

City of Fayetteville, Arkansas

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



City Council Meeting

**April 18, 2017
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
Sarah Bunch 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 2016-0573 APPROVAL OF THE APRIL 4, 2017 CITY COUNCIL MEETING MINUTES.

Legislation Text

- A. 2 2017-0159 STEVE LANDERS TOYOTA OF NORTHWEST ARKANSAS: A RESOLUTION TO AWARD BID # 17-24 AND AUTHORIZE THE PURCHASE OF THREE 2017 TOYOTA TACOMAS FROM STEVE LANDERS TOYOTA OF NORTHWEST ARKANSAS IN THE TOTAL AMOUNT OF \$65,400.00 FOR USE BY THE WATER AND SEWER OPERATIONS DIVISION

Legislation Text

STEVE LANDERS TOYOTA OF NORTHWEST ARKANSAS

- A. 3 2017-0160 ARKANSAS MUNICIPAL EQUIPMENT, INC.: A RESOLUTION TO AWARD BID NO. 17-23 AND AUTHORIZE THE PURCHASE OF A PETERBILT 520 FRONT LOAD REFUSE TRUCK WITH NEW WAY MAMMOTH BODY FROM ARKANSAS MUNICIPAL EQUIPMENT, INC. IN THE AMOUNT OF \$240,592.00 FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Legislation Text

ARKANSAS MUNICIPAL EQUIPMENT, INC.

- A. 4 2017-0161 WILLIAMS TRACTOR: A RESOLUTION TO APPROVE THE PURCHASE OF SIX (6) HUSTLER SUPER Z MOWERS FROM WILLIAMS TRACTOR OF FAYETTEVILLE IN THE TOTAL AMOUNT OF \$62,345.00 PURSUANT TO A STATE PROCUREMENT CONTRACT FOR USE BY THE PARKS AND RECREATION DEPARTMENT

Legislation TextWILLIAMS TRACTOR

- A. 5 2017-0162 SUPERIOR AUTOMOTIVE GROUP, TRANSPORTATION DEPT.: A RESOLUTION TO AWARD BID #17-26 AND AUTHORIZE THE PURCHASE OF FIVE (5) 2017 FORD F-550 TRUCKS FROM SUPERIOR AUTOMOTIVE GROUP OF SILOAM SPRINGS, ARKANSAS IN THE TOTAL AMOUNT OF \$313,256.00 FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT

Legislation TextSUPERIOR AUTOMOTIVE GROUP, TRANSPORTATION DEPT.

- A. 6 2017-0163 SUPERIOR AUTOMOTIVE GROUP, WATER & SEWER DEPT.: A RESOLUTION TO AWARD BID #17-26 AND AUTHORIZE THE PURCHASE OF TWO (2) 2017 FORD F-550 DIESEL TRUCKS AND A FORD F-250 PICKUP TRUCK FROM SUPERIOR AUTOMOTIVE GROUP OF SILOAM SPRINGS, ARKANSAS IN THE TOTAL AMOUNT OF \$149,375.00 FOR USE BY THE WATER AND SEWER OPERATIONS DIVISION

Legislation TextSUPERIOR AUTOMOTIVE GROUP, WATER & SEWER DEPT.

- A. 7 2017-0174 HILBILT SALES CORPORATION: A RESOLUTION TO AWARD BID #17-29 AND AUTHORIZE THE PURCHASE OF A CLEMENT STARLITE 3829 DUMP TRAILER FROM HILBILT SALES CORPORATION OF BENTON, ARKANSAS IN THE AMOUNT OF \$39,794.00 PLUS APPLICABLE TAXES FOR USE AT THE CITY WASTEWATER TREATMENT FACILITIES

Legislation TextHILBILT SALES CORPORATION

- A. 8 2017-0172 CH2M HILL ENGINEERS, INC.: A RESOLUTION TO APPROVE AN OUT-OF-SCOPE AGREEMENT WITH CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$19,998.00 FOR DESIGN REVISIONS TO THE ACCESS ROAD AND BERMS AT THE LAKE SEQUOYAH SEDIMENT REMOVAL PROJECT

Legislation TextCH2M HILL ENGINEERS, INC.

- A. 9 2017-0178 WATERSHED CONSERVATION RESOURCE CENTER: A RESOLUTION TO APPROVE TASK ORDER NO. 5 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF \$100,500.00 FOR CONTINUED NATIVE VEGETATION ESTABLISHMENT EFFORTS AND MINOR ADJUSTMENTS TO EXISTING RESTORATION AREAS TO ENHANCE STREAM CHANNEL STABILITY

Legislation TextWATERSHED CONSERVATION RESOURCE CENTER

- A. 10 2017-0191 PLAY BY DESIGN, INC.: A RESOLUTION TO AWARD RFP NO. 17-03 AND AUTHORIZE A CONTRACT WITH PLAY BY DESIGN, INC. IN THE AMOUNT OF \$299,990.91 FOR THE CONSTRUCTION OF THE ROTARY CLUB OF FAYETTEVILLE PLAYGROUND AT KESSLER MOUNTAIN REGIONAL PARK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$30,000.00

Legislation TextPLAY BY DESIGN, INC.

- A. 11 2017-0132 MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC: A RESOLUTION TO APPROVE AMENDMENT NO. 6 TO THE CONTRACT WITH MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC IN THE AMOUNT OF \$100,000.00 FOR ADDITIONAL LEGAL SERVICES RELATED TO THE WHITE RIVER WATER QUALITY STANDARDS PETITION TO THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$20,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation TextMITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLCBA - MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC**B. Unfinished Business: NONE****C. New Business:**

- C. 1 2017-0180 BENCHMARK CONSTRUCTION OF NWA, INC.: A RESOLUTION TO APPROVE CHANGE ORDER NO. 2 TO THE CONTRACT WITH BENCHMARK

CONSTRUCTION OF NWA, INC. IN THE AMOUNT OF \$195,377.00 FOR THE CONSTRUCTION OF A BATHROOM AND STORAGE BUILDING AT THE FIRE DEPARTMENT TRAINING FACILITY, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$29,306.55, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BENCHMARK CONSTRUCTION OF NWA, INC.

B.A. BENCHMARK CONSTRUCTION OF NWA, INC.

- C. 2 2017-0170 FAYETTEVILLE COMMERCE PARK, PETER O. KOHLER, LLC: A RESOLUTION TO SELL ABOUT 14.9 ACRES OF LAND IN THE COMMERCE DISTRICT TO PETER O. KOHLER, LLC FOR \$223,500.00

Legislation Text

FAYETTEVILLE COMMERCE PARK, PETER O. KOHLER, LLC

- C. 3 2017-0187 VAC 17-5749 (495 W. PRAIRIE ST./INFILL GROUP): AN ORDINANCE TO APPROVE VAC 17-5749 FOR PROPERTY LOCATED AT 423 WEST PRAIRIE STREET TO VACATE A PORTION OF A DRAINAGE EASEMENT CONTAINING APPROXIMATELY 40 SQUARE FEET

Legislation Text

VAC 17-5749 (495 W. PRAIRIE ST./INFILL GROUP)

- C. 4 2017-0182 RZN 17-5734 (1722 N. STARR DR./ST. JOSEPH'S SCHOOL): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-5734 FOR ABOUT 26.09 ACRES LOCATED AT 1722 NORTH STARR DRIVE FROM R-A, RESIDENTIAL AGRICULTURAL AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO P-1, INSTITUTIONAL

Legislation Text

RZN 17-5734 (1722 N. STARR DR./ST. JOSEPH'S SCHOOL)

- C. 5 2017-0186 RZN 17-5732 (1840 W. POPLAR ST./POPLAR ST. MOBILE HOME PARK): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-5732 FOR ABOUT 9.20 ACRES LOCATED AT 1840 WEST POPLAR STREET FROM RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE TO CS, COMMUNITY SERVICES

Legislation Text

RZN 17-5732 (1840 W. POPLAR ST./POPLAR ST. MOBILE HOME PARK)

- C. 6 2017-0194 AMEND ORD. 3898, BOTANICAL GARDEN AND FAYETTEVILLE SCHOOLS AGREEMENT: AN ORDINANCE TO AMEND ORDINANCE 3898 BY REMOVING APPROXIMATELY 1.7 ACRES FROM THE LAKE FAYETTEVILLE NATURE STUDY CENTER RESERVE, TO APPROVE AN AMENDMENT TO THE JOINT LEASE AGREEMENT WITH THE FAYETTEVILLE SCHOOL DISTRICT TO REFLECT THE REMOVAL OF THE 1.7 ACRES, TO APPROVE AN AMENDMENT TO THE BOTANICAL GARDEN LAND LEASE AGREEMENT WITH THE BOTANICAL GARDEN SOCIETY OF THE OZARKS, INC. TO ADD APPROXIMATELY 1.7 ACRES TO THE LEASED PREMISES, AND TO APPROVE AN AMENDMENT TO THE BOTANICAL GARDEN OF THE OZARKS MASTER PLAN TO ADD AN OPERATIONS CENTER ON THE ADDITIONAL ACREAGE

Legislation Text

AMEND ORD. 3898, BOTANICAL GARDEN AND FAYETTEVILLE SCHOOLS AGREEMENT

- C. 7 2017-0195 UNIVERSITY OF ARKANSAS, WEST HOTZ DRIVE: A RESOLUTION PURSUANT TO ORDINANCE NO. 5652 TO AUTHORIZE MOTOR VEHICLE ACCESS TO WEST HOTZ DRIVE FROM PROPERTY OWNED BY THE UNIVERSITY OF ARKANSAS

Legislation Text

UNIVERSITY OF ARKANSAS, WEST HOTZ DRIVE

ADDITIONAL UNIVERSITY OF ARKANSAS, WEST HOTZ DRIVE

- C. 8 2017-0176 ENACT ARTICLE XXXI EQUIPMENT COMMITTEE AND ARTICLE XXXII SUBSTITUTION FOR ABSENT FELLOW CITY COUNCIL WARD MEMBER: AN ORDINANCE TO ENACT ARTICLES XXXI AND XXXII OF THE FAYETTEVILLE CODE TO CODIFY MEMBERSHIP AND DUTIES OF THE EQUIPMENT COMMITTEE AND TO PROVIDE FOR A CITY COUNCIL MEMBER TO SUBSTITUTE FOR AN ABSENT WARD REPRESENTATIVE ON A STANDING CITY COUNCIL COMMITTEE

Legislation Text

ENACT ARTICLE XXXI EQUIPMENT COMMITTEE AND ARTICLE XXXII SUBSTITUTION FOR ABSENT FELLOW CITY COUNCIL WARD MEMBER

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.