

City of Fayetteville, Arkansas

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



City Council Agenda Session

**November 10, 2016
4:30 p.m.**

City Hall Room 326

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*

***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

1. 2016-0515 CITY COUNCIL PRESENTATION OF THE 2015 ANNUAL AUDIT REPORT PRESENTED BY PAUL BECKER

Legislation Text

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions

A. Consent:

- A. 1 2015-0659 APPROVAL OF THE NOVEMBER 1, 2016 CITY COUNCIL MEETING MINUTES.

Legislation Text

- A. 2 2016-0496 JOHN DEERE COMPANY: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A JOHN DEERE 310L BACKHOE FROM JOHN DEERE COMPANY OF MOLINE, ILLINOIS IN THE AMOUNT OF \$90,316.56, PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT, FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Legislation Text

JOHN DEERE COMPANY

- A. 3 2016-0495 BID NO. 16-59 TRUCK CENTERS OF ARKANSAS: A RESOLUTION TO AWARD BID NO. 16-59 AND AUTHORIZE THE PURCHASE OF THREE (3) FREIGHTLINER DUMP TRUCKS FROM TRUCK CENTERS OF ARKANSAS IN THE TOTAL AMOUNT OF \$404,865.00 FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT

Legislation Text

BID #16-59 TRUCK CENTERS OF ARKANSAS

- A. 4 2016-0526 BID NO. 16-62 AMERICAN FIRE TRAINING CENTERS, INC.: A RESOLUTION TO AWARD BID NO. 16-62 AND AUTHORIZE THE PURCHASE OF A MOBILE FIRE TRAINING SIMULATOR FROM AMERICAN FIRE TRAINING CENTERS, INC. OF LOCKPORT, ILLINOIS IN THE AMOUNT OF \$609,000.00 PLUS APPLICABLE SALES TAXES FOR USE BY THE FIRE DEPARTMENT

Legislation Text

BID NO. 16-62 AMERICAN FIRE TRAINING CENTERS, INC.

- A. 5 2016-0504 UA PROPERTIES, LLC COST SHARE AGREEMENT: A RESOLUTION TO APPROVE A 50/50 COST SHARE AGREEMENT WITH UA PROPERTIES, LLC FOR CONSTRUCTION OF A WATER MAIN ALONG A PORTION OF SMITH AVENUE BETWEEN WEST MARKHAM ROAD AND NORTH THOMAS AVENUE AT A TOTAL COST OF \$13,912.68

Legislation Text

UA PROPERTIES, LLC COST SHARE AGREEMENT

- A. 6 2016-0507 2016 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2016 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT THROUGH THE BOSTON MOUNTAIN SOLID WASTE DISTRICT IN THE AMOUNT OF \$10,000.00 TO CONTINUE THE E-WASTE COUPON REDEMPTION PROGRAM, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

2016 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT

BA 2016 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT

- A. 7 2016-0513 DESTRUCTION OF CERTAIN RECORDS: A RESOLUTION TO AUTHORIZE THE DESTRUCTION OF CERTAIN RECORDS SHOWN ON THE ATTACHED AFFIDAVITS PURSUANT TO RELEVANT CODE SECTIONS OF THE ARKANSAS CODE ANNOTATED RELATED TO MAINTENANCE AND DESTRUCTION OF ACCOUNTING AND OTHER CITY RECORDS

Legislation Text

DESTRUCTION OF CERTAIN RECORDS

- A. 8 2016-0514 JBZ, INC. D/B/A ELLINGSON CONTRACTING CHANGE ORDER NO. 2: A RESOLUTION TO APPROVE CHANGE ORDER NO. 2 TO THE CONTRACT WITH JBZ, INC. D/B/A ELLINGSON CONTRACTING IN THE AMOUNT OF \$17,455.00 FOR SITE DRAINAGE IMPROVEMENTS RELATED TO THE FAYETTEVILLE SENIOR CENTER KITCHEN EXPANSION PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT RECOGNIZING COMMUNITY

DEVELOPMENT BLOCK GRANT FUNDS FOR THE PROJECT IN THE AMOUNT OF \$95,000.00

Legislation Text

JBZ, INC. D/B/A ELLINGSON CONTRACTING CHANGE ORDER NO. 2

BA_JBZ, INC. D/B/A ELLINGSON CONTRACTING CHANGE ORDER NO. 2

- A. 9 2016-0512 2016 BULLETPROOF VEST PARTNERSHIP PROGRAM: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A FIFTY PERCENT (50%) MATCHING GRANT AWARD FROM THE 2016 BULLETPROOF VEST PARTNERSHIP PROGRAM IN THE AMOUNT OF \$13,237.00 FOR THE REPLACEMENT OF BODY ARMOR VESTS FOR FAYETTEVILLE POLICE OFFICERS AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

2016 BULLETPROOF VEST PARTNERSHIP PROGRAM

BA_2016 BULLETPROOF VEST PARTNERSHIP PROGRAM

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)

- 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 SECOND 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 BRISIEL OF LEGACY VENTURES AND TO APPROVE LARGE SCALE DEVELOPMENT 16-5488

Legislation Text

APPEAL OF LSD 16-5488 THE MACEY DRIVE TOWNHOMES

- B.** 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 (LEFT ON THE FIRST READING)

Legislation Text

UARK CREDIT UNION REZONING APPEAL

- B.** 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 (LEFT ON THE FIRST READING)

Legislation Text

WG LAND COMPANY APPEAL

C. New Business:

- C.** 1 2016-0521 RZN 16-5609 (1764 N. STARR RD./HAYS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5609 FOR APPROXIMATELY 26.83 ACRES LOCATED AT 1764 NORTH STARR ROAD FROM RSF-1, RESIDENTIAL SINGLE FAMILY, 1 UNIT PER ACRE TO RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE

Legislation Text

RZN 16-5609 (1764 N. STARR RD./HAYS)

- C.** 2 2016-0517 RZN 16-5633 (2350 W. WEDINGTON DR./UPTON): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5633 FOR APPROXIMATELY 0.80 ACRES LOCATED AT 2350 WEST WEDINGTON DRIVE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NS, NEIGHBORHOOD SERVICES

Legislation Text

RZN 16-5633 (2350 W. WEDINGTON DR./UPTON)

- C. 3 2016-0523 RZN 16-5598 (1777 S. SMOKEHOUSE TRAIL/OZARK MOUNTAIN SMOKEHOUSE): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5598 FOR APPROXIMATELY 3.74 ACRES LOCATED AT 1777 SOUTH SMOKEHOUSE TRAIL FROM R-A, RESIDENTIAL AGRICULTURAL TO UT, URBAN THOROUGHFARE

Legislation Text

RZN 16-5598 (1777 S. SMOKEHOUSE TRAIL/OZARK MOUNTAIN SMOKEHOUSE)

- C. 4 2016-0508 AMEND § 31.18 DISTRICT JUDGE COMPENSATION: AN ORDINANCE TO AMEND § 31.18 DISTRICT JUDGE COMPENSATION BECAUSE THE DISTRICT JUDGE OF WASHINGTON COUNTY DISTRICT COURT, FAYETTEVILLE DEPARTMENT WILL ON JANUARY 1, 2017 BECOME A FULL TIME STATE EMPLOYEE

Legislation Text

AMEND § 31.18 DISTRICT JUDGE COMPENSATION

- C. 5 2016-0520 AMEND § 33.350 PURPOSE AND ESTABLISHMENT AND § 33.351 COMPOSITION: AN ORDINANCE TO AMEND § 33.350 PURPOSE AND ESTABLISHMENT AND § 33.351 COMPOSITION OF ARTICLE XXIII ACTIVE TRANSPORTATION ADVISORY COMMITTEE OF THE FAYETTEVILLE CITY CODE TO EXPAND THE SCOPE OF THE COMMITTEE'S DUTIES, TO RECOMMEND THAT THE CITY COUNCIL APPOINTEE SHOULD ALSO SERVE ON THE TRANSPORTATION COMMITTEE, AND TO ESTABLISH A TIME FOR THE ELECTION OF THE COMMITTEE CHAIR

Legislation Text

AMEND § 33.350 PURPOSE AND ESTABLISHMENT AND § 33.351 COMPOSITION

- C. 6 2016-0505 FAYETTEVILLE POLICE DEPARTMENT POLICIES: A RESOLUTION TO APPROVE FAYETTEVILLE POLICE DEPARTMENT POLICIES 1.2.1 LIMITS OF AUTHORITY; 1.2.2 WARRANTLESS DETENTION, SEARCH AND SEIZURE; 1.3.1 USE OF FORCE; 1.3.4 LESS LETHAL WEAPONS AND DEFENSIVE TACTICS; 1.3.6 OFFICER-INVOLVED SHOOTING; AND 22.3 SECONDARY EMPLOYMENT

Legislation Text

FAYETTEVILLE POLICE DEPARTMENT POLICIES

D. City Council Agenda Session Presentations:

- D. 1 2016-0497 AGENDA SESSION PRESENTATION - ECONOMIC DEVELOPMENT QUARTERLY PRESENTATION - CHAMBER OF COMMERCE

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.