

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
July 6, 2017**

A meeting of the Fayetteville City Council was held on July 6, 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, Mark Kinion, 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.

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions: None

City Council Meeting Presentations, Reports, and Discussion Items: None

Agenda Additions: None

Consent:

Mayor Jordan stated **Bid #17-34 Grand Truck Equipment Company, LLC** was being requested to be removed from Consent for discussion.

City Attorney Kit Williams: The resolution needed to have a budget adjustment approval. I have handed out a copy of the resolution to be amended.

Alderman Long moved to remove **Bid #17-34 Grand Truck Equipment Company, LLC** from the Consent Agenda for discussion. **Alderman Marsh** seconded the motion. Upon roll call the motion passed unanimously.

Mayor Jordan: Why are we pulling it, Kit?

City Attorney Kit Williams: There was not a budget adjustment attached, but there is now.

Bid #17-34 Grand Truck Equipment Company, LLC was pulled from Consent for discussion.

Approval of the June 20, 2017 City Council Meeting Minutes.

Approved

Bid #17-33 Vance Brothers, Inc.: A resolution to award Bid #17-33 and authorize a contract with Vance Brothers, Inc. for asphalt microsurfacing of city streets at a cost of \$2.28 per square foot as needed through the end of 2017.

Resolution 129-17 as recorded in the office of the City Clerk

Bid #17-35 Lewis Ford Sales, Inc.: A resolution to award Bid #17-35 and authorize the purchase of a Ford E350 Box Truck from Lewis Ford Sales, Inc. of Fayetteville, Arkansas in the amount of \$37,007.00 for use by the Recycling and Trash Collection Division.

Resolution 131-17 as recorded in the office of the City Clerk

Bid #17-36 Altec Industries, Inc.: A resolution to award Bid #17-36 and authorize the purchase of a Ford F750 with Altec Aerial Platform from Altec Industries, Inc. of Creedmoor, North Carolina in the amount of \$132,212.00 for use by the Parks and Recreation Department and the Transportation Department.

Resolution 132-17 as recorded in the office of the City Clerk

Arkansas Occupational Medicine Services, P.A. d/b/a Arkansas Occupational Health Clinic: A resolution to authorize a one year contract with an option to renew for up to four additional one year terms with Arkansas Occupational Medicine Services, P.A. d/b/a Arkansas Occupational Health Clinic in an amount not to exceed \$50,000.00 for physical exams and health screenings for Fire Department employees at a cost of \$264.00 to \$575.00 per exam.

Resolution 133-17 as recorded in the office of the City Clerk

Alderman Marsh moved to accept the Consent Agenda as read. **Alderman Tennant** seconded the motion. Upon roll call the motion passed unanimously.

Bid #17-34 Grand Truck Equipment Company, LLC was removed from the Consent Agenda for Discussion

Bid #17-34 Grand Truck Equipment Company, LLC: A resolution to award Bid #17-34 and authorize the purchase of a Ford F550 with Dakota Body and Aerial Platform from Grand Truck Equipment Company, LLC of Afton, Oklahoma in the amount of \$103,115.00 for use by the Transportation Department.

City Attorney Kit Williams restated the necessity of an amendment to add a budget adjustment to the resolution.

Alderman Marsh moved to amend the resolution by adding a budget adjustment. Alderman Gray seconded the motion. Upon roll call the motion passed unanimously.

Mayor Jordan read the resolution.

Terry Gulley, Transportation Services Director gave a brief description of the resolution.

Alderman Gray moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the resolution passed unanimously.

Resolution 130-17 as recorded in the office of the City Clerk

Unfinished Business:

17-5776: (1320 S. College Ave./Sugarland Properties): An ordinance to rezone that property described in rezoning petition RZN 17-5776 for approximately 0.31 acres located at 1320 South College Avenue from NC, Neighborhood Conservation to RI-U, Residential Intermediate, Urban. *At the June 20, 2017 City Council Meeting this ordinance was left on the second reading. At the June 6, 2017 City Council Meeting this ordinance was left on the first reading.*

Alderman Petty stated he would like to recuse himself from the discussion.

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

City Attorney Kit Williams read the ordinance.

Jesse Millwee, Citizen believes the rezoning will be positive for the neighborhood and the community. He spoke in favor of the rezoning.

Keaton Smith, Citizen is in support of the rezoning. He stated he is a property owner in the neighborhood.

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

Ordinance 5983 as Recorded in the office of the City Clerk

New Business:

Bid #17-37 Countryside Farm and Lawn Equipment Company, Inc.: A resolution to award Bid #17-37 and authorize the purchase of a John Deere 5100E Tractor with mowing attachment and a John Deere 6110M Tractor with mowing attachment from Countryside Farm and Lawn Equipment company, Inc. in the total amount of \$202,099.00 for use by the Transportation Department.

Terry Gulley, Transportation Services Director gave a brief description of the resolution.

Alderman La Tour: Describe for me the process when one of our departments comes to you and says they need new mowers and tractors. What is the procedure of letting people around the state know you are in the market for tractors? Do you send emails or letters stating we are taking bids?

Terry Gulley: I will defer the question about how it is sent out to Andrea who is our Purchasing Director. The Transportation Division uses this equipment. When an item comes up for replacement we try to utilize the Fleet Department's knowledge. This was last replaced in 2004 and has lasted 13 years. We look at what is being used in the market place currently that wasn't available in 2004. The bid package is put together and it is sent to the Purchasing Department.

Andrea Rennie, Purchasing Director: The first process of any city bid when we get it in is to talk with any department that is involved and then it goes into the classified section of the Northwest Arkansas Times statewide. We have a Purchasing mailing list that is distributed to over 1,800 vendors. We touch base personally with any vendor we know that may sell that piece of equipment or commodity.

Alderman La Tour: When you are drawing up the bid sheets and listing the specifications, do you list those specifications or do you solicit help from somebody else?

Andrea Rennie: It mainly comes from Fleet and Transportation before it gets to the Purchasing Department.

Alderman La Tour: Fleet and Transportation say what characteristics they want?

Andrea Rennie: Yes.

Alderman La Tour: Where do you get your list of characteristics of everything you want in a piece of equipment?

Jesse Beeks, Fleet Operations Superintendent: It depends on the piece of equipment. If we have looked at a specific piece of equipment, everybody wants to write the spec for it. We try to generalize it as much as possible.

Alderman La Tour: When you say everybody, do you mean all the people trying to sell it to you?

Jesse Beeks: Yes.

Alderman La Tour: You have vendors that write specifications?

Jesse Beeks: They would like too.

Alderman La Tour: Of course they would specify things that just are characteristic of their piece of equipment.

Jesse Beeks: That's right.

Alderman La Tour: You don't let that happen, right?

Jesse Beeks: I try not too.

Alderman La Tour: Do we ever give preference to local vendors that might be a few dollars higher and keep the money in the local economy?

Jesse Beeks: Local as defined in the Purchasing Department is the State of Arkansas. As far as I'm aware the City of Fayetteville does not have an ordinance allowing us to give preference for the city.

Andrea Rennie: State Procurement Code talks about that in reference to a resident vender and a non-resident vendor. A resident vendor being considered a vendor doing business in the state within itself. Non-resident will be out of state. All three vendors for this bid were all in state residents or in state vendors.

Tim Bailey, Williams Tractor located in Ward 4 stated he is concerned that local government overspends at times and overlooks local businesses that the local businesses fund. He gave a brief description of the equipment and bid he submitted to the City of Fayetteville. He stated when it came time to research specifications, Fleet and Transportation traveled to Little Rock to research specifications and never considered coming across town to look at what was being replaced by an adequate tractor. His company wants to support and have a good relationship with the city. He stated he has loaned equipment to the diverse activities of the city. He serves a meal to the Police Department and Fire Department once a month. He believes his bid was the better choice financially and environmentally for the City of Fayetteville.

Mayor Jordan stated Mr. Bailey's five minute speaking time limit was expired.

Alderman La Tour: It is your contention that we accepted a bid that was higher than your bid for basically the same thing?

Tim Bailey: Yes, sir. The tractors were comparable.

Alderman La Tour: When you say comparable, I can't tell the difference between a Chevrolet and a Ford. They are basically the same thing. Is that what you mean by comparable?

Tim Bailey: Exactly. Both will do the same amount of work and the same performance specifications, but mine is more efficient in fuel economy.

Alderman La Tour: You would think we would want that, right?

Tim Bailey: Absolutely.

Alderman La Tour: It would be cheaper to operate.

Tim Bailey: Yes, sir.

Alderman La Tour: We went to Little Rock to buy it and ignored our local business.

Tim Bailey: Yes, that is my contention.

Alderman La Tour: That looks bad, Mayor. Is there anything else you want to tell us?

Tim Bailey: Yes, if I had the opportunity.

Mayor Jordan: The speaker's time is up unless you make a motion to give him more time.

Alderman La Tour moved to allow an additional three minutes for the speaker. Alderman Long seconded the motion. Upon roll call the motion passed unanimously.

Tim Bailey: Our company has paid \$100,000 worth of sales tax this calendar year to the city. The city has to recognize there is some intrinsic value. Even though the State of Arkansas considers the other bidders as local, none of their revenue comes into the City of Fayetteville. We are truly the only local vendor. I'm not asking for any kind of preference. If I am the high bidder and someone else offers a better value, I completely understand that. I ask for this item to be tabled and sent back to the Equipment Committee for re-evaluation. In the future I would like to be involved in the equipment purchases that we have proven to provide.

Alderman Tennant: For years I haven't liked the State Procurement contract. Not just for tractors, but for a lot of different things. I investigated this years ago when I was with a technology company and I didn't understand why our hands were tied on rewarding contracts. I was told if I wanted to change it, then I would have to try to change it at the state level. I don't think that is something we can change locally. I would be interested in investigating that. I think we should have some leeway to decide on our own. I would rather give business to a local group or a regional

group rather than somebody in Little Rock, Pine Bluff or wherever. This particular situation we are discussing, it smells like there is more to this. I trust the city staff, but Terry what swung it the other way?

Terry Gulley: The three bidders were from Springdale and Fayetteville. There was no Little Rock bidder. We went to Pulaski County so we could compare equipment that other municipalities were using that were newer than what we had been using. It was to evaluate the equipment. We put out our bid specs. We made a determination and went with cubic inch displacement on the engines. We did not pick horsepower. We put out this bid and those companies filled it out. Out of the three that filled it out one was from Williams Tractor. One of the questions asked if the engine met the specifications. They wrote no. Another question asked if the tractor had an integrated park position. They answered no. We asked if it had a park lock. They wrote no. This is the bid they submitted. Springdale Tractor also bid smaller CID engines and did not meet the specs either. Countryside was the only one that answered yes to all bid specifications put out equally to all bidders that wanted to bid on it. Fleet does not just look at purchase price when we are looking at what we are going to invest in and in this case, for at least the next ten years. We try to look at the whole picture of what it is going to cost us in the end. The tractor we currently have has had serious issues in the last year. We have a seven month window where we are out doing this type of work with these tractors. The tractor was at Williams Tractor being repaired for 6.5 weeks which is 23% of our mowing season. We went all that time period without and we don't have a backup. It is not cost effective to have another tractor sitting and not being used all the time. It stated in two paragraphs that any questions could be addressed by calling Les in Purchasing. If we felt like it was something that needed to be addressed we could have put out an addendum for it. Fifty five days after the bid was submitted is when they contacted Les. The bottom line is that they did not meet the specs of the bid so we are not able to grant them this. We had one bidder that did meet that. By law we can't buy from a company if they do not meet the specs. We don't do bells and whistles on equipment. We put out the bids for the minimum things we need.

Alderman Tennant: As I assumed there is a lot more to the story. At some point I'd like to revisit how we do state contracts on everything. In this particular case, it went through the Equipment Committee and I would have a tough time sending it back to them. I trust the Equipment Committee and city staff.

Alderman La Tour: How is Pulaski County going to maintain our equipment?

Terry Gulley stated Pulaski County had nothing to do with this. He reiterated that they looked at equipment that was similar to what the city wanted to purchase. He stated the City of Fayetteville is buying from a local vendor.

Alderman La Tour: The people who bid on it are all from Northwest Arkansas?

Terry Gulley: They are all in Washington County.

Alderman La Tour requested for Tim Bailey to return to the podium to explain his customer service.

Tim Bailey stated they were working on a tractor that had 6,400 hours on it and fixed numerous problems, which took a long time to repair. He stated he has made a commitment to do better in his service to the City of Fayetteville. He spoke about engines, horsepower, and technology.

Alderman Long: I work in procurement. Looking at the background of this story it seems like the process was followed the way it was supposed to be done. I spoke with Mr. Williams on the phone and referred him to members of the Equipment Committee and Chief of Staff because I wasn't part of this bid process. We need to look at the way these are done going forward. There are communication issues that need to be worked out between Williams Tractor and the City of Fayetteville, specifically when looking at the addendums to the contract. I'm not going to vote to send this back to the Equipment Committee.

Tim Bailey: I sat down with Fleet Operations to talk about some of these issues. I did not go to Les in Purchasing. I have tried to call Fleet and tell them I was going to send this to Council for a conversation. Communication is very difficult.

Alderman Long: I think keeping Purchasing in the loop in those conversations is very important. They control the bid process.

Don Marr, Chief of Staff: I feel like it's an attack on the integrity of the staff and their ability to follow the process. Andrea, specifically tell the Council what has to be done to give purchasing preference to City of Fayetteville located businesses.

Andrea Rennie: It goes back to our State Procurement Code that is put out by the state. It talks about resident and non-resident. I don't know the legality of awarding something to someone just because they are in the City of Fayetteville limits.

Don Mar: We can talk with our local delegation of elected officials, but this will require a state law change. This is not something you can do as a City Council unless a state law gives us the ability to do so or our City Attorney finds some other mechanism for us to do. It sounds like Alderman La Tour and Alderman Long might want to be sponsoring Council members for that legislation if we are able to do something locally. Otherwise, this is the type of item we would put in a legislative package with our state legislators. We are proud to be partners with Williams Tractor. What is coming across tonight in this conversation is frustration on their side feeling like the staff purposefully is not wanting to use Williams Tractor, which is not the case. We had equipment that extended its life, but that is due to the great performance of our Fleet management. 81% of the equipment we bought in 2006 was for equipment that extended the original life when we purchased it. Due to our Fleet management we have one of the top 15 Fleets in the nation. In terms of writing the specifications, I meet with vendors all the time who want a specific way of something to be written in hopes that theirs is the only piece of equipment or item that could be bid. We have a checkpoint in the Purchasing Department to review it to make sure our specifications are not written so specifically that we rule out the ability to get good competitive bidding on these processes. When they are, they kick them back and they escalate those to me if someone has done that so I can ask questions about why we have to operationally have that specification. The park lock on the tractor is something we don't want to compromise on because it is a safety mechanism. We use a comprehensive evaluation when making a decision. If we

accepted a bid from someone who wrote no on the requirements, how do we legally defend against the bidder who met all the requirements? This isn't personal with Williams Tractor. The Purchasing Department is our coordinator and the point of contact during the bidding process to make sure we are being fair. We look at equipment all over this country to ensure we have the best return and operational efficiency when we make these decisions.

Alderman Gray: I am the Transportation Committee Chairman. I would be delighted to bring this item back to the committee if I felt like we had not properly done our homework. It gives me comfort to know I can count on Terry Gulley, Jesse Beeks, and Andrea Rennie for taking care of things and following the law exactly. I appreciate all the things they take in consideration and not just the price. I am always happy when we can give the bids to someone in Fayetteville.

Alderman La Tour: One of our primary functions on the City Council is to safeguard the public purse. I sit on the Equipment Committee and I always ask Jesse, do we really need it. When I have a local vendor come to me and say they bid lower with more horsepower, but just a fewer cubic inches, it sounds like the addendum process is what we need to be implementing. I want the local guys to win, but I want them to do it legitimately.

Alderman Petty: If we were to vote to rebid this how long would that take?

Andrea Rennie gave a brief description of the bid process.

Alderman Petty: Are we looking at 12 weeks?

Andrea Rennie: Possibly.

Alderman Petty: After an order is placed how long would it take for a piece of equipment to be delivered?

Jesse Beeks: It could take up to 180 days for delivery and getting it ready.

Alderman Petty: If we restart this process, we are looking at 24-36 weeks potentially before we can get a piece of equipment. There is a legal consideration to other bidders. It is compelling that we could save five digits worth of money for something that does the same work and has virtually the same functionality. It seems that 24 weeks of work and waiting probably washes out any savings we might get. If we could open this bid back up today and have this thing solved on virtually the same timeline, I would probably vote to do it for the savings.

Andrea Rennie: The city does a lot of business with Williams Tractor. Year to date we have spent \$92,955.12 with Williams Tractor.

Alderman La Tour moved to table the resolution. Alderman Long seconded the motion. Upon roll call the motion to table failed 1-7. Alderman La Tour voting yes. Alderman Marsh, Kinion, Petty, Tennant, Bunch, Long, and Gray voting no.

Mayor Jordan: I want to apologize to the staff. I trust the staff and they do a great job. That is why we have one of the best Fleets in the nation. We don't try to rig anything to help our buddy out. We are straight forward and honest. I appreciate staffs' work.

Alderman Gray moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the motion passed unanimously.

Resolution 134-17 as recorded in the office of the City Clerk

Bid #17-32 Goins Enterprises, Inc.: A resolution to award Bid #17-32 and authorize a contract with Goins Enterprises, Inc. in the amount of \$1,919,872.00 for the construction of the Martin Luther King, Jr. Boulevard, Huntsville Road, and Garden Park Apartments Waterline Improvement Projects, to approve a project contingency in the amount of \$288,000.00, and to approve a budget adjustment.

Tim Nyander, Utilities Director gave a brief description of the resolution. The Water, Sewer & Solid Waste Committee voted to forward to City Council with recommendation of approval.

Alderman Kinion moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the motion passed unanimously.

Resolution 135-17 as recorded in the office of the City Clerk

Community Access Television, Inc. d/b/a Your Media: A resolution to approve a change in the City's public access television policy and to amend the contract with Community Access Television, Inc. d/b/a Your Media to expand public access services to residents of Washington County and Benton County for an annual fee of \$50.00.

Doug Bankston, Media Services Director gave a brief description of the resolution. He stated the Telecommunications Board endorsed the change unanimously.

Alderman Long moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the motion passed unanimously.

Resolution 136-17 as recorded in the office of the City Clerk

RZN 17-5802: (147 E. Spring St./Teague): An ordinance to rezone that property described in rezoning petition RZN 17-5802 for approximately 0.31 acres located at 147 East Spring Street from RMF-24, Residential multifamily, 24 units per acre to RI-U, Residential Intermediate, Urban.

City Attorney Kit Williams read the ordinance.

Andrew Garner, City Planning Director gave a brief description of the ordinance. The Planning Commission and staff recommend approval.

Brian Teague, Applicant stated he lives at 201 East Spring Street which is next door to the property. He gave a brief description of his proposed project.

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

City Attorney Kit Williams read the ordinance.

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

Ordinance 5984 as Recorded in the office of the City Clerk

RZN 17-5803: (E. of Old Missouri Rd. & Rolling Hills Dr. Keenan): An ordinance to rezone that property described in rezoning petition RZN 17-5803 for approximately 10.86 acres located east of the intersection of Old Missouri Road and Rolling Hills Drive from RSF-4, Residential Single Family, 4 units per acre to NS-G, Neighborhood Services, General.

City Attorney Kit Williams read the ordinance.

Andrew Garner, City Planning Director gave a brief description of the ordinance. The Planning Commission and staff recommend approval.

Mitch Weigel, Downtown Properties representing the applicant gave a brief description of the proposed project.

Alderman Tennant: I have gotten a few calls on this. I also got a few calls about the extension itself. I believe there was a little bit of confusion on one relating to the other. Do we have a timeframe for the Rolling Hills Road extension and if not, what are our long term next steps?

Andrew Garner: The Mobility Plan is towards the end of the study and this particular connection was a part of that study. You will see some recommendations from the Traffic Consultant. We do not have a timeframe for extending Rolling Hills at this time through this property. Like many of

our streets on our Master Street Plan it is desired for a connection to improve east and west connectivity from Crossover towards the core of the city. There will be some decisions for City Council as you look at the upcoming bond program and where you are putting your money and how you want to disperse those funds.

Alderman Tennant: I appreciate that because it will alleviate some of the concerns of people thinking it was a more immediate situation than it was. I would exercise caution. This is a one shot deal where we want to make sure we develop things right in that area. This is a very complicated spot.

Alderman Bunch: I have gotten quite a few calls and emails about this piece of property. In response to one of the emails I got, I requested we do a tour of the site. I would like to keep it here until we take a tour.

This ordinance was left on the First Reading

VAC 17-5815 (429 N. Vinson Ave./Merritt): An ordinance to approve VAC 17-5815 for property located at 492 North Vinson Avenue to vacate a portion of a street right-of-way.

City Attorney Kit Williams read the ordinance.

Andrew Garner, City Planning Director gave a brief description of the ordinance. The Planning Commission and staff recommend approval.

Alderman Marsh moved to suspend the rules and go to the second reading. **Alderman Long** seconded the motion. Upon roll call the motion passed unanimously.

City Attorney Kit Williams read the ordinance.

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

City Attorney Kit Williams read the ordinance.

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

Ordinance 5985 as Recorded in the office of the City Clerk

Amend Chapter 167: Tree Preservation and Protection: An ordinance to amend Chapter 167 **Tree Preservation and Protection** of the Unified Development Code to make clerical revisions including defining certain terms, removing definitions of terms that are defined in other portions of the Unified Development Code, and correcting ambiguous or unclear names and terms.

City Attorney Kit Williams read the ordinance.

John Scott, Urban Forester gave a brief description of the ordinance. He stated this ordinance will be the first of four parts of Chapter 167 and Chapter 177 changes that they would like to make.

Alderman La Tour: Are you our Urban Forester?

John Scott: I am.

Alderman La Tour: Have you ever held a memorial service for a tree?

John Scott: I have not, but I have heard of such things.

Alderman La Tour: In our city?

John Scott: Yes.

Alderman La Tour: Will this ordinance make developers happier or less happy?

John Scott: I believe it will make them happy because it provides clarity.

Alderman La Tour: Is it reducing the regulations they have to comply with or increasing regulations they have to comply with?

John Scott stated neither. He explained that it would reduce some redundancy in language and gave some examples of terminology.

Alderman La Tour: This is the first of four installments?

John Scott Yes.

City Attorney Kit Williams: The rest are going to be much shorter. The reason this was so long is because it was the entire chapter. If we had attached an Exhibit A, it would have gone on many pages and been very expensive to publish. We made it as short as we could, but still covered all the changes requested by the Urban Forester.

Alderman La Tour: Do you agree with our Urban Forester's assessment that this will not have any changes on regulations for our developers?

City Attorney Kit Williams: Yes. These aren't substantive changes. There will be substantive changes coming forward. I am going to recommend a substantive change to you in the future.

Don Marr, Chief of Staff stated clarity is really important in terms of our development community. He stated it needs to be clearer for people to understand.

Alderman Long moved to suspend the rules and go to the second reading. **Alderman Marsh** seconded the motion. Upon roll call the motion passed 7-1. **Alderman Marsh, Kinion, Petty, Tennant, Bunch, Long, and Gray** voting yes. **Alderman La Tour** voting no.

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 7-1. **Alderman Marsh, Kinion, Petty, Tennant, Bunch, Long, and Gray** voting yes. **Alderman La Tour** voting no.

City Attorney Kit Williams read the ordinance.

Mayor Jordan thanked staff for the work they did on the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-1. **Alderman Marsh, Kinion, Petty, Tennant, Bunch, Long, and Gray** voting yes. **Alderman La Tour** voting no.

Ordinance 5986 as Recorded in the office of the City Clerk

Traffic Calming Installation: A resolution to express the intention of the City Council to include funding in the 2018 budget for additional traffic calming installation within city streets.

Alderman Long: I appreciate Alderman Petty co-sponsoring this with me. One of the number one request I receive is for infrastructures, specifically related to traffic safety. The lack of infrastructure for traffic calming and traffic safety prevents us from having as great of pedestrian mobility as we could have in the City of Fayetteville. At Agenda Session a lot of people spoke about the amount of money, but I don't have a specific amount in mind. Staff is capable of determining what they think is necessary. We have tried pilot programs in the past that can address specific problem areas. We need the ability to try some solutions and give staff the flexibility of coming up with ideas. One thing that came up last year and we were able to address it was over by Holcomb Elementary. We needed to put in a temporary speed table. What ended up happening was that there was a \$600 fee to buy the bolts to install it. The POA that lived next to it ended up writing a check to the City of Fayetteville to pay for the bolts. Things like that are a good example of what the city should be paying for and not just the neighborhoods around the schools. We should have a small amount of money set aside and try to come up with solutions in the upcoming year.

Alderman Petty: This has been a discussion for some time and we have talked about how we should maybe put something in the budget. We have been asked to submit comments on the five year CIP and that is one potential source and it will be included in my comments. I believe this resolution is appropriate because there are a lot of other sources of that kind of funding. There might be some more creative ways of administering a traffic calming program if we were to fund it. For an example, in the Transportation Bond Program is \$500,000 that has been set aside generally for intersection improvements with no further specification about what might happen

there and that's a potential source. The Street Fund with part of our Overlay Program is another potential source. We have a brand new program where we allow anyone in the community to submit an application to design public improvements of a temporary nature to test out ideas that might be traffic calming. We allow them to install those after the application process if they meet design requirements. This is the only forum we have until we get into real budget discussions. Sending a signal that we think it is important and it can be met in a variety of ways is the appropriate role for us to take as a Council when we talk about budget. This is a priority and it should be elevated a little higher than the Council has elevated it in the past. My hope would be that we come up with a funding amount and a process for administering up to a dozen traffic calming projects per year.

Don Marr, Chief of Staff: In 2007 the City Council passed a resolution to put \$187,760 into traffic calming, specifically to the Wilson Park and Washington Willow Neighborhood Association as a part of the Transportation Department Bond Program. In 2008 the City Council approved in the Transportation operating budget in its Overlay Program, \$50,000 for traffic calming. It is important to have CIP information and share with us what items you would remove to fund these items you want to add. It is still the \$8 to \$9 million we have. The Transportation Division where this money has typically been funded has been under pressure. We are hoping to be able to catch up in some of the overlay we deferred.

Alderman La Tour: We do have a fixed pie with our budget. None of us like traffic, but if you live in a city, traffic is part of the equation. I don't want our traffic calming to slide so far that it becomes traffic impeding. We do want to slow things down around schools and sensitive areas. Speed bumps don't really work unless you live right in front of a speed bump. I want us to look at other traffic calming techniques like crosswalks or parking on both sides of the street.

Alderman Marsh: I am supportive of the intent of this resolution. Citizens contact me and request traffic calming in their neighborhoods. I would be excited for the potential of a Bike and Pedestrian Coordinator. At the Active Transportation Advisory Committee meeting we unanimously endorsed the creation of that position. That individual could help with traffic calming. I want to see us move away from the speed humps and look at other solutions. I'm hoping our Mobility Plan will help us design better streets to fit the desired speeds we are trying to achieve.

Alderman Long: The reason I requested for speed tables to be left in the resolution was because it is sometimes necessary for bicycles.

Mayor Jordan: One of the biggest complaints we got from citizens in 2008 was about speed tables. I know you all are getting a lot of folks wanting speed tables, but back when I was running for office that was not the case. I think when you start installing them again you are going to get a few challenges. I am not a big fan of the speed tables. I want everyone to remember we have \$8 million to work with in the CIP and that is it.

Alderman Petty: Back whenever we did traffic calming the first time around the only way we thought we had to do it was speed tables, but now technology has evolved substantially. Speed tables should be used in very limited circumstances because they are not a preferred way to traffic calm. There is not just a CIP to consider because there are other funding sources besides this one.

A discussion followed about speed tables and speed bumps.

Don Marr: I ask that the Transportation Committee members in our Mobility Study really look at the recommended process for approving where we use these items. There are two steps to this that we hear from citizens. One is about funding to do it, but the more important item is, my neighborhood can never qualify to get it.

Mayor Jordan: I don't want anyone thinking I am not in favor of traffic calming because I am. My first experience with it was not a good one.

Alderman Marsh moved to approve the resolution. Alderman Petty seconded the motion. Upon roll call the motion passed unanimously.

Resolution 137-17 as recorded in the office of the City Clerk

Announcements:

Don Marr, Chief of Staff: On July 7, 2017 is a Dive-In Movie at Wilson Park.

On July 13, 2017 is the Gulley Park Concerts Series.

We currently have an active survey on our website for our Fayetteville's Future Transportation Strategies and Priorities. We would like all citizen feedback.

There will be a garden walking tour for sustainable landscapes on July 15, 2017.

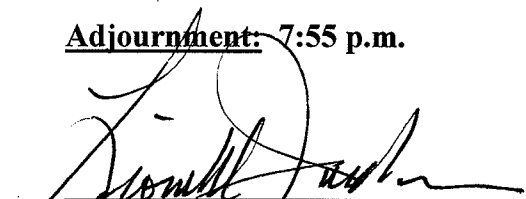
City Council Agenda Session Presentations:

Agenda Session Presentation - CH2M Annual Report, Steve Carpenter.

Agenda Session Presentation - Summary of the April 29, 2017 flooding event.

City Council Tour: None

Adjournment: 7:55 p.m.


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