

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
April 4, 2017**

A meeting of the Fayetteville City Council was held on April 4, 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 Adella Gray, Sarah Marsh, Matthew Petty, Justin Tennant, Sarah Bunch, John La Tour, Alan Long, Mayor Lioneld Jordan, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

Alderman Justin Tennant arrived at 5:40 p.m. Alderman Mark Kinion was absent.

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions: None

City Council Meeting Presentations, Reports, and Discussion Items:

Nominating Committee Report-A&P Commission Nominees:

Alderman Bunch presented the Nominating Committee Advertising & Promotion Commission report and recommended the appointments as submitted.

A copy of the report is attached.

Alderman Marsh: The Nominating Committee did not have an opportunity to interview these candidates. I will be voting no on a procedural basis. A process is important and we should be consistent in all of our nominations. I'm not voting against these particular applicants.

Alderman Petty: The city had these applicant names for almost three weeks before the A&P Commission considered them. In the past when the Nominating Committee wanted to have input over A&P Commission nominations they have interviewed the applicants prior to the names being considered by the A&P Commission so the Commission could have the Nominating Committees opinions in hand whenever they made their recommendation to Council. The City Attorney in memos in the past has said it is improper for the City Council to consider other names after the A&P Commission has made their nominations. It is a statutory process that the Commission makes the nominations themselves. It is appropriate to involve the Nominating Committee, but the proper procedure is for the applicants to be interviewed in the time between when the applications are received and the Commission considers the names.

Alderman Long moved to approve the Nominating Committee Advertising & Promotion Commission Report as read. Alderman Gray seconded the motion. Upon roll call the motion passed 4-1. Alderman Petty, Bunch, Long, and Gray voting yes. Alderman La Tour abstained. Alderman Tennant and Kinion were absent.

Agenda Additions:

Consent:

Approval of the March 21, 2017 City Council Meeting Minutes.

Approved

Wings Avionics, Inc.: A resolution to approve a three year lease agreement with Wings Avionics, Inc. for the airport hangar at 421 Ernest Lancaster Drive for rent in the amount of \$1,606.49 per month.

Resolution 81-17 as recorded in the office of the City Clerk

Cato Springs Trail Airspace Permit: A resolution to approve an Airspace Permit Agreement with the Arkansas State Highway and Transportation Department for the Cato Springs Trail crossing of Highway 71 and Interstate 49.

Resolution 82-17 as recorded in the office of the City Clerk

Alderman Marsh moved to accept the Consent Agenda as read. Alderman La Tour seconded the motion. Upon roll call the motion passed 6-0. Alderman Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant and Kinion were absent.

Unfinished Business: None

New Business:

Progressive Trail Design, LLC: A resolution to authorize a contract with Progressive Trail Design, LLC for the construction of new trails and improvements to existing trails in accordance with the Kessler Mountain Trails Master Plan in the amount of \$296,721.87, and to approve a project contingency in the amount of \$44,508.28.

Ken Eastin, Park Planner gave a brief description of the resolution.

Mayor Jordan: Good work, Ken. Thank you.

City Attorney Kit Williams: I'm getting excited about this. This looks better than I could have imagined. Thanks for your work.

Alderman Long moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the resolution passed 7-0. Alderman Petty, Tennant, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Kinion was absent.

Resolution 83-17 as recorded in the office of the City Clerk

VAC 17-5725 (SW of Jewell Rd. & N. Salem Rd./Villas at Forest Hills Lot 33): An ordinance to approve VAC 17-5725 for property located at Lot 33 of Villas at Forest Hills, Southwest of West Jewell Road and North Salem Road to vacate an access easement.

City Attorney Kit Williams read the ordinance.

Andrew Garner, City Planning Director gave a brief description of the ordinance. Staff recommends approval. The Planning Commission voted unanimously in favor of the request.

Alderman Marsh moved to suspend the rules and go to the second reading. Alderman Tennant seconded the motion. Upon roll call the motion passed 7-0. Alderman Petty, Tennant, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Kinion was absent.

City Attorney Kit Williams read the ordinance.

Alderman Marsh moved to suspend the rules and go to the third and final reading. Alderman Long seconded the motion. Upon roll call the motion passed 7-0. Alderman Petty, Tennant, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Kinion was absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Petty, Tennant, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Kinion was absent.

Ordinance 5962 as Recorded in the office of the City Clerk

Amend §33.350 Active Transportation Advisory Committee: An ordinance to amend §33.350 **Purpose and Establishment of Article XXIII Active Transportation Advisory Committee** of the Fayetteville Code to expand the scope of the committee's duties and to establish a time for the election of the committee chair.

City Attorney Kit Williams read the ordinance.

Matthew Mihalevich, Trails Coordinator and Active Transportation Advisory Committee staff representative gave a brief description of the ordinance.

Mayor Jordan: This is something I brought back for reconsideration after a vote a couple of months ago. Council members Marsh and Petty have worked on this with staff. I appreciate your input on this.

Paxton Roberts, Chairman of the Active Transportation Advisory Committee: This ordinance revision has been discussed at length within the committee. It was unanimously supported. We know this is an advisory role and we appreciate you being willing to receive input. There are a lot of opportunities to make some significant changes that could increase the mobility for all residents in the city. The city has done a wonderful job building out the trail network. Some of the last mild problems are on the roads. I think expanding the scopes so we can give input on these roads and to incorporate protected bike lanes, crosswalks, and signals would make a big difference.

Alderman Marsh moved to suspend the rules and go to the second reading. Alderman Long seconded the motion. Upon roll call the motion passed 7-0. Alderman Petty, Tennant, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Kinion was absent.

City Attorney Kit Williams read the ordinance.

Alderman Gray moved to suspend the rules and go to the third and final reading. Alderman Marsh seconded the motion. Upon roll call the motion passed 7-0. Alderman Petty, Tennant, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Kinion was absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan: Thank you to everyone for all the work they did on this.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Petty, Tennant, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Kinion was absent.

Ordinance 5963 as Recorded in the office of the City Clerk

Amend §72.58 Off-Street Parking Facilities; Rules and Rates: An ordinance to Amend §72.58 Off-Street Parking Facilities; Rules and Rates of the City Code to provide greater flexibility for event parking in city managed parking facilities, and to make technical revisions.

City Attorney Kit Williams read the ordinance.

Justin Clay, Parking Manager gave a brief description of the ordinance.

Alderman Marsh moved to suspend the rules and go to the second reading. Alderman Long seconded the motion. Upon roll call the motion passed 7-0. Alderman Petty, Tennant, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Kinion was absent.

City Attorney Kit Williams read the ordinance.

Alderman Marsh moved to suspend the rules and go to the third and final reading. Alderman Gray seconded the motion. Upon roll call the motion passed 7-0. Alderman Petty, Tennant, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Kinion was absent.

City Attorney Kit Williams read the ordinance.

City Attorney Kit Williams: I have just started using event parking and find it very convenient. Has it worked out for the city, money wise?

Justin Clay: It does generate revenue for the city. It offers convenience to event goers and the general public who view it as a premium service when it comes to parking.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Petty, Tennant, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Kinion was absent.

Ordinance 5964 as Recorded in the office of the City Clerk

Announcements:

Don Marr, Chief of Staff: The city is seeking nominations for our City of Fayetteville 2017 Historic Preservation awards. The deadline is Friday at 5:00 p.m. Information can be found on the city website.

April 12, 2017 from 4:00 p.m. to 7:00 p.m. at the Ozark Natural Foods community room, Ozark Regional Transit has a public input session for a rapid bus transit pilot program study. It's being funded with the Walton Family Foundation.

The Clabber Creek Trail ribbon cutting and tour will be on Thursday at 3:30 p.m.

The construction project on the College Avenue improvements will begin in April and go through November. This week between 6:00 a.m. and 4:00 p.m., milling and overlay work is taking place on the east side of North Street between College Avenue and Mission. That street will be closed during those periods. Please take this into consideration with your commute.

On April 8, 2017 from 9:00 a.m. to 11:00 a.m. at the Kessler Mountain Regional Park concession stand building, the Parks Department is taking Parks Capital Improvement project input from citizens. This is the third and final input session.

The baseball season has begun at the U of A and fireworks have been approved for their baseball events. If you live near Baum Stadium, fireworks could be displayed.

The Community Development Block Grant photo reception will be on April 19, 2017 from 2:00 p.m. to 4:00 p.m. at the Fayetteville Senior Activity and Wellness Center. It is a chance to see how your CDBG money is utilized.

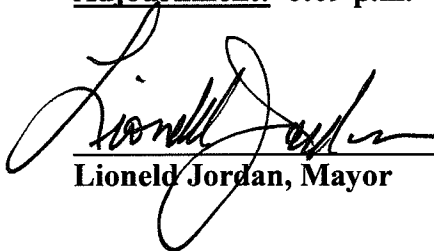
City Attorney Kit Williams: I have some good news from the Arkansas Supreme Court. They issued their mandate in the City Hospital case, which officially ends the case. It was determined that what we did was correct. We followed the Stone deeds intent properly and legally. The closing of the City Hospital land sale to the library can now go forward.

City Council Agenda Session Presentations:

Agenda Session Presentation - Fayetteville Energy Action Plan by Peter Nierengarten.

City Council Tour: None

Adjournment: 6:09 p.m.


Lioneld Jordan, Mayor
Sondra E. Smith, City Clerk Treasurer



City Council approved April 4, 2017

Nominating Committee

Members – Chair Mark Kinion, Sarah Marsh, Sarah Bunch and Alan Long

Advertising & Promotion (A&P) Commission Appointments

At the March 20, 2017 Advertising and Promotion Commission meeting, the Commission recommended that the City Council approve the following appointments for the Advertising and Promotion Commission:

Chrissy Sanderson, Tourism Industry - One unexpired term ending 03/31/20

Robert Rhoads, Public at Large - One term ending 03/31/21