

City of Fayetteville, Arkansas

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



Meeting Agenda - Final Agenda

Tuesday, August 18, 2015

5:30 PM

City Hall Room 219

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:****Agenda Additions:****A. Consent:****A. 1** [2014-0509](#)

APPROVAL OF THE AUGUST 4, 2015 CITY COUNCIL MEETING MINUTES.

A. 2 [2015-0298](#)**BID NO. 15-37 DONELSON CONSTRUCTION CO., LLC**

A RESOLUTION TO AWARD BID NO. 15-37 AND AUTHORIZE A CONTRACT WITH DONELSON CONSTRUCTION CO., LLC IN THE AMOUNT OF \$151,510.00 FOR ASPHALT MICRO-SURFACING OF CITY STREETS AT A COST OF \$2.78 PER SQUARE YARD, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,151.00

Attachments:

[2015-0298 Agenda Packet Bid 15-37 Asphalt Microsurfacing](#)

A. 3 [2015-0340](#)**FAYETTEVILLE MUNICIPAL PARKING LOT 1**

A RESOLUTION TO APPROVE LEASE AGREEMENTS FOR FOUR (4) PARKING SPACES LOCATED IN FAYETTEVILLE MUNICIPAL PARKING LOT 1 AT 160 WEST MOUNTAIN STREET FOR ONE (1) YEAR WITH THE OPTION TO RENEW FOR FOUR (4) ADDITIONAL ONE-YEAR TERMS AT A MONTHLY COST OF \$50.00 PER PARKING SPACE

Attachments:

[Municipal Parking Lot 1_ Legistar File ID 2015-0340](#)

A. 4 [2015-0347](#)**CHANGE ORDER NO. 1 LEIGH EARTHWORKS, LLC**

A RESOLUTION TO APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH LEIGH EARTHWORKS, LLC IN THE AMOUNT OF \$15,362.00 TO CORRECT THE SLOPE OF EXISTING ACCESSIBLE PARKING SPACES AT THE FAYETTEVILLE SENIOR ACTIVITY AND WELLNESS CENTER

Attachments: [Legistar Packet - Senior Center](#)

A. 5 [2015-0350](#)**STATE OF ARKANSAS EQUITY INVESTMENT INCENTIVE TAX CREDIT**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE RELOCATION, STARTUP AND EXPANSION OF COMPANIES IN THE ECOMMERCE AND RETAIL TECHNOLOGIES INDUSTRY IN THE CITY OF FAYETTEVILLE, AND TO SUPPORT THE APPLICATION OF OVERDRIVE BRANDS FOR A STATE OF ARKANSAS EQUITY INVESTMENT INCENTIVE TAX CREDIT

Attachments: [2015-0350 Agenda Packet OverDrive Brands](#)

A. 6 [2015-0363](#)**BID NO. 15-45 HI-LITE AIRFIELD SERVICES, LLC**

A RESOLUTION TO AWARD BID NO. 15-45 AND AUTHORIZE A CONTRACT WITH HI-LITE AIRFIELD SERVICES, LLC IN THE AMOUNT OF \$88,492.50 FOR THE PAINTING PORTION OF THE AIRFIELD PAVEMENT MARKING REHABILITATION PROJECT, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$4,425.00

Attachments: [2015-0363 Hi-Lite Airfield Services Agenda Packet](#)

A. 7 [2015-0364](#)**SPECIAL NEEDS ASSISTANCE PROGRAM GRANTS**

A RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN A LETTER OF INTENT TO ACCEPT SPECIAL NEEDS ASSISTANCE PROGRAM GRANTS THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Attachments: [2015-0364 SNAP Grant Packet - 8.18.15 Council Mtg](#)
[DC TO MAYOR AND CC RE HUD SNAP GRANT PROGRAMS LETTER OF IN](#)

A. 8 [2015-0365](#)**ARKANSAS HISTORIC PRESERVATION PROGRAM GRANT**

A RESOLUTION TO APPROVE A GRANT AGREEMENT WITH THE ARKANSAS HISTORIC PRESERVATION PROGRAM IN THE AMOUNT OF \$13,150.00 FOR TRAVEL AND TRAINING, FOR THE HIRING OF A QUALIFIED CONSULTANT TO RESEARCH AND CATALOG HISTORIC STRUCTURES, AND FOR REPAIR AND RECONSTRUCTION OF FENCING AT OAKS CEMETERY; AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:[2015-0365 15-5162 CC RES](#)[2015-0365 15-5162 Agenda Packet](#)[Additional BA Historic Preservation Grant for 2015](#)**B. Unfinished Business:****B. 1** [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](#)[RZN 15-5044 \(4065 E. Huntsville Rd. The Plaza\) Hall Estill Letter](#)

At the June 2, 2015 City Council meeting, this ordinance was left on the first reading. At the June 16, 2015 City Council meeting, this ordinance was left on the second reading. At the July 7, 2015 City Council meeting, this ordinance was left on the third reading and tabled to the July 21, 2015 City Council meeting. At the July 21, 2015 City Council meeting, this ordinance was tabled to the August 4, 2015 City Council meeting. At the August 4, 2015 City Council meeting, this ordinance was tabled to the August 18, 2015 City Council meeting.

B. 2 [2015-0316](#)**ARKANSAS LEGACY LLC APPEAL**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5066, FOR APPROXIMATELY 3.98 ACRES, LOCATED AT 1338 AND 1326 W. CLEVELAND STREET FROM RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE AND RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE TO DG, DOWNTOWN GENERAL SUBJECT TO A BILL OF ASSURANCE

Attachments:[15-5066 EX A & B](#)[Exhibit #4 Revision 3 - 071715](#)[15-5066 Full Report](#)[B.2 Additional Arkansas Legacy](#)[Arkansas Legacy Rezone Brian Teague Email](#)[Kit Williams Legacy Rezoning Appeal Considerations Memo](#)

At the July 21, 2015 City Council meeting, this ordinance was left on the first reading. At the August 4, 2015 City Council meeting, this ordinance was left on the second reading.

C. New Business:**C. 1** [2015-0357](#)**RFP NO. 14-11 NEW WORLD SYSTEMS CORPORATION**

A RESOLUTION TO AWARD RFP NO. 14-11 AND AUTHORIZE A CONTRACT WITH NEW WORLD SYSTEMS CORPORATION IN THE AMOUNT OF \$813,651.00 TO UPGRADE THE CITY'S ENTERPRISE RESOURCE PLANNING SYSTEM, TO APPROVE A FIVE (5) YEAR MAINTENANCE AGREEMENT IN THE AMOUNT OF \$840,500.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$147,000.00

Attachments:[SRF-ERP New World 2015-0357](#)

C. 2 [2015-0353](#)**NEW WORLD SYSTEMS CORPORATION**

A RESOLUTION TO AUTHORIZE A CONTRACT WITH NEW WORLD SYSTEMS CORPORATION IN THE AMOUNT OF \$1,184,576.00 TO UPGRADE THE CITY'S PUBLIC SAFETY SOFTWARE FOR POLICE, FIRE AND AFTER HOURS CITY-WIDE SERVICES, TO APPROVE A FIVE (5) YEAR MAINTENANCE AGREEMENT IN THE AMOUNT OF \$846,675.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$160,000.00

Attachments:

[2015-0353 New World Public Safety Software Agenda Item](#)

[BA New World Systems AEGIS 2015-0353.xlsm](#)

[Additional_PO_New World Systems AEGIS 2015-0353](#)

C. 3 [2015-0360](#)**PRESIDIO NETWORKED SOLUTIONS, LLC**

A RESOLUTION TO AUTHORIZE A CONTRACT WITH PRESIDIO NETWORKED SOLUTIONS, LLC IN THE AMOUNT OF \$158,355.05 PLUS APPLICABLE TAXES, PURSUANT TO THE TIPS/TAPS COOPERATIVE PURCHASING CONTRACT, FOR THE PURCHASE OF THREE (3) NIMBLE STORAGE AREA NETWORK ARRAYS FOR THE ENTERPRISE RESOURCE PLANNING AND PUBLIC SAFETY SYSTEM SOFTWARE UPGRADES, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:

[BA Presidio 2015-0360.xlsm](#)

[2015-0360 ERP Storage Hardware PRESIDIO Agenda Packet](#)

C. 4 [2015-0359](#)**AOS, LLC**

A RESOLUTION TO AUTHORIZE A CONTRACT WITH AOS, LLC IN THE AMOUNT OF \$71,039.88 PLUS APPLICABLE TAXES, PURSUANT TO A STATE OF ARKANSAS PROCUREMENT CONTRACT, FOR THE PURCHASE OF SIX (6) CISCO UNIFIED COMPUTING SYSTEM SERVERS TO SUPPORT THE ENTERPRISE RESOURCE PLANNING AND PUBLIC SAFETY SYSTEM UPGRADES, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:

[2015-0359 SRF-ERP Server Hardware AOS](#)

[BA_AOS 2015-0359.xlsm](#)

C. 5 [2015-0361](#)**SHI, INC**

A RESOLUTION TO AUTHORIZE A CONTRACT WITH SHI, INC. IN THE AMOUNT OF \$100,433.00 PLUS APPLICABLE TAXES, PURSUANT TO A STATE OF ARKANSAS PROCUREMENT CONTRACT AND THE WESTERN STATES CONTRACTING ALLIANCE CONTRACT, FOR THE PURCHASE OF MICROSOFT, VEEAM, AND VMWARE SUPPORT SOFTWARE NECESSARY FOR THE ENTERPRISE RESOURCE PLANNING AND PUBLIC SAFETY SYSTEM SOFTWARE UPGRADES

Attachments: [2015-0361 SRF-ERP Server Software SHI](#)

C. 6 [2015-0351](#)**SWEETSER CONSTRUCTION, INC**

A RESOLUTION TO AUTHORIZE A CONTRACT WITH SWEETSER CONSTRUCTION, INC. IN THE AMOUNT OF \$7,307,280.00 FOR THE CONSTRUCTION OF RUPPLE ROAD FROM PERSIMMON STREET TO MARTIN LUTHER KING, JR. BOULEVARD, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$730,000.00

Attachments: [Legistar 20150 351 Sweetser Contract](#)
[2015-0351 PURCHASE ORDER Rurple 07292015](#)

C. 7 [2015-0354](#)**VAC 15-5116 (808 N. HIGHLAND AVENUE)**

AN ORDINANCE TO APPROVE VAC 15-5116 SUBMITTED BY JOSEF TUCKER FOR PROPERTY LOCATED AT 808 N. HIGHLAND AVENUE TO VACATE A PORTION OF AN EXISTING UTILITY EASEMENT

Attachments: [2015-0354 15-5116 CC EXHIBITS](#)
[2015-0354 15-5115 Agenda Packet](#)

C. 8 [2015-0356](#)**R-PZD 04-06.00 (RUPPLE ROW)**

AN ORDINANCE AMENDING A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED R-PZD 04-06.00, RUPPLE ROW, CONTAINING APPROXIMATELY 41.70 ACRES, TO MODIFY THE ZONING OF THE DUPLEXES AND TRIPLEXES ON WORDSWORTH LANE TO ALLOW UP TO FOUR UNRELATED PERSONS TO LIVE IN EACH DWELLING UNIT

Attachments: [2015-0356 15-5135 Agenda Item](#)
[Additional POA Board Letter](#)

C. 9 [2015-0355](#)**AMEND CHAPTERS 151 AND 163**

AN ORDINANCE TO AMEND CHAPTERS 151 AND 163 OF THE UNIFIED DEVELOPMENT CODE TO MODIFY BED AND BREAKFAST DEFINITION AND USE CONDITIONS

Attachments: [2015-0355 15-5111 Agenda Packet](#)

D. City Council Agenda Session Presentations:**D. 1** [2015-0366](#)

SPRING STREET MUNICIPAL PARKING DECK-CONSTRUCTION
UPDATE

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 479-575-8330.

A copy of the complete City Council agenda is available at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.