

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 18, 2017**

A meeting of the Fayetteville City Council was held on July 18, 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:

2016 Audit Report - Paul Becker.

Paul Becker, Chief Financial Officer gave a brief summary of the 2016 Audit Report. He stated the 2016 Financial Audit and Comprehensive Report has been published for the year ending December 31, 2016. We have a clean opinion, with no significant findings, and no material weakness found by our external auditor.

Agenda Additions: None

Consent:

Approval of the July 6, 2017 City Council Meeting Minutes.

Approved

Fayetteville Police Department Ammunition: A resolution to approve the purchase of ammunition as needed by the Fayetteville Police Department from various manufacturers, pursuant to the State of Arkansas ammunition contract, through January 22, 2018 and as renewed by the state for up to four additional one year terms.

Resolution 138-17 as recorded in the office of the City Clerk

Rupple Meadows Subdivision Street Improvements: A resolution to approve a budget adjustment in the amount of \$72,321.00 as the developer's share to widen Rupple Road, install storm water drainage and construct a trail at the total cost of \$143,973.20.

Resolution 139-17 as recorded in the office of the City Clerk

Special Needs Assistance Program (SNAP) Grant: A resolution to approve the renewal of four special needs assistance program grant agreements with the U.S. Department of Housing and Urban Development in the total amount of \$305,348.00 for the city to administer programs to assist homeless Fayetteville residents, and to approve a budget adjustment.

Resolution 140-17 as recorded in the office of the City Clerk

Kimbel Mechanical Systems, Inc.: A resolution to approve and certify the participation of Kimbel Mechanical Systems, Inc. in the Arkansas tax back program and to agree to authorize the Arkansas Department of Finance and Administration to refund city sales tax back to Kimbel Mechanical Systems, Inc. for qualified purchases.

Resolution 141-17 as recorded in the office of the City Clerk

Taxiway B Widening and Rehab Grant Offer: A resolution to authorize Mayor Jordan to accept a 90/10 matching grant from the Federal Aviation Administration to provide funding in the amount of \$137,520.00 for the Taxiway B Widening and Rehabilitation project at Drake Field, and to approve a budget adjustment.

Resolution 142-17 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.

Unfinished Business:

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. *At the July 6, 2017 City Council Meeting this ordinance was left on the first reading.*

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

City Attorney Kit Williams read the ordinance.

Andrew Garner, City Planning Director stated one point of clarification I would like to add is that there has been some misinformation that this project would be leading to the development of Rolling Hills extension through the property and that is not the case. This is simply a rezoning to change the zoning map from RSF-4 to NS-G, Neighborhood Services. It is a zoning decision we are not looking at development.

Alderman Tennant thanked the Council members for letting the item set for a couple of weeks and for coming out to the tour. He stated this piece of land and rezoning is worth taking our time. He also thanked city staff for the clarification and asked city staff to clarify for the record, this rezoning is in no way tied to any sort of work on Rolling Hills or any sort of plans that may or may not even be in the future for any changes in Rolling Hills Drive.

Andrew Garner: That's correct.

Alderman Tennant: This spot is a good thing for us to do, but we also need to pay attention to the intersection itself. I will be looking to push for some changes to that intersection and improvements for pedestrian's. This is not the entire piece of property. I think we did our due diligence. I will be in favor of this particular rezoning.

Alderman Bunch: I'm glad we took time to go out and visit the site as well. On this piece of property, I think a rezoning is in order. If we rezone this, I think it can allow the type of development that would benefit the neighborhood and make it a more walkable neighborhood. It's a good rezone and it ties in nicely at some point down the road with adding a light or stop sign there. I will be in support of this tonight.

Alderman Tennant 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 motion passed unanimously.

Ordinance 5987 as Recorded in the office of the City Clerk

New Business:

Boston Mountain Solid Waste District: A resolution to approve a one year contract with the Boston Mountain Solid Waste District in the amount of \$36,790.00 with automatic renewals for up to five additional one year terms based on a rate of fifty cents per resident per year for Solid Waste Services provided to the City of Fayetteville as a member of the district.

Jeff Coles, Recycling and Trash Collection Director gave a brief description of the resolution. The Purchasing Division recently brought to the attention of staff that the local contributions paid to the Boston Mountain Solid Waste District were over the threshold of \$20,000 and needed to be approved through City Council to be paid. These contributions have been paid by the City since the inception of the fees and the District in the early 90's. This is now coming to the City Council, to be in compliance with City policies regarding payments over \$20,000.

Louise Mann, 629 Gray Avenue: Has this been an automatic renewal in the past?

Jeff Coles: Yes, this was adopted as a resolution by the board and district in 1993. That was the mechanism that kept this in place. This is to be in compliance with our purchasing policies.

Louise Mann: I encourage you to review closely the budget for the Boston Mountain Solid Waste District before handing over this money. I know Robyn well; I know she does good work and I trust her. However, a solid waste district that spends half a million dollars on an office building while allowing one of the best tiny town recycling facilities to be closed may need to review priorities. The St. Paul or Dutton Facility has allowed citizens to not only quit burning or filling hollers with their waste, it has also encouraged people to take responsibility for their discards and physically handle them.

Robyn Reed, Boston Mountain Solid Waste District: Thanked the City Council for taking the time to hear the resolution and for supporting them in the many ways that the City does. The St. Paul issue is a Madison County issue. Their County Judge and staff evaluated it, there has been a lot of discussion, and the center has not been closed completely they're adjusting hours.

Alderman La Tour: You have a new building?

Robyn Reed: We are in the design phases and we have a meeting tomorrow with a construction manager. Hopefully we will start building one soon. I believe you have been out to our facility before and it is pretty old, ran down, passed its age, half the outlets don't work and we have a lot of critters inside, including a snake in my office last year. We are really excited about having a new facility.

Alderman La Tour: Congratulations.

Robyn Reed: Thank you.

Alderman Kinion: This has been to the Water, Sewer and Solid Waste Committee and was reviewed. We looked at the services that were offered specifically to the City of Fayetteville and the relationship that we have with the Boston Mountain Solid Waste District, as well as our responsibility to stay in compliance. It has been reviewed and supported by the Solid Waste Committee.

Alderman Long: What are the amounts previously paid in the past years?

Don Marr, Chief of Staff: It's the same per capita rate fifty cents per resident.

Robyn Reed: It's been the same since 1994.

Alderman Long: Do we know the exact amount per year?

Robyn Reed: I believe the resolution has \$36,790.00.

Don Marr: That's the current. I would have to go back and get the populations for you in those other times.

Robyn Reed: It's based off the 2010 population census.

Alderman La Tour: Don, the fifty cents assessment per capita, is that passed on to our citizens on their water bill?

Don Marr: I believe all our fees are in our rates studies when we do them. Remember this is a rate study that hasn't been updated since 1992 and will be on your agenda in the coming last quarter of this year. It would be included in that along with any other capital requirements.

Alderman La Tour: This is a fee that the people of Fayetteville pay every month and it may be a good investment.

Robyn Reed: I will go into services that we provide, that I feel like this fund goes towards. We support the Household Hazardous Waste Programs that are offered in our district. We pay for the South Fayetteville Washington County Household Hazardous Waste disposal, as well as sharps disposal, electronics recycling, and waste tire management. We have two full time educators on staff, in partnership with the City of Fayetteville and Washington County.

Alderman La Tour: I plan to vote for your resolution, but just out of curiosity, if you were to cease to exist, how would these functions be taken care of? Who would do this if you weren't there?

Robyn Reed: If the district wasn't there or myself?

Alderman La Tour: If we and every other municipality contributes to your financial wellbeing. If we all said we don't want to do this anymore we will do our own thing, would there be other sources of these services for hazardous materials?

Jeff Coles: With respect to particularly household hazardous waste, we do not accept household hazardous waste.

Alderman La Tour: Does Springdale?

Robyn Reed: They accept used motor oil and batteries at their recycling facility, but we pay for the disposal. We collect those and prepare them for shipping.

Alderman Marsh: I would like to clarify that this is fifty cents per resident per year. We heard during our Waste Reduction, Diversion and Recycling Master Planning that everyone wanted to see more of an emphasis on education and this is a big part of the education that our citizens were asking for, is that Boston Mountain Solid Waste provide a large portion of education. I think this is a really good value for our citizens. We have had a great relationship with the Solid Waste District.

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

Resolution 143-17 as recorded in the office of the City Clerk

RZN 17-5837 (521 N. Shady Ave./WCR Development): An ordinance to rezone that property described in rezoning petition RZN 17-5837 for approximately 0.23 acres located at 521 North Shady Avenue from RSF-4, Residential Single Family, 4 units per acre to NC, Neighborhood Conservation.

City Attorney Kit Williams read the ordinance.

Andrew Garner gave a brief description of the ordinance. He stated staff and Planning Commission recommends in favor of the request.

Daniel Lazenby, ESI on behalf of the applicant stated he would be happy to take any questions from any of the City Council members.

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

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 unanimously.

City Attorney Kit Williams read the ordinance.

Mayor Jordan: Good looking infill project.

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

Ordinance 5988 as Recorded in the office of the City Clerk

Walton Family Foundation Grant Agreement: A resolution to thank the Walton Family Foundation, to approve the grant agreement with the Walton Family Foundation in the amount of up to \$1,361,428.00 as a 50/50 matching grant for the construction of a model two-way cycle track along Old Wire Road and to approve a budget adjustment.

Chris Brown, City Engineer gave a brief description of the resolution. He stated the City portion of the matching funds will be through the transportation bond program. We are very excited about this opportunity. This is one that the Walton Family Foundation provided some leadership, they came to us and said we want to do this right, what are the elements we need to include in this project, and how can we help with making it happen. Very appreciative of the Walton Family Foundation.

Alderman La Tour: I would like to express my personal appreciation for the Walton Foundation. For the Walton family that set up that foundation and how they are supporting our community. A business person is just like a turtle we make no progress until we stick our necks out. It certainly paid off for that family, for all the communities they touch and we are certainly appreciative of the fact that they touched ours with this grant. Thank you very much.

Jeremy Pate, 422 East Lafayette Street – representing the Walton Family Foundation: The foundation can be discerning in projects that we choose to help sponsor in our sense of place initiatives to improve quality of life and we prefer them to be catalytic in nature. We believe this to be one of those projects in that it provides safe transportation options for cyclist, pedestrians and motorist that will travel Old Wire Road in this area. We are also pleased because of the proximity to Root Elementary and a connection to Butterfield Trail eventually and Gulley Park. I have personally taken my children on bike to Gulley Park for the Gulley Park shows at times and it's dangerous, I've never done it again. However, this will correct that and we are pleased to be able to partner in that project.

We have a significant focus in Northwest Arkansas on transportation options and this project provides an exciting option for all users. We sponsored a delegation to Copenhagen last year, Chris Brown went on that delegation. We are pleased honestly, when we talked about this in our committee, when we approve grants that those lessons learned are being brought back and physically implemented here in the region. I want to thank Chris, his team, and the Active Transportation Advisory Committee for really digging into the details of this project and providing a good recommendation of cross section for you all. I also want to thank Bobby Ferrell, former alderman from this ward. He really pushed for improvements along Old Wire Road, particularly

in pedestrian improvements. It's not something Bobby was always popular for doing, but in this particular area he certainly carried the mantle.

The City has been a great partner on several projects for the last few years and the Foundation is pleased to be your partner in this one as well.

Alderman Marsh moved to approve the resolution. Alderman Long seconded the motion.

Mayor Jordan: Thank you to the city staff and the Walton Family Foundation. Jeremy, you tell those folks we really appreciate them partnering with us. You all have been a great partner for us and the staff did a great job too. This has truly been a really great partnership.

Upon roll call the motion passed unanimously.

Resolution 144-17 as recorded in the office of the City Clerk

Position Control Increase: A resolution to authorize the addition of 1.0 full time equivalent position to the Police Department to provide a second Crime Scene Technician, 2.0 full time equivalent positions to the Recycling & Trash Collection Division to provide two Route Drivers, and a temporary part time position in the Finance & Internal Services Department, and to approve a budget adjustment.

Paul Becker: This affects three departments for position control. I believe it will not cause an increase to this year's personal budget. He went on to give a brief description of the positions.

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

Resolution 145-17 as recorded in the office of the City Clerk

THE FOLLOWING ORDINANCE WAS REMOVED FROM THE TABLE FOR DISCUSSION

Amend UDC AND Rezone - RZN 17-5713 (College Ave. from North St. to Maple St./College Ave.): An ordinance to amend the Unified Development Code to create a new zoning district, Urban Thoroughfare Light; UT-1, to change or amend definitions of "building height" and stories"

Kit Williams: We had an Ordinance Review Committee meeting and maybe the chairman wants to give a summary and we might remove something from the table.

Alderman Tennant: Thank you Kit. I thought this was tabled until the next meeting.

Kit Williams: It is but if you want to remove it from the table tonight you can, if you are going to forward it to Planning Commission rather than waiting two more weeks.

Alderman Tennant: That is what we would like to do. We had an Ordinance Review Committee meeting and all the members attended. We discussed at length the idea of Urban Thoroughfare Light Zoning District and made some minor suggestions, but in the end decided it was best to take it off the table and send it back to the Planning Commission for their review. I think that is what we need to do here, to see if we need this new district or if maybe we can incorporate some changes to the current zoning.

Alderman Tennant moved to remove the ordinance from the table and refer it back to the Planning Commission. Alderman La Tour seconded the motion. Upon roll call the motion passed unanimously.

This ordinance was tabled indefinitely.

Announcements:

Mayor Jordan: I want to call the first Classification Study Committee for Monday, July 31, 2017 at 4:30 PM in Room 326. I will be at the first kick off meeting then I will turn it over to the committee. We have Council members Adella Gray, Mark Kinion, Sarah Bunch and John La Tour on the committee. Staff members will be from Fire Department, Jimmy Vinyard, Police Department, Leonard Graves, Staff Senate, Barbara Fell, Management Representative, Paul Becker, and Mayor's Representative, Chief of Staff Don Marr.

When we kick off the meeting I will lay out some recommendations that I would like to see from the committee and then your recommendations will go to the full City Council.

Don Marr: For the employees watching, the only voting members of that committee are the City Council members.

Mayor Jordan: Yes, that is right because you all are the elected officials you will be the voting members of that council.

Don Marr: We have a dive in movie this Thursday at the Wilson Park swimming pool. Gates open at 7:15 PM, its free admission, and there are concessions available. The movie will begin to be shown as it gets dark and the movie for July 21st is Finding Dory.

Also, if you are driving on College Avenue or on North Street you are aware of traffic delays due to lane closures for asphalt work and repaving that is taking place. College Avenue is being done and maintained by the State of Arkansas Highway and Transportation Department. North Street we are doing the asphalt and milling and overlay work.

We want to continue to remind people that the City is seeking input from all our citizens in all the wards. Our drivers, walkers, bikers, parkers, anyone who is our transit riders we have a mobility survey on the City's website. Thank you all for the whatever encouragement you did because we saw a nice jump the last time we did this announcement and we are seeing really good representation from all four wards and we want to continue that. If you think you are not being represented in your issues around transportation, please feel out the survey so we can get your input.

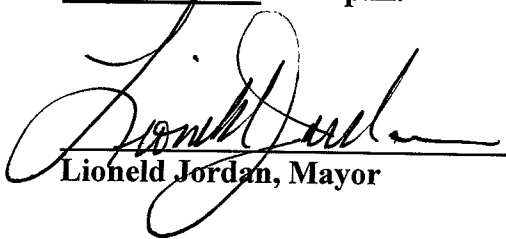
City Council Agenda Session Presentations:

Agenda Session Presentation Audit Committee Report - Michael White

City Council Tour:

4:00 PM July 17, 2017 City Hall

Adjournment: 6:22 p.m.


Lioneld Jordan, Mayor


Sondra E. Smith, City Clerk Treasurer