

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith



Aldermen

Ward 1 Position 1 – Adella Gray
Ward 1 Position 2 – Sarah Marsh
Ward 2 Position 1 – Mark Kinion
Ward 2 Position 2 – Matthew Petty
Ward 3 Position 1 – Justin Tennant
Ward 3 Position 2 – Martin W. Schoppmeyer, Jr.
Ward 4 Position 1 – Rhonda Adams
Ward 4 Position 2 – Alan T. Long

**Tentative Agenda
City of Fayetteville Arkansas
City Council Meeting
November 05, 2013**

A meeting of the Fayetteville City Council will be held on November 05, 2013 at 6:00 PM 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. Fayetteville Town Center Report – Sandra Bennett

Agenda Additions:

A. Consent:

1. Approval of the October 15, 2013 City Council meeting minutes.

- 2. Preferred Office Products, Inc.:** A resolution authorizing the purchase of six (6) Cannon copiers in the total amount of \$40,468.26, pursuant to a state procurement contract, from Preferred Office Products, Inc. of Fayetteville.
- 3. Scruggs Equipment of Memphis, Tennessee:** A resolution authorizing the purchase of one (1) Elgin Crosswind sweeper from Scruggs Equipment of Memphis, Tennessee in the amount of \$223,002.00, pursuant to an NJPA Cooperative purchasing agreement, for use by the Transportation Department, and approving a budget adjustment.
- 4. Bid #13-43 Southern Tire Mart, LLC:** A resolution awarding Bid #13-43 and authorizing a contract with Southern Tire Mart, LLC in variable amounts for tire recapping for a period of one (1) year with automatic yearly extension for up to four (4) years.
- 5. Bid #13-49 MHC Kenworth of Springdale:** A resolution awarding Bid #13-49 and authorizing a contract with MHC Kenworth or Springdale in the amount of \$158,000.00 for the purchase of one (1) pothole patcher truck, and approving a budget adjustment.
- 6. Bid #13-50 Pick-It Construction, Inc.:** A resolution awarding Bid #13-50 and approving a contract with Pick-It Construction, Inc. in the amount of \$130,900.00 for the renovation of concession areas and restrooms at Walker Park, approving a ten percent (10%) project contingency and approving a budget adjustment in the amount of \$16,760.00.
- 7. Arkansas Historic Preservation Program:** A resolution approving a grant agreement with the Arkansas Historic Preservation Program in the amount of \$1,200.00 for travel and training expenses in support of the Fayetteville Historic District Commission; and approving a budget adjustment recognizing the grant revenue.
- 8. Hazmat Services Revenue:** A resolution approving a budget adjustment in the amount of \$4,328.00 recognizing hazmat services revenue to the Fire Department, and authorizing an increase in the related expense budget.
- 9. RFP #13-11, Access Control and Security System – Contract:** A resolution awarding RFP #13-11 and authorizing a contract with Royal Communications, Inc. for an access control and security system for a period of one (1) year with four (4) automatic renewal options.
- 10. RFP #13-11, Access Control and Security System – Phases 1-3:** A resolution authorizing the first three phases of RFP #13-11 with Royal Communications, Inc. for access control system installation for the Police Department, Solid Waste and Recycling and Fayetteville Executive Airport-Drake Field, authorizing a ten percent (10%) project contingency, and approving a budget adjustment.
- 11. Energize NWA Grant:** A resolution approving acceptance of an Energize NWA grant from the Endeavor Foundation in the amount of \$39,940.00 for the construction of three

bikeway routes linking the Razorback Greenway with the University of Arkansas and Fayetteville Public Schools, and approving a budget adjustment.

12.2013 Arkansas Department of Environmental Quality Grant: A resolution authorizing acceptance of a 2013 Arkansas Department of Environmental Quality Grant through the Boston Mountain Solid Waste District in the amount of \$30,000.00 for the purchase of indoor apartment recycling containers, and approving a budget adjustment.

B. Unfinished Business:

1. Amend UDC Height and Setback Regulations: An ordinance to Amend §§161.16, 161.18, 161.19, 161.20, 161.21, 161.22, 161.23, 161.24, and 161.25 to change setbacks and setbacks for adjoining property and height limitations for several districts and to amend §164.11 Height and Setback Regulations; Exceptions to reduce or eliminate setbacks in certain circumstances, to require wider sidewalks for buildings higher than 36 feet and to provide a building height variance for buildings receiving LEED Gold Certification and meeting other requirements, and to amend §156.02 (F) to authorize a requirement for a height variance applicant to provide a Viewshed Analysis or Sun/Shadow Study. *This ordinance was left on the First Reading at the September 17, 2013 City Council meeting. This ordinance was left on the Second Reading at the October 01, 2013 City Council meeting. This ordinance was left on the Third Reading, Tabled to the November 5, 2013 City Council meeting and referred to the Planning Commission at the October 15, 2013 City Council meeting.*

Left on the Third Reading

2. RZN 13-4467 (Mount Comfort and Shiloh/Kum & Go): An ordinance rezoning that property described in rezoning petition RZN 13-4467, for approximately 1.65 acres located at the northwest corner of Mount Comfort Road and Shiloh Drive from R-A, Residential Agricultural and RSF-4, Residential Single-Family, 4 units per acre, to C-1, Neighborhood Commercial. *This ordinance was left on the First Reading at the October 01, 2013 City Council meeting. This ordinance was left on the Second Reading at the October 15, 2013 City Council meeting.*

Left on the Second Reading

3. Amend Chapter 115 Pawnbrokers: An ordinance amending Chapter 115: Pawnbrokers of the Code of Fayetteville, renaming it to Chapter 115: Pawnbrokers and Secondhand Dealers, requiring licensure of secondhand dealers and requiring electronic reporting of certain items purchased by secondhand dealers. *This ordinance was left on the First Reading at the October 15, 2013 City Council meeting.*

Left on the First Reading

4. Boston Mountain Solid Waste District: An ordinance waiving the requirements of formal competitive bidding and approving a contract with the Boston Mountain Solid

Waste District in the amount of \$25,000.00 for an environmental and recycling education program. *This ordinance was left on the Second Reading at the October 15, 2013 City Council meeting.*

Left on the Second Reading

C. Public Hearing:

1. **Destiny Limousines, LLC, DBA Transportation Services:** A resolution granting a Certificate of Public Convenience and Necessity to Destiny Limousines, LLC DBA Ambassador Transportation Services for the operation of two (2) to six (6) taxicabs and one (1) to two (2) limousines in the City of Fayetteville.

D. New Business:

1. **Marathon Equipment Company:** An ordinance waiving the requirements of formal competitive bidding and authorizing a contract with Marathon Equipment Company in the amount of \$26,996.00 plus applicable freight and taxes for the purchase of a main body cylinder for the Solid Waste and Recycling Division, and approving a budget adjustment.
2. **Fayetteville Transportation Plan:** A resolution to express the intent of the City Council to fund a Transportation Plan in the amount of \$250,000.00 to \$500,000.00.
3. **Lose & Associates, Inc.:** A resolution awarding RFQ #13-13 and authorizing a contract with Lose & Associates, Inc. in an amount not to exceed \$86,735.00 for landscape architectural, architectural and engineering services for the design of a regional park master plan and a preliminary grading and drainage plan, and approving a ten percent (10%) project contingency.
4. **VAC 13-4491 (2315 & 2319 N. Marks Mill Ln./Zweig):** An ordinance approving VAC 13-4491 submitted by Alan Reid and Associates for properties located at 2315 & 2319 North Marks Mill Lane to vacate an utility easement, a total of 1,363 square feet.
5. **VAC 13-4493 (491 Fairway Ln./Jarrett):** An ordinance approving VAC 13-4493 submitted by Gray Rock LLC for property located at 491 East Fairway Lane, to vacate utility easements, a total of 0.13 acres.

6. **VAC 13-4501 (3466 E. Jasper Ln./Kinney):** An ordinance approving VAC 13-4501 submitted by Eric Heller for property located at 3466 East Jasper Lane, to vacate a portion of a drainage easement, a total of 750 square feet.
7. **VAC 13-4503 (516 & 518 S. Eastern Avenue/U of A):** An ordinance approving VAC 13-4503 submitted by McGoodwin, Williams, and Yates for properties located at 516 and 518 South Eastern Avenue to vacate a right-of-way and two alleys on the subject property, a total of 0.19 acres.
8. **PPL 13-4437 (Skillern Road Master Street Plan Amendment/Oak Creek):** A resolution for PPL 13-4437 amending the Master Street Plan removing the extension of Skillern Road, a principal arterial, between Oakland Zion Road and Mission Boulevard, as described and depicted in the attached map.
9. **Amend Chapter 151.01 Definitions – Tandem Lot:** An ordinance to amend the definition of “Tandem Lot” in §151.01 Definitions of the Unified Development Code.
10. **Ruby Architect’s, Inc.:** A resolution to approve a contract with Ruby Architect’s, Inc. in an amount not to exceed \$13,570.00 for architectural services for the Woolsey Homestead and to approve the attached budget adjustment.

E. City Council Agenda Session Presentations:

1. Walton Arts Center Expansion Plans – WAC Staff

F. City Council Tour:

1. December 2, 2103 – 4:00 PM – Mt. Kessler

G. Announcements:

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

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

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. Staff and applicants may use electronic visual aids in a City Council meeting as part of their presentation.

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. No electronic visual aid presentations shall be allowed, but 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 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 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 575-8330.

A copy of the complete City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.