

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

**Final Agenda
City of Fayetteville Arkansas
City Council Meeting
January 07, 2014**

A meeting of the Fayetteville City Council will be held on January 07, 2014 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. Election of Vice Mayor**
- 2. Housing Authority Board of Commissioners** – The Commission recommends the appointment of Carma Unruh term ending 12/28/18
- 3. Firemen's Pension and Relief Fund and Policemen's Pension and Relief Fund Report to the Council** – Mayor Lioneld Jordan

Agenda Additions:

A. Consent:

1. Approval of the December 17, 2013 City Council meeting minutes.
2. **Water and Sewer Operations Facility Rain Garden:** A resolution to approve and accept a grant of up to \$2,800.00 to pay for the installation of a rain garden at the City Water and Sewer Operations Facility and to approve the attached budget adjustment.
3. **Rain Garden Project:** A resolution to approve and accept six grant awards from the Rain Garden Project in the amount up to \$15,000.00 to pay for the installation of four rain gardens at the Noland Wastewater Plant and two rain gardens at the West Side Wastewater Plant and to approve the attached budget adjustment.
4. **Stephens, Inc.:** A resolution to approve a contract with Stephens, Inc. to approve bond underwriting and related services as needed through December 31, 2018.
5. **Kutak Rock, LLP:** A resolution to approve a contract with Kutak Rock, LLP to approve bond counsel services as needed through December 31, 2018.
6. **Bid #14-02 Asphalt Striping Service, LLC:** A resolution awarding Bid #14-02 and authorizing the purchase from Asphalt Striping Service, LLC of reflectorized paint markings in variable amounts for the Transportation Division as needed through the end of calendar year 2014.
7. **Bid #14-03 Curb and Gutter Construction:** A resolution to award Bid #14-03 and authorizing the purchase of curb and gutter construction from Sweetser Construction, Inc. as primary supplier and Fochtman Enterprises, Inc. as secondary supplier of variable amounts of curb and gutter construction and authorizing the use of other bidders based upon price and availability throughout 2014.
8. **Bid #14-04 Hillside Gravel:** A resolution awarding Bid #14-04 and authorizing the purchase of hillside gravel from Leming & Son Trucking, Inc. for materials picked up and Les Rogers, Inc. for materials delivered for variable unit prices and authorizing the use of other bidders based on price and availability as needed through the end of calendar year 2014.
9. **Bid #14-05 Concrete:** A resolution awarding Bid #14-05 and authorizing the purchase of concrete from Tune Concrete Company as a primary supplier and Beaver Lake Concrete, Inc. as secondary supplier in variable amounts and authorizing the use of other bidders based on price and availability as needed through the end of calendar year 2014.
10. **Bid #14-06 Truck Hauling Services:** A resolution awarding Bid #14-06 and authorizing the purchase of truck hauling services from Les Rogers, Inc., as primary supplier and Leming & Son Trucking as secondary supplier for variable unit prices and authorizing the use of other bidders based on price and availability as needed through the end of calendar year 2014.

- 11. Bid #14-07 Aggregate Materials:** A resolution awarding Bid #14-07 and authorizing the purchase of aggregate materials for varying unit prices from various vendors, as needed through the end of calendar year 2014.
- 12. Bid #14-09 Drainage Pipe:** A resolution awarding Bid #14-09 and authorizing the purchase of drainage pipe for varying unit prices from various vendors, as needed through the end of calendar year 2014.
- 13. Bid #14-10 Crushed Rock Salt:** A resolution awarding Bid #14-10 and authorizing the purchase of crushed rock salt from North American Salt Company in the amount of \$76.16 per ton, and authorizing the use of other bidders based on price and availability, as needed through the end of calendar year 2014.
- 14. Bid # 14-11 Topsoil:** A resolution awarding Bid #14-11 and authorizing the purchase of topsoil from Les Rogers, Inc. in the amount of \$10.69 per cubic yard in variable amounts and authorizing the use of other bidders based on price and availability, as needed in calendar year 2014.
- 15. Arkansas Firewise Grant:** A resolution to accept an Arkansas Firewise Grant for 2013 in the amount of \$500.00 to be used for minor equipment and to approve a budget adjustment.
- 16. Clinton Foundation's Building Retrofit Home Energy Affordability Loan Program:** A resolution to approve a Memorandum of Understanding with and to pay \$5,000.00 to the Clinton Foundation's Building Retrofit Home Energy Affordability Loan Program and to approve a budget adjustment.
- 17. Plante and Moran, PLLC:** A resolution to approve a contract with Plante and Moran, PLLC for information technology services in the amount of \$101,400.00.
- 18. Amend Resolution No. 144-13 Hughmount Developers:** A resolution to amend Resolution No. 144-13 which had approved an amended agreement with the Hughmount Developers to allow access to City of Fayetteville sewerage system in order to approve a second amended agreement.
- 19. ADM 13-4566 (3145 W. Salem Rd./Raven Lane Amendment):** A resolution for ADM 13-4566 amending the Master Street Plan relocating Raven Lane, a collector street, approximately 150 feet to the east of the existing residence at 3145 Salem Road, as described and depicted in the attached map.

B. Unfinished Business:

- 1. RZN 13-4538 (Razorback Road/Victory Commons):** An ordinance rezoning that property described in rezoning petition RZN 13-4538, for approximately 5.09 acres, located at 731 S. Razorback Road from I-1, Heavy Commercial and Light Industrial, to

UT, Urban Thoroughfare. *This ordinance was left on the First Reading at the December 17, 2013 City Council meeting.*

Left on the First Reading

C. New Business:

- 1. 2014 Asphalt Materials:** An ordinance waiving the requirements of formal competitive bidding during calendar year 2014 for the purchase of asphalt materials for use by the Transportation Division, but requiring informal quarterly bids or quotes.
- 2. Watershed Conservation Resource Center Memorandum of Understanding:** An ordinance waiving the requirements of formal competitive bidding and approving a five year Memorandum of Understanding with the Watershed Conservation Resource Center to jointly seek funding and use such funding to design and construct stream restoration projects.
- 3. VAC 13-4544 (Harvey's Hill/Center and Duncan):** An ordinance approving VAC 13-4544 submitted by McClelland Consulting Engineers for property located at the intersection of West Center Street and South Hill Avenue to vacate a utility easement.
- 4. RZN 13-4546 (4377 Huntsville Rd./Baldwin Church of Christ):** An ordinance rezoning that property described in rezoning petition RZN 13-4546, for approximately 2.07 acres, located at 4377 Huntsville Road from RSF-4, Residential Single-Family, 4 units per acre, to P-1, Institutional.
- 5. RZN 13-4547 (MLK/Beechwood/Easton):** An ordinance rezoning that property described in rezoning petition RZN 13-4547, for approximately 1.54 acres, located at 1541/1555/1561 Martin Luther King Boulevard from I-1, Heavy Commercial/Light Industrial, to CS, Community Services.
- 6. RZN 13-4548 (McMillan Estates):** An ordinance rezoning that property described in rezoning petition RZN 13-4548, for approximately 19.61 acres, located at the southeast corner of I-540 and Wedington Drive from C-2, Thoroughfare Commercial, to UT, Urban Thoroughfare.
- 7. RZN 13-4552 (Park West):** An ordinance rezoning that property described in rezoning petition RZN 13-4552, for approximately 25.90 acres, located at Hwy 112, north of Truckers Drive from R-PZD Park West, to CS, Community Services.
- 8. RZN 13-4553 (Wedington Circle):** An ordinance rezoning that property described in rezoning petition RZN 13-4553, for approximately 6.12 acres, located west of Wedington Drive and Garland Avenue from R-PZD Wedington Circle, to CS, Community Services.

D. City Council Agenda Session Presentations:

1. Entertainment District/Spring Street Parking Deck Update: David Jurgens, Utilities Director

E. City Council Tour:

F. 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.