

# City of Fayetteville, Arkansas

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



## City Council Meeting

**November 1, 2016  
5:30 p.m.**

**City Hall Room 219  
113 West Mountain**

### **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*

*John S. La Tour Ward 4  
Alan Long Ward 4*

***ELECTED OFFICIALS:  
Mayor Lioneld Jordan  
City Attorney Kit Williams  
City Clerk Treasurer 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 2015-0658 APPROVAL OF THE OCTOBER 18, 2016 CITY COUNCIL MEETING MINUTES.

Legislation Text

- A. 2 2016-0481 REPEAL RESOLUTION NO. 180-16: A RESOLUTION TO REPEAL RESOLUTION NO. 180-16, AWARD BID NO. 16-60 AND AUTHORIZE THE PURCHASE OF A PREFABRICATED BRIDGE IN THE AMOUNT OF \$31,500.00 PLUS APPLICABLE SALES TAXES FROM ART THURESON, INC. OF WATERFORD, MICHIGAN FOR INSTALLATION ON THE CATO SPRINGS TRAIL

Legislation Text

REPEAL RESOLUTION NO. 180-16

- A. 3 2016-0486 SOUTHWIND HOSPITALITY HOLDINGS, LLC AMENDMENT NO. 1: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE CONTRACT WITH SOUTHWIND HOSPITALITY HOLDINGS, LLC TO REFLECT THE CORRECT NUMBER OF PARKING SPACES BEING LEASED IN THE MEADOW STREET PARKING DECK, AND TO APPROVE A CREDIT IN THE AMOUNT OF \$700.00 FOR PAST OVERPAYMENT FOR TWO PARKING SPACES

Legislation Text

SOUTHWIND HOSPITALITY HOLDINGS, LLC AMENDMENT NO. 1

- A. 4 2016-0478 LEXINGTON INSURANCE COMPANY: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF INSURANCE PROCEEDS IN THE AMOUNT OF \$457,925.07 FROM LEXINGTON INSURANCE COMPANY FOR NECESSARY

REPAIR WORK ON BUILDINGS LOCATED AT THE FAYETTEVILLE EXECUTIVE AIRPORT AS A RESULT OF HAIL DAMAGE, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

LEXINGTON INSURANCE COMPANY

BA LEXINGTON INSURANCE COMPANY

- A. 5 2016-0487 GARVER, LLC TASK ORDER NO. 6: A RESOLUTION TO APPROVE TASK ORDER NO. 6 WITH GARVER, LLC IN THE AMOUNT OF \$25,000.00 FOR BID PACKAGE DEVELOPMENT, BIDDING SERVICES AND CONSTRUCTION PHASE SERVICES FOR THE DRAKE FIELD AIRFIELD ROOF REHABILITATION PROJECT

Legislation Text

GARVER, LLC TASK ORDER NO. 6

- A. 6 2016-0450 CH2M HILL ENGINEERS, INC. CHANGE ORDER: A RESOLUTION TO APPROVE A CHANGE ORDER TO THE OUT-OF-SCOPE AGREEMENT WITH CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$30,000.00 TO CONTINUE WORK ON A USE ATTAINABILITY ANALYSIS FOR THE WHITE RIVER, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

CH2M HILL ENGINEERS, INC. CHANGE ORDER

BA CH2M HILL ENGINEERS, INC. CHANGE ORDER

- A. 7 2016-0479 SWEETSER CONSTRUCTION, INC. CHANGE ORDER NO. 1: A RESOLUTION TO APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH SWEETSER CONSTRUCTION, INC. IN THE AMOUNT OF \$390,568.20 FOR THE RELOCATION OF APPROXIMATELY 1,100 FEET OF 12-INCH WATER MAIN ASSOCIATED WITH THE RUPPLE ROAD - PERSIMMON TO CONGRESSIONAL PROJECT

Legislation Text

SWEETSER CONSTRUCTION, INC. CHANGE ORDER NO. 1

**B. Unfinished Business:**

- B. 1 2016-0432 RZN 16-5550 (2155 N. RUPPLE RD./HAZEN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5550 FOR APPROXIMATELY 70 ACRES LOCATED EAST AND WEST OF RUPPLE ROAD AND SOUTH OF MOUNT COMFORT ROAD FROM RSF-1, RESIDENTIAL SINGLE FAMILY, 1 UNIT PER ACRE; RSF-4, RESIDENTIAL SINGLE FAMILY, 4

UNITS PER ACRE AND R-A, RESIDENTIAL AGRICULTURAL TO CS,  
COMMUNITY SERVICES AND R-A, RESIDENTIAL AGRICULTURAL (LEFT ON  
THE SECOND READING)

Legislation Text

RZN 16-5550 (2155 N. RUPPLE RD./HAZEN)

ADDITIONAL: RZN 16-5550 (2155 N. RUPPLE RD./HAZEN)

- B.** 2 2016-0467 VAC 16-5571 (WEST JUPITER DR./JUPITER DRIVE): AN ORDINANCE TO APPROVE VAC 16-5571 SUBMITTED BY JORGENSEN AND ASSOCIATES, INC. TO VACATE A PORTION OF JUPITER DRIVE FROM MCGUIRE STREET TO THE AEP SUBSTATION (LEFT ON THE FIRST READING)

Legislation Text

VAC 16-5571 (WEST JUPITER DR./JUPITER DRIVE)

- B.** 3 2016-0445 APPEAL OF LSD 16-5488 THE MACEY DRIVE TOWNHOMES: A RESOLUTION TO GRANT THE APPEAL OF TIM BRISEIEL OF LEGACY VENTURES AND TO APPROVE LARGE SCALE DEVELOPMENT 16-5488 MACEY DRIVE TOWNHOMES

Legislation Text

APPEAL OF LSD 16-5488 THE MACEY DRIVE TOWNHOMES

- B.** 4 2016-0462 AMEND CHAPTERS 161, 162, AND 164: AN ORDINANCE TO AMEND CHAPTERS 161 AND 162 TO RENAME AND REPLACE "COTTAGE HOUSING DEVELOPMENT" WITH "CLUSTER HOUSING DEVELOPMENT"; TO RENAME CHAPTER 164 TO SUPPLEMENTARY ZONING REGULATIONS AND SPECIALIZED DEVELOPMENT REQUIREMENTS, TO REPLACE § 164.22 COTTAGE HOUSING DEVELOPMENT WITH § 164.22 CLUSTER HOUSING DEVELOPMENT AND MAKE FURTHER AMENDMENTS TO § 164.22 (LEFT ON THE FIRST READING)

Legislation Text

AMEND CHAPTERS 161, 162, AND 164

**C. New Business:**

- C.** 1 2016-0489 RZN 16-5588 (407 N. MTN. RANCH BLVD./STRIKER DEVELOPMENT): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5588 FOR APPROXIMATELY 3.65 ACRES LOCATED AT 407 NORTH MOUNTAIN RANCH BOULEVARD FROM RSF-4, RESIDENTIAL SINGLE FAMILY TO NC, NEIGHBORHOOD CONSERVATION

Legislation Text

RZN 16-5588 (407 N. MTN. RANCH BLVD./STRIKER DEVELOPMENT)

- C. 2 2016-0460 RZN 16-5594 (15 S. WEST/KOLBERG): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5594 FOR APPROXIMATELY 0.37 ACRES LOCATED AT 15 SOUTH WEST AVENUE FROM NC, NEIGHBORHOOD CONSERVATION TO MSC, MAIN STREET/CENTER

Legislation Text

16-5594 (15 S. WEST/KOLBERG)

- C. 3 2016-0494 AMENDMENT TO A BILL OF ASSURANCE (NE CORNER OF MORNINGSIDE & 15TH ST./RAUSCH COLEMAN): AN ORDINANCE TO AMEND ORDINANCE NO. 5897 BY MODIFYING THE BILL OF ASSURANCE TO PERMIT THE REALIGNMENT OF A PROTECTED STREAM

Legislation Text

AMENDMENT TO A BILL OF ASSURANCE (NE CORNER OF MORNINGSIDE & 15TH ST./RAUSCH COLEMAN)

- C. 4 2016-0488 UARK CREDIT UNION REZONING APPEAL: AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5589 FOR APPROXIMATELY 0.37 ACRES LOCATED AT 714 WEST MARTIN LUTHER KING BOULEVARD AND 511 HILL AVENUE FROM RMF-40, RESIDENTIAL MULTI FAMILY, 40 UNITS PER ACRE TO C-1, NEIGHBORHOOD COMMERCIAL

Legislation Text

UARK CREDIT UNION REZONING APPEAL

- C. 5 2016-0490 WG LAND COMPANY APPEAL: AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5590 FOR APPROXIMATELY 23 ACRES LOCATED NORTHEAST OF MCGUIRE STREET AND VAN ASCHE DRIVE FROM C-2, THOROUGHFARE COMMERCIAL AND C-3, CENTRAL COMMERCIAL TO C-3, CENTRAL COMMERCIAL

Legislation Text

WG LAND COMPANY APPEAL

**D. City Council Agenda Session Presentations:**

- D. 1 2016-0475 AGENDA SESSION PRESENTATION - UPDATE ON THE FAYETTEVILLE MOBILITY PLAN BY THE CITY'S CONSULTANT, NELSON/NYGAARD

Legislation Text

**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](http://www.fayetteville-ar.gov) or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.*