

# City of Fayetteville, Arkansas

113 West Mountain Street  
Fayetteville, AR 72701  
479-575-8323 TDD - 479-521-1316



## Meeting Agenda - Tentative Agenda

Tuesday, December 2, 2014

5:30 PM

City Hall--Room 219

### City Council

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

**ELECTED OFFICIALS:**  
*Mayor Lioneld Jordan*  
*City Attorney Kit Williams*  
*City Clerk Sondra Smith*

**Call To Order****Roll Call****Pledge of Allegiance****Mayor's Announcements, Proclamations and Recognitions****City Council Meeting Presentations, Reports and Discussion Items:****Agenda Additions:****A. Consent:**

**A. 1            2014-0315            Approval of the November 18, 2014 City Council Meeting Minutes**

**A. 2            2014-0529**

A RESOLUTION TO AWARD BID #14-62 AND APPROVE THE PURCHASE OF A HORIZONTAL COMPOST GRINDER FROM ROTOCHOPPER, INC. OF ST. MARTIN, MINNESOTA IN THE AMOUNT OF \$446,600.00 PLUS APPLICABLE TAXES FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Attachments:            [SRP 12-2-14 Compost Grinder 4026](#)

**A. 3            2014-0530**

A RESOLUTION TO AUTHORIZE THE PURCHASE OF A JOHN DEERE BACKHOE LOADER FROM STRIBLING EQUIPMENT OF SPRINGDALE, ARKANSAS IN THE AMOUNT OF \$85,500.00 PURSUANT TO THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT

Attachments:            [SRP 12-2-14 Backhoe 6010](#)

**A. 4            2014-0468**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$21,320.00 REPRESENTING DONATION REVENUE TO ANIMAL SERVICES FOR THE SECOND AND THIRD QUARTERS OF 2014

Attachments:            [2014-0468 Animal Services Donation Revenue](#)  
[BA 2nd + 3rd Qtr 2014](#)

**A. 5            2014-0535**

A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO THE AGREEMENT WITH MCGOODWIN, WILLIAMS AND YATES, INC. FOR DESIGN SERVICES ASSOCIATED WITH THE RECYCLING AND TRASH COLLECTION DIVISION OFFICE BUILDING EXPANSION AND SITE IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$47,527.00

**Attachments:**            [2014-0535 Amendment 2 with MWY for RTC Facility Design](#)

**B. Unfinished Business:****B. 1            2014-0479**

A RESOLUTION TO ADOPT THE 2015 ANNUAL BUDGET AND WORK PROGRAM

**Attachments:**            [2014-0479 2015 Annual Budget and Work Program](#)  
[111814 Budget CC Handout](#)

*This resolution was tabled at the November 18, 2014 City Council meeting to the December 2, 2014 City Council meeting.*

**B. 2            2014-0447**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4850, FOR APPROXIMATELY 4.96 ACRES, LOCATED ALONG THE NORTH SIDE OF MARTIN LUTHER KING BOULEVARD BETWEEN GOVERNMENT AND HILL AVENUES, FROM I-1, HEAVY COMMERCIAL/LIGHT INDUSTRIAL, TO C-2, THOROUGHFARE COMMERCIAL

**Attachments:**            [Appeal Letter 14-4850](#)  
[SRM 14-4850](#)  
[ORD 14-4850](#)  
[EX A 14-4850](#)  
[EX B 14-4850](#)  
[Photographs 14-4850](#)  
[Staff Report 14-4850](#)  
[Maps 14-4850](#)  
[Additional Information](#)

*This ordinance was left on the First Reading at the November 6, 2014 City Council meeting and tabled to the December 2, 2014 City Council meeting.*

**B. 3            2014-0382**

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY KENNETH C. AND WANDA L. EASTERLING LOCATED AT 909 W. EAGLE STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

**Attachments:**

[SRF \(909 Eagle\) C#19276](#)

[SRM R&R Council Memo \(909 Eagle\) C#19276](#)

[BA-909 W Eagle](#)

[Supporting Documents \(909 Eagle\) C#19276](#)

*This resolution was tabled at the September 16, 2014 City Council meeting to the December 2, 2014 City Council meeting.*

**C. New Business:****C. 1            2014-0526**

A RESOLUTION TO AGREE TO THE TERMS OF THE FAYETTEVILLE NATURAL HERITAGE ASSOCIATION'S LETTER OF OCTOBER 9, 2014, PROPOSING HOW IT WILL INVEST AND PAY TO THE CITY \$300,000.00 FOR THE PURCHASE AND PRESERVATION OF MOUNT KESSLER RESERVE

**Attachments:**

[2014-0526 FNHA Commitment](#)

**C. 2            2014-0532**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4859, FOR APPROXIMATELY 1.9 ACRES, LOCATED AT THE 300 & 400 BLOCK OF MARTIN LUTHER KING BOULEVARD FROM NC, NEIGHBORHOOD CONSERVATION, TO DG, DOWNTOWN GENERAL

**Attachments:**

[RZN 14-4859 Niederman](#)

[ORD 14-4859 Niederman](#)

**C. 3            2014-0522**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4867, FOR APPROXIMATELY 4.17 ACRES, LOCATED AT 2269 NORTH HENBEST DRIVE FROM CS, COMMUNITY SERVICES, TO C-2, THOROUGHFARE COMMERCIAL

**Attachments:**

[14-4867 FULL AGENDA REQUEST](#)

[14-4867 CC ORD](#)

**C. 4        2014-0527**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4868, FOR APPROXIMATELY 10.59 ACRES, LOCATED AT 2030 SOUTH MORNINGSIDE DRIVE FROM I-2, GENERAL INDUSTRIAL, TO I-1, HEAVY COMMERCIAL/LIGHT INDUSTRIAL

**Attachments:**        [14-4868 Full Agenda request](#)  
[14-4868 CC ORD](#)

**C. 5        2014-0520**

AN ORDINANCE TO AMEND § 159.01 **FEES** OF THE UNIFIED DEVELOPMENT CODE PURSUANT TO THE USER FEE COST RECOVERY POLICY

**Attachments:**        [2014-0520 Ch. 159 Fees Amendment](#)

**C. 6        2014-0528**

A RESOLUTION TO AUTHORIZE AN AGREEMENT WITH THE NORTHWEST ARKANSAS LAND TRUST IN THE AMOUNT OF \$50,309.00, WHICH WILL BE PAID BY THE FAYETTEVILLE NATIONAL HERITAGE ASSOCIATION, TO BEGIN THE PROCESS OF ESTABLISHING A CONSERVATION EASEMENT FOR THE PRESERVATION OF MOUNT KESSLER RESERVE

**Attachments:**        [2014-0528 NWALT Agreement](#)

**C. 7        2014-0518**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A CONTRACT BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND THE AREA AGENCY ON AGING OF NORTHWEST ARKANSAS IN THE AMOUNT OF \$84,514.00 TO PROVIDE PUBLIC RECREATION SERVICES FOR THE SENIOR CITIZENS OF FAYETTEVILLE FOR 2015, CONTINGENT ON APPROVAL OF THE 2015 ANNUAL CITY BUDGET AND WORK PROGRAM

**Attachments:**        [2014-0518 AAA Recreation Contract Council Agenda Item](#)

**C. 8            2014-0519**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A CONTRACT BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND FAYETTEVILLE YOUTH CENTER, INC. IN THE AMOUNT OF \$215,175.00 TO PROVIDE PUBLIC RECREATION SERVICES FOR THE YOUTH AND CITIZENS OF FAYETTEVILLE FOR 2015, CONTINGENT ON APPROVAL OF THE 2015 ANNUAL CITY BUDGET AND WORK PROGRAM

Attachments:            [2014-0519 FBGC Recreation Contract Agenda Item](#)

**C. 9            2014-0487**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$22,529.00 REPRESENTING DONATION REVENUE TO THE YVONNE RICHARDSON COMMUNITY CENTER FOR OCTOBER 2014

Attachments:            [2014 YRCC Donation Recognition](#)  
[BA Administrative Adjs - Donations YRCC -Council Date 12-2-14](#)

**C. 10           2014-0462**

A RESOLUTION TO APPROVE A ONE YEAR LEASE WITH OPTION TO RENEW FOR SEVEN YEARS IN THE AMOUNT OF \$1.00 PER YEAR WITH THE AREA AGENCY ON AGING OF NORTHWEST ARKANSAS FOR THE WALKER PARK SENIOR ACTIVITY AND WELLNESS CENTER LOCATED AT 945 S. COLLEGE AVENUE

Attachments:            [Walker Park Senior Adult & Wellness Center Building Lease Agenda Item](#)

**C. 11           2014-0533**

A RESOLUTION TO APPROVE THE ANNUAL EXTENSION OF THE CONTRACT WITH COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA IN THE AMOUNT OF \$105,000.00 FOR THE PROVISION OF PUBLIC ACCESS TELEVISION SERVICES AND THE OPERATION OF THE PUBLIC ACCESS TELEVISION CHANNEL THROUGH 2015, CONTINGENT ON APPROVAL OF THE 2015 ANNUAL CITY BUDGET AND WORK PROGRAM

Attachments:            [2014-0533 Public Access Contract](#)

**D. City Council Agenda Session Presentations:****E. City Council Tour:****F. Announcements:**

## G. 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](http://accessfayetteville.org) or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.*