

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. 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
May 06, 2014**

A meeting of the Fayetteville City Council will be held on May 06, 2014 at 5:30 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:

1. Annual Arkansas Recreation and Parks Association Annual Conference Awards:

Volunteer Group of the Year – Disc Golf Club

Volunteer of the Year – Diane Gaynor, Community Garden Leader

Natural Resource Award – Lake Fayetteville Prairie Restoration Project

City Council Meeting Presentations, Reports and Discussion Items:

2. Quarterly Financial Report – 1st Quarter 2014, Paul Becker, Finance Director

Agenda Additions:

A. Consent:

1. Approval of the April 15, 2014 City Council meeting minutes.

2. **Animal Services Donation Revenue:** A resolution to approve a budget adjustment in the total amount of \$9,588.00 representing donation revenue to Animal Services for the first quarter of 2014.
3. **2014 Bulletproof Vest Partnership Program:** A resolution to authorize a fifty percent (50%) matching grant application to the 2014 Bulletproof Vest Partnership Program seeking a grant in the amount of \$42,000.00 for the replacement of body armor vests for Fayetteville Police Officers and Emergency Response Team Officers.
4. **Garver, LLC:** A resolution to approve a professional engineering services agreement with Garver, LLC for surveying and design services related to the installation of a propane fueling system at the Happy Hollow maintenance site in the amount of \$33,800.00, approving a project contingency of \$3,380.00, and approving a budget adjustment.
5. **Bid #10-47 King Electric Contractors:** A resolution to authorize a contract with King Electrical Contractors in the amount of \$37,770.00, pursuant to Bid #10-47, for the installation of LED trail light fixtures and light poles along the Tsa La Gi Trail, and to approve a ten percent (10%) project contingency.
6. **Bid #14-23 First Light and Whatley, Inc.:** A resolution to authorize the purchase of LED trail light fixtures from First Light of Tulsa in the amount of \$87,048.00 plus applicable sales tax, and to authorize the purchase of light poles from Whatley, Inc. in the amount of \$29,744.00 plus applicable sales tax, pursuant to Bid #14-23, for installation along the Tsa La Gi Trail.
7. **McClelland Consulting Engineers, Inc.:** A resolution to authorize a professional engineering services agreement with McClelland Consulting Engineers, Inc. in the amount of \$371,396.00 for design and related services for improvements to Zion Road.
8. **Jorgensen and Associates, Inc.:** A resolution to authorize a professional engineering services agreement with Jorgensen and Associates, Inc. in an amount not to exceed \$387,000.00 for design and related services for the extension of Ruppel Road from Persimmon Street to Martin Luther King, Jr. Boulevard.
9. **Amend Resolution 218-13:** A resolution to amend Resolution No. 218-13 to approve a change order and authorize a payment in the amount of \$3,451.74 to Royal Communications, Inc. for Phase One of the Access Control Project; to authorize a payment of \$25,459.11 to Royal Communications, Inc. for equipment already purchased for Phase Two; to cancel the existing contract with Royal Communications, Inc. for Phases Two and Three; to approve a contract with Electra Link, Inc. through RFP 13-11 for Phases Two and Three of the Access Control Project in the total amount of \$42,206.00; to authorize a ten percent (10%) project contingency; and to approve a budget adjustment.
10. **RJN Group, Inc.:** A resolution to approve a contract with RJN Group, Inc. in the amount of \$56,000.00 for professional engineering services, and to approve a budget adjustment.

11. **Whole Foods, Inc.:** A resolution to express the City Council's intention to pay for the installation of a traffic signal at Masonic Drive and College Avenue if Whole Foods, Inc. constructs its store at this intersection and to approve a budget adjustment of \$150,000.00.
12. **CH2M Hill Engineers, Inc. Amendment No. 5:** A resolution to approve Amendment No. 5 to the agreement for operations, maintenance and management services between the City of Fayetteville, Arkansas and CH2M Hill Engineers, Inc. to increase the contract in the amount of \$80,632.00 and approve a budget adjustment.
13. **CH2M Hill Engineers, Inc.:** A resolution to exercise a new five year option to renew the agreement for operations, maintenance and management services between the City of Fayetteville, Arkansas and CH2M Hill Engineers, Inc.
14. **Biobased Realty, LLC:** A resolution to accept Biobased Realty, LLC's offer of \$200,000.00 as satisfaction of the City's right to receive a portion of the increased sales price of the raw land sold to Biobased Realty, LLC if such land is sold within ten years.

B. Unfinished Business: None

C. New Business:

1. **Lose and Associates, Inc. Amendment No. 1:** A resolution to approve Amendment No. 1 to the agreement for professional landscape, architectural and engineering services with Lose and Associates, Inc. in the amount not to exceed \$726,022.00 for design and construction documentation of the Regional Park.
2. **RZN 14-4659 (West Side of Beechwood and South of the Domain/Beechwood Properties):** An ordinance rezoning that property described in rezoning petition RZN 14-4659, for approximately 9.74 acres, located at the west side of Beechwood, south of the domain from I-1, Heavy Commercial/Light Industrial, to CS, Community Services.
3. **VAC 14-4655 (Southwest Corner of Razorback and 15th/Razorback Student Housing):** An ordinance approving VAC 14-4655 submitted by Crafton Tull for property located at the southwest corner of Razorback and 15th Street to vacate a portion of a utility easement.
4. **VAC 14-4656 (2693 Valencia Ave./Riverwood Homes):** An ordinance approving VAC 14-4656 submitted by Riverwood Homes for property located at 2693 Valencia Avenue to vacate a portion of a utility easement and drainage easement, a total of approximately 42 square feet.
5. **I-PZD 14-4662 Industrial Planned Zoning District (701 W. North):** An ordinance establishing an Industrial Planned Zoning District titled I-PZD 14-4662, Project Corral, located at 701 W. North Street; containing approximately 0.76 acres; amending the official

zoning map of the City of Fayetteville; and adopting the zoning criteria and Associated Master Development Plan.

6. **Environmental Consulting Operations, Inc.:** An ordinance waiving the requirements of formal competitive bidding and approving an agreement with Environmental Consulting Operations, Inc. for wetlands mitigation site monitoring and management for 2014 in the amount of \$33,000.00.
7. **City Council Support for Firefighters:** A resolution to express the City Council's support of a legislative enactment to create a presumption that firefighters who develop certain forms of cancer developed those cancers through their work as firefighters.
8. **Block Avenue Parking:** A resolution to reaffirm the back-in parking design on Block Avenue between Dickson Street and Spring Street.

D. City Council Agenda Session Presentations:

1. **Economic Development Quarterly Report** – Chung Tan
2. **Regional Park Update** – Alison Jumper, Park Planning Superintendent
3. **Land for Sale Adjacent to Gulley Park Presentation** – Wade Colwell

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.