

City of Fayetteville, Arkansas

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



Meeting Agenda - Final

Tuesday, December 16, 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**

1. **2014-0536** Alderman Rhonda Adams Recognition

City Council Meeting Presentations, Reports and Discussion Items:

1. **2014-0562** Mayor confirmation of the Public Facilities Board Appointment

 Attachments: [Public Facilities Board Appointment](#)
2. **2014-0563** Mayor confirmation of the Northwest Arkansas Regional Airport Authority Appointments

 Attachments: [NWA Regional Airport Board Appointment](#)
3. **2014-0537** Nominating Committee Report
4. **2014-0570** Town Center Annual Report

Agenda Additions:**A. Consent:**

- A. 1 **2014-0316** Approval of the December 2, 2014 City Council Meeting Minutes
- A. 2 **2014-0480** A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT FOR HOUSING CONTRACT SERVICES IN THE AMOUNT OF \$11,364.00 REPRESENTING COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME RECEIVED THROUGH A HOUSING PROGRAM LIEN PAYOFF, AND TO APPROVE A BUDGET ADJUSTMENT FOR COMMUNITY OUTREACH PROJECTS IN THE AMOUNT OF \$627.00 REPRESENTING DONATIONS TO RANGER'S PANTRY AND THE SENIOR GIVING TREE

 Attachments: [SRF-SRM-Donations and PI](#)
 [BA-Donations and PI](#)

- A. 3 2014-0540** A RESOLUTION TO APPROVE CHANGE ORDER NO. 2 TO THE CONTRACT WITH BENCHMARK CONSTRUCTION IN THE AMOUNT OF \$6,703.00 FOR INSTALLATION OF A SIDEWALK AND AN AMERICANS WITH DISABILITIES ACT COMPLIANT RAMP FOR THE FIRE STATION NO. 1 DRIVEWAY REPLACEMENT PROJECT
- Attachments:** [SRF & SRM Change Order 2 at Station #1](#)
- A. 4 2014-0545** A RESOLUTION TO AWARD BID #14-45 AND AUTHORIZE A CONTRACT WITH JL BRYSON, INC. FOR THE INSTALLATION OF AN OZONE DISINFECTION SYSTEM AT THE NOLAND WASTEWATER TREATMENT PLANT IN THE AMOUNT OF \$867,010.00, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$86,701.00, AND TO APPROVE A BUDGET ADJUSTMENT
- Attachments:** [Noland Ozone Construction Contract-JL Bryson, Inc Revised by Michelle](#)
[BA Noland Ozone Disinfection Construction](#)
- A. 5 2014-0551** A RESOLUTION TO AWARD BID #14-64 TO EVANS ENTERPRISES, INC. TO REBUILD FOUR (4) MOTORS AND TO PURCHASE FOUR (4) VARIABLE FREQUENCY DRIVES AND LOAD REACTORS FOR THE NOLAND WASTEWATER TREATMENT PLANT IN THE AMOUNT OF \$42,341.74 PLUS APPLICABLE TAXES
- Attachments:** [SRP Noland Basin Motor Rebuilds and VFDs Bid 14-64](#)
- A. 6 2014-0550** A RESOLUTION TO AWARD BID #14-61 TO ROGERS IRON AND METAL FOR THE REMOVAL AND RECYCLING OF SCRAP METAL ITEMS FOR AN AMOUNT ESTABLISHED IN THE SEVENTH EFFECTIVE ISSUE OF THE AMERICAN METAL MARKET AUTOMOBILE SCRAP INDEX EACH MONTH FOR THE ARKANSAS/TENNESSEE MARKET LESS ROGERS IRON AND METAL's OPERATING COSTS IN THE AMOUNT OF \$96.00 PER TON
- Attachments:** [SRF Scrap Metal Bid RIMCO 11-24-14](#)
- A. 7 2014-0552** A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$44,018.00 RECOGNIZING FEDERAL AND STATE LAW ENFORCEMENT FORFEITURE REVENUE RECEIVED THROUGH NOVEMBER 2014
- Attachments:** [SRP - Forfeitures - Nov 2014](#)
[BA - Forfeitures - Nov 2014](#)

- A. 8 2014-0548** A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$7,900.00 RECOGNIZING DONATION REVENUE TO THE FAYETTEVILLE POLICE DEPARTMENT IN SUPPORT OF OFFICER SERVICE AWARDS, GENERAL RECOGNITION AND REPAIR OF THE VANDALIZED POLICE MEMORIAL MONUMENT

Attachments: [SRP - Donations - Nov 2014](#)
[BA - Donations - Nov 2014](#)

- A. 9 2014-0559** A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO THE MEMORANDUM OF UNDERSTANDING WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN AN AMOUNT NOT TO EXCEED \$6,020.00 FOR ENHANCEMENT OF THE EXISTING FLOODPLAIN OF THE NIOKASKA CREEK IN SWEETBRIAR PARK, MONITORING OF BANK EROSION AND REPAIRS TO ROCK STRUCTURES CONSTRUCTED AS PART OF THE ORIGINAL STREAM RESTORATION PROJECT

Attachments: [2014-0559 WCRC Contract Amendment No 2](#)

- A. 10 2014-0546** A RESOLUTION TO APPROVE AMENDMENT NO. 6 TO THE AGREEMENT FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$7,902,543.00 FOR SERVICES IN 2015.

Attachments: [CH2M HILL Contract Amendment 6](#)

- A. 11 2014-0556** A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$500,000.00 FOR THE DEVELOPMENT OF A MASTER TRANSPORTATION PLAN

Attachments: [2014-0556 Budget Adjustment for Transportation Master Plan](#)
[BA Transportation Master Plan](#)

- A. 12 2014-0555** A RESOLUTION TO APPROVE THE ATTACHED BUDGET ADJUSTMENT FOR BOTH THE 2014 AND 2015 BUDGETS TO CREATE THE HOTEL, MOTEL AND RESTAURANT 2014 BOND CAPITAL IMPROVEMENT FUND IN THE AMOUNT OF \$7,181,004.00 FOR THE WALTON ARTS CENTER EXPANSION AND ENHANCEMENT PROJECT AND \$3,642.656.00 FOR PHASE I OF THE REGIONAL PARK PROJECT

Attachments: [SRF_SRM_HMR Bond Issue Revised](#)
[BA - HMR 2014 Bond Proceeds.xlsm](#)

B. Unfinished Business:

- B. 1 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](#)

Legislative History

12/2/14

City Council

tabled

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. This ordinance was left on the second reading at the December 2, 2014 City Council Meeting.

C. New Business:

- C. 1 2014-0554** AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4875, FOR APPROXIMATELY 20.54 ACRES, LOCATED AT THE WEST END OF TRUCKERS DRIVE FROM R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT, PARK WEST 05-1796, TO RMF-12, RESIDENTIAL MULTI FAMILY, 12 UNITS PER ACRE

Attachments:

[14-4875 CC PACKET](#)

[C. 1 Additional Revised Exhibit A & B 14-4875 CC](#)

[14-4875 CC ORD](#)

- C. 2 2014-0538** A RESOLUTION TO ENDORSE THE NORTHWEST ARKANSAS BICYCLE AND PEDESTRIAN MASTER PLAN CREATED BY THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION AND ALTA PLANNING AND DESIGN

Attachments:

[2014-0538 NWA Regional Bicycle & Pedestrian Master Plan - Endorsement Me](#)

[2014-0538 NWA Regional Bicycle & Pedestrian Master Plan - Document](#)

[2014-0538 NWA Regional Bicycle & Pedestrian Master Plan - Appendix](#)

- C. 3 2014-0523** AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A ONE YEAR CONTRACT WITH MOTOROLA SOLUTIONS, INC. IN THE AMOUNT OF \$98,422.92 PLUS APPLICABLE TAXES WITH AUTOMATIC RENEWAL FOR FOUR ADDITIONAL YEARS FOR MAINTENANCE OF THE CITY'S MOTOROLA SIMULCAST RADIO SYSTEM, CONTINGENT ON APPROVAL OF THE 2015 ANNUAL CITY BUDGET AND WORK PROGRAM

Attachments: [Radio Maintenance Motorola Inc](#)

- C. 4 2014-0553** AN ORDINANCE TO AMEND §31.16 ALDERMEN, COMPENSATION TO PROVIDE THAT ALDERMEN MAY PARTICIPATE IN THE CITY OF FAYETTEVILLE EMPLOYEE HEALTH INSURANCE PLAN AS A DEFINED CLASS DURING THEIR ELECTED TERMS OF OFFICE

Attachments: [Alderman Health Insurance 12-2014](#)

- C. 5 2014-0437** AN ORDINANCE TO AMEND THE FAYETTEVILLE CODE BY ENACTING § 71.016 INSURANCE REQUIREMENTS FOR MOTORIZED BICYCLES, MOTOR SCOOTERS AND MOPEDS

Attachments: [Agenda Packet § 71.016 Insurance Requirements](#)

- C. 6 2014-0438** AN ORDINANCE TO AMEND THE FAYETTEVILLE CODE BY ENACTING CHAPTER 120 REAL ESTATE SALE AND LEASING REGULATIONS FOR THE PURPOSE OF EDUCATING BUYERS AND TENANTS ABOUT CITY OF FAYETTEVILLE OCCUPANCY LIMITS

Attachments: [Agenda Packet Ord Amend Chapter 120](#)

- C. 7 2014-0560** A RESOLUTION FOR A GENERAL STATEMENT ON TAXPAYER EMPOWERMENT AND THE PROVISION OF CORE CITY SERVICES PROVIDING THAT THE CITY OF FAYETTEVILLE WILL CONTINUE ALL SERVICES CURRENTLY PROVIDED OR PERFORMED BY PUBLIC EMPLOYEES RATHER THAN OUTSOURCING THOSE CORE PUBLIC SERVICES; AND TO OUTLINE CONTRACT TERMS TO BE UTILIZED WHEN OUTSOURCING ANY OTHER SERVICES REQUIRING UNIQUE PROFESSIONAL EXPERTISE NOT AVAILABLE FROM CITY EMPLOYEES

Attachments: [Agenda Packet Taxpayer Empowerment](#)

D. City Council Agenda Session Presentations:

- 1. 2014-0539** Agenda Session Presentation - Spring Street Parking Deck Construction Update - Jermy Pate, Development Services Director

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 or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.