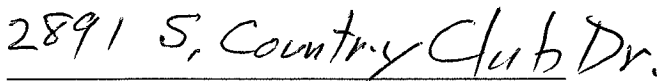
Name



Signature



Name



Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

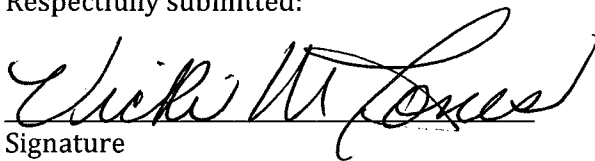
To: Mayor Jordan and Council Members:

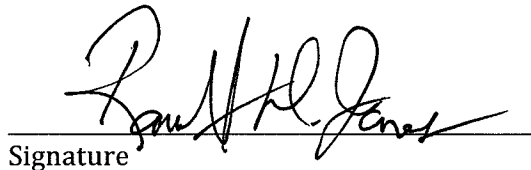
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

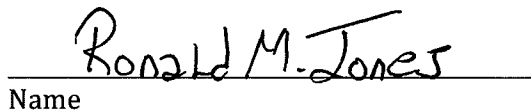
2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

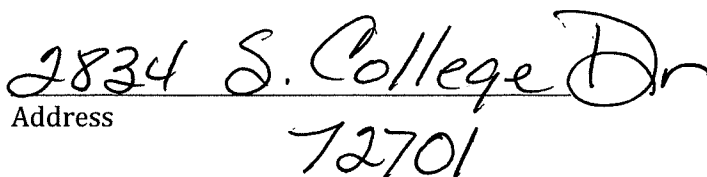
Respectfully submitted:


Signature


Signature


Name


Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

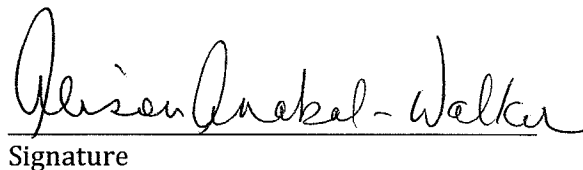
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2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:


Signature

ROBERT A. JORDAN
Name


Signature

Alison Anabel-Walker
Name

2952 S. College Dr. Fayetteville 72701
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:


Signature

Wendy Karcher
Name


Signature

Douglas Karcher
Name

2958 S. Country Club Dr.
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

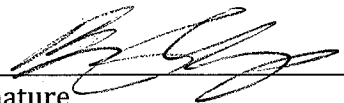
To: Mayor Jordan and Council Members:

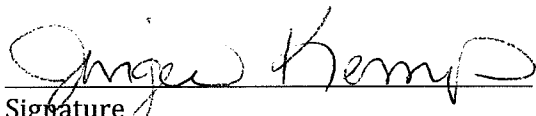
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

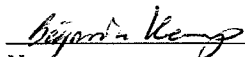
1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

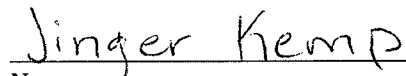
2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

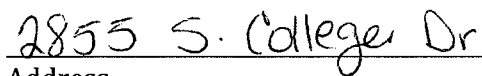
Respectfully submitted:


Signature


Signature


Name


Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

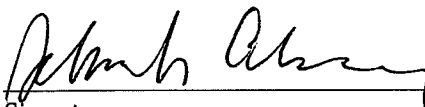
To: Mayor Jordan and Council Members:

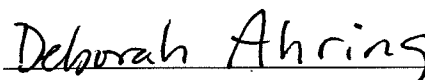
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

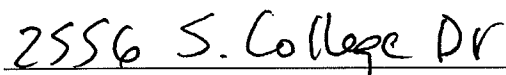
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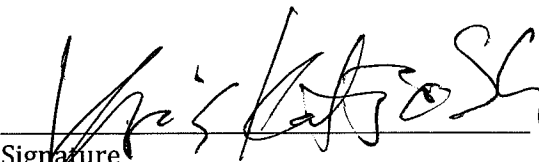
2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

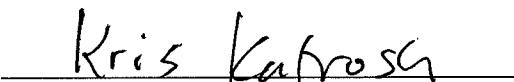
Respectfully submitted:


Signature


Name


Address


Signature


Name

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

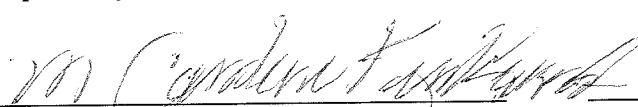
To: Mayor Jordan and Council Members:

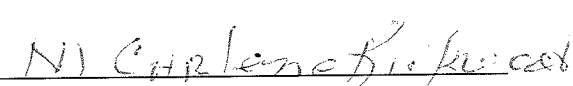
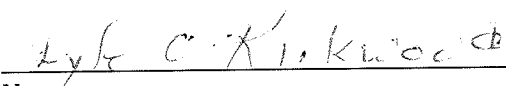
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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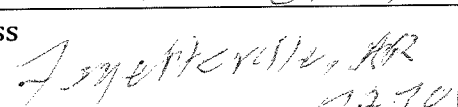
Respectfully submitted:

 _____ Signature	 _____ Signature
---	--

 _____ Name	 _____ Name
--	---



Address


Fayetteville, AR 72701

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

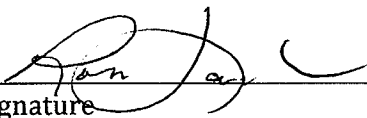
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

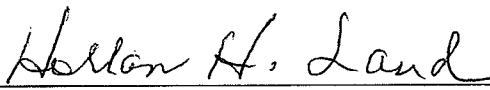
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Respectfully submitted:


Signature

Ross C. Land
Name


Signature

HOLLAN H. LAND
Name

47 W. 29th Court
Address

Fayetteville, AR 72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

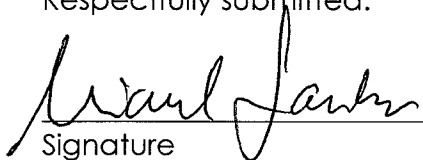
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

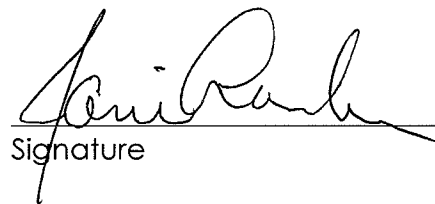
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Respectfully submitted:


Signature

MICHAEL LANDMAN
Name


Signature

JANICE LANGMAN
Name

310 E. FAIRWAY LN.
Address
FAYETTEVILLE

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

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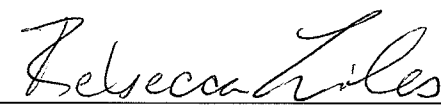
Respectfully submitted:



Signature

Alex Liles

Name



Signature

Rebecca Liles

Name

102 W. 26th Circle

Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

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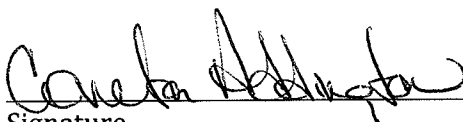
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Respectfully submitted:


Signature

Mark A Lungaro
Name


Signature

Corita Allington
Name

2189 S. College Dr.
Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

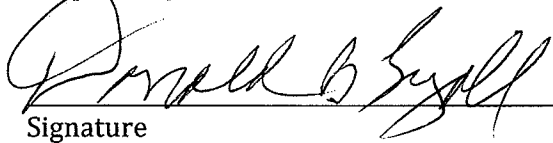
To: Mayor Jordan and Council Members:

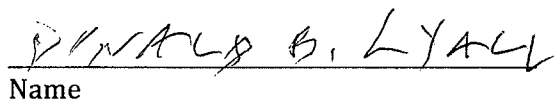
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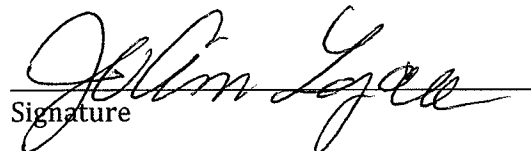
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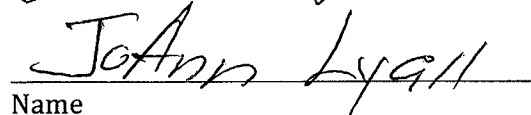
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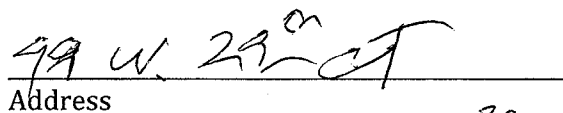
Respectfully submitted:


Signature


Name


Signature


Name


Address



PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Vickie Martin
Signature

Signature

Vickie Martin
Name

Name

56 W. 26th Cir.
Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Betty Mayberry
Signature

Signature

Name

Name

14 East 28th Circle
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

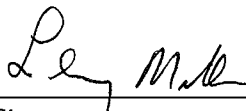
To: Mayor Jordan and Council Members:

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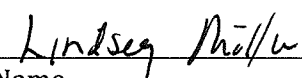
Respectfully submitted:



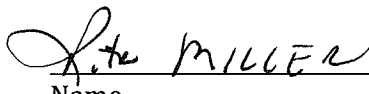
Signature



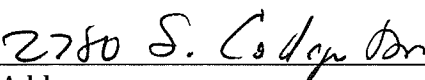
Signature



Name



Name



Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

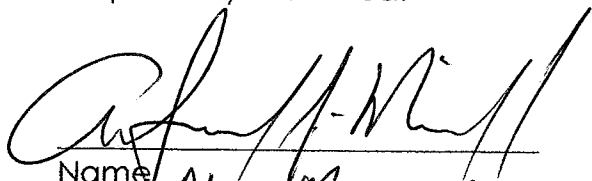
To: Mayor Jordan and Council Members:

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Respectfully submitted:


Name Alex M. Rowoff

159 W. 29th Ct.
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

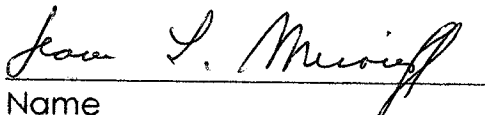
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Respectfully submitted:


Name

JEAN MIRNOFF

159 W 29TH CT.
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

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Respectfully submitted:


Name MARIE MITCHELL

37 E. 29TH Circle
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

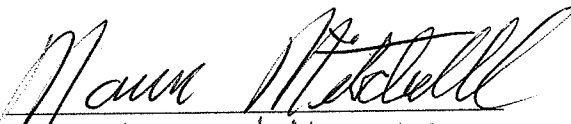
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Respectfully submitted:


Name MARVIN MITCHELL

37 E. 29TH Circle
Address

**PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development**

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 130 existing homes is accessed only by 24th Street and will be severely impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition the City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillside and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Pat Morrison
Name
Pat Morrison

2875 S. Country Club Dr
Address
Fayetteville AR, 72701

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

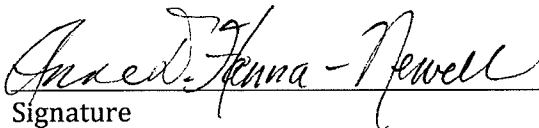
To: Mayor Jordan and Council Members:

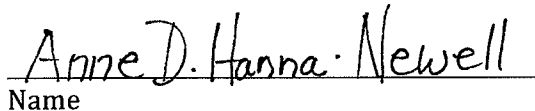
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

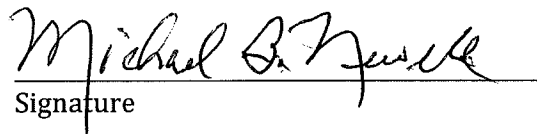
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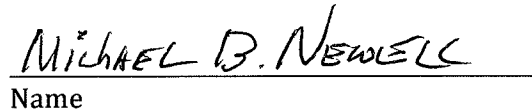
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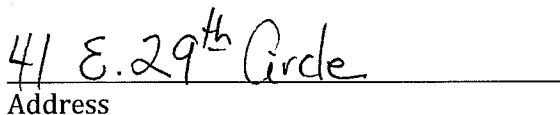
Respectfully submitted:


Signature


Name


Signature


Name


Address

72701

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

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Respectfully submitted:


Signature


Signature

Amanda Northfell
Name

Erik Northfell
Name

74 W 26th Circle
Address
Fayetteville, AR 72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

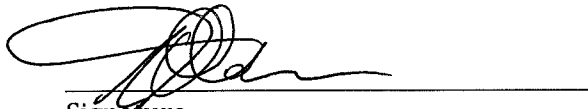
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Respectfully submitted:


Signature

Laura Olson
Name


Signature

Tyler Olson
Name

345 E. Fairway Lane
Address
Fayetteville, AR
72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

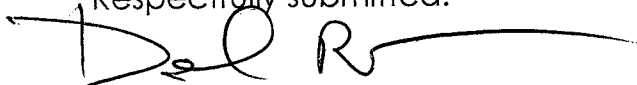
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:


Daniel B Ous
Name

Colleen Ous
Colleen Ous

145 W. 26th Circle
Fayetteville AR 72701
Address

145 W. 26th Circle
Fayetteville, Ar.
72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

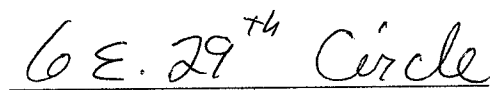
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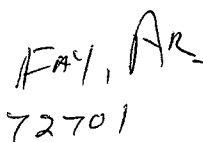
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Respectfully submitted:


Name


Address


Fayetteville, AR
72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

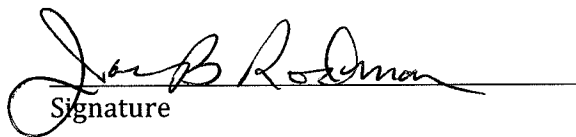
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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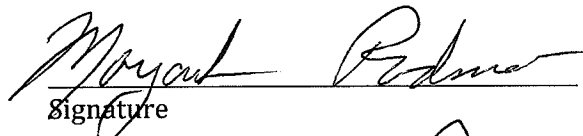
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Respectfully submitted:


Signature

Joe B. Rodman
Name

2835 Club Oak Dr
Fayetteville Ar 72701
Address


Signature

MARGARET RODMAN
Name

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

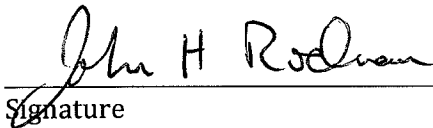
To: Mayor Jordan and Council Members:

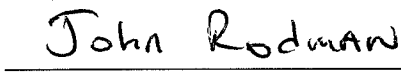
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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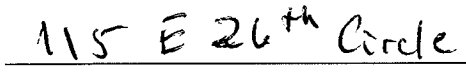
Respectfully submitted:


Signature


Name


Signature


Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

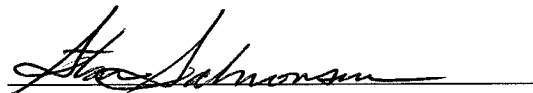
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

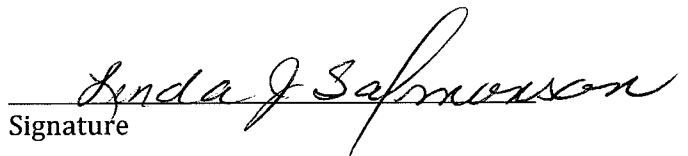
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Respectfully submitted:


Signature

Stan Salmonson
Name


Signature

Linda J Salmonson
Name

2892 Club Oak
Address Fayetteville Ar.
72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

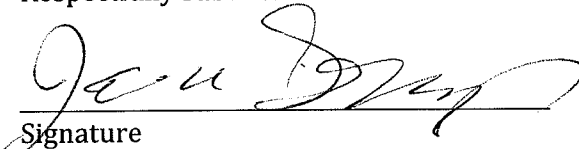
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

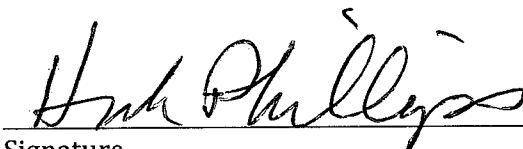
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Respectfully submitted:


Signature

Joann Shump
Name


Signature

Henry Phillips
Name

2943 S Country Club Drive
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

William M. Schneider

Name

Mary Jo Schneider

2932 Country Club

Address

2932 Country Club
72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Ann L. Schumacher
Name

160 W. 26th Circle, Fayetteville
Address
72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

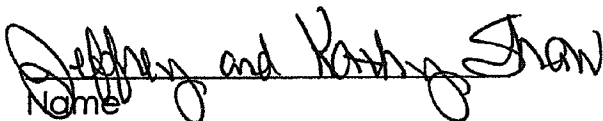
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:


Name

48 E. 27th Circle
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

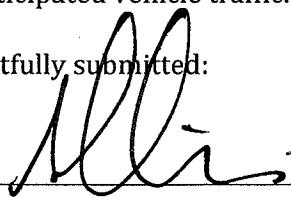
To: Mayor Jordan and Council Members:

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Respectfully submitted:



Signature

ADAM SIEPIELKI

Name



Signature

Tracey Siepielski

Name

2522 S. COLLEGE DR., FAYETTEVILLE, AL 37201

Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

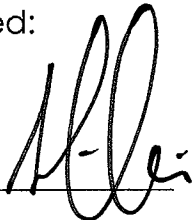
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1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Adam STEPIELSKI
Name



2522 S. COLLEGE DR., FAYETTEVILLE, AR 72701
Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

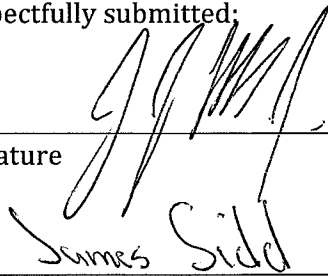
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Signature



Name

Signature

Name

Address

5 E. 28th Circle, Fayetteville, AR 72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Martha J Skoch
Name

Martha J Skoch

2903 S Club Oak Drive
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Nancy Smith
Signature

Robert L Smith
Signature

NANCY Smith
Name

Robert L Smith
Name

49 E 27th
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

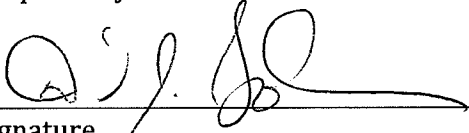
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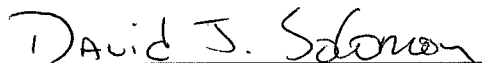
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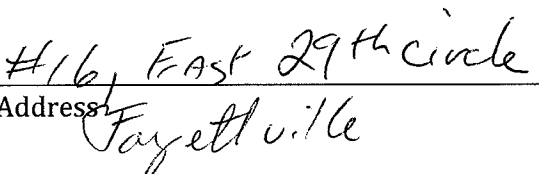
Respectfully submitted:



Signature



Name



Address

Signature

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Respectfully submitted:

Barron T. South
Signature

Barron T. South
Name

Melinda South
Signature

Melinda South
Name

505 E. Double Eagle Pl. Fayetteville, AR
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

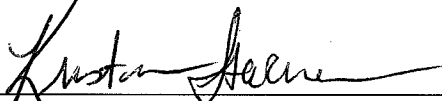
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Respectfully submitted:



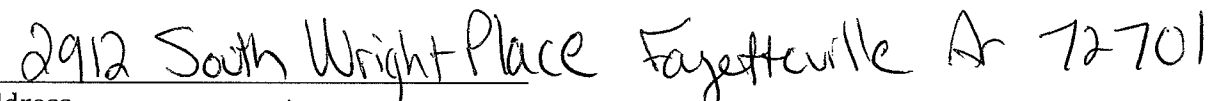
Signature



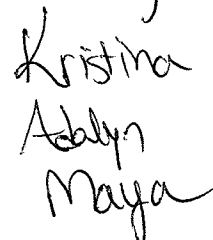
Name

Signature

Name



Address

Household:


PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

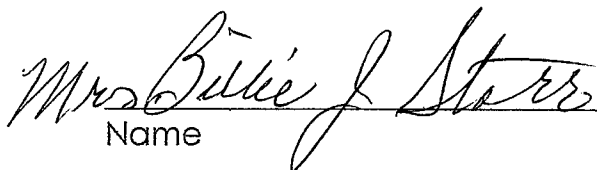
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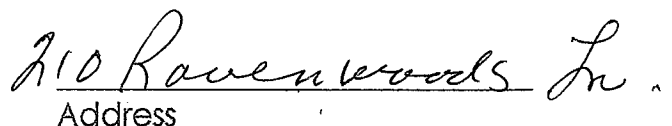
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:


Name


Address

January 11
2011

from Billie's desk

Dear Leonard,

I hope it is evident
by now that the potential
subdivision being proposed for
the area located on the south
side of Country Club Hill by F.B.
Hayes has very serious traffic
problems.

My home is directly west
of the area and I have lived there
for 35 years.

The street, namely 24th,
leading up the Hill is too narrow
and has severe slowbacks in winter
and over-speeding during summer as
the neighborhood grows. It is
on accident waiting to happen if
another entrance and it is not
provided.

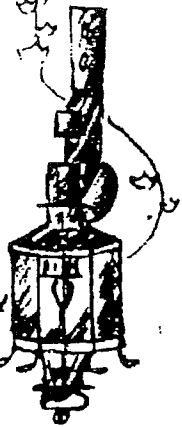
I implore you and the
Council and planners to listen
to the residents living on the Hill
to find a solution that can solve
issues to avoid a possible
tragedy for our group of fine
homeowners.

Sincerely,

Billie

January 11 2017

from Billie's desk



Dear Leonard, I understand
I hope it is understood
that the potential for
agreement being proposed for
the area covered by the South
side of Canyon Creek lies by J.B.
Hager and has very serious trophy
problems. My home is directly across
the area and I have lived there

of the area - namely 94th St.
for 35 years.

Reading up the hill in the winter
and from above during summer
and over-spread grasses. It is
the neighbor waiting to happen of
on accident waiting and it is not
another entrance and it is not

The
proposed: you and the
Council need to bring on the hill
to the solution a possible
to find a way to group of your
to agree for your group of your
Billie
January,

January 11
2017

from Billie's desk

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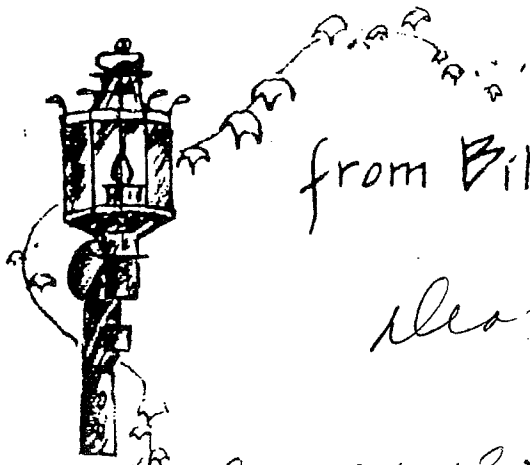
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January 11
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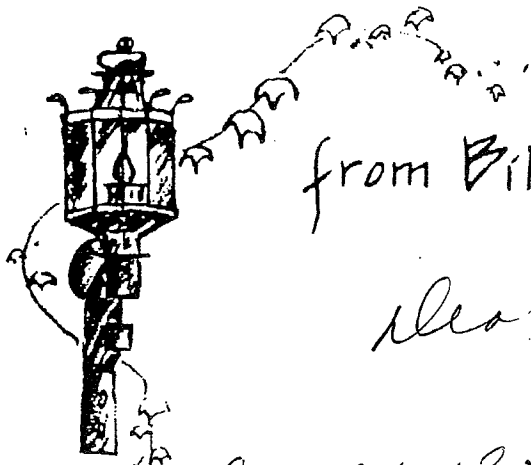
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January 11
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I implore you and the Council and planners to listen to the residents living on the Hill to find a solution that can solve issues to avoid a possible tragedy for our group of fine homeowners.

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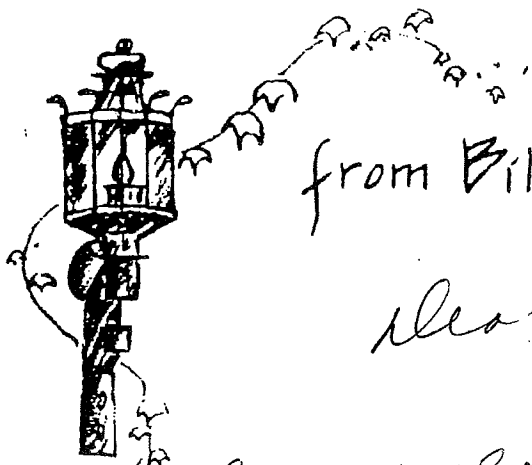
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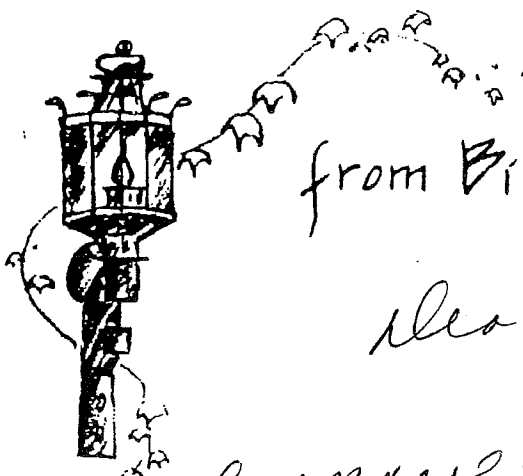
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January 11
2011

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Billie

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

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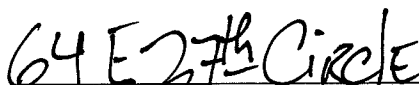
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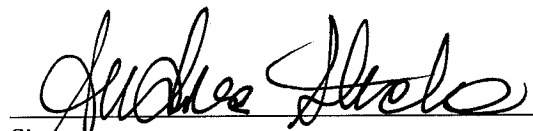
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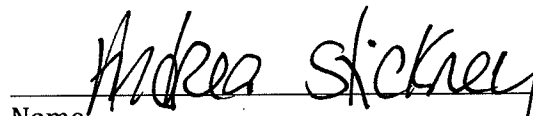
Respectfully submitted:


Signature


Name


Address


Signature


Name

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Respectfully submitted:

David Stowell
Name

314 E Fairway Ln
Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

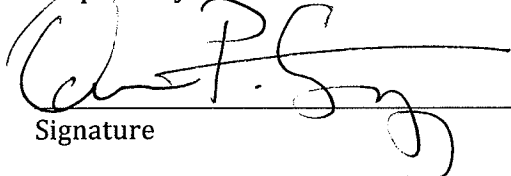
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Respectfully submitted:


Signature

Signature

DARREN P. SWAGERTY
Name

Name

2488 S. COLLEGE DR.
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

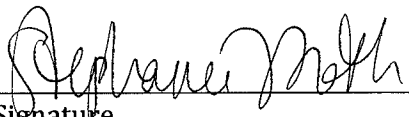
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

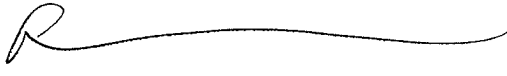
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2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

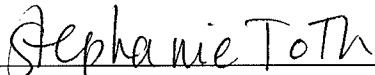
Respectfully submitted:



Signature



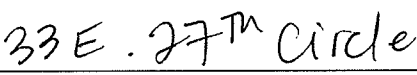
Signature



Name



Name



Address


PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

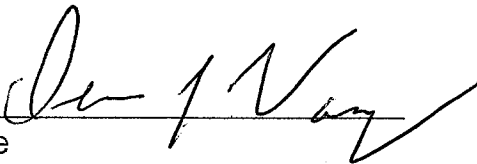
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

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Respectfully submitted:


Name
DENNIS VAUGHN

2/2/17
Address 2930 So. College

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

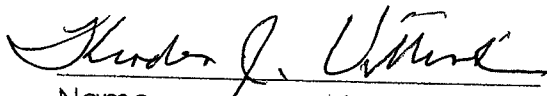
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:


Name TED VILLINSKI

3419 S. COUNTRY CLUB
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Sandra L. Villinski
Name

3419 S. Country Club Dr.
Address Fayetteville, AR

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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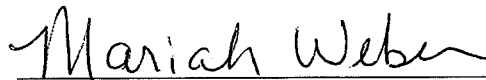
Respectfully submitted:



Signature

Steven Weber

Name



Signature

Mariah Weber

Name

21 E 29th Cr.

Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Jill Nawaszewski
Name

Jill Nawaszewski

25 E. 29th Circle
Address

Feb 1, 2017

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

KEVIN A. WARUSZEWSKI
Name 

25 E. 29th Circle
Address Feb 1 2017

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

John D Williams Jr
Signature

John D Williams Jr
Name

Connie Williams
Signature

CONNIE Williams
Name

2817 South Club Oak DR
Address
Fayetteville, AR 72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Jack K. Uih-
Signature

Janet K. Wilson
Name

2840 S. Club Oak Dr
Address

Ray Wilson
Signature

RAY WILSON
Name

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

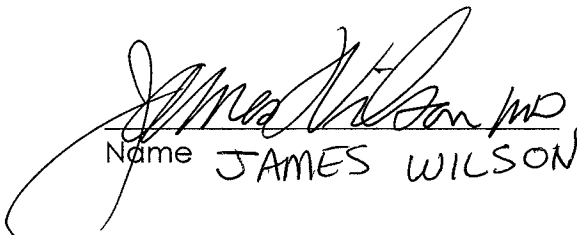
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:


Name JAMES WILSON

230 W 29th Ct, Fayetteville, AR 72701
Address

Name

Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Signature

Signature

Name

Name

Address

James W. Wilson, MD
Katharine C. Wilson
230 W. 29th Ct. Fayetteville, AR 72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

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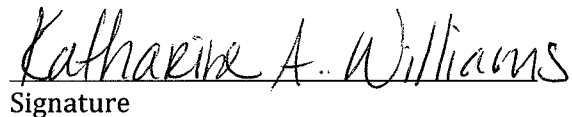
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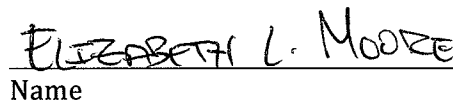
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Name



Name



Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

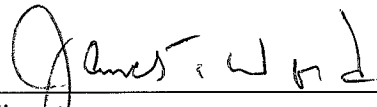
To: Mayor Jordan and Council Members:

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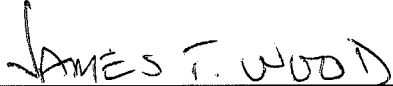
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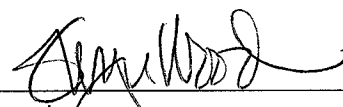
Respectfully submitted:



Signature



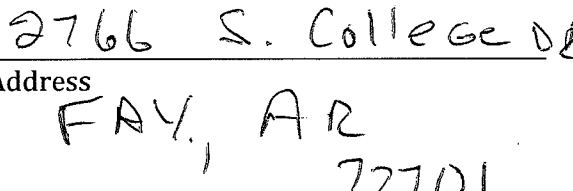
Name



Signature



Name



Address

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RE: Mountain Vista Subdivision and Hilltop Development

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Respectfully submitted:

Jane E. Yeargan
Signature

Signature

JANE E. YEARGAN
Name

Name

2831 S. College Drive
Address

Mountain Vista Subdivision

RESIDENTIAL

P E T I T I O N

FOR

SAFER ENTRANCE/EXIT

RECEIVED

FEB 06 2017

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

<u>HOUSE NUMBER</u>	<u>STREET</u>	<u>NAME</u>		
23	W. 26 th Circle	STEWMAN	Bill	Judy
116	W. 26 th Circle	LEGGETT	Jerome	Cheryl
<u>Amen Corner</u>				
522	Amen Corner	CHANDLER	Fred	Phyllis
531	Amen Corner	THORN	Harve	Toni
<u>S. Club Oak</u>				
2806	S. Club Oak Drive	BIXBY		Carolyn
2910	S. Club Oak Drive	TURLEY	Lawrence	Carol
2928	S. Club Oak Drive	PEARCE	Tom	
<u>S. College Drive</u>				
2519	S. College Drive	HASHBARGER	Jim	Rebecca
2613	S. College Drive	BROWN	Charlie	Karen
2624	S. College Drive	TRAINOR	John	Helen
2818	S. College Drive	BELLAMY		Gretchen
2818	S. College Drive	WRIGHT	Matt	
<u>S. Country Club Drive</u>				
2720	S. Country Club Drive	PHIPPS	Mike	Darlene
2970	S. Country Club Drive	CROCKER	Craig	
<u>E. Double Eagle Place</u>				
506	E. Double Eagle Place	GOFORTH	Calvin	
<u>E. Fairway Lane</u>				
301	E. Fairway Lane	HURST	Quincy	Kim
326	E. Fairway Lane	HARTMAN		Christine
429	E. Fairway Lane	ALBERT	Douglas	Dianna
<u>S. Wright Place</u>				
2899	S. Wright Place	CLENDENIN	Jason	Erin
2918	S. Wright Place	MARTIN		Sabra
2919	S. Wright Place	CLARK	John	Sharon
2922	S. Wright Place	MARTIN		William

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

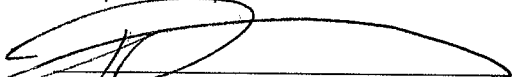
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:


Signature

Douglas Albert
Name

492 E. Fairway LN.
Address


Signature

Dianna Bain-Albert
Name

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Carolyn E. Bixby
Signature

Signature

CAROLYN E. Bixby
Name

Name

2806 S. Clark Oak Drive
Address Fayetteville, Arkansas 72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Charlie L. Brown II
Signature

Karen S. Brown
Signature

Charlie L. Brown II
Name

Karen S Brown
Name

2613 South College Drive
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Fred Chandler
Signature

Phyllis Chandler
Signature

FRED CHANDLER
Name

Phyllis Chandler
Name

522 AMEN CORNER
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

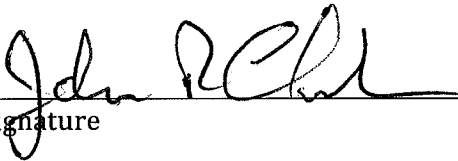
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

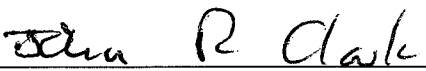
1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

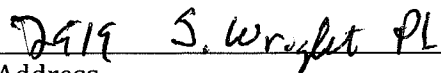
Respectfully submitted:


Signature

Signature


Name

Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

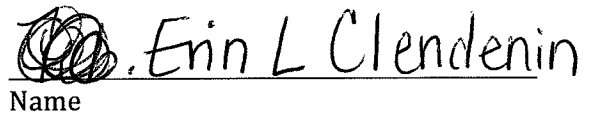
2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:


Signature

Jason Clendenin
Name


Signature


Name

2899 S. Wright Place, Fayetteville, AR 72701
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:



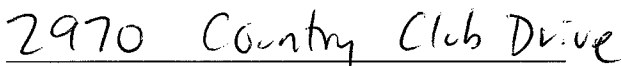
Signature

Signature



Name

Name



Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

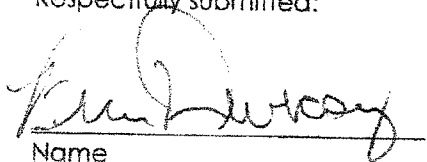
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate

cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:


Name
BRIAN DEVESER

2651 S. College Drive
Address FAYETTEVILLE, AR 72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

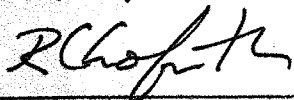
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Calvin GoForth



Name

506 Double Eagle Pl

Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:

Christine Hartman

Name

326 East Fairway Lane 72701

Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

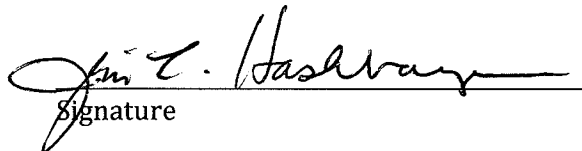
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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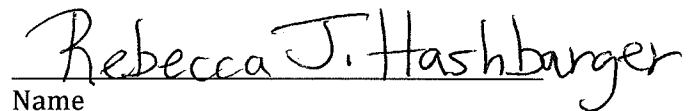
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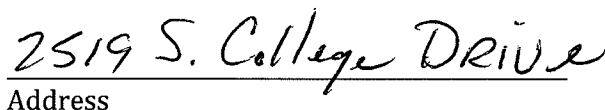
Respectfully submitted:


Signature


Name


Signature


Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

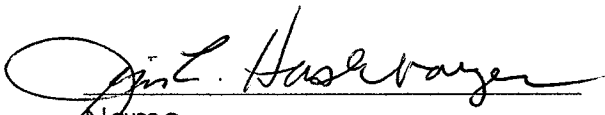
To: Mayor Jordan and Council Members:

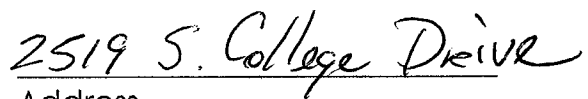
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:


Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Quincy B. Hurst
Signature

Quincy B. Hurst
Name

301 E. Fairway Lane
Address

Kim Hurst
Signature

Kim Hurst
Name

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

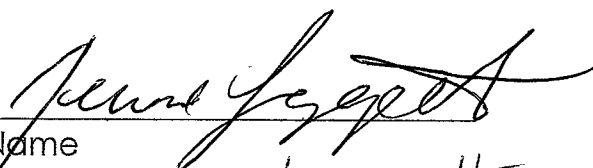
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:


Name

116 E 26 C.R.
Address

Jerome Leggett

Cheryl Leggett



PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

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Respectfully submitted:

Sabra Hassel Martin

Signature

Signature

SABRA HASSEL MARTIN

Name

Name

2918 S. Wright Place

Address

Fayetteville, AR 72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:


Signature

WILLIAM C. MARTIN
Name

Signature

Name

2922 S. Wright Place
Address Fayetteville, AR 72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

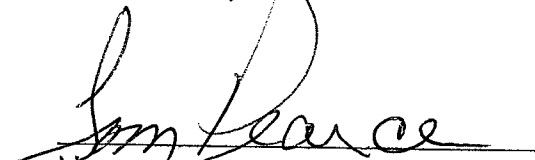
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

2. In the interests of safety and future hillside protection, we petition the City to amend the Hillside Overlay District ordinances to provide minimum standards for access roads relative to traffic as a condition of approval for subdivisions on our hills; to be effective, this must be done before any additional applications for development are submitted for those areas. The City must not permit unrestricted growth on our hillsides and hilltops without requiring adequate, safe access proportional to the numbers of homes and anticipated vehicle traffic.

Respectfully submitted:


Name

2928 CLUB OAK DR.
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

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Respectfully submitted:

Name

Mike Phipps

Address

2720 Country Club Drive
Fayetteville, AR 72701

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

1. In the interests of safety, we petition the City to deny this subdivision application unless it is amended to provide for a safer entry from the County Club Drive/ 24th Street collector. The proposed entrance, close to the intersection with 26th Circle, is largely blind. An alternate entrance, lower downhill on 24th Street, has significant stopping sight distance for both downhill traffic on 24th Street and for vehicles exiting Mountain Vista Subdivision. The developer advises that he is evaluating the feasibility and costs associated with using that location and we petition this City to assist him to obtain any needed access, grant reasonable waivers with respect to road grades, and provide appropriate cost sharing of the additional expenses. In addition, a left-hand turn lane for uphill-bound traffic turning into Mountain Vista is necessary so that other vehicles do not lose momentum on the climb up 24th Street. When completed, the uphill entrance to the former estate should be closed.

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Respectfully submitted:

Mary Darlene Phipps
Name

2720 Country Club Drive
Address Fayetteville, AR

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Bill R. Stewman
Signature

Bill R. Stewman
Name

Judy S. Stewman
Signature

Judy S. Stewman
Name

23 W 26th CIRCLE
Address

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

Craig W Thompson
Signature

Janet Thompson
Signature

CRAIG W THOMPSON
Name

Janet Thompson
Name

227 W. 29th Ct
Address

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

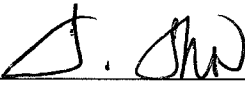
To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

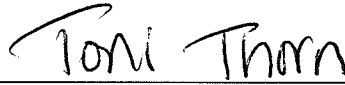
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Respectfully submitted:



Signature



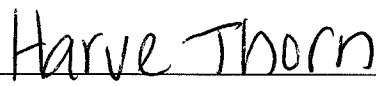
Name



Address



Signature



Name

2/4/2017

PETITION TO FAYETTEVILLE CITY COUNCIL
RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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Respectfully submitted:

John E. Trainor

Helen M. Trainor

Name **JOHN E. TRAINOR**
HELEN M. TRAINOR

2624 S. COLLEGE DRIVE
Address **FAYETTEVILLE, AR**
72701

PETITION TO FAYETTEVILLE CITY COUNCIL

RE: Mountain Vista Subdivision and Hilltop Development

To: Mayor Jordan and Council Members:

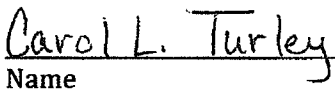
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

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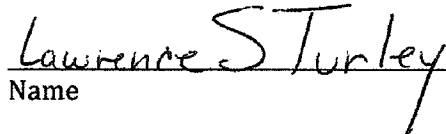
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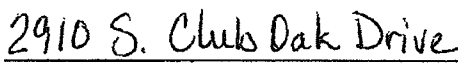
Respectfully submitted:


Signature


Name


Signature


Name


Address

PETITION TO FAYETTEVILLE CITY COUNCIL
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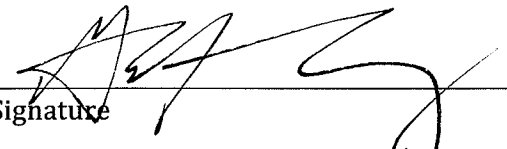
To: Mayor Jordan and Council Members:

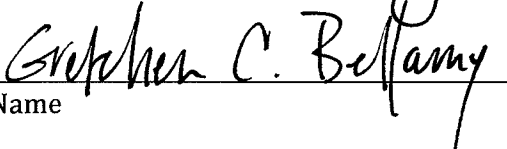
We are each residents of the neighborhood located on South Mountain, in the southern portion of Fayetteville. Our neighborhood of approximately 150 existing homes is accessed only by 24th Street and will be seriously impacted by the proposed Mountain Vista subdivision with respect to issues of safety and hillside protection; poor solutions to those issues will also diminish the values of our homes.

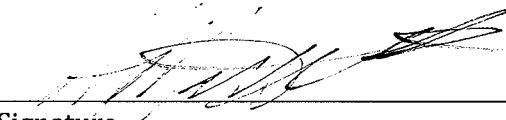
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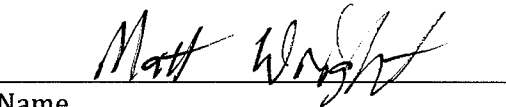
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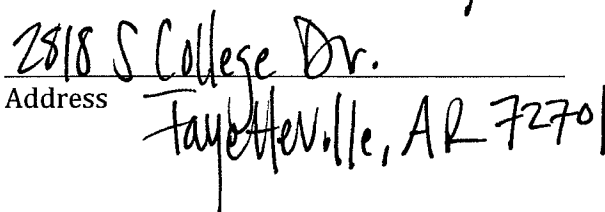
Respectfully submitted:


Signature


Name


Signature


Name


Address

CityClerk

From: Richard DelSoto <rdelsoto@yahoo.com>
Sent: Tuesday, February 07, 2017 7:33 AM
To: CityClerk
Subject: Fw: Fwd: CITY COUNCIL MEETING - TOMORROW

Categories: Forwarded

Please forward to all city council members:

My family lives in the Country Club Neighborhood. We completely disagree with the silly plans that are currently in place for the exit/entrance to the new development, the ones the planning commission agreed to. Please you common sense, which is currently not the case. The development needs a separate entrance/exit.

On Monday, February 6, 2017 6:41 PM, Amanda DelSoto <amandadelsoto@yahoo.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: "Mitchell" <mmitchellm@cox.net>
Date: February 6, 2017 at 6:37:06 PM CST
To: "Marie" <cunparadise1@cox.net>
Subject: CITY COUNCIL MEETING - TOMORROW

REMINDER
TUESDAY
(TOMORROW)
FEBRUARY 7, 2017
5:30 P.M.

EXTREMELY IMPORTANT
IS
YOUR INDIVIDUAL ATTENDANCE
AS IT WILL
REINFORCE SUPPORT
FOR A
SAFER ENTRANCE
INTO THE PROPOSED DEVELOPMENT

ALL signed Petitions were delivered to the City Clerk's Office, which will be distributed to the Mayor and City Council Members – indicating strong neighborhood support.

To bring you up to date:

- Subdivision was approved by Planning (5-3 vote);
- Adella Gray filed an appeal on our behalf at the last Council Meeting;
- Said Appeal will be heard and voted on at tomorrow's meeting.

PARAMOUNT to the purpose of neighborhood involvement has been **SAFETY – SAFETY – SAFETY** and continues to be such.

- The developer led us to believe he was agreeable to looking into the feasibility of a safer entrance/exit to development;
- To date, however, we have no facts and/or figures to substantiate requesting the City to share additional costs for relocating the “disputed” entrance.

Therefore, ***we have no recourse but to request the Council to approve the Appeal.*** OR to:

- Send the matter back to Planning (since some initial facts have been proven to be incorrect), or:
- To send the matter to the Ordinance Review Committee.

We encourage you to ***send one last e-mail to the Council Members*** – imploring them to reach an impartial, but common sense, decision ***FOR EVERYONE’S SAFETY.***

Address to Council Members: Adella Gray – Sara Marsh – Mark Kinion – Matt Petty – Justin Tennant – Sara Bunch – John LaTour – Alan Long, and Mayor Jordan.

Send to: cityclerk@fayetteville-ar.gov She will then forward to each individual Council Member.

SEE YOU TOMORROW EVENING – 5:30

Marie Mitchell
301-2059

CityClerk

From: Ann Morrison <pamorrison@cox.net>
Sent: Tuesday, February 07, 2017 11:17 AM
To: CityClerk
Subject: proposed Mountain Vista subdivision entrance -Safety concerns

Mayor Jordan and Council Members,

Thank you to those of you who were able to come to look at our area of safety concern yesterday. Although you experienced fairly heavy traffic on the hill, you were not exposed to the daily school bus traffic or visitors (24,000/year as reported by Club Manager) and commercial truck deliveries to Fayetteville Country Club (closed yesterday). As we have stated in two previous letters, there are serious safety concerns regarding the location of the proposed entrance to this subdivision. There are approximately 90 additional acres on our hill that have future development potential that will add to the existing safety concerns. We implore you to require further review and to work with the developer to find a safer alternative entrance.

Thank you,

Pat and Ann Morrison
2875 S. Country Club Drive



This email has been checked for viruses by Avast antivirus software.
www.avast.com

CityClerk

From: Ron Calaway <ronsuec@cox.net>
Sent: Tuesday, February 07, 2017 2:11 PM
To: CityClerk
Subject: Mountain Vista Proposed Subdivision Entrance/Exit

Categories: Completed, Forwarded

Council Members: Adella Gray – Sara Marsh – Mark Kinion – Matt Petty – Justin Tennant – Sara Bunch – John LaTour – Alan Long, and Mayor Jordan.

A few short comments concerning proposed Mountain Vista Subdivision:

1. I very much approve of the development of Dr. Hayes property.
2. The addition of 52 new households on the Hill, with only one entrance and exit does not address the development of the additional 91 acres currently available for purchase and development (Mary Kate Trust—Agee/Arrington's 51 acres and and Scott's 40 acres)
3. Fayetteville Engineering Department has stated that the entrance/exit to Dr. Haye's development from Askew private drive is not safe.
4. Nothing in the Planning Commission approved plat addresses any safety issue.
5. If stop signage is used it will create a very unnecessary delay in traffic exiting the hill when Fayetteville Country Club events (tournaments, meetings and weddings) are held on the Hill.
6. We have had several meetings with the developer trying to seek a solution, and we have been met with resistance from Dr Hayes toward considering any alternative entrance/exit.
7. Points that I would suggest:
 - Refer the matter to the Ordinance Review Committee to review the safety impact.
 - Second consideration is to have the Planning Commission revisit the plat with the understanding they were not aware of the dangers of the entrance/exit from Askew Private Drive.

Thank you , Ron and Sue Calaway
2848 S Club Oak Drive
ronsuec@cox.net
479-200-5068 or 479-200-5069

City of Fayetteville, Arkansas

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



Meeting Agenda - Tentative Agenda

Tuesday, January 31, 2017

4:30 PM

City Hall Room 326

City Council Agenda Session

*Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Sarah Bunch Ward 3
John S. La Tour Ward 4
Alan Long Ward 4*

ELECTED OFFICIALS:

*Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith*

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

1. [2017-0031](#)

ORT-OZARK REGIONAL TRANSIT - SEMI-MONTHLY REPORT

2. [2017-0009](#)

FAYETTEVILLE NATURAL HERITAGE ASSOCIATION CHECK PRESENTATION

3. [2017-0042](#)

KESSLER MOUNTAIN REGIONAL PARK ROTARY PLAYGROUND PROJECT
PRESENTATION - PRESENTED BY ROTARY CLUB PRESIDENT HARRISON
PITTMAN

Agenda Additions

A. Consent:

A. 1 [2016-0568](#)

APPROVAL OF THE JANUARY 17, 2017 CITY COUNCIL MEETING MINUTES.

A. 2 [2017-0011](#)**BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY:**

A RESOLUTION TO AWARD BID NO. 16-65 AND AUTHORIZE THE PURCHASE OF A GENIE S-45 TELESCOPIC BOOM LIFT FROM J.A. RIGGS TRACTOR COMPANY OF SPRINGDALE IN THE AMOUNT OF \$64,710.96 FOR USE AT THE BIOSOLIDS MANAGEMENT SITE

Attachments: [BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY](#)

A. 3 [2017-0010](#)**BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY:**

A RESOLUTION TO AWARD BID NO. 16-66 AND AUTHORIZE THE PURCHASE OF AN ELGIN CROSSWIND STREET SWEEPER FROM SCRUGGS EQUIPMENT COMPANY OF MEMPHIS, TENNESSEE IN THE AMOUNT OF \$202,265.00 FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT

Attachments: [BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY](#)

A. 4 [2016-0639](#)**BID NO. 16-67 SWEETSER CONSTRUCTION, INC.:**

A RESOLUTION TO AWARD BID NO. 16-67 AND AUTHORIZE A CONTRACT WITH SWEETSER CONSTRUCTION, INC. IN THE AMOUNT OF \$158,422.00 FOR THE CONSTRUCTION OF A BRIDGE ALONG SALEM ROAD FOR THE CLABBER CREEK TRAIL, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,921.00

Attachments: [BID 16-67 SWEETSER CONSTRUCTION, INC.](#)

A. 5 [2017-0038](#)**SANDERS CREST, INC.:**

A RESOLUTION TO APPROVE A ONE YEAR LEASE AGREEMENT WITH AN OPTION TO RENEW FOR THREE ADDITIONAL ONE YEAR TERMS WITH SANDERS CREST, INC. FOR OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF \$780.16 PER MONTH FOR THE FIRST YEAR

Attachments: [SANDERS CREST, INC.](#)

A. 6 [2017-0043](#)**FRANKLIN AND SON, INC.:**

A RESOLUTION TO AWARD BID NO. 17-21 AND APPROVE A CONSTRUCTION CONTRACT WITH FRANKLIN AND SON, INC. OF FARMINGTON, ARKANSAS FOR THE AIRFIELD ROOF REHABILITATION PROJECT AT DRAKE FIELD IN THE AMOUNT OF \$378,253.00

Attachments: [FRANKLIN AND SON, INC.](#)

A. 7 [2017-0013](#)**BANK OF FAYETTEVILLE DONATION REVENUE:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,000.00 REPRESENTING DONATION REVENUE FROM THE BANK OF FAYETTEVILLE TO THE FAYETTEVILLE FIRE DEPARTMENT FOR THE ANNUAL EMPLOYEE SERVICE AWARDS EVENT

Attachments: [BANK OF FAYETTEVILLE DONATION REVENUE](#)
 [BA_BANK OF FAYETTEVILLE DONATION REVENUE](#)

A. 8 [2017-0007](#)**CH2M HILL ENGINEERS, INC. AMENDMENT NO. 7:**

A RESOLUTION TO APPROVE A TWO MONTH EXTENSION OF AMENDMENT NO. 7 TO THE CONTRACT WITH CH2M HILL ENGINEERS, INC. BEGINNING JANUARY 1, 2017 AND ENDING FEBRUARY 28, 2017 AT A COST OF \$656,019.58 PER MONTH FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES

Attachments: [CH2M HILL ENGINEERS, INC. AMENDMENT NO. 7:](#)

A. 9 [2017-0032](#)**DAVIS LAW FIRM WATER DAMAGE CLAIM:**

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$26,759.34 TO DAVIS, CLARK, BUTT, CARITHERS & TAYLOR, PLC FOR A WATER DAMAGE CLAIM AT 15 AND 19 EAST MOUNTAIN STREET

Attachments: [DAVIS LAW FIRM WATER DAMAGE CLAIM](#)

A. 10 [2017-0045](#)**DANIEL AND MEGAN KELSEY SEWER DAMAGE CLAIM:**

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$13,903.57 TO DANIEL AND MEGAN KELSEY AS REIMBURSEMENT FOR DAMAGE TO THEIR REAL AND PERSONAL PROPERTY IN ADDITION TO PREVIOUS PAYMENTS OF \$6,587.78 TO SERVPRO FOR WATER DAMAGE MITIGATION SERVICES, \$350.00 TO WFC, INC. FOR BATHROOM REPAIR WORK, AND \$396.04 TO HILTON HOTELS FOR DISLOCATION EXPENSES

Attachments: [DANIEL AND MEGAN KELSEY SEWER DAMAGE CLAIM](#)

A. 11 [2017-0014](#)**LAKE SEQUOYAH DREDGING FACILITIES:**

A RESOLUTION TO APPROVE A NEW CAPITAL PROJECT FOR CONTINUED CONSTRUCTION OF DREDGING FACILITIES AT LAKE SEQUOYAH, AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$503,242.00 TO FUND THE PROJECT

Attachments: [LAKE SEQUOYAH DREDGING FACILITIES](#)
 [BA LAKE SEQUOYAH DREDGING FACILITIES](#)

A. 12 [2017-0048](#)**FAYETTEVILLE RENTALS, LLC:**

A RESOLUTION TO APPROVE A 50/50 COST SHARE AGREEMENT WITH FAYETTEVILLE RENTALS, LLC FOR CONSTRUCTION OF A SEWER MAIN ALONG A PORTION OF SOUTH STREET BETWEEN SOUTH COLLEGE AVENUE AND SOUTH WASHINGTON AVENUE AT A TOTAL ESTIMATED COST OF \$10,174.86 INCLUDING A 20% PROJECT CONTINGENCY

Attachments: [FAYETTEVILLE RENTALS, LLC](#)

A. 13 [2017-0040](#)**BID NO. 17-22 BLUE RIBBON LAWNS, INC.:**

A RESOLUTION TO AWARD BID NO. 17-22 AND AUTHORIZE A CONTRACT WITH BLUE RIBBON LAWNS, INC. IN THE AMOUNT OF \$169,810.24 FOR THE INSTALLATION OF TREES AND SHRUBS WITHIN THE MEDIAN OF RUPPLE ROAD BETWEEN WEST PERSIMMON STREET AND WEST MARTIN LUTHER KING, JR. BOULEVARD, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00

Attachments: [BLUE RIBBON LAWNS, INC.](#)

B. Unfinished Business:**B. 1** [2016-0674](#)**PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT
APPEAL:**

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO DENY PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) BECAUSE SUCH DEVELOPMENT WOULD CREATE OR COMPOUND A DANGEROUS TRAFFIC CONDITION IN VIOLATION OF § 166.02 (C)(2)(a)(iv) OF THE UNIFIED DEVELOPMENT CODE

Attachments: [PRELIMINARY PLAT 16-5574 \(MOUNTAIN VISTA SUBDIVISION\) GRANT APP](#)

At the January 3, 2017 City Council Meeting this resolution was tabled to the February 7, 2017 City Council Meeting.

C. New Business:**C. 1** [2017-0034](#)**WALTON FAMILY FOUNDATION MATCHING GRANT:**

A RESOLUTION TO ACCEPT A WALTON FAMILY FOUNDATION MATCHING GRANT IN THE AMOUNT OF \$210,000.00 FOR THE IMPLEMENTATION OF A PORTION OF THE KESSLER MOUNTAIN MASTER TRAILS PLAN, TO AUTHORIZE MAYOR JORDAN TO SIGN THE GRANT AGREEMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [WALTON FAMILY FOUNDATION MATCHING GRANT](#)
 [BA WALTON FAMILY FOUNDATION MATCHING GRANT](#)

C. 2 [2017-0033](#)**2017 ENERGY ACTION PLAN:**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE STUDY AND DEVELOPMENT OF AN ENERGY ACTION PLAN IN 2017

Attachments: [2017 ENERGY ACTION PLAN](#)

C. 3 [2017-0029](#)**CH2M HILL ENGINEERS, INC. AMENDMENT NO. 8:**

A RESOLUTION TO APPROVE AMENDMENT NO. 8 TO THE AGREEMENT FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$7,807,453.00 FOR SERVICES IN 2017

Attachments: [CH2M HILL ENGINEERS, INC. AMENDMENT NO. 8](#)

C. 4 [2017-0030](#)**21 WEST, LLC COST SHARE:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH 21 WEST, LLC FOR THE INSTALLATION OF SEWER MAIN ALONG A PORTION OF MEADOW STREET BETWEEN WEST AVENUE AND GREGG AVENUE, WITH THE ESTIMATED AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$36,128.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,225.60

Attachments: [21 WEST LLC](#)

C. 5 [2017-0012](#)**CRUSE UNIFORMS AND EQUIPMENT, INC.:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING THROUGH DECEMBER 31, 2018 AND AUTHORIZE THE PURCHASE OF POLICE SERVICE WEAPONS AND HOLSTERS FROM CRUSE UNIFORMS AND EQUIPMENT, INC. IN THE AMOUNT OF \$109,237.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [CRUSE UNIFORMS AND EQUIPMENT, INC.](#)
 [BA_CRUSE UNIFORMS AND EQUIPMENT, INC.](#)

C. 6 [2017-0017](#)**RZN 16-5677 (3535 E. HUNTSVILLE RD./HARRIS):**

AN ORDINANCE TO REZONE ABOUT 1.27 ACRES DESCRIBED IN REZONING PETITION 16-5677 LOCATED AT 3535 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY-FOUR UNITS PER ACRE TO R-A, RESIDENTIAL AGRICULTURE.

Attachments: [RZN 16-5677 \(3535 E. HUNTSVILLE RD./HARRIS\)](#)

C. 7 [2016-0524](#)**AMEND §164.02 ACCESSORY STRUCTURES AND USES:**

AN ORDINANCE TO AMEND §164.02 ACCESSORY STRUCTURES AND USES OF THE UNIFIED DEVELOPMENT CODE TO ALLOW THE CONSTRUCTION OF SHARED ACCESSORY STRUCTURES

Attachments: [AMEND §164.02 ACCESSORY STRUCTURES AND USES](#)

C. 8 [2017-0015](#)**AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION:**

AN ORDINANCE TO AMEND §151.01 **DEFINITIONS** AND §174.09 **SIGN ILLUMINATION** OF THE UNIFIED DEVELOPMENT CODE TO REPEAL UNNEEDED DEFINITIONS AND TO REMOVE A REQUIREMENT THAT SIGN ILLUMINATION IN THE I-540 OVERLAY DISTRICT BE INDIRECT

Attachments: [AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION](#)

D. City Council Agenda Session Presentations:**D.1** [2017-0041](#)**AGENDA SESSION PRESENTATION - DEMONSTRATION OF EVENT PERMIT
APPLICATION PRESENTED BY AUGUSTA BRANHAM****E. City Council Tour: FEBRUARY 6, 2017 4:30 PM - PRELIMINARY PLAT 16-5574
(MOUNTAIN VISTA SUBDIVISION) GRANT APPEAL****F. Announcements:****G. Adjournment****NOTICE TO MEMBERS OF THE AUDIENCE**

All interested persons may appear and address the City Council on Unfinished Business, New Business, and Public Hearings at City Council meetings. If you wish to address the City Council on an agenda item, please wait for the Mayor or Chair to request public comment then queue behind the podium. When the Mayor or Chair recognizes you, approach the podium and give your name and address. Comments are to be addressed to the Mayor or Chair. The Mayor or Chair will direct your comments to the appropriate elected officials, staff, or others for response. Keep your comments respectful, brief, to the point, and relevant to the agenda item being considered. Each speaker from the public will be allowed one turn at the microphone for discussion of an agenda item.

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. City staff, City Council members, and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item.

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. A simple majority of the City Council members, present and voting, may authorize a representative of a Fayetteville citizens' group opposing the ordinance or resolution to present an electronic visual aid not to exceed five minutes, but no other electronic visual aid presentations will be allowed; however, 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's 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.



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0031

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Report

Agenda Number: 1.

ORT-OZARK REGIONAL TRANSIT - SEMI-MONTHLY REPORT



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0009

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Presentation

Agenda Number: 2.

FAYETTEVILLE NATURAL HERITAGE ASSOCIATION CHECK PRESENTATION



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0042

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Presentation

Agenda Number: 3.

KESSLER MOUNTAIN REGIONAL PARK ROTARY PLAYGROUND PROJECT
PRESENTATION - PRESENTED BY ROTARY CLUB PRESIDENT HARRISON PITTMAN



City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0568

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Minutes

Agenda Number: A. 1

APPROVAL OF THE JANUARY 17, 2017 CITY COUNCIL MEETING MINUTES.



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0011

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 2

BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY:

A RESOLUTION TO AWARD BID NO. 16-65 AND AUTHORIZE THE PURCHASE OF A GENIE S-45 TELESCOPIC BOOM LIFT FROM J.A. RIGGS TRACTOR COMPANY OF SPRINGDALE IN THE AMOUNT OF \$64,710.96 FOR USE AT THE BIOSOLIDS MANAGEMENT SITE

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 No. 16-65 and authorizes the purchase of a Genie S-45 telescopic boom lift from J.A. Riggs Tractor Company of Springdale in the amount of \$64,710.96 for use at the Biosolids Management Site.

City of Fayetteville Staff Review Form

2017-0011

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jesse Beeks/Sara Glenn

1/11/2017

Fleet Operations /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution to authorize the purchase of one Genie S-45 Man Lift for lowest bid price that met all specifications received through Bid 16-65 in the amount of \$64,710.96 available through J.A. Riggs Tractor Company of Springdale, AR for use at the Wastewater Treatment Plant.

Budget Impact:

9700.770.1920-5802.00

Shop Fund

Account Number

Fund

02080.2017

Other Equipment

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 956,000.00

Funds Obligated \$ -

Current Balance \$ 956,000.00

Does item have a cost? Yes

Item Cost \$ 64,710.96

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 891,289.04

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

MEETING OF FEBRUARY 7, 2017

TO: Mayor and City Council

THRU: Terry Gulley, Director of Transportation

FROM: Jesse Beeks, Fleet Operations Superintendent

DATE: January 11, 2017

SUBJECT: Purchase of one Man Lift for Wastewater Treatment Plant

RECOMMENDATION:

That City Council approve the purchase of one Genie S-45 Man Lift for lowest bid price that met all specifications received through Bid 16-65 in the amount of \$64,710.96 available through J.A. Riggs Tractor Company of Springdale, AR for use at the Wastewater Treatment Plant.

BACKGROUND:

Unit 806 is a 1995 Case 1150-G Dozer. Wastewater no longer needs a Dozer, however they are in need of a Man Lift to reach the inside of their drying house. For this reason, they would like to replace the Dozer with a telescopic boom lift. Unit 806 can still be used and will move to Water & Sewer for a project they are currently working on.

DISCUSSION:

Fleet recommends the purchase of one Genie S-45 Man Lift for lowest bid price that met all specifications received through Bid 16-65 in the amount of \$64,710.96 available through J.A. Riggs Tractor Company of Springdale, AR for use at the Wastewater Treatment Plant.

BUDGET/STAFF IMPACT:

Sufficient funds have been budgeted and collected for this purchase.

This purchase was presented to the Equipment Committee on January 10, 2017.

Attachments:



Bid: 16-65
DATE: 12.21.2016
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 16-65, Telescopic Boom Lift

Official Bid Tabulation

				Telescopic Boom Lift
	Bidder Name	Each	Model	Total Base Bid
1	All Around Access, LLC	1	Genie S-45	\$70,499.00
2	All Around Access, LLC	1	Skyjack SJ45T	\$64,499.00
3	H + E Equipment Services	1	Genie S-45	\$65,565.00
4	Hugg & Hall Equipment Company	1	Genie S-45	\$71,151.00
5	J.A Riggs Tractor Co.	1	Genie S-45	\$64,710.96
6	Lampasas Rental and Hardware	1	Genie S-45	\$79,523.55
7	United Rentals (North America), Inc.	1	Genie S-45	\$68,612.49
8	Williams Tractor	1	Genie S-45	\$72,028.00

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

CERTIFIED:

L. McGaugh, Purchasing Agent

Witness

12/22/16
Date



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0010

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 3

BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY:

A RESOLUTION TO AWARD BID NO. 16-66 AND AUTHORIZE THE PURCHASE OF AN ELGIN CROSSWIND STREET SWEEPER FROM SCRUGGS EQUIPMENT COMPANY OF MEMPHIS, TENNESSEE IN THE AMOUNT OF \$202,265.00 FOR USE BY THE TRANSPORTATION SERVICES 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 No. 16-66 and authorizes the purchase of an Elgin Crosswind Street Sweeper from Scruggs Equipment Company of Memphis, Tennessee in the amount of \$202,265.00 for use by the Transportation Services Department.

City of Fayetteville Staff Review Form

2017-0010

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jesse Beeks/Sara Glenn

1/11/2017

Fleet Operations /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution to authorize the purchase of one Elgin Crosswind Sweeper for lowest bid price received through Bid 16-66 in the amount of \$202,265.00 available through Scruggs Equipment Company of Memphis, TN for use in the Transportation Department.

Budget Impact:

9700.770.1920-5802.00

Shop Fund

Account Number

Fund

02080.2016

Other Equipment

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 625,012.10

Funds Obligated \$ -

Current Balance \$ 625,012.10

Does item have a cost? Yes

Item Cost \$ 202,265.00

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 422,747.10

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

MEETING OF FEBRUARY 7, 2017

TO: Mayor and City Council
THRU: Terry Gulley, Director of Transportation
FROM: Jesse Beeks, Fleet Operations Superintendent
DATE: January 11, 2017
SUBJECT: Purchase of one Sweeper for Transportation

RECOMMENDATION:

That City Council approve the purchase of one Elgin Crosswind Sweeper for lowest bid price received through Bid 16-66 in the amount of \$202,265.00 available through Scruggs Equipment Company of Memphis, TN for use in the Transportation Department.

BACKGROUND:

Unit 9146 is a 2010 Nissan A9000 Sweeper that has met the 6 year life expectancy and currently has 67% of the original purchase price in life to date maintenance costs. The City only has 2 street sweepers which run every day and pick up anywhere from 40 - 64 yards of waste each day.

DISCUSSION:

Fleet recommends the purchase of one Elgin Crosswind Sweeper for lowest bid price received through Bid 16-66 in the amount of \$202,265.00 available through Scruggs Equipment Company of Memphis, TN for use in the Transportation Department.

BUDGET/STAFF IMPACT:

Sufficient funds have been budgeted and collected for this purchase.

This purchase was presented to the Equipment Committee on January 10, 2017.

Attachments:



Bid: 16-66
DATE: 12.21.2016
TIME: 2:00 PM
CITY OF FAYETTEVILLE

Bid 16-66, Street Sweeper

****Official Bid Tabulation****

			Henard Utility Products, Inc.	Mahoney's Equipment LLC	Scruggs Equipment Co.	
			Model	Schwarze Industries A9 Monsoon	Global Environmental V6- Air - Demo Unit	Elgin Crosswind
Item	Description	Each	Extended Price	Extended Price	Extended Price	
1	Street Sweeper	1	\$219,833.00	\$ 232,750.00	\$ 202,265.00	

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

CERTIFIED:

L. McGaugh, Purchasing Agent

Witness

12/22/16
Date



City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0639

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 4

BID NO. 16-67 SWEETSER CONSTRUCTION, INC.:

A RESOLUTION TO AWARD BID NO. 16-67 AND AUTHORIZE A CONTRACT WITH SWEETSER CONSTRUCTION, INC. IN THE AMOUNT OF \$158,422.00 FOR THE CONSTRUCTION OF A BRIDGE ALONG SALEM ROAD FOR THE CLABBER CREEK TRAIL, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,921.00

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby awards Bid No. 16-67 and authorizes a contract with Sweetser Construction, Inc. in the amount of \$158,422.00 for the construction of a bridge along Salem Road for the Clabber Creek Trail, and further approves a project contingency in the amount of \$7,921.00.

City of Fayetteville Staff Review Form

2016-0639

Legistar File ID

February 7th 2017

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Matt Mihalevich

1/13/2017

Engineering /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of a Resolution awarding Bid 16-67 and authorizing a contract with Sweetser Construction, Inc. in the amount of \$158,422.00 for the construction of a bridge along Salem Road for the Clabber Creek Trail and approving a 5% project contingency in the amount of \$7,921.00.

Budget Impact:

4470.800.8830-5814.05

Sales Tax Capital Improvement

Account Number

Fund

02016.1304

Clabber Creek Trail Bridge

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 166,410.00

Funds Obligated \$ 64.00

Current Balance \$ 166,346.00

Does item have a cost? Yes

Item Cost \$ 166,343.00

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ 3.00

V20140710

Previous Ordinance or Resolution # 172-13

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 7TH, 2017

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Terry Gulley, Transportation Services Director
Chris Brown, City Engineer

FROM: Matt Mihalevich, Trails Coordinator

DATE: January 13th, 2017

SUBJECT: 2016-0639 Clabber Creek Trail Bridge Construction

RECOMMENDATION:

Approval of a Resolution awarding Bid 16-67 and authorizing a contract with Sweetser Construction, Inc. in the amount of \$158,422.00 for the construction of a bridge along Salem Road for the Clabber Creek Trail and approving a 5% project contingency in the amount of \$7,921.00.

BACKGROUND:

In August of 2013, resolution number 172-13 was approved accepting a grant in the amount of \$81,248 through the Safe Routes to Schools Program administered through the Arkansas State Highway and Transportation Department (AHTD) for the design and construction of a bridge over Clabber Creek at Salem Road. The in house trail construction crew recently finished a 3/4-mile extension of the Clabber Creek Trail from Ruppel Road to the east side of Gary Hampton Softball complex which includes a 600 foot elevated concrete boardwalk. This contract will complete this section of the trail by providing the bridge over Clabber Creek at Salem Road.

DISCUSSION:

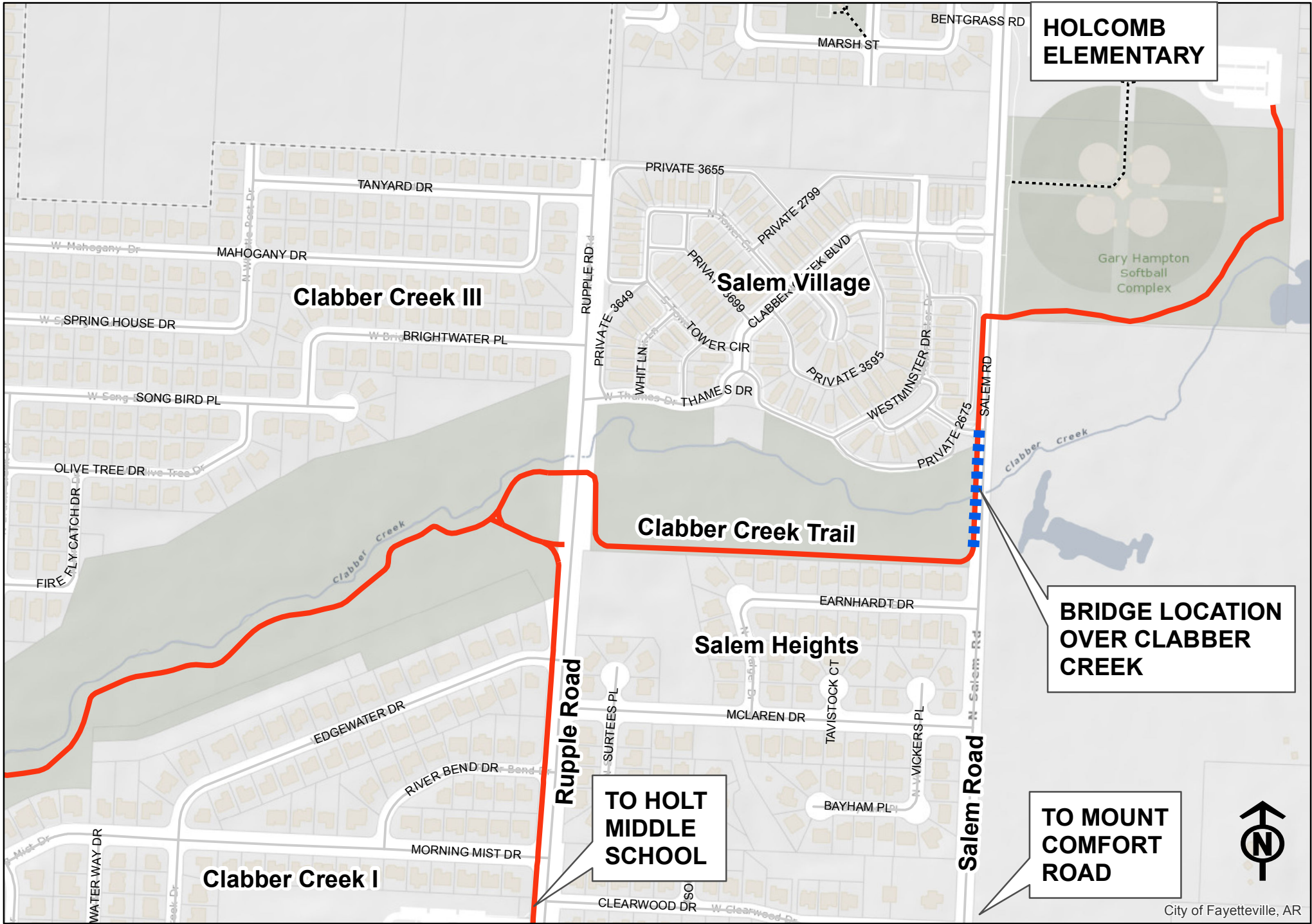
Bids opened on January 5th, 2017 for Bid 16-67 - Clabber Creek Trail Bridge. Three bidders responded to the request for formal bids and Sweetser Construction, Inc. was the lowest responsive bidder. Please see the attached bid tabulation. Sweetser Construction, Inc. will have 150 calendar days to complete the bridge project.

BUDGET/STAFF IMPACT:

Funds are available for this contract through the Safe Routes to School Grant and trail development CIP.

Attachments:

Clabber Creek Trail Map
Bid 16-67 Bid Tabulation
Sweetser Construction Signed Agreement





CITY OF FAYETTEVILLE, ARKANSAS

Bid 16-67 Construction - Clabber Creek Trail Bridge

OFFICIAL BID TABULATION

BID OPENING: 01/05/2017; 2:00 PM

Certification of Funds: \$140,000.00
Max Bid Award Limit: \$175,000.00

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	Boulder Construction, Inc.		Crossland Heavy Contractors, Inc.		Sweetser Construction, Inc.	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Clearing and Grubbing Trees	LS	1	\$ 7,900.00	\$ 7,900.00	\$ 2,500.00	\$ 2,500.00	\$ 2,400.00	\$ 2,400.00
2	Removal and Disposal of Concrete Walks	SY	15	\$ 58.33	\$ 874.95	\$ 12.00	\$ 180.00	\$ 20.00	\$ 300.00
3	Unclassified Excavation	CY	321	\$ 9.74	\$ 3,126.54	\$ 19.00	\$ 6,099.00	\$ 24.00	\$ 7,704.00
4	Approach Slab (Type Special)	CY	6	\$ 782.23	\$ 4,774.98	\$ 750.00	\$ 4,770.00	\$ 850.00	\$ 5,406.00
5	Mobilization (Not to exceed 5% of total)	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 9,000.00	\$ 9,000.00	\$ 4,500.00	\$ 4,500.00
6	Maintenance of Traffic	LS	1	\$ 5,625.00	\$ 5,625.00	\$ 3,500.00	\$ 3,500.00	\$ 4,900.00	\$ 4,900.00
7	Signs	SF	48	\$ 55.52	\$ 2,664.96	\$ 30.00	\$ 1,440.00	\$ 14.00	\$ 672.00
8	Traffic Drums	EA	12	\$ 195.83	\$ 2,349.96	\$ 65.00	\$ 780.00	\$ 60.00	\$ 720.00
9	Silt Fence	LF	159	\$ 15.28	\$ 2,429.52	\$ 3.00	\$ 477.00	\$ 7.00	\$ 1,113.00
10	Concrete Walks	SY	37	\$ 58.11	\$ 2,150.07	\$ 82.00	\$ 3,034.00	\$ 45.00	\$ 1,665.00
11	Bridge Construction Control	LS	1	\$ 7,025.00	\$ 7,025.00	\$ 5,800.00	\$ 5,800.00	\$ 2,200.00	\$ 2,200.00
12	Unclassified Excavation for Structures- Bridge	CY	45	\$ 218.89	\$ 9,850.05	\$ 260.00	\$ 11,700.00	\$ 32.00	\$ 1,440.00
13	Class S Concrete - Bridge	CY	21	\$ 2,530.92	\$ 52,390.04	\$ 1,150.00	\$ 23,805.00	\$ 1,200.00	\$ 24,840.00
14	Reinforcing Steel - Roadway (Grade 60)	LB	472	\$ 8.14	\$ 3,842.08	\$ 2.50	\$ 1,180.00	\$ 6.00	\$ 2,832.00
15	Reinforcing Steel - Bridge (Grade 60)	LB	2,070	\$ 4.07	\$ 8,424.90	\$ 2.60	\$ 5,382.00	\$ 6.00	\$ 12,420.00
16	Silicone Joint Sealant	LF	24	\$ 54.79	\$ 1,314.96	\$ 60.00	\$ 1,440.00	\$ 15.00	\$ 360.00
17	Modification of Existing Bridge Structure	LS	1	\$ 9,520.00	\$ 9,520.00	\$ 2,500.00	\$ 2,500.00	\$ 4,500.00	\$ 4,500.00
18	50' Steel Bridge Truss	EA	1	\$ 52,300.00	\$ 52,300.00	\$ 66,500.00	\$ 66,500.00	\$ 54,950.00	\$ 54,950.00
19	Metal Handrail	LF	12	\$ 185.33	\$ 2,223.96	\$ 275.00	\$ 3,300.00	\$ 125.00	\$ 1,500.00
20	Micropiles	EA	8	\$ 3,125.00	\$ 25,000.00	\$ 3,800.00	\$ 30,400.00	\$ 2,750.00	\$ 22,000.00
21	Insurance and Bonding	LS	1	\$ 6,403.00	\$ 6,403.00	\$ 3,000.00	\$ 3,000.00	\$ 2,000.00	\$ 2,000.00
TOTAL BASE BID				\$	220,389.98	\$	186,787.00	\$	158,422.00
*Highlighting Notes Corrected Calculation Error									
CERTIFIED: 								1/11/2017	
Andrea Rennie, CPPO, CPPB, Purchasing Manager				Witness				Date	

DOCUMENT 00400 –BID FORM

Contract Name: CLABBER CREEK TRAIL BRIDGE

Bid Number 16-67

BID TO:

Owner: The City of Fayetteville, Arkansas
113 West Mountain Street
Fayetteville, Arkansas 72701

BID FROM:

Bidder: SWEETSER CONSTRUCTION, INC.
590 W. POPLAR
FAYETTEVILLE, AR 72703

ARTICLE 1 - INTENT

1.01 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an agreement with Owner in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Bid price and within the Bid time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

ARTICLE 2 - TERMS AND CONDITIONS

2.01 Bidder accepts all of the terms and conditions of the Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 90 days after the day of Bid opening. Bidder will sign and deliver the required number of counterparts of the Agreement with the Bonds and other documents required by the Bidding Requirements within 15 days after the date of Owner's Notice of Award.

SWEETSER CONSTRUCTION, INC.

DOCUMENT 00400 –BID FORM (continued)

ARTICLE 3 - BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents, as more fully set forth in the Agreement, that:

- A. Bidder has examined and carefully studied the Bid Documents, and the following Addenda, receipt of all which is hereby acknowledged:

<u>Number</u>	<u>Date</u>
<u># 1</u>	<u>12/16/16</u>
<u># 2</u>	<u>12/21/16</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

- B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, performance, and furnishing of the Work.
- C. Bidder is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, performance, and furnishing of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site; and (2) reports and drawings of a Hazardous Environmental Condition, if any, at the Site. Bidder acknowledges that such reports and drawings are not Contract Documents and may not be complete for Bidder's purposes. Bidder acknowledges that Owner and Engineer do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Bid Documents with respect to Underground Facilities at or contiguous to the Site.

SWEETSER CONSTRUCTION, INC.

DOCUMENT 00400 –BID FORM (continued)

- E. Bidder has obtained and carefully studied (or assumes responsibility for having done so) all such additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site or otherwise which may affect cost, progress, performance, or furnishing of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder and safety precautions and programs incident thereto.
- F. Bidder does not consider that any additional examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performing and furnishing of the Work in accordance with the times, price, and other terms and conditions of the Contract Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to Work for which this Bid is submitted as indicated in the Contract Documents.
- H. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports, and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.
- I. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- J. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the Work for which this Bid is submitted.
- K. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm, or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; Bidder has not directly or indirectly induced or solicited any

DOCUMENT 00400 –BID FORM (continued)

other Bidder to submit a false or sham bid; Bidder has not solicited or induced any person, firm, or a corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for himself any advantage over any other Bidder or over Owner.

- L. Bidder will perform the Work in compliance with all applicable trench safety standards set forth in Occupational Safety and Health Administration (OSHA) Part 1926 – Subpart P – Excavations.

ARTICLE 4 - BID PRICE

Bidders are required to provide pricing for all line items, including deductive alternate items. Failure to provide deductive alternate pricing can result in bid rejection. The City intends to award this contract to the lowest qualified responsive responsible bidder based on the total base bid as long as the base bid amount falls within the amount of funds certified for the project plus 25%. In the event no bid falls within the amount of funds certified for the project, plus 25%, the City will utilize the deductive alternates in order to further evaluate bids until a bid received falls within the amount certified, plus 25%. In the event all deductive alternates are subtracted from the total base bid and no bid falls within the amount certified, plus 25%, all bids shall be rejected and become confidential.

Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

DOCUMENT 00400 –BID FORM (continued)

ITEM NO.	SPEC. REF	DESCRIPTION	UNIT	EST. QTY		Unit Price		Total
1	201	CLEARING AND GRUBBING TREES	LS	1	X	2,400. ⁰⁰	=	2,400. ⁰⁰
2	202	REMOVAL AND DISPOSAL OF CONCRETE WALKS	SY	15	X	20. ⁰⁰	=	300. ⁰⁰
3	210	UNCLASSIFIED EXCAVATION	CY	321	X	24. ⁰⁰	=	7,704. ⁰⁰
4	504	APPROACH SLAB (TYPE SPECIAL)	CY	6.36	X	850. ⁰⁰	=	5,406. ⁰⁰
5	601	MOBILIZATION (NOT TO EXCEED 5% OF TOTAL BID)	LS	1	X	4,500. ⁰⁰	=	4,500. ⁰⁰
6	603	MAINTENANCE OF TRAFFIC	LS	1	X	4,900. ⁰⁰	=	4,900. ⁰⁰
7	SS & 604	SIGNS	SF	48	X	14. ⁰⁰	=	672. ⁰⁰
8	SS & 604	TRAFFIC DRUMS	EA	12	X	60. ⁰⁰	=	720. ⁰⁰
9	633	SILF FENCE	LF	159	X	7. ⁰⁰	=	1,113. ⁰⁰
10	636	CONCRETE WALKS	SY	37	X	45. ⁰⁰	=	1,665. ⁰⁰
11	801	BRIDGE CONSTRUCTION CONTROL	LS	1	X	2,200. ⁰⁰	=	2,200. ⁰⁰
12	802	UNCLASSIFIED EXCAVATION FOR STRUCTURES - BRIDGE	CY	45	X	32. ⁰⁰	=	1,440. ⁰⁰
13	804	CLASS S CONCRETE - BRIDGE	CY	20.70	X	1,200. ⁰⁰	=	24,840. ⁰⁰
14	804	REINFORCING STEEL - ROADWAY (GRADE 60)	LB	472	X	6. ⁰⁰	=	2,832. ⁰⁰
15	804	REINFORCING STEEL - BRIDGE (GRADE 60)	LB	2,070	X	6. ⁰⁰	=	12,420. ⁰⁰
16	806	SILICONE JOINT SEALANT	LF	24	X	15. ⁰⁰	=	360. ⁰⁰
17	809	MODIFICATION OF EXISTING BRIDGE STRUCTURE	LS	1	X	4,500. ⁰⁰	=	4,500. ⁰⁰
18	SP	50' STEEL BRIDGE TRUSS	EA	1	X	54,950. ⁰⁰	=	54,950. ⁰⁰

DOCUMENT 00400 –BID FORM (continued)

19	SP	METAL HANDRAIL	LF	12	X	125. ⁰⁰ / ₁₀₀	=	1,500. ⁰⁰ / ₁₀₀
20	SP	MICROPILES	EA	8	X	2,750. ⁰⁰ / ₁₀₀	=	22,000. ⁰⁰ / ₁₀₀
21	SEE TERMS & CONDI TIONS	INSURANCE & BONDING	LS	1	X	2,000. ⁰⁰ / ₁₀₀	=	2,000. ⁰⁰ / ₁₀₀
Total Base Bid								\$158,422. ⁰⁰ / ₁₀₀

TOTAL BID*

One hundred, Fifty eight thousand,
four hundred, twenty two dollars & zero cents (\$ 158,422.⁰⁰/₁₀₀)

Words Numbers

*Total amount to complete project including all items listed above.

Bridge Manufacturer (shall be approved prior to bid deadline)

Notice: All bidders shall submit the "Anti-Collusion and debarment certification" form with the bid.

DOCUMENT 00400 –BID FORM (continued)

ARTICLE 5 - CONTRACT TIMES

- 5.01 Bidder agrees that the Work will be substantially completed and completed and ready for final payment within the number of calendar days indicated in the Agreement.
- 5.02 Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified in the Agreement.

ARTICLE 6 - BID CONTENT

- 6.01 The following documents are attached to and made a condition of this Bid:
- A. Required Bid security in the form of a bank cashier's check or a Bid Bond and in the amount of 5% Dollars (\$_____).
- B. A tabulation of Subcontractors and other persons and organizations required to be identified in this Bid.

ARTICLE 7 - COMMUNICATIONS

- 7.01 Communications concerning this Bid shall be addressed to the Bidder as follows:

Charlie Miller / Sweetser Construction, Inc.
590 West Poplar
Fayetteville, AR 72701
Phone No. 479-443-3026
FAX No. 479-442-0119

ARTICLE 8 - TERMINOLOGY

SUBMITTED on JAN. 5th, 2017.

Tax ID No. 71-0399789

DUNS No. _____

CAGE No. _____

An Individual

Name (type or printed): _____

By: _____ (SEAL)
(Individual's Signature)

Doing business as: _____

Business address: _____

Phone No.: _____ FAX No.: _____

DOCUMENT 00400 –BID FORM (continued)

A Partnership

Partnership Name: _____ (SEAL)

By: _____

(Signature of general partner – attach evidence of authority to sign)

Name (type or printed): _____

Business address: _____

Phone No.: _____ FAX No.: _____

A Corporation or LLC

Corporation or LLC Name: SWEETSER CONSTRUCTION, INC. (SEAL)

State of Incorporation: ARKANSAS

Type (General Business, Professional, Service, Limited Liability): _____

General Business

By: William G. Sweetser

(Signature – attach evidence of authority to sign)

WILLIAM G. SWEETSER

Name (type or printed): _____

Title: PRESIDENT

Attest: Marion J. Sweetser (CORPORATE SEAL)

(Signature of Corporate Secretary)
SWEETSER CONSTRUCTION, INC.

Business address: 590 W. POPLAR
FAYETTEVILLE, AR 72703

Phone No.: 479-443-3026 FAX No.: 479-442-0119

DOCUMENT 00400 –BID FORM (continued)

END OF DOCUMENT 00400

CITY OF FAYETTEVILLE
SUPPLEMENT TO PROPOSAL
ANTI-COLLUSION AND DEBARMENT CERTIFICATION

**FAILURE TO EXECUTE AND SUBMIT THIS CERTIFICATION SHALL RENDER THIS BID
NONRESPONSIVE AND NOT ELIGIBLE FOR AWARD CONSIDERATION.**

As a condition precedent to the acceptance of the bidding document for this project, the bidder shall file this Affidavit executed by, or on behalf of the person, firm, association, or corporation submitting the bid. The original of this Affidavit shall be filed with the SPONSOR **at the time proposals are submitted.**

A F F I D A V I T

I hereby certify, under penalty of perjury under the laws of the United States and/or the State of Arkansas, that the bidder listed below has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid for this project, is not presently barred from bidding in any other jurisdiction as a result of any collusion or any other action in restraint of free competition, and that the foregoing is true and correct.

Further, that except as noted below, the bidder, or any person associated therewith in the capacity of owner, partner, director, officer, principal investigator, project director, manager, auditor, or any position involving the administration of Federal funds:

- a. is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency;
- b. has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal agency within the past 3 years;
- c. does not have a proposed debarment pending; and
- d. has not been indicted, convicted, or had an adverse civil judgment rendered by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

SWEETSER CONSTRUCTION, INC.

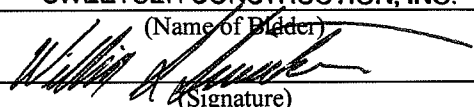
CITY OF FAYETTEVILLE
SUPPLEMENT TO PROPOSAL
ANTI-COLLUSION AND DEBARMENT CERTIFICATION

**FAILURE TO EXECUTE AND SUBMIT THIS CERTIFICATION SHALL RENDER THIS BID
NONRESPONSIVE AND NOT ELIGIBLE FOR AWARD CONSIDERATION.**

EXCEPTIONS:

APPLIED TO	INITIATING AGENCY	DATES OF ACTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

Job No. <u>040663</u>	SWEETSER CONSTRUCTION, INC. (Name of Bidder)
F.A.P. No. _____	 (Signature)
<u>Jan. 5, 2017</u> (Date Executed)	WILLIAM G. SWEETSER (Title of Person Signing)

The following Notary Public certification is **OPTIONAL** and may or may not be completed at the contractor's discretion.

State of _____)
County of _____)ss.

_____, being duly sworn, deposes and says that he is
_____ of _____
(Title) (Name of Bidder)

and that the above statements are true and correct.

Subscribed and Sworn to before me this _____ day of _____, 20____.
My commission expires: _____

(Notary Public)

(NOTARY SEAL)

SWEETSER CONSTRUCTION, INC.

In compliance with the Instructions to Bidders and other Contract Documents, the undersigned submits the following names of Subcontractors to be used in performing the Work for CLABBER CREEK BRIDGE.

[illegible]


Bidder's Signature

SWEETSER CONSTRUCTION, INC.

BID BOND**TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**Hartford, Connecticut 06183

KNOWN ALL BY THESE PRESENTS, That we, Sweetser Construction Inc., as Principal, and Travelers Casualty and Surety Company of America, as Surety, are held and firmly bound unto City of Fayetteville, AR, as Obligee, in the sum of Five Percent of Bid Dollars (\$5%) for the payment of which we bind ourselves, and our successors and assigns, jointly and severally, as provided herein.

WHEREAS, Principal has submitted or is about to submit a bid to the Obligee on a contract for furnishing all labor and materials for Bid 16-67, Construction - Clabber Creek Trail Bridge, Fayetteville, AR ("Project").

NOW, THEREFORE, the condition of this bond is that if Obligee accepts Principal's bid, and Principal enters into a contract with Obligee in conformance with the terms of the bid and provides such bond or bonds as may be specified in the bidding or contract documents, then this obligation shall be void; otherwise Principal and Surety will pay to Obligee the difference between the amount of Principal's bid and the amount for which Obligee shall in good faith contract with another person or entity to perform the work covered by Principal's bid, but in no event shall Surety's and Principal's liability exceed the penal sum of this bond.

Signed this 5th day of January, 2017.

Sweetser Construction Inc.

(Principal)

By: _____

William Sweetser

Travelers Casualty and Surety Company of America

By: _____

David Chilson, Attorney-in-Fact



POWER OF ATTORNEY

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company

Attorney-In Fact No.

227800

Certificate No. 006959088

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Cheryl Ann Pankey, Adrian Lutell, Roland Julian, and David Chilson

of the City of Fayetteville, State of Arkansas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 29th day of August, 2016.

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company



State of Connecticut
 City of Hartford ss.

By:

Robert L. Raney
 Robert L. Raney, Senior Vice President

On this the 29th day of August, 2016, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
 My Commission expires the 30th day of June, 2021.



Marie C. Tetreault
 Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

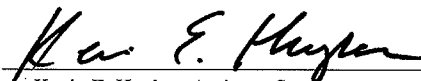
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 5th day of January, 20 17


Kevin E. Hughes, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

DOCUMENT 00500 – AGREEMENT

BETWEEN OWNER AND CONTRACTOR

Contract Name/Title: CLABBER CREEK TRAIL BRIDGE

Contract No.: _____

THIS AGREEMENT is dated as of the _____ day of _____ in the year 2017 by and between The City of Fayetteville, Arkansas and Sweetser Construction Inc. (hereinafter called Contractor).

ARTICLE 1 - WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The work under this Contract includes, but is not limited to:

The project includes, but not limited to, the installation of a 50' steel truss bridge over Clabber Creek along the west side of Salem Road in Fayetteville. The Contract consists of micropile bridge abutment foundations, cast bridge abutments, concrete trail and bridge deck, handrails, and miscellaneous related items

The contract includes work in City of Fayetteville Right-of-Way.

ARTICLE 2 - ENGINEER

2.01 The Project has been designed by the City of Fayetteville, Engineering Division, who is hereinafter called Engineer. The Engineer assumes all duties and responsibilities, and has the rights and authority assigned to Engineer in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

ARTICLE 3 - CONTRACT TIME

3.01 TIME OF THE ESSENCE:

A. All time limits for milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

DOCUMENT 00500 – AGREEMENT (continued)

- B. Contractor shall provide competent, suitably qualified personnel to survey and lay out the Work and perform construction as required by the Contract Documents. Contractor shall at all times maintain good discipline and order at the Site. Except in connection with the safety or protection of persons or the Work or property at the Site or adjacent thereto, and except as otherwise indicated in the Contract Documents, all Work at the Site shall be performed during regular working hours, and Contractor will not permit overtime work or the performance of Work on Saturday, Sunday, or any legal holiday without Engineer's written consent. Contractor shall abide by the City ordinance of allowing work between 7am and 11pm, Monday through Saturday and Sunday between 9am and 11pm.

3.02 DATES FOR SUBSTANTIAL COMPLETION AND FINAL PAYMENT:

- A. The Work will be Substantially Completed within 120 calendar days after the date when the Contract Times commence to run as provided in the GENERAL CONDITIONS, and completed and ready for final payment in accordance with the GENERAL CONDITIONS within 150 calendar days after the date when the Contract Times commence to run.

3.03 LIQUIDATED DAMAGES:

- A. Owner and Contractor recognize that time is of the essence of this Agreement and that The City of Fayetteville will suffer financial loss if the Work is not completed within the time specified above, plus any extensions thereof allowed in accordance with the GENERAL CONDITIONS. The parties also recognize the delays, expense, and difficulties involved in proving the actual loss suffered by The City of Fayetteville if the Work is not Substantially Completed on time. Accordingly, instead of requiring any such proof, The City of Fayetteville and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay The City of Fayetteville Two Hundred Fifty Dollars (\$250.00) for each calendar day that expires after the time specified above in Paragraph 3.02 for Substantial

DOCUMENT 00500 – AGREEMENT (continued)

Contractor shall pay The City of Fayetteville Two Hundred Fifty Dollars (\$250.00) for each calendar day that expires after the time specified above in Paragraph 3.02 for Substantial Completion until the remainder of the Work is Substantially Complete. After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the time specified in Paragraph 3.02 for completion and readiness for final payment or any proper extension thereof granted by The City of Fayetteville, Contractor shall pay The City of Fayetteville Two Hundred Fifty Dollars (\$250.00) for each calendar day that expires after the time specified for completion and readiness for final payment.

ARTICLE 4 - CONTRACT PRICE

- 4.01 The CITY OF FAYETTEVILLE agrees to pay, and the CONTRACTOR agrees to accept, as full and final compensation for all work done under this agreement, the amount based on the prices bid in the Proposal (BID FORM) which is hereto attached, for the actual amount accomplished under each pay item, said payments to be made in lawful money of the United States at the time and in the manner set forth in the Specifications.
- 4.02 As provided in the General Conditions estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by ENGINEER as provided in the General Conditions. Unit prices have been computed as provided in the General Conditions.

ARTICLE 5 - PAYMENT PROCEDURES

- 5.01 **SUBMITTAL AND PROCESSING OF PAYMENTS:**
- A. Contractor shall submit Applications for Payment in accordance with the GENERAL CONDITIONS. Applications for Payment will be processed by Engineer as provided in the GENERAL CONDITIONS.

DOCUMENT 00500 – AGREEMENT (continued)

5.02 PROGRESS PAYMENTS, RETAINAGE:

- A. The City of Fayetteville shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment as recommended by Engineer, on or about the 15th day of each month during construction. All such payments will be measured by the schedule of values established in the GENERAL CONDITIONS (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no schedule of values, as provided in the General Requirements.
- 1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below, but, in each case, less the aggregate of payments previously made and less such amounts as Engineer shall determine, or The City of Fayetteville may withhold, in accordance with the GENERAL CONDITIONS.
 - a. 95% of Work Completed (with the balance being retainage).
 - b. 100% of Equipment and Materials not incorporated in the Work but delivered, suitably stored, and accompanied by documentation satisfactory to The City of Fayetteville as provided in the GENERAL CONDITIONS.

DOCUMENT 00500 – AGREEMENT (continued)

2. Upon Substantial Completion, The City of Fayetteville shall pay an amount sufficient to increase total payments to Contractor to 95% of the Contract Price (with the balance being retainage), less such amounts as Engineer shall determine, or The City of Fayetteville may withhold, in accordance with the GENERAL CONDITIONS

5.03 FINAL PAYMENT:

- A. Upon final completion and acceptance of the Work in accordance with the GENERAL CONDITIONS, The City of Fayetteville shall pay the remainder of the Contract Price as recommended by Engineer and as provided in the GENERAL CONDITIONS.

ARTICLE 6 - CONTRACTOR'S REPRESENTATIONS

6.01 In order to induce The City of Fayetteville to enter into this Agreement, Contractor makes the following representations:

- A. Contractor has examined and carefully studied the Contract Documents including the Addenda and other related data identified in the Bid Documents.
- B. Contractor has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, performance, and furnishing of the Work.
- C. Contractor is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, performance, and furnishing of the Work.
- D. Contractor has carefully studied all:
 - (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or

DOCUMENT 00500 – AGREEMENT (continued)

relating to existing surface or subsurface structures at or contiguous to the Site; and

- (2) reports and drawings of a Hazardous Environmental Condition, if any, at the Site. Contractor acknowledges that The City of Fayetteville and Engineer do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Contract Documents with respect to Underground Facilities at or contiguous to the Site.

E. Contractor has obtained and carefully studied (or assumes responsibility of having done so) all such additional supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site or otherwise which may affect cost, progress, performance, and furnishing of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor and safety precautions and programs incident thereto.

F. Contractor does not consider that any additional examinations, investigations, explorations, tests, studies, or data are necessary for the performing and furnishing of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.

G. Contractor is aware of the general nature of work to be performed by The City of Fayetteville and others at the Site that relates to the Work as indicated in the Contract Documents.

H. Contractor has correlated the information known to Contractor, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.

DOCUMENT 00500 – AGREEMENT (continued)

- I. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents and the written resolution thereof by Engineer is acceptable to Contractor.
- J. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 7 - CONTRACT DOCUMENTS

7.01 CONTENTS:

- A. The Contract Documents which comprise the entire Agreement between The City of Fayetteville and Contractor concerning the Work consist of the following and may only be amended, modified, or supplemented as provided in the GENERAL CONDITIONS:
 - 1. This Agreement.
 - 2. Exhibits to this Agreement (enumerated as follows):
 - a. Notice to Proceed.
 - b. Contractor's Bid.
 - c. Documentation submitted by Contractor prior to Notice of Award.
 - 3. Performance, Payment, and other Bonds.
 - 4. General Conditions.
 - 5. Supplementary Conditions.
 - 6. Specifications consisting of divisions and sections as listed in table of contents of Project Manual.

DOCUMENT 00500 – AGREEMENT (continued)

7. Drawings consisting of a cover sheet and sheets as listed in the table of contents thereof, with each sheet bearing the following general title:

CLABBER CREEK TRAIL BRIDGE

8. Addenda numbers one (1) to ____ (___), inclusive.
9. The following which may be delivered or issued after the Effective Date of the Agreement and are not attached hereto: All Written Amendments and other documents amending, modifying, or supplementing the Contract Documents pursuant to the GENERAL CONDITIONS.

ARTICLE 8 - MISCELLANEOUS

8.01 **TERMS:**

- A. Terms used in this Agreement which are defined in the GENERAL CONDITIONS shall have the meanings stated in the GENERAL CONDITIONS.

8.02 **ASSIGNMENT OF CONTRACT:**

- A. No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by Law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

DOCUMENT 00500 – AGREEMENT (continued)

8.03 SUCCESSORS AND ASSIGNS:

- A. The City of Fayetteville and Contractor each binds himself, his partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

8.04 SEVERABILITY:

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon The City of Fayetteville and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

OTHER PROVISIONS: Not Applicable.

DOCUMENT 00500 – AGREEMENT (continued)

IN WITNESS WHEREOF, The City of Fayetteville and Contractor have signed this Agreement in quadruplicate. One counterpart each has been delivered to Contractor and Engineer. Two counterparts each has been delivered to The City of Fayetteville. All portions of the Contract Documents have been signed, initialed, or identified by The City of Fayetteville and Contractor or identified by Engineer on their behalf.

This Agreement will be effective on _____, 20____, which is the Effective Date of the Agreement.

SWEETSER CONSTRUCTION, INC _____

CITY OF FAYETTEVILLE _____

By: 
Title: PRESIDENT

By: _____
Title: _____

(SEAL)

(SEAL)

Attest Charles W. Miller

Attest _____

Address for giving notices

Address for giving notices

**590 WEST POPLAR
FAYETTEVILLE, AR 72703**

License No. _____

(attach evidence of authority to
sign and resolution or other documents
authorizing execution of Agreement)

Agent for Service of process
WILLIAM G. SWEETSER

(If Contractor is a corporation,
attach evidence of authority to
sign.)

Approved As to Form:

By: _____

Attorney For: _____

END OF DOCUMENT 00500

CORPORATE RESOLUTION

OF

BOARD OF DIRECTORS

OF

SWEETSER CONSTRUCTION

I, Sharon Sweetser, certify that I am the secretary and treasurer of Sweetser Construction, a corporation legally organized and existing under and by virtue of the laws of the State of Arkansas, and that I am the custodian of the records and the seal of the corporation; that at a meeting of the board of directors of the corporation duly and legally called and held in accordance with the law and the bylaws of the corporation on the 27th day of December 2004, at which meeting a quorum of the board of directors of the corporation was present, the following resolutions were duly adopted by the board of directors of the corporation and are set forth in the minutes of the meeting, namely:

"BE IT RESOLVED, by the board of directors of this corporation that:

That Billy Sweetser as President of the Corporation and Sharon Sweetser as Secretary and Treasurer of the Corporation, are authorized to sign any and all contracts, deeds, assurances or any document which may be proper to effectuate the negotiations or transactions of the corporation.

That Billy Sweetser as President of the Corporation and Sharon Sweetser as Secretary and Treasurer of the Corporation, any one or jointly are authorized to sign any and all contracts, deeds, assurances or any document which may be proper to effectuate the negotiations or transactions of the corporation from time to time on behalf of this Corporation.

The above resolution will continue in force until express written notice of its rescission or modification has been received.

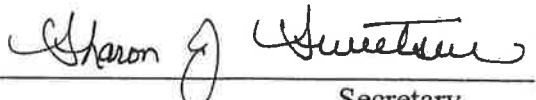
I further certify that the above resolutions have not been in any way altered, amended, or rescinded; they are not in contravention of or in conflict with any of the conditions or provisions of the bylaws or charter of the corporation; and they are now in force and effect.

I further certify that the names of all presently qualified and acting officers of the corporation are as follows, and the genuine signature of those presently authorized to sign for the corporation pursuant to the above resolutions appears below, identified by their signature:


Billy Sweetser, President


Sharon Sweetser, Secretary/Treasurer

IN WITNESS WHEREOF, I have hereunto set my hand as Secretary of said corporation and have affixed hereto the official seal of the corporation this _____ day of Dec 27, 2004.


Secretary

ATTEST:

President



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0038

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 5

SANDERS CREST, INC.:

A RESOLUTION TO APPROVE A ONE YEAR LEASE AGREEMENT WITH AN OPTION TO RENEW FOR THREE ADDITIONAL ONE YEAR TERMS WITH SANDERS CREST, INC. FOR OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF \$780.16 PER MONTH FOR THE FIRST YEAR

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a one year lease agreement, a copy of which is attached to this Resolution, with an option to renew for three additional one year terms, with Sanders Crest, Inc. for office space in the Airport Terminal building in the amount of \$780.16 per month for the first year.

City of Fayetteville Staff Review Form

2017-0038

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Terry Gulley

1/19/2017

Aviation /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approval and signature of the Mayor on a lease agreement with Sanders Crest Inc., Contact: Ken Sanders, PO Box 157, Greenland, AR 72737, (479) 200-3319, to use office space in the Terminal Building.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? NA

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 7, 2017

TO: Mayor Lioneld Jordan
Fayetteville City Council

THRU: Don Marr, Chief of Staff

FROM: Terry Gulley, Transportation Services Director

DATE: January 19, 2017

SUBJECT: Sanders Crest, Inc. Terminal Building Lease Agreement

RECOMMENDATION:

Staff recommends approval and signature of the Mayor on a lease agreement between the City of Fayetteville and Sanders Crest Inc.

BACKGROUND:

Sanders Crest currently occupies this office space.

DISCUSSION:

This lease renewal is structured to bring the tenant to the minimum square footage cost set by the Airport Board over the three-year term agreement.

BUDGET/STAFF IMPACT:

This lease will provide \$9,361.92 in revenue to the airport per year.

Attachments:

SRF
SRM
Terminal Building Lease Agreement
Exhibit A-Terminal Building Layout

TERMINAL BUILDING LEASE AGREEMENT

LESSEE NAME: Sanders Crest Inc.,

Billing Address:
PO Box 157
Greenland, AR 72737

Home Ph:

Work Ph:

Cell Ph: 479-200-3319

Email:

Emergency Contact:

Social Security Number:
(or) Tax I.D. Number:

Emergency Ph:

Date of Birth:

This **Lease** is executed this 1st day of March, 2017, by and between the City of Fayetteville, 113 W. Mountain Street, Fayetteville, Arkansas 72701, hereinafter called the City, and **Sanders Crest, Inc.** hereinafter called **Sanders Crest, Inc.**,

1. **Leased Premises.** The City leases to **Sanders Crest, Inc.**, and **Sanders Crest, Inc.**, leases from the City, **terminal office space**, located at 4500 S. School Avenue, Fayetteville, Arkansas, as reflected on Exhibit "A" attached hereto and make a part hereof. Leased Premise shall be for Sanders Crest, Inc., exclusive use.

2. **Lease Term.** Subject to earlier termination as hereinafter provided, the initial term of this Agreement shall be for a period of 1 year.

The City or **Sanders Crest, Inc.**, may terminate this lease at any time by giving the other party thirty (30) days written notice of termination.

3. **Rental Fees.** During the term of this lease, Sanders Crest Inc., agrees to pay the City for the use of the premises the sum of **\$780.16 per** month for one year, starting with **March, 2017**, rent. The initial lease payment is due and payable upon the execution of this Lease Agreement, and all subsequent monthly lease payments shall be due and payable in advance on or before the first day of each calendar month thereafter.

This Lease may be extended for three (3) renewal options of one year in accordance with the following procedure: At least 60 days prior to the scheduled termination date, the City shall give **Sanders Crest, Inc.**, written notice of the monthly rent payable in the extended term; at least 30 days prior to the term expiration date, **Sanders Crest, Inc.**, shall give the City written notice if **Sanders Crest Inc.**, exercises this option to extend. Rental will increase at

the renewal of the Lease **.93 per sq ft** per year until minimum charge of **9.50 per sq. ft.** is reached. Once minimum is reached the rental increase will be in accordance with the CPI plus 1% (formula at Attachment 1).

In addition to any remedy available to it hereunder, the City may impose as additional rent a delinquency charge on all overdue payments, at the maximum rate allowed by law.

4. **Utilities, Maintenance and Janitorial Services.**

A. **By the City:** The City shall be responsible for the payment of the utilities associated with **Sanders Crest, Inc.**, water, sewer, lights, heating and cooling. The city shall maintain and keep in good repair so much of the Airport premises as is not under the exclusive control of individual **Sanders Crest, Inc.**, The City shall provide janitorial services only for all areas used in common by Airport Terminal tenant. The City shall not be responsible for, or pay for any expense which might arise due to, the installation and / or removal of equipment used in **Sanders Crest, Inc.**, business operation or signs.

B. **By Tenant:** **Sanders Crest, Inc.**, shall be responsible for the installation, relocations, modification and maintenance of all utility service other than that necessary to provide water, sewer, light, heat or air to the Leased Premises. **Sanders Crest, Inc.**, shall maintain Leased Premises in a clean, orderly, and attractive condition: not allow the accumulation of rubbish, trash, or other waste material on the Lease Premises and provide for and supply all janitorial service for their exclusive use area. **Sanders Crest, Inc.**, shall place any materials or trash in trash receptacles. Written approval from the Airport Director must be obtained prior to any improvements or additions to any part of the Leased Premises, or the installation of any attachment to the building (i.e. antennas, tower or signs). Any signs installed shall meet all of the City's Sign Regulations, and furthermore, any sign erected on, or attached, to the Lease Premises must have the prior written approval of the Airport Director.

5. **Hazardous Substances.** **Sanders Crest, Inc.**, shall not cause or permit any Hazardous Substance to be used, stored, generated or disposed of on or in the Leased Premises, or in any Airport Drainage system. If the Airport property becomes contaminated in any manner due **Sanders Crest, Inc.**, actions, **Sanders Crest, Inc.**, shall indemnify and Hold Harmless the Airport from any and all claims, including a decrease in value of the Airport property.

6. **Insurance.** **Sanders Crest, Inc.**, shall provide the following:

A. **Workman's Compensation Insurance**, as required by Arkansas Law.

B. **Insurance on the contents within the Lease Premises** at all times during the term hereof, in amounts approved by the Airport Director.

C. **A Certificate of Insurance** shall be furnished to The City, naming The City as additional insured. **Sanders Crest, Inc.**, shall indemnify, protect, defend and Hold Completely Harmless, The City and their trustees from and against all liability, losses, suits, claim judgments, fines or demands arising from injury or death of any person or damage to any property, including all reasonable costs for investigation and defense thereof (including attorney fees, court costs, and expert fees), of any nature whatsoever arising out of or incident to this Lease, **Sanders Crest, Inc.**, use or occupancy of the Airport Premises, the rights, licenses, or privileges granted **Sanders Crest, Inc.**, herein, or the acts or omissions of **Sanders Crest, Inc.**, agents, employees, regardless of where the injury, death or damage may occur. The City shall give notice to **Sanders Crest, Inc.**, of any such liability, loss, suit, claim or demand, and **Sanders Crest, Inc.**, shall defend same using counsel reasonably acceptable to The City. No word, sentence, paragraph or phrase shall be construed to waive that tort immunity set forth under Arkansas Law.

7. **Use of Airport Sanders Crest, Inc.**, is granted the use of two designated parking spaces and, in common with other Airport terminal tenants, of the Airport terminal building and grounds together with all facilities, equipment, improvements, and services which have been or may hereafter be provided. **Sanders Crest, Inc.**, agrees to observe and obey the City's Ordinances and Regulations with respect to use of the Demised Premises and Airport; provided, however, such Ordinances and Regulations shall be consistent with safety and with all City, county, State, and federal ordinances, rules and regulations. **Sanders Crest, Inc.**, agrees to abide by the rulings of the Federal Aviation Administration with respect to the use of the Leased Premises. "*The Minimum Standards for Fayetteville Municipal Airport, Drake Field*" herein referred to as Airport's Minimum Standards at the Fayetteville Municipal Airport are made part of this lease by reference as if included word for word.

Sanders Crest, Inc., agrees to use the premises only for a business office for **Sanders Crest, Inc.**, . Any business other than the business office for, **Sanders Crest, Inc.**, shall require the Airport Director's approval. **Sanders Crest, Inc.**, will obtain and keep in force all certifications, permits and licenses required for the operation of the business office. **Sanders Crest, Inc.**, further agrees not to store any flammable material on the premises or in any way endanger or violate the provision of Fayetteville's property insurance policy or the requirements of same. Such violations shall constitute a material breach of this lease. Upon termination of the Lease **Sanders Crest, Inc.**, will leave all premises used in the same or better conditions as existed at the initiation of the Lease.

8. **Rights of Ingress and Egress.** **Sanders Crest, Inc.**, shall have full and free right of ingress to and egress from the Leased Premises for **Sanders Crest, Inc.**, its employees, customers, guests, and other invitees except as reserved below. Such rights shall also extend to persons or organizations supplying materials or furnishing services to **Sanders Crest, Inc.**, The City reserves the right to close any means of ingress and egress, so long as other reasonable means of ingress and egress to the Leased Premises are available to **Sanders Crest, Inc.**,. The City may enter the Leased Premises at any reasonable time for any purpose necessary or incidental to the performance of City's obligations hereunder.

Sanders Crest, Inc., shall take reasonable measures to insure that the conduct of their business does not adversely affect their neighbors or the common areas of the building. Excessive or objectionable noise, odors, or light fixtures shall not be allowed to escape from the premises.

9. **Events of Default**. The following shall be event of default under the lease, and include and one or more of the following:

- A. Non-payment of the rental amount.
- B. If **Sanders Crest, Inc.**, transfers, subleases or assigns, either voluntarily or by operation of law, any portion of its interest in this Lease.
- C. **Sanders Crest, Inc.**, voluntarily abandons, deserts, or vacates the Leased Premises.
- D. **Sanders Crest, Inc.**, shall fail to comply with insurance requirements.

10. **Termination**.

A. The City or **Sanders Crest, Inc.**, may terminate this lease at any time by giving the other party thirty (30) days written notice of termination.

B. On the expiration or other termination of this lease, **Sanders Crest, Inc.**, right to use the Leased Premises shall cease, and **Sanders Crest, Inc.**, shall vacate the premises without unreasonable delay. All property installed, erected, or placed by **Sanders Crest, Inc.**, in, on, or about the premises leased hereunder shall be deemed to be personal property and shall remain the property of **Sanders Crest, Inc.**,. **Sanders Crest, Inc.**, shall have the right at any time during the term of this lease, or any renewal or extension thereof, and for an additional period of fourteen (14) days after the expiration of other termination of this Lease, to remove any or all of such property, subject, however to **Sanders Crest, Inc.**, obligation to repair all damage, if any, resulting from such removal. Any and all property not removed by **Sanders Crest, Inc.**, prior to the expiration of the aforesaid fourteen (14) day period shall thereupon become a part of the premises on which it is located and title hereto shall thereupon vest in The City or The City may require removal and restoration by **Sanders Crest, Inc.**,.

11. **Assigning, Subletting and Encumbering**. **Sanders Crest, Inc.**, shall not sublet the Leased Premises, not permit other persons to occupy the Leased Premises, not grant any license or concession for any part of the Leased Premises, or assign its rights under this Lease without the written consent of The City. No such subletting or assignment shall release **Sanders Crest, Inc.**, from its obligations to pay the rental set forth herein.

12. **Mailing and Notice**. Any notice or consent required by this Lease shall be sufficient if sent by Certified Mail, return receipt required, postage paid, to the following address:

CITY OF FAYETTEVILLE

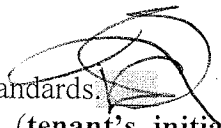
Airport Administration Office
4500 S. School Ave., Suite F
Fayetteville, AR 72701
Phone 479-718-7642


Terry Bailey - Transportation
Services Director 1-19-17

13: **Nondiscrimination.** Sanders Crest, Inc., agrees that it will not, on the grounds of race, color, or national origin, discriminate or permit discrimination against any person or group of persons. Sanders Crest, Inc., will assure compliance with all regulations in regard to Non-discrimination and Affirmative Action. Sanders Crest, Inc., acknowledges that it is the policy of the Airport that it shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of all Airport contracts.

IN WITNESS WHEREOF, the parties have executed this Lease on the day and year first above written.

Sanders Crest, Inc., has received a copy of the Airport's Minimum Standards.

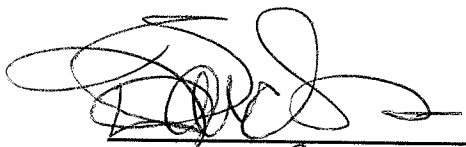

(tenant's initials)

THE CITY OF FAYETTEVILLE:

By: _____
Lioneld Jordan, Mayor Date

ATTEST:

By: _____
Sondra Smith, City Clerk and Treasurer Date

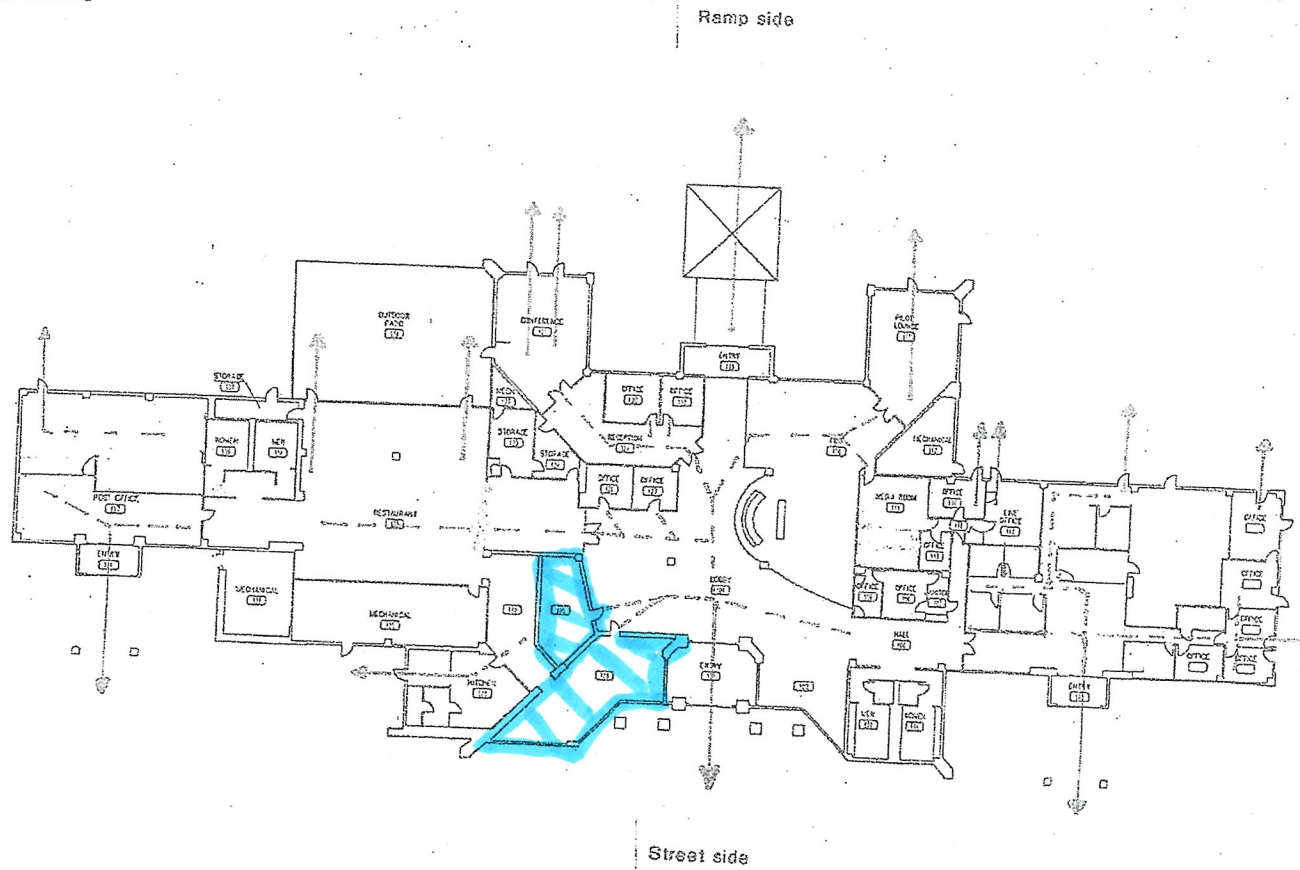

By: Ken Sanders 1-19-17
Date

Title: Pres. _____

Exhibit A

Fayetteville Executive Airport

Terminal Building





City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0043

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 6

FRANKLIN AND SON, INC.:

A RESOLUTION TO AWARD BID NO. 17-21 AND APPROVE A CONSTRUCTION CONTRACT WITH FRANKLIN AND SON, INC. OF FARMINGTON, ARKANSAS FOR THE AIRFIELD ROOF REHABILITATION PROJECT AT DRAKE FIELD IN THE AMOUNT OF \$378,253.00

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby awards Bid No. 17-21 and approves a construction contract with Franklin and Son, Inc. of Farmington, Arkansas for the Airfield Roof Rehabilitation Project at Drake Field in the amount of \$378,253.00.

City of Fayetteville Staff Review Form

2017-0043

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Terry Gulley

1/20/2017

Aviation /
Transportation Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approval of the low bid of \$378,253.00 and the approval to execute a construction contract with Franklin and Son, Inc. of Farmington, AR to complete the Airfield Roof Rehabilitation project at Fayetteville-Drake Field with funds received through an insurance settlement.

Budget Impact:

5550.760.3940.6999.00

Account Number

Fund

13025.1602

Airport Roof Replacements

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 457,627.00

Funds Obligated \$ -

Current Balance \$ 457,627.00

Does item have a cost? Yes

Item Cost \$ 378,253.00

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 79,374.00

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 7, 2017

TO: Mayor Lioneld Jordan
Fayetteville City Council

THRU: Don Marr, Chief of Staff

FROM: Terry Gulley, Transportation Services Director

DATE: January 20, 2017

SUBJECT: Bid 17-21 Franklin and Son, Inc.

RECOMMENDATION:

Staff requests approval of the low bid of \$378,253.00 and the approval to execute a construction contract with Franklin and Son, Inc. of Farmington, AR to complete the Airfield Roof Rehabilitation project at Fayetteville – Drake Field with funds received through insurance settlement.

BACKGROUND:

As a result of an insurance claim that was filed in May 2015, the airport executed a task order with Garver to perform a comprehensive roof evaluation of all buildings on the airfield on October 6, 2015. At the completion of lengthy negotiations with the insurance company, approximately \$458,000.00 in settlement was awarded to the City for roof repairs on five buildings on the airfield. A task order for Garver to perform the bid package development, bidding services, and construction phase services was executed on November 1, 2016 and the project was advertised on December 12, 2016.

DISCUSSION:

The sealed bid process for this project has been completed and a total of three bids were received at the bid opening on January 18, 2017. Franklin and Son, Inc. of Farmington submitted the low bid on the project of \$378,253.00. All costs associated with this project are expected to be covered with money received through the insurance settlement.

Attachments:

SRF
SRM
Bid Tabulation

010400 - PROPOSAL

Place Fayetteville City

Date 1-18-2017

Proposal of Franklin and Son Inc

a corporation organized and existing under the laws of the State of Arkansas

Tax ID Number (TIN): 71-0461590

DUNS #: _____

CAGE Code: _____

or

Proposal of _____

a partnership consisting of _____

or

Proposal of _____

an individual doing business as _____

To: City of Fayetteville

This bid results from your advertisement for bids for the construction of the **FYV Airfield Roof Rehabilitation**.

The undersigned Bidder, having visited the site of the work, having examined the Specifications and other Contract Documents including all Addenda, and being familiar with all of the conditions relating to the construction of the proposed project, hereby agrees to comply with all other conditions or requirements set forth in the Specifications and other Contract Documents, and further proposes to; furnish all material, supplies, equipment, and appliances; to furnish all labor, tools, equipment and incidentals to complete the work in accordance with the Specifications and other Contract Documents at and for the lump sum and unit prices proposed in the attached Unit Price Schedule(s).

The undersigned Bidder agrees to begin work within ten (10) calendar days after the issuance by, or on behalf of, the Owner of a "Work Order" or "Notice to Proceed" and to complete the work within the time limits outlined below (except as modified in accordance with the SPECIAL PROVISIONS of these Contract Documents):

Substantial Completion: One hundred eighty (180) consecutive calendar days

Final Project Acceptance: Two hundred ten (210) consecutive calendar days

Should the work fail to be completed within the time herein stated, the Contractor shall pay to the Owner, as fixed and agreed liquidated damages, and not as a penalty, the sum, for each day of delay until the work is completed and accepted, as stipulated in SPECIAL PROVISIONS of these Contract Documents. It is understood that additional time for the completion of the project is to be allowed only for delays as stipulated in SPECIAL PROVISIONS of these Contract Documents.

Bidder acknowledges receipt of the following addendum (addenda):

One and _____
Two and _____
Three and _____

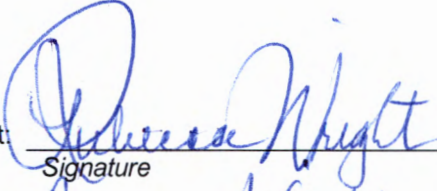
The undersigned Bidder agrees that this bid shall be good and shall not be withdrawn for a period of ninety (90) calendar days after the opening thereof. If written notice of the acceptance of this Proposal is mailed, telegraphed, or delivered to the undersigned within ninety (90) days after the opening thereof, or at any time thereafter before this Proposal is withdrawn, the undersigned agrees to execute and deliver an Agreement (Contract) in the prescribed form, and furnish the required Performance and Payment Bond, within ten (10) days after the Agreement is presented to him for signature.

It is understood by the undersigned Bidder that the Owner reserves the right to reject any or all bids.

Accompanying this Proposal as bid security is a cashier's check/bid bond (*strike one*)

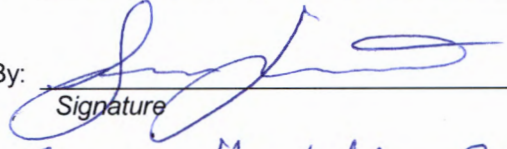
in the amount of ~~three hundred seventy eight thousand two hundred fifty three~~ Dollars (\$ 378,253), being not less than five percent (5%) of the total amount of the bid. If the undersigned Bidder is the successful Bidder, but fails or refuses to execute the contract and furnish the required bond within the prescribed ten (10) days of the notification of award, then this bid security is to become the property of the Owner as liquidated damages for the delay and additional expense to the Owner caused by such failure or refusal.

SEAL (If Bidder is a Corporation)

Attest: 
Signature
Rebecca Wright
Print Name

REBECCA WRIGHT
Notary Public-Arkansas
Washington County
My Commission Expires 01-20-2023
Commission # 12391430

Bidder: Franklin and Son Inc

By: 
Signature
Spencer Aslett GM
Print Name and Title

Address

Franklin & Son, Inc.
12382 W. Highway 62
Farmington, AR 72730

Office Address of Bidder

NOTES: Sign in ink. Do not detach.
Items must be bid upon as specified in the Unit Price Schedule.

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CITY OF FAYETTEVILLE
AIRFIELD ROOF REHABILITATION
UNIT PRICES

ITEM NO.	SPEC. NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	BID AMOUNT
1	070100-1	FBO Hangar Roof Rehabilitation	LS	1		36,061
2	070200-2	Terminal Building Roof Rehabilitation	LS	1		227,201
3	070300-3	FAA Building Roof Rehabilitation	LS	1		14,675
4	070400-4	Old Terminal Building Roof Rehabilitation	LS	1		18,192
5	070500-5	Air Museum Roof Rehabilitation	LS	1		72,512
6	070600-6	Wood Decking Replacement	SF	1,500	3 ⁷⁵	5,625
7	070600-7	Insulation and Substrate Replacement	SF	900	4 ⁴³	3,987

Total Bid

\$ 378,253



5500 Euper Lane
PO Box 3529
Ft. Smith, AR 72913 (479) 452-4000
www.bhca.com

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we
(Here insert full name and address or legal title of Contractor)

Franklin & Son, Inc.
12382 Hwy. 62 West
Farmington, AR 72730

as Principal, hereinafter called the Principal, and
(Here insert full name and address or legal title of Surety)

Western Surety Company
P.O. Box 5077
Sioux Falls, SD 57117-5077

a corporation duly organized under the laws of the State of **South Dakota**
as Surety, hereinafter called the Surety, are held and firmly bound unto
(Here insert full name and address or legal title of Owner)

City of Fayetteville
113 W. Mountain Street
Fayetteville, AR 72701

as Oblige, hereinafter called the Oblige, in the sum of **FIVE PERCENT OF THE TOTAL AMOUNT BID**
Dollars (\$ **5%**), for the payment
of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors,
administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for **Fayetteville Airport Roof Rehabilitation**
(Here insert full name, address and description of project)

NOW, THEREFORE, if the Oblige shall accept the bid of the Principal and the Principal shall enter into a Contract with the Oblige in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Oblige the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Oblige may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this **18th** day of **January** **2017**

Franklin & Son, Inc.

(Principal)

(Seal)

(Witness)

(Title)

Western Surety Company

(Surety)

(Title)

(Seal)

Elizabeth A Solomon , Attorney-In-Fact

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Larry R Clark, Scott R Clark, Marty C Clark, Shannon C Schmidly, Elizabeth A Solomon, Sarah K Day, Individually

of Fort Smith, AR, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 17th day of March, 2016.



WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 17th day of March, 2016, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

June 23, 2021



J. Mohr, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 18th day of January 2017.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

State of Arkansas
Commercial Contractors Licensing Board

FRANKLIN & SON, INC.
12382 W HWY 62
FARMINGTON, AR 72730

FRANKLIN & SON, INC.

This is to Certify That _____

is duly licensed under the provisions of Act 150 of the 1965 Acts as amended and is entitled to practice Contracting in the State of Arkansas within the following classifications/specialties:

BUILDING
- (COMMERCIAL & RESIDENTIAL)
SPECIALTY
Underground Piping, Cable, Trenching, Boring

with the following suggested bid limit Unlimited

from April 8, 2016 until April 30, 2017

when this Certificate expires.

Witness our hands of the Board, dated at North Little Rock, Arkansas



John D. Gayson

CHAIRMAN

Raymond

SECRETARY

April 8, 2016 - da



FRAN&SO-01

SDAY

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/18/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER BHC Insurance 5500 Euper Lane P.O. Box 3529 Fort Smith, AR 72913-3529	CONTACT NAME: Sarah Kathleen Day PHONE (A/C, No, Ext): (479) 878-1896 E-MAIL ADDRESS: sarahday@bhca.com FAX (A/C, No): (479) 878-1880														
INSURED Franklin & Son, Inc. Gary Stearman 12382 Hwy. 62 West Farmington, AR 72730	<table border="1"><thead><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A : United Fire & Casualty Company</td><td>13021</td></tr><tr><td>INSURER B : Bridgefield Casualty Ins. Co.</td><td>10335</td></tr><tr><td>INSURER C :</td><td></td></tr><tr><td>INSURER D :</td><td></td></tr><tr><td>INSURER E :</td><td></td></tr><tr><td>INSURER F :</td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : United Fire & Casualty Company	13021	INSURER B : Bridgefield Casualty Ins. Co.	10335	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS																					
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC OTHER:			60430875	05/01/2016	05/01/2017	<table border="1"><tr><td>EACH OCCURRENCE</td><td>\$</td><td>1,000,000</td></tr><tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td>\$</td><td>100,000</td></tr><tr><td>MED EXP (Any one person)</td><td>\$</td><td>5,000</td></tr><tr><td>PERSONAL & ADV INJURY</td><td>\$</td><td>1,000,000</td></tr><tr><td>GENERAL AGGREGATE</td><td>\$</td><td>2,000,000</td></tr><tr><td>PRODUCTS - COMP/OP AGG</td><td>\$</td><td>2,000,000</td></tr><tr><td></td><td>\$</td><td></td></tr></table>	EACH OCCURRENCE	\$	1,000,000	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	100,000	MED EXP (Any one person)	\$	5,000	PERSONAL & ADV INJURY	\$	1,000,000	GENERAL AGGREGATE	\$	2,000,000	PRODUCTS - COMP/OP AGG	\$	2,000,000		\$	
EACH OCCURRENCE	\$	1,000,000																										
DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	100,000																										
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GENERAL AGGREGATE	\$	2,000,000																										
PRODUCTS - COMP/OP AGG	\$	2,000,000																										
	\$																											
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY			60430875	05/01/2016	05/01/2017	<table border="1"><tr><td>COMBINED SINGLE LIMIT (Ea accident)</td><td>\$</td><td>1,000,000</td></tr><tr><td>BODILY INJURY (Per person)</td><td>\$</td><td></td></tr><tr><td>BODILY INJURY (Per accident)</td><td>\$</td><td></td></tr><tr><td>PROPERTY DAMAGE (Per accident)</td><td>\$</td><td></td></tr><tr><td></td><td>\$</td><td></td></tr></table>	COMBINED SINGLE LIMIT (Ea accident)	\$	1,000,000	BODILY INJURY (Per person)	\$		BODILY INJURY (Per accident)	\$		PROPERTY DAMAGE (Per accident)	\$			\$							
COMBINED SINGLE LIMIT (Ea accident)	\$	1,000,000																										
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BODILY INJURY (Per accident)	\$																											
PROPERTY DAMAGE (Per accident)	\$																											
	\$																											
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 0			60430875	05/01/2016	05/01/2017	<table border="1"><tr><td>EACH OCCURRENCE</td><td>\$</td><td>4,000,000</td></tr><tr><td>AGGREGATE</td><td>\$</td><td>4,000,000</td></tr><tr><td></td><td>\$</td><td></td></tr></table>	EACH OCCURRENCE	\$	4,000,000	AGGREGATE	\$	4,000,000		\$													
EACH OCCURRENCE	\$	4,000,000																										
AGGREGATE	\$	4,000,000																										
	\$																											
B	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A	196-34518	05/01/2016	05/01/2017	<table border="1"><tr><td>☒ PER STATUTE ☐ OTH-ER</td><td></td><td></td></tr><tr><td>E.L. EACH ACCIDENT</td><td>\$</td><td>1,000,000</td></tr><tr><td>E.L. DISEASE - EA EMPLOYEE</td><td>\$</td><td>1,000,000</td></tr><tr><td>E.L. DISEASE - POLICY LIMIT</td><td>\$</td><td>1,000,000</td></tr></table>	☒ PER STATUTE ☐ OTH-ER			E.L. EACH ACCIDENT	\$	1,000,000	E.L. DISEASE - EA EMPLOYEE	\$	1,000,000	E.L. DISEASE - POLICY LIMIT	\$	1,000,000									
☒ PER STATUTE ☐ OTH-ER																												
E.L. EACH ACCIDENT	\$	1,000,000																										
E.L. DISEASE - EA EMPLOYEE	\$	1,000,000																										
E.L. DISEASE - POLICY LIMIT	\$	1,000,000																										

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Fayetteville
113 W Mountain Street
Fayetteville, AR 72701

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

010420 - STATEMENT OF BIDDER'S QUALIFICATIONS

All questions must be answered and the data given must be clear and comprehensive. This statement must be notarized. If necessary, questions may be answered on separate attached sheets. The Bidder may submit any additional information he desires.

1. Name of Bidder. *Franklin and Son Inc*
2. Permanent main office address. *12382 W Hwy 62 Farmington*
3. When organized. *1972*
4. If a corporation, where incorporated. *Farmington Arkansas*
5. How many years have been engaged in the contracting business under your present firm or trade name? *35 yrs*
6. Contracts on hand: (Schedule these, showing amount of each contract and the appropriate anticipated dates of completion).
7. General character of work performed by your company. *Roofing & Sheet metal*
8. Have you ever failed to complete any work awarded to you? *No*
9. Have you ever defaulted on a Contract? *No*
If so, where and why?
10. Have you ever been fined or had your license suspended by a Contractor's Licensing Board?
If so, where and why? *No*
11. List the more important projects recently completed by your company, stating the approximate cost for each, and the month and year completed.
Prairie Grove High School, XNA Airport, Wal-Mart GSS
12. List your major equipment available for this Contract.
Skylifts, Man Lifts, Dump Truck
13. Experience in construction work similar in importance to this project.
Experienced in all types of low slope & metal application
14. Background and experience of the principal members of your organization, including the officers.
Over 150yrs combined
15. Will you, upon request, fill out a detailed financial statement and furnish any other information that may be required by the Owner? *Yes*
16. The undersigned hereby authorizes and requests any person, firm, or corporation to furnish any information requested by the Owner, in verification of the recitals comprising this statement of Bidder's Qualifications.

17. The Bidder shall provide a brief description of any litigation or administrative proceeding of the following types, either pending or concluded within the preceding year, to which the Bidder (and the ultimate controlling person, if different from the Bidder) or any of its directors or executive officers was a party or of which the property of any such person is or was the subject; the names of the parties and the court or agency in which such litigation or proceeding is or was pending shall be given:

- (a) Administrative or judicial proceedings of any state federal agency or authority concerning environmental violations;
- (b) Proceedings which may have a material effect upon the solvency of the ultimate holding company, including but not necessarily limited to, bankruptcy and receivership; and
- (c) Criminal proceedings.

Dated at FSR this 18th day of January, 20 17.

Bidder: Franklin & Son Inc

By: [Signature]
Signature

Spencer Haslett General Manager
Print Name and Title

STATE OF Arkansas)
COUNTY OF Washington) SS.

Spencer Haslett being duly sworn deposes and says that he is
General Manager of Franklin & Son, Inc
(Name of Organization)

and that the answers to the foregoing questions and all statements therein contained are true and correct.
SUBSCRIBED AND SWORN TO BEFORE ME this 18th day of January 20 17.

[Signature]
(Notary Public)

My Commission Expires:



010440 - LIST OF PROPOSED SUBCONTRACTORS

I, the undersigned General Contractor, hereby certify that proposals from the following Subcontractors were used in the preparation of my bid. I agree that if I am the successful Bidder and if the following subcontracts are approved, I will not enter into contracts with others for these divisions of the work without prior written approval from the Engineer and the Owner.

For Annual Gross Receipts:

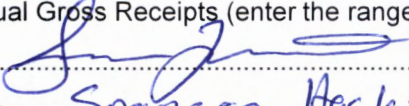
- Enter 1 for Less than \$1 Million
- Enter 2 for More than \$1 Million, Less than \$5 Million
- Enter 3 for More than \$5 Million, Less than \$10 Million
- Enter 4 for More than \$10 Million, Less than \$15 Million
- Enter 5 for More than \$15 Million

Type of Work: Shingle Roof @ Air Museum
Subcontractor's Name: Foster Roofing
Arkansas License No.: 0156360417
Address: 3357 Wagon Wheel Rd., Springdale AR 72762
Date Firm Established: 2004

Type of Work:
Subcontractor's Name:
Arkansas License No.:
Address:
Date Firm Established:

Type of Work:
Subcontractor's Name:
Arkansas License No.:
Address:
Date Firm Established:

Type of Work:
Subcontractor's Name:
Arkansas License No.:
Address:
Date Firm Established:

Bidder (General Contractor): Franklin and Son Inc
Arkansas License No.: 0029380417
Address: 12382 W Hwy 62 Farmington AR 72730
Date Firm Established: 1972
Annual Gross Receipts (enter the range only): 15-20 million
By: *
Title: Spencer Heslett General Manager
*Signature must be the same as on the Proposal form.

Notes:

- (1) General contractor and subcontractors shall have a certificate of license with the proper classification from the State Contractors Licensing Board before his or her bid is submitted.
- (2) Certificates of license shall be provided with this form at the time of the bid opening.



CITY OF FAYETTEVILLE, ARKANSAS

Bid 17-21, Construction - FYV Airfield Roof Rehab

OFFICIAL BID TABULATION

Certification of Funds: \$457,627.00

BID OPENING: 01/18/2017; 2:00 PM

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	Bowser's Metal Roofing LLC		Franklin and Son, Inc.		RB Trumble LLC	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	FBO Hangar Roof Rehabilitation	LS	1	\$ 94,500.00	\$ 94,500.00	\$ 36,061.00	\$ 36,061.00	\$ 117,356.40	\$ 117,356.40
2	Terminal Building Roof Rehabilitation	LS	1	\$ 365,000.00	\$ 365,000.00	\$ 227,201.00	\$ 227,201.00	\$ 387,336.40	\$ 387,336.40
3	FAA Building Roof Rehabilitation	LS	1	\$ 31,000.00	\$ 31,000.00	\$ 14,675.00	\$ 14,675.00	\$ 60,629.40	\$ 60,629.40
4	Old Terminal Building Roof Rehabilitation	LS	1	\$ 31,000.00	\$ 31,000.00	\$ 18,192.00	\$ 18,192.00	\$ 69,387.42	\$ 69,387.42
5	Air Museum Roof Rehabilitation	LS	1	\$ 131,000.00	\$ 131,000.00	\$ 72,512.00	\$ 72,512.00	\$ 102,716.40	\$ 102,716.40
6	Wood Deck Replacement	SF	1,500	\$ 17,000.00	\$ 17,000.00	\$ 3.75	\$ 5,625.00	\$ 1.50	\$ 2,250.00
7	Insulation and Substrate Replacement	SF	900	\$ -	\$ -	\$ 4.43	\$ 3,987.00	\$ 1.50	\$ 1,350.00
TOTAL BASE BID				\$	669,500.00	\$	378,253.00	\$	741,026.02

*Highlighting Notes Corrected Calculation Error

CERTIFIED:

Andrea Rennie, CPPO, CPPB, Purchasing Manager

Witness

1/18/17

Date



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0013

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 7

BANK OF FAYETTEVILLE DONATION REVENUE:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,000.00 REPRESENTING DONATION REVENUE FROM THE BANK OF FAYETTEVILLE TO THE FAYETTEVILLE FIRE DEPARTMENT FOR THE ANNUAL EMPLOYEE SERVICE AWARDS EVENT

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution, in the amount of \$1,000.00 to recognize donation revenue from The Bank of Fayetteville to the Fayetteville Fire Department for the annual employee service awards event.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby expresses its sincere appreciation for the donation.

City of Fayetteville Staff Review Form

2017-0013

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

David Dayringer

1/12/2017

Fire /
Fire Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A resolution approving a budget adjustment in the amount of \$1,000.00 to recognize donation revenue from The Bank of Fayetteville (Farmers and Merchant Bank) to be allocated for funding of the Fayetteville Fire Department's annual employee service awards event.

Budget Impact:

1010.300.3020-5329.00		General	
Account Number		Fund	
36029/1		Donations-Fire	
Project Number		Project Title	
Budgeted Item?	NA	Current Budget	\$ 2,094.24
		Funds Obligated	\$ 323.98
		Current Balance	\$ 1,770.26
Does item have a cost?	NA	Item Cost	
Budget Adjustment Attached?	Yes	Budget Adjustment	\$ 1,000.00
		Remaining Budget	\$ 2,770.26

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

TO: Mayor Lioneld Jordan and City Council

FROM: David Dayringer, Fire Chief

DATE: January 12, 2017

SUBJECT: Recognition and acceptance of donation to Fayetteville Fire Department

RECOMMENDATION:

A resolution approving a budget adjustment in the amount of \$1,000.00 to recognize donation revenue from The Bank of Fayetteville(Farmers and Merchant Bank) to be allocated for funding of the Fayetteville Fire Department's annual employee service awards event.

DISCUSSION:

Each year, the City of Fayetteville Fire Department receives donations from various businesses and private donors to support the department's employee recognition program. The funds are typically utilized to cover expenses associated with an employee service awards banquet, during which the firefighters are honored and recognized for achievements which took place throughout the year.

BUDGET/STAFF IMPACT:

These funds have been deposited into revenue account number 1010.900.0001-4809.00 36029/1—Donations and will be reallocated to expense account number 1010.300.3020-5329.00 36029/1—Employee Recognition upon City Council approval to recognize and accept this donation.

Attachments:

Budget Adjustment

Budget Year	Division	Adjustment Number
2017	FIRE (300)	
	Requestor: Granville Wynn	

Approve Budget Adjustment to recognize \$1,000.00 in donation revenue from the Bank of Fayetteville/Farmers and Merchants Bank to be allocated towards funding of the Fire Department employee service awards event.

	COUNCIL DATE:	2/7/2017
	LEGISTAR FILE ID#:	2017-0013
		Barbara Fell
		1/13/2017 7:11 AM
	Budget Director	Date
	TYPE:	
	DESCRIPTION:	
	GLDATE:	
	POSTED:	/
RESOLUTION/ORDINANCE		

[illegible]



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0007

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 8

CH2M HILL ENGINEERS, INC. AMENDMENT NO. 7:

A RESOLUTION TO APPROVE A TWO MONTH EXTENSION OF AMENDMENT NO. 7 TO THE CONTRACT WITH CH2M HILL ENGINEERS, INC. BEGINNING JANUARY 1, 2017 AND ENDING FEBRUARY 28, 2017 AT A COST OF \$656,019.58 PER MONTH FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a two-month extension of Amendment No. 7 to the contract with CH2M Hill Engineers, Inc. beginning January 1, 2017 and ending February 28, 2017 at a cost of \$656,019.58 per month for operations, maintenance and management services.

City of Fayetteville Staff Review Form

2017-0007

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander

1/12/2017

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

APPROVAL OF A TWO MONTH CONTRACT EXTENSION TO AMENDMENT NO 7 WITH CH2M HILL ENGINEERS, INC. BEGINNING JANUARY 1, 2017 AND ENDING FEBRUARY 28, 2017 WITH A MONTHLY COST OF \$656,019.58 FOR CONTINUING SERVICES ON THE WWTP O&M CONTRACT.

Budget Impact:

5400.730.XXXX.5328.00

Water/Sewer

Account Number

Fund

N/A

N/A

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 8,419,957.00

Funds Obligated \$ -

Current Balance \$ 8,419,957.00

Does item have a cost? Yes

Item Cost \$ 1,312,039.16

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 7,107,917.84

V20140710

Previous Ordinance or Resolution # 213-15

Original Contract Number: 2305

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 7, 2017

TO: Mayor and City Council

FROM: Tim Nyander, Utilities Director

DATE: January 12, 2017

SUBJECT: Approval of a Two Month Contract Extension to Amendment No. 7 with CH2M Hill Engineers, Inc. beginning January 1, 2017 and ending February 28, 2017 with a monthly cost of \$656,019.58.

RECOMMENDATION:

City Administration recommends approval of a Contract extension to Amendment No. 7 with CH2M Hill Engineers, Inc., beginning January 1, 2017 and ending February 28, 2017.

BACKGROUND:

CH2M has been under contract since 1987 to provide the City wastewater treatment services. Contract amendment No. 7 was implemented in January 2016, the second year of the first 5-year extension of the overall contract beginning January 1, 2015.

DISCUSSION:

The approval to Amendment No. 8 is still under review, and it was not possible to have this review completed by the beginning of 2017. It is anticipated that the 2017 contract will be introduced to the City Council at the February 7 meeting.

BUDGET/STAFF IMPACT:

Budgeted 2017 funds are available within the wastewater treatment plant operations budget.

Attachments:

Staff Review Form
Signed Contract Amendment Extension Letter



CH2M
1400 North Fox Hunter Road
Fayetteville, AR 72701

O +1 479 443 3292
F +1 479 443 5613
www.ch2m.com

Tim Nyander
City of Fayetteville Arkansas
Water and Sewer Services
2435 S. Industrial Drive
Fayetteville AR 72701

December 7, 2016

Subject: Letter to confirm temporary continuation and uninterrupted services by CH2M for the City of Fayetteville at the 2016 rate as outlined in Amendment 7 of the contract.

Dear Tim,

At your request, this letter is to inform the City of the following with respect to the delayed approval of Amendment 8 of our O&M Services contract with the City of Fayetteville:

CH2M has been notified that our submitted Amendment 8 for the year beginning 2017 is still under review by the City. Circumstances are such that it will not be possible for this review to be completed within a time frame to allow submission to and subsequent approval at the next City Council Meeting on December 20, 2016.

This letter is to inform the City that CH2M will continue to provide the contracted services to the City at the 2016 Amendment 7 rate on a temporary basis as requested, for a maximum of 60 days. This temporary continuation at the old rate is based on the expectation that this matter will be resolved as quickly as possible and that once resolved, the new Amendment 8 rate will be applied/reimbursed retroactively to the beginning of the new contract year of 2017. In the meantime, CH2M will continue to invoice the City at the rate and stipulations outlined in Appendix D of Amendment 7 to the contract.

If you have any questions please feel free to contact me.

Regards,

A handwritten signature in black ink, appearing to read "Terry J Ethridge", written over a horizontal line.

Terry J Ethridge
Acting Area Manager/CH2M



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0032

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 9

DAVIS LAW FIRM WATER DAMAGE CLAIM:

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C) (4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$26,759.34 TO DAVIS, CLARK, BUTT, CARITHERS & TAYLOR, PLC FOR A WATER DAMAGE CLAIM AT 15 AND 19 EAST MOUNTAIN STREET

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

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

Section 1: That the City Council of the City of Fayetteville, Arkansas, pursuant to Fayetteville Code of Ordinances § 39.10(C)(4), authorizes the Mayor to pay \$26,759.34 to Davis, Clark, Butt, Carithers & Taylor, PLC for a water damage claim arising at 15 and 19 East Mountain Street.

City of Fayetteville Staff Review Form

2017-0032

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander

1/19/2017

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

City Staff recommends approving a claim settlement for water damage with Davis Law Firm in the amount of \$26,759.34 for water damage to the building at 19 E. Mountain St.

Budget Impact:

5400.720.4310-5311.04

Water/Sewer

Account Number

Fund

N/A

N/A

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 49,500.00

Funds Obligated \$ 4,582.26

Current Balance \$ 44,917.74

Does item have a cost? Yes

Item Cost \$ 26,759.34

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 18,158.40

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

MEETING OF FEBRUARY 7, 2017

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Water & Sewer Committee

FROM: Tim Nyander, Utilities Director

DATE: January 19, 2017

SUBJECT: Claim Settlement – Davis Law Firm, 19 E. Mountain St.

RECOMMENDATION:

City Staff recommends approving a claim settlement with Davis Law Firm in the amount of \$26,759.34 for water damage to the building at 19 E. Mountain St.

BACKGROUND:

An unusual situation occurred, where the property owner invested money to protect their property from damage from a suspected water leak. The City could not find the leak using all of the usual leak detection methods. The owner invested money to protect his property. The City finally located the leak and repaired it.

DISCUSSION:

Ordinance 5938, passed on December 20, 2016 will go into effect on January 19, 2017. This ordinance allows compensation to be paid to property owners for investment in sump pumps and/or reasonable measures to protect their property in the event that Water and Sewer staff are initially unable to detect or determine the cause of a water leak, and a compensable water leak is later discovered or confirmed by city staff.

On August 5, 2016, the Water Department cut the street and dug down to the water main and tap, and found a small leak on the service. This leak was repaired, but was close enough to where it could have potentially caused the water going into the Davis Law Firm building. Due to the close proximity of the leak that was found, Ordinance 5938 applies to this claim. It is recommended that the city pay this claim in the amount of \$26,759.34 to reimburse Davis Law Firm for the costs of sump pump modifications to the building and janitorial services related to the water leak.

BUDGET/STAFF IMPACT:

This single claim is higher than normal annual funding provided for these water damage type of events. An internal BA moving budgeted operational funds into the Insurance Self-Non-Vehicle Damage account for this claim has been turned in.

Attachments:

Staff Review Form
Claim Form and Documentation

Claim Request

Although the City of Fayetteville is immune from any claim for liability or damages caused by alleged negligence of its employees, the City Council has authorized a very limited property damage claims procedure.

INSTRUCTIONS: Please complete this form clearly stating the reason for the claim, amount you are requesting, all contact information, and attach appropriate documentation including receipts, estimates, photos, etc. Three (3) itemized written estimates must be provided prior to repairs being made. Substantive documentation **MUST** be provided to establish all monetary values. Additional sheets may be added. Failure to provide all information and fully substantiate your claim will result in the claim being denied. Please do not discard any items that are being claimed as damaged. **Filing a claim does not imply approval**; claims will be investigated before a decision is rendered; claims received more than **30 days** after the incident will be denied. Claims containing inaccurate or fraudulent information will be denied. Please mail to or hand-deliver documents to: **Mayor's Office – Claims, City of Fayetteville, 113 W. Mountain St., Fayetteville, AR 72701 OR Fax to 479-575-8257**

CLAIMANT INFORMATION

First Name

Davis Law Firm

Last Name

Davis Law Firm

Middle Initial

Claim Type

What type of claim are you requesting?

☐ General ☒ Water and Sewer

Email

jbutt@davis-firm.com (mailto:jbutt@davis-firm.com)

Address

Street Address

19 East Mountain Street

Address Line 2

City

Fayetteville

Postal / Zip Code

72701

State / Province / Region

AR

Country

U.S.A

Daytime Phone

479-521-7600

Alternate Phone**Incident Location**

Address/Location of Occurence

Street Address

15 and 19 East Mountain Street

Address Line 2

City

Fayetteville

Postal / Zip Code

72701

State / Province / Region

AR

Country

U.S.A.

INCIDENT INFORMATION**Date of Incident**

6/19/2015

Time of Incident**Amount being Claimed**

\$ 26759.34

Incident Nature

Nature of Occurrence

☐ Automotive Related☐ Home Related☐ Personal☒ other

leaking water main

Insurance

Do you have any insurance which covers your damage?

☐ Yes ☒ No

The City cannot pay a claim in an amount exceeding a Claimant's insurance deductible, if covered. The undersigned hereby files a claim against the City of Fayetteville, Arkansas for the following reason(s): Attach additional sheets if necessary

Incident Description The undersigned hereby files a claim against the City of Fayetteville, Arkansas for the following reason(s):

Attached is the claim as fully submitted through Kit Williams, City Attorney, on September 27, 2016. The City was first asked to respond to this complaint the day it began on 5/19/15, but declined responsibility until repairs were made on 8/5/2016 and their effect confirmed by termination of the water intrusion over the next 8 weeks on 9/27/16. The City passed an Ordinance on 12/20/16 to allow this particular claim, which Ordinance does not go into effect until 30 days later on or about January 19, 2017. Attached also is the declination of our insurer to cover these costs. Please let me know if you need any further information. Thanks, Jack Butt, for the Davis Law Firm

File Upload

KIT LTR 092716 re damages, req reimbursement.pdf (/Forms/ha... 3.6MB

Renner ltr denying ins claim.pdf (/Forms/handlers/downloadattac... 18.91KB

Attach appropriate documentation including receipts, itemized estimates, photos, etc. If vehicle related, please include proof of insurance if applicable.

Agreement

☒ I Agree.

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

Signature

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

William Jackson Butt Jr

Refer To

Shea Fankhouser

Department

Water and Sewer

**Additional
Documentation**

Davis Law Firm Claim Totals.pdf (/Forms/handlers/downloadatta... 1.64MB

5938 Amend § 39.10 Water and Wastewater Damage Claims.pdf... 403.22KB

Memo

*

Ordinance 5938, passed on December 20, 2016 will go into effect on January 19, 2017. This ordinance allows compensation to be paid to property owners for investment in sump pumps and/or reasonable measures to protect their property in the event that Water and Sewer staff are initially unable to detect or determine the cause of a water leak, and a compensable water leak is later discovered or confirmed by city staff.

On August 5, 2016, the Water Department cut the street and dug down to the water main and tap, and found a small leak on the service. This leak was repaired, but was close enough to where it could have potentially caused the water going into the Davis Law Firm building. Due to the close proximity of the leak that was found, Ordinance 5938 applies to this claim. It is recommended that the city pay this claim in the amount of \$26,759.34 to reimburse Davis Law Firm for the costs of sump pump modifications to the building and janitorial services related to the water leak.

Letter to Claimant ***Decision ***

- ☒ Approve Recommendation
- ☐ Deny Recommendation

Comments

Submit

Davis, Clark, Butt, Carithers, & Taylor, PLC

Vendor QuickReport

July 1, 2015 through August 29, 2016

	Type	Date	Num	Memo	Amount
Hunnicut Construction. Co, Inc					
	Check	12/15/2015	26920	Inv # 33	15,544.00
	Check	03/31/2016	27176	Inv # 37	10,919.00
Total Paid					26,463.00
Dow Building Services					
	Check	12/15/2015	26908	66640	104.27
	Check	11/16/2015	26838	66613	109.75
	Check	10/15/2015	26768	66323	54.88
	Check	07/15/2015	26565	65445	27.44
Total Paid					296.34
Grand Total					26,759.34

INVOICE

PAID
CHECK # 26920
DATE 12-15-15

33

12/04/2015

Davis, Clark, Butt, Cathers & Taylor, PLC
19 East Mountain
Fayetteville, AR 72701

BASEMENT SUMP PUMP MODIFICATIONS
19 EAST MOUNTAIN OFFICE
FAYETTEVILLE, ARKANSAS

BILLING FOR THE FOLLOWING ITEMS OF CONSTRUCTION:

TEST HOLES FOR WATER LEVEL	344.00
DEMOLITION OF WALLS	375.00
CONC FLOOR CUT & POUR	8,750.00
CORNER CABINET & DOOR	825.00
FINISH, WALLS ^ PAINT	1,500.00
CARPET UP & INSTALL	250.00
BASE & TRIM	750.00
SUMP PUMP & PIPE	2,750.00

Hunnicut Construction
P.O. BOX 1901
Fayetteville, AR 72702
479-841-7798

donhunnicut@aol.com

OK to pay
as per WJB

15,544.00

TOTAL DUE THIS INVOICE--

15,544.00

Hunnicut Const. Co Inc
PO Box 1901
Fayetteville, AR 72702
Phone: 479-442-0662
Fax: 479-442-0911

INVOICE

Davis, Clark, Butt, Cathers & Taylor, PLC
19 East Mountain
Fayetteville, AR 72701

2/12/2016

3 - 17 - 2016

37

2 nd SUMP PUMP INSTALLATION
19 EAST MOUNTAIN OFFICE
FAYETTEVILLE, ARKANSAS

PAID
CHECK # 27176
DATE 3-31-16

BILLING FOR THE FOLLOWING ITEMS OF CONSTRUCTION:

CORING THROUGH CONC WALL	344.00
DEMOLITION	375.00
CONC FLOOR CUT & POUR	6,000.00
CORNER CABINET & DOOR	825.00
STAIN & FINISH PAINTING	875.00
CARPET UP & INSTALL	250.00
WOOD PANELING & TRIM	375.00
SUMP PUMP & PIPE	1,500.00
ELECTRICAL	375.00

Hunnicut Construction
P.O. BOX 1901
Fayetteville, AR 72702
479-841-7798

donhunnicut@aol.com

TOTAL FOR ALL ABOVE

10,919.00

TOTAL DUE THIS INVOICE--

10,919.00

okay to pay,
Jack



DOW BUILDING SERVICES
4320 East 43rd Street
No Little Rock, AR 72117
Phone 501-791-2900

INVOICE NO.	66640
DATE	11/13/15

CUSTOMER

Jamie Rouse
Davis, Clark, Butt, Carither, Taylor, PLC
P. O. Box 1688
Fayetteville, AR 72701

SERVICE LOCATION

Davis Law Firm
1712 W Sunset Ave
Suite E
Springdale, AR 72762-5186

TERMS:		CUSTOMER NO.		P.O. NO.	
Net 30 Days		937			
Description	Quantity	Unit of Measure	Price	Amount	
--- 11/11/2015 Ticket 1240800 --- Hot Water Extract Carpet One Room	1.00	Min	95.00	95.00	
OK to pay					



DOW BUILDING SERVICES
4320 East 43rd Street
No Little Rock, AR 72117
Phone 501-791-2900

INVOICE NO.	66613
DATE	10/31/15

CUSTOMER

Jamie Rouse
Davis, Clark, Butt, Carither, Taylor, PLC
P. O. Box 1688
Fayetteville, AR 72701

SERVICE LOCATION

Davis Law Firm
1712 W Sunset Ave
Suite E
Springdale, AR 72762-5186

TERMS: Net 30 Days		CUSTOMER NO. 937		P.O. NO.	
Description	Quantity	Unit of Measure	Price	Amount	
October Activity --- 10/25/2015 Ticket 1210079 --- 10/23/15 10/25/15 Water Extraction - Water Leak Clean Up	4.00	Hours	25.00	100.00	
			Sub-Total	100.00	
			Sales Tax	9.75	
			TOTAL	\$109.75	



DOW BUILDING SERVICES
4320 East 43rd Street
No Little Rock, AR 72117
Phone 501-791-2900

INVOICE NO.	66323
DATE	09/30/15

CUSTOMER

Jamie Rouse
Davis, Clark, Butt, Carither, Taylor, PLC
P. O. Box 1688
Fayetteville, AR 72701

SERVICE LOCATION

Davis, Clark, Butt, Carither, Taylor, PLC
19 East Mountain Street
Fayetteville, AR 72702

TERMS:		CUSTOMER NO.		P.O. NO.	
Net 30 Days		937			
Description	Quantity	Unit of Measure	Price	Amount	
September Activity --- 09/09/2015 Ticket 1209953 --- Emergency Clean Up 9/9/15: Water Leak	2.00	Hours	25.00	50.00	
OK to pay			Sub-Total	50.00	
			Sales Tax	4.88	
			TOTAL	\$54.88	



DOW BUILDING SERVICES
4320 East 43rd Street
No Little Rock, AR 72117
Phone 501-791-2900

INVOICE NO.	65445
DATE	06/30/15

CUSTOMER

Jamie Rouse
Davis, Clark, Butt, Carither, Taylor, PLC
P. O. Box 1688
Fayetteville, AR 72701

SERVICE LOCATION

Davis Law Firm
1712 W Sunset Ave
Suite E
Springdale, AR 72762-5186

Fayetteville

PAID

CHECK # 26565
DATE 7-15-15

TERMS: Net 30 Days		CUSTOMER NO. 937		P.O. NO.	
Description	Quantity	Unit of Measure	Price	Amount	
June Activity --- 06/19/2015 Ticket 1208237 --- 6/19/15 Emergency Water Clean Up	1.00	Hours	25.00	25.00	
			Sub-Total	25.00	
			Sales Tax	2.44	
			TOTAL	\$27.44	

▼ TO ENSURE PROPER CREDIT, PLEASE DETACH AND MAIL BOTTOM PORTION WITH YOUR PAYMENT ▼



**DAVIS
LAW FIRM**
DAVIS, CLARK, BUTT, CARITHERS & TAYLOR, PLC

WWW.DAVIS-FIRM.COM

WRITER'S E-MAIL ADDRESS:
JBUTT@DAVIS-FIRM.COM

FAYETTEVILLE

+ SIDNEY P. DAVIS, JR.
CONSTANCE G. CLARK
WM. JACKSON BUTT II
KELLY CARITHERS
DON A. TAYLOR
CASEY D. LAWSON

* JOSHUA D. MCFADDEN
COLIN M. JOHNSON
WILLIAM F. CLARK
ANDREW D. CURTIS
+ BRIAN R. LESTER

**Also Licensed in Oklahoma
+ Of Counsel*

SPRINGDALE

K. DREW DEVENPORT

September 27, 2016

RE: Claim for Water Leakage: 15 E. Mountain

Mr. Kit Williams
Fayetteville City Attorney
302 City Hall
113 W. Mountain Street
Fayetteville, AR 72701

Dear Kit:

On June 19, 2015, our law firm members arrived at our office to find water standing on the basement carpet of our building at 15 E. Mountain Street, covering perhaps 200 square feet. This is a fully finished, furnished, decorated, busy and occupied secretarial office space in our building. This intrusion was and continued until resolved about 3 months later to be very disruptive to our operations. We had never had such disrupting water intrusion. Our only prior experience with water there was on perhaps three occasions in the 23 years we have occupied that building, we have found a few square feet of dampness which we resolved within hours by putting a humidifier on the dampness.

It appeared that the water in this instance had migrated through the subterranean, exterior wall of that building which fronts on Mountain Street. We contacted the City of Fayetteville to determine whether it was a contributing factor. Within a few days, I met with Mark Rogers, of the Fayetteville Water Department which resulted in the City patching and recovering various parts of the curb, gutter, and street in front of our building to hopefully mitigate any penetration of water that was occurring through cracks, depressions, and holes in those city-maintained features. That work was accomplished by July 23, 2016.

Significant water intrusion continued, and in an effort to find and resolve the problem, in the ensuing weeks through professional water penetration companies, we determined and mitigated by caulk, sealant, roof coverings, and every possible above-ground avenue by which water could have penetrated the building.

As of August 20, 2015 the significant water intrusion continued and we were working with Keith Shreve from the City. Our engineer, Don Hunnicutt, noted that over the last number of years as the City had repaired and

DAVIS, CLARK, BUTT, CARITHERS & TAYLOR, PLC

FAYETTEVILLE LOCATION: P.O. BOX 1688 ♦ 19 E. MOUNTAIN ST. ♦ FAYETTEVILLE, AR 72702 ♦ PH 479.521.7600 ♦ FAX 479.521.7661

SPRINGDALE LOCATION: 1712 W. SUNSET AVE., STE. E ♦ SPRINGDALE, AR 72762 ♦ PH 479.717.2278 ♦ FAX 479.717.2302

replaced the sidewalk and street in front of our building and that the underground backfill used was large gravel which allowed rapid transmission of water through such channels. I specifically made this comment to Keith in an August 21 email focusing on the “big question,” which we believed the City could answer:

Why the water has not, for several years come through and now has, and where its entry point into those channels occurs, are the big mysteries.

In the meantime, we opened the sheetrock wall in our basement so we could observe the actual foundation wall and its seam with the poured concrete floor to determine the source of the water penetration into the basement at 15 E. Mountain Street, and determined that the source of the water was coming from the subterranean wall and up through the seam where the foundation wall met the floor, and not penetrating from the roof or any higher external joints of the building.

Don Hunnicutt hypothesized that the water table next to/beneath the north side of our buildings was, for some inexplicable reason, now not carrying water away as fast as it had in the past, such that water coming into that table was forcing its way up through the floor of our basement at the seam where the exterior foundation wall met the poured concrete floor.

In conjunction with our trying to diagnose the problem, we drilled test holes through the concrete floor of our basement to determine the thickness of the floor, the strata underneath, and whether the water would come up through the holes. The surprising result was that during August, September, and the first part of October 2015, water continued to penetrate by pushing upward into the basement from the floor and subterranean walls, when there had been no rains for weeks and in fact Fayetteville was in a semi-drought condition.

Finding no other solution to the problem, we determined to build a sump system inside of our walls that would collect water penetrating from whatever cause, direct it to a deep sump, and pump it from that sump out onto the alley. Before proceeding with that project, I wrote Mark Rogers in October 12 as follows:

Mark . . . Recent developments caused me to contact you again. It hasn't rained, to speak of, for several weeks. In anticipation of the sump system, there were a couple of test holes drilled in our basement floor, to see how thick the concrete was, and what the composition of earth below it was, and water is now forcing its way up and through those and continues to come through the base of the outside wall . . . again, without any significant rain for many weeks. I can only conclude that the source of this continued and increasing water pressure is from a leaking water or sewage pipe somewhere outside of our building – I can't conceive of anything else that would drive the water table up in a period of significant dryness. Can you find a few minutes to come by and look at this, and discuss whether and how the City can test for water escaping from its pipe systems?

The response of the City to determine if they had a leak, was the appearance of a City worker at our office who, using a plastic cup and some test substance, gathered some of the leaked water, put the test medium in it and declared that since it held no chlorine, was not “city water.” We found out afterwards that chlorine can fairly quickly leach or evaporate out of treated water, making such a test completely inconclusive. However, this was the extent of the City's effort to determine if its water was causing the problem.

We proceeded at a cost of approximately \$15,000 to install an interior sump system in the basement of 15 E. Mountain. That began collecting the water intrusion and discharging it into the paved alley between our building and the federal building. We were hoping that this would diminish the local water table enough to alleviate a smaller such seepage that had begun, about the same time, at our adjoining building to the east, 19 E. Mountain Street, by gathering that part of the subterranean water table which was proximate into the sump. It did not. As a result, we installed a second sump system at 19 E. Mountain Street for about \$10,000.

On November 18, 2105, I emailed Mark Rogers to tell him that the quantity of water we were collecting and pumping out through the sump kept the City alley between our building and the federal building wet 24/7, and with the onset of cold weather was going to create a hazardous situation when the temperature dropped below freezing.

In response, the City dumped several hundred pounds of salt/chemical on that alley a single time sometime in December. At that point, I contacted you on January 5, 2016, to note that we were requesting signs at either end of the alley to warn of the icy road and hazardous conditions. We never received any response to that, and went through the winter months with a wet and sometimes icy sheet covering that alley for several hundred feet. Our neighbors complained to us about the condition of the water on the alley, and we referred them to the City, saying that we did not have a solution.

You wrote me an email on March 8, indicating that water on the streets was not a unique problem, not a legal problem, and that the City administration “must decide how to best use our limited resources for streets and drainage issues citywide.”

As the summer of 2016 came upon us, the volume of water entering our basement, regardless of drought outside, was significant and persistent, resulting in the alley to our east where our sumps pumped the water out remaining not only wet 24/7, but beginning to get a bit slimy and scummy, creating a traction problem even in warm weather, because the alley never dried out. We were evacuating hundreds of gallons a day from the sumps.

On August 2, 2016, I emailed Mark Rogers again, noting that the City had not responded to our concerns about the wet alley (freezing or otherwise) with this message:

We are now into the very hot, dry months of the year, and we are pumping more water out of our basement onto the alley than ever before. On these 90-degree-plus days, the alley remains quite wet, more water is being evacuated than can run off and evaporate. I am writing for these reasons: (1) while the city has ostensibly “checked” to see if it is losing water from its pipes to cause this and determined not, I can’t imagine that an artesian spring, less than 8 feet below the very top surface of the square, is generating thousands of gallons of perched water per week to recharge an underground water table, 24/7/365 . . . there simply aren’t enough vertical feet or horizontal space in the tiptop area of the square to catch and hold the amount of water we are pumping out during lengthy periods of time when there is no recharge from rain and surface runoff. I would bet dollars to donuts that the City is losing a lot of water from broken or leaking pipes in this area, and would sure appreciate it if there were a definitive test that can be run in that regard. [I also noted that we did not find the previous chlorine test determinative, that the constant presence of water was

allowing moss, mold, and scum to grow, slicking up the alley, and that the asphalt patches in the alley seemed to be deteriorating because they were constantly in standing water.]

I also contacted all of our adjacent neighbors to see if they had any leakage in their basements— they did not. You replied to my August 3 email to Mark Rogers, you asking if the chlorine test was determinative and various other questions about how the drainage could be handled.

On August 5, 2016, Mark Rogers emailed everybody involved as follows:

“We excavated this morning in Mountain Street and found the 1" service line leaking, next to the corporation's stop, almost to the city main. We made a repair with copper pipe. The asphalt repair in the street will be completed sometime early in the week. Jack, you should see a difference in the runtime of your sump pumps.”

Within a week, our sump pumps had stopped running because the sumps had stopped filling; there was still a nominal amount of water in the bottom of the lowest sump, too low to self-trigger the pumps. The water has now receded to a constant level, too low to be pumped out of the sump, the top of which is about 2 feet below the bottom surface of our floors and which does not even rise in rains

I take from this that there is, indeed, a water table of some kind under our building, that until the City pipe failed in the summer of 2015, never accumulated enough water to rise to force its way through our floor into our basement. Once the pipe broke, that brought the ground water level to the point that it was flooding our basement even in the most prolonged dry spells, which was very aggravated by the least intrusion from rain runoff.

Though starting in the summer of 2015 we repeatedly noted to the City our suspicions that this was City-generated water, it took the City over a year to take any appropriate corrective action to confirm, much less remedy that, requiring us to invest approximately \$25,000 in sumps and \$2,000 in cleaning for the mess the City leakage was making.

When the leakage from the city pipes was very promptly and effectively found and remedied in August of this year, the ground water levels under our building have receded to “normal” levels such that they do not intrude into our basement.

In summary, we have incurred about a \$27,000 “fix” to a problem that the City caused, and despite our repeated pleas for help, did not aptly evaluate or resolve for over a year.

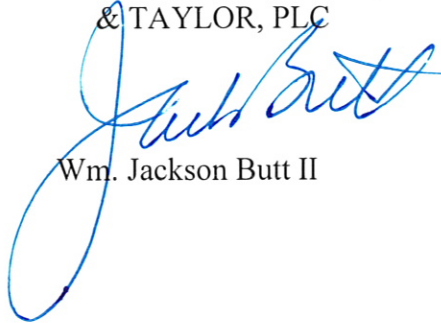
Enclosed is the summary of expenses we have paid to resolve this problem, which does not include over 100 man-hours from our own members and staff dealing with flooded office space, wet boxes/furniture/ stuff, shutting down a busy administrative area, and constantly mopping and wet vacuuming the floors and spraying mold inhibitors.

Request is made that the City reimburse Davis Law Firm in the amount of \$26,759.34. Thank you for your attention to this matter.

Page 5

Sincerely,

DAVIS, CLARK, BUTT, CARITHERS
& TAYLOR, PLC

A handwritten signature in blue ink, appearing to read "Wm. Jackson Butt II", is written over the printed name. The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

Wm. Jackson Butt II

WJB/br

cc with Enc: Firm members



January 5th, 2017

Davis, Clark, Butt, Carithers, & Taylor, PLC
Attention: Jack Butt
P.O. Box 1688
Fayetteville, AR 72703

Re: Insurance – 9/15/19 E. Mountain – Hanover Policy #OHT6421715

Mr. Butt,

I received your email regarding the “water issue” at the above property. While water damage resulting from a broken pipe is normally covered under the Business Owners policy form, improvements or betterments to the building are not covered under any insurance policy that I'm aware of. Unfortunately the addition of a pump system would be considered an “improvement or betterment” to the building and would therefore not be covered by your policy.

Please feel free to call me if you have any questions or would like to discuss this further.

Sincerely,
Sims & Renner Insurance

Kevin Renner

1280 E. Stearns, Fayetteville, AR 72703
P.O. Box 9903 Fayetteville, AR 72703
Phone (479) 684-4100; facsimile (479) 684-4111



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

Ordinance: 5938

File Number: 2016-0635

AMEND § 39.10 WATER AND WASTEWATER DAMAGE CLAIMS:

AN ORDINANCE TO AMEND § 39.10 **WATER AND WASTEWATER DAMAGE CLAIMS** BY ENACTING A NEW SUBSECTION (4) TO (B) *REQUIREMENTS FOR PROPERTY DAMAGE CLAIMS TO BE ELIGIBLE FOR COMPENSATION*.

WHEREAS, an unusual situation has occurred in which a landowner invested money to protect its property from damage from a suspected leak from a city water line; and

WHEREAS, when all usual leak detection methods could not find a leak, but water still infiltrated the property owner's building, City crews excavated the water main and finally located a leak in the service line close enough to the water main to still be considered the City's responsibility; and

WHEREAS, after this line was repaired by the City, the water infiltration problem finally was alleviated; and

WHEREAS, the property owner should be able to file a claim now and potentially receive compensation not only for the actual property damage, but for at least some of the costs it invested in sump pumps and their installation costs to control the water infiltration into its building.

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

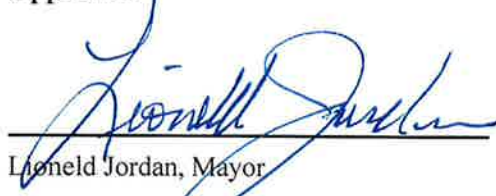
Section 1. That the City Council of the City of Fayetteville, Arkansas hereby amends § 39.10 **Water and Wastewater Damage Claims** by enacting a new (B)(4) as shown below:

“§ 39.10(B) (4) When a possible water leak claim has been promptly called to the attention of Water and Sewer staff who initially could not detect or determine the cause of such leak which then caused the property owner to invest in sump pumps and/or other reasonable measures to protect its property, compensation for such property damage prevention efforts may be paid pursuant to this article if a compensable water leak is later

discovered or confirmed by city staff.”

PASSED and APPROVED on 12/20/2016

Approved:


Lionel Jordan, Mayor

Attest:


Sondra E. Smith, City Clerk Treasurer



City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0635

Agenda Date: 12/20/2016

Version: 1

Status: Passed

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: C. 4

AMEND § 39.10 WATER AND WASTEWATER DAMAGE CLAIMS:

AN ORDINANCE TO AMEND § 39.10 **WATER AND WASTEWATER DAMAGE CLAIMS** BY ENACTING A NEW SUBSECTION (4) TO (B) *REQUIREMENTS FOR PROPERTY DAMAGE CLAIMS TO BE ELIGIBLE FOR COMPENSATION*

WHEREAS, an unusual situation has occurred in which a landowner invested money to protect its property from damage from a suspected leak from a city water line; and

WHEREAS, when all usual leak detection methods could not find a leak, but water still infiltrated the property owner's building, City crews excavated the water main and finally located a leak in the service line close enough to the water main to still be considered the City's responsibility; and

WHEREAS, after this line was repaired by the City, the water infiltration problem finally was alleviated; and

WHEREAS, the property owner should be able to file a claim now and potentially receive compensation not only for the actual property damage, but for at least some of the costs it invested in sump pumps and their installation costs to control the water infiltration into its building.

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 § 39.10 **Water and Wastewater Damage Claims** by enacting a new (B)(4) as shown below:

"§ 39.10

(B) (4) When a possible water leak claim has been promptly called to the attention of Water and Sewer staff who initially could not detect or determine the cause of such leak which then caused the property owner to invest in sump pumps and/or other reasonable measures to protect its property, compensation for such property damage prevention efforts may be paid pursuant to this Article if a compensable water leak is later discovered or confirmed by city staff."

Legistar ID No.: 2016-0635

AGENDA REQUEST FORM

FOR: Council Meeting of December 20, 2016

FROM:

City Attorney Kit Williams

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

AN ORDINANCE TO AMEND § 39.10 **WATER AND WASTEWATER
DAMAGE CLAIMS** BY ENACTING A NEW SUBSECTION (4) TO (B)
*REQUIREMENTS FOR PROPERTY DAMAGE CLAIMS TO BE ELIGIBLE FOR
COMPENSATION*

APPROVED FOR AGENDA:



City Attorney Kit Williams

Dec 5, 2016

Date



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Patti Mulford
Paralegal

TO: **Mayor Jordan**
City Council

CC: **Don Marr**, Chief of Staff
Paul Becker, Finance Director
Tim Nyander, Utilities Director

FROM: **Kit Williams**, City Attorney

DATE: **December 5, 2016**

RE: **Proposed Amendment to § 39.10 Water and Wastewater Damage Claims**

On June 5, 2012, the City Council passed Ordinance No. 5504 which I had proposed to establish a damage claims procedure concerning "a failure of the municipality owned water or wastewater infrastructure system that results in a trespass into and damages to private property." § 39.10 (A). This section and § 39.11 **Damage Claims Other Than Water and Wastewater Damage Claims** have worked well over the last four years to provide limited, but reasonable, compensation for property damage to citizens even though the City could deny all compensation because of its sovereign immunity.

During this period, a property owner on Mountain Street had suffered water infiltration problems that did not appear tied to rain or weather. Our Water and Sewer maintenance personnel tried to locate a potential leak in the city water main that could cause such a problem. Chlorine tests were run to try to tie this water leak to a city water leak, but those tests failed to establish this was "treated" water. Eventually, the property owner installed sump pumps and did some construction to place these sump pumps where they could catch and pump out this continuing water infiltration.

Because this problem would not go away even in times of very dry conditions and because all normal leak detection tests had failed, City Water and Sewer staff cut through the pavement and dug up the water main for visual inspection. This finally revealed a small leak in the service line near the water main. Although most of a service line running to a house or building is the property owner's responsibility, Water and Sewer staff felt the part of the line that was leaking was so close to the city water main that it should still be the City's responsibility and repaired this leak and reburied the main and service line.

This action finally solved the continual water infiltration problem. When the property owner sought compensation for its expenditures to purchase and properly install two sump pumps, I informed the property owners that such expenditures appeared outside the allowable "cost of cleaning or repair of the damage." § 39.10 (C) (2).

Since the Mayor has expressed his desire to enable the City Council to provide at least some compensation for these expenses, I have drafted a proposed new subsection (B)(4) which under fairly limited circumstances would allow the City Council to compensate a property owner who had to invest in a sump pump because of a city water leak. I have attached the proposed ordinance for your review.

This amendment does not mandate or cause any damage claim to be paid. It would authorize some compensation for the costs of sump pumps and their installation if approved by the Water and Wastewater Director (up to \$8,000.00) or the City Council (up to \$20,000.00). This amendment also would allow compensation even if a formal claim form was not submitted within 30 days because City staff could not detect a leak to justify the property owner submitting a claim form.

39.02—39.09 Reserved

ARTICLE II DAMAGE CLAIMS

39.10 Water and Wastewater Damage Claims

(A) Establishment of Property Damage Claim Compensation Policy.

- (1) Without waiving its statutory sovereign immunity, the city establishes the following voluntary policy governing the permissible payment of reasonable compensation for property damage claims proximately caused by a failure of the municipally owned water or wastewater infrastructure system that results in a trespass into and damage to private property.

(B) Requirements for Property Damage Claims To Be Eligible for Compensation.

- (1) The cause of the damage must be directly attributed to a failure of municipal infrastructure owned and operated by the Fayetteville Water and Wastewater utility, and cannot be associated with or caused by a private sewer or water connection or service line.
- (2) The failure must not be caused by factors beyond the city's control such as loss of electrical service; flooding of its infrastructure; acts of third parties; failure of claimants to properly maintain protective devices (back flow valves, check valves, clean out caps, etc.); acts of God; and other circumstances beyond the city's control.
- (3) A claim form must be completed in writing and submitted to the Mayor's Office within thirty (30) days of property damage occurrence. Claim forms may be supplemented later with additional information, bills, etc. as allowed by the Utilities Director of the City of Fayetteville. Failure to submit the initial claim form within thirty (30) days of the incident terminates the claimant's opportunity to request compensation.

(C) Limitation of Any Compensation That Might Be Paid.

- (1) Because the City of Fayetteville is protected by sovereign immunity, the city shall pay no compensation for any alleged damage associated with or related to any alleged personal injury (except a medical insurance deductible or co-payment) or any other damage except for property damage.
- (2) Compensation which may be paid for damage to property shall be limited to the cost of cleaning or repair of the damage or, in the event that the cost of cleaning or repair exceeds the fair market value of the subject property, less salvage value, compensation shall be limited to the fair market value of the damaged property less any salvage value. No compensation shall be paid for inconvenience, loss of use, loss of profits or rents, consequential damages, or anything other than cleaning, repair or replacement of property, and, in extreme cases, dislocation expenses not to exceed three (3) days.
- (3) No payment by the city may accrue to the benefit, directly or indirectly, of an insurance carrier, nor for any damage if such is covered by any insurance policy. If the insurance company waives any subrogation right, the city may pay an amount equal to the

FAYETTEVILLE CODE OF ORDINANCES
TITLE III ADMINISTRATION

39.11

deductible already paid by the claimant for a property damage claim. Claimants shall be required to provide documents satisfactory to the city establishing their insurance coverage or lack thereof for any claim.

- (4) The Utilities Department Director may not authorize any payment greater than \$8,000.00 for any claim pursuant to this section. The Mayor may request the City Council to authorize an amount greater than \$8,000.00 by resolution, but in no case shall the city pay more than \$20,000.00 pursuant to this claims procedure for a damage claim related to a water or wastewater utility infrastructure occurrence unless in an extraordinary case the Mayor recommends and the City Council by two-thirds ($\frac{2}{3}$) majority approves an exemption from the \$20,000.00 damage cap and approves a payment up to \$40,000.00.
- (5) This subsection does not pertain to nor affect in any manner the motor vehicle liability insurance requirements of A.C.A. §21-9-303 nor the claims procedure and limitations to comply with that state law.

(D) *Discretion of the City.*

- (1) The city acting through its Utilities Department Director has complete and sole discretion whether or not to pay any compensation pursuant to this section if the claimant has properly and timely submitted the claim form and all necessary documentation. This section provides no right to compensation for any claimant, nor any right to appeal to the Mayor or City Council.

(E) *Release Required if Compensation Paid.*

- (1) If the city offers to pay any compensation pursuant to this section, the claimant must sign a full release to receive the compensation offered by the city.

(Ord. No. 5504, 6-5-12)

39.11 Damage Claims Other Than Water And Wastewater Damage Claims

(A) *Establishment of Property Damage Claim Compensation Policy.*

- (1) Without waiving its statutory sovereign immunity, the city establishes the following voluntary policy governing the permissible payment of reasonable compensation for property damage claims (other than water and wastewater) proximately caused by uninsured city vehicles, equipment, infrastructure, or personnel activities. Claims relating to city vehicles which are insured shall be handled by the city's insurance adjustor (currently the Municipal League) except that very small property damage claims may be voluntarily paid by the city if a full release is obtained.

(B) *Requirements for Property Damage Claims to Be Eligible for Compensation.*

- (1) The cause of the damage must be directly attributed to a malfunction of such uninsured vehicle or equipment, neglect or misuse of such equipment by city personnel, dangerous disrepair of city infrastructure, or other similar situation.



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0045

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 10

DANIEL AND MEGAN KELSEY SEWER DAMAGE CLAIM:

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C) (4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$13,903.57 TO DANIEL AND MEGAN KELSEY AS REIMBURSEMENT FOR DAMAGE TO THEIR REAL AND PERSONAL PROPERTY IN ADDITION TO PREVIOUS PAYMENTS OF \$6,587.78 TO SERVPRO FOR WATER DAMAGE MITIGATION SERVICES, \$350.00 TO WFC, INC. FOR BATHROOM REPAIR WORK, AND \$396.04 TO HILTON HOTELS FOR DISLOCATION EXPENSES

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

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

Section 1: That the City Council of the City of Fayetteville, Arkansas, pursuant to Fayetteville Code of Ordinances § 39.10(C)(4), authorizes the Mayor to pay \$13,903.57 to Daniel and Megan Kelsey in addition to the previous payments of \$6,587.78 to Servpro for water damage mitigation services, \$350.00 to WFC, Inc. for bathroom repair work, and \$396.04 to Hilton Hotels for dislocation expenses.

City of Fayetteville Staff Review Form

2017-0045

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander

1/23/2017

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$13,903.57 TO DANIEL AND MEGAN KELSEY FOR A SEWER DAMAGE CLAIM ARISING AT 2333 JUNEWAY TERRACE

Budget Impact:

5400.720.4410.5311.04

Water/Sewer

Account Number

Fund

N/A

N/A

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 50,000.00

Funds Obligated \$ -

Current Balance \$ 50,000.00

Does item have a cost? Yes

Item Cost \$13,903.57

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 36,096.43

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

MEETING OF FEBRUARY 7, 2017

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Water & Sewer Committee

FROM: Tim Nyander, Utilities Director

DATE: January 18, 2017

SUBJECT: Claim Settlement – Daniel & Megan Kelsey, 2333 N Juneway Terrace

RECOMMENDATION:

City Staff recommends approving a claim settlement in the amount of \$13,903.57 with Daniel and Megan Kelsey for damage to their home located at 2333 N. Juneway Terrace as a result of a sewer overflow.

BACKGROUND:

At approximately 8:45 AM on Friday, November 21, 2016, there was a wastewater blockage at 2333 N. Juneway Terr. caused by root intrusion into the sewer main. This caused the sewer main to backup and surcharge into two bathrooms, hall, bedroom, and crawlspace of the house. The owner contacted the City. City Staff cut and removed the roots from the line, returning the sewer main to normal flow. A repair to the sewer main was scheduled and completed.

DISCUSSION:

The city paid Servpro directly in the amount of \$6,587.78 to do the mitigation right after the incident. WFC, Inc. did the bathroom repair work in the amount of \$350.00, which was paid directly to WFC, Inc. by the city. The owners of the home, Daniel and Megan Kelsey, stayed in a hotel for a couple of weeks while the repairs were done. Ordinance 5504 only allows a 3-day maximum for dislocation expenses being claimed. The 3-day allowance for the hotel cost at the Hilton was in the amount of \$389.04. State Farm paid Daniel and Megan Kelsey a \$10,000 settlement for this sewer claim, which offsets the remediation and final repairs that Servpro will do in the amount of \$20,612.74. Daniel and Megan Kelsey also claimed personal contents that were damaged in the amount of \$1,302.79.

City Staff recommends that Daniel and Megan Kelsey be reimbursed in the amount of \$13,903.57 for the costs they incurred for damage to their home and contents.

BUDGET/STAFF IMPACT:

Funds are available in the sewer mains maintenance self-insurance account.

Attachments:

Staff Review Form
Claim Form
Documentation and Pictures

Henson, Pam

From: noreply@civicplus.com
Sent: Tuesday, November 22, 2016 10:14 PM
To: Henson, Pam
Subject: Online Form Submittal: CLAIM REQUEST FORM

RECEIVED

NOV 23 2016

CITY OF FAYETTEVILLE
MAYOR'S OFFICE

P.H.

CLAIM REQUEST FORM

Although the City of Fayetteville is immune from any claim for liability or damages caused by alleged negligence of its employees, the City Council has authorized a very limited property damage claims procedure.

INSTRUCTIONS:

Please complete this form clearly stating the reason for the claim, amount you are requesting, all contact information, and attach appropriate documentation including receipts, estimates, photos, etc. Three (3) written estimates must be provided prior to repairs being made. Substantive documentation MUST be provided to establish all monetary values. Additional sheets may be added. Failure to provide all information and fully substantiate your claim will result in the claim being denied. Please do not discard any items that are being claimed as damaged. Filing a claim does not imply approval; claims will be investigated before a decision is rendered; claims received more than 30 days after the incident will be denied. Claims containing inaccurate or fraudulent information will be denied. Please mail to or hand-deliver documents to: Mayor's Office – Claims, City of Fayetteville, 113 W. Mountain St., Fayetteville, AR 72701 OR Fax to 479-575-8257.

First Name	Daniel
Last Name	Kelsey
Address	2333 N Juneway Ter
City	Fayetteville
State	AR
Zip	72703
Email	sgt.kelsey@gmail.com
Daytime Phone Number:	479-430-0233
Alternate Phone Number:	501-617-3649
Incident Information	
Date & Time of Incident	11/21/2016 6:00 PM

These can be provided by email upon request as they are too large to attach to this claim. To my knowledge, upon speaking with Mark Rogers, the City of Fayetteville has accepted liability for the damage caused to our residence by sewage backflow. Mark Rogers sent ServPro to begin cleanup and repair operations and due to the City accepting liability, all costs to return residence to its previous condition should be incurred by the City. Any additional information needed to support this claim can be provided upon request.

Documentation	<u>Master Shower Video.MOV</u>
Electronic Signature Agreement	I agree.
Electronic Signature	Daniel H. Kelsey

Email not displaying correctly? [View it in your browser.](#)

Amount being claimed	TBD
Nature of Occurrence:	Home Related
Do you have automobile, home or any other insurance which covers your damage in this incident?	Home
If so; please add the deductible amount	1280
Address of Incident	2333 N Juneway Ter
City	Fayetteville
State	AR
Zip	72703
Incident Description	To the best of my knowledge, through personal observation and discussion with City of Fayetteville Water Dept. workers, a main sewage line near my residence became blocked possibly due to tree roots cracking the dated clay pipes. This caused sewage that typically would have moved uninhibited past my residence to instead divert into my service line. When my wife and I left town on Sunday, there were no issues with our plumbing or drainage. When we returned the following Monday, November 21, at 6pm, we observed standing sewage in both our bathroom showers and tub which had spilled over and was draining into our crawlspace below. Upon inspecting the crawlspace, it was evident that the sewage service line had been damaged and was sewage was flowing into the crawlspace/basement area. It is unclear how long sewage was flowing prior to our arrival; however, upon arrival and until the city workers cleared the main line, we observed sewage flowing intermittently from our drains, toilets, and sinks. Pressure from the city workers clearing the main line also appeared to exacerbate the problem causing a rush of sewage which overflowed from bathtub, shower, toilets, and sinks. Prior to the city workers clearing the line, I went next door to test my theory that there was a block in the main sewage line just beyond my house. I observed that the sewage flow had stopped momentarily, so I went next door (uphill) and flushed toilets and turned on water. I then went back to my house and observed a significant flow of sewage the house. My wife and I took significant video and pictures of the damage and sewage backflow before, during, and after the city cleared the line.

Details of 2333 N. Juneway Terrace claim from Daniel & Megan Kelsey

Servpro mitigation:		\$6,587.78
WFC, Inc. (put bathroom together)		\$350.00
Hilton (3 days)		\$389.04
Repairs based on SF(Servpro):		\$20,612.74
State Farm paid:		(\$10,000.00)
Contents claimed:		
Towels (6)	\$114.00	
Shower Curtains (2)	\$64.00	
Bath Floor Mats (4)	\$83.00	
Shop Vac	\$70.00	
Pet Carrier/Stroller	\$100.00	
Skeleton	\$80.00	
Christmas Pillows (2)	\$60.00	
Christmas Table Cloth	\$40.00	
Christmas Door Mat	\$35.00	
Christmas Wreath	\$45.00	
Ornaments (4)	\$80.00	
Gutter Shingle Clips	\$6.00	
Christmas Lights (4)	\$150.00	
Italian Décor Picture	\$60.00	
Pi Beta Phi Bookmark	\$5.00	
Pi Beta Phi Hat	\$25.00	
Pi Beta Phi Purse	\$30.00	
Pi Beta Phi Planner	\$10.00	
Pi Beta Phi Door Décor	\$10.00	
Pi Beta Phie Key Chains	\$15.00	
Pi Beta Phi Jar	\$20.00	
Pi Beta Phi License Plate	\$12.00	
Pi Beta Phi Décor (4)	\$60.00	
Jeans	\$85.00	
Floral arrangement	\$43.79	
	\$1,302.79	\$1,302.79
Plumber		
Replace no hub couplings	\$540	
Quote/service charge	\$59	
	\$599	\$599.00
Damaged tile		
and shower adjustment	\$1,000	\$1,000.00
		\$20,841.35
Paid to Servpro		\$6,587.78
Paid to WFC, Inc.		\$350.00
Pay to Kelsey		\$13,903.57

January 20, 2017

Daniel H Kelsey
2333 N Juneway Ter
Fayetteville AR 72703-2916

Sub Fire
PO Box 106173
Atlanta GA 30348-6173

RE: Claim Number: 04-9M17-559
 Our Insured: Daniel H Kelsey
 Date of Loss: November 20, 2016

Dear Daniel H Kelsey:

State Farm is waiving any subrogation rights against the City of Fayetteville and is now closing your claim.

If you have any questions or need additional information, please call me at the number listed below. If I am not available, any other member of my team may assist you.

Sincerely,

Ben Hamm
Claim Specialist
(877) 787-8276 Ext. 2059444918
Fax: (866) 847-0049

State Farm Fire and Casualty Company

RECEIVED

JAN 5 2017

CITY OF FAYETTEVILLE
MAYOR'S OFFICE

December 22, 2016

City Administration Bldg., Mayor's Office
113 W Mountain St
Fayetteville AR 72701-6083

Sub Fire
PO Box 106173
Atlanta GA 30348-6173

Certified Mail - Return Receipt Requested

RE: Claim Number: 04-9M17-559
 Our Insured: Daniel H Kelsey
 Date of Loss: November 20, 2016
 Your Insured: City Of Fayetteville
 Loss Location: 2333 N Juneway Ter, Fayetteville, AR

To Whom It May Concern:

Facts of Loss:

Final: City Of Fayetteville sewer department was clearing sewer clog in the line. Pressure forced sewage into our insured's home.

It is our understanding that you are self-insured. Our investigation indicates you are responsible for this claim. Therefore, we are seeking recovery from you. This letter is to notify you of our subrogation claim and request your cooperation in settling this matter.

To assist you in your review, here is a breakdown of the amounts State Farm® paid by Cause of Loss:

Building/Structure	\$10,000.00
Contents/Personal Property	\$
Additional Living Expenses	\$
Other	\$
Amount State Farm Paid	\$10,000.00
Insured Deductible	\$1,280.00 (absorbed)
Total Claim Amount	\$10,00.00

Based on the assessment of liability between the parties, State Farm Fire and Casualty Company is seeking 100% of the Total Claim Amount listed above. The amount payable to State Farm Fire and Casualty Company for this loss is \$10,000.00.

Please remit payment of this claim and include our claim number on the payment. If you have any questions or need additional information, please call me at the number listed below. If I am not available, any other member of my team may assist you. Thank you for your cooperation.



RBZ0006S

State Farm Fire and Casualty Company

Fire Payments by COL/Line

Route To: Annette Wilson

BASIC CLAIM INFORMATION

Claim Number: 04-9M17-559

Date of Loss: 11-20-2016

Policy Number: 04-BT-W481-2

Named Insured: KELSEY, DANIEL H

47 / 004 - SewerDrain Bldg

C denotes consolidated payment
E denotes EFT payment

<u>Payment Number</u>	<u>Issued Date</u>	<u>Participant</u>	<u>Trans Code</u>	<u>Pay Code</u>	<u>Rsn Cd</u>	<u>Status</u>	<u>Amount</u>	<u>Auth ID</u>
122312393J	12-05-2016	Named Insured(s)	D	1		Outstanding	\$10,000.00	C3DI
Total:							\$10,000.00	

CITY OF FAYETTEVILLE CLAIM FORM

INSTRUCTIONS: Complete this form and clearly state the reason for the claim, amount you are claiming, and attach appropriate documentation including receipts or three estimates. Additional sheets may be used. Please mail to or drop by the:

City Administration Bldg., Mayor's Office,
113 W. Mountain, Fayetteville, AR 72701 (479-575-8330)
Fax-479-575-8257

CLAIMANT INFORMATION:

NAME:

First, Middle, Last

State Farm Fire

STREET ADDRESS:

P.O. Box 106173

CITY, STATE & ZIP:

Atlanta, GA 30348

PHONE NO:

205 944 8040

SOCIAL SECURITY NO:-

04-9M17-559

INCIDENT INFORMATION:

Address of Occurrence:

2333 N Juneway Ter Fayetteville, AR 72703

Date of Occurrence:

11/20/2016

Nature of Occurrence:

Sewer

☒

Water

☐

Pothole

☐

Other

☐

Amount Being Claimed:

\$10,000.00

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

The City's sewer department was clearing sewer clog in the line. Pressure forced sewage into our insured's home.

Signature

Debra Yumil

Date

12/22/2016

Received by

Date Received

Referred To

Date

DEPARTMENT DIRECTOR

DATE

ACCEPTED

DENIED



RBZ000B6

State Farm Fire and Casualty Company

Fire Payments by Payee

Route To: Jenifer Ferrell

BASIC CLAIM INFORMATION

Claim Number: 04-9M17-559

Date of Loss: 11-20-2016

Policy Number: 04-BT-W481-2

Named Insured: KELSEY, DANIEL H

KELSEY, DANIEL H**Named Insured**

C denotes consolidated payment

E denotes EFT payment

<u>Payment Number</u>	<u>Issued Date</u>	<u>Participant</u>	<u>COL/ Line</u>	<u>Trans Code</u>	<u>Pay Code</u>	<u>Rsn Cd</u>	<u>Status</u>	<u>Amount</u>	<u>Auth ID</u>
122312393J	12-05-2016	Named Insured(s)	47/004	D	1		Outstanding	\$10,000.00	C3DI
Total:								\$10,000.00	















State Farm
P.O. Box 106169
Atlanta, GA 30348-6169
Phone: 1-844-458-4300
Fax: 1-844-236-3646

Structural Damage Claim Policy

When you have a covered structural damage claim to your real property, you should know:

- We want you to receive quality repair work to restore the damages to your property.
- We will provide you with a detailed estimate of the scope of the damage and costs of repairs. Should the contractor you select have questions concerning our estimate, they should contact your claim representative directly.
- Depending upon the complexity of your repair, our estimate may or may not include an allowance for general contractor's overhead and profit. If you have questions regarding general contractor's overhead and profit and whether general contractor services are appropriate for your loss, please contact your claim representative before proceeding with repairs.
- There may be building codes, ordinances, laws, or regulations that affect the repairs of your property. These items may or may not be covered by your policy. Please contact your claim representative if you have any questions regarding coverage which may be available under your policy.
- If you select a contractor whose estimate is the same as or lower than our estimate, based on the same scope of damages, we will pay based upon their estimate. If your contractor's estimate is higher than ours, you should contact your claim representative prior to beginning repairs.
- State Farm® cannot authorize any contractor to proceed with work on your property. Repairs should proceed only with your authorization.
- State Farm does not guarantee the quality of the workmanship of any contractor or guarantee that the work will be accomplished within any specific time frame.
- It is understood that the contractor is hired by you, our insured, and that they work for you - not State Farm.

If you have any questions or need additional information regarding your claim, please contact your claim representative immediately.



Building Estimate Summary Guide

This summary guide is based on a sample estimate and is provided for reference only.

Please refer to the estimate for specifics of your claim.

State Farm Insurance

Insured: Smith, Joe & Jane	Estimate: 00-0000-000
Property: 1 Main Street	Claim number: 00-0000-000
Anywhere, IL 00000-0000	Policy Number: 00-00-0000-0
Type of Loss: Other	Price List: ILBL8F_MAR 13
Deductible: \$1,000.00	Restoration/Service/ Remodel F = Factored In, D = Do Not Apply

Summary for Dwelling

Line Item Total [1]		5,953.10
Material Sales Tax	@ 10.000% x 1,520.00	
Subtotal		6,105.10
General Contractor Overhead [2]	@ 10.0% x 6,105.10	610.51
General Contractor Profit	@ 10.0% x 6,105.10	
Replacement Cost Value (Including General Contractor Overhead and Profit) [3]		7,326.12
Less Depreciation (Including Taxes) [4]		(832.50)
Less General Contractor Overhead & Profit on Recoverable &		
Non - recoverable Depreciation		(166.50)
Less Deductible [5]		
Net Actual Cash Value Payment [6]		

Maximum Additional Amounts Available If Incurred:

Total Line Item Depreciation (Including Taxes) [4]	832.50
Less Non - recoverable Depreciation (Including Taxes) [7]	
Subtotal	312.50
General Contractor O&P on Depreciation	166.50
Less General Contractor O&P on Non - recoverable Depreciation	
Subtotal	
Total Maximum Additional Amounts Available If Incurred [8]	
Total Amount of Claim If Incurred [9]	

Claim Representative

ALL AMOUNTS PAYABLE ARE SUBJECT TO THE TERMS, CONDITIONS AND LIMITS OF YOUR POLICY.

1. **Line Item Total** – Total value of all line items in the estimate plus possible adjustments for *labor minimums*. *Labor Minimum* is to cover a certain minimum number of hours for drive-time, set up time and applicable administrative costs and repairs.
2. **General Contractor's Overhead and Profit** – General contractor's charge for coordinating your repairs.
3. **Replacement Cost Value (RCV)** – Estimated cost to repair or replace damaged property.
4. **Depreciation** – The decrease in the value of property over a period of time due to wear, tear, condition, and obsolescence. A portion or all of this amount may be eligible for replacement cost benefits.
5. **Deductible** – The insurer will pay for losses, up to the policy limits, in excess of your applicable deductible.
6. **Net Actual Cash Value Payment (ACV)** – The repair or replacement cost of the damaged part of the property less *depreciation* and *deductible*.
7. **Non Recoverable Depreciation** – *Depreciation* applied to items that are not eligible for replacement cost benefits.
8. **Total Maximum Additional Amount if Incurred** – Total amount of recoverable depreciation after actual repair or replacement of the property.
9. **Total Amount of Claim if Incurred** – Total amount of the claim, including *net actual cash value payment* and *total maximum additional amount available if incurred*.

State Farm

KELSEY, DANIEL

04-9M17-559

Insured:	KELSEY, DANIEL	Estimate:	04-9M17-559
Property:	2333 N Juneway Ter	Claim Number:	049M17559
	Fayetteville, AR 72703-2916	Policy Number:	04-BT-W481-2
Home:	479-430-0233	Price List:	ARFA28_NOV16
Type of Loss:	Backup of Sewer or Drain		Restoration/Service/Remodel
Deductible:	\$1,280.00		
Date of Loss:	11/20/2016		
Date Inspected:	12/5/2016		

Summary for Coverage A - Dwelling - 47 Sewer and Drain Loss

Line Item Total	16,132.50
Material Sales Tax	168.48
Cleaning Matl Tax	3.32
Subtotal	16,304.30
General Contractor Overhead	1,630.48
General Contractor Profit	1,630.48
Service Sales Tax	1,047.48
Replacement Cost Value (Including General Contractor Overhead and Profit)	20,612.74
Less Depreciation (Including Taxes)	(1,234.02)
Less General Contractor Overhead & Profit on Recoverable & Non-recoverable Depreciation	(232.16)
Less Tax on General Contractor Overhead and Profit on Depreciation	(14.63)
Less Deductible	(1,280.00)
Less Amount Over Limit(s)	(7,851.93)
Net Actual Cash Value Payment	\$10,000.00

Maximum Additional Amounts Available If Incurred:

Total Line Item Depreciation (Including Taxes)	1,234.02
General Contractor O&P on Depreciation	232.16
Tax on General Contractor O&P on Depreciation	14.63
Replacement Cost Benefits	1,480.81
Less Amount Over Limit(s)	(1,480.81)
Total Maximum Additional Amount Available If Incurred	0.00
Total Amount of Claim If Incurred	\$10,000.00

Cutbirth, Lana
844-458-4300 x 2534287610
Huffman, Mark

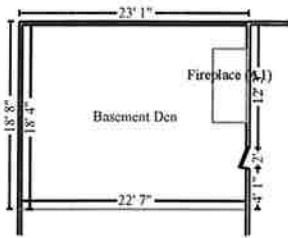
**ALL AMOUNTS PAYABLE ARE SUBJECT TO THE TERMS, CONDITIONS AND
LIMITS OF YOUR POLICY.**

State Farm

KELSEY, DANIEL

04-9M17-559

Basement



Basement Den

Height: 7' 4"

434.50 SF Walls	414.03 SF Ceiling
848.53 SF Walls & Ceiling	388.26 SF Floor
59.25 LF Ceil. Perimeter	59.25 LF Floor Perimeter

Missing Wall

22' 7" X 7' 4"

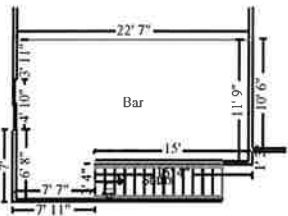
Opens into BAR

Door

2' X 6' 8"

Opens into CRAWLSPACE

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
1. Content Manipulation charge - per hour							
1.00 HR	28.05	0.00	5.62	33.67			33.67
2. Remove Carpet - per specs from independent carpet analysis							
343.26 SF	0.17	0.00	11.68	70.03			70.03
3. Carpet pad - per specs from independent pad analysis							
45.00 SF	0.78 *	4.10	7.02	46.22			46.22
4. Clean floor - tile							
388.26 SF	0.40	20.29	31.44	207.03			207.03
Clean tile under carpet							
5. Carpet - per specs from independent carpet analysis							
435.83 SF	2.46 *	125.44	214.42	1,412.00	3/10 yrs Avg.	(342.67) 30.00%	1,069.33
Totals: Basement Den		149.83	270.18	1,768.95		342.67	1,426.28



Bar

Height: 7' 4"

332.61 SF Walls	293.16 SF Ceiling
625.77 SF Walls & Ceiling	293.16 SF Floor
49.75 LF Ceil. Perimeter	44.92 LF Floor Perimeter

Missing Wall

3' 4" X 7' 4"

Opens into STAIRS

Missing Wall

22' 7" X 7' 4"

Opens into BASEMENT_DEN

Door

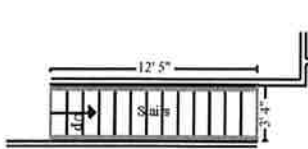
4' 10" X 6' 8"

Opens into Exterior

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
6. Clean floor - tile							
293.16 SF	0.40	15.31	23.74	156.31			156.31

CONTINUED - Bar

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
Totals: Bar		15.31	23.74	156.31		0.00	156.31



Stairs

Height: 16' 4"

304.21 SF Walls	41.39 SF Ceiling
345.60 SF Walls & Ceiling	70.42 SF Floor
24.83 LF Ceil. Perimeter	29.10 LF Floor Perimeter

Missing Wall

3' 4" X 16' 4"

Opens into BAR

Missing Wall

3' 4" X 16' 4"

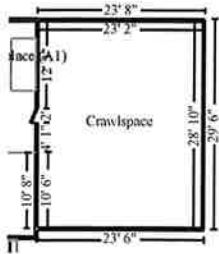
Opens into Exterior

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
7. Remove Carpet - per specs from independent carpet analysis							
70.42 SF	0.17	0.00	2.40	14.37			14.37
8. Remove Carpet pad - per specs from independent pad analysis							
70.42 SF	0.08	0.00	1.12	6.75			6.75
9. Carpet pad - per specs from independent pad analysis							
70.42 SF	0.78 *	6.43	10.98	72.34	3.25/10 yrs Avg.	(21.71) 32.50%	50.63
10. Carpet - per specs from independent carpet analysis							
100.83 SF	2.46 *	29.02	49.60	326.66	3.25/10 yrs Avg.	(85.88) 32.50%	240.78
11. Step charge for "waterfall" carpet installation							
14.00 EA	3.60	5.89	10.08	66.37			66.37
Totals: Stairs		41.34	74.18	486.49		107.59	378.90

State Farm

KELSEY, DANIEL

04-9M17-559



Crawlspace

Height: 7' 4"

762.67 SF Walls	667.97 SF Ceiling
1,430.64 SF Walls & Ceiling	667.97 SF Floor
104.00 LF Ceil. Perimeter	104.00 LF Floor Perimeter

Door

2' X 6' 8"

Opens into BASEMENT_DEN

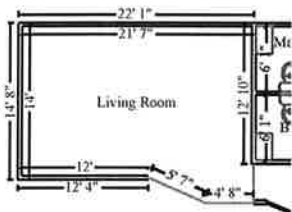
QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
12. Batt insulation - 4" - R13 - paper faced							
200.00 SF	0.59	8.00	25.20	151.20			151.20
13. Detach & Reset Cast iron pipe (no-hub) with fitting and hanger, 3"							
16.00 LF	33.13	0.00	106.02	636.10			636.10
For repair of couplings							
Totals: Crawlspace		8.00	131.22	787.30		0.00	787.30

Area Totals: Basement

1,833.99 SF Walls	1,416.55 SF Ceiling	3,250.53 SF Walls and Ceiling
1,419.81 SF Floor	1,456.97 Total Area	237.27 LF Floor Perimeter
1,419.81 Floor Area	146.25 Exterior Perimeter of Walls	237.83 LF Ceil. Perimeter
1,186.53 Exterior Wall Area		1,438.72 Interior Wall Area

Total: Basement	214.48	499.32	3,199.05	450.26	2,748.79
------------------------	---------------	---------------	-----------------	---------------	-----------------

Main Level



Living Room

Height: 8'

482.96 SF Walls	319.95 SF Ceiling
802.91 SF Walls & Ceiling	319.95 SF Floor
60.37 LF Ceil. Perimeter	60.37 LF Floor Perimeter

Missing Wall

5' 6 13/16" X 8'

Opens into Exterior

Missing Wall

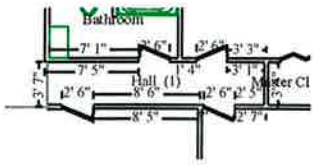
4' 8" X 8'

Opens into Exterior

State Farm

KELSEY, DANIEL

04-9M17-559



Subroom: Hall (1)

Height: 8'

308.67 SF Walls	59.79 SF Ceiling
368.46 SF Walls & Ceiling	59.79 SF Floor
38.58 LF Ceil. Perimeter	38.58 LF Floor Perimeter

Door	2' 6" X 6' 8"	Opens into MASTER_BEDRO
Door	2' 6" X 6' 8"	Opens into BATHROOM
Missing Wall	3' 7" X 8'	Opens into LIVING_ROOM
Door	2' 6" X 6' 8"	Opens into Exterior
Door	2' 6" X 6' 8"	Opens into OFFICE

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
14. Content Manipulation charge - per hour							
2.00 HR	28.05	0.00	11.22	67.32			67.32
15. Detach & Reset Quarter round - 3/4"							
98.95 LF	0.86	0.10	17.04	102.24			102.24
16. Seal & paint baseboard w/cap &/or shoe - two coats							
98.95 LF	1.09	1.93	21.96	131.75	3/15 yrs Avg.	(5.21) 20.00%	126.54
17. 1/2" - drywall per LF - up to 4 inches tall							
1.00 LF	1.46	0.01	0.30	1.77			1.77
18. Mask and prep for paint - plastic, paper, tape (per LF)							
38.58 LF	0.87	0.86	6.90	41.32			41.32
19. Seal/prime then paint the surface area (2 coats)							
308.67 SF	0.59	4.51	37.32	223.95	3/15 yrs Avg.	(12.20) 20.00%	211.75
20. Remove Engineered wood floor - specs from independent analysis							
327.58 SF	1.45	0.00	95.00	569.99			569.99
21. Underlayment - 3/4" particle board							
52.16 SF	1.30	4.02	14.36	86.19			86.19
22. Vapor barrier - 15# felt							
52.16 SF	0.21	1.28	2.20	14.43			14.43
23. Engineered wood floor - specs from independent analysis							
379.74 SF	8.35 *	370.99	634.16	4,175.98	3/50 yrs Avg.	(182.76) 6.00%	3,993.22
24. Add for glued down application over wood substrate							
327.58 SF	1.85	0.00	121.20	727.22			727.22
25. Add for glued down application over wood substrate							
379.74 SF	1.16	51.54	88.10	580.14			580.14
26. R&R T- molding - for wood flooring							
17.50 LF	6.02	11.82	21.08	138.26	3/25 yrs Avg.	(14.46) 12.00%	123.80
Totals: Living Room		447.06	1,070.84	6,860.56		214.63	6,645.93

State Farm

KELSEY, DANIEL

04-9M17-559



Office

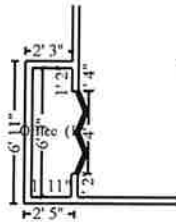
Height: 8'

357.24 SF Walls	143.59 SF Ceiling
500.84 SF Walls & Ceiling	143.59 SF Floor
47.99 LF Ceil. Perimeter	43.99 LF Floor Perimeter

Door

2' 6" X 6' 8"

Opens into HALL



Subroom: Office (1)

Height: 8'

104.00 SF Walls	11.98 SF Ceiling
115.98 SF Walls & Ceiling	11.98 SF Floor
16.33 LF Ceil. Perimeter	12.33 LF Floor Perimeter

Door

4' X 6' 8"

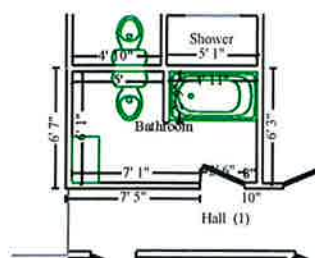
Opens into OFFICE

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
27. Content Manipulation charge - per hour							
1.50 HR	28.05	0.00	8.42	50.50			50.50
28. Detach & Reset Quarter round - 3/4"							
56.32 LF	0.86	0.05	9.70	58.19			58.19
29. Seal & paint baseboard w/cap &/or shoe - two coats							
56.32 LF	1.09	1.10	12.50	74.99	3/15 yrs Avg.	(2.97) 20.00%	72.02
30. Remove Engineered wood floor - specs from independent analysis							
155.57 SF	1.45	0.00	45.12	270.70			270.70
31. Engineered wood floor - specs from independent analysis							
155.57 SF	8.35 *	151.98	259.80	1,710.79	3/50 yrs Avg.	(74.86) 6.00%	1,635.93
32. Add for glued down application over wood substrate							
155.57 SF	3.01	21.11	93.66	583.03			583.03
Totals: Office		174.24	429.20	2,748.20		77.83	2,670.37

State Farm

KELSEY, DANIEL

04-9M17-559



Bathroom

Height: 8'

211.95 SF Walls	61.37 SF Ceiling
273.31 SF Walls & Ceiling	44.51 SF Floor
38.24 LF Ceil. Perimeter	23.99 LF Floor Perimeter

Door

2' 6" X 6' 8"

Opens into HALL

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
33. Detach & Reset Tub/shower faucet							
1.00 EA	59.34	0.00	11.86	71.20			71.20
34. R&R Bathtub							
1.00 EA	698.08	35.41	146.70	880.19	48/50 yrs Avg.	(382.68) 80.00%	497.51
Fiberglass tub damaged during removal for mitigation							
35. 1/2" drywall - hung, taped, floated, ready for paint							
2.00 SF	1.31	0.09	0.54	3.25			3.25
36. Mask and prep for paint - plastic, paper, tape (per LF)							
38.24 LF	0.87	0.86	6.84	40.97			40.97
37. Seal/prime then paint the walls (2 coats)							
211.95 SF	0.59	3.10	25.64	153.79	3/15 yrs Avg.	(8.38) 20.00%	145.41
38. Vapor barrier - 15# felt							
44.51 SF	0.21	1.09	1.88	12.32	48/15 yrs Avg.	(2.35) 80.00%	9.97
39. Underlayment - 3/4" particle board							
44.51 SF	1.30	3.43	12.26	73.55	48/150 yrs Avg.	(14.81) 32.00%	58.74
40. 1/4" Cement board							
44.51 SF	2.67	13.91	23.76	156.51	3/100 yrs Avg.	(2.38) 3.00%	154.13
41. Tile floor covering							
44.51 SF	6.82	35.52	60.72	399.80	3/100 yrs Avg.	(6.68) 3.00%	393.12
42. Baseboard - 3 1/4"							
23.99 LF	2.08	2.34	10.44	62.68	3/150 yrs Avg.	(0.63) 2.00%	62.05
43. Seal & paint baseboard - two coats							
23.99 LF	0.89	0.23	4.32	25.90	3/15 yrs Avg.	(0.63) 20.00%	25.27
44. R&R 1/4" Cement board							
67.38 SF	3.18	8.87	44.64	267.77			267.77
45. R&R Tile tub surround - 60 to 75 SF							
1.00 EA	928.04	38.95	193.42	1,160.41	3/150 yrs Avg.	(10.53) 2.00%	1,149.88

State Farm

KELSEY, DANIEL

04-9M17-559

CONTINUED - Bathroom

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
46. Vanity - High grade							
2.42 LF	146.83	29.49	76.96	461.78	3/50 yrs Avg.	(23.90) 6.00%	437.88
47. Countertop - solid surface/granite - Reset							
2.58 SF	7.92	0.00	4.08	24.51			24.51
48. (Install) Sink faucet - Bathroom							
1.00 EA	50.43	0.00	10.08	60.51			60.51
49. Toilet - Reset							
1.00 EA	97.00	0.48	19.50	116.98			116.98
Totals: Bathroom		173.77	653.64	3,972.12		452.97	3,519.15



Master Bedroom

Height: 8'

382.67 SF Walls	163.54 SF Ceiling
546.21 SF Walls & Ceiling	163.54 SF Floor
51.17 LF Ceil. Perimeter	47.17 LF Floor Perimeter

Door

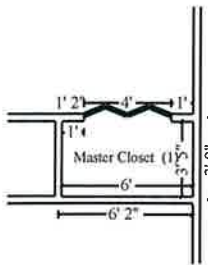
2' 4" X 6' 8"

Opens into MASTER_BATH

Door

2' 6" X 6' 8"

Opens into HALL



Subroom: Master Closet (1)

Height: 8'

124.01 SF Walls	20.50 SF Ceiling
144.51 SF Walls & Ceiling	20.50 SF Floor
18.83 LF Ceil. Perimeter	14.83 LF Floor Perimeter

Door

4' X 6' 8"

Opens into MASTER_BEDRO

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
50. Content Manipulation charge - per hour							
1.50 HR	28.05	0.00	8.42	50.50			50.50
51. Vapor barrier - 15# felt							
48.26 SF	0.21	1.19	2.02	13.34	48/15 yrs Avg.	(2.53) 80.00%	10.81

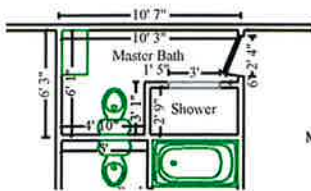
State Farm

KELSEY, DANIEL

04-9M17-559

CONTINUED - Master Bedroom

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
52. Underlayment - 3/4" particle board							
48.26 SF	1.30	3.72	13.28	79.74	48/150 yrs Avg.	(16.07) 32.00%	63.67
53. Baseboard - 2 1/4"							
10.67 LF	1.73	0.73	3.84	23.03	3/150 yrs Avg.	(0.20) 2.00%	22.83
54. Seal & paint baseboard - two coats							
62.00 LF	0.89	0.60	11.16	66.94	3/15 yrs Avg.	(1.64) 20.00%	65.30
55. Remove Carpet - per specs from independent carpet analysis							
50.00 SF	0.17	0.00	1.70	10.20			10.20
56. Carpet pad - per specs from independent pad analysis							
50.00 SF	0.47 *	2.75	4.70	30.95	3.25/10 yrs Avg.	(8.78) 32.50%	22.17
57. Carpet - per specs from independent carpet analysis							
227.33 SF	2.87 *	76.33	130.48	859.25	3.25/10 yrs Avg.	(233.53) 32.50%	625.72
Totals: Master Bedroom		85.32	175.60	1,133.95		262.75	871.20



Master Bath

Height: 8'

241.33 SF Walls	45.73 SF Ceiling
287.06 SF Walls & Ceiling	45.73 SF Floor
32.67 LF Ceil. Perimeter	29.67 LF Floor Perimeter

Door 2' 4" X 6' 8" **Opens into MASTER_BEDRO**
Missing Wall - Goes to Floor 3' X 6' 8" **Opens into SHOWER**

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
58. Detach & Reset Toilet							
1.00 EA	158.26	0.48	31.76	190.50			190.50
59. Detach & Reset Sink faucet - Bathroom							
1.00 EA	77.59	0.00	15.52	93.11			93.11
60. Detach & Reset Countertop - Granite or Marble							
5.17 SF	13.88	0.00	14.36	86.12			86.12
61. Detach & Reset Vanity - High grade							
2.42 LF	31.65	0.00	15.32	91.91			91.91

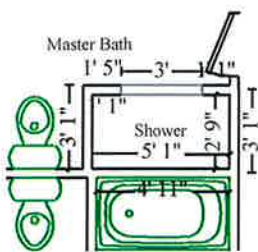
State Farm

KELSEY, DANIEL

04-9M17-559

CONTINUED - Master Bath

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
62. 1/2" - drywall per LF - up to 2' tall							
6.00 LF	4.91	0.59	6.02	36.07			36.07
63. Mask and prep for paint - plastic, paper, tape (per LF)							
32.67 LF	0.87	0.73	5.82	34.97			34.97
64. Seal/prime then paint the walls (2 coats)							
241.33 SF	0.59	3.53	29.18	175.09	3/15 yrs Avg.	(9.53) 20.00%	165.56
65. 1/4" Cement board							
45.73 SF	2.67	14.28	24.42	160.80	3/100 yrs Avg.	(2.43) 3.00%	158.37
66. Tile floor covering							
45.73 SF	6.82	36.49	62.38	410.75	3/100 yrs Avg.	(6.86) 3.00%	403.89
67. Baseboard - 3 1/4"							
29.67 LF	2.08	2.89	12.92	77.52	3/150 yrs Avg.	(0.77) 2.00%	76.75
68. Seal & paint baseboard - two coats							
29.67 LF	0.89	0.29	5.34	32.04	3/15 yrs Avg.	(0.79) 20.00%	31.25
Totals: Master Bath		59.28	223.04	1,388.88		20.38	1,368.50



Shower

Height: 8'

105.12 SF Walls	13.91 SF Ceiling
119.03 SF Walls & Ceiling	13.91 SF Floor
15.64 LF Ceil. Perimeter	12.64 LF Floor Perimeter

Missing Wall - Goes to Floor

3' X 6' 8"

Opens into MASTER_BATH

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
69. R&R Ceramic/porcelain tile							
13.91 SF	8.82	5.45	25.64	153.78	2/150 yrs Avg.	(0.98) 1.33%	152.80
Shower floor							
70. R&R Tile framed shower curb - per LF							
3.00 LF	59.84	5.64	37.02	222.18	2/150 yrs Avg.	(1.01) 1.33%	221.17

State Farm

KELSEY, DANIEL

04-9M17-559

CONTINUED - Shower

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
Totals: Shower		11.09	62.66	375.96		1.99	373.97
Area Totals: Main Level							
2,317.95	SF Walls		840.36	SF Ceiling		3,158.31	SF Walls and Ceiling
823.50	SF Floor		918.60	Total Area		283.58	LF Floor Perimeter
823.50	Floor Area		154.84	Exterior Perimeter of Walls		319.83	LF Ceil. Perimeter
1,311.72	Exterior Wall Area					2,343.89	Interior Wall Area
Total: Main Level		950.76	2,614.98	16,479.67		1,030.55	15,449.12

Debris Removal

0.00	SF Walls		0.00	SF Ceiling		0.00	SF Walls & Ceiling
0.00	SF Floor		0.00	SF Short Wall		0.00	LF Floor Perimeter
0.00	SF Long Wall					0.00	LF Ceil. Perimeter

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
71. Dumpster load - Approx. 12 yards, 1-3 tons of debris							
1.00	EA	461.82	54.04	92.36	608.22		608.22
Totals: Debris Removal		54.04	92.36	608.22		0.00	608.22

Labor Minimums Applied

QUANTITY	UNIT PRICE	TAX	GCO&P	RCV	AGE/LIFE CONDITION	DEPREC. DEP %	ACV
72. Framing labor minimum							
1.00	EA	38.18	0.00	7.64	45.82		45.82
73. Insulation labor minimum							
1.00	EA	61.08	0.00	12.22	73.30		73.30
74. Drywall labor minimum							
1.00	EA	172.24	0.00	34.44	206.68		206.68
Totals: Labor Minimums Applied		0.00	54.30	325.80		0.00	325.80

Line Item Totals: 04-9M17-559	1,219.28	3,260.96	20,612.74		1,480.81	19,131.93
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State Farm

KELSEY, DANIEL

04-9M17-559

Grand Total Areas:

4,151.93 SF Walls	2,256.91 SF Ceiling	6,408.85 SF Walls and Ceiling
2,243.31 SF Floor		520.84 LF Floor Perimeter
		557.66 LF Ceil. Perimeter
2,243.31 Floor Area	2,375.58 Total Area	3,782.61 Interior Wall Area
2,498.24 Exterior Wall Area	301.09 Exterior Perimeter of Walls	

Trade Summary

Includes all applicable Tax, General Contractor O&P, and Labor Minimums

DESCRIPTION	LINE ITEM QTY	REPL. COST TOTAL	GCO&P	ACV	NON-REC. DEPREC.	MAX ADDL. AMT AVAIL.
CAB CABINETRY						
Detach & Reset Countertop - Granite or Marble	5.17 SF	\$86.12	\$14.36	\$86.12	\$0.00	\$0.00
Countertop - solid surface/granite - Reset	2.58 SF	\$24.51	\$4.08	\$24.51	\$0.00	\$0.00
Vanity - High grade	2.42 LF	\$461.78	\$76.96	\$437.88	\$0.00	\$23.90
Detach & Reset Vanity - High grade	2.42 LF	\$91.91	\$15.32	\$91.91	\$0.00	\$0.00
TOTAL CABINETRY		\$664.32	\$110.72	\$640.42	\$0.00	\$23.90
CLN CLEANING						
Clean floor - tile	681.42 SF	\$363.34	\$55.18	\$363.34	\$0.00	\$0.00
TOTAL CLEANING		\$363.34	\$55.18	\$363.34	\$0.00	\$0.00
CON CONTENT MANIPULATION						
Content Manipulation charge - per hour	6.00 HR	\$201.99	\$33.68	\$201.99	\$0.00	\$0.00
TOTAL CONTENT MANIPULATION		\$201.99	\$33.68	\$201.99	\$0.00	\$0.00
DMO GENERAL DEMOLITION						
Dumpster load - Approx. 12 yards, 1-3 tons of debris	1.00 EA	\$608.22	\$92.36	\$608.22	\$0.00	\$0.00
TOTAL GENERAL DEMOLITION		\$608.22	\$92.36	\$608.22	\$0.00	\$0.00
DRY DRYWALL						
1/2" drywall - hung, taped, floated, ready for paint	2.00 SF	\$3.25	\$0.54	\$3.25	\$0.00	\$0.00
1/2" - drywall per LF - up to 2' tall	6.00 LF	\$36.07	\$6.02	\$36.07	\$0.00	\$0.00
1/2" - drywall per LF - up to 4 inches tall	1.00 LF	\$1.77	\$0.30	\$1.77	\$0.00	\$0.00
Drywall labor minimum	1.00 EA	\$206.68	\$34.44	\$206.68	\$0.00	\$0.00
TOTAL DRYWALL		\$247.77	\$41.30	\$247.77	\$0.00	\$0.00
FCC FLOOR COVERING - CARPET						
Carpet - per specs from independent carpet analysis	536.66 SF	\$1,738.66	\$264.02	\$1,310.11	\$0.00	\$428.55
Carpet - per specs from independent carpet analysis	227.33 SF	\$859.25	\$130.48	\$625.72	\$0.00	\$233.53
Remove Carpet - per specs from independent carpet analysis	463.68 SF	\$94.60	\$15.78	\$94.60	\$0.00	\$0.00
Carpet pad - per specs from independent pad analysis	50.00 SF	\$30.95	\$4.70	\$22.17	\$0.00	\$8.78
Carpet pad - per specs from independent pad analysis	115.42 SF	\$118.56	\$18.00	\$96.85	\$0.00	\$21.71
Remove Carpet pad - per specs from independent pad analysis	70.42 SF	\$6.75	\$1.12	\$6.75	\$0.00	\$0.00
Step charge for "waterfall" carpet installation	14.00 EA	\$66.37	\$10.08	\$66.37	\$0.00	\$0.00

Note: Slight variances may be found within report sections due to rounding

Date: 12/7/2016 11:18 AM

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Trade Summary

Includes all applicable Tax, General Contractor O&P, and Labor Minimums

DESCRIPTION	LINE ITEM QTY	REPL. COST TOTAL	GCO&P	ACV	NON-REC. DEPREC.	MAX ADDL. AMT AVAIL.
FCC FLOOR COVERING - CARPET						
TOTAL FLOOR COVERING - CARPET		\$2,915.14	\$444.18	\$2,222.57	\$0.00	\$692.57
FCT FLOOR COVERING - CERAMIC TILE						
Tile floor covering	90.24 SF	\$810.55	\$123.10	\$797.01	\$0.00	\$13.54
1/4" Cement board	90.24 SF	\$317.31	\$48.18	\$312.50	\$0.00	\$4.81
TOTAL FLOOR COVERING - CERAMIC TILE		\$1,127.86	\$171.28	\$1,109.51	\$0.00	\$18.35
FCW FLOOR COVERING - WOOD						
Vapor barrier - 15# felt	144.93 SF	\$40.09	\$6.10	\$35.21	\$0.00	\$4.88
Add for glued down application over wood substrate	155.57 SF	\$583.03	\$93.66	\$583.03	\$0.00	\$0.00
Add for glued down application over wood substrate	379.74 SF	\$580.14	\$88.10	\$580.14	\$0.00	\$0.00
Add for glued down application over wood substrate	327.58 SF	\$727.22	\$121.20	\$727.22	\$0.00	\$0.00
R&R T- molding - for wood flooring	17.50 LF	\$138.26	\$21.08	\$123.80	\$0.00	\$14.46
Engineered wood floor - specs from independent analysis	535.31 SF	\$5,886.77	\$893.96	\$5,629.15	\$0.00	\$257.62
Remove Engineered wood floor - specs from independent analysis	483.15 SF	\$840.69	\$140.12	\$840.69	\$0.00	\$0.00
TOTAL FLOOR COVERING - WOOD		\$8,796.20	\$1,364.22	\$8,519.24	\$0.00	\$276.96
FNC FINISH CARPENTRY / TRIMWORK						
Baseboard - 2 1/4"	10.67 LF	\$23.03	\$3.84	\$22.83	\$0.00	\$0.20
Baseboard - 3 1/4"	53.66 LF	\$140.20	\$23.36	\$138.80	\$0.00	\$1.40
Detach & Reset Quarter round - 3/4"	155.27 LF	\$160.43	\$26.74	\$160.43	\$0.00	\$0.00
TOTAL FINISH CARPENTRY / TRIMWORK		\$323.66	\$53.94	\$322.06	\$0.00	\$1.60
FRM FRAMING & ROUGH CARPENTRY						
Framing labor minimum	1.00 EA	\$45.82	\$7.64	\$45.82	\$0.00	\$0.00
Underlayment - 3/4" particle board	144.93 SF	\$239.48	\$39.90	\$208.60	\$0.00	\$30.88
TOTAL FRAMING & ROUGH CARPENTRY		\$285.30	\$47.54	\$254.42	\$0.00	\$30.88
INS INSULATION						
Batt insulation - 4" - R13 - paper faced	200.00 SF	\$151.20	\$25.20	\$151.20	\$0.00	\$0.00
Insulation labor minimum	1.00 EA	\$73.30	\$12.22	\$73.30	\$0.00	\$0.00
TOTAL INSULATION		\$224.50	\$37.42	\$224.50	\$0.00	\$0.00
PLM PLUMBING						
Detach & Reset Cast iron pipe (no-hub) with fitting and hanger, 3"	16.00 LF	\$636.10	\$106.02	\$636.10	\$0.00	\$0.00

Note: Slight variances may be found within report sections due to rounding

Date: 12/7/2016 11:18 AM

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Trade Summary

Includes all applicable Tax, General Contractor O&P, and Labor Minimums

DESCRIPTION	LINE ITEM QTY	REPL. COST TOTAL	GCO&P	ACV	NON-REC. DEPREC.	MAX ADDL. AMT AVAIL.
PLM PLUMBING						
(Install) Sink faucet - Bathroom	1.00 EA	\$60.51	\$10.08	\$60.51	\$0.00	\$0.00
Detach & Reset Sink faucet - Bathroom	1.00 EA	\$93.11	\$15.52	\$93.11	\$0.00	\$0.00
Detach & Reset Toilet	1.00 EA	\$190.50	\$31.76	\$190.50	\$0.00	\$0.00
Toilet - Reset	1.00 EA	\$116.98	\$19.50	\$116.98	\$0.00	\$0.00
Detach & Reset Tub/shower faucet	1.00 EA	\$71.20	\$11.86	\$71.20	\$0.00	\$0.00
R&R Bathtub	1.00 EA	\$880.19	\$146.70	\$497.51	\$0.00	\$382.68
TOTAL PLUMBING		\$2,048.59	\$341.44	\$1,665.91	\$0.00	\$382.68
PNT PAINTING						
Seal & paint baseboard - two coats	115.66 LF	\$124.88	\$20.82	\$121.82	\$0.00	\$3.06
Seal & paint baseboard w/cap &/or shoe - two coats	155.27 LF	\$206.74	\$34.46	\$198.56	\$0.00	\$8.18
Mask and prep for paint - plastic, paper, tape (per LF)	109.49 LF	\$117.26	\$19.56	\$117.26	\$0.00	\$0.00
Seal/prime then paint (2 coats)	761.95 SF	\$552.83	\$92.14	\$522.72	\$0.00	\$30.11
TOTAL PAINTING		\$1,001.71	\$166.98	\$960.36	\$0.00	\$41.35
TIL TILE						
R&R Ceramic/porcelain tile	13.91 SF	\$153.78	\$25.64	\$152.80	\$0.00	\$0.98
R&R 1/4" Cement board	67.38 SF	\$267.77	\$44.64	\$267.77	\$0.00	\$0.00
R&R Tile framed shower curb - per LF	3.00 LF	\$222.18	\$37.02	\$221.17	\$0.00	\$1.01
R&R Tile tub surround - 60 to 75 SF	1.00 EA	\$1,160.41	\$193.42	\$1,149.88	\$0.00	\$10.53
TOTAL TILE		\$1,804.14	\$300.72	\$1,791.62	\$0.00	\$12.52
TOTALS		\$20,612.74	\$3,260.96	\$19,131.93	\$0.00	\$1,480.81

Note: Slight variances may be found within report sections due to rounding

Date: 12/7/2016 11:18 AM

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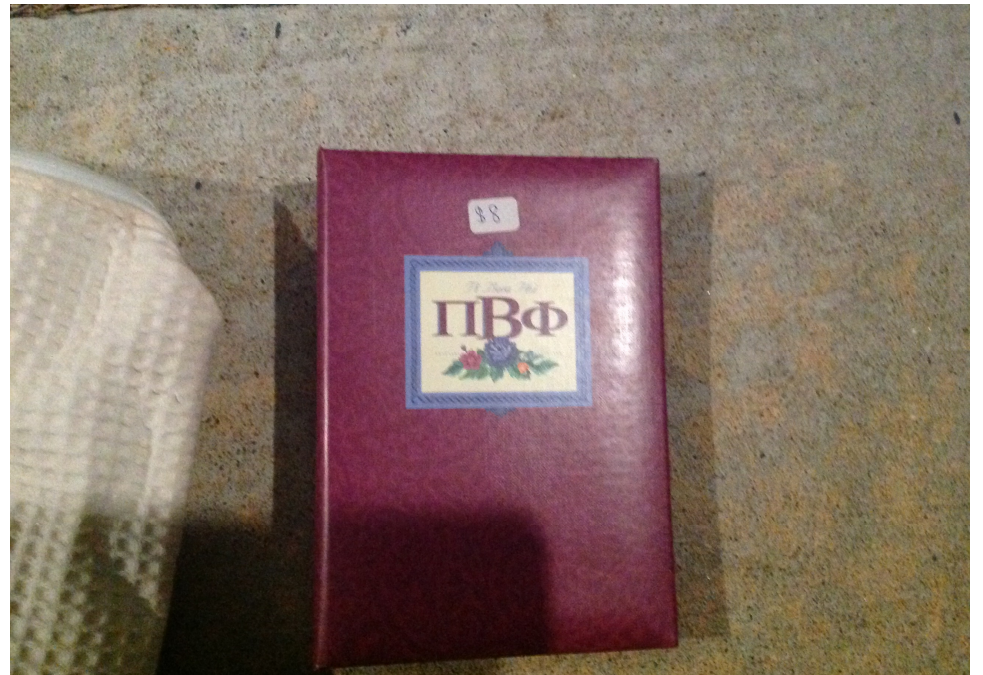


SPECIALTY EQUIP		Y	N	LIST
DEBRIS REMOVED		Y	N	# OF TRUCKLOADS
% AFFECTED	AM/DH	ROOM	NOTES	
			2 CHRISTMAS PILLOWS	
			1 TABLECLOTH	
			1 DOORMAT	
			WEATH	
			2 ORNAMENTS	
			2 SILVER CHRISTMAS BELLS	
			1 GUTTER SHINGLE CLIPS	
			4 STRINGS OF CHRISTMAS LIGHTS	
			ITALIAN TILE PICTURE	
			1 PI PHI BOOKMARK	
			1 PI BETA PHI PILLOW	
			HAT	
			PURSE	
			PLANNER	
			1 DOOR KNOB HANGER	
			2 KEY CHAINS	
			1 COOKIE JAR	
			4 PLACARDS	
			LICENSE PLATE HOLDER	
			1 FLOOR MAT	
			1 TOWEL	

















City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0014

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 11

LAKE SEQUOYAH DREDGING FACILITIES:

A RESOLUTION TO APPROVE A NEW CAPITAL PROJECT FOR CONTINUED CONSTRUCTION OF DREDGING FACILITIES AT LAKE SEQUOYAH, AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$503,242.00 TO FUND THE PROJECT

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 new capital project for continued construction of dredging facilities at Lake Sequoyah by City staff.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution, in the amount of \$503,242.00 to fund the project.

City of Fayetteville Staff Review Form

2017-0014

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander

1/12/2017

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A RESOLUTION APPROVING A NEW CAPITAL PROJECT TO BE CREATED FOR THE CONTINUED CONSTRUCTION OF DREDGING FACILITIES AT LAKE SEQUOYAH AND APPROVING A BUDGET ADJUSTMENT OF \$503,242.00 TO MOVE BUDGETED FUNDS TO THE NEW CAPITAL PROJECT.

Budget Impact:

5400.720.5600-5808.00

Water/Sewer

Account Number

Fund

17004.1

Lake Sequoyah Sediment Removal/Dredging
Project

Project Number

Project Title

Budgeted Item? No

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? Yes

Item Cost \$ 503,242.00

Budget Adjustment Attached? Yes

Budget Adjustment \$ 503,242.00

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

MEETING OF FEBRUARY 7, 2017

TO: Mayor and City Council

FROM: Tim Nyander, Utilities Director

DATE: January 12, 2017

SUBJECT: Approval to Perform a Budget Adjustment in the amount of \$503,242.00 and create a Capital Project for the Continued Construction of Dredging Facilities at Lake Sequoyah

RECOMMENDATION:

City Staff recommends approval of performing a budget adjustment of \$503,242.00 and creating a capital project for the continued construction of dredging facilities at Lake Sequoyah

BACKGROUND:

For the past four years, CH2M has had contained in their Operations, Maintenance and Management Services Contract funding for the initiation of a full-scale dredging project for Lake Sequoyah (sediment removal). These four years have been focused on the design and construction of project infrastructure which included the purchase and placement of access bridges, temporary dredging activities to accumulate material for berm construction, and one or two redesigns of areas within the project.

DISCUSSION:

Utilities staff believes that the continuation of the infrastructure aspect of this project will be better served if the City takes over the remaining construction needs in-house. We feel that greater economies of scale cost advantages can be achieved in the bidding, procurement, engineering and inspection of the project by utilizing various city staff members.

City staff is requesting the creation of a Capital Project to continue with this dredging project. A budget adjustment of \$503,242.00 will remove the 2017 Lake Sequoyah funding, currently in the Wastewater Treatment Plants Operating Budget, and place the funds in a new Lake Sequoyah Capital Project.

This item was presented to the Water, Sewer & Solid Waste Committee on January 10, 2017, and was approved 3-0 to be forwarded to the City Council.

BUDGET/STAFF IMPACT:

Funds for the Lake Sequoyah Sediment Removal/Dredging Project are budgeted within the Wastewater Treatment Plant 2017 operational budget. A budget adjustment is attached to move the budgeted funds to a new capital project for the continued construction of dredging facilities at Lake Sequoyah.

Attachments:

Staff Review Form
Budget Adjustment

Budget Year	Division	Adjustment Number
2017	WATER SEWER (720)	
	/Org2	
	Requestor: Cheryl Partain	

A budget adjustment is needed to move budgeted funds within the Wastewater Treatment Plant operational budget to set up a new capitol project for continued dredging facilities at Lake Sequoyah.

	COUNCIL DATE:	2/7/2017
	LEGISTAR FILE ID#:	2017-0014
	<i>Barbara Fell</i> 1/24/2017 7:20 AM	
	Budget Director	Date
	TYPE:	
	DESCRIPTION:	
	GLDATE:	
	POSTED:	/
RESOLUTION/ORDINANCE		

[illegible]



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0048

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 12

FAYETTEVILLE RENTALS, LLC:

A RESOLUTION TO APPROVE A 50/50 COST SHARE AGREEMENT WITH FAYETTEVILLE RENTALS, LLC FOR CONSTRUCTION OF A SEWER MAIN ALONG A PORTION OF SOUTH STREET BETWEEN SOUTH COLLEGE AVENUE AND SOUTH WASHINGTON AVENUE AT A TOTAL ESTIMATED COST OF \$10,174.86 INCLUDING A 20% PROJECT CONTINGENCY

WHEREAS, Fayetteville Rentals, LLC has requested that the City construct and share in the cost of constructing an 8-inch sewer main along a portion of South Street between South College Avenue and South Washington Avenue, a distance of approximately 100 feet, so Fayetteville Rentals may develop property located on South Street; and

WHEREAS, construction of the sewer main will allow Fayetteville Rentals to develop the property, will extend sewer service to an area in the core of the City that has never been served before, and also allow for ample future capacity which the City recognizes will be necessary for the area that is served by this sewer main; and

WHEREAS, § 51.113 of the Fayetteville City Code provides that “the City shall pay the excess material cost of facilities of a size larger than required to serve subdivisions when such excess size is specified and required by the Water and Wastewater Director for the general benefit of the sewerage system.”

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 cost share agreement with Fayetteville Rentals, LLC for construction of a sewer main along a portion of South Street between South College Avenue and South Washington Avenue, with the total project cost of \$10,174.86, including a 20% project contingency, to be shared equally between the City and Fayetteville Rentals, LLC.

City of Fayetteville Staff Review Form

2017-0048

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander

1/23/2017

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A RESOLUTION TO APPROVE A 50/50 COST SHARE AGREEMENT WITH FAYETTEVILLE RENTALS, LLC FOR CONSTRUCTION OF A SEWER MAIN ALONG A PORTION OF SOUTH STREET BETWEEN SOUTH COLLEGE AVENUE AND SOUTH WASHINGTON AVENUE AT A TOTAL COST OF \$10,174.86

Budget Impact:

5400.720.5700-5815.00

Water/Sewer

Account Number

Fund

04039.1

Water/Sewer Impact Fee Cost Sharing Project

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 1,270,594.00

Funds Obligated \$ 104,270.60

Current Balance \$ 1,166,323.40

Does item have a cost? Yes

Item Cost \$5,087.43

Budget Adjustment Attached? No

Budget Adjustment \$ -

Remaining Budget \$ 1,161,235.97

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 7, 2017

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Water & Sewer Committee

FROM: Tim Nyander, Utilities Director

DATE: January 20, 2017

SUBJECT: Cost Share Agreement with Fayetteville Rentals, LLC

RECOMMENDATION:

Staff recommends approval of a cost-share agreement between the City of Fayetteville and Fayetteville Rentals, LLC, to share the costs of installing a sewer main on South Street between S. College Avenue and S. Washington Avenue. The estimated total cost of the project is \$8,479.05, with a 20% contingency. The city's portion is one-half the estimated project cost and contingency, in the amount of is \$5,087.43.

BACKGROUND:

Fayetteville Rentals, LLC has requested that the City construct and share in the cost of installing an 8-inch sewer main on a portion of South Street between S. College Avenue and S. Washington Avenue, a distance of approximately 100 feet, so that Fayetteville Rentals may further develop the property adjacent to South Street, as well as provide sewer in the City's core that has never been served before.

DISCUSSION:

This cost share is providing sewer service to an infill project, increasing the population density in this area. This area is not currently provided with sewer service. The addition of the 8-inch sewer main will allow for ample future capacity which will be necessary for that area.

BUDGET/STAFF IMPACT:

The Water & Sewer Division will be able to provide the labor and equipment needed without impeding upon the overall mission of the Utilities Department.

Attachments:

Staff Review Form
Cost Share Agreement
Map of Area

CONTRACTUAL AGREEMENT FOR
COST SHARE OF SEWER MAIN INSTALLATION COSTS

This Agreement, made and entered into on this _____ day of February, 2017, by and between the City of Fayetteville, Arkansas ("City") and Fayetteville Rentals, LLC (Fayetteville Rentals), witnesseth:

WHEREAS, Fayetteville Rentals has requested that the City construct and share in the cost of constructing an 8-inch sewer main along a portion of South Street between South College Ave. and South Washington Avenue, a distance of approximately 100 feet, so that Fayetteville Rentals may further develop the property adjacent to South St.; and

WHEREAS, constructing this segment of 8-inch main will allow Fayetteville Rentals to develop the property, will extend sewer service to an area in the core of the City that has never been served before, and also allow for ample future capacity which the City recognizes will be necessary for the area that is served by this sewer main; and

WHEREAS, § 51.113 of the Fayetteville City Code provides that "the City shall pay the excess material cost of facilities of a size larger than required to service subdivisions when such excess size is specified and required by the water and wastewater director for the general benefit of the sewerage system."

NOW, THEREFORE, the City of Fayetteville, Arkansas and Fayetteville Rentals agree as follows:

1. The City of Fayetteville, Arkansas agrees to:
 - A. Furnish the labor, materials, and equipment to install approximately 100 linear feet of 8-inch sewer main on South Street between South College Ave. and South Washington Avenue.
 - B. Bear any costs associated with the sewer main installation that exceed the amount Fayetteville Rentals agrees to pay below.
2. Fayetteville Rentals agrees to:
 - A. Reimburse the City for one-half of the cost of the sewer main installation up to a maximum-not-to-exceed amount of **\$5,087.43** which represents one-half of the project cost and one-half of the contingency cost estimated by the City of Fayetteville.
 - B. Make payment to the City of Fayetteville prior to the start of the project.

**IN AGREEMENT WITH ALL THE TERMS AND CONDITIONS ABOVE, WE
SIGN BELOW:**

FAYETTEVILLE RENTALS, LLC

**CITY OF FAYETTEVILLE,
ARKANSAS**

By: _____

MORGAN HOOKER as the
Authorized Member of Pine Tree
Investments, LLC, an authorized
Member of Fayetteville Rentals, LLC

1/23/17

By: _____

LIONELD JORDAN, Mayor

ATTEST:

ATTEST:

By: _____

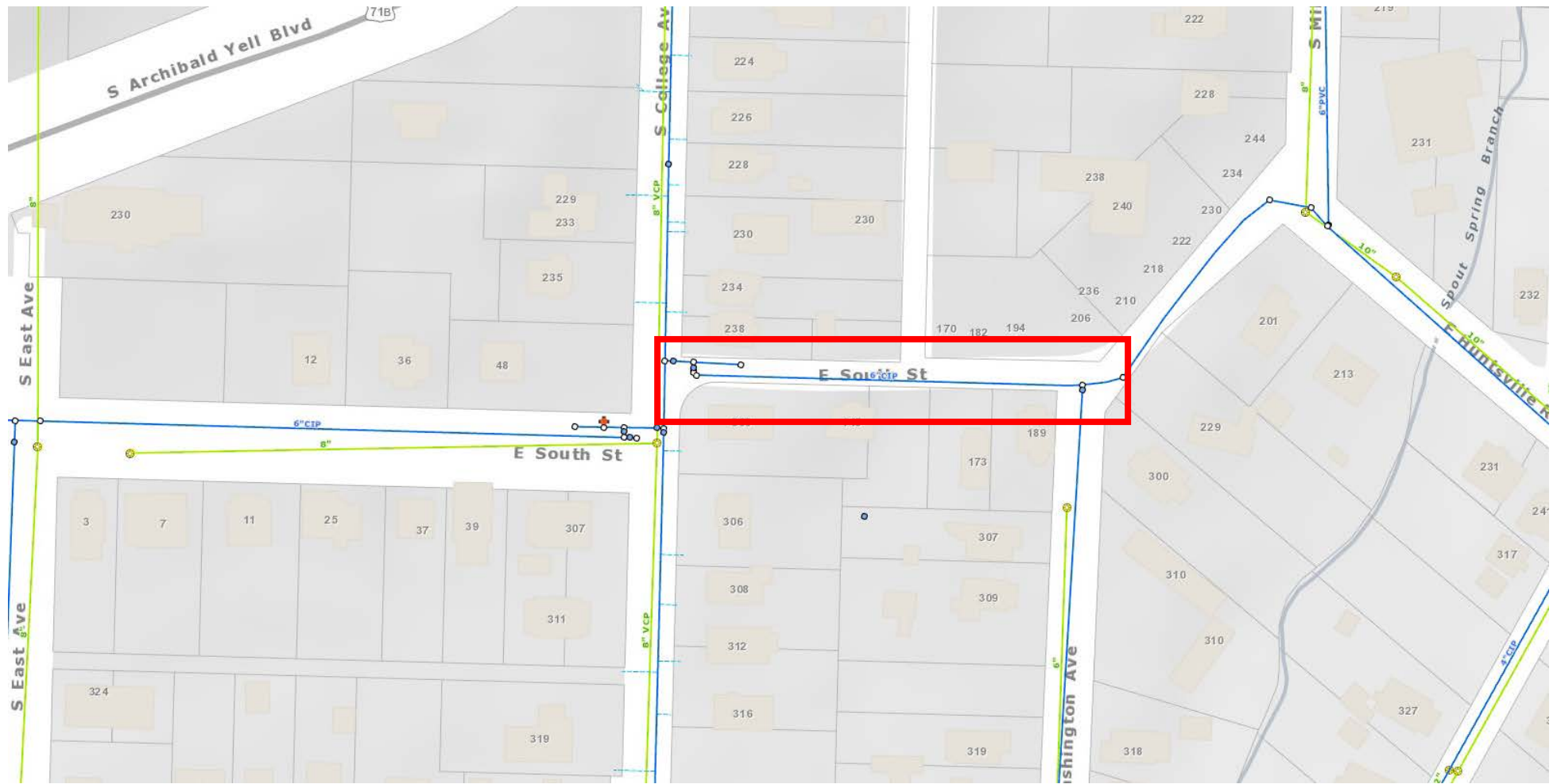
By: _____

SONDRA SMITH, City Clerk

[Signature] 1/23/17



Map of Area





City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0040

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: A. 13

BID NO. 17-22 BLUE RIBBON LAWNS, INC.:

A RESOLUTION TO AWARD BID NO. 17-22 AND AUTHORIZE A CONTRACT WITH BLUE RIBBON LAWNS, INC. IN THE AMOUNT OF \$169,810.24 FOR THE INSTALLATION OF TREES AND SHRUBS WITHIN THE MEDIAN OF RUPPLE ROAD BETWEEN WEST PERSIMMON STREET AND WEST MARTIN LUTHER KING, JR. BOULEVARD, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby awards Bid No. 17-22 and authorizes a contract with Blue Ribbon Lawns, Inc. in the amount of \$169,810.24 for the installation of trees and shrubs within the median of Ruppel Road between West Persimmon Street and West Martin Luther King, Jr. Boulevard, and further approves a project contingency in the amount of \$15,000.00.

City of Fayetteville Staff Review Form

2017-0040

Legistar File ID

2/21/2017

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Chris Brown

1/19/2017

Engineering /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Awarding a construction contract in the amount of \$169,810.24 to Blue Ribbon Lawns, Inc. for the installation of trees and shrubs within the median of Ruppel Road from W Persimmon Street to W Martin Luther King Blvd (Bid #17-22) and approval of a project contingency of \$15,000.00

Budget Impact:

4520.800.9556-5809		4520-Sales Tax Construction Bond	
Account Number		Fund	
06035.2400		Transportation Bond Street Improvements	
Project Number		Project Title	
Budgeted Item?	Yes	Current Budget	\$ 426,191.00
		Funds Obligated	\$ 225,984.10
		Current Balance	\$ 200,206.90
Does item have a cost?	Yes	Item Cost	\$ 169,810.24
		Budget Adjustment	\$ -
Budget Adjustment Attached?	No	Remaining Budget	\$ 30,396.66

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 21, 2017

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director
Chris Brown, City Engineer

FROM: Alan Pugh, Staff Engineer

DATE: January 19, 2017

SUBJECT: Awarding a construction contract in the amount of \$169,810.24 to Blue Ribbon Lawns, Inc. for the installation of trees and shrubs within the median of Ruppel Road from W Persimmon Street to W Martin Luther King Blvd (Bid #17-22) and approval of a project contingency of \$15,000.00.

RECOMMENDATION:

Staff recommends awarding a construction contract in the amount of \$169,810.24 to Blue Ribbon Lawns, Inc. for the installation of trees and shrubs within the median of Ruppel Road from W Persimmon Street to W Martin Luther King Blvd (Bid #17-22) and approval of a project contingency of \$15,000.00.

BACKGROUND:

In 2015 the City Council approved the construction of Ruppel Road from W Persimmon Street to W Martin Luther King Blvd (Resolution 150-15). Although not included with the initial roadway improvements, the conceptual phase of the project had indicated the presence of trees within the median. In keeping with this concept, the City now desires to enhance the urban environment while increasing the aesthetics of the center median and aiding to calm traffic through the installation of trees and shrubs within the median islands as well as the roundabout areas.

DISCUSSION:

On January 19, 2017 the City received three (3) valid construction bids for the proposed tree planting. Blue Ribbon Lawns, Inc. submitted the low bid in the amount of \$169,810.24. For comparison purposes, the estimate for tree installation excluding contingency was \$188,250.00.

Based on the information included with the bid, Blue Ribbon Lawns, Inc. is a responsible bidder and appears to be capable of performing the work. However, the award will be contingent on the low bidder providing all of the required insurance and bonds in order to enter into a contract to complete the project. The contractor has approximately 75 calendar days from the notice to proceed in order to complete the work. The plans have been attached for your review.

BUDGET/STAFF IMPACT:

Funds remaining from the original Ruppel Road construction within the Transportation Bond Program is the proposed source of funding for the tree planting project. No additional funds are being requested at this time.

Attachments:

Bid Tab

Construction Contract

Construction Drawings

DOCUMENT 00500 – AGREEMENT

BETWEEN OWNER AND CONTRACTOR

Contract Name/Title: **Rupple Road, MLK to Persimmon Tree Planting**

Contract No.: _____

THIS AGREEMENT is dated as of the _____ day of _____ in the year 2017 by and between The City of Fayetteville, Arkansas and Blue Ribbon Lawns (hereinafter called Contractor).

ARTICLE 1 - WORK

- 1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The work under this Contract includes, but is not limited to:

Installation of approximately 194 trees along with areas of butterfly milkweed and wildflower mix with the associated edging and mulching to create completed planting areas along Rupple Road from W Martin Luther King Blvd to W Persimmon Street.

Refer to Section 00400-Bid Form for quantities:

ARTICLE 2 - ENGINEER

- 2.01 The Contract Documents have been prepared by THE CITY OF FAYETTEVILLE Engineering Division and assumes all duties and responsibilities, and has the rights and authority assigned to THE CITY OF FAYETTEVILLE in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

ARTICLE 3 - CONTRACT TIME

- 3.01 TIME OF THE ESSENCE:

- A. All time limits for milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

DOCUMENT 00500 – AGREEMENT (continued)

3.02 **DATES FOR SUBSTANTIAL COMPLETION AND FINAL PAYMENT:**

- A. The Work will be Substantially Completed within **60** calendar days after the date when the Contract Times commence to run as provided in the GENERAL CONDITIONS, and completed and ready for final payment in accordance with the GENERAL CONDITIONS within **75** calendar days after the date when the Contract Times commence to run.

3.03 **LIQUIDATED DAMAGES:**

- A. Owner and Contractor recognize that time is of the essence of this Agreement and that The City of Fayetteville will suffer financial loss if the Work is not completed within the time specified above, plus any extensions thereof allowed in accordance with the GENERAL CONDITIONS. The parties also recognize the delays, expense, and difficulties involved in proving the actual loss suffered by The City of Fayetteville if the Work is not Substantially Completed on time. Accordingly, instead of requiring any such proof, The City of Fayetteville and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay The City of Fayetteville Two Hundred Fifty Dollars (\$250.00) for each calendar day that expires after the time specified above in Paragraph 3.02 for Substantial Completion until the Work is Substantially Complete. After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the time specified in Paragraph 3.02 for completion and readiness for final payment or any proper extension thereof granted by The City of Fayetteville, Contractor shall pay The City of Fayetteville Two Hundred Fifty Dollars (\$250.00) for each calendar day that expires after the time specified for completion and readiness for final payment.

ARTICLE 4 - CONTRACT PRICE

- 4.01 The CITY OF FAYETTEVILLE agrees to pay, and the CONTRACTOR agrees to accept, as full and final compensation for all work done under this agreement, the amount based on the prices bid in the Proposal (BID FORM) which is hereto

DOCUMENT 00500 – AGREEMENT (continued)

attached, for the actual amount accomplished under each pay item, said payments to be made in lawful money of the United States at the time and in the manner set forth in the Specifications.

4.02 As provided in the General Conditions estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by ENGINEER as provided in the General Conditions. Unit prices have been computed as provided in the General Conditions.

4.03 Changes, modifications, or amendments in scope, price or fees to this contract shall not be allowed without a prior formal contract amendment approved by the Mayor and the City Council in advance of the change in scope, cost or fees.

ARTICLE 5 - PAYMENT PROCEDURES

5.01 SUBMITTAL AND PROCESSING OF PAYMENTS:

A. Contractor shall submit Applications for Payment in accordance with the GENERAL CONDITIONS. Applications for Payment will be processed by Engineer as provided in the GENERAL CONDITIONS.

5.02 PROGRESS PAYMENTS, RETAINAGE:

A. The City of Fayetteville shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment as recommended by Engineer, on or about the 15th day of each month during construction. All such payments will be measured by the schedule of values established in the GENERAL CONDITIONS (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no schedule of values, as provided in the General Requirements.

1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below, but, in each case, less the aggregate of payments previously made and less such

DOCUMENT 00500 – AGREEMENT (continued)

amounts as Engineer shall determine, or The City of Fayetteville may withhold, in accordance with the GENERAL CONDITIONS.

- a. 95% of Work Completed (with the balance being retainage). If Work has been 50% completed as determined by Engineer, and if the character and progress of the Work have been satisfactory to The City of Fayetteville and Engineer, The City of Fayetteville on recommendation of Engineer, may determine that as long as the character and progress of the Work subsequently remain satisfactory to them, there will be no additional retainage on account of Work subsequently completed, in which case the remaining progress payments prior to Substantial Completion will be an amount equal to 100% of the Work Completed less the aggregate of payments previously made; and
- b. 100% of Equipment and Materials not incorporated in the Work but delivered, suitably stored, and accompanied by documentation satisfactory to The City of Fayetteville as provided in the GENERAL CONDITIONS.

2. Upon Substantial Completion, The City of Fayetteville shall pay an amount sufficient to increase total payments to Contractor to 95% of the Contract Price (with the balance being retainage), less such amounts as Engineer shall determine, or The City of Fayetteville may withhold, in accordance with the GENERAL CONDITIONS.

5.03 FINAL PAYMENT:

- A. Upon final completion and acceptance of the Work in accordance with the GENERAL CONDITIONS, The City of Fayetteville shall pay the remainder of the Contract Price as recommended by Engineer and as provided in the GENERAL CONDITIONS.

DOCUMENT 00500 – AGREEMENT (continued)

ARTICLE 6 - CONTRACTOR'S REPRESENTATIONS

- 6.01 In order to induce The City of Fayetteville to enter into this Agreement, Contractor makes the following representations:
- A. Contractor has examined and carefully studied the Contract Documents including the Addenda and other related data identified in the Bid Documents.
 - B. Contractor has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, performance, and furnishing of the Work.
 - C. Contractor is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, performance, and furnishing of the Work.
 - D. Contractor has carefully studied all:
 - (1) Reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site; and
 - (2) Reports and drawings of a Hazardous Environmental Condition, if any, at the Site. Contractor acknowledges that The City of Fayetteville and Engineer do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Contract Documents with respect to Underground Facilities at or contiguous to the Site.
 - E. Contractor has obtained and carefully studied (or assumes responsibility of having done so) all such additional supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site or otherwise which may affect cost, progress, performance, and furnishing of

DOCUMENT 00500 – AGREEMENT (continued)

the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor and safety precautions and programs incident thereto.

- F. Contractor does not consider that any additional examinations, investigations, explorations, tests, studies, or data are necessary for the performing and furnishing of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.
- G. Contractor is aware of the general nature of work to be performed by The City of Fayetteville and others at the Site that relates to the Work as indicated in the Contract Documents.
- H. Contractor has correlated the information known to Contractor, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.
- I. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents and the written resolution thereof by Engineer is acceptable to Contractor.
- J. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 7 - CONTRACT DOCUMENTS

7.01 CONTENTS:

- A. The Contract Documents which comprise the entire Agreement between The City of Fayetteville and Contractor concerning the Work consist of the

DOCUMENT 00500 – AGREEMENT (continued)

following and may only be amended, modified, or supplemented as provided in the GENERAL CONDITIONS:

1. This Agreement.
2. Exhibits to this Agreement (enumerated as follows):
 - a. Notice to Proceed.
 - b. Contractor's Bid.
 - c. Documentation submitted by Contractor prior to Notice of Award.
3. Performance, Payment, and other Bonds.
4. General Conditions.
5. Supplementary Conditions.
6. Specifications consisting of divisions and sections as listed in table of contents of Project Manual.
7. Drawings consisting of a cover sheet and sheets as listed in the table of contents thereof, with each sheet bearing the following general title:

RUPPLE ROAD, MLK TO PERSIMMON TREE PLANTING
8. Addenda numbers 1, inclusive.
9. The following which may be delivered or issued after the Effective Date of the Agreement and are not attached hereto: All Written Amendments and other documents amending, modifying, or supplementing the Contract Documents pursuant to the GENERAL CONDITIONS.

DOCUMENT 00500 – AGREEMENT (continued)

ARTICLE 8 - MISCELLANEOUS

8.01 TERMS:

- A. Terms used in this Agreement which are defined in the GENERAL CONDITIONS shall have the meanings stated in the GENERAL CONDITIONS.

8.02 ASSIGNMENT OF CONTRACT:

- A. No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by Law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

8.03 SUCCESSORS AND ASSIGNS:

- A. The City of Fayetteville and Contractor each binds himself, his partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

8.04 SEVERABILITY:

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon The City of Fayetteville and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

DOCUMENT 00500 – AGREEMENT (continued)

8.05 **FREEDOM OF INFORMATION ACT:**

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

8.06 **LIENS:**

- A. **No liens against this construction project are allowed.** Arkansas law (A.C.A. §§18-44-501 through 508) prohibits the filing of any mechanics' of materialmen's liens in relation to this public construction project. Arkansas law requires and the contractor promises to provide and file with the Circuit Clerk of Washington County a bond in a sum equal to the amount of this contract. Any subcontractor or materials supplier may bring an action for non-payment or labor or material on the bond. The contractor promises to notify every subcontractor and materials supplier for this project of this paragraph and obtain their written acknowledgement of such notice prior to commencement of the work of the subcontractor or materials supplier.

IN WITNESS WHEREOF, The City of Fayetteville and Contractor have signed this Agreement in quadruplicate. One counterpart each has been delivered to Contractor and Engineer. Two counterparts each has been delivered to The City of Fayetteville. All portions of the Contract Documents have been signed, initialed, or identified by The City of Fayetteville and Contractor or identified by Engineer on their behalf.

DOCUMENT 00500 – AGREEMENT (continued)

This Agreement will be effective on _____, 20__, which is the
Effective Date of the Agreement.

CONTRACTOR _____ CITY OF FAYETTEVILLE _____
Blue Ribbon Lawns, Inc. _____
By: Cari De _____ By: _____
Title: CEO _____ Title: _____

(SEAL) (SEAL)
Attest Nat Ay _____ Attest _____
Address for giving notices Address for giving notices

Blue Ribbon Lawns, Inc. _____
PO Box 178, Lovell, AR 72745 _____
License No. 0133210417 _____
Agent for Service of process
Cari DeLaughter _____
(attach evidence of authority to
sign and resolution or other documents
authorizing execution of Agreement)

(If Contractor is a corporation,
attach evidence of authority to
sign.)

Approved As to Form:
By: _____
Attorney For: _____

END OF DOCUMENT 00500

CITY OF



CITY OF FAYETTEVILLE, ARKANSAS

Bid 17-22, Construction - Ruppel Rd Tree Planting

OFFICIAL BID TABULATION

BID OPENING: 01/19/2017; 2:00 PM

Certification of Funds: \$190,000.00

Max Bid Award Limit: \$237,500.00

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	ARCO Excavation & Paving, Inc.		Blue Ribbon Lawns, Inc.		B&A Property Maintenance	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Clearing, Grubbing, and Demolition	EA	1	\$ 12,000.00	\$ 12,000.00	\$ 15,279.00	\$ 15,279.00	\$ 17,247.00	\$ 17,247.00
2	Excavation and Embankment	EA	1,500	\$ 12.00	\$ 18,000.00	\$ 3.00	\$ 4,500.00	\$ 9.00	\$ 13,500.00
3	4" Topsoil Placement (Yard Areas)	EA	750	\$ 5.00	\$ 3,750.00	\$ 2.26	\$ 1,695.00	\$ 6.00	\$ 4,500.00
4	Fescue Sod	EA	750	\$ 5.00	\$ 3,750.00	\$ 5.99	\$ 4,492.50	\$ 4.50	\$ 3,375.00
5	Sign Relocation	EA	10	\$ 250.00	\$ 2,500.00	\$ 53.21	\$ 532.10	\$ 240.00	\$ 2,400.00
6	Traffic control and maintenance	EA	1	\$ 3,300.00	\$ 3,300.00	\$ 3,073.00	\$ 3,073.00	\$ 5,240.00	\$ 5,240.00
7	Mobilization (shall not to exceed 5% of total bid)	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 6,558.34	\$ 6,558.34	\$ 8,950.00	\$ 8,950.00
8	Bald Cypress (Taxodium distichum)	EA	23	\$ 275.00	\$ 6,325.00	\$ 321.02	\$ 7,383.46	\$ 363.00	\$ 8,349.00
9	Willow Oak (Quercus Phellos)	EA	53	\$ 275.00	\$ 14,575.00	\$ 348.46	\$ 18,468.38	\$ 398.00	\$ 21,094.00
10	Shorleaf Pine (Pinus echinata)	EA	21	\$ 275.00	\$ 5,775.00	\$ 268.89	\$ 5,646.69	\$ 359.00	\$ 7,539.00
11	American Hornbeam (Carpinus betulus)	EA	67	\$ 275.00	\$ 18,425.00	\$ 348.46	\$ 23,346.82	\$ 355.00	\$ 23,785.00
12	Ginkgo (Ginkgo biloba)	EA	29	\$ 375.00	\$ 10,875.00	\$ 350.84	\$ 10,174.36	\$ 398.00	\$ 11,542.00
13	Butterfly Milkweed (Asclepias tuberosa)	EA	30	\$ 50.00	\$ 1,500.00	\$ 224.99	\$ 6,749.70	\$ 331.00	\$ 9,930.00
14	Wildflower Mix	EA	25	\$ 50.00	\$ 1,250.00	\$ 62.41	\$ 1,560.25	\$ 59.00	\$ 1,475.00
15	Standard Seed Mix (Fescue/ rye)	EA	2	\$ 3,300.00	\$ 6,600.00	\$ 1,207.13	\$ 2,414.26	\$ 5,175.00	\$ 10,350.00
16	4" Gravel Mulch	EA	350	\$ 65.00	\$ 22,750.00	\$ 9.72	\$ 3,402.00	\$ 75.00	\$ 26,250.00
17	1/8" Steel Edging	EA	10,600	\$ 2.50	\$ 26,500.00	\$ 1.53	\$ 16,218.00	\$ 3.50	\$ 37,100.00
18	Watering (1st year)	EA	1	\$ 20,000.00	\$ 20,000.00	\$ 10,400.00	\$ 10,400.00	\$ 16,556.00	\$ 16,556.00
19	Watering (2nd year)	EA	1	\$ 20,000.00	\$ 20,000.00	\$ 10,400.00	\$ 10,400.00	\$ 18,676.00	\$ 18,676.00
20	Maintenance Bond	EA	1	\$ 5,000.00	\$ 5,000.00	\$ 5,273.49	\$ 5,273.49	\$ 5,865.00	\$ 5,865.00
21	Performance Bond	EA	1	\$ 3,000.00	\$ 3,000.00	\$ 5,273.49	\$ 5,273.49	\$ 2,932.00	\$ 2,932.00
22	Tree Replacement due to damage	EA	20	\$ 300.00	\$ 6,000.00	\$ 348.47	\$ 6,969.40	\$ 428.00	\$ 8,560.00
TOTAL BASE BID					\$ 213,875.00		\$ 169,810.24		\$ 265,215.00
*TOTAL BASE BID MINUS DEDUCTIVE ALTERNATE #1 OF 2					\$ 193,875.00		\$ 159,410.24		\$ 246,539.00
Line Item #19									
*TOTAL BASE BID MINUS DEDUCTIVE ALTERNATE #2 OF 2					\$ 173,875.00		\$ 149,010.24		\$ 229,983.00
Line Item #18									

*Highlighting Notes Corrected Calculation Error

CERTIFIED:

Andrea Rennie, CPPO, CPPB, Purchasing Manager

Witness

1/19/17

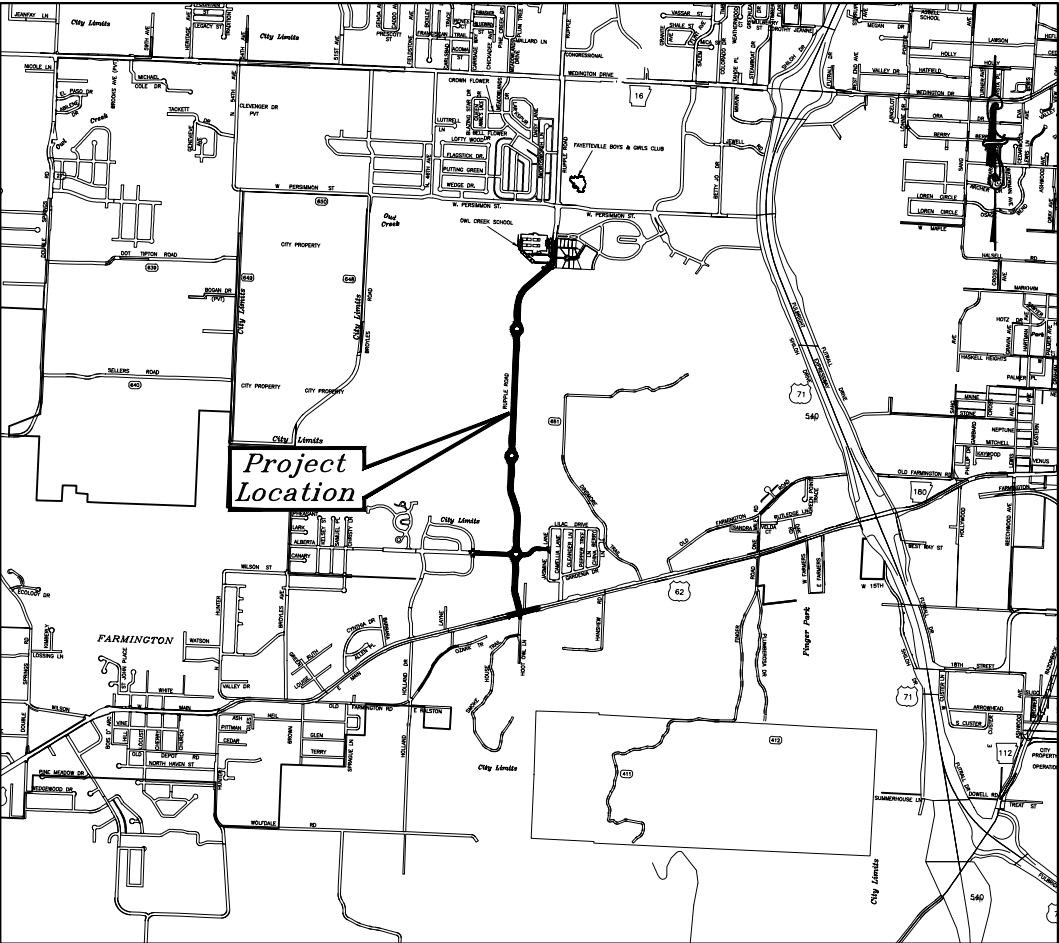
Date

RUPPLE ROAD TREE PLANTING

MLK BLVD. TO PERSIMMON ST.

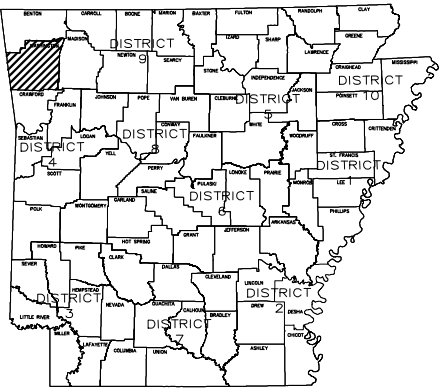
for the

City of Fayetteville



VICINITY MAP

PLAN INDEX	
SHEET NO.	DESCRIPTION
1	COVER & INDEX
2	PLAN SHEET
3	PLAN SHEET
4	PLAN SHEET
5	PLAN SHEET
6	PLAN SHEET
7	PLAN SHEET
8	LANDSCAPING DETAILS AND NOTES
TC-1	TRAFFIC CONTROL
TC-2	TRAFFIC CONTROL
TC-3	TRAFFIC CONTROL



ARK.HWY.DIST.NO.4



CITY OF

Fayetteville

ARKANSAS

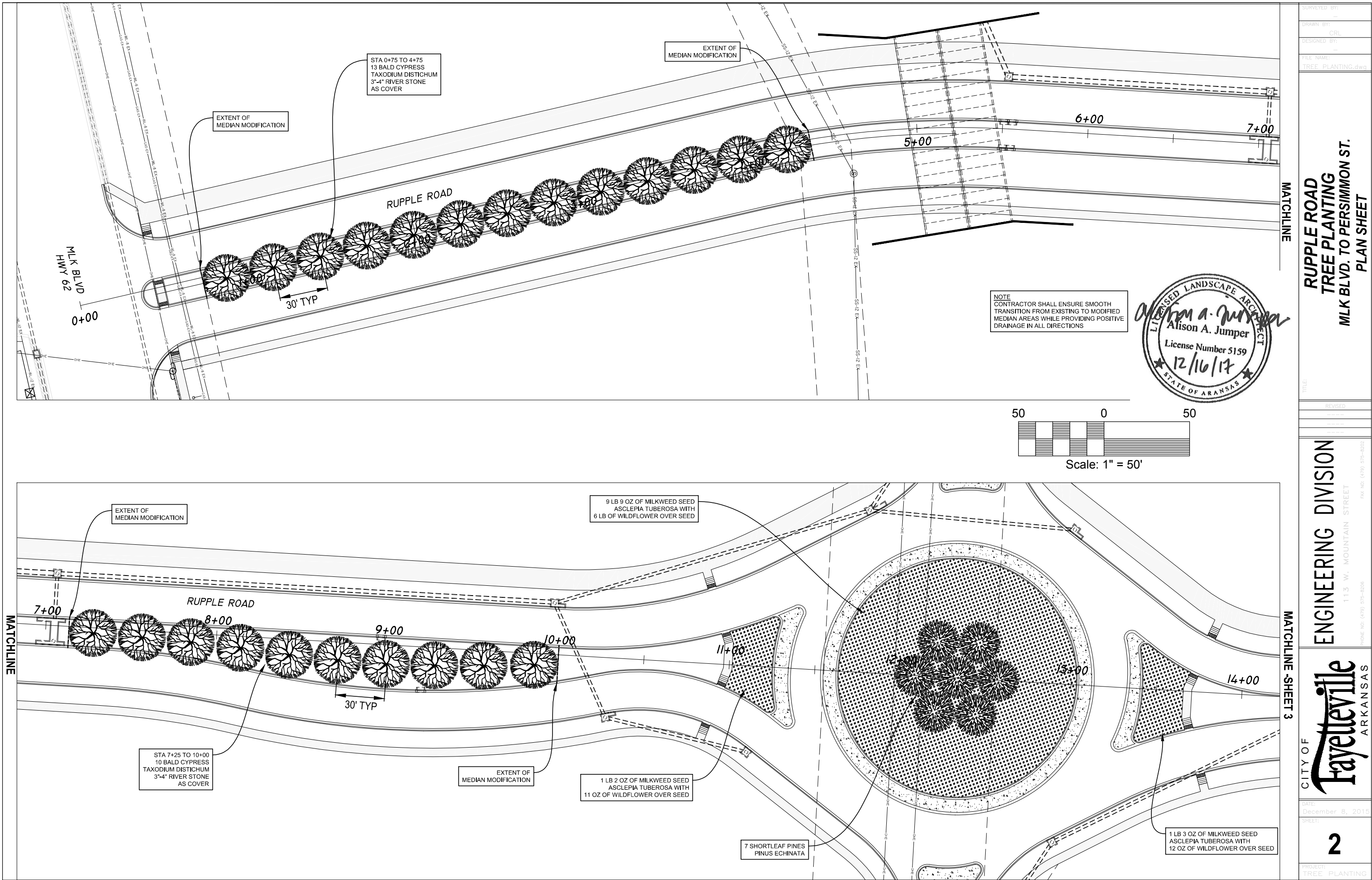
www.fayetteville-ar.gov

ENGINEERING DIVISION

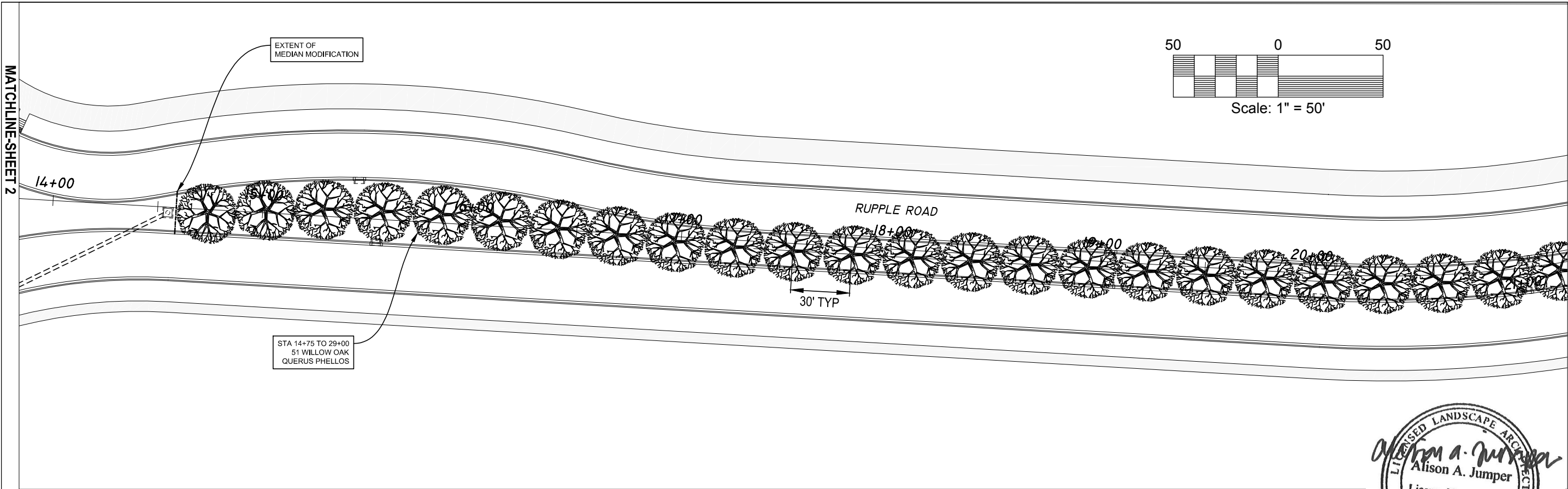
PHONE: (479) 575-8206 FAX NO: (479) 575-8202

PROJECT: ENGR. No. 8126

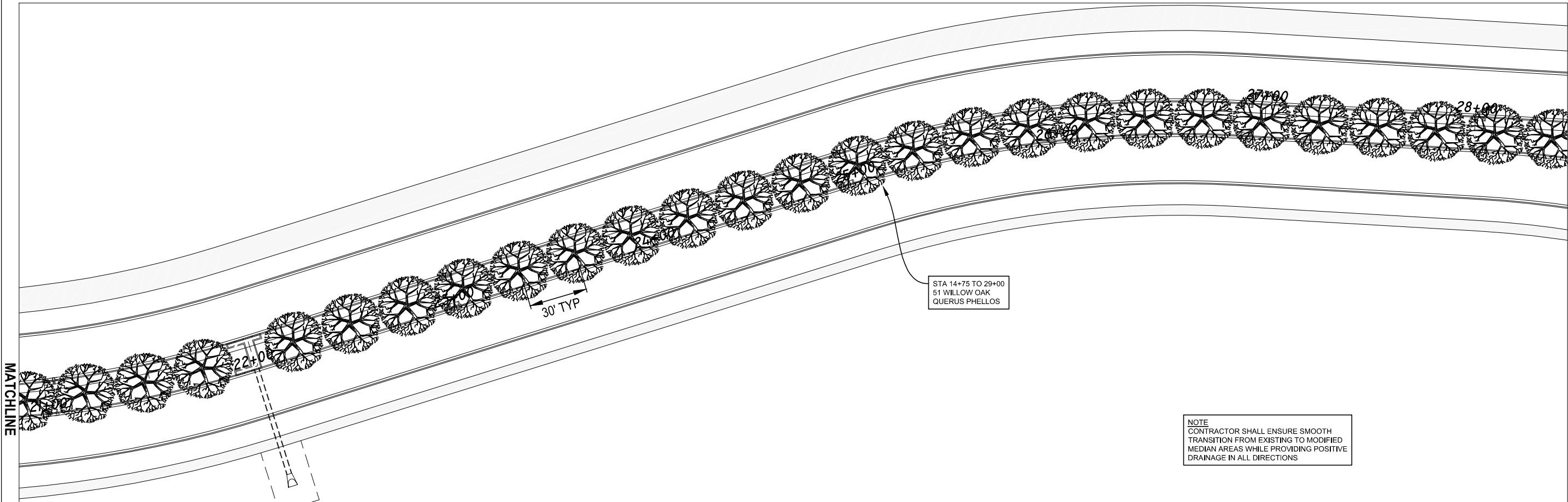




MATCHLINE-SHEET 2



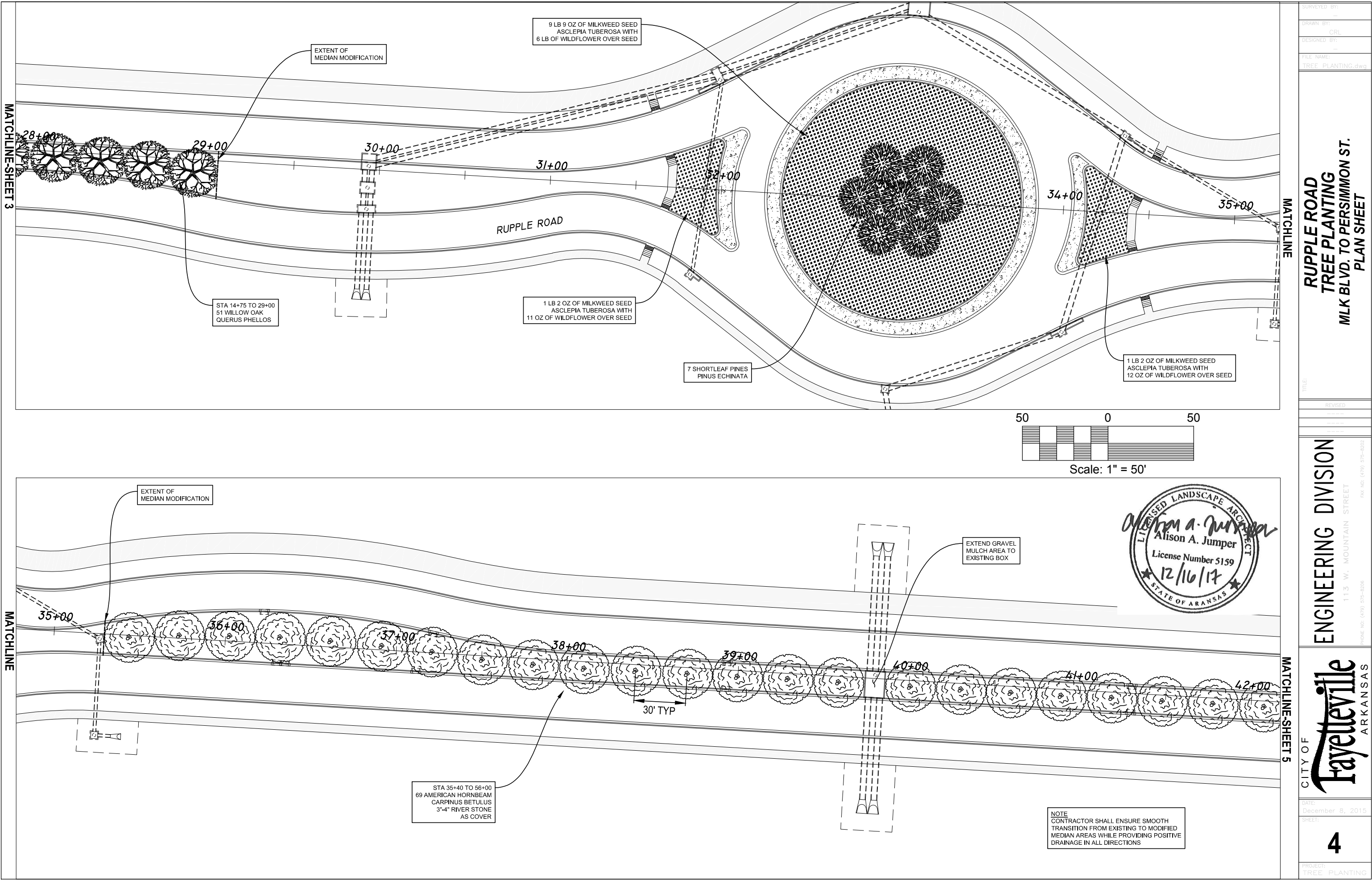
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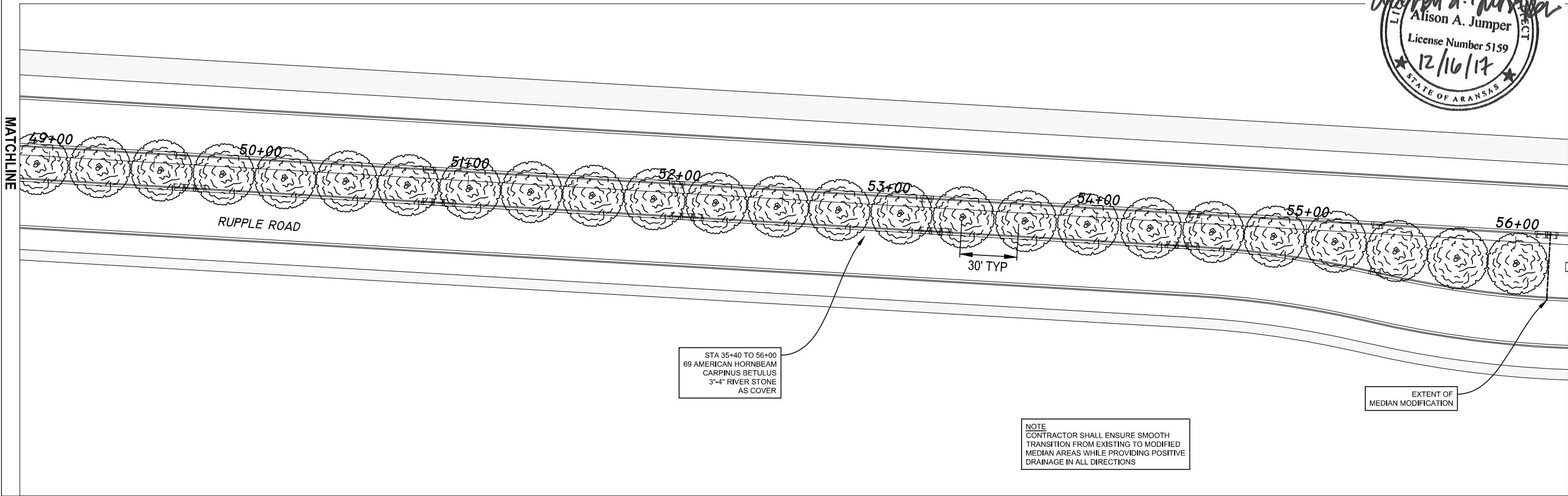
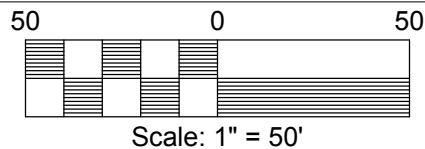
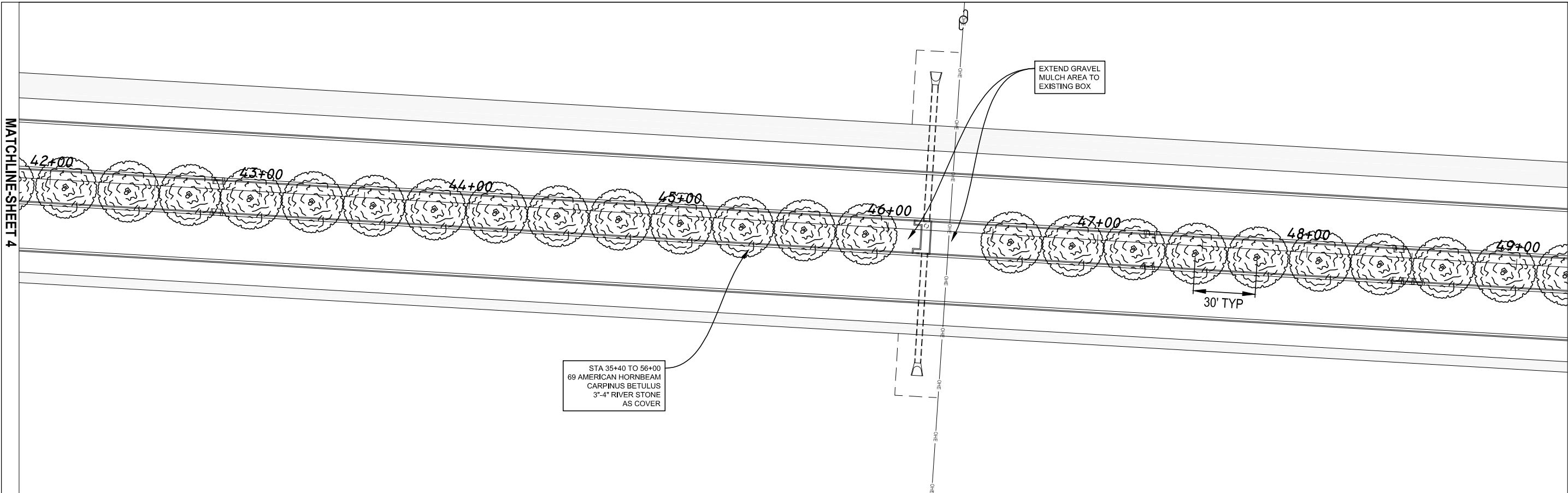


NOTE
CONTRACTOR SHALL ENSURE SMOOTH
TRANSITION FROM EXISTING TO MODIFIED
MEDIAN AREAS WHILE PROVIDING POSITIVE
DRAINAGE IN ALL DIRECTIONS

MATCHLINE

DESIGNED BY:	CRL
DRAWN BY:	CRL
FILE NAME:	TREE PLANTING.dwg
PROJECT:	RUPPLE ROAD TREE PLANTING MLK BLVD. TO PERSIMMON ST. PLAN SHEET
ENGINEERING DIVISION	113 W. MOUNTAIN STREET FAYETTEVILLE, ARKANSAS 72701 PHONE NO: (479) 375-6266 FAX NO: (479) 375-6262
CITY OF Fayetteville ARKANSAS	
DATE:	December 8, 2015
SHEET:	3
PROJECT:	TREE PLANTING





NOTE
CONTRACTOR SHALL ENSURE SMOOTH
TRANSITION FROM EXISTING TO MODIFIED
MEDIAN AREAS WHILE PROVIDING POSITIVE
DRAINAGE IN ALL DIRECTIONS

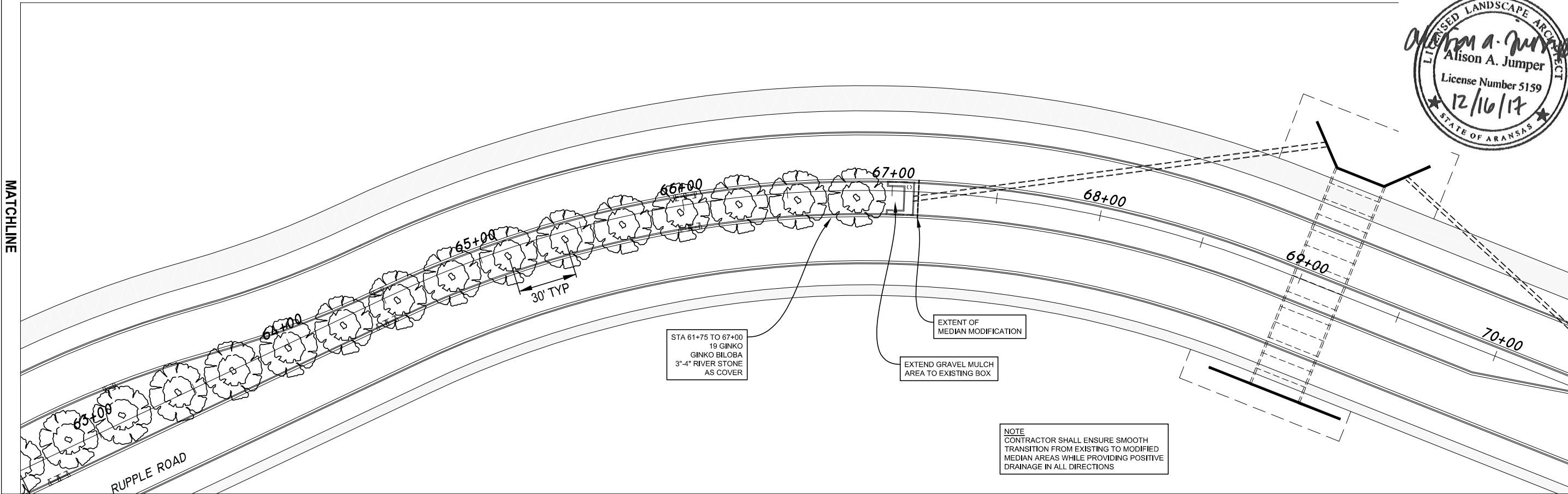
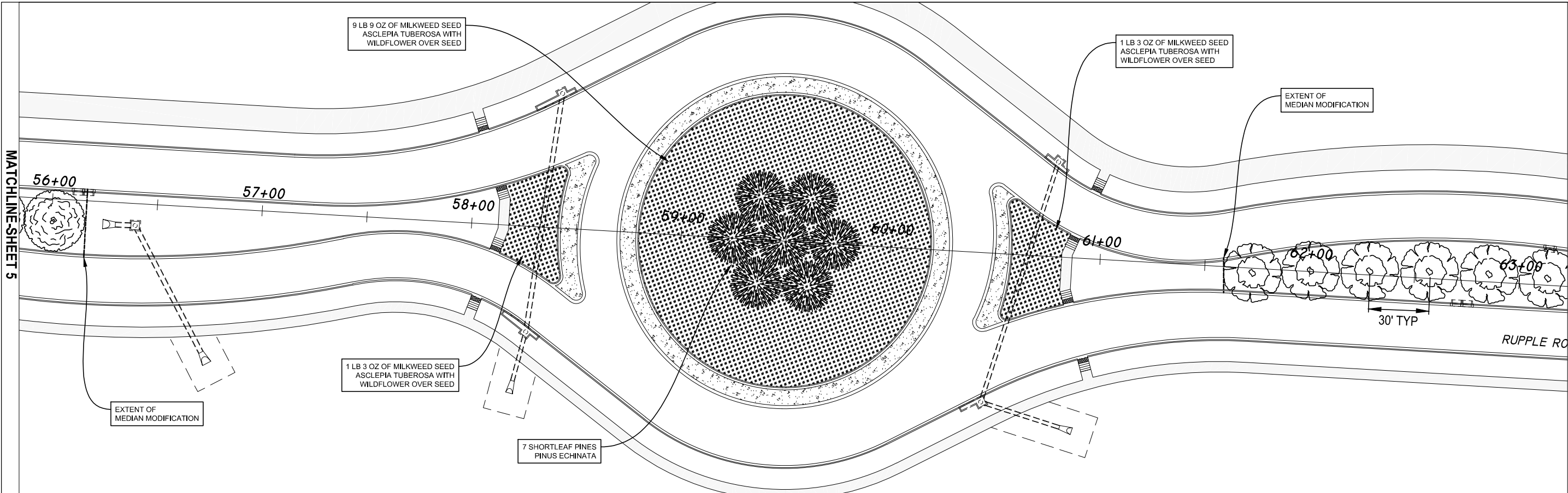
EXTENT OF
MEDIAN MODIFICATION



MATCHLINE-SHEET 4

MATCHLINE

DESIGNED BY:	CRL
DRAWN BY:	CRL
FILE NAME:	TREE_PLANTING.dwg
RUPPLE ROAD TREE PLANTING MLK BLVD. TO PERSIMMON ST. PLAN SHEET	
REVISED	
ENGINEERING DIVISION	113 W. MOUNTAIN STREET
CITY OF Fayetteville ARKANSAS	PHONE NO: (479) 375-6266 FAX NO: (479) 375-6202
DATE: December 8, 2015	
SHEET: 5	
PROJECT: TREE PLANTING	



DESIGNED BY: CRL
DRAWN BY: CRL
DESIGNED BY: CRL
FILE NAME: TREE PLANTING.dwg

**RUPPLE ROAD
TREE PLANTING
MLK BLVD. TO PERSIMMON ST.
PLAN SHEET**

ENGINEERING DIVISION
113 W. MOUNTAIN STREET
FAYETTEVILLE, ARKANSAS 72701
PHONE NO. (479) 375-8286
FAX NO. (479) 375-8286

Fayetteville
ARKANSAS

DATE: December 8, 2015
SHEET: **6**
PROJECT: TREE PLANTING



MATCHLINE-SHEET 6

NOTE
CONTRACTOR SHALL ENSURE SMOOTH
TRANSITION FROM EXISTING TO MODIFIED
MEDIAN AREAS WHILE PROVIDING POSITIVE
DRAINAGE IN ALL DIRECTIONS

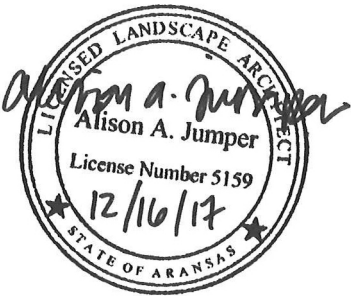
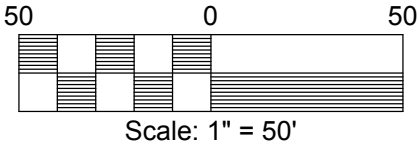
EXTEND GRAVEL MULCH
AREA TO EXISTING BOX

EXTENT OF
MEDIAN MODIFICATION

STA 71+50 TO 74+25
10 GINKGO
3"-4" RIVER STONE
AS COVER

EXTENT OF
MEDIAN MODIFICATION

1 LB OF MILKWEED SEED
ASCLEPIAS TUBEROSA WITH
10 OZ OF WILDFLOWER OVER SEED



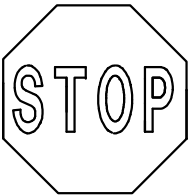
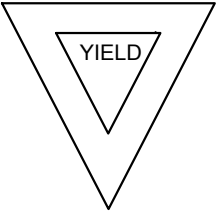
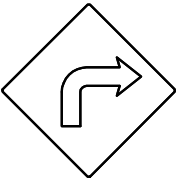
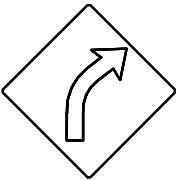
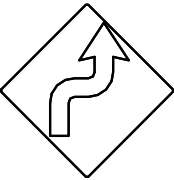
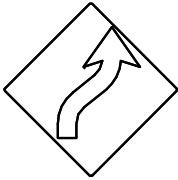
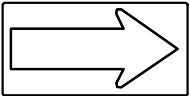
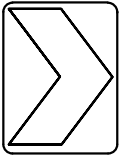
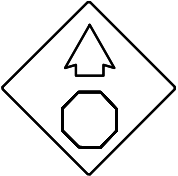
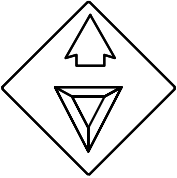
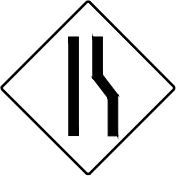
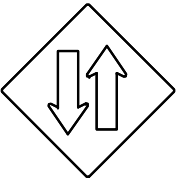
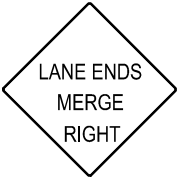
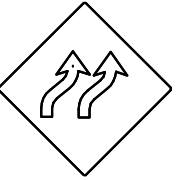
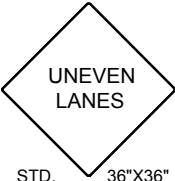
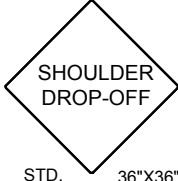
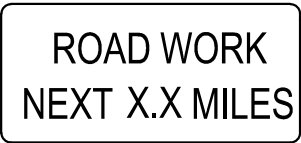
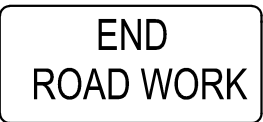
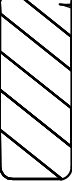
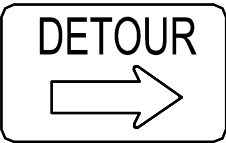
DESIGNED BY:
DRAWN BY: CRL
DESIGNED BY:
FILE NAME:
TREE_PLANTING.dwg

RUPPLE ROAD
TREE PLANTING
MLK BLVD. TO PERSIMMON ST.
PLAN SHEET

ENGINEERING DIVISION
113 W. MOUNTAIN STREET
FAYETTEVILLE, ARKANSAS
PHONE NO: (479) 575-6266
FAX NO: (479) 575-6262

CITY OF
Fayetteville
ARKANSAS

DATE:
December 8, 2015
SHEET:
7
PROJECT:
TREE PLANTING

RI-I  STANDARD 30"X30" EXPRESSWAY 36"X36" SPECIAL 48"X48"	R1-2  STD. 36"X36"X36" EXPWY. 48"X48"X48" FWY. 60"X60"X60"	R2-1  STD. 24"X30" EXPWY. 36"X48" FWY. 48"X60"	R2-5A  STD. 24"X30" EXPWY. 36"X48" FWY. 48"X60"	R2-5C  STD. 24"X30" EXPWY. 36"X48" FWY. 48"X60"	R4-1  STD. 24"X30" EXPWY. 36"X48" FWY. 48"X60"	R4-2  STD. 24"X30" EXPWY. 36"X48" FWY. 48"X60"	ADVANCE DISTANCES (XXXX) 1/2 MILE 500 FT 3/4 MILE 1000 FT 1 MILE 1500 FT AHEAD GENERAL NOTES: 1. ALL TRAFFIC CONTROL DEVICES USED ON ROAD CONSTRUCTION SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS, EDITION OF 1988 AND PART VI OF THE MUTCD REVISION 3 SEPTEMBER, 1993 AND TO THE STANDARD HIGHWAY SIGNS 1988 EDITION, OR AS APPROVED BY THE FEDERAL HIGHWAY ADMINISTRATION. 2. TRAFFIC CONTROL DEVICES SHALL BE SET UP JUST BEFORE THE START OF CONSTRUCTION OPERATIONS AND SHALL BE PROPERLY MAINTAINED DURING THE TIME SUCH CONDITIONS EXIST. THEY SHALL REMAIN IN PLACE ONLY AS LONG AS NEEDED AND REMOVED THEREAFTER. 3. EXISTING SIGNS AND CONSTRUCTION SIGNS SHALL BE KEPT IN PROPER POSITION, AND BE CLEAN AND LEGIBLE AT ALL TIMES. SIGNS THAT DO NOT APPLY TO EXISTING CONDITIONS SHALL BE REMOVED. SIGNS THAT ARE DAMAGED, DEFACED, OR THAT ACCUMULATE DIRT DURING CONSTRUCTION SHALL BE CLEANED, REPAIRED, OR REPLACED. 4. SIGNS ARE USUALLY MOUNTED ON A SINGLE POST, ALTHOUGH THOSE WIDER THAN 36" OR LARGER THAN 10 SQ. FT. SHALL BE MOUNTED ON TWO POSTS OR ABOVE A TYPE III OR WING BARRICADE 5. ALL SIGN AND BARRICADE POSTS SHALL BE 2 LB. MINIMUM CHANNEL POST OR 4"x4" WOOD POSTS. CHANNEL POSTS SHALL BE PAINTED GREEN, WOOD POSTS SHALL BE PAINTED WHITE. ALL POSTS SHALL BE NEATLY CONSTRUCTED, AND SHALL BE REPLUMBED, CLEANED, OR REPAIRED AS NEEDED FOR THE DURATION OF THE JOB. THERE SHALL NOT BE MORE THAN 2 POSTS IN A 7' PATH FOR WOOD OR CHANNEL POSTS. ANY CHANNEL POST SPLICE SHALL BE IN ACCORDANCE WITH STANDARD DRAWING TC-3. PORTABLE SIGN SUPPORTS SHOULD BE DESIGNED TO YIELD ON IMPACT TO MINIMIZE HAZARDS TO MOTORISTS. CONCRETE PADS, CONCRETE OR ROCK BALLAST, OR OTHER SOLID MATERIALS SHALL NOT BE UTILIZED WITH SIGN SUPPORTS. 6. POST MOUNTED SIGNS IN RURAL AREAS SHALL BE CONSTRUCTED WITH THE NEAR EDGE OF THE SIGN FROM 6 TO 12 FEET FROM THE PAVEMENT EDGE, SIGNS IN URBAN AREAS AND BARRICADE MOUNTED SIGNS SHALL BE MOUNTED A MINIMUM OF 2 FEET FROM THE PAVEMENT EDGE. 7. ALL POST AND BARRICADE MOUNTED SIGNS MOUNTED IN URBAN AREAS SHALL BE MOUNTED A MINIMUM DISTANCE OF 7' FROM THE BOTTOM OF THE SIGN TO THE ROADWAY SURFACE, ALL POST AND BARRICADE MOUNTED SIGNS MOUNTED IN RURAL AREAS SHALL BE MOUNTED A MINIMUM DISTANCE OF 7' FROM THE BOTTOM OF THE SIGN TO THE ROADWAY SURFACE, EXCEPT A MINIMUM OF 6' SHALL BE USED WHEN MOUNTING AN ADVISORY SIGN BELOW A WARNING SIGN. TEMPORARY SIGNS MAY BE GROUND MOUNTED ON PORTABLE SUPPORTS FOR SHORT-TERM, SHORT DURATION, AND MOBILE CONDITIONS. THEY SHALL BE NO LESS THAN ONE (1) FOOT ABOVE THE TRAVELED WAY. 8. FLAGGERS SHALL USE REFLECTORIZED STOP-SLOW PADDLES. FLAGS MAY BE USED ONLY FOR EMERGENCY SITUATIONS. 9. MOST OF THE SIGNS SHOWN ARE ORIENTED TO THE RIGHT. HOWEVER, THIS DOES NOT PRECLUDE THE USE OF MIRROR IMAGES OF THESE SIGNS WHERE THE REVERSE ORIENTATION MIGHT BETTER CONVEY TO MOTORISTS THE PROPER DIRECTION OF MOVEMENT. 10. R55-1 SIGNS SHALL BE PLACED AT LEAST 1500' BUT NOT MORE THAN 1 MILE IN ADVANCE OF THE WORK ZONE. IF A SPEED LIMIT REDUCTION IS IN EFFECT, THE SIGN SHALL BE PLACED A MINIMUM OF 500' IN ADVANCE OF THE "REDUCED SPEED AHEAD" SIGN.	
R5-1  STD. 30"X30" EXPWY. 36"X36" SPECIAL 48"X48"	R11-2  48"X30"	R11-3A  60"X30"	R11-4  60"X30"	RSP-1  48"X30"	W1-1  STD. 36"X36" FWY. 48"X48"	W1-2  STD. 36"X36" FWY. 48"X48"		
W1-3  STD. 48"X48"	W1-4a  STD. 48"X48"	W1-6  STD. 48"X24" SPECIAL 60"X30"	W1-8  STD. 18"X24" SPECIAL 24"X30" EXPWY. 30"X36" FWY. 36"X48"	W3-1a  STD. 36"X36" SPECIAL 48"X48"	W3-2a  STD. 36"X36" SPECIAL 48"X48"	W4-2  STD. 36"X36" FWY. 48"X48"		
W5-1  STD. 36"X36" SPECIAL 48"X48"	W6-3  EXPWY. 36"X36" SPECIAL 48"X48"	W8-7  EXPWY. 36"X36" FWY. 48"X48"	W9-2  STD. 36"X36" FWY. 48"X48"	W13-1  STD. 24"X24"	W20-1  STD. 48"X48"	W20-2  STD. 48"X48"		
W20-3  STD. 48"X48"	W20-4  STD. 48"X48"	W20-5  STD. 48"X48"	W20-7a  500 FEET STD. 36"X36" FWY. 48"X48"	W21-2  STD. 30"X30" SPECIAL 36"X36"	W21-5  STD. 30"X30" SPECIAL 36"X36"	W1-4b  STD. 48"X48"	R56-1  STD. 18"X18"	R55-1 FINES DOUBLE IN WORK ZONES * WHEN WORKERS ARE PRESENT ** 36"X60"
W8-11  STD. 36"X36" FWY. 48"X48"	W8-9a  STD. 36"X36" FWY. 48"X48"	G20-1  60"X24"	G20-2A  48"X24"	OM-3L  YELLOW 12"X36"	OM-3R  BLACK	M4-9  STD. 30"X24" SPECIAL 48"X36" SPECIAL 60"X48"	M4-10  48"X18"	* NOTE:SUPPORTS FOR SIGNS, BARRICADES, AND VERTICAL PANELS THAT ARE DIFFERENT FROM THE REQUIREMENTS SHOWN IN NOTES 4 & 5, BUT MEET THE REQUIREMENTS OF NCHRP-350 WILL BE ACCEPTED. COMPLIANCE WITH THE REQUIREMENTS OF NCHRP-350 WILL BE REQUIRED FOR ALL PROJECTS LET TO CONTRACT AFTER OCTOBER 1, 2000.

SURVEYED BY: DVD/JAP

DRAWN BY: JS

DESIGNED BY: MC

FILE NAME: Traffic Control Sheets.dwg

RUPPLE ROAD

TREE PLANTING

MLK BLVD. TO PERSIMMON ST.

TRAFFIC CONTROL

REVISIONS

ENGINEERING DIVISION

113 W. MOUNTAIN STREET

PHONE NO: (419) 575-4206

FAX NO: (419) 575-4202

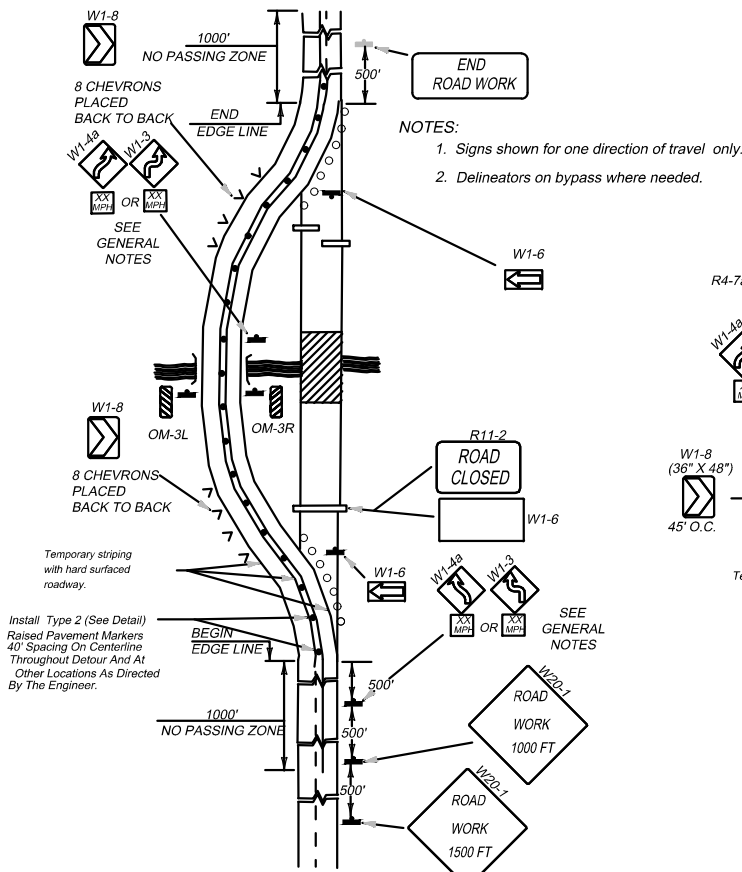
Fayetteville

ARKANSAS

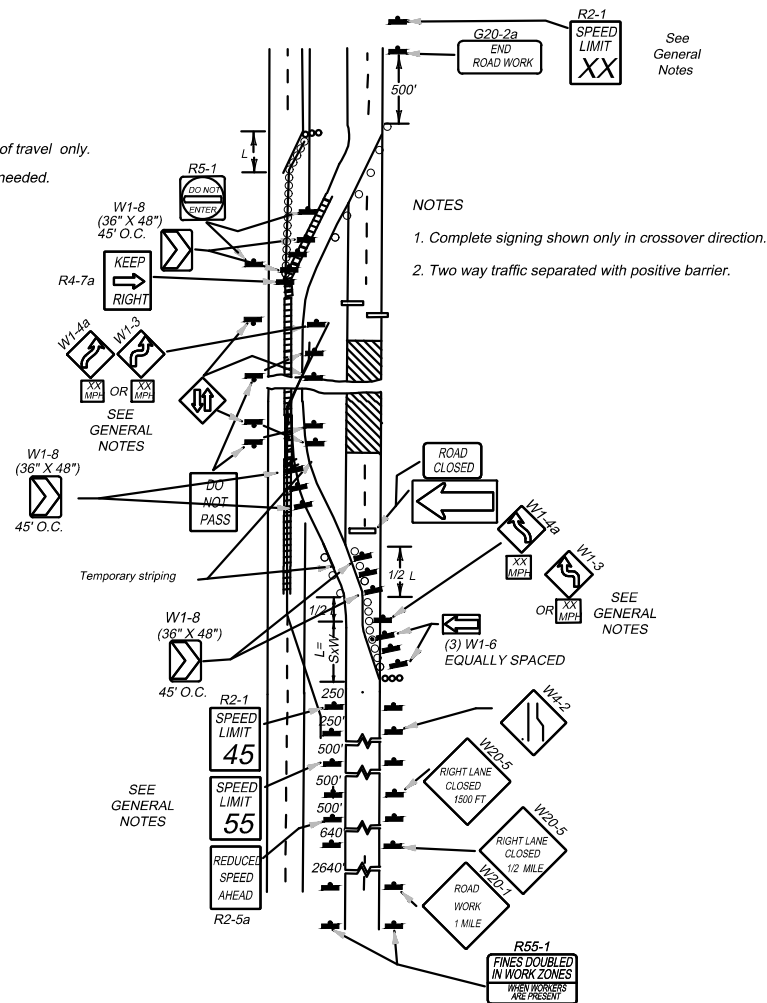
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SHEET: TC-1

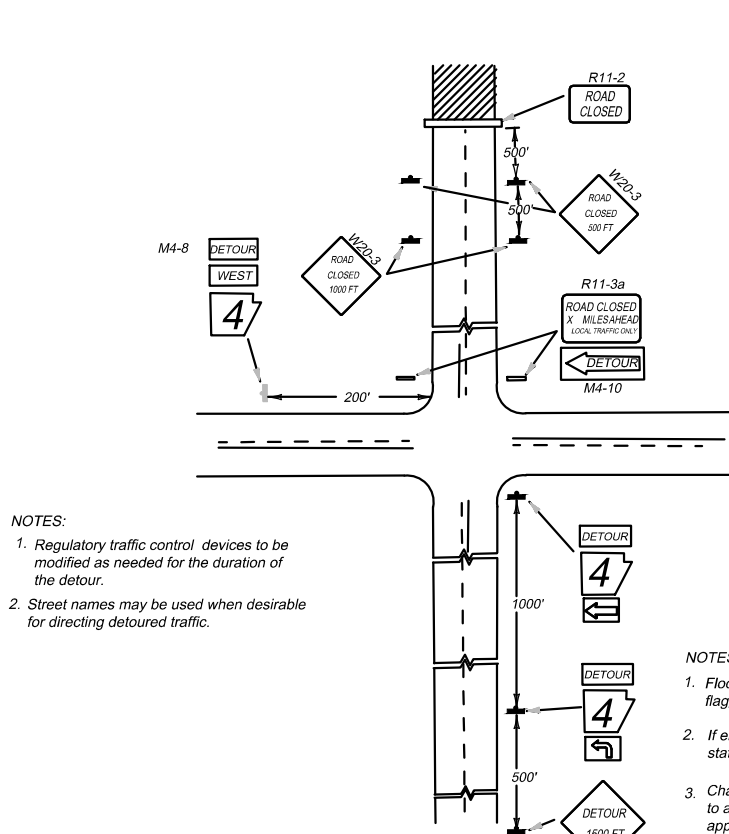
PROJECT: Traffic Control Sheets



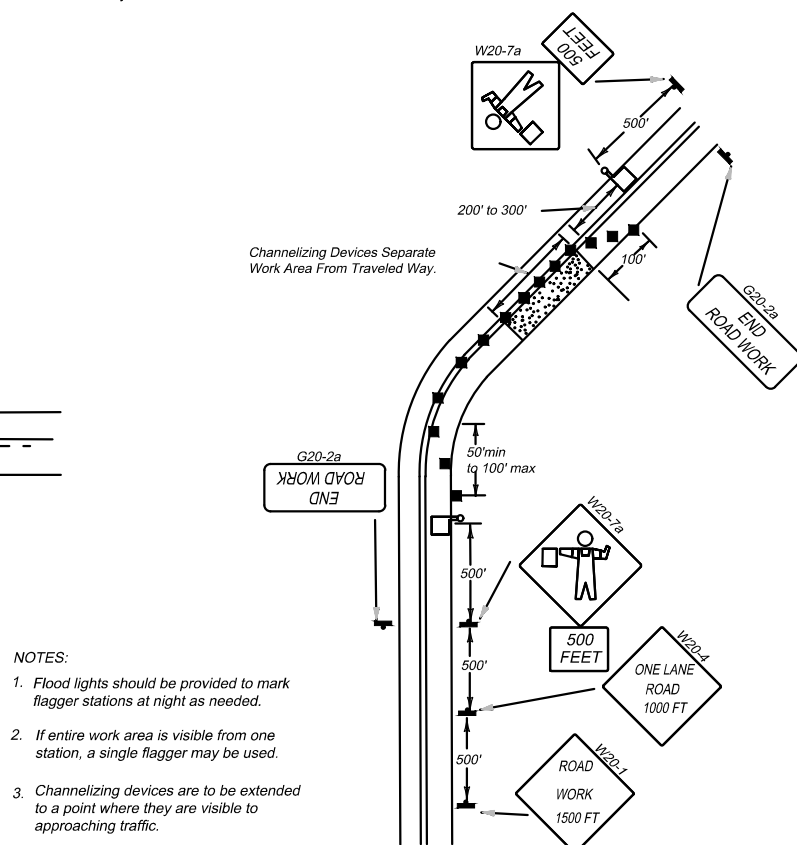
(A) Typical application of traffic control devices on a 2-lane highway where the entire roadway is closed and a bypass detour is provided.



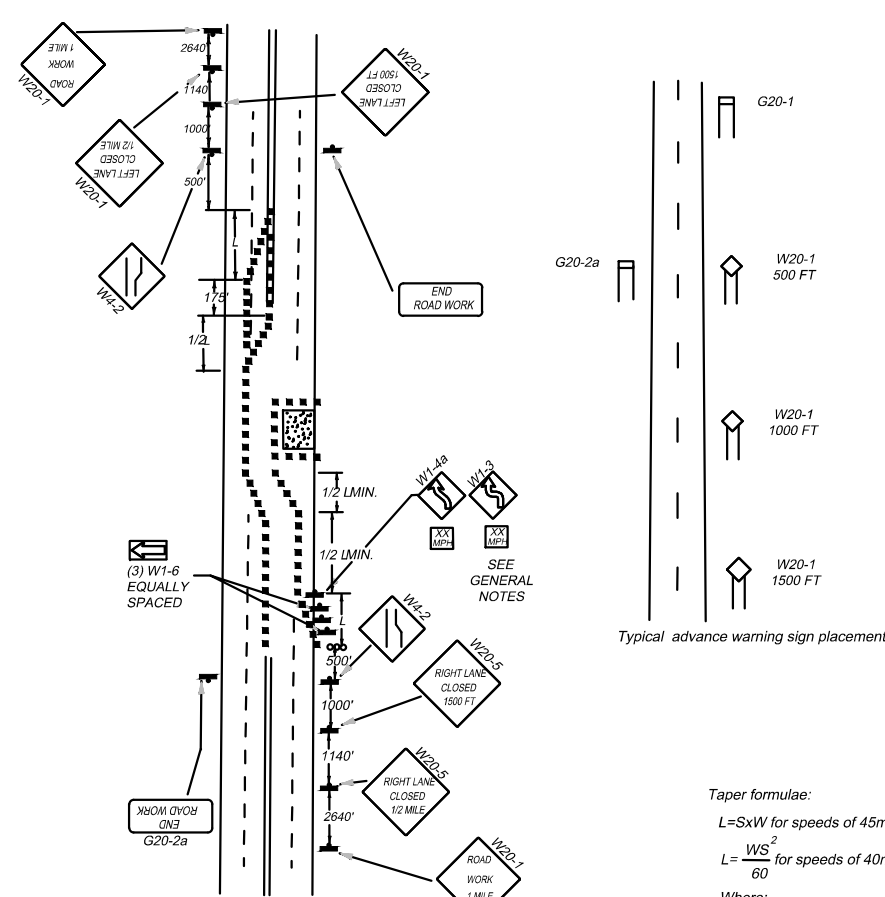
(B) Typical application - 4-lane divided roadway where one roadway is closed.



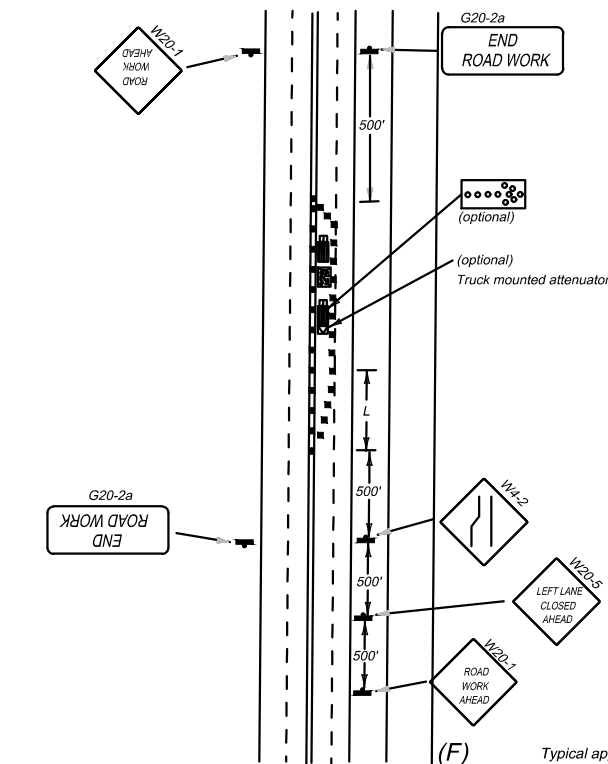
(D) Typical application - roadway closed beyond detour point.



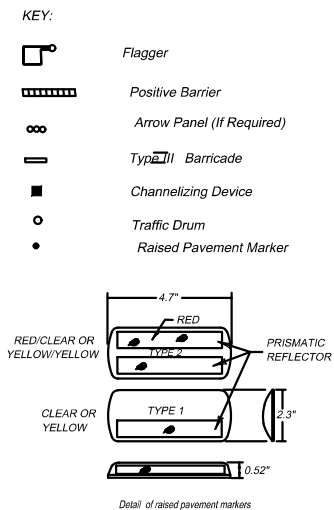
(E) Typical application of traffic control devices on 2-lane highway where one lane is closed and flagging is provided.



(C) Typical application - 4-lane undivided roadway where half of the roadway is closed.



(F) Typical application - 4-lane undivided roadway with inside lane closed.



Taper formulae:

$L = S \times W$ for speeds of 45mph or more.

$L = \frac{WS^2}{60}$ for speeds of 40mph or less.

Where:

L = Minimum length of taper.

S = Numerical value of posted speed limit prior to work or 85th percentile speed.

W = Width of offset.

GENERAL NOTES:

- The contractor is responsible for all maintenance of traffic including lane closure permits and documentation. All permits and applicable documentation shall be obtained prior to the closure of any lanes.
- Advisory speed posted on W1-3 or W1-4a curve warning signs to be determined at site. Use W1-4a when speed is greater than 30mph and W1-3 when 30mph or less.
- When the existing speed limit is 55mph and the plans require a speed the R2-1(55) shall be limit of 45mph, omitted and the R2-5A shall be installed at that location. Additional R2-1 45 mph speed limit signs shall be installed at a maximum of 1 mile intervals. At the end of the work area a R2-1(XX) shall be installed to match original speed limit.
- When the existing speed limit is 65mph and the plans require a speed limit of 55mph, the R2-1(45) shall be omitted. Additional R2-1 55 mph speed limit signs shall be installed at a maximum of 1 mile intervals. At the end of the work area a R2-1(XX) shall be installed to match orig. speed limit.
- The maximum spacing between channelizing devices in a taper should be approximately equal in feet to the speed limit. Beyond the taper, maximum spacing shall be two times the speed limit, or as directed by the Engineer.
- Warning lights and/or flags may be mounted to signs or channelizing devices at night as needed.
- Pavement markings no longer applicable which might create confusion in the minds of vehicle operators shall be removed or obliterated as soon as practicable.

SURVEYED BY:
DVD/JAP
DRAWN BY:
JS
DESIGNED BY:
MC
FILE NAME:
Traffic Control Sheets.dwg

RUPPLE ROAD
TREE PLANTING
MLK BLVD. TO PERSIMMON ST.
TRAFFIC CONTROL

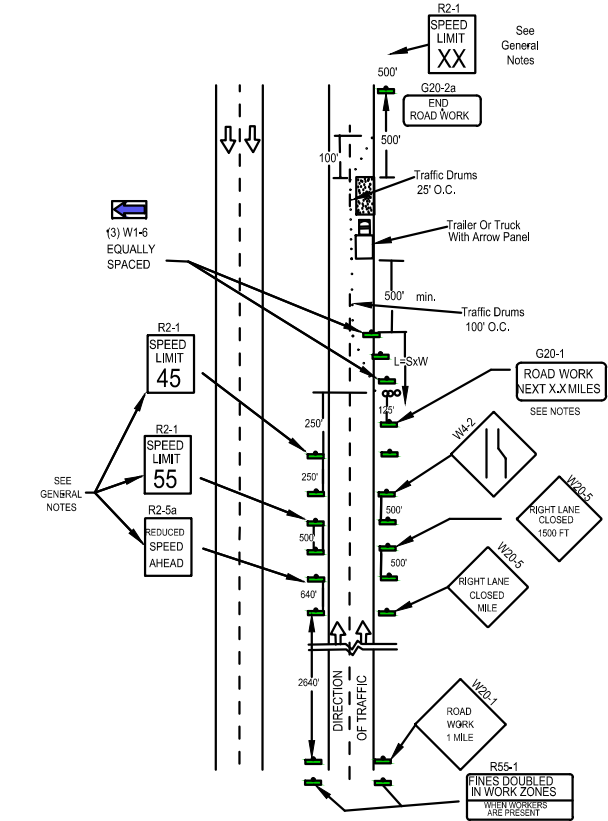
REVISIONS

ENGINEERING DIVISION
113 W. MOUNTAIN STREET
FAYETTEVILLE, ARKANSAS
PHONE NO. (479) 575-5206 FAX NO. (479) 575-5202

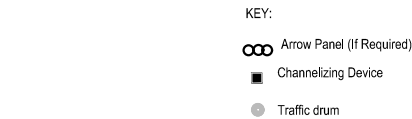
Fayetteville
ARKANSAS

DATE:
12/12/2016
SHEET:
TC-2
PROJECT:
Traffic Control Sheets

(A) Typical application - daytime maintenance operations of short duration on a 4-lane divided roadway where half of the roadway is closed.

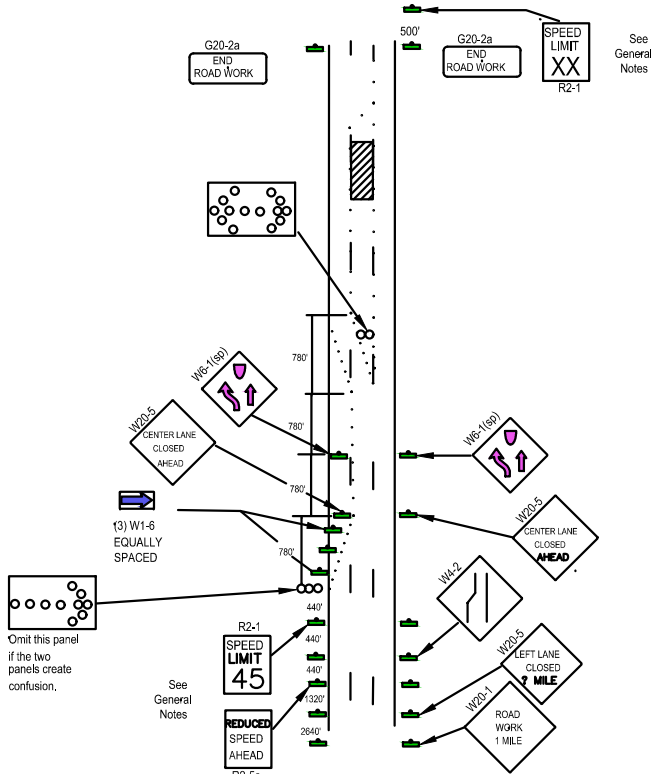


(C) Typical application - construction operations of intermediate to long term duration on a 4-lane divided roadway where half of the roadway is closed.

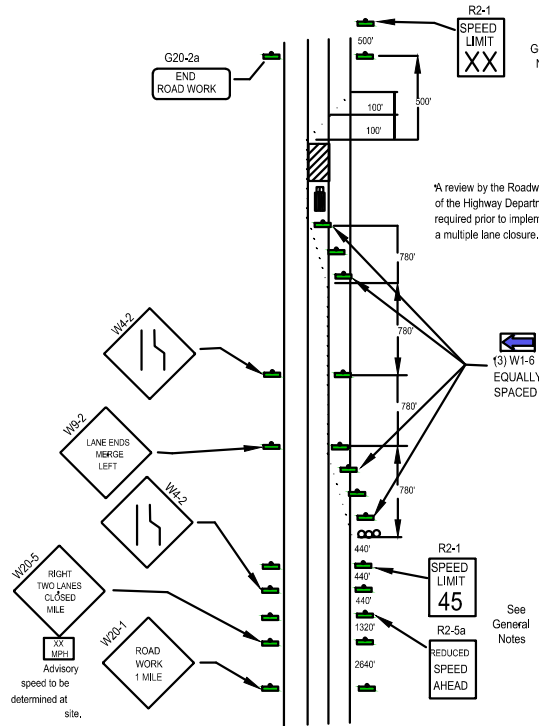


GENERAL NOTES:

- A speed limit reduction may be implemented ONLY when designated in the plan or when recommended by the Roadway Design Division.
- When the existing speed limit is 55mph and the plans require a speed limit of 45mph, the R2-1(55) shall be omitted and the R2-5A shall be installed at that location. Additional R2-1 45 mph speed limit signs shall be installed at a maximum of 1 mile intervals. At the end of the work area a R2-1(XX) shall be installed to match original speed limit.
- When the existing speed limit is 65mph and the plans require a speed limit of 55mph, the R2-1(45) shall be omitted. Additional R2-1 55 mph speed limit signs shall be installed at a maximum of 1 mile intervals. At the end of the work area a R2-1(XX) shall be installed to match original speed limit.
- The maximum spacing between channelizing devices in a taper should be approximately equal in feet to the speed limit. Beyond the taper, maximum spacing shall be two times the speed limit or as directed by the Engineer.
- Warning lights and/or flags may be mounted to signs or channelizing devices at night as needed.
- Pavement markings no longer applicable which might create confusion in the minds of vehicle operators shall be removed or obliterated as soon as practicable.
- The G20-1 sign will be required on jobs of over two miles in length. When the lane closure is not at the beginning of the project, the G20-1 sign shall be erected 125' in advance of the job limit. Additional W20-1 (1 MILE) signs are not required in advance of lane closures that begin inside the project limits.
- Flaggers shall use STOP/SLOW paddles for controlling traffic through work zones. Flags may be used only for emergency situations.
- All plastic drums and cones shall meet the requirements of NCHRP-350.

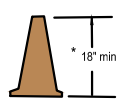


(B) Typical application - 3-lane oneway roadway where center lane is closed.

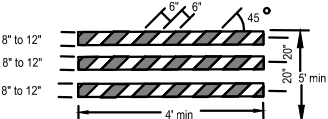
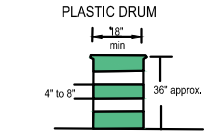
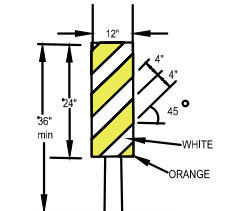
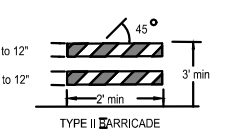
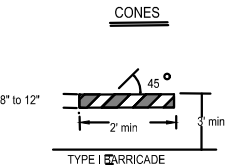


(D) Typical application - closing multiple lanes of a multilane highway.

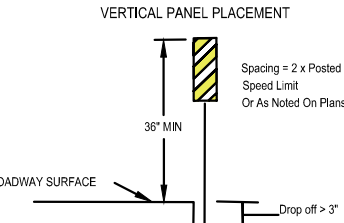
Channelizing devices



* When cones are used on freeways and multi-lane highways, they shall be 28" min. During hours of darkness, 28" cones shall be used on all roadways, and shall be reflectorized in accordance with the M.U.T.C.D.



NOTE: For all road closures, the Type III barricades shall be of sufficient length to extend across entire roadway.

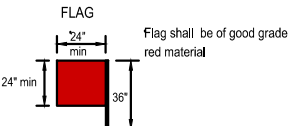


TRAFFIC CONTROL DEVICES FOR VERTICAL PAVEMENT DIFFERENTIALS

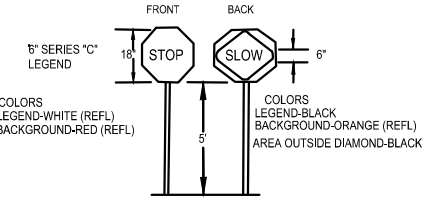
VERTICAL DIFFERENTIAL	LOCATIONS	TRAFFIC CONTROL
1" to 3"	Centerline, lane lines	W8-11
1" to 3"	Edge of shoulder	W8-9
Greater than 3"	Lane lines	Standard lane closure required
Greater than 3"	Edge of traveled lane	* RSP-1 and vertical panels, drums or concrete barrier
Greater than 3"	Edge of shoulder	* Vertical panels, drums or concrete barrier

* When shown on the plans concrete barrier will be used.

When the shoulder area is used as part of the traveled lane and there is insufficient width to place drums on the remaining shoulder width, then vertical panels shall be used.

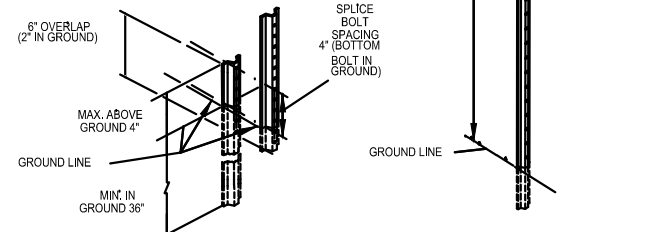


STOP SLOW PADDLE



DETAIL OF SPLICES

NOTES: USE SPLICES ONLY WHEN NECESSARY FOR INSTALLATION. TYPICAL INSTALLATION SHOULD HAVE NO SPLICES (SEE STD. DRAWING NO. SHS-2) NORMAL INSTALLATIONS WILL REQUIRE 1/4" DIA. BOLTS TO MOUNT SIGNS TO POST AND 5/16" DIA. BOLTS TO ASSEMBLE THE VARIOUS POST SUPPORTS. EACH OF THESE BOLTS SHALL BE CARRIAGE BOLTS. SIGN POSTS SHALL BE PAINTED GREEN; SIGNS SHALL NOT BE PAINTED, AND ALL SIGN POSTS SHALL BE PLUMB.



SURVEYED BY: DVD/JAP
DRAWN BY: JS
DESIGNED BY: MC
FILE NAME: Traffic Control Sheets.dwg

RUPPLE ROAD
TREE PLANTING
MLK BLVD. TO PERSIMMON ST.
TRAFFIC CONTROL

TITLE:

REVISED

ENGINEERING DIVISION
113 W. MOUNTAIN STREET
FAYETTEVILLE, ARKANSAS
PHONE NO. (479) 575-5200
FAX NO. (479) 575-5202

Fayetteville
ARKANSAS

DATE: 12/12/2016
SHEET: TC-3
PROJECT: Traffic Control Sheets



City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0674

Agenda Date: 2/7/2017

Version: 1

Status: Tabled

In Control: City Council Meeting

File Type: Resolution

Agenda Number: B. 1

PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT APPEAL:

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO DENY PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) BECAUSE SUCH DEVELOPMENT WOULD CREATE OR COMPOUND A DANGEROUS TRAFFIC CONDITION IN VIOLATION OF § 166.02 (C)(2)(a)(iv) OF THE UNIFIED DEVELOPMENT CODE

WHEREAS, the proposed Mountain Vista Subdivision shown on Preliminary Plat 16-5642 was approved by the Planning Commission on a split vote; and

WHEREAS, the proposed intersection of the new street which serves the subdivision with 24th Street has an acceptable sight and stopping distance only if the driver on 24th Street is driving the posted speed limit of 25 mph; and

WHEREAS, further measures need to be taken to lengthen the sight and stopping distance for drivers on 24th Street to prevent potential accidents for drivers going 30 mph or higher down the hill; and

WHEREAS, as originally passed by the Planning Commission, the proposed access road creates or compounds a dangerous traffic condition justifying denial of the Preliminary Plat until a better solution is found and agreed to within the Preliminary Plat.

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 grants the appeal of City Council Member Adella Gray to reject the approval of and to deny Preliminary Plat 16-5574 (Mountain Vista Subdivision) because the City Council holds and determines that the intersection of 24th Street and the street accessing this subdivision would create or compound a dangerous traffic condition.

AGENDA REQUEST FORM

FOR: Council Meeting of January 3, 2017

FROM:

City Council Member Adella Gray

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO DENY PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) BECAUSE SUCH DEVELOPMENT WOULD CREATE OR COMPOUND A DANGEROUS TRAFFIC CONDITION IN VIOLATION OF § 166.02 (C)(2)(a)(iv) OF THE UNIFIED DEVELOPMENT CODE

APPROVED FOR AGENDA:


City Council Member Adella Gray

12/20/16
Date


City Attorney Kit Williams
(as to form)

Dec 15, 2016
Date

Adella Gray - Ward 1, Position 1
Sarah Marsh - Ward 1, Position 2
Mark Kinion - Ward 1, Position 1
Matthew Petty - Ward 1, Position 2



Justin Tennant - Ward 3, Position 1
Martin Schoppmeyer, Jr. - Ward 3, Position 2
John La Tour - Ward 4, Position 1
Alan Long - Ward 4, Position 2

CITY COUNCIL

December 15, 2016

City Clerk Sondra Smith
City Administration Building
113 W. Mountain St.
Fayetteville, AR 72701

Re: Appeal of the approval of Preliminary Plat 16-5574 (Mountain Vista Subdivision)

Dear Sondra:

I appeal the Planning Commission's approval of Preliminary Plat 16-5574 (Mountain Vista Subdivision). I am appealing because this development might be in violation of § 166.02 (C)(2)(a)(iv):

"The proposed development would create or compound a dangerous traffic condition. For the purpose of this section, a dangerous traffic condition shall be construed to mean a traffic condition in which the risk of accidents involving motor vehicles is significant due to factors such as, but not limited to, high traffic volume, topography, or the nature of the traffic pattern."

As further explanation of the grounds for this appeal, I attach an email which includes an explanation of the traffic concerns of Ron and Sue Calaway who reside on County Club Hill and rely upon 24th Street for access to their home.

Respectfully submitted,


Adella Gray
Ward One City Council Member

CC: Mayor Lioneld Jordan
Andrew Garner, Planning Director

MEETING OF JANUARY 3, 2016

TO: Mayor, Fayetteville City Council

FROM: Andrew Garner, City Planning Director
Chris Brown, City Engineer

DATE: December 15, 2016

SUBJECT: **PPL 16-5574: Preliminary Plat (NE OF 24TH & COUNTRY CLUB DR./MOUNTAIN VISTA SD, 640-641):** Submitted by BATES & ASSOCIATES, INC. for properties located NE OF 24TH & COUNTRY CLUB DR. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 54.16 acres. The request is for 52 single-family lots.

RECOMMENDATION:

The Planning Commission approved this proposed subdivision as recommended by staff at the Planning Commission meeting. Adella Gray has appealed this decision to City Council on behalf of a citizen.

BACKGROUND:

The subject property is located north of the Fayetteville Country Club on the east side of Country Club Drive. The 54.16-acre property is zoned RSF-4 and is developed with a single family home and associated accessory structures/dwellings. The property connects to County Club Drive via a private drive, Askew Drive. The site is within the Hillside Hilltop Overlay District (HHOD).

Proposal: The applicant proposes to develop the site into a 52-lot single family subdivision, preserving the existing home on one of the lots.

Public Comments: At the December 1, 2016 Subdivision Committee and December 12, 2016 Planning Commission several members of the public spoke about a number of issues, primarily centered around traffic safety, lack of water pressure and emergency access. A copy of the meeting minutes from Planning Commission meeting are attached.

DISCUSSION:

At the December 12, 2016 Planning Commission, discussion centered around traffic safety, water pressure, and emergency access. After a significant amount of public comment and discussion by the Planning Commission, the project was approved by a vote of 5-3-0 (Commissioners Cook, Hoffman, and Quinlan voted 'no'). The project was approved with the following conditions:

Conditions of Approval:

1. Planning Commission determination of a variance of the Block Length requirement (§166.08.E.1) for a blocks longer than 660 feet. The subdivision includes street blocks that range from approximately 800-1,200 linear feet as part of a large loop street system with a stub-out to the east. *Staff recommends in favor of the variances and proposed layout given this site's unique situation on top of a ridgeline where street connections off site to the north and west are infeasible. The internal street system could be broken into smaller blocks, however, given the large lot size and existing home that is being preserved on 2.84 acres the large block pattern proposed is appropriate.*
2. Planning Commission determination of street improvements. *Staff recommends that an off-site 5-foot sidewalk and a crossing be installed from the subdivision entrance south along Country Club Drive with the crossing at 26th Circle, to provide connection to the existing sidewalk on the east side of Country Club Drive south of the site. This will provide pedestrian connectivity from this new neighborhood to the Country Club neighborhood to the south.*
3. Planning Commission determination of parkland dedication or fees-in-lieu. *The Park and Recreation Advisory Board (PRAB) recommends payment of fees in lieu of parkland dedication for the proposed single family subdivision. The project is proposing 52 single family lots with one existing home to remain on one lot for a total of 51 new residential lots. Fees in the amount of \$46,920.00 are due before signing of the final plat. Final fee amount is dependent on the total number of buildable new residential lots and the parks fee formula at the time of Planning Commission approval of the preliminary plat.*
4. Right-of-way dedication is required along the site's Country Club Road frontage in the amount of 25 feet from centerline. The internal streets are utilizing a combination of the HHOD Local and Low Impact Development cross sections with variable right-of-way dedication to accommodate bioswales and sidewalks on one side of the street.
5. All new internal streets to be constructed in accordance with the City development code.
6. A 25-foot wide trail easement shall be dedicated through the project site connecting from the street in this subdivision northwest to the dead end of 22nd Street as indicated on the plat and as requested by the City Trails Coordinator.
7. The preliminary plat needs to be revised as follows:
 - Include a typical street cross section chart/diagram indicating the total right-of-way, pavement, greenspace, bioswale and sidewalk.
 - Label Lot 55 as an "unbuildable lot".
8. Future street connection signs shall be placed at the street connectivity points prior to final plat.
9. Streetlights shall be installed at all intersections and spaced every 300 feet in accordance with city code.
10. Preliminary plat approval is valid for one year. All permits to complete construction for all lots within this preliminary plat are required to be obtained within one (1) year, subject to extensions in accordance with the Unified Development Code.

11. All tree preservation, landscape, engineering, 911 Coordinator, and fire department conditions included herein shall apply. All revisions shall be addressed prior to construction plan approval.

Standard conditions of approval:

12. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance.

13. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: AR Western Gas, SWBT, Ozarks, SWEPCO, Cox Communications).

14. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with City's current requirements.

15. All street lights shall comply with the City lighting ordinance. Manufacturer's cut-sheets are required for review and approval and all street lights shall be installed or guaranteed prior to final plat.

16. All freestanding and wall signs shall comply with ordinance specifications for location, size, type, number, etc. Any proposed signs shall be permitted by a separate sign permit application prior to installation. Freestanding pole signs and electronic message boards (direct lighting) are prohibited in the Design Overlay District.

17. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground.

Additional condition added at the Planning Commission meeting:

18. *Prior to final plat the water pressure shall be tested to ensure compliance with fire code flow requirements.*

BUDGET/STAFF IMPACT:

N/A

Attachments:

- December 12, 2016 Planning Commission minutes
- Planning Commission Staff Report

Meeting Minutes
Planning Commission
December 12, 2016
5:30 PM
113 W. Mountain, Room 219

Members: Kyle Cook (Chair), Ron Autry (Vice Chair), Matthew Hoffman (Secretary), Tracy Hoskins, Janet Selby, Ryan Noble, Tom Brown, Leslie Belden, and Allison Thurmond Quinlan

Call to Order: 5:30 PM, Kyle Cook

In Attendance:

Members: Kyle Cook (Chair), Ron Autry (Vice Chair), Matthew Hoffman (Secretary), Tracy Hoskins, Ryan Noble, Tom Brown, Leslie Belden, and Allison Thurmond Quinlan

Absent: Janet Selby

Staff: Andrew Garner, City Planning Director; Jonathan Curth, Senior Planner; Quin Thompson, Planner; Harry Davis, Planner, and Corey Granderson, Engineering, Brian Sloat, Fire Department

City Attorney: Kit Williams

PPL 16-5574: Preliminary Plat (NE OF 24TH & COUNTRY CLUB DR./MOUNTAIN VISTA SD, 640-641): Submitted by BATES & ASSOCIATES, INC. for properties located NE OF 24TH & COUNTRY CLUB DR. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 54.16 acres. The request is for 52 single-family lots.

Andrew Garner, City Planning Director: Gave the staff report.

Geoff Bates, Bates and Associates, applicant representative: Was present for questions.

Public Comment:

Todd Devecsery, live on College Drive cul-de-sac. Significant improvements to this property would benefit us in our neighborhood. He asked about zoning and what is different between RMF-24 and RSF-4. He discussed limited access to the entire area. He discussed that secondary access to 22nd should be provided. He discussed adverse property values that will result from this development.

Joe Alexander, 22nd Street: Concerned with how this will affect 22nd Street. When will the trail be planned?

Garner: Discussed the trail connection.

Skip Holland, 2991 S. College Drive: I am for the development. He discussed concerns with emergency access. He discussed problems with water pressure and disagreed with staff.

Michael Landman, 310 E. Fairway Lane: Concerns with traffic safety and with wildfire.

Sue Calaway resident of South Mountain: Concerns with safety of 24th Street. She discussed traction issue on 24th Street. She read a letter that she wrote earlier this year to Adella Gray about traffic safety on 24th Street. She gave details of street traction and dangerous issues on 24th Street. She discussed confusion that the letters mailed to neighbors indicate RMF-24 zoning. She recommended extending another street connection to 22nd Street.

Adam Siepielski, 2522 S. College Drive: The principal concern is a safety issue. I don't see how a single road can support this amount of traffic. If we needed to evacuate I would not feel that we could safely evacuate. This has to be done first and foremost in a safe manner. The water pressure issue is real during the summer when the country club golf course is irrigating. He also discussed concerns with wildfires and natural disasters combined with the lack of water pressure.

Alex Marinoff, live in the adjacent neighborhood: He discussed the condition of 24th Street. He asked how many of you drove to Askew Drive. He agreed with safety concerns from a number of neighbors. If this project is approved and there are a number of accidents in the future, what exposure does the city have to litigation?

Peter Elzer, lives on S. College Drive: The work they have done doesn't work. It is very slippery in good vehicles with good tires. He discussed traffic safety concerns.

Tamera Scott, live at 460 Ravenswood Lane: It is important that the neighborhood is happy. Someone brought up opportunities on how the city would address their concerns at the Subdivision Committee meeting. Turn lanes into the Askew property could be a good idea. There is no way to get in there quickly. We have a lot of timber that is dry and old. If we have a wildfire we will be lit up. With the lack of water pressure and risk of wildfire it creates a dangerous situation. We are not against this development.

Gary Brinson, 88 W. 26th Circle: Live in the adjacent neighborhood. Concerned with so many houses going up at once. The water pressure will not hold with an extra 50 houses. We know that change must come, but the whole situation is staggering. We hope everyone thinks twice about this.

Alex Liles, 102 Gary Circle: Discussed line of site from the Askew Drive being dangerous. There is a wall there and I do not think the line of site is very clear. The infrastructure concerns have been expressed well and I agree. Another concern for me is school buses. I have slipped even when using my four-wheel drive. The property values of the existing homes is a concern. He discussed the overall aesthetic impact of this project to their existing homes.

Lewis Toth, 33 E. 27th Circle: Lived in this neighborhood for 11 years. He discussed traffic safety in and out of the country club neighborhood. It is really very dangerous. On any given day there may be as many as 15 cars at the bottom of the hill during winter weather. It is very difficult and the one point of egress is a problem for us all.

Mark Lungaro, 2489 S. College Drive: He discussed that all of the neighbors are concerned and want the property to keep its value. I have lived here for 25 years.

Jim Hashbarger, 2519 S. College Drive: My property is directly adjacent. My main concern is that we have like housing that looks like a continuation of the property that is there.

Allison Walker, live on S. College Drive: Agree with what everyone else said. This is one of the worst roads I have ever driven on (24th Street). She discussed being at the top of the hill where at times we have had no water pressure even in the colder months. We are concerned with an emergency situation. I request that more study of this be done. She discussed that it is a very quiet neighborhood. An alternative route to 22nd Street should eliminate the connection to S. College Drive that would be negative for the neighborhood.

Linda Thomas, 116 26th Circle: We bought our house specifically for the view. I am now concerned with the view.

Pam Janus, live on 24th Street: We have the hardwood floors store on highway 71B. I don't think the city can afford to ignore these safety issues.

Bob Jordan, 2952 S. College: If 22nd Street becomes a connection this will no longer be the family friendly neighborhood that it is. The water pressure here is lower than any other house I've lived in Fayetteville.

Charles Hale: Second what has been previously said. He discussed dangerous road conditions getting in and out of this neighborhood. He also discussed water pressure, EMS, and traffic coming out of the Askew Drive.

Jan Thompson, live on 29th Circle: If and when the subdivision is built, what happens with the construction trucks? What will happen with construction traffic.

No more public comment was presented.

Kyle Cook, Commissioner: Asked for Engineering opinion on water pressure.

Corey Granderson, Staff Engineer: Discussed water pressure in the area. This is a single feed water line. A water tank is not allowed because of airplane traffic. Booster pumps on 24th Street were replaced and upgraded in 2015. I contacted the Water Meter Operations Department about complaints with pressure. The City can test service pressure on the customer side of the request. I would like to talk to our utility department a little more regarding water pressure after hearing all of these complaints. When we did flow the hydrants in the area I was surprised in the area that it did meet the minimum for a single family homes.

Brian Sloat, Assistant Fire Marshal: Discussed the fire emergency access up 24th Street is a big concern. If you do not have snow chains it could be very treacherous in bad weather. He discussed that fire trucks have snow chains. He discussed responding to calls in this area during his time on the fire truck. He discussed wildfire hazard in the area and potential evacuation using both lanes of 24th Street in the same direction to evacuate. Fire flow requirements were discussed, indicating over 1,350 gallons per minute which is a considerable improvement over the standard and what was there previously (prior to the booster pump upgrade). The trucks do come equipped with 500 gallons on each truck. We have mutual aid agreements for other area fire departments to help with brush fires. Yes, we do have concerns with emergency access but we reviewed this development and it meets all of the fire code requirements.

Kit Williams, City Attorney: Asked about slope into this subdivision.

Sloat: Indicated it would meet fire code.

Ron Autry, Commissioner: Asked about the blue top fire hydrants and what that means.

Sloat: 1,500 gallons per minute for the blue top hydrants. A minimum of 1,000 gallons per minute is required for single family homes and this neighborhood currently has 1,350 gallons per minute.

Matt Hoffman, Commissioner: Asked about emergency response to this area and 24th Street compared to other hilly areas in Fayetteville.

Sloat: It is average compared to others such as Rockwood Trail which is much worse. We work closely with the street department to have the worst roads treated first during bad weather. We have cables and the heavier snow chains on the trucks for response in worse weather.

Cook: Asked about the 24th Street failure mentioned in Subdivision Committee.

Granderson: Discussed significant water line leaks at the bottom of 24th Street that caused road damage that was repaired.

Autry: Asked about flow regulators.

Granderson: On some of the complaints of water pressure the Water Meter Department will hook up a gauge. The Water Meter Department indicated to me that in some cases where there was a complaint the pressure was fine at the meter, but there was something on the residents' side that was restricting water flows.

Leslie Belden, Commissioner: Asked for a clarification between RMF-24 and RSF-4 zoning.

Garner: Clarified differences between the RMF-24 and RSF-4 zoning.

Tom Brown, Commissioner: Described on the north side of Askew Drive there has been an attempt to create a merging lane into 24th Street. A merging lane might help mitigate the traffic safety issue. He discussed including a speed bump would help slow traffic speeds on 24th Street.

Williams: We did expend a lot of money to improve 24th Street. He gave background on improvement to 24th Street in the 1990s. The City has experimented with speed tables and it has not been successful. On a steep road speed tables would be very dangerous. This administration is pretty much on the record that speed tables are not desirable. The City staff has worked very hard in looking at these issues including traffic safety, access, and fire flow. I do not think there would be any issue with the City being litigated. The City is immune if we are negligent. But we are not being negligent and are trying our best to make this a safe development as you have heard by the staff that have evaluated this very closely. I am glad that we have worked on water pumps that have improved pressure.

Brown: I am not in favor of speed tables, but the point that I wanted to make was that if they did consider a speed table it would need to be on 24th Street further south past that existing intersection where it would not be on the slope.

Autry: Asked about site distance.

Garner: Responded that site distance does meet code requirements.

Autry: He discussed traffic speeds on 24th Street. He talked to the Police Department asking about traffic citations and dangerous situations. The Police Department indicated that there were no more citations or wrecks on 24th Street than in other neighborhoods.

Allison Quinlan, Commissioner: Asked Granderson of grade of 24th Street.

Granderson: 8.5 % slope looking north from Askew.

Quinlan: Asked about width of 24th Street.

Garner: Confirmed that it is wide at 30-31 feet.

Quinlan: Asked about storm water drainage.

Granderson: Discussed storm water drainage.

Quinlan: Asked about street connectivity.

Garner: Discussed connectivity and that 22nd Street does stub out to this property but that it seemed to be infeasible to connect due to steep slopes.

Granderson: Discussed connectivity to 22nd Street is not feasible.

Bates: Indicated that slopes from this site to 22nd Street are in the range of 20%.

Quinlan: Asked about safety of adding more homes.

Granderson: He discussed that they meet the minimum stopping sight distances.

Quinlan: What happens if we test water pressure in the spring at the time of final plat when they are irrigating and they no longer meet fire code?

Sloat: We have not had that issue before. It may be that the developer would have to contribute to improving the situation.

Hoffman: He addressed the issue on small lots. The issues with topography and access are similar to many other areas of Fayetteville. He clarified speeds and intersection stopping distance.

Granderson: If you wanted to know the average speed we may be able to request that from the Transportation Department.

Hoffman: Discussed that he would like to see the study of the average speed of vehicles.

Hoffman: Further study of water may be needed. If irrigation goes up in the summer it might seriously affect water pressure and access to emergency services. He recommended that he did not want to slow up the approval but that prior to construction approval the stopping sight distance should be calculated using actual average speed and the water pressure tested.

Autry: Asked about the number of lots being created at once.

Bates: Discussed lot size and the primary entrance into the subdivision.

Autry: Asked about target market.

JB Hays, Owner/developer: Lots in the \$85,000 - 150,000 per lot range. I think this will be an overall better neighborhood after this development. This will probably be one or two professional people per household.

Autry: Discussed that he did not think this is a significant traffic safety and congestion issue.

Tracy Hoskins, Commissioner: Is your concern site distance on either side of Askew Drive?

Hoffman: Yes. Site distance in the report has to do with marked speed and not actual speed. I would like to evaluate sight distance based on actual speed.

Hoskins: Asked about speed control and intersection stopping distance.

Granderson: Discussed that either site distance could be increased or speed decreased to improve intersection stopping distance.

Bates: All you could do is more signage to reduce the speed limit. Relocating the existing retaining wall that is not on your property is not feasible.

Hoskins: It sounds like to me we need to enforce the laws that are there instead of penalizing this developer for people that are breaking the speed limit. Are the sight distances adequate?

Granderson: Based on posted speed distance the stopping sight distance is met in both directions.

Motion:

Commissioner Hoskins made a motion to **approve PPL 16-5574** with all conditions as recommended by staff, including one additional condition that: *"Prior to final plat the water pressure shall be tested to ensure compliance with fire code flow requirements"*. **Commissioner Autry** seconded the motion.

Hoffman: Asked if this motion included further study of sight distance.

Hoskins: If our concern is that we may have a problem because they are violating the speed we need to look at that issue. Post more signage, put more patrols. Enforcing the laws that we have.

Hoffman: What amount of increase in speed would put this intersection in an unsafe condition?

Granderson: If you were heading north going 30 mph you would not meet the intersection stopping distance.

Hoffman: Discussed that he was concerned with approving this if it was unsafe.

Williams: Discussed that they are entitled to an access to this property. I am concerned that the commission would consider denying a preliminary plat because other people are breaking the law. There is signage that could be installed. I know that people sometimes speed.

Hoffman: My preference would be to approve this but it is completely reasonable for more study on this matter.

Autry: Discussed speed and traffic control in the Woodland Junior High area and methods that can be utilized to reduce speeding.

Leslie Belden, Commissioner: The design of this neighborhood is in keeping with the basic design of other subdivisions up here. 24th Street has its issues. What is the slope between lots 5 and 6, connecting to 24th Street?

Bates: Discussed that this neighborhood does not have access through lots 5 and 6 to 24th Street.

Belden: We are not talking about deforestation with this development. It has already been settled as a meadow for a while.

Brown: Discussed the design of the street intersection. Is there a solution to the sight distance issue that could be handled by the design?.

Granderson: The primary issue is the vertical curve. I'm not sure what solution you could do to improve it.

Upon roll call the motion passed with a vote of 5-3-0. Commissioners Hoffman, Quinlan, and Cook voted 'no'.

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

FROM: Andrew Garner, City Planning Director
Corey Granderson, Staff Engineer

MEETING: December 12, 2016 (Updated with Planning Commission results)

SUBJECT: **PPL 16-5574: Preliminary Plat (NE OF 24TH & COUNTRY CLUB DR./MOUNTAIN VISTA SD, 640-641):** Submitted by BATES & ASSOCIATES, INC. for properties located NE OF 24TH & COUNTRY CLUB DR. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 54.16 acres. The request is for 52 single-family lots.

RECOMMENDATION:

Staff recommends approval of **PPL 16-5574** with conditions of approval.

BACKGROUND:

Background: The subject property is located north of the Fayetteville Country Club on the east side of Country Club Drive. The 54.16-acre property is zoned RSF-4 and is developed with a single family home and associated accessory structures/dwellings. The property connects to Country Club Drive via a private drive, Askew Drive. The site is within the Hillside Hilltop Overlay District (HHOD). Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Wooded hillside	RMF-24, Residential Multi-Family 24 Units per Acre
South	Single family residential	RSF-4, Residential Single Family four Units per Acre
East	Single family residential; undeveloped wooded hillside	RSF-4, Residential Single Family four Units per Acre
West	Wooded hillside	RMF-24, Residential Multi-Family 24 Units per Acre

Proposal: The applicant proposes to develop the site into a 52-lot single family subdivision, preserving the existing home on one of the lots.

Access and connectivity: The subdivision would have a primary entrance off of Country Club Drive with a looped street that connects to the existing cul-de-sac street stub out of College Road to the east. The primary entrance (in the location of the existing Askew Drive) is challenged by steep topography and a curve. However, staff has evaluated the site distances and determined that the new street in this location will not create a significant traffic safety hazard. Due to surrounding steep terrain street connections to the north and west are not feasible. The development provides a street stub-out to undeveloped hillside area to the east. The lack of

connectivity and street stub-outs require block length variances which staff recommends given the steep terrain.

Water and Sewer System: Water and sewer infrastructure will be required to be installed prior to final plat.

Adjacent Master Street Plan Streets: Country Club Road, College Road, 22nd Street (Local Streets)

Internal Streets/Right-of-way to be dedicated: Right-of-way dedication is required along the site's Country Club Road frontage in the amount of 25 feet from centerline. The internal streets are utilizing a combination of the HHOD Local and Low Impact Development cross sections with variable right-of-way dedication to accommodate bioswales and sidewalks on one side of the street.

Street Improvements: Given the steep terrain and existing sidewalk on the west side of Country Club Drive all the way to South School Avenue, staff does not recommend that sidewalk be constructed along this site's Country Club Drive frontage north of the subdivision entrance. However, staff recommends that an off-site 5-foot sidewalk and a crossing at be installed from the subdivision entrance south along Country Club Drive and a crossing at 26th Circle, to provide connection to the existing sidewalk system on the east side of Country Club Drive. This will provide pedestrian connectivity from this new neighborhood to the Country Club neighborhood to the south.

Multi-use Trail: The City Trails Coordinator has requested this project dedicate a 25-foot wide trail easement connecting from the street in this subdivision northwest to the dead end of 22nd Street.

Tree Preservation:

Canopy minimum requirement:	30%
Existing canopy:	78.1%
Preserved canopy:	69.1%
Mitigation required:	No mitigation required

Parks: On July 11, 2016, the Park and Recreation Advisory Board (PRAB) recommended payment of fees in lieu of parkland dedication for the proposed single family subdivision. The project is currently proposing 52 single family lots with one existing home to remain on one lot for a total of 51 new residential lots. Fees in the amount of \$46,920.00 are due before signing of the final plat. Final fee amount is dependent on the total number of buildable new residential lots and the parks fee formula at the time of Planning Commission approval of the preliminary plat.

Public Comment: Staff has received public comment including emails which are attached to this report along with several phone calls and several members of the public spoke at the Subdivision Committee meeting. Concerns from surrounding residents include issues such as traffic safety, density, drainage, lack of access and home sizes that are potentially too small for the area.

RECOMMENDATION: Staff recommends approval of PPL 16-5574 with the following conditions.

Conditions of Approval:

1. Planning Commission determination of a variance of the Block Length requirement (§166.08.E.1) for a blocks longer than 660 feet. The subdivision includes street blocks that

range from approximately 800-1,200 linear feet as part of a large loop street system with a stub-out to the east. *Staff recommends in favor of the variances and proposed layout given this site's unique situation on top of a ridgeline where street connections off site to the north and west are infeasible. The internal street system could be broken into smaller blocks, however, given the large lot size and existing home that is being preserved on 2.84 acres the large block pattern proposed is appropriate.*

SUBDIVISION COMMITTEE RECOMMENDED IN FAVOR OF THIS VARIANCE (12/01/2016)

PLANNING COMMISSION DETERMINED IN FAVOR OF THIS VARIANCE (12/12/2016)

2. Planning Commission determination of street improvements. *Staff recommends that an off-site 5-foot sidewalk and a crossing be installed from the subdivision entrance south along Country Club Drive with the crossing at 26th Circle, to provide connection to the existing sidewalk on the east side of Country Club Drive south of the site. This will provide pedestrian connectivity from this new neighborhood to the Country Club neighborhood to the south.*

SUBDIVISION COMMITTEE RECOMMENDED IN FAVOR OF STREET IMPROVEMENTS (12/01/2016)

PLANNING COMMISSION DETERMINED IN FAVOR OF STREET IMPROVEMENTS (12/12/2016)

3. Planning Commission determination of parkland dedication or fees-in-lieu. *The Park and Recreation Advisory Board (PRAB) recommends payment of fees in lieu of parkland dedication for the proposed single family subdivision. The project is proposing 52 single family lots with one existing home to remain on one lot for a total of 51 new residential lots. Fees in the amount of \$46,920.00 are due before signing of the final plat. Final fee amount is dependent on the total number of buildable new residential lots and the parks fee formula at the time of Planning Commission approval of the preliminary plat.*

SUBDIVISION COMMITTEE RECOMMENDED IN FAVOR OF THIS CONDITION (12/01/2016)

PLANNING COMMISSION DETERMINED IN FAVOR OF THIS CONDITION (12/12/2016)

4. Right-of-way dedication is required along the site's Country Club Road frontage in the amount of 25 feet from centerline. The internal streets are utilizing a combination of the HHOD Local and Low Impact Development cross sections with variable right-of-way dedication to accommodate bioswales and sidewalks on one side of the street.
5. All new internal streets to be constructed in accordance with the City development code.
6. A 25-foot wide trail easement shall be dedicated through the project site connecting from the street in this subdivision northwest to the dead end of 22nd Street as indicated on the plat and as requested by the City Trails Coordinator.
7. The preliminary plat needs to be revised as follows:
 - Include a typical street cross section chart/diagram indicating the total right-of-way, pavement, greenspace, bioswale and sidewalk.
 - Label Lot 55 as an "unbuildable lot".
8. Future street connection signs shall be placed at the street connectivity points prior to final plat.
9. Streetlights shall be installed at all intersections and spaced every 300 feet in accordance with city code.
10. Preliminary plat approval is valid for one year. All permits to complete construction for all lots within this preliminary plat are required to be obtained within one (1) year, subject to extensions in accordance with the Unified Development Code.

11. All tree preservation, landscape, engineering, 911 Coordinator, and fire department conditions included herein shall apply. All revisions shall be addressed prior to construction plan approval.

Standard conditions of approval:

12. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance.
13. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: AR Western Gas, SWBT, Ozarks, SWEPCO, Cox Communications).
14. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with City's current requirements.
15. All street lights shall comply with the City lighting ordinance. Manufacturer's cut-sheets are required for review and approval and all street lights shall be installed or guaranteed prior to final plat.
16. All freestanding and wall signs shall comply with ordinance specifications for location, size, type, number, etc. Any proposed signs shall be permitted by a separate sign permit application prior to installation. Freestanding pole signs and electronic message boards (direct lighting) are prohibited in the Design Overlay District.
17. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground.

18. Prior to Final Plat, the water pressure shall be tested to ensure compliance with fire code flow requirements. Planning Commission added this condition at the meeting (12/12/2016)

Subdivision Committee Action: ☐ Approved ☒ Forwarded ☐ Denied

Meeting Date: December 1, 2016

Motion: Cook

Second: Brown

Vote: 3-0-0

Note: Forwarded, agreeing with all conditions as recommended by staff.

Planning Commission Action: ☒ Approved ☐ Forwarded ☐ Denied

Meeting Date: December 12, 2016

Motion: Hoskins

Second: Autry

Vote: 5-3-0 (Commissioners Hoffman, Noble, and Cook voted 'no')

Note: Approved with all conditions as recommended by staff, except adding condition of approval #18 as noted above.

BUDGET/STAFF IMPACT:

None.

Attachments:

- Trails Coordinator comments
- E911 Coordinator comments
- Engineering Division comments
- Fire Department comments
- Parks Division comments
- Urban Forestry comments
- Block length diagram
- Public comment
- Applicant's letter
- Site plan
- Close Up Map
- One Mile Map

ENGINEERING DIVISION - TRAILS CORRESPONDENCE

To: Planning Commission

From: Matt Mihalevich, Trails Coordinator

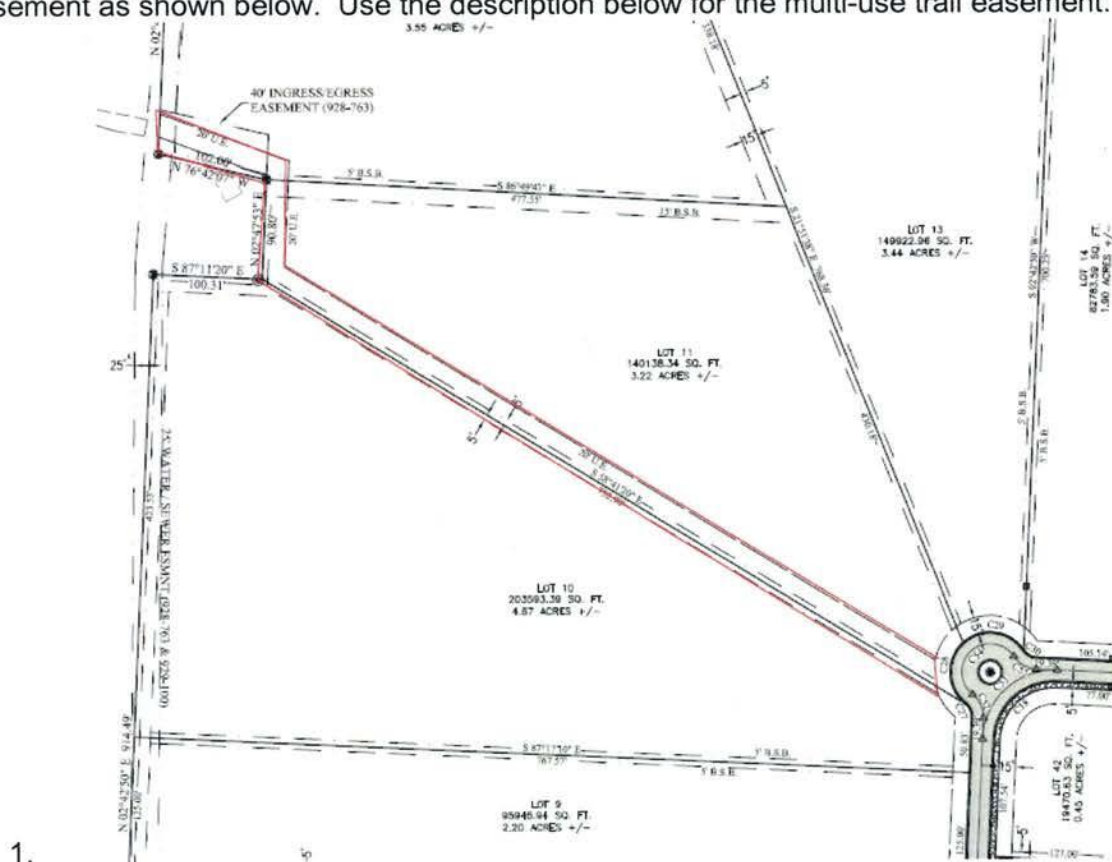
Date: August 23, 2016

Subject: Pathway Church - Trail Comments

ITEM #: PPL 16-5574 S. Askew Ln. (Mountain Vista SD)

TRAIL COMMENTS

Include a 25-foot-wide multi-use trail easement for a future trail connection over the proposed utility easement as shown below. Use the description below for the multi-use trail easement.



Multi-Use Trail Easement

A permanent easement to construct, maintain, repair and/or replace a multi-use trail for public access, together with all appurtenances thereto including lighting and public art, on, over, across, and through the following described land labeled City of Fayetteville multi-use trail easement on this final plat. The Grantor agrees not to erect any buildings, fences or structures in said permanent easement.

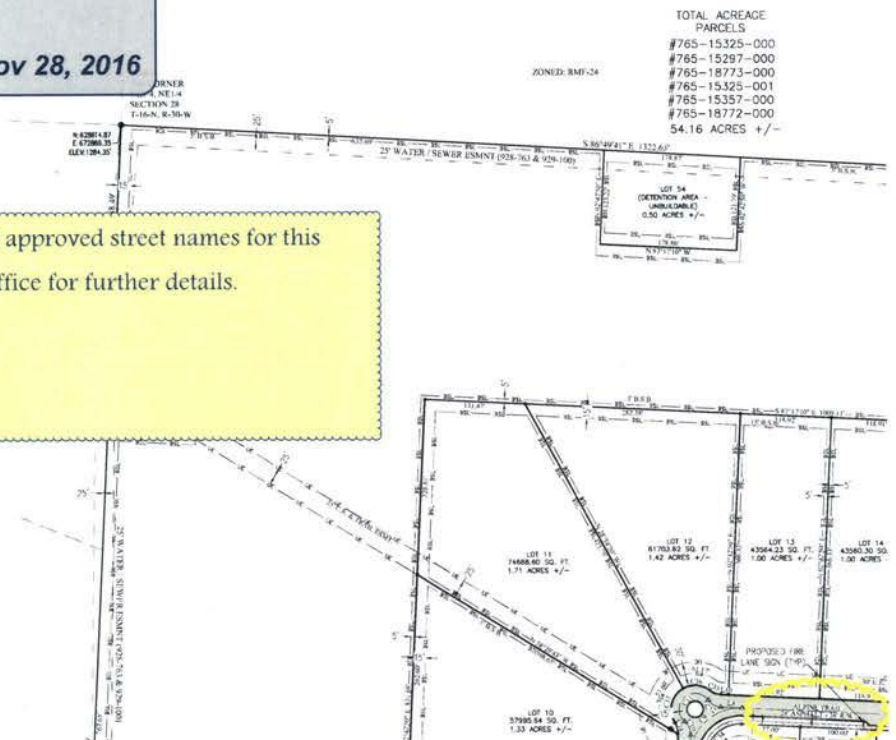
REVIEWED

By Dainah Gilbert at 9:19 am, Nov 28, 2016

Alpine Trail & South College Dr are not approved street names for this project. Please contact the addressing office for further details.

479-575-8380

dgilbert@fayetteville-ar.gov





Date: December 5, 2016

Planning Commission Staff Memo

To: Andrew Garner, City Planning Director

From: Corey Granderson, Staff Engineer

Re: Plat Review Comments

Development: PPL 16-5574 Mountain Vista Subdivision

Engineer: Bates & Associates

Response to public comments received at Subdivision Committee 12/1/16:

1. Sight-distance and safety at proposed intersection of Askew Drive and 24th Street.
 - a. Vehicles exiting the proposed Askew Drive will have a sight distance to the South of approximately 230 feet, and to the North of approximately 190 feet.
 - b. The posted speed limit is 30 mph for southbound traffic, and 25 mph for northbound traffic.
 - c. Based on POSTED speed limits, the calculated Stopping Sight Distance (minimum safe distance to stop a vehicle per AASHTO guidance) is:
 - i. 155 feet to the south (northbound traffic)
 - ii. And 179 feet to the north (southbound traffic)
 - d. Minimum stopping sight distances have been met for the posted speed limit, however, the posted speed limit is not necessarily the typical user speed on roadways. If users are traveling above 30 mph in either direction, then adequate stopping sight distance will NOT be available per AASHTO guidance.
 - e. While any entrance onto an established road contributes to potential accidents, it is the opinion of the engineering division that the addition of this entrance, as proposed, would not create or exacerbate a dangerous traffic situation.
2. Water pressure/availability in this area.
 - a. This entire hilltop area is fed by a single-feed 8" water main that is pressurized by a pump station, the pressures available on this hill are not dictated by an elevated water tank (as much of Fayetteville is serviced).
 - b. There have been no recent complaints to our water department regarding individual loss of pressure at homes. In the past there have been isolated instances where issues downstream of the public meter caused water pressure losses. The city can check pressures at the meter upon request.
3. Neighboring streets/lots – drainage complaints.
 - a. The city does not have record of any drainage complaints in this area in recent years. This subdivision was originally built with very little storm drain infrastructure and likely experiences street/yard flooding throughout as a result.
 - b. The proposed subdivision is downhill of the existing lots/homes and is meeting all requirements for detention and water quality treatment. This development should have no negative impact on the existing neighborhood's drainage network or patterns.

Mailing Address:
113 W. Mountain Street
Fayetteville, AR 72701

ENGINEERING
www.fayetteville-ar.gov

4. Street connection proposed to existing cul-de-sac at end of College Drive.
 - a. The engineering division does not have immediate concerns with this connection. Further review will occur prior to permitting of this project.
 - b. The Fire Marshal has commented that this is an adequate secondary connection point and has no concerns with current radii or lane widths.
5. Historical failure/repairs to 24th Street.
 - a. The only two recent projects in this area by our transportation department are as follows:
 - b. Pavement removal and subsequent repair, due to waterline leak under pavement.
 - c. Surface milling to provide additional traction, slip resistance on steep grades.
 - d. No evidence of road or slope failure has been noted by the transportation division at this time.

Plan Comments:

1. This subdivision is proposing a non-typical right-of-way cross section. Provide Typical Street Section for review. This should be submitted PRIOR TO PLANNING COMMISSION.
2. Existing and proposed contour labels must be added to the grading plan. At this time the volume and footprint of the proposed detention areas cannot be verified. However, adequate space is present if the ponds need to increase in size.
3. Provide a grading plan showing the north detention pond, as this area is cut off on Sheet 05.

Drainage Comments:

1. As submitted, this drainage design (for detention and water quality) is still conceptual and appears to be a feasible solution.
 - a. Sufficient detail for in-depth review has not been provided at this stage. A significant amount of work needs to be done by the engineer to complete this design. Further review will likely generate significant comments.
 - b. Detailed design and calculations at construction level review must demonstrate compliance with all city ordinances and the Drainage Criteria Manual prior to the release of any permits for construction.
2. Bioretention areas have been proposed within the public right of way in several areas of this subdivision in order to meet the water quality requirements of the Drainage Criteria Manual.
 - a. These features must be installed prior to final plat.
 - b. These features must be adequately protected from siltation or damage until a certificate of occupancy is released for all lots adjoining these features.
 - c. Maintenance agreements and schedules and the identification of a responsible party must be provided prior to final plat.
3. A significant portion of Askew Drive (several hundred feet starting at 24th Street) has not been drained to a water quality feature. Much of this area is new imperviousness that must be treated per minimum standard #1 in the Drainage Criteria Manual. Provide a means of treatment here.
4. A 40-hr drain time of the increased volume of the 1-yr storm has not been demonstrated in either pond.
 - a. This requirement has NOT been waived.
 - b. Propose a smaller orifice in these ponds to achieve the required extended drain time.
 - c. Small orifice protection measures should be utilized per the guides in Appendix G of the Drainage Criteria Manual.

Standard Comments:

1. All designs are subject to the City's latest design criteria (water, sewer, streets and drainage). Review for plat approval is not approval of public improvements or drainage design, and all proposed improvements are subject to further review at the time construction plans are submitted.
2. Note, the following portions of all projects will typically not be reviewed by the Engineering Division until time of construction-level review (unless specifically requested at plat review):
 - o Storm Sewer pipe/inlet sizing, gutter spread, profiles, or utility conflicts
 - o Sanitary Sewer pipe sizing, profiles, or utility conflicts
 - o Waterline fittings, callouts, or utility conflicts
 - o Street profiles
 - o Fine grading/spot elevations
3. Any damage to the existing public street due to construction shall be repaired/replaced at the owner/developers expense
4. Any water main upgrades that parallel a smaller or older waterline are required to relocate all existing service connections to the new water main and abandon the old water main.
5. Water and sewer impact fees will apply for the additional impact to the system. The fees will be based on the proposed meter size and will be charged at the time of meter set.
6. The Engineer of Record shall:
 - a. Review and approve material submittals. Approved submittals shall be submitted to the City for concurrence before grading permit is issued.
 - b. Perform "Full Time" Inspection for the utility installation and shall be "In- Charge" of the approval testing.
 - c. Provide a qualified representative for all testing and inspection.
 - d. Schedule testing with the Public Works Inspector.
 - e. Authorize geotechnical testing laboratory to provide reports directly to City in PDF format. Reports shall be submitted in a timely manner.
 - f. Prepare material data sheets and test reports required by the specifications.
 - g. Insure that daily inspection reports and data sheets are submitted to the City of Fayetteville's public works inspector weekly in PDF format.
7. 2012 Standard Water & Sanitary Sewer Specifications & Details apply
8. Demolition shall not begin until the appropriate erosion control measures and required tree preservation fencing are installed
9. Prior to **Project Acceptance** (Final Plat) the following items must be performed or provided to the satisfaction of the Engineering Department:
 - h. The work shown on the civil site package must be complete and the items on the final punch list completed.
 - i. Vegetation must be established and perimeter erosion controls removed.
 - j. One (1) set of as-built drawings of the complete project (excluding details) as a hard copy, digital file .dwg, and PDF format;
 - i. Public infrastructure and services shall be surveyed after installation in relation to easements, property lines, and rights-of-way.
 1. More than 2 ft deviation of design alignment of shall require new easement dedication or adjustment of the utility/storm drain.
 - ii. Sanitary Sewer, and Storm Drainage (Including Private) elevations must be verified and updated. (Elevations out of design tolerance must be corrected)
 - iii. Street Centerline, Width, Profiles and Cross slopes shall be verified.
 1. More than 6 inches deviation of design alignment of shall require new right of way dedication or adjustment of the street section.
 - iv. Adequate verification survey to confirm accuracy of drainage report.

- v. As-builts should include the following information in a table; Linear Feet of new public streets, sidewalk (categorized by width), waterline, and sanitary sewer. Square feet of newly dedicated right-of-way.
- k. Unit price construction costs for review and approval and a single 2 year maintenance bonds in the amount of 25% of the public improvements; 50% of water & sewer infrastructure.
- l. Certification that the streets, sidewalk, storm sewer, water, fire line, and sewer lines, etc., were installed per approved plans and City of Fayetteville requirements;
 - i. Provide all Inspection Reports; approved submittals; Data Forms from Utility Specifications (Including Consultants sewer TV report); compaction test results, etc...
- m. Certification that the designed retaining walls were installed per approved plans and City of Fayetteville requirements (Inspection and Testing Reports required);
- n. Cross Sections, Volume Calculations, and Certification Retention/Detention Ponds are in accordance with the approved Drainage Report.
- o. Surveyor's Certification of Compliance for monuments and property pins.
- p. The As- Built Final Drainage Report in PDF format updated per as-built invert, slope, inlet opening, road profile, cross slope, etc...
- q. Bond, guarantee, or letter of credit for all sidewalks not constructed prior to final plat approval (150% of the estimated cost of construction);
- r. Cross Sections, contours, spot elevations, and Certification that the site has been graded per the approved MRLGP within the right of way, drainage easements, and utility easements.



TO: Planner

FROM: Deputy Fire Marshal Brian Sloat

DATE: November 28, 2016

SUBJECT: 16-5574 PPL S. Askew Ln. (Mountain Vista SD)

The following comment has not been addressed nor placed on subsequent submittals:

Arkansas Fire Prevention Code (AFPC) 2012 Edition, Volume I, Section D103.6.2 Roads more than 26 feet in width. Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide and less than 32 feet wide. In addition signs must meet spacing requirements of AFPC 2012 Edition, Volume I, Section 503.3

TO: Planning Division
FROM: Ken Eastin, Park Planner II
DATE: August 22, 2016
SUBJECT: Parks & Recreation Technical Plat Review Comments

Meeting Date: August 31, 2016
Item: 16-5574 PPL S. Askew Ln. (Mountain Vista SD) 640-641
Park District: NW
Zoned: RSF-4 and RSF-4 HHOD
Billing Name & Address: Mr. J. B. Hays
2225 S. Askew Dr.
Fayetteville, AR 72701

	<u>Current Land Dedication Requirement</u>	<u>Money in Lieu</u>
Single Family	51 @ 0.023 acre per unit = 1.17 acres	51 @ \$920 per unit = \$46,920
Multi Family	@ 0.014 acre per unit = _____ acres	@ \$560 per unit = \$ _____

COMMENTS:

- Project is proposing 52 total lots with one existing home to remain on one lot for a total of 51 new residential lots.
- Project was reviewed by PRAB on July 11, 2016 and recommended accepting money in lieu for 51 single family lots to satisfy the park land dedication ordinance.
- Fees in the amount of \$46,920 are due before signing of the final plat.
- Final fee amount assessed is dependent on the total number of buildable residential lots that are actually platted and the parks fee formula at the time of Planning Commission approval of the Preliminary Plat.



TREE PRESERVATION AND PROTECTION – Chapter 167

To: Geoff Bates, Bates & Associates, Inc

From: Lee Porter, Urban Forestry

CC: Andrew Garner, Planning Director

Date: December 12, 2016

Subject: PPL 16-5574 : S. Askew Ln. : Planning Commission Review Comments

Requirements Submitted:

N	Initial Review with the Urban Forester
NA	Site Analysis Map Submitted (if justification is needed)
NA	Site Analysis Written Report Submitted (justification is needed)
Y	Complete Tree Preservation Plan Submitted
Y	Tree Mitigation Table on Plans
NA	Tree Preservation Wavier Submitted (only use if no trees onsite or near P/L)

Tree Preservation Calculations		
	Square Feet	Percent of site
Total Site Area *Minus Right of Way and Easements	1,964,851	100%
Zoning Designation * Select Below with drop down arrow		
RSF-1 Single-Family Residential, One Unit Per Acre	491,213	25%
HHOD * Select Below with Drop Down Arrow		
Yes	98,243	5%
Total Canopy for Minimum Preservation Requirements	589,455	30.0%
Existing Tree Canopy * Minus Right of Way and Easements	1,534,526	78.1%
Tree Canopy Preserved	1,357,151	69.1%
Tree Canopy Removed *On Site	177,375	9.0%
Tree Canopy Removed *Off Site	0	
Tree Canopy Removed Total	177,375	9.0%
Removed Below Minimum	0	
Mitigation Requirements	0	

TREE PRESRVATION CALCULATIONS

- Total Site Area* is property line minus Master Street Plan ROW, existing easements, and Dedicated Parkland
- Existing Tree Canopy* is total tree canopy minus Master Street Plan ROW and existing easements

Tree Canopy Mitigation:

Canopy Below Required	Preservation Priority/Type	Forestation Base Density (ft2)	Number of 2" caliper trees to be planted
0	High Priority	218	0
0	Mid Priority	290	0
0	Low Priority	436	0
Total Mitigation			0

Mitigation Type Requested	Qty	Each	Total Cost
On-site Mitigation			
Off-site Mitigation			
Tree Escrow		\$675	
Total Mitigation			

Mitigation Type Requested:

☐ On-Site ☐ Off-Site ☐ Tree Escrow ☒ Not Requested Yet

Mitigation Type Requested Approved: ☐ YES ☐ NO

TREE PROTECTION PLAN CHECKLISTS AND COMMENTS:

Plan Checklist:

Yes = submitted by applicant

No = required by City Code but not included on submitted plan

NA = not applicable

The Site Analysis Plan [167.04(H)(1)]

Tech Plat	SD	PC	Site Analysis Plan Components
Yes	Yes	Yes	5 year aerial check on existing trees
Yes	Yes	Yes	Property Boundary
Yes	Yes	Yes	Natural Features 100ft beyond property line shown
Yes	Yes	Yes	Existing Topography with slopes $\leq$ 15% highlighted
Yes	Yes	Yes	Soils
Yes	Yes	Yes	Significant Tree(s): 24", 18" and 8" DBH
Yes	Yes	Yes	Table listing Sig. Trees with species, size, health, priority.
Yes	Yes	Yes	Grouping of Trees: all other trees that do not meet significant requirements.
Yes	Yes	Yes	Table listing Grouped Trees with average species, size, health, priority
Yes	Yes	Yes	All existing utilities
Yes	Yes	Yes	All perennial and intermittent streams with approximate center line
Yes	Yes	Yes	Floodplains/Floodways
Yes	Yes	Yes	Existing street, sidewalk or bike path ROW
NA	NA	NA	Submitted Site Analysis Plan

The Analysis Plan Report [167.04(H)(4)]

Tech Plat	SD	PC	Analysis Plan Report Components
Yes	Yes	Yes	Detail Design Approaches used to minimize damage to OR removal of existing canopy
Yes	Yes	Yes	Justification for removal of individual or groupings of trees/canopy
NA	NA	NA	Details providing information on on-site mitigation OR off-site alternatives

NA	NA	NA	Submitted Analysis Report/Statement – Note the process, iterations, and approaches with tree preservation in mind. Use email from owner/developer that was provided as reference.

Tree Preservation Plan [167.04(H)(2)]

Tech Plat	SD	PC	Tree Preservation Plan Components
Yes	Yes	Yes	Shows ALL Proposed Site Improvements
Yes	Yes	Yes	Delineates trees/canopy to be preserved and removed
Yes	Yes	Yes	Delineates existing and proposed grading
Yes	Yes	Yes	Depict limits of soil disturbance
Yes	Yes	Yes	Detail methods that will be used to protect trees during construction:
Yes	Yes	Yes	1. Tree Protection Fencing
NA	NA	NA	2. Limits of Root Pruning
Yes	Yes	Yes	3. Traffic flow on work site
Yes	Yes	Yes	4. Location of material storage
Yes	Yes	Yes	5. Location of concrete wash out – move outside of trees to be saved
Yes	Yes	Yes	6. Location of construction entrance/exit
No	Yes	Yes	Location of ALL existing and new utility/drainage easements

Conditions of Approval:

Urban Forestry recommends approval of the Tree Preservation Plan with the following conditions of approval:

1. Address items above marked "No" and all Redlines provided.



LANDSCAPE REGULATIONS – Chapter 177

To: Geoff Bates, Bates & Associates, Inc.

From: Lee Porter, Urban Forestry

CC: Andrew Garner, Planning Director

Date: December 12, 2016

Subject: PPL 16-5574 : S. Askew Ln : Planning Commission Review Comments

Applicable Requirements:

Yes	Site Development & Parking Lot Standards
Yes	Street Tree Planting Standards
Yes	Stormwater Facilities

Plan Checklist:

Yes = submitted by applicant

No = required by City Code but not included on submitted plan

NA = not applicable

Tech Plat	SC	PC	All Landscape Plans
Yes	Yes	Yes	Irrigation notes either automatic or hose bib 100' o.c. (177.03A.7.g & 177.04.B.3.a)
Yes	Yes	Yes	Species of plant material identified (177.03.A.7.d & e)
Yes	Yes	Yes	Size of plant material at time of installation indicated minimum size 2" caliper for trees and 3 gal. shrubs (177.03.A.7.b & c)
Yes	Yes	Yes	Soil amendments notes include that soil is amended and sod removed (177.03.C.6.b)
Yes	Yes	Yes	Mulch notes indicate organic mulching around trees and within landscape beds (177.03.C.6.c & d)
Yes	Yes	Yes	LSD and Subdivisions plans stamped by a licensed Landscape Architect, others by Landscape Designer (177.03.B)
Yes	Yes	Yes	Planting bed contained by edging (177.03.C.6.f)
Yes	Yes	Yes	Planting details according to Fayetteville's Landscape Manual (177.03.C.6.g)

Tech Plat	SC	PC	Site Development & Parking Lot Standards
NA	NA	NA	Wheel stops/ curbs (177.04.B.1)
NA	NA	NA	Interior landscaping (177.04.C) Narrow tree lawn (8' min width, 37.5' min length/ 1 tree per 12 spaces) <u>OR</u> Tree island (8' min. width, 18.7' min. length/1 tree per 12 spaces) All parking lot trees must be deciduous (177.04.C.3)
NA	NA	NA	Placement of Trees (177.04.C.2) Either side at points of access (entrance/exit)
Yes	YES	YES	Perimeter landscaping (177.04.D) Side and rear property lines (5' wide landscaped) Front property line (15' wide landscape) (177.04.D.2.a) Shade trees planted on south and west sides of parking lots (177.04.D.2.e) Parking lot adjacent to R.O.W.- continuous row planting of shrubs - 50% evergreen. Remaining landscaping to be ground cover and / or turf.) (177.04.D.4a) NOTE: Shade trees are described in street tree planting standards
Tech Plat	SC	PC	Street Tree Planting Standards (time of F.P. or permit) (177.05)
Yes	Yes	Yes	Residential Subdivisions- 1 large species shade tree/ lot tree planted within R.O.W. if possible
NA	NA	NA	Nonresidential Subdivision- 1 large species shade tree/30 L.F. tree planted within 15-25' greenspace
NA	NA	NA	Urban Tree Wells-urban streetscape only- 8' sidewalk , trees every 30 L.F. (177.05.B.3.a-f)
NA	NA	NA	Structural Soil-if urban wells are used, a note or detail of structural soil must be indicated on the landscape plan and inspected at time of construction.
No	No	No	Timing of planting indicated on plans (subdivisions only) (177.05.A.4)
Yes	Yes	Yes	Written description of the method for tracking plantings (177.05.A.4.e)
Yes	Yes	Yes	Plan contains 3-year Maintenance and Monitoring Agreement. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. (177.05.A.2.e)
Tech Plat	SC	PC	Stormwater Facilities (time of F.P. or permit) (177.06.A – C)
Yes	Yes	Yes	1 deciduous or evergreen tree/ 3000 square feet
Yes	Yes	Yes	4 large shrubs or small trees (3 gal) / 3000 square feet
Yes	Yes	Yes	6 shrubs or grasses (1 gal) / 3000 square feet
Yes	Yes	Yes	Ground cover unless seed or sod is specified
Yes	Yes	Yes	50% of facility planted with grass or grass like plants

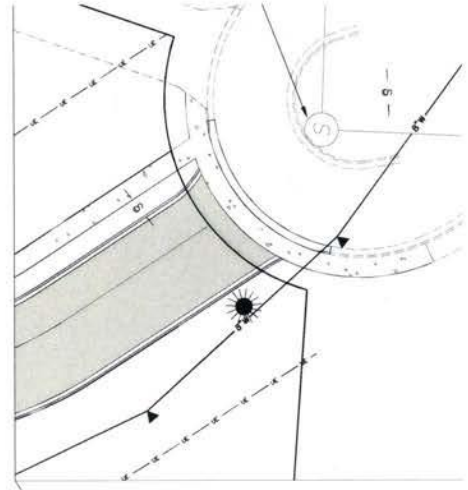
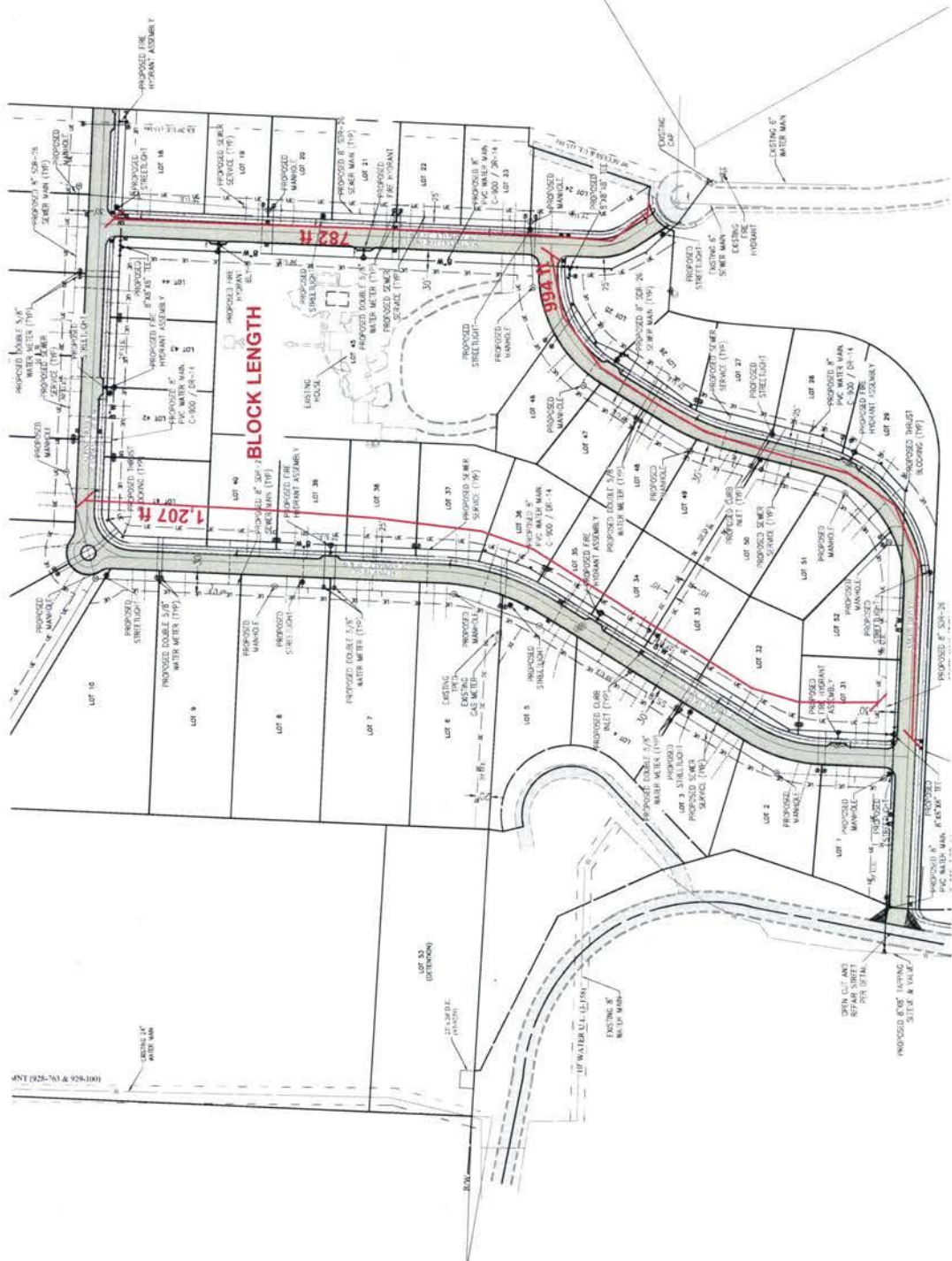
Landscape Requirements Table		
0	Mitigation Trees	3-year surety required
49	Street Trees	3-year surety required
0	Parking Trees	
5	Detention Large Trees	
21	Detention Small Trees / Large Shrubs	
32	Detention Small Shrubs	

Conditions of Approval:

Urban Forestry recommends approval of the Tree Preservation and Landscape Plan with the following conditions of approval:

1. Address all items above marked "N".
2. Please articulate when the street/lot trees will be planted during construction of subdivision.

1. ALL WATER MAIN PIPE TO BE PVC C-900
2. ALL SEWER MAIN TO BE SDR-35
3. 2012 STANDARD WATER SPECIFICATIONS & DETAILS APPLY (DOCUMENT AVAIL. [HTTP://ACCESS.MHEDUCATION.COM/GOVT/ENGR](http://access.mheducation.com/govt/engr/engr))
4. SPECIFICATIONS REQUIRE TELEVISION INSPECTION, REVIEW SECTION 5200 FOR ADDITIONAL REQUIREMENTS
5. CURRENT CITY OF FAYETTEVILLE STANDARDS REQUIRE FULL-DEPTH INVERT/BENCH MEANS THAT THE INVERT/BENCH AREA SHALL BE IN THE FORM OF A "U" FROM THE MANHOLE TO THE CROWN OF THE PIPE
6. THE CONNECTIONS TO THE EXISTING MANHOLES ARE TO BE CORE-DRILLED WITH NON-SHRINK GROUT. THE INSTALLATION SHALL THEN BE DYE-TESTED
7. MARK WAYS FOR FUTURE CONNECTIONS USING DEFLECTIBLE RACER TAPE, IN ACCORDANCE WITH THE CITY OF FAYETTEVILLE SPECIFICATIONS
8. ALL EXISTING OVERHEAD UTILITY LINES UNDER 12 KV SHALL BE RELOCATED AND PLACED UNDERGROUND
9. AREAS 20 FEET OR OTHER SIDE OF FIRE HYDRANT SHALL BE DESIGNATED "NO PARKING" ZONE
10. ALL FITTINGS SHALL BE FUSION-BONDED EPOXY COATED INSIDE AND OUTSIDE IF APPLICABLE
11. THE CONNECTIONS TO THE EXISTING MANHOLES ARE TO BE CORE-DRILLED WITH NON-SHRINK GROUT. THE INSTALLATION SHALL THEN BE DYE-TESTED. BENIGN TO BE CONSTRUCTED AT EACH CONNECTION LOCATION OF A NEW SEWER PIPE
12. LOCATIONS OF ALL UTILITIES ARE NOT EXACT AS SHOWN ON PLAN SYMBOLS. THE CITY OF FAYETTEVILLE SHALL BE PLACED PER CITY OF FAYETTEVILLE SPECIFICATIONS
13. ALL EXISTING OVERHEAD UTILITY LINES UNDER 12 KV SHALL BE RELOCATED AND PLACED UNDERGROUND
14. ALL NEW UTILITIES TO BE PLACED UNDERGROUND



Garner, Andrew

From: Todd Devecsery <tdevecsery@gmail.com>
Sent: Friday, October 28, 2016 12:50 PM
To: Garner, Andrew
Subject: 10.28.2016 - Resident of Taylor Estates - FCC - Mountain Vista

Good Day Andrew,

I am emailing to inform you of concerns from the neighborhood regarding the proposed new addition of more than 50 homes within our current area. I live at 2555 South College Drive and will be directly affected by the outcome of the city's decision regarding this project.

Please review and advise what we need to do to ensure the below concerns are addressed correctly.

1. Purposed lot widths are significantly less than the adjoining already constructed homes
2. Purposed set backs are half or less than half of the adjoining - already constructed homes
3. Main route - West 24th Street - Country Club Drive - purposed new subdivision entrance is a dangerous, blind and an accident prone area already
4. Secondary entrance onto South College Drive is insufficient and will not be used due to location and ease of access - an additional entrance and exit needs to be engineered into the purposed plan
5. Due to the significant difference in lot size and design of homes to be constructed a "green space" barrier needs to be engineered between the existing homes and new purposed subdivision if approved
6. Drainage, water utilities and electrical utilities are already a continued problem within the existing subdivisions upon the hill - all of the drainage & utilities are not engineered to support an additional 50 homes
7. West 24th Street already has significant issues due to current design - there are accidents upon the top incline of the hill and at the bottom of this street routinely - Upgrades to this street need to be included within the engineering of this subdivision

--

Thank you,

Todd F. Devecsery
Mobile # 479.445.2407
tdevecsery@gmail.com
tdevecsery@yahoo.com

Garner, Andrew

From: Kathy Wilson <kecwilson@gmail.com>
Sent: Thursday, December 01, 2016 8:34 AM
To: Garner, Andrew
Subject: Dr. Hayes' development east of 24th Street & County Club Dr.

I am a retired cardiologist who cannot be at the meeting because of temporary illness. I have grave concerns about the feasibility of adding fifty families, presumably heavily skewed toward younger working people, to the residential area with one road in and out. 71B has periods of being very busy. We have a large percentage of retired people on this hill who can pick their times to do errands. I would foresee a real traffic jam morning and late afternoon. My biggest concern is access for emergency services, both ingress and egress.

I am not against the development per se; I just think it must have another way in and out beyond the existing road.

James W. Wilson, MD

Garner, Andrew

From: Hans Peter Elzer <hpelzer@yahoo.com>
Sent: Wednesday, November 30, 2016 11:12 AM
To: Garner, Andrew
Subject: Mountain Vista Subdivision

Hello Mr Garner,

Thank you for taking the time on Monday to speak to me about the plans or the Mountain Vista subdivision.

I won't be able to make the meeting tomorrow, but I would like to pose the following questions for consideration:

Is the current water infrastructure correctly sized to maintain water pressure after the additional 50 homes are connected?

Is the existing single (and very steep) access road - 24th Street - considered sufficient to accommodate heavy equipment construction traffic during the multi-year build phase, and car traffic after completion?

Thank you,
Peter Elzer

Garner, Andrew

From: Tanya Collins <tanyadcollins@earthlink.net>
Sent: Wednesday, December 07, 2016 9:17 AM
To: Gray, Adella; Marsh, Sarah; Planning; Mayor
Subject: Proposed Mountain Vista Subdivision, Applicant J.B. Hayes

We are writing to communicate that we do not believe this initial plan that Mr. Hayes has proposed is a good option and as neighbors of this future development, we do not support this plan.

We understand that with the property's sale there will be new development. Our hope is that it will be in keeping with the existing hill top neighborhood community and add to the quality of life that we have chosen and that we enjoy. This is a mature neighborhood with many mature residents. We enjoy knowing one another personally and professionally. We visit with one another while walking or working in our yards. That neighborly aspect is what many of us purchased, along with the physical structures that we live in.

There are three main concerns and objections to the proposed Mountain Vista Subdivision;

1. There is only one road, steep and winding, that provides access to all of the residence and the Fayetteville Country Club on top of the hill. Adding an additional 55 units (with an estimated 2 cars per household) and 110 cars will substantially increase traffic. Has a traffic study been conducted to evaluate road requirements?
There is concern that one road will not be sufficient. Given the location of the proposed new subdivision, just before the crest of the hill, visibility from down-hill traffic will lead to accidents. There will likely be traffic congestion at the bottom of the hill turning on and off of South School Street. We would ask that you please personally make the short trip to our neighborhood to evaluate the situation and proposed development in person so that you can make informed inquiries and help to direct the work in a way that is safe and satisfying.
2. Water pressure has been a recurring problem. The current neighborhood on the hill has had difficulties with adequate water pressure. This has been addressed but we experience times with lack of pressure. Adding an additional 55 units will further stress the situation. We would kindly request a water supply study to provide the required specifications to the project design and planning.
3. The housing density is not in keeping with the existing neighborhood. While the stated density is .98 houses per acre, that is misleading as there are significant portions of the parcel that are not being developed. I believe a more accurate and relevant measure would be lot size. We would love for this development to be an extension of the existing neighborhood and not a poorly mismatched area tacked-on and adjacent. Perhaps this does not fit with Mr. Hayes financial requirements for the development, but in the long term interest of Fayetteville and this hilltop community I would hope that would not be a consideration. We are interested in the estimated price/value of the properties going on the market. With the need for more and more rental property to support the University's growth there is a concern that these may be homes with even greater number of residents and therefore even greater number of cars and traffic. Additional information on the proposed size and value of the homes would be appreciated.

Thank you for the opportunity to share our concerns and we hope that you will take it upon yourselves to make the short trip to this neighborhood to see the layout for the proposed subdivision so that you can be well informed when discussing this proposed development. Please reach out to the city water and solicit their thoughts on the proposed project. And please help us come to a resolution that is welcomed by the existing neighbors.

Best regards,
Tanya and Stan Collins
479-200-8318



7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704
PH: 479-442-9350 * FAX: 479-521-9350

August 17, 2016

Planning Staff
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

RE: Mountain Vista Subdivision

Dear Planning Staff,

The property owner and developer, J.B. Hayes, would like to develop a Single-Family Subdivision of 52 lots, varying from 0.3 acres to 3.55 acres, with associated public utility and drainage improvements. The proposed subdivision will be on Washington County Parcels 765-15325-000, 765-15325-001, 765-15297-000, 765-18773-000, 765-15357-000, & 765-18772-000, containing 54.16 acres in total. The property is located on S Askew Lane, North Country Club Estates Subdivision, and West of Taylor Estates Subdivision. There are currently four homes on the property, three of which will be demolished. The one house that will remain will be granted its own lot. The property is zoned RSF-4, and will remain under this designation. A majority of the property is located within the Hillside Hilltop Overlay District, and contains woodlands on the North and West portions of the property. The proposed lot design allows for retention of a significant portion of the canopy.

Please see attached Parcel Map and list of adjoining property owners.

If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely

Bates & Associates, Inc.

A handwritten signature in blue ink, appearing to read 'J. Young', is written over a faint, larger signature.

Jason Young
479-442-9350

[illegible]

GENERAL NOTES
1. DENSITY - 0.66 UNITS PER INCH

- 3) ALL UTILITY PIPES, MANHOLES AND RISERS SHALL BE INSTALLED OUTSIDE OF SEWER.
- 4) ALL SIDEWALKS SHALL BE CONTINUOUS THROUGH DRIVEWAYS WITH A MAX. OF 25 CROSSES.
- 5) ALL DRIVEWAY APPROACHES SHALL BE CONSTRUCTED OF PORTLAND CEMENT CONCRETE WITH A BROWN FINISH.
- 6) 3" X 6" X 2" WIDE STRIP OF DETECTABLE MARKING TRUNCATED DOWNS SHALL BE INSTALLED AT THE BOTTOM OF ALL HOUSING TAPES TO INDICATE THE TRANSITION FROM SIDEWALK TO STREET.
- 7) ALL UTILITY TAPES TO BE USED FOR ALL ON-PAVING, DELIVERY AND STORAGE OF CONSTRUCTION MATERIALS SHALL BE LOCATED UNDER THE SIDEWALK.
- 8) ALL EXISTING SANITARY UTILITY LINES UNDER 24" SHALL BE RELOCATED UNDERGROUND.
- 9) ALL NEW UTILITIES TO BE PLACED UNDERGROUND.

-BUILDING SETBACKS (BSF-4)

FRONT SETBACK	15 FEET
SIDE	5 FEET
REAR	15 FEET

[illegible]

TOTAL ACREAGE
PARCELS

452 KIM ET AL.

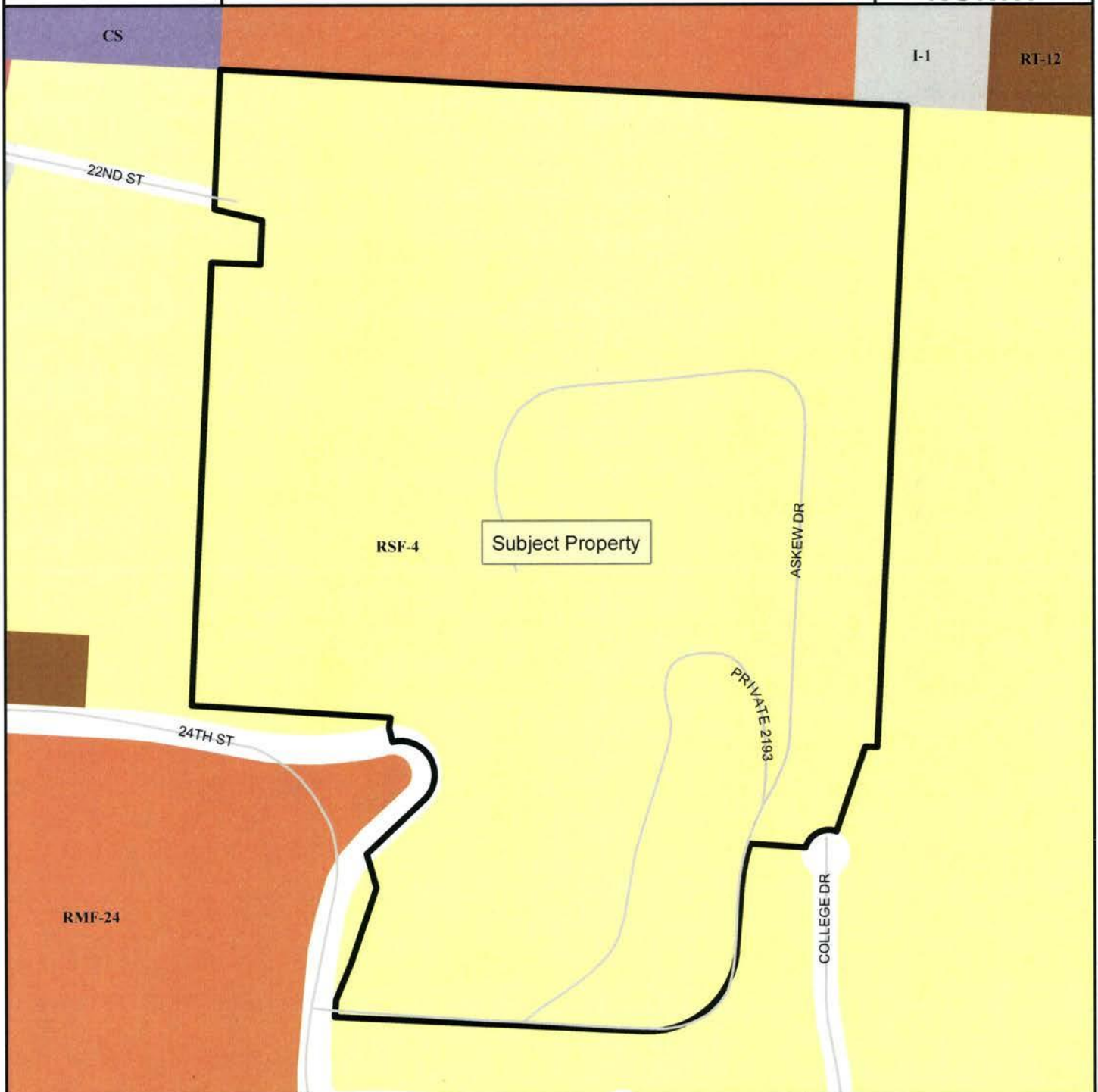
Year	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

1

PPL 16-5574

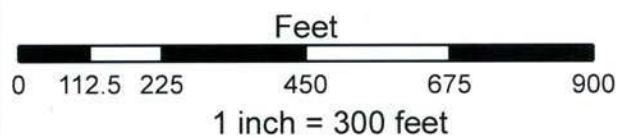
Close Up View

MOUNTAIN VISTA SD



Legend

- Planning Area
- Fayetteville City Limits
- Building Footprint



- RSF-4
- RT-12 Residential Two and Three-family
- RMF-24
- I-1 Heavy Commercial and Light Industrial
- C-2
- Community Services

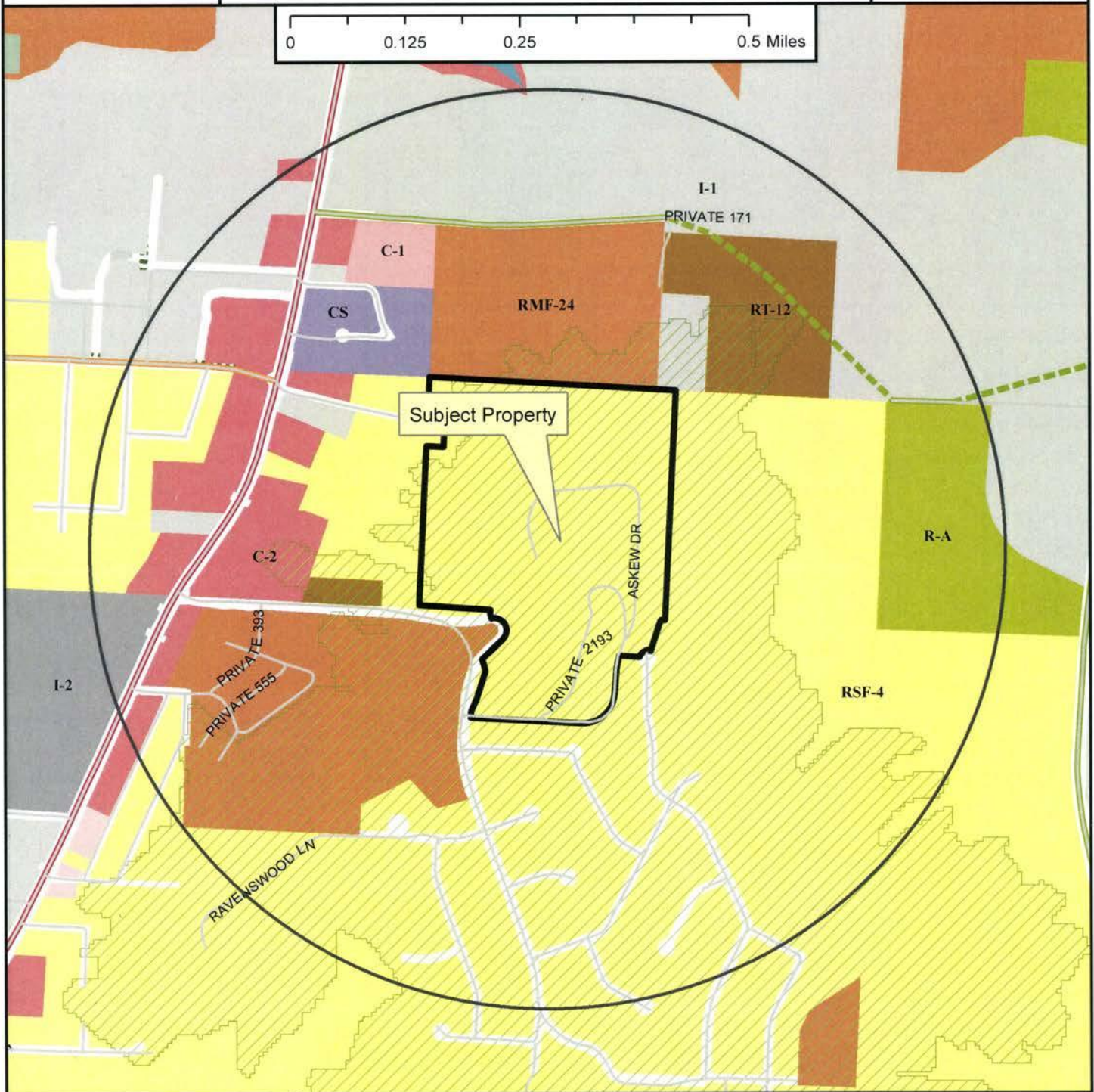
PPL 16-5574

One Mile View

MOUNTAIN VISTA SD



0 0.125 0.25 0.5 Miles



Legend

- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Building Footprint



- | | |
|---|--|
| <p>Zoning</p> <p>RESIDENTIAL SINGLE-FAMILY</p> <ul style="list-style-type: none"> RSF-5 Residential-Agricultural RSF-1 RSF-2 RSF-4 RSF-7 RSF-8 RSF-18 <p>RESIDENTIAL MULTI-FAMILY</p> <ul style="list-style-type: none"> RT-12 Residential Two and Three-Family RMF-6 RMF-12 RMF-18 RMF-24 RMF-40 <p>INDUSTRIAL</p> <ul style="list-style-type: none"> I-1 Heavy Commercial and Light Industrial I-2 General Industrial | <p>EXTRACTION</p> <ul style="list-style-type: none"> E-1 <p>COMMERCIAL</p> <ul style="list-style-type: none"> C-1 Residential-Office C-2 C-3 <p>FORM BASED DISTRICTS</p> <ul style="list-style-type: none"> Downtown Core Urban Thoroughfare Main Street Center Downtown General Community Services Neighborhood Services Neighborhood Conservation <p>PLANNED ZONING DISTRICTS</p> <ul style="list-style-type: none"> Commercial, Industrial, Residential INSTITUTIONAL P-1 |
|---|--|

Planning Commission
December 12, 2016

Agenda Item 6
16-5574 Mtn. Vista SD
Page 29 of 29

December 23, 2016

Dear Fayetteville City Council member,

We are writing this letter as concerned residents of the Fayetteville Country Club neighborhood in regard to the proposed Mountain Vista subdivision development. We have previously written a letter of concern and also attended the Subdivision Committee and Planning Commission meetings.

Several issues have been brought up by neighbors – water pressure concerns, traffic safety, safe access, and lot set-backs. At the Planning Committee, these concerns were addressed to some degree, but some were ignored when the motion was made for approval. The motion included addressing water pressure issues again during peak usage months, but the safety concerns regarding the subdivision entrance and 24th Street were not included. The motion narrowly passed by a 5–3 vote.

As you know, 24th Street is a hilly, curvy, and dangerous road and the only access for all the homes and for Fayetteville Country Club. The City Engineer was asked on several occasions if the proposed entrance met the minimum sight distance for vehicles traveling down the 24th Street hill. He replied that it did **IF** cars were traveling at the 25mph posted speed. He went on to say that if a vehicle was traveling **ONLY 5mph** over this speed, the entrance would not meet the minimum sight distance. The issue of sight distance for a school bus, sanitation truck, or other large commercial vehicle turning out at a 90 degree angle was not mentioned. The proposed entrance is at the crest of the hill, on a curve, and only one lot's depth away from the W. 26th Circle intersection, with limited visibility at best. We ask that the engineer redesign and relocate the entrance to this subdivision to make it safe for all those who live here already, for those who will move into the subdivision, and for those who visit and deliver to Fayetteville Country Club. We also need better speed limit posting, a left turn lane into the subdivision entrance, a right turn merging lane going down 24th Street to S. School, and perhaps a traffic calming device of some sort.

Please visit this site so you can better understand these concerns. Thank you for helping preserve the integrity and safety of our neighborhood.

Ann and Pat Morrison
2875 S. Country Club Dr.

CityClerk

From: Mitchell <mmitchellm@cox.net>
Sent: Thursday, December 22, 2016 4:23 PM
To: CityClerk
Subject: J. B. Hayes - Proposed Mountain Vista Subdivision Development

Categories: Forwarded

FOR DISTRIBUTION PLEASE

Dear Council Members:

While we do not presume to speak for the entire hilltop, we can assure you that we've heard no one being diametrically opposed to the *proposed* development. It is with earnest desire to prevent any (potential) injuries and/or fatalities, not only to us, current hilltop residents, but that of the new-to-be hilltop residents, as well as the general public, that we communicate our thoughts to you for your ardent consideration.

We appreciate you are conscientiously debating all aspects of said development; therefore, we implore you to please take into consideration, not just the theoretical analyses presented to you on paper, but of our (hilltop residents') "day to day / up-n-down the hill" knowledge and experience in traversing the hill over many years – *in all seasons*.

We have, this date, communicated the following to A. Gray and S. Marsh:

IF there is a traffic monitoring study taking place at this time, you must consider:

- It is the Holiday Season;
- School is OUT;
- Very little activity is going on at the Club;
- Half the residents are away at family gatherings.

That, an **ACCURATE STUDY can only be made during the Spring, Summer and Fall Seasons**, at which time traffic intensifies exponentially due to:

- More Golf (400 Club Members + Guests);
- Tournaments;
- Social Events (weddings, etc.);
- School's OUT!
- (100+) Social Members using the Club's (summer) amenities (especially the pool).

Said study, at this point in time, would not only be flawed and distorted, but totally biased.

Furthermore, Unified Development Ordinance (S166.05 C.7.d) specifically speaks of “ ‘*dangerous*’ traffic conditions ... due to ... *high traffic volume, topography, or the nature of the traffic pattern*”. Therefore, it is incumbent upon you, legally and morally, to **weigh ALL the FACTS before passing such a disputed issue**.

We – **all hilltop residents** – **beseech** you to simply slow down the process until you can **further study ALL concerns**. Any of us would gladly be at your disposal to discuss our personal (20+ years) knowledge and experience regarding **unsafe** conditions and incidents we’ve (personally) witnessed and/or experienced upon ascending/descending 24th Street.

ALSO, we cordially to invite you to “ride-about” the roads, curves, blind spots, etc. Any one of us would be glad to “ride-about” with you.

OR, IF you would **table this matter** until at least the 2nd Council Meeting in January, 2017, it would give us an opportunity to set a meeting at the Fayetteville Country Club so that you could meet the majority of us hilltop residents and listen to (just a few) personal long-time residential experiences with the “concerned about curve” and Askew intersection. We would also extend an invitation to Dr. Hayes so that he too can better understand the matter from our **standpoint** vs his business **viewpoint**.

Thanking you in advance for your consideration in this matter and, looking forward to hearing from you, we remain,

Respectfully,

Marvin and Marie Mitchell
37 E. 29th Circle
Fayetteville, AR 72701
(479) 301-2059 – Home
(479) 582-0007 – Cell/Text

CityClerk

From: Alex Lasareff-Mironoff <alasare@uark.edu>
Sent: Monday, December 26, 2016 2:46 PM
To: Gray, Adella; Marsh, Sarah; Kinion, Mark; Petty, Matthew; Tennant, Justin; Schoppmeyer, Martin; La Tour, John; Long, Alan; Mayor; CityClerk
Subject: Safety Concerns re Proposed Mountain Vista Subdivision Entry
Attachments: STOPPING SIGHT DISTANCE.pptx

Dear Council Members and Mayor Jordan --

Residents of the subdivisions that adjoin the Fayetteville Country Club have expressed a number of concerns to the Fayetteville Planning Commission, regarding the proposed Mountain Vista addition that would add approximately 50 residences to our area. Paramount among these concerns is the increased risk of traffic accidents, injuries and fatalities that is inherent in the design of the main access to Mountain Vista via Askew Drive where Askew intersects with 24th St./Country Club Drive . City planning staff maintains that there is adequate sight stopping distance for cars approaching Askew Drive from the crest of Country Club Drive at a speed of 25mph; but staff also admits that at 30mph, sight stopping distance does not meet code.

I have prepared a brief Powerpoint presentation which reports my own field measurements and conclusions regarding sight stopping distance for this short stretch of road. The "object" at 24" above grade that we used in these measurements is a yellow ribbon affixed to the Askew Drive Street sign. Please review the presentation, which we hope will be self-explanatory.

Alex & Hana Mironoff
159 W 29th Court
Fayetteville 72701

STOPPING SIGHT DISTANCE FOR ASKEW DR. ACCESS
TO MOUNTAIN VISTA SUBDIVISION (HEADING NORTH
ON COUNTRY CLUB DR) = MAJOR TRAFFIC HAZARD

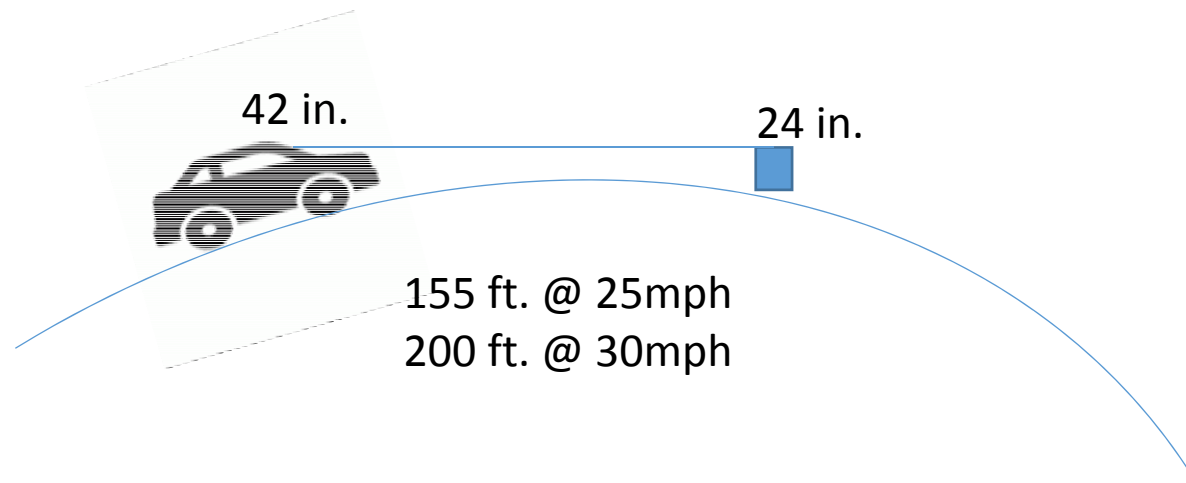
1. Approach on Country Club Dr. is a vertical crest curve of about 200 ft.
2. A driver cannot see over the crest until considerably closer to Askew than 200 ft.
3. Further, CC Dr. curves to the right behind the crest so drivers do not anticipate the Askew entry in their natural line of sight
4. In addition, a double dip downhill slope on CC Dr. precedes this crest, bottoming out just before 26th Cir., favoring unintentional acceleration above posted speed.



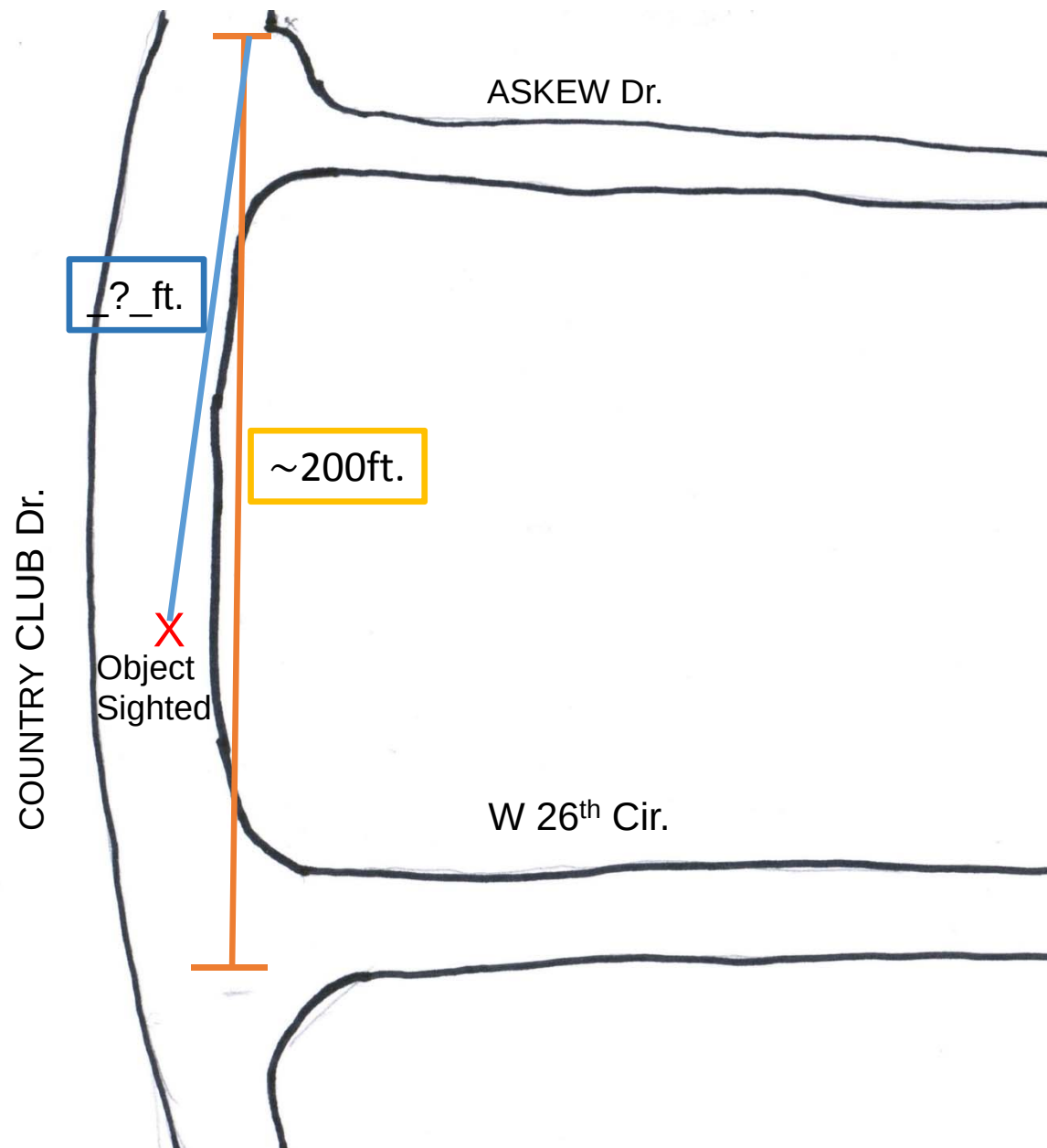
COUNTRY CLUB Dr. NORTHBOUND twd. W. 26th Cir.

STOPPING SIGHT DISTANCE ON VERTICAL CREST CURVES

(PER AASHTO STANDARDS)



Depending on steepness of grades, SSD can be as long as 173ft @ 25mph
Or 227ft @ 30mph



TEST with VIDEO CAMERA at DRIVER EYE LEVEL



COUNTRY CLUB Dr . NORTHBOUND at W 26th Cir.



APPROACHING ASKEW Dr. – OBJECT NOT VISIBLE



OBJECT at 24" VISIBLE TO DRIVER



FULL 24" HEIGHT VISIBLE



OBJECT BEING PASSED



0 seconds --
Object @ 24" above grade
first sighted



+1 second

+3 seconds
Passing object



TEST with VIDEO CAMERA at DRIVER EYE LEVEL

The distance between the point in the road at which the driver first spotted the object and the point at which the object was passed is unknown.

But the time to cover that distance was 3 seconds (per the video camera's timer).

The car was traveling at 25mph ($\pm 3\text{mph}$)

In 3 sec. @ 25mph a car covers 110.1 ft (36.67ft/sec)
At 28mph it would be 123.1 ft. (41.06ft/sec)

Even at 3.5 seconds, we're still still looking at <155 feet of STOPPING SIGHT DISTANCE!

SO THE QUESTION IS...

You can question these measurements, but the City's measurements are clearly questionable too.

Either way, the real question is: How close do you want to cut this?

How big a risk are you willing to take when it comes to Public Safety?

What's it worth to the City to prevent a strong likelihood of frequent accidents at this site?

Perhaps the Planning Commission's Six Goals should be expanded To include protecting the public from development that results in increased road hazards?

PROPOSED REMEDIES
In Descending Order of Desirability

1. Separate entry to Mountain Vista via 22nd Street
2. Move Mountain Vista entry to existing drive lower on Country Club Dr./24th Street
3. Add a merge lane for traffic exiting Askew Drive (doesn't address left-turning southbound traffic on CC Dr. which can not be readily seen within SSD by downhill northbound traffic).



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Patti Mulford
Paralegal

TO: **Mayor Jordan**
City Council

CC: **Don Marr**, Chief of Staff
Paul Becker, Finance Director
Jeremy Pate, Development Services Director
Andrew Garner, Planning Director

FROM: **Kit Williams**, City Attorney

DATE: **December 30, 2016**

RE: **Appeal of Planning Commission Approval of the Preliminary Plat of Mountain Vista Subdivision**

ROLE AND POWER OF CITY COUNCIL IN APPEAL

On a split vote, the Planning Commission approved the Preliminary Plat of the Mountain Vista Subdivision as recommended by the Planning Department. This has been appealed on the same ground as the Park Meadows Preliminary Plat (16-5642): an allegation that "the proposed development would create or compound a dangerous traffic condition." § 166.02 (C)(2)(a)(iv) of the Unified Development Code. **This is the only issue the City Council may consider in this appeal.**

The Unified Development Code further defines what a "dangerous traffic condition" means.

"(A) dangerous traffic condition shall be construed to mean a traffic condition in which **the risk of accidents involving motor vehicles is significant** due to factors such as, but not limited to, high traffic volume, topography, or the nature of the traffic pattern." *Id.*

For purposes of an appeal of a Preliminary Plat, the City Council must consider the issue on the same basis as the Planning Commission has done. The City Council must follow the requirements of the Unified Development Code and has no discretion to apply factors or concerns (such as neighborhood opposition) not contained within § 166.02 (C)(2)(a) *Reasons for denial* that you have enacted as the governing law for Preliminary Plat approval or rejection.

That is why I have explained to every member of the City Council during their orientation (and in numerous memos thereafter) that considerations such as neighborhood opposition, density, desirable land usage, potential traffic congestion, etc. must be addressed and decided when the land is zoned or rezoned. **The City Council has great discretion in zoning decisions, but almost none in the development approval** of a Large Scale Development or Preliminary Plat. Your determination that a dangerous traffic condition has been created sufficient to deny approval of a preliminary plat must be based on facts and the advice and opinions of experts (generally engineers applying scientific based studies).

ANALYSIS OF INTERSECTION SAFETY

After careful study Fayetteville's Engineering Division determined that if motorists driving down 24th Street obeyed the posted 25 mph speed limit, there would be adequate sight and stopping distance for motorists entering or leaving Askew Drive at its intersection with 24th Street. Objecting neighbors correctly pointed out (confirmed by a later study by City staff) that many drivers exceeded the posted speed limit such that there would not be an adequate sight and stopping distance for these speeders driving down hill on 24th Street. Traffic safety is a high concern of the City of Fayetteville.

However, rejection of a preliminary plat which complies with all of our Unified Development Code's minimum standards and which would not create or compound a dangerous traffic condition unless drivers visiting or living in the uphill neighborhoods or, working at or using the Fayetteville Country Club disobeyed the posted speed limit seems like a legally dangerous decision. If the City would be sued by the owner/developer, would the Judge agree that even though the developer met all the minimum development standards, his subdivision could be rejected because non Mountain Vista drivers using 24th Street might disobey the speed limit and thereby cause wrecks? I am concerned this might not be a winning argument and therefore, the City of Fayetteville taxpayers could be required to pay substantial damages.

My legal memos on approval/rejection criteria for preliminary plats by the City Council have remained unchanged for at least 14 years. The key requirement that you must keep in mind is this rule decreed by the Arkansas Supreme Court:

"When a subdivision ordinance specifies minimum standards to which a preliminary plat must conform, it is arbitrary as a matter of law to deny approval of a plat that meets those standards."

Richardson v. City of Little Rock Planning Commission, 295 Ark. 189, 747 S.W. 2d 116, 117 (1988) (emphasis added).

OWNER'S RIGHT TO ACCESS CITY STREET

So is there any danger to our taxpayers if the City Council denies the Mountain Vista Preliminary Plat because speeders would cause a dangerous traffic condition at the intersection of 24th Street and Askew Drive? Unfortunately, the answer is "Yes."

For a decade, I have repeatedly informed the City Council that the Arkansas Supreme Court has long held:

"The owner of property abutting upon a street has an easement in such street for the purpose of ingress and egress which attaches to his property and in which he has a right of property as fully as in the lot itself. *Flake v. Thompson*, 249 Ark. 713, 460 S.W. 2d 789, 795 (1970).

In that case, the City of Little Rock had passed an ordinance that would have denied access to University Avenue to the property owner and argued that it could do so because the property owner had access to another city street. The Arkansas Supreme Court held "that the ordinance constituted an unwarranted invasion of private rights and was discriminatory and oppressive, and thus it is unreasonable and arbitrary." *Id.* at 796.

"The property right of ingress and egress of appellants in the easement was one that could not be taken from them by the city, at least without the payment of just compensation." *Id.* (emphasis added).

85 years ago the Arkansas Supreme Court held that:

“Under our decisions, the owner of property abutting upon a street or highway has an easement in such street or highway for the purpose of ingress and egress which attaches to his property and in which he has a right of property as fully as in the lot itself; and any subsequent act, by which that easement is substantially impaired for the benefit of the public, **is a damage to the lot itself within the meaning of the constitutional provision for which the owner is entitled to compensation.**” *Campbell v. Arkansas State Highway Commission*, 183 Ark. 780, 38 S.W. 2d 753, 753-754 (1931) (emphasis added).

Even though the Mountain Vista Subdivision will have a second access to College Avenue at the rear of its subdivision, its property right to the access onto 24th street is not diminished.

“We have held that the owner of property abutting upon a street has an easement in such street for the purpose of ingress and egress which attaches to his property and in which he has a right of property as fully as in the lot itself. *Flake v. Thompson, Inc.*, 249 Ark. 713, 460 S.W. 2d 789 (1970). We have also noted that **this property right is not diminished merely because the property owner has alternative means of ingress and egress.** *Wright v. City of Monticello*, 345 Ark. 420, 47 S.W. 3d 851, 857 (2001) (emphasis added).

SUBSTANTIAL DAMAGES POSSIBLE

If the City Council denies the Mountain Vista Subdivision by denying it an access to 24th Street because of a dangerous traffic condition, what type of civil liability could our citizens face? Unfortunately, the answer is exceedingly large.

The developer/owner could argue that denial of enlarging its existing access onto 24th Street to be able to serve its 50 acre subdivision constitutes an **inverse condemnation of this entire 50 acre parcel** and its development financial potential. This could run into a claim for millions of dollars in lost potential income which our taxpayers could be forced to pay. These damages could be similar to the millions our taxpayers had to pay in the early 90's for mistakes made by the Fayetteville Board of Directors which led to their entire ouster by a change of government to Mayor/City Council.

CONCLUSION

Therefore, I recommend that the City Council find some way to approve this Preliminary Plat and allow some access to 24th Street so as not to unconstitutionally take the landowner's access rights. The City can place reasonable conditions or limitations upon such access to 24th Street. Planning and Engineering have continued to assess possible remedial measures to make this intersection safer. I urge you to consider these so that hopefully the City can arrive at a fair and good agreement with the developer to improve the safety of this intersection.

If no agreement is possible at your initial meeting, please do not grant the appeal and deny the Preliminary Plat, but table it and give City staff and the developer more time to work out an agreed plan.

CityClerk

From: Amanda Northfell <aanthony89@gmail.com>
Sent: Monday, January 02, 2017 10:19 PM
To: La Tour, John; Long, Alan; Gray, Adella; Marsh, Sarah; Petty, Matthew; Kinion, Mark; Tennant, Justin; Bunch, Sarah; Mayor; CityClerk; Planning
Subject: Proposed Mountain Vista Subdivision
Categories: Forwarded

Good evening,

Erik Northfell and I have been residents of the Fayetteville Country Club neighborhood for a little over a year. Having freshly exited the market, we deeply see the need for more housing in Fayetteville and are excited to hear that more people will get to enjoy living in the hilltop community. While I am glad to see that the neighborhood will be expanding, I am fearful that the long-term functionality of the subdivision will be sacrificed for the sake of quickly trying to fill a void.

Therefore, I cannot support the development of the proposed Mountain Vista Subdivision without an additional access road. While Askew Private Drive may meet the city's minimum requirement concerning line of sight when traveling at 25 MPH, 24th Street remains a hazard on rainy days and snowy days. Having slid a few times traveling up 24th Street, I know to take the incline slowly. Even so, I still find myself swerving even at a speed of 25 MPH. It seems irresponsible to put all our faith and weight on a single access road that already inadequately serves its current residents.

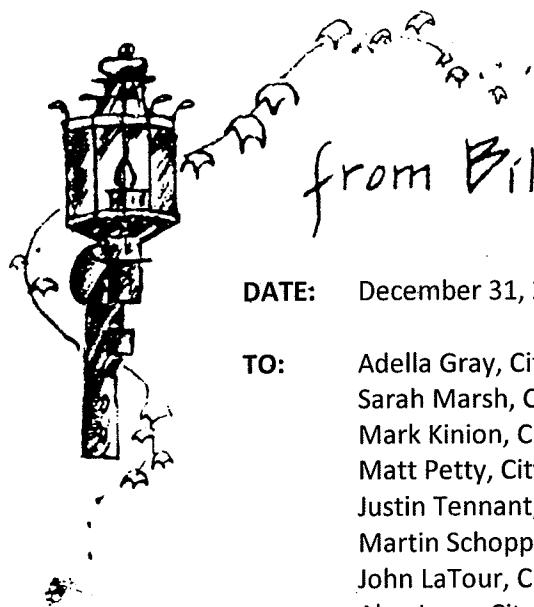
My husband and I had hoped to express our concerns regarding the proposed Mountain Vista Subdivision; but unfortunately, we are unable to attend the Fayetteville City Council Meeting tomorrow evening due to prior engagements. We ask that you please keep our concerns in mind as you discuss the proposed subdivision.

Thank you,

Amanda & Erik Northfell

--

Amanda Northfell
479-595-4363



from Billie's desk

RECEIVED

JAN 03 2017

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

DATE: December 31, 2016

TO: Adella Gray, City Council – ward1_pos1@fayetteville-ar.gov
Sarah Marsh, City Council – ward1_pos2@fayetteville-ar.gov
Mark Kinion, City Council – ward2_pos1@fayetteville-ar.gov
Matt Petty, City Counsel – ward2_pos2@fayetteville-ar.gov
Justin Tennant, City Council – ward3_pos1@fayetteville-ar.gov
Martin Schoppmeyer, Jr. – ward3_pos2@fayetteville-ar.gov
John LaTour, City Council – ward4_pos1@fayetteville-ar.gov
Alan Long, City Council – ward4_pos2@fayetteville-ar.gov
Lionel Jordan, Mayor – mayor@fayetteville-ar.gov
Sondra Smith, City Clerk – cityclerk@fayetteville-ar.gov

CC: Ron and Sue Calaway

FROM: Billie Starr

RE: Askew Property

In regard to the letter to Adella Gray sent by Ron and Sue Calaway, my neighbors on Country Club Hill, I would strongly agree completely with every point they made in reference to the problems and sentiments they voiced to the proposed building of homes on the former Askew property that is currently under review by the City Council and the Planning Commission.

I have been a resident of the Hillside for 34 years at 210 Ravenwoods Lane just west of the property in question and know all the pitfalls of Country Club Road, which is too narrow to begin with and far too busy in the summer with teen drivers going 60 mph up and down the road and too difficult to traverse in the winter when icy.

In addition, as you can plainly see, there is only one access up and down Country Club Road and one access into this property, making turning conditions dangerous on any given day for cars, pedestrians, trucks, and anyone wishing to safely get in or out. As the Calaway letter noted, this is only one of the problems that make this plan unacceptable by the residents, many of whom live a quiet life with well-kept homes and who chose the area as retirees or more recently by families with children who wanted less traffic.

Anyone in city government considering this plan might better serve our community by taking a look at South College Avenue, a very unattractive part of Fayetteville that gets worse every year. This would be a far better area for improvements instead of ruining an area that has begun to be a desirable Hillside beginning at 24th Street a few years ago and that has attracted residents every year since.

Fayetteville City Council
December 31, 2016
Page 2

As individuals representing the city, I sincerely believe your job is to listen and consider the residents' comments and complaints. In addition to all the other problems this creates, consider the unrest of Hillside residents in regard to their property values. This is an extremely serious issue and one that deserves the attention of city officials, the planning commission, and Kit Williams, among others.

I appreciate your effort at an appeal process to review carefully the plans for use of this property.

CityClerk

From: Todd Devecsery <tdevecsery@gmail.com>
Sent: Thursday, January 12, 2017 11:48 AM
To: Marsh, Sarah
Cc: CityClerk
Subject: 01.12.2017 - Todd F. Devecsery - Mountain Vista Subdivision

Good Day Sarah,

I would like to obtain your support and need to meet with you in person to discuss the below described matter. Please contact me and advise on when we can meet one another.

I live upon a property adjoining the purposed Mountain Vista Subdivision and have resided upon the FCC Hill for nearly 15 years. This appeal was tabled at the last meeting due to many being out sick and is being re-discussed upon our first meeting in February.

The purposed ingress and egress for this subdivision is a significant safety concern and needs to be addressed correctly for our entire community. We also believe the current Hill Side ordinance needs to have an additional amendment regarding safety of ingress and egress to purposed subdivisions. The current ordinance only requires minimums and due to the hills and mountains within our community we believe many of the new developments within Fayetteville need to complete to the the maximums in regards to sight and stopping distances. The current hill side ordinance requires maximums to protect the investment of the homeowner and city regarding the streets and foundations but nothing in respect to the safety of entering and exiting of additional vehicles upon a steep grade.

I am excited to speak with you regarding this matter and look forward to your reply.

--

Thank you,

Todd F. Devecsery
Mobile # [479.445.2407](tel:479.445.2407)
tdevecsery@gmail.com



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0034

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 1

WALTON FAMILY FOUNDATION MATCHING GRANT:

A RESOLUTION TO ACCEPT A WALTON FAMILY FOUNDATION MATCHING GRANT IN THE AMOUNT OF \$210,000.00 FOR THE IMPLEMENTATION OF A PORTION OF THE KESSLER MOUNTAIN MASTER TRAILS PLAN, TO AUTHORIZE MAYOR JORDAN TO SIGN THE GRANT AGREEMENT, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, the Walton Family Foundation has proven to be a strong supporter of Fayetteville's trail systems including the Mount Kessler acquisition; and

WHEREAS, the Walton Family Foundation has offered a 50/50 grant in the amount of \$210,000.00 for the implementation of a portion of the Kessler Mountain Master Trails Plan.

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 thanks and expresses its gratitude to the Walton Family Foundation for its generous \$210,000.00 matching grant for the implementation of a portion of the Kessler Mountain Master Trails Plan, approves the attached Grant Agreement, authorizes Mayor Jordan to sign this Grant Agreement and agrees to match the grant using the Kessler Mountain Acquisition Fund and the Natural Surface Trail Development Fund.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2017-0034

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Ken Eastin

1/18/2017

Parks & Recreation /
Parks & Recreation Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Parks and Recreation staff recommends City Council approval of a resolution to accept a Walton Family Foundation Grant in the amount up to \$210,000 for the purpose of implementing a portion of the Kessler Mountain Master Trails Plan and approval of a budget adjustment.

Budget Impact:

4470.900.9470.5814.05

2250.520.9255.5806.00

Account Number

14013.1

16010.1

Project Number

Sales Tax

Parks Development Fund

Fund

Kessler Mountain Acquisition &
Natural Surface Trail Development

Project Title

Budgeted Item? Yes

Current Budget \$ 210,349.00

Funds Obligated \$ -

Current Balance \$ 210,349.00

Does item have a cost? No

Item Cost

Budget Adjustment Attached? Yes

Budget Adjustment \$ 210,000.00

Remaining Budget \$ 420,349.00

V20140710

Previous Ordinance or Resolution # 95-16

Original Contract Number:

Approval Date:

Comments:

STAFF MEMO

TO: Mayor Lioneld Jordan

THRU: Don Marr, Chief of Staff
Connie Edmonston, Parks and Recreation Director
Alison Jumper, Park Planning Superintendent

FROM: Ken Eastin, Park Planner II

DATE: January 18, 2017

SUBJECT: **Acceptance of a Walton Family Foundation Grant in the amount of \$210,000 in matching funds for initial implementation of the Kessler Mountain Master Trails Plan**

RECOMMENDATION:

Parks and Recreation staff recommends City Council approval of a resolution to accept a Walton Family Foundation Grant in the amount up to \$210,000 for the purpose of implementing a portion of the Kessler Mountain Master Trails Plan and approval of a budget adjustment.

BACKGROUND:

Through the authorization of Resolution 40-14, the City of Fayetteville purchased and preserved over 350 acres on Kessler Mountain in a partnership with the Walton Family Foundation, Chambers Bank and the Fayetteville Natural Heritage Association in 2014. Located in the southwest corner of Fayetteville, Kessler Mountain reaches 1,856 feet above sea level and consists of steep bluffs and rock-covered woodlands with about 8 miles of existing trails that traverse through stands of old-growth forest and rock outcroppings, showcasing many native flora and fauna species.

Resolution 40-14 also directed Parks and Recreation to establish a public trailhead at the Regional Park in order to provide public access for the approximately 8 miles of existing nature, hiking, biking, and recreational trails previously established on Kessler Mountain. Furthermore, it was determined that a master plan be prepared to assess the condition of the existing trails and make recommendations on new trails to be established on Kessler Mountain. A Request for Proposal (RFP 15-02) was drafted and advertised on March 16, 2015 and opened April 10, 2015. Two proposals were received. Through review by a selections committee, Progressive Trail Design, LLC was selected to prepare the master trails plan at a cost of \$26,320.

Development Services Director Jeremy Pate noted in his February 4, 2014 memo to the City Council for the purchase of the land that the city's vision was to utilize already forged partnerships with groups to develop programs at Kessler Mountain that emphasize and expand upon established outdoor recreation in the form of mountain biking, hiking, and nature study. To meet this advisory need, various group representatives formed a stakeholder/ steering committee to aide in the preparation of a Master Trails Plan that will guide natural surface trail development within the forested mountain property. The active stakeholder group consists of representatives from the Walton Family Foundation, Beaver Watershed Alliance, Fayetteville

Natural Heritage Association, Fayetteville Public Schools, Illinois River Watershed Partnership, International Mountain Bicycling Association, Kessler Greenways, NWA Audubon Society, NWA Land Trust, Ozark Off-Road Cyclists, Ozark Regional Land Trust, as well as the City of Fayetteville's Active Transportation Committee, Development Services, Parks and Recreation, and the Parks and Recreation Advisory Board. Professional consultants on the project consists of Progressive Trail Design, Alta Planning and Design, Ozark Ecological Restoration, Inc. and Amy Reeves Robinson, group facilitator.

This stakeholder group initially met on August 3, 2015 and began an extended process for preparation of the master plan. An initial public meeting was held on August 31 to gather input from the general public on the content of the plan to be developed. From this beginning, the consultant and team of stakeholders met a total of five times and ultimately came to consensus on improvements to the existing trails system and recommendations for new trails to meet the user needs of Fayetteville. This consensus resulted in a final draft of the plan. This draft was presented back to the general public in an open meeting held on December 14, 2015. Following, the stakeholders met one final time to review public comments. From this meeting, final revisions were made which culminated in the draft plan presented to the Fayetteville Parks and Recreation Advisory Board (PRAB) at a special meeting held on April 12, 2016. Following a presentation of the plan by the consultant, PRAB opened the floor to public comment on the plan. After comment and discussion, the PRAB unanimously approved and made recommendation to the City Council for official adoption of the Kessler Mountain Master Trails Plan by the City of Fayetteville.

On May 3rd, 2016, the Kessler Mountain Master Trails Plan was presented to the City Council for review and discussion. After this discussion, the Council unanimously voted to accept and adopt the plan for implementation and authorized Resolution 95-16 for this purpose.

With the Mayor's approval, Parks and Recreation applied for a matching grant from the Walton Family Foundation in November 2016. The Foundation is awarding the City the full amount of \$210,000 requested in the grant application for the project.

DISCUSSION:

With the preparation and adoption of the Master Trails Plan complete, Parks and Recreation will now focus on Plan implementation efforts. As indicated in the Plan, the majority of trail work of immediate concern at Kessler Mountain is repairing existing trails to ensure their sustainability and providing informational, regulatory, and educational signage for use of the trails. Each of these needs take priority over the construction of any new trails; however, there is new trail consisting of 3.4 miles along the Lower Bluff Trail that will be built to provide improved access to the existing trails, and also to provide some gentler trail options for visitors to the newly constructed Regional Park. In addition, this grant will create and install comprehensive signage along the trails that will enhance the trail user's experience.

Currently, Fayetteville Parks and Recreation has a budget dedicated for implementation of the Plan. In order to address recommendations from the Plan that will have immediate benefit on the trails facility, it is advisable to maximize the budget through a trails grant opportunity available through the Walton Family Foundation. With the benefit of this \$210,000 matching grant, staff will be able to implement a large portion of the Master Plan recommendations. Without this grant, a portion of the major maintenance needs of the existing trails will not be addressed, as well as the construction of new trail for improved access.

If approved, an RFP will be advertised in February with trail construction anticipated to be complete by the Fall of 2017. The terms of the grant are attached.

BUDGET/STAFF IMPACT:

This successful grant request was for \$210,000. Matching funds in the amount of \$210,000 are available in project 14013.1, Kessler Mountain Acquisition and project 16010.1, Natural Surface Trail Development. The grant will be issued in two installments consisting of the first payment upon approval of a construction contract in the amount of \$105,000 and the second installment of \$105,000 upon receipt of documentation that at least fifty percent of the project is complete. All installment requests need to be received by June 30, 2017 to be eligible for payment.

Attachments:

Kessler Mountain Trails Plan
Walton Family Foundation Grant Award Letter

WALTON FAMILY
F O U N D A T I O N

January 4, 2017

Lioneld Jordan
Mayor
City of Fayetteville
113 W. Mountain Street
Fayetteville, AR 72701

RE: Grant #2016-1465

Dear Mayor Lioneld Jordan,

It is my pleasure to inform you that The Walton Family Foundation, Inc. ("Foundation") has approved a 12-month grant in the amount of up to \$210,000.00 to the City of Fayetteville ("Grantee"). The project term will be January 01, 2017 to December 31, 2017. This grant is subject to the following terms and conditions:

1. **Purpose:** The purpose of the grant is for the following purposes:
 - Repair and general maintenance of the existing trails at Mt. Kessler and re-routing them onto City property.
 - Creation and installation of a comprehensive signage package that enhances the user experience on the preserve.
 - Construction of the proposed 3.4 mile Lower Bluff Trail which will allow users to easily access the existing trails from the Kessler Mountain regional park.

This grant is more fully described in Grantee's proposal dated October 19, 2016. Grantee agrees to use all grant funds exclusively for the grant's purposes. Any changes in these purposes must be authorized in advance by the Foundation in writing.

2. **Amount: Up to Two Hundred Ten Thousand Dollars (\$210,000.00).**

Grant payments will be made as follows:

Installment	Amount	Date
#1	Up to \$105,000.00	See Initial Installment
#2	Up to \$105,000.00	See Second Installment

3. **Payable:** Initial installment of up to \$105,000.00 shall be initiated upon receipt of this completed letter from Grantee acknowledging the terms and conditions set forth herein as well as evidence that all required permits and approvals (City and NWA Land Trust) have been secured, evidence that match funding in the amount of no less than \$210,000 has been approved, a construction contract with a qualified and experienced contractor must be executed, and a commitment from the City to maintain all aspects of project. When all requirements have

been met WFF will prefund up to 50% of the cost of design and construction (not including contingency). Grantee should receive the initial installment electronically within 14 days of completion of these documents.

Second installment of up to \$105,000.00 shall be contingent upon the Foundation's approval of the Grantee's activities of the grant as evidenced by the reports described in paragraph 5 below and other information the Foundation may gather, as well as receipt and approval of the following: documentation showing that no less than 50% of the project is complete, upon inspection and approval WFF will fund the remaining costs of construction not to exceed remaining grant amount, and at each payment request, the City will submit a financial and narrative report outlining work completed and expenses paid to date related to the construction of the identified sections of trail.

All payment requests need to be received by June 30, 2017 to be eligible for payment.

4. **Accounting:** (a) The Foundation encourages, whenever feasible, the deposit of grant funds in an interest-bearing account. For purposes of this letter, the term "grant funds" includes the grant and any income earned thereon.

(b) Grantee will maintain records of receipts and expenditures made in connection with the grant funds and will keep these records during the period covered by the Grantee's reporting obligations specified in paragraph 5 and for at least four years thereafter ("Maintenance Period"). Grantee will make its books and records in connection with the grant funds available for inspection by the Foundation during normal business hours as the Foundation may request at any time during the Maintenance Period.

5. **Reporting and Evaluation:** Grantee will provide the Foundation with financial and narrative reports by the due dates listed in the report schedule below. Each report shall include an account of expenditures of grant funds, and a brief narrative of what was accomplished (including a description of progress made in fulfilling the purposes of the grant and a confirmation of Grantee's compliance with the terms of the grant).

Report Date	Report Type
6/30/2017	Interim Financial and Narrative
1/15/2018	Final Financial and Narrative

Success will be measured against the outputs and outcomes described in Appendix A.

All reports will be sent electronically to HomeRegion@wffmail.com. Please reference Grant #2016-1465 on all reports submitted.

Grantee payments are always contingent upon the Foundation's approval of Grantee's operations based on the above reports and the Foundation's satisfaction with such information as it chooses to obtain from other sources.

6. **Representations:** Grantee represents and warrants to the Foundation that:

(a) Grantee is an organization in good standing, is either an organization described in section 501(c) (3) of the Internal Revenue Code ("Code") or a governmental unit, and is not a "private foundation" described in section 509(a) of the Code. Grantee will promptly notify the Foundation of any change in Grantee's tax status under the Code.

- (b) In no event will Grantee use any grant funds:
 - (i) to carry on propaganda, or otherwise to attempt, to influence legislation;
 - (ii) to influence the outcome of any specific public election or to carry on, directly or indirectly, any voter registration drive; or
 - (iii) to undertake any activity other than for a charitable, educational or other exempt purpose specified in section 170(c)(2)(B) of the Code.
- (c) Grantee will comply with all applicable laws and regulations.

7. **Repayment:** Grantee agrees to repay to the Foundation any portion of the grant funds not used for the grant's purposes. In addition, the Foundation may discontinue any further payments to Grantee, and may direct Grantee to repay any unexpended grant funds to the Foundation, if any of the following events occurs:

- (a) Grantee ceases to maintain its tax-exempt status as described in paragraph 6(a) above;
- (b) Grantee fails to comply with the terms of this letter; or
- (c) There is a material change in Grantee's key personnel that in the sole opinion of the Foundation adversely affects Grantee's management of the grant.

8. **Release and Indemnity:** Unless prohibited by law, Grantee shall release, indemnify, defend and hold harmless the Foundation and its directors, officers, employees and agents from and against any and all claims, actions, suits, demands, damages, losses, expenses and liabilities, arising out of or related in any way to the actions or omissions of Grantee (or its directors, officers, employees, agents or contractors) in connection with the Grant and the project funded by the Grant, except to the extent caused by the Foundation's (or its directors', officers', employees' or agents') negligent actions or omissions. Grantee further agrees to carry insurance in such forms and amounts as are commercially reasonable and appropriate to cover Grantee's operations and to enable Grantee to indemnify and defend the Foundation as provided hereunder.

9. **Grant Publicity:** Grant publicity related to this grant consistent with Grantee's normal practice is permitted, subject to the following provisions. The Foundation expects any announcements and other publicity to focus on Grantee's work and the project or issue funded by the grant. Recognition of the Foundation's role in funding the project is permitted, provided that the timing, content and strategic focus of such publicity should be approved by the Foundation contact listed in paragraph 11. Publicizing the grant and the Foundation in Grantee's publications and communications in a manner consistent with similar grants obtained by Grantee is permitted.

The Foundation may ask Grantee to provide illustrations, photographs, videos, recordings, information or other materials related to the grant (collectively "Grant Work Product") for use in Foundation communications including the Foundation's website, annual report, newsletters, board materials, presentations, communications and other publications. Grantee agrees to

provide the Foundation with such items upon the Foundation's reasonable request and hereby grants to the Foundation and anyone acting under the authority of the Foundation a fully paid-up, world-wide, right and license to use, reproduce, display and distribute the Grant Work Product in connection with the Foundation's charitable operations and activities. In connection therewith, Grantee shall be responsible for obtaining all necessary rights and permissions from third parties for the Foundation to use the Grant Work Product for these purposes. By signing this Agreement, Grantee also acknowledges and agrees to use by the Foundation of historical, programmatic and other information relating to Grantee and the grant hereunder.

10. **Gratuities:** The Foundation desires that all of Grantee's resources be dedicated to accomplishing its philanthropic purposes. Therefore, Grantee agrees that it will not furnish the Foundation or its Board of Directors, officers, staff or affiliates with any type of benefit related to this grant including tickets, tables, memberships, commemorative items, recognition items, or any other benefit or gratuity of any kind.

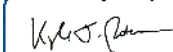
11. **Contact:** For all communications regarding this grant, please contact the Foundation by email at HomeRegion@wffmail.com. Please reference Grant #2016-1465 in your communication.

We have enclosed the grant letter. By electronically signing this item the Grantee acknowledges and agrees to the terms and conditions herein. A copy of the completed document will be emailed to the Grantee through DocuSign. If the electronic signing of this item is not completed by January 16, 2017 the Foundation will consider the Grantee to have declined the grant.

On behalf of the Foundation, I extend every good wish for the success of your organization's endeavors.

Sincerely,

DocuSigned by:



5C8949FCD8C8462...

Kyle J. Peterson
Executive Director

ACKNOWLEDGED AND AGREED

By: _____ (Date)
Mayor Lioneld Jordan
City of Fayetteville

Appendix A: City of Fayetteville Kessler Mountain Trails Construction Project

Outputs And Outcomes		
Who will do what and how much?	By when?	Measured or evaluated by?
Goal: Kessler Mountain Trails Construction Project		

Outputs

The City will execute a contract with a qualified and experienced contractor to design and construct the~3.4 miles of proposed new trails as well as the trails that will require repair and or reconstruction. Contractor will also develop a sign location plan and will be responsible for the installation of signs per approved plan.	3/7/2017	Submission of executed contract
The City of Fayetteville will oversee the construction of a 3.4 mile trail from the parking area near the baseball fields at Kessler Mountain Regional Park to the existing trail near the water towers and a connecting trail from the southern section of the proposed Lower Bluff Trail up through the bluff line, along a portion of the planned East Bluff Trail to Crazy Mary Trail.	12/31/17	Inspection by WFF consultant.
The City of Fayetteville will oversee the repair and/or re-construct existing trails identified as needing repair in the Kessler Trails Master Plan that have deteriorated through use and erosion.	12/31/17	Inspection by WFF consultant.
The City will re-route existing trails identified in the Kessler Mountain Trail Master Plan as needing to be removed from environmentally sensitive areas and/or to locate them on City owned property.	12/31/17	Inspection by WFF consultant
The City of Fayetteville will oversee the installation of the signage package on the trails and or trail head areas of the Kessler Mountain Regional Park. The signage package will consist of the following; 1. Two kiosks 2. Twenty-seven directional signs 3. Four interpretive signs 4. Four Intersection signs	12/31/17	Inspection by WFF consultant.

Outcomes

The City will agree to maintain and operate all sections of trail associated with project trail to the same standards as outlined in the Razorback Regional Greenway operations and management plan as well as the guidelines listed in the IMBA "Trail Solutions" and "Managing Mountain Biking" handbooks by July 31, 2014, as evidenced by a letter from the Mayor.	1/1/2017	Letter signed by Mayor
The City will commit to match funding in the amount of no less than \$210,000 to be used specifically for the scope of work as outlined in grant application dated 10/16/2016.	12/31/17	Letter signed by Mayor



Kessler Mountain **TRAILS MASTER PLAN**

FINAL PLAN | 2016



*Prepared for the City of Fayetteville
Prepared by Progressive Trail Design
Alta Planning + Design*



Acknowledgements

Thanks to the 300+ local residents, business leaders, and government staff that participated in the development of this plan through meetings, events, volunteering, interviews, online surveying, comment forms, and plan review. Special thanks to those who participated as stakeholders, staff and advisors, listed below.

ORGANIZATIONS INVOLVED

Walton Family Foundation
Alta Planning + Design
Beaver Watershed Alliance
City of Fayetteville Active Transportation Committee
City of Fayetteville Development Services
City of Fayetteville Parks and Recreation
City of Fayetteville Parks and Recreation Advisory Board
Fayetteville Natural Heritage Association
Fayetteville Public Schools
Illinois River Watershed Partnership
International Mountain Bicycling Association
Kessler Greenways
NWA Audubon Society / Arkansas Audubon
NWA Land Trust
Ozark Ecological Restoration Inc.
Ozark Off-Road Cyclists
Ozark Regional Land Trust
Progressive Trail Design

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Prepared for the City of Fayetteville
Prepared by Progressive Trail Design
Alta Planning + Design



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1 *Introduction*



OVERVIEW

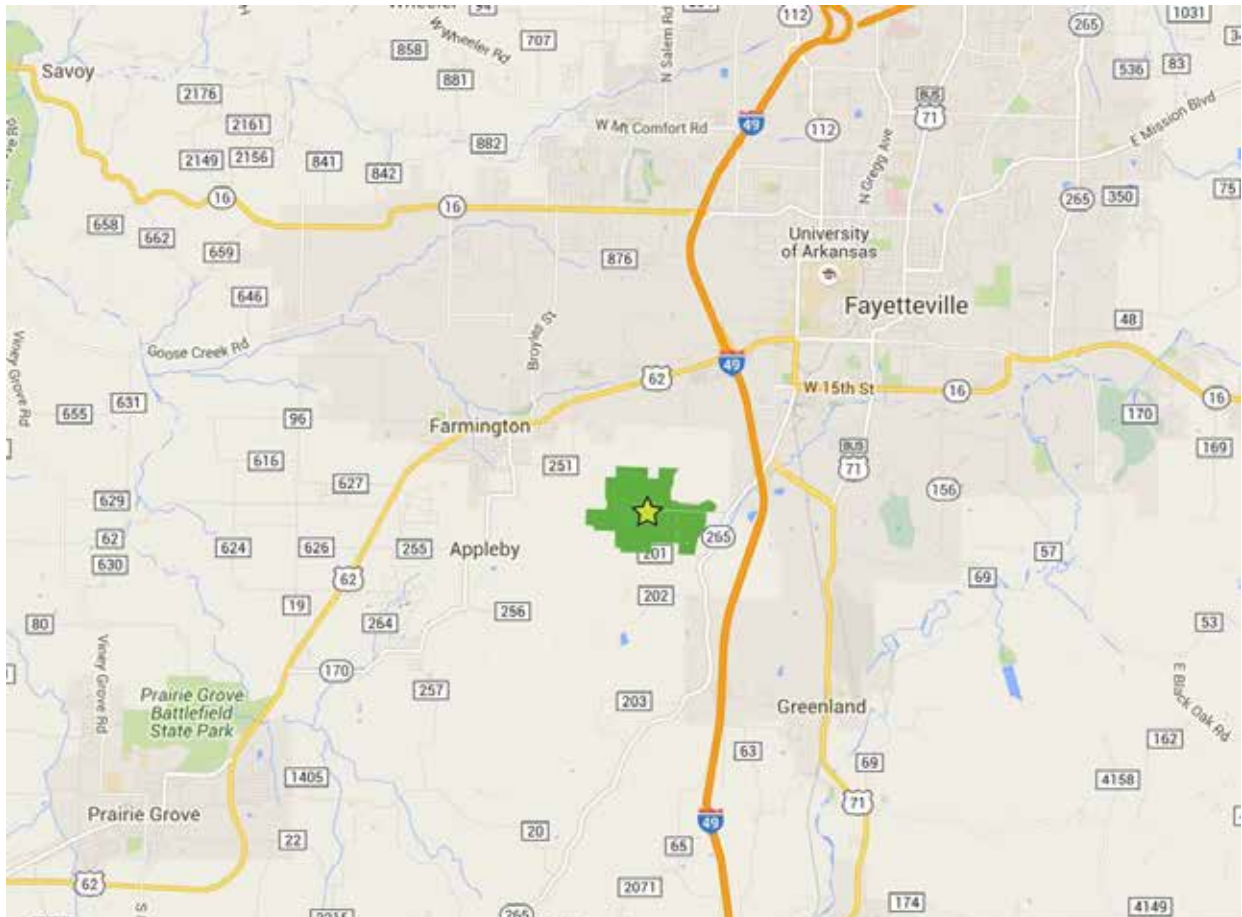
This chapter provides a brief overview of the project, in terms of how this plan came to be, as well as some general background information about Kessler Mountain as it is today.

PROJECT OVERVIEW

Kessler Mountain is a 387 acre natural area located in southeast Fayetteville adjacent to the 232-acre Regional Park with easy access to I-49 and the rest of the Northwest Arkansas Region. Kessler Mountain exemplifies the quintessential natural features that make the Ozarks region such a beautiful place to live, work and play. Over the years, mountain bike enthusiasts constructed approximately eight miles of natural surface trails on Kessler Mountain. Ultimately, these trails provided access for citizens and community leaders to experience this special property to determine that Kessler Mountain had intrinsic value as a preserved open space. In 2014, the City of Fayetteville, in partnership with the Walton Family Foundation, was fortunate to be able to purchase this property and permanently preserve

these natural assets for the citizens of the City of Fayetteville.

One of the first tasks identified by the City of Fayetteville was the need to create a Trail Master Plan for this property. The intent of this Plan is to identify, design and prioritize improvements to existing and future shared-use trails on Kessler Mountain. Through a request for proposals process, the City of Fayetteville selected Progressive Trail Design (PTD) in collaboration with Alta Planning and Design and Ozark Ecological Restoration to develop this Kessler Mountain Trail Master Plan. The implementation of the recommendations contained in this Plan will ultimately result in an improved network of varied and functional trails that will be accessible to hikers and bicyclists of all abilities.



Kessler Mountain and the Regional Park are nestled into a central location with access to recreational, cultural, historical and educational points of interest. Adjacent destinations include the University of Arkansas, the Razorback Regional Greenway, and Prairie Grove Battlefield.

BACKGROUND

Kessler Mountain is in fact a plateau. As such, it is an ideal place within our urban environment to see the natural forces that provide the basis for living in our area. Fossils associated with marine animals are visible. Soils resulting from the breakdown of the ancient plateaus provide for the diverse flora, as well as many species of birds and other living creatures such as butterflies. These change with the season, making interesting repeat visits to Kessler.

Kessler Mountain is located in the southwest corner of Fayetteville, Arkansas (Washington County). The elevation reaches 1,856 feet above sea level allowing both northern and southern biota.

The Atoka sandstone formation caps Kessler above the Boyd formation with exposed Trace Creek shale and outcroppings of Kessler Limestone. The complex geology weathers the parent material into many soil types allowing for great biodiversity. The area receives an average of 46 inches of precipitation annually. The Ecological Society of America recognized the ecological importance of Kessler Mountain in their 1926 publication “Naturalist Guide to the Americas”.



Kessler Mountain has a rich history of settlement from the mid-1800's and has a unique advantage of being a property that exists today without much change from that time period. Blessed with an abundance of native flora and fauna, stands of native old-growth Ozark tree species, rock outcroppings, significant view sheds, and changes in topography and ecosystem, the property is a perfect opportunity for citizens from the region and beyond to engage in discovery of the Ozark forest, for both recreational and educational opportunities.



2

History



OVERVIEW

This chapter summarizes the history of Kessler Mountain from the roots of the John and Hannah Rieff Family to the strong-willed property owners of today, like Frank Sharp, who fought for the preservation of this local and special natural amenity.

INTRODUCTION

In 1951, after a hike atop Kessler Mountain, Miss Jobelle Holcombe wrote:

"As I looked out over the surrounding picturesque hills at the distant mountains against the blue sky with its gray clouds, and at the valleys between the rolling hills, I could well understand why John and Hannah Rieff would settle here to hew out of the wilderness an abiding place for the generations to come." - Miss Jobelle Holcombe

SETTLEMENT

Modern settlement of Kessler Mountain began in 1838 when John and Hannah Rieff bought twenty acres on the mountain for \$35.00. Resettling from Wilson County, Tennessee, the couple began to carve a homestead. This modest beginning led to the establishment of a new and prosperous family in the City of Fayetteville.



An image of the original winery found at Kessler Mountain. There are no remnants of the Kessler Winery today, other than the stone wine cellar, which can be accessed via the Wino Trail.



KESSLER'S WINERY

Phillip Kessler was born to a wine making family in Germany and brought to Springfield, Missouri at a young age. He married Kate, who was also born in Germany, and they soon had a daughter, Clara Elizabeth.

The Kessler's arrived in Fayetteville in 1866 "in a brand new surrey with four beautiful horses and \$11,000 in gold". The Kessler's purchased thirteen acres on top of the mountain, because it reminded them of stories they were told about Germany. They built a house, dug a well and wine cellar and established probably the first vineyard and winery

in the State of Arkansas. The wine business was in full operation by 1869. Between 1869 and 1873, notices in local papers advertised a "full supply of native grape wines and celebrated Champagne Cider. The trade supplied for sale at Dorman's Bakery." Kessler's Wine Hall opened, on West Center Street in Fayetteville, featuring "Kessler's celebrated wines and peach and apple brandies... drinks ten cents or three for twenty-five cents." The local paper described the Wine Hall as "where bad little boys of town congregate at nights and shove billiards."

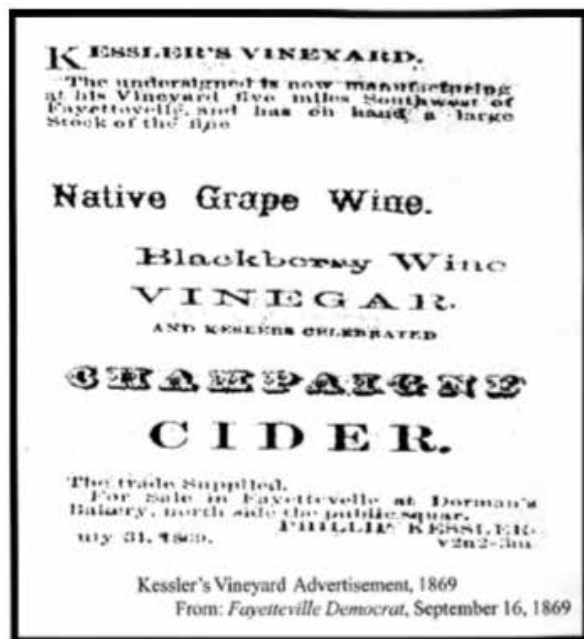
The last remaining remnant of the Kessler Winery. This is a very intriguing article from the past that stands even after years and years of exposure to the natural elements and the threat of development. The natural stone arch makes this feel like a natural wonder.





Today, nothing remains of the Kessler house and winery except the hand-dug well and wine cellar adjacent to the beautiful, two-story, stone Mount Kessler Inn.

And still today, Kessler Mountain continues to support many private homes and acreage. It is still largely forested, providing habitat for a wide variety of wildlife.



The image above is a clipping from the newspaper around the time the Kessler Minery was at its peak in popularity. The local paper described the Wine Hall as "where bad little boys of town congregated at nights and shove billiards."

MODERN DEVELOPMENT

Beginning in 2002, Fayetteville began looking for a possible location for a Regional Park. An initial list of 18 potential sites was eventually narrowed down to four sites, ultimately resulting in the Parks and Recreation Advisory Board's recommendation of the 800-acre Cummings property on the east slope of Kessler Mountain as the most suitable Regional Park site in August 2003. The Board recognized the site's potential to meet a variety of

developed and natural recreation needs through its unique character, existing forest land, and topography varying from gentle grades to rugged mountainside. These were all recognized as assets in offering diverse recreational opportunities. The site provided ample developable topography for active sports fields, as well as an adjacent rugged landscape for forest-based recreation. Moreover, other attributes of the site such as visibility, an accessible location, and available adjacent property contributed to the selection.

As a potential public/private partnership, this 800 acre property was purchased by SouthPass Development Company for a proposed large mixed-use development, which called for new neighborhoods interspersed with greenspace and parkland. This development, known as SouthPass, included a proposed donation of 200 acres to the City for the Regional Park. Although SouthPass was never realized, Chambers Bank, which held the property, donated the land for the Regional Park to the City in 2010. The groundbreaking for phase one of the new Regional Park was held on March 18, 2015.

Meanwhile, numerous individuals and groups, led by the tireless efforts of Kessler Mountain resident Frank Sharp, promoted the acquisition, preservation, and public enjoyment of much of this forested mountain. This effort was very popular and generated a great deal of interest in this acquisition. Chambers Bank agreed to the sale of much of the remaining Cummings property to the City, resulting in the acquisition of 387 acres of Kessler Mountain in March 2014. This acquisition was made possible with a generous grant of 1.5 million dollars from the Walton Family Foundation, an agreement with the Fayetteville Natural Heritage Association to assist in raising a portion of the remaining funds, and to create a conservation easement to assist with the protection and management of the property.



3

Existing Conditions



OVERVIEW

This chapter describes documents and studies used for guidance in the master planning process for the sensitive development of Kessler Mountain.

INTRODUCTION

Existing documents and studies related to Kessler Mountain have been a driving force behind the plan. These documents and studies have served as a guide and reference for planning with natural systems, wildlife habitats, cultural and tourism attractions, land use and access easements, and positive and negative control points.

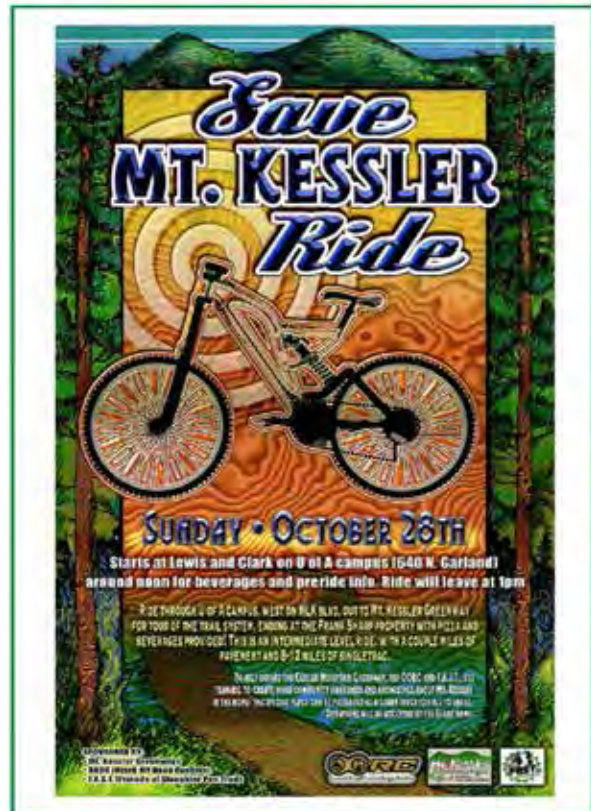
The studies provided valuable information regarding the feasibility of new trails in particular areas, where existing trails could be improved, and also served as a guide for ecologically sensitive areas and associated restrictions. This plan has acknowledged and utilized the existing studies, which are summarized below.



2013, NOVEMBER – MOUNT KESSLER RESERVE BY FRANK SHARP

Frank Sharp, Kessler land owner and champion for its protection, compiled a document advocating the acquisition and protection of Kessler Mountain in 2013 while the land was still privately owned. The document includes history of the mountain, the current state, ecological & geological studies, many letters from users, and trail use data. Full report can be downloaded from the FNHA website: <http://www.fayettevillenatural.org/>.

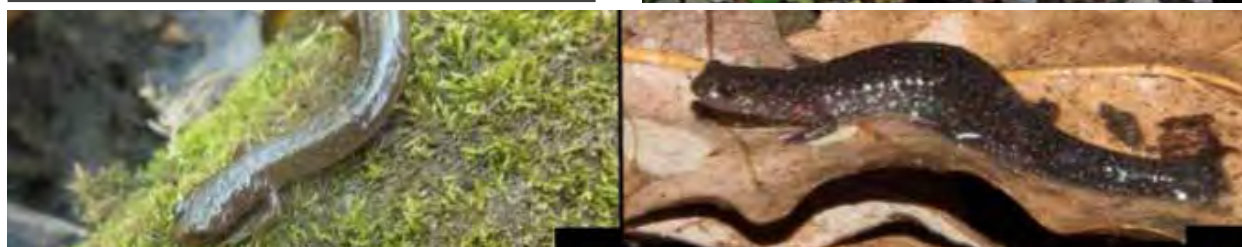
Frank Sharp, Kessler land owner and champion for its protection, compiled a document advocating the acquisition and protection of Kessler Mountain in 2013.



2015, FEBRUARY – A RAPID TERRESTRIAL ECOLOGICAL ASSESSMENT OF KESSLER MOUNTAIN RESERVE BY THEO WITSELL

The Arkansas Natural Heritage Commission (ANHC), under contract with the Fayetteville Natural Heritage Association (FNHA), conducted a rapid ecological assessment of the Kessler Mountain Reserve from April through October, 2014. This report summarizes findings based on six separate inventory trips to the reserve (15 days total) by Theo Witsell, Botanist and Ecologist with the ANHC. This inventory documented 11 natural communities or habitats and 544 plant species present in the study area. Five areas or habitats were identified as being especially ecologically significant to the site. Populations of at least nine plant and animal species of state conservation concern (rare species) were documented and at least two of them are considered to be of

global concern. One globally rare plant species, Missouri groundcherry, had not been documented in Arkansas in more than 60 years. A second, Church's wild rye, was not previously known in Washington County. This report presents an ecological overview of the site, descriptions of the natural communities present, maps and brief descriptions of ecologically significant areas, maps of known occurrences of species of conservation concern, and an annotated list of plant species documented from the study area. It also makes recommendations for ecological management and provides an annotated list of those non-native invasive plant species present that are considered to be a threat to the integrity of natural communities on the reserve. Ecologically sensitive areas and habitats shown on the graphic plan maps were determined from this study. Full report can be downloaded from the FNHA website: <http://www.fayettevillenatural.org/>.





2013, AUGUST – AN ANALYSIS OF OLD GROWTH FOREST PARCELS ON KESSLER MOUNTAIN BY ALAN EDMONDSON

*“The forest on Kessler Mountain is mixed oak-hickory hardwoods. There are some areas on Kessler Mountain where remnants of old growth forests have escaped logging. These stands of ancient post oak (*Quercus stellata*) and chinkapin oak (*Quercus muehlenbergii*) were not cut because they were not fit for commercial timber.”- Alan Edmondson*

Full report can be downloaded from the FNHA website: <http://www.fayettevillenatural.org/>.

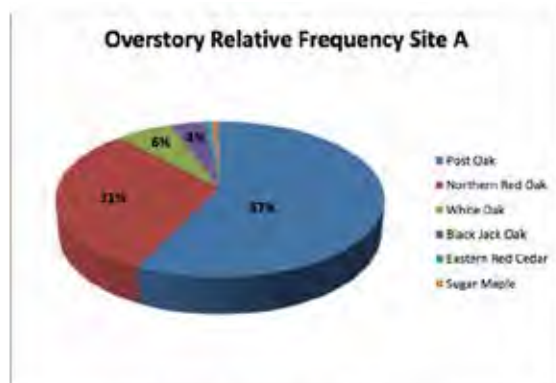


Figure 7a. Relative Frequency Post Oak Glade Overstory

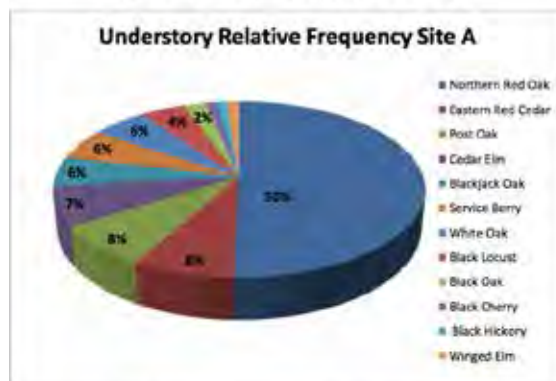


Figure 7b. Relative Frequency Post Oak Glade Understory



Figure 11. Dated post oak core from Site A. The inner ring 1724 but the estimated tree age is over 300 yrs old. Same post oak as figure 3.

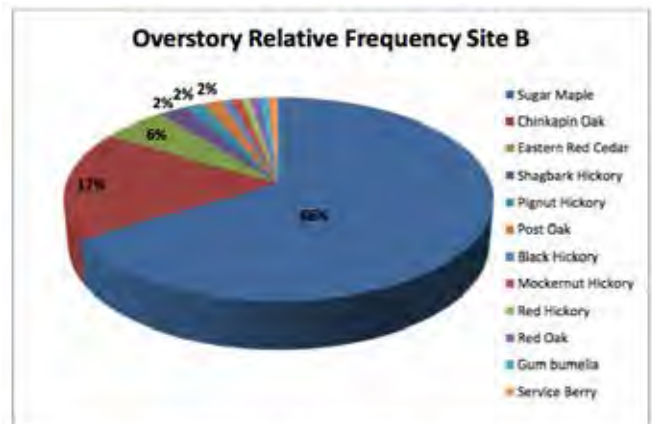


Figure 9a. Relative Frequency Chinkapin Oak Escarpment Overstory

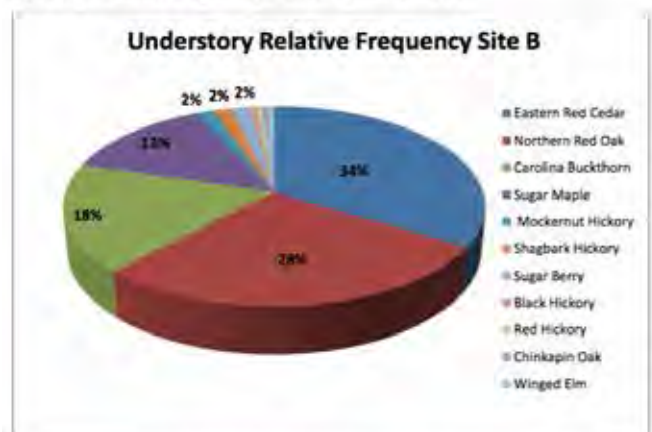


Figure 9b. Relative Frequency Chinkapin Oak Escarpment Understory



2012, FEBRUARY – CITY OF FAYETTEVILLE REGIONAL PARK PLAN

The Regional Park consists of 232 acres immediately adjacent to and on the east side of the Kessler Mountain property. The Regional Park will provide an area for developed, active recreation while Kessler Mountain provides a natural, backcountry complement largely preserved in its natural condition. This will provide a park setting with a wide, diverse range of both active and passive, natural and developed recreation opportunities.

The first phase of the Regional Park is under construction and will open in the fall of 2016. This initial development consists of four baseball fields, six soccer fields, two concession/ restroom/ storage facilities for both baseball and soccer, as

well as roads, parking, and utilities necessary for operation. When fully completed, the park will have seven soccer fields, eight baseball fields, four softball fields, trails, playgrounds, a great lawn, pavilions, tennis courts, basketball courts, volleyball courts, water features, an amphitheater, and park maintenance and office facilities.

The Regional Park will serve as the gateway and primary trailhead for trail activities on Kessler Mountain. The park will be connected to the City's paved transportation trail system and will contain a paved loop for fully accessible trail use within the park. Trails immediately adjacent to the trailhead will be relatively easy, yet the trails will become progressively more challenging as users travel farther away from the park development.



FAYETTEVILLE REGIONAL PARK MASTER PLAN FAYETTEVILLE, ARKANSAS

2013, AUGUST – KESSLER MOUNTAIN
TRAILHEAD LOG DATA: BASELINE TRAIL
USAGE AND USAGE FROM 07/14/14 TO
05/12/15

The efforts by Frank Sharp and the City of Fayetteville to document the amount and type of users frequenting Kessler Mountain have resulted in the information outlined in the section of the plan. The baseline data was collected from Frank Sharp's trail use log and was collected from August 12, 2013 until July 13, 2014. The most recent data was collected from July 14, 2014 until May 15, 2015, which coincides with the opening date of the public trailhead located along Judge Cummings Road.

Kessler Mountain Trailhead Log Data

Baseline Trail Usage			
09/12/2013 - 07/13/2014			
Monthly Unique Group Logs			
	Public Trailhead	Private Trailhead	Totals
12-Sep-13		288	288
October-15		349	349
November-13		852	852
December-13		207	207
January-14		503	503
February-14		284	284
March-14		710	710
April-14		745	745
May-14		745	745
June-14		375	375
13-Jul-14		290	290
	0	5348	5348

Kessler Mountain Trailhead Log Data

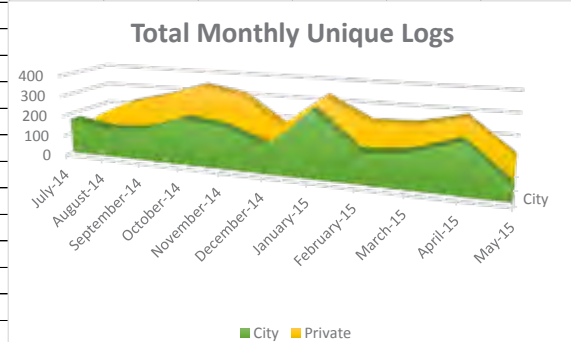
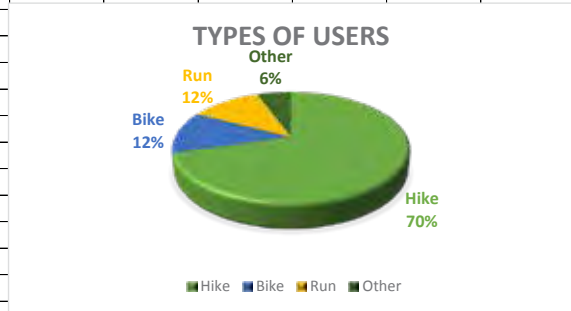
07/14/2014 - 05/12/2015			
	Public Trailhead	Private Trailhead	Totals
Unique Logs	1975	2770	4745
Total Users	4178	6604	10782
	38.70%	61.30%	100%
Groups with 10+	12	31	43
Types of User Groups			
Hike	2942	5615	8557
Bike	513	451	964
Run	487	455	942
Other	236	83	319
	4178	6604	10782
Monthly Unique Group Logs			
July-14	173	143	316
August-14	142	236	378
September-14	159	287	446
October-14	228	350	578
November-14	203	320	523
December-14	132	185	317
January-15	319	341	660
February-15	146	237	383
March-15	167	244	411
April-15	237	292	529
12-May-15	69	135	204
	1975	2770	4745

TYPES OF USERS

User Type	Percentage
Hike	70%
Bike	12%
Run	12%
Other	6%

Total Monthly Unique Logs

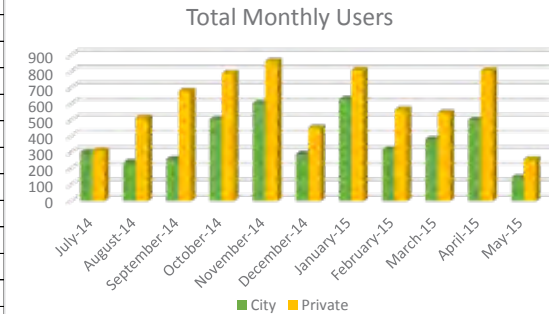
Month	City	Private	Total
July-14	173	143	316
August-14	142	236	378
September-14	159	287	446
October-14	228	350	578
November-14	203	320	523
December-14	132	185	317
January-15	319	341	660
February-15	146	237	383
March-15	167	244	411
April-15	237	292	529
May-15	69	135	204





Kessler Mountain Trailhead Log Data

Monthly Total Users			
July-14	301	312	613
August-14	239	517	756
September-14	258	680	938
October-14	506	791	1297
November-14	607	865	1472
December-14	289	452	741
January-15	629	811	1440
February-15	320	565	885
March-15	382	546	928
April-15	503	808	1311
12-May-15	144	257	401
	4178	6604	10782



Kessler Mountain Trailhead Log Data

Point of Origin By Zipcode		
01159	2	2
05452	1	1
06410	2	2
06840	4	4
07042	4	4
22945	3	3
24060	2	2
28787	2	2
30076	7	7
30817	2	2
31201	4	4
31600	2	2
32301	2	2
32959	1	1
33486	1	1
33827	1	1
36849	4	4
38104	1	1
38305	1	1
38305	1	1
40642	2	2
40741	2	2
45729	2	2
45750	6	6
46932	2	2
48823	5	5
49221	4	4
49506	2	2
53213	1	1
54880	1	1
54956	2	2
55803	11	11
60102	3	3
60189	4	4
63005	2	2
63025	2	2
63367	2	2
63608	5	5
64057	7	7
64081	7	7
64086	2	2
64108	5	5
64124	5	5
64151	1	1
64157	2	2
64804	1	1
64850	2	2
65201	3	3
65202	2	2
65401	2	2
65605	2	2
65616	1	1
65625	3	3
65708	2	2
65803	1	1
65804	4	4
65806	1	1
65809	4	4
66018	3	3
66062	3	3
66205	2	2
66216	1	1
66219	2	2
66223	1	1
67212	2	2
68516	3	3

68618	5	5
71655	1	1
71730	8	8
71846	2	2
71901	3	3
71913	2	2
71943	1	1
72002	2	2
72019	2	2
72021	1	1
72034	2	2
72070	3	3
72076	7	7
72116	2	2
72118	2	2
72202	2	2
72205	5	5
72207	2	2
72210	16	16
72212	4	4
72223	2	2
72342	4	4
72421	1	1
72601	5	5
72616	6	6
72631	4	4
72632	4	4
72634	2	2
72641	1	1
72648	9	9
72651	3	3
72701	1621	2317
72702	41	35
72703	800	1300
72704	539	1028
72712	64	74
72714	11	10
72715	6	12
72716	2	3
72717	1	8
72718	6	3
72719	13	2
72722	2	2
72723	1	1
72724	1	1
72727	31	48
72728	2	2
72730	189	461
72733	3	3
72734	15	2
72735	1	1
72737	8	2
72738	5	5
72742	5	1
72744	16	13
72745	26	36
72751	4	8
72753	91	121
72756	19	74
72758	59	129
72759	1	1
72761	32	32
72762	141	181
72764	102	204
72765	3	3
72766	1	1
72767	6	6
72768	2	2

72769	1	1
72770	12	12
72773	2	2
72774	98	56
72830	1	1
72854	1	1
72901	3	29
72903	3	3
72904	3	3
72908	2	21
72916	1	1
72921	9	17
72923	2	2
72941	3	3
72946	4	2
72947	1	1
72956	1	1
72959	7	9
73026	2	2
73069	1	1
73071	1	1
73072	3	3
73102	3	3
73584	3	3
74006	7	7
74008	1	1
74011	4	4
74012	1	1
74019	2	2
74063	2	2
74066	7	7
74114	1	1
74133	5	5
74301	4	4
74338	4	4
74403	4	4
74434	2	2
74948	5	5
74960	4	4
75002	2	2
75013	2	2
75019	8	8
75025	5	8
75043	4	4
75069	1	1
75074	3	3
75077	2	2
75080	2	2
75088	3	3
75093	3	3
75094	1	1
75205	2	2
75228	4	4
75240	3	3
75287	6	6
75474	7	7
76051	3	3
77384	3	3
77494	4	4
77521	2	2
78028	2	2
78627	1	1
78723	4	4
78727	2	2
78750	1	1
80209	1	1
80424	1	1
80501	4	4
81014	1	1
81611	1	1
89448	8	8
90027	2	2
92657	4	4
92833	1	1
93117	2	2
94110	2	2
94117	2	2
94118	2	2
95120	4	4
95380	4	4
96826	1	1
97084	2	2
97237	1	1
	4178	6604



4

Objectives



OVERVIEW

This chapter outlines the objectives, which were developed in the stakeholder meetings through the consensus building efforts of the facilitator. These objectives were used to create a comprehensive trails plan that will serve as another set of guidelines for the development of the Kessler Mountain Trails Master Plan.

INTRODUCTION

This comprehensive trails plan serves as a foundation for creating new trails, improving existing trails and adding trail amenities to provide a wide range of users with a variety of trail experiences, as well as expand outdoor recreation and education opportunities on the mountain. The proposed trails will be purposefully designed to allow trail users to experience the beauty of Kessler on foot or bicycle while minimizing user conflict and environmental impact. The plan focuses on soft-surface trails, however it does include some conceptual paved trails that are in line with the City of Fayetteville's *Active Transportation Master Plan*.

Through a request for proposal, the City of Fayetteville selected Progressive Trail Design, with Alta Planning + Design, and Ozark Ecological Restoration Inc. (OERI) to assist with the development of this comprehensive trails plan.

OBJECTIVES OF THIS TRAILS MASTER PLAN:

- 1 Assess the sustainability of existing trails and needs for potential re-routes and trail improvements.
- 2 Address the needs and desires of targeted user groups while considering impacts to wildlife and other resources, as well as minimizing the impact of any new trails.
- 3 Improve user safety and reduce user conflict by better organizing the trail system, creating additional areas for the public to recreate, and offering more loop options to better disperse traffic.
- 4 Assess the skill level of existing trails and propose new trails that create a greater diversity of user ability and skill levels.
- 5 Determine key connections between recreational areas and improve trail system functionality by creating better links to trails.
- 6 Create a sustainable multi-use trail system that appeals to the widest variety of users.



PROGRESSIVE TRAIL DESIGN (PTD):

A highly skilled Trail building/Bike Park Development company based in the rugged Ozark Mountains of Northwest Arkansas with an office in the foothills of the Colorado Rockies. PTD is a member of the Professional Trail Builders Association (PTBA) and specializes in the development of “progressive recreational facilities”, mountain bike parks, municipal park renovations and enhancements, and a wide variety of purpose-built trails (i.e. equine trails, motorized trails, bike trails, interpretive hiking trails, etc...).

SCOPE OF WORK:

- 1 Overall Site Assessment** – Inventory the entire site, determine property boundaries, analyze and identify opportunities and constraints, identify environmentally sensitive areas (through the assistance of OERI and referencing Witsell’s Report), identify positive and negative control points, and identify a preliminary concept of trail expansion feasibility.
- 2 Existing Trail Assessment** - Assess all eight miles of existing trail. Identify any poorly aligned segments, drainage issues, and/or flow issues. Make recommendations for improvements and GPS the recommendations to be shown on the overall map.
- 3 Conceptual Layout** - Through input from the public and stakeholder meetings, determine the desired amount and type of new trail that is appropriate for Kessler Mountain and begin to layout conceptual alignments.
- 4 Final Layout** - Once a consensus has been established regarding which of the new trails, reroutes and additions are acceptable, PTD will begin to ground truth the trails and GPS their general alignment. These alignments will go on the first draft for review and comment. This is a conceptual layout and does not include final flagging and alignment.
- 5 Deliverables - Master Plan Proposal** - After comments and revisions, PTD staff will compile the map, all field notes, proposed trails with descriptions and support images, and a budget for construction into one comprehensive document along with a separate map/plan.



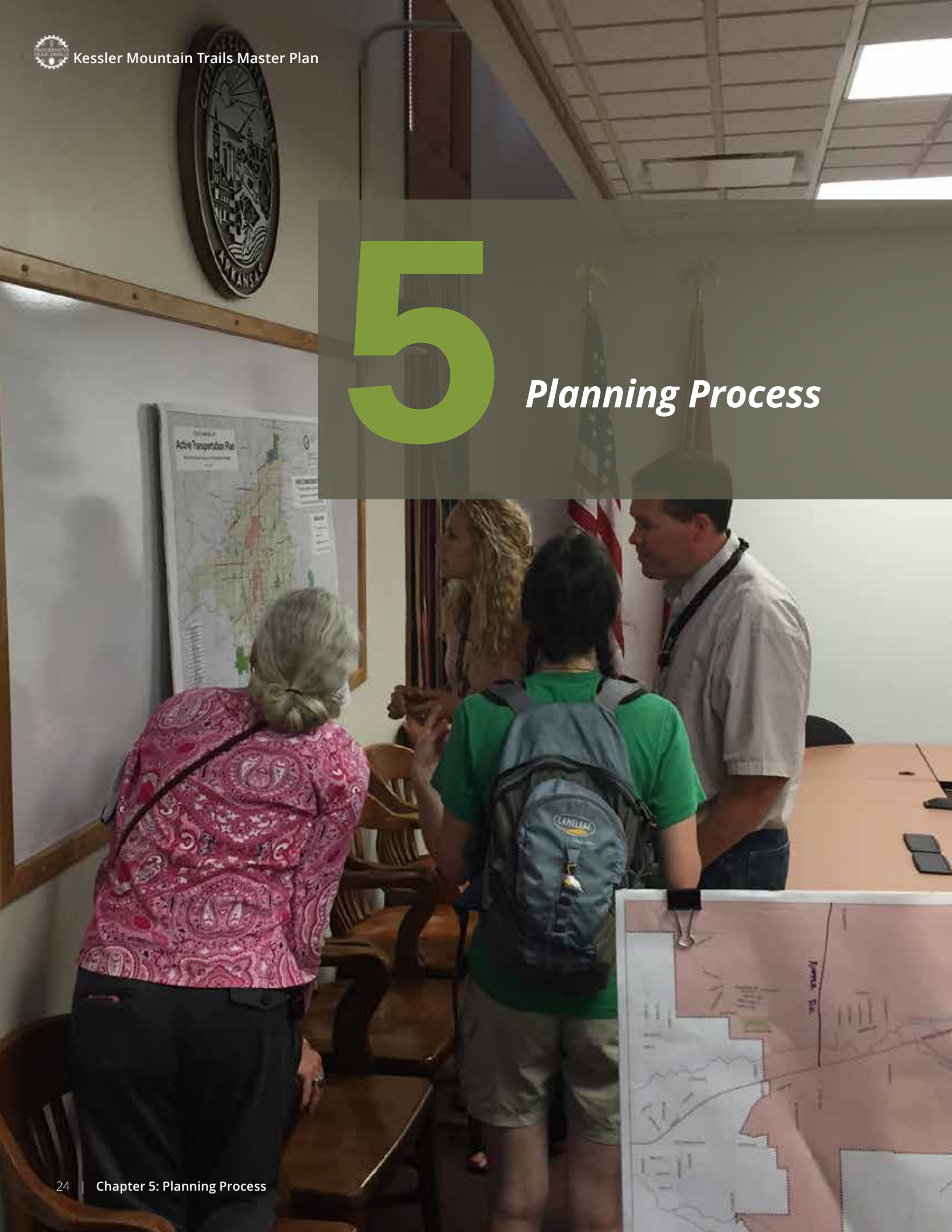
Displayed are examples of work from Progressive Trail Design (PTD) throughout Northwest Arkansas:





5

Planning Process





OVERVIEW

This chapter describes the process performed to gather input involving the general public and stakeholder groups. Public input was gathered in variety of ways, ranging from conversational feedback to different forms of media.

INTRODUCTION

The trails plan was developed through the input of the city, the public, private organizations and professionals. The process began in mid-2015 and continued over the course of six months. The biggest challenge in developing this plan was to find the balance between preservation and recreation. Through the input of the public and the collaboration of the diverse group of stakeholders, a compromise was reached which resulted in the plan presented in this document.

The *Rapid Terrestrial Ecological Assessment Plan* by Theo Witsell and the *Analysis of Old Growth Forest Parcels* by Alan Edmonson were utilized as a basis for proposing new trails and improving existing trails.

A stakeholder group comprised of over 20 individuals representing various user groups and organizations was formed to guide the direction of the plan throughout the process. In total, there were six stakeholder meetings and four public input sessions. In addition, Alta Planning + Design created a public survey in which 150 respondents provided their feedback. This data was also critical in the development of the plan.



LIST OF PROJECT STAKEHOLDERS

- **Walton Family Foundation**
- **Alta Planning + Design**
- **Beaver Watershed Alliance**
- **City of Fayetteville Active Transportation Committee**
- **City of Fayetteville Development Services**
- **City of Fayetteville Parks and Recreation**
- **City of Fayetteville Parks and Recreation Advisory Board**
- **Fayetteville Natural Heritage Association**
- **Fayetteville Public Schools**
- **Illinois River Watershed Partnership**
- **International Mountain Bicycling Association**
- **Kessler Greenways**
- **NWA Audubon Society / Arkansas Audubon**
- **NWA Land Trust**
- **Ozark Ecological Restoration Inc.**
- **Ozark Off-Road Cyclists**
- **Ozark Regional Land Trust**
- **Progressive Trail Design**

PUBLIC INPUT SUMMARY:

Survey results and a summary of comments received from the public input sessions are included in ***Appendix B: Public Input*** from the two public input sessions. Below are general statements from different user groups that highlight common desires and concerns.

Two main categories emerged from the public and stakeholder comments: Preservation and Recreation. The biggest challenge of this plan was to find the balance between these two opposing viewpoints. The end goal was to respect the natural environment and key sensitive areas outlined in the ecological assessment, while still providing access to new areas and proposing new trails to build skill level progression into the trail system. Given that an existing eight-mile trail system has been on the mountain since the early 2000's, users have already grown to love it for

its natural beauty and remote back country feel. Almost all users unanimously agreed that they wish to keep that experience intact. Differences are primarily centered on the amount of new trail appropriate for the mountain and where proposed trails should be located. Through the use of existing studies and the feedback of different user groups, this plan was developed to address this balance of users' needs.

The two primary user groups are hikers and mountain bikers. The hiker group includes anyone on foot: trail runners, birdwatchers, photographers, backpackers, etc. The mountain biker group includes anyone on a bike; however, this group also falls into the hiker group, because many who bike also hike and run.

Based on the feedback gathered during the public input process, hikers are linked to enjoying short loops and destinations, such as a bluff, overlook, or spring. Their focus is not so much on the trail itself, but the efficiency of finding a unique location and the experience of getting there. Mountain bikers, on the other hand, are linked to longer, exciting, flowing trail loops. They desire a unique experience with a focus on a variety of trail types and challenges. In order to meet the desires of these two groups, it was equally important to provide new trails as well as improve the existing trail system.





6

Trail Plan

MT. KESSLER



OVERVIEW

This chapter provides a brief overview of the project, in terms of how this plan came to be, as well as some general background information about Kessler Mountain as it is today.

INTRODUCTION

The overall trail master plan map for Kessler Mountain includes three primary components. Each of these will be detailed in the following pages.

COMPONENTS OF TRAILS MASTER PLAN:

- 1** Existing Trail Improvements Plan
- 2** Proposed Trails
- 3** Other Trail & Recreational Opportunities

For Kessler Mountain, the goal was to create a shared-use trail system that would work well for the widest variety of use. Through strategic and sustainable design, this plan has been created to address the needs of all users; hikers, bikers, nature enthusiasts, trail runners, groups, and users with special needs.

Another critical component that drives design is positive and negative control points. The positive control points are the places you want to take the trail to, such as an overlook or a waterfall. The negative control points are those areas you want to stay away from, such as a sensitive ecological habitat, or a wet area. To put it simply, the goal is to identify all the positive control points and connect

DESIGN APPROACH

When developing a trail system, the primary goal is to build sustainable trails and protect environmentally sensitive areas. Supplementing this goal with trail experiences that appeal to a variety of user groups and minimize user conflict, maximizes the overall experience. In order to create this experience, user group are typically either segregated or integrated depending on the size of the site and the type and volume of users.



the dots in a sustainable fashion while avoiding the negative control points.

CONCEPT

Input from both the stakeholder group and the public raised a concern about user conflict, specifically between pedestrians and cyclists. This is a common concern and one that has been addressed in the design of the trail system. There are a number of solutions to mitigate user conflict. First and foremost, it is important to create a well-organized progressive-based trail system. This is achieved by providing a variety of trails at varying levels of difficulty: beginner, intermediate, and expert. This applies to all user groups and is signified by the character of the trail itself. Steeper, rocky trails are considered expert while smooth trails on gentle grades are considered beginner. This helps to provide an opportunity for beginner level cyclists, less ambitious hikers or less mobile users to enjoy nature in a more comfortable fashion. Given that almost all of the existing trails on Kessler are considered difficult and expert level, it is important to integrate some beginner and intermediate level trails into the plan. The area below the bluff line on the east side of the mountain provides the perfect terrain for these types of trails and is immediately accessible to the developed Regional Park.

The new trails will create a “stacked-loop trail system.” This means that one loop is connected to the previous loop in a stacked formation. This allows the system to develop with the easier trails near the trailhead and each connected loop becoming progressively more challenging as they advance in distance. This helps to segregate users and disperse traffic. The topography of Kessler caters well to this progressive-based, stacked-loop trail system because the bluff line circling the perimeter of the mountain acts as a natural separation between the more distant, rugged

trails and the more accessible, easier trails. The more advanced cyclists and adventurous hikers/ runners will use more of the system and travel to the remote areas; whereas, the beginners and less ambitious will generally stay closer to the trailhead on these more accessible trails. This also provides for a variety of loop configurations.

SUSTAINABLE TRAIL DESIGN GUIDELINES

There are two documents established for trailbuilding and are referred to as the industry standard:

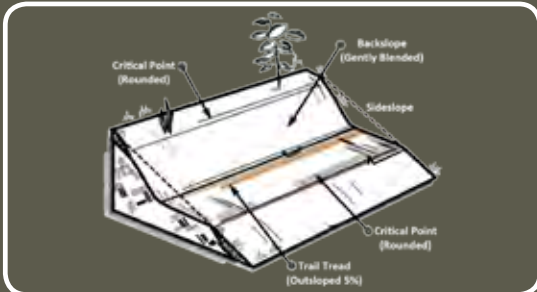
United States Department of Agriculture’s (USDA) *Trail Construction and Maintenance Notebook* as well as the International Mountain Bicycling Association’s (IMBA) *Sustainable Trail Design Standards*. Though IMBA is a mountain bike trail advocacy organization, these trail guidelines are commonly accepted by all trail builders as the standard for sustainable trail design.



There are many valuable resources to refer to regarding natural surface trail design.



The Kessler Mountain Trails Master Plan proposes the recommendations for improvements and proposed natural surface trails meet the definition and guidelines outlined below:



NATURAL SURFACE TRAIL DEFINITION:

A natural surface trail is any type of trail utilizing native mineral soils as the primary final tread surface. Comprised of a “full bench cut”, these trails commonly follow the land contours and pass by or incorporate terrain features. Developing these trails with moderate grades, mild undulation and limited surface variation delivers a very sustainable resource. However, grades and surface may be adjusted to provide a variety of textures and experiences. Tread can range from eighteen (18) inch wide single track to five (5) foot wide double track. This kind of trail can be produced to accommodate any type of user group. The “full bench cut” simply means that the tread is completely carved out of undisturbed soil with none of the excavated fill used as a part of the tread. This provides a more durable, sustainable trail.

TWO CRITICAL TRAILBUILDING TIPS:

1

AVOID THE FALL LINE.

Fall-line trails usually follow the shortest route down a hill - the same path that water flows. The problem with fall-line trails is that they focus water down their length. The speeding water strips the trail of soil, exposing roots, creating gullies, and scarring the environment.

2

AVOID FLAT AREAS.

Flat terrain lures many trailbuilders with the initial ease of trail construction. However, if a trail is not located on a slope, there is the potential for the trail to become a collection basin for water. The trail tread must always be slightly higher than the ground on at least one side of it so that water can drain properly.

FIVE SUSTAINABLE TRAIL PRINCIPLES:

Ideally, a trail would simultaneously incorporate all of these principles.

1

THE HALF RULE

2

THE 10-PERCENT AVERAGE GUIDELINE

3

MAXIMUM SUSTAINABLE GRADE

4

GRADE REVERSALS

5

OUTSLOPE

SUSTAINABLE TRAIL DESIGN GUIDELINES:

1

Keep water off the tread and users on it.

2

Build with the contour of the land and use frequent grade reversals.

3

Follow the half-rule: A trail's grade should not exceed half the grade of the cross slope.

4

Maximum grade should be 15 percent (except for natural or built rock structures).

5

Average grade should stay under 10 percent (with grade reversals).

6

Route trails to positive control points (viewpoints, water, and other attractions).

7

Use bench-cut construction and excavate soil from the hillside.

8

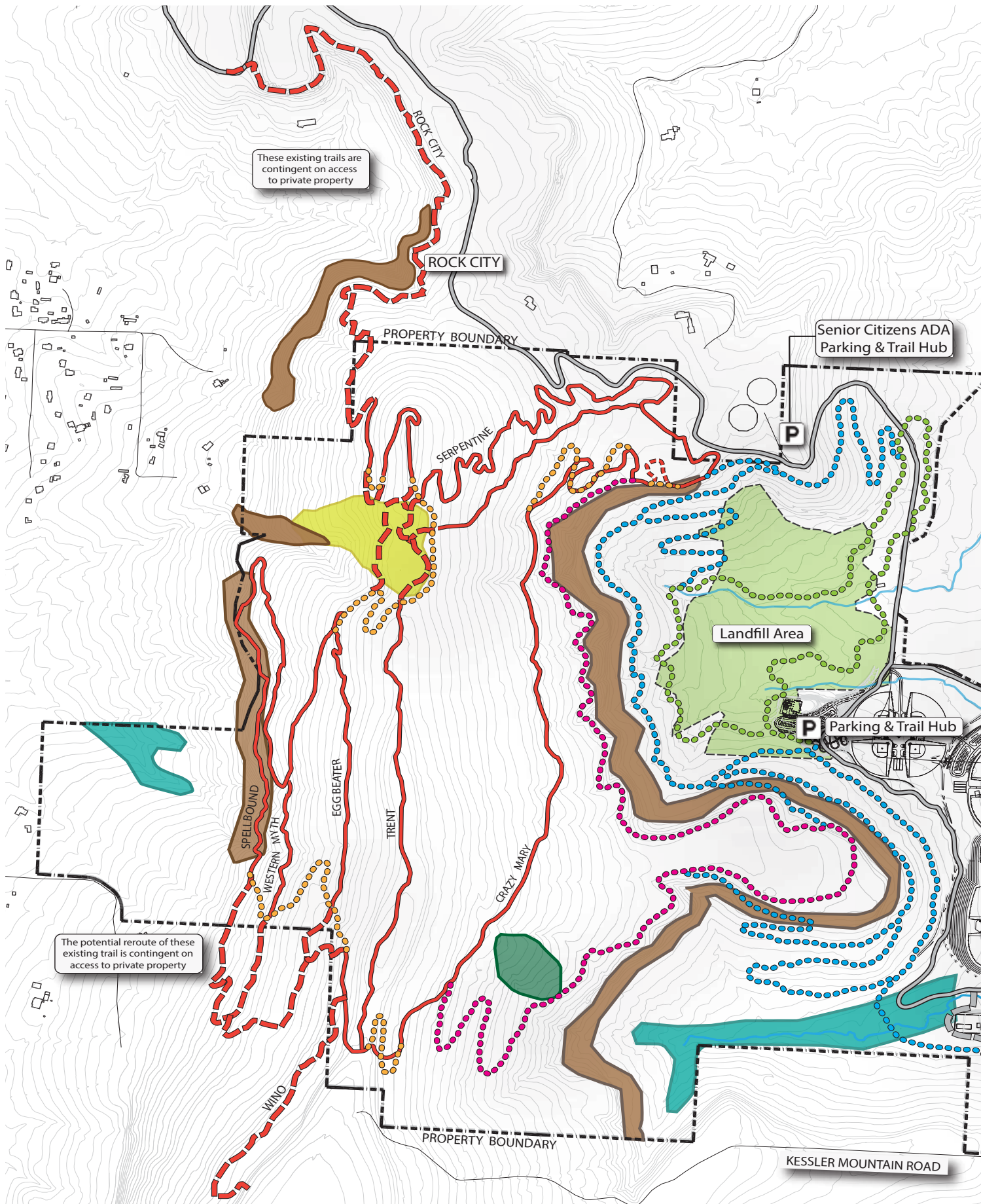
Provide an tread out-slope of three to five percent in order to encourage rapid water removal from the tread.

9

For reroutes, reclaim the old trail thoroughly, both the visual corridor as well as the trail tread.

10

For highly technical trails where grade will sometimes exceed 15 percent, use natural rock, rock armoring or other rock features to add challenge and improve sustainability.





LEGEND

NOTE: ALL TRAIL LENGTHS AND ALIGNMENTS ARE APPROXIMATE

 **EXISTING TRAILS**
6 Miles (Within Park Boundary)

 **BEGINNER LOOP**
1.5 Miles (4'WIDE)

 **LOWER BLUFF TRAIL**
3.4 Miles (2'-3'WIDE)

 **EAST BLUFF TRAIL**
1.7 Miles (18"-2'WIDE)

 **TRAIL REROUTES**
1 Mile

 **PAVED TRAILS - PROPOSED**
Proposed by City of Fayetteville



BIKING ALLOWED



RESTROOMS



PARKING AREA



ABANDONED TRAILS



FUTURE PAVED TRAILS
Proposed by the City of Fayetteville

ECOLOGICALLY SIGNIFICANT AREAS AND HABITATS



SHALE BARRENS



BLUFFS

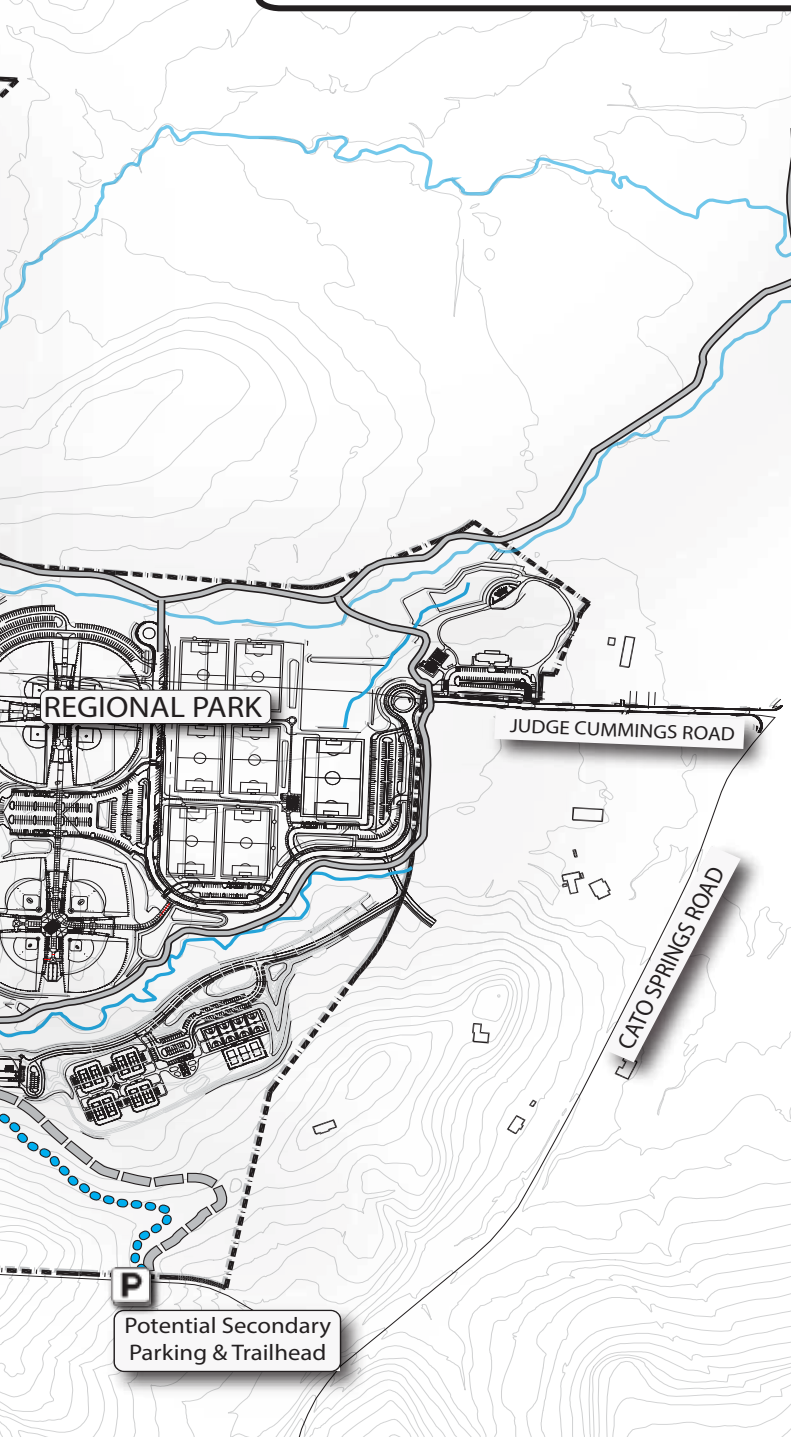


OLD GROWTH POST
OAK WOODLAND



RIPARIAN HABITAT

Information taken from Arkansas Natural
Heritage Commission. Ecological Assessment



KESSLER MOUNTAIN TRAILS MASTER PLAN

The plan presented on this page represents the Kessler Mountain public area integrated with the planned development of the Regional Park. The plan proposed by Progressive Trail Design highlights the concept of a stacked loop trail system integrating the existing trail system with a range of difficulty for all trail users to experience.

The plan used to illustrate the City of Fayetteville's Regional Park plan can be viewed in entirety in Appendix D: City of Fayetteville Regional Park Plan.





7

Existing Trails



OVERVIEW

This chapter outlines the current conditions and the recommendations from Progressive Trail Design for the six miles of public use trail at Kessler Mountain.

INTRODUCTION

The existing trail system on Kessler Mountain is approximately eight miles. Six miles of this system are on city property, while the remaining two are on private property. The two miles on private property were assessed in this report and are discussed in more detail in the following pages.

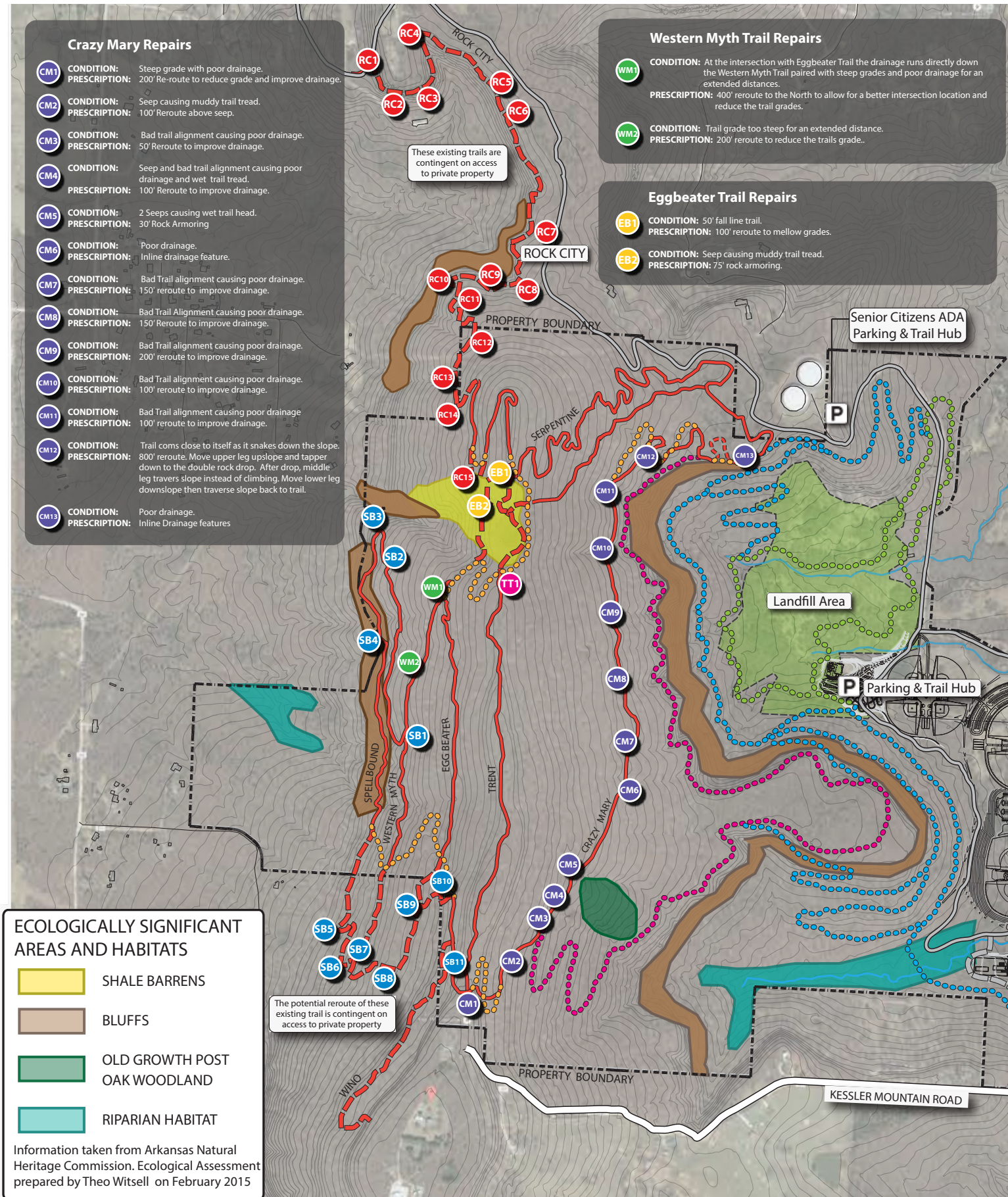
As previously mentioned, all existing trails were built by volunteers, primarily Ozark Off-Road Cyclists, over the last 15 years with the permission of previous and existing landowners. There was no master plan for these trails. It was simply a group of volunteers building trails slowly over time. All the trails were built by hand to maximize the trail experience in the best terrain for mountain biking. It is important to note that all existing trails are considered “expert” level according to IMBA Guidelines.

These trails are all one to two feet wide singletrack that are very rocky and technically challenging in nature. For most hikers this is not a problem, but a mountain biker must be an advanced rider to navigate these trails comfortably. Therefore, beginner and intermediate level trails for all users are one of the most critical needs of the trail system.

Most of the existing trails today have stayed in relatively good shape, however, as expected, there are some design and sustainability issues that must be addressed. This report will result in recommendations to resolve some of these issues and problem areas.

As such, Progressive Trail Design conducted a full assessment of all existing trails. The assessment identified problem areas and poorly aligned trail segments and prescribes solutions to these areas. This has resulted in a condition/prescription survey in order to make the trail system sustainable in accordance with the industry accepted guidelines for building sustainable trails.

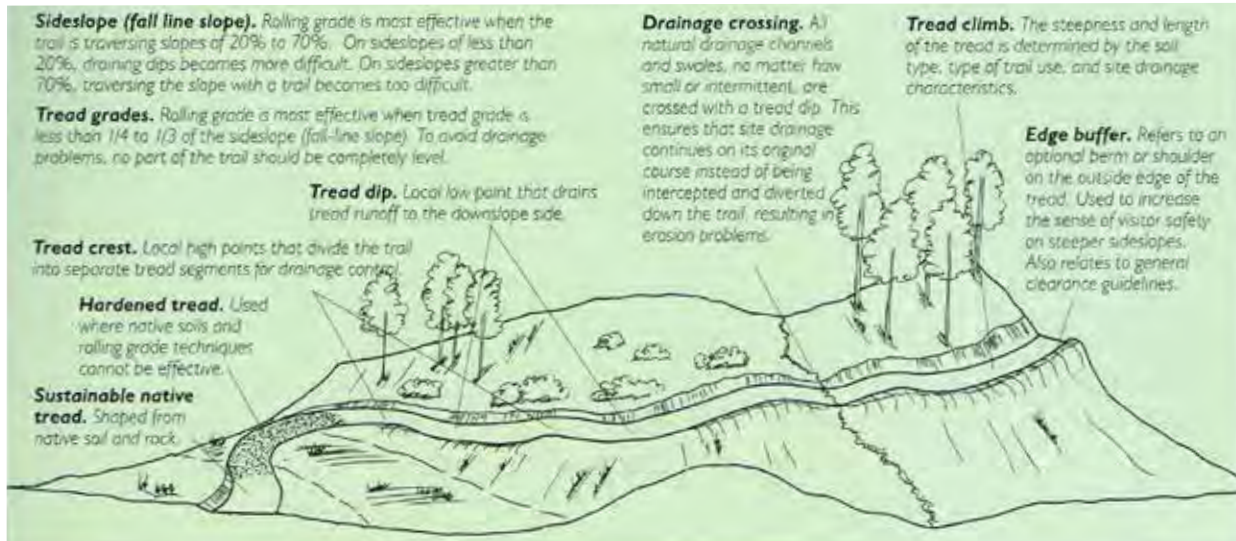
The intention of this trails improvement plan was to maintain the alignment and character of the existing trail system. Recommendations for reroutes in areas where the trail is either too steep, located in perpetually wet zones, or have alignment issues that hinder traffic flow (aka “trail flow”). All problem spots, including small reroutes, are indicated on the Existing Trail plan with recommended solutions and are expanded upon later in this chapter. Any reroutes that were significant are indicated on the plan as a separate, proposed trail.





KESSLER MOUNTAIN EXISTING TRAILS CONDITION/PRESCRIPTION SURVEY

The recommendations for the existing trail system will be outlined on the following pages in more detail.



PRESCRIPTION TREATMENTS

This section is to familiarize the reader with terms and types of treatment proposed in the Kessler Mountain Existing Trails Condition/Prescription Survey. The terms discussed in this section are: rock armoring, inline drainage features, climbing turns, rolling crown switchback, knick construction.

Rock Armoring

Rock armoring can be used for drainage crossings, trail approaches, and steep trail sections that need additional protection from erosion. Rock armoring tends to be relatively low maintenance and visually appealing, while also stabilizing challenging trail sections.



Inline Drainage

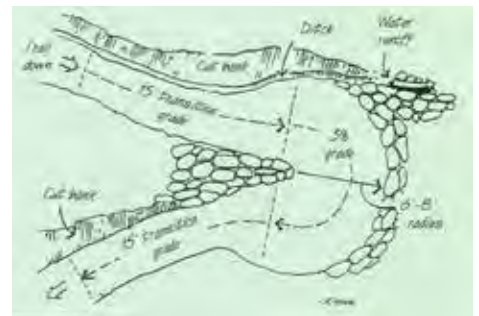
Inline drainage features are typically used on existing treads where the tread has already been established and there is little space for a large, wide, relatively clog-proof dip and outlet formed through alignment. Please refer to the image on [page 47](#) for more information.

Climbing Turns

A turn where the grade of the trail as it passes through the fall line is exactly the same as the grade of the slope being traversed.

Rolling Crown Switchbacks

Rolling crown switchbacks are sustainable turns on a hillside engineered for drainage. The trail is routed onto a crowned deck where it makes a transition to the opposite direction. The upper approach is insloped to drain water out the back of the landing, while the lower approach is outsloped.



Knicks are constructed into existing trail tread in order to drain puddles from flat areas.



Knick Construction

A knick is an effective outsloped drain constructed into existing trails. For a knick to be effective, the trail tread must have lower ground next to it so the

water has a place to drain. A knick is a shaved down semicircle about ten-feet long that is outsloped about fifteen percent in the center. Knicks should be unnoticeable to users.

KESSLER MOUNTAIN EXISTING TRAILS CONDITION/PRESCRIPTION SURVEY

ROCK CITY TRAIL



Rock City Trail Recommendation #1

LOCATION: Latitidue: N36 02.394
Longitude: W94 13.248

ESTIMATED COST: \$6,500.00

CONDITION:

Turns exceed maximum grade for climbing turns.

PRESCRIPTION:

Corner 1 - Rebuild as a rolling crown switchback
Corner 2 - Rebuild as a rolling crown switchback with 5'Hx30'L crib wall retaining backside of turn to maintain existing drainage from road. Regrade trail between turns to improve drainage



Rock City Trail Recommendation #2

LOCATION: Latitidue: N36 02.384
Longitude: W94 13.215

ESTIMATED COST: \$800.00

CONDITION:

Large boulder blocking trail causing narrow unsafe route around.

PRESCRIPTION:

Build a 2'Hx10'L crib wall to create a safe a sustainable route around boulder.



Rock City Trail Recommendation #3

LOCATION: Latitidue: N36 02.382
Longitude: W94 13.185

ESTIMATED COST: \$500.00

CONDITION:

Large boulder fell onto trail blocking the tread causing users to go off trail to avoid.

PRESCRIPTION:

Move large boulder and reestablish original trail alignment.



Rock City Trail Recommendation #4

LOCATION: Latitidue: N36 02.442
Longitude: W94 13.175

ESTIMATED COST: \$3,400.00

CONDITION:

Steep rocky fall-line trail for approx. 200' causing poor drainage and difficult navigation for some users.

PRESCRIPTION:

Option 1: Stay on existing trail alignment. Repair using rolling grade dips and rock armoring.

Option 2 (*preferred*): 300' reroute upslope from existing trail alignment using grade reversals for water management.



Rock City Trail Recommendation #5

LOCATION: Latitidue: N36 02.336
Longitude: W94 13.032

ESTIMATED COST: \$200.00

CONDITION:

Narrow tree gate for mountain bikers specifically, causing users to go around.

PRESCRIPTION:

Opt.1: Remove the Silver Maple.

Opt.2: 30' reroute down slope.



Rock City Trail Recommendation #6

LOCATION: Latitidue: N36 02.324
Longitude: W94 13.027

ESTIMATED COST: \$200.00

CONDITION:

Old tree stump in trail tread.

PRESCRIPTION:

Remove stump.



Rock City Trail Recommendation #7

LOCATION: Latitidue: N36 02.221
Longitude: W94 13.007

ESTIMATED COST: \$2,250.00

CONDITION:

Seep causing muddy trail tread.

PRESCRIPTION:

50' rock armoring.



Rock City Trail Recommendation #8

LOCATION: Latitidue: N36 02.159
Longitude: W94 13.029

ESTIMATED COST: \$1,350.00

CONDITION:

Seep causing muddy trail tread.

PRESCRIPTION:

30' rock armoring.



Rock City Trail Recommendation #9

LOCATION: Latitidue: N36 02.150
Longitude: W94 13.065

ESTIMATED COST: \$800.00

CONDITION:

Seep causing muddy trail tread.

PRESCRIPTION:

100' rock armoring.



Rock City Trail Recommendation #10

LOCATION: Latitidue: N36 02.159
Longitude: W94 13.114

ESTIMATED COST: \$1,800.00

CONDITION:

Radius of corner is too tight causing users, primarily mountain bikers to stray off trail.

PRESCRIPTION:

Relocate corner with a 75' reroute to allow for better turn radius.



Rock City Trail Recommendation #11

LOCATION: Latitidue: N36 02.131
Longitude: W94 13.114

ESTIMATED COST: \$200.00

CONDITION:

Dead tree in corner, causing a tight radius.

PRESCRIPTION:

Remove dead tree to open radius of corner.



Rock City Trail Recommendation #12

LOCATION: Latitidue: N36 02.090
Longitude: W94 13.093

ESTIMATED COST: \$4,500.00

CONDITION:

Seep causing muddy trail tread.

PRESCRIPTION:

100' rock armoring.



Rock City Trail Recommendation #13

LOCATION: Latitidue: N36 02.026
Longitude: W94 13.112

ESTIMATED COST: \$7,000.00

CONDITION:

Seep drains down trail and the trail is located too close to a barbed wire fence, making it dangerous for users.

PRESCRIPTION:

500' reroute including 2 climbing turns and 30' of rock armoring to span seep. This reroute will also help to control the speeds of mountain bikers. Close old trail.



Rock City Trail Recommendation #14

LOCATION: Latitidue: N36 02.006
Longitude: W94 13.111

ESTIMATED COST: \$1,500.00

CONDITION:

Radius of corner is too tight causing users, primarily mountain bikers to stray off trail. The corner is also too close to a barbed wire fence, making it dangerous for users.

PRESCRIPTION:

Open radius of corner and along with a 50' reroute downhill from corner.



Rock City Trail Recommendation #15

LOCATION: Latitidue: N36 01.921
Longitude: W94 13.080

ESTIMATED COST: \$800.00

CONDITION:

Hikers have created a social trail that creates a direct route to the Shale Barren.

PRESCRIPTION:

Reroute turn north to create separation and install "stay on trail" signs. Close social trail.



EGGBEATER TRAIL

EB1

Eggbeater Trail Recommendation #1

LOCATION: Latitidue: N36 01.924
Longitude: W94 13.049

ESTIMATED COST: \$800.00

CONDITION:

50' fall line trail.

PRESCRIPTION:

100' reroute to mellow grades.

EB2

Eggbeater Trail Recommendation #2

LOCATION: Latitidue: N36 01.903
Longitude: W94 13.061

ESTIMATED COST: \$3,375.00

CONDITION:

Seep causing muddy trail tread.

PRESCRIPTION:

75' of rock armoring.

WESTERN MYTH TRAIL

WM1

Western Myth Trail Recommendation #1

LOCATION: Latitidue: N36 01.814
Longitude: W94 13.094

ESTIMATED COST: \$3,200.00

CONDITION:

At the intersection with the Eggbeater trail the drainage runs directly down the Western Myth trail paired with steep grades and poor drainage for an extended distances.

PRESCRIPTION:

400' reroute to the north to allow for a better intersection location and reduce the trail grades.

WM2

Western Myth Trail Recommendation #2

LOCATION: Latitidue: N36 01.721
Longitude: W94 13.148

ESTIMATED COST: \$1,600.00

CONDITION:

Trail grade is too steep for an extended distance.

PRESCRIPTION:

200' reroute to reduce the trails grade.



SPELLBOUND TRAIL

SB1 Spellbound Trail Recommendation #1

LOCATION: Latitidue: N36 01.615
Longitude: W94 13.184

ESTIMATED COST: \$800.00

CONDITION:

At the Intersection with Western Myth the drainage runs directly down Spellbound Trail.

PRESCRIPTION:

100' reroute to allow for better intersection location and drainage.

SB2 Spellbound Trail Recommendation #2

LOCATION: Latitidue: N36 01.821
Longitude: W94 13.212

ESTIMATED COST: \$900.00

CONDITION:

Poor drainage on rock drop landing.

PRESCRIPTION:

Create better drainage and 50' rock armoring.

SB3 Spellbound Trail Recommendation #3

LOCATION: Latitidue: N36 01.863
Longitude: W94 13.214

ESTIMATED COST: \$1,600.00

CONDITION:

Corner is too tight and trail grade too steep causing poor drainage.

PRESCRIPTION:

200' reroute to the north reduce grades, open turn radius, and improve drainage.

SB4 Spellbound Trail Recommendation #4

LOCATION: Latitidue: N36 01.734
Longitude: W94 13.214

ESTIMATED COST: \$2,250.00

CONDITION:

Seep causing muddy trail tread.

PRESCRIPTION:

50' rock armoring.

SB5 Spellbound Trail Recommendation #5

LOCATION: Latitidue: N36 01.384
Longitude: W94 13.265

ESTIMATED COST: \$1,000.00

CONDITION:

Steep trail grades, tight turn radius, and poor drainage in and out of turn.

PRESCRIPTION:

Realign corner upslope and to south for improved drainage.

SB6 Spellbound Trail Recommendation #6

LOCATION: Latitidue: N36 01.340
Longitude: W94 13.257

ESTIMATED COST: \$1,500.00

CONDITION:

Poor drainage before turn.

PRESCRIPTION:

60' reroute of turn for improved drainage.



SB7

Spellbound Trail Recommendation #7

LOCATION: Latitidue: N36 01.358
Longitude: W94 13.237

ESTIMATED COST: \$1,200.00

CONDITION:

Poor drainage at the intersection of Western Myth.

PRESCRIPTION:

150' reroute to the north for better intersection location and improved drainage.

SB8

Spellbound Trail Recommendation #8

LOCATION: Latitidue: N36 01.348
Longitude: W94 13.212

ESTIMATED COST: \$4,000.00

CONDITION:

Trail grade exceeds the maximum grade of 15% for an extended distance.

PRESCRIPTION:

500' reroute with a climbing turn to reduce trail grades and better align trail and trail flow.

SB9

Spellbound Trail Recommendation #9

LOCATION: Latitidue: N36 01.411
Longitude: W94 13.147

ESTIMATED COST: \$1,600.00

CONDITION:

Poor location and alignment of trails at intersection with Eggbeater.

PRESCRIPTION:

200' reroute for better intersection location and improved drainage.

SB10

Spellbound Trail Recommendation #10

LOCATION: Latitidue: N36 01.434
Longitude: W94 13.121

ESTIMATED COST: \$3,200.00

CONDITION:

Two turns exceed maximum grade for climbing turns.

PRESCRIPTION:

Relocate both turns approx. 75' behind current location in order to reduce grades.

SB11

Spellbound Trail Recommendation #11

LOCATION: Latitidue: N36 01.341
Longitude: W94 13.095

ESTIMATED COST: \$500.00

CONDITION:

Poor drainage on old road bed.

PRESCRIPTION:

Build in-line grade dips to improve drainage.

TRENT TRAIL

TT1

Trent Trail Recommendation #1

LOCATION: Latitidue: N36 01.820
Longitude: W94 13.040

ESTIMATED COST: \$9,600.00

CONDITION:

Seep causing muddy trail tread.

PRESCRIPTION:

400' reroute with 100' of rock armoring. This is also part of the major reroute around the Shale Barren shown on the map.



CRAZY MARY TRAIL

CM1 Crazy Mary Trail Recommendation #1

LOCATION: Latitidue: N36 01.314
Longitude: W94 13.054

ESTIMATED COST: \$1,600.00

CONDITION:

Steep grade with poor drainage.

PRESCRIPTION:

200' Reroute to reduce grade and improve drainage.

CM2 Crazy Mary Trail Recommendation #2

LOCATION: Latitidue: N36 01.315
Longitude: W94 13.026

ESTIMATED COST: \$800.00

CONDITION:

Seep causing muddy trail tread.

PRESCRIPTION:

100' Reroute above seep.

CM3 Crazy Mary Trail Recommendation #3

LOCATION: Latitidue: N36 01.398
Longitude: W94 12.967

ESTIMATED COST: \$400.00

CONDITION:

Bad trail alignment causing poor drainage.

PRESCRIPTION:

50' Reroute to improve drainage.

CM4 Crazy Mary Trail Recommendation #4

LOCATION: Latitidue: N36 01.425
Longitude: W94 12.943

ESTIMATED COST: \$800.00

CONDITION:

Seep and bad trail alignment causing poor drainage and wet trail tread.

PRESCRIPTION:

100' Reroute to improve drainage.

CM5 Crazy Mary Trail Recommendation #5

LOCATION: Latitidue: N36 01.466
Longitude: W94 12.901

ESTIMATED COST: \$1,350.00

CONDITION:

2 seeps causing wet trail tread.

PRESCRIPTION:

30' Rock Armoring.

CM6 Crazy Mary Trail Recommendation #6

LOCATION: Latitidue: N36 01.532
Longitude: W94 12.878

ESTIMATED COST: \$500.00

CONDITION:

Poor drainage.

PRESCRIPTION:

Inline drainage feature.



Crazy Mary Trail Recommendation #7

LOCATION: Latitidue: N36 01.564
Longitude: W94 12.845

ESTIMATED COST: \$1,200.00

CONDITION:

Bad trail alignment causing poor drainage.

PRESCRIPTION:

150' Reroute to improve drainage.



Crazy Mary Trail Recommendation #8

LOCATION: Latitidue: N36 01.602
Longitude: W94 12.852

ESTIMATED COST: \$1,200.00

CONDITION:

Bad trail alignment causing poor drainage.

PRESCRIPTION:

150' Reroute to improve drainage.



Crazy Mary Trail Recommendation #9

LOCATION: Latitidue: N36 01.672
Longitude: W94 12.855

ESTIMATED COST: \$1,600.00

CONDITION:

Bad trail alignment causing poor drainage.

PRESCRIPTION:

200" Reroute to improve drainage.



Crazy Mary Trail Recommendation #10

LOCATION: Latitidue: N36 01.775
Longitude: W94 12.873

ESTIMATED COST: \$800.00

CONDITION:

Bad trail alignment causing poor drainage.

PRESCRIPTION:

100' Reroute to improve drainage.



Crazy Mary Trail Recommendation #11

LOCATION: Latitidue: N36 01.847
Longitude: W94 12.890

ESTIMATED COST: \$800.00

CONDITION:

Bad trail alignment causing poor drainage.

PRESCRIPTION:

100' Reroute to improve drainage.



Crazy Mary Trail Recommendation #12

LOCATION: Latitidue: N36 01.945
Longitude: W94 12.832

ESTIMATED COST: \$6,400.00

CONDITION:

Bad trail separation. The trail comes close to itself as it snakes down the slope.

PRESCRIPTION:

800' Reroute. Move upper leg upslope and taper down to the double rock drop. After drop, middle leg will traverse slope instead of climbing. Move lower leg downslope then traverse slope back to trail. This is shown on the map as one of the main reroutes.



CRAZY MARY TRAIL CONT.



Crazy Mary Trail Recommendation #13

LOCATION: Latitude: N36 01.973
Longitude: W94 12.680

ESTIMATED COST: \$500.00

CONDITION:

Poor drainage & meandering trail around sinkhole.

PRESCRIPTION:

Inline drainage features & 200' Reroute to connect overlooks

**SEE BUDGET ON PAGE 63 FOR TOTALS
ON ALL EXISTING TRAIL REPAIRS**

REROUTES

The most significant reroutes are primarily to avoid ecologically sensitive areas, avoid private property, or realign trails to be sustainable and have better separation. There are three significant reroutes:

Spellbound Reroute – As part of the two miles of trail located on private property, the section of the Spellbound Trail in the southwest corner of the property has been identified for rerouting due to the need for public access. This reroute will serve as an alternative to the current alignment, but could become the permanent trail especially if the City is unable to attain an easement or acquire this piece of private property to publically accommodate the existing trails. This reroute is not ideal because it shortens the trail system and makes this area more congested, but this reroute will be considered as an alternative.

Shale Barren Reroute – As identified by Theo Witsell's ecological assessment, the shale barren is a rare and sensitive ecological amenity and unique to Kessler Mountain. To accommodate this ecologically-sensitive area, reroutes around this area are proposed in order to avoid damaging the delicate fauna and flora. To enhance this reroute recommendation, educational signage will be required in order to keep users from accessing this sensitive area as well as informing the importance of this ecological amenity. More information regarding the shale barren can be viewed in Appendix B: A Rapid Terrestrial Ecological Assessment of Kessler Mountain Reserve by Theo Witsell.



Crazy Mary Reroute – To support the primary goal of building sustainable trails and protecting environmentally sensitive areas, two sections of the Crazy Mary Trail are in need of rerouting. One of these areas is located at the Crazy Mary and Trent Trail intersection near the top of the mountain, while the other is located near the northern end of the Crazy Mary Trail above the bluffline. This proposed reroute is needed in order to reach sustainable grades and to provide better trail separation where turns are condensed and limited in maneuverability.

TRAIL CLOSURES

Abandoned trails and corridors are generally closed by eliminating the existing tread while disguising the open corridor. Existing tread can be removed by scarifying the compacted soil to encourage new vegetation growth, placing organic litter and debris in the tread, and breaking the previous tread's continuity with logs, stones or other material. The open corridor can be more difficult to disguise. Vertical elements such as the placement of a fallen tree, especially cedar, is helpful to visually remove the open corridor line which attracts the eye. These vertical elements will ideally last through a couple of growing seasons until natural growth can be established. In some cases, this is even accomplished with the planting of live trees and shrubs. Again, the intent is to completely camouflage the corridor. If people can see it, they will reopen it, especially if it's a short-cut for hikers.



PRIVATE TRAIL

There are approximately two miles of trail on private property. These trails have existed for many years and are considered to be an integral to the existing system. In order for these trails to be open for public use, the City must gain access through an easement or land acquisition. Appropriate alternate solutions have been provided assuming that the City is unable to gain access. However, these trails have been included in the assessment should they become part of the public trail system. There are three trails located on private property:

Rock City Trail - This trail is approximately one mile and crosses a few different property owners, one of which has been a champion for Kessler Mountain and has gone as far as providing access to the trail and creating a small trailhead and sign-in sheet. This has been one of the main access points to the trail system for years and holds some of the most beautiful terrain on the mountain.

Spellbound Trail - This is a one mile segment of trail on the far southwest end that climbs up the mountain. It is the connection between all west side trails

Wino Trail - This is a spur trail to the historic stone wine cellar.

Below are images of how a trail can be closed off for public use. Providing an obvious obstruction is the easiest way, but blending the former corridor into the landscape is the most sustainable.





FORMER ROADBEDS - TRENT TRAIL

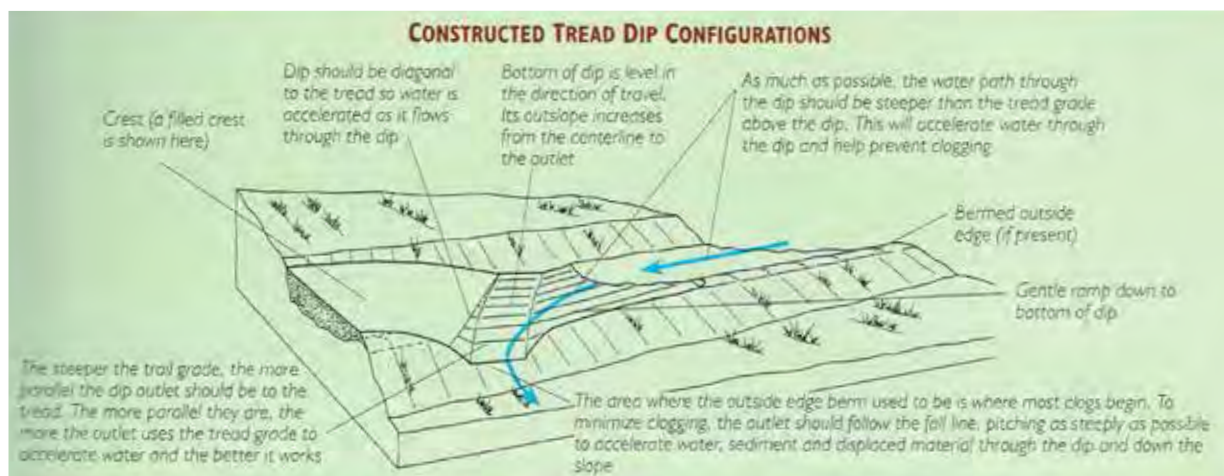
The Trent Trail is actually a historic road bed that served as the main road over the mountain during the late 1800's when Kessler was being used as a winery (please refer to Chapter 2: History for more information). Today, the trail functions as the primary north-south connector trail that is situated as the main spine of the trail system. The trail starts near the water towers on the northeast end of the property and continues west to the shale barren and then turns south along the top of the ridge to the radio towers at the far south end of the property. For purposes of analysis, the trail can be broken into two segments:

Water Towers to Shale Barren – The trail/old roadbed is approximately eight feet wide and continues directly up the mountain along the fall-line (prevailing slope), therefore exceeding maximum grades for sustainable trail. However, given that this segment of the trail is already established and provides the only motorized access on the mountain, it is recommended that the existing path be improved and remain as an emergency access and maintenance route for the City. This path should remain open as a public use trail for those preferring a more direct route or climbing challenge. Also recommended is to

regrade and install inline grade dips to mitigate erosion due to the steep alignment of the trail. A minimum of six feet width should be established to accommodate utility vehicles for emergencies and maintenance. This does not mean that the trail tread width must be six feet, rather the corridor must be cleared of any trees, downfall, rocks, or other obstacles that would impede a UTV from traveling down the trail. The tread itself would more likely become four feet wide like it is today.

Shale Barren to Radio Towers – There are a few places where the trail has been routed around deadfall that have caused some steeper grades and trail flow issues. Progressive Trail Design recommends these areas be addressed with the installation of inline drainage features in any place where the trail is straight down the fall line for extended periods. Again, a minimum of six feet width should be established to accommodate utility vehicles for emergencies and maintenance.

The diagram below is an example of inline grade dips, which are a proposed solution to erosion issues on steep grades for the Kessler Mountain trail system.





8

Proposed Trails

OVERVIEW

This chapter outlines the proposed trail system from Progressive Trail Design for an additional 6.6 miles of public use trails at Kessler Mountain.

INTRODUCTION

There are a total of four proposed trails:

COMPONENTS OF TRAILS MASTER PLAN:

- 1 Beginner Loop
- 2 Lower Bluff Trails
- 3 East Bluff Trail
- 4 Concrete Active Transportation Trail and Regional Park Trail Loop

These trails total approximately 6.6 miles, excluding the paved or hard surface paths. The focus of this master plan is primarily on the soft surface trail. The shared-use, paved paths were not included in the scope of this plan; however, high-level concepts based on the City's Regional Park Plan and Active Transportation Plan were included.

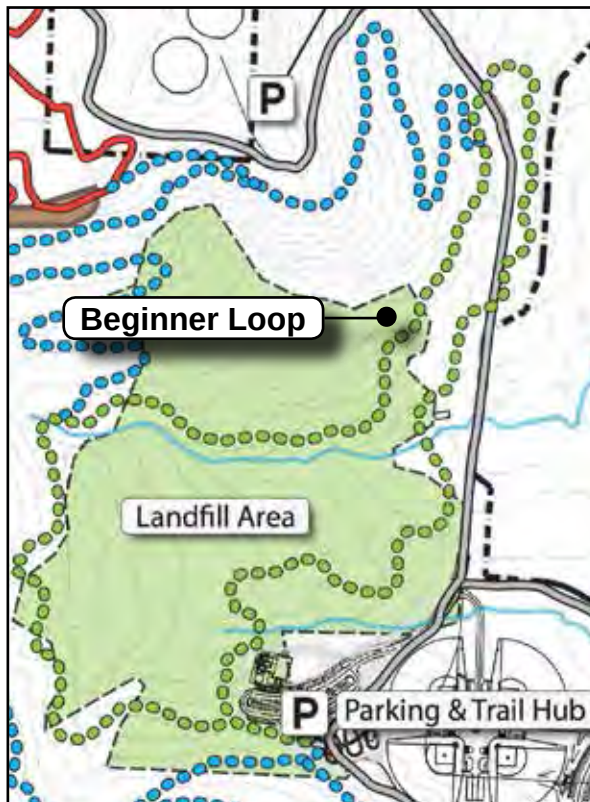
It is important to note that all proposed trails in this plan are conceptual alignments based on field work and the public input process. They are all subject to be further refined on the ground during the pre-construction final design phase. Much thought, debate and field study has gone into the proposed locations. This plan is meant to be used as a guide for the future development of the Kessler Mountain Trail System.

All of the proposed soft surface trails are intended to be "natural surface trails" (see definition below) that will range in width and character. They are proposed to address the need of providing more diverse experiences for a variety of users, introducing difficulty level progression by adding beginner and intermediate options, and accessing key attractions. The following pages are a description with support images of the different types of proposed trails.



BEGINNER LOOP (1.5 MILES)

This trail, designated by the green color in the image below, would be an approximately four- to five-foot wide natural surface trail that serves as a hiking or beginner level mountain biking loop. With proximity near the main trailhead at the Regional Park, this loop offers an easily accessible recreational opportunity for a variety of users. The trail is aligned at the base of the mountain and skirts the edge of the recently capped landfill, which will soon be restored to prairie-like conditions. It begins and ends at the main trailhead and navigates through the woods along gentle slopes. This trail type is needed in order to provide better access to the mountain for all users and skill progression in the trail system. As previously mentioned, all of the existing trails on the mountain are considered advanced, therefore it is important to also offer beginner and intermediate level trails. Additional loop configurations branching off of this loop offer expanded hiking and biking options.



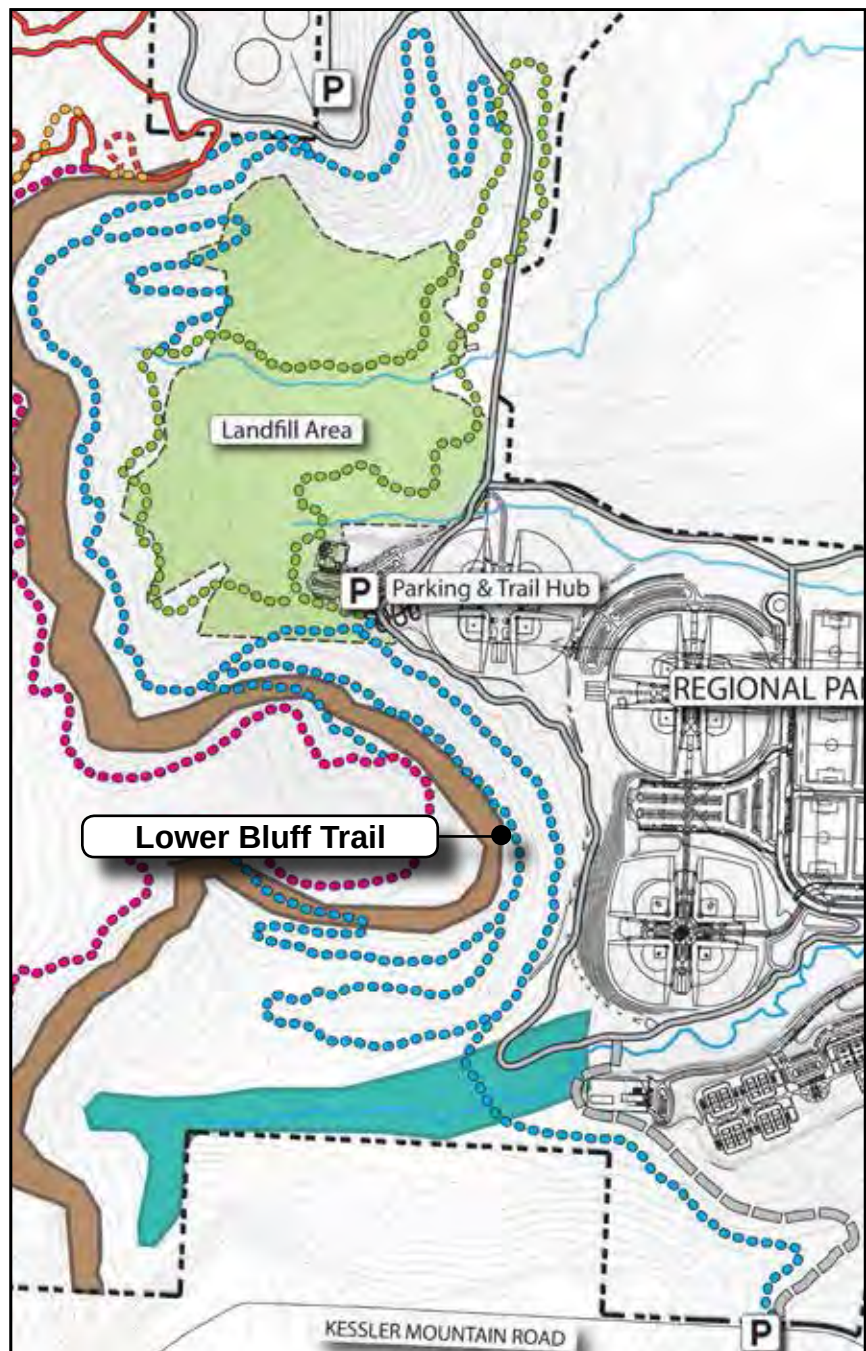
LOWER BLUFF TRAIL (3.4 MILES)

This trail, designated by the blue color, would be a two-foot wide intermediate level trail that generally follows the contour of the land and skirts the base of the bluff line. The trail serves multiple purposes. First, this trail provides access to the existing trail system and ties into the East Bluff Trail, proposed to run along the upper portion of the bluff line. Second, it connects the trail system to two proposed secondary trailhead/parking areas: ADA Hilltop Trailhead and Kessler Mountain Road Trailhead. In addition, the trail provides a much-needed intermediate level trail experience, adding to the diversity of use, challenge, and experience.

This trail can be accessed from the main parking area near the former landfill and provides loop configurations and educational opportunities along the base of the bluff showcasing geology, springs, and wildlife. The upper leg of this trail follows the contours along a natural bench at the base of the east bluff line. There are many big boulders, sheer bluff walls, springs and other ecologically rich zones to view. The goal of this trail is to take users to these locations in a responsibly designed way creating a unique natural experience and introducing visitors to the wonders of Kessler Mountain and Ozark ecology. It will be very important to provide trail etiquette, educational, and interpretive signs to direct people to stay on the trail and illustrate the importance of this natural amenity. This may be one of the most frequented areas due its proximity to the Regional Park, making it of paramount importance to contain users on the proposed trail. However, providing the opportunity to experience this terrain without having to travel deep into the trail system targets the goal of providing unique and educational opportunities at an accessible distance for a variety of trail users.

Leaving the upper leg of this trail and ascending through breaks in the bluff line are two connector trails that, will provide access to the proposed East Bluff Trail. Both of these connector trails utilize existing roadbeds that, offer direct routes up the mountain. Unfortunately, the grades of these roadbeds are too steep (exceed 20% grade for the acceptable maximum length) to establish a sustainable trail. Therefore, switchbacks must be integrated to reduce the grades and make the trail more comfortable to navigate. Through strategic design, the majority of the road bed can be used. This is the preferred option because the corridor has already been impacted and minimizing any further disruption should be considered a top priority during the final design phase.

From a recreational standpoint, the Lower Bluff Trail offers a great place for mountain bikers, trail runners and hikers to exercise, challenge themselves, and experience a moderate trail that gently flows along the contour of this open wooded terrain. This will serve as the next level of skill progression from the Beginner Loop as well as a gateway trail to the more advanced and challenging trails located higher on the mountain.

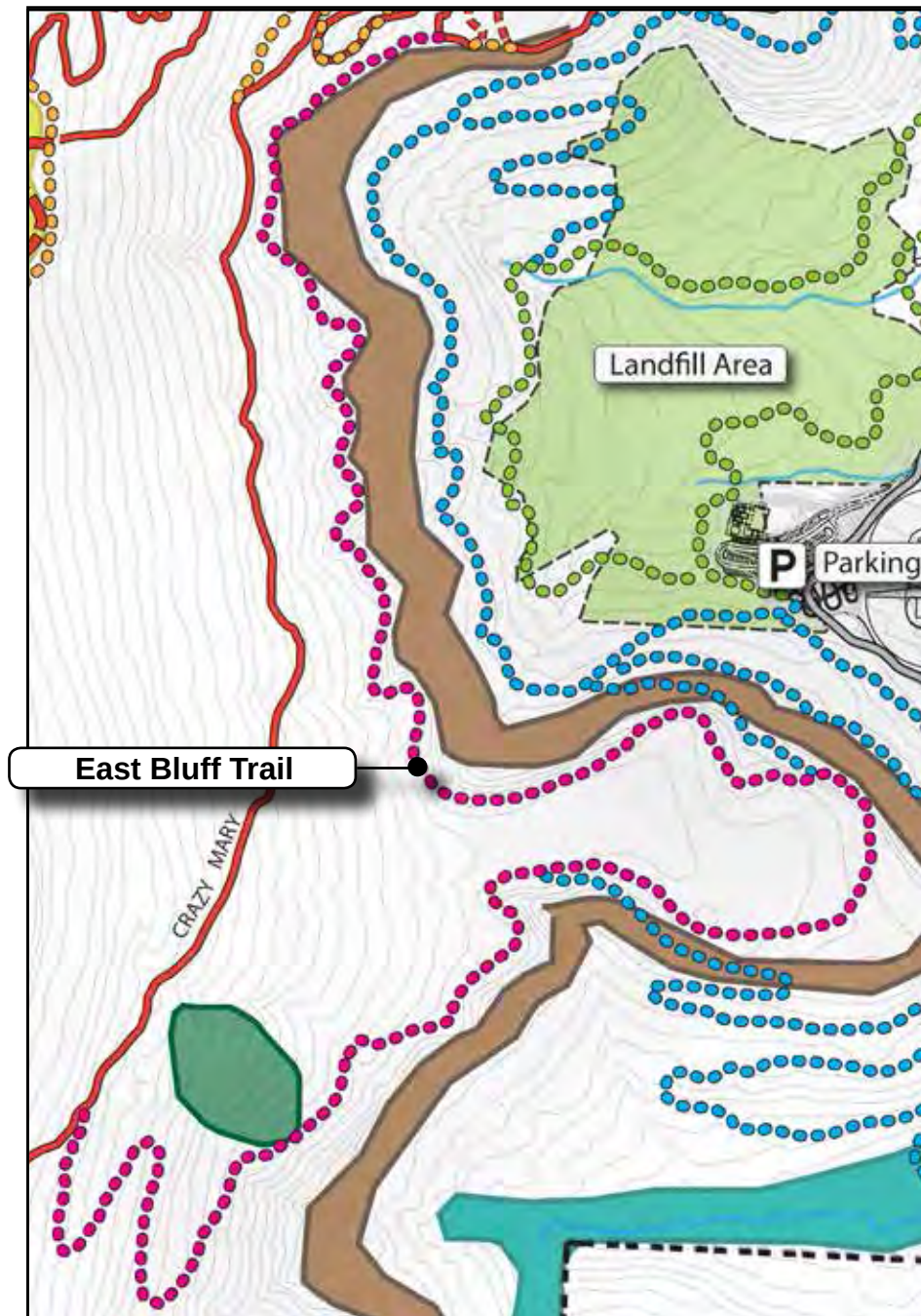




EAST BLUFF TRAIL (1.7 MILES)

Designated by the magenta color, the East Bluff Trail will be an eighteen-inch to two-foot wide backcountry single-track trail similar to the existing trails. This trail will run along the top of the east bluff line offering outstanding views to the east and overlooks of the Regional Park and the City of Fayetteville. This trail has the potential to become one of the most popular trails in the park due to its natural beauty and proximity to the trailhead. The trail can be accessed from the main trailhead utilizing two trail connections by way of the Lower Bluff Trail as well as from a connection to Crazy Mary Trail.

These connections offer a variety of short and long distance loop options. They, also serve as a link to the southern and more remote western portions of the existing trail system through a series of switchbacks on the south end that connect to Crazy Mary Trail, taking users to the highest point on Kessler Mountain.





PAVED ACTIVE TRANSPORTATION TRAIL AND REGIONAL PARK TRAIL LOOP

Though the alignment of many of the paved paths are not finalized, a trail concept to make a north-south connection over the mountain has been illustrated in this plan. This trail is currently included in the Active Transportation Master Plan and would serve as part of the Ruppel Road extension from the Ozark Smokehouse to the Regional Park.

There is also a concept for a paved path around the Regional Park, which is shown on this plan. This path will be fully accessible and provide a trail opportunity within the Regional Park development. An overlook on the hillside above the baseball fields was identified as a desirable destination for access by this trail.

In conjunction with the Regional Park development, plans for an extension of Fayetteville's paved trails system to the park are currently being prepared and construction is expected to be completed by Fall 2016. This will be identified as the Cato Springs Trail and will access the park by trail from the northeast, providing connections to the Town Branch Trail and the Razorback Greenway. Reference *Appendix A: Existing Condition Studies and Plans* for more information.





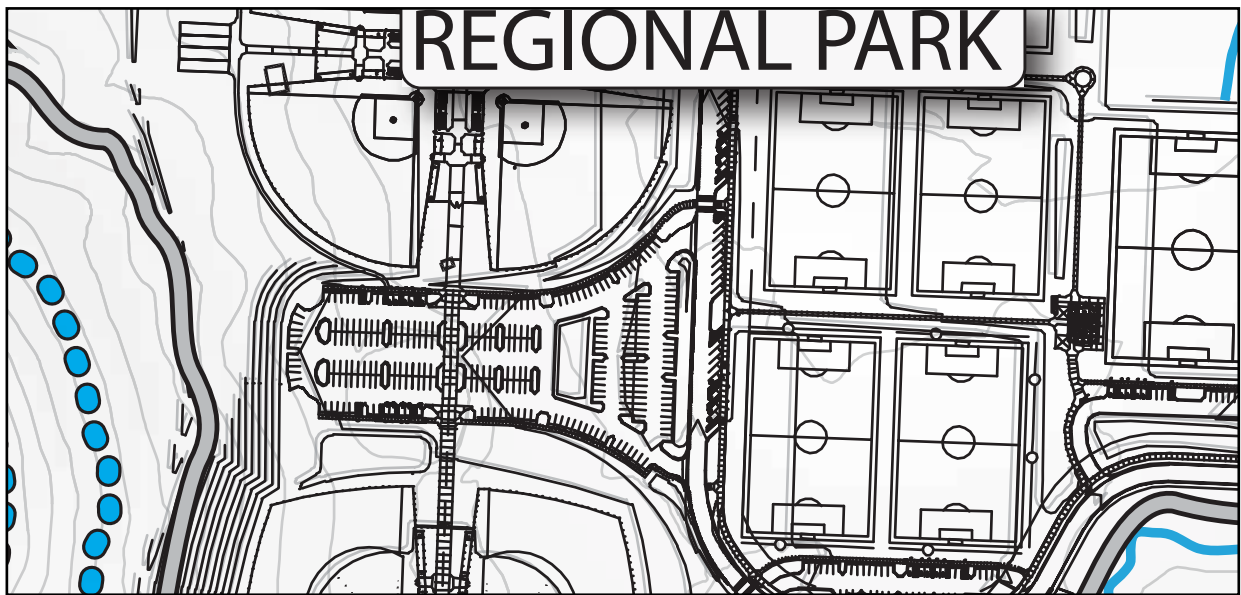
TRAILHEADS

There are a total of five proposed and future trailheads to access the trail system.

Tempoary Trailhead

Phase I construction of the Regional Park features the construction of four baseball fields and a large parking lot facility.

This parking facility will serve as a temporary trailhead for public access until the main trailhead is constructed in later phases of the Regional Park development.



Main Trailhead

This is the primary trailhead positioned on the far western end of the Regional Park at the base of the old landfill area.

This will be a large parking area with restrooms and a trail kiosk. This facility is anticipated to be constructed in a later phase of the Regional Park development.



Judge Cummings Road Trailhead

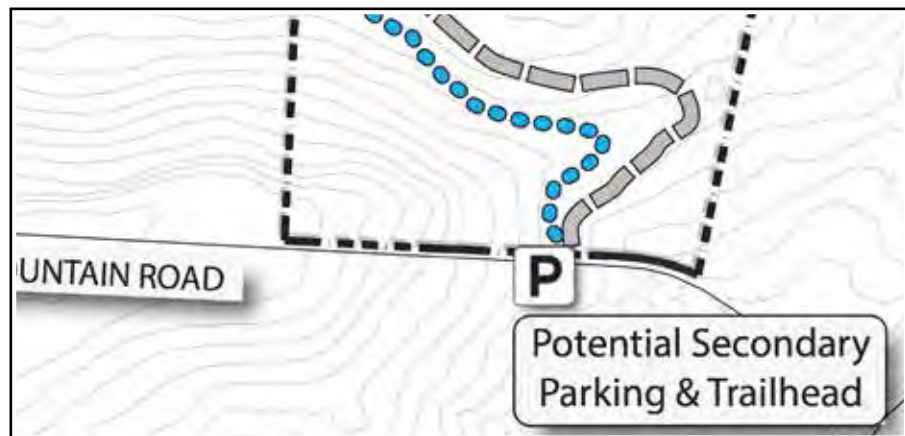
Currently serving as existing access to the Kessler Mountain trails, this will continue to serve as secondary trailhead to the mountain or a main trailhead for greenway users.

It is approximately 0.4 miles east of the Main Trailhead and the soft surface trails.



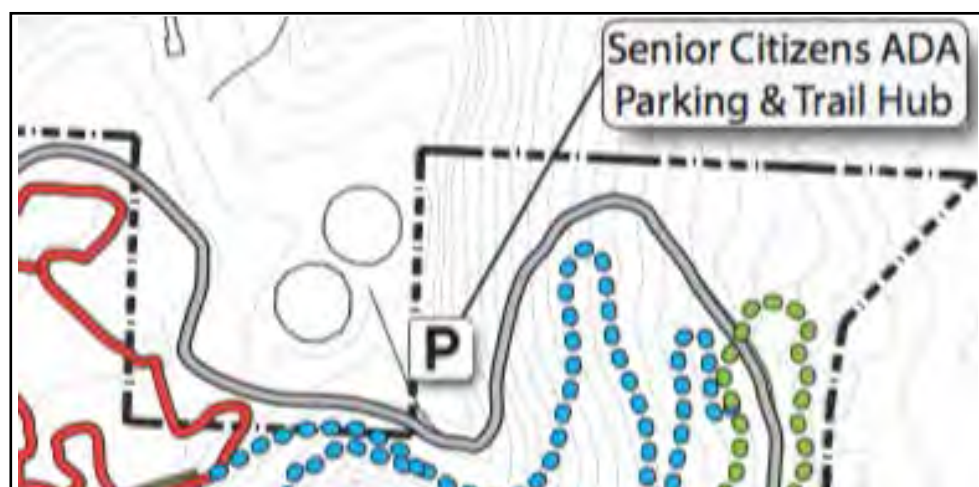
Kessler Mountain Road Trailhead

This is a future concept to provide a small parking area on the south end of the trail system off Kessler Mountain Road. This could eventually connect to future trail development to the south.



ADA Trailhead

Located at the top of Judge Cummings Road near the water towers, this trailhead would be reserved for users with special needs to provide access to key overlooks and trails.





9

Additional Trail Opportunities



OVERVIEW

This chapter identifies additional opportunities for bikers and hikers. These opportunities are considered to be future considerations for the development of Kessler Mountain in conjunction with the Regional Park.

INTRODUCTION

Additional opportunities for trail and bike amenities are proposed in this section and address requests made by City and public during input periods, as well as trends and potential future needs. A few of these concepts are outlined below.

***Note:** These are only meant to be conceptual ideas to meet future recreational needs based on current trends.*

BIKE PARK

A bike park is a purpose-built skills park for bicyclists. It is meant to provide fun and challenge for all skill levels. The former landfill is a perfect canvas for a world-class bike park. The grades are perfect for this use and its placement at the main trailhead makes it ideal for skills-building amenities. The landfill has strict management restrictions limiting its use and development to activities that will not penetrate the newly installed clay cap. This makes the area ideal for use of a bike

skills park since this is best accomplished by importing more fill dirt to construct the features and that will further buffer the new cap. A bike park would bring a

The landfill at Kessler Mountain has strict management restrictions limiting its use and development to activities, but acts as the perfect canvas for a world-class bike park.





unique recreational asset to the Regional Park and the City of Fayetteville.

INTERPRETIVE NATURE (HIKING ONLY) ACCESSIBLE TRAIL

This type of trail is designed for education and accessibility. It is typically located in gentle terrain and preferably surfaced with a crushed stone. There are a few locations that could work for this type of trail. One is the area around the Regional Park, specifically around the streams. This trail could replace the concrete path in places or work in conjunction, as an alternate trail winding back and forth over the stream with boardwalks. Another opportunity is near the water towers on the north end, leaving the ADA parking area and accessing the overlooks.

PURPOSE-BUILT DOWNHILL MOUNTAIN BIKE TRAIL

These types of trails are extremely popular among mountain bikers. They are directional downhill trails designed for challenge and fun. Kessler provides an especially unique opportunity in Northwest Arkansas due to its elevation change and natural technical features. There is a great opportunity for one of these types of trails coming off the high point (near radio towers) on the south end dropping down to either the western or eastern sides of the mountain. This could become more feasible if the private land to the southwest, where the existing Spellbound Trail is located, were officially acquired. Should this be a possibility, it would be especially important to separate this trail from other trails as much as possible, as well as conduct an ecological study within the trail corridor to avoid impact to any high value natural resources.



Above are examples of interpretive nature accessible trails. These trails can present opportunities to typically inaccessible areas and provide users with the unique experience of learning about something about their local landscape.

Below and Opposite Page: bottom 3 images are examples of interpretive signage along soft surface trails. The bottom two images are examples of a purpose-built downhill mountain bike trails and bike parks.







10

Signage, Risk Management & Maintenance



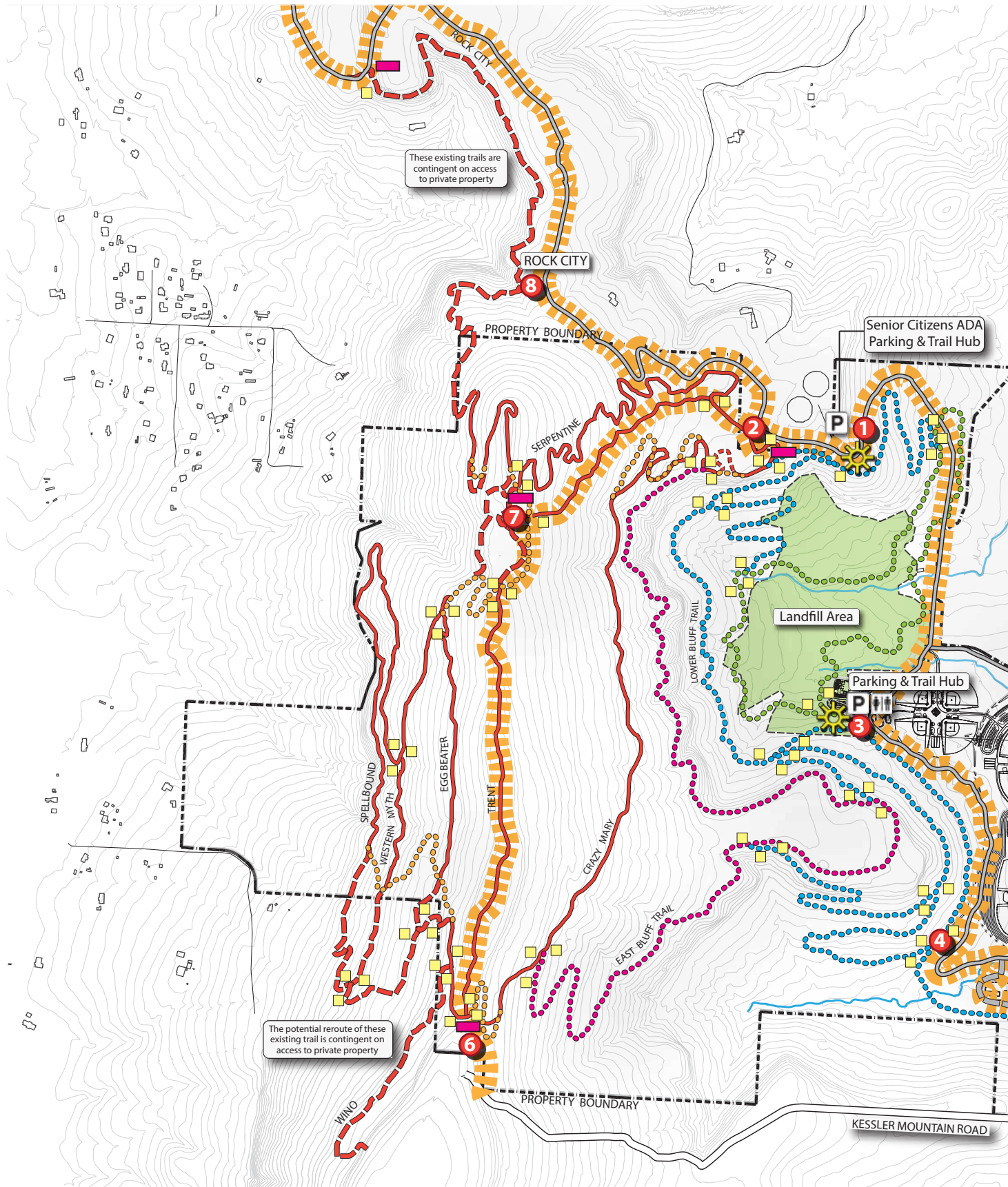
OVERVIEW

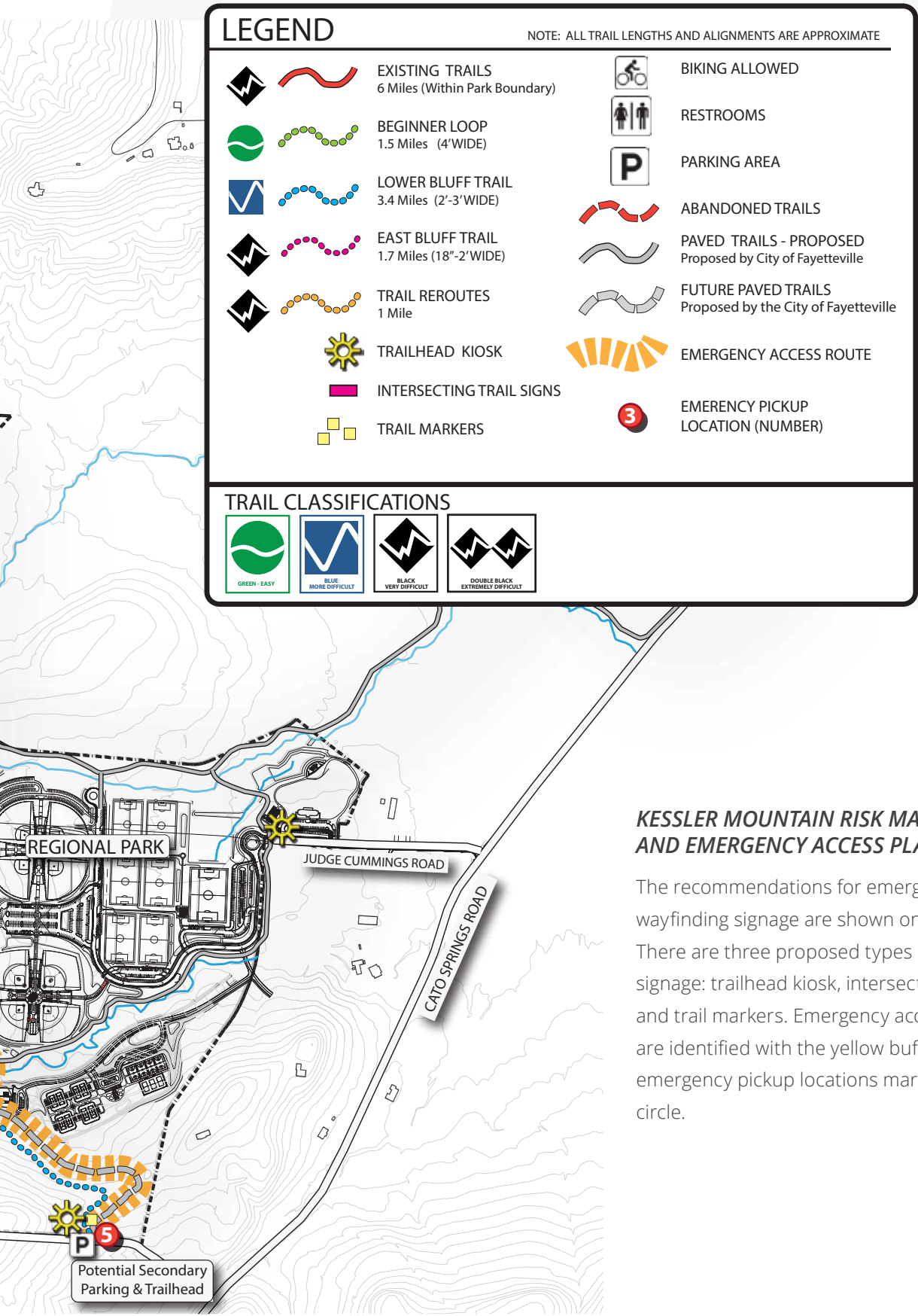
This chapter provides guidelines to be used in providing signage for wayfinding and emergency access. This chapter also outlines considerations for maintenance and inspection following the development of the trail network.

INTRODUCTION

Signs are the most important communication mechanism between users and land management agencies. A well-implemented and maintained sign program can enhance the user experience, allowing users to navigate through the trail network and customize their trail experience. Signs also play a critical role in managing risk and the rapid deployment of emergency services. A strategic and frequent sign program meets the needs of all trail users, from the savvy, daily trail user to a first-time visitor. Because signs sometimes intrude on the natural outdoor experience, balancing these competing interests is the key to developing a successful sign program.

The *Northwest Arkansas Soft Surface Signage Plan* was developed by Alta Planning + Design and Progressive Trail Design and is being implemented in all the soft-surface trail systems throughout Northwest Arkansas in an effort to standardize signage and organize the systems. These signs can be adapted to fit the needs of each system, though some will require custom signs. For example, Kessler will need educational signs for ecologically sensitive areas and “stay on trail” signs throughout.



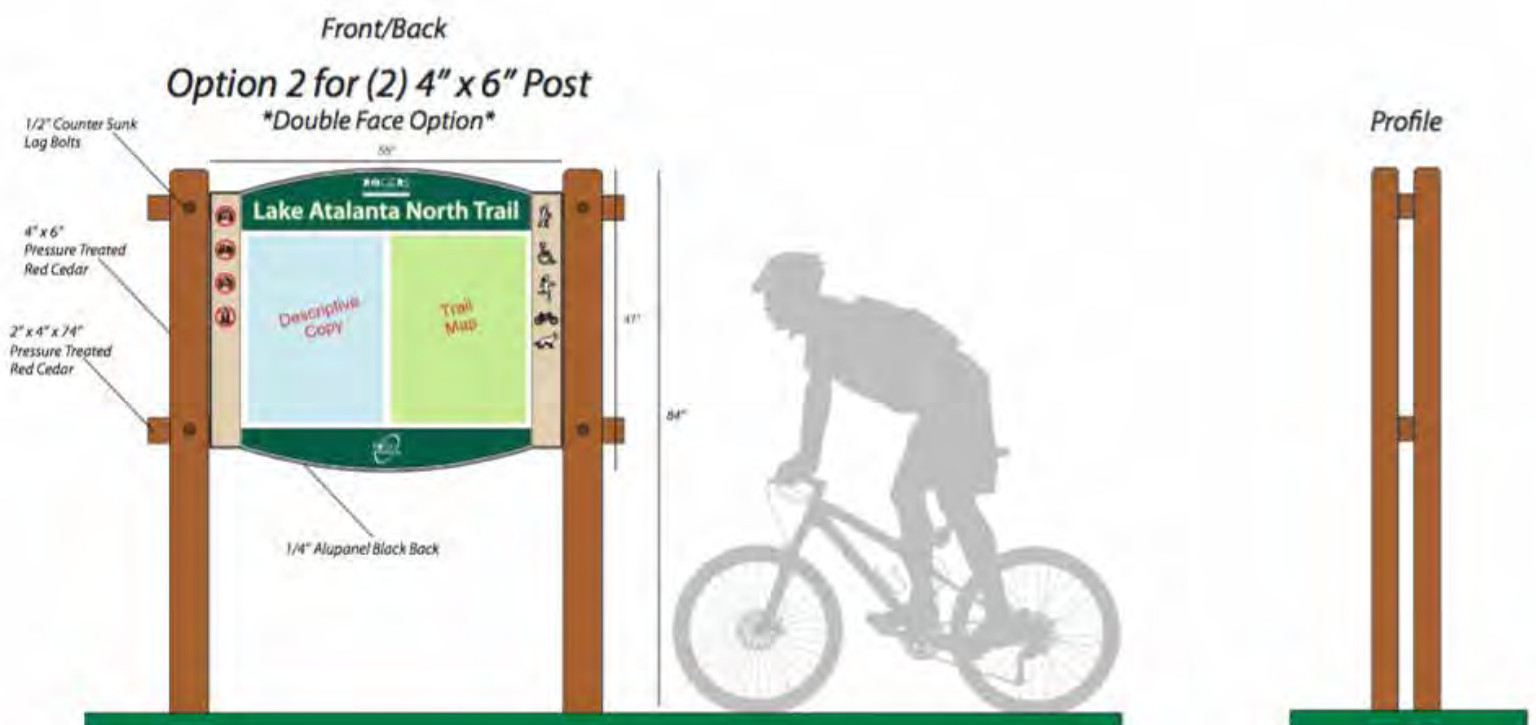


KESSLER MOUNTAIN RISK MANAGEMENT AND EMERGENCY ACCESS PLAN

The recommendations for emergency access and wayfinding signage are shown on this graphic. There are three proposed types of wayfinding signage: trailhead kiosk, intersection trail signs, and trail markers. Emergency access routes are identified with the yellow buffer line with emergency pickup locations marked with the red circle.



NORTHWEST ARKANSAS SOFT- SURFACE SIGNAGE PLAN



Trail Markers



Intersecting Trail Signs

- Signs to show full trail system and blown-up sections of trail system.





RISK MANAGEMENT GUIDELINES

Below are some principles of trail design, construction techniques and management strategies for managing risk:

RISK MANAGEMENT:

- 1 Reduce Injury Frequency
- 2 Reduce Injury Severity
- 3 Reduce Injury Consequences
- 4 Maintain Risk Management Protocols
- 5 Tips for Reducing Injury Frequency

Warnings

- Signs play a vital role in managing risk.
- Consider a perimeter (fence, vegetation - every user is warned of potential risk no matter how they enter the trail system).
- The main trailhead kiosk could describe trail difficulty using a trail rating system.
- Provide signage that alerts users to elements of increased risk.
- Use language that appeals to users.
- Include warnings about natural outdoor hazards (such as deadfall, weather, animals, etc.).



Filters

- A trail filter, sometimes referred to as a gateway or qualifier, is a high-skill-level, low-consequence obstacle that demonstrates the difficulty of the upcoming trail or trail feature.
- Consider using filters at the beginning of each advanced trail and just before technical features.
- By making the entrances to technical trails and features difficult, you prevent unprepared riders from overstepping their abilities.
- Build with low consequence, easy exit.
- Filter must be path of least resistance.

Provide Option Lines

- Consider offering an easier, alternate route around a mountain biking technical feature to accommodate other trail users.
- Allow different ability-level riders to ride together.
- Make easier trail longer, more difficult trail shorter.
- Alternative trails can potentially be in the same corridor as the main trail; for example, a drop-off could vary in height from one side of the trail to the other.





Introduce challenges to users sequentially so they can enhance their skills in a managed environment.

Provide good sight lines

- Create sight lines at intersections and bi-directional trails.

Communicate to emergency responders about how to locate users on trail systems - create an incident response plan

- Include waypoint signage link to GIS map.
- Provide access to locked areas.
- Familiarize EMS with relevant maps.

Self-extraction is ideal - use signage

- Provide users with address for emergency services.
- Provide directions to nearest health care facilities and hours of operation.
- Place signs along the trail to facilitate location communication to EMS.



TRAIL DIFFICULTY AND SIGNAGE

Mountain Bikers: The International Mountain Bicycling Association (IMBA) developed a standard method for categorizing the relative technical difficulty of recreational bicycle trails, known as the IMBA Trail Difficulty Rating System. This standard rating system was adapted from the International Trail Marking System used at ski areas throughout the world. Many trail networks use this type of system, most notably resort-based mountain biking trail networks.

Hikers: The Universal Trail Assessment Process (UTAP) is an objective measurement system for documenting the conditions on any outdoor path of travel (e.g., sidewalk, recreation trail, shared use path, etc). It is a series of measurement procedures that enable information about trail conditions (e.g., grade, cross slope, surface, width, obstructions) to be collected in an accurate and repeatable manner. It is solely a system intended to provide objective information to a prospective user allowing them to determine their ability in relation to the trail's difficulty. This system can:

- Help trail users make informed decisions
- Encourage visitors to use trails that match their skill level
- Manage risk and minimize injuries
- Improve the outdoor experience for a wide variety of visitors
- Aid in the planning of trails and trail systems

The criteria to rate a trail is as follows:

Rate Technical Challenge Only

The system focuses on rating the technical challenge of trails, not the physical exertion. It is not practical to rate both types of difficulty with one system. Consider, for example, a smooth, wide trail that is 20 miles long.



The technical challenge of this trail is easy, yet the distance would make the physical exertion difficult. The solution is to independently rate technical challenge, and indicate physical exertion by posting trail length, and possibly even elevation change.

Collect Trail Measurements

Use the accompanying table and collect trail measurements for each criteria. There is no prescribed method for tallying a “score” for each trail. Evaluate the trail against the table and combine with judgment to reach the final rating. It is unlikely that any particular trail will measure at the same difficulty level for every criteria. For example, a certain trail may rate as a green circle in three criteria, but a blue square in two different criteria.

Include Difficulty and Trail Length on Signs and Maps

Trail length is not a criterion of the system. Instead, trail length should be posted on signs in addition to the difficulty symbol. A sign displaying both length and difficulty provides lots of information, yet it is simple to create and easy to understand. Likewise, elevation change is not a criterion.

Evaluate Difficulty Relative to Local Trails

Trails should be rated relative to other trails in the region. Do not evaluate each trail in isolation. Consider all the trails in a region and how they compare to one another. This will help rank the relative difficulty of each trail and will help trail users select an appropriate route.

Use Good Judgment

Rating a trail is not entirely objective. It’s best to combine tangible data with subjective judgment to reach the final rating. For example, a trail may have a wide range of tread surfaces - most of the

trail is easy, but some sections are more difficult. How would it be rated? Use personal experience to consider all elements and select a rating that best matches the style of trail.

Consider Other Trail Qualities

Do not forget to consider trail qualities beyond the objective criteria. A wide variety of features could contribute to a trail’s difficulty. For example, exposure - the feeling of empty space next to and below the trail tread - provides an added psychological challenge beyond the steepness or roughness of the trail. Other qualities to think about are corridor clearance and turn radius.

Use Common Sense and Seek Input

No rating system can be totally objective or valid for every situation. This system is a tool to be combined with common sense. Look at trails with a discerning eye, and seek input from trail users before selecting the rating. Remember, a diverse trail network with a variety of trail styles is a great way to ensure content users. Provide both easy and difficult trails to spread users and meet a range of needs. By indicating the length and difficulty of trails with a clear signage system, users will be able to locate their preferred type of trail easily.

CRITERIA TO CONSIDER

Tread Width:

The average width of the active tread or beaten path of the trail. For the existing Kessler Mountain trail system, tread width ranges from one to two feet wide. The implementation of proposed trails will conform and be consistent with the standards established by the existing trail system.



Tread Surface:

The material and stability of the tread surface is a determining factor in the difficulty of travel on the trail. Some descriptive terms include: hardened (paved or surfaced), firm, stable, variable, widely variable, loose and unpredictable. Typical tread surfaces in the existing Kessler Mountain trail systems range from firm to loose soils as well as feature areas of native stone tread at steep grades or areas prone to erosion.

Trail Grade (maximum and average):

Maximum grade is defined as the steepest section of trail that is more than approximately ten feet in length and is measured in percent with a clinometer. Average grade is the steepness of the trail over its entire length. Average grade can be calculated by taking the total elevation gain of the trail, divided by the total distance, multiplied by 100 to equal a percent grade. Grades for the proposed Kessler Mountain trail system will be subject to the terrain of the landscape, but will contain a variety of difficulties for a wide range of users.

Natural Obstacles and Technical Trail Features:

Objects introduced along the trail can add challenge by impeding travel. Examples include: rocks, roots, logs, holes, ledges, drop-offs, etc. The height of each obstacle is measured from the tread surface to the top of the obstacle. If the obstacle is uneven in height, measure to the point over which it is most easily ridden.

Technical trail features are objects that have been introduced to the trail to add technical challenge. Examples include: rocks, logs, elevated bridges, teeter-totters, jumps, drop-offs, etc. Both the height and the width of the technical trail feature are measured.

The proposed Kessler Mountain trail system will contain a variety of both natural and technical trail features. These features and their difficulty can range for different types of trail users. These features can progressively become more difficult in remote sections of the proposed trail system, while also providing obstacles and features at a more accessible distance for less experienced users.

Cross Slope

For some trail users, the degree of cross slope (or out-slope) in the tread also contributes to the difficulty rating. Generally, a tread should be constructed with two to five percent degree of out-slope to positively shed water. However, an out-slope of five percent or greater becomes difficult to easily navigate, particularly for users with impaired mobility or confined to a wheelchair.

A particular trail's tread width, grade, out-slope, surface, and obstacles are all considerations to be provided at the trailhead to offer information on a trail's universal accessibility.

TRAIL DIFFICULTY AND SIGNAGE

The proposed Kessler Mountain trail system can feature a variety of signage types signifying wayfinding, trail difficulty and length, access points, educational purposes, and obstacle or feature designation. Each type of signage is outlined below for the purposes of this plan:

Trail Access Points:

- Trail map / kiosk
- Difficulty rating system

Trail Name Markers:

- Featured at all trail intersections
- Distance markers on shared-use, paved trail systems



Educational Signage:

- Historic features
- Natural features
- Wildlife and wetland area

Technical Trail Features (TTF):

- Difficulty level signs at approaches and exists to all technical features
- Signage to be placed at five to ten foot distances before the feature, in some cases even further away to account for sight distances and design speeds.

EMERGENCY ACCESS

Implementing emergency access points that are marked and maintained throughout a trail system is crucial. Along with these access points, there should also be an Emergency Rescue Plan in place that land managers and rescue departments can implement in case of an emergency.

The graphic below displays the proposed locations for emergency access points in the proposed Kessler Mountain trail system.

DEVELOPING AN EMERGENCY RESCUE PLAN:

- Install "Safety Point" signs at proposed locations throughout the trail system

featuring good access (e.g. ATV/Jeep roads). Each "Safety Point" sign should display a corresponding access point number.

- Collaboration between City Parks and Recreation staff and emergency response staff (Fire, Police and EMS) should be conducted on-site to discuss the Emergency Rescue Plan, as well as identify all access point locations and conduct training runs. Special products can be purchased, such as a wheeled back board for back country trail rescue, in addition to a utility vehicle equipped with medical gear.
- Dispatch is informed of the Emergency Rescue Plan and has a reference map in case of emergency.
- Users are to be informed of the Emergency Rescue Plan at all trailheads.

Trail Difficulty Rating System

	Easiest White Circle	Easy Green Circle	More Difficult Blue Square	Very Difficult Black Diamond	Extremely Difficult Dbl. Black Diamond
Trail Width	72" or more	36" or more	24" or more	12" or more	6" or more
Tread Surface	Hardened or surfaced	Firm and stable	Mostly stable with some variability	Widely variable	Widely variable and unpredictable
Average Trail Grade	Less than 5%	5% or less	10% or less	15% or less	20% or more
Maximum Trail Grade	Max 10%	Max 15%	Max 15% or greater	Max 15% or greater	Max 15% or greater
Natural Obstacles and Technical Trail Features (TTF)	None	Unavoidable obstacles 2" tall or less Avoidable obstacles may be present Unavoidable bridges 36" or wider	Unavoidable obstacles 8" tall or less Avoidable obstacles may be present Unavoidable bridges 24" or wider TTF's 2' high or less, width of deck is greater than 1/2 the height	Unavoidable obstacles 15" tall or less Avoidable obstacles may be present May include loose rocks Unavoidable bridges 24" or wider TTF's 4' high or less, width of deck is less than 1/2 the height Short sections may exceed criteria	Unavoidable obstacles 15" tall or greater Avoidable obstacles may be present May include loose rocks Unavoidable bridges 24" or narrower TTF's 4' high or greater, width of deck is unpredictable Many sections may exceed criteria



MAINTENANCE AND INSPECTION

Maintenance and Inspection (M&I) will vary depending on the facility being maintained. A typical single-track trail, for instance, will vary in maintenance needs depending on the landscape supporting the trail. Therefore, there is no single plan that can fit all facilities. It will be the land manager's responsibility to determine the best plan of action relative to the trail's accessibility, amount of use, and intended level of difficulty.

Maintenance Overview:

For general maintenance needs, the best approach is adoption of the park or facility by a volunteer group, such as a local cycling club, hiking organization, nature club, etc. This is the primary policy of IMBA and should be encouraged by every community. This type of community buy-in is priceless and integral to the success of the facility through increase user involvement. However, it is important that the stewards of the facility are well organized and trained. They must be directed by at least one knowledgeable trail builder in order to properly maintain the facility. It is also recommended that a maintenance log be kept in order to keep track of volunteer hours.

Inspection Overview:

Inspection is to be conducted by the managers of the facility (i.e. city staff) since it is ultimately their responsibility. Inspectors should be trained by a professional trail builder and required to keep an inspection log. This is particularly important for the inspection of Technical Trail Features. Inspectors need to know what safety hazards to look for and how to repair them. Some major maintenance and inspection needs for the trail system can be beyond the expertise of the land manager or local volunteer groups, therefore professional services can be sought.

General Trail Maintenance Recommendations:

- Create a Comprehensive Maintenance/Risk Management Plan.
- Designate one land manager/city employee as - "Trails Supervisor". He/She will be responsible for executing the maintenance and risk management plan. This is not a full-time position. They will primarily perform routine inspections (weekly) on all trails, conduct simple maintenance tasks, help facilitate events, and communicate with the local volunteer group.
- Keep maintenance and inspection log with routine inspections of all features.
- Create a partnership with the local club. Most local clubs become stewards of the park, performing the overall maintenance of the facility under the guidance of the "Trails Supervisor". A well-organized club should be able to perform 90% of minor maintenance needs before they advance into a major maintenance need.
- All wooden trail features should have a life span of approximately twenty years if built using the proper materials and techniques, and maintained properly (i.e. sealed annually). All wooden features should be inspected routinely and TTF's should be given extra care, specifically fall zones and approaches.
- Trail tread should be groomed to ensure that it maintains 5% outslope. The most common problem is cupping of the tread due to displacement and compaction. In which case, you must de-berm the downside of the trail to ensure that water sheet flows across. Also, knick (open fan-like drainage) the troughs of all grade reversals.
- Trim corridor regularly. Sight lines are especially important.
- Estimated Maintenance Budget: \$5-20k annually (depending on the need for trail). Professional maintenance services could range from \$.25 per foot to \$1.00 per foot for an overhaul.



11

Phasing Plan & Budget

OVERVIEW

This chapter outlines the phasing plan for the improvements to the existing trail system, proposed additions, and a construction budget.

PHASING PLAN

The implementation of this plan and the proceeding recommendations are contingent upon funding and other approvals. All construction could be implemented at once or could take place over the course of years. Below are the recommendations in order of priority from Progressive Trail Design.

Initial Efforts

Private Property: Since use of existing trails on private property are critical to the design of the overall trail system, a primary recommendation of this plan is for the City to initiate contact with affected property owners to begin discussions on approved use of these corridors. This effort will be required before other alternative connections are further developed. Final use of private corridors will be based on acquisitions or agreements approved through the City Attorney's Office.



Connector Trail: see following page for description



Existing Trail: Aside from approved use of private property, the highest priority is to improve the existing trail system by implementing the recommendations outlined in Chapter Seven: Existing Trails. Since the opening of Kessler Mountain as a public park, there has been a substantial increase in the volume of trail traffic. Because of this increase in use, much damage has been caused to the trail and adjacent area.

Additionally, the trails were not designed for the high-level of use they are receiving now. Many segments of the trail are poorly aligned, have bad sight lines, or intersect in poor locations. It is important to address these areas as soon as possible to mitigate user conflict and ensure safety and sustainability. Finally, many parts of the trail system need sustainable standards reapplied with the consideration of “trail flow”. This plan recommends doing this in a way that enhances the system and in no way detracts from the natural character and technicality of the trail tread and the backcountry trail experience that Kessler Mountain is known for.

Signage: Due to the high traffic and the fact that Kessler Mountain is now a public park, it is important that a good signage and wayfinding system is put in place. Signage is needed to easily interpret location, manage risk, and educate the public on the ecologically sensitive areas of Kessler Mountain. Existing signs have been recently installed by volunteers. It is recommended that the Northwest Arkansas Soft Surface Signage Plan be implemented, as this is the new standard for all local soft surface trail systems in Northwest Arkansas. In addition, trail etiquette and educational signage should be installed as soon as possible. Please refer to Chapter 10: Signage and Risk Management for more information.

Connector Trail: There is one connector trail recommended for immediate construction. This trail is necessary to connect the baseball parking lot (acting as the temporary trailhead until the main trailhead is constructed) to the top of the mountain near the water towers. This trail would likely consist of segments of the blue and green trails.

Final Design: Final GPS and flagged trail alignment on all new proposed trails will be necessary in order to plan and prepare future trails to be constructed. Please refer to the section, later in this chapter, entitled Implementation of New Trails for more information.

Beginner Loop & Lower Bluff Trails (Green & Blue)

These trails would add an element of skill progression in the system and provide access for a variety of users, therefore they should be constructed as soon as possible. Please refer to Chapter 8: Proposed Trails to see a description of these trails and for more information about the purpose of these trails.

East Bluff Trail

As mentioned in the previous chapter, this trail has the potential to be one of the most popular trails on the mountain due to its location along the top of the bluff line and proximity to the trailhead. However, due to similarity in style to the eight miles of existing trail, this is not a trail-type that is as much of a priority as the other new proposed trails.

Paved Active Transportation Trail and Regional Park Trail Loop

These trails will be developed in conjunction with the Regional Park development.

IMPLEMENTATION OF NEW TRAILS

As previously mentioned, all new trails are conceptual in alignment. Prior to the construction of any trail, the proposed final route would be center-line flagged with some allowable deviation for adjustment during construction. All trail alignments will be approved by the Parks and Recreation Department to ensure that they are aligned in a sustainable fashion and avoid any sensitive areas. Final trail designs may change in character or alignment at the time of development in order to address current user needs or unforeseen factors.



A

Appendix A: Kessler Active Transportation Connections

ORC

ROCK CITY

EGG BEATER

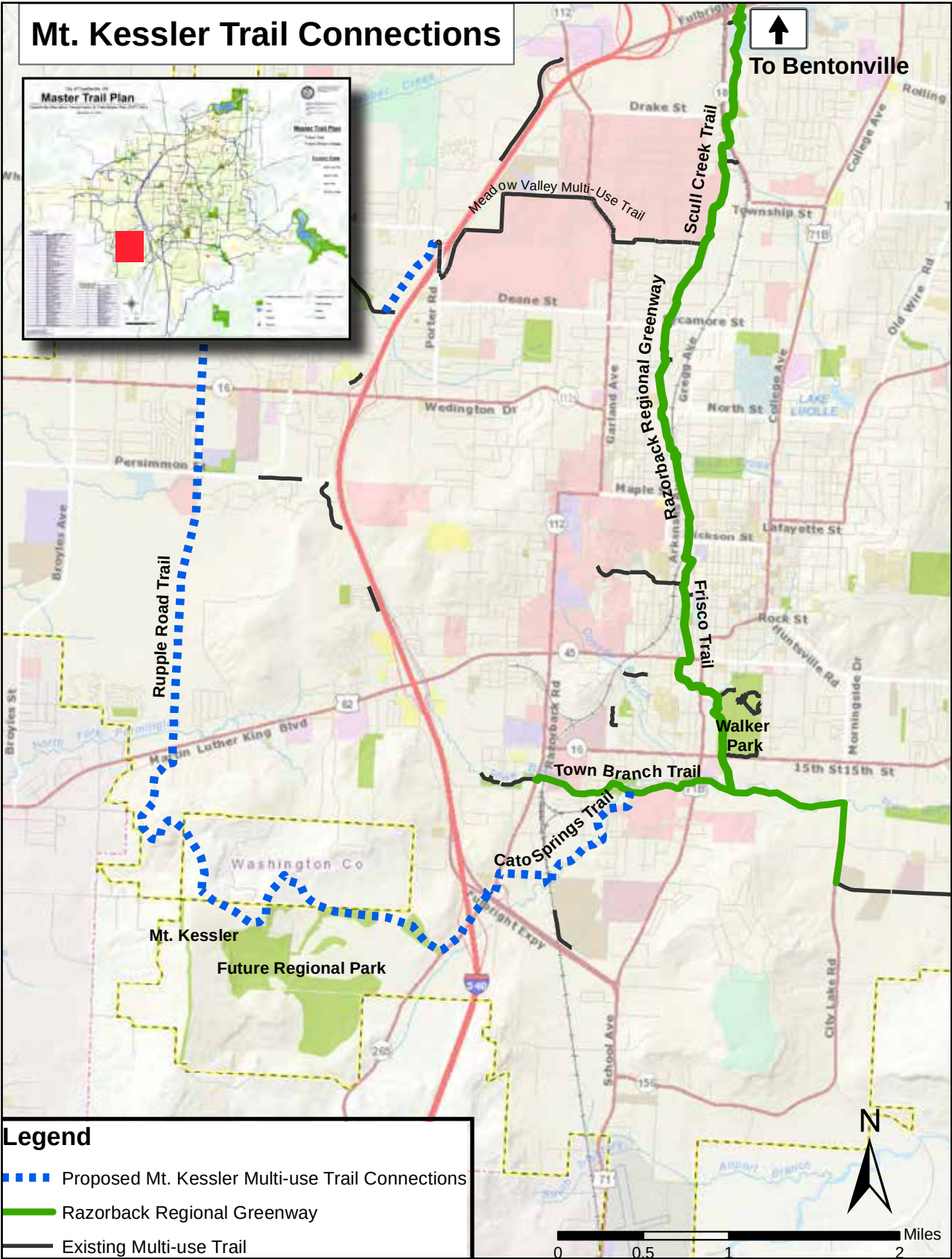
ORC

WESTERN MYTH

ORC

SPELLBOUND

ORC





B

Appendix B: Public Input

ROCK CITY

EGG BEATER

WESTERN MYTH

SPELLBOUND

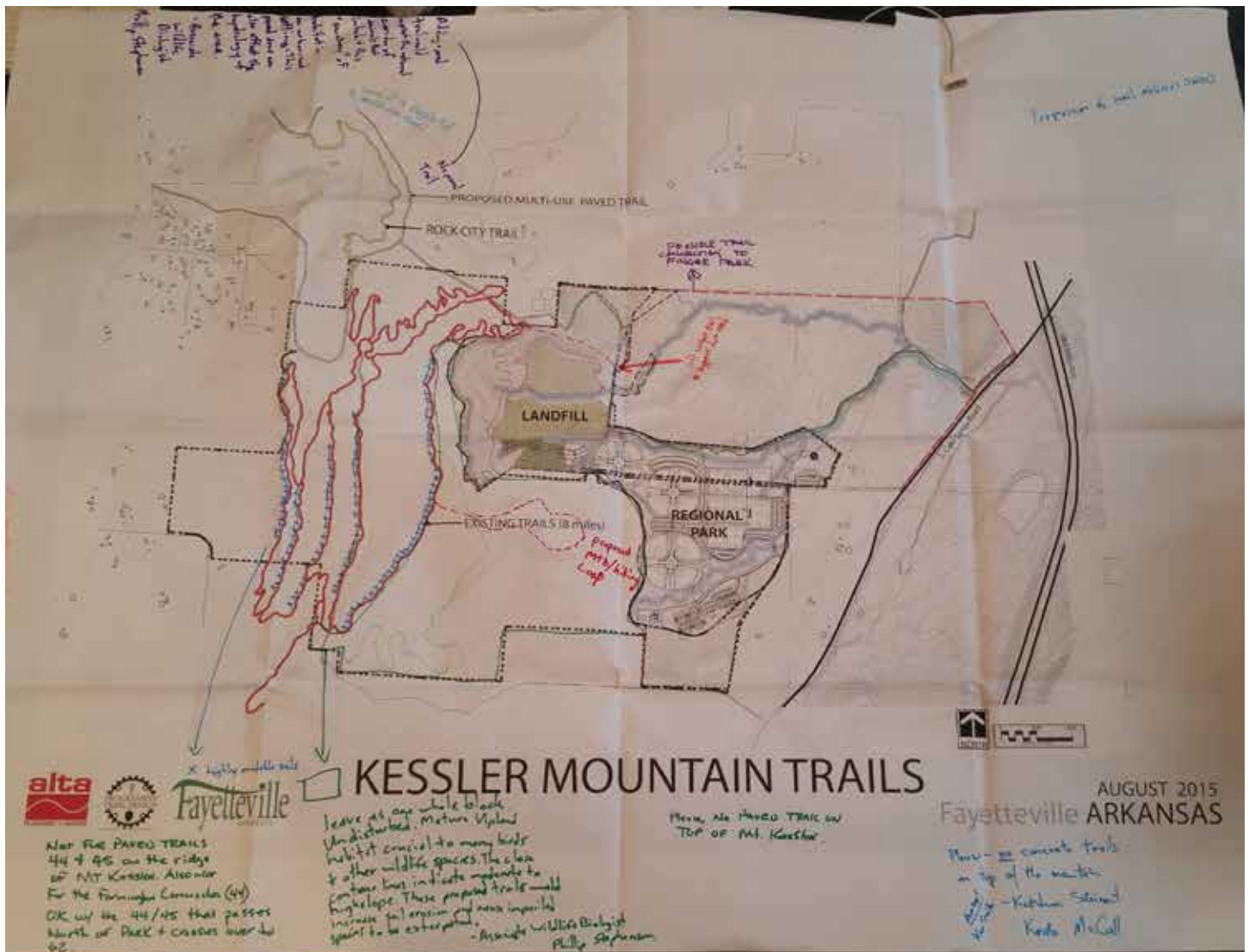


Kessler Mountain Trail Master Plan Public Meeting Comment Sheet Summary

The most common opinion of the public, that left comment sheets, is to not disturb or add construction to the preserve area where the exiting trails are. All the comments had different focuses, but most all stated that there should be no paved trail near the existing trails and to protect and preserve the natural area.

The following are reoccurring public opinions from the Kessler Mountain Trail Master Plan Meeting held on August 31st, 2015.

- No paved trails in the Kessler Mountain natural preserve area.
- Identify and preserve the unique geographical habitat in the natural preserve area.
- Adopt a comprehensive maintenance plan for the existing trails.
- Address problem sections of trail and reroute with foot traffic in mind.
- Information on trails condition/skill level and system to control wet weather trail traffic.
- No new trails in preserve area.
- Keep existing trails as is.
- Add new beginner/intermediate level trails and build them away from the preserve area.



PUBLIC INPUT MEETING #1

To find a creative and fun for gather public input, Alta Planning + Design put together a photo booth where individuals could display the type of user group they identified with in regards

to activity at Kessler Mountain. Options users could choose from were hiking, mountain biking, nature watching, photographing, educational user, mountain climbing, and people watching.





Kessler Mountain Trail Master Plan Public Meeting Comment Sheet Summary

There were only a few public comment forms received from the Kessler Mountain Public Meeting. In most of the forms there was repeated appreciation of protecting the sensitive areas and ability to accommodate to city and public input.

The following are reoccurring public opinions from the Kessler Mountain Trail Master Plan Meeting held on December 14th, 2015.

- Approval of varying skill level of new proposed trails.
- Approval of protecting and rerouting current trails to avoid sensitive areas.
- No paved trail.
- Reroute current trails or design new trails more hiker friendly.
- Concerns of maintaining current and new trails. Who will do it and how much will it cost...
- Approval of proposed reroutes of existing trails and new trails.
- Kessler Mountain needing directional downhill mountain bike technical trail.
- The need for the City of Fayetteville to embrace the progressive movement and encourage mountain biking/outdoor recreation.
- Protect the current trails and become more aggressive in developing outdoor recreation.

The following are reoccurring public questions from the Kessler Mountain Trail Master Plan:

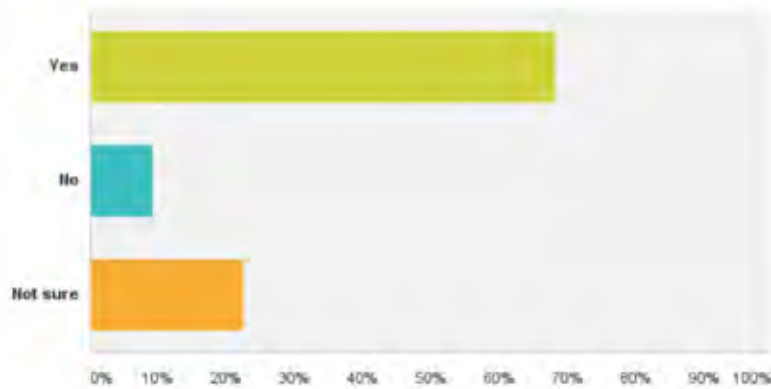
- How will the signage be done?
- Will there be signage on the trails difficulty levels?
- Who and how will the trails be maintained?
- How will the sensitive areas be protected?
- How will safety concerns be addressed?



PUBLIC INPUT SURVEY

Q7: The City is currently in the process of constructing a new Regional Park, which is to be located directly east of Kessler Mountain, would you combine your activities at Kessler Mountain with those offered at the new Regional Park?

Answered: 151 Skipped: 1



Q7: The City is currently in the process of constructing a new Regional Park, which is to be located directly east of Kessler Mountain, would you combine your activities at Kessler Mountain with those offered at the new Regional Park?

Answered: 151 Skipped: 1

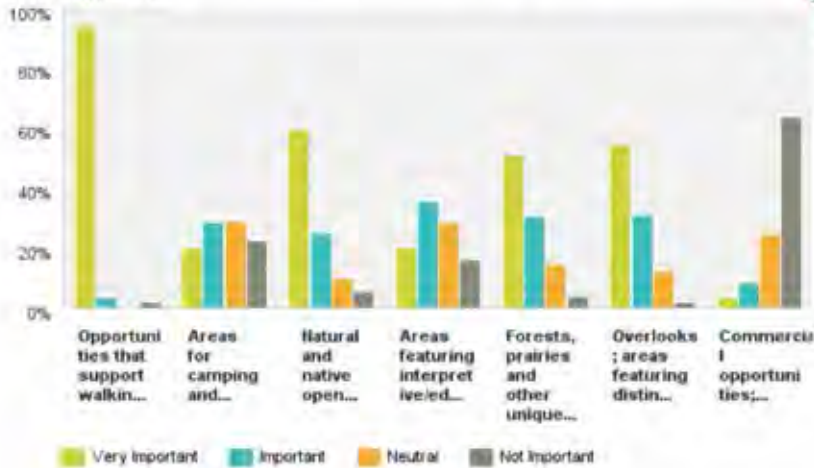


Answer Choices	Responses
Yes	68.21% 103
No	9.27% 14
Not sure	22.52% 34
Total	151



Q8: Of the following examples, what do you feel is important to maintain/create in terms of space for activities at Kessler Mountain?

Answered: 151 Skipped: 1



Q8: Of the following examples, what do you feel is important to maintain/create in terms of space for activities at Kessler Mountain?

Answered: 151 Skipped: 1

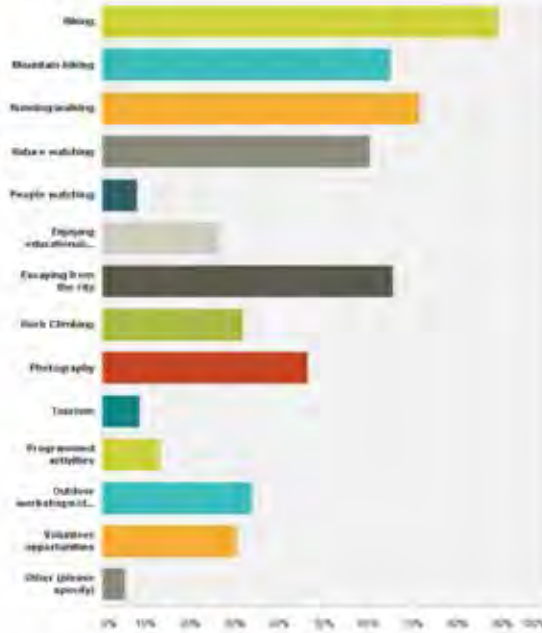
	Very Important	Important	Neutral	Not Important	Total	Weighted Average
Opportunities that support walking, hiking, biking, and exploring	94.04% 141	3.31% 5	0.66% 1	1.99% 3	151	1.11
Areas for camping and backpacking	18.87% 30	28.48% 43	29.14% 43	22.52% 34	151	2.04
Natural and native open spaces that have not been developed	58.68% 90	25.17% 38	9.93% 15	5.30% 8	151	1.81
Areas featuring interpretive/education panels, bird watching opportunities, outdoor classroom	28.69% 30	35.33% 53	28.67% 43	16.88% 24	151	2.41
Forests, prairies and other unique wildlife habitats	50.99% 77	30.46% 46	14.57% 22	3.97% 6	151	1.72
Overlooks; areas featuring distinct geological formations	54.38% 83	31.13% 47	12.58% 19	1.99% 3	151	1.82
Commercial opportunities; restaurant, tower for sightseeing	3.33% 5	8.67% 13	24.67% 37	63.33% 95	151	3.48





Q9: What activity would encourage you to visit Kessler Mountain? Please select all that apply.

Answered: 151 Skipped: 1



Q9: What activity would encourage you to visit Kessler Mountain? Please select all that apply.

Answered: 151 Skipped: 1

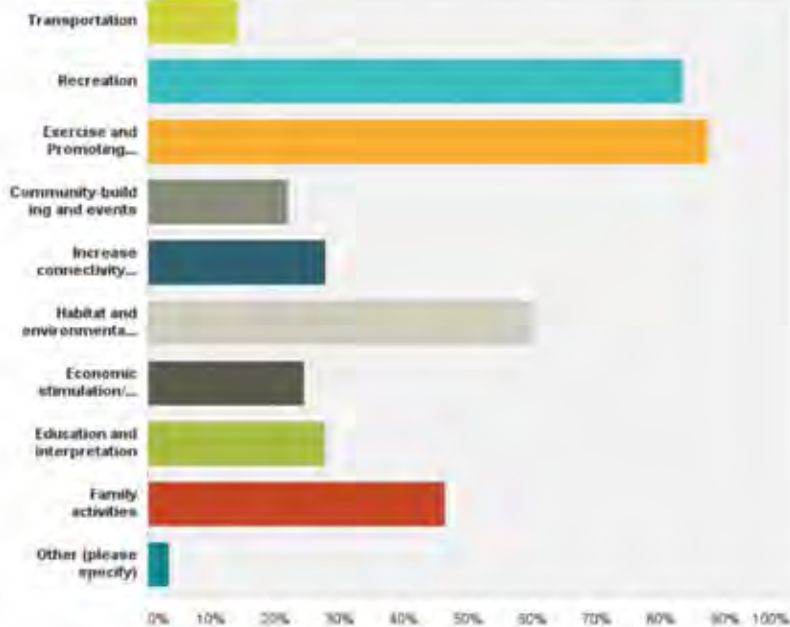
Answer Choices	Responses
Hiking	89.40% 135
Mountain-biking	64.90% 98
Running/walking	71.52% 108
Nature watching	69.26% 105
People watching	7.95% 12
Enjoying educational/interpretive opportunities	76.49% 115
Escaping from the city	65.56% 99
Rock Climbing	31.79% 48
Photography	46.36% 70
Tourism	8.61% 13
Programmed activities	13.25% 20
Outdoor workshops/clinics	33.77% 51
Volunteer opportunities	39.40% 59
Other (please specify)	5.30% 8
Total Respondents: 151	





Q10: In your opinion, what are the most important benefits and uses of a natural surface trail system? Please select all that apply.

Answered: 151 Skipped: 1



Q10: In your opinion, what are the most important benefits and uses of a natural surface trail system? Please select all that apply.

Answered: 151 Skipped: 1

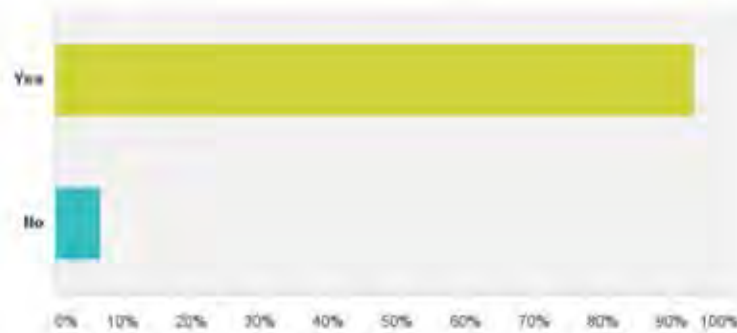
Answer Choices	Response
Transportation	13.91% 21
Recreation	83.44% 126
Exercise and Promoting Health	87.42% 132
Community-building and events	21.85% 33
Increase connectivity within the City	27.81% 42
Habitat and environmental protection	60.26% 91
Economic stimulation/tourism	24.50% 37
Education and interpretation	27.81% 42
Family activities	46.36% 70
Other (please specify)	3.31% 5
Total Respondents: 151	





Q11: Would a unique natural environment attract you to Kessler Mountain?

Answered: 151 Skipped: 1



Q11: Would a unique natural environment attract you to Kessler Mountain?

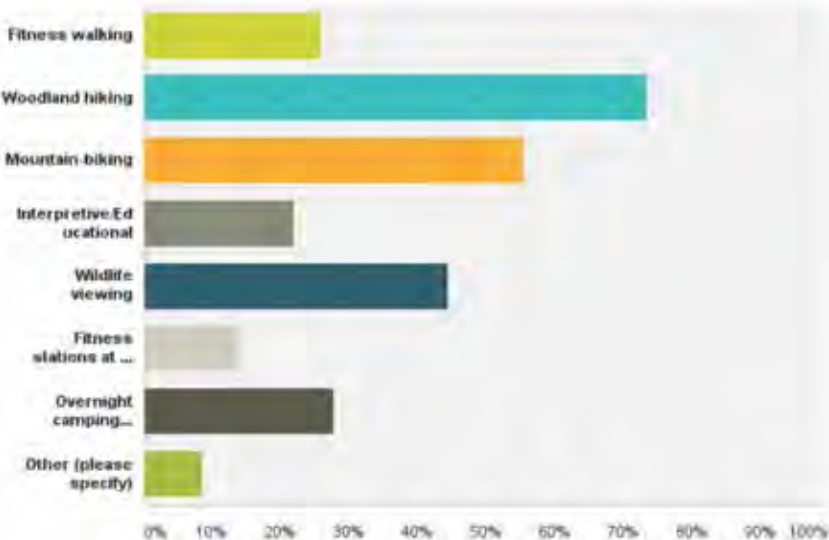
Answered: 151 Skipped: 1



Answer Choices	Responses	
Yes	93.38%	141
No	6.62%	10
Total		151

Q12: What type of trails would you like to see more of at Kessler Mountain? Please select all that apply.

Answered: 151 Skipped: 1



Q12: What type of trails would you like to see more of at Kessler Mountain? Please select all that apply.

Answered: 151 Skipped: 1

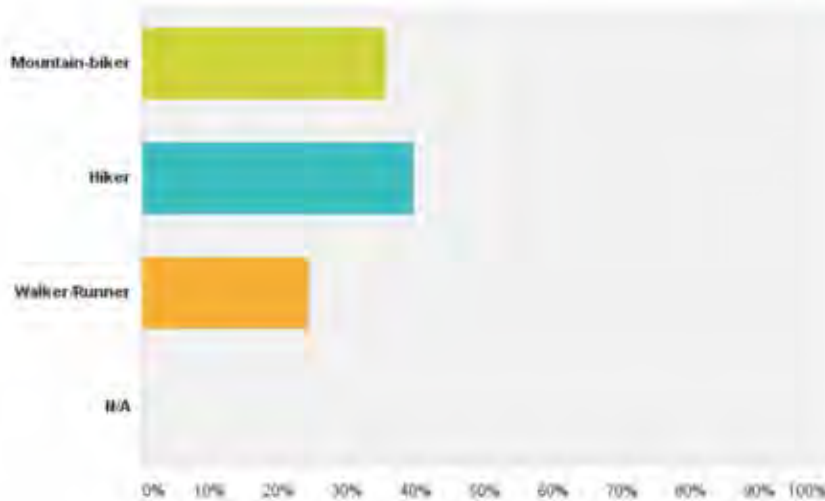


Answer Choices	Responses
Fitness walking	25.83% (39)
Woodland hiking	73.51% (111)
Mountain biking	55.63% (84)
Interpretive/Educational	21.85% (33)
Wildlife viewing	44.37% (67)
Fitness stations at the trail head or on trail	13.91% (21)
Overnight camping facilities	27.81% (42)
Other (please specify)	8.61% (13)
Total Respondents: 151	



Q14: When using Kessler Mountain as a recreational amenity, which user group do you most identify with? Please select only one.

Answered: 151 Skipped: 1



Q14: When using Kessler Mountain as a recreational amenity, which user group do you most identify with? Please select only one.

Answered: 151 Skipped: 1



Answer Choices	Responses
Mountain-biker	35.76% 54
Hiker	39.74% 60
Walker/Runner	24.58% 37
N/A	9.88% 15
Total	151



Appendix C: Species of Conservation Concern

ORC

ROCK CITY

EGG BEATER

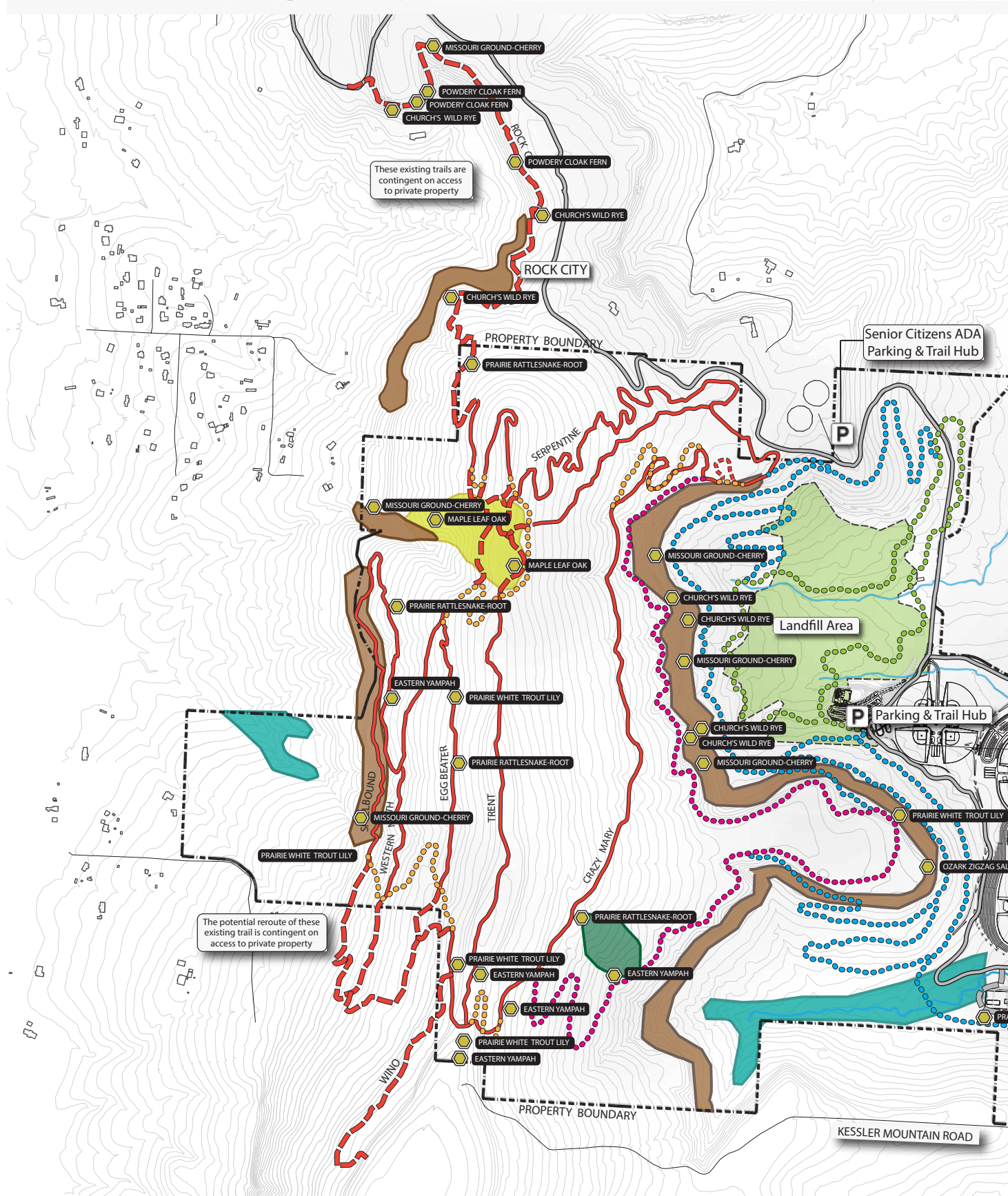
ORC

WESTERN MYTH

ORC

SPELLBOUND

ORC





LEGEND

NOTE: ALL TRAIL LENGTHS AND ALIGNMENTS ARE APPROXIMATE

- EXISTING TRAILS
6 Miles (Within Park Boundary)
- BEGINNER LOOP
1.5 Miles (4'WIDE)
- LOWER BLUFF TRAIL
3.4 Miles (2'-3'WIDE)
- EAST BLUFF TRAIL
1.7 Miles (18"-2'WIDE)
- TRAIL REROUTES
1 Mile
- PAVED TRAILS - PROPOSED
Proposed by City of Fayetteville

- BIKING ALLOWED
- RESTROOMS
- PARKING AREA

- ABANDONED TRAILS
- FUTURE PAVED TRAILS
Proposed by the City of Fayetteville

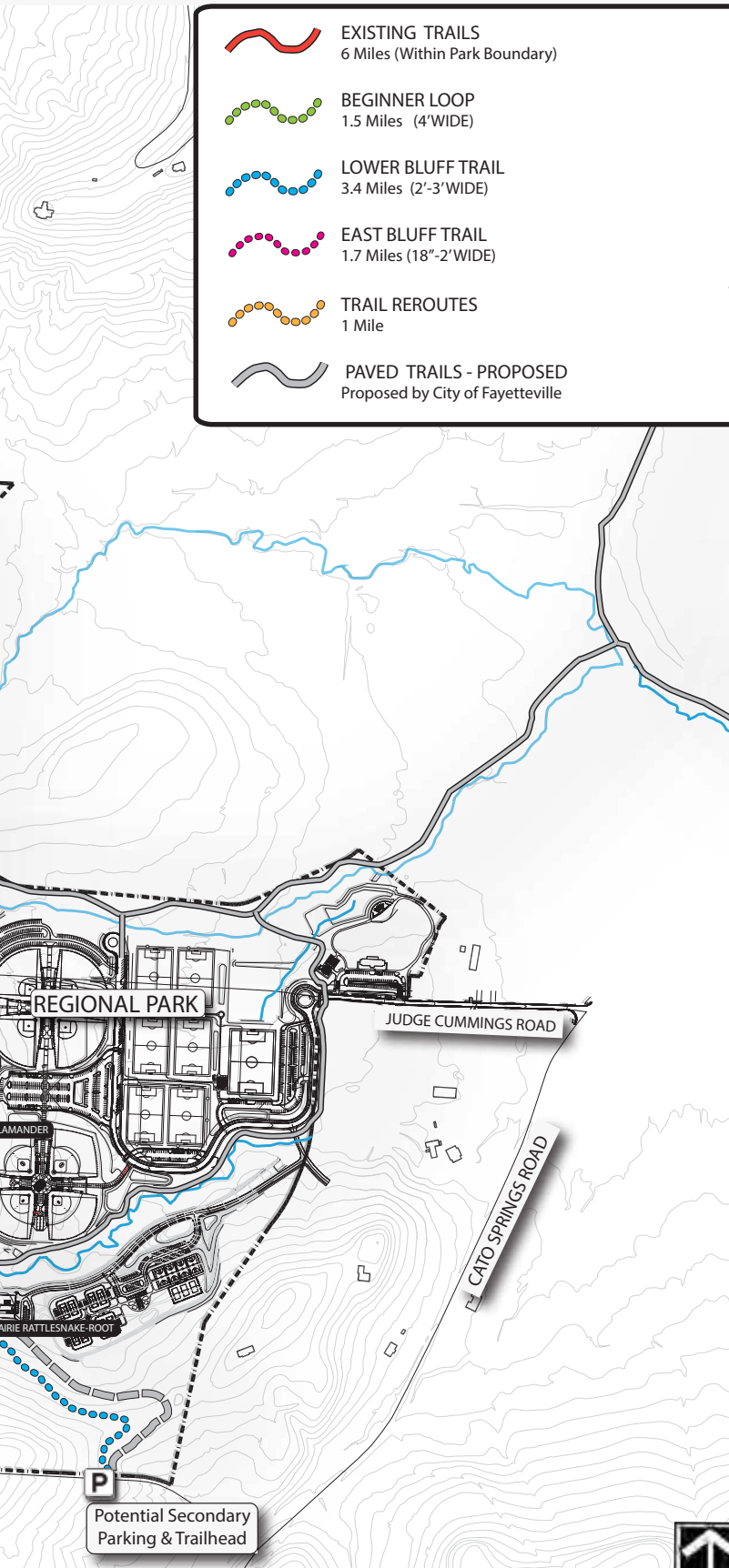
ECOLOGICALLY SIGNIFICANT AREAS AND HABITATS

- SPECIES OF CONSERVATION CONCERN
- SHALE BARRENS
- BLUFFS
- OLD GROWTH POST OAK WOODLAND
- RIPARIAN HABITAT

Information taken from Arkansas Natural Heritage Commission. Ecological Assessment prepared by Theo Witsell on February 2015

KESSLER MOUNTAIN SPECIES OF CONSERVATION CONCERN PLAN

The areas noted on the plan are species of conservation concern at Kessler Mountain. These species are located per the Arkansas Natural Heritage Commission and the Ecological Assessment prepared by Theo Witsell on February 2015. Special care will be administered when flagging, laying-out, and constructing trail near these areas.



City of Fayetteville, Arkansas - Budget Adjustment Form (Legistar)

Budget Year 2017	Division /Org2 PARKS & RECREATION (520) Requestor: Alan Bearden	Adjustment Number
----------------------------	--	--------------------------

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

The Walton Family Foundation approved the City's application for a grant (2016-1465) in the amount of \$210,000 for the construction of Kessler Mountain Nature Trails. This grant requires a 50:50 match. The City's portion of the project (equal \$210,000 match) will utilize the funds in projects 14031.1 (\$60,349 - Sales Tax) and 16010.1 (\$150,000 - Parks Development).

RESOLUTION/ORDINANCE	COUNCIL DATE: 2/7/2017
	LEGISTAR FILE ID#: 2017-0034
	<i>Liz Hutchens</i> 1/20/2017 2:34 PM
	Budget Director _____ Date _____
	TYPE: _____
	DESCRIPTION: _____
	GLDATE: _____
	POSTED: _____ / _____

TOTAL	210,000	210,000					v.20161220
	Increase / (Decrease)		Project.Sub#				
Account Number	Expense	Revenue	Project	Sub	AT	Account Name	
2250.520.9255-4305.00	-	210,000	16010	1701	RE	Commercial Grants - Commercial Grants	
2250.520.9255-5210.00	5,000	-	16010	1701	EX	Minor Equipment - :	
2250.520.9255-5301.00	500	-	16010	1701	EX	Public Notification - :	
2250.520.9255-5315.00	198,500	-	16010	1701	EX	Contract Services - :	
2250.520.9255-5806.00	6,000	-	16010	1701	EX	Park Improvements - Park Improvements	
	-	-					
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	-	-					



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0033

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 2

2017 ENERGY ACTION PLAN:

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE STUDY AND DEVELOPMENT OF AN ENERGY ACTION PLAN IN 2017

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby expresses its support for the study and development of an Energy Action Plan in 2017.

City of Fayetteville Staff Review Form

2017-0033

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Leif Olson

1/18/2017

Sustainability & Resilience /
Chief of Staff

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff requests City Council support for the study and development of an Energy Action Plan in 2017.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? NA

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 7, 2017

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Peter Nierengarten, Sustainability and Parking Director

FROM: Leif Olson, Associate Planner

DATE: January 13, 2017

SUBJECT: Energy Action Plan

RECOMMENDATION:

Staff requests City Council support for the study and development of an Energy Action Plan in 2017.

BACKGROUND:

Most of the energy currently consumed in Fayetteville for transportation and to power buildings is generated through the burning of fossil fuels. Energy efficiency and alternative energy investments represent an opportunity to reduce reliance on non-renewable fuels while creating additional economic opportunities for Fayetteville.

The design and construction of new green buildings and energy efficient retrofits of existing building can create many new jobs in the architecture, engineering and construction fields. At the same time, energy savings from green buildings will translate into lower overhead energy costs for residents and businesses. Investments in active and alternative transportation modes can reduce vehicular congestion, gasoline usage and air pollution.

Results of the recently completed Community Perception Survey indicate that 78% of Fayetteville residents either agree or strongly agree that the City of Fayetteville should prioritize renewable energy and energy efficiency policies and programs. Additionally, 62% of residents agree or strongly agree that the City of Fayetteville should prioritize climate change preparedness.

DISCUSSION:

Fayetteville achieved the status of a 3 star community by the Sustainable Tools for Rating and Accessing Communities (STAR). The STAR rating system evaluation measures collectively define community scale sustainability, and present a vision of how communities can become more healthy, inclusive and prosperous across seven goal areas. The STAR goals and objectives allow local governments and their communities to more effectively strategize and prioritize their sustainability planning efforts.

One of the seven goal areas in STAR is titled “Climate and Energy” and it provides a framework for communities to develop an energy action plan that reduces climate impacts and increases resource efficiency in order to create safer, healthier, and more resilient communities. Objectives under this goal are focused on incremental increases in resource efficiency. These objectives provide an outline of outcomes and actions utilized to develop an energy action plan, including:

- CE-2: Greenhouse Gas Mitigation. Achieve greenhouse gas emissions reductions throughout the community.
- CE-3: Greening the Energy Supply. Transition the local energy supply for both transportation and non-mobile sources toward renewable, less carbon-intensive, and less toxic alternatives.
- CE-4: Energy Efficiency. Minimize energy use and demand in the residential, commercial, and industrial sectors as a means to increase energy efficiency in the community.
- CE-6: Local Government Greenhouse Gas and Resource Footprint. Lead by example by reducing local government greenhouse gas emissions and minimizing energy and water use in local government facilities and specified local infrastructure.

Sustainability Department staff propose to work across all departments and divisions of the City and throughout the community to develop an energy action plan that addresses energy conservation, efficiency and renewable forms of energy for transportation and buildings. Staff will utilize the STAR framework to identify policies, programs and projects that advance the City’s energy conservation and efficiency goals.

BUDGET/STAFF IMPACT:

The Sustainability and Resilience Department anticipates utilizing existing staff resources to complete this project during 2017.

Attachments:

STAR Technical Guide: Climate and Energy Section



GOAL AREA: Climate & Energy

Reduce climate impacts through adaptation and mitigation efforts and increase resource efficiency

Introduction

The 7 objectives in STAR's Climate & Energy Goal Area aim to reduce climate impacts and increase resource efficiency in order to create safer, healthier, and more resilient communities. CE-1: Climate Adaptation and CE-2: Greenhouse Gas Mitigation are critical to achieving reductions in harmful climate impacts and promoting resource savings through decreased energy, water, and materials use.

Most of the objectives in Climate & Energy focus on achieving incremental increases in resource efficiency. CE-4: Energy Efficiency and CE-5: Water Efficiency encourage communities to reduce energy use over time in buildings and water consumption per capita. CE-6: Local Government GHG & Resource Efficiency offers local governments an opportunity to describe how their internal efforts demonstrate their leadership in this Goal Area. CE-3: Greening the Energy Supply complements the other objectives in the Goal Area by addressing the alternative energy sources for the transportation and the community's electrical power supply.

Finally, through its ambitious waste reduction targets, CE-7: Waste Minimization rewards communities for efforts to reduce, reuse, and recycle materials.

Objective Number	Objective Title and Purpose	Available Points
CE-1	Climate Adaptation: Strengthen the resilience of communities to climate change impacts on built, natural, economic, health, and social systems	15
CE-2	Greenhouse Gas Mitigation: Achieve greenhouse gas emissions reductions throughout the community	15
CE-3	Greening the Energy Supply: Transition the local energy supply for both transportation and non-mobile sources toward the use of renewable, less carbon-intensive, and less toxic alternatives	15
CE-4	Energy Efficiency: Minimize energy use and demand in the residential, commercial, and industrial sectors as a means to increase energy efficiency in the community	15
CE-5	Water Efficiency: Minimize water use and demand as a means to conserve water in the community	10
CE-6	Local Government GHG & Resource Efficiency: Lead by example by reducing local government greenhouse gas emissions and minimizing energy and water use in local government facilities and specified local infrastructure	15
CE-7	Waste Minimization: Reduce and reuse material waste produced in the community	15
Total Points Available:		100



PURPOSE

Achieve greenhouse gas emissions reductions throughout the community

EVALUATION MEASURES

Greenhouse gases (GHGs) absorb infrared radiation produced by the sun and trap heat in the atmosphere. There are 6 types of greenhouse gases: water vapor (H_2O), carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), ozone (O_3), and fluorinated gases. A balance between the sources, or emissions of GHGs from human activities and natural systems, and sinks, or processes that remove GHGs by chemical conversion, determines the concentration of these gases in the atmosphere. High concentrations over time lead to increases in global temperature that alter the Earth's climate patterns. This is known as the greenhouse effect.

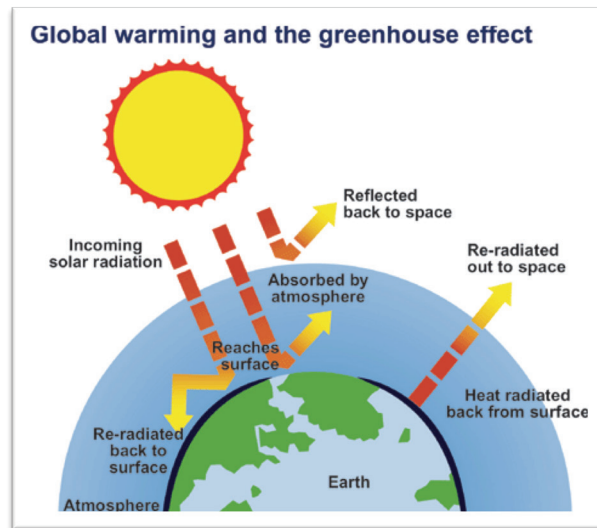
According to the [EPA](#), the Earth's average temperature has risen by 1.5°F over the past century and is projected to rise another 0.5 to 8.6°F over the next hundred years. The GHGs most closely associated with human activities are carbon dioxide, methane, nitrous oxide, and fluorinated gases.

It is [estimated](#) that carbon dioxide makes up over 80% of the total GHGs emitted in the U.S. The main sources of GHG emissions are combustion of fossil fuels, agricultural and industrial practices, and decay of organic waste. Sinks include natural processes, such as trees that absorb carbon dioxide and methane-consuming bacteria, and engineered solutions, such as geological storage and reforestation.

The [Global Protocol for Cities](#) identifies GHG emission sources by 6 main sectors:

- stationary energy, such as that from buildings and manufacturing;
- transportation, including on-road, railways, and aviation;
- waste;
- industrial processes and product use;
- agriculture, forestry, and other land use; and
- other emissions occurring outside the jurisdiction, but as a result of its activities.

Greenhouse gas emissions are a global issue as the concentration or mix of these gases are evenly distributed throughout the Earth's atmosphere. However, local governments can impact the sources and sinks within their jurisdictions. Actions to expand alternative modes of transportation, improve energy efficiency, eliminate waste, and increase vegetation lead to a reduction of greenhouse gases in the atmosphere and will also provide other benefits to the community.





Applicants submitting for this objective must consider communitywide GHG emissions. For local government-based GHG emissions, see CE-6: Local Government GHG and Resource Footprint.

Community Level Outcomes

100% of points available through Outcomes

Outcome 1: Communitywide Greenhouse Gas Emissions

15 Points

Demonstrate incremental progress towards achieving a 28% reduction by 2025 and/or an 80% reduction by 2050 in communitywide greenhouse gas (GHG) emissions [Partial credit available]

The Kyoto Protocol development process established the long-term target of reducing by 80% the GHG emissions of all industrialized countries by 2050. Although the U.S. was not a participant in the Kyoto Protocol, over 1,000 mayors across the U.S. were signatories to the U.S. Conference of Mayors' Climate Protection Agreement, committing to meet or exceed the Kyoto targets. While a potentially more aggressive target, its long term nature did not lead to the immediate actions necessary to reduce GHG emissions.

In 2015, leaders and delegates from 195 world nations formulated a global agreement on the reduction of climate change at the 2015 Paris Climate Conference. The final agreement outlines various measures that need to be implemented to limit the rise in average global temperature to well below 2°C, ideally at below 1.5°C. At the summit, the [U.S. committed](#) to reducing its greenhouse gas emission by up to 28% below 2005 levels by 2025.

Therefore, STAR adopts a dual target of 28% reduction below 2005 levels by 2025 and 80% below 2000 levels by 2050. Communities that can demonstrate incremental progress toward 1 or both of these targets will receive credit. Ideally, the data collection interval for greenhouse gas inventories should be between 1 and 5 years. The closer to the target year that the baseline year is, the greater percent of reductions the applicant will need to demonstrate, as shown in the table below:

Baseline Year Determines Slope of Linear Reductions Toward the Target				
Baseline Year	Years to 2025	Reduction per year	Years to 2050	Reduction per year
2000	25	1.12%	50	1.60%
2005	20	1.40%	45	1.78%
2010	15	1.87%	40	2.00%

For this outcome, applicants are required to assess communitywide GHG emissions. There are several methods to assess local government GHG emissions; STAR recommends either the [Global Protocol for Community-Scale Greenhouse Gas Emission Inventories \(GPC\)](#) or the more U.S. tailored version called the [U.S. Community Protocol for Accounting and Reporting on Greenhouse Gas Emissions \(USCP\)](#).



If using the GPC, the applicant must report at a minimum those sources contained within the “Basic” reporting framework. If using USCP, the applicant must report at a minimum the “5 Basic Emissions Generating Activities” that are common to all communities.

The minimum standards from each protocol are nearly identical. The primary differences are that the USCP does not require cross-boundary sources, such as transportation, to be separated by jurisdictional boundary. However, it does require an assessment of energy used in the delivery of potable water.

Bonus credit is available for reporting on non-required emission sources, such as upstream emissions associated with use of fuels and materials or a full consumption-based inventory.

Applicants may receive partial credit for reductions that are not directly on track to achieve the target reduction. See Points Appendix for information regarding points awarded for partial credit.

For verification, provide the most recent measure of communitywide greenhouse gas emissions and upload a completed STAR-provided Excel spreadsheet demonstrating that the thresholds have been met.

Note that the methodology for this outcome is similar to CE-6: Local Government GHG & Resource Footprint, Outcome 1: Local Government Greenhouse Gas Emissions. However, this outcome requires assessment of communitywide sources rather than local government.

Local Actions

70% of points available through Actions

Action 1:

Inventory, Assessment or Survey

Conduct a communitywide GHG Inventory at least every 5 years

Regular tracking of GHG emissions via a recognized protocol is important for demonstrating progress. Most communities that conduct inventories analyze their status in 1, 3, or 5-year increments and include required emissions as described in the GPC and USCP protocols. More advanced efforts also include additional emissions, such as waste-related sources and are verified by a third-party to ensure data is complete, credible, and accurate.

For credit, the applicant must demonstrate that a communitywide GHG inventory has been conducted at least every 5 years and includes at least GPC’s “Basic” reporting requirements or USPC’s “5 Basic Emissions Generating Activities.” Note if inventory includes additional emissions and/or was verified by a third-party.

For verification, provide the title; year published; a link to or copy of the study; and a brief description of how the intent of this action is met.



Action 2:

Plan Development

Adopt a climate action plan designed to reduce GHG emissions throughout the jurisdiction

A climate action plan establishes the community's strategies and recommendations to reduce greenhouse gas emissions. Examples of local climate action plans by state are available on the EPA's [State and Local Climate and Energy Program website](#).

For credit, the climate action plan must address communitywide impacts, not just local government operations. Broader plans, such as a sustainability plan or general plan, may be acceptable provided that they specifically address GHG emissions and mitigation strategies at the community scale.

For verification, provide the plan title; year adopted; a link to or copy of the plan; and a brief description of how the intent of this action is met.

Action 3:

Policy and Code Adjustment

Establish a local communitywide GHG emissions target to be used as guidance for broader local government planning processes and decision-making

This action calls for communities to establish a local target for GHG emissions reductions by code, ordinance, or executive order, and demonstrate its broad application to communitywide planning, projects, and programs.

Local governments are taking action by adopting policies and regulations to reduce GHG emissions. In 2014, the [Compact of Mayors](#) was launched at the United Nations Climate Summit. It is the world's largest coalition of city leaders addressing climate change by making pledges to reduce their GHG emissions, track progress, and prepare for the impacts of climate change. Participating communities are asked to make a formal commitment, conduct an inventory of local emissions, establish a target for reduction, develop an implementation plan, and track progress.

In the United States, 124 communities have made the commitment to participate in the Compact of Mayors. STAR applicants are encouraged, but not required, to be participants in the Compact of Mayors.

For verification, provide the title; year adopted; a link to or copy of the policy or code; and a brief description of how the intent of this action is met.



Action 4:

Education and Outreach

Create an education and outreach campaign to engage residents and businesses in GHG reduction efforts

GHG and climate policies require broad public support to be most effective. Raising local awareness, providing educational resources, and inspiring action through leadership are all ways to engage the community.

For example, Fort Collins, CO educates local businesses about GHG and climate impacts through the free, voluntary [ClimateWise](#) program.

For credit, education and outreach activities must directly reference detailed GHG mitigation strategies, not just energy efficiency or renewable energy.

For verification, provide a brief description of how your education and outreach campaign meets the intent of this action. Submittal must include a series of efforts designed to inform the public about the issue. If applicable, provide a link to or upload supporting materials.

Action 5:

Partnerships and Collaboration

Establish a climate change advisory group to engage diverse community stakeholders in identifying and implementing GHG reduction strategies

To reach GHG reduction and climate action goals, local governments are engaging diverse stakeholders in the decision-making process. Appointing representatives from universities, businesses, targeted industries, utilities, state and regional government, and nonprofit organizations help to build strategic partnerships and leverage broad support for local efforts.

For example, Tucson, AZ's Mayor and Council formally established a [Climate Change Advisory Committee](#) by ordinance in 2008. Broward County, FL adopted a resolution establishing their [Climate Change Task Force](#) in 2008.

For verification, provide the name of the group; year established; a link to or documentation of their work; and a brief description of how the intent of this action is met. Partnerships and Collaboration must be active at the time of submittal and be issue-focused, not special project-based.



Action 6:

Practice Improvement

Analyze disproportionate and unintended consequences of mitigation activities and demonstrate activities that engage groups that are most likely to be negatively impacted

Some of the more popular actions to mitigate communitywide GHG emissions relate to increasing energy efficiency, investing in renewable energy, or purchasing an alternative fuel vehicle. However, these types of actions may not be affordable to all homeowners or not accessible to renters. Low income and/or fixed income households, including families and the elderly, often face high energy bills in proportion to their income and the prospect of defaulting on utility bills. Evaluating the impact of initiatives or activities on diverse populations can improve program delivery and participation rates.

For verification, provide the name of the practice improvement; a link to or copy of the annual report, if applicable; and a brief description of how the intent of this action is met.

Action 7:

Enforcement and Incentives

Create incentives to improve opportunities for distributed generation of renewable energy sources

Distributed generation refers to power generation at the point of consumption. Generating power on or near the site, rather than centrally, eliminates the cost, complexity, and inefficiencies associated with energy transmission and distribution.

Types of distributed generation technologies are generally site-specific or contained within a district. Examples include wind turbines (single or array), geothermal, photovoltaic panels (single or array), or combined heat power (CHP) plants.

Some common incentives that can be offered to consumers include:

- streamlined or expedited permitting procedures;
- waived permit fees;
- identification of approved installers;
- creation of a rebate or educate community members of the existing statewide incentives; and/or
- creation of tax credit systems to incentivize low carbon infrastructure.

For verification, provide the name of the enforcement or incentive; the year created; a link to or copy of the incentive(s) and/or enforcement(s); and a brief description of how the intent of this action is met.



Action 8:

Programs and Services

Implement actions identified in a climate action plan that are intended to transition the community towards the use of alternative modes of transportation and low-emissions vehicles

For credit, the applicant must have an adopted climate action plan (Action 2) that specifies actions related to alternative modes of transportation and low-emissions vehicles. At least 2 actions must have been implemented within the past 3 years or, if more than 3 years ago, the action must be ongoing. For example, a public bike share program that was started 10 years ago must still be in operation for credit. In addition, actions cannot be in a planning phase.

For verification, provide the program name; year created; and a brief description of how the intent of this action is met.

Action 9:

Programs and Services

Implement specific programs and services or create facility upgrades that reduce waste in the community

For credit, the applicant must have an adopted climate action plan (Action 2) that specifies actions related to reducing waste in the community. At least 2 actions must have been implemented within the past 3 years or, if more than 3 years ago, the action must be ongoing. For example, a curbside recycling program that was started 5 years ago must still be in operation for credit. In addition, actions cannot be in a planning phase.

For verification, provide the program name; year created; and a brief description of how the intent of this action is met.

COMMUNITIES LEADING THE WAY

Evanston, IL: The City of Evanston's strategic plan includes objectives to optimize natural resources sustainably, and to promote energy efficient and non-automotive transport systems. The [Evanston Climate Action Plan](#), a result of these goals, puts forth measures to integrate greenhouse gas emissions and energy efficiency into many future decisions.

Baltimore, MD: In Baltimore, guidelines were adopted to incorporate information about energy savings and GHG emission reductions into the CIP and the Site Plan Review process. The City Energy Office and City Sustainability Office both participate in CIP training for all agencies and provide information on incorporating energy and GHG emission savings into their projects. The City Energy Office has also adopted an Energy Policy that contains GHG emission reduction goals and strategies; the policy ensures achievement of those goals when designing new projects at energy intense sites within the Department of Public Works and Department of General Services. All of these policies and practices advance greenhouse gas emissions reductions for the City.



Atlanta, GA and **Portland, OR** are featured in *Measuring Up 2015: How Local Leadership Can Accelerate National Climate Goals*, a [report](#) by ICLEI and the World Wildlife Fund. The report “analyzes data from 116 US cities representing more than 14 percent of the US population, ... and demonstrates how local governments can cut greenhouse gas emissions, reduce climate threats, and achieve multiple community goals like lower energy costs, better air quality, improved health, and enhanced economic development.”

ADDITIONAL RESOURCES

The U.S. Conference of Mayors' [Mayors Climate Protection Center](#) describes best practices for large- and small-scale local governments from 2007, 2008, and 2009. Examples of [best practices](#) include: Denver, CO's FasTracks program, which uses sales tax to help fund a 12-year expansion of the transit system and Columbia, MO's Biogas Energy Plant which converts solid waste into electricity.

The U.S. EPA provides many [resources, programs](#), and guidance on specific actions communities can take to reduce GHG emissions.

C40 Cities is a resource for climate data and information [on the nation's largest cities](#).

Both ICLEI USA's [5 Milestones for Climate Mitigation](#) and the Natural Capitalism Institute's [Climate Protection Manual for Cities](#) provide resources for creating and implementing a climate action plan.



PURPOSE

Transition the local energy supply for both transportation and non-mobile sources toward renewable, less carbon-intensive, and less toxic alternatives

EVALUATION MEASURES

Community Level Outcomes

70% of points available through Outcomes

Outcome 1: Green Vehicle Infrastructure

5.25 Points

Option A: Demonstrate that the number of private and public electric vehicle stations meets or exceeds 1.07 per 10,000 residents

--OR--

Option B: Demonstrate that the number of private and public alternative fuel stations meets or exceeds 1.52 per 10,000 residents [Partial credit applies]

Bonus: Achieve a Drive Alone rate of 60% or less

According to EPA's [website](#), motor vehicles account for nearly 50% of volatile organic compounds (VOCs), more than 50% of nitrogen oxide (NOx) emissions, and about 50% of the toxic air pollutant emissions in the U.S. Motor vehicles, including non-road vehicles such as recreational vehicles and lawn and garden equipment, are also responsible for 75% of carbon monoxide (CO) emissions nationwide.

Alternative fuel vehicles can reduce emissions of harmful pollutants including carbon dioxide (CO₂), the primary contributor to climate change. Additionally, most alternative fuels are produced domestically, which strengthens the U.S. economy, improves energy security, and helps offset the cost of imported oil. Alternative fuels are transportation fuels other than gasoline and diesel, including biodiesel, compressed natural gas, electricity, ethanol, hydrogen, liquefied natural gas, and propane.

Not all alternative fuels are equal in their direct impact on the environment. The “greenest” option is to not drive a vehicle at all. The next best alternative is to drive a zero emission vehicle, such as an electric vehicle. After that, alternative fuels such as biodiesel, compressed natural gas, ethanol, hydrogen, liquefied natural gas, and propane still contribute emissions, but not as substantially as gasoline and diesel.

While the best data for measuring alternative fuel vehicles would be registration data collected by the local Department of Motor Vehicles (DMV), this can be difficult to obtain. Either the DMVs do not code for alternative fuel vehicles or the way the data is gathered for only newly registered vehicles leads to uncertainty regarding the actual number of vehicles in a community. Additionally, DMV data does not account for cars registered outside of the jurisdiction that may utilize many of the community's services. Therefore, STAR uses the number of fueling stations as a proxy measurement for estimating the concentration of alternative fuel vehicles in a community.



For credit in Option A, the number of public and private EV stations must meet or exceed 1.07 per 10,000 residents. This is based on an analysis of 2014 data from the Department of Energy where the Top 25% of communities reported met or exceeded this threshold.

Data for public and private EV charging stations is available from the Department of Energy's [Alternative Fuel Data Center](#) (AFDC). Follow the directions below:

1. Click the Station Locator tool under the Tools section.
2. Beneath the map, click Download Data. Complete the form with the following selections:
 - a. Dataset: Alternative fuel stations
 - b. File Format: CSV (opens in Excel)
 - c. Fuel type: Electric
 - d. Access: All
 - e. Status: Open
3. Enter contact information and indicate agreement with terms and conditions. An Excel file with all EV charging stations will download.
4. Convert the spreadsheet to a table by selecting cell A1 and then Insert > Table.
5. City applicants should filter by the State and then City columns. Alternatively, cities may elect to use ZIP Codes that are all or partially within the community. County applicants will need to use the ZIP Code to filter the data.
6. Next, count each EV station identified and enter this information in the STAR-provided Excel spreadsheet.
7. Also, in the STAR-provided Excel spreadsheet, enter the population of the jurisdiction from the most recent year available.

For verification in Option A, provide the number of public and private EV stations, the number per 10,000 residents, and the STAR-provided Excel spreadsheet.

Applicants not meeting the threshold for Option A may receive partial credit in Option B. For credit in Option B, the applicant must show that the number of private and public Alternative Fuel Stations meets or exceeds 1.52 per 10,000 residents. This is based on an analysis of 2014 data from the Department of Energy where the Top 25% of communities reported met or exceeded this threshold.

Data for this measure is available from the Department of Energy's [Alternative Fuel Data Center](#) (AFDC). Follow the directions below:

1. Click the Station Locator tool under the Tools section. Beneath the map, click Download Data. Complete the form with the following selections:
 - a. Dataset: Alternative fuel stations
 - b. File format: CSV (opens in Excel)
 - c. Fuel type: All
 - d. Access: All
 - e. Status: Open
2. Enter contact information and indicate agreement with terms and conditions. An Excel file with all alternative fueling stations will download.
3. Convert the spreadsheet to a table by selecting cell A1 and then Insert > Table.
4. City applicants should filter by the State and then City columns. Alternatively, cities may elect to use ZIP Codes that are all or partially within the community. County applicants will need to use



the ZIP Code to filter the data.

5. Next, sort by the Fuel Type Code column.
6. Count each station identified by its Fuel Type Code and enter this information in the STAR-provided Excel spreadsheet.
7. Also, in the STAR-provided Excel spreadsheet, enter the population of the jurisdiction from the most recent year available.

For verification in Option B, provide the number of stations by fuel type, the number per 10,000 residents, and the STAR-provided Excel spreadsheet.

Because the greenest form of transportation is to either not drive or not drive alone, bonus points are available for applicants demonstrating a Drive Alone Rate of 60% or less. To find data on the jurisdiction's drive alone rate, see BE-7: Transportation Choices, Outcome I. See the Points Appendix for information regarding points awarded for bonus credit.

Outcome 2: Electrical Energy Supply

5.25 Points

Option A: Demonstrate that the community's overall electric utility generating capacity includes a portion from renewable energy sources [Partial credit available]

--OR--

Option B: Demonstrate that the community's electric utility is in compliance with RPS requirements and document the portion from renewable energy sources [Partial credit available]

According to EPA [estimates](#), electricity from the combustion of fossil fuels, such as coal, oil, and natural gas, is responsible for approximately 40% of CO₂ emissions and 33% of total GHG emissions in the United States. EPA also explains that post-Industrial Revolution emissions producing human activities have contributed substantially to climate change by adding CO₂ and other heat-trapping gases to the atmosphere. Combustion of fossil fuels to generate electricity contributes to air pollution and higher rates of water consumption compared to renewable energy sources. For the purposes of STAR, renewable energy facilities are defined as those that use biomass, solar thermal, photovoltaic, wind, geothermal, fuel cells using renewable fuels, small hydroelectric generation of 30 megawatts or less, hydroelectric that is third-party certified low impact, digester gas, solid waste conversion, landfill gas, ocean waves, ocean thermal, or tidal currents to produce electricity.

According to the [U.S. Energy Information Administration](#), renewable energy sources represented roughly 9% of non-vehicular U.S. energy consumption in 2011. To successfully address climate change and achieve energy independence, the U.S. must drastically increase its use of renewable energy-based electricity.

For full credit in Option A, applicants must demonstrate that the electric utilities serving the community are generating 50% or more of their overall electricity from renewable energy sources. Hydroelectric generation facilities of greater than 30 megawatts are allowed if they are certified by the [Low Impact Hydropower Institute](#) at the time of submittal. STAR will accept renewable energy credits (RECs) as part of the total as long as they are [Green-E certified](#). Non-grid renewable energy, such as landfill gas or solid waste conversion, may be added to the utility values. Graduated partial credit is available starting with a minimum of 2% renewables. See the Points Appendix for information regarding partial credit.



For full credit in Option B, applicants must submit their electric utility's documented compliance with a state-based Renewable Portfolio Standard (RPS) of 50% or more. The RPS may be less than 50%, but points awarded will be scaled to the appropriate graduated partial credit with a minimum of 2% renewables. Applicants must also document the portions of renewable energy by source type. If an electric utility exceeds their RPS obligation, applicants should consider submitting under Option A. Non-grid renewable energy may not be added in Option B.

For verification, applicants must provide the percentage of overall electricity supplied to the community that is generated by renewable energy sources, and upload a completed STAR-provided Excel spreadsheet showing the percentage of overall electricity provided by each renewable source.

Local Actions

70% of points available through Actions

Action 1:

Plan Development

Adopt a communitywide plan that includes a comprehensive programmatic and policy approach to shift the community towards alternative fuels and renewable energy sources

Although applicants may submit a stand-alone energy supply plan, STAR recognizes that many communities include energy supply planning in their climate action plans. Applicants can therefore submit a section(s) of a communitywide plan that addresses both alternative fuels in transportation and renewable energy sources. Submissions should include an inventory of information about vehicles in the community as well as the renewable portfolio standard (RPS) for the local or regional utility.

For verification, provide the plan title; year adopted; a link to or copy of the plan; and a brief description of how the intent of this action is met.

Action 2:

Policy and Code Adjustment

Utilize community choice aggregation, community shared solar, or community wind to procure renewable energy supplies

Jurisdictions and utilities may offer programs that allow residents to pool resources for enhancing renewable energy options in the community. Often these programs are voluntary or provide an option to not participate. This action is identified as a policy rather than a program because it requires enabling legislation and structured guidance for implementation.

There are 2 main types of programs:

- Community choice aggregation (CCA) allows cities and counties to combine the buying power of individual customers within their jurisdiction to purchase alternative energy supplies. Policies to allow CCAs are approved at a state level, but local governments must adopt and operate a program locally.



- Community shared solar or wind programs allow residents to buy or lease a portion of a shared alternative energy system. The share of electricity generated is credited to the customer as if the system was installed on their property. Policies for community shared alternative energy may be enacted by state governments, local governments, or utilities. If achievement is based on a state policy, applicants must show that residents within the jurisdiction are participating.

For verification, provide the title; year adopted; a link to or copy of the policy or code; and a brief description of how the intent of this action is met.

Action 3:

Policy and Code Adjustment

Remove regulatory restrictions on the development of residential and small business renewable energy installations

Because many zoning regulations predate the current market interest in renewable energy systems and alternative fueling stations, there are often unintentional restrictions or limitations to the development. Regulations may account for public safety, scientific evidence, and neighboring concerns, but must provide a defined and reasonable set of requirements for permitting.

The American Planning Association's Info Packet on [Planning and Zoning for Renewable Energy](#) is a good resource for reviewing and revising codes.

For credit, describe how regulatory restrictions have been deliberately removed or avoided to allow for residential and small business renewable energy installations or alternative fueling stations.

For verification, provide the title; year adopted; a link to or copy of the policy or code; and a brief description of how the intent of this action is met.

Action 4:

Partnerships and Collaboration

Establish partnerships between fleet managers, alternative fuel suppliers, and consumers to elevate alternative fuel options within the community

Local partnerships can help transportation stakeholders evaluate options and achieve goals around alternative fuels. Fleet managers from local governments and businesses benefit from discussions and presentations on best practices, innovative technologies, and related opportunities.

For example, [Clean Cities Coalitions](#) are regionally based entities that involve a public-private partnership to elevate alternative fuel options in communities. With support from the U.S. Department of Energy, these coalitions host education and outreach events and advocate for fuel efficiency improvements and idle reduction efforts. [EV Ready Broward](#) is an initiative championed by Florida Power and Light to encourage the implementation of electric transportation.



For verification, provide the name of the group; year established; a link to or documentation of their work; and a brief description of how the intent of this action is met. Partnerships and Collaboration must be active at the time of submittal and be issue-focused, not special project-based.

Action 5:

Practice Improvements

Earn recognition as a solar-ready community

This action awards communities that have achieved recognition for laying the foundation for the adoption of solar energy and electric vehicles in the jurisdiction. Designations may be received from a national campaign, such as [SolSmart](#), or regional effort, such as the Mid-America Regional Council's [Solar Ready Community Recognition Program](#).

For verification, provide the name of the practice improvement; a link to or copy of the annual report, if applicable; and a brief description of how the intent of this action is met.

Action 6:

Enforcement and Incentives

Create incentive programs to support the development of renewable infrastructure

Building consumer demand is critical to helping a community transition to renewable energy. Incentives are a great way to encourage residents and businesses to incorporate innovative energy strategies, such as small-scale solar or wind projects, into their buildings and sites.

For credit, the applicant must identify 3 of the following incentive options that are active locally:

- streamlined or expedited permitting procedures;
- permit fee waivers or reductions;
- identification of approved installers;
- local government or utility financial rebates;
- local education efforts related to state or federal incentives;
- local tax incentives; and/or
- other local incentive program(s) (specify).

For verification, provide the name of the enforcement or incentive; the year created; a link to or copy of the incentive(s) and/or enforcement(s); and a brief description of how the intent of this action is met.

Action 7:

Enforcement and Incentives

Use financial mechanisms to increase the mix of renewable energy sources supplied to residents

Communities may use a variety of financial mechanisms to increase the mix of renewable energy sources available to residents. A feed-in tariff is a policy mechanism designed to accelerate the transition to renewable



energy sources. Typically, it offers renewable energy providers a long-term contract for energy supplied at the cost of conventional energy production. While a feed-in tariff is a good incentive for the development of renewable energy, applicants may specify other financial mechanisms, such as a [carbon tax](#) or [Property Assessed Clean Energy \(PACE\)](#) program, for credit. If using a PACE program, renewable energy systems must be an allowed expenditure.

For verification, provide the name of the enforcement or incentive; the year created; a link to or copy of the incentive(s) and/or enforcement(s); and a brief description of how the intent of this action is met.

Action 8:

Programs and Services

Provide a net-metering program that encourages the development of residential and small business renewable energy sources

Net-metering is an important incentive for developing on-site renewable energy generation because it allows customers to offset their energy consumption costs. In cases where excess energy is generated, customers can supply that energy into the grid for additional savings. The Database of State Incentives for Renewables & Efficiency ([DSIRE](#)) provides information on existing state, county, and city regulatory policies.

For verification, provide the program name; year created; and a brief description of how the intent of this action is met.

Action 9:

Facility and Infrastructure Improvements

Install public-use alternative fueling stations

Types of alternative fueling stations that may be installed include biodiesel, compressed natural gas, electricity, ethanol, hydrogen, liquefied natural gas, and propane. Facilities may be owned by public or private entities. All stations must be open to the public year round and installed within 5 years of application submittal.

For verification, provide a list of investments made within the past 5 years and a brief description of how the intent of this action is met.

Action 10:

Facility and Infrastructure Improvements

Build the necessary distribution or storage infrastructure to support further investment in renewable energy sources

Because utility-grade renewable energy production is often sited in remote locations and the source is largely intermittent or out of sync with consumption, distribution and storage for use are important and necessary infrastructure investments.

According to the International Renewable Energy Agency's Smart Grids and Renewables [guide](#), development



of smart grid technologies integrated with renewable energy is an example of an infrastructure improvement that can expand distribution. Smart grids offer increased reliability and resiliency, flexibility, and efficiency from demand-side management.

Energy storage is a growing area of interest among researchers, utilities, and businesses. While the cost of advanced technologies may be prohibitive now, the potential that it offers for consistent energy supply and capture of renewable energy produced at peak sunlight or wind hours is promising.

For credit, submit a list of distribution or storage infrastructure built with the intent of expanding renewable energy sources for the community. Applicants may receive credit for pilot investments in smart grid distribution provided that the pilot is intended to garner further support for investments in renewable energy infrastructure.

For verification, provide a list of investments made within the past 5 years and a brief description of how the intent of this action is met.

COMMUNITIES LEADING THE WAY

Cambridge, MA: The City adopted the Net Zero Action Plan in June 2015. The document is reviewed every 5 years to ensure Cambridge is on the trajectory to become a 'net zero community.'

Burlington, VT: Residences and businesses in the City of Burlington are eligible to receive tax credits for installation of renewable energy from the Renewable Energy Vermont Program.

Houston, TX: The City of Houston, with the support of federal grants and private partnerships, has installed hundreds of electric vehicle stations. These stations support private vehicles as well as the City's fleet of 50 electric vehicles.

ADDITIONAL RESOURCES

The Database of State Incentives for Renewables & Efficiency (DSIRE) provides information and models for incentive programs including net-metering policies.

Profiles in Regional Solar Planning: A Handbook and Resource Guide is a guide created by DOE and the National Association of Regional Councils to help regional and local governments play a key role in advancing the deployment of solar energy.

The Solar Energy Industries Association (SEIA) provides detailed information on issues and policies nationwide as well as insights to the rapidly developing solar market.



PURPOSE

Minimize energy use and demand in the residential, commercial, and industrial sectors as a means to increase energy efficiency in the community

EVALUATION MEASURES

According to the [U.S. Energy Information Administration](#), the world's total primary energy consumption in 2012 was about 529 quadrillion British thermal units (Btu). Primary energy consumption in the United States was about 95 quadrillion Btu, equal to 18% of the world's total primary energy consumption. The population of the United States in 2012 was 314.1 million people, or 4.46% of the world's total human population.

The most recent figures released by the World Bank on the [world's per capita energy use](#) (not including wood stove or individual coal-based stoves), is approximately 1,900 kg of oil equivalent, or 75 million Btu per person. By comparison, the U.S. per capita energy use is approximately 6,900 kg of oil equivalent, or 273 million Btu (MMBtu) per person. Per capita energy use in the U.S. is over 72% greater per person than in the rest of the world.

There are several reasons for greater energy use in the U.S., including industrial development, quality of life expectations, reliable transmission of power, safety, and water quality. U.S. communities at the forefront of energy efficiency seek solutions that include technological and behavioral changes.

Energy use is applicable to many components of urban systems; [Architecture 2030](#) reports that buildings consume nearly half of all the energy produced in the United States, or 47.6%. Process energy from the industrial sector comprises 24.4% and transportation accounts for 28.1%.

This objective focuses specifically on energy efficiency, or behaviors and technology that reduce energy use, in residential and commercial buildings and industrial processes. Strategies to address heat islands are included in this objective as a rise in localized temperature often leads to increases in energy use for cooling.

There are generally 2 strategies used to mitigate the effects of heat islands: increasing vegetative cover and increasing surface reflectivity. Vegetation and moisture-trapping soils utilize a relatively large proportion of absorbed radiation in the evapotranspiration process and release water vapor that contributes to cooling the air in their vicinity. Increasing surface reflectivity by applying surface treatments with higher albedo reduces radiation absorption and thus stored heat potential. These strategies also impact levels of tropospheric ozone, a major contributor to outdoor air quality and health issues.

Some specific examples of heat island mitigation strategies include:

- white roofs or cool roofs;
- light-colored street pavement or ground cover; and
- awnings and shade trees.

Some heat island mitigation strategies, such as street trees and green roofs, may also be applicable to NS-1: Green Infrastructure and HS-6: Hazard Mitigation.



Renewable or non-fossil energy sources should only be included in instances where synergies directly contribute to decreased energy by a user, such as solar hot water heating or geothermal heat pumps. Fuel use in vehicles, including fuel-efficient vehicles, is addressed in CE-3: Greening the Energy Supply and EJ-2: Green Market Development and should not be included in reporting on this objective.

Energy efficiencies in infrastructure, such as streetlights, combined heat and power (CHP), and water production/distribution/disposal, are addressed in CE-6: Local Government GHG & Resource Efficiency.

Community Level Outcomes

70% of points available through Outcomes

Outcome 1: Energy Use

7.5 Points

Part 1: Demonstrate incremental progress towards achieving an 80% reduction by 2050 in energy used by community buildings or industrial processes

--OR--

Part 2: Demonstrate incremental progress towards achieving an 80% reduction by 2050 in energy use within specific residential, commercial, and industrial sectors

[Partial credit available]

Local jurisdictions in the U.S. vary widely in terms of climate and population density. Comparing rates of energy efficiency or establishing a national threshold is not feasible. Since increased building and industrial process energy efficiency can lead to important reductions in greenhouse gas (GHG) emissions, this outcome is structured to measure reductions in energy use over time, similar to CE-2, Outcome 1: Communitywide Greenhouse Gas Emissions.

To evaluate this outcome, applicants must collect electric, natural gas, and propane energy consumption data for residential, commercial, and industrial buildings, over at least 2 points in time. Local utility providers will be the primary source of data. Data estimated based on the utility's service area with reasonable assumptions on the community's proportion may be submitted if data for the applicant's jurisdiction is not available.

Baseline Year Determines Slope of Linear Reductions Toward 2050 Target		
Baseline Year	Years to 2050	Reduction per Year
2000	50	1.60%
2005	45	1.78%
2010	40	2.00%

Ideally, the applicant will be able to supply all years of data from 2000 to present. However, if this is not possible, the baseline point in time selected must be between 2000 and 2010 and the most recent point in

time must be within 3 years of the community's application. The closer the baseline year is to 2010, the greater the percent reductions will need to be to demonstrate achievement, as shown in the table at right.

For credit in Part 1, demonstrate that all sectors (residential, commercial, and industrial), in aggregate, are progressing toward the long-term achievement of an 80% reduction by 2050. Use the STAR-provided Excel spreadsheet to convert values to MMBtu and graph progress against the threshold trend line. Data should be entered in MWh for electricity, therms for natural gas, and thousand gallons for propane. To convert natural gas data that is provided in thousand cubic feet (Mcf) to therms, divide value by 10.32.

Partial credit is available for reductions in energy use not directly on track to achieve an 80% reduction by 2050. See the Points Appendix for information regarding points awarded for partial credit.

For credit in Part 2, demonstrate that each specific sector (residential, commercial, and industrial) is progressing toward the long-term achievement of an 80% reduction by 2050. For the residential sector, assess the per capita energy use. For the commercial sector, assess the energy use intensity. Energy use intensity is measured as energy use per square foot per year:

$$\text{Energy use intensity} = \frac{\text{Building Energy Use (MMBtu)}}{\text{Building Square Footage (ft}^2\text{)}}$$

For the industrial sector, the most beneficial unit of measurement would be energy used per unit of production. However, the unit of production for each industrial building type could be difficult to gather, especially in larger jurisdictions. Therefore, if the unit of production is not available, applicants may submit industrial energy use as direct energy use or energy use intensity.

Local government facilities that are considered commercial or industrial may be included.

Often, local utilities will not be able to provide commercial and industrial data separately. If that is the case, then aggregate commercial and industrial data in the energy use intensity calculation. If it is provided separately, then report the commercial sector as energy use intensity and the industrial sector as either direct energy use or energy use intensity. Applicants who can supply this data by all individual sector types will receive bonus credit.

Use the STAR-provided Excel spreadsheet to convert values to MMBtu and graph progress against the threshold trend line. Partial credit is available for reductions in energy use per sector type and/or not directly on track to achieve an 80% reduction by 2050. See the Points Appendix for information regarding points awarded for partial credit.

For verification, report whether the community is on track to achieve 80% energy use reductions by 2050 as an aggregate and per specific sectors and submit the most recent figures for energy use. Upload the completed STAR-provided Excel spreadsheet.



Outcome 2: Heat Island Mitigation Distribution

3 Points

Option A: Demonstrate that 85% of the population lives within a reasonable distance from a heat island mitigation feature that provides 1 of the following functions:

- localized cooling through tree canopy cover, green roofs or green walls;
- white roofs or cool roofs; and/or
- light colored pavement or groundcover

--OR--

Option B: Demonstrate that the surface temperature of the community is no more than 5 degrees Fahrenheit higher than surrounding suburban or rural areas when measured on a summer and winter night

Heat islands are present on a surface and in the local atmosphere. The impacts from heat islands include: increased energy consumption; elevated emissions of air pollutants and greenhouse gases; compromised human health and comfort; and impaired water quality. This outcome considers the distribution of heat island mitigation strategies throughout a community.

For credit in Option A, demonstrate that 85% of the population lives within a 1/3-mile circular buffer of urban heat island mitigation features. Land zoned for, and being used as, parkland, open space, or vegetated recreational areas may also be included.

Use ArcGIS to follow the basic steps below:

1. Identify the qualifying urban heat island mitigation locations. Other layers to include are the jurisdictional boundary, trails, Census blocks, and streets.
2. Identify a 1/3-mile circular buffer around the perimeter of the locations.
3. Identify the Census blocks that intersect with the service area. Clip to the service area and jurisdictional boundary.
4. For each intersecting Census block, calculate the percent difference in area between the original Census block and the service area boundary.
5. Calculate the population in the service area by multiplying the total population in the Census block by the percent difference in area. Summarize the new field.
6. Divide the summarized population by the total population in the jurisdiction and multiply by 100.

Applicants should submit the percentage of the population within a 1/3-mile circular buffer of urban heat island mitigation features.

For verification in Option A, submit the percentage of the population within 1/3-mile circular buffer of urban heat island mitigation features and upload a map clearly identifying each type of green infrastructure function. See the Mapping Appendix for standard mapping requirements.

For credit in Option B, the applicant must conduct air temperature measurements using transect studies or weather station networks. The submitted study or air temperature analysis must be conducted within 3 years prior to STAR application. Enough transects and stations must exist to provide statistically valid measurements of natural, low density residential, medium density residential, high density residential, and



commercial areas. The surrounding location should be rural or low density suburban. Measurements should be taken at about 5 feet above the ground and at night. If using a transect study, at least 2 measurements need to be taken, 1 in summer and 1 in winter, during non-windy nights. If more than 1 seasonal day measurement is taken, these may be averaged for the submittal.

For verification in Option B, submit the results of the study.

Local Actions

70% of points available through Actions

Action 1:

Plan Development

Adopt a strategic action plan to improve the energy efficiency of residential and commercial buildings and industrial processes in the community

Community energy plans and climate action plans are commonly adopted planning documents that address buildings and their resource consumption. A stand-alone plan or a section of a communitywide plan is acceptable. Plans must include specific sections or actions related to building energy. In addition, plans must address commercial and residential buildings. The inclusion of industrial sector processes is encouraged. A good resource for energy efficiency for industrial users is available from the DOE's [Better Plants](#) program.

For verification, provide the plan title; a link to or copy of the plan; the year adopted or last updated; and a brief description of how the submittal meets the intent of this action.

Action 2:

Policy and Code Adjustment

Adopt or upgrade building codes to ensure that new and renovated buildings are more energy efficient

Building codes set minimum requirements to ensure that new buildings, additions, and renovations are constructed using best practices for health, safety, and welfare. Energy codes are the part of the building code that set standards for energy conservation and efficiency in these buildings.

Most local governments adopt their energy codes based on model energy codes developed by expert councils, such as the [International Code Council](#) (ICC) or the [American Society of Heating, Refrigerating, and Air-Conditioning Engineers](#) (ASHRAE). The most commonly used model energy code is the ICC's [International Energy Conservation Code](#) (IECC). The IECC is updated on a 3-year cycle, with the most recent version being released in 2015. [Most states](#) have adopted some version of the IECC and have enacted legislation directing their local jurisdictions to either meet the same requirement or adopt more stringent codes.

Other commonly referenced building codes that more extensively address renewable energy and water efficiency include the ICC's [International Green Construction Code](#) (IGCC) and [ASHRAE Standard 189.1](#).



State-adopted building energy code information is available from [DOE's Building Energy Codes Program website](#) or the [Building Codes Assistance Project](#).

For credit, communities must locally adopt, at a minimum, the IECC-2015 or later, the IGCC-2012, and/or ASHRAE Standard 189.1-2011. Each of these must be adopted in their entirety with only minimal documented modifications and must apply to both residential and commercial sectors. Alternatively, communities may demonstrate how their local building code is equivalent to these model energy codes and, therefore, meets the intent.

Information on state-level adoption and some local adoption may be found on the Department of Energy's [Building Energy Codes Program](#) website.

For verification, provide the title and a link to or copy of the policy or code requirement; the year adopted or last updated; and a brief description of how the submittal meets the intent of this action.

Action 3:

Policy and Code Adjustment

Adopt an energy use information disclosure ordinance requiring energy users to disclose consumption levels

Tracking consumption levels is the first step to achieving energy use reductions. Requiring the disclosure of data helps to ensure that energy reductions are occurring at the building or site scale. Adopted disclosure ordinances can address a specific sector, such as commercial, or a specific scale or type of building, such as those that are greater than 10,000 square feet.

Example ordinances are available from [Austin, TX](#); [Seattle, WA](#); and [Washington, DC](#).

For verification, provide the title and a link to or copy of the policy or code requirement; the year adopted or last updated; and a brief description of how the submittal meets the intent of this action.

Action 4:

Education and Outreach

Create an education and outreach campaign or challenge to engage residents in energy efficiency efforts

The question of how to most effectively influence low-carbon and resource-efficient behavior is driving communities across the U.S. to experiment with innovative challenges and campaigns. This action focuses on education and outreach to the general public or residential sector.

For example, the [Baltimore Energy Challenge](#) includes a pledge for households to reduce energy use help the city achieve its goal of 15% reduction in greenhouse gas emissions by 2020. Communities can look to the EPA's [Climate Showcase Communities](#) initiative for ground-tested ideas. For effective messaging, review the work of George Mason University's [Center for Climate Change Communication](#).



For verification, provide a brief description of how your education and outreach campaign meets the intent of this action. Submittal must include a series of efforts designed to inform the public about the issue. If applicable, provide a link to or upload supporting materials.

Action 5:

Partnerships and Collaboration

Establish a committee to provide recommendations on policies related to energy efficiency in buildings OR integrate this role into the work of existing committees

Achieving energy efficiency in buildings requires the active participation of building occupants, owners, and managers. A formal committee can bring together diverse and important partners to ensure that local government regulations, incentives, and programs are realistic and effective.

Recommended committee members include local government leadership, facility maintenance staff, utility providers, finance department, construction managers, building inspectors, architects, engineers, nonprofit representatives, state and federal officials, and at-large community member representatives.

For verification, provide the name of the group; a link to or documentation of their work; year established; and a brief description of how the partnership meets the intent of this action. Note that all Partnerships and Collaboration actions must be active at time of submittal and be issue-focused, not special project-based.

Action 6:

Partnerships and Collaboration

Partner with organizations to encourage the collection and reporting of energy use data from the commercial and industrial sectors

Tracking data on energy use over time helps industries understand their use patterns and manage resources more wisely. There are a number of voluntary reporting programs that can help industries track energy use and provide informative reports, such as EPA's [ENERGY STAR program](#) or the DOE's [Better Buildings Program](#) or [Better Buildings Better Plants Program](#). Additionally, non-governmental entities, such as the [Global Reporting Initiative](#) and the [Carbon Disclosure Project](#), offer templates for standardized reporting of facility data.

Local government can play a role in promoting the collection and reporting of energy use data by partnering with such organizations and local industries to convene trainings or share best practices for collection and reporting facility data.

For credit, the applicant needs to demonstrate a programmatic effort toward partnership that goes beyond members of the commercial or industrial sector participating in reporting programs.

For verification, provide the name of the group; a link to or documentation of their work; year established; and a brief description of how the partnership meets the intent of this action. Note that all Partnerships and Collaboration actions must be active at time of submittal and be issue-focused, not special project-based.



Action 7:

Programs and Services

Develop a heat island mitigation program

Given the localized nature of the urban heat island effect, mitigation activities need to be dispersed throughout a jurisdiction to be effective. There are several strategies that may provide cooling benefits, including cool roof and cool pavement programs. While some green infrastructure strategies, such as increasing vegetation or tree coverage, do address urban heat islands, this action must focus on surface treatments to buildings, pavement, and other built infrastructure. Green roof programs are eligible for credit.

The Global Cool Cities Alliance has a [Cool Roofs and Pavement Toolkit](#) that includes an informative primer and implementation guide as well as a knowledge base of programs and resources.

For verification, provide the name and a brief description of the program or service; and the year created or implemented.

Action 8:

Enforcement and Incentives

Create incentives to encourage the new construction of energy efficient buildings

Local governments can support a variety of incentives for green or energy efficient buildings. Examples include property tax incentives, expedited permitting, grants, loans, bonus density, permit fee reduction, and rebates. The [DSIRE website](#) is a useful resource for finding energy incentive programs by state.

For verification, provide a link to or copy of the incentive(s); a brief description of how the incentive meets the intent of this action; and the year created or implemented. Note that the incentive(s) must be available at the time of application.

Action 9:

Enforcement and Incentives

Create incentives for businesses, lessors, homeowners, and renters to improve the energy efficiency of their existing buildings and homes

Home energy audits, rebate programs, technical assistance, and loans have become common practices across the United States. For example, Denver's [Energy Challenge](#) offers a one-stop shop for residents who are looking to improve the energy efficiency of their homes. Seattle's [Community Power Works](#) program provides incentives and partners with financial institutions to provide low interest loans to participants. The [DSIRE website](#) is a good source of incentive program information.

Note that this action may not include DOE- or state-funded Weatherization Assistance Programs (WAP).

For verification, provide the program name; a brief description of the program or service; and the year created or implemented.



Action 10:

Programs and Services

Create a local program to specifically help low-income households reduce energy-related burdens

According to a 2015 [report](#) by ACEEE, an overwhelming majority of low-income households experience higher energy burdens than the average household in the same city. Weatherization Assistance Programs, funded by the DOE through state energy offices, provide essential energy efficiency services to a number of low income families throughout the U.S.

Cities and counties with such programs servicing their area can leverage these opportunities through partnering or integrating with Neighborhood Stabilization Programs or other housing improvement programs. Cities or counties without weatherization programs can still incorporate guidance into existing low-income programs that improve energy efficiency results.

Note that this action may not include DOE-funded or state-funded Weatherization Assistance Programs (WAP) that are not leveraged or enhanced outside of their existing program constraints. Services offered may be free or low-cost, but they must clearly be serving low-income households in the jurisdiction.

For verification, provide the program name; a brief description of the program or service; and the year created or implemented.

Action 11:

Programs and Services

Work with the local utilities to implement energy commissioning programs throughout the community

Local utilities can play a significant role in increasing information and knowledge about direct energy use in a community's building stock.

Commissioning (Cx) programs offer opportunities for owners in the commercial or industrial sectors to ensure facilities are operating efficiently for existing use. Commissioning programs may be designed to address post-occupancy commissioning, retro-commissioning of existing buildings, or continuous commissioning. In addition to addressing energy efficiency issues, these programs will address ventilation and occupant comfort issues.

ACEEE provides a database of [utility policies and programs](#) and [commissioning/retro-commissioning programs](#) in the U.S.. The [DSIRE website](#) is another good source of energy program information.

For verification, provide the program name; a brief description of the program or service; and the year created or implemented.



COMMUNITIES LEADING THE WAY

Baltimore, MD: The [Baltimore Energy Challenge Energy Efficiency](#) program helps residents save money and energy by providing free in home installation of items, as well as valuable behavior change education that helps advance savings. These savings help advance the city to achieving its outcome goal of 80% energy intensity reduction by 2050.

Boise, ID: The Geothermal Connection Incentive was created for properties adjacent to the existing geothermal distribution system. If only a service line needs to be added, the first twelve months of service after connection will be at no cost, for up to 150% of the estimated volume. This incentive is important because it allows connection of additional buildings without the need to construct or maintain additional line. The Central Addition LIV District is the City of Boise's first EcoDistrict, located in downtown Boise. Limited pumping rights dictate the growth of the geothermal system.

Fayetteville, AR: The [Arkansas Industrial Clearinghouse](#) promotes energy efficiency development in manufacturing plants through energy assessments, establishing energy management programs, and other technical support.

Houston, TX: The City of Houston's [Green Office Challenge](#) encourages participants at all levels of influence, from office employees to major property owners and managers, to improve the environmental performance of buildings in Houston. Through this program, the participants managed to collectively reduce energy usage by 28 million kilowatt hours, reduce water usage by 74 million gallons, divert 40% of waste from landfills by recycling, create office Green Teams to manage environmental initiatives and educate staff, provide more bike parking, and increase electronic circulation of documents to decrease paper use and waste. This program encouraged many businesses to take into account and decrease their environmental impact.

Raleigh, NC: The Sustainable Home Raleigh workshop introduces ideas and actions Raleigh residents can implement immediately using low-cost, easy-to-use techniques to save energy and reduce utility bills. The community-focused, education-driven program is administered through the City of Raleigh Office of Sustainability and is available to homeowners and renters. The 1-hour presentation includes demonstrations, tips and information on weatherization, energy efficiency, green cleaning, water conservation, recycling and landscaping. Each household also receives a Sustainable Home starter bag of tools they can use around the home to begin conserving energy and water.

ADDITIONAL RESOURCES

The LEED rating systems are available at the [USGBC](#) website. In this [white paper](#), USGBC describes common structural and financial incentives and financing mechanisms that U.S. local governments are using to encourage green building construction and provides examples of communities that have implemented them. Additionally, USGBC's [Green Buildings for Cool Cities: A Guide for Advancing Local Green Building Policies](#) may be helpful to advance a green building policy in the community.

DOE's [State and Local Solutions Center](#) provides resources on building codes and inspections.



ICLEI USA's [Green Business Challenge](#) engages local businesses and commercial property managers in a competition to save money, energy, water, and waste, improving their business's environmental performance and helping local governments reach their energy and climate goals.

National League of Cities' (NLC) [Sustainable Cities Institute](#) provides a range of resources on sustainable buildings, including model policies, legislation and RFPs, case studies, marketing tools, and classes for specific techniques for green construction.

The [website](#) for DOE's Advanced Manufacturing Office offers a wide range of guides and tools that help manufacturers and other industrial operators across the supply chain conserve energy and reduce costs.

The [Alliance to Save Energy](#) has a resource page dedicated to the industrial sector that provides an excellent overview of the sector, policies to support energy efficiency and programs that support industrial energy efficiency.

The World Resources Institute released [Accelerating Building Efficiency: Eight Actions for Urban Leaders](#) in spring 2016 to provide local governments and other urban leaders in cities around the world with background, guidance, and tools to accelerate building efficiency action in their communities.



CLIMATE & ENERGY

CE-6: Local Government GHG & Resource Footprint

15 available points

PURPOSE

Lead by example by reducing local government greenhouse gas emissions and minimizing energy and water use in local government facilities and specified local infrastructure

EVALUATION MEASURES

Most of the objectives in the STAR Community Rating System focus on outcomes and actions that impact the community as a whole. STAR was designed intentionally to focus on how the community works as a system to address areas such as climate, energy, equity, natural systems, and the built environment.

However, many local governments measure and manage resources internally to both demonstrate environmental leadership and efficiently manage limited funding pools. This objective is unique in that the scale focuses on the facilities and internal operations of the local government as it relates to greenhouse gas emissions, energy efficiency, and water conservation.

Community Level Outcomes

100% of points available through Outcomes

Outcome 1: Local Government Greenhouse Gas Emissions

7 Points

Demonstrate incremental progress towards achieving a 28% reduction by 2025 and/or an 80% reduction by 2050 in local government greenhouse gas (GHG) emissions [Partial credit available]

The Kyoto Protocol development process established the long-term target of reducing by 80% the GHG emissions of all industrialized countries by 2050. Although the U.S. was not a participant in the Kyoto Protocol, over 1,000 mayors across the country were signatories to the U.S. Conference of Mayors' Climate Protection Agreement, committing to meet or exceed the Kyoto targets. While a potentially more aggressive target, its long term nature did not lead to the immediate actions necessary to reduce GHG emissions.

In 2015, leaders and delegates from 195 world nations formulated a global agreement on the reduction of climate change at the 2015 Paris Climate Conference. The final agreement outlines various measures that need to be implemented to limit the rise in average global temperature to well below 2°C, ideally at below 1.5°C. At the summit, the U.S. committed to reducing its greenhouse gas emissions by up to 28% below 2005 levels by 2025.

Therefore, STAR adopts a dual target of 28% reduction below 2005 levels by 2025 and 80% below 2000 levels by 2050. Communities that can demonstrate incremental progress toward either of these targets will receive some credit. Ideally, the data collection interval for greenhouse gas inventories should be between 1 and 5 years.

The closer to the target year that the baseline year is, the greater percent of reductions the applicant will



need to demonstrate, as shown in the table below:

Baseline Year Determines Slope of Linear Reductions Toward the Target				
Baseline Year	Years to 2025	Reduction per year	Years to 2050	Reduction per year
2000	25	1.12%	50	1.60%
2005	20	1.40%	45	1.78%
2010	15	1.87%	40	2.00%

For this outcome, applicants are required to assess GHG emissions from operations of local government owned and/or managed buildings and infrastructure. There are several methods to assess local government GHG emissions; STAR recommends the [Local Government Operations Protocol](#). At a minimum, the applicant must report on Scope 1 and 2 emissions. Bonus credit is available for reporting on Scope 3 emissions.

Applicants may receive partial credit for reductions that are not directly on track to achieve the target reduction. See Points Appendix for information regarding points awarded for partial credit.

For verification, provide the most recent measure of greenhouse gas emissions and upload a completed STAR-provided Excel spreadsheet showing the threshold level met.

This outcome is similar to CE-2: Greenhouse Gas Mitigation, Outcome 1: Communitywide Greenhouse Gas Emissions, except that applicants are required to assess GHG emissions of local governmental facilities and operations.

Outcome 2: Local Government Energy Efficiency

3.5 Points

Part 1: Demonstrate local government building stock energy use intensity is below the regional aggregated energy use intensity per building type [Partial credit available]

--AND--

Part 2: Demonstrate a 10% decrease in local government-owned public infrastructure energy use [Partial credit available]

In 2015, the U.S. Energy Information Administration released the [2012 Commercial Buildings Energy Consumption Survey](#). The 2012 CBECS collected building characteristics data from more than 6,700 U.S. commercial buildings to identify national trends related to energy use by building type.

Part 1 of this outcome is based on thresholds established by common local government building types published in the CBECS. The thresholds were adjusted based on factors such as variations in energy needs based on region and climate type.

For Part 1, applicants need to benchmark energy use intensity for the local government building stock based



on the [CBECS Building Type Categories](#). All facilities greater than 1,000 SF must be included in this inventory. For each building owned and/or operated by the local government, select 1 of the following building types:

- education (schools, training centers, etc.)
- food (service or retail)
- healthcare (in-patient or out-patient clinics, nursing homes, etc.)
- office (city hall, departmental offices, etc.)
- other (any facility not fitting within the defined categories or qualifying for Part 2)
- public assembly (courthouses, recreation centers, libraries, etc.)
- public order and safety (police and fire stations, jails, safety training facilities, etc.)
- service (vehicle maintenance facilities, parking garages, etc.)
- vacant (buildings not occupied, but owned/operated by local government)
- warehouse (storage facilities, distribution centers, etc.)

If a building provides functions for more than 1 building type, the applicant may assign partial use to more than 1 category provided the associated square footage and energy use for each type is known. If not known, then select the primary or dominant use of the facility. For instance, a fire station may also house the offices of the local fire department. If the amount of square footage and/or energy use for each type is unknown, assign it “public order and safety”.

Once the labeling is complete, sum the annual energy used (kBtu) and square footage for each building type. Facility managers should be able to provide the data needed for this outcome. Many communities collect data on their facilities and enter it into tools like [ENERGY STAR Portfolio Manager](#).

Use the STAR-provided Excel spreadsheet to identify the number of each facility type, total square feet, and energy used. The formulas in the spreadsheet will calculate the energy use intensity (EUI in kBtu/SF) for each building type and compare it to the Census Division/Climate Zone EUI.

Full credit in Part 1 is available for demonstrating threshold achievement in each building type category that applies to the jurisdiction. Partial credit will be awarded for achievement in 1 or more building type category. See the Points Appendix for information regarding points awarded for partial credit.

For Part 2, applicants must document energy use for local government-owned and/or managed public infrastructure that is not included as a CBECS Building Type. STAR has established 8 categories of this type of infrastructure, including:

- ports;
- power plants;
- public transit systems (not stations);
- solid waste or recycling facilities;
- stormwater facilities, such as pump stations;
- street lights and traffic signals;
- wastewater facilities; and
- water delivery facilities.

There are no known publicly available sources for measuring energy use intensity in these types of local government facilities. Therefore, the applicant must show progress resulting in 10% or greater reduction per



type between a baseline year and current reporting year no more than 5 years apart.

For credit in Part 2, use the STAR-provided Excel spreadsheet to summarize annual energy use. Applicants may supply the number of facilities or components for each public infrastructure category, but this is not required. Supply energy use in MMBtu for each category for the baseline year and most recent reporting year. If an infrastructure type is not owned and/or operated by the local government, leave this row blank in the spreadsheet.

Full credit in Part 2 is available for demonstrating a 10% or greater reduction in all infrastructure types. Partial credit will be awarded for achievement in 1 or more infrastructure type. See the Points Appendix for information regarding points awarded for partial credit.

Partial credit may also be earned for achievements in either Part 1 or Part 2.

For verification, report the number of building type categories achieving the threshold (Part 1) and the number of public infrastructure categories achieving the threshold (Part 2). Upload a completed STAR-provided Excel spreadsheet demonstrating achievement.

Outcome 3: Local Government Water Conservation

3.5 Points

Demonstrate a 10% decrease in local government-owned public infrastructure water use [Partial credit available]

Local governments can demonstrate best practices related to water conservation by reducing their demand in buildings, parks, power plants, and treatment facilities. The Federal Energy Management Program (FEMP) worked with the EPA to develop [14 water efficiency best management practices](#) (BMPs). While these BMPs are intended for federal facilities, much of the guidance applies to local governments as well.

Some examples of water conservation BMPs include:

- system audits, leak detection, and repair;
- using native and other climate-appropriate plant materials to reduce water needs;
- installing efficient irrigation systems that uniformly distribute water;
- recirculation of system water; and
- use of non-potable water from alternative water sources, such as harvested rainwater, onsite stormwater or wastewater, and graywater.

In addition, the EPA's [WaterSense at Work](#) manual offers guidance, case studies, and tools for water management planning.

For credit, applicants must assess the water use by local government-owned and/or managed public infrastructure and show progress resulting in 10% or greater reduction per type between a baseline year and current reporting year no more than 5 years apart. The current reporting year must be within 3 years of STAR application submission date (i.e. if submitted in 2017, then current reporting year must be 2014, 2015, or 2016).



Water use is not an intensity measure for this outcome. STAR has identified 9 types of public infrastructure that typically utilize the most water. These include:

- facilities with cooling towers;
- facilities with >50,000 SF conditioned space;
- facilities with steam boilers;
- facilities with single-pass cooling systems;
- irrigation systems (for roadways, parks, and/or recreation areas);
- ornamental water features;
- pools and spas;
- ice rinks and ski areas;
- vehicle maintenance facilities; and
- any infrastructure with annual water use of 100,000 gallons or more.

For full credit, demonstrate a 10% or greater reduction in all categories. Partial credit will be awarded for achievement in 1 or more categories. See the Points Appendix for information regarding points awarded for partial credit.

Use the STAR-provided Excel spreadsheet to summarize annual water use in each category. Some facilities may be counted more than once if they fall into more than 1 category. Applicants may supply the number of facilities or components for each public infrastructure category, but this is not required. Supply water use in gallons for each category for the Baseline Year and Most Recent Reporting Year.

For verification, report the number of categories achieving the threshold. Upload a completed STAR-provided Excel spreadsheet demonstrating achievement.

Local Actions

70% of points available through Actions

Action 1:

Inventory, Assessment or Survey

Conduct a local government Greenhouse Gas Inventory at least every 5 years

Local government GHG inventories are important tools for tracking internal progress towards reducing emissions from local government sources. Most local government inventories are conducted in 1-, 3-, or 5-year increments and include Scope 1 emissions and Scope 2 emissions. More advanced efforts also include Scope 3 emissions, such as waste-related sources and employee commuting, and are verified by a third-party to ensure data is complete, credible, and accurate.

For credit, the applicant must demonstrate that a local government GHG inventory has been conducted every 5 years and includes at least Scope 1 and 2 emissions. Note if inventory includes Scope 3 emissions and/or was verified by a third-party.

For verification, provide the title; year published; a link to or copy of the study; and a brief description of



how the intent of this action is met.

Action 2:

Inventory, Assessment or Survey

Benchmark local government building and infrastructure energy use annually

Energy benchmarking is a useful means for tracking a building's energy use and making comparisons to similar buildings nationwide. Not only can this process provide feedback on installed energy efficiency measures, it can allow facility managers to better manage resources and identify targeted strategies for poor energy performance. Such efforts involve gathering usage data from billing records or metered properties and tracking the use annually or in monthly increments which can then be aggregated to an annual usage per building.

[ENERGY STAR Portfolio Manager](#) is a popular, free tool that is easy to use and allows users to compare certain building types to the entire inventory of entries. It also allows for weather-related adjustments based on heating and cooling degree days (HDD and CDD).

For verification, provide the title; year published; a link to or copy of the study; and a brief description of how the intent of this action is met.

Action 3:

Inventory, Assessment or Survey

Establish a water use baseline for local government facilities and infrastructure and conduct a regular review of water use data against the baseline

A water use baseline is a real or estimated measure of the water used by a facility based on the equipment present. Ideally, a baseline is conducted in monthly increments, to show seasonal fluctuations in use, and then aggregated annually for comparison over time. Once the baseline is established, water conservation and efficiency efforts can be managed and measured. Water savings generally fall into 3 categories: reducing leaks, installing water-conserving fixtures, and improving behavioral changes.

For credit, the applicant must provide a water use baseline for local government facilities and infrastructure accounting for over 50% of the water budget and provide the most recent annual review of water use data.

For verification, provide the title; year published; a link to or copy of the study; and a brief description of how the intent of this action is met.



Action 4:

Plan Development

Develop a local government sustainability action plan that includes strategies related to greenhouse gas emission mitigation, energy efficiency, and water conservation

Local government sustainability plans tend to be action oriented and focused on internal operations and practices that lead to reductions in greenhouse gas emissions, energy, and water. It may be a stand-alone plan or incorporated into a broader communitywide sustainability plan or the comprehensive plan, but it must indicate strategies specific to local government facilities and infrastructure.

For verification, provide the plan title; year adopted; a link to or copy of the plan; and a brief description of how the intent of this action is met.

Action 5:

Policy and Code Adjustment

Create a policy to ensure that the local government's energy supplies increasingly come from renewable sources

There are many benefits to purchasing energy supplies from renewable sources, including:

- reduced environmental impacts;
- as a hedge against electricity price volatility, fuel supply disruptions, and additional environmental regulations;
- meeting community environmental objectives;
- demonstrate civic leadership;
- generating positive publicity;
- improving employee morale;
- stimulating economies; and
- reducing infrastructure vulnerabilities.

For verification, provide the title; year adopted; a link to or copy of the policy or code; and a brief description of how the intent of this action is met.

Action 6:

Policy and Code Adjustment

Adopt alternative fuel guidelines and/or targets for locally owned facilities and vehicles

This action will most likely apply to a local government's fleet of vehicles, but may include fuel-based facilities, such as those that are operated with propane or natural gas. Establishing alternative fuel targets for powering facilities and vehicles may also address outdoor air quality issues. The policy may either be the setting of a fuel target, guidance included with environmentally preferred procurement, or steps to reduce fossil-fuel sources, such as replacement of fleet vehicles with non-motorized options. In all cases, the policy must be



written as a practice change, not an incentive or encouragement.

For verification, provide the title; year adopted; a link to or copy of the policy or code; and a brief description of how the intent of this action is met.

Action 7:

Practice Improvements

Require that public infrastructure and facility managers consider energy and water consumption implications for new or upgraded infrastructure investments

The best time to consider conservation measures is before infrastructure is designed or upgraded. By incorporating sustainability practices from the beginning, many unintended consequences can be addressed, reducing the environmental impacts and costs of retrofitting.

The Institute for Sustainable Infrastructure's (ISI) [Envision](#) rating system helps public infrastructure managers and engineers understand how their systems integrate with the community's sustainability goals. This results in new and upgraded infrastructure that minimizes the use of energy and water. The rating system can be accessed for free by creating an account. Applicants should focus on the climate and energy section.

Applicants may also use local government LEED requirements or environmentally-preferred purchasing policies as long as they apply to both buildings and infrastructure, such as wastewater treatment facilities, and include both energy or water requirements.

For verification, provide the name of the practice improvement; a link to or copy of the annual report, if applicable; and a brief description of how the intent of this action is met.

Action 8:

Practice Improvements

Publish local government energy benchmarking reports at least every 3 years or maintain a web-based interface that provides local government energy data to the public

Whereas Action 2 of this objective calls for energy benchmarking to be conducted internally by a local government, this action requires that such information be released to the public on a regular basis. Data may either be released via a standard report that analyzes trends over time or through a web-based interface with dynamic features.

For example, Seattle, WA, produces [reports](#) for its 650 city-owned buildings, analyzing overall energy performance as well as detailed performance by building type. Washington, DC, benchmarks local government building energy use through real time, continuous reporting. They developed [BuildSmart DC](#), an interactive website, that provides details on energy use intensity, annual energy cost, and GHG emissions.

For verification, provide the name of the practice improvement; a link to or copy of the annual report, if applicable; and a brief description of how the intent of this action is met.



Action 9:

Practice Improvements

Develop or financially support infrastructure operators' participation in training programs on energy and water efficiency techniques

Facility managers and infrastructure operators include a wide field of public sector employees involved in the management of physical assets in a community, such as buildings, roads, street lights, and water and sewer facilities and lines. Their work can have a direct impact on the energy or water efficiency of an infrastructure system in the community. Training programs ensure that operators are current on new technologies, processes, products, and design standards.

The International Facility Management Association (IFMA) has developed a [Sustainability Facility Professional credential](#) that provides specialized knowledge and practices related to facility management practices.

For verification, provide the name of the practice improvement; a link to or copy of the annual report, if applicable; and a brief description of how the intent of this action is met.

Action 10:

Facility and Infrastructure Improvements

Make retrofits and upgrades to local government buildings and/or infrastructure systems that will increase energy and water efficiency

Regular improvements and upgrades to public infrastructure should be a component of the capital improvements program or done via performance contracting.

[Energy Performance Contracts](#) provide an opportunity for local governments to conduct an industrial-grade energy audit of their building stock and infrastructure and develop strategies to finance energy conservation measures. Cost savings from actions with short returns on investment are used to fund larger efforts. [Energy Service Companies \(ESCOs\)](#) can help local governments perform an assessment, manage the work, conduct annual measurement and verification, and often guarantee the savings produced will be sufficient to maintain budget neutrality.

For verification, provide a list of investments made within the past 5 years and a brief description of how the intent of this action is met.

Action 11:

Facility and Infrastructure Improvements

Increase sub-metering from specific infrastructure systems to collect better information on energy and water use

Advanced metering technologies help building and facilities managers gather detailed energy and water use information for specific equipment within local government buildings and the public infrastructure system. This information can be used to detect problems, enhance retrofit strategies, and support implementation



of more efficient building and facility design.

For credit, specific equipment must be sub-metered, not the facility as a whole.

For verification, provide a list of investments made within the past 5 years and a brief description of how the intent of this action is met.

COMMUNITIES LEADING THE WAY

Cambridge, MA: Since adopting the [Green Fleet Vehicle Purchasing Policy](#) in 2006, the City of Cambridge has transformed a third of its fleet to hybrid or electric vehicles.

Northampton, MA: Significant [energy efficiency renovations](#) have been conducted on the City's municipal buildings and schools. A \$6.5 million bond, which will be paid back through energy savings, was used as part of an energy performance contract.

Raleigh, NC: The [Roadmap to Raleigh's Energy Future](#) serves as a guide for local government operations with a focus on minimizing carbon-related emissions, maximize the energy and operational efficiency of existing and new municipally-owned fleet, facilities and equipment. It also considers life-cycle costs and renewable energy opportunities.

ADDITIONAL RESOURCES

[C40](#) is a network of the world's megacities committed to addressing climate change. C40 supports cities to collaborate effectively, share knowledge, and drive meaningful, measurable, and sustainable action on climate change.

[CDP](#) is an annual survey to collect data on climate adaptation, greenhouse gases, and energy and water use from institutional investors, companies, and local governments. This data is can be searched by [individual reports](#) and via an [open data portal](#).

The American Public Works Association's [Center for Sustainability](#) provides training, case studies, and tools for local government managers.

The [American Water Works Association](#) has a number of tools and resources on sustainable water utilities, including access to purchase guidebooks like Water Conservation for Small and Medium-Sized Utilities and Triple Bottom Line Reporting of Sustainable Water Utility Performance.

University of Minnesota's [Technical Assistance Program](#) works with Publicly Owned Treatment Works (POTWs) and other operators to increase energy efficiency. The site provides information on reducing water loads to improve energy efficiency at POTW plants and save money.



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0029

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 3

CH2M HILL ENGINEERS, INC. AMENDMENT NO. 8:

A RESOLUTION TO APPROVE AMENDMENT NO. 8 TO THE AGREEMENT FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$7,807,453.00 FOR SERVICES IN 2017

WHEREAS, the Lake Sequoyah Dredging Project has been removed from the scope of services for 2017 and will be handled by the City during the remainder of the construction phase; and

WHEREAS, increases to the contract include refurbishment of a sand filter, an additional employee, anticipated increases in the cost of electricity, and a cost of living increase.

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 Amendment No. 8 to the Agreement for Operations, Maintenance and Management Services between the City of Fayetteville, Arkansas and CH2M Hill Engineers, Inc. in the amount of \$7,807,453.00 for services in 2017.

City of Fayetteville Staff Review Form

2017-0029

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander

1/23/2017

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

City Staff recommends approval of Contract Amendment No. 8 with CH2M HILL Engineers, Inc. beginning January 1, 2017 and ending December 31, 2017, in the amount of \$7,807,453.00.

Budget Impact:

5400.730.XXXX.5328.00

Water/Sewer

Account Number

Fund

48048.XXX

OMI Expenses

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 8,419,957.00

Funds Obligated \$ -

Current Balance \$ 8,419,957.00

Does item have a cost? Yes

Item Cost \$ 7,807,463.00

Budget Adjustment Attached? No

Budget Adjustment \$ -

Remaining Budget \$ 612,494.00

V20140710

Previous Ordinance or Resolution # 213-15

Original Contract Number: 2305

Approval Date:

Comments:

MEETING OF FEBRUARY 7, 2017

TO: Mayor and City Council

FROM: Tim Nyander, Utilities Director

DATE: January 18, 2017

SUBJECT: Approval of Contract Amendment No. 8 with CH2M HILL Engineers, Inc. beginning January 1, 2017 and ending December 31, 2017 with an annual cost of \$7,807,453.00 for 2017.

RECOMMENDATION:

City Administration recommends approval of Contract Amendment No. 8 with CH2M HILL Engineers, Inc. beginning January 1, 2017 and ending December 31, 2017, in the amount of \$7,807,453.00.

BACKGROUND:

When the original Noland WWTP upgrade was completed in 1987, the City contracted with OMI (now CH2M) for wastewater treatment services. The scope of services provided by CH2M HILL include: (1) operate and maintain the Noland and West Side Wastewater Treatment Plants (WWTP); (2) operate and/or maintain 43 wastewater pump station sites; (3) administer the City's NPDES discharge, air, stormwater, and other permits; (4) manage the City's biosolids disposal program; (5) manage the City's industrial pretreatment program; (6) support the SCADA (supervisory control and data acquisition system) network that monitor water and wastewater facilities; (7) pursue operation economies, efficiencies, and permit compliance; and (8) participate in the construction and post-construction work of the Wastewater System Improvement Project (WSIP). In late 2009, the City underwent a rigorous selection process with three competitive proposals. The selection committee selected CH2M HILL for a five-year contract and two subsequent five year extensions subject to City review and approval. To encourage cost saving operations, the contract contains an incentive provision whereby budget savings are distributed 87.5% to the City and 12.5% to CH2M HILL. The overall contract price has decreased from the amended total 2016 contract price by 0.82% or \$64,782, due to the reduction in overall scope.

DISCUSSION:

The Lake Sequoyah dredging project has been removed from the 2017 contract, in the amount of \$500,000, and will be continued by the City of Fayetteville during the remainder of construction phase. Increases to the contract include refurbishment of a sand filter, an additional employee, anticipated increases in the cost of electricity, and a cost of living increase. The increases amount to \$435,218, producing a net savings of \$64,782.

BUDGET/STAFF IMPACT:

An approval of payments to CH2M for a total of \$1,312,039.16 is being asked to be approved in a separate council item for payments of \$656,019.58 each for January and February 2017 due to contract amounts still being negotiated for 2017. Monthly payments will be reduced to \$649,541.39 for the remainder 2017 for a total contract cost of \$7,807,453.00 for 2017.

ATTACHMENTS:

Staff Review Form & Contract Amendment No. 8

AMENDMENT NO. 8 TO AGREEMENT
For
OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES
Between
CITY OF FAYETTEVILLE, ARKANSAS
And
CH2M HILL ENGINEERS, INC.

THIS AMENDMENT NO. 8 to the Agreement for Operations, Maintenance and Management Services between the City of Fayetteville, Arkansas, Water Resource Recovery Facility and its pertinent systems dated December 15, 2009 (the "Agreement"), is made effective on the 1st day of January, 2017, by and between City of Fayetteville, Arkansas, acting by and through its Mayor (hereinafter "City of Fayetteville") and CH2M HILL Engineers, Inc., (hereinafter "CH2M")

NOW THEREFORE, the City and CH2M hereby amend the Agreement as follows:

1. Appendix A is attached for informational purposes only.
2. Appendix B is attached for informational purposes only.
3. Appendix C is hereby deleted in its entirety and replaced with the attached Appendix C.
4. Appendix D is hereby deleted in its entirety and replaced with the attached Appendix D.
5. Appendix E is hereby deleted in its entirety and replaced with the attached Appendix E.
6. Appendix F is hereby deleted in its entirety and replaced with the attached Appendix F.
7. Appendix G is attached for informational purposes only.
8. Appendix H is hereby deleted in its entirety and replaced with the attached Appendix H.
9. Appendix I is attached for informational purposes only.
10. Appendix J is hereby deleted in its entirety.

This Amendment No. 8, together with prior Amendments and the Agreement, constitutes the entire agreement between the Parties and supersedes all prior oral and written understandings with respect to the subject matter set forth herein. Unless specifically stated all other terms and conditions of the Agreement shall remain in full force and effect. Neither this Amendment nor the Agreement may be modified except in writing signed by an authorized representative of the Parties.

The Parties, intending to be legally bound, indicate their approval of the Amendment by their signatures below.

Officer have made and executed this Agreement as of the day and year first above written.

CH2M HILL ENGINEERS, INC.

By: 
Name: Elliott Wheeler
Title: Senior Designated Manager
Date: 11 JAN 2017

CITY OF FAYETTEVILLE, ARKANSAS

By: _____
Name: Lioneld Jordan, Mayor
Title: Mayor
Date: _____

ATTEST:

By: _____
Name: Sondra Smith
Title: City Clerk
Date: _____

Appendix A

LIST OF APPENDICES

Appendix A – List of Appendices

Appendix B – Definitions

Appendix C – Scope of Services

Appendix D – Compensation for Services

Appendix E – Location of Project

Appendix F – Environmental Permits and Project Characteristics

Appendix G – Industrial Waste Discharges and Monitoring Program

Appendix H – Vehicle and Mobile Equipment Description (Rolling Stock)

Appendix I – Base Fee Adjustment

Appendix B

DEFINITIONS

- B.1 “Adequate Nutrients” means plant influent nitrogen, phosphorus and iron contents proportional to BOD₅ in the ratio of five (5) parts nitrogen, one (1) part phosphorus, and one half (0.5) part iron for each one hundred (100) parts BOD₅.
- B.2 “Base Fee” means all costs within the scope of the contract, on an annual basis, including direct costs, labor, utilities, and other allocated costs.
- B.3 “Biologically Toxic Substances” means any substance or combination of substances contained in the plant influent in sufficiently high concentrations so as to interfere with the biological processes necessary for the removal of the organic and chemical constituents of the wastewater required to meet the discharge requirements of City of Fayetteville’s NPDES permit. Biologically toxic substances include but are not limited to heavy metals, phenols, cyanides, pesticides, and herbicides.
- B.4 “Capital Expenditures” means any expenditures for (1) the purchase of new equipment or facility items that cost more than Ten Thousand Dollars (\$10,000); or (2) major repairs which significantly extend equipment or facility service life and cost more than Ten Thousand Dollars (\$10,000); or (3) expenditures that are planned, non-routine and budgeted by City of Fayetteville.
- B.5 “Cost” means the total of all costs determined on an accrual basis in accordance with generally accepted accounting principles including but not limited to direct labor, insurance, labor overhead, chemicals, materials, supplies, utilities, equipment, maintenance, repair, and outside services.
- B.6 “Electrical Evaluation” will be limited to amperage draws, winding resistance measurements, thermographic evaluations, and current and voltage imbalance.
- B.7 “Fixed Asset” means any tangible property that has a value of Five Thousand Dollars (\$5,000) or more and is depreciable. This excludes the repair/replacement parts that are components of a greater fixed asset.
- B.8 “Maintenance” means the cost of those routine and/or repetitive activities required or recommended by the equipment or facility manufacturer or CH2M to maximize the service life of the equipment, vehicles, and facilities as listed in Appendix E.
- B.9 “Out of scope” services will include “capital expenditures” (definition B.4 of this Appendix), added or modified regulatory requirements (that are not contained in the applicable permits), changes to improve efficiency and/or generate income, or other services not described in the contract and requested by the City of Fayetteville. These services shall be performed as stated in Appendix C. Should “Out of Scope Services” become a permanent and ongoing requirement, CH2M will submit a change of scope request within a reasonable amount of time in accordance with Paragraph 1.6 of the Agreement.
- B.10 “Project” means all equipment, vehicles, grounds and facilities described in Appendix E and where appropriate, the management, operations and maintenance of such.

- B.11 “Repairs” means the cost of those non-routine/non-repetitive activities required for operational continuity, safety, and performance generally due to failure or to avert a failure of the equipment, sewer, vehicle, or facility or some component thereof; cost less than ten thousand dollars (\$10,000); and are not included in definition B.4 of this Appendix. “Repairs” exclude cost of repair parts caused by storm damage to the supervisory control and data acquisition (SCADA) system.

Appendix C

SCOPE OF SERVICES

C.1 SCOPE OF SERVICES – CH2M

- C.1.1 Perform professional services in connection with the Project as hereinafter stated.
- C.1.2 Operate and maintain all facilities over a 24-hour per day, 7-day per week period, under full service contract operations and maintenance. Operations may be performed with on-site staff and/or remote monitoring/on-call services for all or portions of this time.
- C.1.3 Within the design capacity and capability of the Project, manage, operate, and maintain the Project so that effluent discharged from the Project meets the requirements specified in Appendix F.
- C.1.4 Operate and maintain the present Industrial Pretreatment Program including all monitoring, inspections, sampling, testing, reporting, and record keeping as described in Appendix G. Results of all industrial sampling and testing shall be made available to City of Fayetteville as requested.
- C.1.5 Provide all Maintenance for the Project. Document as required to continue existing maintenance program and to provide City of Fayetteville requested reporting, including but not limited to updated preventative maintenance schedules. City of Fayetteville shall have full access to preventative maintenance records.
- C.1.6 Pay all costs incurred within the scope of normal Project operations as defined in this Agreement.
- C.1.7 Staff the Project with a minimum of three (3) Arkansas Class IV Wastewater licensed operators.
- C.1.8 Prepare all NPDES permit and other pertinent regulatory reports, letters, or other correspondence, and submit these to City of Fayetteville for signature and approval. Transmittal to appropriate agencies shall be done by CH2M, except for electronic reporting via NetDMR. Any fines levied because of late reports as a result of CH2M failure to complete and allow sufficient time for City of Fayetteville's signature and transmittal shall be paid by CH2M. Submittal to the City of Fayetteville by the 20th of the month following the reporting period shall be considered timely.
- C.1.9 Provide for proper disposal of screening, scum, grit, and biosolids in compliance with permit and regulatory requirements, as long as a suitable location for such disposal is reasonably available. Should regulations and/or disposal/application options significantly change, projected costs will be revised by mutual agreement.
- C.1.10 Provide all manufacturers' warranties on new equipment purchased by the City of Fayetteville and assist the City of Fayetteville in enforcing existing equipment warranties and guarantees.
- C.1.11 Be responsible for all laboratory testing and sampling presently required by the NPDES permits, stormwater permits, "no discharge" permits, and other related requirements.
- C.1.12 Provide an inventory of vehicles and equipment (rolling stock) that are being used at the Project at the beginning of each contract year.

- C.1.13 Provide twenty four (24) hour per day access to Project for City of Fayetteville's personnel. Visits may be made at any time by any of City of Fayetteville's employees so designated by City of Fayetteville's representative. Keys for Project shall be provided to City of Fayetteville by CH2M. All visitors to the Project shall comply with CH2M's operating and safety procedures.
- C.1.14 Provide for the maintenance of existing City of Fayetteville rolling stock such as dump trucks, tractors, and trailers that are necessary for the operations and maintenance of the facilities.
- C.1.15 Provide training for personnel in areas of operation, maintenance, safety, supervisory skills, laboratory, and energy management. Continue the current project safety program with updates as necessary.
- C.1.16 Provide computerized maintenance, process control, and laboratory management systems.
- C.1.17 Comply with the requirements of City of Fayetteville regarding affirmative action provisions for minority hiring.
- C.1.18 Provide City of Fayetteville with a full accounting of all expenditures at intervals and in sufficient detail as may be determined by City of Fayetteville and assist City of Fayetteville in preparation of annual operating budgets. City of Fayetteville shall be allowed to conduct or have conducted audits of all accounting records related to the direct contract operations of this Agreement at times to be determined by City of Fayetteville.
- C.1.19 Provide City of Fayetteville with full documentation that preventative maintenance is being performed on all City of Fayetteville equipment in accordance with manufacturer's recommendations at intervals and in sufficient detail as may be determined by City of Fayetteville. Maintenance program shall include documentation of corrective and preventive maintenance and a spare parts inventory.
- C.1.20 Provide for repairs as described in the Appendix B.11.
- C.1.21 Maintain the SCADA system as described in Appendix E, to include ongoing updates and upgrades of the software and hardware to ensure operational continuity and in accordance with initiatives as agreed upon by the City of Fayetteville and CH2M.
- C.1.22 Verify the capacity and efficiency of each sewer lift station once per calendar year.
- C.1.23 Provide recommendations for Capital Improvements Program (CIP) with a schedule for improvements and expenditures as requested by the City of Fayetteville. A five (5) year schedule will be presented for all capital improvements and ten (10) year projections will be made for major improvements. These recommendations will be based on requirements determined from facility operations and does not include detailed engineering studies. In addition, CH2M will prepare the required forms and documentation required during budget and capital improvements budget preparation time each year. Except for the improvements requiring an engineering study, the following will be included for each project:
- Improvement needed
 - Justification of improvements
 - Cost of improvements
 - Any projected increase or decrease in O&M costs created by the CIP
 - Proposed expenditure schedule

- Proposed capital recovery schedule
 - Impact of early termination
- C.1.24 Perform other services that are related to but not part of the Scope of Services upon written notification by City of Fayetteville. Such services will be invoiced to City of Fayetteville at CH2M's cost plus eighteen percent (18%).
- C.1.25 At the direction of the City of Fayetteville, CH2M is authorized to act in emergency situations outside this Scope of Services, at CH2M's discretion. The costs related to emergency services are not included in the compensation set forth in this Agreement. CH2M will notify City of Fayetteville as soon as reasonably possible, and shall be compensated by City of Fayetteville for any such emergency work at CH2M's costs for the emergency work plus twenty-two percent (22%).
- C.1.26 Provide City of Fayetteville with oral and written reports as requested.
- C.1.27 Operate and maintain all existing wastewater lift station facilities including buildings, grounds, backup power generators, and certain other appurtenances within the site fenced area. However, maintenance of inlet and outlet pipe works shall terminate at the wall of lift station. Should the City of Fayetteville add in excess of three (3) additional lift stations, from the prior contract year's number of sites, a corresponding change of scope will be negotiated.
- C.1.28 Conduct annual electrical evaluations of electrical units of 25 horsepower or more which operate at supply voltages of 480V or less to ground.
- C.1.29 CH2M will comply with present federal, state, and local laws in performing their obligations under the terms of this Agreement. CH2M and City of Fayetteville will work cooperatively regarding the application and impact of potential changes in law, including the potential cost impact on the scope of work, and mutually revise this Agreement as applicable.
- C.1.30 Coordinate and schedule the use of training rooms at both wastewater treatment facilities.
- C.1.31 Conduct community outreach and education activities including cooperative efforts with the University of Arkansas as appropriate.
- C.1.32 Maintain compliance with other existing environmental permits as described in Appendix F.
- C.1.33 Maintain the industrial surcharge program and provide for monitoring and control of septage deliveries, as provided for in the City of Fayetteville's Code of Ordinances, Discharge and Pretreatment Regulations.
- C.1.34 The parties contemplate that minor design/engineering services may be provided by CH2M from time to time. The scope and compensation for such services shall be mutually negotiated by the parties prior to the commencement of work.
- C.1.35 Operate and maintain the ongoing nutrient removal efforts at the City of Fayetteville's Biosolids Management Site, including managing harvesting and marketing the hay produced on the site. Biosolids Management Site maintenance shall also include compliance with the current "no discharge" permit.
- C.1.36 Operate and maintain existing onsite power generators at all existing sites, including maintaining compliance with off-peak power rate structure monitoring and generation requirements.

- C.1.37 Operate and maintain the biosolids drying operation, which includes 6 solar houses and a thermal biosolids dryer.
- C.1.38 Coordinate the marketing and/or disposal of the dried biosolids produced from the drying operations as appropriate.
- C.1.39 Coordinate the application of alum sludge from Beaver Water District and invoicing for the services as appropriate.
- C.1.40 Check the condition of and replace the odor canisters (as listed in Appendix E) that are part of the air release valves in the collection system, as needed. The mechanical condition of these valves will be maintained by the Fayetteville Water and Sewer Division.
- C.1.41 Provide site monitoring and City approved property maintenance activities as directed for Woolsey Wet Prairie adjacent to the West Side Wastewater Resource Recovery Facility to assure that the site continues to meet ecological performance standards.
- C.1.42 Provide monitoring to the White River streambank restoration site near the Biosolids Management Site, as well as support for the pending restoration site near the Noland treatment plant, as contract budget allows.
- C.1.43 Reserved
- C.1.44 Reserved
- C.1.45 Provide incidental small scale support as directed to various not-for-profit groups on issues important to the City of Fayetteville.

C.2 SCOPE OF SERVICES – CITY OF FAYETTEVILLE

- C.2.1 Provide for all Capital Expenditures except for the Projects that City of Fayetteville may authorize CH2M to implement subject to mutually agreeable terms and conditions of repayment.
- C.2.2 Maintain all existing and necessary Project warranties, guarantees, easements, permits, and licenses that have been granted to City of Fayetteville with the proviso that CH2M remains primarily responsible to ensure that the wastewater plants are efficiently, properly and professionally operated so that they will not suffer a loss of permits or licenses.
- C.2.3 Pay all property or other taxes or franchise fees associated with the Project. This excludes taxes to be borne by CH2M for equipment owned by CH2M.
- C.2.4 May provide CH2M within a reasonable time after request any piece of City of Fayetteville's heavy equipment, subject to availability, so that CH2M may fulfill its obligations under this Agreement in the most cost-effective manner.
- C.2.5 Provide all licenses for vehicles used in connection with the Project.
- C.2.6 Provide for CH2M's use all vehicles and equipment presently in use at the Project, including the vehicles described in Appendix H.
- C.2.7 Pay for all wastewater lift station utilities, with the exception of electricity.

- C.2.8 Pay for all gasoline, diesel, and propane for backup power generators and all rolling stock provided by City of Fayetteville.
- C.2.9 Pay for all regulatory fees.

Appendix D

COMPENSATION FOR SERVICES

- D.1 CH2M estimates that Base Fee for services, on an annual basis, under this Agreement for 2017 shall be Seven Million, Eight Hundred Seven Thousand, and Four Hundred Fifty Three Dollars (\$7,807,453). Details of said cost are shown in D.4 below. Thereafter, the Base Fee shall be negotiated each year. Should City of Fayetteville and CH2M fail to agree, the Base Fee will be determined by the application of the Base Fee adjustment formula shown in Appendix I. Upon each contract year renegotiation, CH2M shall continue to invoice City of Fayetteville at the previous amount until the new contract year price is agreed upon. Upon written notice, agreement between the parties as to the new contract year Base Fee, CH2M shall issue an invoice retroactively adjusting the previous Base Fee amount. Should the actual expenditures exceed the total estimated annual expenditures by more than Twenty Thousand Dollars (\$20,000), in any year of this Agreement, specific approval will be obtained from the City of Fayetteville prior to CH2M incurring additional costs.
- D.2 An administrative fee of fifteen percent (15%) will be added to personnel services, and ten percent (10%) to all other direct costs excluding electricity. An annual fixed management fee of One Hundred Thirty Eight Thousand, Six Hundred Fifty Nine Dollars (\$138,659) shall be billed in equal monthly installments and adjusted annually in relation to the Base Fee.
- D.3 In order to provide an incentive for CH2M to operate in a manner that will result in actual costs below estimated cost, City of Fayetteville will pay CH2M an additional fee when actual costs are below estimated cost. Said fee will be twelve and one half percent (12.5%) of the amount of actual cost are below estimated cost.
- D.4 For occasions when the City equipment may be used for purposes outside the scope of this contract and not for the benefit of the City, CH2M agrees to reimburse the City of Fayetteville for equipment usage. The rate of reimbursement is calculated as equipment capital cost per hour use plus five percent (5%). The City of Fayetteville agrees to provide certificates of insurance evidencing proof of insurance for any equipment or vehicles used by CH2M.
- D.5 **Cost Detail** - The annualized estimated costs for calendar year 2017 are listed in Table D-1.

Table D-1, Cost Detail

	WRRF Administration & SCADA Program	WRRF East Side Operations Program	WRRF West Side Operations Program	WRRF Lab & IPP Program	WRRF Lift Station Maintenance Program	WRRF Biosolids Management Program	Total Cost 2017
Direct Labor	619,032	731,589	452,278	333,575	163,978	702,939	3,003,392
Labor Markup	92,855	109,738	67,842	50,036	24,597	105,441	450,509
Direct Expense	375,884	1,025,348	329,758	132,788	285,457	599,125	2,748,359
Expense Markup	37,588	102,535	32,976	13,279	28,546	59,912	274,836
Electricity		580,457	353,535		257,706		1,191,698
Fixed Fee	138,659						138,659
Totals	1,264,019	2,549,667	1,236,389	529,678	760,283	1,467,417	7,807,453

Appendix E

LOCATION OF PROJECT

E.1 CH2M agrees to provide the services necessary for the management, operation and maintenance of the following:

E.1.1 All equipment, vehicles, grounds and facilities now existing within the present property boundaries of or being used to operate the City of Fayetteville's Noland Water Resource Recovery Facility located at:

1400 North Fox Hunter Road
Fayetteville, Arkansas 72701

E.1.2 All equipment, vehicles, grounds and facilities now existing within the present property boundaries of or being used to operate the City of Fayetteville's West Side Water Resource Recovery Facility located at:

15 South Broyles Avenue
Fayetteville, Arkansas 72704

E.1.3 All equipment, grounds, and facilities now existing within the present fenced boundaries of wastewater lift stations described as follows:

SCADA NODE	LOCATION	Generator	Site Maintenance Only
WW1	978 E Zion Rd (Lowe's – Zion PS)	YES	
WW2	3500 E Mission Blvd (Timbercrest PS)	YES	
WW4	691 W Poplar St (Poplar PS - ABANDONED)		YES
WW5	3896 N Gregg Ave (Gregg Ave PS)	YES	
WW6	3021 N Old Wire Rd (Old Wire PS)	NO	
WW7	2065 N Sunshine Rd (Hamestring PS)	YES	
WW8	729 W North Street (North Street PS –ABANDONED)		YES
WW9	1236 N Porter Rd (Porter Rd PS)	NO	
WW10	716 N Futrall Dr (Futrall Dr PS)	YES	
WW11	4412 W 6th Street (Farmington East PS –ABANDONED)		YES
WW12	571 N Double Springs Road (Farmington West PS)	YES	
WW13	878 S Dead Horse Mountain Rd (Stonebridge PS)	YES	
WW14	1820 S Armstrong Ave (Industrial Park PS)	YES	
WW16	518 W Ernest Lancaster Dr (Airport North PS)	YES	
WW18	210 N Sandy (Greenland PS)	NO	
WW19	5716 E Norman Murphy Rd (Mally Wagon PS)	YES	
WW20	3212 N Highway 112 – (Trucker's Drive PS - ABANDONED)		YES
WW22	630 N Double Springs Rd (Owl Creek PS)	YES	
WW23	440 E Fairway Ln (Masters PS)	NO	

SCADA NODE	LOCATION	Generator	Site Maintenance Only
WW24	265 W Ernest Lancaster Dr (Airport East PS)	YES	
WW25	551 W Aster Ave (Willow West PS - Farmington)	YES	
WW27	1031 River Meadows Dr (Stonebridge Meadow Phase I PS)	YES	
WW28	1603 Plantation Ave (Heritage Village PS)	YES	
WW29	390 N Cato Springs Rd (Bohannon PS - Greenland)	NO	
WW32	478 N Durango Place (Silverthorne PS)	YES	
WW33	4644 N Crossover Rd (Stonewood PS - Copper Creek)	YES	
WW34	4572 S School Ave (Airport South PS)	YES	
WW35	3083 W MLK Blvd (Lowe's – 6th St PS)	YES	
WW36	1642 N Willowbrook Dr (Skyler Place PS)	YES	
WW37	3848 W Edgewater Dr (Clabber Creek PS - ABANDONED)		YES
WW38	3710 E Zion Rd (Copper Creek Phase II PS)	YES	
WW39	2392 N Kenswick Ave (Crofton Manner PS)	YES	
WW40	1811 S Cherry Hills Dr (Stone Bridge Meadow Phase II PS)	YES	
WW41	1608 S Springlake Dr (Crescent Lake PS)	YES	
WW44	6061 Dot Tipton Rd (Legacy Pointe Phase 4 PS)	NO	
WW45	4451 N Waterside Ct (Timberlake Office Park PS)	YES	
WW46	3788 E Spyglass Hill Dr (Stonebridge Meadows Phase V PS)	YES	
WW47	3601 E Albright Rd (Embry Acres PS)	YES	
WW48	2435 S Dead Horse Mountain Rd (McDonald PS)	YES	
WW49	3393 E Goff Farm Rd (Meadows PS)	YES	
WW52	485 N Broyles Ave (Broyles Ave PS)	YES	
WW53	1396 Zion Rd (Office Park PS)	YES	

E.1.4 All equipment, grounds, and facilities now existing within the present property boundaries of or being used to operate the City of Fayetteville's Biosolids Management Site located east of the Noland Water Resource Recovery Facility across the White River.

E.1.5 All equipment, grounds, and facilities associated with or being used to complete routine O&M activities for the City of Fayetteville's Mitigated Wetlands Site now existing within the present property boundaries located north of the West Side Water Resource Recovery Facility. These service to include execution of seasonal Adaptive Management strategy including recommended herbicide applications, site maintenance & monitoring, monthly reporting, prescribed burn site preparations, land management BMP's to adjacent City of Fayetteville properties. Services to exclude permit compliance over-sight, permit reporting and prescribed burn scheduling & execution. The potable water SCADA system at the following locations:

SCADA NODE	LOCATION	DESCRIPTION
W1	215 W 24th St (South Mountain)	Pump Station
W2	844 N Crossover Rd (Hyland Park)	Pump Station
W4	1016 E Ash St	Pump Station
W5	707 E Rogers Dr	Pump Station
W6	456 E Baxter Ln	Ground Storage Tank (2 each)
W7	707 E Rogers Dr	Ground Storage Tank (2 each)
W8	133 N Sang Ave	Elevated Storage Tank
W9	1170 E South Skyline Dr	Elevated Storage Tank (Mt. Sequoyah)
W10	1044 E Township Rd	Elevated Storage Tank
W11	3280 W Judge Cummins Rd	Ground Storage Tank (2 ea) (Kessler Mountain)
W12	7001 E Mission (Highway 45 Valve	Pressure-Reducing Valve Station)
W13	1589 Fire Tower Road (Goshen)	Pump Station and Ground Storage Tank
W14	17301 Lake Sequoyah Rd (Round Mtn)	Pump Station
W15	14360 Round Mt Comm Church Rd	Stand Pipe County Rd #55 (Round Mountain)
W16	22032 Fire Tower Rd County Rd 4343	Stand Pipe (Benson Mountain)
W17	3265 N Gulley Rd	Elevated Storage Tank
W18	3788 N Gulley Rd	Pump Station
W19	3370 S Coach Rd	Pump Station
W20	2098 Woodcliff Rd (Springdale)	Surge Tank
W21	2210 N Old Wire Rd	Valve
W22	2800 N Old Missouri Rd	Flow Meter
W23	3385 N Par Ct	Valve
W24	3023 E Joyce Blvd	Valve
W25	2567 E Robinson (Springdale)	Valve
W27	17385 Blue Springs Rd (Goshen)	Pump Station
W28	17970 Lake Sequoyah Rd	Pump Station
W29	Beaver Water District	SCADA Interface
W30	1195 N. Canterbury Rd (Canterbury Tank)	Elevated Storage Tank
W31	2903 E. Flagstone Cir (Stonemountain)	Pump Station
WSOPC	2435 S Industrial Dr	Water & Sewer Ops Center
MTROB	12141 Ed Edwards Rd	Mt. Robinson Tower Site

E.1.6 Installation of the necessary Remote Terminal Units (RTUs) and equipment to acquire flow information from the collection system via SCADA. Flow monitoring devices (up to 17 remote locations) are scheduled to be installed by the City's Water and Sewer Division.

E.1.7 Provision and maintenance of RTUs at the following sites located in the City of Elkins, Arkansas:

SCADA NODE	LOCATION	DESCRIPTION
EW1		Lift Station
EW1		Ground Storage Tank

E.1.8 Maintenance of the odor control system associated with the following lift stations:

<u>LOCATION</u>	<u># OF CANISTERS</u>
LS #6 - 3021 N Old Wire Rd (Old Wire)	4
LS #7 - 2065 N Sunshine Rd (Hamestring)	7
LS #12 - 571 N Double Springs Road (Farmington West)	8
LS #22 - 630 N Double Springs Rd (Owl Creek)	2
LS #52 - 485 N Broyles Ave (Broyles Ave)	2

Appendix F

ENVIRONMENTAL PERMITS AND PROJECT CHARACTERISTICS

F.1 CH2M will operate Project so that effluent will meet the requirement of NPDES permit No. AR0020010 and AR0050288. CH2M shall be responsible for meeting the effluent quality requirements of City of Fayetteville's NPDES current permits unless one or more of the following occurs:

- The Project influent does not contain Adequate Nutrients to support operation of Project biological processes;
- Contains Biologically Toxic Substances which cannot be removed by the existing process and facilities;

The influent flow, influent BOD₅, and/or suspended solids exceeds the Project design parameters which are:

	Noland WRRF		West Side WRRF	
	Annual Average	Maximum Monthly Average	Annual Average	Maximum Monthly Average
Flow (MGD)	11.2	16.9	10.0	17.8
BOD (lbs/d)	26,370	27,960	14,595	18,853
TSS (lbs/d)	20,620	22,210	14,595	18,853

F.2 In the event any one of the Project influent characteristics, suspended solids, BOD₅, or flow, exceeds the parameters listed above, CH2M shall return the plant effluent to the characteristics required by the NPDES permit in accordance with the following schedule after Project influent characteristics return to within design parameters.

Characteristics Exceeding Listed Parameters By	Recovery Period Maximum
10% or Less	5 days
> 10% but < 20%	10 days
20% and Above	30 days

Notwithstanding the above schedule if the failure to meet effluent quality limitations is caused by the presence of Biologically Toxic Substances or the lack of Adequate Nutrients in the influent, then CH2M will have a thirty (30) day recovery period after the influent is free from said substances or contains Adequate Nutrients.

F.3 CH2M shall not be responsible for fines or legal action as a result of discharge violations within the period that influent exceeds design parameters, does not contain Adequate Nutrients, contains Biologically Toxic Substances (that exceed process inhibiting levels or creates concentrations exceeding application or discharge limitations), and the subsequent recovery period.

F.5 The estimate Costs for services under this Agreement are based upon the following Project

characteristics:

Annual Average	Noland WRRF	West Side WRRF
Flow (MGD)	6.5	8.3
BOD (lbs/d)	15,353	12,856
TSS (lbs/d)	9,890	13,527

The above characteristics are the actual twelve (12) months average prior to the date services are first provided under this Agreement. Any change of 10 percent (10%) or more in any of these characteristics, based upon a twelve (12) month moving average, may constitute a change in scope.

F.6 The current applicable environmental permits are as follows:

Permit	AFIN No.	Permit No.	Expiration Date
NPDES - Noland	72-00781	AR0020010	02/28/2018
NPDES - West Side	72-01033	AR0050288	11/30/10
No Discharge Permit – Biosolids Management Site & Noland	72-00829	4748-WR-3	08/01/2020
Air - Hamestring	72-01873	2179-A	N/A
Air - West Side	72-01033	2178-A	N/A
Stormwater No Exposure Certification (NEC) - Noland	72-00781	Tracking No. ARR00C377	06/30/19
Stormwater No Exposure Certification (NEC) - West Side	72-01033	Tracking No. ARR000390	06/30/19

Appendix G

INDUSTRIAL WASTE DISCHARGES AND MONITORING PROGRAM

- G.1 CH2M shall: Administer the Industrial Pretreatment Program in accordance with 40 CFR 403. Administration shall include:
- G.1.1 Maintain the industrial waste sampling and analysis program for pretreatment and surcharge, as described in G.3.
 - G.1.2 Monitor the compliance status of the current Significant Industrial Users (SIU's) through sampling, analysis, inspection, and record reviews. Recommend appropriate enforcement action to City of Fayetteville.
 - G.1.3 Receive, review and act upon reports and notification from industrial users.
 - G.1.4 Prepare notice of violations and other enforcement documentation for City of Fayetteville signature in accordance with the Enforcement Response Plan in the State approved Industrial Pretreatment Program.
 - G.1.5 Track, determine, and publish industrial users in significant noncompliance.
 - G.1.6 Draft new, revised, and renewal industrial waste discharge permits for the SIU's for City of Fayetteville signature.
 - G.1.7 Conduct an Industrial Waste Survey periodically to identify new, or significant, industrial users in Fayetteville and in cities with which Fayetteville has inter-jurisdictional agreements for waste treatment.
 - G.1.8 Assist City of Fayetteville with review and revision of local limits, the sewer use ordinances, the pretreatment program, and inter-jurisdictional agreements.
 - G.1.9 Prepare for City of Fayetteville signature and submit the Industrial Pretreatment annual report.
 - G.1.10 Maintain all industrial monitoring records for at least three (3) years.
 - G.1.11 Maintain open communication with the SIU's.
 - G.1.12 Keep City of Fayetteville informed of pretreatment activities and changes in regulatory requirements.
- G.2 Significant costs due to new or changed Federal, State or local regulations shall cause a change of contract scope.
- G.3 Industrial Waste Dischargers and Monitoring Program in City of Fayetteville, AR:

Industry	Parameters Analyzed
Ayrshire Electronics, LLC 1101 S. Beechwood Fayetteville, AR 72701	None (Best Management Practices)
Custom Powder Coating Services, Inc. 1629 W. Farmington St. Fayetteville, AR 72701	Cadmium, chromium, copper, lead, nickel, silver, zinc, cyanide

Industry	Parameters Analyzed
Elkhart Products Corporation 3265 Highway 71 South Fayetteville, AR 72701	Chromium, copper, lead, nickel, zinc, oil & grease
Hiland Dairy Company 301 E. 15 th Street Fayetteville, AR 72701	Biochemical oxygen demand, total suspended solids, phosphorus, pH, oil & grease
Marshalltown Company 2200 Industrial Drive Fayetteville, AR 72701	Cadmium, chromium, copper, lead, nickel, silver, zinc, cyanide
Pinnacle Foods Corporation 1100 W, 15 th Street Fayetteville, AR 72701	Biochemical oxygen demand, total suspended solids, phosphorus, pH, oil & grease
Superior Industries International Arkansas, LLC 1901 Borick Drive Fayetteville, AR 72701	Cadmium, chromium, copper, lead, nickel, silver, zinc, cyanide
Tyson Mexican Original, Inc. 2615 S. School Fayetteville, AR 72701	Biochemical oxygen demand, total suspended solids, phosphorus, pH, oil & grease

Appendix H

VEHICLE AND MOBILE EQUIPMENT DESCRIPTION (ROLLING STOCK)

Unit #	Unit Description	Location	Year
85U	1998 Ford F-800 Flatbed	Biosolids Management Site	1998
325U	Ford F350 Super Duty, Reg. Cab	Biosolids Management Site	2000
376	Ford F550 Super Duty/Crane, Crew Cab	Biosolids Management Site	2012
382	Ford F550 Super Duty/Crane, Crew Cab	Biosolids Management Site	2015
387	Ford F-350, Flatbed	Biosolids Management Site	2016
388	Ford F-350, Flatbed	Paul R Noland	2016
566	Ford/New Holland LS55 Lawn Tractor	Biosolids Management Site	1999
570	New Holland 8670 Tractor	Biosolids Management Site	2000
696	Caterpillar 420E Backhoe	Biosolids Management Site	2012
741U	Mack Semi Tractor	Biosolids Management Site	1996
748U	Freightliner M2-112 Dump Tandem Axle	Biosolids Management Site	2006
751	Sterling LT9500 Semi Tractor	Biosolids Management Site	2006
766	Kenworth T800 Semi Tractor	Biosolids Management Site	2011
768	Kenworth T470 (Spreader)	Biosolids Management Site	2012
770	Kenworth T800 Semi Tractor	Biosolids Management Site	2013
771	Kenworth T800 Semi Tractor	Biosolids Management Site	2013
818	Caterpillar P5000LP Forklift	West Side	2008
927	Parker 24' Gooseneck Trailer	Biosolids Management Site	1991
966	P.J. Trailer, 18FT	Biosolids Management Site	1996
969	LO-Boy 25T-36FT Trailer	Biosolids Management Site	1996
1092	Ford Explorer XLT	Sediment Removal Project	2002
1093U	Ford Explorer	Paul R Noland	2002
1274	Chevrolet Equinox	West Side	2014
2156	Chevy Colorado, 4X4	Paul R Noland	2012
5001	John Deere 6615 4X4 Tractor	Biosolids Management Site	2007
5002	John Deere 6615 4X4 Tractor	Biosolids Management Site	2007
5012	Ford/New Holland 4X4 T6030 Loader Tractor	Biosolids Management Site	2009
5022	Case Maxxum 125 4X4 Loader Tractor	Biosolids Management Site	2011
5024	R&R 35' Manure/Litter Conveyor	Biosolids Management Site	2011
5025	R&R 35' Manure/Litter Conveyor	Biosolids Management Site	2011
5030	New Holland H5920 Hay Rake	Biosolids Management Site	2011
5031	John Deere MOCO6030 Discbine	Biosolids Management Site	2012
5032	New Holland BR740 Round Baler	Biosolids Management Site	2012
5033	New Holland BB9060 Square Baler	Biosolids Management Site	2012
5034	Rhino R180 Cutter	Biosolids Management Site	2012
5037	New Holland BR7060 Round Baler	Biosolids Management Site	2012
5044	John Deere 630 Mower Conditioner	Biosolids Management Site	2014

5045	John Deere 630 Mower Conditioner	Biosolids Management Site	2014
5057	Ford/New Holland Workmaster 55 4X4 Tractor	Biosolids Management Site	2015
5058	Ford/New Holland T6.155 4X4 Loader Tractor	Biosolids Management Site	2015
5059	John Deere 615D 4X4 Loader Tractor	Biosolids Management Site	2015
5070	Meyer Spreader	Biosolids Management Site	2016
6000	John Deere Articulated Loader	Biosolids Management Site	2012
6018	Volvo MC135C Skid Steer	Biosolids Management Site	2016
9025	Volvo Penta 400 KW Generator	Lift Station12	2001
9034	Yale 5000# Fork Lift	Paul R Noland	2002
9088	Lufkin ULD-38 Trailer	West Side	2006
9111	Clement Star-Lite Trailer	Paul R Noland	2009
9124	Thompson 6" Diesel Power Pump/Trailer	Paul R Noland	2009
9142	Aulick 42' Belted Trailer	Biosolids Management Site	2011
9165	Clement Star-lite Trailer	Biosolids Management Site	2013
9166	Clement Star-lite Trailer	Biosolids Management Site	2013
9193	Clement Starlite End Dump Trailer	Biosolids Management Site	2015
9227	Clement Starlite End Dump Trailer	Biosolids Management Site	2016
	Parkson Electronic Mole – Billy	Biosolids Management Site	2011
	Parkson Electronic Mole – Cricket	Biosolids Management Site	2011
	Parkson Electronic Mole – Goofy	Biosolids Management Site	2011
	Parkson Electronic Mole – Jurgens	Biosolids Management Site	2011
	Parkson Electronic Mole – Tiny Tim	Biosolids Management Site	2011
	Parkson Electronic Mole – Trick	Biosolids Management Site	2011
	Portable Generator for Lift stations	Paul R Noland	2005

Appendix I

BASE FEE ADJUSTMENT

- I.1 Electrical costs will be adjusted by actual increases from power supplier.
- I.2 The Base Fee adjustment formula is as follows:

$$ABF = BF \times (1 + AF)$$

Where:

- BF = Base Fee specified in Appendix D
- ABF = Adjusted Base Fee
- AF = Adjustment Factor as determined by the formula:

$$AF = .5 (ECI + CPI)$$

- ECI = The twelve month percent change (from the third quarter of the prior year to the third quarter in the current year) in the Employment Cost Index for Total Compensation for Civilian Workers, Not Seasonally Adjusted as published by U. S. Department of Labor, Bureau of Labor Statistics in the Detailed Report Series ID: CIU1010000000000A.
- CPI = The twelve month percent change (from October of the prior year to October of the current year) in the Consumer Price Index for All Urban Consumers, Not Seasonally Adjusted as published by U.S. Department of Labor, Bureau of Labor Statistics in the CPI Detailed Report Series Id: CUUR000SA0.



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0030

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: C. 4

21 WEST, LLC COST SHARE:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH 21 WEST, LLC FOR THE INSTALLATION OF SEWER MAIN ALONG A PORTION OF MEADOW STREET BETWEEN WEST AVENUE AND GREGG AVENUE, WITH THE ESTIMATED AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$36,128.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,225.60

WHEREAS, 21 West, LLC, which will be developing property located at 21 West Avenue, has requested that the City share in the cost of constructing an 8-inch sewer main along a portion of Meadow Street between West Avenue and Gregg Avenue, a distance of approximately 270 feet; and

WHEREAS, the City of Fayetteville would benefit from the cost share as it will extend sewer service to an area in the core of the City that has never been served before and provide for ample future capacity which the City recognizes will be necessary for the area that is served by this sewer main; and

WHEREAS, § 51.113 of the Fayetteville City Code provides that “the City shall pay the excess material cost of facilities of a size larger than required to service subdivisions when such excess size is specified and required by the water and wastewater director for the general benefit of the sewerage system”; and

WHEREAS, waiving formal competitive bidding will save time and cost by utilizing the developer’s contractor who will be on-site installing the line for the developer’s project.

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 cost share agreement with 21 West, LLC for the installation of an 8-inch sewer main along a portion of Meadow Street between West Avenue and Gregg Avenue with the estimated amount to be paid by the City of Fayetteville not to exceed \$36,128.00, and further approves a project contingency in the amount of \$7,225.60.

City of Fayetteville Staff Review Form

2017-0030

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander

1/19/2017

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approval of a cost-share agreement between the City of Fayetteville and 21 West, LLC, to share the costs of installing a sewer main in Meadow Street between West Avenue and Gregg Avenue in the not-to-exceed amount of \$36,128.00 with a contingency fund not-to-exceed \$7,225.60 for a total of \$43,353.60.

Budget Impact:

5400.720.5700-5815.00

Water/Sewer

Account Number

Fund

04039.1

Water/Sewer Impact Fee Cost Sharing Project

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 1,270,594.00

Funds Obligated \$ 60,917.00

Current Balance \$ 1,209,677.00

Does item have a cost? Yes

Item Cost \$ 43,353.60

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 1,166,323.40

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Water & Sewer Committee

FROM: Tim Nyander, Utilities Director

DATE: January 19, 2017

SUBJECT: Cost Share Agreement with 21 West, LLC

RECOMMENDATION:

Staff recommends approval of a cost-share agreement between the City of Fayetteville and 21 West, LLC, to share the costs of installing a sewer main in Meadow Street between West Avenue and Gregg Avenue in the not-to-exceed amount of \$36,128.00 with a contingency fund not-to-exceed \$7,225.60 for a total of \$43,353.60. The estimated total cost of the project is \$72,256.00. The City's portion of the cost share is 50% of the estimated project cost, in the amount of \$36,128.00, plus the contingency.

BACKGROUND:

21 West, LLC has requested that the City share in the cost of installing an 8-inch sewer line along a portion of Meadow Street between West Avenue and Gregg Avenue, a distance of approximately 270 feet, so that 21 West, LLC may develop the property located at the SW corner of Meadow Street and West Avenue.

DISCUSSION:

Constructing this segment of 8-inch main will allow development of these properties and will also provide for ample future capacity which the City recognizes will be necessary for the area that is served by this sewer main.

BUDGET/STAFF IMPACT:

Funds for the City portion of work are available in the Water/Sewer Impact Fee Cost Sharing Project. The final actual cost is based on the bids received by the developer of this project.

ATTACHMENTS:

Staff Review Form
Cost Share Agreement
Exhibit A - Map of Area
Exhibit B – Cost Estimate

CONTRACTUAL AGREEMENT FOR
COST SHARE OF SEWER MAIN INSTALLATION COSTS

This Agreement, made and entered into on this ____ day of February, 2017, by and between the City of Fayetteville, Arkansas ("City") and 21 West, LLC ("21 West"), witnesseth:

WHEREAS, 21 West has requested that the City share in the cost of constructing an 8-inch sewer main along a portion of Meadow Street between West Avenue and Gregg Avenue, a distance of approximately 270 feet, so that 21 West may develop the property located at the southwest corner of Meadow Street and West Avenue; and

WHEREAS, constructing this segment of 8-inch sewer main will allow development of this property, will extend sewer service to an area in the core of the City that has never been served before, and will also provide for ample future capacity which the City recognizes will be necessary for the area that is served by this sewer main; and

WHEREAS, § 51.113 of the Fayetteville City Code provides that "the City shall pay the excess material cost of facilities of a size larger than required to service subdivisions when such excess size is specified and required by the water and wastewater director for the general benefit of the sewerage system."

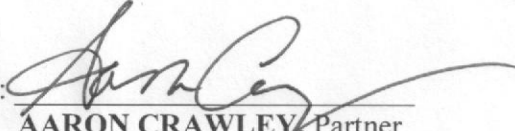
NOW, THEREFORE, the City of Fayetteville, Arkansas and 21 West, LLC agree as follows:

1. The City of Fayetteville, Arkansas agrees to:
 - A. Reimburse 21 West, LLC for 50% of the cost to install approximately 270 linear feet of 8-inch sewer main in the area identified in Exhibit "A" up to a maximum-not-to-exceed amount of **\$36,128** with a contingency fund not-to-exceed \$7,225.60, as was estimated by the builder's representative and shown on Exhibit "B", attached.
 - B. Payments due to 21 West, LLC, shall be remitted within sixty (60) days after receipt of valid invoices.
2. 21 West, LLC agrees to:
 - A. Provide the necessary and normal project management, inspection, and testing as necessary for a complete and acceptable sewer main installation, including submittal of plans and specifications to the City's Engineering Department, per their standard procedures.
 - B. Provide a copy of the invoices from the Contractor upon City approval of the water main upgrade.

- C. Pay for the sewer main installation (with reimbursement of 50% of the cost by the City of Fayetteville in a not-to-exceed amount of \$36,128.00 with a contingency fund not-to-exceed \$7,225.60).

IN AGREEMENT WITH ALL THE TERMS AND CONDITIONS ABOVE, WE SIGN BELOW:

21 WEST, LLC

By: 
AARON CRAWLEY, Partner

**CITY OF FAYETTEVILLE,
ARKANSAS**

By: _____
LIONELD JORDAN, Mayor

ATTEST:

By: 

ATTEST:

By: _____
SONDRA SMITH, City Clerk



[illegible]

CALAMON BUILDING CORPORATION

calamon@sbcglobal.net

December 22, 2016

Mr Tim Nyander, Utilities Director

City of Fayetteville

Fayetteville, AR

On behalf of our client (21 West LLC, PO Box 291, Fayetteville 72702), we are hereby requesting consideration for City cost-share of the required new sewer line installation under Meadow Street between West Avenue and Gregg Avenue. I have attached a site plan showing our intent to add two duplex townhouses to the property in keeping with the City's stated goals of infill and densification. I have also attached the preliminary engineered drawings of that sewer line, as prepared by Jorgensen and Associates. Lastly, I have attached bids from utilities contractors.

Please consider the following costs:

1. Calamon Building Corporation's cost to review plans, solicit and review bids, etc.

20 hours @ \$52.00	\$ 1,040
--------------------	----------

2. Jorgensen and Associates – cost for plans, construction staking, inspection, and as-built plans. **\$ 5,000**

3. Matt Wood Plumbing, low bid for installation of work per Jorgensen's plans and specifications **\$67,256**

4. Portable toilet costs \$ 170
Subtotal **\$73,466**



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0012

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: C. 5

CRUSE UNIFORMS AND EQUIPMENT, INC.:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING THROUGH DECEMBER 31, 2018 AND AUTHORIZE THE PURCHASE OF POLICE SERVICE WEAPONS AND HOLSTERS FROM CRUSE UNIFORMS AND EQUIPMENT, INC. IN THE AMOUNT OF \$109,237.00, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, the Police Department transitioned to Glock .40 caliber service weapons in May 2007 and they are reaching their safe and practical “end of life”; and

WHEREAS, Cruse Uniforms and Equipment, Inc., which serves as the City’s quartermaster for police department purchases including holsters pursuant to Resolution No. 250-13, is the only authorized law enforcement distributor of Glock weapons in Arkansas.

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 finds the above circumstances make competitive bidding not feasible or practical and therefore waives the requirements of formal competitive bidding and approves the purchase of police service weapons and holsters from Cruse Uniforms and Equipment, Inc. in the amount of \$109,237.00, and further waives the requirement of formal competitive bidding through December 31, 2018, as long as Cruse Uniforms and Equipment, Inc. remains the only authorized distributor of Glock service weapons in Arkansas.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to the City Council Agenda Memo, in the amount of \$18,000.00.

City of Fayetteville Staff Review Form

2017-0012

Legistar File ID

2/7/2017

**City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item**

Greg Tabor, Chief of Police

1/13/2017

Police /
Police Department
Division / Department

Submitted By

Submitted Date

Action Recommendation:

Staff recommends approval of a bid waiver authorizing the replacement and inventory of police service weapons and holsters from Cruse Uniforms and Equipment in the amount of \$109,237 and a budget adjustment in the amount of \$18,000. Furthermore, staff requests extension of this bid waiver for future purchases of weapons as long as Cruse Uniforms and Equipment is the only authorized law enforcement distributor of said weapons for the state of Arkansas.

Budget Impact:

4470.200.8200 / 1010.200.2920-5210.00

Sales Tax Capital / General

Account Number

Fund

15013-1 / 39022-2015 / 33046-1

Police Weapon Replacement

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 105,237.00

Funds Obligated \$ 14,000.00

Current Balance **\$ 91,237.00**

Does item have a cost? Yes

Item Cost \$ 109,236.37

Budget Adjustment Attached? Yes

Budget Adjustment \$ 18,000.00

Remaining Budget **\$ 0.63**

V20140710

Previous Ordinance or Resolution # 250-13

Original Contract Number: _____

Approval Date: _____

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 7, 2017

TO: Mayor Lioneld Jordan and City Council
FROM: Greg Tabor, Chief of Police 
DATE: January 10, 2017
SUBJECT: Police Department Scheduled Weapons Replacement

RECOMMENDATION:

Staff recommends approval of a bid waiver authorizing the replacement and inventory of police service weapons and holsters from Cruse Uniforms and Equipment in the amount of \$109,237 and a budget adjustment in the amount of \$18,000. Furthermore, staff requests extension of this bid waiver for future purchases of weapons as long as Cruse Uniforms and Equipment is the only authorized law enforcement distributor of said weapons for the state of Arkansas.

BACKGROUND:

The department transitioned to Glock .40 caliber weapons in May of 2007. The department currently issues Glock Model 35, Glock Model 23c, and Glock Model 27 weapons to its officers depending on assignment. This purchase is a scheduled replacement, funded by the Capital Improvement Program, Justice Assistance Grant (JAG), and Federal Forfeitures.

DISCUSSION:

The current issued weapons will be ten years old, and have had thousands of rounds fired through them. They are reaching their safe and practical "end of life". Glock is currently manufacturing the fourth generation pistols, which contain the most current advancements and technologies. Cruse Uniforms and Equipment is the only authorized law enforcement distributor of Glock weapons for the state of Arkansas. Also, Cruse Uniforms and Equipment is allowing trade in value of our current inventory of used weapons, which would offset a portion of the cost of the new pistols.

The current holsters were developed ten years ago and the safety technology is dated. The replacement holsters contain newer and more advanced safety retention capabilities. Cruse Uniforms and Equipment was awarded the current quartermaster contract for police department purchases including holsters via City Council Resolution #250-13.

BUDGET/STAFF IMPACT:

There will be three funding sources for this purchase including \$58,000 from CIP Police Weapons Replacement (project #15013-1), \$15,000 from 2015 JAG Local Solicitation Grant (project #39022-2015), and \$36,237 from federal forfeitures (project #39046-1) for a total purchase price of \$109,237 including tax and trade-in allowances. There is no staff impact associated with this purchase.

Attachments:

Budget Adjustment
Quote – Cruse Uniforms & Equipment
Resolution #250-13
Glock – Sole Source Distributor Letter

CRUSE UNIFORMS & EQPT.-SPDL.
1048 S. 48TH STREET - SUITE C
SPRINGDALE, AR 72762
(479) 756-8182 Fax #: 756-1225

01/11/17

HOLSTERS
FAYETTEVILLE P.D.
100-A ROCK ST.

FAYETTEVILLE AR 72701
479-587-3555

Dear Sirs:

Please accept this correspondence as our quote on the following:

QUOTE # 701113

-- ITEM #	----- DESCRIPTION	----- QTY.	- UNIT PRICE	- EXTENSION -
1 PG35502	GLOCK PISTOL .40 FIXED SIGHTS	108	432.00	46,656.00
2 PG23502	GLOCK 23 GEN 4 FIXED SIGHTS	55	357.00	19,635.00
3 PG27502	GLOCK 27 GEN 4 FIXED SIGHTS	41	357.00	14,637.00
4 GL446	SPARTAN OPERATOR GLOCK 17,22	253	90.00	22,770.00
5 UGUN-280	USED GUN TRADE IN GL35	-113	280.00	-31,640.00
6 UGUN-280	USED GUN TRADE IN GL23C	-37	280.00	-10,360.00
7 6360-6832481	HOLST RH STXBW G34,35 W/LGT	100	104.50	10,450.00
8 6360-6832131	HOLST RH FINE-TAC G34,35 W/LGT	100	104.50	10,450.00
9 6360-2832481	HOLSTER RH STXBW G19 W/LIGHT	50	104.50	5,225.00
10 6360-2832131	HOLSTER RH STX G19 W/LIGHT	50	104.50	5,225.00
11 GAL-AG	ANKLE GLOVE SPECIFY WEAPON	33	57.00	1,881.00
12 N38BJE120	DS THE NEMESIS G26 9MM	21	16.99	356.79
13 061BJG120	DS BELLY BAND HOLSTER SM 24-30	11	28.00	308.00
14 106NAE120	DS SOF-TUCK RH GLOCK 27 TAN	9	23.00	207.00

Total of lines with quantities only: 831 137,800.79

Estimated Sales Tax on lines with quantities only: (070/.0975) 13,435.58

Thank you for allowing us this opportunity to serve you.

This quote is valid for up to 30 days.

TRADE VALUE - 151,236.37

Sincerely,

TOTAL DUE 42,000.00

STEPHANIE NICCUM

Store Manager

CRUSE UNIFORMS & EQUIPMENT INC.

RESOLUTION NO. 250-13

A RESOLUTION AWARDDING RFP #13-17 AND APPROVING A CONTRACT WITH CRUSE UNIFORM AND EQUIPMENT, INC. TO SERVE AS QUARTERMASTER FOR THE POLICE 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 RFP #13-17 and approves a contract with Cruse Uniform and Equipment, Inc. to serve as quartermaster for the Police Department.

PASSED and APPROVED this 17th day of December, 2013.

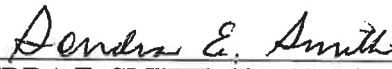
APPROVED:

ATTEST:

By:


LIONEL JORDAN, Mayor

By:


SONDRA E. SMITH, City Clerk/Treasurer



www.glock.com	GLOCK, Inc.	USA	
	6000 Highlands Parkway Smyrna, GA 30082 USA Tel. +1 770 432 1202 Fax +1 770 433 8719		

Fayetteville Police Department
Attn: Willie Newman, Purchasing
100-A West Rock Street
Fayetteville, AR 72701

your reference	dated	our reference	Smyrna, 05-Janauary-2017
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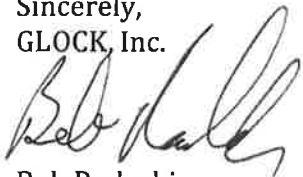
Re: Sole Source and Distribution Letter

Dear Mr. Newman:

Please be advised, Cruse Uniforms, located at 1201 Barrow Road Little Rock, Arkansas 72205, is the only authorized law enforcement distributor of GLOCK pistols for the State of Arkansas, and is the sole source for procurement purposes of GLOCK weapon systems by law enforcement agencies located in Arkansas.

The GLOCK Distributor will handle with your agency all communications regarding pricing, terms and conditions, as well as the trade in, if any, of your out of commission firearms towards partial payment of the new GLOCK pistols.

Sincerely,
GLOCK, Inc.



Bob Radecki
National Sales Manager



J.W. Dorsey
Vice President

Budget Year	Division	Adjustment Number
2017	POLICE (200)	
	/Org2	
	Requestor: W. Newman	

Increase budget for the purchase of replacement and inventory of police service weapons/holsters, and decrease Tandberg Video Arraignment System due to new technology making this system obsolete.

	COUNCIL DATE:	2/7/2017
	LEGISTAR FILE ID#:	2017-0012
		Liz Hutchens
		1/20/2017 2:25 PM
	Budget Director	Date
	TYPE:	
	DESCRIPTION:	
	GLDATE:	
	POSTED:	/
RESOLUTION/ORDINANCE		

[illegible]



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0017

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: C. 6

RZN 16-5677 (3535 E. HUNTSVILLE RD./HARRIS):

AN ORDINANCE TO REZONE ABOUT 1.27 ACRES DESCRIBED IN REZONING PETITION 16-5677 LOCATED AT 3535 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY-FOUR UNITS PER ACRE TO R-A, RESIDENTIAL AGRICULTURE.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and legal description (Exhibit B) both attached to the Planning Department's memo from RSF-4, Residential Single Family, 4 Units per acre to R-A, Residential Agriculture.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

City of Fayetteville Staff Review Form

2017-0017

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jeremy Pate

1/20/2017

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 16-5677: Rezone (3535 E. HUNTSVILLE RD./HARRIS, 529): Submitted by BLEW & ASSOCIATES for property at 3535 E. HUNTSVILLE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 1.27 acres. The request is to rezone the property to R-A, RESIDENTIAL AGRICULTURE.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

MEETING OF FEBRUARY 7, 2017

TO: Mayor, Fayetteville City Council

THRU: Andrew Garner, Planning Director

FROM: Harry Davis, Current Planner

DATE: January 20, 2017

SUBJECT: **RZN 16-5677: Rezone (3535 E. HUNTSVILLE RD./HARRIS, 529):**
Submitted by BLEW & ASSOCIATES for property at 3535 E. HUNTSVILLE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 1.27 acres. The request is to rezone the property to R-A, RESIDENTIAL AGRICULTURE.

RECOMMENDATION:

The City Planning staff and Planning Commission recommend approval of an ordinance to rezone the subject property to R-A, Residential Agriculture, as shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:

The subject property totals 1.27 acres within the City of Fayetteville and is located on the north side of East Huntsville Road between Stonebridge Road and the west fork of the White River. Approximately 3.0 acres of the property extends into the county. The portion of this proposal within the City of Fayetteville is zoned RSF-4, Residential Single-family, 4 Units per Acre. On the portion of land located outside the City of Fayetteville, and combined with a larger parcel, Washington County recently approved a Conditional Use and Large Scale Development for a mini-storage facility.

Request: The applicant's original request was to rezone the subject property from RSF-4, Single-family Residential, 4 Units per Acre to CS, Community Services. The applicant's main reason to rezone the property is to allow a freestanding or monument commercial sign on the property for an approved mini-storage development on the same lot in the county. After the Planning Commission expressed opposition to the applicant's CS request, the applicant agreed to modify their request to R-A.

Land Use Compatibility: R-A is an appropriate zone that has similar and compatible uses to nearby existing properties. Surrounding land use is generally rural, undeveloped, single-family homes, or a trailer park, with a 700-square foot non-conforming restaurant adjacent to the east.

Land Use Plan Analysis: R-A meets the intent of City Plan 2030 designation as Residential Neighborhood. The definition of a Residential Neighborhood area highlights a primarily residential nature with a variety of housing types of appropriate scale and context.

Although Residential Neighborhood encourages traditional neighborhood development with retail and offices on corners and along connecting corridors, this area of town is appropriate for low-density and rural land uses near-to or up-against Huntsville Road, a mostly rural highway. Furthermore, the context of development in this area is mostly rural or natural areas located between Fayetteville proper and the outlying Stonebridge and Elkins communities. New non-residential uses along this primarily rural, residential highway should generally be confined to corner locations whenever possible.

The county has approved a mini-storage for the portion of this property in the county. This pending development will change the character of land uses. However, this decision by the county does not necessitate allowing a full-scale commercial zoning on the remainder of the property in the city. The applicant's original request may result in a "spot zone" where an isolated area is zoned at odds with surrounding uses and the comprehensive land use plan of Fayetteville. The proposed R-A zoning would allow a 32-square foot monument sign as desired by the applicant while preserving the integrity of the City's adopted land use goals and policies.

DISCUSSION:

On January 9, 2016 the Planning Commission discussed the proposal and could not support CS, Community Services. The Commission discussed R-A, Residential Agriculture as an alternative, which the applicant approved. The proposal forwarding R-A, Residential Agriculture to City Council with a recommendation for approval passed by a vote of 8-0-0.

BUDGET/STAFF IMPACT:

N/A

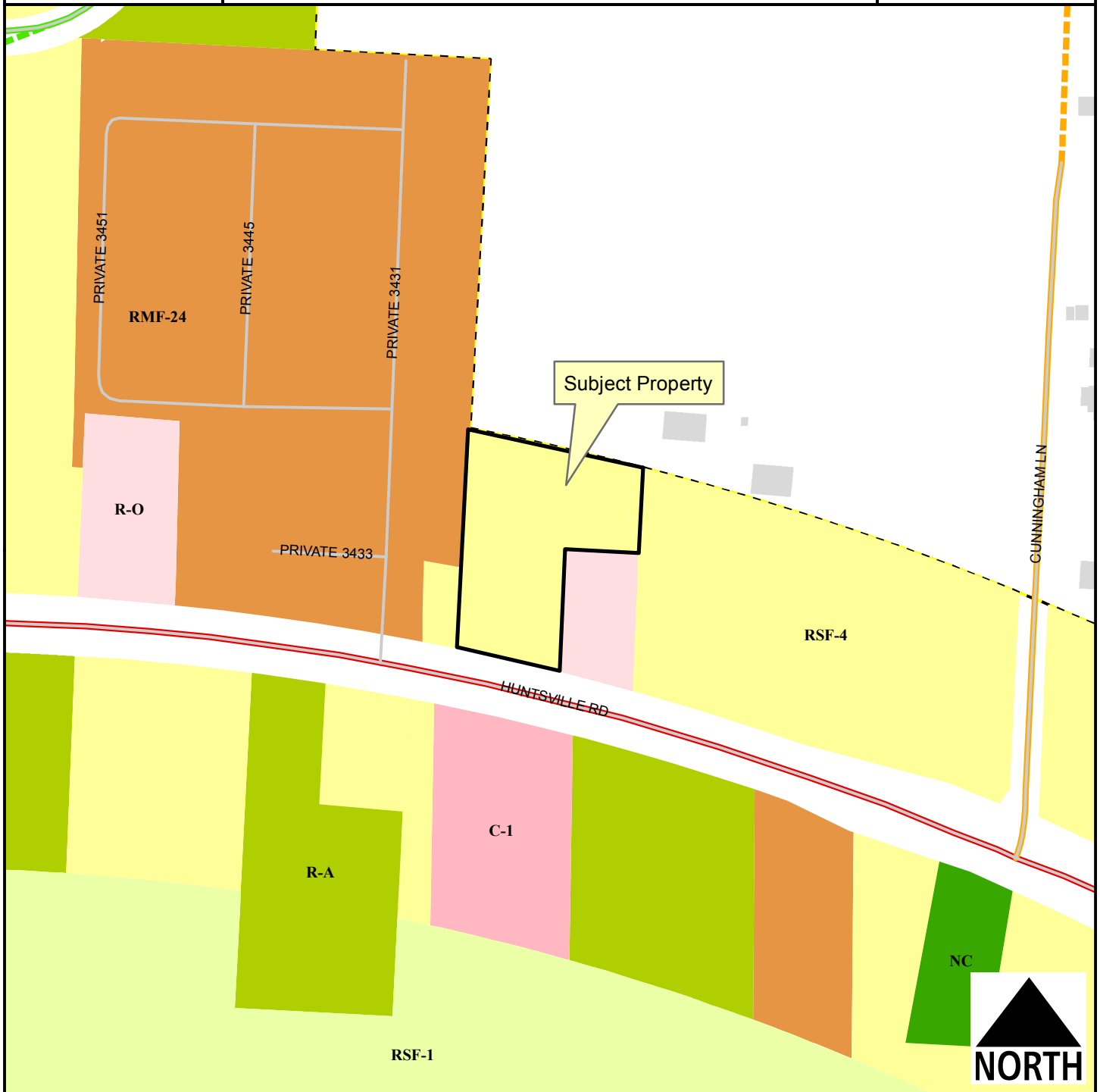
Attachments:

- Exhibit A
- Exhibit B
- Application
- Planning Commission Staff Report

RZN 16-5677

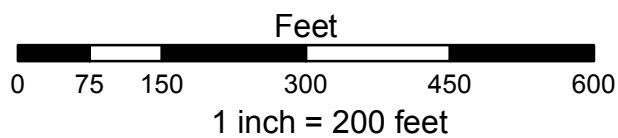
HARRIS

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Building Footprint



- Residential-Agricultural
- RSF-1
- RSF-4
- R-MF-24
- Residential-Office
- C-1
- Neighborhood Conservation

16-5677
EXHIBIT 'B'

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 13, TOWNSHIP 16 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SW1/4 OF THE SE1/4; THENCE WITH THE NORTH LINE OF SAID SW1/4 OF THE SE1/4 N87°05'11"W 546.01 FEET; THENCE LEAVING SAID NORTH LINE S02°54'31"W 549.83 FEET TO THE POINT OF BEGINNING, SAID POINT BEING LOCATED ON THE CITY LIMIT LINE OF THE CITY OF FAYETTEVILLE, ARKANSAS; THENCE S02°54'31"W 117.57 FEET TO A FOUND IRON PIN; THENCE N87°00'59"W 101.17 FEET TO A FOUND IRON PIN; THENCE S02°38'14"W 167.10 FEET TO A RAILROAD SPIKE FOUND ON THE NORTH RIGHT-OF-WAY LINE OF E. HUNTSVILLE ROAD / ARKANSAS STATE HIGHWAY NO. 16 (80' R/W); THENCE WITH SAID NORTH RIGHT-OF-WAY LINE N77°03'41"W 144.75 FEET TO A FOUND IRON PIN; THENCE LEAVING SAID RIGHT-OF-WAY LINE N02°55'32"E 299.71 FEET TO THE CITY LIMIT LINE OF THE CITY OF FAYETTEVILLE, ARKANSAS; THENCE WITH SAID CITY LIMIT LINE S77°38'56"E 246.16 FEET TO THE POINT OF BEGINNING, CONTAINING 1.27 ACRES, MORE OR LESS.

CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

FEE: \$325.00

Sign Fee: \$5.00

S-T-R:

PP#:

Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.
Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: _____ Applicant ☒ Representative

Applicant (person making request):

Name: Nathan & Jody Harris

Address: 18758 Duncan Road
Fayetteville, AR 72701

E-mail: Jodyleehubner@hotmail.com

Phone:
(479) 283-9859

()

Fax:

()

Representative (engineer, surveyor, realtor, etc.):

Name: Peter Farmer (Blew & Associates)

Address: 524 W. Sycamore Street, Suite 4
Fayetteville, AR 72703

E-mail: peter@blewinc.com

Phone:
(479) 419-5523

(501) 454-1153

Fax:

(479) 582-1883

Site Address / Location: 3530 E. Huntsville Road, Fayetteville, AR 72701

Current Zoning District: RSF-4

Requested Zoning District: C-1

Assessor's Parcel Number(s) for subject property: 756-14263-000 & 756-14262-000

FINANCIAL INTERESTS

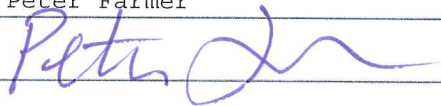
The following entities and / or people have financial interest in this project:

Nathan & Jody Harris (J&N Rent and Store, LLC)

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Peter Farmer

Date: 11/29/2016

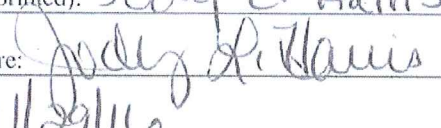
Signature: 

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. *(If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)*

Property Owners of Record (attach additional info if necessary):

Name (printed): Jody L. Harris

Address: 18758 Duncan Rd.
Fayetteville, AR 72701

Signature: 

Phone: (479) 283-9859

Date: 11/29/16

Name (printed):

Address:

Signature:

Phone:

Date:

()

Rezoning Checklist:

Attach the following items to this application:

- ✓ (1) Payment in full of applicable fees for processing the application:
 - \$325.00 application fee
 - \$5.00 public notification sign fee
- ✓ (2) A legal description of the property to be rezoned. A survey may be required if the property description can not accurately be platted or if it is described by referring to other deeds.
- ✓ (3) CD containing a copy of the legal description in MS Word and all required submittal items should be also included on the CD in PDF format.
- ✓ (4) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website (www.co.washington.ar.us). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.

✓ (5)

A *written description* of this request addressing the following items:

- a. Current ownership information and any proposed or pending property sales.
- b. Reason (need) for requesting the zoning change.
- c. Statement of how the proposed rezoning will relate to surrounding properties in terms of land use, traffic, appearance, and signage.
- d. Availability of water and sewer (state size of lines). This information is available from the City Engineering Division.
- e. The degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.
- f. Whether the proposed zoning is justified and/or needed at the time of the request.
- g. Whether the proposed zoning will create or appreciably increase traffic danger and congestion.
- h. Whether the proposed zoning will alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.
- i. Why it would be impractical to use the land for any of the uses permitted under its existing zoning classification.

✓ (6)

The applicant is responsible for meeting the public notification requirements for a Rezoning listed on the Notification Requirements pages in this application.

Notice: Resources including current zoning regulations, City Plan 2030, Future Land Use Plan, Master Street Plan and Zoning maps are available for review on our website, www.accessfayetteville.org and in the Planning Office.

All applicants should meet with a staff Planner prior to completing a Rezoning application.

PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Harry Davis, Planner

MEETING DATE: January 19, 2016 **UPDATED WITH PC RESULTS**

SUBJECT: **RZN 16-5677: Rezone (3535 E. HUNTSVILLE RD./HARRIS, 529):**
 Submitted by BLEW & ASSOCIATES for property at 3535 E. HUNTSVILLE RD . The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 1.27 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

RECOMMENDATION:

Staff recommends denial of **RZN 16-5677** based on the findings in this report.

BACKGROUND:

The subject property totals 1.27 acres within the City of Fayetteville and is located along East Huntsville Road north of Stonebridge Meadows. Approximately 3.0 acres of the property extends into the county. The portions of this proposal within the City of Fayetteville are zoned mostly RSF-4, Residential Single-family, 4 Units per Acre with a small portion zoned RMF-24, Residential Multi-family, 24 Units per. On the portion of land located outside the City of Fayetteville, and combined with a larger parcel, Washington County recently approved a Conditional Use and Large Scale Development for a mini-storage facility (see attached). Surrounding land use and zoning is depicted on *Table 1*.

Table 1 - Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Agricultural/Rural residential	Washington County Agri/RSF
South	Single-family homes	C-1, Neighborhood Commercial
East	The Bar-B-Q Place, Single-family homes	RSF-4, Residential Single-family, 4 units per acre; R-O, Residential Office
West	Trailer park	RMF-24, Residential Multi-family, 24 units per acre

Request: The request is to rezone the site (approximately 1.27 acres) from RSF-4 to CS as the applicant would like to place a freestanding commercial sign on the property for an approved mini-storage development on the same lot in the county. The applicant would also like the option to market the varying commercial aspects of the proposed CS zone to potential future buyers.

Public Comment: No public comment as of writing this report.

INFRASTRUCTURE:

- Streets:** The subject parcel has access to Huntsville Road, a 2-lane state highway with paved shoulders and open ditches. Huntsville Road is classified as a Major Arterial. Any street improvements required in these areas would be determined at the time of development proposal.
- Water:** Public water is available to this parcel. An 8" public water main exists in the Huntsville Road right of way along the parcel frontage.
- Sewer:** Public sewer is available to this parcel. A 6" public sewer main exists in the Huntsville Road right of way along the parcel frontage.
- Drainage:** Any additional improvements or requirements for drainage will be determined at time of development. No portions of this parcel are identified as 100-year FEMA regulated floodplains or floodways. No portions of these parcels lie within the Hillside-Hilltop Overlay District. No protected streams are present on this parcel.
- Fire:** The Fire Department has not commented on this proposal.
- Police:** The Police Department has not commented on this request.

CITY PLAN 2030 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates the properties within the proposed rezone as **Residential Neighborhood Areas**.* Such areas are primarily residential in nature and support a variety of housing types of appropriate scale and context, including single family, multifamily and rowhouses. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhood, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features in the natural environment.

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: ***Land Use Compatibility:*** The proposed zoning is largely incompatible with nearby properties. Commercial uses permitted in CS such as eating places, offices, retail limited to 25,000 square feet, gas-stations, and small-scale production are generally incompatible with current or uses in the surrounding zoning when considering potential intensities of these uses. Surrounding land use is generally undeveloped, single-family homes, or a trailer park, with a 700 sq ft. restaurant adjacent to the east that is an existing non-conforming use that was constructed as a non-residential building approximately 30 years ago. The current contextual landscape around this proposal does not allow for intense commercial to be compatible.

The maximum height of 56 feet in CS is lower than RMF-24 and R-O, which have a maximum of 60 feet, but taller than the allowed 45 feet in RSF-4. This rezone proposal would therefore be strictly compatible in height to nearby districts.

Land Use Plan Analysis: The proposed zoning is incompatible with the Future Land Use Map (FLUM). The definition of a Residential Neighborhood area highlights a primarily residential nature with a variety of housing types of appropriate scale and context. CS has the widest range possible of residential uses, but it also introduces such a broad range of potential commercial uses with variable intensities that render it unable to meet the intent of our 2030 Future Land Use Map.

Although Residential Neighborhood also encourages traditional neighborhood development with retail and offices on corners and along connecting corridors, this area of town would be particularly inappropriate for dense and intense development located near-to or up-against Huntsville Road, a mostly rural highway. Furthermore, the context of development in this area is mostly rural or natural areas located between Fayetteville proper and the outlying Stonebridge and Elkins communities, which would be out of place for intense commercial and dense multi-family development allowed by-right in CS. New non-residential uses along this primarily rural, residential highway should generally be confined to corner locations whenever possible.

The county has approved a mini-storage for the portion of this property in the county. This pending development will change the character of land uses. However, this decision by the county does not necessitate allowing a full-scale commercial zoning on the remainder of the property in the city. The applicant's request may result in a "spot zone" where an isolated area is zoned at odds with surrounding uses and the comprehensive land use plan of Fayetteville. As discussed in subsequent findings, there are other zoning options that would allow a freestanding sign for the mini-storage development, while still being compatible with surrounding land uses and City Plan 2030.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: The applicant has requested the zoning change in order to place a sign for an approved development and market the remaining land in the city with a wide range of possible uses.

As the site currently exists, RSF-4 is the correct and appropriate zoning for the property, based on its context in a rural/suburban setting and the Future Land Use Map designation as Residential Neighborhood. From that point of view, this rezoning is not well justified when comparing it to the intensity and development pattern of projects found in CS zones.

In considering a more appropriate zone for this property that would allow the applicant to place their sign on the property while still meeting the intent of

Residential Neighborhoods in our Future Land Use Map, a possible zoning district solution is R-A, Residential Agriculture. R-A allows for a free-standing, commercial sign, which is one of the desired outcomes of this rezone proposal. This district allows single-family homes, so it would be relatively close in keeping with the intent of our Future Land Use Map and contextually appropriate to the character of nearby properties.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: The site has direct access to Huntsville Road. CS zoning would allow greater and more diverse residential and non-residential uses by right, which would increase traffic and significantly increase the number of dangerous left-hand turning movements without a turn lane compared to the existing use and zoning. Huntsville Road has adequate capacity to handle increased traffic, however daily turning movements into a commercial business at this location may be dangerous.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: Rezoning the property from RSF-4 to CS would allow a greater density and has the potential to undesirably increase the load on public services more than what is already offered in the existing district. However, this area has access to public services and the requested zoning should not cause significant effects.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
 - a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

RECOMMENDATION: Staff recommends denial of **RZN 16-5677** based on the findings discussed throughout this report.

BUDGET/STAFF IMPACT:

None

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>January 9, 2016</u>	☐ Tabled	☒ Forwarded	☐ Denied
Motion: Hoskins	Motion to forward with recommendation of		
Second: Cook	R-A		
Vote: 8-0-0	Motion passes		

Attachments:

- Unified Development Code sections 161.07 & 161.20
- Request letter
- Mini-storage in Washington County approval
- Fayetteville Planning Department comments on Mini-storage
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

- **161.07 - District RSF-4, Residential Single-Family - Four (4) Units Per Acre**

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses .*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional Uses .*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet

Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations .*

Building Height Maximum	45 feet
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Height Regulations. Structures in this District are limited to a building height of 45 feet. Existing structures that exceed 45 feet in height shall be grandfathered in, and not considered nonconforming uses.

(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11)

• **161.20 - Community Services**

(A) *Purpose.* The Community Services District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas and is intended to provide for adaptable mixed use centers located along commercial corridors that connect denser development nodes. There is a mixture of residential and commercial uses in a traditional urban form with buildings addressing the street. For the purposes of Chapter 96: Noise Control, the Community Services district is a commercial zone. The intent of this zoning district is to provide standards that enable development to be approved administratively.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 13	Eating places
Unit 15	Neighborhood Shopping goods
Unit 18	Gasoline service stations and drive-in/drive through restaurants
Unit 24	Home occupations
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development
Unit 45	Small scale production

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services

Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Dwelling	18 feet
All others	None

(2) *Lot Area Minimum.*None.

(E) *Setback regulations.*

Front:	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.
Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	56 feet
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(G) *Minimum Buildable Street Frontage.*50% of the lot width.

Rezoning written request:

To Fayetteville Planning Commission Members:

SUBJECT: Property Rezone

OWNER:

J&N Rent and Store, LLC
18758 Duncan Road
Fayetteville, AR 72701

- a. The current owner of the two properties is J&N Rent and Store, LLC as listed above. The current properties have no pending sales at this time.
- b. This rezone is being requested to change the property from RSF-4 Residential Single Family to CS Community Services. The site consists of two parcels, both parcels are located on the North side of Hwy 16 and are located within Fayetteville City Limits. Both parcels have frontages along the right-of-way of Hwy 16. The requested rezone will give greater flexibility regarding permitted uses. This flexibility will give the future developer of the site the ability to more closely mirror surrounding property use types as growth occurs along this commercialized corridor.
- c. The proposed rezone will align with the adjacent properties and lies on a commercialized corridor that is mixed residential, commercial, and agricultural zonings. The rezone request fits with the purpose definition as it is stated in Fayetteville's UDC for Community Services "designed primarily to provide convenience goods and personal services for persons living the surrounding residential areas and is intended to provide for adaptable mixed use centers located along commercial corridors that connect denser development nodes.". The property directly to the South across Hwy 16 is currently zoned C-1. The property to the East is currently zoned R-O and operates as a commercial restaurant. The property to the West is a mobile home park that is currently zoned RMF-24. See included exhibit showing the current zoning of the surrounding properties.

In regards to the land use, appearance, and signage the property will follow the ordinances of the City of Fayetteville. In regards to traffic, a small commercial development will not impact Hwy 16 traffic significantly.

- d. The City of Fayetteville does have a water line and two sewer mains along the property frontage in the right-of-way of Hwy 16. The existing water line is an 8" Pipe. The existing sewer mains include a 36" and 42" pipe. See included exhibit showing existing water and sewer lines.
- e. The proposed land use map 2030 has this property listed as "Residential Neighborhood Area". See included exhibit showing the Future Land Use Map. The proposed zoning does not entirely align with the future land use map. Although the property lies within a future "Residential Neighborhood Area" it does have frontage along Hwy 16, which is a commercialized corridor. As such, the proposed zoning of CS does fit with defined purposed under the UDC as the design is intended to provide a service to surrounding residents in the neighborhood. The zoning choice was determined after meeting with staff to determine the most compatible zoning type for this property based on need and the surround zoning types. This frontage makes this site the ideal location to allow for a zoning of this type.

- f. The proposed rezone to CS is justified for this property as it fits the surrounding properties zoning. Also, the properties lie on a major corridor that will become increasingly more commercialized as Fayetteville's growth expands outward. After meeting with Staff, we feel this is the most appropriate zoning type for this property.
- g. The proposed rezoning will create an increase in traffic similarly to properties of the same zoning type and size and will not significantly impact Hwy 16 capacity.
- h. The proposed zoning will have an overall decrease to the population density.
- i. It would be impractical to use the property under its current zoning due to multiple constraints preventing a feasible site layout for single family residential developments. The property currently has an existing 50 ft. utility easement running diagonally across the site for the 36" and 42" sewer transmission lines. Factoring this in along with the size and shape of the property, it would not allow for a functional development of residential homes as it is currently zoned for. This site's shape and location make it ideal for a commercial development as it has frontage along a commercialized corridor and allow for the entire property to be utilized more efficiently. Additionally, the existing 50 ft. utility easement that crosses the property could be utilized to provide necessary parking for a commercial development.



WASHINGTON COUNTY, ARKANSAS
Planning Office

Date: 11/28/2016

To: COMBS, SHIRLEY

cc/ Blew Associates , engineers@blewinc.com
cc/ Jody Hubner Harris, jodyleehubner@hotmail.com
cc/ Mathew Wendt, superintendent@fayar.net, (Fayetteville School Tech and PB group)
cc/ Harley Hunt, hhunt@fayetteville-ar.gov
cc/ Sue Madison, smadison@co.washington.ar.us
cc/ Butch Pond, bpond@co.washington.ar.us
cc/ Harley Hunt, hhunt@fayetteville-ar.gov
cc/ Andrew Garner, Agarner@fayetteville-ar.gov , (Fayetteville Planning Tech and PB Email Group)
cc/ Shane Wood, swood@roundmttnfire.kscoxmail.com
cc/ Steven Thompson, steven.thompson@cox.com
cc/ Wes Mahaffey, WMahffey@ozarksecc.com; (Ozark Electric PB and Tech Email Group)
cc/ Mike Kite, mike.kite@blackhillscorp.com; (Black Hills Corp PB and Tech Review Group List)
cc/ Tim Nyander, Tnyander@fayettville-ar.gov
cc/ Washington County Road Department
cc/ Arkansas Department of Health
cc/ Washington County Fire Marshal

From: Courtney McNair, Washington County Senior Planner

Re: 2016-325 Huntsville Rd Storage (Eastside Self Storage)

This letter is your official notification that the Conditional Use Permit application for the development known as Huntsville Rd Storage (Eastside Self Storage), located in S-T-R 13-16-30, was approved by the Washington County Planning Board / Zoning Board of Adjustments on 11-10-2016 and was ratified by the Quorum Court on 11-17-2016 with the below stated conditions.

Water/Plumbing/Fire Conditions:

1. Washington County Fire Marshal's Office requires that two hydrants be placed on site in order to meet State Fire Code. The hydrant in back to be brought up to the edge of the drive, out of the parking area in back, and put some concrete pillars around it so no one can hit it.
2. Fire extinguishers are required to meet 75 feet of travel distance. The extinguishers must be added to the LSD plans.
3. The applicant will be required to meet all City of Fayetteville standards in order to extend the water main to service the required hydrants.
4. The water line must be an 8-inch line all the way through the site, and loop offsite to the 8-inch line in the trailer park (not the 4" line). This will need to be updated on the plans.
5. All required easements must be obtained prior to construction plan approval.
6. The entrance gate is required to be siren activated.
7. The Siren Box needs to be set for 15 minutes (be in the stay in the open position for 15 minutes after activation). It must be in YELP mode. The applicant must contact the Fire Marshal for live test every three months per manufacture specifications.
8. No turn radius can be less than 38-feet throughout the proposal
9. No parking is allowed on the entrance drive.
10. In addition to the "no parking" signs shown on the plans, there should be a "no parking" sign on the gate itself, and additional areas may need to be marked if they must be kept clear for fire apparatus access.
11. All drives must be a minimum of 26-feet wide and must be compacted to support 75,000lbs in all weather conditions. A statement will be required at Final LSD regarding compaction.
12. Architect plans shall be submitted prior to construction. Must be reviewed and approved by the Washington County's Fire Marshal's Office.

Sewer/Septic Conditions:

1. No restroom facilities are approved with this proposal.
2. There must be no interference with the large sewer transmission line crossing the property.

Electric/Gas/Cable/Phone Conditions:

1. Generally, any damage or relocation of existing facilities will be at the owner's expense.
2. Ozarks Electric also commented that any power line extension that has to be built to the property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed. Ozarks also provided a diagram to the engineer that showed easements needed to supply power and keep existing utilities in the U.E. These have been updated on the plans.

Roads/Sight Visibility/Ingress-Egress/Parking Conditions:

1. A permit from the Arkansas Highway and Transportation Department (AHTD) is required prior to any work being completed in the right-of-way.

Drainage Conditions:

1. The Washington County Contract Engineer has reviewed the corrected drainage report for this project and had an additional comment, "Pre vs Post Study Point No 1 shows an increase of 6.54 cfs and decrease in flow at Study Point No 2 due to a portion of pre-development subbasin 2 being routed to the proposed detention area. A third study point should be considered downstream that incorporates the subbasins and any additional off-site areas to determine the overall pre vs post condition flows. This would account for routing water through all subbasins within the development and determining the peak flow leaving the site. See attached marked-up exhibits from the drainage report as an example for Study Point No 3."
2. This project must also comply with all City of Fayetteville requirements. A grading permit will be required through the City of Fayetteville for work on the proposed detention pond.

City of Fayetteville Engineering Conditions:

1. Part of this project is located within the City of Fayetteville city limits. The portion of this project proposed in the city limits includes the addition of approximately 22,000 square feet of new impervious surface. This portion of the project will be required to show compliance with the 4 minimum standards of the city's drainage criteria manual and will be required to submit a grading permit application for review and approval prior to start of work. The applicant should review the recent changes to the drainage manual located here prior to detailed design work: <http://www.fayetteville-ar.gov/DocumentCenter/Home/View/10546>.
2. The remaining portion of this project is located outside the city limits and should meet all drainage requirements per county standards. The portion of this project located in the county is proposed to drain back into the city limits, be detained in an earthen pond, and be released within the city limits. Therefore, the drainage design for the county portion of this project must be reviewed and approved as part of the grading permit for the city of Fayetteville as mentioned above to ensure compliance with county standards.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Signage/Lighting/Screening Conditions:

1. Additional lighting information is needed. In addition to an updated lighting diagram, staff has asked the applicant to indicate whether the lights will be on 24/7, or if they will be timed or motion activated.
2. All outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately.
3. The applicant must leave the existing vegetation intact on the north and east property lines
4. The applicant must leave a portion of the south property line vegetation intact, as indicated on the plans.
5. For screening purposes, the applicant must plant a screening buffer, along a 6-foot high chain-link fence on the east property line, as indicated in the plans.
6. A sign is proposed to be located within the City of Fayetteville portion of the site, near Highway 16 E. (Huntsville Road). The applicant is aware that this sign is contingent on City of Fayetteville rezoning approval, and that they must follow all City of Fayetteville requirements regarding the proposed sign.

Standard Conditions:

1. This project should be developed generally as stated in the applicant's CUP letter, as detailed on the plans, and with additional conditions proposed by staff. It is understood that there may be slight variations.
2. Pay neighbor notification mailing fees (\$185.85) within 30 days of project hearing. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 11/1/16).
3. Pay engineering fees. This total will be calculated at the Final LSD phase for this project once all invoices are received.
4. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
5. A statement from the applicant, owner, architect or engineer must be submitted prior to the building being occupied that says the building, parking, and access, are in compliance with all ADA regulations.
6. Hours of operation must be generally as stated (7:00 am- 8:00 pm).
7. The Landscape Maintenance and Grounds-Keeping Maintenance Schedule must be generally followed as proposed.
8. This CUP must be ratified by the Quorum Court. No CUP is fully approved until it is ratified

- by the Quorum Court and the appeal period has passed.
9. The County Ordinance allows for an appeal period (for any party: applicant, neighbor, member of the public, etc) within 30 days of the Planning Board/ZBA approval. Even if the Quorum Court ratifies the CUP; the right of appeal remains until the 30 days has passed. If an appeal is filed within the 30 day period then a subsequent hearing will be scheduled and held by the Quorum Court.
 10. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
 11. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - o This project requires additional review (Subdivision or Large Scale Development), and therefore, the applicant must submit for Preliminary project review within 12 months of this CUP project's ratification.

Additional Conditions agreed upon by the applicant and neighbors:

1. Regarding the neighbors to the North:
 - Lighting: We ask that every possible effort be made to use a lighting design that keeps lighting on the site, thereby minimizing the lighting impacts to our property. Following our conversation with Nathan and visit to the site, we are more assured that the proposed lighting will be well contained to the site with the current design which locates lights at the corners of the buildings and directs the lighting in a downward cast.
 - Vegetative buffer and clearing: We request that every effort be made to minimize the removal of vegetation along our property boundary. We agree with the guideline of removing vegetation of 4" diameter or less, which has been applied to other property boundaries. We would like to see that same guidance applied along our property boundary as well. We had a great discussion with Nathan with regard to the vegetative buffer and he invited us to come out again when they begin working on the fencing to further provide input on the vegetative clearing. We sincerely appreciate his willingness to continue the conversation about the vegetative buffer.
 - Fencing: After meeting with Nathan, visiting the site and discussing the vegetative buffer options, we feel much more at ease about the fencing. We agree with the proposed 6' chain-link fence with Carolina jessamine planted as an additional vegetative buffer (on the north line in addition to the west line).
2. Regarding the neighbors to the East:
 - Prefer to be as close to the existing fence/property line as possible. Under-brush may be cut back, but large trees must be protected.
 - Prefer to have barbed wire on top for added security.
 - Keep the grading as close to three feet of fill or less to minimize impact to adjacent residences on the South / East side.

Courtney McNair, Washington County Senior Planner

cmcnair@co.washington.ar.us

The County Ordinance allows for an appeal period (for any party: applicant, neighbor, member of the public, etc) within 30 days of the Planning Board/ZBA approval. Even if the Quorum Court ratifies the CUP; the right of appeal remains until the 30 days has passed. If an appeal is filed within the 30 day period then a subsequent hearing will be scheduled and held by the Quorum Court. Please keep this in mind as you proceed with your project.



**WASHINGTON COUNTY, ARKANSAS
Planning Office**

Date: 11/28/2016

To: COMBS, SHIRLEY

cc/ Blew Associates , engineers@blewinc.com
cc/ Jody Hubner Harris, jodyleehubner@hotmail.com
cc/ Mathew Wendt, superintendent@fayar.net, (Fayetteville School Tech and PB group)
cc/ Butch Pond, bpond@co.washington.ar.us
cc/ Harley Hunt, hhunt@fayetteville-ar.gov
cc/ Andrew Garner, Agarner@fayetteville-ar.gov , (Fayetteville Planning Tech and PB Email Group)
cc/ Shane Wood, swood@roundmtfire.kscoxmail.com
cc/ Steven Thompson, steven.thompson@cox.com
cc/ Wes Mahaffey, WMahffey@ozarksecc.com; (Ozark Electric PB and Tech Email Group)
cc/ Mike Kite, mike.kite@blackhillscorp.com; (Black Hills Corp PB and Tech Review Group List)
cc/ Tim Nyander, Tnyander@fayettville-ar.gov
cc/ Washington County Road Department
cc/ Arkansas Department of Health
cc/ Washington County Fire Marshal

From: Courtney McNair, Washington County Senior Planner

Re: 2016-326 Huntsville Rd Storage (Eastside Self Storage)

This letter is your official notification that the Preliminary Large Scale Development application for the development known as Huntsville Rd Storage (Eastside Self Storage), located in S-T-R 13-16-30, was approved by the Washington County Planning Board / Zoning Board of Adjustments on 11-10-2016 with the below stated conditions.

Water/Plumbing/Fire Conditions:

1. Washington County Fire Marshal's Office requires that two hydrants be placed on site in order to meet State Fire Code. The hydrant in back to be brought up to the edge of the drive, out of the parking area in back, and put some concrete pillars around it so no one can hit it.
2. Fire extinguishers are required to meet 75 feet of travel distance. The extinguishers must be added to the LSD plans.
3. The applicant will be required to meet all City of Fayetteville standards in order to extend the water main to service the required hydrants.
4. The water line must be an 8-inch line all the way through the site, and loop offsite to the 8-inch line in the trailer park (not the 4" line). This will need to be updated on the plans.
5. All required easements must be obtained prior to construction plan approval.
6. The entrance gate is required to be siren activated.
7. The Siren Box needs to be set for 15 minutes (be in the stay in the open position for 15 minutes after activation). It must be in YELP mode. The applicant must contact the Fire Marshal for live test every three months per manufacture specifications.
8. No turn radius can be less than 38-feet throughout the proposal
9. No parking is allowed on the entrance drive.
10. In addition to the "no parking" signs shown on the plans, there should be a "no parking" sign on the gate itself, and additional areas may need to be marked if they must be kept clear for fire apparatus access.
11. All drives must be a minimum of 26-feet wide and must be compacted to support 75,000lbs in all weather conditions. A statement will be required at Final LSD regarding compaction.
12. **Architect plans shall be submitted prior to construction. Must be reviewed and approved by the Washington County's Fire Marshal's Office.**
13. **The Fire Marshal will inspect all improvements prior to the building being occupied.**

Sewer/Septic Conditions:

1. No restroom facilities are approved with this proposal.
2. There must be no interference with the large sewer transmission line crossing the property.

Electric/Gas/Cable/Phone Conditions:

1. Generally, any damage or relocation of existing facilities will be at the owner's expense.
2. Ozarks Electric also commented that any power line extension that has to be built to the property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed. Ozarks also provided a diagram to the engineer that showed easements needed to supply power and keep existing utilities in the U.E. These have been updated on the plans.

Roads/Sight Visibility/Ingress-Egress/ParkingConditions:

A permit from the Arkansas Highway and Transportation Department (AHTD) is required prior to any work being completed in the right-of-way

Drainage Conditions:

1. The Washington County Contract Engineer has reviewed the corrected drainage report for this project and had an additional comment, "Pre vs Post Study Point No 1 shows an increase of 6.54 cfs and decrease in flow at Study Point No 2 due to a portion of pre-development subbasin 2 being routed to the proposed detention area. A third study point should be considered downstream that incorporates the subbasins and any additional off-site areas to determine the overall pre vs post condition flows. This would account for routing water though all subbasins within the development and determining the peak flow leaving the site. See attached marked-up exhibits from the drainage report as an example for Study Point No 3."
2. This project must also comply with all City of Fayetteville requirements. A grading permit will be required through the City of Fayetteville for work on the proposed detention pond.

City of Fayetteville Engineering Conditions:

1. Part of this project is located within the City of Fayetteville city limits. The portion of this project proposed in the city limits includes the addition of approximately 22,000 square feet of new impervious surface. This portion of the project will be required to show compliance with the 4 minimum standards of the city's drainage criteria manual and will be required to submit a grading permit application for review and approval prior to start of work. The applicant should review the recent changes to the drainage manual located here prior to detailed design work: <http://www.fayetteville-ar.gov/DocumentCenter/Home/View/10546>.
2. The remaining portion of this project is located outside the city limits and should meet all drainage requirements per county standards. The portion of this project located in the county is proposed to drain back into the city limits, be detained in an earthen pond, and be released within the city limits. Therefore, the drainage design for the county portion of this project must be reviewed and approved as part of the grading permit for the city of Fayetteville as mentioned above to ensure compliance with county standards.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Addressing Conditions:

1. The applicant must apply for a 911 address to be assigned.

Signage/Lighting/Screening Conditions:

1. Additional lighting information is needed. In addition to an updated lighting diagram, staff has asked the applicant to indicate whether the lights will be on 24/7, or if they will be timed or motion activated.
2. All outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately.
3. The applicant must leave the existing vegetation intact on the north and east property lines
4. The applicant must leave a portion of the south property line vegetation intact, as indicated on the plans.
5. For screening purposes, the applicant must plant a screening buffer, along a 6-foot high chain-link fence on the east property line, as indicated in the plans.
6. A sign is proposed to be located within the City of Fayetteville portion of the site, near Highway 16 E. (Huntsville Road). The applicant is aware that this sign is contingent on City of Fayetteville rezoning approval, and that they must follow all City of Fayetteville requirements regarding the proposed sign.

Additional and Standard Conditions:

1. Please note that most of these conditions are similar to the ones on CUP 2016-325, however, there are differences between the projects. Take care to read ALL conditions carefully.
2. Make the required corrections to the plans:

Checklist items remaining: (highlighted)

- | | |
|------|---|
| (9) | All LSD Plans presented to the planning board and filed for record shall note the uses of adjacent property. The determination of said use shall be the responsibility of the developer. (sec. 13-1) |
| (10) | Existing roads, streets, culverts, railroads, and other features: The LSD plan shall show the location, name, width, surface type, surface condition and right-of-way width of all existing or platted roads, streets or other public ways within or adjacent to the proposed improvement, including features such as existing permanent buildings, water courses, railroads, municipal corporation limits, county's state lines, planning district limits, oil and gas lines or wells, |

	abandoned wells and dry holes.
(15)	Plat and deed restrictions: Restrictions, if any, with use and perimeters defined. Plat restrictions should be certified as to current legality by a member of the Arkansas Bar. Are there any? If none, add a note to the plans stating there are none. (Signature Block 6)
(17)	Street typical sections and pavements sections for each classification of street.

Additional Plan corrections:

- Remove signature blocks until Final Large Scale Development Plans are submitted.
3. This project should be developed generally as stated in the applicant's CUP letter, as detailed on the plans, and with additional conditions proposed by staff. It is understood that there may be slight variations.
 4. **All conditions approved with project 2016-325 shall apply to this project.**
 5. Pay neighbor notification mailing fees (\$185.85) within 30 days of project hearing. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 11/1/16).
 6. Pay engineering fees. This total will be calculated at the Final LSD phase for this project once all invoices are received.
 7. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
 8. A statement from the applicant, owner, architect or engineer must be submitted prior to the building being occupied that says the building, parking, and access, are in compliance with all ADA regulations
 9. Hours of operation must be generally as stated (7:00 am- 8:00 pm).
 10. The Landscape Maintenance and Grounds-Keeping Maintenance Schedule must be generally followed as proposed.
 11. **The Preliminary Large Scale Development approval is contingent on the Conditional Use Permit (CUP) approval. This includes Planning Board/ Zoning Board of Adjustments (PB/ZBA) CUP approval, CUP Ratification by the Quorum Court, and no CUP appeal being filed within 30 days of the PB/ZBA approval.**
 12. **Prior to construction, all updated site and building plans must be submitted to the Planning Office and approved (2 copies for review).**
 13. **No construction may begin until Preliminary LSD Plans (2 copies) have been submitted with all corrections shown and approved by Planning Staff.**
 14. Once construction is commenced, it is the applicant's responsibility to inform the Planning Office.
 15. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
 16. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - a) Construction must commence within 12 months of this approval or Preliminary LSD approval will be void.
 17. **Final Large Scale Development approval will be required prior to occupation of this proposed storage unit facility.**

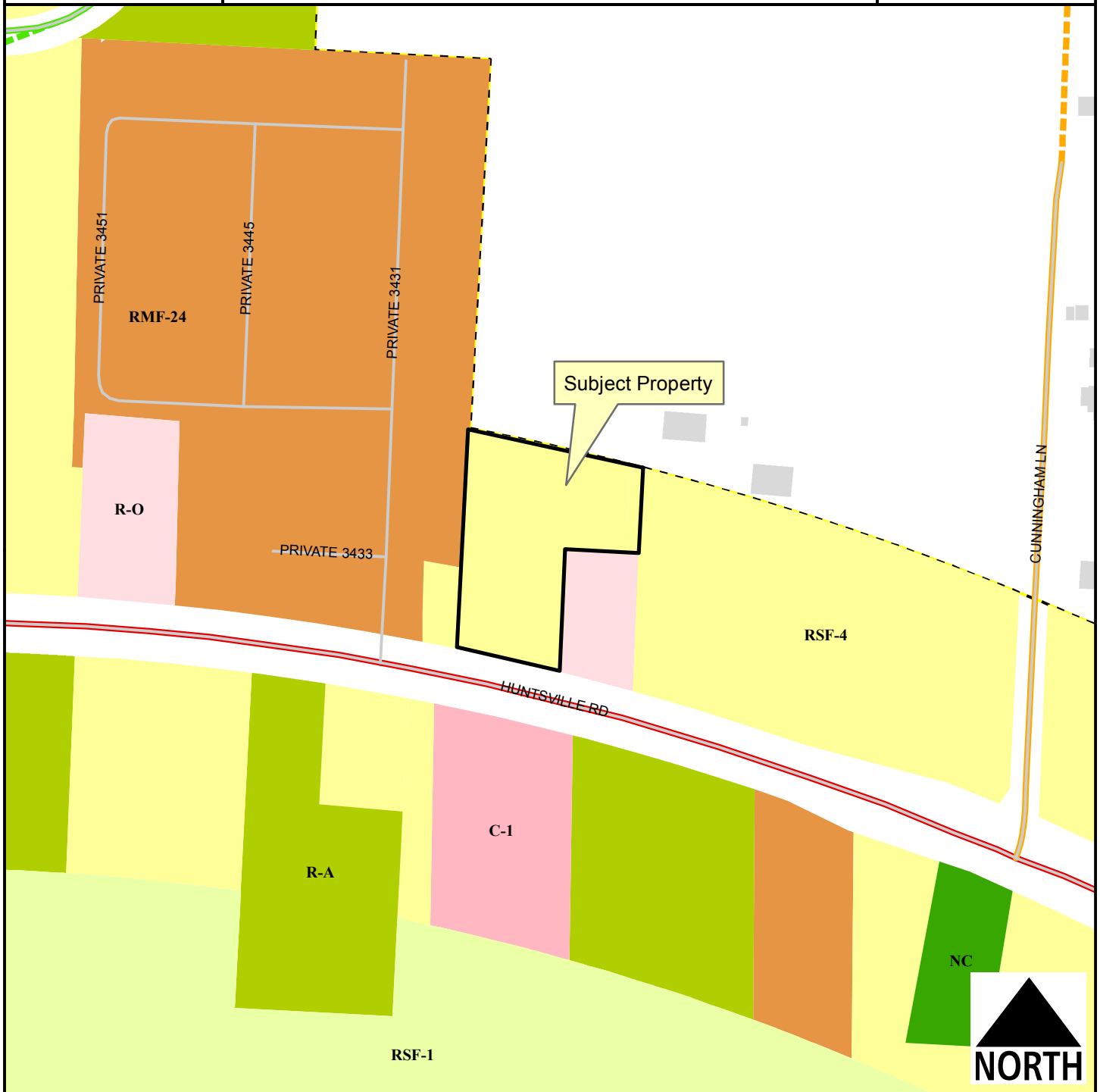
Courtney McNair, Washington County Senior Planner

cmcnair@co.washington.ar.us

RZN 16-5677

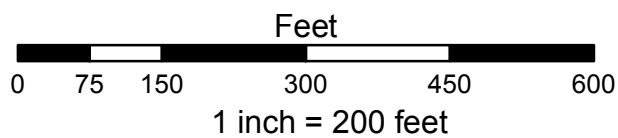
HARRIS

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Building Footprint



- Residential-Agricultural
- RSF-1
- RSF-4
- RMF-24
- Residential-Office
- C-1
- Neighborhood Conservation

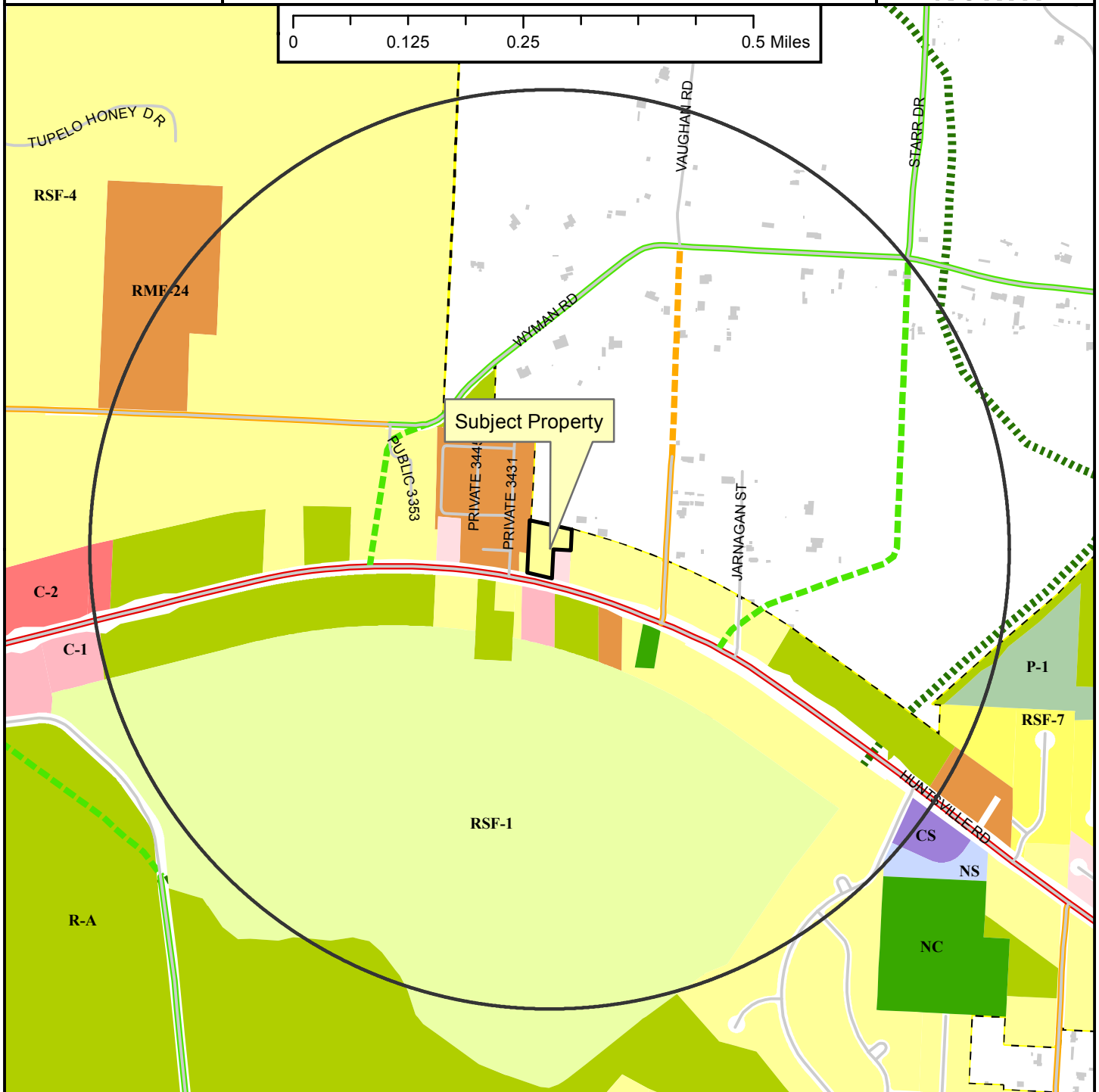
RZN 16-5677

One Mile View

HARRIS

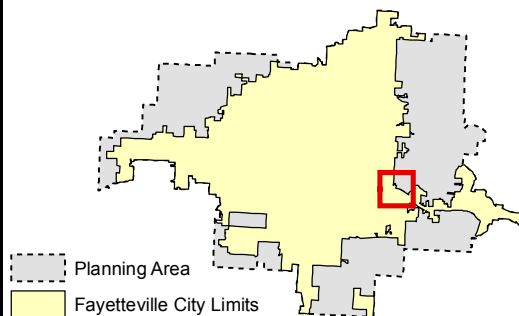


0 0.125 0.25 0.5 Miles



Legend

- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Building Footprint



- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
 - RSF-1 Residential-Agricultural
 - RSF-5
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
 - RESIDENTIAL MULTI-FAMILY**
 - RT-12 Residential Two and Three-family
 - RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
 - INDUSTRIAL**
 - I-1 Heavy Commercial and Light Industrial
 - I-2 General Industrial
- EXTRACTION**
- E-1
- COMMERCIAL**
- Residential-Office
 - C-1
 - C-2
 - C-3
- FORM BASED DISTRICTS**
- Downtown Core
 - Urban Thoroughfare
 - Main Street Center
 - Downtown General
 - Community Services
 - Neighborhood Services
 - Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
- Commercial, Industrial, Residential
- INSTITUTIONAL**
- P-1

RZN 16-5677

Current Land Use

HARRIS



2015 Imagery



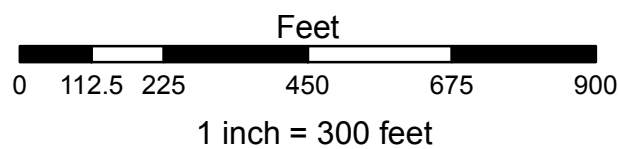
Streets Planned

MSP Class

- COLLECTOR
- MINOR ARTERIAL
- COLLECTOR
- MINOR ARTERIAL
- PRINCIPAL ARTERIAL
- Planning Area
- Fayetteville City Limits

FEMA Flood Hazard Data

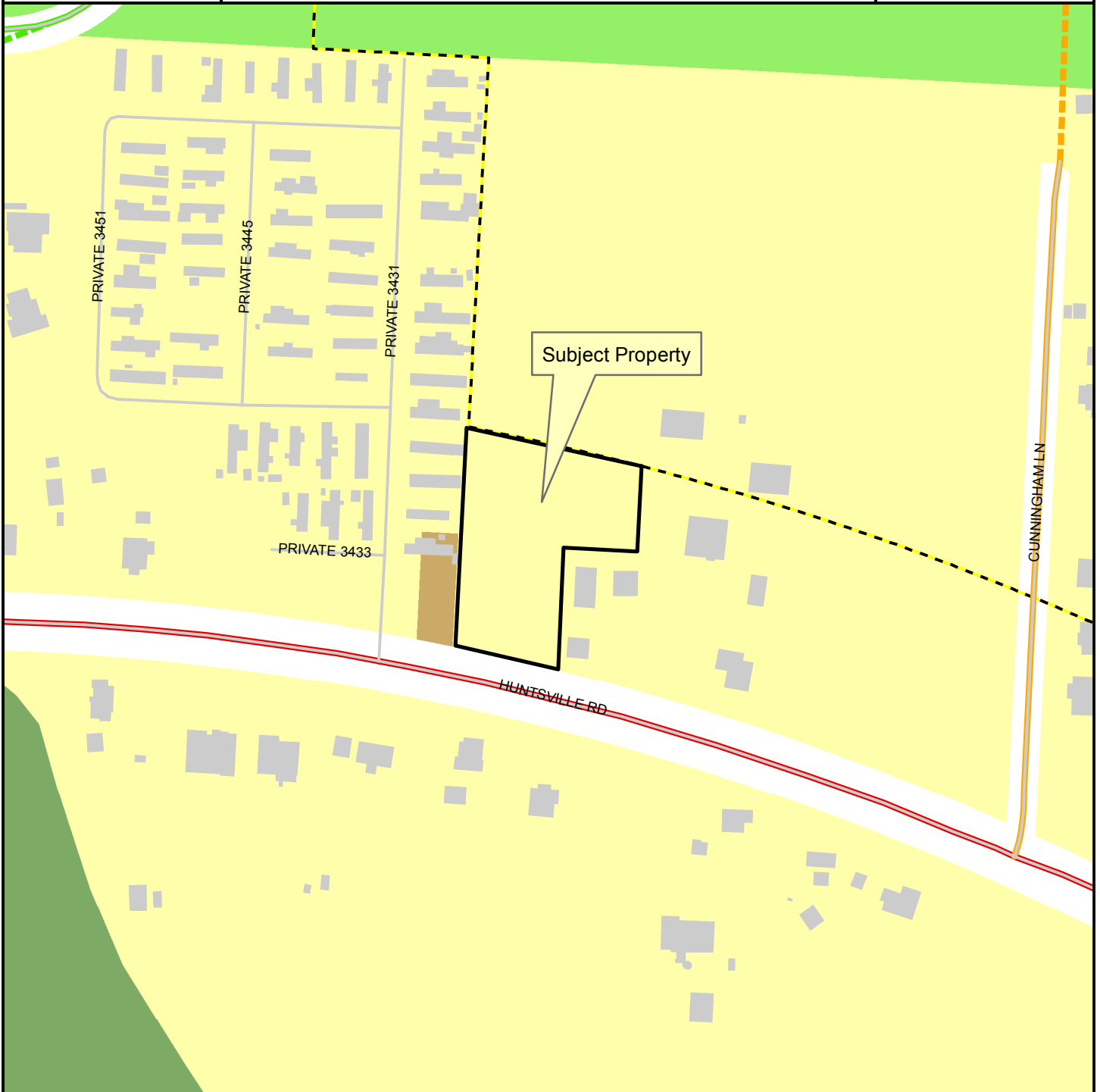
- 100-Year Floodplain
- Floodway



RZN 16-5677

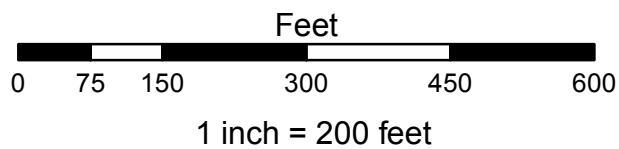
Future Land Use

HARRIS



Legend

- Planning Area
- Fayetteville City Limits
- Building Footprint



FUTURE LAND USE 2030

- Natural Area
- Rural Area
- Residential Neighborhood Area
- Civic Institutional



City of Fayetteville, Arkansas

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

Text File

File Number: 2016-0524

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: C. 7

AMEND §164.02 ACCESSORY STRUCTURES AND USES:

AN ORDINANCE TO AMEND §164.02 ACCESSORY STRUCTURES AND USES OF THE UNIFIED DEVELOPMENT CODE TO ALLOW THE CONSTRUCTION OF SHARED ACCESSORY STRUCTURES

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

Section 1. That the City Council of Fayetteville, Arkansas hereby amends §164.02 **Accessory Structures and Uses** of the Unified Development Code by enacting a new subsection (A)(6) as follows:

Shared Accessory Structures. Shared accessory structures may be constructed across common property lines, subject to all building and fire codes. Building setbacks for shared accessory structures may be administratively varied to permit zero lot line development. Easements for driveway access and maintenance of the structure and driveway shall be provided prior to the issuance of a building permit. For purposes of calculating size of shared accessory structures, only that portion of the shared accessory structure on the lot with the principal structure shall count toward the maximum allowable size.

City of Fayetteville Staff Review Form

2016-0524

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jeremy Pate

1/20/2017

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ADM 16-5684 UDC Chapter 164.02/UDC Amendment Attached Accessory Structures): Submitted by CITY PLANNING STAFF for revisions to UDC Chapter 164.02 to allow shared accessory structures to be built across property lines.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

MEETING OF FEBRUARY 7, 2017

TO: Fayetteville City Council

THRU: Andrew Garner, Planning Director

FROM: Quin Thompson, Current Planner

DATE: January 20, 2017

SUBJECT: **ADM 16-5684 UDC Chapter 164.02/UDC Amendment Attached Accessory Structures):** Submitted by CITY PLANNING STAFF for revisions to UDC Chapter 164.02 to allow shared accessory structures to be built across property lines.

RECOMMENDATION:

The City Planning staff and Planning Commission recommend approval of an ordinance to amend UDC Chapter 164.02 to allow shared accessory structures to be built across property lines.

BACKGROUND:

Request: The City Planning Division proposes to amend the Fayetteville Unified Development Code (UDC) to allow accessory structures such as garages and sheds to be constructed across property lines in certain conditions. The changes are shown in the attached strikeout-highlight version of the code and generally described below.

DISCUSSION:

In recent months staff has received inquiries from the development community asking to construct garages across property lines to be shared between adjacent residences. While this practice was not uncommon in the City's older neighborhoods, current development codes make this a difficult and unclear permitting process. In an effort to alleviate ambiguity and increase flexibility in residential development, staff proposes an amendment to allow shared accessory structures. Staff feels that there is opportunity for more efficient land-use as well as historic precedent for patterns of development in which detached garages and other accessory buildings are built across property lines.

The proposal would allow shared garages or storage buildings served by shared drives, and eliminate the narrow spaces between buildings that setbacks require, and in turn allowing that previous setback area to be provided for larger backyard space.

Because shared buildings come with shared responsibility, both access and maintenance easements would be required to allow such buildings to be repaired and maintained by the adjoining property owners.

On January 9, 2017 the Planning Commission forwarded staff's proposal to the City Council with a recommendation for approval with a vote of 8-0-0.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- Proposed code changes as shown in strikethrough/highlight
- Shared Accessory Structures Sketches

164.02 - Accessory Structures And Uses

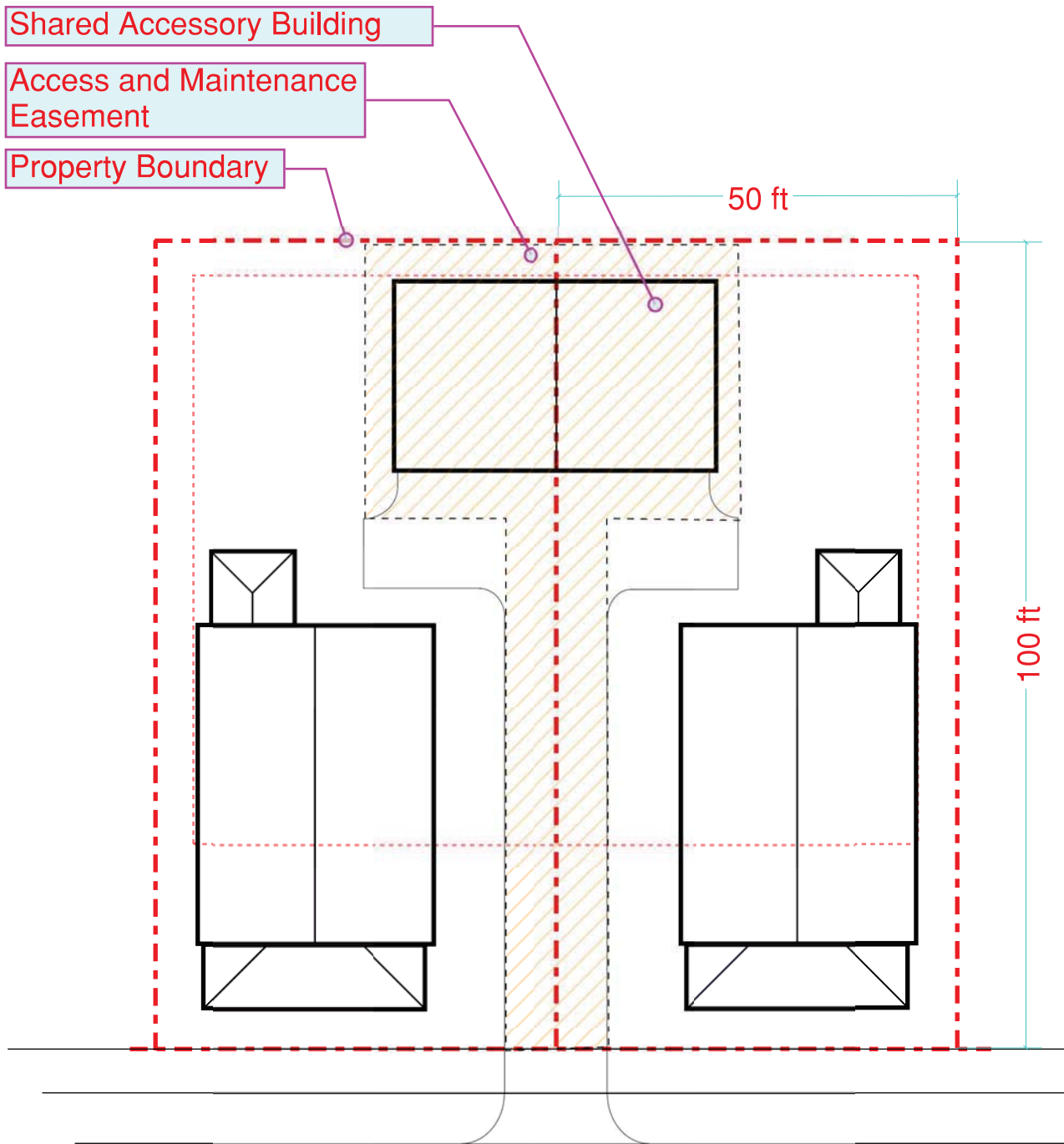
Accessory Structures and Uses. Accessory structures and uses shall be subject to the applicable use conditions set forth in Zoning, Chapters 160 through 165, and to the following general conditions:

(A) *Accessory Structures* .

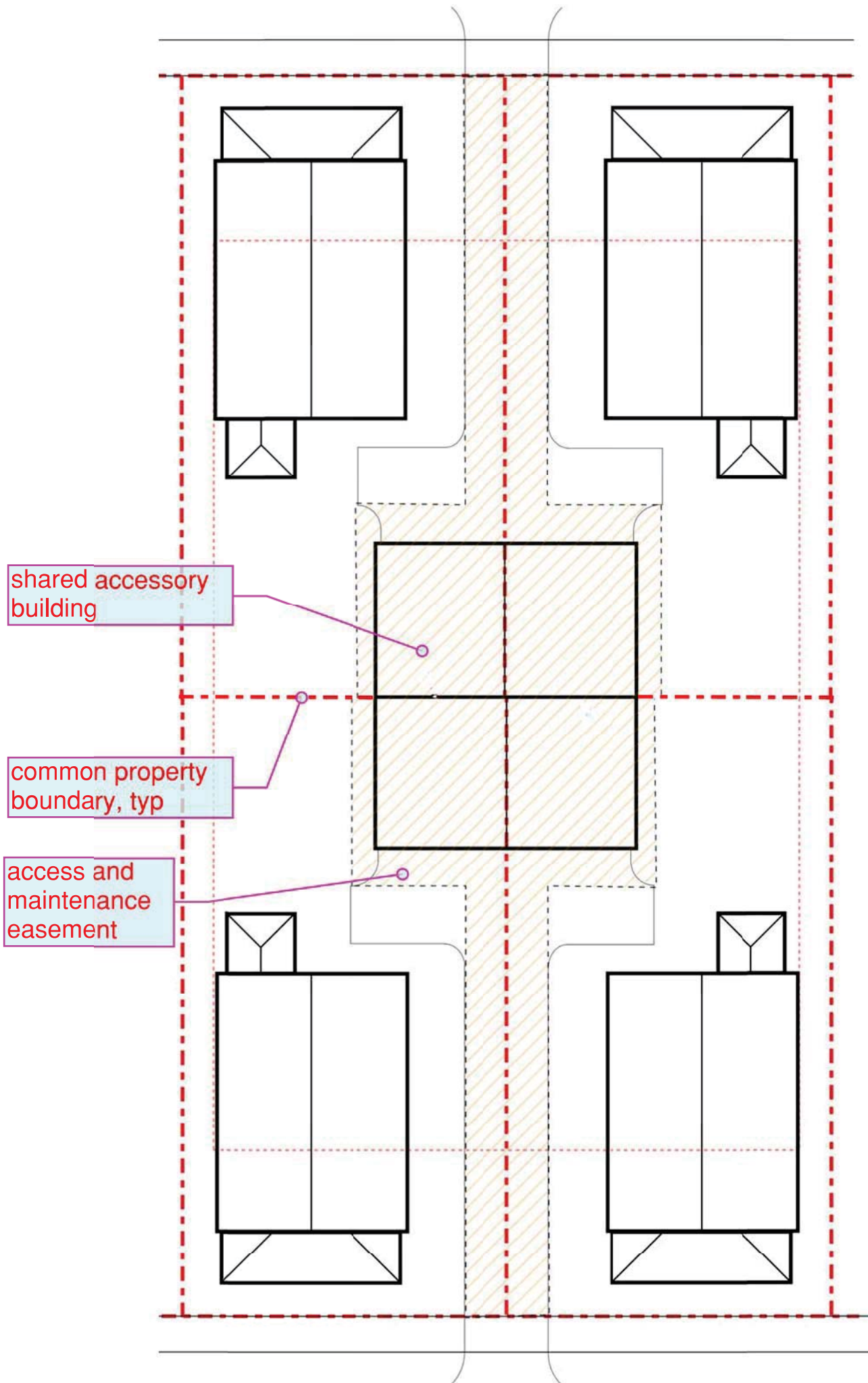
- (1) *When Erected.* No accessory structure shall be erected on any property prior to the construction of the principal structure, unless such accessory structure shall have been approved by the Planning Commission as a conditional use. An approved accessory structure erected prior to the principal structure shall not be inhabited.
- (2) *Integral Part of Principal Structure.* An accessory structure erected as an integral part of the principal structure shall be made structurally a part thereof, shall have a common wall therewith, and shall comply in all respects with the requirements of the building code applicable to the principal structure.
- (3) *Height and Setback Restrictions.* Accessory structures 10 feet or less in height shall maintain a minimum side setback of 3 feet and a minimum rear setback of 5 feet from the property lines. Accessory structures greater than 10 feet in height shall meet the setback requirements of the zoning district in which it is located. All accessory structures shall conform to the front setbacks of the zoning district in which is it located.
- (4) *Build-to Zones.* Accessory structures shall be exempt from meeting the requirements of the build-to zone in any zoning district.
- (5) *Size of Accessory Structure(s).* An accessory structure(s) shall be 50% or less of the size of the principal structure. Any accessory structure(s) requested that is greater than 50% the size of the principal structure shall be allowed only as a conditional use and shall be granted in accordance with §163, governing applications of conditional use procedures; and upon the finding that the requested structure is designed to be compatible with the principal structure on the property and those on surrounding properties. Accessory structures that exceed 50% of the size of the principal structure shall meet the setback requirements of the zoning district in which it is located.
- (6) *Shared Accessory Structures.* Shared accessory structures may be constructed across common property lines, subject to all building and fire codes. Building setbacks for shared accessory structures may be administratively varied to permit zero lot line development. Easement for driveway access and maintenance of the structure and driveway shall be provided prior to building permit. For purposes of calculating size of shared accessory structures, only that portion of the shared accessory structure on the lot with the principal structure shall count toward the maximum allowable size.

(B) *Swimming Pools.* Swimming pools shall not be located in any required front setback.

(Code 1965, App. A., Art. 7 (1); Ord. No. 1747, 6-29-70; Ord. No. 2177, 12-16-75; Ord. No. 3131, 10-1-85; Code 1991, §160.076; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4817, 1-3-06; Ord. No. 5239, 5-5-09; Ord. No. 5592, 06-18-13)



Concept sketch for accessory structure shared by two adjacent residences



Concept sketch for accessory structure shared by four residences



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0015

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: C. 8

AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION:

AN ORDINANCE TO AMEND §151.01 **DEFINITIONS** AND §174.09 **SIGN ILLUMINATION** OF THE UNIFIED DEVELOPMENT CODE TO REPEAL UNNEEDED DEFINITIONS AND TO REMOVE A REQUIREMENT THAT SIGN ILLUMINATION IN THE I-540 OVERLAY DISTRICT BE INDIRECT

WHEREAS, after a couple square, all steel siding, box-like buildings appeared near Interstate 49 (then I-540) in Fayetteville, the City Council was concerned that future development along the interstate would be deterred from constructing quality, attractive buildings if their neighbors might construct these cheap and unattractive buildings nearby which could devalue their investment and development; and

WHEREAS, after very contentious meetings, the City Council enacted the I-540 Design Overlay District to ensure higher quality development near the interstate; and

WHEREAS, a couple of years after the success of the design standards of the I-540 Overlay District, the City Council enacted the city-wide Commercial Design Standards and later repealed most of the unnecessary I-540 Design Overlay District requirements; and

WHEREAS, the indirect lighting requirement for signs in the I-540 Overlay District is now obsolete and should be repealed and the direct illumination requirement amended to reflect new technology.

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

Section 1. That the City Council of Fayetteville, Arkansas hereby repeals the definitions of "Illumination direct" and "Illumination, indirect" of §151.01 **Definitions** of the Unified Development Code.

Section 2. That the City Council of Fayetteville, Arkansas hereby amends §174.09 **Sign Illumination** by amending (A) to read: "Illumination is restricted to incandescent lights bulbs rated at 150 watts or less or other type of light emitting source's equivalent lumen output not to exceed 2,700 lumens." and by repealing (B).

City of Fayetteville Staff Review Form

2017-0015

Legistar File ID

2/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jeremy Pate

1/20/2017

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ADM 16-5697 Administrative Item (UDC CHAPTER 151 & 174.09/UDC AMENDMENT SIGN ILLUMINATION):
Submitted by CITY PLANNING STAFF for revisions to UDC Chapter 151 and 174.09 to eliminate the sign illumination requirement in the I-540 Design Overlay District.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

MEETING OF FEBRUARY 7, 2017

TO: Fayetteville City Council

FROM: Andrew Garner, Planning Director

DATE: January 20, 2017

SUBJECT: **ADM 16-5697 Administrative Item (UDC CHAPTER 151 & 174.09/UDC AMENDMENT SIGN ILLUMINATION):** Submitted by CITY PLANNING STAFF for revisions to UDC Chapter 151 and 174.09 to eliminate the sign illumination requirement in the I-540 Design Overlay District.

RECOMMENDATION:

The City Planning staff and Planning Commission recommend approval of an ordinance to amend UDC Chapters 151 and 174.09 to eliminate the sign illumination requirement in the I-540 Design Overlay District and to clarify the lighting illumination requirement.

Background: The City of Fayetteville adopted the I-540 Design Overlay District in 1994 to protect and enhance the distinctive scenic quality for the I-540 Highway Corridor and to address traffic, safety, and environmental concerns. The regulations included in this district (I-540 DOD) for all nonresidential development led to the adoption of other development regulations that are administered to all properties in the City of Fayetteville, including the Commercial Design and Development Standards, Street Design and Access Management Standards, Landscape Regulations, and pedestrian safety requirements in various sections of the Unified Development Code. The I-540 DOD served a valuable purpose for many years in a visible and environmentally sensitive area of the City until other sections of the Unified (UDC) were created or updated. Over the past decade or so new standards left a majority of the I-540 DOD requirements redundant or outdated. As a result, a majority of the I-540 DOD requirements were eliminated in 2012. One of the remaining requirements that appears to be unnecessary is for sign illumination.

UDC Section 174.09 specifies that *"Only indirect illumination may be used for all illumination of signs the I-540 DOD"*. This section of code also limits direct illumination of all signs in the city to light bulbs of 150 watts or less.

Proposal: Staff proposes the following code changes as outlined below and shown in the attached document in **highlight and strikeout**:

- **174.09 Sign Illumination** - remove the I-540 DOD illumination requirement and clarify the maximum illumination requirement throughout the city
- **151 Definitions** - remove the definitions of "direct" and "indirect" illumination

The proposed code changes would eliminate an unnecessary requirement and limitation for sign illumination in the I-540 DOD. This code has proven problematic for some businesses desiring a different type of lighting for their signs. Additionally, signs elsewhere in the city have been effectively regulated without this requirement. The maximum illumination requirement that refers only to 'watts' is largely outdated as signs are now typically lit by LED bulbs which are usually rated in 'lumens'. This code section has caused some confusion from staff and sign companies in the sign permit process and staff proposes clarification. The restrictions for pole signs in the I-540 DOD will be retained given the positive impact to the community this requirement has provided in this visually prominent area of the city.

DISCUSSION:

This code change was discussed at the January 9, 2017 Planning Commission meeting where it was forwarded with a recommendation for approval by a vote of 7-1-0 (Commissioner Brown voted 'no'). Commissioner Brown recommended that the section of code referring to a maximum amount of illumination from a sign be retained and clarified to accommodate more modern measurements of illumination such as 'lumens'. Staff has incorporated Commissioner Brown's concerns into the current proposal.

BUDGET/STAFF IMPACT:

None

Attachments:

- Proposed code changes shown in ~~highlight and strikeout~~

ADM 16-5697

Proposed Code Changes in **highlight and strikeout**

151.01 Definitions

~~*Illumination, direct.* (Signs) Illumination which is so arranged the light is directed into the eyes of the viewer from the light source.~~

~~*Illumination, indirect.* (Signs) Illumination so arranged that the light is reflected from the sign to the eyes of the viewer.~~

174.09 Sign Illumination

(A) ~~Direct illumination by incandescent light bulbs shall be restricted to light bulbs rated at 150 watts or less.~~
~~Illumination is restricted to incandescent lights bulbs rated at 150 watts or less or other type of light emitting source's equivalent lumen output not to exceed 2,700 lumens.~~

~~(B) Only indirect illumination may be used for illumination of all signs within the I-540 Overlay District boundary.~~



City of Fayetteville, Arkansas

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

Text File

File Number: 2017-0041

Agenda Date: 2/7/2017

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Presentation

Agenda Number: D. 1

**AGENDA SESSION PRESENTATION - DEMONSTRATION OF EVENT PERMIT
APPLICATION PRESENTED BY AUGUSTA BRANHAM**

Agenda Session

City of Fayetteville, Arkansas

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



Meeting Agenda - Tentative Agenda

Tuesday, January 31, 2017

4:30 PM

City Hall Room 326

City Council Agenda Session

*Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Sarah Bunch Ward 3
John S. La Tour Ward 4
Alan Long Ward 4*

ELECTED OFFICIALS:

*Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith*

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

1. 2017-0031

ORT-OZARK REGIONAL TRANSIT - SEMI-MONTHLY REPORT

2. 2017-0009

FAYETTEVILLE NATURAL HERITAGE ASSOCIATION CHECK PRESENTATION

3. 2017-0042

KESSLER MOUNTAIN REGIONAL PARK ROTARY PLAYGROUND PROJECT
PRESENTATION - PRESENTED BY ROTARY CLUB PRESIDENT HARRISON
PITTMAN

Agenda Additions

A. Consent:

A. 1 2016-0568

APPROVAL OF THE JANUARY 17, 2017 CITY COUNCIL MEETING MINUTES.

A. 2 2017-0011**BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY:**

A RESOLUTION TO AWARD BID NO. 16-65 AND AUTHORIZE THE PURCHASE OF A GENIE S-45 TELESCOPIC BOOM LIFT FROM J.A. RIGGS TRACTOR COMPANY OF SPRINGDALE IN THE AMOUNT OF \$64,710.96 FOR USE AT THE BIOSOLIDS MANAGEMENT SITE

Attachments: BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY

A. 3 2017-0010**BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY:**

A RESOLUTION TO AWARD BID NO. 16-66 AND AUTHORIZE THE PURCHASE OF AN ELGIN CROSSWIND STREET SWEEPER FROM SCRUGGS EQUIPMENT COMPANY OF MEMPHIS, TENNESSEE IN THE AMOUNT OF \$202,265.00 FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT

Attachments: BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY

A. 4 2016-0639**BID NO. 16-67 SWEETSER CONSTRUCTION, INC.:**

A RESOLUTION TO AWARD BID NO. 16-67 AND AUTHORIZE A CONTRACT WITH SWEETSER CONSTRUCTION, INC. IN THE AMOUNT OF \$158,422.00 FOR THE CONSTRUCTION OF A BRIDGE ALONG SALEM ROAD FOR THE CLABBER CREEK TRAIL, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,921.00

Attachments: BID 16-67 SWEETSER CONSTRUCTION, INC.

A. 5 2017-0038**SANDERS CREST, INC.:**

A RESOLUTION TO APPROVE A ONE YEAR LEASE AGREEMENT WITH AN OPTION TO RENEW FOR THREE ADDITIONAL ONE YEAR TERMS WITH SANDERS CREST, INC. FOR OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF \$780.16 PER MONTH FOR THE FIRST YEAR

Attachments: SANDERS CREST, INC.

(A. 6) 2017-0043

NB #1

FRANKLIN AND SON, INC.:

New
Res.
needed

A RESOLUTION TO AWARD BID NO. 17-21 AND APPROVE A CONSTRUCTION CONTRACT WITH FRANKLIN AND SON, INC. OF FARMINGTON, ARKANSAS FOR THE AIRFIELD ROOF REHABILITATION PROJECT AT DRAKE FIELD IN THE AMOUNT OF \$378,253.00

Attachments: FRANKLIN AND SON, INC.

A. 7 2017-0013

BANK OF FAYETTEVILLE DONATION REVENUE:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,000.00 REPRESENTING DONATION REVENUE FROM THE BANK OF FAYETTEVILLE TO THE FAYETTEVILLE FIRE DEPARTMENT FOR THE ANNUAL EMPLOYEE SERVICE AWARDS EVENT

Attachments: BANK OF FAYETTEVILLE DONATION REVENUE
BA BANK OF FAYETTEVILLE DONATION REVENUE

A. 8 2017-0007

CH2M HILL ENGINEERS, INC. AMENDMENT NO. 7:

A RESOLUTION TO APPROVE A TWO MONTH EXTENSION OF AMENDMENT NO. 7 TO THE CONTRACT WITH CH2M HILL ENGINEERS, INC. BEGINNING JANUARY 1, 2017 AND ENDING FEBRUARY 28, 2017 AT A COST OF \$656,019.58 PER MONTH FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES

Attachments: CH2M HILL ENGINEERS, INC. AMENDMENT NO. 7:

A. 9 2017-0032

DAVIS LAW FIRM WATER DAMAGE CLAIM:

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$26,759.34 TO DAVIS, CLARK, BUTT, CARITHERS & TAYLOR, PLC FOR A WATER DAMAGE CLAIM AT 15 AND 19 EAST MOUNTAIN STREET

Attachments: DAVIS LAW FIRM WATER DAMAGE CLAIM

A. 10 2017-0045**DANIEL AND MEGAN KELSEY SEWER DAMAGE CLAIM:**

A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$13,903.57 TO DANIEL AND MEGAN KELSEY AS REIMBURSEMENT FOR DAMAGE TO THEIR REAL AND PERSONAL PROPERTY IN ADDITION TO PREVIOUS PAYMENTS OF \$6,587.78 TO SERVPRO FOR WATER DAMAGE MITIGATION SERVICES, \$350.00 TO WFC, INC. FOR BATHROOM REPAIR WORK, AND \$396.04 TO HILTON HOTELS FOR DISLOCATION EXPENSES

Attachments: DANIEL AND MEGAN KELSEY SEWER DAMAGE CLAIM

A. 11 2017-0014**LAKE SEQUOYAH DREDGING FACILITIES:**

A RESOLUTION TO APPROVE A NEW CAPITAL PROJECT FOR CONTINUED CONSTRUCTION OF DREDGING FACILITIES AT LAKE SEQUOYAH; AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$503,242.00 TO FUND THE PROJECT

Attachments: LAKE SEQUOYAH DREDGING FACILITIES
 BA LAKE SEQUOYAH DREDGING FACILITIES

A. 12 2017-0048**FAYETTEVILLE RENTALS, LLC:**

A RESOLUTION TO APPROVE A 50/50 COST SHARE AGREEMENT WITH FAYETTEVILLE RENTALS, LLC FOR CONSTRUCTION OF A SEWER MAIN ALONG A PORTION OF SOUTH STREET BETWEEN SOUTH COLLEGE AVENUE AND SOUTH WASHINGTON AVENUE AT A TOTAL ESTIMATED COST OF \$10,174.86 INCLUDING A 20% PROJECT CONTINGENCY

Attachments: FAYETTEVILLE RENTALS, LLC

A. 13 2017-0040**BID NO. 17-22 BLUE RIBBON LAWNS, INC.:**

A RESOLUTION TO AWARD BID NO. 17-22 AND AUTHORIZE A CONTRACT WITH BLUE RIBBON LAWNS, INC. IN THE AMOUNT OF \$169,810.24 FOR THE INSTALLATION OF TREES AND SHRUBS WITHIN THE MEDIAN OF RUPPLE ROAD BETWEEN WEST PERSIMMON STREET AND WEST MARTIN LUTHER KING, JR. BOULEVARD, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00

Attachments: BLUE RIBBON LAWNS, INC.

B. Unfinished Business:**B. 1 2016-0674****PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT
APPEAL:**

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO DENY PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) BECAUSE SUCH DEVELOPMENT WOULD CREATE OR COMPOUND A DANGEROUS TRAFFIC CONDITION IN VIOLATION OF § 166.02 (C)(2)(a)(iv) OF THE UNIFIED DEVELOPMENT CODE

Attachments: PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT APP

At the January 3, 2017 City Council Meeting this resolution was tabled to the February 7, 2017 City Council Meeting.

C. New Business:**C. 1 2017-0034****WALTON FAMILY FOUNDATION MATCHING GRANT:**

A RESOLUTION TO ACCEPT A WALTON FAMILY FOUNDATION MATCHING GRANT IN THE AMOUNT OF \$210,000.00 FOR THE IMPLEMENTATION OF A PORTION OF THE KESSLER MOUNTAIN MASTER TRAILS PLAN, TO AUTHORIZE MAYOR JORDAN TO SIGN THE GRANT AGREEMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: WALTON FAMILY FOUNDATION MATCHING GRANT
 BA WALTON FAMILY FOUNDATION MATCHING GRANT

C. 2 2017-0033**2017 ENERGY ACTION PLAN:**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE STUDY AND DEVELOPMENT OF AN ENERGY ACTION PLAN IN 2017

Attachments: 2017 ENERGY ACTION PLAN

C. 3 2017-0029**CH2M HILL ENGINEERS, INC. AMENDMENT NO. 8:**

A RESOLUTION TO APPROVE AMENDMENT NO. 8 TO THE AGREEMENT FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$7,807,453.00 FOR SERVICES IN 2017

Attachments: CH2M HILL ENGINEERS, INC. AMENDMENT NO. 8

C. 4 2017-0030**21 WEST, LLC COST SHARE:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH 21 WEST, LLC FOR THE INSTALLATION OF SEWER MAIN ALONG A PORTION OF MEADOW STREET BETWEEN WEST AVENUE AND GREGG AVENUE, WITH THE ESTIMATED AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$36,128.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,225.60

Attachments: 21 WEST LLC

C. 5 2017-0012**CRUSE UNIFORMS AND EQUIPMENT, INC.:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING THROUGH DECEMBER 31, 2018 AND AUTHORIZE THE PURCHASE OF POLICE SERVICE WEAPONS AND HOLSTERS FROM CRUSE UNIFORMS AND EQUIPMENT, INC. IN THE AMOUNT OF \$109,237.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: CRUSE UNIFORMS AND EQUIPMENT, INC.
 BA CRUSE UNIFORMS AND EQUIPMENT, INC.

C. 6 2017-0017**RZN 16-5677 (3535 E. HUNTSVILLE RD./HARRIS):**

AN ORDINANCE TO REZONE ABOUT 1.27 ACRES DESCRIBED IN REZONING PETITION 16-5677 LOCATED AT 3535 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY-FOUR UNITS PER ACRE TO R-A, RESIDENTIAL AGRICULTURE.

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C. 7 2016-0524**AMEND §164.02 ACCESSORY STRUCTURES AND USES:**

AN ORDINANCE TO AMEND §164.02 ACCESSORY STRUCTURES AND USES OF THE UNIFIED DEVELOPMENT CODE TO ALLOW THE CONSTRUCTION OF SHARED ACCESSORY STRUCTURES

Attachments: AMEND §164.02 ACCESSORY STRUCTURES AND USES

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AN ORDINANCE TO AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION OF THE UNIFIED DEVELOPMENT CODE TO REPEAL UNNEEDED DEFINITIONS AND TO REMOVE A REQUIREMENT THAT SIGN ILLUMINATION IN THE I-540 OVERLAY DISTRICT BE INDIRECT

Attachments: AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION

D. City Council Agenda Session Presentations:**D. 1 2017-0041****AGENDA SESSION PRESENTATION - DEMONSTRATION OF EVENT PERMIT
APPLICATION PRESENTED BY AUGUSTA BRANHAM****E. City Council Tour: FEBRUARY 6, 2017 4:30 PM - PRELIMINARY PLAT 16-5574
(MOUNTAIN VISTA SUBDIVISION) GRANT APPEAL****F. Announcements:****G. Adjournment****NOTICE TO MEMBERS OF THE AUDIENCE**

All interested persons may appear and address the City Council on Unfinished Business, New Business, and Public Hearings at City Council meetings. If you wish to address the City Council on an agenda item, please wait for the Mayor or Chair to request public comment then queue behind the podium. When the Mayor or Chair recognizes you, approach the podium and give your name and address. Comments are to be addressed to the Mayor or Chair. The Mayor or Chair will direct your comments to the appropriate elected officials, staff, or others for response. Keep your comments respectful, brief, to the point, and relevant to the agenda item being considered. Each speaker from the public will be allowed one turn at the microphone for discussion of an agenda item.

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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. A simple majority of the City Council members, present and voting, may authorize a representative of a Fayetteville citizens' group opposing the ordinance or resolution to present an electronic visual aid not to exceed five minutes, but no other electronic visual aid presentations will be allowed; however, 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's 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.

Pre-Agenda

1-25-17

City of Fayetteville, Arkansas

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



Meeting Agenda - Tentative Agenda

Tuesday, January 31, 2017

4:30 PM

City Hall Room 326

City Council Agenda Session

*Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Sarah Bunch Ward 3
John S. La Tour Ward 4
Alan Long Ward 4*

ELECTED OFFICIALS:

*Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith*

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

1. 2017-0031

ORT-OZARK REGIONAL TRANSIT - SEMI-MONTHLY REPORT

2. 2017-0009

FAYETTEVILLE NATURAL HERITAGE ASSOCIATION CHECK PRESENTATION

3. 2017-0042

KESSLER MOUNTAIN REGIONAL PARK ROTARY PLAYGROUND PROJECT
PRESENTATION - PRESENTED BY ROTARY CLUB PRESIDENT HARRISON
PITTMAN

Agenda Additions

A. Consent:

A. 1 2016-0568

APPROVAL OF THE JANUARY 17, 2017 CITY COUNCIL MEETING MINUTES.

A. 2 2017-0011**BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY:**

A RESOLUTION TO AWARD BID NO. 16-65 AND AUTHORIZE THE PURCHASE OF A GENIE S-45 TELESCOPIC BOOM LIFT FROM J.A. RIGGS TRACTOR COMPANY OF SPRINGDALE IN THE AMOUNT OF \$64,710.96 FOR USE AT THE BIOSOLIDS MANAGEMENT SITE

Attachments: BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY

A. 3 2017-0010**BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY:**

A RESOLUTION TO AWARD BID NO. 16-66 AND AUTHORIZE THE PURCHASE OF AN ELGIN CROSSWIND STREET SWEEPER FROM SCRUGGS EQUIPMENT COMPANY OF MEMPHIS, TENNESSEE IN THE AMOUNT OF \$202,265.00 FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT

Attachments: BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY

A. 4 2016-0639**BID NO. 16-67 SWEETSER CONSTRUCTION, INC.:**

A RESOLUTION TO AWARD BID NO. 16-67 AND AUTHORIZE A CONTRACT WITH SWEETSER CONSTRUCTION, INC. IN THE AMOUNT OF \$158,422.00 FOR THE CONSTRUCTION OF A BRIDGE ALONG SALEM ROAD FOR THE CLABBER CREEK TRAIL, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,921.00

Attachments: BID 16-67 SWEETSER CONSTRUCTION, INC.

A. 5 2017-0038**SANDERS CREST, INC.:**

A RESOLUTION TO APPROVE A ONE YEAR LEASE AGREEMENT WITH AN OPTION TO RENEW FOR THREE ADDITIONAL ONE YEAR TERMS WITH SANDERS CREST, INC. FOR OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF \$780.16 PER MONTH FOR THE FIRST YEAR

Attachments: SANDERS CREST, INC.

A. 6 2017-0043**FRANKLIN AND SON, INC.:**

A RESOLUTION TO AWARD BID NO. 17-21 AND APPROVE A CONSTRUCTION CONTRACT WITH FRANKLIN AND SON, INC. OF FARMINGTON, ARKANSAS FOR THE AIRFIELD ROOF REHABILITATION PROJECT AT DRAKE FIELD IN THE AMOUNT OF \$378,253.00

Attachments: FRANKLIN AND SON, INC.

A. 7 2017-0013**BANK OF FAYETTEVILLE DONATION REVENUE:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,000.00 REPRESENTING DONATION REVENUE FROM THE BANK OF FAYETTEVILLE TO THE FAYETTEVILLE FIRE DEPARTMENT FOR THE ANNUAL EMPLOYEE SERVICE AWARDS EVENT

Attachments: BANK OF FAYETTEVILLE DONATION REVENUE
BA BANK OF FAYETTEVILLE DONATION REVENUE

NB
1
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Attachments: BLUE RIBBON LAWNS, INC.

B. Unfinished Business:

B. 1 2016-0674**PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT
APPEAL:**

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO DENY PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) BECAUSE SUCH DEVELOPMENT WOULD CREATE OR COMPOUND A DANGEROUS TRAFFIC CONDITION IN VIOLATION OF § 166.02 (C)(2)(a)(iv) OF THE UNIFIED DEVELOPMENT CODE

Attachments: PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT APP

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C. New Business:**(C. 1)** 2017-0030 *Title*

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH 21 WEST, LLC FOR THE INSTALLATION OF SEWER MAIN ALONG A PORTION OF MEADOW STREET BETWEEN WEST AVENUE AND GREGG AVENUE, WITH THE ESTIMATED AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$36,128.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,225.60

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D. City Council Agenda Session Presentations:**D. 1 2017-0041**

**AGENDA SESSION PRESENTATION - DEMONSTRATION OF EVENT PERMIT
APPLICATION PRESENTED BY AUGUSTA BRANHAM**

E. City Council Tour: *Feb. 6*

F. Announcements:

G. Adjournment

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HOW WE GOT HERE

- City Engineer Confirms: Main Mtn. Vista Entrance (Askew Dr.) does not meet City Code Stopping Sight Distance requirement.
- Chances of crashes, injuries, death skyrocket with X-hundred-fold increase in traffic to/from Askew
- Separate access to Mtn. Vista via 22nd St. (which would also give the entire hilltop a second way in/out – per code) deemed too complicated/costly
- Search for a permanent and foolproof solution to dangerous Askew/CC Dr. intersection

MOVE MOUNTAIN VISTA ENTRANCE

- Affords ~3X the Stopping Sight Distance
- Divides traffic stream to hilltop earlier
- Lower road is already a City right-of-way
- Adjacent property can be obtained by swap or condemnation
- Grade is less steep than many existing roads
- Requires ~300 ft of road, part of which already exists
- Developer expressed willingness if City cost shares.

VISIBILITY ON COUNTRY CLUB DRIVE



DOWNHILL FROM ASKEW



UPHILL FROM PUMP STATION

VISIBILITY FROM PROPOSED NEW DRIVE

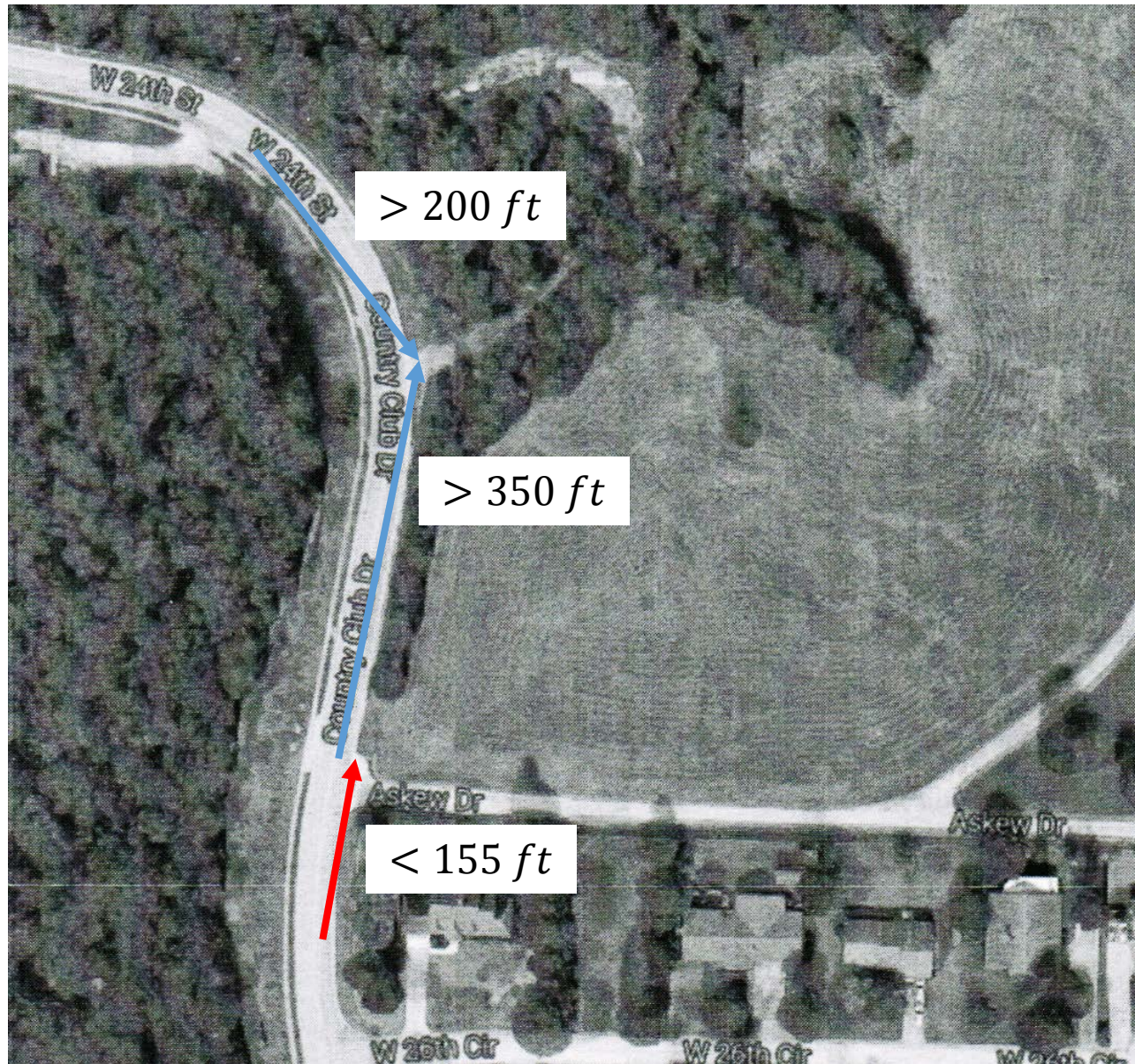


UPHILL FROM NEW DRIVE



DOWNHILL FROM NEW DRIVE

STOPPING SIGHT DISTANCE: ASKEW vs PROPOSED ENTRY

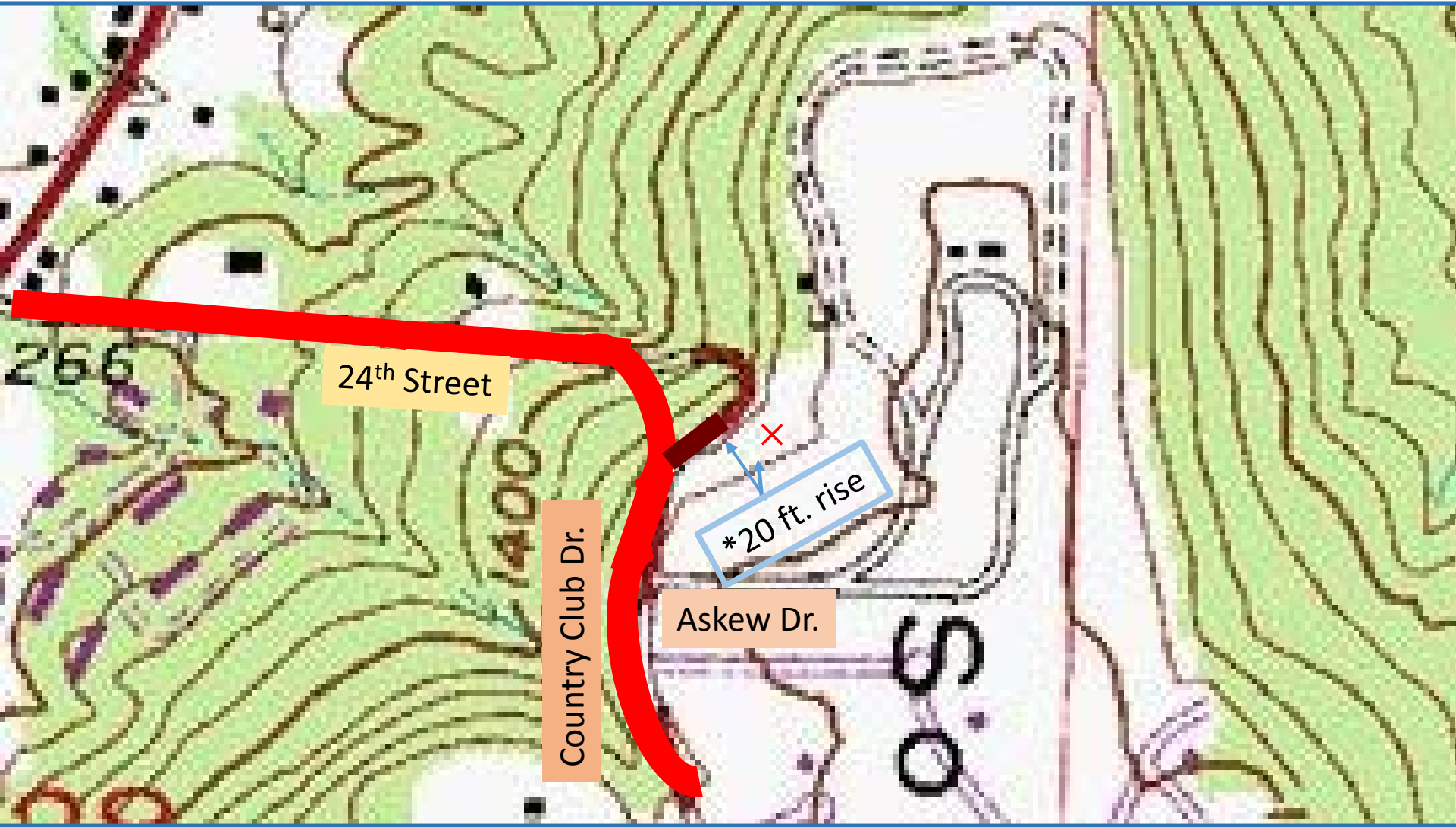


NEW DRIVE AND BANK ON MTN. VISTA SIDE



BANK & CUT AT ASKEW

TOPO MAP OF PROPOSED ENTRANCE AREA

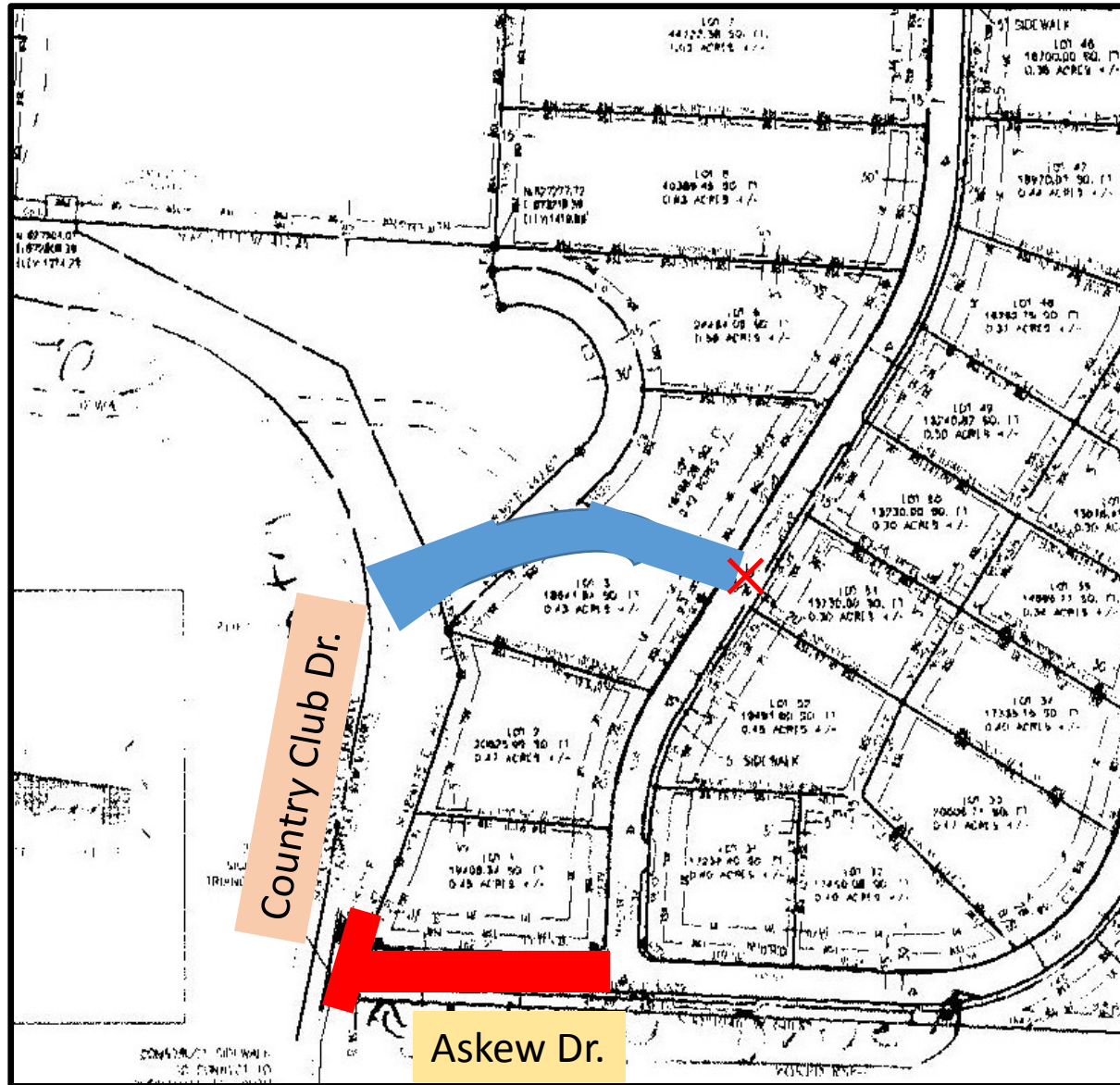


*SPACE BETWEEN CONTOUR LINES REPRESENTS 20ft CHANGE IN GRADE

LOCATION OF PROPOSED LOWER DRIVE



PROPOSED CHANGES TO MOUNTAIN VISTA ENTRANCE



THINGS WE DON'T WANT TO HEAR

- Grade is too steep for emergency vehicles
- Lower entrance would cost too much
- The developer has absolute right to build
- The city could be sued
- Lower entrance could pose new hazards
- Increase enforcement of speed limits
- A Stop Sign at Askew will solve the problem

WHY A STOP SIGN WON'T CUT IT

- Poor Quality Solution
- Not Self-Enforcing
- Distracts Attention from the Road
- Frequently Disregarded
- Location on Downhill side of crest
- Stopped Car may not be visible from low spot in approach
- From The Journal of Safety Research, V. 34, No. 5:
 - "~700,000 police-reported motor vehicle crashes occur annually at stop signs; one-third of these involve injuries/death."
 - "Stop sign violations accounted for about 70% of all crashes."
 - "Rear-end collisions accounted for 12% of all crashes"
 - "Drivers 65 and older were disproportionately found to be at fault in crashes at stop signs."

ACCIDENT PREVENTION: By Design or By Decree?

- Eliminate Dangerous Askew Intersection =

0% Accident Risk

- Put Band-aids on Dangerous Intersection =

Ongoing Risk of Accidents



WHAT WE'RE REQUESTING

- Re Mountain Vista:
 - Deny plat as currently designed
 - Return to Planning Commission
 - Perform thorough analysis of possible design changes & costs
 - Approve plat with a redesigned lower entrance (including left turn lane for upward traffic)
 - Cost share new entrance with developer
- Longer Term/Citywide:
 - No approval of further hilltop/hillside development unless it provides for a second exit to a major artery.
 - Amend Hillside Ordinances to account for special hilltop/hillside conditions that affect traffic safety