

City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323



Meeting Agenda - Tentative Agenda

Tuesday, June 9, 2015

4:30 PM

City Hall Room 326

City Council Meeting

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
John S. La Tour 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:

[2015-0158](#)

NOMINATING COMMITTEE REPORT

Agenda Additions:

A. Consent:

A. 1 [2014-0505](#)

APPROVAL OF THE JUNE 2, 2015 CITY COUNCIL MEETING MINUTES.

A. 2 [2015-0264](#)

BID #15-32 PETERBILT OF FORT SMITH

A RESOLUTION TO AWARD BID #15-32 AND AUTHORIZE THE PURCHASE OF TWO (2) PETERBILT 348 TRUCKS WITH LABRIE REAR LOADERS FROM PETERBILT OF FORT SMITH IN THE TOTAL AMOUNT OF \$369,180.00 FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Attachments: [SRP - RTC Rear Loaders 4030-4031](#)

A. 3 [2015-0266](#)

BID #15-33 T&T GREEN, LLC

A RESOLUTION TO AWARD BID #15-33 AND AUTHORIZE A CONTRACT WITH T&T GREEN, LLC OF FAYETTEVILLE, ARKANSAS FOR THE REPLACEMENT OF INSULATION AT THE CITY RECYCLING CENTER IN THE AMOUNT OF \$38,000.00

Attachments: [SRP 2015-0266 Bid 15-33 T&T Green, LLC](#)

A. 4 [2015-0262](#)**BID #15-34 LEIGH EARTHWORKS, LLC**

A RESOLUTION TO AWARD BID #15-34 AND AUTHORIZE A CONTRACT WITH LEIGH EARTHWORKS, LLC OF WINSLOW, ARKANSAS FOR THE FAYETTEVILLE SENIOR ACTIVITY AND WELLNESS CENTER PARKING LOT EXPANSION PROJECT IN THE AMOUNT OF \$35,063.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$3,506.00

Attachments: [2015-0262 Bid 15-34 Leigh Earthworks contract](#)

B. Public Hearing:**B. 1** [2015-0250](#)**JEROME LOPEZ & ELIZABETH YOUNG AND THE RANDALL J. WRIGHT TRUST CONDEMNATION AND POSSESSION**

A RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO SEEK CONDEMNATION AND POSSESSION OF CERTAIN LANDS OWNED BY JEROME LOPEZ & ELIZABETH YOUNG AND THE RANDALL J. WRIGHT TRUST NEEDED FOR THE HIGHWAY 45 AND OLD WIRE ROAD INTERSECTION IMPROVEMENT PROJECT

Attachments: [2015-0250](#)

Legislative History

6/2/15 City Council Meeting tabled

C. Unfinished Business:**C. 1** [2015-0229](#)**AMENDMENT OF THE MASTER STREET PLAN**

A RESOLUTION TO AMEND THE MASTER STREET PLAN BY REMOVING A BRIDGE CONNECTION ON RAVEN LANE OVER CLABBER CREEK SOUTH OF CRYSTAL SPRINGS PHASE III

Attachments: [Ex A](#)
[15-5035 Full Packet](#)
[Additional 2006 Development Staff Report Crystal Springs](#)

Legislative History

5/19/15 City Council Meeting tabled

C. 2 [2015-0249](#)**RZN 15-5044 (4065 E. HUNTSVILLE RD./THE PLAZA)**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5044, FOR APPROXIMATELY 16.02 ACRES, LOCATED AT 4065 E. HUNTSVILLE ROAD FROM R-PZD 08-3071, RESIDENTIAL PLANNED ZONING DISTRICT BRIDGEDALE PLAZA TO RSF-7, RESIDENTIAL SINGLE FAMILY, 7 UNITS PER ACRE, NS, NEIGHBORHOOD SERVICES, AND CS, COMMUNITY SERVICES

Attachments: [15-5044 CC EX A & EX B](#)
[15-5044 CC reports](#)

Legislative History

6/2/15 City Council Meeting left on first reading

C. 3 [2015-0251](#)**AMEND § 97.088 (B)(2)(b) and § 97.088 (d)**

AN ORDINANCE TO AMEND EXHIBIT A, DONOR RECOGNITION SIGNS, AND EXHIBIT B, NAMING PARK FACILITIES WHICH ARE ATTACHED AND A PART OF § 97.088 (B)(2)(b) and § 97.088 (d) OF THE FAYETTEVILLE CODE

Attachments: [2015-0251 Chapter 97 Ordinance Amendment](#)

Legislative History

6/2/15 City Council Meeting left on first reading

D. New Business:**D. 1** [2015-0271](#)**AMEND 34.27 SALE OF MUNICIPALLY OWNED REAL PROPERTY**

AN ORDINANCE TO AMEND 34.27 SALE OF MUNICIPALLY OWNED REAL PROPERTY TO AUTHORIZE THE USE OF A REALTOR FOR THE SALE OF THE TWO HOUSES AT GULLEY PARK

Attachments: [2015-0271 Exemption Provision Request for 34.27](#)

D. 2 [2015-0269](#)**RZN 15-5053 (WEST OF 4195 W. PERSIMMON ST./MCBRIDE)**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5053, FOR APPROXIMATELY 2.16 ACRES, LOCATED WEST OF 4195 W. PERSIMMON STREET FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO R-O, RESIDENTIAL-OFFICE

Attachments: [15-5053 CC Exhibits](#)
 [15-5053 CC Reports](#)

D. 3 [2015-0265](#)**PLACE HOLDER: MAPLE STREET & LAFAYETTE STREET
BRIDGE REHAB**

A RESOLUTION TO AWARD A CONTRACT IN THE AMOUNT OF \$X,XXX,XXX.XX TO CONTRACTOR, INC. FOR THE CONSTRUCTION OF THE MAPLE STREET & LAFAYETTE STREET BRIDGE REHAB, APPROVE A PROJECT CONTINGENCY OF \$XXX,XXX.XX (5%), AND APPROVE A BUDGET ADJUSTMENT.

Attachments: [Historic Bridges Construction Contract.pdf](#)

D. 4 [2015-0274](#)**UNIFORM CIVIL RIGHTS PROTECTION**

AN ORDINANCE TO ENSURE UNIFORM NONDISCRIMINATION PROTECTIONS WITHIN THE CITY OF FAYETTEVILLE FOR GROUPS ALREADY PROTECTED TO VARYING DEGREES THROUGHOUT STATE LAW

Attachments: [Agenda Packet Ordinance Uniform Nondiscrimination Protections](#)

E. City Council Agenda Session Presentations:**E. 1** [2015-0212](#)

AGENDA SESSION PRESENTATION - SOLID WASTE REDUCTION, DIVERSION AND RECYCLING MASTER PLAN UPDATE BY MITCH KESSLER

F. City Council Tour:**G. Announcements:**

H. 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.