

City of Fayetteville, Arkansas

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



City Council Meeting

**December 20, 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

1. 2016-0565 ALDERMAN MARTIN W. SCHOPPMAYER JR. RECOGNITION

Legislation Text

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions:

A. Consent:

- A. 1 2015-0661 APPROVAL OF THE DECEMBER 6, 2016 CITY COUNCIL MEETING MINUTES.

Legislation Text

- A. 2 2016-0621 FAYETTEVILLE FIRE DEPARTMENT DONATION REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$100.00 REPRESENTING DONATION REVENUE FROM NEWK'S EATERY TO THE FAYETTEVILLE FIRE DEPARTMENT FOR THE ANNUAL EMPLOYEE SERVICE AWARDS EVENT

Legislation Text

FAYETTEVILLE FIRE DEPARTMENT DONATION REVENUE

BA_FAYETTEVILLE FIRE DEPARTMENT DONATION REVENUE

- A. 3 2016-0528 2016 BODY WORN CAMERA IMPLEMENTATION PROGRAM GRANT AWARD: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2016 BODY-WORN CAMERA PILOT IMPLEMENTATION PROGRAM 50/50 MATCHING GRANT AWARD IN THE TOTAL AMOUNT OF \$186,496.00, OF WHICH \$67,680.00 WILL BE USED BY THE FAYETTEVILLE POLICE DEPARTMENT, WITH \$73,696.00 TO BE DISBURSED TO THE CITY OF SPRINGDALE AND \$45,120.00 TO WASHINGTON COUNTY, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

2016 BODY WORN CAMERA IMPLEMENTATION PROGRAM GRANT AWARD

BA_2016 BODY WORN CAMERA IMPLEMENTATION PROGRAM GRANT AWARD

- A. 4 2016-0611 2016 INTERNET CRIMES AGAINST CHILDREN (ICAC) GRANT AWARD: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A NON-MATCHING GRANT FROM THE INTERNET CRIMES AGAINST CHILDREN TASK FORCE PROGRAM IN THE AMOUNT OF \$10,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

2016 INTERNET CRIMES AGAINST CHILDREN (ICAC) GRANT AWARD

BA_2016 INTERNET CRIMES AGAINST CHILDREN (ICAC) GRANT AWARD

- A. 5 2016-0612 FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$63,682.00 RECOGNIZING REVENUE ASSOCIATED WITH FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES

Legislation Text

FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES

BA_ FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES

- A. 6 2016-0632 2017 JAIL SERVICES AMENDED INTERLOCAL AGREEMENT: A RESOLUTION TO APPROVE THE EIGHTH AMENDED INTERLOCAL AGREEMENT FOR JAIL SERVICES WITH WASHINGTON COUNTY, ARKANSAS INCREASING THE BOOKING FEE FROM \$60.00 TO \$62.00 PER PRISONER IN 2017

Legislation Text

2017 JAIL SERVICES AMENDED INTERLOCAL AGREEMENT

- A. 7 2016-0618 FAYETTEVILLE POLICE DEPARTMENT DONATION REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$2,515.00 RECOGNIZING DONATION REVENUE TO THE FAYETTEVILLE POLICE DEPARTMENT IN SUPPORT OF OFFICER RECOGNITION

Legislation Text

FAYETTEVILLE POLICE DEPARTMENT DONATION REVENUE

BA_FAYETTEVILLE POLICE DEPARTMENT DONATION REVENUE

- A. 8 2016-0619 DESIGNATION OF COLLECTOR OF FINES ASSESSED IN THE WASHINGTON COUNTY DISTRICT COURT: A RESOLUTION TO DESIGNATE THE WASHINGTON COUNTY DISTRICT COURT, FAYETTEVILLE DEPARTMENT CLERK TO BE PRIMARILY RESPONSIBLE FOR THE COLLECTION OF FINES ASSESSED IN THIS COURT

Legislation Text

DESIGNATION OF COLLECTOR OF FINES ASSESSED IN THE WASHINGTON COUNTY DISTRICT COURT

City Attorney Memo District Court Fines

- A. 9 2016-0537 BID 16-50 PIANALTO CONSTRUCTION: A RESOLUTION TO AWARD BID NO. 16-50 AND AUTHORIZE A CONTRACT WITH PIANALTO CONSTRUCTION, INC. OF TONTITOWN, ARKANSAS IN THE AMOUNT OF \$156,937.00 FOR CONSTRUCTION OF THE TRANSPORTATION SALT STORAGE FACILITY, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$30,000.00

Legislation Text

BID 16-50 PIANALTO CONSTRUCTION

- A. 10 2016-0608 ANIMAL SERVICES DONATION REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$27,167.00 REPRESENTING DONATION REVENUE TO ANIMAL SERVICES FROM APRIL THROUGH OCTOBER 2016

Legislation Text

ANIMAL SERVICES DONATION REVENUE

BA_ANIMAL SERVICES DONATION REVENUE

- A. 11 2016-0624 HOGWASH CARWASH, LLC: A RESOLUTION TO APPROVE A 50/50 COST SHARE AGREEMENT WITH HOGWASH CARWASH, LLC FOR CONSTRUCTION OF A SEWER MAIN ALONG A PORTION OF EAST HUNTSVILLE ROAD BETWEEN SOUTH ERIKA AVENUE AND SOUTH SEVEN HILLS DRIVE AT A TOTAL COST OF \$8,232.00

Legislation Text

HOGWASH CARWASH, LLC

- A. 12 2016-0626 MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC AMENDMENT NO. 5: A RESOLUTION TO APPROVE AMENDMENT NO. 5 TO

THE CONTRACT WITH MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC IN THE AMOUNT OF \$20,000.00 FOR ADDITIONAL LEGAL SERVICES RELATED TO THE WHITE RIVER WATER QUALITY STANDARDS PETITION TO THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC AMENDMENT NO. 5

BA MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC AMENDMENT NO. 5

- A. 13 2016-0551 CITY HALL AUDIO-VISUAL RENOVATION: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$5,921.00 CONSOLIDATING THREE PROJECT ACCOUNTS RELATED TO THE CITY HALL AUDIO-VISUAL RENOVATION PROJECT AND TO APPROVE A CHANGE ORDER FOR ACCOUNTING PURPOSES

Legislation Text

CITY HALL AUDIO-VISUAL RENOVATION

BA BUDGET ADJUSTMENT FORM LEGISTAR 3 SMC2

- A. 14 2016-0628 BID NO. 16-63 T-N-T, INC.: A RESOLUTION TO AWARD BID NO. 16-63 AND AUTHORIZE A CONTRACT WITH T-N-T, INC. OF VAN BUREN, ARKANSAS IN THE AMOUNT OF \$97,560.00 FOR CONSTRUCTION OF AN ACCESS DRIVE, CURB AND GUTTER, AND PARKING IMPROVEMENTS AT WILSON PARK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$9,756.00

Legislation Text

BID NO. 16-63 T-N-T, INC.

- A. 15 2016-0617 PPL 16-5641 (SE OF PERSIMMON & BROYLES/SLOANBROOKE SD, PH. II): A RESOLUTION TO APPROVE A MASTER STREET PLAN AMENDMENT TO REMOVE A PORTION OF AN UNNAMED, UNBUILT PROPOSED COLLECTOR STREET FROM PERSIMMON AVENUE TO HOLLAND DRIVE

Legislation Text

PPL 16-5641 (SE OF PERSIMMON & BROYLES/SLOANBROOKE SD, PH. II).

- A. 16 2016-0610 COMPENSATION FOR ELECTED OFFICIALS: A RESOLUTION TO ALLOW THE CITY ATTORNEY AS ALL OTHER CITY EMPLOYEES WHO HAVE ATTAINED THEIR TOP SALARY RANGE TO RECEIVE A ONE TIME SERVICE

AWARD

Legislation Text

COMPENSATION FOR ELECTED OFFICIALS

B. Unfinished Business:

- B. 1** 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 MACEY DRIVE TOWNHOMES

Legislation Text

APPEAL OF LSD 16-5488 THE MACEY DRIVE TOWNHOMES

- B. 2** 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 (LEFT ON THE SECOND READING)

Legislation Text

AMEND § 33.350 PURPOSE AND ESTABLISHMENT AND § 33.351 COMPOSITION

ADDITIONAL AMEND § 33.350 PURPOSE AND ESTABLISHMENT AND § 33.351 COMPOSITION

- B. 3** 2016-0525 VAC 16-5582 (41 E. NORTH ST./ANDONA PROPERTIES): AN ORDINANCE TO APPROVE VAC 16-5582 SUBMITTED BY ANDREA FOURNET TO VACATE THE UNBUILT PIKE STREET RIGHT-OF-WAY BETWEEN HIGHLAND AND POLLARD AVENUE (LEFT ON FIRST READING)

Legislation Text

VAC 16-5582 (41 E. NORTH ST./ANDONA PROPERTIES)

ADDITIONAL: VAC 16-5582 (41 E. NORTH ST./ANDONA PROPERTIES)

C. New Business:

- C. 1** 2016-0630 RFP NO. 16-08 ACS PLAYGROUND ADVENTURES, INC.: A RESOLUTION TO AWARD RFP NO. 16-08 AND AUTHORIZE A CONTRACT

WITH ACS PLAYGROUND ADVENTURES, INC. IN THE AMOUNT OF \$506,500.00 FOR THE DEMOLITION AND REMOVAL OF OLD PLAYGROUND EQUIPMENT AND INSTALLATION OF NEW PLAYGROUND EQUIPMENT, INCLUDING THE DAVID LYLE BAYYARI MUSIC PLAYGROUND, AT WILSON PARK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$50,650.00

Legislation Text

RFP NO. 16-08 ACS PLAYGROUND ADVENTURES, INC.

- C. 2 2016-0604 THE BELFORD GROUP: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A ONE (1) YEAR CONTRACT WITH THE BELFORD GROUP WITH AN OPTION TO RENEW FOR UP TO FOUR (4) ADDITIONAL ONE (1) YEAR TERMS TO PROVIDE ONLINE RECREATION PROGRAM REGISTRATION AND PAVILION RESERVATIONS TO RESIDENTS AND VISITORS AT NO COST TO THE CITY

Legislation Text

THE BELFORD GROUP

- C. 3 2016-0613 STORMWATER EDUCATION AGREEMENT: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING THROUGH 2019 AND APPROVE A ONE-YEAR CONTRACT WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$41,505.61 FOR A STORMWATER EDUCATION PROGRAM FOR 2017

Legislation Text

STORMWATER EDUCATION AGREEMENT

- C. 4 2016-0635 AMEND § 39.10 WATER AND WASTEWATER DAMAGE CLAIMS: AN ORDINANCE TO AMEND § 39.10 WATER AND WASTEWATER DAMAGE CLAIMS BY ENACTING A NEW SUBSECTION (4) TO (B) REQUIREMENTS FOR PROPERTY DAMAGE CLAIMS TO BE ELIGIBLE FOR COMPENSATION

Legislation Text

AMEND § 39.10 WATER AND WASTEWATER DAMAGE CLAIMS

- C. 5 2016-0609 STANDING OR WALKING ON A STATE OR FEDERAL HIGHWAY PROHIBITED: AN ORDINANCE TO REPEAL § 74.04 HITCHHIKING PROHIBITED AND ENACTING A NEW § 74.04 STANDING OR WALKING ON A STATE OR FEDERAL HIGHWAY PROHIBITED AND TO AMEND § 74.05 OF THE FAYETTEVILLE CODE TO CLARIFY PERMIT REQUIREMENTS FOR ORGANIZATIONS AND INDIVIDUALS WHO WISH TO WALK OR STAND WITHIN A PRINCIPAL ARTERIAL ROADWAY

Legislation Text

STANDING OR WALKING ON A STATE OR FEDERAL HIGHWAY PROHIBITED

D. City Council Agenda Session Presentations:

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.