

City of Fayetteville, Arkansas

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



Meeting Agenda - Final Agenda

Tuesday, December 1, 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** [2014-0516](#)

APPROVAL OF THE NOVEMBER 3, 2015 CITY COUNCIL MEETING MINUTES.

A. 2 [2015-0524](#)**BALL PLAZA HOLDINGS, LLC:**

A RESOLUTION TO APPROVE A TWO YEAR SUBLEASE AGREEMENT WITH BALL PLAZA HOLDINGS, LLC FOR TEN PARKING SPACES LOCATED IN OFF-STREET PARKING DEVELOPMENT DISTRICT LOT 7 FOR THE PURPOSE OF CONVERTING THE SPACES FROM METERED PARKING TO FREE TWO HOUR PUBLIC PARKING AT A MONTHLY COST OF \$35.00 PER SPACE

Attachments:

[Ball Plaza Holdings, LLC](#)

[OSPDD Executed Amendment #1](#)

A. 3 [2015-0520](#)**CH2M HILL ENGINEERS, INC. AMENDMENT NO. 7:**

A RESOLUTION TO APPROVE AMENDMENT NO. 7 TO THE AGREEMENT FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$7,872,234.00 FOR SERVICES IN 2016

Attachments:

[CH2M 2016 Contract - Agenda Packet](#)

A. 4 [2015-0530](#)**INTERNET CRIMES AGAINST CHILDREN TASK FORCE PROGRAM SUB-GRANT:**

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A NON-MATCHING CONTINUATION SUB-GRANT FROM THE INTERNET CRIMES AGAINST CHILDREN TASK FORCE PROGRAM IN THE AMOUNT OF \$9,374.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [SRP - 2015 ICAC Award](#)
 [BA - 2015 ICAC Award](#)

A. 5 [2015-0538](#)**GARVER, LLC TASK ORDER NO. 5:**

A RESOLUTION TO APPROVE TASK ORDER NO. 5 WITH GARVER, LLC IN THE AMOUNT OF \$45,500.00 FOR BID PACKAGE DEVELOPMENT, BIDDING SERVICES, CONSTRUCTION PHASE SERVICES, AND CLOSEOUT SERVICES ASSOCIATED WITH THE AIRPORT TAXIWAY LIGHTING REHABILITATION PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [SRP-2016 Drake Field Taxiway Lighting Rehab](#)
 [BA- Garver Consulting](#)

A. 6 [2015-0526](#)**BID NO. 15-62 PERMATRAK NORTH AMERICA:**

A RESOLUTION TO AWARD BID NO. 15-62 AND AUTHORIZE A CONTRACT WITH PERMATRAK NORTH AMERICA, LLC OF CHARLOTTE, NORTH CAROLINA FOR THE PURCHASE OF A PREFABRICATED CONCRETE BOARDWALK SYSTEM IN THE AMOUNT OF \$311,678.00 PLUS APPLICABLE TAXES FOR INSTALLATION ON THE CLABBER CREEK TRAIL BETWEEN RUPPLE ROAD AND SALEM ROAD, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$31,167.00

Attachments: [2015-0526 - Clabber Creek Trail Boardwalk](#)

A. 7 [2015-0539](#)**RANGER'S PANTRY DONATIONS:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$2,244.00 REPRESENTING DONATIONS TO RANGER'S PANTRY AND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME RECEIVED FROM HOUSING LIEN PAYOFFS

Attachments:[SRF-SRM PI and RP Recognition](#)[BA-PI and RP Recognition 12.1.15](#)**A. 8** [2015-0536](#)**BSN SPORTS:**

A RESOLUTION TO APPROVE THE PURCHASE OF THIRTY-TWO (32) PAIRS OF SOCCER GOALS FOR THE REGIONAL PARK FROM BSN SPORTS OF DALLAS, TEXAS IN THE AMOUNT OF \$85,623.00, PURSUANT TO A U.S. COMMUNITIES NATIONAL COOPERATIVE PURCHASING PROGRAM CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:[Soccer Goals - Legistar Packet](#)[BA \(Agenda Item\) 2015 PARKS REGIONAL PARK SOCCER GOALS 11-12-15](#)**A. 9** [2015-0537](#)**WALKER PARK NEW DISC GOLF COURSE - WAXHAWS DISC GOLF:**

A RESOLUTION TO NAME THE NEW DISC GOLF COURSE AT WALKER PARK THE WAXHAWS DISC GOLF COURSE IN HONOR OF THE HISTORIC ARCHIBALD YELL HOMESTEAD

Attachments:[Waxhaws - Legistar Packet](#)**B. Unfinished Business:**

B. 1 [2015-0469](#)**AMEND CHAPTER 97 PARKS AND RECREATION:**

AN ORDINANCE TO AMEND CHAPTER 97 **PARKS AND RECREATION** OF THE FAYETTEVILLE CITY CODE TO ALLOW TWENTY FOUR (24) HOUR ACCESS TO SHARED USE PAVED TRAILS; TO ADD LEASH REQUIREMENTS FOR ANIMALS IN CERTAIN PARKS; TO PROHIBIT CERTAIN ACTIVITIES IN PARKS INCLUDING UNAUTHORIZED VEHICLE OPERATION, USE OF PADDLE BOARDS ON CITY LAKES, AND SHOOTING OF MODEL ROCKETS; TO PROVIDE FOR CERTAIN ACTIVITIES IN PARKS INCLUDING CAMPING, HORSEBACK RIDING, LIMITED VENDING AT PARK EVENTS, AND POSTING OF TEMPORARY SIGNS; AND TO MAKE OTHER TECHNICAL REVISIONS

Attachments:[Exhibit A - Proposed Chapter 97](#)[Legistar Packet - Chapter 97](#)[Additional Memo](#)

At the November 17, 2015 City Council meeting, this ordinance was left on the first reading.

B. 2 [2015-0463](#)**AMEND § 73.04 RIDING ON ROADWAYS AND BICYCLE PATHS
AND § 73.05 RIDING ON SIDEWALKS:**

AN ORDINANCE TO AMEND § 73.04 **RIDING ON ROADWAYS AND BICYCLE PATHS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON ROADWAYS AND BICYCLE PATHS, AND TO AMEND § 73.05 **RIDING ON SIDEWALKS** TO PROVIDE FOR THE SAFE OPERATION OF BICYCLES ON SIDEWALKS

Attachments:[CC packet - Bicycle Ordinance Amendments](#)[Bicycle Ordinance Package CC Memo - Amendment Package w out Map](#)

At the November 17, 2015 City Council meeting, this ordinance was left on the first reading.

C. New Business:

C. 1 [2015-0543](#)**LIB HORN ANIMAL SHELTER OF FAYETTEVILLE:**

A RESOLUTION TO RENAME THE FAYETTEVILLE ANIMAL SHELTER THE LIB HORN ANIMAL SHELTER OF FAYETTEVILLE

Attachments: [Agenda Packet Rename Animal Shelter](#)
[Additional Lib Horn](#)

C. 2 [2015-0522](#)**YOUTH CENTER, INC.:**

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 \$225,000.00 TO PROVIDE PUBLIC RECREATION SERVICES FOR THE YOUTH AND CITIZENS OF FAYETTEVILLE FOR 2016

Attachments: [B&G Club - Legistar Packet](#)

C. 3 [2015-0535](#)**AREA AGENCY ON AGING OF NORTHWEST ARKANSAS:**

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 \$101,205.00 TO PROVIDE PUBLIC RECREATION SERVICES FOR THE SENIOR CITIZENS OF FAYETTEVILLE FOR 2016

Attachments: [AAA - Legistar Packet](#)

C. 4 [2015-0531](#)**AMBULANCE SERVICES INTERLOCAL AGREEMENT:**

A RESOLUTION TO APPROVE AN INTERLOCAL AGREEMENT FOR CONTINUATION AND EXPANSION OF AMBULANCE SERVICES BY AND WITH THE CITY OF FAYETTEVILLE, THE WASHINGTON COUNTY REGIONAL AMBULANCE AUTHORITY, WASHINGTON COUNTY, ELKINS, ELM SPRINGS, FARMINGTON, GOSHEN, GREENLAND, JOHNSON, LINCOLN, PRAIRIE GROVE, TONTITOWN, WEST FORK, AND WINSLOW, AND TO AUTHORIZE THE AMBULANCE AUTHORITY TO OPERATE CENTRAL EMERGENCY MEDICAL SERVICES AS THE EXCLUSIVE EMERGENCY AND NON-EMERGENCY AMBULANCE SERVICE WITHIN THE CITIES

Attachments:

[SRF SRM Interlocal Agreement](#)

C. 5 [2015-0533](#)**RZN 15-5223: (SE CORNER OF W. MLK BLVD. & S. STADIUM DR./STADIUM & RAILROAD, LLC):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5223 FOR APPROXIMATELY 2.53 ACRES LOCATED AT THE SOUTHEAST CORNER OF WEST MARTIN LUTHER KING BOULEVARD AND SOUTH STADIUM DRIVE FROM RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE TO CS, COMMUNITY SERVICES

Attachments:

[15-5223 CC EXHIBITS](#)

[15-5223 CC DOCUMENTS](#)

C. 6 [2015-0544](#)**RZN 15-5214: (WEST OF N. GREGG AVE. & W. VAN ASCHE DR./WG LAND COMPANY) APPEAL:**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5214 FOR APPROXIMATELY 186.65 ACRES LOCATED WEST OF THE INTERSECTION OF NORTH GREGG AVENUE AND WEST VAN ASCHE DRIVE FROM R-A, RESIDENTIAL AGRICULTURAL TO C-2, THOROUGHFARE COMMERCIAL AND C-3, CENTRAL COMMERCIAL

Attachments:[15-5214 EX A](#)[15-5214 EX B](#)[15-5214 CC reports](#)[RZN 15-5214 City Attorney Memo](#)**C. 7** [2015-0545](#)**RZN 15-5209: (NE CORNER OF MCGUIRE ST. & VAN ASCHE DR./MCCLINTON) APPEAL:**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5209 FOR APPROXIMATELY 18.34 ACRES LOCATED AT THE NORTHEAST CORNER OF MCGUIRE STREET AND VAN ASCHE DRIVE FROM R-A, RESIDENTIAL AGRICULTURAL TO C-2, THOROUGHFARE COMMERCIAL AND C-3, CENTRAL COMMERCIAL

Attachments:[15-5209 EX A](#)[15-5209 EX B](#)[15-5209 CC reports](#)**D. City Council Agenda Session Presentations:****D. 1** [2015-0519](#)

AGENDA SESSION PRESENTATION - ECONOMIC DEVELOPMENT QUARTERLY REPORT

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.